



Council Agenda

10 August 2016

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST


CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 10 AUGUST 2016

TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a meeting of the Council will be held in the Meeting Room One, Community Resource Centre, 21 Cammilleri Street, Busselton on Wednesday, 10 August 2016, commencing at 5.30pm.

Your attendance is respectfully requested.



MIKE ARCHER

CHIEF EXECUTIVE OFFICER

29 July 2016

CITY OF BUSSELTON

AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 10 AUGUST 2016

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1. **DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

2. **ATTENDANCE**

Apologies

Approved Leave of Absence

Nil

3. **PRAYER**

The Prayer will be delivered by Luke Fulton of Dunsborough Community Church.

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 27 July 2016**

RECOMMENDATION

That the Minutes of the Council Meeting held 27 July 2016 be confirmed as a true and correct record.

9.2 **Minutes of the Special Council Meeting held 21 July 2016**

RECOMMENDATION

That the Minutes of the Special Council Meeting held 21 July 2016 be confirmed as a true and correct record.

Committee Meetings9.3 Minutes of the Policy & Legislation Committee Meeting held 21 July 2016**RECOMMENDATION**

- 1) That the minutes of the Policy & Legislation Committee Meeting held 21 July 2016 be received.
- 2) That the Council notes the outcomes from the Policy & Legislation Committee Meeting held 21 July 2016 being:
 - a) The Busselton & Dunsborough Centres Facade Refurbishment Subsidy Programme Application: Depel Pty Ltd, Ivan Nash & Barry Walsh item is presented for Council consideration at item 10.1 of this agenda.
 - b) The Review of Fees, Allowances and Expenses for Elected Members Policy item is presented for Council consideration at item 10.2 of this agenda.
 - c) The general discussion item on Planning Delegations is noted

9.4 Minutes of the Meelup Regional Park Management Committee Meeting held 26 July 2016**RECOMMENDATION**

- 1) That the minutes of the Meelup Regional Park Management Committee Meeting held 26 July 2016 be received.
- 2) That the Council notes the outcomes from the Meelup Regional Park Management Committee Meeting held 26 July 2016 being:
 - a) The Meelup Regional Park Specific Event Conditions item is noted.

9.5 Minutes of the Airport Advisory Committee Meeting held 27 July 2016**RECOMMENDATION**

- 1) That the minutes of the Airport Advisory Committee Meeting held 27 July 2016 be received.
- 2) That the Council notes the outcomes from the Airport Advisory Committee Meeting held 27 July 2016 being:
 - a) The Busselton-Margaret River Regional Airport Concept Plan - Stage 2AEO item is presented for council consideration at item 10.3 of this agenda.
 - b) The Busselton-Margaret River Regional Airport Consultative Group item is presented for council consideration at item 17.1 of this agenda.

10. REPORTS OF COMMITTEE

10.1 Policy and Legislation Committee - 21/07/2016 - BUSSELTON & DUNSBOROUGH CENTRES FACADE REFURBISHMENT SUBSIDY PROGRAMME APPLICATION: DEPEL PTY LTD, IVAN NASH & BARRY WALSH

SUBJECT INDEX:	City Centre Facade Refurbishment Subsidy Programme
STRATEGIC OBJECTIVE:	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
BUSINESS UNIT:	Development Services and Policy
ACTIVITY UNIT:	Statutory Planning
REPORTING OFFICER:	Planning Officer - Stephanie Izzard
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Location Plans Attachment B Depel Pty Ltd Proposal Attachment C Ivan Nash Proposal Attachment D Al Forno/Barry Walsh Proposal Attachment E Busselton and Dunsborough Centres Facade Refurbishment Subsidy Programme

This item was considered by the Policy and Legislation Committee at its meeting on 21 July 2016, the recommendations from which have been included in this report.

PRÉCIS

The Council is asked to consider three applications received for the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme in accordance with the programme guidelines adopted.

BACKGROUND

Council resolved on 13 March 2013 to trial a programme for the 2013/14 and 2014/15 financial years by allocating \$20,000 in the 2013/14 financial year and \$50,000 in the 2014/15 financial year towards a façade refurbishment subsidy programme. On 29 January 2014 Council adopted the Busselton City Centre Façade Refurbishment Subsidy Programme and on 10 December 2014 resolved to add a portion of the Dunsborough Town Centre to the 'eligible area.' The amended programme, now called the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme, is provided at **Attachment E**.

The City undertook a round of invitation for expressions of interest for the 2016/2017 round of funding, which closed on 9 July 2016. Three applications were received which are the subject of this report, one in the Dunsborough Town Centre and two in the Busselton City Centre. Location Plans of the applications received is provided at **Attachment A**.

The applications received are as follows:

1. Depel Pty Ltd - Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough

The application proposes to upgrade the shop front windows of Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough. The façade extends across three stores currently used for retail purposes. The application is to replace the narrow paneled windows of all three shops with single pane windows. **Attachment B** shows a picture of the existing façade and proposed new windows applied for as part of the subsidy application. This application was previously not supported by the Council as part of the

second funding round in early 2015. The applicant is requesting that the Council reconsider the same proposal as part of this year's funding round.

2. Ivan Nash - Lots 1 – 4 (20 -26) Queen Street, Busselton

This application is for an awning addition which will extend along the frontages of Lots 1 – 4 (20 -26) Queen Street, Busselton. The front facade of the building is setback 2.4m from the front property boundary. Currently, there is an existing awning which extends from the front of the building to the front property boundary. The proposed awning will replace this structure and will extend an additional 2.6m beyond the front property boundary over the footpath in front of the property. The development has been designed to allow for the future expansion of the building to bring it in line with the front property boundary. This expansion will form part of future works on the site and does not form part of this proposal. **Attachment C** shows a picture of the existing façade and proposed new awning applied for as part of the subsidy application

3. Al Forno/Barry Walsh - Lot 131 (49) Queen Street, Busselton

This application proposes to replace the existing fixed windows of Lot 131 (49) Queen Street, Busselton with bi-fold doors, fixed panels as well as replace the existing door. **Attachment D** shows a picture of the existing façade and proposed new bi-fold doors and fixed panels applied for as part of the subsidy application. The modifications to the tenancy are to accommodate a new café which is to be a subsidiary of Al Forno on Bussell Highway. It is proposed that this site will operate in addition to the existing premise. The modifications to the front façade will allow for the portion of the tenancy along the front boundary to open on to a possible future alfresco dining area. The City is currently working with the operator of the business to discuss option regarding alfresco dining at the premise.

STATUTORY ENVIRONMENT

The Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and application for subsidy funding is consistent with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.

RELEVANT PLANS AND POLICIES

The Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme is a document for the City and Council to consider when assessing applications received for the subsidy funding. It provides clarification and transparency to the public on what will be considered acceptable for an application.

The programme specifies an 'eligible area' and 'eligible' works which will be considered for subsidy funding.

In determining applications for inclusion within the Programme the following criteria are to be taken into consideration:

- Consistency with the adopted Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme (including whether the works are 'eligible' for funding);
- Compliance with the City's Local Planning Scheme and Building Code of Australia;
- Consistency with the objectives and recommendations of the Busselton City Centre Urban Design Policy;
- The degree to which the applicant is financially contributing to the project;

- The extent to which the project contributes to the visual improvement of the façade and is visible from the public domain;
- Integration of the proposed works with the streetscape, adjoining buildings and degree to which the project contributes to the established character of the street; and
- The degree to which the proposed works promote interaction with the streetscape, including the provision of frontages which are inviting, provide points of interest for pedestrians and allow for an efficient use of space, are functional, attractive and pedestrian friendly.

FINANCIAL IMPLICATIONS

A budget of \$50,000 for the subsidy programme is provided for in the draft City budget for the 2016/2017 financial year.

STRATEGIC COMMUNITY OBJECTIVES

The recommendations of this report reflect Community Objective 2.2 of the City's Strategic Community Plan 2013 – 'A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections'.

RISK ASSESSMENT

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

CONSULTATION

Expressions of interest were sought from 9 May 2016 to 9 July 2016. Three applications were received.

OFFICER COMMENT

The applications are to be assessed against the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme. All applications are within the eligible areas of the programme which the City has identified as a priority for upgrades. The programme identifies works which will be considered as eligible for funding and excludes works such as general maintenance, which should be occurring regularly without the programme as 'ineligible' for subsidy funding.

The following provides an assessment of the works and consistency with the programme guidelines.

1. Depel Pty Ltd - Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough

The applicant has applied for a subsidy contribution for the works summarised below:

Works Proposed	Quotation (ex GST)	Eligible or Ineligible works	Amount (ex GST)
1. Replace shop front windows, doors and glazing to all three shops	\$13,828.55	Eligible – The modification or creation of windows to provide interaction with the streetscape is considered eligible works.	\$13,828.55
Total Expenditure (ex GST)			\$13,828.55
Potential subsidy contribution (50% of total expenditure (ex GST) above \$5,000)			\$4,141.30

The works proposed meet the assessment criteria of the programme as they will:

- Comply with the City of Busselton Local Planning Scheme No. 21 and will bring the site into compliance with the disable access requirements of the Building Code of Australia;
- The works proposed as part of the façade upgrade will visually improve the façade and view of the building from the streetscape; will promote interaction with the streetscape by improving the visibility into the shop fronts and create a shop front which is functional.

It is noted that the application was previously not supported by the Council on the basis that the works were not consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme. However, it is considered that the proposed façade works are functional, will ensure compliance with disabled access for older buildings and are consistent with the façade subsidy programme guidelines and assessment criteria.

It is recommended that subsidy funding of up to \$4,141.30 be provided.

2. Ivan Nash - Lots 1 – 4 (20 -26) Queen Street, Busselton

The applicant has applied for a subsidy contribution for the works summarised below:

Works Proposed	Quotation (ex GST)	Eligible or Ineligible works	Amount (ex GST)
Install awning	\$10,000	Eligible – The installation of an awning is considered eligible works.	\$40,000.00
Total Expenditure (ex GST)			\$40,000.00
Potential subsidy contribution (50% of total expenditure (ex GST) above \$5,000)			\$17,500.00

A development application for the proposal has been approved by the City under Delegated Authority. It was considered that the proposal met the applicable requirements of the City of Busselton Local Planning Policy 4C – Busselton Town Centre Urban Design Centre Provision in that it provides a pedestrian shelter for the full width of the lot frontage. Despite being consistent with the relevant planning requirements, it is considered that the design of the development will not adequately contribute to the streetscape or provide enough visual interest to be funded by this programme.

It is recommended that the subsidy funding of up to \$17,500.00 not be provided.

3. Al Forno/Barry Walsh - Lot 131 (49) Queen Street, Busselton

The applicant has applied for a subsidy contribution for the works summarised below:

Works Proposed	Quotation (ex GST)	Eligible or Ineligible works	Amount (ex GST)
Materials and construction of bi-fold doors, fixed panels as well as replace the existing door	\$15,856.00	Eligible – Materials and construction of bi-fold doors, fixed panels as well as replace the existing door	\$15,856.00
Installation of shop front	\$1,560.00	Eligible – Installation of shop front	\$1,560.00
Total Expenditure (ex GST)			\$17,416.00
Potential subsidy contribution (50% of total expenditure (ex GST) above \$5,000)			\$6,208.00

The works proposed meet the assessment criteria of the programme as they will:

- Comply with the City of Busselton Local Planning Scheme No. 21;
- The works proposed as part of the façade upgrade will visually improve the façade and view of the building from the streetscape; will promote interaction with the streetscape.

It is recommended that subsidy funding of up to \$6,208.00 be provided.

CONCLUSION

It is considered by Officers that proposals 1 and 3 comply with the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and it is recommended that the subsidy funding of \$4,141.30 and \$6,208.00, respectively, be supported. It is considered by Officers that proposal 2 does not comply with the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and it is recommended that the funding to the amount of \$17,500.00 not be provided.

OPTIONS

Should the Council consider that proposal 1 and/or 3 is not consistent with the programme guidelines objectives and assessment criteria, it may resolve to:

1. Recommend not to provide subsidy funding for the works.

Should the Council consider that proposal 2 is consistent with the programme guidelines objectives and assessment criteria, it may resolve to:

2. Recommend to provide subsidy funding for the works.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation if supported will require the applicant to enter into a legal agreement with the City to complete the works and arrange for the subsidy funding to be paid prior to the end of the 2016/17 financial year.

OFFICER RECOMMENDATION

That the Council resolve:

1. That the application to upgrade the façade of Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough is consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and to contribute \$4,141.30 towards the works.
2. That the application for an awning addition at Lots 1 – 4 (20 – 26) Queen Street, Busselton is not consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and is therefore not supported.
3. That the application to upgrade the façade of Lot 131 (49) Queen Street, Busselton, is consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and to contribute \$6,208.00 towards the works.

4. To enter into a legal agreement with the owners of the property in the successful application in Resolution 1 and 3 to provide for the payment of funds once the works are completed to the City's satisfaction and final costs substantiated. The legal agreement shall include the requirements for appropriate recognition of the City's contribution to the City's satisfaction.

Note: The Committee was of the opinion that proposal 1 for Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough was not consistent with programme and would therefore not be supported.

COMMITTEE RECOMMENDATION

That the Council resolve:

1. That the application to upgrade the façade of Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough is not consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and therefore is not supported.
2. That the application for an awning addition at Lots 1 – 4 (20 – 26) Queen Street, Busselton is not consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and is therefore not supported.
3. That the application to upgrade the façade of Lot 131 (49) Queen Street, Busselton, is consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and to contribute \$6,208.00 towards the works.
4. To enter into a legal agreement with the owners of the property in the successful application in Resolution 3 to provide for the payment of funds once the works are completed to the City's satisfaction and final costs substantiated. The legal agreement shall include the requirements for appropriate recognition of the City's contribution to the City's satisfaction.





DEPEL PTY LTD – LOTS 1, 2 AND 3 (HSE 245) NATURALISTE TERRACE, DUNSBOROUGH
BUSSELTON AND DUNSBOROUGH CENTRES FAÇADE SUBSIDY APPLICATION PROGRAMME

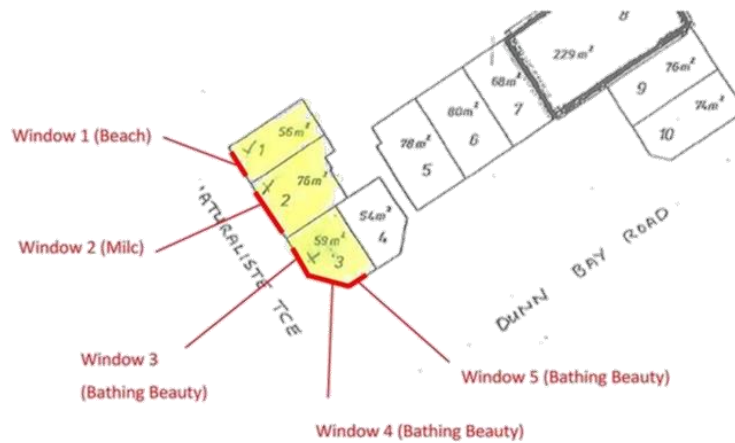
EXISTING FAÇADE



Elevation from Naturaliste Terrace



Elevation from Dunn Bay Road





Window 1 (Beach)



Window 2 (Milc)



Window 3 (Bathing Beauty)



Window 4 (Bathing Beauty)

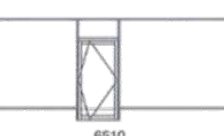


Window 5 (Bathing Beauty)


PROPOSED FACADE – NEW WINDOWS

<p>Item 1</p>  <p>Comment: *REMOVE EXISTING - SUPPLY & INSTALL *PIVOT DOOR WITH CONCEALED OVERHEAD CLOSER *LOCKWOOD ESCAPE CYLINDER / SNIB *AUSTYLE 300MM D HANDLES *RAVEN RP4T STORM SEAL</p>	<p>Win/Dr No: SHOP 1 - BEACH</p> <p>Product: 400 Series Frame</p> <p>Size: 2685 x 4105</p> <p>Finish: Powdercoat as selected</p> <p>Glass: 10.38mm Clear Lam 6.38mm Clear Lam</p> <p>Qty 1</p> <p>Design W/Load : 6 P/Lubricate : 1000 P/Servicable : 700</p>
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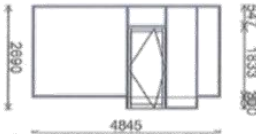
Window 1 (Beach)

<p>Item 1</p>  <p>Comment: *REMOVE EXISTING - SUPPLY & INSTALL *PIVOT DOOR WITH CONCEALED OVERHEAD CLOSER *LOCKWOOD ESCAPE CYLINDER / SNIB *AUSTYLE 300MM D HANDLES *RAVEN RP4T STORM SEAL</p>	<p>Win/Dr No: SHOP 2 - MILC</p> <p>Product: 400 Series Frame</p> <p>Size: 2675 x 6510</p> <p>Finish: Powdercoat as selected</p> <p>Glass: 10.38mm Clear Lam 6.38 mm Clear Lam</p> <p>Qty 1</p> <p>Design W/Load : 6 P/Lubricate : 1000 P/Servicable : 700</p>
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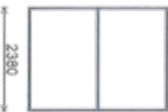
Window 2 (Milc)

<p>Item 1</p>  <p>Comment: *REMOVE EXISTING - SUPPLY & INSTALL *ALUMINIUM PRESSINGS OVER COLUMN TO ADJACENT FRAME</p>	<p>Win/Dr No: SHOP 3 - BATHING BEAUTY</p> <p>Product: 400 Series Frame</p> <p>Size: 2380 x 4790</p> <p>Finish: Powdercoat as selected</p> <p>Glass: 10.38mm Clear Lam</p> <p>Qty 1</p> <p>Design W/Load : 6 P/Lubricate : 1000 P/Servicable : 700</p>
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Window 3 (Bathing Beauty)

<div>Item 2</div> <div></div> <div>Comment: *REMOVE EXISTING - SUPPLY & INSTALL *PIVOT DOOR WITH CONCEALED OVERHEAD CLOSER *LOCKWOOD ESCAPE CYLINDER / SWSB *AUSTYLE 300MM D HANDLES *RAVEN RP4T STORM SEAL</div>	Win/Dr No: SHOP 3 - BATHING BEAUTY	Qty	1
	Product: 400 Series Frame	Days Will cost :	0
	Size: 2690 x 4845	P/L Min cost :	1000
	Finish: Powdercoat as selected	P/L Serviceable :	700
Glass: 10.38mm Clear Lam 6.38 Clear Lam			

Window 4 (Bathing Beauty)

<div>Item 3</div> <div></div> <div>Comment: *REMOVE EXISTING - SUPPLY & INSTALL *ALUMINIUM PRESSINGS OVER COLUMN TO ADJACENT FRAME</div>	Win/Dr No: SHOP 3 - BATHING BEAUTY	Qty	1
	Product: 400 Series Frame	Days Will cost :	0
	Size: 2380 x 3195	P/L Min cost :	1000
	Finish: Powdercoat as selected	P/L Serviceable :	700
Glass: 8.38mm Clear Lam			

Window 5 (Bathing Beauty)

IVAN NASH – LOTS 1 – 4 (HSE 20 -26) QUEEN STREET, BUSSELTON

BUSSELTON AND DUNSBOROUGH CENTRES FAÇADE SUBSIDY APPLICATION PROGRAMME

Existing



Proposed

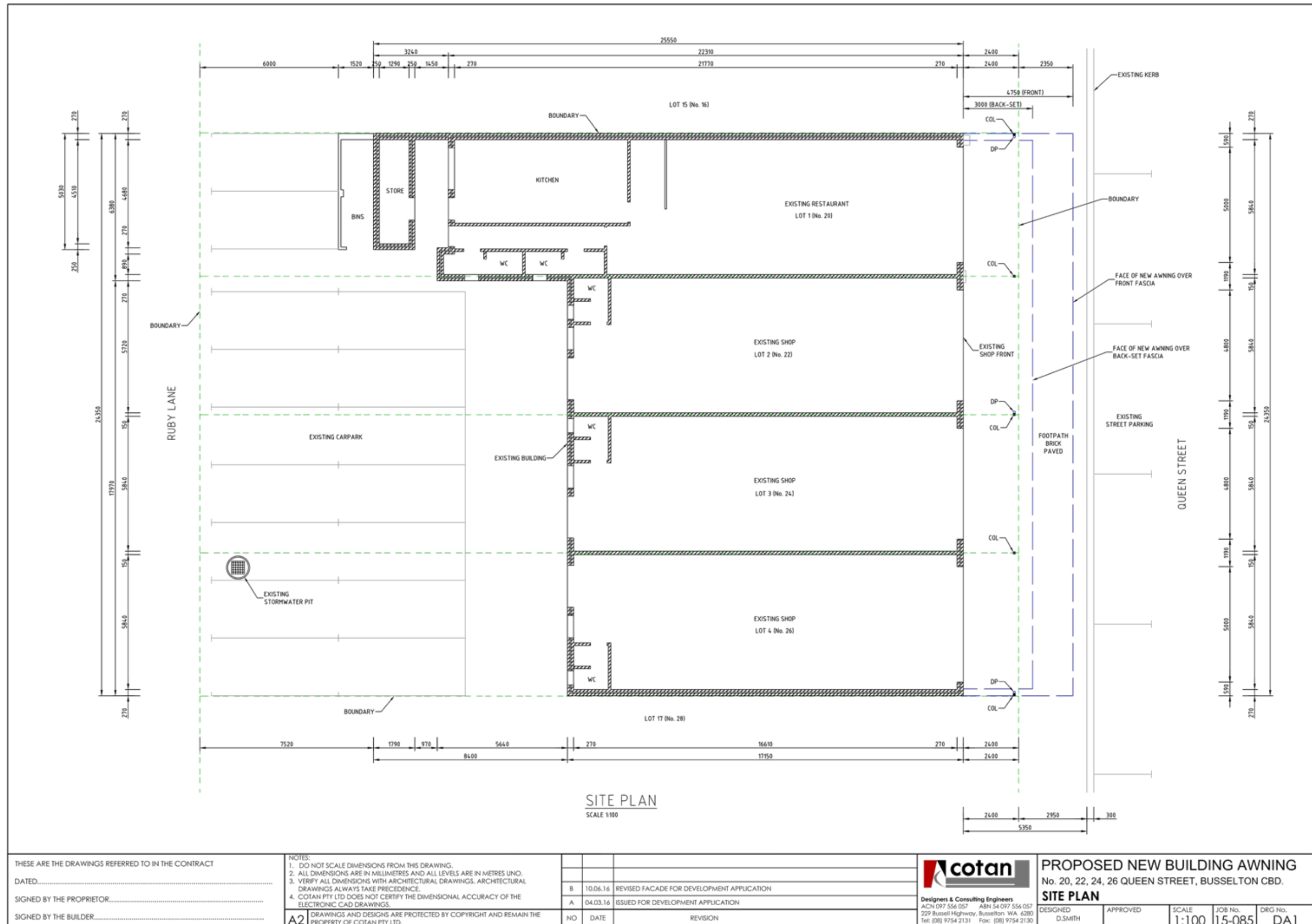


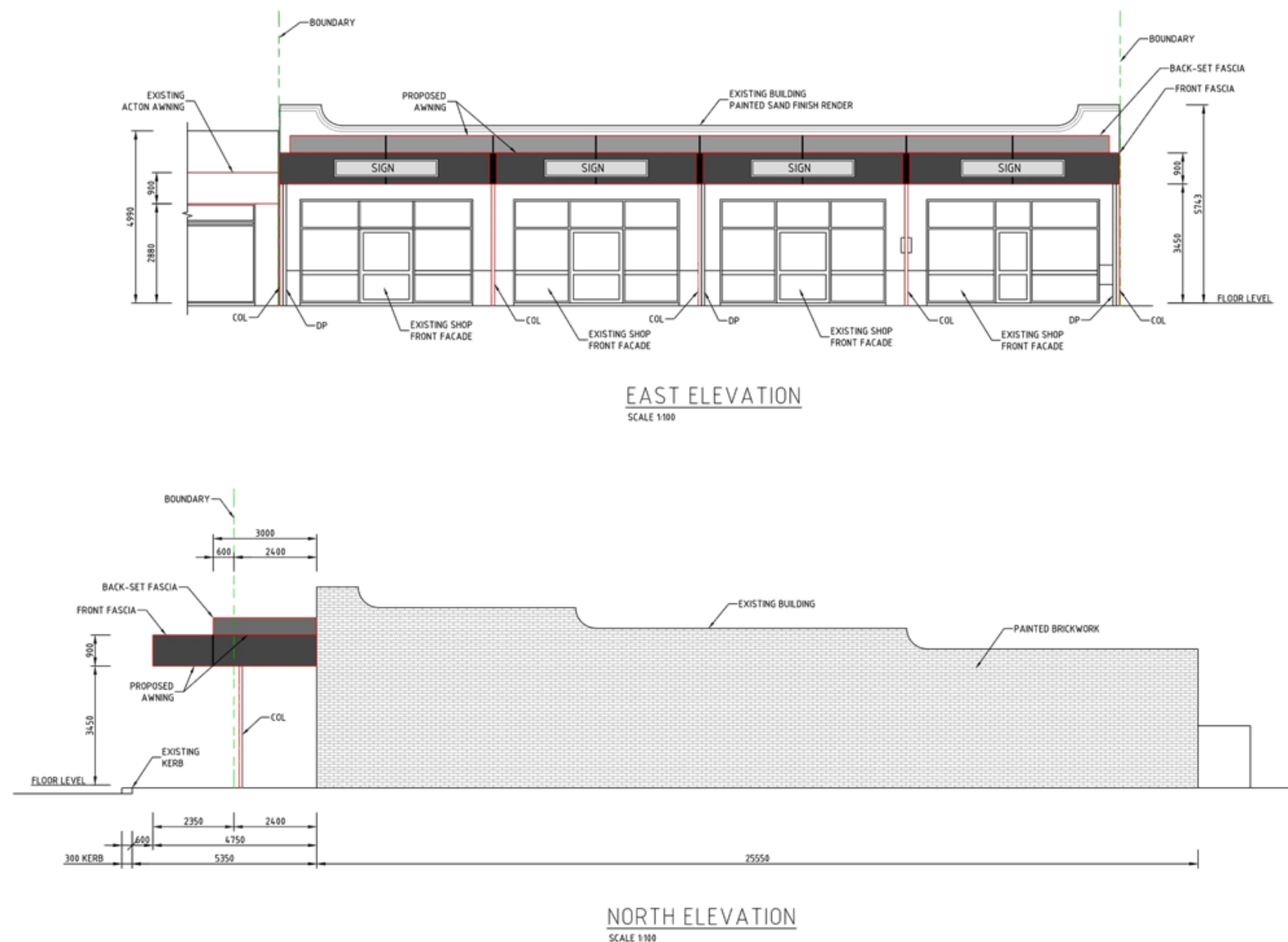
Existing



Proposed







New awning

- Front fascia**
A recess will be formed in the front panel at the separation line between each shop. The recess will be approximately 200mm wide x 100mm deep to provide a clearly visible separation between shops. This feature will create shadowlines in the front fascia of the awning to interrupt the visual overall length of the structure.
- Back-set fascia**
The back-set fascia will provide elevation above the front fascia of the awning to provide extra dimension to the facade of the building.
- Fascia lining**
The fascias will be lined with fibre cement sheeting with expressed joints. Paint finish will be to-shoen and provide a border to the signage.
- Signage**
Signage on the front panel of the fascia is proposed to be relatively minimalistic to simply identify the tenant.
- Refurbishment of exterior of existing building**
The external walls of the existing building will be repainted in a colour scheme to complement the new awning and provide freshness to the building. The existing aluminium framing on the shopfront windows will be painted a new colour to blend with the new appearance.

THESE ARE THE DRAWINGS REFERRED TO IN THE CONTRACT

DATED.....

SIGNED BY THE PROPRIETOR.....

SIGNED BY THE BUILDER.....

NOTES:

- DO NOT SCALE DIMENSIONS FROM THIS DRAWING.
- ALL DIMENSIONS ARE IN MILLIMETRES AND ALL LEVELS ARE IN METRES UNO.
- VERIFY ALL DIMENSIONS WITH ARCHITECTURAL DRAWINGS. ARCHITECTURAL DRAWINGS ALWAYS TAKE PRECEDENCE.
- COTAN PTY LTD DOES NOT CERTIFY THE DIMENSIONAL ACCURACY OF THE ELECTRONIC CAD DRAWINGS.

A2 DRAWINGS AND DESIGNS ARE PROTECTED BY COPYRIGHT AND REMAIN THE PROPERTY OF COTAN PTY LTD.

NO	DATE	REVISION
B	10.06.16	REVISED FACADE FOR DEVELOPMENT APPLICATION
A	04.03.16	ISSUED FOR DEVELOPMENT APPLICATION

cotan
Designers & Consulting Engineers
ACN 097 556 057 ABN 54 097 556 057
229 Buswell Highway, Buswellton, WA 6280
Tel: (08) 9754 2131 Fax: (08) 9754 2130

PROPOSED NEW BUILDING AWNING
No. 20, 22, 24, 26 QUEEN STREET, BUSWELLTON CBD.
ELEVATIONS

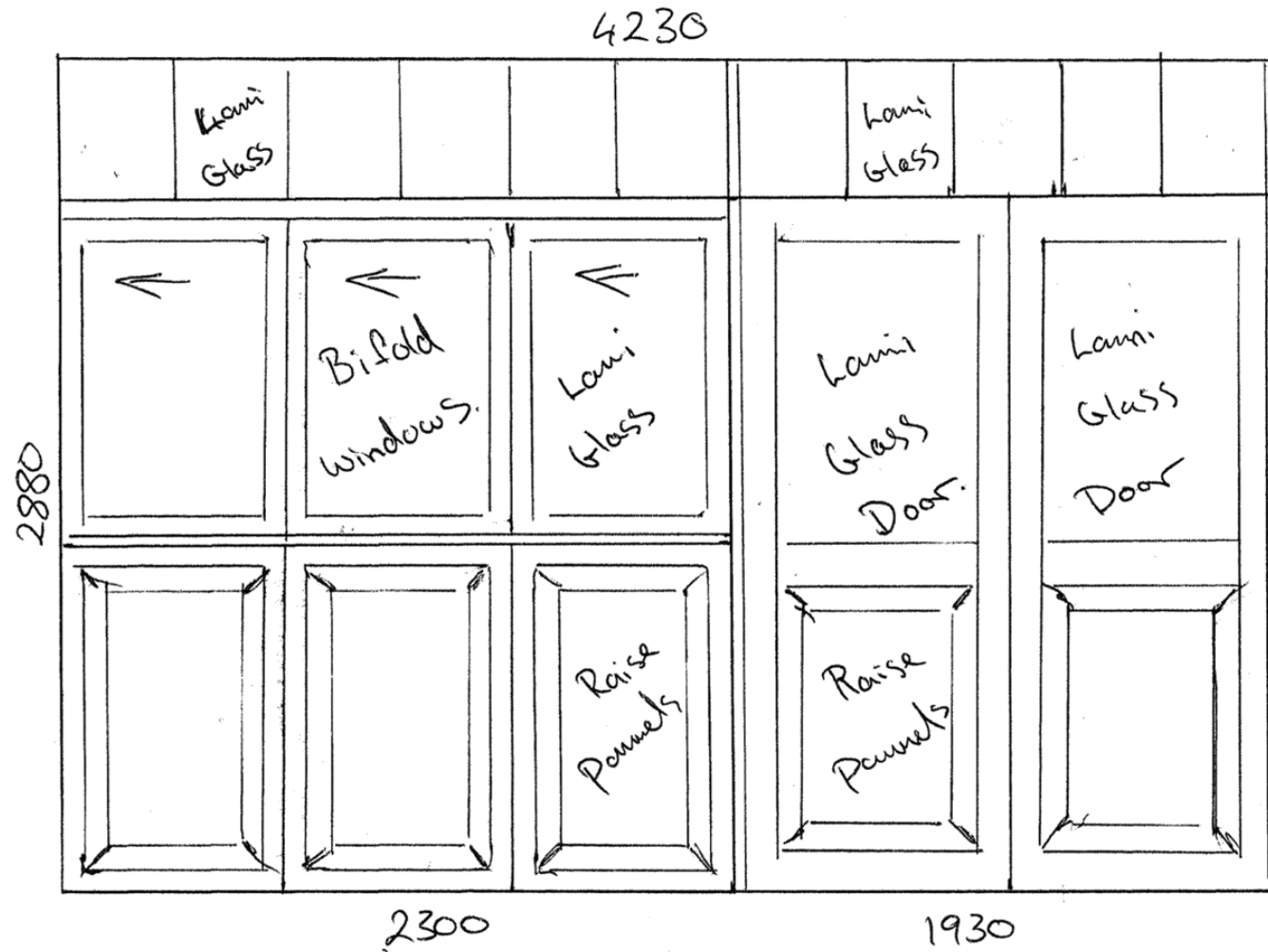
DESIGNED	APPROVED	SCALE	JOB No.	DRG No.
D.SMITH		1:100	15-085	DA2

BARRY WALSH – LOT 131 (HSE 49) QUEEN STREET, BUSSELTON

Existing



49 QUEEN ST.





BUSSELTON & DUNSBOROUGH CENTRES FAÇADE REFURBISHMENT SUBSIDY PROGRAMME

1.0 PROGRAM OBJECTIVES

The Council has decided to establish the Busselton & Dunsborough Centres Façade Refurbishment Subsidy Programme. The Programme provides incentives in the form of grants to landowners and business operators to upgrade building facades in the Busselton & Dunsborough Centres. The objectives of the Programme are to:

- Beautify the Centres by improving the streetscape, which will in turn provide benefits to the broader community by making places more attractive, including for business and investment;
- Improve the experience of pedestrians to encourage more people to live, work, play and do business in the Centres;
- Reinforce and build upon the Busselton and Dunsborough Centres as the major retail, social and cultural hub of the City of Busselton and broader region;
- Enhance the physical quality and established character of the Centre's built environment through sensitive and innovative design of buildings and spaces; and
- Supporting building owners and business operators to improve the public impression of their buildings and businesses respectively.

Through providing financial assistance the Programme aims to develop stronger partnerships between the City and local businesses, and the Programme will complement the City's investment of resources into developing strategies and undertaking capital works to improve the function and appearance of the Centres.

The following provides a guide for the City, landowners and business operators in relation to: what buildings are eligible for the grant; how to apply; the application process and criteria for assessment; and general conditions that will be applied to successful applications.

2.0 ELIGIBLE BUILDINGS

The Programme applies to properties fronting Queen Street and Prince Street in the Busselton Centre as outlined in the programme area map at **Attachment 1**.

The Programme applies to properties fronting Naturaliste Terrace, Dunn Bay Road, Hannay Lane and Dunsborough Place in the Dunsborough Centre as outlined in the programme area map at **Attachment 2**.

The Programme area will be reviewed over time to reflect the City's priority areas for improvement and may also correspond with capital works improvements on streetscapes within the Centres.

3.0 HOW TO APPLY

Applicants will need to submit a completed application form and supporting documentation for the City to assess. Applicants should ensure that as part of applying for the grant they have submitted:

- The completed application form;
- A plan demonstrating the works to be undertaken, which as a minimum will include an elevation plan showing the proposed modifications to the building façade; and
- A cost estimate for the eligible works from an appropriate builder. Cost estimates are to be itemised showing a breakdown of the components of the cost estimate.

4.0 APPLICATION PROCESS

Eligible landowners and business operators will be contacted or notified via public consultation that applications are being sought for the programme. The following outlines the general process of how the Programme will be administered.

4.1 Pre-Approval Process

1. Interested landowners and business operators are encouraged to contact the City to arrange a pre application discussion with staff prior to preparing or submitting an application.
2. Applicants complete application form and all relevant documents to submit to the City prior to the closing date for applications to be received.
3. Applications will be assessed by City staff and prioritised in accordance with the assessment criteria of this programme.
4. City staff will prepare a report to the Councils' Policy and Legislative Committee, which will then make recommendations to Council with respect to which applications should be approved.
5. Successful applicants will be notified of the outcome of their application.

4.2 Assessment Criteria

Applications will be prioritised based on the following criteria:

- Compliance with the City's Town Planning Scheme and Building Code of Australia;
- Consistency with the objectives and recommendations of the Busselton City Centre Urban Design Policy;
- The degree to which the applicant is financially contributing to the project;
- The extent to which the project contributes to the visual improvement of the façade, and is visible from the public domain;
- Integration of proposed works with the streetscape, adjoining buildings and degree to which the project contributes to the established character of the street; and
- The degree to which the proposed works promote interaction with the streetscape, including the provision of frontages which are inviting, provide points of interest for pedestrians and allow for an efficient use of space, are functional, attractive and pedestrian friendly.

4.2.1 Eligible Works

Works eligible for grant funding are:

- Restoration of exterior finishes;
- Repainting of building façade and windows (does not include works that can be considered as general maintenance);
- Removal of opaque roller shutters/security grilles to be replaced with more appropriate transparent or inset behind shop display roller shutters;

- Works required, as a result of a building permit and compliance with disabled access in accordance with the *Building Act 2011* and *Building Regulations 2012*;
- The modification or creation of windows which will provide interaction with the streetscape;
- Properties adjoining a laneway may apply for upgrade works for the visible portion from the streetscape; however these works are to complement façade works fronting the endorsed project area;
- Under awning lighting (excluding illuminated signage);
- Skinning of existing awning structure and fascia with new material; and
- Repair or replace awning structure.



Works shall only include upgrades to the façade of the building (includes awning and posts). Applicants are encouraged to outline any desired works, landscaping etc on public land, and subject to consideration at the annual budget review the works may be included in the City's capital works program.

4.2.2 Ineligible works

Works not eligible for grant funding include:

- Removal of non-compliant signage or any new signage;
- Internal alterations and additions to a building;
- General maintenance;
- Any works required to satisfy conditions of planning consent, building or health which are not a result of this program;
- Works that have already been completed, or have been commenced;
- Works necessary only to accommodate relocation of a new business and/or replace signage/paint;
- Preliminary design work to complete application;
- Upgrades and/or works to laneways which are not visible from the streetscape, are not identified within the programme area and do not form a complimentary function to upgrade of a property fronting a public street;
- Infrastructure associated with alfresco areas. Applicants should be aware that alfresco areas may be permitted in existing car parking spaces subject to planning approval (Whilst applications for new alfresco areas will not be considered for grant funding within this program, applicants are encouraged to discuss any future ideas with the City, which may be able to be included within the capital works programme or future plans for the streetscape).



4.3 Implementation of successful grant applications

Successful grant applications will need to be implemented in accordance with the following general process:

1. Applicant is required to source minimum of two quotations from appropriate builders for endorsed works and required to sign agreement prepared by the City. The agreement will finalise the maximum sum to be paid by the City on completion of the agreed works.
2. Applicant is to complete works in accordance with signed agreement by the end of the financial year following the year in which the grant is approved (i.e. currently, by the end of the 2014/15 financial year), unless otherwise agreed to by the City in writing.
3. Applicant to provide written notification to the City once works have been completed, including receipt for payment of works (payment will only be authorised to persons in the signed agreement).
4. City of Busselton inspects works to determine if they are satisfactory to the agreement signed.
5. Applicant to prepare tax invoice to the City of Busselton for agreed grant sum.

6.0 GRANT FUNDING

The City will provide successful applicants grants of up to 50% of the agreed project cost (ex GST) above \$5,000.00, up to a maximum grant of \$20,000.00 per building. Grants are only available to projects with a minimum total value of \$10,000 (ex GST). Three worked examples of the maximum grant available for projects are set out below.

Example A: \$60,000.00 total project value. Project value above \$5,000.00 is \$55,000.00, 50% of which is \$27,500.00. Maximum grant is \$20,000.

Example B: \$45,000.00 total project value. Project value above \$5,000.00 is \$40,000.00, 50% of which is \$20,000.00. Maximum grant is \$20,000.00.

Example C: \$15,000.00 total project value. Project value above \$5,000.00 is \$10,000.00, 50% of which is \$5,000.00. Maximum grant is \$5,000.00.

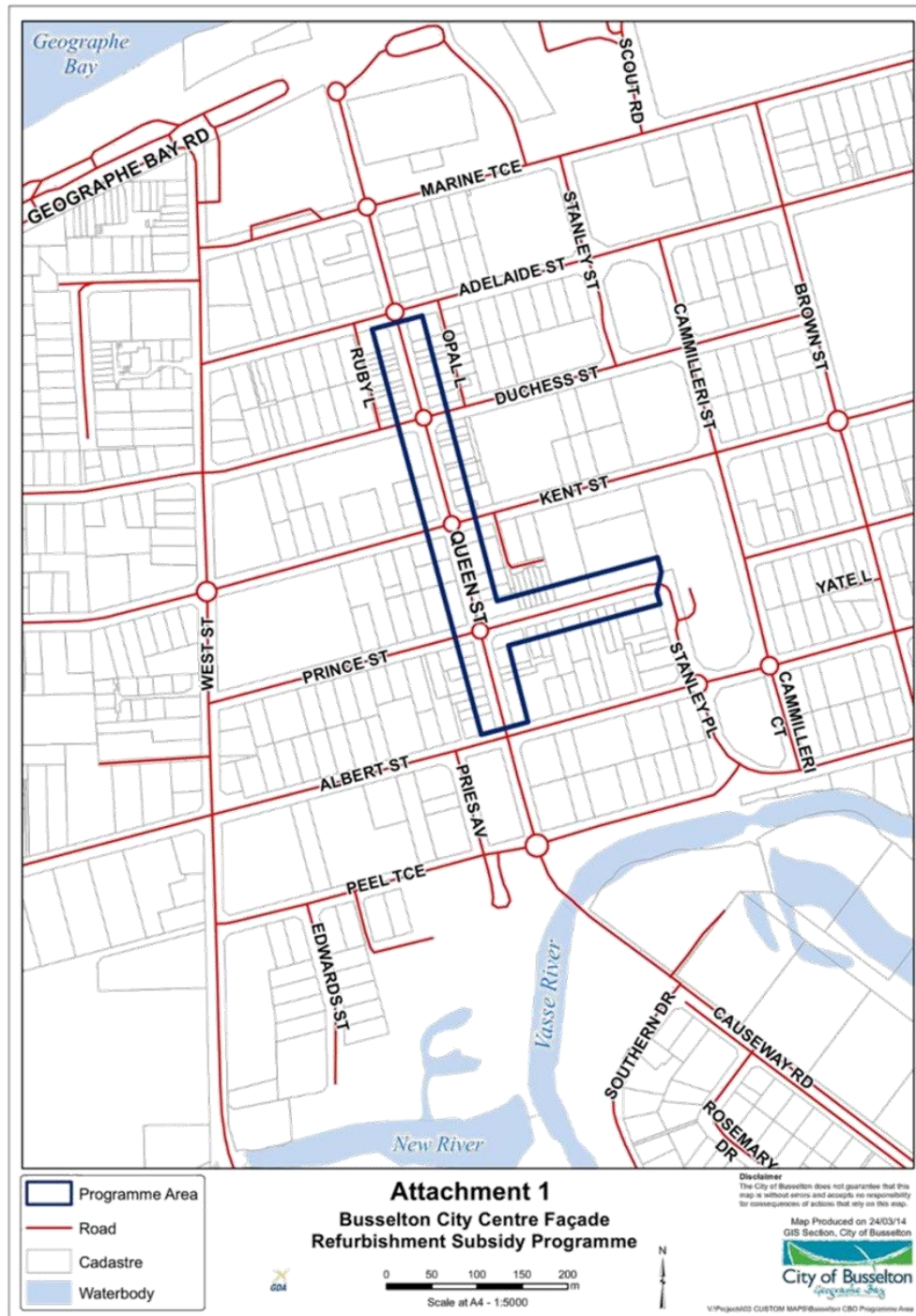
The number of applications that are successful will be dependent on the number and total cost of supported applications. The Programme has a maximum of \$50,000.00 allocated for the first round, with a review of the Programme to occur annually. Funds will be allocated once a year, however should there be sufficient funds after the initial funding round in any given year, a second round of applications may be considered at the City's discretion.

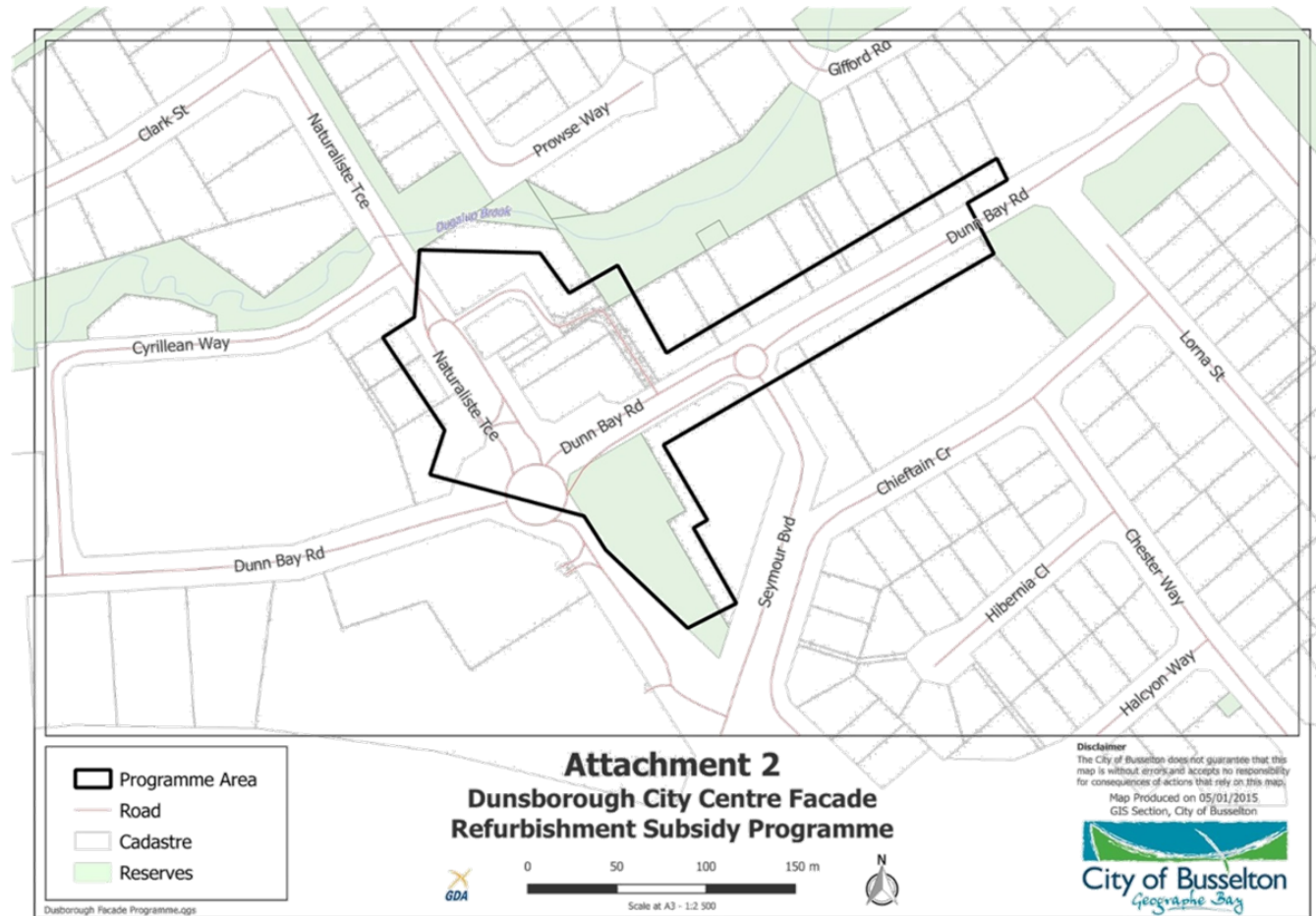
Unsuccessful applicants will be eligible to apply for a contribution towards design work required to prepare their application. Contributions will be available from a pool of \$3,000.00 and will be allocated based on the number of unsuccessful applications received. Contributions for preliminary design work to unsuccessful applicants will only be provided subject to a written request being received and a copy of the invoice for design work being provided.

7.0 GENERAL CONDITIONS

Successful applicants will be required to sign an agreement with the City acknowledging that the grant will only be available subject to complying with general conditions. To provide transparency of the City's expectations prior to landowners or business operators submitting an application, the following outlines general conditions that will be contained within the agreement:

1. Applicants will be required to remove any illegal signage as part of façade improvements.
2. The applicant is to be responsible for obtaining all necessary planning and building approvals prior to commencement of works.
3. The City of Busselton will waive any planning fees required to commence successful works on successful grant applications. Building permit application fees are to be paid by the applicant.
4. Works are to be undertaken by licenced contractors.
5. Cost estimates and quotations are to be sourced from suitably qualified local (City of Busselton municipal boundary) businesses wherever possible. Cost estimates and quotations are to provide costs for each component being applied for.
6. The applicant if successful is to enter into an agreement with the City setting out the agreed schedule of works, timeline and grant sum.
7. Funds will not be reimbursed until after the completion of the project and the City has agreed that all work has been carried out satisfactorily and within the specified time frame.
8. Any overrun in costs is not the responsibility of the City and the City will only be liable to reimburse the costs as per the agreement.





10.2 Policy and Legislation Committee - 21/07/2016 - REVIEW OF FEES, ALLOWANCES AND EXPENSES FOR ELECTED MEMBERS POLICY

SUBJECT INDEX:	Councillors
STRATEGIC OBJECTIVE:	Governance systems that deliver responsible, ethical and accountable decision-making.
BUSINESS UNIT:	Governance Services
ACTIVITY UNIT:	Council and Councillor Services
REPORTING OFFICER:	Manager, Governance Services - Lynley Rich
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Matthew Smith
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Attachment A Existing Fees, Allowances and Expenses Policy

This item was considered by the Policy and Legislation Committee at its meeting on 21 July 2016, the recommendations from which have been included in this report.

PRÉCIS

The City of Busselton was recently increased to a Band 1 local government by the Salaries and Allowances Tribunal (SAT), requiring the updating of the policy in relation to fees, allowances and expenses. All Councillors are entitled to a fee for attending Council and Committee meetings and a range of other reimbursements, while the Mayor and Deputy Mayor are also eligible for an allowance for the performance of those duties.

BACKGROUND

The policy was last reviewed in 2014 as no adjustments were made by the Salaries and Allowances Tribunal in 2015.

STATUTORY ENVIRONMENT

Division 8 of Part 5 of the *Local Government Act 1995* establishes the entitlement of elected members to receive allowances and to be reimbursed for costs incurred in the performance of their duties. The actual allowances, or range of allowances, is established by the SAT in Local Government Elected Council Members Determinations.

In accordance with the Act, any decision to pay elected members an annual allowance instead of a fee per meeting and any decision to pay an allowance to a Deputy Mayor, requires an absolute majority.

RELEVANT PLANS AND POLICIES

The information relating to the banding and the amounts of the allowances has been removed from the policy and it is proposed that this will be included in a schedule after the adoption of the City's annual budget.

FINANCIAL IMPLICATIONS

The draft budget was developed with the capacity to increase allowances into the Band 1 range.

Long-term Financial Plan Implications

The Long-term Financial Plan provides for the payments to which elected members are entitled.

STRATEGIC COMMUNITY OBJECTIVES

The Strategic Community Plan includes the community objective of having an effectively managed organisation that achieves positive outcomes for the community. One of the key ways for this to occur is to provide financial recognition of the extensive responsibilities performed by elected members.

RISK ASSESSMENT

Not required for this policy review.

CONSULTATION

The actual levels of fees and allowances within the relevant band are established through the annual budget development process.

OFFICER COMMENT

The City of Busselton was recently increased to Band 1 by the Salaries and Allowances Tribunal. Meeting fees made available to elected members need to be set within the Band established by the tribunal. Other allowances are also provided for in order to enable elected members to perform their role effectively. These are all described in the policy.

CONCLUSION

The policy is presented for updating, noting that the Absolute Majority is required in order to pay an annual allowance and to establish the percentage of the Mayor's allowance to which the Deputy Mayor will be entitled.

OPTIONS

Other changes to the policy can be considered, however, the budget has been developed in accordance with the allowances described, such as clothing and travel reimbursement.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Band 1 determination requires fees to be available within that band from 1 July, 2016. As elected members are paid in arrears, payments will be adjusted accordingly from that time.

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

That the Council adopts the updated Fees, Allowances and Expenses policy:

001	Fees, Allowances and Expenses for Elected Members	V8 Draft
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1. PURPOSE

In accordance with Division 8 of Part 5 of the *Local Government Act 1995* elected members are entitled to receive a fee for meeting attendance, be reimbursed for expenses and/or be paid an allowance for certain types of expenses. Certain payments are an automatic entitlement in accordance with the Act, while others require specific local government approval. The Fees, Allowances and Expenses for Elected Members policy provides the approval framework under which all fees, allowances and reimbursements to elected members will be made.

2. SCOPE

"Elected member" - Any person who holds the office of Councillor on the Council of the City of Busselton, including the Mayor and Deputy Mayor;

"Schedule" – Information describing the current Local Government Band Allocation and fees and allowances established within that Band in accordance with any *Local Government Elected Council Members Determination* under the *Salaries and Allowances Act 1975*.

The Fees, Allowances and Expenses for Elected Members policy is to apply to the purchase of all local government-owned equipment for the specific and individual use of an elected member, the reimbursement of any expenses incurred by an elected member in the performance of their functions and duties, and fees and allowances provided to all elected members.

This policy provides the approval framework to enable the provision of equipment and certain payments to be made to elected members to enable them to carry out their role as an elected member effectively. All matters approved in this policy are in accordance with the relevant legislation and determinations, being the *Local Government Act 1995* and *Local Government Elected Council Members Determinations* in accordance with the *Salaries and Allowances Act 1975*.

3. POLICY CONTENT

3.1 Elected members

3.1.1 Provision of equipment

Without limiting the application of any other clause in this policy, the local government will provide to elected members of the City of Busselton access to resources to enable them to carry out their duties efficiently and effectively. In accordance with Section 3.1 of the *Local Government Act 1995*, in order to provide for the good government of persons in the District, any newly elected member will have the opportunity to be furnished with the following equipment:

- A standard-issue mobile telephone;
- A standard City-owned laptop computer or tablet that will be upgraded from time to time, inclusive of standard equipment associated with the day-to-day use of the laptop computer or tablet.

The laptop computer or tablet provided remains at all times the property of the City of Busselton. Any mobile telephone purchased in accordance with this policy can be retained by the elected member at the completion of their term of office if they serve a minimum of 12 months as an elected member.

3.1.2 Meeting attendance fees

An elected member is entitled to receive an annual fee for attending Council and Committee meetings in accordance with the *Local Government Act 1995*. This payment is in lieu of any entitlement established for a fee per meeting under that Act.

The annual fee will be established during the annual budget process within the Band established in the relevant *Local Government Elected Council Members Determination*.

The annual meeting attendance fee is full and final satisfaction of an elected member's meeting entitlements and no other claims can be made for attendance at meetings, with the exception that an elected member's expenses incurred for travelling to and from the meeting can be reimbursed in accordance with clause 3.1.5 of this policy or childcare expenses incurred can be reimbursed in accordance with clause 3.1.4 of this policy.

Meeting attendance fees will be paid monthly or quarterly in arrears. The fee will be calculated on a pro-rata basis for any elected member who commences or ceases office during the month or quarter. Upon commencement of office, elected members, for the purposes of budget development, will be requested to indicate whether it is their intention to claim meeting attendance fees and their preferred payment method. Nothing in the relevant legislation or this policy prevents an elected member from changing their intention at any time.

3.1.3 Information and Communications Technology allowance

In accordance with the relevant *Local Government Elected Council Members Determination*, all elected members are eligible to claim an annual information and communications technology allowance the amount of which will be included in the Schedule. This allowance is to cover an elected member's costs in relation to the following equipment and services:

- Telephone rental charges;
- Any other expenses that relate to information and communications technology, for example telephone call charges and internet service provider fees, and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

The information and communications technology allowance will be paid monthly or quarterly in arrears. The allowance will be calculated on a pro-rata basis for any elected member who commences or ceases office during the month or quarter. Upon commencement of office, elected members, for the purposes of budget development, will be requested to indicate whether it is their intention to claim the information and communications technology allowance and their preferred payment method. Nothing in the relevant legislation or this policy prevents an elected member from changing their intention at any time.

3.1.4 Reimbursement of childcare expenses

In accordance with the *Local Government Act 1995* an elected member who incurs childcare expenses due to their attendance at a Council meeting or a meeting of a formally constituted Council Committee of which they are a member is entitled to be reimbursed. The extent to which the childcare expenses incurred will be reimbursed will be in accordance with the relevant *Local Government Elected Council Members Determination*. For the purposes of this section, the number of hours claimed shall be limited to the actual length of the meeting, with a nominal time allowance for partaking in refreshments and travel to and from the place of care.

3.1.5 Reimbursement of travel expenses

In accordance with the *Local Government Act 1995* an elected member who incurs expenses to travel to a Council meeting or a meeting of a formally constituted Council Committee of which they are a

member is entitled to be reimbursed. Elected members can also be reimbursed for other types of travel in accordance with Regulation 32 of the *Local Government (Administration) Regulations 1996*. The extent to which travel expenses can be reimbursed is in accordance with the *Public Service Award 1992*. The following list represents the meetings and events at which the attendance of an elected member is required for which the elected member will be able to claim reimbursement in accordance with the *Public Service Award 1992* for incurring travel expenses.

- Council meetings - ordinary and special;
- Committee meetings of a formally constituted Council committee of which they are a member or a deputy member acting in the capacity of a member;
- Electors' meetings - annual general and special;
- Civic receptions hosted by the City of Busselton;
- Visits by Ministers of the Crown;
- Inspection tours of matters arising before the Council;
- Any City-convened meeting requiring elected member attendance, including briefing sessions, workshops and other forums;
- Elected member training courses;
- Officially convened meetings with ratepayers;
- Attendance at community functions with a formal invitation as an elected member;
- Seminars and conferences attended in the capacity of an elected member;
- Meetings of community groups or other external organisations of which the elected member has been appointed the Council's representative by Council resolution (except where the other body pays the elected member for meeting attendance and/or travel eg ministerial appointment to State Advisory Boards).

The reimbursement will be made available to the elected member on the receipt of a certified claim form and in accordance with the rates set out in the *Public Service Award 1992*. Nothing in this section prevents an elected member from utilising a City-owned motor vehicle for the types of travel approved under this section and this is encouraged where practical for the elected member's purposes. Subject to the approval of the Chief Executive Officer, the elected member is entitled to use the City-owned motor vehicle for travel for personal reasons during the time when the vehicle is being used for City purposes, provided such use does not go beyond use of a minor incidental nature. Where a City vehicle is utilised, the travel reimbursement or travel allowance cannot be claimed.

3.1.6 Reimbursement of expenses while away from home on sanctioned activities

Expenses incurred for conferences, training, seminars and similar occasions requiring an elected member to stay overnight away from their place of residence will be reimbursed to the elected member or paid directly by the City in accordance with the following guidelines.

Air travel and accommodation will be arranged and paid for by the City in consultation with the elected member and the key considerations will be cost effectiveness and for accommodation also proximity to the location at which the conference, training, seminar or similar occasion is being held.

While staying in the accommodation provided by the City for the purpose of enabling attendance at the approved conference, training or seminar, the expenses to be met by the City will be:

Expenses and Restrictions	Elected Member	Spouse
Laundry > 2 nights	Y	Y
Taxi fares or other public transport - only where these directly relate to the activity and no other transport is provided	Y	Y
Daily sustenance per day allowance in accordance with the <i>Public Service Award 1992</i> (1)	Y	N
Specific conference related dinners/meals	Y	Y

(1) Limited authority exists (refer to Mayor for prior approval) to purchase alcohol for networking purposes in a similar manner to the way the Council offers community members an invitation to share a drink after a Council meeting.

3.1.7 Reimbursement of other expenses

3.1.7.1 Reimbursement of hospitality expenses

Elected members may seek reimbursement of the reasonable costs of beverages or snack items provided during any meeting or networking opportunity that relates to City activities, subject to the provision of receipts to the CEO.

3.1.7.2 Corporate attire reimbursement

Each elected member is eligible to claim up to \$1,000 reimbursement for the purchase of corporate attire, which may include a brief case or travel case. Payment will be made on the production of receipts for clothing, shoes or a case, but will be limited to \$500 for the period November to April and a further \$500 for the period May to October.

3.2 Mayor

3.2.1 Mayoral allowance

In addition to their entitlements as an elected member under Section 3.1 of this policy, the Mayor is eligible for a Mayoral allowance in accordance with the *Local Government Act 1995*. In accordance with the relevant *Local Government Elected Council Members Determination* the Mayor of the City of Busselton shall be paid an allowance within the Band established, payable monthly or quarterly in arrears.

The allowance will be calculated on a pro-rata basis for any Mayor who commences or ceases office during the month or quarter. Upon commencement of office, the Mayor, for the purposes of budget development, will be requested to indicate whether it is their intention to claim a Mayoral allowance and their preferred payment method. Nothing in the relevant legislation or this policy prevents the Mayor from changing their intention at any time.

3.2.2 Provision of a City-owned vehicle

The Mayor shall be provided with a City-owned motor vehicle for use in his or her official capacity. The Mayor is entitled to use the City-owned motor vehicle for travel for personal reasons during the time when the vehicle is being used for City purposes, provided such use does not go beyond use of a minor incidental nature. Nothing in this section prevents the vehicle from being utilised in accordance with City fleet guidelines by other elected members or officers with the agreement of the Mayor.

3.3 Deputy Mayor

3.3.1 Deputy Mayor's allowance

In addition to their entitlements as an elected member under Section 3.1 of this policy, the Deputy Mayor may be paid a Deputy Mayor's allowance in accordance the *Local Government Act 1995*. In accordance with the relevant *Local Government Elected Council Members Determination* the Deputy Mayor can be paid up to 25% of the Mayoral allowance. The Deputy Mayor of the City of Busselton shall be paid the maximum percentage of the Mayoral allowance of 25%, payable monthly or quarterly in arrears.

The allowance will be calculated on a pro-rata basis for any Deputy Mayor who commences or ceases office during the month or quarter. Upon commencement of office, the Deputy Mayor, for the purposes of budget development, will be requested to indicate whether it is their intention to claim a Deputy Mayor's allowance and their preferred payment schedule. Nothing in the relevant legislation or this policy prevents the Deputy Mayor from changing their intention at any time.

4. APPLICATION OF THE POLICY

Any request for reimbursement in accordance with the relevant clauses of this policy must be accompanied by an original supplier receipt.

Policy Background

Policy Reference No. - 001

Owner Unit – Governance

Originator – Manager, Governance Services

Policy approved by – Council

Date Approved – For consideration

Review Frequency – As required following determinations

Related Documents –

Local Government Act 1995

Local Government (Administration) Regulations 1996

Local Government Elected Council Members Determinations

Background/History - Initiated June 2008 to replace former policies:

054/1 - Councillors' Travelling Expenses;

055/1 - Attendance at Conferences, Training and Seminars;

193 - Communications Allowances - Councillors;

212/1 - Vehicle for Use by Shire President and Councillors;

226 - Laptop Computers - Councillors and Officers;

227 - Printer Consumables.

History

Council Resolution	Date	Information
		Adjustments to schedulise fees and allowances determined in accordance with any <i>Local Government Elected Council Members Determination</i> Version 8
C1411/292	12 November, 2014	Adjustments to recognise increases made in determinations of the Salaries and Allowances Tribunal via the <i>Local Government Elected Council Members Determination No. 1 of 2014</i> Version 7
C1307/182	10 July, 2013	Adjustments to recognise the determinations made by the Salaries and Allowances Tribunal via the <i>Local Government Elected Council Members Determination No. 1 of 2013</i> Version 6

C1206/168	27 June, 2012	Increase to the Mayor and Deputy Mayor's allowances to maximums available under the Act; change of terminology to City / Mayor / Deputy Mayor; and removal of outdated reimbursement proposals for mobiles and internet connections Version 5
C1111/362	23 November, 2011	Ability provided for Councillors to be remunerated monthly Version 4
C1007/238	14 July, 2010	Clarification regarding use of the vehicle assigned to the Shire President Version 3
C1005/157	12 May, 2010	Increase to the allowance payable to the Shire President (and therefore Deputy) to be effective from 1 July, 2010 Version 2
C0808/267	27 August, 2008	New policy to replace former policies 054/1; 055/1; 193; 212/1; 226 and 227 Version 1

001	Fees, Allowances and Expenses for Elected Members	V8 Draft
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1. PURPOSE

In accordance with Division 8 of Part 5 of the *Local Government Act 1995* elected members are entitled to receive a fee for meeting attendance, be reimbursed for expenses and/or be paid an allowance for certain types of expenses. Certain payments are an automatic entitlement in accordance with the Act, while others require specific local government approval. The Fees, Allowances and Expenses for Elected Members policy provides the approval framework under which all fees, allowances and reimbursements to elected members will be made.

