

# **Council Agenda**

13 April 2016

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

## **CITY OF BUSSELTON**

## MEETING NOTICE AND AGENDA - 13 APRIL 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, 13 April 2016, commencing at 5.30pm.

Your attendance is respectfully requested.

MIKE ARCHER

**CHIEF EXECUTIVE OFFICER** 

1 April 2016

## **CITY OF BUSSELTON**

## AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 13 APRIL 2016

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

## 2. <u>ATTENDANCE</u>

**Apologies** 

**Approved Leave of Absence** 

Nil

#### 3. PRAYER

The Prayer will be delivered by Reverend Wayne Warfield from St Mary's Anglican Church.

## 4. **PUBLIC QUESTION TIME**

**Response to Previous Questions Taken on Notice** 

**Public Question Time** 

## 5. <u>ANNOUNCEMENTS WITHOUT DISCUSSION</u>

**Announcements by the Presiding Member** 

Announcements by other Members at the invitation of the Presiding Member

- 6. <u>APPLICATION FOR LEAVE OF ABSENCE</u>
- 7. <u>PETITIONS AND PRESENTATIONS</u>
- 8. <u>DISCLOSURE OF INTERESTS</u>
- 9. CONFIRMATION AND RECEIPT OF MINUTES

**Previous Council Meetings** 

9.1 <u>Minutes of the Council Meeting held 23 March 2016</u>

## **RECOMMENDATION**

That the Minutes of the Council Meeting held 23 March 2016 be confirmed as a true and correct record.

#### **Committee Meetings**

9.2 Minutes of the Airport Advisory Committee Meeting held 23 March 2016

#### **RECOMMENDATION**

- 1) That the minutes of the Airport Advisory Committee Meeting held 23 March 2016 be received.
- 2) That the Council notes the outcomes of the Airport Advisory Committee Meeting held 23 March 2016 being:
  - a) The Busselton-Margaret River Regional Airport Master Plan (2016-36) Item is presented for Council consideration at Item 10.1 of this agenda.
- 9.3 Minutes of the Policy and Legislation Committee Meeting held 24 March 2016

#### RECOMMENDATION

- 1) That the minutes of the Policy and Legislation Committee Meeting held 24 March 2016 be received.
- 2) That the Council notes the outcomes of the Policy and Legislation Committee Meeting held 24 March 2016 being:
  - a) The Proposed Adoption of Policy on Beach Shelters Item is presented for Council consideration at Item 10.2 of this agenda.
  - b) The Minor Updating of Council Policies Following Further Review Process Item is presented for Council consideration at Item 10.3 of this agenda.
  - c) The Review of Policy 133: Drainage in Recreation Reserves Item is presented for Council consideration at Item 10.4 of this agenda.
  - d) The Review of Policy 181: Crossovers Item is presented for Council consideration at Item 10.5 of this agenda.
  - e) The Review of Policy 025: Building Control Standard of Site Classification for Subdivisions Item is presented for Council consideration at Item 10.6 of this agenda.
  - f) The Review of Policy 195: Reinstatement of Works in Road Reserves Item is presented for Council consideration at Item 10.7 of this agenda.

#### 10. REPORTS OF COMMITTEE

# 10.1 <u>Airport Advisory Committee - 23/03/2016 - BUSSELTON-MARGARET RIVER REGIONAL</u> AIRPORT MASTER PLAN (2016-36)

**SUBJECT INDEX:** Busselton-Margaret River Airport

STRATEGIC OBJECTIVE: Infrastructure assets are well maintained and responsibly managed to

provide for future generations.

**BUSINESS UNIT:** Community Services; Commercial Services

**ACTIVITY UNIT:** Commercial Services

**REPORTING OFFICER:** Director, Community and Commercial Services - Naomi Searle Director, Community and Commercial Services - Naomi Searle

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Busselton-Margaret River Regional Airport Master

Plan (2016-36)

This item was considered by the Airport Advisory Committee at its meeting on 23 March 2016, the recommendations from which have been included in this report.

The BMRRA Master Plan (2016-36) contains draft noise contours as a result of requests received through recent community information session regarding airport noise management. It is to be noted that the draft noise contours are not finalised and are subject to change following a recently commissioned peer review. The contours contained within the Plan are indicative only, once finalised they will be formally presented to the Council through the Airport Advisory Committee.

#### **PRÉCIS**

Following the submission of a comprehensive Business Case to the State Government, the City of Busselton was awarded \$55.9m for the redevelopment of the Busselton-Margaret River Airport (BMRA).

As part of the overall project, a review of the key plans and studies completed as part of the Business Case was been undertaken, including the key informant to the overall project, the Busselton Regional Airport Master Plan (2011-31). Following the endorsement (C1512/366) of the BMRA Concept and Staging Plan as an informing document to the Master Plan in December 2015, this report presents the Busselton – Margaret River Airport Master Plan (2016-2036) and recommends that Council endorses the Plan as a guide for future planning.

#### **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 \$55.9m to complete stage 2. In addition to this, in March 2016 a funding application was submitted to the Commonwealth Government's National Stronger Regions Fund to progress the project to international status.

Since the completion of the original Master Plan and Business Case, considerable progress has been made in delivering aspects of stage 1. In addition to this, a review of the Master Plan has been

undertaken. The review follows Council's consideration and subsequent endorsement (C1512/366) of a 'Concept and Staging Plan' as a key informant to the revised Master Plan.

The purpose of the Master Plan is to establish the framework for the future planning and development of the redeveloped BMRA to ensure the region achieves its strategic objectives and capitalizes on the aeronautical and commercial opportunities provided by the airport, whilst also meeting State Government funding deliverables. The Master Plan is intended to establish the basis for more detailed studies of design, infrastructure planning, land use planning and environmental impacts required to achieve the strategic direction.

This report outlines the key aspects of the Master Plan (2016-36) and seeks Council's endorsement of the Plan as a guide for future planning.

#### 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 Busselton Regional Airport Master Plan (2011- 2031) and Busselton Regional Airport Statement of Intent outline the vision for the BRA redevelopment and are relevant to this report.

#### **FINANCIAL IMPLICATIONS**

The State Government funding of \$55.9m to deliver stage 2 has been incorporated into the City's 2015/16 adopted budget, and will form part of future budgets. The funding covers operational and capital costs associated with the project. Cost estimates (+/- 20%) have been prepared as part of the Master Planning process.

Due to the Business Case budget being prepared in 2013 variations between costings contained within the Business Case and the revised Master Plan were anticipated. However as part of the Master Planning process a review of future infrastructure and functional requirements and options has resulted in stage 2 cost estimates remaining within the set budget.

#### **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 stage 2 redevelopment. 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 BMRA 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**

Whist a formal risk assessment is being developed as part of the overall development project, at a high level, and based on the Busselton Regional Airport Master Plan (2011-2031), a comprehensive risk assessment was undertaken as part of the development of the State Government business case proposal that identified and evaluated the effect of uncertainty on the project's objectives and deliverables, including risk mitigation strategies. The assessment considered the full project lifecycle, including pre and post project implementation mitigation strategies. Whilst there are risks assessed as both 'high' and 'medium', it was considered by business case steering committee members that the risks are manageable and were therefore accepted as part of the business case proposal. Below outlines the risks assessed as 'high';

Risk	Controls	Consequence	Likelihood	Risk Level
Passenger demand (competition from other	Ensure attractive route schedules	Major	Possible	High
leisure destinations and whether direct access is required)	Ensure competitive ticket pricing			
	Effective airport and destination marketing and positioning			
	including iconic Margaret River brand			
Sustainable and long term airline operating at BRA	Industry and government support is required to underwrite the route	Major	Possible	High
	Potential to regulate the route to protect the first airline entrant in			
	commencement years			
	Seek agreement to guarantee the route during underwriting period			
Projected aeronautical revenue not realised	Letter of intent, in-principle agreement from commercial airlines to operate from the BRA	Major	Possible	High
	Effective airport and destination marketing			

#### **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 the 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 Master Plan (2016-36) a number of stakeholders were consulted with including; Department of Fire and Emergency Services, Department of Parks and Wildlife, Royal Flying Doctors Service, 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. Further to this, the Master Plan (2016-36) has been presented to the Project Government Committee through the submission of a Project Definition Plan (PDP), which reflects the deliverables outlined within State funding agreements.