2. SCOPE

"Elected member" - Any person who holds the office of Councillor on the Council of the City of Busselton, including the Mayor and Deputy Mayor;

"Schedule" – Information describing the current Local Government Band Allocation and fees and allowances established within that Band in accordance with any *Local Government Elected Council Members Determination* under the *Salaries and Allowances Act 1975*.

The Fees, Allowances and Expenses for Elected Members policy is to apply to the purchase of all local government-owned equipment for the specific and individual use of an elected member, the reimbursement of any expenses incurred by an elected member in the performance of their functions and duties, and fees and allowances provided to all elected members.

This policy provides the approval framework to enable the provision of equipment and certain payments to be made to elected members to enable them to carry out their role as an elected member effectively. All matters approved in this policy are in accordance with the relevant legislation and determinations, being the *Local Government Act 1995* and *Local Government Elected Council Members Determinations* in accordance with the *Salaries and Allowances Act 1975*.

3. POLICY CONTENT

3.1 Elected members

3.1.1 Provision of equipment

Without limiting the application of any other clause in this policy, the local government will provide to elected members of the City of Busselton access to resources to enable them to carry out their duties efficiently and effectively. In accordance with Section 3.1 of the *Local Government Act 1995*, in order to provide for the good government of persons in the District, any newly elected member will have the opportunity to be furnished with the following equipment:

- A standard-issue mobile telephone;
- A standard City-owned laptop computer or tablet that will be upgraded from time to time, inclusive of standard equipment associated with the day-to-day use of the laptop computer or tablet.

The laptop computer or tablet provided remains at all times the property of the City of Busselton. Any mobile telephone purchased in accordance with this policy can be retained by the elected member at the completion of their term of office if they serve a minimum of 12 months as an elected member.

3.1.2 Meeting attendance fees

An elected member is entitled to receive an annual fee for attending Council and Committee meetings in accordance with the *Local Government Act 1995*. This payment is in lieu of any entitlement established for a fee per meeting under that Act.

The annual fee will be established during the annual budget process within the Band established in the relevant *Local Government Elected Council Members Determination* . .

The annual meeting attendance fee is full and final satisfaction of an elected member's meeting entitlements and no other claims can be made for attendance at meetings, with the exception that an elected member's expenses incurred for travelling to and from the meeting can be reimbursed in accordance with clause 3.1.5 of this policy or childcare expenses incurred can be reimbursed in accordance with clause 3.1.4 of this policy.

Meeting attendance fees will be paid monthly or quarterly in arrears. The fee will be calculated on a pro-rata basis for any elected member who commences or ceases office during the month or quarter. Upon commencement of office, elected members, for the purposes of budget development, will be requested to indicate whether it is their intention to claim meeting attendance fees and their preferred payment method. Nothing in the relevant legislation or this policy prevents an elected member from changing their intention at any time.

3.1.3 Information and Communications Technology allowance

In accordance with the relevant *Local Government Elected Council Members Determination*, all elected members are eligible to claim an annual information and communications technology allowance the amount of which will be included in the Schedule. This allowance is to cover an elected member's costs in relation to the following equipment and services:

- Telephone rental charges;
- Any other expenses that relate to information and communications technology, for example telephone call charges and internet service provider fees, and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

The information and communications technology allowance will be paid monthly or quarterly in arrears. The allowance will be calculated on a pro-rata basis for any elected member who commences or ceases office during the month or quarter. Upon commencement of office, elected members, for the purposes of budget development, will be requested to indicate whether it is their intention to claim the information and communications technology allowance and their preferred payment method. Nothing in the relevant legislation or this policy prevents an elected member from changing their intention at any time.

3.1.4 Reimbursement of childcare expenses

In accordance with the *Local Government Act 1995* an elected member who incurs childcare expenses due to their attendance at a Council meeting or a meeting of a formally constituted Council Committee of which they are a member is entitled to be reimbursed. The extent to which the childcare expenses incurred will be reimbursed will be in accordance with the relevant *Local Government Elected Council Members Determination*.,. For the purposes of this section, the number of hours claimed shall be limited to the actual length of the meeting, with a nominal time allowance for partaking in refreshments and travel to and from the place of care.

3.1.5 Reimbursement of travel expenses

In accordance with the *Local Government Act 1995* an elected member who incurs expenses to travel to a Council meeting or a meeting of a formally constituted Council Committee of which they are a member is

entitled to be reimbursed. Elected members can also be reimbursed for other types of travel in accordance with Regulation 32 of the *Local Government (Administration) Regulations 1996*. The extent to which travel expenses can be reimbursed is in accordance with the *Public Service Award 1992*. The following list represents the meetings and events at which the attendance of an elected member is required for which the elected member will be able to claim reimbursement in accordance with the *Public Service Award 1992* for incurring travel expenses.

- Council meetings - ordinary and special;
- Committee meetings of a formally constituted Council committee of which they are a member or a deputy member acting in the capacity of a member;
- Electors' meetings - annual general and special;
- Civic receptions hosted by the City of Busselton;
- Visits by Ministers of the Crown;
- Inspection tours of matters arising before the Council;
- Any City-convened meeting requiring elected member attendance, including briefing sessions, workshops and other forums;
- Elected member training courses;
- Officially convened meetings with ratepayers;
- Attendance at community functions with a formal invitation as an elected member;
- Seminars and conferences attended in the capacity of an elected member;
- Meetings of community groups or other external organisations of which the elected member has been appointed the Council's representative by Council resolution (except where the other body pays the elected member for meeting attendance and/or travel eg ministerial appointment to State Advisory Boards).

The reimbursement will be made available to the elected member on the receipt of a certified claim form and in accordance with the rates set out in the *Public Service Award 1992*. Nothing in this section prevents an elected member from utilising a City-owned motor vehicle for the types of travel approved under this section and this is encouraged where practical for the elected member's purposes. Subject to the approval of the Chief Executive Officer, the elected member is entitled to use the City-owned motor vehicle for travel for personal reasons during the time when the vehicle is being used for City purposes, provided such use does not go beyond use of a minor incidental nature. Where a City vehicle is utilised, the travel reimbursement or travel allowance cannot be claimed.

3.1.6 Reimbursement of expenses while away from home on sanctioned activities

Expenses incurred for conferences, training, seminars and similar occasions requiring an elected member to stay overnight away from their place of residence will be reimbursed to the elected member or paid directly by the City in accordance with the following guidelines.

Air travel and accommodation will be arranged and paid for by the City in consultation with the elected member and the key considerations will be cost effectiveness and for accommodation also proximity to the location at which the conference, training, seminar or similar occasion is being held.

While staying in the accommodation provided by the City for the purpose of enabling attendance at the approved conference, training or seminar, the expenses to be met by the City will be:

Expenses and Restrictions	Elected Member	Spouse
Laundry > 2 nights	Y	Y
Taxi fares or other public transport - only where these directly relate to the activity and no other transport is provided	Y	Y
Daily sustenance per day allowance in accordance with the <i>Public Service Award 1992</i> (1)	Y	N
Specific conference related dinners/meals	Y	Y

(1) Limited authority exists (refer to Mayor for prior approval) to purchase alcohol for networking purposes in a similar manner to the way the Council offers community members an invitation to share a drink after a Council meeting.

3.1.7 Reimbursement of other expenses

3.1.7.1 Reimbursement of hospitality expenses

Elected members may seek reimbursement of the reasonable costs of beverages or snack items provided during any meeting or networking opportunity that relates to City activities, subject to the provision of receipts to the CEO.

3.1.7.2 Corporate attire reimbursement

Each elected member is eligible to claim up to \$1,000 reimbursement for the purchase of corporate attire, which may include a brief case or travel case. Payment will be made on the production of receipts for clothing, shoes or a case, but will be limited to \$500 for the period November to April and a further \$500 for the period May to October.

3.2 Mayor

3.2.1 Mayoral allowance

In addition to their entitlements as an elected member under Section 3.1 of this policy, the Mayor is eligible for a Mayoral allowance in accordance with the *Local Government Act 1995*. In accordance with the relevant *Local Government Elected Council Members Determination* the Mayor of the City of Busselton shall be paid an allowance within the Band established, payable monthly or quarterly in arrears.

The allowance will be calculated on a pro-rata basis for any Mayor who commences or ceases office during the month or quarter. Upon commencement of office, the Mayor, for the purposes of budget development, will be requested to indicate whether it is their intention to claim a Mayoral allowance and their preferred payment method. Nothing in the relevant legislation or this policy prevents the Mayor from changing their intention at any time.

3.2.2 Provision of a City-owned vehicle

The Mayor shall be provided with a City-owned motor vehicle for use in his or her official capacity. The Mayor is entitled to use the City-owned motor vehicle for travel for personal reasons during the time when the vehicle is being used for City purposes, provided such use does not go beyond use of a minor incidental nature. Nothing in this section prevents the vehicle from being utilised in accordance with City fleet guidelines by other elected members or officers with the agreement of the Mayor.

3.3 Deputy Mayor

3.3.1 Deputy Mayor's allowance

In addition to their entitlements as an elected member under Section 3.1 of this policy, the Deputy Mayor may be paid a Deputy Mayor's allowance in accordance the *Local Government Act 1995*. In accordance with the relevant *Local Government Elected Council Members Determination* the Deputy Mayor can be paid up to 25% of the Mayoral allowance. The Deputy Mayor of the City of Busselton shall be paid the maximum percentage of the Mayoral allowance of 25%, payable monthly or quarterly in arrears.

The allowance will be calculated on a pro-rata basis for any Deputy Mayor who commences or ceases office during the month or quarter. Upon commencement of office, the Deputy Mayor, for the purposes

of budget development, will be requested to indicate whether it is their intention to claim a Deputy Mayor's allowance and their preferred payment schedule. Nothing in the relevant legislation or this policy prevents the Deputy Mayor from changing their intention at any time.

4. APPLICATION OF THE POLICY

Any request for reimbursement in accordance with the relevant clauses of this policy must be accompanied by an original supplier receipt.

Policy Background

Policy Reference No. - 001

Owner Unit – Governance

Originator – Manager, Governance Services

Policy approved by – Council

Date Approved – For consideration

Review Frequency – As required following determinations

Related Documents –

Local Government Act 1995

Local Government (Administration) Regulations 1996

s Local Government Elected Council Members Determination of June 2014

Background/History - Initiated June 2008 to replace former policies:

054/1 - Councillors' Travelling Expenses;

055/1 - Attendance at Conferences, Training and Seminars;

193 - Communications Allowances - Councillors;

212/1 - Vehicle for Use by Shire President and Councillors;

226 - Laptop Computers - Councillors and Officers;

227 - Printer Consumables.

History

Council Resolution	Date	Information
		Adjustments to schedule fees and allowances determined in accordance with any <i>Local Government Elected Council Members Determination</i> Version 8
C1411/292	12 November, 2014	Adjustments to recognise increases made in determinations of the Salaries and Allowances Tribunal via the <i>Local Government Elected Council Members Determination No. 1 of 2014</i> Version 7
C1307/182	10 July, 2013	Adjustments to recognise the determinations made by the Salaries and Allowances Tribunal via the <i>Local Government Elected Council Members Determination No. 1 of 2013</i> Version 6

C1206/168	27 June, 2012	Increase to the Mayor and Deputy Mayor's allowances to maximums available under the Act; change of terminology to City / Mayor / Deputy Mayor; and removal of outdated reimbursement proposals for mobiles and internet connections Version 5
C1111/362	23 November, 2011	Ability provided for Councillors to be remunerated monthly Version 4
C1007/238	14 July, 2010	Clarification regarding use of the vehicle assigned to the Shire President Version 3
C1005/157	12 May, 2010	Increase to the allowance payable to the Shire President (and therefore Deputy) to be effective from 1 July, 2010 Version 2
C0808/267	27 August, 2008	New policy to replace former policies 054/1; 055/1; 193; 212/1; 226 and 227 Version 1

10.3 Airport Advisory Committee - 27/07/2016 - BUSSELTON-MARGARET RIVER REGIONAL AIRPORT CONCEPT PLAN - STAGE 2AEO

SUBJECT INDEX:	Busselton-Margaret River Airport
STRATEGIC OBJECTIVE:	Infrastructure assets are well maintained and responsibly managed to provide for future generations.
BUSINESS UNIT:	Community and Commercial Services
ACTIVITY UNIT:	Commercial Services
REPORTING OFFICER:	Director, Community and Commercial Services - Naomi Searle
AUTHORISING OFFICER:	Director, Community and Commercial Services - Naomi Searle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Stage 2AEO Concept Plan Attachment B Revised Stage 2AEO Concept Plan

This item was considered by the Airport Advisory Committee at its meeting on 27 July 2016, the recommendations from which have been included in this report.

PRÉCIS

On 9 December 2015 Council endorsed (C1512/366) the Busselton-Margaret River Regional Airport (BMRRA) Concept and Staging Plan as an informing document to the BMRRA Airport Master Plan (2016-2036). This led to the finalization and subsequent endorsement (C1604/075) of the Master Plan as a guide for future planning. Since this time, significant progress has been made on the BMRRA Development Project, including the further refinement of concept and staging plans. This report summarises the main changes to the concept and staging plan.

BACKGROUND

In 2011 the City of Busselton completed the Busselton Regional Airport Master Plan (2011-2031) outlining future opportunities for growth and development. Since then, the City of Busselton has progressed a considerable number of studies in conjunction with the South West Development Commission (SWDC) resulting in the submission of a State Government Business Case to redevelop the Busselton Regional Airport (BRA). The Business Case considered three development options; stage 1 (current intrastate services), stage 2 (future domestic services), and stage 2a (future short haul international services).

In June 2015 the City was awarded funding of \$55.95m to complete stage 2. Following this, the City undertook a review of the BRA Master Plan (2011-2031) which included the development of a 'Concept and Staging Plan' that was endorsed by Council (C1512/366) as a key informant to the revised Master Plan. This further led to the completion of the BMRRA Master Plan (2016-2036) and subsequent Council endorsement (C1604/075) of the Plan as a guide for future planning.

In parallel to the Master Plan review, in March 2016 a funding application was submitted to the Commonwealth Government's National Stronger Regions Fund to progress the project to international status, with a focus on international freight and tourism. In June 2016 the Federal Government announced funding of \$9.78m towards the project should the Liberal National Party be reelected to Government. Subject to the securing of funding, the following development stages will be achieved:

Stage 2 – (State Government funded)

The completion of the BMRA Development Project (stage 2) will provide for new alternate direct transport access into and out of the South West Region. This will be achieved by the BMRA being upgraded to service, at a minimum, A320/B737 Code 4C narrow body aircraft using instrument non-precision approaches, to enable domestic Regular Public Transport (RPT) and charter services to east coast destinations, as well as other aviation activities.

Stage 2AEO – (subject to Federal Government funding) (see attachment A)

Following the completion of stage 2, and during the 20 year planning horizon, various aviation-related enterprise opportunities are expected to arise. These opportunities will rely on infrastructure available within the scope and according to the design aircraft of the other stages.

Stage 2A – (subject to Federal Government funding)

Stage 2A will provide access for narrow body code 4C aircraft to international destinations such as Singapore, Kuala Lumpur and Denpasar, and longer range domestic destinations such as Brisbane.

Due to issues associated with the realignment/undergrounding of overhead powerlines, a review of stage 2AEO has been required. This report outlines the changes of the revised stage 2AEO concept plan as an informant to the BMRA Master Plan (2016-2036), for Council's noting.

STATUTORY ENVIRONMENT

The BMRA operates in accordance with the following; Aviation Transport Security Act 2004, Aviation Transport Security Regulations 2005, CASA MOS 139, the City of Busselton's Transport Security Plan, policies and procedures.

RELEVANT PLANS AND POLICIES

The BMRA Master Plan (2016- 2036) and BRA Statement of Intent outline the vision for the BRA redevelopment and are relevant to this report.

FINANCIAL IMPLICATIONS

State Government funding of \$55.95m to deliver stage 2 has been incorporated into the City's 2016/17 adopted budget, and will form part of future budgets. The funding covers operational and capital costs associated with the project. The Federal Government's contribution of \$9.78m is not included in the 2016/17 adopted budget as the funding is yet to be secured. Upon execution of the funding agreement, a report will be presented to the Finance Committee to enable a budget amendment reflecting this.

Long-term Financial Plan Implications

An operational financial model was developed as part of the State Government Business Case proposal which incorporated a 10-year financial plan. The model considered revenues and costs associated with the upgraded facility, including up-front and recurrent capital and ongoing operational expenditure. The model demonstrates that the upgraded facility will be self-sustainable, generating a modest profit into the future, to be transferred into the City's Airport Infrastructure Renewal and Replacement Reserve at the end of each financial year.

The Long Term Financial Plan (LTFP) is currently based on the 'here and now' scenario (stage 1), and will require updating to reflect the project, including ongoing operational and capital revenue and expenditure based on the extent of the development (ie, stage 2, 2AEO, 2A). This work has commenced and will be incorporated into the next LTFP review. Further feasibility studies, forecasts and modeling will also be undertaken in due course on the opportunities associated with the

potential development of landside aviation related industries on land surplus to the needs of the airport operations.

STRATEGIC COMMUNITY OBJECTIVES

The BMRRR is consistent with following the City of Busselton's strategic objectives:

Well Planned, Vibrant and Active Places:

- Infrastructure Assets that are well maintained and responsibly managed to provide for future generations;
- Connected City of Busselton Transport options that provide greater links within our district and increase capacity for community participation.

RISK ASSESSMENT

A comprehensive risk assessment has been developed as part of the BMRRR Project Definition Plan. The revised stage 2AEO concept plan was undertaken to mitigate the risks associated with the costs and timeframe associated with the undergrounding and/or realignment of the overhead powerlines. As such, no risks are considered 'medium' or 'high' with the Officer recommendation.

CONSULTATION

A significant amount of consultation was undertaken as part of the development of the Business Case proposal, which was overseen by a State Government appointed steering committee comprising of representatives from; SWDC, Department of Transport, Department of Treasury, Tourism WA and the City of Busselton. Following the announcement of State Government funding, a Project Governance Committee was established to oversee the overall deliverables of the project and associated funding. Committee members include; SWDC, Department of Transport, Department of Treasury, Tourism WA, City of Busselton, and the Department of Regional Development as observers.

Throughout the development of the BMRRR Concept and Staging Plan and Master Plan review (2016) a number of stakeholders were consulted with including; DFES, DPaW, RFDS, McDermotts Aviation, Busselton Aero Club, Satterley Property Group, Busselton Water, Water Corporation, Western Power, Office of Environmental Protection Agency, Cristal Mining, and regular users of Airport.

As part of the stage 2AEO concept plan review, consultation has been undertaken with Western Power representatives and master planner Aviation Projects.

OFFICER COMMENT

In April 2016 the City advertised Expressions of Interest (EoI) for the design and construction of airside infrastructure. Through this process 10 contractors pre-qualified to tender for the work package. Following the Project Governance Committee's endorsement of the BMRRR Project Definition Plan (PDP), in July 2016 the City issued the Request for Tender (RFT). Due to the uncertainty of additional funding to enable the commissioning of future stages (2AEO and 2A), Officers prepared the tender specification on the basis that the additional stages could be awarded should the existing budget, or future funding opportunities allow the infrastructure to be developed.

A component of the overall Development Project is the undergrounding and realignment of the existing overhead powerlines to enable the City to capitalise on airside infrastructure development opportunities, more specifically the General Aviation Precinct as part of stage 2AEO (see attachment A for existing stage 2AEO concept plan). As part of the development of the Business Case,

consultation was undertaken with Western Power to determine the undergrounding requirements and associated costings. More recent consultation with Western Power regarding the scope of the work has determined that the proposed options are both cost and time prohibitive to the Development Project. As such, the stage 2AEO concept plan needs to be revised to consider options for the lines to remain in situ, enabling stage 2AEO to be commissioned as part of the current tender should the existing budget, or Federal Government funding allow the infrastructure to be developed.

Aviation Projects was subsequently engaged to revise the stage 2AEO concept plan (see attachment B), which was issued as an addendum to the airside infrastructure tender. The revised plan has been developed so that the existing powerlines do not impinge on the development of the General Aviation Precinct, however enables the City to continue to explore options to underground and/or realign the lines. The revised plan also incorporates additional land to the north-west of the airport lot, reflecting the land acquisition strategy as outlined in the PDP. In addition to this, the revised concept plan incorporates additional General Aviation capacity, and requirements of General Aviation users as identified through the master planning process.

As there are no fundamental changes to the revised concept plan this report is provided for Council's information, to note the revised concept plan as an informing document to the BMRRA Master Plan (2016-2036).

CONCLUSION

Due to the budget and time constraints of the undergrounding and/or realigning of the overhead powerlines on the BMRRA Development Project, Officers commissioned Aviation Projects to review the stage 2AEO concept plan to enable the stage to be developed without the existing powerlines adversely impacting on the project. As a change to the BMRRA concept and staging plan, Council is requested to note the revised plan as an informing document to the BMRRA Master Plan (2016-2036).

OPTIONS

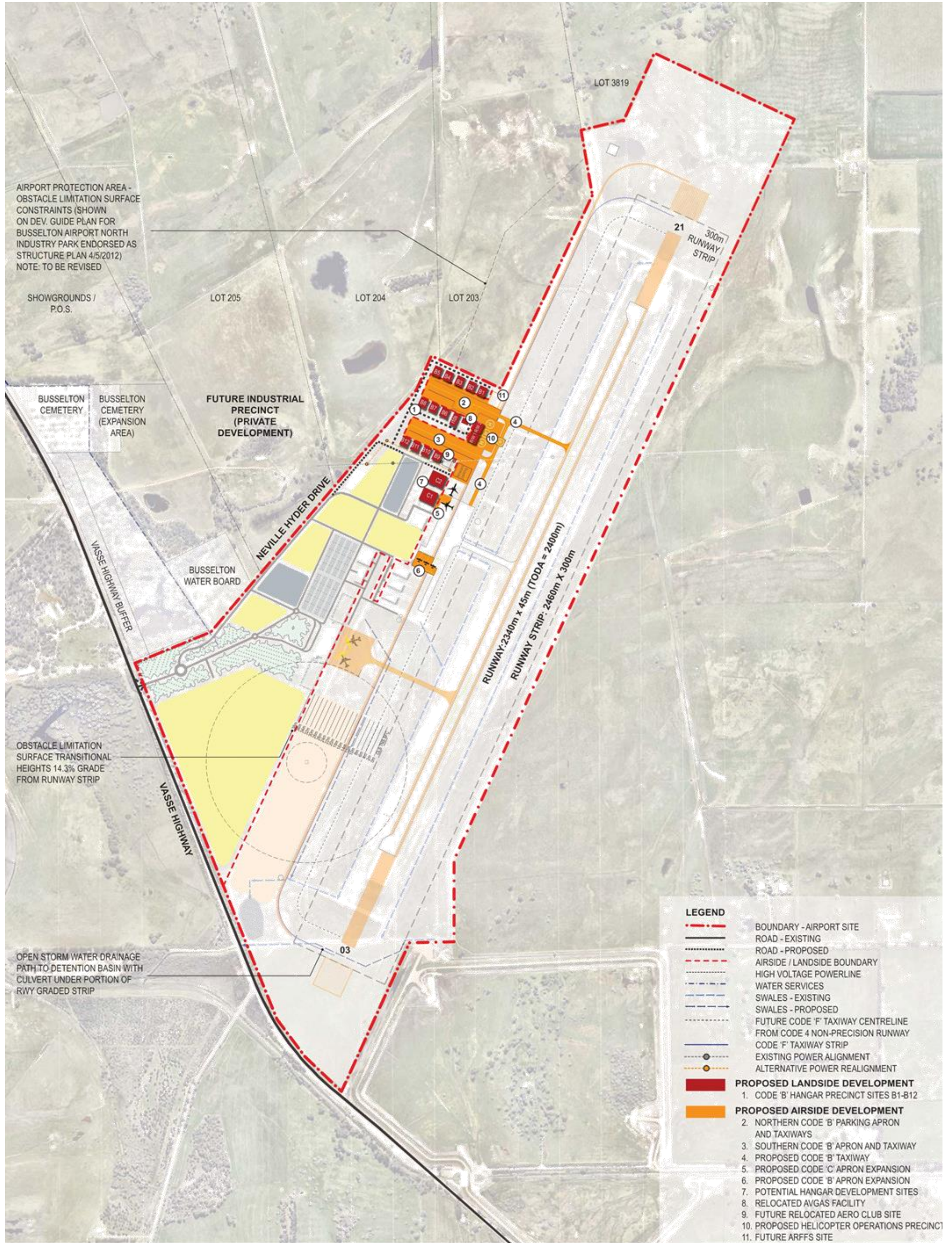
Council could choose not to accept the Officer's recommendation, however should the revised stage 2AEO concept plan not be supported as an informing guide to the Master Plan, considerable constraints will be placed on the BMRRA Development Project, causing significant adverse impacts to the project budget and delivery timeframe.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Officers will continue to progress the BMRRA Development Project based on the revised stage 2AEO concept plan following the resolution of Council.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council notes the revised Busselton-Margaret River Airport Stage 2AEO Concept Plan (as outlined in attachment B) as an informing document to the Busselton-Margaret River Airport Master Plan (2016-2036).



11. PLANNING AND DEVELOPMENT SERVICES REPORT**11.1 PROPOSED AMENDMENT TO 'DUNSBOROUGH LAKES ESTATE DEVELOPER CONTRIBUTIONS PLAN (2015)'**

SUBJECT INDEX:	Local Planning Policy (Developer Contributions)
STRATEGIC OBJECTIVE:	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
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 Contribution Plan Area Attachment B Amended Dunsborough Lakes Estate Developer Contribution Plan (Draft Text) 10 August 2016

PRÉCIS

The Dunsborough Lakes Estate Developer Contributions Plan ('the DCP') was formally adopted by the City on 11 February 2015. The DCP relates to Lot 9033 Commonage Road, which is in the ownership of land developer Urban Quarter (formerly Wallis Property).

The DCP allocates all future monetary developer contributions towards 'local' community infrastructure; namely, the construction of a 'shared use' sporting oval, car parking and associated facilities on land to be ceded to the City by Urban Quarter beforehand (together with the adjoining Dunsborough Lakes Primary School site).

It is proposed to now amend the 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 land within the District that are not currently subject to developer contributions responsibilities and requirements under either a 'precinct plan' (e.g. Developer Contribution Area 1 ('DCA1') Dunsborough and Quindalup) or a 'development-specific plan' (e.g. developer contribution plans applying to urban growth areas such as Vasse, Port Geographe, Yalyalup etc.). Their continued exclusion 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 developer contributions beyond those requirements previously negotiated and agreed between Urban Quarter and the City in the formulation of the 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.

The amended DCP area will be expanded to include the additional four parcels of land, although the total monetary contribution required to be paid by Urban Quarter under that amended DCP (estimated at \$1.275 million) will remain unchanged.

BACKGROUND

The DCP currently applies to Lot 9033 Commonage Road, Dunsborough.

The purpose of the DCP for Lot 9003 is to allocate development contributions (beyond those standard provisions established through WAPC policy on the subdivision of land) for the development of nearby (ultimately) district-level open space and associated community facilities and infrastructure neighbouring the site of the future Dunsborough Lakes Primary School.

The DCP currently allocates all future monetary developer contributions towards 'local' community infrastructure; namely, the construction of a 'shared use' sporting oval, car parking and associated facilities on land to be ceded to the City by Urban Quarter beforehand (together with the adjoining Dunsborough Lakes Primary School site). This is not recommended to change in the amended DCP.

Lot 9033 has an area of 32.9 hectares and a likely potential residential lot yield following staged subdivision of around 255 allotments. The developer contributions in the DCP have been assessed at a cash equivalent of \$5,000 per lot. This assessment will be adjusted in accordance with the Local Government Cost Index for W.A. ('LGCI') commencing 1 January 2015. On that basis it is estimated that there will be a total monetary developer contribution to be paid by Urban Quarter, under the requirements of the DCP, of approximately \$1.275 million.

In draft Omnibus Amendment 1 the City had proposed including four residual parcels of land at Dunsborough Lakes into the 'Dunsborough and Quindalup' (including Eagle Bay and Yallingup) precinct of 'Developer Contribution Area 1' (DCA 1). This proposal sought to rationalise developer contribution arrangements for these parcels, which are the only remaining residential development areas in the District not currently included in a developer contributions scheme.

The four residual parcels of land have previously been in different ownerships and had development intentions that have altered over time. Their location is shown numbered 1-4 at **Attachment A** (Amended DCP Area), together with that of Lot 9033 (numbered 5).

Three of the four residual parcels have previously been approved for subdivision, with newly created lots having been released and developed as may be seen at Attachment A. These three parcels would not be liable for the payment of what would be, in effect, 'retrospective' developer contributions as such contributions must be formally allocated and discharged prior to the release of titles (and therefore the requirements would need to be in place prior to subdivision approvals being in place).

The fourth land parcel (number 4 at Attachment A, being Pt Lot 9054) is wholly owned by Urban Quarter and has yet to be approved for subdivision. This means that Pt Lot 9054 would normally be subject to a requirement for payment of developer contributions, but only provided it was formally included in an endorsed Developer Contributions Plan before any new lots were created through such an approval.

The inclusion of the four residual parcels of land into DCA 1, as was originally proposed in draft Omnibus Amendment 1, would therefore, in effect, have necessitated the allocated payment of developer contributions for Pt Lot 9054 (parcel number 4) only. This would have equated to a circa \$3,049 contribution for each new lot created through approved subdivision of that particular parcel; that being the sum (subject to variations in the LGCI) presently allocated under the endorsed DCA1 precinct contributions plan.

During the public advertising of draft Omnibus Amendment 1, Urban Quarter lodged a formal submission objecting to the inclusion of the residual four parcels of land into DCA 1; in particular to Pt Lot 9054 (parcel number 4), which would be the only area likely to be liable for payment of future developer contributions.

In order to discuss the context and rationales behind the position expressed in the Urban Quarter submission, the City coordinated a meeting between senior executive officers (including the CEO) and representatives of the developer on 7 April 2016.

As a result of this meeting, the stated position and understanding of Urban Quarter on the matter of the DCP and all remaining developer contribution obligations in the Dunsborough Lakes Estate was acknowledged, and accepted by City officers as being reasonable. It was therefore agreed between the parties that it would be recommended to the Council that:

- i) the proposed inclusion of the four residual parcels of land at the Dunsborough Lakes Estate into DCA1 should not, after all, be implemented and that the proposal be withdrawn from the draft Omnibus Amendment 1 as part of the final determination of the Council;
- and
- ii) a separate review and amendment of the DCP be undertaken by the City to formally incorporate the subject four residual parcels of land, but *with no change to the total overall monetary contribution sought or required* (estimated to be \$1.275 million).

The recommendation to withdraw the proposal from draft Omnibus Amendment 1 and to instead incorporate the four residual parcels of land into the Dunsborough Lakes Estate DCP through advertised amendment of that Plan was endorsed by the Council in its formal resolution of 11 May 2016. The reasons for deleting the proposal were duly recorded in the 'Schedule of Modifications' accompanying the resolution of Council in respect to draft Omnibus Amendment 1 and forwarded to the Western Australian Planning Commission together with that documentation on 24 June 2016, requesting Ministerial approval.

STATUTORY ENVIRONMENT

The key elements of the statutory environment with respect to the DCP are set out in the relevant objectives, policies and provisions of the *City of Busselton Local Planning Scheme No. 21* and the *Dunsborough Lakes Development Guide Plan* (Structure Plan). Each is discussed below under appropriate sub-headings.

Local Planning Scheme 21

The City of Busselton Local Planning Scheme No. 21 (LPS21) describes the relevant statutory considerations for the preparation of the DCP. The zoning of the land subject to the DCP (Lot 9033) is 'Special Purpose' (Dunsborough Lakes Development Area) as, too, are the subject four residual parcels of land concerned. All areas are identified as being in 'Special Provision Area 42' under LPS21.

Provision 16 of Special Provision Area 42 stipulates that –

"Prior to the subdivision or development of the land, the proponent is to prepare a developer contributions and staging plan to the satisfaction of the City for the area south of Dunsborough Lakes Drive and east of the school site to ensure the proponent's appropriate and timely contribution toward service infrastructure, distributor roads and community facilities (including examining the need for change-rooms and other infrastructure in association with the district open space area) on a

progressive and staged basis. With respect to the remainder of the estate, the plan shall only address contributions required as a result of tourist development proposals and any net increase in development potential beyond that depicted on the endorsed DGP, as at 14 July 2010. An appeal right will exist in relation to the determination of the plan pursuant to clause 11.10 of the Scheme.”

This stipulation has been incorporated into the Dunsborough Lakes Development Guide Plan (Structure Plan) as ‘Condition 22’ (please refer below).

The DCP itself may be reviewed and amended, if and as required, in accordance with clause 7.7 of LPS21. This amendment process will necessarily require public advertising, consideration of any formal submissions received, and final approval by the Council.

In accordance with clause 7.7.11 of LPS21, it will not be necessary or applicable to seek final endorsement of the amended DCP from the WAPC.

Dunsborough Lakes Development Guide Plan (Structure Plan)

The endorsed Development Guide Plan for Dunsborough Lakes (now required to be considered and referred to as a ‘Structure Plan’ in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*) identifies Lot 9033 for residential, public open space and primary school purposes.

Condition 22 of the endorsed Structure Plan as at 14 July 2010 (and subsequent iterations), which contains the same wording as Provision 16 of Special Provision Area 42 described above, required the preparation of the DCP prior to the subdivision and development of Lot 9033.

In order to consolidate and validate the requirements and responsibilities of the proposed amended DCP, once finally adopted by the Council, it will also be necessary to take the following affiliated actions:

1. amend LPS21 to remove obsolete references made within Special Provisions Area 42 (e.g. Provision 16); and
2. modify the current iteration of the endorsed Dunsborough Lakes ‘Structure Plan’ to remove what will become redundant Condition 22.

The City intends to amend the Scheme in relation to this (and various other matters) through the process and preparation of mooted Omnibus Amendment 2, which is currently in the early stages of formulation.

The necessary modification of the Dunsborough Lakes ‘Structure Plan’ (to remove Condition 22) will be prepared and submitted for separate approval (along with payment of standard scheduled fees) by Urban Quarter.

RELEVANT PLANS AND POLICIES

The key policy consideration in relation to the DCP is the WAPC *State Planning Policy 3.6: Development Contribution Policy for Infrastructure (SPP3.6)*.

SPP3.6 sets out the principles and considerations that apply to developer contributions for providing infrastructure in new and redeveloping urban areas; as well as the form, content and procedure for preparing a DCP (or an amendment thereto).

FINANCIAL IMPLICATIONS

The planning framework requires land developers to contribute towards community infrastructure, but does not require them to make financial contributions towards community assets beyond those initial monetary requirements as the City remains responsible for the management and maintenance of infrastructure items thereafter.

In accordance with agreement reached by senior executive officers of the City and Urban Quarter representatives at a meeting on 7 April 2016, and subject to the endorsement of the Council, the inclusion of the four subject parcels of 'residual land' at the Dunsborough Lakes Estate into an amended DCP area will not facilitate or require any additional monetary developer contributions to be paid to the City. Monetary contributions assessed at \$5,000 per lot in the current DCP shall continue to be payable, in the amended DCP, only in relation to the subdivision and release for title of new lots created on Lot 9033, estimated to total \$1.275 million.

For reasons already explained in respect to the submission on draft Omnibus Amendment 1 lodged by landowner/developer Urban Quarter, and subsequent agreement reached at a meeting with Urban Quarter representatives and senior executive officers from the City, it is recommended to the Council that no additional monetary contribution shall not be sought or required under the amended DCP.

Long-term Financial Plan Implications

The DCP will assist with the funding of new recreational infrastructure required for the growing Dunsborough community.

STRATEGIC COMMUNITY OBJECTIVES

The Officer Recommendation is consistent with community objective 2.1 of the City's Strategic Community Plan 2013, which is – *"A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections."*

RISK ASSESSMENT

Officers have undertaken an assessment of the potential implications of carrying out 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 concern shortfalls in funds or the disposal of land prior to subdivision or development. The draft DCP amendment has is designed to mitigate those risks to an appropriate level.

Implementing the Officer Recommendation will involve advising the relevant landowner(s) concerned of the Council resolution and advertising the draft amendment to the DCP for public consultation. There are no significant risks identified.

CONSULTATION

Clause 7.7.4 of LPS21 requires a draft DCP to be advertised for a minimum period of 28 days. The amended DCP has been drafted in liaison and agreement with the relevant landowner/developer concerned (Urban Quarter) to ensure that the principles and objectives of the amended DCP are clearly understood and supported.

OFFICER COMMENT

A copy of the proposed amendment to the DCP (including 'track changes') is provided for the consideration of the Council at **Attachment B**.

It is noted that, unlike Developer Contribution Plans elsewhere in the City (where portions of allocated payments are channelled to different and various district-level community facilities, or to identified facilities elsewhere in the balance of a particular developer contributions area or precinct), the DCP for Lot 9033 allocates ALL contributions towards 'local' community infrastructure; namely the construction of a 'shared use' sporting oval, car parking and associated facilities on land to be ceded, together with the adjoining Dunsborough Primary School site, by the subject landowner/developer. This monetary allocation (and application) remaining unchanged in the amended DCP will continue to provide Urban Quarter with a 'direct return' on investments made through its contributions requirements.

The predominant purpose of the amended DCP is to rationalise and incorporate the only developable/developed residential land in the District remaining outside a formal Developer Contributions Plan area (these being the identified four residual parcels within the Dunsborough Lakes Estate shown at Attachment A) within a formal developer contributions plan area.

Agreement reached at executive officer level with representatives of Urban Quarter, at a meeting convened on 7 April 2016, allowed that no variation to the total monetary contributions allocated to be paid under the current DCP (estimated at approximately \$1.275 million) would be sought or required in the amended DCP. In other words, all monetary developer contributions allocated in the Dunsborough Lakes Estate development area will effectively continue to be met under the requirements of the amended DCP as they apply to the release of new lots created by the subdivision of Lot 9033 ONLY.

It should be noted, however, that any payment and discharge of monetary obligations under the amended DCP would necessarily only apply for the **10-year** 'period of operation' of that DCP; although it is anticipated that this operational period will expire before that time anyway, with the likely staged completion of subdivision and/or development of Lot 9033.

It should be further noted that the position of the current Council in approving the amended DCP as recommended would not necessarily bind or preclude *future* elected Councils and/or City officers from reviewing and revising those developer contribution allocations applying to the Dunsborough Lakes Estate development area under that DCP, and even potentially recommending or adopting alternative informed positions. In a similar vein, of course, WAPC SPP 3.6 '*Development Contributions for Infrastructure*' also requires endorsed Developer Contribution Plans to be reviewed on a regular basis.

CONCLUSION

Officers recommend that the proposed amendment to the Dunsborough Lakes Estate DCP provided at Attachment B be adopted by the Council for advertising purposes, pursuant to clause 7.7.4 of the LPS21. Subject to consideration and assessment of any formal submissions received during that consultation period, the draft amendment to the DCP shall be reported back to the Council with a recommendation for final approval.

OPTIONS

Should the Council not wish to support the Officer Recommendation, it could consider the following alternative options:

- Option 1: Resolve not to adopt the proposed amendment to the DCP for advertising, identifying the reasons for that determination and any subsequent actions required;
- Option 2: Resolve to adopt the proposed amendment to the DCP for advertising, subject to certain prior modification(s) to be identified.

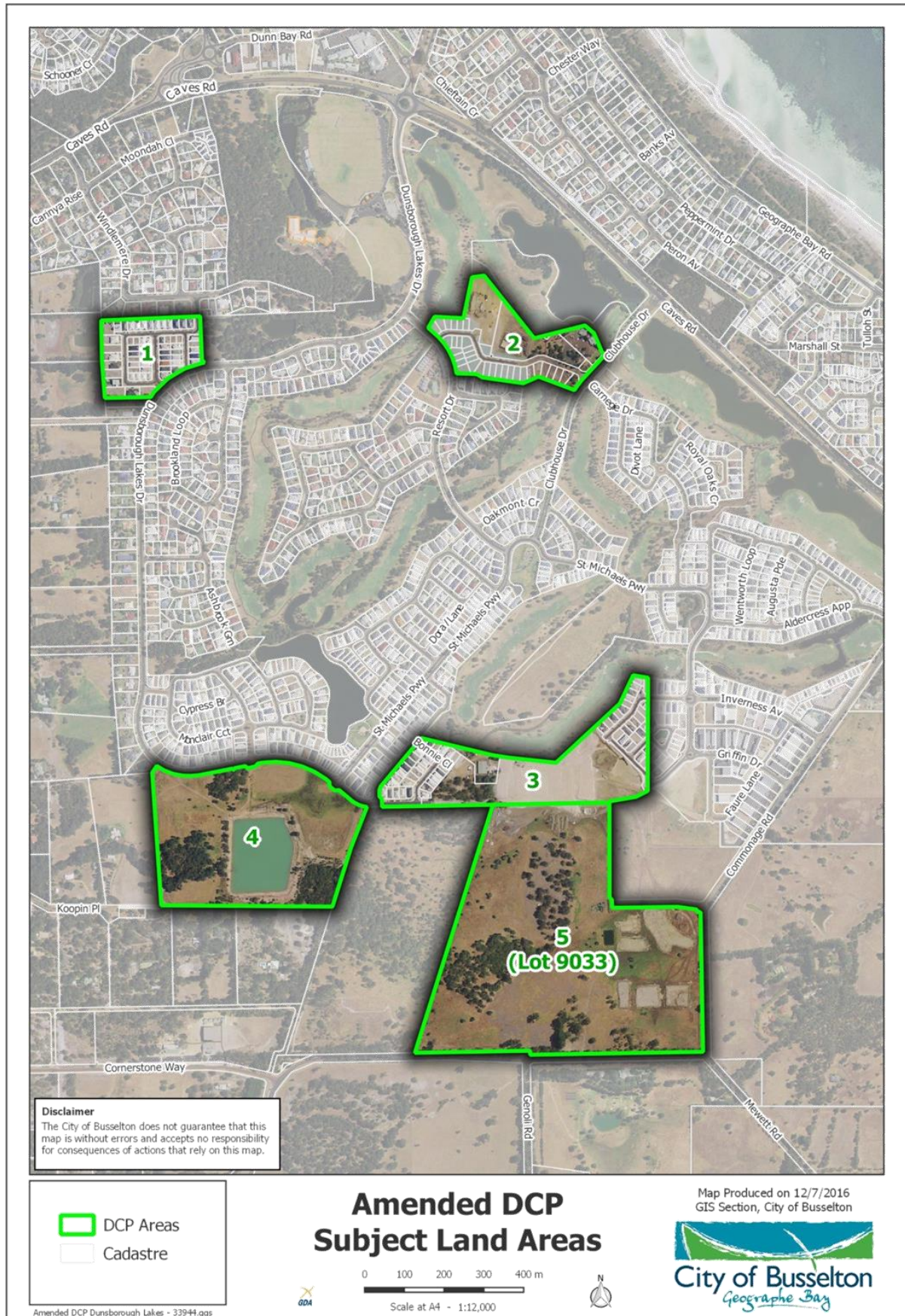
An assessment of these Options did not reveal any substantive issues or reasonable grounds that would support either.

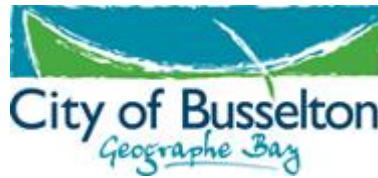
TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Implementation of the Officer Recommendation will involve providing advice of the Council resolution to the subject landowner(s) and coordinating the advertising of the proposed amendment to the DCP for a minimum period of 28 days. This will occur within one month of the resolution made by the Council.

OFFICER RECOMMENDATION

That the Council, pursuant to Clause 7.7 of Local Planning Scheme No 21, adopts the draft amendment to the Dunsborough Lakes Estate Developer Contributions Plan (dated 10 August 2016 and provided at Attachment B) for public advertising for a period of 28 days.





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 Lot 9033 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: 10 August 2016

CITY OF BUSSELTON**DUNSBOROUGH LAKES ESTATE
DEVELOPER CONTRIBUTIONS PLAN (DCP)****10 AUGUST 2016**

1. Introduction

1.1 This Developer Contributions Plan (DCP) applies to Lot 9033 Commonage Road, Dunsborough Lakes and an additional four parcels of land 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 current Lot 9033. The DCP area is the subject of the Development Guide Plan for Dunsborough Lakes Estate (Structure Plan). The current endorsed version of this plan is included as Figure 2.

1.2 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 Lot 9033 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 70.3 hectares.

1.4 Developer contributions will take the form of cash contributions required on a per lot basis at subdivision clearance stage for current Lot 9033 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. The estimated dwelling yield in the DCP area that remains to be subdivided, being Lot 9033 and Pt Lot 9054 to the west of Lot 9033, is approximately 420 dwellings.

- 1.5 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.
- 1.6 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 Lot 9033, which will be estimated to yield 255 lots. The Dunsborough Lakes Development Guide Plan (Structure Plan) designates a significant portion of the DCP area of Lot 9033 for recreational open space/playing fields to be utilised on a 'shared' basis with the adjacent future 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 Lot 9033 be put towards the delivery of the 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 Lot 9033 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 Lot 9033.

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 Lot 9033 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 Lot 9033 (if practicable), or at a subsequent stage of subdivision of Lot 9033, 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 9033. The final boundary between the primary school lot and the district open space lot will be subject to negotiation.

- 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 apply only to Lot 9033. 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 development of Lot 9033 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 Lot 9033 may be prepared and executed between the City of Busselton and the land developer of Lot 9033.

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 developer of Lot 9033 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 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 Lot 9003 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 Lot 9033 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 Lot 9033 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 Lot 9033 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 Lot 9033.

11.2 AMENDMENT 23 TO LOCAL PLANNING SCHEME 21 - INTRODUCING A 'RESIDENTIAL' ZONING OVER UNZONED PORTIONS OF PT LOT 9507 LAYMAN ROAD, GEOGRAPHE - CONSIDERATION FOR INITIATION

SUBJECT INDEX:	Local Planning Scheme
STRATEGIC OBJECTIVE:	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
BUSINESS UNIT:	Strategic Planning and Development Services
ACTIVITY UNIT:	Strategic Planning and Development
REPORTING OFFICER:	Strategic Planner - Nick Edwards
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Location Plan Attachment B Endorsed Port Geographe Development Plan Attachment C Proposed Scheme Amendment Map Attachment D Proposed Plan of Subdivision Layout

PRÉCIS

Council is requested to consider initiating an amendment to Local Planning Scheme No.21 (LPS21) by introducing a 'Residential' zoning over part of the unzoned portions of Pt Lot 9507 Layman Road, Geographe, adjusting the boundaries of the currently applicable residential density codes ('R20' and 'R30') and modifying the boundaries of two 'Recreation Reserves' to reflect a recent subdivision application over the land.

The proposal is considered to be a straightforward rationalisation of existing zoning, constituting a 'Standard' amendment. It will allow the landowner to consider improved alternative design options for the next stage of subdivision and development in the 'Port Geographe Development Area'.

The amendment will not 'lock in' an alternative road layout or subdivision design, but will simply enable both the City and the Department of Planning the flexibility to consider a range of options for the next stage of development of the Port Geographe Estate.

City officers recommend that the amendment is adopted by Council for public consultation purposes, which will include local advertising and referral to relevant state government agencies.

BACKGROUND

Located in the south-western part of the Port Geographe Development Area, Lot 9507 Layman Road contains the undeveloped balance of the Port Geographe Estate. This proposal applies to approximately 5 hectares of land (Pt Lot 9507) at the western area of the estate, near the intersection of Layman Road with Navigation Way (refer to **Attachment A**). Land to the east and south contains the Vasse Estuary, public reserves and agricultural land with high landscape quality.

The majority of the land the subject of this proposal is identified within "No Zone" under the City of Busselton Local Planning Scheme No. 21 (LPS21), whilst a small sliver of affected land abutting Navigation Way is currently zoned "Residential" with a residential density coding of "R20".

Lot 9507 is included within the 'Port Geographe Development Area', a Special Control Area within which subdivision and development of the land has been guided and coordinated by the endorsed Port Geographe Development Plan (PGDP) (see **Attachment B**).

Part 6.9 of LPS21 identifies a number of development requirements specific to this area. Lot 9507 is also identified in Schedule 15 of LPS21 as being within Development Contribution Area No. 1, requiring the payment of a per lot/dwelling contribution towards the provision of community infrastructure. It should also be noted, though, that separate developer contributions arrangements apply to this land, by virtue of the Port Geographe Development Deed.

This amendment proposal does not involve substantive modifications to any of the above, simply removal of the unzoned (and redundant) road network, so as to provide the new landowner/developer with the flexibility to propose an updated structure plan and subdivision layout that better reflects the requirements of the current market and addresses land use efficiency requirements of the State Government.

STATUTORY ENVIRONMENT

City of Busselton Local Planning Scheme No.21 (LPS21)

LPS21 identifies Lot 9507 as being within the *Port Geographe Development Area*. The future subdivision and development of this land is primarily coordinated by three key plans, the PGDP, the *Port Geographe Landscape Master Plan* and the *Port Geographe Village Centre Precinct Plan*. LPS21 coordinates the implementation of these plans which have previously been approved by the City and endorsed by the WAPC.

RELEVANT PLANS AND POLICIES

Relevant to this proposal are the

- City of Busselton DRAFT Local Planning Strategy (2013)
- Port Geographe Development Plan (2005)

City of Busselton DRAFT Local Planning Strategy (2013)

The City of Busselton's Draft Local Planning Strategy (LPS) was adopted by Council on 25 September 2013 and advertised between 16 March and 13 May 2016. The LPS, once finally adopted, will set out the long term planning direction for the City of Busselton and provide the strategic rationale for decision making relating to planning and development. This strategy will supersede the *Busselton Urban Growth Strategy (1999)*.

The LPS will guide and inform the future growth of Port Geographe Estate and recognises it as an existing urban development area that will be progressively developed, providing a mix of residential, commercial and recreational opportunities to be principally guided by a modified PGDP (Structure Plan).

Port Geographe Development Plan (2005)

The PGDP (to be referred to as a 'structure plan' in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*) identifies the subject land as suitable 'Residential Development' land to be developed at an 'R20' density, with a strip of 'R30' land adjacent to a future recreation reserve to the east. It is envisaged a comprehensive review of the existing structure plan will be undertaken by the landowner/developer for the consideration of the City and the WAPC, in due course, by way of a separate planning and approval process. The current amendment proposal is not affected.

FINANCIAL IMPLICATIONS

There are considered to be no financial implications arising from this proposal.

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

The Officer Recommendation is consistent with community objective 2.2 of the City's *Strategic Community Plan 2013*, which is – “a City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections”.

RISK ASSESSMENT

An assessment of the potential implications of the Officer Recommendation has been undertaken using the City's risk assessment framework. The assessment identified 'downside' risks only. The implementation of the Officer Recommendation will involve amending the existing maps which forms part of the LPS21. No significant risks have been identified.

CONSULTATION

Considerable discussion has occurred between the landowner, the Department of Planning (DOP) and City officers regarding the management and ongoing development of the Port Geographe Estate precinct.

City officers consider the proposal to be a 'Standard' amendment. 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.

If the Council resolves to initiate Amendment 23, the amendment documentation will be formally prepared and provided for referral to the Environmental Protection Authority (EPA) ahead of public consultation for 42 days, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. Public consultation will include local advertising, letters to adjoining landowners and referral to relevant state government agencies.

OFFICER COMMENT

The landowner has indicated that the PGDP (Structure Plan) will be reviewed and modified in relation to the undeveloped balance of Lot 9507 Layman Road, but this will form a separate planning proposal.

Rezoning of the land in the manner proposed (see Proposed Scheme Amendment Map at **Attachment C**) is expected to facilitate subdivision and development of up to 70 low-medium density residential allotments, plus two slightly modified “Recreation” reserves, accessed via an interconnected modified grid road network, generally consistent with the intentions of the current PGDP (structure plan).

Application of the “R20” density coding over the majority of the affected land is consistent with the approved coding of surrounding land, whilst a slight extension of the “R30” coding southward is appropriate on the basis that it picks up the balance of the high amenity land located directly opposite the adjoining Recreation reserve.

The final form of subdivision will be determined by the outcome of a concurrent subdivision application over this portion of Lot 9507 (see Proposed Plan of Subdivision at **Attachment D**), with the proposed Scheme amendment on Pt Lot 9507 necessary to afford the City an appropriate level of development control over the future residential development of those allotments.

CONCLUSION

The proposed amendment seeks to rezone a relatively small (5 hectare) area of Lot 9507, to create a more flexible zoning arrangement that will allow both the City and the WAPC to consider immediate improvements to the layout and land use efficiency of the most immediately developable portion of Port Geographe Estate.

The proposal will also complement, and not propose any significant departures from, the established planning framework. It concerns land that has previously been demonstrated as being suitable for residential development, as appropriately tested through earlier planning initiatives.

Furthermore the proposed amendment will not necessitate the need for any additional technical studies beyond those that would typically be required as conditions of subdivision approval.

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.

There are no substantive issues or reasonable grounds that would support any of these options.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The implementation of the Officer Recommendation would involve provision of advice of the Council resolution to the landowner and referral of the correctly formatted amendment documentation to the Environmental Protection Authority, which will occur within one month of the resolution.

OFFICER RECOMMENDATION

That the Council:

1. In pursuance of Part V of the *Planning and Development Act 2005*, initiates proposed Amendment 23 to the City of Busselton Local Planning Scheme No. 21, to:
 - a. Introduce a “Residential” zoning over the unzoned portions of subject Pt Lot 9507 Layman Road;
 - b. Apply either R20 or R30 residential density coding to the land referred to in point a. (above);
 - c. Apply existing ‘R30’ residential density coding to land directly west of the ‘Recreation’ reserve portion of Pt Lot 9507;
 - d. Adjust the boundary of the proposed ‘Recreation’ reserve portion of Pt Lot 9507 to coincide with the land use boundaries proposed in the subdivision application for the subject land; and
 - e. Reclassify a smaller part of Pt Lot 9507 adjacent to Navigation Way from

“Residential” to a local “Recreation” reserve.















2. Advise the Western Australian Planning Commission that the proposed Amendment is considered to be a ‘Standard’ amendment under the provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*;
3. Upon preparation of the necessary documentation, refers the proposed Amendment to the Environmental Protection Authority (EPA) as required by the *Planning and Development Act 2005*. On receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, the proposed Amendment will be advertised for a period of 42 days and referred to relevant state government agencies for comment. In the event that the EPA determines that the proposed Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to consultation.

ATTACHMENT A: LOCALITY PLAN OF LOT 9507 AND THE LAND SUBJECT TO AMENDMENT 23 (SUBJECTLAND)



ENTIRE ESTATE INFORMATION

- | POS PROVISION | |
|---|--------------------|
| North of Layman Road | |
| GSA 70.8942ha - 10% = | 7.0894ha |
| -POS Provision | 12.3871ha |
| -POS Cash In Lieu | 0.2100ha |
| Sub-TOTAL POS | 12.5971ha (17.77%) |
| South of Layman Road | |
| GSA 71.6213ha - 10% = | 7.1621ha |
| -POS Provision | 7.9894ha |
| <i>(Indicative values! Public areas assessed later)</i> | |
| Sub-TOTAL POS | 7.9894ha (11.15%) |
| TOTAL GSA - | 142.5072ha |
| TOTAL POS - | 20.5865ha (14.44%) |
- NOTE: POS areas are indicative only and may change when detailed subdivision occurs

..... Village Centre Precinct
 Port Geographic Development Area Boundary
 Public Access Around Lake
 Village Centre Pedestrian Route
 Dual Use Path
 Floodway (1:100 Year)
 Pedestrian Bridge
 Toilet Facility
 Landscape Buffer (min. width 25m)
 Residential R15
 Residential R20
 Residential R20/R40
 Residential R30
 Residential R40
 Residential R60
 Public Open Space
 Community Purpose Site
 Public Boat Ramps

NOTE 1 : INDIVIDUAL LOT SIZES AND CONFIGURATIONS ARE INDICATIVE ONLY
AND WILL BE CONFIRMED AT SUBDIVISION APPLICATION STAGE.

NOTE 2 : REFERENCE TO LAYMAN ROAD RELATES TO LAYMAN ROAD AS IT
EXISTS AT THE DATE OF THE CITATION

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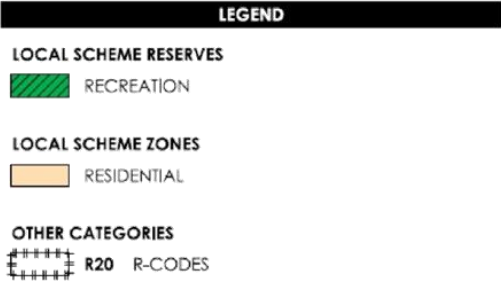
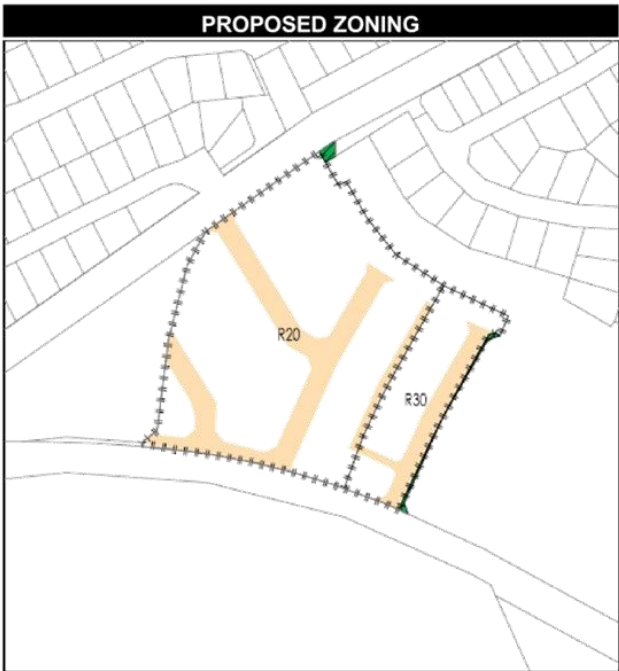
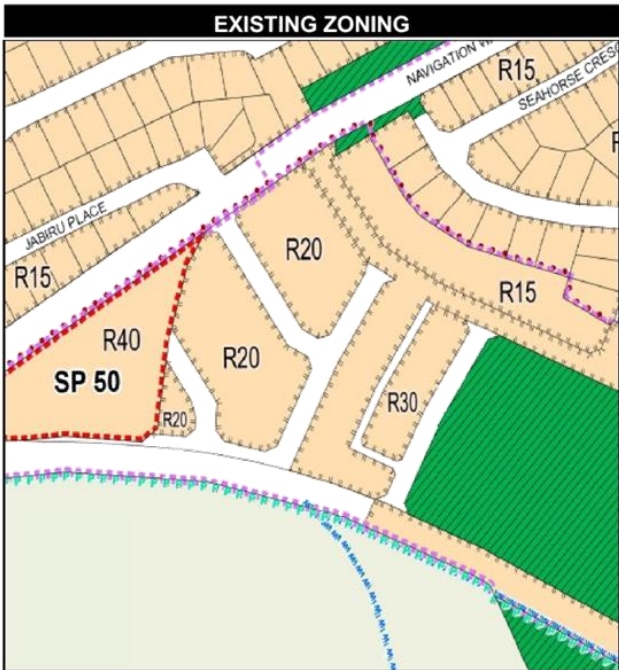
DATE	BL	ACTIVITY - DEBITOR DESCRIPTION	DEB	CRED	DATE	ACTIVITY - CREDITOR DESCRIPTION	CRED	DEB
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01-07-00	1	CONFIRMATION MADE AS REQUIRED BY STATE	50.00	0.00	01-07-00	1	CONFIRMATION MADE AS REQUIRED BY STATE	50.00
01-08-00	2	EXPENSE OF FORMS PAID	50.00	0.00	01-08-00	2	EXPENSE OF FORMS PAID	50.00

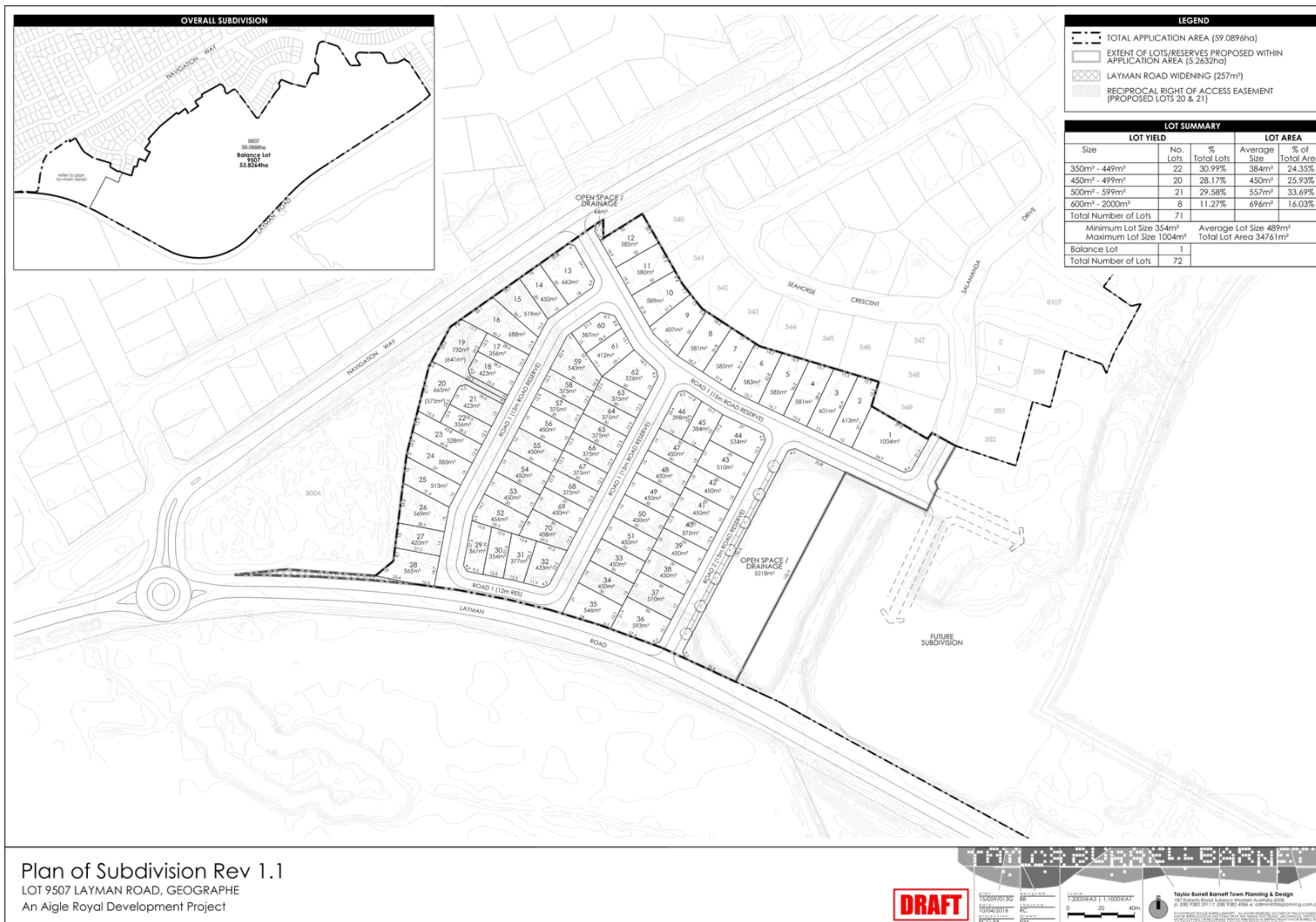


This Port Geographic Development Plan is adopted by resolution of the Council on 15 December 2004 pursuant to the Shire of Busselton District Town Planning Scheme No. 20

Chief Executive Officer *[Signature]* Date 28/9/05

ATTACHMENT C: PROPOSED ZONE CHANGES





11.3 APPLICATION FOR DEVELOPMENT APPROVAL FOR USE NOT LISTED (AGRICULTURE AND MACHINERY SALES AND REPAIRS) AT LOT 1 (4850) BUSSELL HIGHWAY, REINSCOURT

SUBJECT INDEX:	Development/Planning Applications
STRATEGIC OBJECTIVE:	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
BUSINESS UNIT:	Development Services and Policy
ACTIVITY UNIT:	Development Services and Policy
REPORTING OFFICER:	Planning Officer - Stephanie Izzard
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Location Plan Attachment B Development Plans Attachment C Summary of Submissions

PRÉCIS

The Council is asked to consider a development (planning) application seeking approval for a Use Not Listed (Agriculture and Machinery Sales and Repairs) at Lot 1 (4850) Bussell Highway, Reinscourt. A location plan and development plans are provided at Attachments A & B respectively.