#### **OFFICER COMMENT**

The first key deliverable in the BMRA Development Project was the preparation of a Project Definition Plan (PDP), which upon approval from the State Government appointed Project Governance Committee provides the basis to commence the delivery phase of the project. The PDP provides the level of definition required for the next step, the preparation of detailed documentation to progress a public tender process to deliver the project. Using the Business Case as a base for the project parameters, the PDP confirms the scope, cost, schedule and risks associated with investing in the project.

The following key elements of the project are included in the PDP:

- Project Scope outlining the project objectives and key deliverables;
- The Busselton-Margaret River Regional Airport (BMRRA) Master Plan (2016-36), including future staging of development works and their impact on the project;
- Project Delivery outlining the critical success factors, constraints, considerations, land assembly, site infrastructure and functional requirements;
- Construction programme outlining the staging, project schedule and approvals;
- Cost Schedule and transitional requirements to operations;
- Procurement and Financing outlining how the project will be procured reflective of the market environment;
- Project Management and Reporting summarising project processes and methodologies; and
- Governance arrangements, operational approvals and probity.

The approved PDP will become the reference point for all future decisions during the design, construction and commissioning of the redeveloped BMRRA.

As part of the development of the PDP, a review of the BRA Master Plan (2011-31) was undertaken as the initial step in defining the scope of the Development Project to enable interstate services (stage 2). In June 2015 Aviation Projects was commissioned to undertake the review and to provide costings based on the staged upgrade options identified as part of the Business Case proposal.

Through this review three key constraints were identified within the BRA Master Plan (2011-31), including;

- a lack of opportunity for future expansion to service larger code 4E or 4F aircraft due to the inability to expand the apron parking bays to the north;
- the reliance on the undergrounding of overhead power lines for airside pavement infrastructure places increased pressures on the project budget and timeframes; and
- the entrance into the main terminal precinct behind the adjacent industrial estate conflicts with the sense of place and experience that is aimed at visitors arriving and departing the internationally recognised 'Margaret River Region'.

Incorporating input from key stakeholders to assess and determine infrastructure demand drivers, service delivery requirements, current infrastructure constraints, and future infrastructure development opportunities, the revised BMRA Master Plan (2016 - 2036) (Attachment A) identifies the entire infrastructure (critical or otherwise) that is pertinent to sustainable airport growth, and clearly confirms the parameters for the stage 2 BMRA Development Project.

#### Stage 2

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 BMRRA 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

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

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.

#### Stage 3

Stage 3 will see Code 4E wide body aircraft (A330/B787) using category I precision approaches, conducing domestic and international RPT and charter operations, as well as other aviation activities.

#### Stage 4

In addition to the potential for the BMRA to act as an A380 alternate or emergency diversion airport, the Master Plan considers spatial requirements applicable to permanent operations of Code 4F aircraft (B747-800F).

Reflective of the Business Case, and State Government funding agreements, the revised Master Plan provides for the completion of stage 2 which incorporates the following deliverables:

- runway lengthening to 2340m;
- runway widening to 45m;

- runway strengthening to 44 Pavement Classification Number (PCN);
- construction of 2 new apron bays and connecting taxi-way;
- construction of a new terminal building to facilitate up to 350 passengers;
- new entry road/statement and internal road network;
- site-wide services upgrade including the creation of services corridors and easements;
- refuelling options for larger aircraft such as Jet A1 fuel facilities and refuelling tankers;
- construction of an additional 600 car parking bays;
- acquisition of land to facilitate runway lengthening; and
- flexible design which accommodates future master planned phases.

The PDP incorporating the revised Master Plan has been submitted to the Project Governance Committee for approval, which is expected to be received by the end of March 2016. On this basis the revised Master Plan is presented for formal endorsement of Council as a guide for future planning.

#### **CONCLUSION**

Whilst the parameters for the initial stages of the revised Master Plan was confirmed through the State Government Business Case and subsequent funding commitment of \$55.9m, a review of the Plan was deemed necessary to confirm the scope of the Development Project and provide up to date costings. Whilst the functional requirements and deliverables have not deviated from the previous Master Plan (2011-31) or Business Case, the layout and staging of the Plan has been amended to cater for future needs. As a key guiding document for future development, it is recommended that the Council endorses the Master Plan (2016-36) as a guide for future planning.

#### **OPTIONS**

The Council could choose not to endorse the Master Plan, however it must be noted that State Government funding is tied to the deliverables outlined in stage 2 and any change to this may jeopardize current funding arrangements.

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Upon Council endorsement the Master Plan (2016-36) will be finalized immediately.

#### **COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION**

That the Council endorses the Busselton – Margaret River Airport Master Plan (2016-2036) as a guide for future planning.



**MASTER PLAN 2016-2036** 

# BUSSELTON-MARGARET RIVER REGIONAL AIRPORT

Prepared for City of Busselton





## DOCUMENT CONTROL

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Reviewed by: K Tonkin
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0.1	First Draft	18 January 2016	City of Busselton	02 February 2016
0.2	Final Draft	05 February 2016	City of Busselton	10 February 2016
1.0	Final for release	10 February 2016		

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#### **EXECUTIVE SUMMARY**

Busselton-Margaret River Regional Airport (BMRRA) is located 6.5 km south east of the centre of the City of Busselton. The 1800 m long runway can support jet aircraft such as the 100 seat Fokker F100 which can be used for regular public transport (RPT) and fly-in fly-out (FIFO) and other charter services.

The airport was built in 1997 and is required to be operated in accordance with the requirements set out in Ministerial Statement 399, issued by the then Minister for the Environment.

In December 2010 Shire of Busselton (now City of Busselton) gave in-principle support to expansion of the existing airport. The proposed expansion is intended to service the south west region of Western Australia with flights in and out of the eastern states and international destinations.

In June 2015, WA Government approved funding for the works required to upgrade the airport in order to support non-stop services between BMRRA and east coast destinations such as Sydney and Melbourne. These works were scoped as Stage 2 in the associated business case.

This Master Plan has been prepared to establish and update the framework for the future planning and development of BMRRA to ensure it meets the City's strategic objectives.

#### Strategic objectives

The Council of the City of Busselton holds a vision for BMRRA as the South West Regional Airport to deliver quality air transport outcomes for the benefit of the residents of the City and the South West. Achievement of these outcomes involves:

- taking a balanced approach;
- protecting the environment;
- viability for the community;
- economic benefits;
- social benefits;
- · governance; and
- community involvement.

#### Purpose

The purpose of the Master Plan is to establish a framework for the future planning and development of BMRRA to ensure the region achieves its strategic objectives and capitalises on the aeronautical and commercial opportunities provided by the airport.

The Master Plan follows a successful submission of a business case to upgrade the BMRRA, to facilitate interstate services, to the State Government. The Plan is intended to establish the basis for more detailed

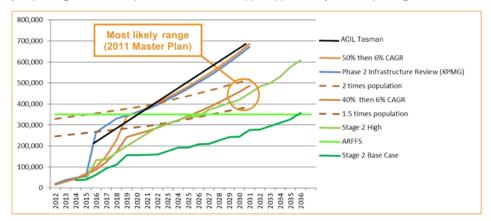


studies of design, infrastructure planning, land use planning and environmental impacts required to achieve the strategic direction.