The proposal has been placed before the Council due to the prominence of the site along Bussell Highway and the proximity to the main entry road into the Busselton City Centre.

It is considered that, on balance, this development is consistent with the relevant planning framework and is recommended for approval.

BACKGROUND

An application for development approval has been received for a Use Not Listed (Agriculture and Machinery Sales and Repairs) at Lot 1 (4850) Bussell Highway, Reinscourt ("the site"). Effectively, the proposal involves the relocation of the 'Greenline' farm machinery business, currently located in Karridale, into site/premises currently occupied by the 'Foris' nursery.

The site is located 500 metres to the east of the round-a-bout at the intersection of Bussell Highway and Causeway Road, which provides the main vehicle entry into the Busselton City Centre. The site is located on the northern side of Bussell Highway and is bound by two lots, one to the west, and one to both the north and east, both of which are 'Reserve for Recreation' in the Scheme, although privately owned. The proposed development will replace the landscape supplier currently operating from the site.

The site is zoned "Agriculture" under the City of Busselton Local Planning Scheme No.21 (the Scheme) and is subject to the Vasse Estuary Structure Plan. The Structure Plan includes the properties on the northern side of Bussell Highway from Ford Road to Osprey Drive and lists residential, recreation agriculture and limited grazing as land uses which are preferred within the bounds of the structure plan. The site is within a Landscape Value Area under the Scheme.

The application proposes a 200m² workshop to be located to the rear of the existing shop and office on the property. The proposed workshop will have a wall height of 5m and a ridge height of 5.852m. The applicant also proposes a trade display area to be setback 9.5m from the front property (Bussell Highway) boundary and one freestanding signs 4.2m in height.

STATUTORY ENVIRONMENT

The key statutory environment is set out in the City of Busselton Local Planning Scheme No. 21 (the Scheme), as modified by the Deemed Provisions set out in Schedule 2 of the *Planning and Development Regulations 2015*. The proposed development does not fall under any use listed in the Scheme. The proposed development is therefore a 'use not listed' and may be approved at the discretion of the City, usually following a consultation process as outlined in clause 64 of the Deemed Provisions.

Agriculture Zone

The site is zoned 'Agriculture' under the Scheme. The objectives of this zone relevant to this application are as follows:

- (d) *To enable the development of land for other purposes where it can be demonstrated by the applicant that suitable land or buildings for the proposed purposes are not available elsewhere and that such purposes will not detrimentally affect the amenity of any existing or proposed nearby development.*
- (h) *To discourage ribbon development along Caves Road and other tourist roads and maintain the rural and natural ambience of transport corridors generally.*

The policies of the 'Agriculture' zone relevant to this application are:

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

Landscape Value Area

The site is within a Landscape Value Area under the Scheme. The provisions of this special control area relevant to this application are as follows:

6.4.1 The local government shall not grant planning approval for the clearing or development of any land identified within a Landscape Value area on the Scheme map, unless it has considered -

- (a) whether the development will be compatible with the maintenance and enhancement, as far as is practicable, of the existing rural and scenic character of the locality;*

6.4.2 The local government shall not grant planning approval for the carrying out of development on land within the Landscape Value area or on land on or near any ridgelines where, in the opinion of the local government, that development is likely to substantially detract from the visual amenity of the area, having regard to, among other things, the cumulative visual effect of the development related to other development that may be anticipated in the locality and in the area generally.

Use not listed

The applicant has applied for the proposal as a "Rural Enterprise." Currently, under the Scheme "Rural Enterprise" is defined as "the use of rural land and buildings for business activities, the operations of which are related to or are dependent on rural and agricultural activity in the locality in which they are situated." This definition is relatively ambiguous in relation to what agricultural activities would reasonably fall within this land use. As part of the Omnibus Amendment to the

Scheme, which was endorsed by the Council at its meeting 11 May 2016 and is considered a “seriously entertained planning document,” “Rural Enterprise” is proposed to be removed as a land use and replaced with “Rural Produce Sales”. “Rural Produce Sales” is defined as “any premises used for the purpose of retail sale of products which are grown, reared or produced on site, including a cellar door operation and retail sales associated with Industry – Cottage or Industry – Rural.” It is considered that the proposed development would not fall within either the existing “Rural Enterprise” or proposed “Rural Produce Sales” land uses or any other land-use defined in the Scheme, and therefore the development has been assessed as a ‘Use Not Listed’. Clause 4.4.2 of the Scheme allows the City to consider a development application for a land use not listed under the zoning table. In this instance it was considered that the use may be consistent with the objectives and policies of the zone and therefore advertising was undertaken in accordance with clause 64 of the Deemed Provisions. Clause 44.2 reads as follows -

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 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 of the particular zone and is therefore not permitted.*

Note that clause 10.4 of the City’s scheme is now superseded by the equivalent and very similar clause 64 of the Deemed Provisions.

Matters to be considered

Clause 67 the Deemed Provisions outlines the key matters to be considered by local government when considering a development application. Those matters which are considered to be particularly relevant to this application are as follows:

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*
- (y) any submissions received on the application;*

(za) *the comments or submissions received from any authority consulted under clause 66;*

RELEVANT PLANS AND POLICIES

The key policy implications for consideration are set out in the following policy documents:

- *Land Use Planning in Rural Areas Statement of Planning Policy (SPP 2.5);*
- *Local Rural Planning Strategy (LRPS);*
- *Local Commercial Planning Strategy (LCPS);*
- *Local Planning Policy 3 Special Character Areas and Visual Management Policy (LPP3)*
 - *3F Reflective Building Materials*
- *Local Planning Policy 8 General Development and Process Standards Policy (LPP8)*
 - *8A Car Parking Provisions*

SPP 2.5 primarily addresses the operation of the planning framework rather than individual land use matters. The overarching policy requirements that it lists include:

a) land use change from rural to all other uses is to be planned and provided for in a planning strategy or scheme; and

The LRPS addresses other matters such as the economic and social well-being of the region. Under the LRPS the site is located with the Rural Wetlands precinct. Within the Rural Wetland precinct the precinct objectives applicable to this area include:

- To preserve the landscape qualities of the area and to enhance the rural and natural landscape values.

In relation to the Busselton City Centre the LCPS discourages ribbon development and further commercial development along major roads, including Bussell Highway.

Under LPP3 - *3F Reflective Building Materials*, as the development is within a Landscape Value Area under the Scheme, reflective building materials, including Zincalume and building materials with a light reflectance exceeding 50% are only permitted at the discretion of the City where the use of these materials will not detract from the visual amenity or rural/scenic character of the area and will not be visually prominent from travel route corridors.

As the proposed development is considered to be a "Use not listed" under the Scheme, the Council is required to determine an appropriate car parking standard. It is noted that under LPP 8 - *8A Car Parking Provisions* "Trade Display" requires "1 space per 50m² of display area or at the City's discretion" and "Industry" requires "1 space for 50m² of net lettable area."

FINANCIAL IMPLICATIONS

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

STRATEGIC COMMUNITY OBJECTIVES

The recommendation in this report reflects Community Objective 5.2 of the City's Strategic Community Plan 2013 – 'A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connection.'

RISK ASSESSMENT

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

CONSULTATION

This proposal was referred to adjoining landowners for a period of 21 days ending on 8 June 2016. A notice was also placed on the City's website and in the local paper on 25 May 2016. The City received 7 submissions from members of the community in support of the proposal (Attachment C refers). In addition, a submission was also received from Main Roads which raised the following concerns;

- Development will increase traffic demands and increase the potential for vehicle conflicts which will detract from the safety and function of the highway.
- Approval will create an undesirable precedent for further development along this section of Bussell Highway.
- Concerns regarding vehicles making u-turns at existing intersections which will create major safety concerns.

OFFICER COMMENT

The City has assessed the application having regard to the objectives and policies of the Agriculture zone, and Matters to be considered, in particular consideration of proper and orderly planning, as required by the Scheme.

While the objectives of the Agriculture zone is to discourage ribbon development along tourist roads and maintain the rural and natural ambience of transport corridors generally, it considered that as this application proposes to replace an existing business operating from the site that it does not increase the commercialisation along Bussell Highway and therefore is in keeping with objectives of the Agriculture zone and the intention of the LCPS. Any future proposal which would increase commercial operations on the site, including an expansion of the current proposal, would likely not be supported. The applicant has advised that the area to the rear of the proposed workshop is only to be used to provide access into the workshop and that there will be no expansion of business activities into this area. To ensure that the proposal does not expand to occupy a greater portion of the site than what is currently proposed a condition of approval is recommend for a site plan demarcating the area to be utilised for the business. This is to be submitted to the City prior to the commencement of operation and will prevent future expansion of the business which could result in impacts upon the amenity of the area and may result in additional traffic to the site.

The development will replace the existing landscape supplier which is operating from the site. This business would be considered a "Plant Nursery" under the Scheme which is a discretionary ("D") land use within the "Agriculture" zone and therefore this land use can be approved within this zone however requires the local government to exercise its discretion by granting planning approval. It is considered that the operation of this business from the site will result in minimal changes to the locality when compared to the existing operations from the site. The proposal is considered to be in keeping with the rural character of the area and this type of business would reasonably be expected to be operating within the locality.

Generally the City has applied a 60 metre landscape buffer to development along the southern side of Bussell Highway, including Georgiana Molloy Anglican School. The intent of this landscaping buffer

is to maintain the visual amenity and reduce clutter along this portion of Bussell Highway, which is a key transport corridor through the region. The front property boundary of the site is setback an additional 20 metres when compared to some of the other properties along Bussell Highway. This results in the trade display area being setback approximately 36 metres from Bussell Highway. It is considered that the additional front setback will provide opportunity for additional vegetation to assist in screening the development from Bussell Highway and therefore reduce the visual impact of the development. Landscaping of the site, as well as landscaping within the verge, is proposed to be required as a condition of the planning approval. It is noted that currently the business operating from the site has advertisements within the road reserve. These will be required to be removed as per a condition of approval and therefore further reducing the visual impact of the development.

The proposal will result in minimal changes to traffic when compared to the existing operations on the site. Due to the nature of the product which is sold it is considered that the frequency of customers coming to the premise would decrease from the plant nursery. To consolidate access to the site the existing gravel crossover, which is rarely utilised, is to be removed and the verge reinstated.

CONCLUSION

It is considered that the proposal is consistent with the applicable requirements and therefore is recommended for approval, subject to appropriate conditions. It should be noted, though, that if the proposal involved an additional business on the site, rather than the replacement of an existing business, or if it involved a business that would be a more, rather than less, intensive generator of traffic, or was not of a character consistent with a rural area, then it could not be supported by officers, as it would be contrary to clear objectives set out in the planning framework that are not supportive of the further commercialization or intrusive development of any kind, along the regional road network, especially those aspects of the network that form an important part of the 'entry experience' into the District and the principal settlements.

OPTIONS

The Council could:

1. Approve the application subject to different conditions.
2. Refuse the proposal, setting out reasons for doing so.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The proponent will be advised of the Council decision within two weeks of the Council meeting.

OFFICER RECOMMENDATION

That the Council resolve:

1. That application DA16/0295 submitted for development at Lot 1 (4850) Bussell Highway Reinscourt is considered by the Council to be consistent with the City of Busselton Local Planning Scheme No. 21 and the objectives and policies of the zone within which it is located.
2. That Development Approval is issued for the proposal referred to in 1. above subject to the following conditions:

General Conditions:

1. The development hereby approved shall be substantially commenced within two years

of the date of this decision notice.

2. The development hereby approved shall be undertaken in accordance with the signed and stamped, Approved Development Plan(s) (enclosed), including any notes placed thereon in red by the City.

Prior to Commencement of Any Works Conditions:

3. The development hereby approved, or any works required to implement the development, shall not commence until the following plans or details have been submitted to the City and have been approved in writing:
 - 3.1 A Drainage Management Plan setting out details of stormwater and surface water drainage works. The Plan shall ensure the following is achieved:
 - a. Stormwater to be retained for use and/or infiltration within the lot at a rate of 1m³ per 40m² of impervious area;
 - b. Sealed parking and loading areas treated using bio-infiltration systems incorporated into landscaped areas, prior to release to below ground storage systems, in accordance with the City's Engineering Technical Specifications; and
 - c. Separate bunded stormwater and/or process water systems with additional treatment (e.g. oil separators) for any areas used for fuel or chemical storage or vehicle wash down.
 - 3.2 A Landscape Plan, which shall include the following:
 - (a) The verge between the Main Trade Display and the front property boundary;
 - (b) The area between the front property boundary and the Main Trade Display;
 - (c) The area along the western boundary from the front property boundary to the proposed workshop;
 - (d) Rehabilitation of the area to the rear of the property not included within the area delineated for the indicated development hereby approved as per condition 3.6 below;
 - 3.3 Details for the consolidation of the vehicle entry/exit to the site into one crossover;
 - 3.4 All structures within the road reserve are to be removed;
 - 3.5 Details of type and colour of all external materials to be used;
 - 3.6 A site plan delineating the area of the site to be utilised for the development hereby approved;
 - 3.7 Details of the finished treatment of all hard surfaced areas to be used for the construction of the parking and manoeuvring areas as shown on the Approved Development Plans.

Prior to Occupation/Use of the Development Conditions:

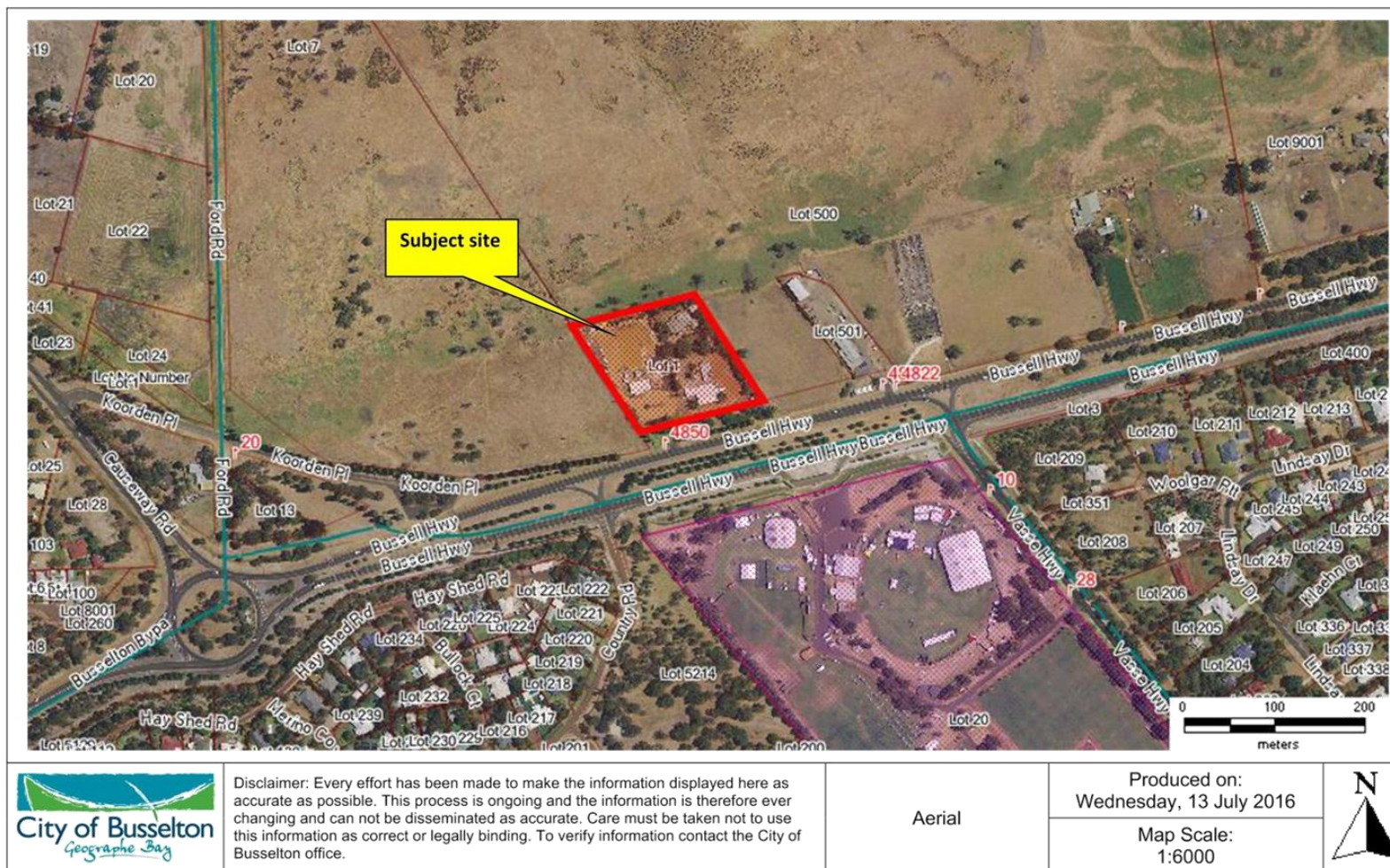
4. The development hereby approved shall not be occupied, or used, until all plans, details or works required by Condition 3 have been implemented; and, the following conditions have been complied with;
 - 4.1 Vehicle crossover upgraded in accordance with the detail approved by the City and any redundant vehicle crossover to be removed and the verge reinstated with grass or landscaping to the specifications of the City.
 - 4.2 Landscaping and reticulation shall be implemented in accordance with the approved Landscape Plan and shall thereafter be maintained to the satisfaction of the City. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting, are removed, die or, as assessed by the City as being seriously damaged, shall be replaced within the next available planting season with others of the same species, size and number as originally

approved.

- 4.3 A minimum number of 19 car parking bays shall be provided on site. The parking area(s), driveway(s) and point(s) of ingress and egress [including crossover(s)] shall be designed, constructed, sealed, drained and marked.

On-going Conditions:

5. The works undertaken to satisfy Conditions 3 and 4 shall be subsequently maintained for the life of the development.



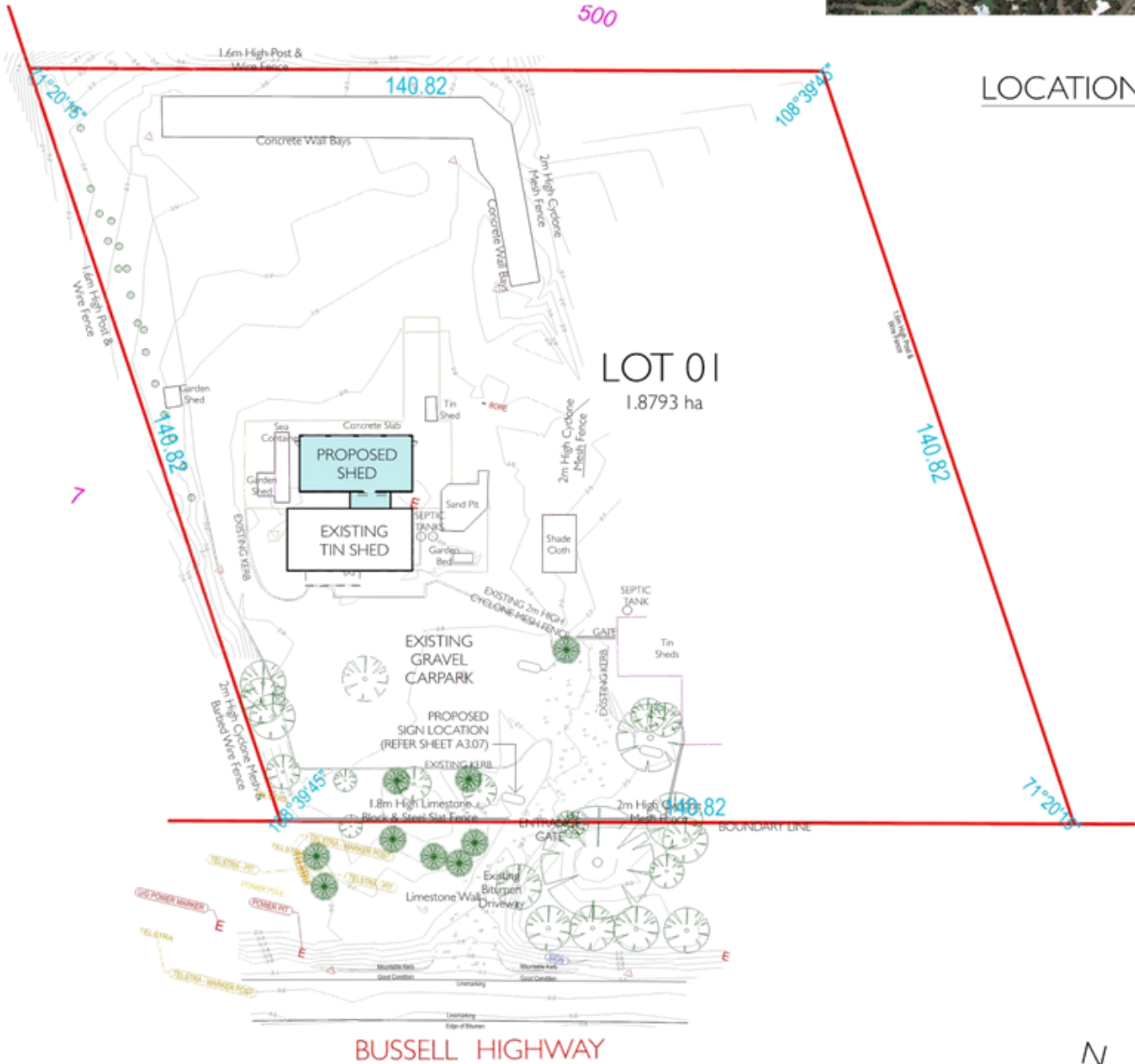


GENERAL NOTES

Do not scale drawings. Use indicated dimensions only. Check all dimensions on site prior to fabrication and/or commencement of works.

Drawings to be read in conjunction with Consultant's drawings. Any discrepancies or omissions are to be brought to the attention of the builder for direction prior to commencement of works.

Construction and fit-out works to comply with the current Building Code of Australia, Australian Standards and relevant Authority requirements, whether explicitly noted or not.



LOCATION PLAN 1:10000

SITE PLAN 1:1000

B	FOR PLANNING APPROVAL	12.04.16
A	FOR CLIENT APPROVAL	31.03.16
REV	DESCRIPTION	DATE
Issue		

PLANNING APPROVAL

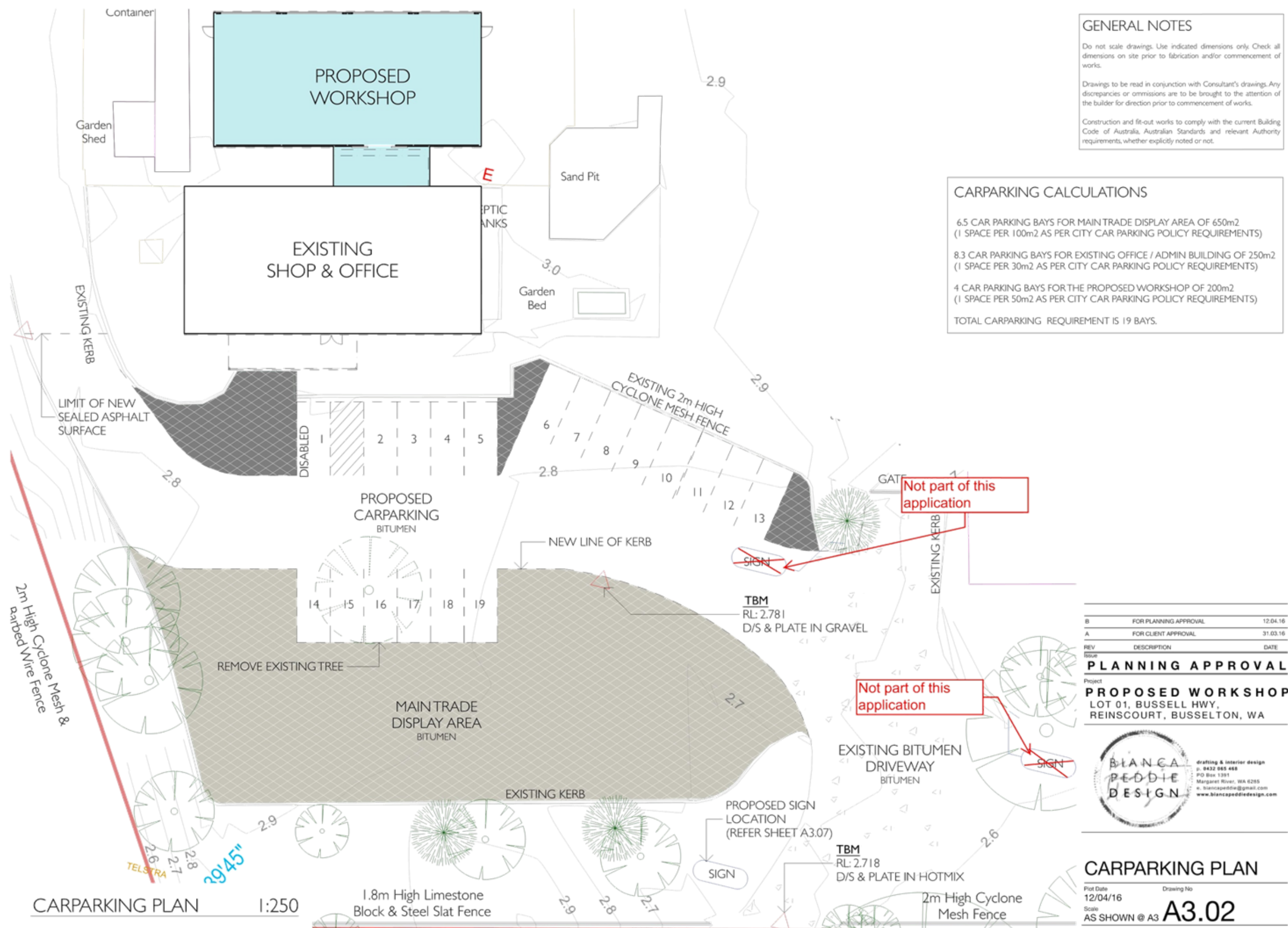
Project
PROPOSED WORKSHOP
LOT 01, BUSSELL HWY,
REINSCOURT, BUSSELTON, WA



drafting & interior design
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PO Box 1391
Margarit River, WA 6285
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www.biancapeddie.com

SITE PLAN

Plot Date 12/04/16 Drawing No
Scale AS SHOWN @ A3 **A3.01**





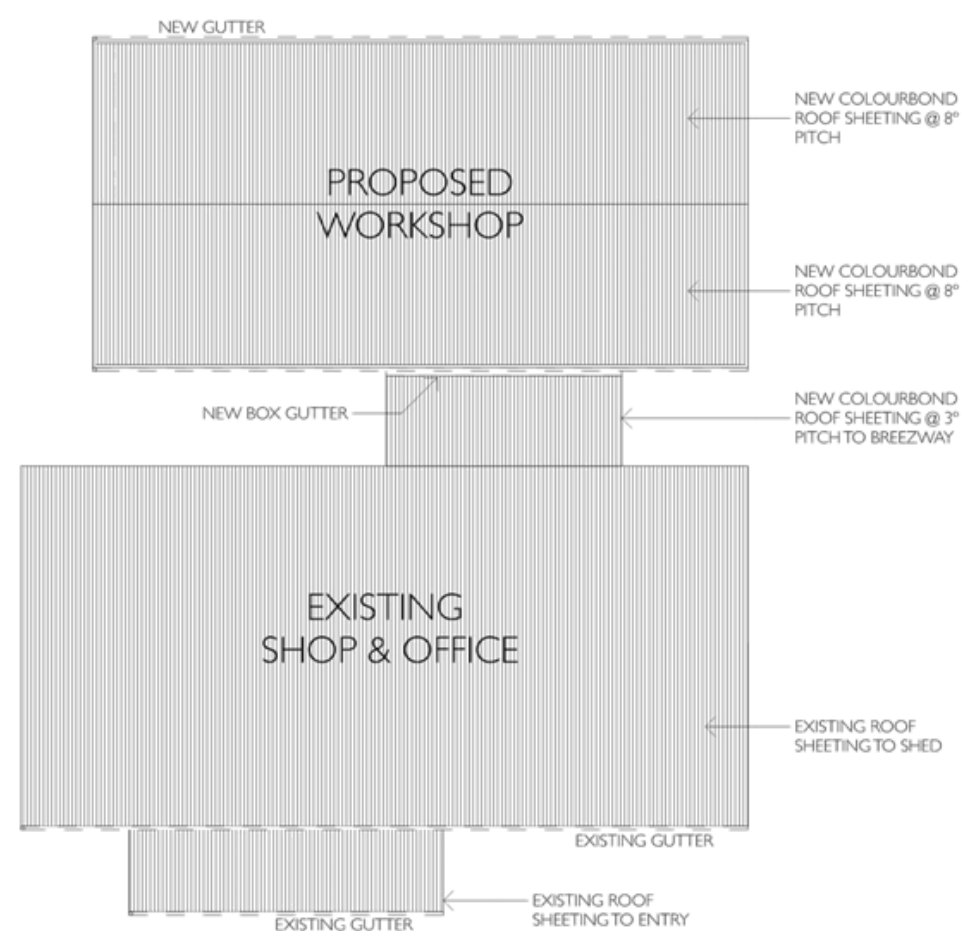
Plot Date 12/04/16 Drawing No. AS SHOWN @ A3 **A3.03**

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ROOF PLAN 1:200

B	FOR PLANNING APPROVAL	12.04.16
A	FOR CLIENT APPROVAL	31.03.16

REV	DESCRIPTION	DATE
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PLANNING APPROVAL

Project
PROPOSED WORKSHOP
LOT 01, BUSSELL HWY,
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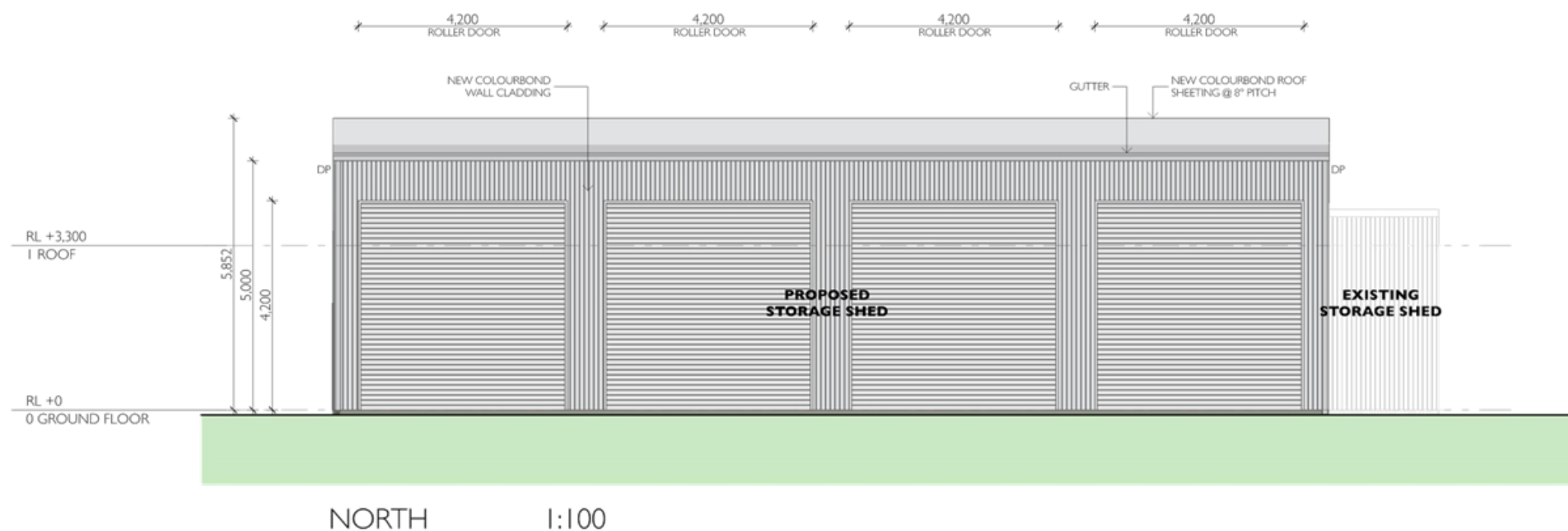
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ROOF PLAN

Plot Date
12/04/16
Drawing No
AS SHOWN @ A3

A3.04

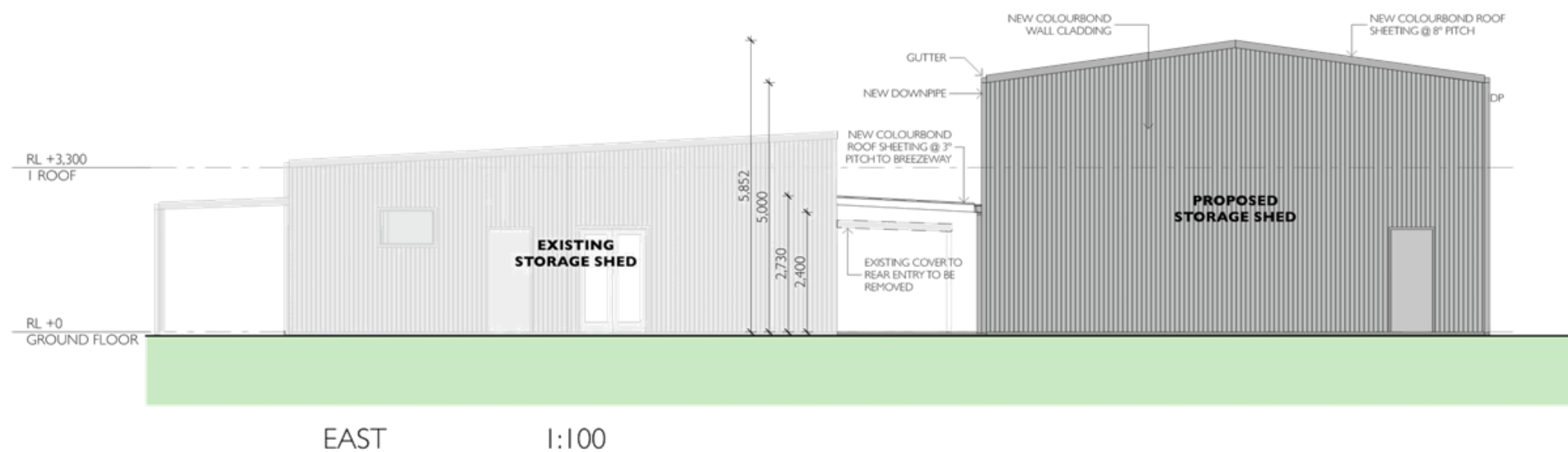


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B	FOR PLANNING APPROVAL	12.04.16
A	FOR CLIENT APPROVAL	31.03.16

PLANNING APPROVAL

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REINSCOURT, BUSSELTON, WA



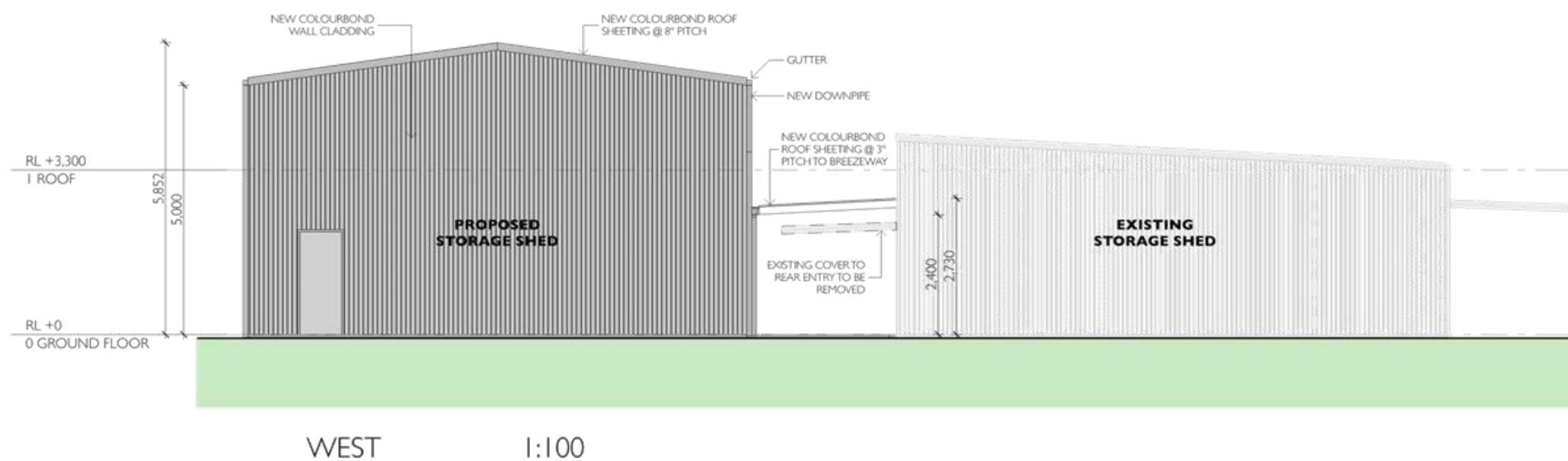
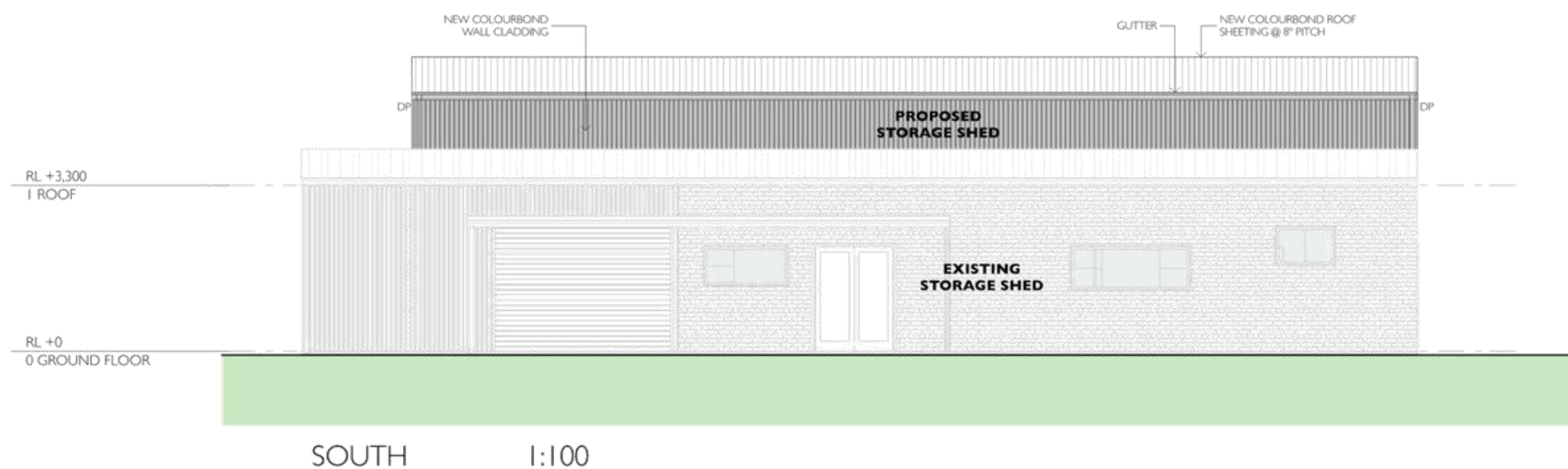
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ELEVATIONS

Plot Date
12/04/16

Drawing No
AS SHOWN @ A3

A3.05



GENERAL NOTES

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A	FOR CLIENT APPROVAL	31.03.16

REV	DESCRIPTION	DATE
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ELEVATIONS

Plot Date
12/04/16
Drawing No
Scale
AS SHOWN @ A3

A3.06



PROPOSED SIGNAGE 1:50

GENERAL NOTES

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A	FOR CLIENT APPROVAL	31.03.16

REV	DESCRIPTION	DATE
Issue		

PLANNING APPROVAL

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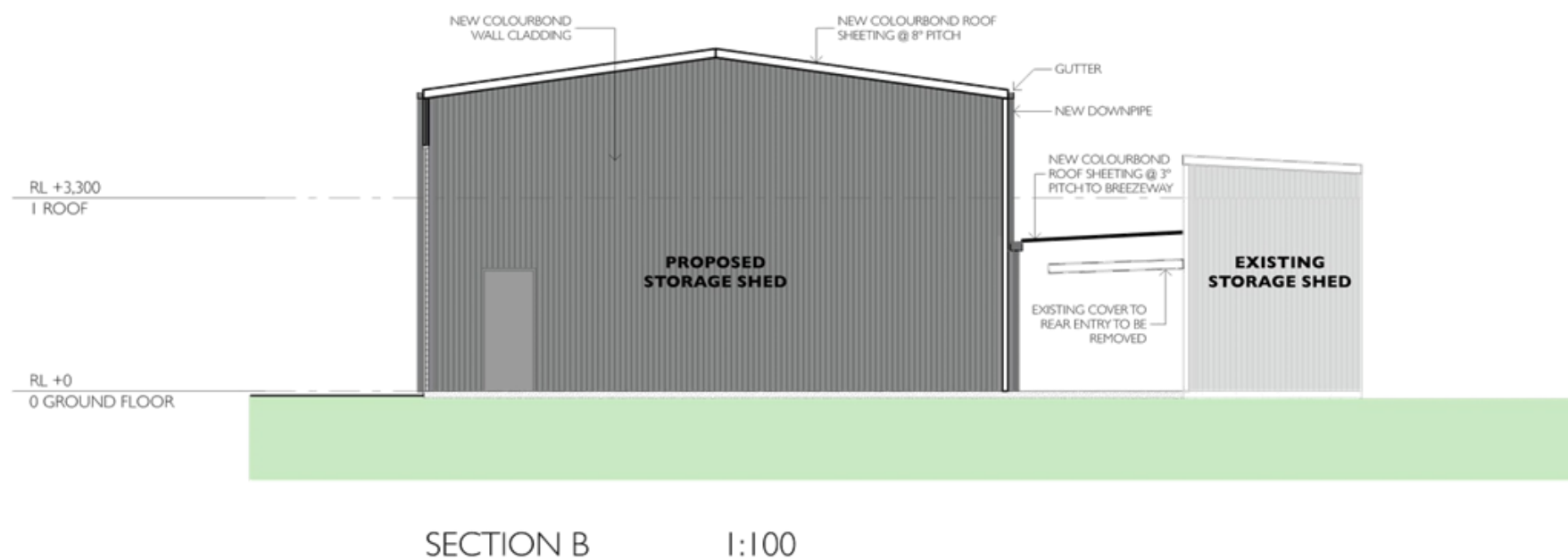
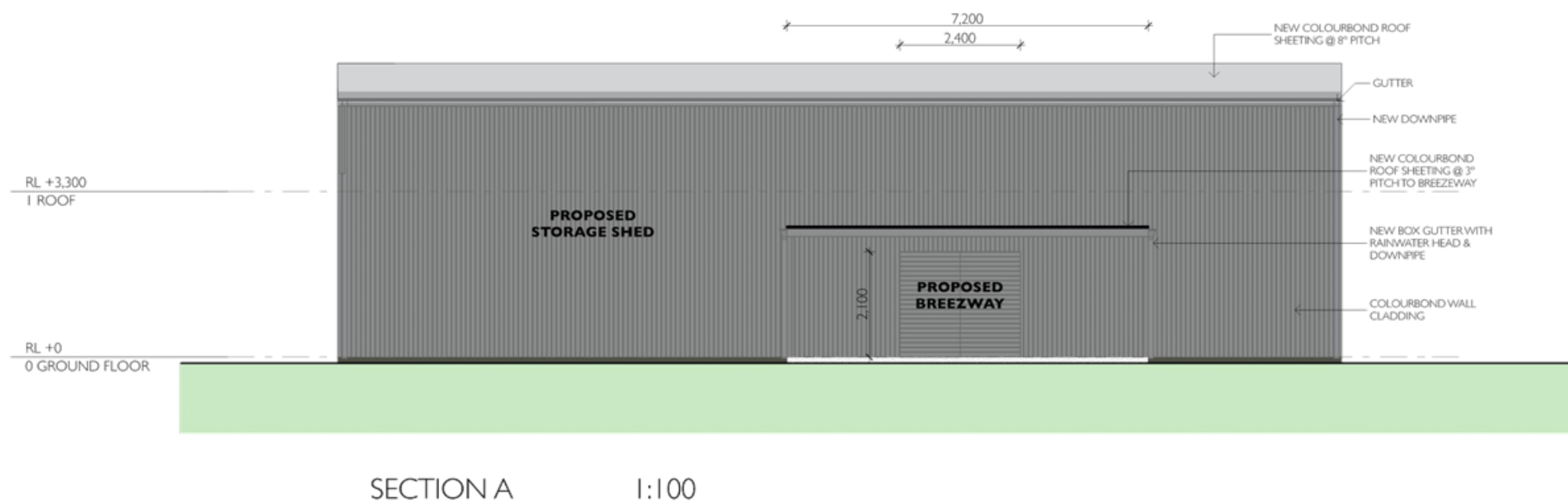


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PROPOSED SIGNAGE

Plot Date 12/04/16	Drawing No A3.07
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Scale
AS SHOWN @ A3



GENERAL NOTES

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A	FOR CLIENT APPROVAL	31.03.16

REV	DESCRIPTION	DATE
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SECTIONS

Plot Date 12/04/16 Drawing No
Scale AS SHOWN @ A3 **A3.08**

	Name	Nature of Submission	Summary of submission	Officer Comment
Agency Comments				
	Main Roads	Objection	<ul style="list-style-type: none"> • Development will increase traffic demands and increase the potential for vehicle conflicts which will detract from the safety and function of the highway. • Approval will create an undesirable precedent for further development along this section of Bussell Highway. • Concerns regarding vehicles making u-turns at existing intersections which will create major safety concerns. • Meeting with the City requested prior to determination. 	
Submissions				
1	PE DI & SA Hopkins 1961 Chapman Hill Road Chapman Hill	Support	<ul style="list-style-type: none"> • Opportunity to bring a strong farming brand to Busselton. • Considered to be an ideal location due to proximity to agriculture areas. • Agriculture is one the City's largest industries. 	Noted
2	Allan Atkinson 27 Cook Street Busselton	Support	<ul style="list-style-type: none"> • Opportunity to bring a strong farming brand to Busselton. • Considered to be an ideal location due to proximity to agriculture areas. • Agriculture is one the City's largest industries. 	Noted
3	Rob Zahtila	Support	<ul style="list-style-type: none"> • Opportunity to bring a strong farming brand to Busselton. • Considered to be an ideal location due to proximity to agriculture areas. • Agriculture is one the City's largest industries. 	Noted
4	Duncan and Joanne Wood 388 Yelverton North Road Yallingup Siding	Support	<ul style="list-style-type: none"> • Opportunity to bring a strong farming brand to Busselton. 	Noted

			<ul style="list-style-type: none"> • Considered to be an ideal location due to proximity to agriculture areas. • Agriculture is one the City's largest industries. 	
5	Douglas Hugh Lindberg 4798 Bussell Highway REINSCOURT	Support	<ul style="list-style-type: none"> • Provision be made for cleaning, degreasing, and repainting of agricultural Machining. • An area for unloading farm machinery should be provided with a large turn around for semi trailers both within the compound and access to Bussell Highway. 	
6	Lorraine Hastwell 11 Thomas Street West Busselton	Support	<ul style="list-style-type: none"> • The site has a history as being used for agricultural based businesses. • Considered to be an ideal location due to proximity to agriculture areas. 	Noted
7	Neil Hastwell 11 Thomas Street West Busselton	Support	<ul style="list-style-type: none"> • The site has a history as being used for agricultural based businesses. • Considered to be an ideal location due to proximity to agriculture areas. 	Noted

11.4 APPLICATION FOR PLANNING CONSENT FOR SMALL PRIVATE HOSPITAL AT 48 ROY ROAD, METRICUP

SUBJECT INDEX:	Planning/Development Applications
STRATEGIC OBJECTIVE:	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
BUSINESS UNIT:	Development Services and Policy
ACTIVITY UNIT:	Development Services and Policy
REPORTING OFFICER:	Planning Officer - Justin Biggar
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Site Aerial Attachment B Site Photos Attachment C Development Plans Attachment D Table of Submissions Attachment E Petition Attachment F Applicant Response to Submissions

PRÉCIS

The Council is asked to consider a planning application seeking approval for a Private Hospital on Lot 10 (48) Roy Road, Metricup ("the site").

The proposal has come before Council due to the community interest generated by the proposal and the nature of the issues raised.

As an 'A' land use under the zoning table, the application was advertised for public comment.

It is considered that the proposal is consistent with the relevant planning framework and is recommended for approval subject to conditions.

BACKGROUND

The City received an application (DA16/0412) for a Private Hospital at Lot 10 Roy Road, Metricup. The applicant intends that the business would trade under the name 'Margaret River Private.'

Margaret River Private is intended to operate as a private healthcare clinic offering rehabilitation services for those experiencing alcohol or other drug dependencies. The maximum number of patients proposed is as follows –

- 30 resident patients (participating in 90 day program and to be accommodated in chalets)
- 8 inpatients (participating in 7 day program and to be accommodated in main building)
- 5 day patients

The site is located on the corner of Roy Road and Bussell Highway. It is zoned 'Agriculture' and has a total size of 41.2 Ha. The site currently accommodates 'Birdhaven Retreat' tourist development which was approved across two separate development applications.

The development of ten chalets and a manager's residence (DA12/0073) was approved by the City 11 July 2012. A subsequent application for a reception centre and guesthouse was approved 5 April 2013 (DA13/0429).

Currently there are six buildings on the site; the main residence, 4 chalets and a manager's residence. A site plan and photos have been provided at Attachment A and B respectively.

Four further buildings are proposed as part of the current development application, including a reception building, one additional chalet, outbuilding and utility building. Development plans have been provided at Attachment C.

The front portion of the site is approximately 30ha of pasture utilized by the current owner for an annual hay crop with the rear portion comprised of approximately 10ha of remnant vegetation.

The proposal intends to retain the current balance of the land, with the front pasture to accommodate a small range of animals (seven head of Angus cattle, three horses and 12 Dorset sheep) provided for therapeutic value. The rear portion will remain as remnant vegetation.

As a discretionary 'A' use under the Scheme, the application was advertised for public comment as per Clause 64, with the period for comment ending 13 July 2016. 36 submissions were received, with 34 opposing the proposed development. Refer to Attachment D for the Table of Submissions.

Further, a petition with 43 signatures was received, opposing the development (Attachment E).

The applicant was provided opportunity to respond to the points of objections raised in the submissions (Attachment F).

STATUTORY ENVIRONMENT

The key statutory environment is set out in the City of Busselton Local Planning Scheme No. 21 (the Scheme), as modified by the Deemed Provisions set out in Schedule 2 of the *Planning and Development Regulations 2015*. The Scheme classifies 'Hospital' as development requiring planning consent as an 'A' use within the Agricultural zone.

The 'A' permissibility means that the proposed land use can be approved at the reasonable discretion of the City, following a compulsory consultation process as outlined in Clause 64 of the Deemed Provisions.

The objectives of the Agriculture zone as relevant to this application are as follows:

- (a) To conserve the productive potential of rural land.*
- (b) To enable the development of land for other purposes where it can be demonstrated by the applicant that suitable land or buildings for the proposed purposes are not available elsewhere and that such purposes will not detrimentally affect the amenity of any existing or proposed nearby development.*

Policies of the 'Agriculture' zone relevant to this application are:

- (a) To permit land included within the zone and shown by close investigation in consultation with the Department of Agriculture and Food not to be prime agricultural land to be utilised for other purposes not incompatible with adjacent uses.*
- (b) To implement and adhere to the adopted recommendations and outcomes of the Local Rural Planning Strategy adopted by the local government and endorsed by the Commission.*

Clause 67 of the Deemed Provisions specifies matters to be considered by the Council in determining applications for planning consent. Those matters most relevant to this application are as follows:

- (a) The aims and provisions of the Scheme and any other relevant local planning scheme operating within the Scheme Area.*

- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving*
- (c) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (d) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*
- (e) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety*
- (f) Any relevant submissions received on the application*

These matters are discussed further in the Officer Comment section of the report.

RELEVANT PLANS AND POLICIES

The assessment of the proposed hospital is guided by a number of policies which relate to the zoning and proposed use of the land. The key policy implications are outlined below.

City of Busselton Local Rural Planning Strategy

The site is located within Precinct 1 – Primary Rural. The strategy outlines a number of objectives for the precinct, the most relevant being:

- To retain majority of area, especially low lying areas, for dairy/grazing.
- To retain primary agricultural land use, patterns of rural use and to avoid the intrusion of rural residential and non-agricultural uses.

The Strategy also identifies desirable/undesirable land uses within the precinct.

Desirable:

- Grazing and dairying
- New dairy uses and significant dairy upgrades
- Primary rural dwelling
- Cottage industries
- Rural bed and breakfasts

Conditional:

- Second rural dwelling on lots greater than 30ha
- Intensive horticulture / viticulture
- Basic raw material and mineral sand mining
- Rural enterprises
- Rural industry
- Agro-forestry

Undesirable:

- Rural residential and rural small-holding uses other than in existing zoned areas pursuant to the Scheme
- Tourist development except for guest-house / rural lodge and bed & breakfast on land unsuitable for agriculture
- All other urban, tourist, rural holiday resort, chalet development or industrial uses.

It is not clear that the proposal fits into any of the categories of land uses as per the Local Rural Planning Strategy, meaning that the Strategy does not provide any direct guidance.

Leeuwin-Naturaliste Ridge Statement of Planning Policy

The western boundary of the site is considered to be a 'Travel Route Corridor' under the LNRSP, as it is located along Bussell Highway. The 'Travel Route Corridor' is defined as follows:

Key areas which allow people opportunities to access and experience adjoining areas and consist of a 600 metre wide corridor (300m on either side) along the Primary Transport Network. These corridors may or may not include areas where rural or natural significance have been identified.

Further, Policy Statement 3.3 reads that *"Development will have due regard for the landscape integrity and value of Ridge backdrops when viewed from the coastline, bays or Travel Route Corridors."*

The closest part of the development to Bussell Highway, being the chalets, is located approximately 420 metres from the road verge.

Local Planning Policy 2 – Traffic and Transport Policy

The Traffic and Transport Policy outlines the requirements for assessing the traffic impacts of any development or subdivision proposal to ensure the provision of adequate road infrastructure.

The applicant has submitted a detailed breakdown of the traffic expected to be generated by the proposal.

Local Planning Policy 8A – Car parking Provisions

Planning Policy 8 establishes the parking criteria for any proposed development and is intended to provide a practical guide to aid in the preparation of drawings to be submitted in support of an application.

The requirements for a hospital as per the policy are *1 space per 2 beds*. The figures used in the policy are minimum requirements.

FINANCIAL IMPLICATIONS

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

STRATEGIC COMMUNITY OBJECTIVES

The recommendation of this report reflects Community Objectives 2.2 and 3.1 of the Strategic Community Plan 2013, which are:

- 2.2 A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
- 3.1 A strong, innovative and diversified economy that attracts people to live, work, invest and visit.

3.3 A community where local business is supported.

RISK ASSESSMENT

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

CONSULTATION

The proposal was referred to landowners within one kilometre of the site and advertised in the local newspaper and on the City of Busselton public website.

36 submissions were received on the proposal, 34 broadly opposing and two broadly supporting. The majority of submissions received came from landowners within the immediate area of the proposal, including local business operators.

A petition organized by nearby landowners was also received during the comment period, with 43 signatures. This report seeks to address the petition as per the requirements of the Standing Orders Local Law. A copy of the petition is included as Attachment F.

The main concerns raised in the written submissions were as follows:

1. The threat to safety and security of nearby landowners
2. The negative impact of the proposal on the viability of nearby tourism businesses
3. Location too isolated from supporting infrastructure, i.e. – police and medical services

Refer to Attachment D for the Schedule of Submissions, and Attachment F for the applicant's response to the issues raised in the submissions.

OFFICER COMMENT

The key statutory planning consideration is whether the proposal, as a discretionary 'A' land use, is compatible with the Agriculture zone and the requirements of Clause 67.

Suitability of the Agriculture Zone

In considering the suitability of the proposal in the Agriculture zone, it is necessary to refer to the objectives and policies of the zone as outlined in the *Statutory Environment* section of this report.

In regards to the concern that the proposed development will result in the loss of arable land it is instructive to refer to the previous approval granted by Council, 11 July 2012, for a chalet development.

As detailed previously in the report, chalet development is considered an undesirable land use in accordance with the Local Rural Planning Strategy.

A component of the rationale for the approval, as contained in the officer report to Council, was the unsuitability of the land for agricultural purposes. An agronomist report prepared in support of the chalet application concluded that the land was not economically viable for agricultural pursuits alone, due to poor maintenance by prior owners.

The report also concluded that the portion of cleared land on the property was unsuitable for any agricultural pursuit other than grazing. The Local Rural Planning Strategy requires a minimum of 40

hectares for general agricultural purposes. The cleared portion of land on the site with grazing potential is not more than 30 hectares.

Matters to Be Considered:

The matters to be considered relevant to this proposal were outlined previously in this report.

- (a) The aims and provisions of the Scheme and any other relevant local planning scheme operating within the Scheme Area.*
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving*
- (c) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (d) the amenity of the locality including the following —*
 - (iv) environmental impacts of the development;*
 - (v) the character of the locality;*
 - (vi) social impacts of the development;*
- (e) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety*
- (f) Any relevant submissions received on the application*

With no impact on the availability of arable land, the proposal has been demonstrated to be suitable in the Agriculture zone.

The bulk, scale and appearance of the proposal are considered in character with existing tourism development, with all buildings setback a suitable distance from both Bussell Highway and adjacent properties.

The applicant has demonstrated in their supporting statement and response to public submissions that adequate measures are in place to address any perceived social issues created by a rehabilitation centre.

As a private health centre the proposal will be required to comply with Department of Health licensing requirements, including adequate staffing levels and the provision of the necessary facilities and training to deal with medical emergencies. All clients are screened prior to admittance to ensure they are drug and alcohol free with regular drug testing undertaken during their stay. Any clients unwilling to address drug seeking behavior are removed from the program.

As a low scale land use generating no greater traffic intensity than surrounding land uses, the proposal is considered to be compatible with the setting and the capacity of the road system. This is discussed in greater detail below in reference to policy requirements.

Requirements of Policy:*Leeuwin-Naturaliste Ridge Statement of Planning Policy*

The buildings associated with the development are located a suitable distance from Bussell Highway (>400m) such that they are not considered to have an impact on the visual amenity of the Travel Route Corridor.

The buildings with nearest proximity to Bussell Highway are the four chalets approved as part of DA12/0073. The new buildings to be constructed as part of the development are located further within the site, at a greater distance from Bussell Highway.

Concerns were raised during the submission stage about the suitability of a 1.8m electric fence along the site's boundary with Bussell Highway, both as a visual amenity issue and an indication of the danger posed by the clients of the hospital.

In discussions with the applicant it was clarified that the provided site plan was incorrect and the electric fence referred to is located at the rear of the property along the boundary with Lot 1 Roy Road. This electric fence has been installed by Yelverton Brook Eco-Retreat to keep foxes and feral cats out of their property.

The applicant has no intention of installing an electric fence along the boundary of the property but will utilize the existing 1.2m boundary fence and repair where necessary.

Planning Policy 2 – Traffic and Transport Policy:

The applicant has provided a breakdown of the traffic expected to be generated by the proposal.

Including staff and clients, the proposal is expected to generate 21 trips per day, (a trip including both arrival and departure).

The majority of daily trips are generated by staff members with hospital clients arriving on either a weekly or monthly basis, with these times staggered.

There are not seen to be any concerns with the suitability of the existing road network to accommodate the proposed use.

An upgrading of the internal driveways to ensure suitability for intended use will be undertaken.

Local Planning Policy 8A – Car parking Provisions:

The parking requirement for a hospital contained in the policy is *1 bay per 2 beds*. The proposal will provide 40 beds, comprised of 30 day patients, 8 inpatients and 2 day surgery patients, generating a requirement for 20 car parking spaces.

All parking will be accommodated on site as per the provided plans with the following numbers indicated:

- 14 parking bays near Reception centre
- 2 disabled bays
- 4 parking staff bays by Service yard
- 2 double wide parking bays in the shed area
- 1 short term ambulance/delivery bay
- 1 Margaret River private bus parking bay
- 15 chalet parking bays

39 car parking bays in total have been provided on site. Gravel overflow parking is also provided at the front of the main building. As clients will not have access to private vehicles for duration of stay, with many arriving by a Margaret River Private provided bus, the provided parking is considered adequate for the intended use.

Further Considerations:*Environmental Impact:*

The rear of the property contains a large portion of remnant vegetation. The applicant does not intend to remove any vegetation beyond the requirement to establish the necessary APZ as required in a Bushfire Prone Area and recommended by the provided BAL assessment.

Development will utilize existing buildings with new development to be located in cleared areas of the site.

Concerns of Residents:

During the consultation period, undertaken in accordance with Clause 64 of the Scheme, a number of submissions were received objecting to the proposal. There were four common arguments identified in the submissions received, these being:

- 1 The threat to safety and security of nearby landowners
- 2 The negative impact of the proposal on the viability of nearby tourism businesses
- 3 Location too isolated from supporting infrastructure, ie – police and medical services

It is considered that there is little to no threat to the safety of surrounding residents and possibly less than may be posed by any other form of conceivable development. Adequate measures will be implemented in accordance with the licensing requirements of the Department of Health with all clients to be drug and alcohol free and referred to the centre by a doctor. No clients will be admitted via court order referral. CCTV equipment will be installed to monitor the movements of all clients while on site.

An important component of the rehabilitation model is the necessity of discretion. As such, the location of the hospital is not advertised with minimal signage indicating its nature. The purpose and nature of the facility would not be known to visiting tourists.

As discussed above, Department of Health licensing requirements necessitate the ability and facilities to manage any medical emergencies. An Accident and Emergency Agreement with the nearest emergency hospital (Busselton Hospital) will also be required as part of the licensing.

CONCLUSION

The proposed land use is considered to be consistent with the applicable requirements, including the Policy and Objectives of the “Agriculture” zone prescribed under the Scheme.

It is recommended that the application be approved with conditions.

OPTIONS

The Council could:

1. Approve the application subject to different conditions.
2. Refuse the proposal, setting out reasons for doing so.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The proponent and those who made submissions will be advised of the Council decision within two weeks of the Council making a determination.