#### **Aviation demand forecasts**

A number of demand forecasts were prepared during the progressive development of the Busselton Regional Airport Upgrade Project Business Case. The various forecasts, along with a representative set of scenarios used for sensitivity testing were analysed by AEC Group in the development of financial and feasibility models as described in Busselton Regional Airport Financial Modelling Outcomes, South West Development Commission, 27 February 2014.

The figure below illustrates the range of passenger demand forecast results arising from earlier work. Option 2 (stage 2 base) was selected as the basis for the business case. According to the Stage 2 Base Case, at the 20 year planning horizon, it is expected that BMRRA will support approximately 350 000 passenger movements.



#### Passenger movement demand forecast sensitivities

Several sensitivities exist in this analysis:

- Actual demand is unquantified since there have been no RPT services at BMRRA for several years;
   and
- The date of introduction of east coast services is dependent upon demand and the commissioning date of the upgraded runway capable of supporting the applicable aircraft operations.

Other broader factors influencing passenger demand include:

- international recognition of the Margaret River Wine Region brand;
- · the South West region's proximity to South East Asia;
- positioning of Busselton as the 'Events Capital';





- · the strategic location of Busselton within the South West region;
- the current economic environment and desire to diversify the economic base of the region;
- investment in public and private infrastructure such as the Busselton Foreshore project and other commercial opportunities including development of the lots adjacent to BMRRA as a light industrial precinct; and

constraints at Perth Airport.

#### **Development stages**

Three stages of development contemplated in this master plan are outlined below:

Stage 1 - Code 3C intrastate

Stage 1 incorporates current operations, up to code 3C, instrument non-precision approaches, RPT and charter services, as well as other aviation activities.

Aircraft potentially operating during this stage include ATR42, ATR72, Bae146, F50, F100 and Dash 8.

Stage 1 ends when the Stage 2 upgrade project is complete.

Stage 2 - Code 4C Domestic

Stage 2 will see A320/B737 code 4C narrow body jets using instrument non-precision approaches, conducting domestic RPT and charter services to east coast destinations, as well as other aviation activities. Aerodrome Rescue and Fire Fighting services will be required when passenger movements exceed 350 000 in the previous financial year.

Under the funding agreement, the BMRRA Development Project is required to deliver the following elements of infrastructure:

- upgrade the airport to code 4C standard certificate of compliance issued by CASA;
- runway extended to 2340 m x 45 m;
- two apron parking bays (A320 / B737 standard) and connecting taxiway;
- passenger terminal capable of handling up to 350 passengers;
- new 600 bay carpark; and
- supporting services requirements such as; connection to water services, onsite waste treatment plant, undergrounding of overhead powerlines, telecoms, drainage, etc.





#### Stage 2 - Aviation Enterprise Opportunities (AEO)

Following the completion of Stage 2, and during the 20 year planning horizon, various aviation-related enterprise opportunities are expected to arise. Representative opportunities are incorporated in the overall concept plan to identify spatial planning requirements.

Stage 2A - Code 4C International

Stage 2A will see narrow body code 4C jets flying to international destinations. Aerodrome Rescue and Fire Fighting services will be required regardless of the number of passenger movements, and an air traffic control tower may be required.

#### Stage 3

Stage 3 will see up to A330/B787 code 4E wide body jets using category I precision approaches, conducting domestic and international RPT and charter operations, as well as other aviation activities.

#### Stage 4

In addition to the potential for BMRRA to act as an A380 alternate or emergency diversion airport, the master plan considers spatial requirements applicable to the permanent operation of a code 4F aircraft such as the B747-800F conducting freight operations.

#### **Development concept**

The 2011 Master Plan proposed two options for the location of the new passenger terminal and associated infrastructure. The preferred option was to locate the passenger terminal precinct to the south of the current terminal. It was thought that this location was less constrained and provided the best solution for future expansion of the terminal and parking apron facilities, and that there was adequate room for development of car parking and other road transport infrastructure.