OFFICER RECOMMENDATION

That the Council resolve:

- 1) That application DA16/0412 submitted for a Private Hospital at Lot 10 Roy Road, Metricup is considered by Council to be consistent with the City of Busselton Local Planning Scheme No. 21 and the orderly and proper planning of that locality
- 2) That Development Approval is issued for the proposal referred to in 1. above subject to the following conditions:

General Conditions:

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

Prior to Commencement of Any Works Conditions:

- 3) The development hereby approved, or any works required to implement the development, shall not commence until the following plans or details have been submitted to the City and have been approved in writing:
 - 3.1 Details of the means and method of providing a potable water supply.
 - 3.2 Details of sewage / or on-site effluent, stormwater and surface water drainage works. Stormwater is to be retained for use and/or infiltration within the lot at a rate of 1m³ per 40m² of impervious area
 - 3.3 Details of the proposed bin storage areas including, but not limited to, the design and the materials to be used in their construction.
 - 3.4 Details of type and colour of all external materials to be used (including for any water tanks or outbuildings).
 - 3.5 Details including drainage, sealing, signage and marking for all hard surfaced areas to be used for the construction of the parking and manoeuvring areas as shown on the Approved Development plans.
 - 3.6 Satisfactory arrangements shall be made with the City to provide public art works. This entails compliance with the Percent for Art provisions of the City's Development Contribution policy via appropriate works up to a minimum value of 1% of the Estimated Cost of Development ("ECD"). Where the value of on-site works is less than 1% of the ECD, a payment sufficient to bring the total contribution to 1% of the ECD is required. (Advice Note 5)
 - 3.7 A Landscape Plan (Advice Note 5) that will provide for an increased screening of the developed portion of the site from Bussell Highway.
 - 3.8 Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificates of Title of Lot 10 advising the

following:

“BUSHFIRE PRONE AREA – This lot is located within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner.”

Prior to Occupation/Use of the Development Conditions:

- 4) The development hereby approved shall not be occupied, or used, until all plans, details or works required by Condition(s) 2, 3 and 4 have been complied with.
- 5) Landscaping and reticulation shall be implemented in accordance with the approved Landscape Plan and shall thereafter be maintained to the satisfaction of the City. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting are removed, die or, as assessed by the City as being seriously damaged, shall be replaced within the next available planting season with others of the same species, size and number as per originally approved.

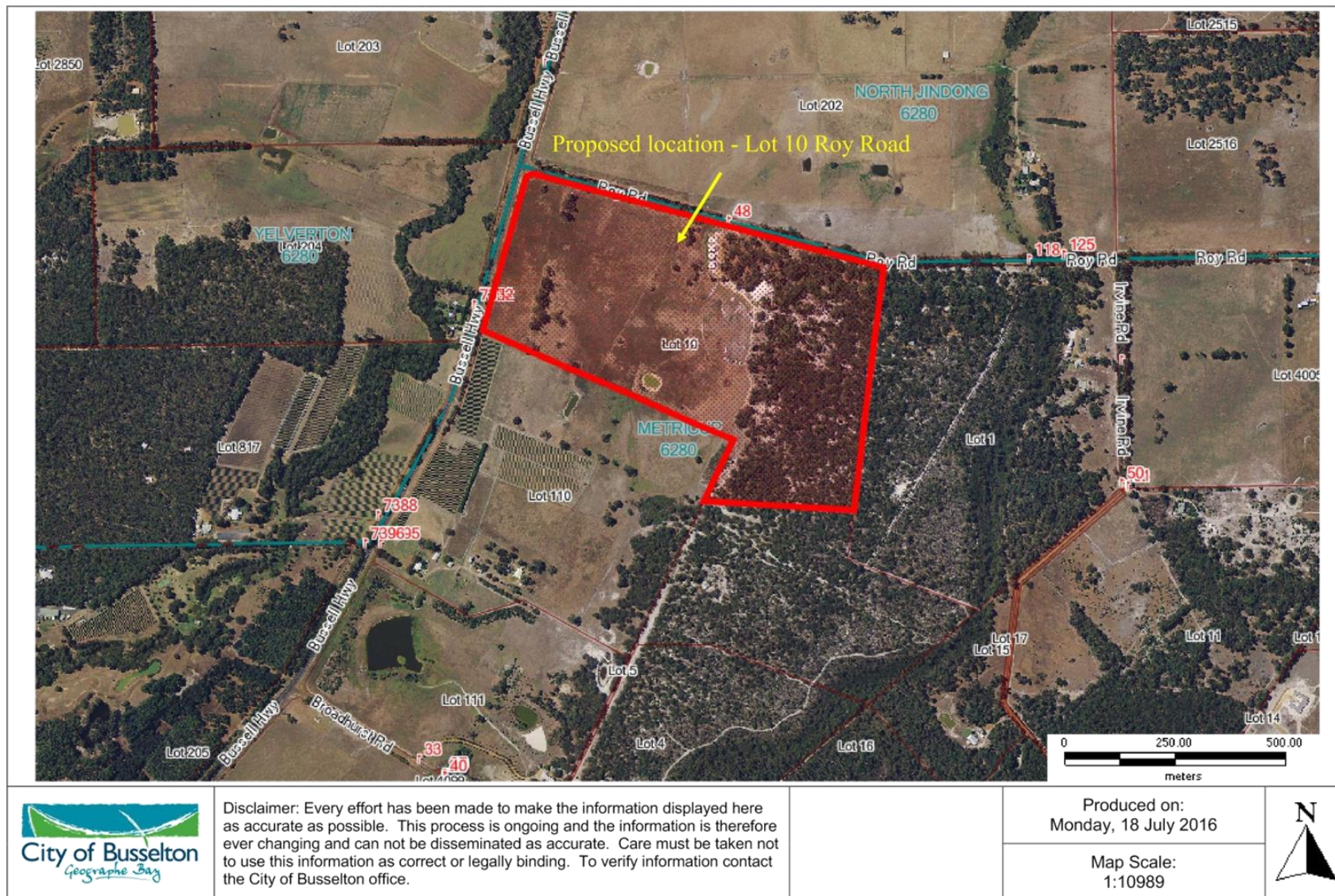
On-going Conditions:

- 6) The works undertaken to satisfy Condition 2, 3, 4 and 5 shall be subsequently maintained for the life of the development.
- 7) The maximum patient numbers permitted onsite are as follows: 30 resident patients (resident at the site for a maximum of 90 days at a time or in any given year), 8 inpatients (resident at the site for a maximum of seven days at a time, or in any given month, or 90 days in any given year) and 5 day patients.
- 8) Advertising signage associated with the approved use shall no greater than 0.2m², and shall only be located at the Roy Road entry into the site.

ADVICE TO APPLICANT

- 1) If the applicant and/or owner are aggrieved by this decision, including any conditions of approval, there is a right to lodge a request for reconsideration. The application form and information on fees payable can be found on the City's website.
- 2) If the applicant and/or owner are aggrieved by this decision there may also be a right of review under the provisions of Part 14 of the *Planning and Development Act 2005*. A review must be lodged with the State Administrative Tribunal, and must be lodged within 28 days of the decision being made by the City of Busselton.
- 3) This Decision Notice grants planning consent to the development the subject of this application (DA16/0412). It cannot be construed as granting planning consent for any other structure shown on the approved plans which was not specifically included in this application.
- 4) Please note it is the responsibility of the applicant / owner to ensure that, in relation to Condition 1, this Planning Consent remains current and does not lapse. The City of Busselton does not send reminder notices in this regard.
- 5) The Landscape Plan should include a plant schedule nominating species, planting distances, numbers, planting sizes, together with the anticipated height of each plant at maturity and should indicate the type of reticulation to be installed.
- 6) With respect to Condition 4.6, applicants are encourage to review the *Percent for Art Policy Step by Step Guide for Developers* which can be viewed on the City's website at www.busselton.wa.gov.au and liaise with the City's Cultural Planning Officer at the earliest possible opportunity.

- 7) In accordance with the provisions of the *Building Act 2011*, and *Building Regulations 2012*, an application for a building permit must be submitted to, and approval granted by the City, prior to the commencement of the development hereby permitted.
- 8) Food handling, preparation and storage areas to be designed and constructed in accordance with Food Act 2008 and Food Regulations 2009 and the Australian and New Zealand Food Authority (ANZFA) Food Safety Standards. Detailed plan and layout of food handling and preparation areas to be submitted directly to assessing Environmental Health Officer prior to a building licence being issued.



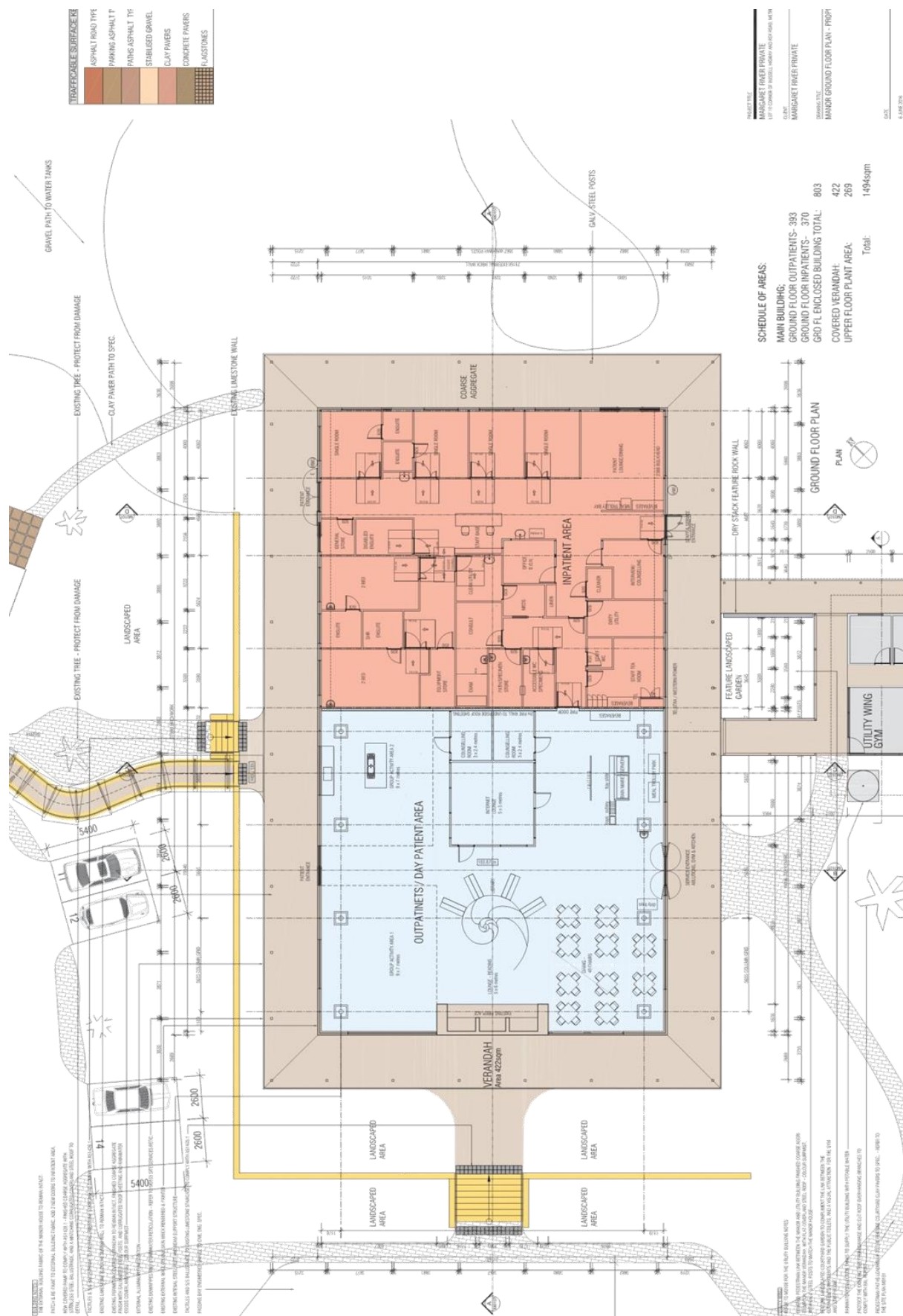
Photos from Site inspection undertaken 13/07/2016

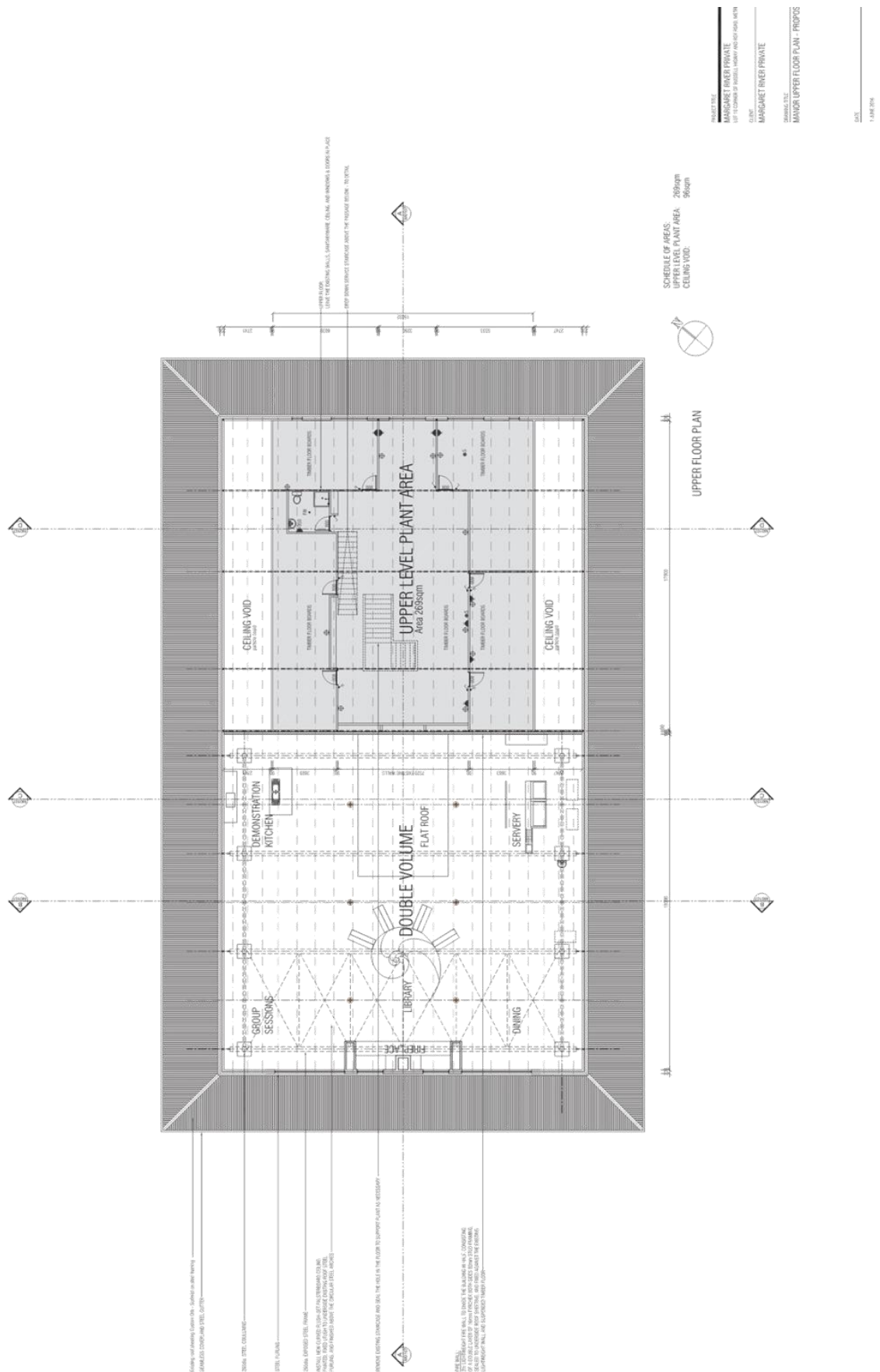
- 1. View from Bussell Highway**
- 2. View from Bussell Highway**
- 3. Existing chalets**
- 4. Location of new reception centre (facing towards rear of property)**
- 5. Location of new utility building**
- 6. Location of new shed**
- 7. Electric fence at rear of property**
- 8. Nearest Yelverton Lodge chalet as viewed from fence line at rear of property**
- 9. View back towards property from fence line**

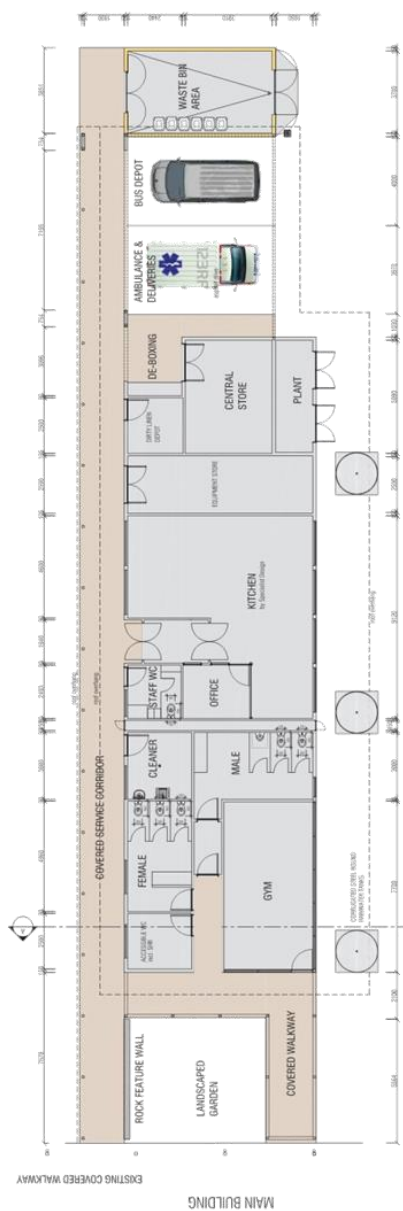
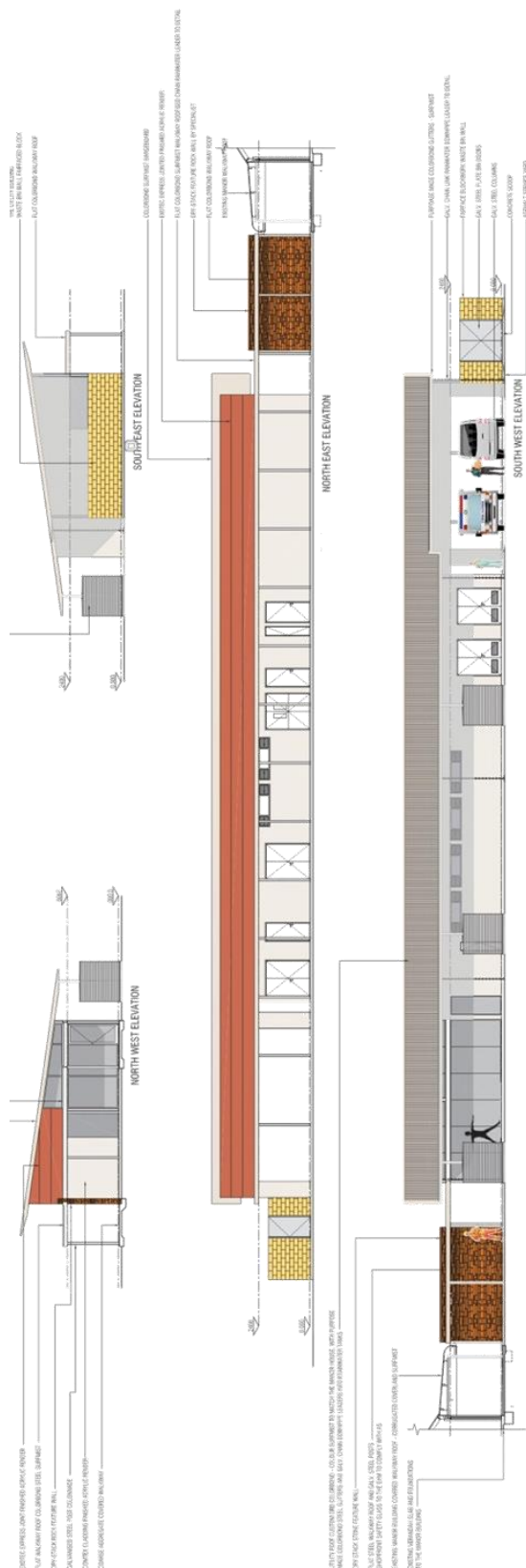










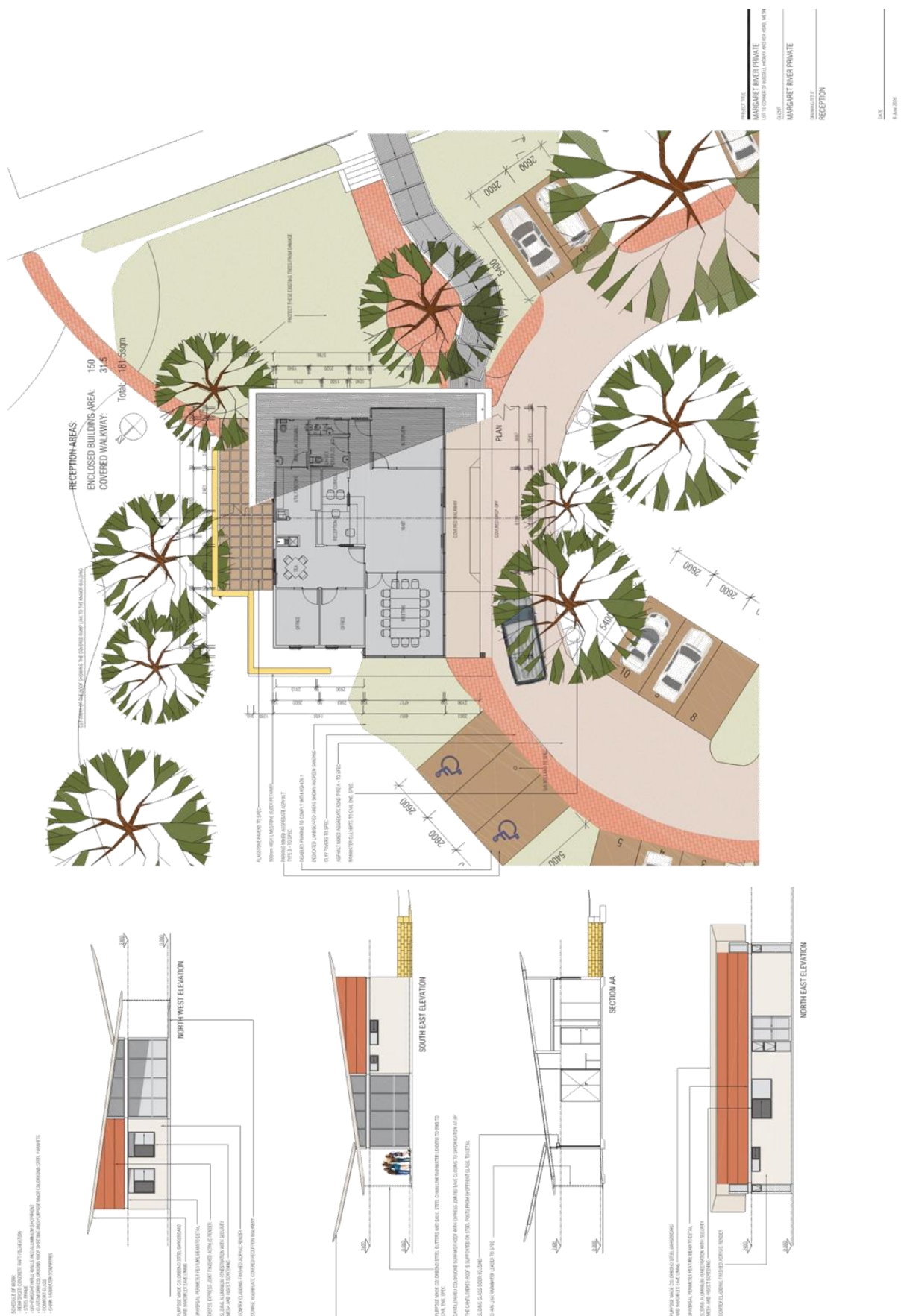


PROJECT TITLE	MARGARET RIVER PRIVATE
LOCATION	1001 TOWNSEND DRIVE, MARGARET RIVER, WEST AUSTRALIA 7050
CLIENT	MARGARET RIVER PRIVATE
DESIGNING FIRM	UTILITY PLAN
DATE	6 JUNE 2014

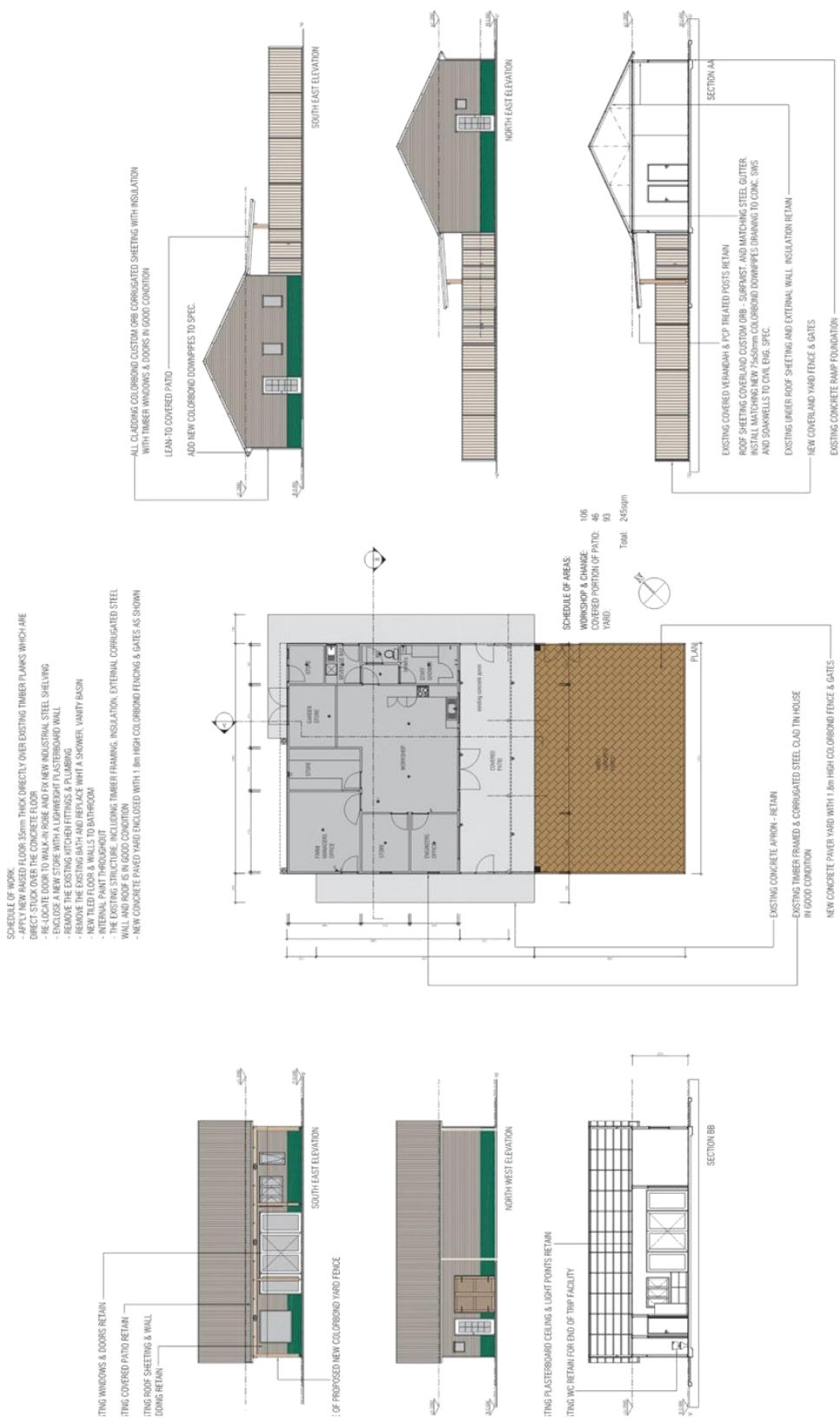
SCHEDULE OF AREAS:
ENCLOSED BUILDING: 234sqm
COVERED WALKWAY/CARPORT: 192sqm
OPEN BIN: 26sqm

UTILITY PLAN

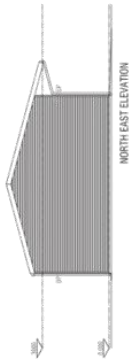
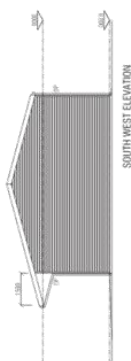
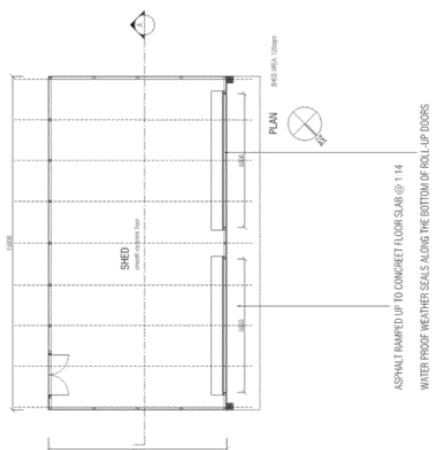
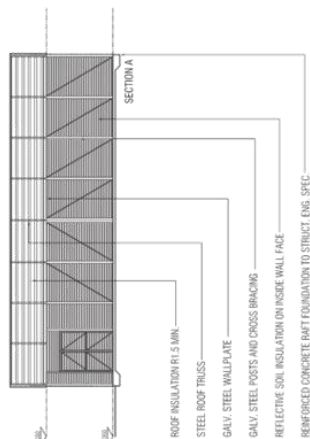
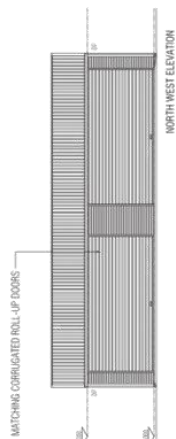
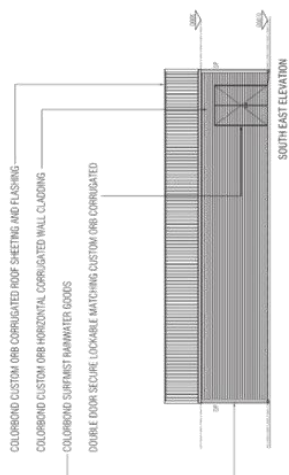
SCHEDULE OF WORK:
 IMPROVED CONCRETE FOOT FOUNDATIONS
 STEEL FRAMING AND CONCRETE WALL, WALLS
 RAISED ACID CONCRETE BLOCK WALLS, BALCONY
 ROOF SPRING AND FLOORING, BALCONY ROOFING, 25.000000
 CONCRETE, PARTIAL NEW CONCRETE TO REAR STRUCTURE
 AND GUTTERS
 COMFORT GLASS ALUMINUM SHOWER TO THE DOWN
 BALCONY, CHAIRMAN'S ROOMS
 25.000000 CHAIRMAN'S ROOMS
 25.000000 CHAIRMAN'S ROOMS



- SCHEDULE OF WORK:
- REPAIR NEW BASED FLOOR 15mm THICK DIRECTLY OVER EXISTING TIMBER PLANKS WHICH ARE DIRECT STUCK OVER THE CONCRETE FLOOR
 - RE-LOCATE DOOR TO WALK-IN REFRIG AND FIX NEW INDUSTRIAL STEEL SHELVE
 - RE-LOCATE DOOR TO WALK-IN REFRIG AND FIX NEW INDUSTRIAL STEEL SHELVE
 - REMOVE THE EXISTING KITCHEN FITTINGS & PLUMBING
 - REMOVE THE EXISTING KITCHEN FITTINGS & PLUMBING
 - NEW TILED FLOOR & WALLS TO BATHROOM
 - INTERNAL PAINT THROUGHOUT
 - THE EXISTING STRUCTURE, INCLUDING TIMBER FRAMING, INSULATION, EXTERNAL CORRUGATED STEEL WALL AND ROOF IS IN GOOD CONDITION
 - NEW CONCRETE PAVED YARD ENCLOSED WITH 1.8m HIGH COLORBOND FENCING & GATES AS SHOWN



- SCHEDULE OF WORK:**
- STEEL FRAMED BARN SHED BY SPECIALIST DESIGN & FABRICATION
 - HORIZONTAL CORRUGATED COVER AND CUSTOM ORB WALL CLADDING & ROOF - SURMIST
 - WALL & ROOF INSULATION RECOMMENDED BY 5 MINIMUM
 - 2x SIX METRE WIDE OPENING ROLLER DOORS MATCHING HORIZONTAL CUSTOM ORB
 - RAINWATER GOODS COVER AND STEEL GUTTER & DOWNPIPES - SURMIST
 - CONCRETE RAFT FOUNDATION TO STRUCT. ENG. SPEC.



SUMMARY OF SUBMISSIONS

PROPOSAL: DA16/0412 Private Hospital

OFFICER: Justin Biggar

<u>SUBMITTER:</u>	<u>NATURE OF SUBMISSION</u>	<u>COMMENT:</u>
Lloyd and Denise Smith (Lot 125 Roy Road)	<u>Objection:</u> <ul style="list-style-type: none"> Devalue surrounding land prices Safety and security are primary concern ie – escaped patients Not in keeping with farming and tourism nature of area 	<ol style="list-style-type: none"> Land value is not a planning consideration Applicant has addressed the issue of resident security and need to comply with DoH guidelines Land is not considered prime agricultural land, use is compatible with zoning.
Julie Buller (PO Box 6, Karridale)	<u>Support:</u> <ul style="list-style-type: none"> Long overdue facility for the South West 	
Clint Lester - Naturaliste Vinters (Cnr Hairpin Road and Bussell Highway)	<u>Objection:</u> <ul style="list-style-type: none"> Supportive of facility but not the location Concerned about the appearance of 1.8m electrified security fence along major tourist route Negatively impact on accommodation providers in area Wineries in close proximity to people recovering from addiction could provide easy access to alcohol 	<ol style="list-style-type: none"> Location of existing fence is incorrectly noted on plans, no intention by application to install 1.8m fence Proposal relies on discretion, tourists will not be aware of use as rehabilitation centre Clients are not allowed to leave centre, with constant drug and alcohol testing undertaken
Marg Lindsay (Silversprings Cottages)	<u>Objection:</u> <ul style="list-style-type: none"> Supportive of the concept, just not in a tourist area 	<ol style="list-style-type: none"> Area is zoned Agriculture, use is considered compatible with the zoning

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PROPOSAL: DA16/0412 Private Hospital

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<p>Robert Johnston (Busselton Holiday Village, 118 Peel Terrace)</p>	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Safety of surrounding landowners • Higher threat of break in's and thefts • The associated financial outlay in securing properties • Attracting undesirable visitors to a quiet and peaceful area • Devaluation of properties in the area • Impact on the environment and scenery • Would be better located within Busselton city 	<ol style="list-style-type: none"> 1. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 2. It is not considered there will be a higher threat of break in's. All clients are drug free and require doctor referral, with CCTV monitoring on site. 3. Clients are not undesirables, but people with health issues attempting to address those issues. 4. Value of properties is not a planning concern 5. Proposal incorporates existing native vegetation with minimal effect on view from Bussell Hwy, being over 400m 6. Noted
<p>Eric and Jacqueline Zorzi (Island Brook Estate)</p>	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Proximity would be detrimental to tourism business 	<ol style="list-style-type: none"> 1. Location of centre would not be advertised with minimal signage. Visiting tourists would have no knowledge of land use.
<p>Peter McIntyre (Forest Rise Chalets and Lodge)</p>	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Supportive of concept but not location • Rehab centre not appropriate in tourism region focussed on wines and families • 1.8m electric perimeter fence will be an eyesore • Security will be a concern 	<ol style="list-style-type: none"> 1. Zoning of land is Agriculture, not Tourism 2. Location of existing 1.8m is incorrectly noted on plans 3. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.

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PROPOSAL: DA16/0412 Private Hospital

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<p>KM Galloway (PO Box 348 Cowaramup)</p>	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Safety and security main concern, particularly in isolated rural area • No contingency plans provided by applicant • Police too far away with a response time of at least 30 mins 	<ol style="list-style-type: none"> 1. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 2. All staff are trained to deal with any emergencies as per DoH guidelines
<p>Malcolm Hawke (252 Roy Road)</p>	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Support concept, not location • Clash with the tourism nature of the area • Safety of surrounding landowners • Police station too far away • Busselton city more suitable location due to proximity to police and hospital 	<ol style="list-style-type: none"> 1. Lot is zoned Agriculture, not Tourism 2. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 3. Noted
<p>L and L Bove (195 Roy Road)</p>	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Greatly impact our right to quiet enjoyment of life • Concerned about increased traffic and difficulties of pulling out on Roy Road • Viticulture/tourism zone is not appropriate • Jail like fence impact on amenity of area • Concerned about escaped patients having psychotic episodes • There will be a need for us to install security measures • Distance from law enforcement would leave us vulnerable to home invasion 	<ol style="list-style-type: none"> 1. Proposal is not considered to create any greater impact on Agriculture area than current approval for a Reception centre. 2. Traffic management has been considered with proposal determined to have a low impact. Referred to Engineering department with no issues raised 3. Lot is zoned Agriculture, not Tourism 4. Existing fence is incorrectly noted on plans, applicant has no intention of installing 1.8m

SUMMARY OF SUBMISSIONS

PROPOSAL: DA16/0412 Private Hospital

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		<p>fence</p> <p>5. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.</p>
S and G Bergsma	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Support the concept but not the location • Safety and security threat • Unable to access quick emergency help • Hospital is not a guarded facility, secure facility with patients able to leave • Drug users are unpredictable and often drug dealers attempt to contact previous clients • Will attract undesirable people to the area • Impact the value of our property • Tourism in the area will be affected with nobody staying in the nearby accommodation providers • 	<p>1. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.</p> <p>2. Patients are not able to leave. Any patients are required to be picked up by nominated person upon discharge</p> <p>3. Noted</p> <p>4. Clients are only allowed to make contact with approved family and support people. It also does not make financial sense for a drug dealers to travel to South West to make personal contact with former client</p> <p>5. Clients are not undesirables, but people with health issues attempting to address those issues</p>
Jalina Khan (No address provided)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Crime consequences from drug and alcohol consumption • Decrease the value of nearby property • Residents isolated from immediate medical attention and police enforcement • Location closer to town would be more suitable • Impact on the peace and quiet of the area which is free from 	<p>1. Rehab centre will be drug and alcohol free with all patients regularly tested</p> <p>2. House value not a planning concern</p> <p>3. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.</p> <p>4. Noted</p> <p>5. Proposal is not considered to have an effect on</p>

SUMMARY OF SUBMISSIONS

PROPOSAL: DA16/0412 Private Hospital

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	the scourge of mental and behavioural effects of drug users	"peace and quiet," of the area.
L Wilhelm (20 Lucy Road)	<p>Objection:</p> <ul style="list-style-type: none"> • High density tourist area with reputation for safety • No surrounding support infrastructure (police and hospital) • Resulting crime increase in the area • Busselton would be a more suitable location • Risk of relapse and the subsequent threat 	<ol style="list-style-type: none"> 1. Location is neither high density nor tourism 2. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 3. Not considered to be a reasonable expectation of a crime increase. All clients are referred by doctor rather than court order with on-site CCTV monitoring. 4. Noted 5. Clients are drug tested during the stay with any relapse resulting in discharge from the centre
B and NA Ilic (49 Beckett Road)	<p>Objection:</p> <ul style="list-style-type: none"> • Object to location in a tourism area • Property is not large enough to support number of clients or proposed activities • Proposal does not address staff/patient ratio and whether outpatients and short stay guests can come and go • Cellar doors and liquor outlet in vicinity represent a temptation and possible security threat 	<ol style="list-style-type: none"> 1. Agriculture not tourism 2. Property (40ha) and facilities is considered large enough to cater for proposed number 3. Proposal will have to comply with DoH licensing requirements in terms of staff/client ratio 4. Unless completely isolated, any proposed location would have liquor outlets in the vicinity
Colin Murdoch 7543 Bussell Highway	<p>Objection:</p> <ul style="list-style-type: none"> • If it is called Margaret River Private it should be located in 	<ol style="list-style-type: none"> 1. Noted.

SUMMARY OF SUBMISSIONS

PROPOSAL: DA16/0412 Private Hospital

OFFICER: Justin Biggar

	Margaret River	
Oliver Crawford (Credaro Wines)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Support concept but not location • Not suitable in tourism region • Concerned about the visual impact of 1.8m fence • Poses a risk to patients and surrounding landowners 	<ol style="list-style-type: none"> 1. Lot is zoned Agriculture, not Tourism 2. Existing 1.8m fence is incorrectly noted on provided plans, applicant has no intention of installing electric fence 3. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.
James and Ann Carter (Lots 16 and 17 Irvine Road)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • 1.8m electric fence shows the type of clientele • Will attract drug dealers trying to access clients and create security issues • Does not meet the zoning requirements for the Agriculture zone • Devalue surround property and detrimental effect on nearby businesses • Similar in appearance to prison • Too far away from hospital and police • No access to public transport for people leaving or arriving, will they attempt to flag down cars on highway • Will damage native bushland on trail walks • No access to public transport will encourage escaped patients to flag down passing cars 	<ol style="list-style-type: none"> 1. Existing 1.8m electric fence is incorrectly noted on the plans, applicant has no intention of installing electric fence 2. Considered to meet the zoning requirements of the Agriculture zone 3. Property value is not a planning consideration 4. As noted, 1.8m fence is incorrectly located on plan. 5. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 6. All people leaving and arriving are required to be dropped/picked up by family member or support person. 7. There are existing trails across the property, it is not considered any walking on these trails by

SUMMARY OF SUBMISSIONS

PROPOSAL: DA16/0412 Private Hospital

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		<p>clients would have a greater detrimental effect on bushland than if done so by residents of the current chalet approval</p> <p>8. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.</p>
<p>Michael Hawke (No address given)</p>	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Support concept, not location • Rehab centre not compatible with the tourism focussed nature of the area • Safety of local residents will be at risk • Patients safety will be at risk as the location is too far away from medical facilities 	<p>1. Lot is zoned Agriculture not Tourism</p> <p>2. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.</p> <p>3. As per DoH licensing requirements, staff are able to deal with any medical emergencies. Centre will also have an Accident and Emergency Agreement in place with the local emergency department</p>
<p>G Henderson (17 Sherwood Crescent, Broadwater)</p>	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Has an EPA report been conducted to determine the risk of large amount of effluent from such a proposal on ground water • Location is zoned for Agriculture • Too far away from police • Cannot trust the actions of recovering addicts and they will pose a security risk to nearby residents • Devalue property in the area • Create a marked rise in vehicle numbers • Create disturbance to neighbours at unreasonable hours • Visual impacts of the centre on the amenity of the area 	<p>1. Referred to Health department. Full details of the effluent system will need to be submitted with Building license</p> <p>2. Use is compatible with Agriculture zone</p> <p>3. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.</p> <p>4. Property value is not a planning concern</p> <p>5. Increase in vehicle numbers is not considered excessive, with 20 trips per day, most by staff of the centre</p> <p>6. Considering distance to nearby houses, disturbance to neighbours would not be a</p>

SUMMARY OF SUBMISSIONS

PROPOSAL: DA16/0412 Private Hospital

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	<ul style="list-style-type: none"> • Drug problems should be addressed by existing facilities, not through private hospitals 	<p>reasonable assumption</p> <p>7. Centre is screened from Roy Road and is suitable distance from BussellHwy, being 400m</p> <p>8. Noted</p>
N Morris (No address given)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Surrounded by wineries and cellar doors would be detrimental to patient's recovery • Impact of proposal on nearby tourist accommodation • Safety concerns for nearby residents 	<p>1. Unless located in very isolated area, there would always be nearby liquor facilities</p> <p>2. Location of proposal will not be advertised, rely on discretion. No visiting tourists will have knowledge of its use</p>
Rod Hillman CEO Ecotourism Australia	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Proposal will impact on the experience offered by Yelverton Eco Chalets and impact their business. 	<p>1. Based on site photos, proposal is not viewable from any chalets on Yelverton Brook</p> <p>2. Location of proposal will not be advertised so visiting tourists will have no knowledge of land use</p>
Margaret River Wine Association	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Decrease the availability of prime agricultural land • Detriment to the economic development of the area • Odd to locate a recovery facility in a wine region • Inappropriate location on major highway • Inherent risks to patients and surrounding residents • Negative impact on surrounding businesses which are the cornerstone industries for long term regional growth 	<p>1. Prior approval as chalet found that land was not economically sustainable as farm</p> <p>2. Proposal will provide employment in the region and diversify the economic base</p> <p>3. Noted</p> <p>4. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.</p> <p>5. Location of proposal will not be advertised so</p>

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	<ul style="list-style-type: none"> • 24 hour clinic will generate noise, traffic and light well above that existing in the immediate vicinity • 	<p>visiting tourists will have no knowledge of land use. Appearance will be no different to that of tourist accommodation</p> <p>6. Proposal will be low key with a strict 10pm lights out policy. Distance from nearby residences is such that noise is not considered an issue.</p>
F and J Mildenhall	<p><u>Objections:</u></p> <ul style="list-style-type: none"> • Support concept but not location • Security risk to nearby residents as indicated by 1.8m electric fence • Desperate people will escape to seek drugs • What supervision will be in place, what is the ratio of staff to patients? • Inappropriate location near wineries • Viewable from Bussell Highway, which is a major tourist route 	<ol style="list-style-type: none"> 1. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 2. Proposal will have to comply with DoH licensing requirements 3. Noted 4. Development is over 400m from Bussell Highway with LNRSP requiring distance of 300m.
S and J Ensor (Yelverton Brook Eco Spa Retreat)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Adversely effect our business • Applicant has stated that he cannot assure our safety • Main building is less than 150m from our nearest unit • Not appropriate staff levels to look after patients, with 3 staff proposed for 10 patients at night • Applicant has advised us that drug dealers may try to contact their old clients 	<ol style="list-style-type: none"> 1. Location will not be advertised with no visiting tourists aware of land use 2. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 3. As per provided site photos, proposal cannot be viewed from nearest chalet, with significant vegetation buffer between the two lots 4. Staff levels will have to comply with DoH

SUMMARY OF SUBMISSIONS

PROPOSAL: DA16/0412 Private Hospital

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	<ul style="list-style-type: none"> • Increase in crime around the immediate area • Downward effect on house prices • Will pursue legal action if approved 	<p>licensing requirements</p> <ol style="list-style-type: none"> 5. Applicant has advised that it would not make sense for drug dealers to contact former clients in person. In any event, residents of the clinic do not have access to phones and are only able to contact approved family members. 6. House prices is not a planning consideration 7. Noted
G Bertelli (220 Silverwood Road)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Security issues caused by centre • Area is highly visible from Bussell Highway, as will be the 1.8m fence • Not appropriate in a tourist area 	<ol style="list-style-type: none"> 1. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 2. Proposal is set back at a minimum of 400m from Bussell Highway 3. Existing electric fence is incorrectly noted on provided plans 4. Lot is zoned Agriculture not tourism. 5.
Chris Furtado, Voyager Estate	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Impact on tourism activity in the area • Supportive of concept but not location • Devalue surrounding property • Generate unwelcome media attention for the area 	<ol style="list-style-type: none"> 1. Location will not be advertised with visiting tourists having no knowledge of the land use. In scale and appearance, proposal will be no different to tourist accommodation 2. Value of surrounding property is not a planning consideration 3. As noted above, location will not be advertised

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D Jennings	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Generate additional traffic for Roy Road which is a school bus route • Viewable from Bussell Highway • Will have a negative effect on land and house prices, make it difficult to sell in future • The proposed effluent management is inadequate, being 2 x 12m leach drains and 2 septic tanks • Will create security issues for surrounding residents as indicated by the 1.8m fence • Too far from police and medical services if required • Current buildings are designed for tourism and should remain so • Will pursue legal action if allowed to go ahead 	<ol style="list-style-type: none"> 1. Traffic impacts are considered minimal and capable of being supported by existing road network 2. Proposal is over 400m from Bussell Hwy with 300m the amount to be clear of development under the LNRSP 3. House prices not a planning consideration 4. All details of effluent systems will be made a condition of approval 5. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 6. Noted 7. Noted
Evan Haywood, Island Brook Estate (7388 Bussell Hwy)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Proximity of the location to wineries • The safety of my family • The plans for a 1.8m electric fence will detract from the visual amenity of the area • Not in keeping with the agriculture and tourism zoning of the area • 	<ol style="list-style-type: none"> 1. Noted 2. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. 3. Existing electric fence has been incorrectly noted on provided plans, applicant has no intention of installing electric fence 4. Use is considered compatible with Agriculture zone
B Smith (No address supplied)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> • Inappropriate location, with a more isolated location appropriate 	<ol style="list-style-type: none"> 1. Noted 2. Location of proposal will not be advertised with visiting tourists having no knowledge of the

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	<ul style="list-style-type: none"> Will have a negative impact on surrounding businesses Security and safety risk 	<p>proposed use.</p> <p>3. Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.</p>
Tourism Council of WA	<p><u>Objection:</u></p> <ul style="list-style-type: none"> Location next to Yelverton Brook is not conducive to running a wildlife sanctuary business Will negatively impact on tourism in the area, particularly Yelverton Brook 	<p>1. Significant vegetation buffer between Yelverton Brook and Lot 10, as per site photos</p> <p>2. Location of proposal will not be advertised with visiting tourists having no knowledge of the use. In appearance and scale, proposal will be no different to tourist accommodation</p>
J Hilton (24 Honeyeater Loop, Margaret River)	<p><u>Support:</u></p> <ul style="list-style-type: none"> Issues of addiction need to be addressed as health matters The community has a responsibility to offer help when people require and request it 	<p>1. Noted</p>
National Trust of Australia	<p><u>Objection:</u></p> <ul style="list-style-type: none"> The interest of the National Trust arises in that the adjacent land 2159 Broadhurst Road is subject to a restrictive covenant to the benefit of the NT that vegetation be preserved Bushfire hazard from people smoking outside Increase in activity on adjoining land could facilitate the spread of dieback 	<p>1. Restrictive covenant on an adjacent property is not a planning consideration as per CI 5.4</p> <p>2. Bushfire hazard from people smoking is not a planning consideration. Proposal complies with the requirements of planning in bushfire prone areas</p> <p>3. Noted</p>
C Gillepsie	<p><u>Objection:</u></p>	<p>1. Applicant has addressed the issue of resident</p>

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	<ul style="list-style-type: none"> Concerned for my personal safety Police and medical facilities too far away Close proximity to wineries 	<p>safety and need to comply with DoH guidelines.</p> <ol style="list-style-type: none"> Staff are trained to deal with emergencies as per licensing requirements of DoH Noted.
J and A Gillespie (PO Box 1063 Margaret River WA)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> Support concept but not location Too close to Bussell Highway, should be more isolated Security threat to nearby residents, most have criminal past 	<ol style="list-style-type: none"> Distance to Bussell highway is in keeping with LNRSP Applicant has addressed the issue of resident safety and need to comply with DoH guidelines.
R and A Cameron (51 Irvine Road)	<p><u>Objection:</u></p> <ul style="list-style-type: none"> Safety and security of property will be threatened Devaluation of land will be immense Bushfire risk will dramatically increase Emergency services too far away Mobile phone coverage is poor in this area Roy Road is currently congested 	<ol style="list-style-type: none"> Applicant has addressed the issue of resident safety and need to comply with DoH guidelines. Value of adjoining property is not a planning consideration Proposal complies with bushfire planning requirements. Staff are trained to deal with emergencies as per licensing requirements of DoH Residents of the facility will not have access to mobile phones as per requirements of rehabilitation program Existing road network is considered capable of supporting proposed traffic increase
A Hood (on behalf of PJ)	<p><u>Objection:</u></p>	<ol style="list-style-type: none"> Applicant has addressed the issue of resident

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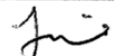
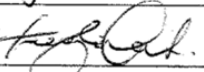


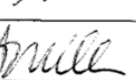
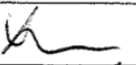

and AM Hood) (272 Abbeys Farm Road)	<ul style="list-style-type: none">• How can the facility guarantee safety of local visitors and residents?• Busselton town would be a better location• An incident could damage the brand and reputation of local businesses	safety and need to comply with DoH guidelines. 2. Noted 3. Noted

Caravan store

Petition to DA16/0412 Margaret River Private –

Drug & alcohol rehabilitation centre


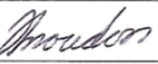
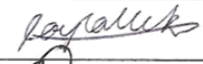
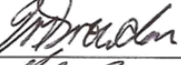




Petition summary and background	This is the will of the following people that the council does not approve the following Development "DA16/0412 Margaret River Private" on the land situated on the corner of Roy Road & Bussell Hwy for the following reasons –
Action petitioned for	

Printed Name	Signature	Address	Comment	Date
Kerry Stacey-Puck		2 Herrell St Bussellton	Dangerous location on highway.	8/7/16
Nicola Fucile		2 Hamett st Bussellton	should be at an isolated location	8/7/16
Trugan Carter		19 Scuddell St, WEMBLEY	disregarded the local community, bad location on mnr	08/07/16
Tash Moran		39a Graceland Ave, Landsdale	Dangerous location	8/7/16
Andrew Kikeros		7 Deere Street, Augusta	Hazardous location. Too close to highway & families.	9/7/16
Aysie Miller		27 Watkins Road, Goolong	Bad for locals.	9/7/16
Vaughan Clark		13 Haylock Street	Different location.	9/7/16
James Duncan		39a Graceland Ave, Landsdale	Too close to families	10/7/16

Petition to DA16/0412 Margaret River Private –

Drug & alcohol rehabilitation centre

Petition summary and background	This is the will of the following people that the council does not approve the following Development "DA16/0412 Margaret River Private" on the land situated on the corner of Roy Road & Bussell Hwy for the following reasons –
Action petitioned for	

Printed Name	Signature	Address	Comment	Date
LIA SNOWDON		157 Payne Rd North Jindong	Needs to be away from major highway + properties	8/7/16
JAKE SNOWDON		157 PAYNE Rd NORTH JINDONG	NEEDS TO BE MORE REMOTE	8/7/16
Tayla McKenzie		157 Payne Rd North Jindong	Reduce value of properties	8/7/16
JM SNOWDON		157 Payne Rd NORTH JINDONG	Why not put in Eagle Bay Instead of Reducing our Property Value	8/7/16
AB Beard		157 Payne Rd North Jindong	Needs a better location	8/7/16
T. SMITH		211 North Jindong	Not an acceptable location	8/7/16
Doreen Smith		Margaret Rd		12-7-16
Lorraine Snowden		157 Payne Rd NORTH JINDONG	Not a good location on the entrance to the region	12-7-16

Petition to DA16/0412 Margaret River Private –

Drug & alcohol rehabilitation centre

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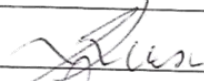
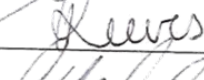

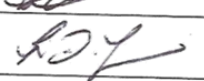
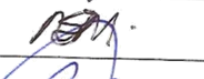

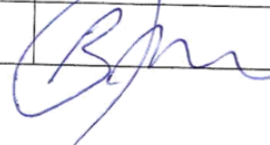
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10 BK SUBMITTED ON 13-7-16

Petition to DA16/0412 Margaret River Private –

Drug & alcohol rehabilitation centre

Petition summary and background	This is the will of the following people that the council <u>does not approve</u> the following Development "DA16/0412 Margaret River Private" on the land situated on the corner of Roy Road & Bussell Hwy for the following reasons –
Action petitioned for	

Printed Name	Signature	Address	Comment	Date
XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
MICK COLLINS		MARGARET RIVER	WE NEED TO START TREATING METH !!	7/7/16
Teg LUCHA		P.O. Box 163 GUNNIES FORD		8/7/16
Johanna Reeves		Busselton		9/7/16
NIKOLA CHAVEZ		Margaret River		10/7/16
DAN MURPHY		METRUP	DONT WANT CRACK HEADS RUNNING AROUND MY PROPERTY	10/7/16
RICK DILANZO		METRUP		10/7/16
NYSA MORRIS		BUSSELTON	WRONG AREA!	10/7/16
Finns Family		Lot 50 IRVINE RD METRUP	Not in our back-yard	10/7/16

[illegible]

[illegible]



Ref: 160714 MRP_COB

Att: Justin Biggar – Planning Officer

38 Peel Terrace
Busselton
WA 6280

Dear Justin,

RE: MARGARET RIVER PRIVATE – DEVELOPMENT APPLICATION – ADVERTISING OBJECTIONS AND RESPONSE

As requested, please find below our responses to the major objections that were received in response to the Development Application for Margaret River Private, 48 Roy Road, Metricup, to include in your report.

1. The safety and security of the nearby residents will be under threat. How will this be mitigated?

There is no threat to the safety and security of nearby residents as Margaret River Private clients will be drug and alcohol free. People in recovery have recognised that they have a problem and are seeking treatment to solve the problem. Clients are being cared for throughout their stay 24/7 by medical staff and therapists and have a busy program from 7am to 10pm every day.

By contrast, many members of our local community have a drug or alcohol problem, but are unwilling to get treatment. These people are far more likely to cause harm, to both themselves and the community.

On the hospital grounds, client movements outside each building are monitored by CCTV 24/7. Clients are not permitted to leave the facility unless accompanied by a staff member. Client vehicles are forbidden and so they do not have access to personal transport. Client recovery is closely monitored through regular drug and alcohol testing. Relapse is identified quickly, and if drug seeking/using behaviour does not change, clients are discharged into the care of their support person or another health care facility.

Margaret River Private will not have a contract with the State Government to accept clients subject to court orders. As a small private hospital, our clients will need to have sufficient personal finances to pay private health care, or to self-fund their stay. The up-front payment requirement for treatment is an incentive to 'keep with the program'.

2. The site is too far away from police and medical facilities, what will happen in the event of an emergency?

In terms of licencing, Margaret River Private is required to meet stringent WA Health Department requirements for staffing 24/7. Nursing staff, medical doctors and allied health professionals have expertise to respond appropriately to every situation.

It is a condition of all licensed private hospitals that they be able to respond to medical emergencies, including suitable trained staff being on duty at all times, with a fully-equipped resuscitation trolley, and access for a St John's Ambulance vehicle. A further condition is that an Accident and Emergency Agreement (A&E) must be in place with a local hospital emergency department, in our case Busselton Hospital.

WA Police provide coverage for Metricup as part of the South West policing plan. We expect the police will be occupied with call-outs in response to people using drugs in private homes and other community settings compared to a drug-free facility such as Margaret River Private.

3. What happens in the event of a relapse when a patient becomes desperate?

Our facility will be drug and alcohol free. Clients are closely monitored through regular, random drug and alcohol testing. Clients who relapse or seek to use drugs will be discharged. The hospital staff will help arrange their transport home, eg by private vehicle (friends, family, taxi) or in the facility mini-bus.

HHA Architects Pty Ltd	Perth - PO Box 6255, Swanbourne, WA 6010	Director: Alistair Hume M 0400 666084
ABN 57 144 748 210	Web: www.hhawa.com.au	Director and Healthcare Architect: Kathleen Hume M 04000 55659



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4. The development will impact on the environmental value of the land

The core principal behind the re-development of the site is to preserve the beautiful natural environment. The site was selected specifically because of the therapeutic value associated with a pristine environment, and the abundant natural forest and bushland will attract patients and assist in their recovery. Consequently, the preservation of the natural environment is a core design principal, and sustainable farming, building, and maintenance practices will be utilised to limit waste and reduce costs.

None of the arable land will be utilised for development, and it is envisaged to rejuvenate the productive potential of the farm which has been allowed to lie fallow for some time.

The existing forest will be preserved entirely, and used to screen the new proposed structures which are small scale, low-key structures that are dwarfed by the size of the existing Manor House. New proposed structures include a Reception pavilion, a Utility building housing the kitchen, gym, and ambulance parking, and a small steel shed will be built to accommodate farm vehicles and tools. The existing Manor House and Maintenance Workshop will be renovated and upgraded to accommodate the requirements of a private hospital licence. The Chalets will remain as short stay residential accommodation.

5. The proposal will drive away tourists from nearby accommodation and wineries.

The future success of MRP depends on absolute discretion for privately funded Clients seeking rehabilitation. The location will not be advertised, and there will be minimal signage to identify the facility. People from outside the area will have no idea the facility exists, unless they stop outside the entrance on Roy Road and read an unobtrusive sign.

The new low scale low key Reception Pavilion, Utility Wing, and Farm Shed, is screened from view by the forest and bushland from neighbouring properties, and will be barely visible from the road.

Similar hospitals exist in locations all around Australia that are also close to tourism facilities. Visiting family members often take advantage of this by staying in nearby tourism accommodation, thus boosting their occupancy rates.

6. Land and house prices in the area will be effected by a rehabilitation centre

We will be upgrading the property at 48 Roy Road, including the farm. We expect this to have the effect of raising house and land prices in the area. The property is currently quite neglected and it has been on the market for some time. Its sale and development is expected to boost the local economy.

7. Drug dealers will try to contact former clients, creating a safety risk for nearby residents.

To help their recovery, Margaret River Private clients can only make contact with approved family and support people while they are in residence. All electronic devices (including mobile phones) are banned and visitors are only allowed on site by prior arrangement. The hospital's rural location and distance from Perth (from where a number of our clients will come) makes it unlikely drug dealers will find it financially viable to make personal contact with their former clients.

8. The proposal will be viewable from Bussell Highway, which is a major tourist route.

The proposed development is a discreet, confidential facility whose location will not be advertised or promoted. Only local community members will know the new use of the buildings which can currently be seen from Bussell Highway. New buildings on the site are low key, low scale and nestled among the trees so as to be barely visible from Bussell Highway. Additional landscape works proposed will further screen the existing and new buildings from Bussell Highway.

HHA Architects Pty Ltd	PERTH: 114 The Boulevard, Floreat 6014, Australia	Director: Alistair Hume M 0400 666 084
ABN 57 144 748 210	Web: www.hhawa.com.au	Architect and Healthcare Specialist: Kathleen Hume M 04000 55 659



Page 3 of 3

9. A 24 hour clinic will generate noise, traffic and light beyond what currently exists in the immediate area, impacting on the peace and quiet of the area

Margaret River Hospital is a private facility rather than a clinic, i.e. it can only be accessed by people who have doctor's referral and an appointment. In order to provide a therapeutic environment for the clients, the hospital will be quiet; it will have very little traffic (partly because client vehicles are banned); and any light visible from a distance (the proposal is only visible from Bussell Highway) will be extinguished by 10pm each night, due to our strict "lights out" policy.

10. Fencing query.

There is an existing electric boundary fence on the eastern boundary only (the note on our site plan is pointing to the incorrect fence) and its purpose is to keep foxes and feral cats out of the neighbour's wildlife sanctuary. We do not plan to install any further electric fence, existing fences will remain and repaired if necessary and a new wire fence to match the other non-electric fences (approx. 1.2m high) will be erected between the front entrance off Roy Road and north eastern boundary, where there is currently no fence.

If you have any further questions or would like us to update the site plan fence note and reissue, please don't hesitate to contact us.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'K Hume'.

Kathleen Hume
Director
E kathleen@hhawa.com.au.
M +61 0400 055 659

HHA Architects Pty Ltd	PERTH: 114 The Boulevard, Floreat 6014, Australia	Director: Alistair Hume M 0400 666 084
ABN 57 144 748 210	Web: www.hhawa.com.au	Architect and Healthcare Specialist: Kathleen Hume M 0400 55 659

11.5 PROPOSED AMENDMENT TO BUSHFIRE NOTICE COMPLIANCE DATES

SUBJECT INDEX:	Bushfire Control and Emergency Services
STRATEGIC OBJECTIVE:	An organisation that is managed effectively and achieves positive outcomes for the community.
BUSINESS UNIT:	Environmental Services
ACTIVITY UNIT:	Ranger & Emergency Services
REPORTING OFFICER:	Ranger and Emergency Services Coordinator - Dean Freeman
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

This item was considered by the Bush Fire Advisory Committee at its meeting on 14 June 2016, the recommendations from which require Council consideration. The Committee recommendation is included in this report.

PRÉCIS

This matter was considered by the Council's Bush Fire Advisory Committee at its meeting on 14 June 2016 and the Officer Recommendation in this item reflects the recommendation of that Committee.

This report recommends that Council amend the compliance dates in the City's Firebreak and Fuel Hazard Reduction Notice (Bush Fire Notice) for when firebreaks must be installed and other bush fire risk mitigation measures implemented on rural residential, urban and industrial land from the current 1 December to 16 November in each year.