Aviation Projects subsequently undertook a review of infrastructure costs in *Infrastructure Cost Estimate Peer Review – Phase 2 - Busselton Regional Airport*, v1.0, 22 August 2013. In the course of this review, it was concluded that Stage 2 development could be delivered at a slightly reduced cost if the new passenger terminal and associated infrastructure was located to the north of the existing terminal precinct, subject to the cost of undergrounding the high voltage power lines. The siting of the passenger terminal in this location was not subject to future proofing for code F aircraft.

Following approval of funding for the Stage 2 Development Project, and in the course of preparing this master plan, City of Busselton specified a requirement to future proof the site for code F aircraft such as the B747-800F. This led to a review of the site for the passenger terminal and overall siting outcomes, resulting in a decision to locate the passenger terminal precinct to the south of the existing precinct as per the original 2011 Master Plan, and to protect a full length code F parallel taxiway. These considerations are the main determinants of the remainder of the development concept





#### Master Plan

The Master Plan is characterised by progressive upgrades in four distinct stages according to aircraft types and operations as outlined below.

The triggers and dependencies of the elements of Stages 1, 2, 2 AEO and 2A are provided in Table 13 and Table 14. Timings are indicative and subject to further feasibility assessment, funding, approvals, design and construction of necessary infrastructure, as well as negotiation with applicable aircraft operators. Development of Stages 3 and 4 are beyond the 20 year planning horizon and subject to demand and government consideration.

Stage 1 - ongoing to the end of 2017

Charter (and potentially RPT) operations from the current facility by aircraft such as ATR42, ATR72, Bae146, F50. F100 and Dash 8:

- interim expansion of passenger terminal facilities to accommodate F50/F100 RPT operations (complete);
- provision of passenger screening (complete but not currently required);
- development and implementation of a Transport Security Program which will require definition and fencing of the airside/landside boundary (complete);
- provision of a Jet A1 fuel facility (deferred to Stage 2);
- expansion of car parking facilities according to demand (complete);
- · construction of an additional aircraft parking bay (complete); and
- land acquisition in preparation for future stages preferably the maximum envelope rather than the minimum requirement (deferred to Stage 2).

Stage 2 - construction complete by end of 2017

Infrastructure required for the introduction of narrow body code 4C jet aircraft such as A320, B737:

- strengthening, widening to 45 m and extension to 2340 m (TODA 2400 m) of runway 03/21;
- construction of a two bay parking apron and connecting taxiway;
- construction of a new passenger terminal capable of handling 350 passengers at one time;
- expansion of car parking facilities, including hire cars, buses etc to at least 600 new spaces; and
- supporting services requirements such as; connection to water services, onsite waste treatment plant, undergrounding of overhead powerlines, telecoms, drainage, etc.

Stage 2 AEO - as demand arises

Infrastructure anticipated as a result of potential aviation enterprise opportunities includes:

expansion of the existing apron near the existing Aero Club;



- · construction of a code B parking apron and taxiway;
- development of code B hangar precinct sites (includes provision for RFDS transfer station and avgas facility);
- · expansion of the existing parking apron to facilitate development of code C hangars; and
- · construction of new roads to connect these developments to the internal road network.

Stage 2A - as demand by international carriers dictate

International narrow body code 4C jet RPT such as A320, B737:

- Extension of the runway to 2460 m (TODA 2520 m);
- · provision of 240 m RESA at each runway end;
- · Installation of additional precision approach path indicator lights at each runway end;
- · expansion of the passenger terminal to provide international passenger facilities; and
- · provision of ARFFS and ATC if/when required.