BACKGROUND

As a measure for preventing the outbreak and spread of bush fire, owners and occupiers of land within the City are sent an annual notice in the form of a Firebreak and Fuel Hazard Reduction Notice, advising owners and occupiers of land to construct fire breaks and to implement other measures for the prevention and control of bush fire.

The Bush Fires Act 1954 (the Act) provides the power for Council to appoint a Bush Fire Control Officer (BFCO) to carry out duties as outlined in the Act, for the prevention and control of bushfire within the district of Busselton.

STATUTORY ENVIRONMENT

Section 33 of the Bush Fires Act 1954 empowers a Council to require the occupier of land to undertake the installation of fire-breaks and to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire, and further to stipulate by when such measures shall be implemented.

RELEVANT PLANS AND POLICIES

The City's Bush Fire Strategic Plan was adopted in 2005 and is the overarching plan for the City's management of bush fire related issues.

FINANCIAL IMPLICATIONS

There will be minor costs associated with advertising any change of dates if agreed to, however this can be accommodated within budget allocations.

Long-term Financial Plan Implications

There are no long term financial implications associated with this matter

STRATEGIC COMMUNITY OBJECTIVES

Consideration of this matter is consistent with Community Objective 6.3 - An organisation that is managed effectively and achieves positive outcomes for the community – of the City of Busselton Strategic Community Plan 2013.

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 sought to identify 'downside' risks only rather than 'upside' risks and where the risk, following implementation of controls has been identified is medium, or greater. No such risks were identified.

CONSULTATION

The recommendation is supported by the City's Bush Fire advisory Committee.

OFFICER COMMENT

The current City of Busselton Firebreak and Fuel Hazard Reduction Notice requires the occupier of land to implement measures by the following dates:

- Completion of firebreaks/fuel hazard reduction on all rural residential, urban and industrial land is required by 1 December 2015 and must be maintained until 12 May 2016
- Completion of firebreaks/fuel hazard reduction on all rural land is required by 15 December 2015 and must be maintained until 12 May 2016

Climate conditions are changing and we are now experiencing "fire sympathetic" weather conditions in late spring and early summer. As such, it is considered that the measures required of landowners/occupiers to mitigate the risk of bush fire should similarly be implemented earlier.

It is acknowledged that on rural lands, many landowners would not have completed harvesting of crops for hay/animal sustenance earlier than the current dates and as such, no change to the dates currently required for rural land are proposed. It is however, recommended that for all other lands within the City, the date for completion of fire mitigation measures be brought forward by two weeks, with the proposed compliance date being the 16 November each year.

The implementation of an earlier date for all rural residential, urban and industrial land compliance with the City's Firebreak and Fuel Hazard Reduction Notice will also enable earlier commencement of the inspection program by City staff. This will lead to a greater percentage of properties within the City being bush fire ready earlier in the fire season.

CONCLUSION

The changing nature of our climate and the earlier commencement of heightened fire compatible conditions is readily apparent. It is considered that there will be an increase in fire mitigation works on private land prior to the height of the fire season within the City as an outcome of implementing the proposed date change.

As such, it is recommended that the Council support changing the date for compliance with the City's annual Firebreak and Fuel Hazard Reduction Notice for all rural residential, urban and industrial land from 1 December to 16 November each year.

OPTIONS

Council could resolve not to amend the current dates for the establishment of firebreaks/fire mitigation measures under the City's Firebreak and Fuel Hazard Reduction Notice or determine an alternative date for compliance with the City's notice.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Subject to Council endorsement of the Officer recommendation the amended time for compliance will be incorporated into the 2016/17 Firebreak and Fuel Hazard Reduction Notice prior to issue of the Notice in October 2016.

COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council pursuant to section 33 of the Bush Fires Act 1954, amend the commencement date for compliance with the requirements of the City of Busselton annual Firebreak and Fuel Hazard Reduction Notice for all rural residential, urban and industrial land from 1 December to 16 November in each year.

11.6 DA15/0340 - USE NOT LISTED (OFFENSIVE OR HAZARDOUS INDUSTRY - CRUSHING AND RECYCLING OF BUILDING MATERIAL)

SUBJECT INDEX:	Planning/Development Applications
STRATEGIC OBJECTIVE:	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
BUSINESS UNIT:	Development Services and Policy
ACTIVITY UNIT:	Statutory Planning
REPORTING OFFICER:	Senior Development Planner - Andrew Watts
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Site Plan Attachment B Development Proposal Attachment C Schedule of Submissions Attachment D Noise Contour Plan

PRÉCIS

The Council is asked to consider an application seeking approval for a Use Not Listed (Offensive or Hazardous Industry – Crushing and Recycling of Building Materials) at Lot 6 (No.19) Cable Sands Road, Yalyalup (“the site”). The approval is being sought for a temporary term of three years.

The planning proposal has been placed before Council due to the significant volume of public submissions received raising concern with the development and the nature of the issues requiring consideration.

At its meeting of 10 February 2016 Council resolved that decision on this application be deferred pending resolution issues of a legal/statutory nature.

After receiving external advice officers came to the conclusion that as the land is zoned Yalyalup Deferred Development and there are no specific land use provisions in either the Local Planning Scheme or Structure Plan for the zone then the proposal should correctly now be considered as a ‘use not listed’, rather than as a change of non-conforming use.

On the basis of the proposal being re-classified as a use not listed it is necessary to follow the requirements of clause 4.4.2 of the Scheme and as such after determining that the use may be consistent with the objectives of the zone, the proposal was re-advertised following the procedures of Scheme clause 10.4.

It is considered that the proposal is consistent with the relevant planning framework and is recommended for approval subject to conditions including a temporary approval timeframe of three years and operations be required to cease earlier if noise sensitive development encroaches sufficiently close such that noise emitted from the proposal can no longer comply with prescribed noise levels.

BACKGROUND

Lot 6 (No.19) Cable Sands Road has street frontage to Cable Sands Road to the west and Bussell Hwy to the north, is bound by Lot 203 Bussell Hwy to the east and Lot 9032 Cable Sands Rd to the south. Lots 203 and 9032 are part of the Satterley Property Group land holdings for the Provence Estate.

Under Local Planning Scheme No. 21 the site is zoned Special Purpose (Yalyalup Deferred Development) and is subject of Special Provision 23. Special Provision 23 requires that:

Development (including subdivision) of the land shall be generally in accordance with the Development Guide Plan and the Detailed Area Plan for the land adopted by Council and endorsed by the Western Australian Planning Commission.

Special Provision 23 also sets out the planning requirements for Development Guide Plans and Detailed Area Plans over the land.

The applicant is seeking to establish for a limited duration, a facility for the recycling of construction and demolition waste. The facility is proposed to recycle concrete, brick and tile material to create road base, drainage material and sand through on-site crushing of the waste materials.

Historically the site has been used as a timber mill and yard, and some aspects of the use the applicant advises have been continuing. Currently, the site is predominantly used as the main operational office and workshop for the applicant's business. The site is used for storage of vehicles and equipment, materials and their maintenance. There are parking areas for light vehicles, trucks and trailers and earthmoving/road construction equipment. There is also a large workshop that provides vehicle and machinery maintenance and repairs.

The applicant originally requested approval for a period of up to five years, however in response to submissions received after initial advertising of the development proposal, BCP reduced the requested approval period to three years. The applicant has further advised that they would not object to a condition requiring operations to cease earlier than three years should noise sensitive development on adjacent land approach sufficiently close that the proposal can no longer contain noise emissions to levels prescribed by the Environmental Protection (Noise) Regulations 1997.

An application for works approval and licence has been submitted by the proponent to the Department of Environment Regulation (DER). Advice has been received by the City that DER has given the proponent a Draft Works Approval with a range of environmental conditions that the proponent has agreed to accept. DER are prepared to issue a formal Works Approval subject to the City issuing Development Approval and have advised that any licence issued would be for a duration that runs concurrent to any development approval issued by the City.

At its meeting of 10 February 2016, Council resolved that decision on this application be deferred pending resolution of issues of a legal/statutory nature.

The proposal was originally advertised for public comment on the basis of it being a non-conforming land use, however since the application was initially received and advertised the Structure Plan for the area has been changed and the Planning and Development (Local Planning Schemes) Regulations 2015 have been gazetted. Both have affected the classification of use that would be taken today. Planning decisions in WA are made by the policies that apply at the time of the decision and not when the applications were made. After considering the legal/statutory issues, officers came to the conclusion that as the land is zoned Yalyalup Deferred Development and there are no specific land use provisions in either the Local Planning Scheme or Structure Plan for the zone then the proposal should correctly now be considered as a 'use not listed'.

On the basis of the proposal being re-classified as a use not listed it is necessary to follow the requirements of clause 4.4.2 of the Scheme and as such after determining that the use may be consistent with the objectives of the zone, the proposal was re-advertised following the procedures of Scheme clause 10.4.

STATUTORY ENVIRONMENT

The key elements of the statutory environment that relate to the proposal are set out in the Local Planning Scheme. Most significant is clause 4.4.2, which relates to issues not listed -

- 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 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 of the particular zone and is therefore not permitted.*

Clause 11.6 (Temporary Planning Approval) is also relevant -

Where the local government grants planning approval, the local government may impose conditions limiting the period of time for which the approval is granted.

Note: A temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence.

In this instance the land has been identified for future urban development and the proposal is requesting a time limited approval of 3 years. Due to potential for the development front associated with Provence Estate within the next 3 years moving closer to the subject site, it is also recommended for approval to be limited such that operations are required to cease when development encroaches significantly close that the noise emitted from the proposed operation on Lot 6 Cable Sands Rd cannot comply with the prescribed noise level of 45dB (LA10).

RELEVANT PLANS AND POLICIES

There are no Local Planning Policies relevant to this proposal.

FINANCIAL IMPLICATIONS

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

STRATEGIC COMMUNITY OBJECTIVES

The recommendation of this report reflects Community Objectives 2.2 and 3.1 of the Strategic Community Plan 2013, which are:

- 2.2 A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.*
- 3.1 A strong, innovative and diversified economy that attracts people to live, work, invest and visit.*

RISK ASSESSMENT

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City's risk assessment framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well. Risks are only identified where the individual risk, once controls are identified, is medium or greater.

Risk	Controls	Consequence	Likelihood	Risk Level
Reputational risk should the development not be managed effectively to minimize impact on the amenity of other nearby land	Appropriate assessment of the issue and recognition of additional control provided by DER works approval and licence requirements	Minor	Possible	Medium

CONSULTATION

The proposal has been referred to adjoining landowners of the proposed development site and was also advertised in the local newspaper for a period of 21 days on two separate occasions, the second after the use was reclassified as a use not listed.

During the first round of advertising a total of twenty-one submissions were received, of which four were from government agencies, two were from property developers who own adjoining land, one was from a local school and 14 submissions were received from members of the general public. The majority of public submissions received were objecting to or raising concerns with the proposal for the following reasons:

- Properties will be devalued due to the destruction by industry of the lifestyle chosen by owners in the area.
- Concerned about operation being proposed 6 days per week from 7am – 5pm. If approved operating on Saturdays, Sundays and public holidays should not be permitted and preferably shorter hours.
- Time frame of approval should be greatly limited, i.e. to less than the five years requested and preferably only to the time necessary to process waste from the hospital demolition.
- Concerned about proximity of proposal to residential areas and Georgiana Molloy School. Believe proposal should be located preferably in an Industrial or Rural area. Proposal is less than the 1000m from sensitive premises specified by the EPA Guidance Statement No.3. The proposal is approximately half of this distance, this variation is too great.
- Why is the Rendezvous Rd site not being used for this proposal?
- Concerned by dust being blown and that waste accepted will contain asbestos, affecting people's health and contaminating rain water supplies.
- Concerned about water volume needed for dust suppression and that may necessitate excessive abstraction of groundwater with resultant impact on the local aquifer relied upon by other landowners and needed for ecological balance.
- Additional heavy traffic onto Bussell Hwy will increase road safety issues.
- Believes that the proposal represents too significant a change in use from the current activities on the site with too significant impacts.
- Noise impacts from truck movements, reversing beepers, machinery operation, dumping of materials. Constant vibration and noise causes stress.

During the second round of advertising a further two submissions from members of the public who had not previously made a submission on the application were received. These submissions raised similar issues to that raised in other submissions on the proposal.

Further submissions were received from a member of the public who has previously made submission reiterating previous concerns and further submissions were received on behalf of adjoining landholders Dodd and Dodd and from the Satterley Property Group in regards to the impact of the proposal on future estate development plans.

The concerns raised in the submissions are discussed further below and specific consideration of the submissions is given in the Schedule of Submissions at **Attachment C**.

OFFICER COMMENT

Key issues/questions in relation to the application are outlined and discussed below.

Period of approval

Some submissions, including from property developers owning adjoining land raised concern in regard to the proposed approval period, with comments suggesting that if approved a shorter timeframe would be more acceptable to tolerate impacts to amenity and not unduly impact on future development plans.

In response to submissions the applicant has reduced the original approval period requested down to three years and has agreed that operations will cease earlier if noise emission impacts on new sensitive development cannot be contained to levels prescribed by the Environmental Protection (Noise) Regulations 1997. The relevant prescribed daytime noise level for this proposal is 45dB (LA10) and a plan illustrating this area is included as **Attachment D**. This reduction is considered acceptable to not impact on future development plans of adjoining landowners and combined with environmental conditions that would be imposed through the DER environmental approvals process and other conditions of the City development approval, it is considered that a three year approval would appropriately mitigate impacts on the surrounding residential uses.

Operation times

Multiple submission raised concerns in respect to the proposed operation times that they should be shorter and be restricted to weekdays only to reduce the duration each day of environmental impacts on amenity, such as that from noise and to allow for enjoyment of weekends at home free of any noise.

Recommended conditions include limiting all operations on weekdays to specified hours, reducing the Saturday times and limiting it to delivery of materials only, with no crushing and prohibiting any operations on Sundays and public holidays. This aims to assist in reducing the daily impact on surrounding residents whilst still allowing sustainable business operations. This type of restriction on operating hours is similar to that which are frequently imposed on development approvals for extractive industry.

Environmental Impacts on surrounding land (noise, dust etc.)

The majority of the issues raised by members of the public relate to the environmental impact from noise and dust (including potential for asbestos fibres). The application information submitted for development approval is the same as that submitted to DER for environmental approvals and includes a range of environmental management plans and measures to mitigate environmental impacts, including noise, dust and handling of asbestos.

Advice has been received that DER has issued the applicant a Draft Works Approval and is prepared to issue the approval formally provided the City has issued Development Approval and would only approve a licence application for a duration the same as that of any approval by the City.

As the proposed operation cannot occur without environmental approval from DER, there are not any separate environmental conditions recommended to be included on the City Development Approval.

Traffic

The proposal was referred to Main Roads WA comment on traffic management issues with trucks entering onto Bussell Hwy. No concerns were raised by Main Roads in respect to the type or volume of the traffic that would be accessing the site via the Main Roads controlled section of Bussell Hwy.

The applicant states that there will only be an increase of 12 truck movements per day over the current site operations. This level of increase in traffic is considered to be very small and the current road access configuration is adequate to deal with this.

Concerns about noise from vehicle movements on site and reversing beepers is required to comply with noise management requirements set by DER.

The crossover into the site is not sealed. To minimise the drag out of gravel from the site onto Cable Sands Rd, the crossover is to be appropriately sealed.

Why is Rendezvous Rd site not being used by the applicant?

Submission queried why the proposal was intended to be located at Lot 6 Cable Sands Rd when there are similar activities carried out at the City owned Rendezvous Rd waste site. The City needs to assess the application that has been lodged, and the potential or otherwise of alternative sites is not a question that can or should be addressed unless and until it has first been determined that the application site is not appropriate (if this were a strategic planning process, the scope of considerations would be broader and could include the consideration of potential alternatives).

CONCLUSION

It is recommended that the Council approve the development with conditions restricting approval to a period of three years or until noise sensitive development approaches to the point where prescribed noise level requirements can no longer be met and with restrictions on scale and operating times.

The proposed conditions restricting operation times and total volumes of material put through aim to alleviate the occurrence of unreasonable levels of noise, dust and traffic impacts that have been highlighted as concerns in submissions received.

OPTIONS

The Council could:

1. Refuse the proposal, setting out reasons for doing so.
2. Apply additional or different conditions.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The proponent and those who made a submission will be advised of the Council decision within two weeks of the Council meeting.

OFFICER RECOMMENDATION

That the Council resolve:

- 1) That application DA15/0340 submitted for development at Lot 6 (No.19) Cable Sands Road, Yalyalup is considered by the Council to be generally consistent with Local Planning Scheme No. 21 and the objectives and policies of the zone within which it is located.
- 2) That temporary Planning Consent be granted for the proposal referred in 1. above subject to the following conditions:

General Conditions:

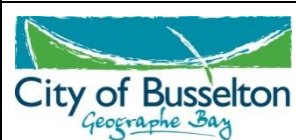
- 1) The development hereby approved is permitted to operate for three years from the date of this Decision Notice or within 30 days of the issue of titles for any residential or commercial development lots which encroach within the 45 dB (LA10) noise contour line depicted on figure 5-2 of the Lloyd George Acoustics Environmental Noise Assessment, Proposed Concrete Crushing Plant 19 Cable Sands Road, Yalyalup, whichever is the sooner.
- 2) All development is to be in accordance with the approved Development Plans (attached), including any amendments placed thereon by the City and except as may be modified by the following conditions.
- 3) Hours of operation of the business (including receipt of deliveries) are restricted to between 7.00am and 5.00pm on weekdays; 9.00am and 3.00pm Saturdays for delivery of materials only, no crushing; and, at no time on Sundays or public holidays.
- 4) A maximum of 70,000 tonnes per annum of construction and demolition waste being processed at the site.

Prior to Occupation/Use of the Development Conditions:

- 5) The development hereby approved shall not be occupied or used until all plans, details of works required by Conditions(s) 1 have been implemented and the following conditions have been complied with:
 - 5.1 The crossover onto Cable Sands Road is to be sealed and drained for a minimum of 20m.

On-going Conditions:

- 6) The works undertaken to satisfy Condition(s) 1, 2, 3, 4 and 5 shall be subsequently maintained for the life of the development.





Busselton Civil Pty Ltd
19 Cable Sands Road
Yalyalup WA 6280
P. O Box 1876
Busselton WA 6280

City of Busselton
Locked Bag 1
BUSSELTON WA 6280

16 June 2015

Attention: Mr Paul Needham

Dear Sir,

RE: PROPOSED RECYCLING FACILITY – LOT 6 CABLE SANDS ROAD, YALYALUP

1. Introduction

Busselton Civil & Plant is seeking consent from the City of Busselton to establish, for a limited duration, a concrete recycling facility ('**inert material recycling facility**') at Lot 6 Cable Sands Road, Yalyalup (**the site**).

Established in 1997, Busselton Civil & Plant Hire is a local Busselton based company with approximately 50 employees and considerable experience in civil contracting, demolition, plant hire, liquid waste and sand supplies. The business has been providing services to the City of Busselton for many years and is its preferred supplier.

Busselton Civil Pty Ltd (**BCP**) is committed to ensuring that its business activities are conducted in a responsible manner with a view to minimising its impact on the environment. BCP undertakes demolition activities in the City, with these activities creating various waste products including timber, concrete, bricks and tiles. In the absence of alternative economical recycling options, these products end up in the City's landfill sites.

2. Background & Land Use

The site is located approximately 8km east of Busselton on the southern side of Bussell Highway and is accessed from Cable Sands Road. It is owned by Silverbay Enterprises Pty Ltd, the owners of the Busselton Civil and Plant Hire business prior to 9 December 2014 when the business was acquired by BCP.

Silverbay Enterprises Pty Ltd had been using the land for storage and administration purposes relating to the Busselton Civil & Plant Hire business purposes since 2005.

Prior to this time the site was used as a timber yard, with several aspects of these activities continuing. In respect of its current use, it is understood the City acknowledges that it is in general keeping with the amenity associated with the original timber yard use class attributed to the land. Further, BCP is of the view that the proposed concrete processing activities are not of a dissimilar nature to timber processing activities.

The subject land is zoned "Special Purpose (Yalyalup Deferred Development Area)" pursuant to the City of Busselton Local Planning Scheme No. 21 (the Scheme). The present zoning of the site was introduced by way of a scheme amendment in 2006 which rezoned the land to its current "Special Purpose" zoning.

Prior to the rezoning, the land was zoned 'Agriculture' under the relevant town planning scheme at the time and used by BCP as it is today.

In light of the above and by virtue of its zoning change in 2006, current use of the land could be considered by the City as a **"non-conforming use"**.

In respect of non-conforming uses, Clause 4.10 of the Scheme enables ***"the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date of the Scheme or an amendment to the Scheme (as the case may be)."***

Clause 4.11 which relates to an extension or change to a non-conforming use, further states that:

"4.11.1 Subject to the other provisions of this clause 4.11, a person must not -

(a) alter or extend a non-conforming use;

(b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or

(c) change the use of land from a non-conforming use to another non-conforming use, without first having applied for and obtained planning approval under the Scheme.

4.11.2 An application for planning approval under this clause is to be advertised in accordance with clause 10.4.

4.11.3 Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to grant its planning approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the intended purpose of the zone."

Given the above and if deemed appropriate, Council has the power and ability to consider the proposed facility on the site under its Scheme as "change to a non-conforming use".

3. The Proposal

BCP are seeking to establish, for a limited duration, a recycling facility on the site as part of its business operations. Location and details of the facility are shown on the attached site plan.

The facility would recycle concrete, brick and tile material to create road base, drainage material and sand. BCP proposes that in order for BCP to effectively manage the risk of contaminants, initially only material from BCP demolitions would be taken to BCP's facility.

The facility proposed by BCP is smaller than the concrete crushing operations currently being undertaken by City at the Rendezvous Road facility, though it will operate in a similar manner.

BCP considers that its premises are located at a greater distance from sensitive land uses, and have more appropriate road access, than the City's facility.

A Department of Environmental Regulation (DER) licence for this type of facility is typically granted for 5 years. BCP would be comfortable in providing an undertaking to City that the proposed operation would be limited to a duration of 5 years.

BCP is undertaking consultation with key stakeholder's pre-lodgement of planning documentation.

BCP has engaged environmental and acoustic consultants to undertake assessment in relation to the proposed use, as required by the DER in order to acquire the necessary environmental approvals. Both the noise and environmental assessment reports are attached and included in support of this application.

In summary, noise assessment results show that with the noise mitigation proposed, the crushing operations would comply with the assigned levels under the Regulations 7.00 am to 5.00pm Monday to Saturday.

The environmental findings conclude the proposal can be progressed without any unacceptable impact to the environment and the surrounding land users, subject to various engineering and management measures (outlined in the report) being implemented. Such measures would address issues of noise, dust, asbestos, storm water, traffic, litter and vermin management, security and community liaison.

Finally, it is only proposed to operate the facility for a period of 5 years whereby operations will be shifted to another location to make way for the intended future residential development of the site and surrounding locality. Clause 11.6 of the Scheme refers to "Temporary Planning Approval" and states that:

"Where the local government grants planning approval, the local government may impose conditions limiting the period of time for which the approval is granted. Note: A temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence."

The above scheme provision and its intent is clearly aligned with the land use scenario associated with this application.

4. Conclusion

The proposed facility will provide a short term solution to alleviate demand for concrete crushing operations within the City of Busselton, currently isolated to a single existing facility operated by the City at Rendezvous Road.

The proposed facility on this site will be smaller than the facility at Rendezvous Road and is suitably located on land which provides sufficient buffer allowances and distance to other sensitive land uses. The site is also easily accessed via Bussell Highway and does not rely on transport movement through existing urban areas.

Noise and environmental assessments in respect of the proposal have already been undertaken and confirm the sites suitability, subject to certain measures being implemented.

A license from the Department of Environmental Regulation will also be required prior to operation, typically valid for a period of five years. In this regard, it is only intended to operate the facility on the site in the short term (i.e. five years) whereby BCP will relocate to an alternative site. On this basis only temporary planning approval to the proposal under Clause 11.6 of the Scheme is sought.

BCP has engaged with various divisions of the City since January 2015 in relation to this proposal. BCP wrote to the City on 24 April 2015, providing a summary of BCP's engagement with the City in relation to the proposal and seeking clarification as to the planning aspects of the proposal. City planning staff have confirmed (verbally) that it is able to consider the proposal under its Scheme as a "change to an existing non-conforming use".

Finally, BCP is of the view that it would not be in the public interest for land in the City that is zoned 'Deferred Development Area' to be 'sterilised' from the time the Deferred Development Area zoning is adopted until (or if) such time as zoning is amended to urban development and accordingly approval to the application as submitted is respectfully requested.

We look forward to your reply and in the meantime, should you have any queries, please do not hesitate to contact the undersigned.

Yours sincerely



Kyle Jackson



**ENVIRONMENTAL ASSESSMENT &
MANAGEMENT PLAN
CRUSHING OF BUILDING MATERIAL**

Cable Sands Road – Yalyalup

Prepared by:
BUSSELTON CIVIL AND PLANT HIRE
June 2015

BCP_C&D Recycling Plant_EAMP_June 15

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1. Introduction

Established in 1997, Busselton Civil & Plant Hire (BCP) is a local Busselton based company with approximately 50 employees and considerable experience in civil contracting, demolition, plant hire, liquid waste and sand supplies.

BCP has been awarded the contract to demolish the old Busselton Hospital and wishes to recycle this material rather than disposing it to landfill, which is standard practise in this area. Once contaminated material (primarily asbestos) and other recyclable material are removed the remaining concrete and bricks will be stockpiled for recycling at BCP's Cable Sands Road site. If this recycling project is a success, BCP is looking to undertake further recycling of building waste from their business and other demolition projects.

The storage of waste material and crushing of building materials for recycling are prescribed activities under the *Environmental Protection Act 1986* and therefore require a works approval to establish and a licence to operate. The prescribed categories and the maximum throughput for each is shown in **Table 1**.

Table 1: Prescribed Premises Categories applicable to the Cable Sands Rd Recycling Facility

Category	Description	Anticipated Maximum Throughput
13	Crushing of Building Material: premises on which waste building or demolition material is crushed or screened.	70 000 tonnes per annum
62	Solid Waste Depot: premises on which waste is stored or sorted pending final disposal or re-use.	70 000 tonnes per annum

The purpose of this report is to gain the relevant Local Government and DER approvals for the proposed storage and crushing and screening of construction and demolition wastes. The primary guidance documents used for the preparation of this document are:

- *Guidance Statement: Regulating the use of waste derived materials, November 2014;*
- *Western Australian Waste Strategy: Creating the Right Environment;*
- *Material Guideline: Construction Products, December 2014*
- *Guidelines for Managing Asbestos of Construction & Demolition Waste Recycling Facilities, (2012); and*
- *Environmental Guidelines for construction and demolition waste recycling facilities, (2009).*

The 'Western Australian Waste Strategy: Creating the Right Environment, has landfill diversion targets for municipal solid waste of 65 per cent by 2020; for commercial and industrial waste of 70 per cent by 2020; and for construction and demolition (C&D) waste of 60 per cent by 2015 and 75 per cent by 2020, up from 38 per cent in 2012. This proposal will assist the State Government in achieving this objective.

In recognition of the deferred residential zoning on the premises, it is proposed that development approval and works approval would be for a period of 5-years.

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2. Site Information

The site is located at Lot 6 (19) Cable Sands Road, Yalyalup, WA 6280. The title details are provided in Table 2 and the Certificate of Title is provided as **Attachment 1**. Lot 6 has an area of 7.75 Ha.

Table 2: Site Identification Details

Lot No.	Diagram	Street Name	Suburb	Certificate of Title (Volume/Folio)
6	33959	Cable Sands Road	Yalyalup	2226/801

The premises is located ~ 8-km east of Busselton CBD and 1-km and 1.5-km northeast of the suburb of Provenance and Georgiana Molloy School, respectively. The Reinscourt semi-rural estate is located north of the site on the other side of the Bussell Hwy. The site is surrounded by rural land to the west, south and east and the Bussell Highway to the north.

Access to the site is from the Bussell Hwy onto the bitumen sealed Cable Sands Road that provides access to Lot 6, an adjacent old industrial site and rural land.

The site is located in the City of Busselton and is zoned Special Purpose, Yalyalup Deferred Development under Town Planning Scheme No. 21. The City of Busselton has indicated that residential development is not expected to commence for at least 5-years. The installation and operation of a crushing and screening plant is not inconsistent with the Special Purpose Zoning. **A Development Approval for the project is being progressed with the City of Busselton.**

The premises was originally a timber milling site. BCP has used the site as its main operational office since 2005. It is used by BCP for parking of vehicles and equipment, materials storage and for maintenance. It has access to power and (bore) water. The site is flat. The majority of the site has been cleared including the majority of understorey vegetation. The remaining vegetation is mainly around the premises boundary and acts as visual protection from Bussell Hwy and all boundaries except that fronting onto Cable Sands Road. **No clearing will be required.**

The semi-rural estate of Reinscourt is located north of the site on the north side of the Bussell Hwy. Land around the eastern and southern boundaries is used for agricultural grazing and hay. The premises on the other side of Cable Sands Road was also used as a timber mill. It is currently abandoned. Immediately south of Lot 6 is a small block used to store materials by LD Developments.

A plan showing the site and the nearest sensitive premises is provided as **Attachment 2**.

BCP_C&D Recycling Plant_EAMP_June 15

3. Environmental and Social Attributes

This section provides a description of the environmental and social attributes of the site.

3.1 Climate

The Busselton climate is Mediterranean, with hot dry summers and wet winters. Annual average rainfall is 725 mm/year with ~ 80% of this falling between May and September.

Winds are generally from the east and southeast at 9AM, averaging 10 – 30 km/h. in the afternoons (3PM) winds typically average 20 – 30 km/h with direction typically dependent on frontal weather systems (N, NW, W) and their subsequent passing (SW, S, SE).

3.2 Topography & Geology

The site is flat and the natural elevation is ~ 10mAHD. The site is located on the lower Swan Coastal Plain. The plain is the result of the lowering of sea levels and therefore the geology is typically lacustrine in nature with marine sands overlying limestone. Typically the soils are sandy loams to ~ 1-metre under which an ironstone cap from 0.3m to 1.0m occurs, under which is silty clay typical of past lacustrine conditions.

Acid sulphate soils do occur in the greater Busselton area. The risk rating for this site is 2, low to moderate risk. Management is required if greater than 100 m³ of soils are intended to be moved.

3.3 Flora and Fauna

The site has been largely cleared in the past for grazing and as a timber mill. There is limited understorey remaining. There are no known priority or declared rare flora at the site. Ring tailed possums and black cockatoos may be present at the site. No clearing will be required for the project.

Site vegetation consists primarily of peppermints with the odd tuart. There is also similar native vegetation on the adjacent industrial premises, the Bussell Hwy mid verge and bushland which forms part of the Reins Court estate.

According to Landgate the site is not located within or near any Environmentally Sensitive Area (ESA).

3.4 Hydrogeology & Hydrology

The depth to the winter superficial aquifer is ~ 1.0 to 1.5-metres below ground surface level (bgs) or approximately 12-metres AHD (Australian Height Datum) (DoW's WIN database). This groundwater is brackish (500 – 1000 mg/L). The Leederville Aquifer is located ~ 30-

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metres bgs. Abstraction from the Leederville requires a licence from DoW as this area is within the proclaimed Busselton-Capel Groundwater Area. A water resource licence allows up to 2.5 ML of groundwater to be abstracted annually. This water is used for site ablutions and dust suppression.

There are no watercourses or drains that run through the premises. Additionally, no naturally occurring surface water bodies occur on site.

3.5 Cultural Heritage

A search of the Department of Aboriginal Affairs on-line Aboriginal Heritage Inquiry System does not identify any site that requires protection or referral under S18 of the Aboriginal Heritage Act 1972. There are three sites within 5-km, Abba River a mythological dreaming trailing, a burial site and a modified tree.

The site is not considered to contain any natural or Australian Heritage significance.

3.6 Contaminated Sites Information

A search of the contaminated sites database identified that the site is not listed as contaminated site. Although the site used to be a timber mill, the owners are not aware of any timber treatment being used.

Used oil and hydrocarbon products used for maintenance are stored in bunded areas.

3.7 Sensitive Land uses

The Environmental Protection Authority's Guidance Statement No. 3 - Separation Distances between Industrial and Sensitive Land Uses (2006) recommends the minimum separation distances between industrial activities and sensitive land uses. Sensitive landuses are defined as those that are sensitive to industrial emissions and include residential developments, schools, hospitals, shopping centres and other public areas and buildings. The recommended separation distance for waste storage and crushing of building materials is 200-metres and 1,000 metres, respectively.

The Provenance residential estate is located over 1,000 metres from the prescribed premises as is the Vasse farmhouse. The Georgiana Molloy school is 1,500 metres away. The nearest residences are located in the Reinscourt semi-rural estate on the northern side of the Bussell Hwy with the nearest being ~ 500-metres from the proposed crushing plant. This estate is on the opposite side of the Bussell Hwy with the non-road intervening distance being native vegetation. In addition, the land throughout this area is flat.

Considering the nature of the proposed operations, the main environmental impacts associated with the crushing and screening of C&D wastes are noise and dust. Through the implementation of the noise and dust management measures proposed, BCP will be able to manage all potential impacts of their operations such that the existing separation distance is sufficient.

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The City of Busselton undertook a SWIS C&D crushing trial at their Rendezvous Road site in 2008 where residences are in a closer situation to those in the Reinscourt area. The report to the Waste Authority at the conclusion of this project indicated no resident concerns with noise or dust. The City of Busselton is currently undertaking C&D screening at the Rendezvous Road site.

3.8 Summary of Environmental and Social Attributes

A summary of the environmental and social attributes of the site is shown in **Table 3**.

Table 3: Summary of Environmental and Social Attributes

Attribute	Site Summary
Climate	<ul style="list-style-type: none"> • Cool, wet winters • Hot, dry summers
Topography & Geology	<ul style="list-style-type: none"> • Flat • Sandy silty soils.
Flora and Fauna	<ul style="list-style-type: none"> • No clearing of vegetation required • No rare and endangered vegetation on or around the site
Hydrogeology & Hydrology	<ul style="list-style-type: none"> • No streams or surface water bodies • Winter superficial groundwater ~ 1 – 1.5m bgs • Superficial groundwater is brackish in quality (500 – 1000 mg/L TDS)
Cultural Heritage	<ul style="list-style-type: none"> • No known sites of Aboriginal heritage • No known Australian Heritage significance
Contaminated Sites Information	<ul style="list-style-type: none"> • The site is not a contaminated site
Sensitive Landuses	<ul style="list-style-type: none"> • No residences within 200m of the boundary of the site • Nearest residences, site 500m north from the crushing site

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4. Current Site Activities

Currently, the site is predominantly used as the main operational office and workshop for BCP. The site is used for storage of vehicles and equipment, materials and their maintenance. There are parking areas for light vehicles, trucks and trailers and earthmoving / road construction equipment. There is also a large workshop that provides vehicle and machinery maintenance and repairs.

An aerial photograph of the site and proposed development area is shown in Attachment 3. As part of this proposal the site will be cleaned and neatened up.

The proposed location of the stockpile area and C&D recycling plant is located in the old timber storage area for the mill. This area is currently used to store materials used by BCP in their various operations. The area is cleared and partially reshaped for site drainage purposes.

A caretaker resides on the premises.

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5. Description of Proposed Development

The site layout and operations outlined in the following section have been prepared in accordance with relevant legislative and guidance documents. This section has been grouped into the following sub-sections:

- Site design
- C&D source material
- Material acceptance
- Storage of recycled building products
- Infrastructure, equipment and machinery
- Operational hours, staffing and security
- Traffic movements

5.1 Site Design

The location of the recycling area has been developed to ensure that it is functional, efficient and designed to best suit the site and surrounding areas especially in relation to noise, dust and visual impact.

The existing vehicle access routes will be used but will be modified to have a dedicated entry and exit and a one-way route for access to the crushing and storage area. As part of the development the existing hardstand will be upgraded so the quality of the hardstand is consistent. At this time it is not proposed to seal access to and from the crushing area or the entry and exit as the vehicles on Cable Sands Road are those principally associated with BCP.

The location of the storage and crushing facility at the rear of the workshop will provide both visual and wind protection. It may also assist in providing some noise protection. No vegetation will need to be disturbed. The existing vegetation will act also as a barrier to wind (dust generation) and noise.

5.2 C&D Source Material

In the first instance the building material will come from the demolition of the old Busselton hospital that is being undertaken by BCP. Going forward, BCP intends that source material will be provided from other BCP demolition projects as well as from other source separated C&D projects. BCP will also focus on developing strong working relationships with private and public companies in order to obtain further quantities of clean source separated inert materials suitable for recycling, such as concreters, earthmoving companies, civil construction and demolition companies and landscapers.

5.3 Materials Acceptance

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In the first instance, the Busselton Hospital demolition waste will have been tested and sorted on site by BCP prior to receipt at the Cable Sands Road premises. BCP proposes that any other C&D waste received for recycling will only be accepted if it is clean uncontaminated inert waste material. Targeting clean waste streams will minimise processing difficulties and increase the quality of the recycled product.

The C&D waste accepted at the site will include concrete, asphalt, tiles, bricks, sands, gravels, soils and roadbase. Stockpiling of material received will enable a visual inspection for any contaminants to the crushing and screening process. This may include missed asbestos, pipework, steel and timber. All contaminants will be removed and placed into bins for removal for recycling and or disposal (to an appropriately licensed disposal site).

The inert waste materials can also be referred to as construction and demolition (C&D) waste based on their source of origin. These materials include concrete, asphalt, tiles, bricks, sands, gravels and soils. BCP aims to accept these materials in source-separated loads, which minimises processing times and improves product quality. However, undesired materials may occasionally be found within loads accepted on site. These include non-recyclable inert materials, timber, metal, plastics and small volumes of greenwaste. These materials will be separated from the inert waste stream and held prior to be taken off site for disposal to an appropriately licensed disposal site.

BCP will employ strict waste material acceptance policies to ensure contaminated loads are not accepted. Of particular importance is asbestos identification and management. If asbestos is identified, BCP will take all necessary actions to remove the asbestos from the site in accordance with an approved Asbestos Management Plan (Appendix B).

Asbestos was utilised extensively in the construction of buildings and structures until 1990. There is therefore a risk that asbestos may be received at C&D recycling facilities presenting health risks to staff and the wider community. BCP has developed the Asbestos Management Plan pursuant with DER's *Guidelines for Managing Asbestos at Construction and Demolition Waste Recycling Facilities (2012)* (Asbestos Guidelines), which describes the minimum requirements for operational procedures, monitoring, testing and general management at C&D recycling facilities with the aim to minimise the risk of:

- Asbestos being received and processed at inert recycling facilities;
- Asbestos emissions being generated within and from inert recycling facilities; and
- Asbestos contamination of the Recycled Building Products generated at the facilities.

As BCP is proposing that it will be recycling mostly its own C&D waste, its internal material acceptance policies will ensure that contaminated loads are not received. BCP is also confident that its material acceptance procedures and Asbestos Management Plan will ensure that asbestos does not adversely affect staff, the wider community or the quality of its Recycled Building Products.

All loads received will have been inspected, data collected and directions given for unloading. The visual inspection will occur on the ground for each load. Any contamination will be reported to the Site Manager and removed prior to the load being included in the main

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stockpile. All contamination, including any loads refused, will be recorded and, where required, reported.

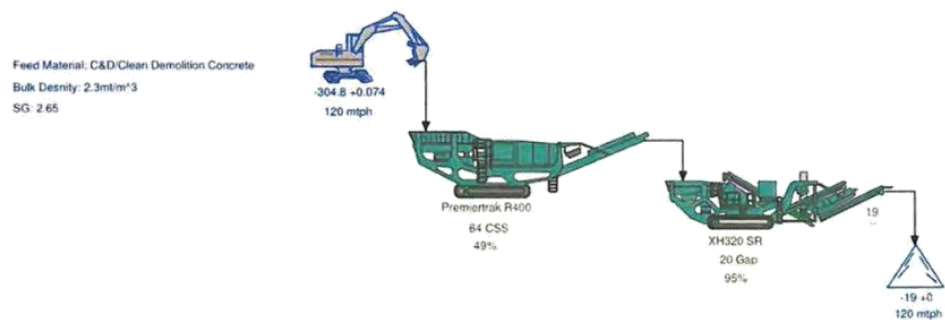
5.4 Material Processing

5.4.1 Sorting

The need for separate stockpiling is not considered necessary at this time. There is enough space available to enable stockpiles of sands/soils and oversize concrete for further breaking down. The stockpiled materials are processed via screening, sorting and crushing to produce a range of recycled waste derived products

5.4.2 Inert Processing

From the stockpile(s), the waste will be loaded by an excavator or Front-end loader (FEL) into a hopper feeding a nominally 100 tph jaw crusher for primary crushing. The excavator or FEL will operate from an ~ 3-metre high ramp. The crushed material will then pass to a secondary impact crusher before being conveyed to a series of vibrating screens to enable a variety of recyclable products for use by BCP or sale. A schematic of the processing setup is shown below:



5.5 Storage of Recycled Building Products

Through the inert recycling operations on site, BCP proposes to generate valuable Recycled Building Products and in doing so divert materials from landfill. The inert materials are processed via sorting and crushing to produce a range of recycled products including recycled sands, road base and drainage aggregates.

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The recycled building product will be stored in designated stockpiles that meet the specifications outlined in the WDM Guidelines (for drainage and roadbase). BCP aims to achieve Main Roads WA specifications for its roadbase product to prove its commitment to providing quality recycled building products.

5.6 Material Transport

The recycled building products generated will be taken off-site at regular intervals using 25-tonne semi-trailers and 24-tonne truck and trailer combinations. Based on an annual throughput of 70 000 tonnes, BCP on average would take ten to twelve loads on site per day. Therefore, BCP has the capacity to take around 300-tonnes of recycled product on site per day. The maximum capacity of the crusher is 120 tonnes per hour (tph), which shows that BCP will have excessive treatment capacity in comparison to the amount of inert materials being received on a daily basis.

All undesired material will be taken offsite to an appropriately licensed landfill facility.

The outgoing recycled building products will loaded using a weight-cell on the front-end loader (FEL) to confirm that correct loads are taken off site. This also ensures that Main Roads WA Regulations mass limits for trucks are not exceeded and the type of vehicle is suitable to transport specific type of materials.

5.7 Operational Hours

BCP is proposing that the inert recycling plant will operate between the hours of 7:00am to 5:00pm Monday to Saturday. No crushing and screening will occur on Sundays or Public Holidays.

The hours of operation are considered to be standard for a business in an industrial area and BCP are committed to maintaining the amenity of the area and have adopted these recycling operational hours that align with Local and State Government guidelines associated with noise regulation.

5.8 Staffing

BCP is proposing to use its existing staff members to manage the materials storage area and the crushing and screening plant.

Site staff will be suitably qualified and additional training will be provided to familiarise staff with the day-to-day operations of an inert recycling facility and quality management system.

Proposed staffing is detailed in **Table 4** along with specific responsibilities.

Table 4: Site Staff and Responsibilities

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Position	Responsibilities
Site Manager	<ul style="list-style-type: none"> Ensuring implementation of this EAMP, Environmental Management System (EMS) and associated management plans; Taking direct action in the event of any incident that causes, or has the potential to cause adverse effects on local air quality; In the event of a community complaint, ensure that each is recorded and addressed within an appropriate timeframe; Conduct daily monitoring or conditions and reporting on dust management measures carried out; Ensuring all staff are capable of carrying out dust management measures; and Keeping open lines of communication with all staff to gain feedback on dust management across the site.
General Operators	<ul style="list-style-type: none"> Inspection of incoming loads; Refusing loads; Record keeping; Undertaking waste inspection and processing; Managing stockpiles; Isolating and storing asbestos; Labelling; Safe transportation of asbestos; Carrying out general site operations as defined by their role; Assisting to mitigate the potential dust emissions from their task by undertaking all reasonable dust management measures available to them; and Providing feedback to Site Manager regarding potential sources of dust emission and success of dust management measures.
Quality and Systems Manager	<ul style="list-style-type: none"> Conducting sampling; Managing product testing process and results; Managing record keeping; Ensuring compliance with legislative requirements; Ensuring implementation of the EMS and associated management plans; Occupational Health & Safety; Maintaining open lines of communication with site Management regarding compliance; and Updating induction training as part of review of EMS and associated management plans.

5.9 Infrastructure, Equipment and Machinery

The following **Table 5** outlines the infrastructure, equipment and machinery associated with the recycling activities that are anticipated to be utilised at the site.

Table 5 Infrastructure, Equipment and Machinery to be utilised on site

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Type	Amount	Comments
Office	1	Utilised for waste data gathering and management.
Water / Reticulation systems	1	Used for dust control within the material handling, processing and storage areas.
Jaw Crusher	1	Primary crushing, portable unit. Consists of: <ul style="list-style-type: none"> • 100 tph jaw crusher • feed hopper; • conveyor belts; and • built-in dust suppression system for crusher mouth, product conveyor feed and discharge points.
Horizontal Impactor	1	Secondary crushing, portable unit. Consists of: <ul style="list-style-type: none"> • 100 tph impact crusher; • feed hopper; • pan feeder; • conveyor belts; • built-in screens; and • built-in dust suppression system for product conveyor feed and discharge points.
Vibrating Screen	1	Screening of products, portable unit. Consists of: <ul style="list-style-type: none"> • 120 tph (two) vibrating screens; • conveyor belts; and • built-in dust suppression system for product conveyor feed and discharge points.
Front-end Loader (FEL)	1	Permanently on site
Tracked excavator	1	Noise reduced Permanently on site
Semi-trailers	7	25-tonne semi-trailers used for haulage of materials to and from site.
Truck and Trailer combinations	6	12-tonne truck and 12-tonne trailer combination used for haulage of material to and from site.
Water Cart	3	Not permanently onsite. Utilised on site if required.

5.10 Traffic Movements

Access to the site is via a combined light and heavy vehicle entrance located mid-way down the western boundary of the site, adjoining Cable Sands Road. This entry provides access for heavy vehicles to the Office and the inert recycling facility to the rear of the site. Heavy vehicles travel in a clockwise direction around the perimeter of the recycling area. Travelling in one direction

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minimises conflicts between vehicles. Heavy vehicles exit the site via the heavy vehicle exit located towards the south western corner of the site, adjacent to Cable Sands Road.

Light vehicles enter and exit through the main entrance located mid-way down Cable Sands Road. This entrance also provides access to visitor and employee parking. The design of the road network should minimise potential conflicts and operational inefficiencies associated with combining the heavy and light vehicles.

It is anticipated that a total of 83 vehicles will enter and exit the site daily. This equates to 50 light and 33 heavy vehicles as described in **Table 6** below. Undesired materials obtained from sorting processes will be stored in designated hardstand areas prior to being transported off-site for recycling or disposal. For the purpose of traffic assessment, this has been assumed to occur on a daily basis.

The Bussell Highway, according to Main Roads WA traffic count data for the section of the highway nearest the site, has daily vehicle movements, Monday to Saturday, of 10,790 vehicles of which approximately 10% are heavy vehicles. BCP's daily traffic movements make up ~ 0.5% of these vehicles.

Traffic movements on site have been estimated based on the following assumptions:

- capacity of semi-trailers is 25-tonnes;
- capacity of truck and trailer combinations is 24-tonnes;
- site is operational 10 – 12 hours per day (crushing facility 8-hours); and
- the anticipated capacity of the recycling operations is 70 000 tonnes per year.

Table 6: Traffic Movements to and from site daily, weekly and annually

Vehicle Type	Purpose	No of traffic movements to and from site			
		Per day	Per week	Per month	Per year
Light	Staff / Visitors	50	300	1200	14,400
	BCP non-recycling	20	120	552	5760
Heavy	BCP recycling	12	72	288	3456
	Residue to landfill	1	5	21	250
Total		83	497	2061	23,866

Access to Cable Sands Road is from the dual lane Bussell Highway. A right-turn and left-turn slip lane are already in place on Bussell Highway, as well as truck warning signage, as shown in Attachment 4.

It is not expected that traffic movements will materially change at the site. The only difference being that some heavy vehicles will bring inert C&D waste to site or take recycled building products rather than arriving and leaving empty as they currently do.

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5.11 Landscaping

The site has vegetation on most boundary fences, providing a visual barrier. Infill plantings may be considered.

5.12 Security

BCP will endeavour to provide a safe and secure inert recycling facility for staff and the wider community. Fencing, lockable gates and an on-site caretaker will deter vandals and criminals. However, if security difficulties occur, security alarms, security patrols and CCTV cameras may be utilised. In addition, daily closing procedures are in place that specify that all buildings, offices, machinery and equipment will be locked and secured to unauthorised entry, use or theft is prevented.

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6. Justification / Benefits of the Proposed Development

There are a number of benefits associated with BCP's proposed inert C&D waste recycling facility. These can be categorised as benefits to the Shire, the local community and the environment.

The construction, demolition and maintenance works undertaken by BCP in the South West generate tens of thousands of tonnes per year of inert recyclable materials that currently are sent to landfill. BCP considers the installation of an inert recycling facility to be a natural progression for the company to reduce its natural resource use. The proposed site already has much of the infrastructure needed as well as good access to the Bussell Highway. The use of portable crushing and screening equipment enables BCP to relocate its inert recycling facility once the deferred development of Provenance Residential Estate occurs in five or more year's time. In this regard, BCP will only be requesting a 5-year development approval and DER Licence.

In 2010, C&D waste accounted for over 55% of all materials landfilled in WA. In addition, only 29% of C&D waste materials were recycled. However, this recovery rate is extremely low in comparison to the other States of Australia and developed international countries. The Western Australian Waste Strategy *Creating the Right Environment* (March 2012) has set a State-wide landfill diversion target for C&D materials of 60% by 2015, further increasing to 75% by 2020. These diversion targets represent a considerable improvement on the current recycling rate of 29% and will only be achieved with inert recycling facilities and appropriate waste collections systems. BCP is contributing to this target by proposing to establish a C&D recycling facility and diverting this waste from landfill. Consequently, BCP will also recover valuable resources and minimise the amount of virgin materials to be excavated.

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7. Environmental Aspects

To ensure that appropriate management measures are devised, BCP has identified all key potential environmental aspects associated with the proposed operations at the site. These include:

- Noise;
- Dust
- Asbestos;
- Odour;
- Stormwater;
- Traffic;
- Litter; and
- Vermin.

The source and potential impacts associated with these aspects are described in the following sections.

7.1 Noise

Noise emissions have the potential to affect amenity at the site and surrounding areas. Noise will be generated on site as a result of:

- The operation of equipment such as the crusher and screening plant;
- Vehicle movements on the site; and
- On site movement of materials such as tipping onto the tipping pad and loading the feed conveyor.

The *Environmental Protection (Noise) Regulations 1997* contain the allowable assigned noise levels at premises receiving such emission, as shown in **Table 7**. Under the Regulations, noise sensitive premises include residences and education facilities.

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Table 7: Assigned Noise Levels

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

The nearest noise sensitive premises are located north of the site in the Reinscourt area. These premises are located on land parcels generally greater than 5-acres in size. The nearest of these residents is approximately 450-metres from the proposed crushing and screening area (Image 1 below). Between these residents lies the dual carriageway, separated Bussell Highway. In addition, mature native vegetation is located along the road reserve and median strips providing a visual barrier for both residents and travellers.

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The area to the southeast, excluding the adjacent non-operating timber mill premises, is the deferred Satterley Provence residential area. Currently, residential development is more than 1 000-metres from the premises boundary. It is BCP's understanding that further residential development in this area is not expected to occur for at least five-years.

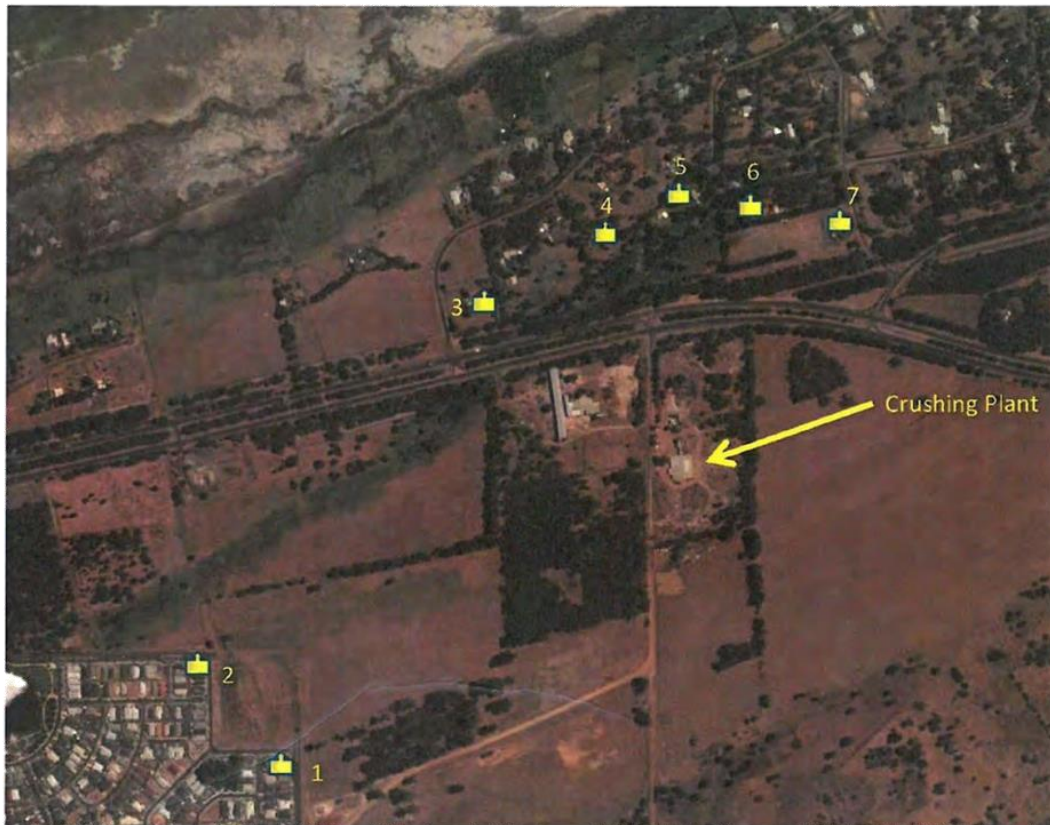


Image 1: Location of nearest sensitive premises to the 19 Cable Sands Road, Yalyalup.

The noise modelling assessment has shown that the compliance line for noise sensitive premises would still enable residential development to advance very close to the crushing plant without any need for additional noise mitigation measures to be put in place.

Noise modelling was undertaken to determine a feasible and practical noise mitigation strategy for crushing and screening operations on site. A series of noise mitigation options were investigated and the final preferred selected noise mitigation comprises the use of soil bund and sea-containers to form a 5.0-metre, four-sided enclosure with entry/exit points. The plant will be feed from a 2-metre high earth ramp via excavator.

The generation of noise can impact the welfare and amenity of the surrounding areas, if not appropriately managed. The noise management measures that will be adopted at the site are

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described in Section 9.1. The Environmental Noise Assessment Report is provided in **Appendix D**.

7.2 Dust

The proposed development has the potential to generate dust during a number of operational stages, including:

- Unloading of C&D waste material;
- Processing of C&D waste material;
- Movement of materials around the site;
- Storage of recycled building products and undesired materials; and
- Vehicle movements.

Access to the site is via a bitumen road. Existing movement of vehicles at the site generates little dust and as the number of truck movements is not expected to increase substantially an increase in dust generation is not expected to occur at the site. The unloading of waste material is likely to be the major component of dust generation at the site as the crushing and screening plant and associated stockpiles include water sprays to prevent / manage dust generation. Currently, dusty loads are wetted down before transport and this will continue to be the case. A water cart and road sprinkler system is currently in place to manage dust at the site.

The generation of dust may impact the welfare and amenity of the surrounding areas and cause health problems to workers at the site and surrounding land users if transported off site. The dust management measures that will be adopted at the site are described in Section 9.2.

7.3 Asbestos

Asbestos is a hazardous material utilised in construction works up to 1990 in WA. In respirable form it represents a serious risk to human health. As the site will accept inert waste materials there is the potential for asbestos containing material (ACM) to be brought on site within contaminated loads. There is also a risk that asbestos may contaminate the recycled building products generated at the site. Asbestos therefore represents a hazard to both personnel and contractors at the site, surrounding land users and the wider community.

The asbestos management measures that will be adopted at the site are described within Section 9.3.

7.4 Stormwater

Stormwater is generated as a result of precipitation onto buildings and uncovered area of the site. Rainwater is collected from the office buildings for ablutions and gardens. Stormwater runoff is currently directed to the low points of the site where it infiltrates into the ground. No stormwater leaves the premises. There is a sump on the premises that is used to provide

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water for ablutions, fire and dust suppression around the site (set up for the operation of the timber mill).

The proposed crushing and screening and handling area will be upgraded to include a properly compacted hardstand that will be graded to enable the collection of stormwater into a plastic-lined sump to collect any suspended solids and to enable this water to be re-used as dust suppression water. Any excess water will overflow into the existing stormwater drainage system. The existing stormwater drainage will not be impacted by this proposal. The sump has been designed to contain a 1 in 50 year, 24-hour rainfall event. Any collected solids in the sump will be removed during the summer months for recycling, to maintain winter storage capacity.

7.5 Traffic

Traffic movements on site will include:

- Entry and exit of delivery vehicles;
- FEL managing waste and recycle materials stockpiles;
- Collection vehicles for transportation of undesired materials off site; and
- Staff movements.

On site traffic movement has the potential to generate noise, dust and create an occupational health and safety risk to workers at the site. The number of traffic movements is not anticipated to increase significantly from current levels as the primary difference is that trucks currently arriving back at site empty will return with the clean C&D waste for recycling and or leave with the waste derived product.

The management measures that will be adopted to ensure that any impacts resulting from traffic movements at the site are appropriately managed are described in Section 9.5.

7.6 Litter

Litter may be generated at the site as a result of the movement of waste and poor housekeeping practices, especially during windy conditions. As well as reducing visual amenity, litter can attract vermin to the site and may affect surround land uses if allowed to migrate off site. BCP's proposal only involves the receipt and processing of inert C&D wastes, therefore the likelihood of litter is low.

The management measures that will be utilised to control the generation of litter at the site are described in Section 9.6.

7.7 Odour

Odour may be generated from the storage of odorous putrescible wastes at the site. Significant odour emissions may reduce amenity values for site workers and surrounding land users as

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well as attracting vermin. As no putrescible wastes will be accepted at the site, the likelihood for odour emissions is considered to be negligible.

Despite this, the management measures that will be implemented to ensure that potential odour impacts are appropriately managed on site are outlined in Section 9.7.

7.8 Vermin

Vermin such as rats, mice, birds and insects may be attracted to waste management facilities. If uncontrolled, vermin can present a health risk to site workers and surrounding land users. As the site will not accept food or other putrescible wastes, the potential for vermin to be attracted is negligible. Vehicle movements and use of machinery are also likely to deter vermin from the site.

The management measures that will be implemented to control vermin are outlined in Section 9.8.

7.9 Storage of Hazardous Materials

A workshop exists at the site for vehicle and plant maintenance. To enable these activities, hydrocarbons and other chemicals are used. Hydrocarbons at the site consist of lubricants (oils, greases), fuel for generators, paint spray packs and some sealants. Other chemicals at the site include cleansers and degreasers. In addition, waste oils are stored at the site for recycling. The quantity of hazardous materials is less than the prescribed quantity required for a dangerous goods licence.

Typically engine and hydraulic oil is received on site in 200-litre drums with other lubricants and fuel in 20-litre drums or smaller containers. Cleansing fluids and degreasers also typically come in 20-litres containers. These are all stored within the workshop area. 20L and 200L containers are stored on bunded pallets or a bunded area so that any spillage is contained for cleaning up using spill kits. In addition, there is a bunded 2 000-litre tank used to store waste oil for recycling.

Table 8 outlines typical types and quantities of Hazardous materials stored at the site.

Table 8: Summary of Hazardous Materials held on Site

Type	Typical Container Size	Typical Quantity Held	Comments
Engine Oils	200L drums	1 000 Litres	Held on bunded pallets
Hydraulic Oils	200L drums	1 000 Litres	Held on bunded pallets
Brake fluid	5L bottles	10 Litres	

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Gearbox Oils	20L buckets	60 Litres	
Greases	20L buckets	60 Litres	
Petrol	20L Jerry Cans	60 Litres	For portable generators
Oxygen & Acetylene	Tanks	4 tanks	
LPG	9 Kg		
LPG	25 Kg		For forklift
Spray Paint	375 gm cans		
Waste Oil		2 000 Litre Tank	Bunded
Herbicide	5L	5L	Weed & grass control

The management measures that will be implemented to manage hazardous materials are outlined in Section 9.

7.10 Environmental Risk Assessment of Environmental Aspects

Environmental risk assessments are undertaken to determine the level of risk the environmental aspects may have on site workers and surrounding land users. The accompanying risk rating can then be used to determine the level of management measures needed to minimise or negate that level of risk.

The environmental risk assessment for BCP's proposed C&D recycling proposal, construction and operation is shown in Tables 8 and 9. The environmental management measures to be employed are outlined in **Section 9**.

BCP believes that its environmental management measures will ensure that all environmental risks can be appropriately managed to a risk rating of Low.

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Table 9: Construction Environmental Risk Assessment Summary

Risk Factor	Significance of Emissions	Potential Risk	Management Measures / Regulatory Control	Actual Risk
Air Emissions	1 – insignificant	Low	Site speed limited to 10 km/h Water cart available at all times	Low
Dust Emissions	1 – insignificant	Low	Site speed limited to 10 km/h Water cart available at all times	Low
Odour Emissions	N/A		S49 Environmental Protection Act 1986	Low
Noise Emissions	1 – insignificant	Low	Only construct during daylight hours – 7AM – 5PM Environmental Protection (Noise) Regulations 1997	Low
Light Emissions	N/A		S49 Environmental Protection Act 1986	
Discharges to Water	N/A		Environmental Protection (Unauthorised discharge) Regulations 2004 Collection of site stormwater in Stormwater sumps	
Discharges to Land	N/A		Environmental Protection (Unauthorised discharge) Regulations 2004	
Solid / Liquid Waste & Hydrocarbon Chemical Storage /	1 – insignificant	Low	Spill management plan, equipment and training;	Low
Native Vegetation	N/A		No vegetation clearing required	

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Table 10: Operations Environmental Risk Assessment Summary

Risk Factor	Significance of Emissions	Potential Risk	Management Measures / Regulatory Control	Actual Risk
Air Emissions (Asbestos)	1 – insignificant	Low	<ul style="list-style-type: none"> Site speed limited to 10 km/h Water cart available at all times 	Low
Dust Emissions	1 – insignificant	Low	<ul style="list-style-type: none"> Site speed limited to 10 km/h Water cart available at all times 	Low
Odour Emissions	1 – insignificant	Low	<ul style="list-style-type: none"> S49 Environmental Protection Act 1986 	Low
Noise Emissions	1 – insignificant	Low	<ul style="list-style-type: none"> Environmental Protection (Noise) Regulations 1997 	Low
Discharges to Water	1 – insignificant	Low	<ul style="list-style-type: none"> Environmental Protection (Unauthorised discharge) Regulations 2004 Collection of site stormwater in a stormwater sump 	Low
Discharges to Land	N/A		<ul style="list-style-type: none"> Environmental Protection (Unauthorised discharge) Regulations 2004 	
Solid / Liquid Waste & Hydrocarbon / Chemical Storage	1 – insignificant	Low	<ul style="list-style-type: none"> Spill management plan, equipment and training; Used of bunded pallets. Ablution waste to an approved septic system. 	Low

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8. Community Consultation

Community consultation is an important part of BCP's vision for setting up an inert recycling facility at this site. BCP has been in regular contact with the City of Busselton, the Lot owner and adjacent landowners.

8.1 Community Consultation Programme

No formal community consultation has taken place during the preparation of this EAMP as it is anticipated that consultation will occur during the various advertising requirements through the Local and State Government approval processes.

BCP has been liaising closely with the City of Busselton over this proposal and will take further advice on the need for additional consultation, such as a stakeholder information session.

8.2 Community Consultation Feedback

The key issues that have been raised by the City of Busselton are summarised below:

- The deferred development zoning means that operations would need to have a defined duration so as not to impact the longer-term Provence residential development;
- Traffic impacts on Bussell Highway from increased traffic, notwithstanding that the proposed recycling facility is unlikely to see any marked increase in traffic using Cable Sands Road; and
- Ensuring noise does not detract from Reinscourt residences.

8.3 Further Consultation

BCP is proposing to utilise the advertising requirements under Local and State Government approval processes to determine the need for any additional consultation.

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9. Environmental Management Measures

9.1 Noise Management

There are several sources of noise associated with the proposed development including operation of equipment and machinery, vehicle movements and the movement of materials. Currently, the most significant source of noise is the movement of vehicles at the site.

To ensure that noise emissions are minimised, the following measures will be implemented on site:

- Noise emissions from site operations will be controlled to ensure compliance with the Noise Regulations including:
 - Crushing and screening is undertaken within a 5.0-metre high three-sided structure; and
 - Excavator is operating from a 2.0-metre high earth ramp and feeds material into the crusher inside the enclosure.
- Waste receipt and operation of equipment and machinery on site will be restricted to operational hours only;
- Vehicles will be restricted to a maximum speed of 10 km/h at the site;
- Noise reducing workplace procedures will be adopted such as tipping waste onto the tipping and storage areas slowly and from the lowest high possible;
- Vegetation screens will be maintained; and
- All equipment and machinery will be maintained in good working condition.

Noise modelling conducted for the site demonstrates that the management measures listed above will be sufficient to appropriately manage noise emissions at the site and ensure compliance with the *Environmental Protection (Noise) Regulations 1997*. The Noise Assessment Report is provided in **Appendix D**.

9.2 Dust Management

To manage the generation of dust on site, BCP will implement the following management measures:

- The crushing and screening system will include an in-built dust suppression system consisting of sprinklers over the hopper, end of conveyor and other discharge points;
- A sprinkler system will be incorporated within the material acceptance, processing and storage areas;
- Vehicles will be restricted to a maximum speed of 10 km/h at the site;
- Site operations will be stopped during periods of high winds;
- All inert waste materials will be confined within the designated storage area;

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- Undesired materials such as non-recyclable inert materials, timber, metal and plastics will be stored in designated hardstand areas prior to being transported offsite for recycling or disposal;
- Vegetation screens will be maintained;
- Materials will be dampened before processing; and
- A water cart will be used on site as required (mainly on internal roads).

During the dry summer months, additional water for dust suppression will be supplied from BCP water carts.

It is anticipated that the implementation of the engineering and management measures list above will be sufficient to manage dust at the site. A Dust Management Plan for the site is provided in **Appendix C**.

9.3 Asbestos Management

To minimise the potential for asbestos or ACM to be received at the site, generation of asbestos emissions and the contamination of the recycled building products, the following management measures will be put in place:

- The requirement for no asbestos to be contained in incoming loads is clearly communicated to BCP customers;
- All loads will be inspected at the tipping area where the risk of each load containing asbestos will be assessed. Once a risk classification has been allocated, the load will be removed to the designated low or high risk stockpile;
- If suspect ACM is identified during the waste inspection but is not able to be easily removed by hand, the load will be assumed to be contaminated, reloaded and directed off site to an appropriate disposal facility;
- If suspect material is able to be removed by hand it will either be assumed to be ACM, put into an appropriate container or wrapped and transported to an appropriate disposal site, or it will be further tested on site;
- Staff will continue to inspect materials for asbestos or ACM during processing and, if suspect material is identified, BCP will stop operations and handle material according to the product testing procedure; and
- Dust management procedures will be implemented to reduce the potential for asbestos fibres to be released.

An Asbestos Management Plan is attached at **Appendix B**. The Asbestos Management Plan has been prepared in accordance with DER's *Guidelines for managing asbestos at construction and demolition waste recycling facilities*. The Asbestos Management Plan will be implemented as soon as stockpiling at the site commences.

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9.4 Stormwater Management

To ensure that stormwater on site is appropriately managed, the following management measures will be adopted:

- Rainfall onto offices will be stored for ablution and garden use;
- Rainfall onto other buildings will flow into existing drainage system;
- Stormwater from traffic areas and other parts of the site will be collected in the existing drainage system; and
- Stormwater from the recycling area will be directed to a plastic lined sump with the water reused for dust suppression and solids placed back in stockpiles for recycling.

The recycling area sump has been designed to cater for a 1:50 year 24 hour rainfall event. The recycling area has been constructed on an elevated part of the site so that all stormwater from the proposed crushing and screening and storage facility can be managed separately.

9.5 Traffic Management

To minimise any potential impacts of traffic movements at the site, the following management measures will be implemented:

- A maximum speed of 10 km/h will be applied to all vehicles on site and clearly displayed at the entry to the site;
- All vehicles will be maintained in good working condition; and
- All vehicles will be required to comply with the traffic management system at the site.

Initially the number of vehicle movements is not expected to increase as a result of this development. However, it is envisaged that other businesses may wish to use the services of this site, thereby increasing traffic movements on site. However, it is anticipated that these measures will be sufficient to manage traffic at this site in the future.

The existing access from Bussell Highway is adequate to support any additional vehicle movements to and from the site.

BCP will monitor the number of traffic movements at the site to ensure that any potential impacts of increased traffic movement are appropriately managed using current measures.

9.6 Litter Management

Due to the nature of the proposed BCP operations, the generation of litter is anticipated to be minimal.

To ensure that the generation of litter is minimised and appropriately managed at the site, the following management measures will be implemented:

- Undesired materials will be stored in designated hardstand areas prior to being transported off-site for recycling or disposal;

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- The security fence around the perimeter of the premises will be maintained to ensure that any litter generated is not able to migrate to neighbouring premises; and
- Any litter generated around the site and along the fence lines will be collected on a daily basis as part of routine housekeeping procedures.

These management measures are anticipated to enable BCP to appropriately manage litter at the site.

9.7 Odour Management

To ensure that the generation of odour at the site is appropriately minimised and managed, the following management measures will be implemented:

- Customers will be informed that only inert materials will be accepted;
- Loads from BCP sites will be inspected upon collection and not removed to site until free of undesired materials;
- All loads will be inspected when unloading;
- Undesired materials will be stored in designated hardstand areas prior to be transported off site for recycling or disposal;
- If any odorous materials are found these will be scheduled to be removed from the site as soon as practicable; and
- Staff will observe odour levels at the site during their day-to-day activities and action taken if required.

It is anticipated that these management measures will enable BCP to appropriately manage potential odour impacts at the site.

9.8 Vermin Control

To control vermin at the site, the following management measures will be implemented:

- Customers will be informed that only inert materials will be accepted;
- Loads from BCP sites will be inspected upon collection and not removed to site until free of undesired materials;
- All loads will be inspected when unloading;
- Undesired materials will be stored in designated hardstand areas prior to be transported off site for recycling or disposal;
- The generation of odour and litter will be minimised through the implementation of appropriate management measures including waste inspection; and
- Should any significant vermin issues be experienced, BCP will utilise professional services to eradicate vermin at the site.

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These management measures are anticipated to adequately manage vermin at the site.

9.9 Hazardous Materials Management

To manage hazardous materials at the site, the following management measures will be implemented:

- All hazardous materials will be stored in the maintenance shed area;
- Bunded pallets will be used to store 200L and 20L containers of hazardous materials;
- Waste oil will be stored in a bunded container;
- Spill kits will be located in readily accessible locations; and
- All spills and leaks will be reported in a Site Incident Register.

9.10 Vehicle Washdown

A vehicle washdown will be installed near the maintenance area to enable the cleaning down of vehicles and plant. To manage the vehicle washdown, the following management measures will be implemented:

- All washwater will be collected in a plastic lined sump to enable removal of solids for disposal;
- The use of a low volume, high pressure cleaner; and
- Use of biodegradable cleansers (if required).

9.11 Security

The site is surrounded by a 1.8-metre high chain wire fence and there is also an on site caretaker. The entrance gate to the site is closed outside operational hours to ensure access for unauthorised vehicles and persons is restricted. To ensure the security of the site is not compromised, the following practises will be adhered to:

- The perimeter fence will be inspected and maintained on a regular basis;
- The entrance gate will be locked securely outside of operational hours; and
- Should security issues be experienced, BCP will investigate installing an onsite alarm system and internal and external CCTV system.

9.12 Community Liaison

BCP will maintain a register for complaints relating to their operations at the site. The complaints register will be maintained to provide surrounding land users and members of the community an opportunity to record any concerns regarding operations at the site. Any comments will be given due consideration by BCP and responded to if required.

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9.13 Summary of Proposed Management Measures

A summary of the proposed management measures to be implemented at the site is shown in **Table 11**.

Table 11: Summary of Proposed Management Measures

Aspect	Management Measures
Noise	<ul style="list-style-type: none">Noise emissions from site operations will be controlled to ensure compliance with the Noise Regulations including:<ul style="list-style-type: none">Crushing and screening will occur within a 5.0-metre high three-sided structure; andExcavator is operating from a 2.0-metre high earth ramp and feeds material into the crusher inside the enclosure.Waste receipt and the operation of the equipment and machinery on site will be restricted to operational hours – 7am to 5pm, Monday to Saturday.Vehicles will be restricted to a maximum speed of 10 km/h at the site;Noise reducing workplace procedures will be adopted such as tipping waste onto the tipping and storage areas slowly and from the lowest height possible;The use of reverse beepers as a safety strategy will be replaced with alternative safety devices (where practical and appropriate);Vegetation screens will be maintained; andAll equipment and machinery will be maintained in good working order.
Dust	<ul style="list-style-type: none">The crushing and screening system will include an in-built dust suppression system consisting of sprinklers over the hopper, end of conveyor and other discharge points;A sprinkler system will be incorporated within the material acceptance, processing and storage areas;Vehicles will be restricted to a maximum speed of 10 km/h at the site;Site operations will be stopped during periods of high winds;All inert waste materials will be confined within the designated storage area;Undesired materials such as non-recyclable inert materials, timber, metal and plastics will be stored in designated hardstand areas prior to being transported offsite for recycling or disposal;Vegetation screens will be maintained;Materials will be dampened before processing; andA water cart will be used on site as required (mainly on internal roads).

BCP_C&D Recycling Plant_EAMP_June 15

Aspect	Management Measures
Odour	<ul style="list-style-type: none"> Customers will be informed that only inert materials will be accepted; Loads from BCP sites will be inspected upon collection and not removed to site until free of undesired materials; All loads will be inspected when unloading; Undesired materials will be stored in designated hardstand areas prior to be transported off site for recycling or disposal; If any odorous materials are found, these will be scheduled to be removed from the site as soon as practicable; and Staff will observe odour levels at the site during their day-to-day activities and action taken if required.
Stormwater	<ul style="list-style-type: none"> Rainfall onto offices will be stored for ablution and garden use; Rainfall onto other buildings will be collected in the existing drainage system. Stormwater from traffic areas and other parts of the site will be collected in the existing drainage system; and Stormwater from the recycling area will be directed to a lined sump with the water reused for dust suppression and solids placed back in stockpiles for disposal.
Traffic	<ul style="list-style-type: none"> A maximum speed of 10 km/h will be applied to all vehicles on site and clearly displayed at the entry to the site; All vehicles will be maintained in good working condition; and All vehicles will be required to comply with the traffic management system at the site.
Litter	<ul style="list-style-type: none"> Undesired materials will be stored in designated hardstand areas prior to being transported off-site for recycling or disposal; The security fence around the perimeter of the premises will be maintained to ensure that any litter generated is not able to migrate to neighbouring premises; and Any litter generated around the site and along the fence lines will be collected on a daily basis as part of routine housekeeping procedures.
Vermin	<ul style="list-style-type: none"> Customers will be informed that only inert materials will be accepted; Loads from BCP sites will be inspected upon collection and not removed to site until free of undesired materials; All loads will be inspected when unloading; Undesired materials will be stored in designated hardstand areas prior to be transported off site for recycling or disposal; The generation of odour and litter will be minimised through the implementation of appropriate management measures including waste inspection; and Should any significant vermin issues be experienced, BCP will utilise professional services to eradicate vermin at the site.
Hazardous Materials	<ul style="list-style-type: none"> All hazardous materials will be stored in the maintenance shed area; Bunded pallets will be used to stored 200L and 20L containers of hazardous materials;

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Aspect	Management Measures
	<ul style="list-style-type: none"> Waste oil will be stored in a bunded container; Spill kits will be located in readily accessible locations; and All spills and leaks will be reported in a Site Incident Register.
Vehicle Washdown	<ul style="list-style-type: none"> All washwater will be collected in a 2-stage lined sump to enable removal of solids for disposal; The use of a low volume, high pressure cleaner; and Use of biodegradable cleansers (if required).
Security	<ul style="list-style-type: none"> The perimeter fence will be inspected and maintained on a regular basis; The entrance gate will be locked securely outside of operational hours; and Onsite alarm system and internal and external CCTV system will be utilised if security on site becomes a concern.
Community Liaison	<ul style="list-style-type: none"> A register for community and surrounding land users to raise concerns will be maintained and responded to as required.

BCP_C&D Recycling Plant_EAMP_June 15

10. Conclusion

BCP wishes to develop a C&D waste recycling facility to complement its civil construction and demolition activities by reducing recyclable waste to landfill and reducing their need for basic raw materials.

This Environmental Assessment and Management Plan (EAMP) forms part of the documentation required to progress the Local and State Government approvals. The current process being pursued by BCP involves an application for Development Approval through the City of Busselton and a works approval (and subsequent licence) under Part V of the *Environmental Protection Act 1986* through the Department of Environment Regulation.

BCP currently generates a range of source separated materials including concrete, bricks, asphalt, gravel and soils through its civil construction and demolition works. These materials can be processed at inert recycling facilities to generate a range of Recycled Building Products, including recycled roadbase and drainage rock, aggregates and soil. This proposal will divert up to 70,000 tonnes of inert recyclable waste from landfill a year to enable its reuse. This will assist the City of Busselton and the State reduce waste volumes to landfill, increase waste recovery and improve resource efficiency by avoiding natural resource consumption.

This EAMP provides the site design of BCP's proposed C&D recycling facility. The design has been developed to ensure that it is functional, efficient and is designed to best suit the site constraints and ensure no unacceptable impacts to the environment or amenity for the surrounding area. The site design incorporates best practice design solutions to achieve BCP's strategic objective of providing quality recycled building products. To ensure the potential environmental impacts identified in this EAMP will be appropriately minimised and managed, BCP will implement the engineering and management measures described in Section 9. These measures cover noise, dust, asbestos, stormwater, traffic, litter and vermin management, security and community liaison.

The main environmental impacts associated with recycling operations include noise and dust. A number of dust management measures will be implemented to control dust from the operations including; water suppressions systems, sprinklers and operational restrictions during windy periods. Noise modelling for the site has been conducted to demonstrate compliance with the Noise Regulations. As a result of this work, the operations will include a 5.0-metre high three-sided enclosure and the excavator will operate from a 2.0-metre high earth ramp. The proposed plan for the site will also maximise the distance of operations to the nearest receptors. These measures will ensure compliance with the requirements of the *Environmental Protection (Noise) Regulations 1997*.

Dust and noise management measures (as well as the range of other proposed measures) will be implemented to ensure that any potential emissions from the area can be appropriately managed and controlled. In summary, it is demonstrated that this proposal can be progressed without any unacceptable impact to the environment and the surrounding land users.

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11. References

DER Guidelines for Managing Asbestos at Construction and Demolition Waste Recycling Facilities, 2012

DER Environmental Guidelines for Construction and Demolition Waste Recycling Facilities, 2009

DER Guidance Statement: Regulating the Use of Waste-derived Materials, 2014

DER Material Guideline: Construction Products, 2014

DoW WIR Database

Environmental Protection Act 1986

Environmental Protection Regulations 1987

Environmental Protection (Controlled waste) Regulations 2004

Environmental Protection (Noise) Regulations 1997

EPA Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses, 2005

Landfill Waste Classification and Waste Definitions 1996 (as amended December 2009)

The City of Busselton Local Planning Scheme No. 21, 2014

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ATTACHMENT 2:

Aerial Image of Site in relation to surrounding uses



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Attachment 3 - Site Plan



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ATTACHMENT 4:

Dual carriageway, separated Bussell Highway with Slip Lanes





C&D Recycling Plant

ASBESTOS MANAGEMENT PLAN

Lot 6, 19 Cable Sands Road, Yalyalup

June 2015

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Glossary

Asbestos Containing Material (ACM)

Products or materials (including fragments) that contain asbestos in an inert bound matrix such as cement or resin in a sound condition and in a form that cannot pass through a 7mm × 7mm sieve.

Asbestos Fines/Fibres (AF)

Small asbestos fibre bundles, free asbestos fibres and also ACM fragments that can pass through a 7mm × 7mm sieve.

Asbestos Management Plan (AMP)

A specific asbestos management plan required by the Department of Environment Regulation to be provided as part of any works approval and licensing approval of a prescribed premises where asbestos contamination could possibly be received. The plan for C&D is to be prepared in accordance with the *Guidelines for managing asbestos at construction and demolition waste recycling facilities, December 2012*.

Construction and Demolition (C&D) Waste

Materials in the waste stream which arise from construction, refurbishment or demolition activities.

Fibrous Asbestos (FA)

Friable asbestos material, such as severely weathered ACM and asbestos in the form of loose fibrous material such as insulation products. Friable asbestos is material that is in a degraded condition such that it can be broken or crumbled to a powder form by hand pressure.

Waste-derived Material (WDM)

Means a material that has been produced wholly or partly from waste.

BCP_C&D Recycling Plant_EAMP_June15

1. Introduction

1.1 Busselton Civil & Plant Hire

Busselton Civil & Plant Hire (BCP) is a local Busselton business that has been conducting sand and gravel, civil engineering, demolition and liquid waste collection for the last 18 years. Due to the rising cost of landfill disposal and a desire to reuse the clean demolition waste currently sent to landfill, BCP is setting up a C&D recycling facility at its Cable Sands Road site at Yalyalup ~ 5-km east of Busselton.

Under the Environmental Protection Regulations 1987 this activity is classified as a Prescribed Premises Category 13 – Crushing of Building Material.

BCP has prepared supporting information including a Dust Management Plan and Noise Modelling and Management Plan. This information was compiled and summarised within an Environmental Assessment & Management Plan (EAMP), which demonstrated that the proposed operations were unlikely to have any significant impact on the environment or amenity or the surrounding land-uses.

As part of the licensing process the DER requires an Asbestos Management Plan be prepared for the operations.

1.2 C&D Recycling Facilities

Inert materials storage facilities generally store or stockpile a range of products on site including those derived from construction and demolition (C&D) waste which predominantly consists of inert materials such as bricks, concrete, paving slabs, tiles, sand and gravel. These materials can be processed at inert recycling facilities to generate a range of recycled building products including road bases, drainage medium, sand and aggregates (generally referred to as waste-derived material (WDM's)). Asbestos is a hazardous material utilised extensively in the construction of buildings and structures until 1990. Therefore there is a risk that asbestos, asbestos containing material (ACM), fibrous asbestos (FA) or asbestos fines/fibres (AF) may be received at C&D recycling facilities presenting health risks to staff and the wider community.

In recognition of this, the DER is in the process of improving the management of asbestos at such facilities (including Category 13 and Category 62 Prescribed Premises facilities) through amendments to their Licences under part V of the *Environmental Protection Act 1986*.

To assist facilities to improve the management of asbestos and comply with the new Licence conditions, in December 2012 the DER released *Guidelines for managing asbestos at construction and demolition waste recycling facilities*.

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1.3 Scope of AMP

The AMP will provide a systematic approach to be adopted by BCP to further minimise the unlikely risk of asbestos being brought to site and to provide management in the event that asbestos is identified onsite.

The AMP has been developed to minimise the potential for:

- Asbestos or ACM to be received and processed at the Site; and
- Asbestos emissions to be generated within and from the Site.

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2. Background

The following Section provides an outline of the key characteristics on and surrounding the Site that are relevant to the monitoring to be undertaken prior to and during commissioning.

2.1 Location and Description

The Site is located at Lot 6 (19) Cable Sands Road, Yalyalup and covers an area of 7.75 hectares. The site is within the City of Busselton and was originally a timber mill. The site is zoned "Special Zoning – Deferred Development". The deferred (residential) development is not expected to occur for at least 5 years.

Access is provided from Bussell Highway directly onto Cable Sands Road.

2.2 Surrounding Land Uses

The Bussell Highway runs along the northern boundary. Immediately to the west is an abandoned timber mill, then farming land before meeting the Provenance residential estate. Farming land is also to the south and east of the Site. On the north side of the Bussell Highway is the Reins Court bushland estate, and then the Wonnerup wetland.

2.3 Separation Distances

The Environmental Protection Authority's (EPA) Guidance for the Assessment of Environmental Factors No. 3 – Separation Distances between Industrial and Sensitive Land Uses (2005) contains recommended minimum separation distances between these two land-use categories to ensure that the potential environmental impacts of the industrial land use are maintained within appropriate levels. Sensitive land-uses are defined as those that are sensitive to industrial or associated emissions and include residential developments, schools, hospitals, shopping centres and other public areas and buildings. The nearest residential development is the Provenance residential estate $\geq 1\ 000$ -metres to the west and southwest of the site. The Georgiana Molloy School located on the eastern edge of Provenance is $\sim 1\ 500$ -metres away. The nearest dwelling is located in the Reinscourt bushland estate ~ 350 -metres north of the proposed processing facility and Bussell Highway. The next two closest dwellings are located ~ 430 -metres away.

The recommended separation distance for a Category 13 – Crushing of Building Material is $1\ 000$ -metres. The Georgiana Molloy School and Provenance residential estate meet the recommended minimum separation distance. Although some dwellings in the Reinscourt estate do not meet the recommended separation distance the environmental management measures proposed in the EAMP will ensure that there are no unacceptable impacts on these properties.

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2.4 Climate Information

To understand the potential impact, climatic conditions data was obtained from the Bureau of Meteorology (BOM). The Busselton Airport is the nearest station to the Site (~ 4-km to the south).

2.5 Proposed Operations

This AMP covers the proposed storage of inert materials at the site. This will involve vehicle movements along existing roads with the site in order to drop off materials within a designated storage area as shown in Attachment 3.

2.6 Site Procedures

This section describes the procedures that will be undertaken at the Site in relation to the management of asbestos and ACM. A full description of the Site's operational procedures is contained within the EAMP.

2.7 Pre-Acceptance

To minimise the potential for asbestos or ACM to be brought to Site, BCP will ensure that the requirement for no asbestos to be contained in incoming loads is clearly communicated to customers through:

- Information provided on BCP's website and price lists;
- Responses to telephone and email enquires; and
- Signage at the entrance to the Site.

As well as accepting material from its own operations, BCP may form agreements with regular commercial contractors for the receipt of source separated inert materials at the Site. BCP will generate a written agreement with these contractors specifying:

- Criteria for loads such as acceptable and unacceptable materials;
- Rates;
- Payment and administration procedures; and
- Compliance with the EAMP.

BCP anticipates that these agreements will ensure that the quality of the materials received at the Site will be high, as well as improving understanding and compliance with its EAMP.

2.8 Materials Acceptance

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All loads brought to Site will be subject to inspection. Contractors will be required to sign a customer warranty form for each vehicle to confirm that the load does not contain asbestos. If any loads are identified to contain asbestos or ACM, or if the contractor declines to sign the warranty form, entry to the Site will be reused.

In circumstances where asbestos or ACM is identified within the loads, contractors will be charged a monetary penalty and directed to an appropriate (licensed) disposal facility.

BCP will maintain records of all refused loads, as well as those found to contain asbestos or ACM at any stage during inspection or processing. These records will include:

- Source of materials;
- Materials carrier;
- Vehicle registration number; and
- Date of rejection.

2.9 Materials Handling

All loads will be visually inspected for asbestos and ACM while being unloaded prior to stockpiling. If suspect ACM is identified, the load will be reclassified as "high risk" and treated according to the procedure below. If suspect FA or AF is identified, the load will be isolated, kept wet and contained and transported according to the *Environmental Protection (Controlled waste) Regulations 2004* to an appropriate disposal facility.

For loads in which no suspect material is identified, the material will be stockpiled in accordance with normal operating procedures.

2.9.1 High Risk Loads

Loads classified as high risk will be unloaded and spread to allow a visual inspection to be conducted.

For load in which suspect ACM is identified and the suspect material is able to be removed by hand, it will either be:

- Assumed to be ACM, isolated, triple bagged and sealed and then transported to an appropriated disposal facility;
- Isolated and samples removed for potential testing. BCP will consider the potential value of the material to assist in determining whether further investigation would be worthwhile, if testing identifies that:
 - The material does contain asbestos, it will be transported to an appropriate disposal facility; or
 - The material does not contain asbestos, it will be returned to the appropriate stockpile prior to processing.

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If suspect ACM is identified but is not able to be easily removed by hand, the load will be assumed to be contaminated, isolated and taken to an appropriate disposal facility.

2.9.2. Interpretation of Results

Based on the information contained within the laboratory analysis, BCP will determine the appropriate method for further handling of the material. If asbestos is not identified above the acceptable level in the materials, the material will be stockpiled as part of the normal operations. If asbestos is identified within a soil sample at concentrations greater than the 0.001%w/w minimum level, there are several options for further handling of the stockpile including:

- Considered as potentially contaminated and taken off-site for appropriate disposal;
- Subject to procedures to remediate the contamination; or
- Subject to further analysis to demonstrate that it meets the relevant criteria.

BCP will select one of these options on a case by case basis in according to the results and circumstances specific to that stockpile.

In all instances, BCP will investigate the likely cause of the contamination and implement measures to prevent reoccurrence. Details of this process will be retained as part of BCP's commitment to records keeping outlined within its EMS.

2.3 Dust Management

BCP recognises that managing dust emissions at the Site will assist in reducing the potential for asbestos fibres to be released. As part of the implementation of the EMS and to satisfy the requirements of the Asbestos Guidelines, BCP has prepared a Dust Management Plan for the Site. The Dust Management Plan include identification of potential sources of dust emissions as well as the engineering and management measures that will be implemented at the Site to ensure that dust emissions are managed appropriately.

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3. Responsibilities and Training

It is the responsibility of all BCP personnel to ensure that this AMP is implemented and asbestos is managed appropriately at the Site. This section outlines the specific responsibilities of BCP personnel and the training that will be provided to ensure that these responsibilities are carried out.

3.1 Responsibilities

The responsibilities of each BCP staff member in relation to asbestos management are shown in Table 1.

Table 1: Personnel Roles and Responsibilities

Position	Responsibilities
Site Manager	<ul style="list-style-type: none">Ensuring implementation of the EMS and associated management plans;Inspection of incoming loads;Refusing loads and imposing penalties as required;Record keeping
General Operators	<ul style="list-style-type: none">Undertaking waste inspection and processing;Managing stockpiles;Isolating and storing asbestos;Labelling;Ensuring safe transportation of asbestos
Quality & Systems Manager	<ul style="list-style-type: none">Conducting sampling (where necessary);Managing testing process and results;Managing record keeping;Ensuring compliance with legislative requirements;Ensuring implementation of the EMS and associated management plans;Occupational Health and Safety

In addition to the BCP staff, external personnel have responsibilities as part of the implementation of the AMP including:

Contractors:

- Ensure no asbestos or ACM is delivered to the Site;
- Sign the Customer warranty form;
- Implement BCP's EMS

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Laboratory Staff

- undertake analysis according to the requirements of the Asbestos Guidelines; and
- provide results and analytical reports in a timely manner.

BCP will communicate these responsibilities to the relevant personnel and, where possible, incorporate these into agreements with these parties. In the event that external personnel are not able to fulfil these responsibilities, BCP will terminate their involvement in operations at the Site.

3.2 Training

To ensure that all personnel have the knowledge and understanding to fulfil their responsibilities in relation to asbestos management, BCP will conduct staff training.

As part of the initial implementation of their AMP and as part of the staff induction process in the future, BCP will provide training to all personnel in the following aspects of asbestos management at the Site:

- Risks associated with asbestos including
 - Health hazards;
 - Environmental risks;
 - Risks to the business in relation to compliance;
- Use of personal protective equipment;
- Identification of asbestos;
- Overview of site operating procedures; and
- Relevant legislation, guidelines and site specific documentation including this AMP, EMS and DER Licence.

In addition staff will receive detailed training on the site operating procedures relevant to their particular roles and responsibilities such as:

- Material Acceptance:
 - Visual inspection;
 - Rejection of loads;
- Material Inspection:
 - Unloading low and high risk loads;
 - Inspection of low and high risk loads;
 - Separating potential asbestos or ACM;
 - Storage pending disposal of potential asbestos or ACM;
 - Transportation and disposal of potential asbestos or ACM;

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- Waste Handling:
 - Visual inspection;
 - Stockpile management; and
- Record keeping.

To ensure that the required level of knowledge and understanding is maintained, BCP personnel will receive refresher training every two years.

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C&D Recycling Plant

DUST MANAGEMENT PLAN

Lot 6, 19 Cable Sands Road, Yalyalup
June 2015

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1.1 Overview

Busselton Civil & Plant Hire (BCP) propose to install a construction and demolition (C&D) crushing and screening facility at Lot 6 (19) Cable Sands Road, Yalyalup. This site is the main office, parking and maintenance site for BCP's operations. Access to the site is from Bussell Highway onto the bitumen sealed Cable Sands Road.

BCP will utilise the old timber stockpiling area for the proposed crushing and screening and stockpiling. This entails the cleaning up of the area then reshaping followed by upgrading the hardstand surface and installing a stormwater sump.

The crushing and screening facility will receive clean C&D wastes that will be stockpiled prior to crushing and screening and re-stockpiling. The recycled products will be removed as required.

The proposed operation is unlikely to see any substantial increase in truck movements to the site. Crushing and screening activity will occur between 7AM and 5PM Monday to Saturday.

1.2 Nature of Site

Lot 6 (19) Cable Sands Road, Yalyalup is a flat block of land adjacent to the Bussell Highway.

The site retains limited natural vegetation. The crushing and screening proposal requires no additional clearing of this vegetation, as the proposal will use the old, cleared, stockpiling area. The existing vegetation provides visual protection from all directions with the exception of a small area facing onto Cable Sands Road.

The area needed for the crushing and screening plant is approximately 0.5 Ha. With the exception of existing roadways, parking and laydown areas the soil is covered by grasses and weeds. The nuisance potential of the soil when disturbed is considered low to medium.

1.3 Proximity of Site to Other Land Uses

The nearest residences (Reincourt) are located ~ 450-metres to the north of the proposed site and on the other side of the Bussell Highway. The nearest Provence residences are located more than 1 000-metres to the southeast. Opposite Lot 6 is an abandoned timber mill. An adjacent property at the end of Cable Sands road is used for plant and machinery storage by LD Developments

The Site Classification Score for the proposed crushing and screening plant using DER's Guidelines for Managing the Impacts of Dust & Associated Contaminants from Land Development Sites, Contaminated sites, Remediation and Other Related Activities (January 2011) is 144. This equates to a site classification of 1, which equates to a negligible risk.

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Notwithstanding the low dust risk likely associated with the development and operation of the crushing and screening operation at Lot 6, the following dust management measures will be in place to prevent dust becoming a nuisance or an issue.

Construction Management

- A water cart will be available at all times during grading and reshaping activities;
- A water cart will be available at all times when hardstand upgrading occurs;
- Topsoil material will be windrowed less than 1-metre high around the edge of the hardstand area; and
- Machinery speed will be restricted to 10 km/h.

Traffic Management

Site speed limited restricted to 10 km/h;

- One way traffic route;
- Internal roads will be kept moist; and
- Internal roads will be kept maintained.

Stockpile Management

- All stockpiles will be kept moist
- All material will be wetted prior to stockpiling from the screening plant;
- Dusty loads will be wetted down prior to unloading onto the stockpile; and
- A sprinkler system will be installed for each stockpile.

Crushing & Screening Management

- The crushing plant will include an active sprinkler system at the loading screen, jaw crusher and outlet conveyor;
- The screening plant will include an active sprinkler system at the screens and outlet conveyor;
- All conveyors will include water sprays; and
- All crushing and screening equipment will be maintained such that all dust emission points are closed off or have a wetting down system in place.

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Extreme Weather Conditions

Extreme weather conditions may occur from time to time typically associated with vigorous cold fronts (winter months) or summer thunderstorms associated with northern cyclone events. Extreme weather conditions have the potential to pickup and carry dust from stockpiles and trafficked areas. Such events are likely to have severe weather warnings issued by the Bureau of Meteorology well before such an event occurs.

In the event of extreme weather conditions occurring, BCP will cease operations of the crushing and screening plant and ensure that all stockpile and operational areas are well wetted down.

Complaints Handling Procedure

Where a complaint has been received by BCP of dust nuisance the following procedure will apply:

- The complaint will be recorded in the Incident Record System (Book) – date, time and location;
- The complaint will be investigated within 60-mins of receipt of the complaint;
- The wind direction will be recorded;
- An assessment of the complaint made; and
- Implementation of any required actions.



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Environmental Noise Assessment

**Proposed Concrete Crushing Plant
19 Cable Sands Road, Yalyalup**

Reference: 15043161-01A

Prepared for:
BCP Civil & Plant Hire



Member Firm of Association of Australian Acoustical Consultants

Report: 15043161-01A

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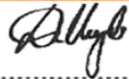

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Appendices

A	Terminology
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1 INTRODUCTION

This report has been prepared following an assessment of the noise impacts associated with a proposed concrete crushing plant to be located at 19 Cable Sands Road, Yalyalup, to noise sensitive receivers. The proposed facility would crush approximately 70,000 tonnes of concrete per annum and would operate Monday to Saturday, between 7.00am and 5.00 pm.

The general locality of the proposed facility together with the closest noise sensitive receivers is shown in *Figure 1-1*.



Figure 1-1 Project Locality and Sensitive Receivers

The operation would involve the delivery of concrete building products by truck. The load will be dumped and then fed into the crusher using a 30 tonne excavator. The crushed material will be loaded into stockpiles using the front-end loader and from there the finished product would be loaded onto trucks as required. It is expected that 12 trucks per day will access the site. The proposed site layout is shown in *Figure 1-2*.

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

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Figure 1-2 Crushing Facility Layout

2 CRITERIA

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

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

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

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

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

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

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

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Table 2-1 Adjustments for Intrusive Characteristics

Tonality	Modulation	Impulsiveness
+ 5dB	+ 5dB	+ 10dB

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

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

As it is proposed to only operate the facility between 7.00 am and 7.00 pm Mondays to Saturdays and therefore only the "Day" assigned levels apply.

Table 2-2 Baseline Assigned Noise Levels

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

In calculating the influencing factor (described in Appendix A) the following assumptions have been made:

- Bussell Highway is considered to be a secondary road (between 6,000 and 15,000 vehicles per day). However, the majority of sensitive receivers are greater than 100m from the road reserve and therefore a transport factor is not considered.
- The area is generally a noise sensitive land use and as a result, the influencing factor at all sensitive premises is assumed to be 0 dB.

Therefore it is the baseline assigned noise levels of Table 2-2 that apply.

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3 METHODOLOGY

Computer modelling has been used to predict the noise levels, under worst-case conditions, to each of the receiver locations. The software used was *SoundPLAN 7.3* with the CONCAWE algorithms selected as they include the influence of wind and atmospheric stability. Input data required in the model are:

- Meteorological Information;
- Topographical data;
- Ground Absorption; and
- Source sound power levels.

3.1 Meteorological Information

Meteorological conditions utilised are shown in *Table 3-1* and reflect those specified in the *draft EPA Guidance for the Assessment of Environmental Factors No.8 Environmental Noise*. These conditions are considered the worst-case for noise propagation. At wind speeds greater than those shown, sound propagation may be further enhanced, however background noise from the wind itself and from local vegetation is likely to be elevated and dominate the ambient noise levels.

Table 3-1 Modelling Meteorological Conditions

Parameter	Day (0700-1900)
Temperature (°C)	20
Humidity (%)	50
Wind Speed (m/s)	4
Wind Direction*	All
Pasquil Stability Factor	E

* Note that the modelling package used allows for all wind directions to be modelled simultaneously.

The EPA policy is that compliance with the assigned noise levels needs to be demonstrated for 98% of the time, during the day and night periods, for the month of the year in which the worst-case weather conditions prevail. In most cases, the above conditions occur for more than 2% of the time and therefore must be satisfied.

3.2 Topographical Data

Digital topographical data was provided in 1-metre intervals and covered the site and surrounding sensitive receivers.

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3.3 Ground Absorption

Ground absorption varies from a value of 0 to 1, with 0 being for an acoustically reflective ground (e.g. water or bitumen) and 1 for acoustically absorbent ground (e.g. grass). In this instance, the surrounding ground has been assumed to be acoustically absorptive, which is representative of a rural location.

3.4 Sound Power Levels

The sound power data used for this assessment are shown below in *Table 3-2*. They are based on manufacturer's data, or if not available, measurements undertaken by Lloyd George Acoustics on similar equipment.

Table 3-2 Source Sound Power Levels dB(A)

Description	Octave or 1/3 Octave Band Centre Frequency (Hz)								Overall dB(A)
	31.5	63	125	250	500	1k	2k	4k	
30 Tonne Excavator	56	79	91	98	100	102	102	96	107
CAT 966 Front-End Loader	45	65	93	91	100	103	101	96	112
	54	70	97	89	105	103	98	95	
	60	76	99	94	99	102	97	96	
Mobile Crusher	57	67	96	100	102	102	102	97	113
	60	70	88	95	102	104	101	95	
	61	80	91	100	104	104	99	94	
Truck moving at 25 km/h	67	77	86	94	95	94	92	86	100

The noise from the crushing plant, excavator and front-end loader would be present for more than 10% of the representative time period (assumed to be 4 hours) and would therefore be assessed under the L_{A10} criteria. As the trucks (12 per day) would be on site for more than 1% and less than 10% of the representative time period, this noise source, together with the noise from the other plant would be assessed against the L_{A1} criteria.

For the purposes of modelling, it has been assumed that all of the above equipment will be operating simultaneously. This, coinciding with worst-case wind conditions, is likely to be a rare occurrence and therefore the predictions are considered to be conservative.

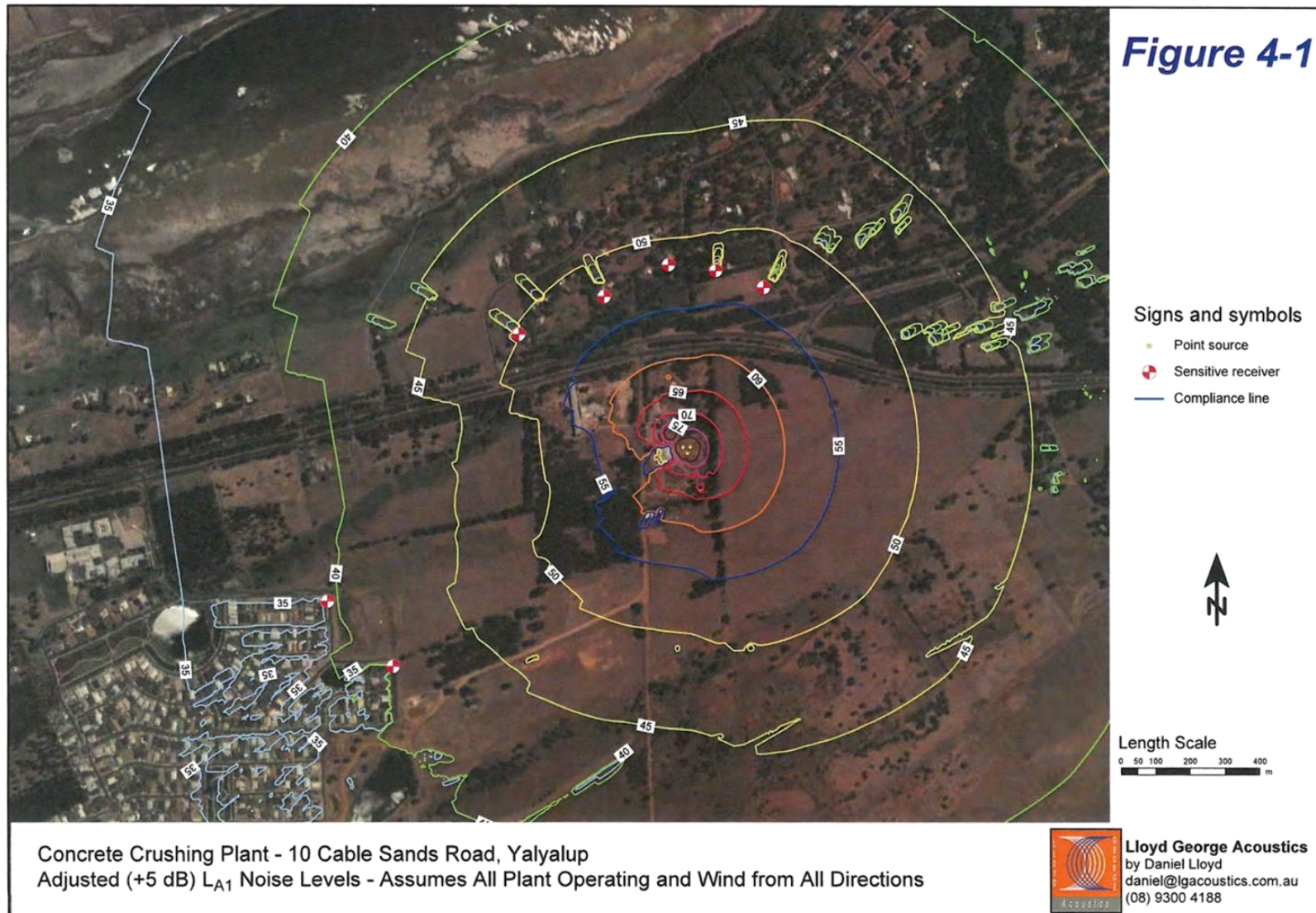
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4 RESULTS

The predicted noise levels to Receivers 1 to 7, as shown in *Figure 1-1*, are provided below in *Table 4-1*. The predicted noise levels, adjusted for tonality (*Table 2-1*) where applicable, are also shown as contour lines in *Figures 4-1 and 4-2*.

Table 4-1 Predicted Noise Levels from Crushing Operations

Location	Predicted Noise Level		Comments
	L _{A1} dB	L _{A10} dB	
1	39	38	Complies with daytime assigned levels.
2	36	35	Complies with daytime assigned levels
3	45	45	FEL dominant, so may contain tonal noise characteristics requiring a + 5 dB adjustment. Exceeds L _{A10} daytime assigned levels
4	47	46	FEL dominant, so may contain tonal noise characteristics requiring a + 5 dB adjustment. Exceeds L _{A10} daytime assigned levels
5	47	46	FEL dominant, so may contain tonal noise characteristics requiring a + 5 dB adjustment. Exceeds L _{A10} daytime assigned levels
6	48	47	FEL dominant, so may contain tonal noise characteristics requiring a + 5 dB adjustment. Exceeds L _{A10} daytime assigned levels
7	48	48	Crusher dominant, so may contain tonal noise characteristics requiring a + 5 dB adjustment. Exceeds L _{A10} daytime assigned levels





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5 DISCUSSION

The results show that the proposed operations would exceed the L_{A10} assigned levels under the Regulations at some noise sensitive receivers during the times 7.00 am to 7.00 pm Monday to Saturday. Therefore, noise mitigation would be needed to achieve compliance.

It is proposed to construct a noise bund around the crushing operations. The height of the bund would need to be at least 5 metres above ground level and all plant would need to operate on the behind and as close as practicable to the bund. *Figure 5-1* shows the barrier location and *Figure 5-2* shows the predicted noise levels assuming the barrier.

Table 5-1 provides the predicted L_{A10} noise levels at each of the sensitive receivers considered assuming the barrier.

Table 5-1 Predicted L_{A10} Noise Levels from Crushing Operations With Mitigation

Location	Predicted L_{A10} Noise Level dB	Comments
1	31	Complies with daytime assigned levels.
2	29	Complies with daytime assigned levels
3	39	Complies with daytime assigned levels
4	36	Complies with daytime assigned levels
5	35	Complies with daytime assigned levels
6	36	Complies with daytime assigned levels
7	38	Complies with daytime assigned levels



Figure 5-1 Location of Noise Barrier



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6 CONCLUSION

The results show that with the noise mitigation proposed, the crushing operations would comply with the assigned levels under the Regulations 7.00 am to 7.00 pm Monday to Saturday.

Appendix A

Terminology

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

Decibel (dB)

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

A-Weighting

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

Sound Power Level (L_w)

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

Sound Pressure Level (L_p)

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

L_{ASlow}

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

L_{AFast}

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

L_{APeak}

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

L_{Amax}

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

L_{A1}

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

L_{A10}

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

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L_{Aeq}

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

L_{A90}

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

One-Third-Octave Band

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

L_{Amax} assigned level

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

L_{A1} assigned level

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

L_{A10} assigned level

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

Tonal Noise

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

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

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

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

This is relatively common in most noise sources.

Modulating Noise

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

a variation in the emission of noise that —

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

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Impulsive Noise

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

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

Major Road

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

Secondary / Minor Road

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

Influencing Factor (IF)

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

where :

% Type A₁₀₀ = the percentage of industrial land within
a 100m radius of the premises receiving the noise

%TypeA₄₅₀ = the percentage of industrial land within
a 450m radius of the premises receiving the noise

% Type B₁₀₀ = the percentage of commercial land within
a 100m radius of the premises receiving the noise

%TypeB₄₅₀ = the percentage of commercial land within
a 450m radius of the premises receiving the noise

+ Traffic Factor (maximum of 6 dB)

= 2 for each secondary road within 100m

= 2 for each major road within 450m

= 6 for each major road within 100m

Representative Assessment Period

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

Background Noise

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

Ambient Noise

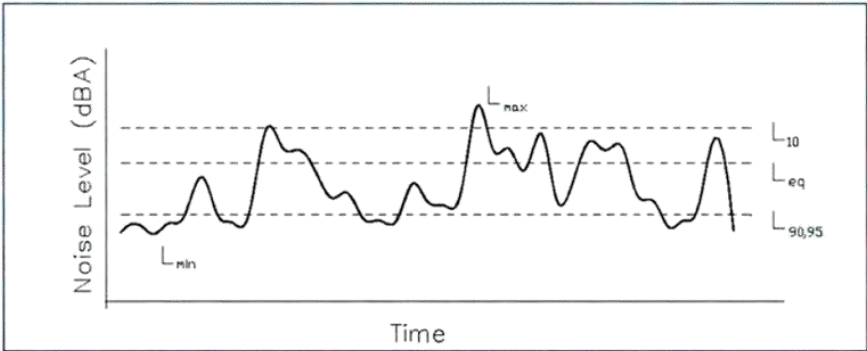
Means the level of noise from all sources, including background noise from near and far and the source of interest.

Specific Noise

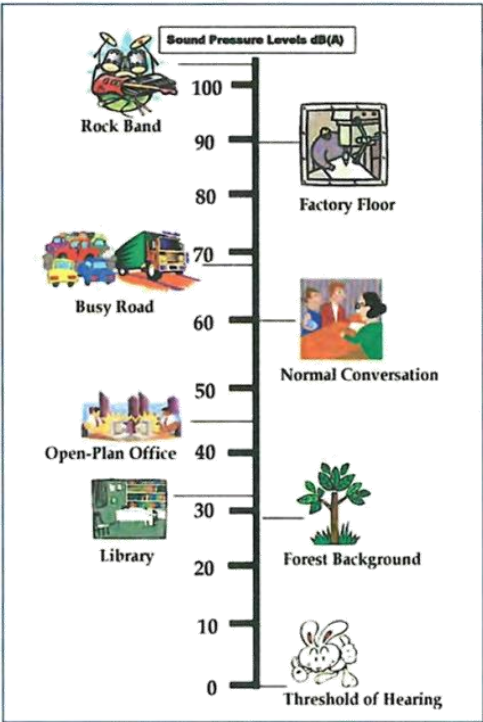
Relates to the component of the ambient noise that is of interest. This can be referred to as the noise of concern or the noise of interest.

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Chart of Noise Level Descriptors



Typical Noise Levels





Busselton Civil Pty Ltd
19 Cable Sands Road
Yalyalup WA 6280
P. O Box 1876
Busselton WA 6280

City of Busselton
Locked Bag 1
BUSSELTON WA 6280

Attention: Mr Paul Needham

Dear Sir,

**RE: PROPOSED RECYCLING FACILITY – LOT 6 CABLE SANDS ROAD,
YALYALUP**

1. Introduction

Established in 1997, Busselton Civil & Plant Hire is a local Busselton based company with approximately 50 employees and considerable experience in civil contracting, demolition, plant hire, liquid waste and sand supplies. The business has been providing services to the City of Busselton (**CoB**) for many years and is a preferred supplier to the CoB.

Busselton Civil Pty Ltd (**BCP**) is committed to ensuring that its business activities are conducted in a responsible manner with a view to minimising its impact on the environment. BCP undertakes demolition activities in the CoB, with these activities creating various waste products including timber, concrete, bricks and tiles. In the absence of alternative economical recycling options, these products end up in the CoB's landfill sites.

This letter relates to BCP's proposal to establish, for a limited duration, a concrete recycling facility (an 'inert material recycling facility') at the above property.

2. Engagement with CoB

BCP engaged with the CoB in January through March 2015 in an effort to cooperatively seek a commercial agreement to recycle the building materials from the upcoming demolition of the old Busselton Hospital, at the CoB's Rendezvous Road recycling facility where concrete crushing/recycling is currently being undertaken. This was proposed to be a short term arrangement, with BCP separately indicating a desire to engage with relevant individuals from the CoB to progress a longer term solution to reduce the amount of

construction waste entering CoB's landfill. A copy of BCP's letter to CoB dated 16 February 2015 is attached as Appendix A.

Unfortunately, CoB advised in writing that it was unwilling to deal with the sorted construction waste on any terms other than standard landfill rates (refer Appendix B). BCP subsequently met with Mr Oliver Darby and Mr Vitor Martins on 10 March 2015 where BCP was advised that CoB would require a substantial bond in addition to the standard building waste rates of \$54/tonne. By way of reference, the amount of CoB's proposal would be more than double the entire amount BCP is contracted to undertake the demolition for. Clearly, this is uneconomic.

At this meeting, BCP requested advice as to where in the CoB it could undertake concrete recycling. Mr Darby advised that he was unaware of any location within the CoB that BCP could undertake concrete recycling activities and advised BCP to contact Mr Paul Needham to explore the potential planning implications of recycling concrete at BCP's business premises, located at Lot 6 Cable Sands Road, Yalyalup.

I subsequently called CoB requesting to speak with you and was advised that you were out of the office, and after several phone calls with Ms Joy Reading, a meeting with Mr Rowe and Mr Watts was arranged.

3. Concrete Recycling Proposal

BCP are seeking to establish, for a limited duration, a recycling facility on the site as part of its business operations.

The facility would recycle concrete, brick and tile material to create road base, drainage material and sand. BCP proposes that in order for BCP to effectively manage the risk of contaminants, only material from BCP demolitions would be taken to BCP's facility.

The facility proposed by BCP is smaller than the concrete crushing operations currently being undertaken by CoB at the Rendezvous Road facility, though it will operate in a similar manner.

BCP considers that its premises are located greater distance from sensitive land uses, and have more appropriate road access, than the CoB's facility.

A Department of Environmental Regulation (**DER**) licence for this type of facility is typically granted for 5 years. BCP would be comfortable in providing an undertaking to CoB that the proposed operation would be limited to a duration of 5 years.

BCP is willing to consult with key stakeholders pre-lodgement of planning documentation.

4. Planning Considerations

The subject land is zoned "Special Purpose (Yalyalup Deferred Development Area)" pursuant to the CoB Local Planning Scheme N0. 21 (the Scheme) and is currently used as a storage and administration site for BCP operations.

The Property is owned by Silverbay Enterprises Pty Ltd, the owners of the Busselton Civil and Plant Hire business prior to 9 December 2014 when the business was acquired by

BCP. Silverbay Enterprises Pty Ltd had been using the land for storage and administration purposes relating to the Busselton Civil & Plant Hire business purposes since 2005. Prior to this time it is understood the site was used as a "timber yard".

We understand current land use activities on the site have been acknowledged by the CoB, as it is in general keeping with the amenity associated with the original timber yard use class attributed to the land. Acknowledgement of its use is also confirmed by CoB's Rate Notice which states a Rating Category of 'Improved Commercial' and a Land Status rating as "noxious/hazardous industry", which the City has continued to charge the landowner on an annual basis (refer Appendix C).

BCP has engaged environmental and acoustic consultants to undertake assessment in relation to the proposed use, as required by the DER in order to acquire the necessary environmental approvals. This information will also be provided to support formal application the City for planning consent.

Having discussed the proposal with City planning staff (Messer's Rowe and Watts), the issue of its current zoning has been raised and there is a potential view that previous and existing use of the site could be defined as "non-conforming uses". While the Scheme provides ability to consider extension or changes to a non-conforming use, consideration of the proposed use and which use class it sits behind under the current zoning, has also been raised. This raises further questions in relation to land use allowances under its current zoning on the basis that its deferment status is required to be lifted by way of future amendment to the Scheme and therefore does CoB have the discretion/ability to consider to other land uses on the site temporarily?

5. Summary

BCP is of the view that it would not be in the public interest for land in the CoB that is zoned 'Deferred Development Area' to be 'sterilised' from the time the Deferred Development Area zoning is adopted until (or if) such time as zoning is amended to urban development.

There have been a number of meetings and discussions with CoB staff in order to establish a way forward and progress lodgement of a formal development application in respect of the proposed facility on the site.

While initial response from CoB staff in relation to the proposal seems relatively positive, the issue of process and the manner in which to consider the proposal remains uncertain. As you can appreciate BCP is keen to move forward with its proposal in an expedient manner and is prepared to continue to work closely with the City in order to achieve a mutually acceptable way forward. BCP also accepts the prospect of temporary planning consent (i.e. 5 years) being granted over the land, especially given DER approval is only for 5 years and by then lifting its urban deferment status is likely to be a more a feasible or logical outcome in any case.

Accordingly and prior to submitting a final planning application in respect of the proposed use and development of the site, we seek confirmation from City planning staff in relation to the above, including its position regarding the applicable planning steps moving forward.

We request consideration to this matter by City planning staff in order to progress an acceptable planning and assessment process and would be happy to meet and discuss in further detail, should you wish. We look forward to your timely reply and should you have any queries or require further information, please do not hesitate to contact the undersigned.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kyle Jackson', is written above the printed name.

Kyle Jackson

APPENDIX A



Mr Vitor Martins
City of Busselton
2 Southern Drive
Busselton WA 6280

16 February 2015

Dear Mr Martins,

Re: Demolition of Busselton Hospital – Concrete/Brick Crushing & Recycling

1. Background

Established in 1997, Busselton Civil & Plant Hire ("BCP") is a local Busselton based company with approximately 40 employees and considerable experience in civil contracting, demolition, plant hire, liquid waste and sand supplies. BCP has been providing services to the City of Busselton for many years and is a preferred supplier to the City of Busselton.

Doric Group was awarded the contract by the WA State Government for the construction of the new Busselton Health Campus and demolition of the old Busselton Hospital. BCP was awarded a major subcontract by Doric Group for several components of the construction works, including civil works, road works and demolition of the old hospital.

2. Demolition of Busselton Hospital

Demolition of the Busselton Hospital is occurring in two stages, to enable the continued provision of health services for the Busselton and surrounding communities. Stage one involved the demolition of the eastern end of the Busselton Hospital to make room for the construction of the new Busselton Health Campus. This was undertaken in 2013.

The second stage entails the demolition of a considerably larger proportion of the building. The timing of the demolition is yet to be confirmed, as it is dependent on the completion of the Busselton Health Campus and transfer of patients and health facilities to this facility, however it is expected to occur in mid March 2015.

3. Environmental Objectives

Both BCP and Doric Group are committed to ensuring that their business activities are conducted in a responsible manner with a view to minimising the impact on the environment. This philosophy aligns with the City of Busselton's Environment Strategy.

Also, there are a number of Federal, State and Local Government initiatives to increase recycling and decrease the amount of waste going into landfill.

The 'Western Australian Waste Strategy: Creating the Right Environment', has landfill diversion targets for municipal solid waste of 65 per cent by 2020; for commercial and industrial waste of 70 per cent by 2020; and for construction and demolition (C&D) waste of 60 per cent by 2015 and 75 per cent by 2020, up from 38 per cent in 2012. Currently half the material being wasted in landfills in Western Australia is C&D waste.

At the Local Government Level, the City of Busselton's Environment Strategy 2004 states:

In the move towards sustainability principles landfill is regarded as the least desirable and there is a need to investigate all possible alternatives and to actively pursue partnerships with other local governments and industry for waste minimisation, collection and disposal.

The demolition of the old Busselton Hospital will create a significant amount of demolition waste. In the absence of any recycling initiatives, all of this waste would ordinarily end up in landfill.

BCP wishes to work with the City of Busselton to maximise the recycling of building materials from the old Busselton Hospital, and minimise the waste going to landfill to the extent reasonably practical. BCP has a strategy to recycle certain components of the building (such as steel and copper), however the recycling of concrete and bricks poses a challenge.

4. Concrete/Brick Crushing & Recycling

The volume of concrete and brick material to be produced from the demolition of the hospital is difficult to precisely calculate, however we estimate it is in the order of 5,000-6,000 m³ concrete/bricks.

Crushed concrete and bricks is commonly screened and reused as an aggregate or road base material. This recycling and reuse is actively encouraged by the Waste Authority of WA.

Currently there are no commercial concrete crushing facilities in reasonable proximity to the Busselton Hospital. BCP has previously explored establishing its own concrete crushing facilities (and remains keen to progress this) however, to date the City of Busselton Planning regulations have prevented the establishment of such a facility.

Undertaking crushing and screening activities on the site of the Busselton Hospital would be problematic due to the potential for noise and dust concerns of nearby residences and hospital employees and patients. Transport distances are an important factor in the feasibility of recycling as recycling becomes financially unfeasible if transport distances are too great.

5. Request of City of Busselton

BCP has the expertise and access to the equipment required to undertake the recycling (crushing & screening) of concrete and brick waste from the demolition of the old Busselton Hospital. BCP is also able to transport and store the aggregate material produced from the recycling. However, BCP does not have access to a suitable site to undertake the crushing and screening activities.

BCP would like to work with the City of Busselton to identify a solution that will allow the concrete and brick to be economically recycled. In particular, BCP requests that the City of Busselton consider permitting BCP (or an agreed subcontractor) to undertake crushing and screening activities within a specified area of the City of Busselton's Waste Transfer Facility.

In relation to crushing/screening at the Waste Transfer facility, BCP is open to various commercial arrangements. One such arrangement would be:

City of Busselton activities

- City of Busselton nominates a discrete area within the Busselton Waste Transfer Facility for crushing and screening to occur;
- City of Busselton engages a contractor to undertake crushing and/or screening at Busselton Waste Transfer Facility
- City of Busselton charges BCP for undertaking crushing and/or screening activities on a cost plus an agreed margin basis (i.e. pass through of contractor costs plus a margin)
- City of Busselton and BCP agree appropriate Management Plans (Asbestos Management Plan, Transport Management Plan etc);

BCP activities

- BCP undertakes concrete/brick breaking on site of Busselton hospital to reduce material to transportable size;
- BCP transports concrete/brick material to Busselton Waste Transfer Facility
- BCP pays City of Busselton for undertaking crushing activities on its behalf
- Once crushed/screened, BCP transports aggregate material away from Busselton Waste Transfer Facility (within agreed timeframes)

- Waste material could either be left at Busselton Waste Transfer Facility with BCP paying standard waste fees, or BCP could transport waste material to alternative site (e.g. Dunsborough waste facility)

Note that the above arrangement is put forward as one example of a commercial arrangement but BCP is open to discussing alternative commercial arrangements.

6. Desire to Progress Development of Concrete/Brick Recycling Facility

As a separate issue, BCP would like to engage with relevant individuals from the City of Busselton to discuss suitable locations for a concrete crushing & recycling facility within the City of Busselton's boundaries. This facility could be part of a long term solution to reducing landfill within the City of Busselton.

7. Conclusion

Maximising the proportion of material from the demolition of Busselton Hospital that is recycled, and therefore minimising the amount of material that is put to landfill is in the best interests of the City of Busselton, BCP and Doric Group. We look forward to your response and would be pleased to meet with City of Busselton representatives to discuss.

Please contact me should you have any queries in relation to the above.

Sincerely,



Kyle Jackson
Director

APPENDIX B

From: Vitor Martins [<mailto:Vitor.Martins@busselton.wa.gov.au>]
Sent: Thursday, 5 March 2015 10:04 AM
To: Kyle Jackson
Cc: Brad Fish; Jason Lauder
Subject: RE: C&D Crushin project Busselton Hospital demolition

Hi Kyle,

We have been discussing your proposal internally in light of the applicable current standard rates, our existing concrete crushing arrangements at the lot adjoining the Busselton transfer station, as well as environmental management requirements imposed by the DER to that license. We were working under the assumption that existing crushing contract could be extended to accommodate the additional quantities, which is not the case.

Unfortunately, therefore, at this point we are not able to commit to accepting BCP's sorted construction waste (from hospital demolition) at that site at any rate other than the standard building waste rate of \$54 per tonne that we use for Dunsborough.

Kind regards,

Vitor Martins
Waste Coordinator
p: (08) 9781 0425 m: 0407 365 497
Vitor.Martins@busselton.wa.gov.au

City of Busselton
Locked Bag 1 - 2 Southern Drive, Busselton WA 6280
p: (08) 9781 0444 f: (08) 9752 4958
www.busselton.wa.gov.au

"Events Capital WA"

From: Kyle Jackson [<mailto:kyle.jackson@busseltoncivil.com.au>]
Sent: Friday, 20 February 2015 10:02 AM
To: Vitor Martins
Cc: Brad Fish; Jason Lauder
Subject: RE: C&D Crushin project Busselton Hospital demolition

Hi Vitor,

Just following up on this letter. Could we please meet early next week to progress.

Best regards,

Kyle



Kyle Jackson
Busselton Civil and Plant Hire
kyle.jackson@busseltoncivil.com.au
M: 0438 792 202
P: 08 9752 1000
F: 08 9754 4338
19 Cable Sands Road, Yalyalup WA 6280
PO Box 1876 Busselton WA 6280

From: Kyle Jackson
Sent: Monday, 16 February 2015 4:02 PM
To: 'Vitor Martins'
Cc: Brad Fish; Jason Lauder
Subject: RE: C&D Crushin project Busselton Hospital demolition

Vitor,

Please find attached letter in relation to demolition of the Busselton Hospital.

We would like to meet to discuss so please advise if you are available later this week.

Best regards,

Kyle



Kyle Jackson
Busselton Civil and Plant Hire
kyle.jackson@busseltoncivil.com.au
M: 0438 792 202
P: 08 9752 1000
F: 08 9754 4338
19 Cable Sands Road, Yalyalup WA 6280
PO Box 1876 Busselton WA 6280

From: Vitor Martins [<mailto:Vitor.Martins@busselton.wa.gov.au>]
Sent: Tuesday, 13 January 2015 3:17 PM
To: Kyle Jackson
Subject: C&D Crushin project Busselton Hospital demolition

Hi Kyle,

Pursuant to our meeting last week, can you please send us a formal letter with the specifics of your enquiry? These shall include reference to the quantity and type of materials, the source, the time frames and the amount (gate fee per tonne) you'd be proposing to pay in exchange of being allowed to tip at Busselton Waste Facility.

Kind regards,

Vitor Martins
Waste Coordinator
p: (08) 9781 0425 m: 0407 365 497
Vitor.Martins@busselton.wa.gov.au

City of Busselton
Locked Bag 1 - 2 Southern Drive, Busselton WA 6280
p: (08) 9781 0444 f: (08) 9752 4958
www.busselton.wa.gov.au

Submission. No	ADDRESS	NAME	Nature of Submission	Officer Comment
GOVERNMENT SUBMISSIONS				
1		Main Roads Western Australia	No objections to the proposal.	Noted
2		Department of Health	No specific comment on the proposal provided that the development complies with the Department of Environment Regulation (DER) requirements and is operated in accordance with plans and documentation submitted	The applicant has applied for DER approval and if DER approval is obtained would be required to comply with its conditional requirements.
3		Department of Water	<p>The site is located within the Busselton-Capel Groundwater Area as proclaimed under the 'Rights in Water and Irrigation Act 1914'.</p> <p>The subject site has a high watertable, as noted in the application documentation.</p> <p>DoW identifies the following risks associated with the proposal:-</p> <ul style="list-style-type: none"> • Contamination of groundwater due to the release of hydrocarbons/chemicals from minor and major spills during vehicle/plant maintenance (and refueling) • Seepage of hydrocarbons/chemicals through the workshop area floor and vehicle wash-down area (if insufficiently impermeable) • Breach of contaminants through the bunded area during major storm events, due to insufficient bund height or poor maintenance • Sufficient water to meet the needs of the operation <p>To mitigate against the risks, DoW recommends the following measure:</p>	<ul style="list-style-type: none"> • <i>Contamination of groundwater due to the release of hydrocarbons/chemicals from minor and major spills during vehicle/plant maintenance (and refueling)</i> <p>This risk is common to many industrial facilities and as part of any DER approvals would be required to be managed appropriately by the business.</p> <ul style="list-style-type: none"> • <i>Seepage of hydrocarbons/chemicals through the workshop area floor and vehicle wash-down area (if insufficiently impermeable)</i> <p>This risk is common to many industrial facilities and as part of any DER approvals would be required to be managed appropriately by the business.</p>

			<ul style="list-style-type: none"> • A detailed 'Stormwater Management Plan' should be provided to the satisfaction of the City of Busselton, showing clearly the surface flow directions and infrastructure locations (offices, vehicle wash-down area, workshop area & chemical storage area, location of all bunds, sumps, drains and the waste oil storage tank). The stormwater management measures contained on pg. 31 of the referral documentation should be incorporated into the 'Stormwater Management Plan'. • In accordance with DoW's Water Quality Protection Note (WQPN) No. 61 - '<i>Tanks for ground level chemical storage (July 2008)</i>'; spilt chemicals should drain into a contained recovery pit that is capable of containing potential chemical spills, plus any stormwater intrusion, from at least a 24-hour, two-year average-return-interval, storm event (Appendix A, reference 6 of WQPN 61) (see attachment). • In accordance to WQPN No.10 - '<i>Contaminant spills – emergency response (February 2006)</i>', an effective Emergency Response Plan (ERP) should be prepared, maintained and implemented by anyone who stores, transports, handles or uses chemicals or other substances that have the potential to contaminate water resources (see attachment). Emergencies may arise as a result of equipment malfunctions, operating accidents, employee malpractice, fires, natural events (eg storms, earthquakes), and occasionally as result of civil disturbances and unauthorised site access by intruders. The most important concern after 	<ul style="list-style-type: none"> • <i>Breach of contaminants through the bunded area during major storm events, due to insufficient bund height or poor maintenance</i> <p>Page 31 of the referral documentation submitted for the application contains stormwater management measures aimed to satisfy DER approval requirements.</p> <ul style="list-style-type: none"> • Sufficient water to meet the needs of the operation <p>The applicant advises that the site has an existing dam which provides water for existing dust suppression activities. The applicants advises that the dam provided sufficient water for dust suppression activities for previous timber milling activities and is anticipating that this will meet ongoing needs.</p> <ul style="list-style-type: none"> • DoW recommends the following measures, in line with the DoW's WQPN No 68 – '<i>Mechanical equipment wash down (Sept 2013)</i>':- <p>This risk is common to many industrial facilities. BCP has constructed a concrete washdown bay with concrete collector pit aimed at satisfying City, DoW and DER requirements.</p>
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			<p>making the site safe should be to contain then recover as much of the spilt chemical as practical prior to any escape of residues into the environment.</p> <ul style="list-style-type: none"> • Spill containment compounds should be constructed of waterproof reinforced concrete, or approved equivalent material, that is chemically resistant. For more information, see DoW's WQPN No 27 - '<i>Liners for containing pollutants using engineered soils</i>' and No. 26 - '<i>Liners for containing pollutants using synthetic membranes</i>' (attached). • All chemical transfer activities (into and out of tanks) should occur on an impervious sealed floor, which is kerbed, graded or bunded to prevent liquid run-off into the environment. <p>DoW recommends the following measures, in line with the DoW's WQPN No 68 – '<i>Mechanical equipment wash down (Sept 2013)</i>':-</p> <ul style="list-style-type: none"> • Equipment wash down should be contained on an impervious pad, such as reinforced concrete or plastic liner (for temporary facilities), with a perimeter kerb or bund wall (ideally within a weather-proof building). If unroofed, the pad should be kept to the smallest practical surface area to minimise stormwater access and fully contain wash down residue. The wash down pad should drain to a collector pit. 	
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			<ul style="list-style-type: none">• Water collected from the wash down pad should drain from the collector pit via a pipe or culvert into a sediment basin to settle and allow removal of soil and other solid contaminants. The basin should provide for effective gravity settling of solids with a minimum water detention capacity of one hour under peak flow conditions.• Sediment traps, de-emulsification basins and water treatment vessels should have an impervious lining and minimum freeboard to contain wash-water and any captured stormwater from a minimum two-year return frequency, 24-hour storm. Methods to calculate runoff from storms are described in Australian rainfall and run-off (reference 5).• All equipment wash down should occur on a contained impervious pad that drains to wastewater detention and treatment facilities.• Petroleum hydrocarbons recovered by the oil separator and emulsion break residues should be collected and securely stored in weather-proof containers for recycling, destruction by incineration or disposal at a site approved in accordance with the <i>'Health Act 1911'</i> and the <i>'Environmental Protection Act 1986'</i>.	
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4.		Department of Environment Regulation (DER)	<p>The proposal is for facility that is categorised as Prescribed Premises as per the <i>Environmental Protection Regulations 1987</i> and as such requires works approval from DER to be obtained.</p> <p>The proponent has contacted DER regarding works approval application requirements.</p> <p>Works approval may not be issued until such time as planning approval has been granted.</p> <p>The referral application indicates that DER issues licences for a period of 5 years, however</p>	<p>The applicant was seeking temporary Planning Consent, for a period of 5 years. Based on concerns raised in submissions in respect to anticipated development timeframes, the applicant has advised City staff that they are willing to reduce the requested term of planning approval from 5 years to 3 years.</p> <p>Advice has been received by City staff that DER has provided a Draft Works Approval to the applicant which they are prepared to issue subject to advice from the City that Development Approval has been granted for the proposal. DER approval duration would be for the same period of time as any Development Approval from the City (if granted).</p>
			<p>since November 2014 DER issued guidance that it supports a 20yr duration on licences with consideration of a number of other factors including the duration of other statutory approvals.</p>	
PUBLIC SUBMISSIONS				

5.		<p>Satterley Property Group (2 x submissions, 1 during each of the first and second rounds of advertising)</p>	<p>Objection</p> <p>Lot 6 abuts the northern boundary of the currently undeveloped portion of Satterley's Provence Estate and on its eastern boundary Lot 6 abuts Lot 203 which is also controlled by Satterley.</p> <p>Satterley is currently reviewing future plans for Provence including Lot 203, which will consider the staging and timing of future residential development. At this stage the anticipated date for commencement of development of DAP8 and Lot 203 could be as early as two years.</p> <p>Concerned about the impacts of the proposal on the amenity of current and future residents of Provence and Lot 203 due to noise (plant and truck movements), dust (incl asbestos) and visual intrusion. Whilst recognising measures are proposed to put in place by BCP to minimise impacts, not satisfied that the measures proposed will address the potentially adverse impacts of the proposal on Satterley's land.</p> <p>In response to second round of advertising Satterley advised that development of land in close proximity to Lot 6 Cable Sands Rd is anticipated to occur within approximately 12 months</p>	<p>The applicant is seeking temporary approval for the proposed use. Based on the concerns raised by the submitter in respect of its anticipated development timeframes, the applicant has advised City staff that they are willing to reduce the requested term of planning approval from 5 years to 3 years. This timeframe could fit with the submitters anticipated date of commencement (2yrs) plus the time it takes from this date to undertake civil works and satisfy all WAPC subdivision requirements prior to issue of future titles.</p> <p>Concerns regarding potential impacts on the amenity of current and future residents within the submitters development area should be suitably addressed via proposed measures outlined in the application and conditions requirements set out by City and DER approvals.</p> <p>Modification to relevant Structure Plan will need to be approved prior to subdivision approval. Officer recommendation to include condition requiring proposed concrete crushing to cease at point in time when residential and commercial development comes sufficiently close to Lot 6 that prescribed noise level requirements can not be achieved.</p>
6.		<p>Georgiana Molloy Anglican School</p>	<p>Strongly object.</p> <p>Concerns regarding health, safety and wellbeing of students, staff and parents at the school.</p>	<p>The Environmental Protection Authority (EPA) recommends separation distances for waste storage and crushing of building materials at 200m and 1000m respectively. The Georgiana Molloy Anglican School is approximately 1500m away.</p>

			<p>Concerned with dust, particularly for asthmatics at school. Part of children's curriculum includes playing outside and children, teachers and parents may be put at adverse risk because of emitted dust, reduce the time that students could be outside and have detrimental effect on their learning.</p> <p>Concerned the site will have some asbestos delivered despite inspections by supervisors. When crushed and in a friable state asbestos is at its most dangerous.</p> <p>Also concerned about noise levels that will travel to the school and neighbouring Provence estate where a lot of the school's families live. Continuous exposure to noise and vibration is jarring, annoying and leads to increased anxiety and blood pressure.</p>	<p>Compliance with DER requirements to manage dust appropriately (including no asbestos on site) are proposed to be implemented in accordance with a Dust Management Plan to be approved and enforced by DER.</p> <p>Details of noise assessment submitted with the proposal concluded that with proposed noise mitigation measures (including 5m high noise barrier around the facility) crushing operations would comply with assigned levels under the <i>Environmental Protection (Noise) Regulations 1997</i>. This is an element that is considered and enforced by DER as part of their approvals process and therefore noise will be required to be maintained at acceptable levels in accordance with relevant legislation.</p>
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7.		Dynamic Planning & Developments (on behalf of adjoining landowner Dodd & Dodd Pty Ltd)	<p>Objection.</p> <ul style="list-style-type: none"> • Outlines the Strategic planning documents of relevance to the site and area e.g. Busselton Airport Structure Plan and Airport North Development Guide Plan and believes the proposal is not in keeping with these Strategic Planning documents, the land uses and zoning that they intend to provide for being future residential developments. • Questions if the proposal complies with LPS No.21 clause 4.11 'Extensions and Changes to a Non-conforming Use' as the proposed use is more detrimental to the amenity of the locality than the current uses. • Does not comply with environmental guidelines for this type of development including not meeting the 1000m separation distance. 	<p>The land is in a deferred development zone and the proposal is an interim use. Due to its temporary nature and anticipated development timeframes, the proposal if approved is not likely to compromise the intended land use as per referred strategic planning documents for the future or undermine planned development of the surrounding land.</p> <p>That the proposed use is more detrimental to the amenity of the locality than current use of the site is subjective and it could be suggested that the previous timber mill use had the same level of impact. Mitigation measures to address impacts if development approval is granted will be required to be implemented and reinforced by imposed conditions administered by both Council and DER approvals.</p> <p>Subsequent to originally being presented to Council staff have determined that the processing and consideration of the proposal is more currently dealt with under Use Not Listed provision of the Scheme and proposal was re-advertised.</p> <p>The recommended separation distance by the EPA is a default position. If measures and/or circumstances support recommended separation distances to be varied, consideration to a proposed use at a reduced distance can be considered by the local government and/or DER</p>
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			<ul style="list-style-type: none">Do not believe the proposed use is of a temporary nature such can be approved in accordance with TPS No.21 clause 11.6 'Temporary Planning Approval'.	<p>It is unclear why the submitter considers the proposed use cannot be considered as a Temporary planning approval in accordance with Clause 11.6 of the Scheme. Clause 11.6 states that <i>"a temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future."</i> The Scheme appears to facilitate this scenario.</p> <p>The proposed use being temporary in nature will be provided by virtue of the development approval and specific condition of to specify the term of approval.</p>
			<ul style="list-style-type: none">Proposal does not comply with TPS No.21 Cl 11.2 'Matters to be considered'	<p>Clause 11.2 of the Scheme refers to Council having "due regard" to the various 'Matters to be Considered'. It therefore not an issue of compliance rather consideration of matters in context with a proposed use. Accordingly Council will have due regard to such matters and make a rational decision with regard to the proposed use consistent Clause 1.6 (d) of the Scheme.</p>

8.		16 submission from surrounding landowners raising a variety of concerns (2 x submissions received in second round of advertising from persons who had not previously made submission)	<p>16 x Objections making the following comments:</p> <ul style="list-style-type: none"> • Support the principles of recycling and reduction of waste material going to landfill. • Questions the accuracy of some aspects of the DA report e.g distance of development site to Busselton Town Centre • Properties will be devalued due to the destruction by industry of the lifestyle chosen by owners in the area. • Concerned about operation being proposed 6 days per week from 7am – 5pm. If approved operating on Saturdays, Sundays and public holidays should not be permitted. • If approved operation should be restricted to 8:30am – 3:30pm, 5 days per week only. • Believe proposal should be located further away from residential areas, preferably in an Industrial or Rural area. • Why is the Rendezvous Rd site not being used for this proposal. • Proposal is less than the 1000m from sensitive premises specified by the EPA Guidance Statement No.3. The proposal is approximately half of this distance, this variation is too great. 	<p>Noted</p> <p>The distance of the development site to the Busselton town Centre as stated in the DA report is approximate</p> <p>The use is proposed to be temporary for a period of three years and located in an area which currently experiences use of heavy vehicles and adjacent to a major highway.</p> <p>The hours of operation proposed are between 7.00am and 5.00pm Monday – Saturday. The applicant advises that it is expected crushing will only be carried out approximately 5 days a week and anticipate that only 15,000 tonnes per annum will be crushed in the first year of operation with potentially moderate increases thereafter and if crushing 100 tonnes in a day, then 15,000 tonnes per annum equates to approximately 15 days crushing per annum (3 weeks assuming 5 days per week). The application submitted does however state a throughput of 70,000 tonnes per annum. Consideration could be made by Council to limiting the hours of operation and the total volume of waste put through.</p> <p>Proposal is for a temporary use that if environmental approval is granted by DER will be required to achieve acceptable environmental assessment outcomes.</p> <p>The City needs to assess the application that has been lodged, and the potential or otherwise of alternative sites is not a question that can or should be addressed unless and until it has first been determined that the application site is not appropriate (if this were a strategic planning process, the scope of considerations would be broader and could include the consideration of potential alternatives).</p> <p>The recommended separation distance by the EPA is a default position. If measures and/or circumstances support recommended separation distances to be varied, consideration to a proposed use at a reduced distance can be considered by the local government and/or DER.</p>
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			<ul style="list-style-type: none"> Concerned about proximity of proposal to Georgiana Molloy School. Concerned by dust being blown over nearby properties with particular concern for asthmatics and children at local school. Dust settling on rooves and penetrating into homes. Dust will also cause corrosion to buildings. Waste accepted will contain asbestos and dust produced by crushing operations will contain asbestos fibres. Dust settling on rooves and water tanks will contaminate the water supplies of nearby properties where no access to scheme water is available. Concerned about water volume needed for dust suppression and that may necessitate excessive abstraction of groundwater with resultant impact on the local aquifer relied upon by other landowners and needed for ecological balance. Additional heavy traffic onto Bussell Hwy will increase road safety issues. Noise impacts from truck movements, reversing beepers, machinery operation, dumping of materials. Constant vibration and noise causes stress. 	<p>The School is approximately 1.5km from the site.</p> <p>Compliance with DER requirements to manage dust appropriately (including no asbestos on site) will be required to be implemented in accordance with a Dust Management Plan to be approved and enforced by DER through the environmental approvals processes.</p> <p>Water supply for dust suppression will be obtained from an existing dam on site under an existing water licence.</p> <p>It is not expected additional heavy traffic movements onto Bussell Highway or vehicles usage on the site will significantly change from current operations given the estimated crushing of 15,000 tonnes pa.</p>
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			<ul style="list-style-type: none"> Wish for confirmation that if approved the operations at the site will not be for a maximum period of 5 years and that this timeframe will be enforced and not extended. The timeframe for operation if approved should be limited to that needed to deal with the waste from the hospital demolition. Confirmation needed that industrial type of activities will not be approved for extension onto adjoining land. Believes that the proposal represents too significant a change in use from the current activities on the site with too significant impacts. Concerned about the impact of environmental emissions on local flora and fauna, which are believed to be greater in variety than that mentioned in the application 	<p>The proposed timeframe requested has been revised by the applicant to be 3 years.</p> <p>The applicant has advised that it is not commercially viable to establish the facility solely to process demolition waste from the Hospital.</p> <p>Noted. The application relates to the subject land only, no request has been made or is being considered for operations on any other land</p> <p>That the proposed use is more detrimental to the amenity of the locality than current use of the site is somewhat subjective and it could be suggested that the previous timber mill use had the same level of impact, especially given that the proposal is for a temporary approval timeframe. Mitigation measures to address impacts if development approval is granted will be required to be implemented and reinforced by imposed conditions administered by both Council and DER approvals.</p> <p>The area is earmarked for urban development and the proposed temporary land use is needs to meet with all environmental requirements set by the DER as part of the environmental approval process before being able to operate.</p>
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12. ENGINEERING AND WORKS SERVICES REPORT

12.1 AWARD OF TENDER RFT07/16 - PEST & WEED CONTROL SERVICES

SUBJECT INDEX:	RFT07/16
STRATEGIC OBJECTIVE:	Infrastructure assets are well maintained and responsibly managed to provide for future generations.
BUSINESS UNIT:	Operation and Works Services
ACTIVITY UNIT:	OPERATIONS SERVICES
REPORTING OFFICER:	Parks and Gardens Coordinator - Craig Ashley
AUTHORISING OFFICER:	Director, Engineering and Works Services - Oliver Darby
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Confidential RFT07/16 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 RFT07/16 for Pest and Weed Control Services. The tender has now closed and tender submissions have been received and evaluated. This report summarises the submissions received and recommends that Council awards RFT07/16 – Pest & Weed Control Services Contract to Busselton Pest and Weed Control, in accordance with the tender evaluation panel recommendation.

BACKGROUND

Pest and Weed Control Services are currently under contract RFT06/12. A suitably experienced and resourced contractor is required to provide pest and weed control services within the district of the City of Busselton. Pending acceptance of the recommendation contained in this report, and expiration of the current contract on 16 August 2016, RFT07/16 will supersede the existing Contract.

During the term of the existing contract, a small number of issues have been identified with the contract management and traffic management, as such Officers have reviewed the contract and made improvements to RFT07/16 where necessary. However, in general, the intent and scope of services of the contract have not changed, the new contract term is for two years, with two one year extension options.

RFT07/16 specified the requirements of the City and invited suitably qualified and experienced Contractors to submit tenders, to enter into a Contract for the provision of the Pest and Weed Control Services.

The following services are required under the Pest and Weed Control Services Contract:

- Urban and rural pest and weed control on road verges, drainage sumps, cycle-ways, footpaths, kerb-lines, bridges, parks and ovals;
 - Pest Control to the various building infra-structure managed by Facilities and other various infrastructure managed by the City.
1. The successful tenderer will be reporting to the following City Officers, to fulfil the requirements as described in this report;
 - Craig Ashley, Parks and Gardens Coordinator;
 - Shawn Lombard, Building Facilities Coordinator; and

- Matthew Twyman, Maintenance & Construction Coordinator.

The City issued Request for Tender documents to fifteen (15) potential Respondents and received a total of five (5) Submissions from; Cape Life, Busselton Pest and Weed Control, Spraymow Services, CTI Pest Control, and Western Allpest Services.

The tender assessment was carried out by a tender review panel consisting of Karl Clively - Projects and Technical Contracts Officer (Panel Chair), Craig Ashley - Parks & Gardens Coordinator, and Sophia Moore -Contracts and Tendering Officer.

STATUTORY ENVIRONMENT

Part 4 (Tenders) of the Local Government (Functions and General) Regulations 1996 apply. In particular Regulation 14(2a) Tenders are to be publicly invited according to the requirements of the Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000.

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

The budget for 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, on an as required basis.

The budget estimate for the total contract, including all extensions options is \$875,000.00. This estimate is based on actual historical figures for these services.

The Contract is a variable priced based contract where the contract price will be based on the successful Tenderer's Schedule of Rates. Except for the annual CPI adjustment, all prices for performing the Requirements are to be fixed for the term of the Contract.

There has been a 10% increase in the recommended tender, when compared against the previous tender for these services. Based on the last rate approved in 2012. This equates to 2.5% increase per year and would equate to an additional cost of \$80,000 over the four years of the contract.

Appropriate selection criteria have been applied via the tender process to contribute to ensuring that the successful tenderer is offering the "best value" with respect to the provision of Pest and Weed Control Services within the City of Busselton.

A number of improvements have been implemented in the new contract to enable better management of overall service standards and costs. This will lead to an improved level of service enabling the City to achieve more for the available budget.

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation of this report reflects and is consistent with the City of Busselton's strategic objectives.

Well Planned, Vibrant and Active Place:

- Infrastructure assets that are well maintained and responsibly managed to provide for future generations.
- A linked network of cycle ways and pedestrian paths providing alternative transport options.

RISK ASSESSMENT

A risk assessment was carried out and risk assessed in the manner identified below;

<i>Risk</i>	<i>Controls</i>	<i>Consequence</i>	<i>Likelihood</i>	<i>Risk Level</i>
The risk has been categorized as a low, with minor operational consequences	Compliance checks. Contract Management including regular meetings with the Contractor to monitor performance and identify any issues.	Minor	Unlikely	Low

CONSULTATION

RFT07/16 was advertised in the West Australian newspaper on 11 June 2016; the Council for Community pages in the Busselton Dunsborough Mail editions on 11 and 18 June 2016; and the City of Busselton tenders website page on Monday 13 June 2016. The closing date for submissions was 28 June 2016 at 2.00pm.

OFFICER COMMENT

The City issued Request for Tender documents to fifteen (15) potential Respondents and received a total of five (5) Submissions from; Cape Life, Busselton Pest and Weed Control, Spraymow Services, CTI Pest Control, and Western Allpest Services.

The tender assessment was carried out by a tender review panel consisting of Karl Clively - Projects and Technical Contracts Officer (Panel Chair), Craig Ashley - Parks & Gardens Coordinator, and Sophia Moore -Contracts and Tendering Officer. A copy of all documentation was provided to each member of the tender review panel for assessment.

As part of the tender evaluation process an initial compliance check was conducted to identify submissions that were non-conforming with the immediate requirements of the RFT. This included compliance with contractual requirements and the provision of requested information. Two (2) tender submissions were found to be non-compliant with the specified requirements.

The tender required applicants to address the specified qualitative and quantitative criteria, and complete a pricing schedule for the contract.

The qualitative criteria assessed and weightings applied were as follows;

- Relevant Experience 10%
- Key Personnel Skills & Experience 10%
- Tenderer's Resources 10%
- Demonstrated Understanding 10%

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

- Tendered Price: 60%

The preferred tenderer has been recommended on the basis of a complete tender evaluation in accordance with the above.

The attached confidential Tender Evaluation and Recommendation report provides the detailed evaluation outcome.

In Summary, the final ranking demonstrated that the tender from Busselton Pest and Weed Control represents the best value for money option for the City.

CONCLUSION

This report seeks the Council's endorsement of the Officer's recommendation to award the Pest and Weed Control Service Contract to Busselton Pest and Weed Control for a term of two years, with two options for extension, each of one year. Busselton Pest and Weed Control have the ability to fulfil the contract requirements to an acceptable standard based on their demonstrated understanding of the requirements, significant relevant experience and access to the required resources.

OPTIONS

The Council could decide;

1. Not to award the RFT as per the Officers recommendation and choose one of the other tenderers. This option could have reputational and compliance risks;
2. Not to award the RFT and request Officers to re-advertise the RFT;
3. Not to award the RFT at any time, in which case Officers would need to commence the recruitment process for full and part time staff for the provision of the services in-house. This option may result in staff not being recruited in time for the provision of the required services, or may have budget implications.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

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

OFFICER RECOMMENDATION

That the Council:

1. Award the RFT07/16 – Pest and Weed Control Service Contract to Busselton Pest and Weed Control for a term of two years, with two options for extension, each of one year at the CEO's discretion.

12.2 PETITION RESPONSE: REQUEST FOR FOOTPATH ON AMBERLEY LOOP, DUNSBOROUGH

SUBJECT INDEX:	Footpath Infrastructure
STRATEGIC OBJECTIVE:	Linked networks of cycleways and pedestrian paths providing alternative transport options.
BUSINESS UNIT:	Engineering and Facilities Services
ACTIVITY UNIT:	Engineering and Facility 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 Copy of the Petition - Amberley Loop - Request for Footpath Attachment B Aerial Photo of Amberley Loop Attachment C Extract from Liveable Neighbourhoods Attachment D Multi Criteria Assessment Attachment E Forward Capital Works Plan Attachment F Letter of Support - Libby Mettam MLA Member for Vasse

PRÉCIS

This report is in response to a petition received by the Council at its ordinary meeting held on 22 June 2016 from the property owners and/or tenants located along Amberley Loop, Dunsborough. The petition is in regard to the safety concerns the residents of Amberley Loop have for pedestrians along this winding loop road due to the absence of a footpath adjacent to the road.

The Council resolved that the petition be received and referred to the CEO to prepare a report. This report provides detail of the process used by City Officers to evaluate request for the provision of new infrastructure.

It is recommended that the Council resolve to indicate that the Council support the construction of a footpath along Amberley Loop at an appropriate time in accordance with its level of priority in accordance with the City's Forward Capital Works Plan and asset management process. The reasons for this recommendation are set out in the 'Officer Comment' section of this report.

BACKGROUND

A petition was received on the 16 June, requesting the construction of a footpath for the length of Amberley Loop in Dunsborough Lakes. The petition stated that "Amberley Loop is one of the few roads in the Dunsborough Lakes Development that is not serviced with a footpath and we strongly request, as a matter of urgency that these hazards and their potential danger to members of this segment of the community be eliminated."

The petition contains 118 signatures, of which 107 could be verified as electors.

The petition was presented to the Council at the 22nd June 2016 meeting.

The Council resolved (ref C1606/143) that the petition be received and referred to the CEO to prepare a report to the Council or a Committee.

This report is in response to the petition received by the Council.

A copy of the petition is provided, in full, as **Attachment "A"** to this report.

STATUTORY ENVIRONMENT

The *Road Traffic Code 2000* r.203 states that pedestrians may travel along a carriageway, except “where there is a footpath or nature strip adjacent to the carriageway and it is in a fit condition for use.” And a **nature strip** means “an area between a carriageway and the front boundary of adjacent land, but does not include a path” (RTC r.3). I.E. ‘nature strip’ = ‘road verge’.

RELEVANT PLANS AND POLICIES

City of Busselton’s Asset Management Plan for Cycle ways and Footpaths.

City of Busselton’s Long Term Financial Plan.

City of Busselton’s Bike Plan 2010.

FINANCIAL IMPLICATIONS

The cost of constructing a two (2) metre wide footpath along Amberley Loop (approximately 830 metres of footpath) on one side of the road has been estimated at \$314,500 (present day value). This estimate excludes the relocation of services.

Long-term Financial Plan Implications

There are no financial implications to the Long Term Financial Plan (LTFP) should the officer recommendation be endorsed.

The LTFP provides funds for footpath and cycle way projects, however the list of projects endorsed by the Council on an annual basis are determined by the City’s Forward Capital Works Plan and Asset Management Plan for Cycle Ways and Footpaths. Indicative lists of projects are provided on the LTFP, however they are reviewed on an annual basis due to changes associated with a developing City.

In brief the LTFP provides the funds the City is able to allocate to the construction of footpaths, however it does not determine which footpath is built and where. The construction of a footpath is determined in accordance with the priorities allocated in the Forward Capital Works Plan. How the footpath projects are prioritized (in accordance with this plan) is detailed later in the report.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation of this report reflects and is consistent with the City of Busselton’s strategic objectives.

Well Planned, Vibrant and Active Place:

- Infrastructure assets that are well maintained and responsibly managed to provide for future generations.
- A linked network of cycle ways and pedestrian paths providing alternative transport options.

RISK ASSESSMENT

Risk	Rating	Mitigation
Public health: Pedestrians being forced onto the road due to absence of footpath.	Consequence: Moderate Likelihood: Possible Rating: High	Construct footpath.

CONSULTATION

A City officer has met with Mr. John V. Williams (the organiser of the petition) prior to the petition to discuss the community need for a footpath along Amberley Loop.

On the 14th July the City received correspondence from Libby Mettam MLA, Member for Vasse offering support in favour of the petition and urging the City to support the construction of a footpath along Amberley Loop. (Please see attachment F)

OFFICER COMMENT

Amberley Loop is located in the Western side of the Dunsborough Lakes Subdivision, off Resort Drive in Dunsborough. There are three cul-de-sacs off Amberley Loop; Fluke Walk to the South East, Lenton Brae Garden to the South West and Clairault Court located North East. Amberley Loop was constructed as part of Stage 1 of the Dunsborough Lakes sub-division by Superior Holdings Ltd early 1993.

Amberley Loop consists of an 18 metre road reserve and is approximately 830 metres long road with a 6 metre wide seal. There are a total of 102 lots using Amberley Loop to access their properties (Refer to **Attachment "B"** for an Aerial Photo of Amberley Loop). Amberley Loop is also a registered school bus route.

There is currently no footpath along Amberley Loop. The lack of a footpath for pedestrians has been highlighted as a safety concern by residents living along Amberley Loop and was the main driver for the submission of the petition. The road reserve (or verge) is sufficiently wide enough to accommodate a footpath on both sides of the road, noting that should a footpath be constructed this would only be constructed on one side of the road. From a physical inspection of the area, in the most part pedestrians could use the existing road reserve to walk safely off the road. There are however a number of locations where the road reserve has been blocked by boats and or other vehicles. In those locations a pedestrian using the verge would currently have to step onto the road to bypass the obstacle. Additionally pedestrians with a pram or a person confined to a wheel chair would not be able to use the existing road verge.

When Stage 1 of Dunsborough Lakes was approved during the latter part of 1992, the only development guidelines was the then Shire's Technical Specifications. These guidelines did not require the construction of a footpath along Amberley Loop as part of the development application mainly due to it being a narrow width, winding, low speed environment that is not a through road.

With any new sub division applications, City officers are currently using the updated City of Busselton's Technical Specifications and Livable Neighbourhoods (2009 Update 02) to determine or evaluate whether a footpath is required on any particular road. If Amberley Loop was reclassified using these two guiding documents today as part of a new subdivision, Amberley Loop would be classified as an Access Street D (Please see attachment C). In accordance with livable neighborhoods, footpaths should ideally be provided on both sides of the street for streets classed as Access Street D. However for a number of reasons including cost, a footpath may be omitted from one side of a lower order street such as Amberley Loop. A footpath on Amberley loop would be required solely to service the residents and would not form part of a wider pedestrian link ie to a school, shopping centre etc. Therefore a second footpath would not be required.

City Officers receive numerous requests from members of the public for the upgrade, renewal or provision of new infrastructure on a regular basis. When considering how to prioritise these requests, City Officers refer to the Forward Capital Works Plan. The Forward Capital Works Plan has a number of sub classes, such as roads, drainage, parks and gardens, footpaths etc.

In relation to footpaths, when determining the projects in the Forward Capital Works Plan, City Officers make use of the detailed asset management plans (for renewal and replacement) and a multi-criteria assessment matrix for new infrastructure. The Multi Criteria assessment is used to rank infrastructure projects in order of priority. Whenever a request for a new footpath is received, officers review where the footpath sits within the Forward Capital Works Plan. If it is not already included in the Plan, the request is assessed using the matrix to determine where it sits in the priority ranking in comparison to other footpaths. This assessment gives Officers guidance as to the priority of a project based on a score assigned to it using the matrix assessment criteria as seen in Attachment D.

These criteria are scored and combined to calculate a ranking alongside other footpath projects. Please see attachment E which is the current forward capital works plan for footpaths. (Note subject to change depending on requests or changing circumstances).

As can be seen from the table in Attachment E, the provision of a footpath on Amberley Loop has been matrixed using the Multi Criteria Assessment and the project is currently ranked as number 63. This is on the basis of the current funding allowed for in the 10 Year LTFP (assuming a basic extrapolation beyond year 10) and suggests the construction of Amberley Loop in the 2029-30 financial year. Therefore in accordance with the current forward capital works program and funding allocations the construction of this path would not occur for another 13 years.

City officers take this approach with requests for new footpaths in order to provide a standard approach to the community. The assessment utilising the matrix is completed in order to determine the individual project merits, which ensures that all capital works are bench marked against each other in a consistent manner. The resultant score determines the project's ultimate priority against competing projects. Ultimately this is done to provide a fair and consistent approach to these requests.

On the basis of having a set amount of funds and a large number of requests for new footpaths, which far exceeds the current funding opportunities, it is essential that the City provides a standard approach to requests by prioritising a project on its merits and benefits against another project. If this was not done in this manner there would be no consistent method of planning when a footpath should be constructed. Unfortunately due to the fact that funding is limited, it is not always possible to deliver projects in accordance with the community's expectations or timelines. It would not be appropriate to change the ranking of these projects based on a request or petition only without a specific reason. It should be based on the benefit in comparison to another project. This has the potential to create a long lead time for the implementation of a project, which in turn can lead to community disappointment. This could only be reduced with additional funding (whether municipal or other) or a decision to raise the priority of a project outside of the Forward Capital Works Plan.

Therefore on the basis of being fair and equitable, with the numerous competing needs and requests for footpaths, it will be recommended that the provision of new footpath along Amberley Loop be constructed in accordance with the City's Forward Capital Works Plan, which currently indicates that the footpath will be recommended for construction in the 2029/30 financial year. (Noting that the Forward Capital Works Plan is subject to change, pending new requests or changing circumstances).

CONCLUSION

In terms of the current road classification of Amberley Loop, (as per Livable Neighborhood Guidelines and the City's Technical Specifications) and the current road geometry, there is merit in constructing a footpath along Amberley Loop. On the basis of that merit the request to construct the footpath has been assessed for inclusion in the City's Forward Capital Works Plan, which is based on a multi criteria assessment. The assessment indicates that the Amberley Loop footpath is ranked at number 63 on the list of priorities. On that basis using our current Forward Capital Works Plan and funding

criteria, this project is forecast for construction in 2029-30 financial year. Officers will recommend that the construction of a footpath along Amberley Loop be constructed in accordance with the City's Forward Capital Works Plan.

OPTIONS

1. The Council may choose to bring forward the construction of the footpath along Amberley Loop. This would require a project with a higher ranking be replaced with this project and the program adjusted accordingly.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The construction of a footpath along Amberley Loop has been included in the Forward Capital Works Plan for forecast construction in the 2029-30 Financial year.

OFFICER RECOMMENDATION

That the Council:

1. Acknowledge the petition and plan for a footpath along Amberley Loop at an appropriate time in accordance with its level of priority in the City's Forward Capital Works Plan and asset management process.

City of Busselton	Application No		Receipt No		City of Busselton
	CIO ID				
	16 JUN 2016				
	Property ID		Doc ID		
Retention					

Dear Mayor Henley. I have taken the liberty of providing you with a copy of my letter to Mr Riches, Chief Executive Officer of the City of Busselton, as I believe it is a matter of extreme importance to the safety of residents, particularly children & Mums pushing prams along Amberley Loop roadways Dunsborough Lakes.

To ensure a satisfactory outcome to this issue we need your support.

Sincerely

John Williams

16.6.16

118 signatures

107 acceptable

Mr M. Archer
Chief Executive Officer
City of Busselton

As residents of Amberley Loop, Dunsborough Lakes and the three cul de sacs, Flute Walk, Clairault Court and Lentonbrae Green, which feed into Amberley, we are deeply concerned with the situation that exists for pedestrians who frequent Amberley Loop.

These users are children of all ages and adults, often pushing a pram, who have no alternative other than to walk along the roadway.

Amberley Loop as its name implies has a number of bends, which produce blind spots to those driving or walking along it.

It is only a matter of time before there is a serious accident on this roadway.

Such a tragedy can be simply avoided with the construction of a footpath.

Amberley Loop is one of the few roads in the Dunsborough Lakes Development that is not serviced with a footpath and we strongly request, as a matter of urgency that these hazards and their potential danger to members of this segment of the community be eliminated.

There are now only three undeveloped blocks on Amberley Loop and the traffic both vehicular and pedestrian has increased substantially as has the danger to all who use this road.

As one of the residents of this area, I acknowledge with my details and signature on the attached page, my full support for the proposed construction of a footpath along Amberley loop.

Prepared and presented for and on behalf of the residents listed on the attached pages:



John V. Williams

83 Amberley Loop
Dunsborough Lakes
Email....jrvwilliams@bigpond.com Mob. 0428 953 205

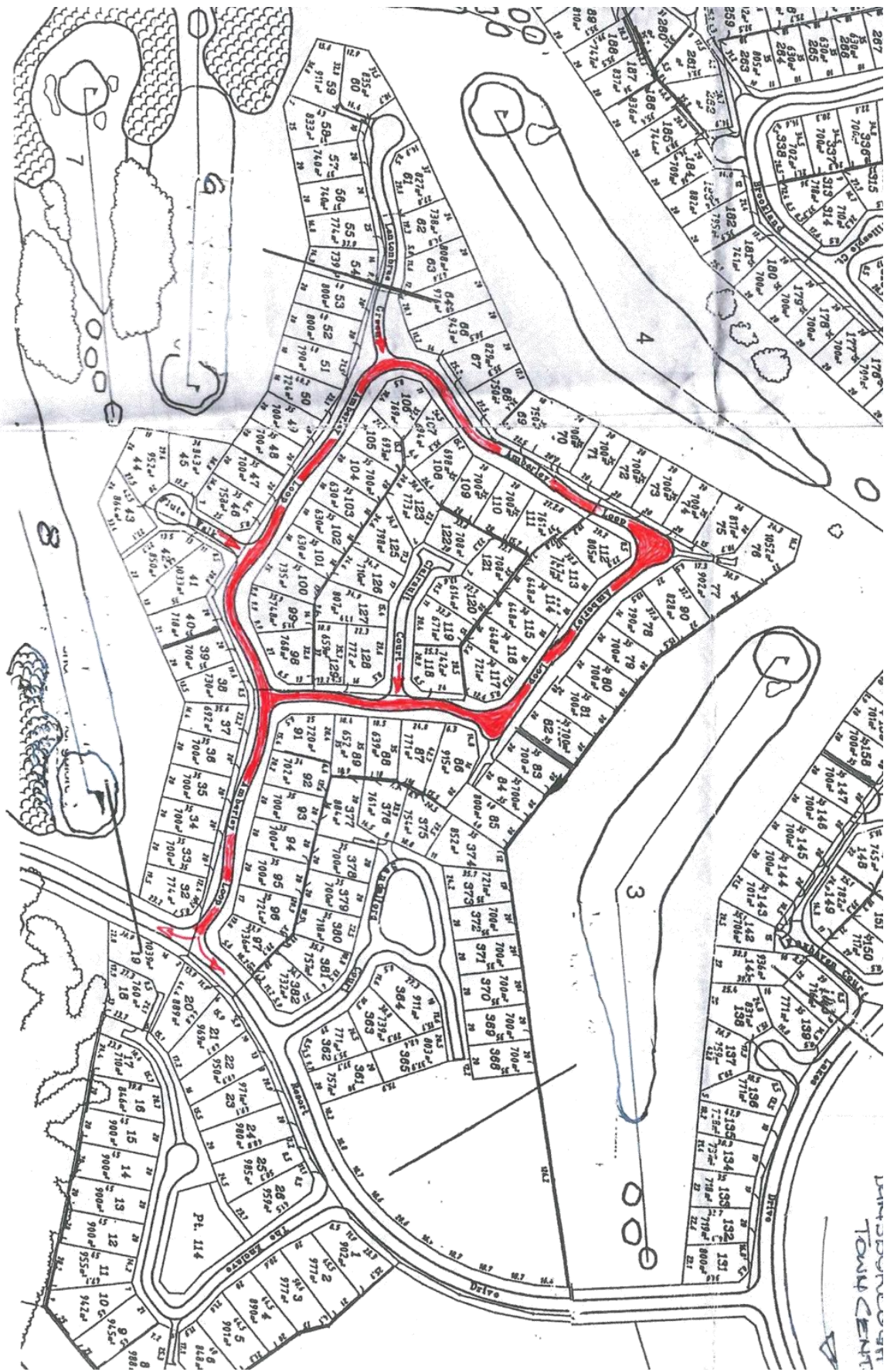
CC. Ms Elizabeth (Libby) Mettam MLA Member for Vasse.
Cr Grant Henley, Mayor .

FOR THE RECORD:

- There are a total of 121 signatories in support of this proposal.
- Over 70 houses front onto Amberley Loop.
- It is estimated that over 50 children live in this precinct.

A handwritten signature in black ink, appearing to read 'John V. Williams', written in a cursive style.

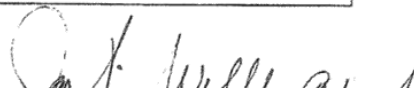
John V. Williams



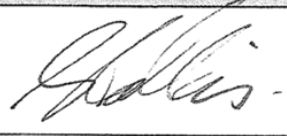
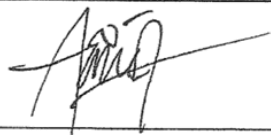
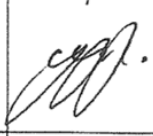

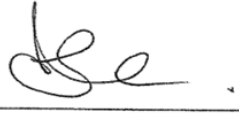
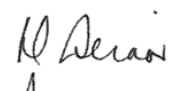
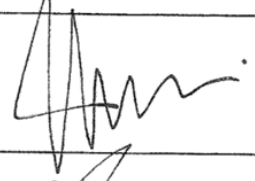



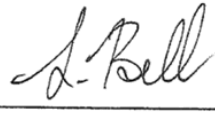
1/11

NAME	ADDRESS	SIGNATURE
Tim & Tanya Dixon	20 Amberley Loop DUNSBOROUGH	
Sarah Mullar	57 Amberley LP Dunsborough	
Alana Carlington	18 Amberley Loop Dunsborough	
JAN QUINN	47 AMBERLEY LOOP DUNSBOROUGH	
TREVOR QUINN	47 AMBERLEY LOOP DUNSBOROUGH	
MARG REID	43 A AMBERLEY Loop	
GEORGE JINSTON	43B AMBERLEY Loop	
PINE	" "	Pine.
J Sheehan	51 Amberley Loop.	
RFHOEL	" "	
Alison & Lachlan Cudmore	14 Amberley	

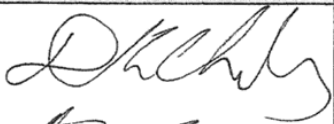
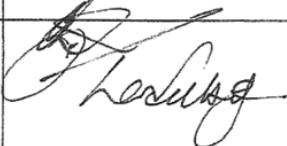




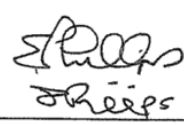

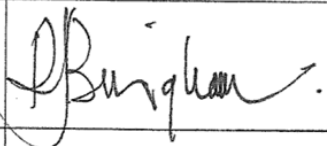
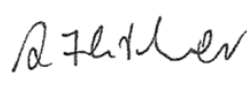
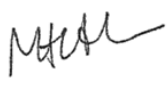
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07/11

	NAME	ADDRESS	SIGNATURE
1.	Simon Collis	1 Amberley Loop	
	Marianah Collis	1 Amberley Loop	
	Justin Hughes	79 Amberley Loop	
2.	Teresa Hughes	79 Amberley loop	
2.	Jasmin Coyle	28 Amberley	
2.	Dulcie Senior	36 Amberley loop	
	JAMES HANSEN	55 AMBERLEY LOOP DUNSBOROUGH	
	DAVE JONES	77 AMBERLEY LOOP, DUNSBOROUGH	
	CAROL JONES	73 AMBERLEY LP DUNSBOROUGH.	
	BRIAN BEN	69 AMBERLEY Loop Dunsborough	
	LEONIE BELL	69 AMBERLEY LOOP DUNSBOROUGH	



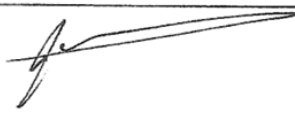

2/11

NAME	ADDRESS	SIGNATURE
Damon Chalmers	71 Amberley loop	
OWEN NUTKIDGE LINDA NUTKIDGE	89 AMBERLEY LOOP "	
Sebastien Dulex	13 Amberley loop	
Chana Higgins	91 Ambelley Loop	
Justin Barker	2/6 Flute Walk	
Jamie Dickson	5a Flute Walk	
EDDIE PHILLIPS JULIE	36 LESTON BRAE GREEN	
Donna Osborne	63a Amberley Cp	
Richard BINGHAM	61 Amberley Loop DUNSBOROUGH.	
Sharon Fletcher	75 Amberley Loop Dunsborough	
Malcolm Fletcher	75 Amberley Loop Dunsborough	

13.

Out. Will an 1

4/11

	NAME	ADDRESS	SIGNATURE
2.	Mandy Furnell	7 Lenton Brae Green	
	CLAUDIA COOPER	3A LENTON BRAE GR	
3	ANDY WRIGHT	59 AMBERLEY	
	PETER MILLAN	57 AMBERLEY	
	MATT HAMILTON	55 AMBERLEY LOOP	
	Warren Brown	53 Amberley Loop	
4.	Sara Brown	53 Amberley Loop	
	Don Baskill	16 Amberley Loop	
	Jessica Garcia-Zoiti	16 Amberley Loop	
	Lauren Melsom	49 Amberley Loop	
	Taras Melsom	49 Amberley Loop	

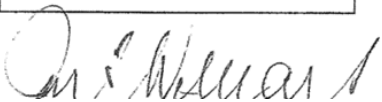
11.

Caroline Melsom

3/11

NAME	ADDRESS	SIGNATURE
2. Matt Reed	21A Amberley Loop	
Nathan Hearle	15 Alderscross Approach	
Kylie Benham	41B Amberley Loop	
STEPHEN KER.	27 AMBERLEY LOOP	
2. STEVE BEVERLEY	15 AMBERLEY LP	
NATALIE BEVERLEY	15 Amberley Loop	
dave Ebbott	46 Amberley	
Kim Rasmussen	46 Amberley Loop	
Rae Threnoworth	" "	
DALE MORDAUNT	" "	
hyndag Stephen	4 Flutes Walk Dunbarough Lakes	

11.








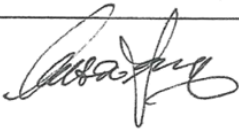


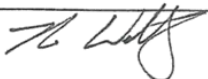


6/11

	NAME	ADDRESS	SIGNATURE
3.	PHILIP DE GARIS	148 LENTON BRAE GRN DUNSBOROUGH	P. de Garis
	ROBYNE DE GARIS	148 Lenton Brae Grn DUNSBOROUGH	Rdelfa
	LESLEY BUTLER	2 LENTON BRAE GRN	LS Butler
2.	ROSALIE JASTIAN	16 " " "	R Jastian
	JOHN JASTIAN	16 " " "	J Jastian
	BRAN UREN	10 " " "	B Uren
	NOLA UREN	10 " " "	N Uren
	JANNINE UREN	1166 Caves Rd Quindalup	J UREN
	MAUREEN HUGHES	12 LENTONBRAE GRN	M Hughes
	Blake Glasspool	9 Lenton Brae GRN	B Glasspool
	MATT PURNELL	7 LENTON BRAE GREEN DUNS	M Purnell

11.

Out of the park


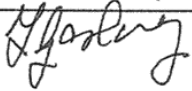
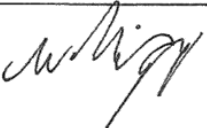

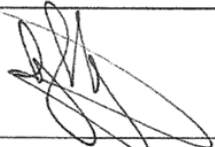
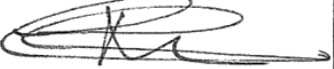


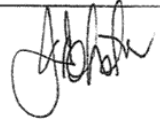
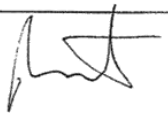
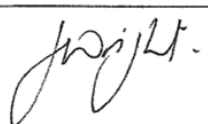
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NAME	ADDRESS	SIGNATURE
Alisha Tampalin	6 Clairault Cr	
Renee Jackson any help in interest	4 Clairault Cr 0431.033.849	
Llewellyn Jackson	4 Clairault Cr	
Claire Hicks	13 amberley loop	
Sebastien Dupex	13 amberley Loop	
MILTON SCENEY & HELEN	11 AMBERLEY Loop	
Shirley Collis	93 amberley loop	
ANDREW COLLIS	93 AMBERLEY UP DUNBOROUGH	
MC WATTS	7 AMBERLEY LP	
Allan Henry	99 Amberley	
Tanya McNamara	97 Amberley	

12.

Ant. Williams

0/11

	NAME	ADDRESS	SIGNATURE
	GRANT BETTS	1/6 FLUTE WALK DUNS.	
-	Geoff & Tanis GOSLING.	3 FLUTE WALK DUNS	
-	BILL AND RIGG	4 LENTON BRAE GREEN DUNS. LAKES	
-	ANN RIGG	4 LENTON BRAE GREEN	
-	GEOFF GOSLING	3 FLUTE WALK DUNS.	
-	MAXIME ANDICHOU	2 Flute Walk Dunsborough	
-	Chloe Simon	2 flute walk Duns.	
1	Johanna Hamilton	55 Amberley loop	
4.	Jodie Johnston	26 Amberley loop	
	Stu Johnston	26 Amberley Loop	
4.	Jemilah Wright	59 Amberley Loop	

11.

Carla Lunn as A.

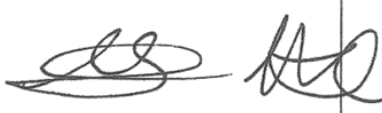
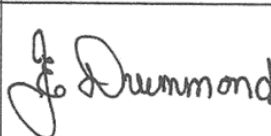


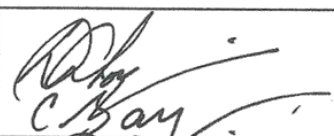
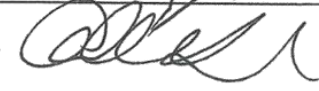
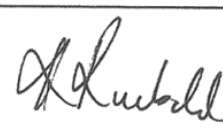
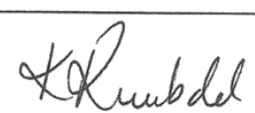
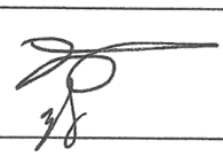
5/11

NAME	ADDRESS	SIGNATURE
Linc McNamara	97 Amberley	
Jane Heaven	95 Amberley Loop.	
MICHAEL HEAVEN	"	
BRANDY HARRIS	34 AMBERLEY LOOP	
Kate Bell	69 Amberley Loop	
Luxe Pearce	34 AMBERLEY LOOP	
Lauren Fitzgerald	34 Amberley Loop	
Alex Caltas	34 Amberley Loop	
NICHOLAS PALMER	34 AMBERLEY LOOP	
AMANDA BANCROFT	9. AMBERLEY LOOP	
CLAUDIA COPPARD	3A GLEATON BRIDGE DRYS.	

10.



Mr. Willmott

12/11

NAME	ADDRESS	SIGNATURE
MARYLEE & WAYNE EDWARDS	4 AMBERLEY LOOP	
JEFF MORRIS	29 AMBERLEY	
ROB DEMKOWICZ	LOOP	
JUDITH DRUMMOND	23 AMBERLEY LOOP	
COLIN DRUMMOND	23 AMBERLEY LOOP	
NIKOLA HEWSON	19 AMBERLEY LOOP	
DARRYL SORGIOVANNI CLAIRE SORGIOVANNI	2 AMBERLEY LOOP	
RYAN HAIGH	9 CLAIRAULT CTE.	
MATT BROWN	8 CLAIRAULT CTE.	
KOBIE	8 CLAIRAULT CTE.	
LUKE JONES ZOE JONES	10 CLAIRAULT CTE.	
BRETT NETHERWAY	6 CLAIRAULT CTE.	

12/11/16

11/1

NAME	ADDRESS	SIGNATURE
RICHARDS 2 CHRIS BINGHAM	61 Amberley Loop DUNSBOROUGH	cm Bingham
1 Claire Edwards	3 Clairault Court Dunsborough	
2 Regina Memleb Vock	7 Clairault Court Dunsborough	Regina Memleb
Michael Keegan	25 Amberley Loop Dunsborough.	Michael Keegan
E.W.H. TAIT	N°6 LENTON BRAE GREEN	E.W.H. Tait
L.M. TAIT	" "	L.M. Tait
J Stanton	8 Lenton Brae	John Stanton
MICHAEL DURRANT	24 AMBERLEY LOOP DUNSBOROUGH	MDurrant
Regina Memleb Vock	7 Clairault Court, Dunsborough	Regina Memleb
Roman Vock	7 Clairault Court Dunsborough	

Int. Vulliam

ATTACHMENT "B"



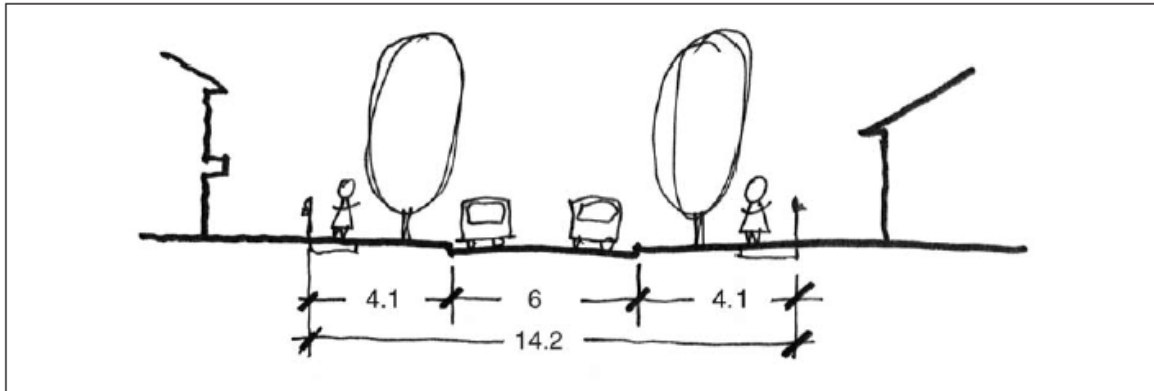


Figure 22: Access street D – narrow yield (or give way) street – Target speed 30 km/hr (< 1000 vehicles per day).

Narrower access street for shorter lengths, low parking demand, serving larger lots. No buses, no bike lanes, no indented parking. Staggered parking on both sides of street as part of speed control, low speed. Not through route, low traffic volume.

Note: 1. May reduce verge adjacent to park to 1.0 m when fronting public parkland.

2. Where the street is short and vehicle volume is less than 150 vehicles per day, pavement may be reconfigured as a slow speed, comprehensively-designed street, with a 3.4 m travel lane and 2.1 m embayed parking spaces. Passing bays are to be provided every 70-80 m, and maximum length 150 m. If a street is comprehensively designed and designated as a shared space for pedestrians and vehicles and target speed is <20 km/hr, no footpath may be required.
3. A pavement width of 5.5 m may be considered, subject to the agreement of the local authority. The reserve should remain at 14.2 m to allow for future flexibility.

Multi Criteria Assessment
Rank Infrastructure Project

The multi-criteria assessment scores the following criteria:-

1. Use Measure

- Access to Schools– Based on the locations proximity to a primary school or its potential usage by a number of people accessing a primary school;
- Seniors Access – Based on its likelihood to cater for an increased number of seniors, generally within close proximity or aged care facilities or services;
- Recreation – Where the path forms a strong connection to a recreational facility/service/location or is part of the recreational facility/service; and
- Commuter – Where the path forms a strong connection for commuters to business/commercial centres.

2. Quality Measure

- Community Benefit, Economic Activity & Tourism – Where the path forms a strong connection to a retail facility or tourism service/activity;
- Safety – This generally looks at the geometry of the surrounding facilities such as the road. i.e. Hilly, windy etc. and the ability to use the verge for refuge;
- Traffic Volume (Adjacent Road) – A weighted measure to identify the roads that cater for increased traffic volumes;
- Combined Project – A weighted measure to identify opportunities to combine the works with an associated project, generally a road upgrade; and
- Environmental – A weighted measure to address pre-existing negative environmental impacts.

3. Preparatory Works

- This is a negative score to highlight projects that require significant precursory investigations, works or approvals

4. Contributions

- A weighted measure to assist in the delivery of projects that have been partially funded by external contributions

5. Additional Costs

- Traffic management.

6. Budget

- Project budget, based on the scope of works, timing and quality of works.

These are scored and a combined to calculate a ranking alongside other footpath projects. Please see below the current Forward Capital Works Plan for footpaths. (Note subject to change depending on requests or changing circumstances)

Number	LOCATION (Primary Street)	Total Est. Cost	Proposed	Total Financial Year	Est.Cost/
1	Carey Street	\$ 164,750	17/18	\$403,500	
3	King Street	\$ 238,750	17/18		
2	Strelly Street	\$ 19,300	18/19	\$439,550	
4	Alpha Road	\$ 144,500	18/19		
5	Fairlawm Road	\$ 186,000	18/19		
6	NCC Access	\$ 89,750	18/19		
7	Bussell Highway	\$ 26,000	19/20	\$465,950	
8	Millward Street	\$ 78,900	19/20		
9	Ray Avenue	\$ 28,800	19/20		
10	Beach Road	\$ 178,000	19/20		
11	Harris Road	\$ 154,250	19/20		
13	Kalgaritch Avenue Stage 1	\$ 252,000	20/21	\$587,300	
14	Hansen Street	\$ 121,000	20/21		
15	Luke Way	\$ 26,000	20/21		
12	Navigation Way	\$ 142,800	20/21		
17	Tulloh Street	\$ 45,500	20/21		
16	Barlee Street	\$ 247,000	21/22	\$537,125	
18	Lorna Street	\$ 40,625	21/22		
19	Molloy Street	\$ 119,000	21/22		
21	Alan Street	\$ 130,500	21/22		
20	Thomas Street	\$ 181,500	22/23	\$536,925	
22	Manson Street	\$ 158,250	22/23		
23	Armitage Drive	\$ 30,000	22/23		
24	Lorna Street PAW	\$ 40,625	22/23		
25	Mason Street	\$ 9,050	22/23		
26	Duchess Street	\$ 62,000	22/23		
27	Armitage Drive	\$ 55,500	22/23		
28	Marri Street	\$ 144,500	23/24	\$541,800	
29	Bussell Highway	\$ 89,000	23/24		
30	Peel Terrace	\$ 7,000	23/24		
31	Bayview Crescent	\$ 144,500	23/24		

32	Peel Terrace	\$ 76,000	23/24	\$560,250
33	Simon Street	\$ 80,800	23/24	
34	Bovell Street	\$ 51,750	24/25	
35	Caves Road	\$ 120,500	24/25	
36	Caves Road	\$ 231,000	24/25	
37	Hamilton Way	\$ 60,000	24/25	
38	Finlayson Street	\$ 85,500	24/25	\$583,000
41	Naturaliste Terrace	\$ 11,500	24/25	
39	Fairbairn Road	\$ 322,500	25/26	
40	Gibney Street	\$ 67,750	25/26	
42	Herring Street	\$ 38,500	25/26	
43	Atkinson Street	\$ 55,500	25/26	
44	Gale Street	\$ 98,750	25/26	\$524,450
45	Beaufort Crescent	\$ 39,700	26/27	
46	Bayview Street	\$ 82,000	26/27	
47	Falcon Drive	\$ 97,000	26/27	
48	Adelaide Street	\$ 157,750	26/27	
49	MacIntyre Street	\$ 92,500	26/27	
51	Webb Street	\$ 55,500	26/27	\$619,500
50	Wylie Crescent	\$ 233,500	27/28	
67	Fern Road	\$ 75,000	27/28	
52	Windlemere Drive	\$ 218,500	27/28	
53	Milward Road	\$ 92,500	27/28	\$584,500
54	Peake Street	\$ 87,250	28/29	
55	Hobson Street	\$ 60,000	28/29	
56	Gale Street	\$ 101,250	28/29	
57	Maxted Street	\$ 87,250	28/29	
58	Mills Place	\$ 35,250	28/29	
59	Wattle Street	\$ 85,500	28/29	
60	Bridges Close	\$ 60,000	28/29	
61	Freycinet Drive	\$ 68,000	28/29	\$733,000
62	Reynold Street	\$ 418,500	29/30	
63	Amberley Loop	\$ 314,500	29/30	\$585,500
64	Clark Street	\$ 101,500	30/31	
65	Layman Road	\$ 32,000	30/31	
66	Dorset Street	\$ 418,500	30/31	
69	Marshall Street	\$ 33,500	30/31	
68	Harvest Road	\$ 148,000	31/32	\$573,500
70	Ella Gladstone Drive PAW	\$ 37,500	31/32	
71	Dawson Drive	\$ 128,000	31/32	
72	Cherry Hill Circle	\$ 67,000	31/32	
73	Centurion Way	\$ 193,000	31/32	

74	Georgette Street	\$ 200,000	32/33	\$365,600
75	Donald Way PAW	\$ 64,000	32/33	
76	Southern Drive	\$ 10,600	32/33	
77	Russell Street	\$ 45,000	32/33	
78	Callitris Crescent	\$ 23,000	32/33	
79	Santons Approach	\$ 23,000	32/33	
Total				\$ 8,641,450

Footpath Capital Works Plan

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75	Donald Way PAW	\$ 64,000	32/33	
76	Southern Drive	\$ 10,600	32/33	

77	Russell Street	\$ 45,000	32/33	
78	Callitris Crescent	\$ 23,000	32/33	
79	Santons Approach	\$ 23,000	32/33	
Total				\$ 8,641,450

8 July 2016

Mayor Cr Grant Henley
City of Busselton
Locked Bag 1
BUSSELTON WA 6280

City of Busselton	Application No	Receipt No	City of Busselton
	CIO ID		
	14 JUL 2016		
	Property ID	Doc ID	
	Retention		

Libby Mettam MLA
Member for Vasse

Dear Mayor

AMBERLEY LOOP, DUNSBOROUGH LAKES

I understand my constituent Mr John Williams has written to your Chief Executive Officer presenting a petition signed by 121 local residents indicating their support for construction of a footpath on Amberley Loop, Dunsborough Lakes.

I write to you offering my strong support for this proposal.

I recently met with Mr Williams at Amberley Loop and I witnessed firsthand the dangers he refers to in his letter. The significant bends create a number of blind spots for drivers, posing a safety hazard for pedestrians, many of whom are parents with prams and/or young children.

I agree these dangers could easily be alleviated with a footpath on Amberley Loop and I urge the City of Busselton to favourably consider this petition and implement improvements to pedestrian safety on Amberley Loop.

Please do not hesitate to contact me if I can be of any assistance regarding this matter.

Yours sincerely



Libby Mettam MLA
Member for Vasse

Unit 2 16 Prince Street
Busselton WA 628
PO Box 516 Busselton WA 628

Telephone: (08) 9752 194
Facsimile: (08) 9752 394

E Libby.Mettam@mp.wa.gov.au

Cc: Mr John Williams



13. COMMUNITY AND COMMERCIAL SERVICES REPORT

13.1 2016/17 COMMUNITY BID ROUND ONE ALLOCATIONS

SUBJECT INDEX:	Donations, Contributions and Subsidies
STRATEGIC OBJECTIVE:	A City where the community has access to quality cultural, recreation, leisure facilities and services.
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 the Council. This report provides a summary of the outcomes from the workshop on 22 June 2016, and seeks formal endorsement regarding the community bid submissions to be funded in the first round of the 2016/17 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 across a number of financial years, providing them with secured financial support over a longer planning period, and to 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 to allocate funding to the Community Bids program as follows:

C1103/097 Moved Councillor Henley, seconded Councillor Hanran Smith:

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.*

In March 2016, City officers prepared and distributed a revised 'Community Bids Guidelines' to interested parties which contained general guidelines for applications and eligibility. The guidelines reflected direction provided by Council during previous Community Bids rounds.

The guidelines indicate eligibility for Community Bids as follows:

- Not for profit groups and organisations located in the City of Busselton, except circumstances where a proposed project, program or activity will take place in the City or have significant regional benefit;
- Project/ program delivery within the 2016/17 financial year;
- One application per category, per organisation;
- Completion of the application form provided;
- ABN and Incorporation required.

The guidelines also provided the following as considerations for funding:

Supported

- Programs/ projects providing benefit to the broader community;
- One off projects or activities;
- Equipment grants for durable equipment only;
- One-off program related operational expenses.

Not supported

- On-going operational expenses;
- Consumable equipment;
- Retrospective funding/ projects already commenced;
- Projects that are an event (separately funded);
- Training;
- Facility maintenance;

- Programs, projects and services considered the responsibility of other government departments, individuals and private for-profit groups;
- Activities that do not relate to the Key Result Areas in the City's Strategic Community Plan;
- Proposals not complementary to the services and functions of local government.

Application for the first round of Community Bids funding for the 2016/17 financial year opened in April 2016 and a total of seventeen (17) applications were received. This included seven (7) applications for minor bids (\$5,000 and under) requesting \$27,336 and ten (10) applications for major bids (\$5,001 and over) requesting \$262,865 in total.

Applications were assessed by an Officer working group, in accordance with the Community Bids guidelines, and recommendations were discussed with the Council at a workshop held on 22 June 2016. 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 2016/17 is \$50,000 for minor projects and \$175,000* for major projects.

*This amount is inclusive of the following endorsed multi-year agreements:

<u>Current community bid multi-year agreements</u>	<u>Ending</u>	<u>Amount</u>
St John of God Hospital	2016/17	\$25,000
South West Academy of Sport	2016/17	\$10,000
Busselton Senior High School	2017/18	<u>\$10,000</u>
	Total	\$45,000

The proposed funding allocations detailed in the Officer recommendation of this report totals \$24,996 for minor projects and \$171,200 for major projects. This leaves a balance of \$25,004 for minor projects and \$3,800 for major projects for Round 2 in 2016/17.

Additionally in 2016/17 there are two annual funding agreements outside of the Community Bids program that have expired. These agreements were discussed at the Community Bids workshop as follows:

<u>Annual Agreement</u>	<u>2016/17</u>
SurfLifeSaving WA	\$139,000
YouthCare	\$38,146

The City's 2016/17 adopted budget includes these funding contributions. Consequently entering into funding agreements with these organisations will not have a financial implication on the City's 2016/17 budget.

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

Well Planned, Vibrant and Active Places:

- 2.1 A City where the community has access to quality cultural, recreation, leisure facilities and services.

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>
<i>Applicants have not obtained the necessary land, development and planning approvals and as such expose the projects to significant delays and/or non-approval</i>	<i>Ensure applicants and Council are aware of each project parameters prior to submission of applicant</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 30 March, 6 April, 13 April and 20 April 2016. Recognised Community, Environmental, Cultural and Youth Groups and Sporting Clubs in the City of Busselton were also notified of the Community Bids process via email and a hard copy of the Community Bids funding application form and guidelines were available at the City of Busselton Customer Information Centre. A Community Bids workshop was held on the 10 March 2016 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 organisation 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 Strategic Plan?

Officers presented the applications to Councillors at a workshop on 22 June 2016, where the following recommendations were made, noting that recommendations for 'nil' support is due to the applicant failing to meet the program guidelines one way or another:

	APPLICANT	PROJECT TITLE	RECOMMENDATION	SPECIFIC CONDITIONS OF FUNDING
1	Bunbury and District Little Athletics Centre	Set up of Busselton Little Athletics Club	\$5,000	In the event of the Busselton Little Athletics Club folding, all equipment is to remain in Busselton at a likeminded sporting club
2	Busnet Computer Club	Presentation equipment	\$2,700	
3	Dunsborough Coast and Landcare Group	East Peron Reserve Rehabilitation	\$3,825	Funding subject to adoption of the Peron Reserve Management Plan and project approval by the City of Busselton Environmental Officers
4	Dunsborough Cricket Club	Roll Out Cricket Pitch	\$3,721	
5	Dunsborough Theatre Group	Cyclorama and Fire Proof Curtains for the Old Dunsborough Hall	\$4,850	Once installed, curtains become the property of the Old Dunsborough Hall
6	Geographe Bay Yacht Club	Junior Sailing Development Program	\$4,900	
7	Vasse and Districts Community Centre	Junior Footy Posts: Newton Oval	nil	
		Total	\$24,996	(Remaining \$25,004)

Major Bids

	APPLICANT	PROJECT TITLE	RECOMMENDATION	SPECIFIC CONDITIONS OF FUNDING
1	Dunsborough and Districts Country Club	Dunsborough Tennis Courts Upgrade	\$50,000	

2	Busselton Volunteer Fire and Rescue Services	Busselton Fire and Rescue Running Track Remediation	\$9,200	
3	Dunsborough Football Club	Goal post and sleeve replacement	\$8,000	
4	Dunsborough Greenfield Community Group Inc.	DGCG Roads and Parking	\$12,500	
5	Busselton Pistol Club	Stage 1 Busselton Pistol Club	\$40,000	Subject to meeting statutory requirements and City approvals and securement of total project funding
6	Busselton Hockey Stadium	Keeping the Lid On	\$6,500	
7	Choose Respect and Busselton Surrounds	Choose Respect Busselton Pilot Program	Nil	
8	Dunsborough Community Men's Shed	Dunsborough Community Men's Shed	Nil	
9	Dunsborough Basketball Club	Storage Shed	Nil	
10	Growing Towards Wellness Pty Ltd	GTW - Busselton Community	Nil	
11	St John of God Hospital	Contribution towards a Wellness Suite – final year of five year funding agreement	\$25,000	Expires 2016/17
12	South West Academy of Sport	Contribution towards Sports Talent Development program-final year of three year funding agreement	\$10,000	Expires 2016/17
13	Busselton Senior High School	Contribution towards the Trade training centre community partnership project – second year of three year funding agreement	\$10,000	Expires 2017/18
		Total	\$171,200	(Remaining \$3,800)

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 (2013).

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 2016/17 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:

1. Endorses the provision of funding for Round 1 of the 2016/17 Community Bids funding program as outlined in the table below, subject to the specific conditions as stated:
 - a) *Minor Bids*

	APPLICANT	PROJECT TITLE	RECOMMENDATION	SPECIFIC CONDITIONS OF FUNDING
1	Bunbury and District Little Athletics Centre	Set up of Busselton Little Athletics Club	\$5,000	In the event of the Busselton Little Athletics Club folding, all equipment is to remain in Busselton at a likeminded sporting club
2	Busnet Computer Club	Presentation equipment	\$2,700	
3	Dunsborough Coast and Landcare Group	East Peron Reserve Rehabilitation	\$3,825	Funding subject to adoption of the Peron Reserve Management Plan and project approval by the City of Busselton Environment Officers
4	Dunsborough Cricket Club	Roll Out Cricket Pitch	\$3,721	
5	Dunsborough Theatre Group	Cyclorama and Fire Proof Curtains for the Old Dunsborough Hall	\$4,850	Once installed, curtains become the property of the Old Dunsborough Hall
6	Geographe Bay Yacht Club	Junior Sailing Development Program	\$4,900	
7	Vasse and Districts Community Centre	Junior Footy Posts: Newton Oval	nil	
		Total	\$24,996	(Remaining \$25,004)

b) Major Bids

	APPLICANT	PROJECT TITLE	RECOMMENDATION	SPECIFIC CONDITIONS OF FUNDING
1	Dunsborough and Districts Country Club	Dunsborough Tennis Courts Upgrade	\$50,000	
2	Busselton Volunteer Fire and Rescue Services	Busselton Fire and Rescue Running Track Remediation	\$9,200	
3	Dunsborough Football Club	Goal post and sleeve replacement	\$8,000	
4	Dunsborough Greenfield Community Group Inc.	DGCG Roads and Parking	\$12,500	
5	Busselton Pistol Club	Stage 1 Busselton Pistol Club	\$40,000	Subject to meeting statutory requirements and City approvals and

				securement of total project funding
6	Busselton Hockey Stadium	Keeping the Lid On	\$6,500	
7	Choose Respect Busselton and Surrounds	Choose Respect Busselton Pilot Program	Nil	
8	Dunsborough Community Men's Shed	Dunsborough Community Men's Shed	Nil	
9	Dunsborough Basketball Club	Storage Shed	Nil	
10	Growing Towards Wellness Pty Ltd	GTW - Busselton Community	Nil	
11	St John of God Hospital	Contribution towards a Wellness Suite – final year of five year funding agreement	\$25,000	Expires 2016/17
12	South West Academy of Sport	Contribution towards Sports Talent Development program-final year of three year funding agreement	\$10,000	Expires 2016/17
13	Busselton Senior High School	Contribution towards the Trade training center community partnership project – second year of three year funding agreement	\$10,000	Expires 2017/18
		Total	\$171,200	(Remaining \$3,800)

- c) Endorses the funding allocation of \$139,000 towards the 2016/17 Surf Lifesaving WA services within the City of Busselton
- d) Endorses the funding allocation of \$38,146 towards the 2016/17 YouthCARE services within the City of Busselton
- e) Amalgamate the remaining Minor Bids funds (\$25,004) and Major Bids funds (\$3,800) for the Round 2 of the Community Bids funding program 2016/17

14. FINANCE AND CORPORATE SERVICES REPORT**14.1 PROPOSAL TO VEST INCREASED AREA OF LAND TO THE ACTON PARK & DISTRICT COMMUNITY HALL INC**

SUBJECT INDEX:	Agreements/Contracts
STRATEGIC OBJECTIVE:	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Property and Corporate Compliance
REPORTING OFFICER:	Property Coordinator - Ann Strang
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Matthew Smith
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Plan Showing Acton Park Hall Site and Proposal Relating to the Area of Vesting

PRÉCIS

Acton Park Hall (the Hall) straddles the boundary of two parcels of crown land, Reserve 18562 and Reserve 18918 both of which are vested with the City of Busselton. Following a district wide review of rural halls, Council resolved to relinquish management of the area on which the Hall stands and, subject to approval by the Minister for Lands, seek to have it vested directly with the group managing the Hall.

Subsequent to this, the group managing the Hall, the Acton Park & Districts Community Hall Inc., have requested that a larger portion of land be vested to them in order to facilitate additional space for parking and functions. This report recommends increasing the area of land to be vested to the community group whilst retaining sections of Reserve necessary to meet potential future community needs and ensure the appropriate management of rare bushland.

BACKGROUND

A report providing Councillors with the outcomes of a detailed study in relation to the condition and use of eight rural halls around the City district was considered at the Council meeting of 27 August 2014.

Five of the halls were found to be in either poor or very poor condition, requiring the City to spend extensive money on them to bring them into an acceptable condition. These halls were also found to have a much lower level of ongoing community use compared to other facilities. For these reasons it was recommended that the City no longer maintain the vesting of these halls and that alternative arrangements be made for the future management of the halls. These recommendations were adopted by the Council. Acton Park Hall was one of the five halls that came into this category.

Council resolved in part (C1408/214) as follows:

5. *In relation to the Acton Park Hall;*

- a) *Maintain the Management Order for the Hall while the community members currently managing bookings for the hall seek to form an incorporated association to take over management.*
- b) *Subject to the outcome of recommendation 5 (a) being achieved, the Council seek to relinquish the Management Order of a portion of Reserve 18562 and a portion of*

Reserve 18918 as shown in Attachment G, subject to the Minister for Lands agreeing to vest the Reserve directly with the incorporated body formed as a result of resolution 5 (a).

- c) *Should the current management group not make substantial progress towards becoming incorporated prior to 30 June 2015, seek expression of interest from the community on the future use of the hall and report to Council on the outcomes."*

Following the passing of this resolution, the group managing the hall formed an Incorporated Association, the Acton Park & District Community Hall Inc (the Association).

The Association are happy to accept vesting of the Hall but have expressed concern that the original proposal, which was to excise the Hall and a small curtilage around it (as shown outlined in yellow on Attachment A), excludes areas currently used for parking and a partially enclosed area used for community functions.

City Officers are supportive of recommending an increase to the amount of land to be vested to the Association but have reservations about recommending the full extent of the land requested for reasons outlined in the Officer Comment section of this report.

STATUTORY ENVIRONMENT

The Hall is located on a portion of Reserve 18562, Lot 975, Deposited Plan 201693, Volume LR3005, Folio 192 and Reserve 18918 Lot 1075, Deposited Plan 201693, Volume LR3005, Folio 194, both being Crown Land vested with the City. Reserve 18562 is vested for the purpose of Hall Site and Reserve 18918 is vested for the purpose of Recreation.

The care, control and management of reserves are bound by the requirements of section 46 of the Land Administration Act 1997. The Minister may by order place with any one person or jointly with any 2 or more persons the care, control and management of a reserve for the same purpose as that for which the relevant Crown land is reserved under section 41 and for purposes ancillary or beneficial to that purpose. The Minister may in that order subject that care, control and management to such conditions as the Minister specifies.

RELEVANT PLANS AND POLICIES

Nil

FINANCIAL IMPLICATIONS

Other than the cost of surveying the area, adoption of the Officer Recommendation will not create any significant additional costs to the City, as the City currently maintains the portion of Reserve that is proposed to be retained. The maintenance cost in relation to this section of land is minimal, involving such things as routine fire breaks.

Long-term Financial Plan Implications

STRATEGIC COMMUNITY OBJECTIVES

The recommendation of this report reflects Key Goal Area 2 and Community Objective 2.2 of the City's Strategic Community Plan 2013 namely:

“A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections”.

RISK ASSESSMENT

There are no identified medium or high level risks associated with the Officer Recommendation

CONSULTATION

The proposal to alter the area to be vested has been discussed with members of the Association and the City has outlined its reasons for wanting to retain parts of the Reserve that the Association would like vested to them. The Association’s primary concern in relation to the area proposed by the City is that it does not provide enough space for their parking needs, particularly during larger community functions at the Hall.

They are also concerned that the proposed boundary to the south of the hall is not sufficient to maintain an appropriate Building Protection Zone (BPZ). As the adjoining land would be managed by the City, the City would then be responsible to ensure that an appropriate BPZ is retained between the Hall and any future development on the land being retained by the City. This is something that the City acknowledges and it will ensure that the area to the south of the Hall is maintained to meet the BPZ requirements.

The Association have suggested that an alternate location for a future fire shed be considered, however there are currently no other parcels of land owned or managed by the City within the District which would be suitable for this purpose. In an effort to alleviate their concerns City Officers have indicated that the Association could continue to use the area to the south of the Hall for parking until such time that it is required for alternative community purposes, such as a future fire shed.

OFFICER COMMENT

The objects of the Association are to promote social and cultural interests of the local community, with membership open to residents of Acton Park and surrounding districts. The Association are keen to obtain the direct vesting of the land on which the Hall sits as well as the vesting of the partially enclosed area to the north of the Hall, the open space to the south of the Hall and some bushland to the west. The area the Association are seeking direct vesting over is as shown outlined in red on Attachment A.

The majority of Reserve 18918 is bushland. The remnant vegetation in the reserve is classified as critically endangered and also contains priority flora. In the interests of ensuring appropriate management and preservation of the bushland Officers recommend that the City retain control over significantly vegetated portions of the Reserve. Having said this, Officers are supportive of a portion of bushland to the west of the Hall being vested directly with the Association as it will provide access to infrastructure associated with the Hall such as the leach drains.

Officers are also supportive of the request for direct vesting of the partially enclosed area to the north of the Hall.

The open space to the south of the Hall, whilst not currently being used by the City, has been identified as a potential future site for the local bush fire brigade, with the site already cleared and large enough for construction of a fire shed. It is likely the City will in the future need to relocate the fire shed in the district from its current location, which is on private land. It is therefore proposed that the City retain this portion of land along with some of the surrounding vegetated Reserve. As discussed in the Consultation section of this report, the Association would like to retain this area for their parking needs. There is parking available to the north of the hall however they currently use

the area to the South for overspill parking. While this is acknowledged, the need for the City to retain the site for a possible future fire shed is important and in the interim the Association can continue to utilise this area for parking.

To the immediate west of the Hall, outside of the area proposed to be directly vested to the Association, is a small shed which housed the original generator serving the Hall. All that remains of the generator is the iron plate it would have once been attached to. The Association are keen to retain the shed and City Officers have indicated that they could, at their own cost, relocate the shed to within the area vested to them. The group have indicated they are happy with the proposed boundary to the west of the Hall.

Therefore, as outlined above, it is recommended that the City support the direct vesting to the Association of the area shown hatched black on Attachment A, as opposed to the larger area requested by the Association (as shown edged red on Attachment A). This will secure a better outcome for the Association in terms of the areas used for recreation and parking whilst enabling the City to retain control over portions of the Reserve for future community use, as originally envisaged.

CONCLUSION

City Officers recommend that, further to the Council Resolution on 27 August 2014, Council support increasing the area over which they seek to relinquish to that shown hatched black on Attachment B. This will include the partially enclosed section of land to the north used for recreation, a section to the south for parking and a small section of vegetated area to the west. While the Association has requested a larger area be relinquished, Officers feel this recommendation balances the needs and objectives of the Association with appropriate management of the Reserves and provides for potential future community use for a bushfire brigade facility.

OPTIONS

1. Council could resolve to maintain its existing resolution to seek relinquishment of the Management Order of the portion of the Reserve containing the Acton Park Hall only.
2. Council could resolve to support the Association's request for the direct vesting of a larger portion of the Reserve and seek to relinquish its Management Order over the portion of Reserve as outlined red on Attachment A.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Following the resolution of Council, the City will immediately inform the Department of Lands of the outcome. Should the Officer Recommendation be endorsed, it is likely to take several months for the amendment to the Reserve boundary and the transfer of management to occur.

OFFICER RECOMMENDATION

That the Council seek to relinquish the Management Order of a portion of Reserve 18562 and a portion of Reserve 18918 as shown hatched in black on Attachment A and request the Minister for Lands to vest management of this portion of land with the Acton Park & Districts Community Hall Inc.



14.2 SURF LIFE SAVING WA PROPOSED LEASE OF STORAGE SHED RESERVE 37300

SUBJECT INDEX:	Agreements/Contracts
STRATEGIC OBJECTIVE:	A City where the community has access to quality cultural, recreation, leisure facilities and services.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Finance and Corporate Services
REPORTING OFFICER:	Property Coordinator - Ann Strang
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Matthew Smith
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Plan Showing Proposed Area to be Leased to Surf Life Saving WA

PRÉCIS

Surf Life Saving Western Australia (SLSWA) stores their emergency response equipment on a portion of Lot 531, Valley Road, Yallingup, Reserve 37300. The SLSWA have indicated that they would like to formalise tenure of their storage shed as shown hatched yellow on Attachment A of this report. The purpose of this report is to present a recommendation on suitable tenure arrangements.

BACKGROUND

Reserve 37300 Valley Road Yallingup is crown land vested with the City. Located on the Reserve is a fire brigade facility shared by the Yallingup Coastal Volunteer Bush Fire Brigade (“the Brigade”) and the Department Fire and Emergency Services (DFES), as shown hatched blue on Attachment A. Additionally SLSWA have constructed a storage shed on the Reserve, as shown hatched yellow on Attachment A. The history of these developments is outlined below.

In 2011, representatives from the Brigade, the Yallingup Landcare District Committee (LCDC) and Surf Life Saving Western Australia (SLSWA) formed a steering committee to initiate the construction of a Yallingup Emergency Service Support Centre (“the Centre”). Support and funding for the project was provided by the City of Busselton, Dale Alcock Homes, Yallingup Residents Association (YRA) and various other local community members and businesses, with the Centre constructed in 2012.

The Centre consists of a meeting room, kitchen, storage facilities and ablutions, as well as a communications room used exclusively by the Brigade (shown shaded blue on Attachment A). Shared areas including car parking and driveways are shown hatched red on the plan attached. The Brigade manages the Centre and use of the common areas on an informal basis due to their need for priority use of the Centre in the event of an emergency. For this reason the Centre is also not available for hire.

While currently there are no formal management arrangements for the Centre, the groups are proposing to enter into a memorandum of understanding (MOU) to ensure each party’s responsibilities for use of the Centre, i.e. cleaning and service costs, are clear. The MOU will also address the need to allow clear access ways to all of the facilities.

SLSWA are contracted by the City to operate rescue and surveillance services in and around Yallingup during the summer months. A service agreement for the provision of these services is entered into annually. The agreement requires SLSWA to provide rescue and surveillance services in addition to emergency response equipment such as an all-terrain vehicle, four-wheel drive vehicle and the rescue water craft.

SLSWA obtained grant funding from Lotterywest for the construction of a storage shed to house their equipment. To satisfy the requirements of their funding, SLSWA are seeking tenure over the portion of the Reserve on which the shed is located.

At the time of construction, the City did not have the power to lease the Reserve. On the 26 February 2014, a report was presented to Council to consider a range of changes to Crown land tenure in and around Yallingup, largely reflective of the Yallingup Foreshore Management Plan.

As part of this report it was proposed that the management order for Lot 531 (formerly Lot 4720) Reserve 37300 originally vested with the City for the purpose of Bush Fire Brigade Depot site' be amended to 'Bush Fire Brigade Depot and Community Centre' and that power to lease for any term up to 21 years be sought. The changes were necessary to facilitate the current use and were supported by both Council (C1402/039) and the Minister for Lands. Additionally the boundary between Yallingup Beach Caravan Park, Jangagarrup Reserve and the Brigade site was realigned to 'square off' the boundary and slightly expand the Lot.

A new title and management order has since been issued and the City is now in position to formalise a tenure arrangement with the SLSWA for the storage area.

STATUTORY ENVIRONMENT

When disposing of property whether by sale, lease or other means, a Local Government is bound by the requirement of section 3.58 of the Local Government Act. However 3.58 (5) (d) provides exemptions to this process under Regulation 30 (2) (b) (i) (ii) of the Local Government (Functions & General) Regulations.

This section states "disposal of land to incorporated bodies with objects of benevolent, cultural, educational or similar nature and the member of which are not enlisted to receive any pecuniary profit from the body's transactions, are exempt from the advertising and tender requirements of section 3.58 of the Local Government Act". The constitution of the SLSWA is such that this exemption applies.

Reserve 37300 being Lot 531, Deposited Plan 74582, Volume LR3165 Folio 647, 24 Valley Road, Yallingup is vested with the City with the power to lease for any term not exceeding 21 years, subject to the consent of the Minister of Lands, for the designated purpose of "Bush Fire Brigade Depot and Community Centre'

RELEVANT PLANS AND POLICIES

The recommendation to enter into a lease with SLSWA is generally consistent with the principles of Leases of City Land and Buildings Policy adopted by Council on 27 July 2016, noting however that, while the policy generally provides for longer lease terms for organisations that provide essential services, we are in this case recommending a 5 year lease with 5 year option, consistent with the terms of a standard community group lease. This is primarily because SLWSA's presence at Yallingup is reliant on a service agreement which is reviewed annually.

As per the Policy it is proposed that SLSWA have full responsibility for the construction and ongoing maintenance of the facility and associated outgoings and other costs.

FINANCIAL IMPLICATIONS

The rent charged to community and sporting groups for City land and/or building is currently \$205 per annum (inclusive of GST). As the City contracts and in effect funds the services provided by SLSWA, it would not benefit the City to charge them a rent for the storing of equipment associated

with the services. Therefore, in order to provide some consideration which is needed at law in order to form a lease, it is recommended that rent of \$1.00 be applied for the term of the lease.

If Council adopt the officer recommendation, then SLSWA would be liable for insurance and maintenance of the storage shed. Hence the City would not incur any financial liability.

Long-term Financial Plan Implications

Nil

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation is consistent with the following City of Busselton Strategic Priorities:

- 2.1 A City where the community has access to quality cultural, recreation, leisure facilities and services

RISK ASSESSMENT

There are no identified risks of a medium or greater level associated with the officer recommendation. The recommendation serves to mitigate the risks associated with there not being a lease in place.

CONSULTATION

The proposed lease terms and conditions have been discussed with SLSWA who are happy to enter into a lease as recommended in this report.

City officers have met with the parties involved in the Centre to discuss the proposed lease and the use and land matters relating to Reserve 37300. The parties are aware that SLSWA require a lease of the storage shed to acquit their funding and, while they are supportive of this, have indicated that they would not like to see any leasehold interest provided to a third party over any other portions of the Reserve.

As mentioned previously it is proposed that management arrangements in relation to the Centre will be addressed through an MOU between all parties

OFFICER COMMENT

SLSWA have been contracted to provide lifeguard services at both Smiths and Yallingup beaches during the summer months for over 15 years. The services they provide are critical in maintaining the safety of both residents and visitors using the ocean in the Yallingup area. The centralised location of the new storage shed and the response equipment it houses is important to the provision of these services.

In order to formalise land tenure arrangements and ensure clarity around obligations such as maintenance and insurance of the storage shed it is recommended that the City enter into a standard community group lease with SLSWA. As mentioned previously, due to the arrangement between SLSWA and the City, whereby the City contracts SLSWA's services which are in the nature of essential community services, it is proposed that the lease be for a term of 5 years with a further 5 year option, at the rent of \$1.00 for the term.

It is proposed that the lease contain a clause giving the City the option to terminate the lease should the service agreement not be renewed at any stage.

CONCLUSION

SLSWA provide an important service in and around the Yallingup area. Under the service agreement with the City they are required to supply capital equipment associated with the services provided, with the storage shed constructed to house this equipment. The proposal to enter into a lease with SLSWA for a storage area is consistent with the requirements of the service agreement and ensures the continuing effectiveness of the service provided by SLSWA. It is therefore recommended that Council grant a lease on the terms and conditions outlined in the Officer Recommendation

OPTIONS

1. Council can resolve not to enter into a lease with the SLSWA, noting the City would therefore accept the responsibility of ongoing maintenance and insurance associated with the shed.
2. Council can resolve to enter into a different term of lease with the SLSWA, not exceeding 21 years.

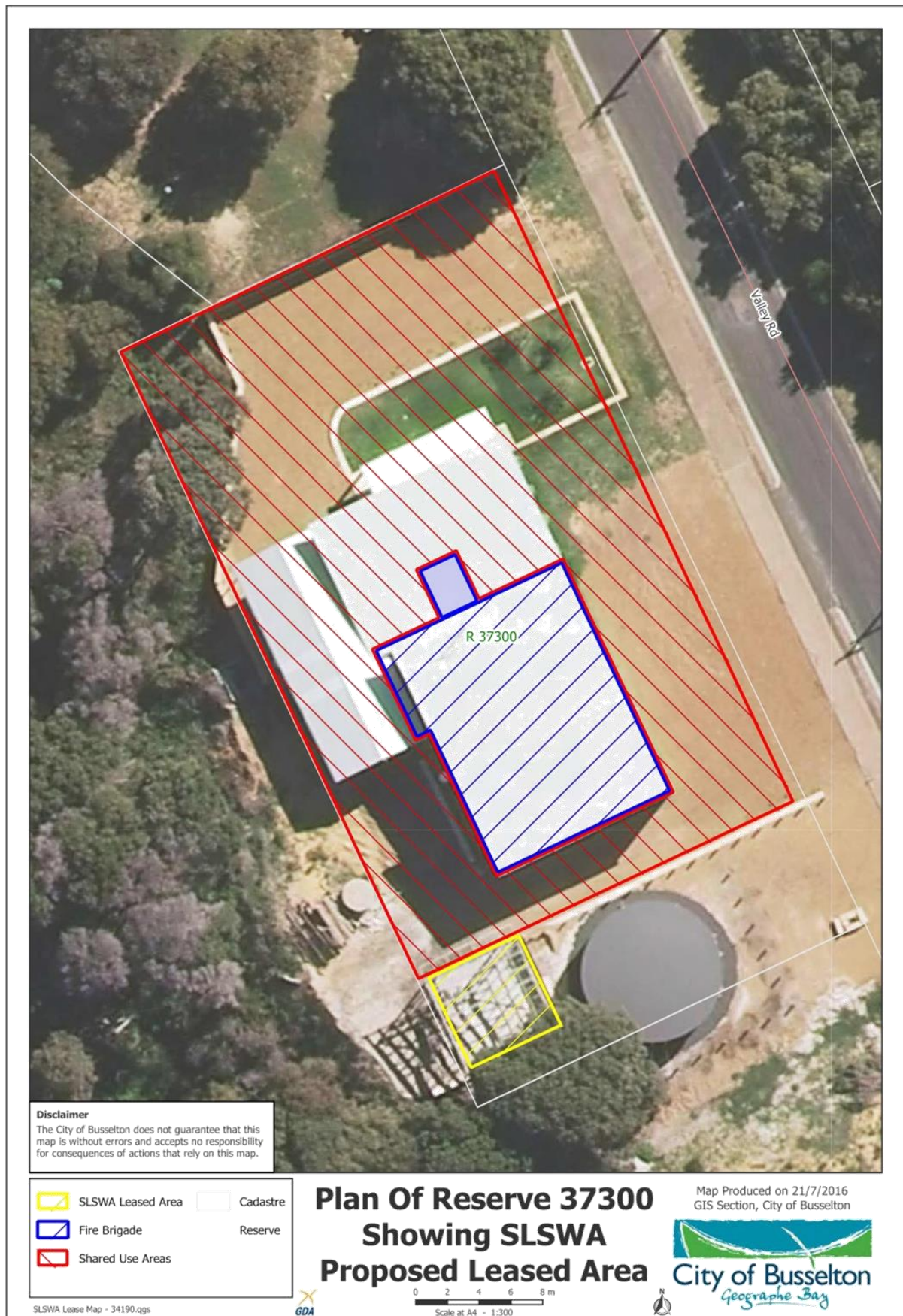
TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

It is anticipated that the lease would be forwarded to SLSWA and executed by all parties no later than 1 September 2016.

OFFICER RECOMMENDATION

That the Council:

1. Enter into a lease, subject to the Minister for Lands approval, with the Surf Life Saving Western Australia (SLSWA) for the occupation of a portion of Reserve 37300, Lot 531, Valley Road, Yallingup, as shown hatched yellow on Attachment A on the following terms;
 - a) The lease is to be consistent with the City's standard community groups lease;
 - b) The term of the lease commencing 1 September 2016 and expiring on the 31 August 2021, with a further 5 year option;
 - c) The rent to be \$1.00 inclusive of GST for the term;
 - d) All costs associated with the preparation of the lease to be met by the Lessee;
 - e) The City is able to terminate the lease if the City and SLSWA do not enter into a service agreement for the provision of services at Yallingup.



15. CHIEF EXECUTIVE OFFICER'S REPORT

15.1 COUNCILLORS' INFORMATION BULLETIN

SUBJECT INDEX:	Councillors' Information
STRATEGIC OBJECTIVE:	Governance systems that deliver responsible, ethical and accountable decision-making.
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 1 July - 15 July Attachment B Planning Applications Determined 1 July - 15 July Attachment C State Administrative Tribunal Appeals as at 21 July 2016 Attachment D Department of Fire and Emergency Services - Response to the Ferguson Bushfire Inquiry Attachment E Leeuwin Naturaliste Sub-Regional Planning Steering Group - Meeting Notes 16 July 2016

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 & Development Statistics

Attachment A is a report detailing all Planning Applications received by the City between 1 July, 2016 and 15 July, 2016. 39 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 1 July, 2016 and 15 July, 2016. A total of 29 applications (including subdivision referrals) were determined by the City during this period with 29 approved / supported and 0 refused.

15.1.2 State Administrative Tribunal (SAT) Appeals

Attachment C is a list showing the current status of State Administrative Tribunal Appeals involving the City of Busselton as at 21 July 2016.

15.1.3 Department of Fire & Emergency Services – DFES Response to the Ferguson Bushfire Inquiry

Correspondence has been received from the Department of Fire & Emergency Services and is available to view in Attachment D.

15.1.4 Leeuwin Naturaliste Sub-Regional Planning Steering Group – Meeting Notes

The meeting notes from the Naturaliste Sub-Regional Planning Steering Group from the 16 July 2016 meeting is included in Attachment E.

OFFICER RECOMMENDATION

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

- 15.1.1 Planning & Development Statistics
- 15.1.2 State Administrative Tribunal (SAT) Appeals
- 15.1.3 Department of Fire & Emergency Services – DFES Response to the Ferguson Bushfire Inquiry
- 15.1.4 Leeuwin Naturaliste Sub-Regional Planning Steering Group – Meeting Notes

Applications Received (Deemed Complete) Report

Application Number	Description	Primary Property Address	Primary Property Legal Desc	Date Application Deemed Complete	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications								
DA16/0436	Residential Enterprise (Office and storage in association with outbuilding business)	6 Casuarina Drive~GEOGRAPHE WA 6280	Lot 97 PLAN 20376	7/07/2016	0	Martin Anthony Palmer & Maxine Palmer	Martin Anthony Palmer	42
DA16/0439	Single House (Landscape Value Area)	618 Caves Road~MARYBROOK WA 6280	Lot 20 DIAGRAM 20736	1/07/2016	1272727.27	Ivan Humich	Harley Dykstra	20
DA16/0448	Use Not Listed (Additions to 'Op Shop' Storage Area)	48 Gibney Street~DUNSBOROUGH WA 6281	Lot 135 PLAN 166723	13/07/2016	10000	The Bunbury Diocesan Trustees	St Georges Anglican Church	0
DA16/0452	DAM	65 Blackbutt Close~YALLINGUP SIDING WA 6282	Lot 94 PLAN 20163	1/07/2016	360	Rodney James Holt	Rodney James Holt	21
DA16/0465	RESIDENTIAL ENTERPRISE (REHABILITATION, CHRONIC DISEASE MANAGEMENT, PERSONAL TRAINING AND GROUP FITNESS)	16 Oakmont Crescent~DUNSBOROUGH WA 6281	Lot 442 PLAN 39532	5/07/2016	0	Drew David Hoar & Rebecca Louise Hoar	Drew David Hoar	17
DA16/0467	USE NOT LISTED (RURAL PURSUIT - FRUIT ORCHARD)	1348 Vasse-Yallingup Siding Road~YALLINGUP SIDING WA 6282	Lot 81 PLAN 46639	5/07/2016	1	Craig Owen Gemmill & Renee Gemmill	Craig Owen Gemmill, Renee Gemmill, Planning Solutions	1
DA16/0474	CARPORT/PATIO (REDUCED REAR AND SIDE SETBACKS)	48 Hakea Way~DUNSBOROUGH WA 6281	Lot 159 DIAGRAM 87973	8/07/2016	4000	Jane Sambrook-Polain & Matthew James Polain	Cleverley Done Patios	18
DA16/0480	GROUPED DWELLING	15/1 St Michaels Parkway~DUNSBOROUGH WA 6281	Lot 14 SSPLN 56939	6/07/2016	167725	Reid Henderson	Dale Alcock Homes South West Pty Ltd	24
DA16/0487	SINGLE HOUSE (REDUCED SETBACK)	72 Geographe Bay Road~DUNSBOROUGH WA 6281	Lot 6 DIAGRAM 94282	7/07/2016	400000	Kevin Neil Rose, Elizabeth Ann Rose, Michelle Gahan Rose Devereux, Lee Geoffrey Devereux	Michelle Gahan Rose Devereux	20
DA16/0489	HOLIDAY HOME (GROUPED DWELLING) 6 PEOPLE	41 Brown Street~BUSSELTON WA 6280	Lot 2 STPLN 71430	6/07/2016	0	Troy John Stiles & Chika Mamo	Down South Getaways & Property Management	9
DA16/0490	RELOCATED BUILDING ENVELOPE (TO ACCOMMODATE A SINGLE DWELLING & OUTBUILDING)	Sheoak Drive~YALLINGUP WA 6282	Lot 123 PLAN 39416	13/07/2016	850000	Karen/Elizabeth Stewart	Sorensen Architects	14
DA16/0491	ANCILLARY ACCOMMODATION (CONVERSION OF EXISTING OUTBUILDING WITH REDUCED SETBACK)	20 Glen Eagles Grove~WEST BUSSELTON WA 6280	Lot 564 PLAN 20909	1/07/2016	20000	John Raymond McGinnis, Jodie Lee McGinnis, Brian James Purcell, Shirley Anne Purcell	Michael Hosie	21
DA16/0492	TOURIST ACCOMMODATION (ADDITIONS)	15/95 Gifford Road~DUNSBOROUGH WA 6281	Lot 15 STPLN 29696	12/07/2016	18000	Michael Anthony Hall & Thorbjorg Augusta Einarsdottir Hall	Geoffrey David Allison	3
DA16/0493	OUTBUILDING (REDUCED SETBACK)	13 Goshawk Way~VASSE WA 6280	Lot 37 PLAN 76953	1/07/2016	19850	Darren Shayne Gordon & Mirella Immacolata Gordon	CPR Outdoor Centre	21
DA16/0494	OUTBUILDING (OVERSIZED OUTBUILDING IN LANDSCAPE VALUE AREA)	38 Sloan Drive~DUNSBOROUGH WA 6281	Lot 76 PLAN 20473	4/07/2016	20000	Robert Jonathon Drake Blechynden	Busseton Sheds Plus	9
DA16/0495	SINGLE HOUSE (RETAINING WALL IN PORT GEOGRAPHE DEVELOPMENT AREA)	3 Windward Green~GEOGRAPHE WA 6280	Lot 116 PLAN 59251	7/07/2016	9000	James William Deale, Maureen Deale, Lawrence John Deale, Morris Leonard Deale	Maureen Deale, Lawrence John Deale, James William Deale, Morris Leonard Deale	11
DA16/0496	OUTBUILDING (REDUCED SETBACK)	10 Jabiru Place~GEOGRAPHE WA 6280	Lot 427 PLAN 21656	4/07/2016	13329	Julie Dayle Sutor & Noel James Sutor	Outdoor World Cape to Cape	9
DA16/0497	SINGLE HOUSE (REDUCED SETBACK IN OLD DUNSBOROUGH SPECIAL CHARACTER AREA)	10 Adelaide Road~DUNSBOROUGH WA 6281	Lot 29 PLAN 6155	4/07/2016	600000	Adrian Orchard Pty Ltd	CSA Craig Steere Architects	18
DA16/0498	HOLIDAY HOME (SINGLE HOUSE) 8 PERSONS	7 Windlemere Drive~DUNSBOROUGH WA 6281	Lot 83 PLAN 18889	5/07/2016	0	Lisa Margaret Benson, Ryan James Benson, Linda Elizabeth DeMasson	Ryan James Benson	0
DA16/0500	CHALET	10/3599 Caves Road~WILYABRUP WA 6280	Lot 10 SSPLN 54729	5/07/2016	309374.5	Jamie Nicole Riley & Scott Murry Riley	AK Homes Construction Pty Ltd	13
DA16/0502	HOLIDAY HOME (SINGLE HOUSE) - 8 PEOPLE	18 Willmott Street~GEOGRAPHE WA 6280	Lot 553 PLAN 23306	7/07/2016	0	Robert Del Fante & Susan Linda Anne Del Fante	Simon David Marden	3
DA16/0503	MARKET	24 Dunn Bay Road~DUNSBOROUGH WA 6281	Lot 202 DIAGRAM 92952	6/07/2016	170000	24 DB Pty Ltd	24 DB Pty Ltd	0
DA16/0504	SINGLE HOUSE IN LANDSCAPE AREA WITH REFLECTIVE MATERIALS	Woodbridge Vale~YALLINGUP SIDING WA 6282	Lot 5 PLAN 38741	12/07/2016	800000	Mark Adam Olszewski & Jennie Susanne Olszewski	Tropo Architects	0
DA16/0505	BULK EARTHWORKS AND SITE SURCHARGING	Layman Road~GEOGRAPHE WA 6280	Lot 9507 PLAN 59251	7/07/2016	3778200	Aigle Geographe Pty Ltd	Aigle Geographe Pty Ltd, Tabec Pty Ltd	2
DA16/0506	HOLIDAY HOME (GROUPED DWELLING) 4 PEOPLE	13 Gibney Street~DUNSBOROUGH WA 6281	Lot 1 STPLN 16740	12/07/2016	0	Peter Michael Featherby	Peter Michael Featherby	2
DA16/0507	PRIVATE RECREATION (RETENTION OF ABUTMENT BLOCK, GAZEBO AND ECOTENT) AND CHANGE OF USE (OUTBUILDING TO CHALET)	231 Injidup Spring Road~YALLINGUP WA 6282	Lot 21 PLAN 37197	6/07/2016	1	Ken Arthur Eichenberg	Ken Arthur Eichenberg	0
DA16/0508	HOLIDAY HOME (SINGLE HOUSE) - 6 PEOPLE	144 Geographe Bay Road~QUINDALUP WA 6281	Lot 3 DIAGRAM 31601	11/07/2016	0	Geraldine Page & Robert Page	Geraldine Page, Robert Page	7
DA16/0509	BOUNDARY FENCE - (2.23M HIGH)	2 Moonshine Place~DUNSBOROUGH WA 6281	Lot 1 SSPLN 48233	12/07/2016	10000	Troy Paige Davison	Troy Paige Davison	6

DA16/0510	MODIFIED BUILDING ENVELOPE (OVERSIZED / OVER-HEIGHT OUTBUILDING)	4 Klaehn Crescent~YALVALUP WA 6280	Lot 335 PLAN 37205	8/07/2016	14000	Cosimo Cordi & Maria Norma Cordi	Busseton Sheds Plus	11
DA16/0512	SINGLE HOUSE (R-CODE VARIATION - VEHICULAR ACCESS)	2 Antibes Way~YALVALUP WA 6280	Lot 1632 PLAN 406716	11/07/2016	161347	East Busseton Estate Pty Ltd	Ventura Home Group Pty Ltd	5
DA16/0513	HOLIDAY HOME (SINGLE HOUSE) 6 PEOPLE	5 Andrews Street~GEOGRAPHE WA 6280	Lot 15 DIAGRAM 27382	11/07/2016	0	David Michael Russell & Allison Marie Russell	David Michael Russell, Allison Marie Russell	11
DA16/0514	OUTBUILDING (CABANA IN EAGLE BAY SPECIAL CHARACTER AREA)	1 Eagle Bay Meelup Road~EAGLE BAY WA 6281	Lot 203 DIAGRAM 100544	11/07/2016	34500	Jane Elizabeth Simes	Down South Building Company	0
DA16/0516	HOLIDAY HOME (SINGLE HOUSE) 8 PEOPLE	60 Fern Road~EAGLE BAY WA 6281	Lot 208 PLAN 28889	11/07/2016	0	Poolerell Investments Pty Ltd	Poolerell Investments Pty Ltd	11
DA16/0517	SINGLE HOUSE (ADDITIONS AND ALTERATIONS IN A SPECIAL CHARACTER AREA)	20 Hammond Road~YALLINGUP WA 6282	Lot 45 PLAN 8037	11/07/2016	80000	John Wyborn Seabrook	TR MacKinnon & Company	7
DA16/0519	HOLIDAY HOME (SINGLE HOUSE) 12 PEOPLE	27 King Street~WEST BUSSETON WA 6280	Lot 1 SSPLN 59676	12/07/2016	0	Bruce Real Property Investments Pty Ltd	Bruce Real Property Investments Pty Ltd	10
DA16/0520	OUTBUILDING (OVER-HEIGHT OUTBUILDING IN PORT GEOGRAPHE DEVELOPMENT AREA)	5 Casuarina Drive~GEOGRAPHE WA 6280	Lot 423 PLAN 21786	13/07/2016	18500	Joseph Damian Reither & Kathleen Frances Reither	Mick Bray Building	0
DA16/0523	SINGLE HOUSE (PORT GEOGRAPHE DEVELOPMENT AREA)	18 Burgee Cove~GEOGRAPHE WA 6280	Lot 9 PLAN 57392	13/07/2016	282771.8	Keith Desmond Townsend & Nicole Suzanne Townsend	Tangent Nominees Pty Ltd	0
DA16/0532	OUTBUILDING (OVER-HEIGHT AND REDUCED SETBACK)	7 Beaufort Crescent~WEST BUSSETON WA 6280	Lot 138 PLAN 21585	14/07/2016	10000	Adam Samuel Campbell & Kayleigh Susette Campbell	Adam Samuel Campbell	2
WAPC16/0037	Survey Strata - 2 x Lots (411m2 - 573m2)	9 Coobari Grange~WEST BUSSETON WA 6280	Lot 857 PLAN 407130	7/07/2016	0	Aaron John Bell & Kerrie Jane Bell	Aaron John Bell, Kerrie Jane Bell	16

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										
DA15/0578	Discount Department Store (Kmart)	80 West Street-WEST BUSSELTON WA 6280	Lot 17 PLAN 1717	4/07/2016	Approved	Approved	127	9000000	Realview Holdings Pty Ltd	Planning Solutions
DA15/0579	Showerroom and Supermarket	80 West Street-WEST BUSSELTON WA 6280	Lot 17 PLAN 1717	4/07/2016	Approved	Approved	126	2000000	Realview Holdings Pty Ltd	Planning Solutions
DA15/0678	Mineral Resource Development	109 Sues Road-YALVALUP WA 6280	Lot 100 PLAN 65306	12/07/2016	Approved	Approved	115	425000	Cable Sands WA Pty Ltd	Cable Sands WA Pty Ltd
DA16/0365	Grouped Dwelling	15/3 Dunn Bay Road-DUNSBOROUGH WA 6281	Lot 15 STPLN 28592	8/07/2016	Approved	Approved	53	500000	Thomas Andrew Cohen	Mark Webster Design
DA16/0372	Ten (10) Camping Sites	97 Caves Road-ABBEY WA 6280	Lot 3 DIAGRAM 46285	7/07/2016	Approved	Approved	49	1	IAC Tourism Assets Pty Ltd	TPG Town Planning and Urban Design
DA16/0377	Ancillary Accommodation	23 Koorabin Drive-YALLINGUP WA 6282	Lot 57 PLAN 38183	7/07/2016	Approved	Approved	38	93000	Christopher William Breheny & Sarah Kate Malcolm	Christopher William Breheny, Sarah Kate Malcolm
DA16/0378	Grouped Dwelling (Special Character Area)	6A Mentor Place-DUNSBOROUGH WA 6281	Lot 1 SSPLN 39591	14/07/2016	Approved	Approved	27	825000	GRN Property Pty Ltd	Greg Davies Architects
DA16/0415	Over Sized Outbuilding (Aggregate) with Reduced Side Setback	17 Friesian Grove-BOVELL WA 6280	Lot 138 PLAN 33603	6/07/2016	Approved	Approved	36	9180	Barbara Patricia Clarke & Kenneth Peter Clarke	CPR Outdoor Centre
DA16/0420	Single Residence (Group Dwelling Site)	44 Reynolds Street-WEST BUSSELTON WA 6280	Lot 70 DIAGRAM 24798	6/07/2016	Approved	Approved	7	185000	Michael Anthony Bray	Michael Anthony Bray
DA16/0423	GROUPED DWELLING (ONE PROPOSED DWELLING)	36A Reynolds Street-WEST BUSSELTON WA 6280	Lot 2 SSPLN 58187	7/07/2016	Approved	Approved	11	199900	Clifford Allen Bamkin	33 South Building Group Pty Ltd
DA16/0428	Holiday Home (Single Dwelling) 10 occupants	9 Glinney Street-DUNSBOROUGH WA 6281	Lot 1 SSPLN 41860	5/07/2016	Approved	Approved	20	0	Penzolite Pty Ltd	Penzolite Pty Ltd
DA16/0441	Grouped Dwellings (Two proposed dwellings)	47 Spinnaker Boulevard-GEOGRAPHE WA 6280	Lot 75 PLAN 40427	1/07/2016	Approved	Approved	19	725000	Lowe Pty Ltd	Pro Living Pty Ltd
DA16/0445	Shed (wall constructed up to lot boundary in R15)	365 Busseil Highway-BROADWATER WA 6280	Lot 107 PLAN 67310	7/07/2016	Approved	Approved	22	15000	Brett Francis Moir & Hannah Catherine Bennett	Brett Francis Moir, Hannah Catherine Bennett
DA16/0446	Holiday Home (Single House) 8 Persons	15 Freycinet Drive-GEOGRAPHE WA 6280	Lot 400 PLAN 21949	14/07/2016	Approved	Approved	30	0	Steven John Dylak & Kerry Lorraine Dylak	Steven John Dylak, Kerry Lorraine Dylak
DA16/0453	Grouped Dwelling Additions (Special Character Area)	2/35 Turner Street-DUNSBOROUGH WA 6281	Lot 2 STPLN 22058	14/07/2016	Approved	Approved	28	10000	Sandra Joan Taylor	Sandra Joan Taylor
DA16/0457	SINGLE HOUSE (OVER-HEIGHT OUTBUILDING WITH REDUCED SETBACKS)	27 Goshawk Way-VASSE WA 6280	Lot 25 PLAN 76953	14/07/2016	Approved	Approved	16	30000	Scott James Boland & Jessica Ann Van Hooydonk	Scott James Boland, Jessica Ann Van Hooydonk
DA16/0459	Place of Public Worship (free-standing sign and wall sign)	149 Kent Street-BUSSELTON WA 6280	Lot 19 DIAGRAM 16843	14/07/2016	Approved	Approved	14	2000	Assemblies of God in Australia	Assemblies of God in Australia
DA16/0470	Studio/Store (Retrospective)	57 June Place-YALLINGUP SIDING WA 6282	Lot 70 PLAN 20532	5/07/2016	Approved	Approved	6	22727.27	Giuseppe Ottone & Melanie Jane Clark	Giuseppe Ottone
DA16/0471	Single House (Vehicle access from primary street)	38 Gigondas Street-YALVALUP WA 6280	Lot 626 PLAN 403469	7/07/2016	Approved	Approved	14	241206.36	Sana Turnock & David John Turnock	BGC Residential Pty Ltd
DA16/0477	R-Codes (Fence within primary street setback area)	13 Maggie Way-GEOGRAPHE WA 6280	Lot 56 PLAN 403601	5/07/2016	Approved	Approved	6	2000	Lawrence John Deale	James William Deale
DA16/0502	HOLIDAY HOME (SINGLE HOUSE) - 8 PEOPLE	18 Willmott Street-GEOGRAPHE WA 6280	Lot 553 PLAN 23306	7/07/2016	Approved	Approved	3	0	Robert Del Fante & Susan Linda Anne Del Fante	Simon David Marden
DA16/0508	HOLIDAY HOME (SINGLE HOUSE) - 6 PEOPLE	144 Geographe Bay Road-QUINDALUP WA 6281	Lot 3 DIAGRAM 31601	11/07/2016	Approved	Approved	7	0	Geraldine Page & Robert Page	Geraldine Page, Robert Page
WAPC15/0041	2 x Survey Strata Lots (354m2 & 353m2)	69 Norfolk Street-DUNSBOROUGH WA 6281	Lot 124 PLAN 18377	13/07/2016	Approve	Approved	44	0	Diane Frances Moore & Joshua Carl Dittmer	SurvCon Pty Ltd
WAPC16/0020	71 x Residential Lots (356sqm - 1004sqm) including POS and Balance Lot	Layman Road-GEOGRAPHE WA 6280	Lot 9507 PLAN 59251	1/07/2016	Support	WaitWAPC	64	0	Aigle Geographe Pty Ltd	Taylor Burrell Barnett Town Planning & Design
WAPC16/0024	Subdivision - 106 Lots (255sqm - 7.25Ha)	Busseil Highway-ABBEY WA 6280	Lot 9001 PLAN 69783	5/07/2016	Support	WaitWAPC	53	0	Perron Developments Pty Ltd & Stawell Pty Ltd	Roberts Day Group - Town Planning and Design
WAPC16/0027	Subdivision - 2 x Lots (5,137m2 - 6,731m2)	Napoleon Promenade-KEALY WA 6280	Lot 9545 PLAN 407112	8/07/2016	Support	WaitWAPC	57	0	Perron Developments Pty Ltd & Stawell Pty Ltd	ON-Q Projects
WAPC16/0028	Subdivision - 31 x Residential Lots (551sqm - 833sqm)	Maggie Way-GEOGRAPHE WA 6280	Lot 9501 PLAN 403601	5/07/2016	Support	Approved	44	0	Santine Developments Pty Ltd	Able Planning & Project Management
WAPC16/0030	Form 24 - 5 x Commercial Lots (SP75034)	6 Griffin Drive-DUNSBOROUGH WA 6281	Lot 908 PLAN 45007	14/07/2016		Approved	43	1	Chantal Suzanne Baxter	SurvCon Pty Ltd
WAPC16/0033	Subdivision - 3 x Lots (2,041Ha - 6.75Ha)	208 Quedjinup Drive-QUEDJINUP WA 6281	Lot 206 PLAN 23383	11/07/2016	Support	WaitWAPC	41	0	Dace Frank Verbakel	Naturaliste Land Surveys

(Note: All applications (excluding WAPC matters) are managed by the legal services section of Finance and Corporate Services in conjunction with the responsible officer below.)

As at 21 July 2016

APPEAL (Name, No. and Shire File Reference)	DATE COMMENCED	DECISION APPEAL IS AGAINST	RESPONSIBLE OFFICER	STAGE COMPLETED	NEXT ACTION AND DATE OF ACTION AS PER SAT ORDERS	DATE COMPLETED / CLOSED
Eichenberg vs City of Busselton	December 2014	Appeal against Section 214(2) and 214(3) Notices issued on 17 December 2014 for the removal of all illegal structures and cease the use of the land for raves and functions.	Jo Wilson/Paul Needham/Moshe Philips	<p>Mediation on 20 November 2015 which resulted in following orders being made:</p> <ul style="list-style-type: none"> • Applicant to engage an accredited fire specialist to prepare a Bushfire Fire Management Plan. • All notices have been stayed pending consideration of the BFMP. • Applicant did not engage a specialist to undertake a BFMP as a result the matter has been listed for a Directions Hearing to set dates for a Formal Hearing. • Directions Hearing on 6 May 2016, the applicant has been given 2 months to submit a planning application and FMP. • A development application was received on 30 June 2016. • Mediation on 12 July 2016 where it was agreed that an amended Development Application will be submitted by the 21 July 2016 and the current 	<ul style="list-style-type: none"> • Development application to be submitted by 21 July 2016. 	

				development application will be withdrawn.		
DCSC vs Southern JDAP	January 2016	Appeal against refusal of Development application	State Solicitors Office/Anthony Rowe/Paul Needham	<ul style="list-style-type: none"> Parties to circulate documents categorising the land use within 14 days. Land use to be determined by SAT. 	<ul style="list-style-type: none"> City seeking further advice from Southern JDAP representatives as to progress/direction with resolving land use classification issue. 	
Caves Caravan Park vs City of Busselton	March 2016	Appeal against Section 34(4) of the Caravan Parks and Camping Grounds Act 1995 and Section 214(2) notice for illegal structures and camping	Moshe Philips/Tanya Gillett/Anthony Rowe	<ul style="list-style-type: none"> Directions hearing to commence proceedings and discuss way forward. Mediation hearing on 29 April 2016. The City is to prepare a report to Council in line with the Orders from SAT for the reconsideration of S.34 of the Caravan and Camping Grounds Act 1995. Directions hearing scheduled for 10 August 2016 	<ul style="list-style-type: none"> Directions hearing on 10 August 2016 	
Caves 1676 Pty Ltd v Western Australian Planning Commission and City of Busselton	April 2016	Appeal against the refusal of a survey-strata subdivision	State Solicitors Office/Joanna Wilson/Moshe Philips	<ul style="list-style-type: none"> Mediation Hearing on 27 April 2016 to discuss the issue of whether the development approval which has expired had substantially commenced. The applicant is to submit evidence that the works have substantially commenced and the City and SSO is to form a view if they agree. Mediation on 7 June 2016, an agreement on 	<ul style="list-style-type: none"> Directions hearing on 29 July 2016 	

				<p>substantial commencement could not be reached; the SSO and Tribunal have suggested that the City submit an intervention application to become a party to the proceedings.</p> <ul style="list-style-type: none"> • Intervention application has been submitted by the City. • Directions hearing on 29 July 2016 to arrange dates for a Hearing. 		
Formas v Western Australian Planning Commission	April 2016	Appeal against the refusal of a three lot subdivision	State Solicitors Office/J Joanna Wilson	<ul style="list-style-type: none"> • Mediation on 27 April 2016 to discuss the issue that the existing dwellings on site have existing development approvals and the applicant is arguing that as they have a purple title the subdivision could be approved. • The parties could not agree in Mediation and the application has requested the matter goes to a Hearing. • Directions Hearing on 2 June to set dates for a Hearing. • City's expert witness statement to be submitted by 17 August 2016. • Hearing set for 21 September 2016 for a duration of three days 	• Hearing 21 September 2016	

Credaro v City of Busselton	June 2016	Appeal against the refusal of an extension of time for an Extractive Industry	Anthony Rowe/Andrew Watts	<ul style="list-style-type: none"> • Directions hearing on 29 June 2016 to arrange date mediation; • Mediation scheduled for 12 August 2016, Councillors/CEO and Mr Threadgold is invited to attend the mediation 	• Mediation on 12 August 2016	
Kumar v City of Busselton	May 2016	Appeal against the refusal of a development application.	Tanya Gillett/Anthony Rowe	<ul style="list-style-type: none"> • Directions hearing on 22 June 2016 to arrange date for mediation; • Mediation on 1 July 2016 where it was agreed that the matter be deferred subject to negotiations to find alternative locations for the applicant; • Mediation scheduled for 22 July 2016. 	• Mediation on 22 July 2016	



Government of **Western Australia**
Department of Fire & Emergency Services



Our Ref: 16/50757

Cr Grant Henley
Mayor
City of Busselton
Locked Bag 1
BUSSELTON WA 6280

City of Busselton	Application No	Receipt No	City of Busselton
	CIO ID		
	15 JUL 2016		
	Property ID	Doc ID	
	Retention		

Dear Cr Henley

DFES RESPONSE TO THE FERGUSON BUSHFIRE INQUIRY

As you would be aware, the *January 2016 Waroona Fire Special Inquiry* that was released on 23 June made 17 recommendations for strategic change and identified 23 opportunities for improvement across agencies. Some of the findings relate to new initiatives and others endorse projects that are well underway to improve our collective response to managing rural bushfire.

The Inquiry acknowledged that strategies for attacking the fire were reasonable and decisions made were appropriate. Those on the ground made difficult decisions under extremely challenging circumstances. The report also recognised the contribution of Bush Fire Service volunteers and other volunteer emergency service workers who attended this fire and further validated their critical role in the response to bushfires and emergencies across the State.

This endorsement of your volunteer brigades is more than justified – their hard work and commitment was evident over the last fire season. Please convey my personal thanks to them for their outstanding service and extend this to your local government staff who also contributed in key roles. Enclosed is a letter of thanks for your consideration, for distribution to your volunteer brigades.

For now, work to implement and progress the many actions that we have previously identified as critical will continue, whilst we await direction from the State Government on broader proposals. Once detailed consideration of the report has been undertaken, I expect that we will all continue to dig deep and work together to capitalise on future opportunities for ongoing improvement.

The Department of Fire and Emergency Services is firmly committed to implementing changes to improve our State's bushfire response.

Achieving meaningful and lasting change will require a sustained, joint effort and ongoing collaboration between all the many agencies and the personnel involved.

Change is never easy, but it drives us all forward and the findings of this report must strengthen our resolve to work together to reduce catastrophic fires and the irrevocable impact they have on people and their local communities.

For the immediate future, I do not envisage that any proposed changes will impact on the management of your local Bush Fire Service Brigades.

My focus will be on our readiness for the next bushfire season and to continue working hard to ensure that we have the training, equipment and systems in place to prepare and protect communities across the State.

I welcome your support.

Yours sincerely



WAYNE GREGSON APM
COMMISSIONER

12 July 2016

Enc: Letter for volunteers – DFES Response to the Ferguson Bushfire Inquiry

**Team: Regional
Planning**

Directorate: South West

Meeting Notes

Subject:	Leeuwin Naturaliste Sub-Regional Planning Steering Group		
Location:	Busselton Community Resource Centre		
Date:	16 June 2016		
Attendees	Name		Position
	STEERING GROUP MEMBERS		
	Ross Thornton (Chair)		WAPC
	Garry Middle		WAPC
	Anna Oades		SWDC
	Cr Ian Earl (President)		Shire of Augusta-Margaret River
	Cr. Grant Henley (Mayor)		City of Busselton
	David Saunders		DoP
	Mike Schramm		DoP
	Ashley Randell		DoP
	EXECUTIVE OFFICER AND SUPPORT		
	Brod Meredith		DoP
	Verity Lee		DoP
	OBSERVERS		
	Jane Stockley		DoP
	Nick Logan		Shire of Augusta-Margaret River
	Paul Needham		City of Busselton
Apologies	None		
Previous minutes approved by		N/A	
Recorder	Verity Lee	File No:	DP 15/00576 & DP 16/00015

No	Item
1.	<p>Introductory Comments</p> <p>The Chair provided the reasons for and purpose of the Sub-regional Strategy.</p> <p>The Steering Group will provide guidance and direction for the preparation of the Strategy with the WAPC endorsing the final document. The role of the Steering Group is outlined in the Terms of Reference.</p> <p>The Sub-Regional Strategy will complement the Leeuwin Naturaliste Ridge SPP 6.1 (SPP 6.1), South West Region Planning and Infrastructure Framework (SWRPIF), and other strategic documents by providing more detailed direction in the strategic sub-regional framework. In particular, the Strategy will ensure there is sufficient land identified to accommodate future growth, that updated WAPC policies such as bushfires, coastal planning, mining (in particular coal mining) and other matters are included, and that there</p>

is a consistent approach to local planning issues in both local governments.

Concurrently a Sub-Regional Strategy is also being prepared for the Gingin to Kalbarri coastal growth area.

2. **Communications Management Strategy**

A Draft Communications Strategy has been prepared.

Key external stakeholders include:

- City of Busselton
- Shire of Augusta-Margaret River
- Local Planning Consultants
- South West Development Commission
- Main Roads WA and Public Transport Authority
- Department of Mines and Petroleum
- General community

Key Dates

28 July 2016	Steering Group Meeting 2
17 August 2016	South West Region Planning Committee
27 October 2016	Steering Group Meeting 3
16 November 2016	South West Region Planning Committee
December – April 2017	Public Consultation Period
13 April 2017	Steering Group Meeting 4
May 2017	South West Region Planning Committee

3. **Key Issues to be considered**

- Settlement hierarchy.
- Infrastructure and servicing.
- Rural and agriculture land.
- Biodiversity & landscape protection.
- Resource extraction
- Coastal.
- Changing climate.
- Tourism.
- Transport.
- Water sustainability.

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17. CONFIDENTIAL REPORTS

The reports listed below are of a confidential nature, in accordance with section 5.23(2) of the Local Government Act 1995. These reports have been provided to Councillors, the Chief Executive Officer and Directors only.

RECOMMENDATION

That the meeting is closed to members of the public to discuss the following items which are confidential for the reasons as shown.

17.1 Airport Advisory Committee - 27/07/2016 - BUSSELTON-MARGARET RIVER REGIONAL AIRPORT CONSULTATIVE GROUP

This report contains information of a confidential nature in accordance with Section 5.23(2)(b) of the Local Government Act 1995, as it contains information relating to the personal affairs of any person.

17.2 BUSSELTON FORESHORE REDEVELOPMENT: PROPOSED FAMILY RESTAURANT/MICROBREWERY/FUNCTION CENTRE (PORTION OF RESERVE 38558)

This report contains information of a confidential nature in accordance with Section 5.23(2)(c), and Section 5.23(2)(e)(ii) and Section 5.23(2)(e)(iii) of the Local Government Act 1995, as it contains information relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting, and a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government and a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

17.3 DETERIORATION OF A HERITAGE PLACE (PHOEBE ABBEY'S HOUSE) - CONSIDERATION OF OPTIONS

This report contains information of a confidential nature in accordance with Section 5.23(2)(f)(i) of the Local Government Act 1995, as it contains information relating to a matter that if disclosed, could be reasonably expected to impair the effectiveness of any lawful method of procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law.

18. QUESTIONS FROM MEMBERS**19. PUBLIC QUESTION TIME****20. NEXT MEETING DATE**

Wednesday, 24 August 2016

21. CLOSURE