End of 20 year planning horizon

Stage 3 - subject to demand

Wide body code 4E jet RPT operations such as A330, B787:

- extension of runway 03/21, initially at the northern end, to a length of approximately 2700 m, within the RESA footprint, 45 m wide with 7.5 m shoulders;
- construction of 23 m wide taxiways with 10.5 m shoulders;
- if extending the current runway, construction of a parallel taxiway to near the threshold of the current runway (subject to land ownership constraints and the little wedge of Lot 203) designed around Code E separation requirements;
- extension of the parking apron;
- expansion of the passenger terminal; and
- · provision of hydrant refuelling.

Stage 4 - subject to demand

International freight and/or alternate aerodrome for large wide body or code F aircraft such as the A380 or B747-800:

- Upgrade runway/taxiway and pavement to Code F requirements; and
- Provide other facilities as required to support the scope of operations.



#### Precinct plan

A number of precincts have been identified for the purpose of characterising the likely developments appropriate for each area of the aerodrome site, based on upon function. These precincts, along with the ultimate development and other planning considerations are described below and shown in **Annexure 1** 

#### Aeronautical Business Park

The Aeronautical Business Park is identified as a land bank, providing a zone for aeronautical business opportunities.

The precinct is located within prime access to the Vasse Highway / Airport entry and in close proximity to the Terminal. As such, front of house land uses would be encouraged in this zone.

#### Aeronautical Operations Precinct

The Aeronautical Operations Precincts is defined by the airside / landside secure separation. All aspects of this precinct are incremental to the operations of the Airport.

#### **Terminal Precinct**

The Terminal Precinct is on axis with the Vasse Highway entrance to the site. The terminal building is located within the view corridor of the arrivals sequence; reinforcing the use of the site.

The arrivals / departure sequence features regional landscapes as a buffer between the airport and surrounding infrastructure to heighten the visitors' experience of the Terminal Precinct.

#### **Aviation Logistics Precinct**

The Aviation Logistics Precinct is located to the north of the Terminal Precinct and houses predominantly landside operational requirements and support facilities for the Airport. This precinct is also land banked to enable planned growth for the Airport proper.

#### Light Aviation Precinct

The Light Aviation Precinct is located in close proximity to the existing terminal building. This precinct seeks to re-purpose the current uses on the northern most parcel of the site proper.

There is opportunity for integration with adjacent developments off-site.

#### **Helicopter Operations Precinct**

The Helicopter Operations Precinct is currently located on a parcel of land that is still under negotiation. The following document identifies options for the resolution of this precinct both within the staging and design options. This precinct will principally house all rotary wing operations.





## Environmental and land use planning issues

The following environmental issues have been explored and documented for the purpose of further investigation as applicable:

- Conditions relating to noise;
- Noise Modelling;
- · Waterbirds of the Vasse-Wonnerup Wetlands;
- Fauna assessment:
- Aircraft flight path optimisation to reduce noise impacts;
- Obstacle limitation surfaces:
- · Flooding and stormwater drainage; and
- · Other development control measures.

#### Staging considerations

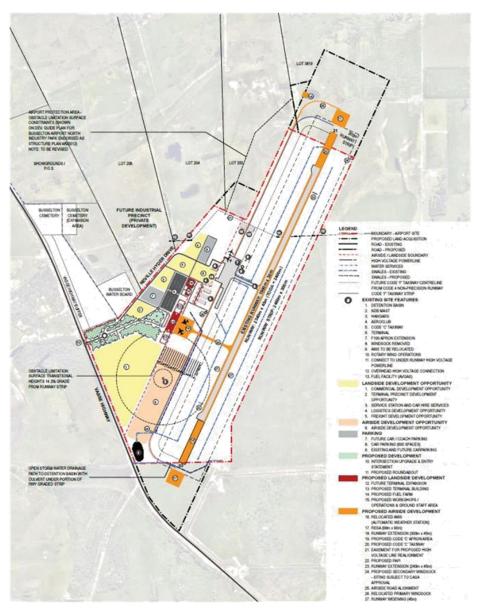
Staging of development over the course of the master planning horizon and beyond will be influenced by a number of general considerations outlined below.

Demand - Demand forecasts were prepared in support of the Busselton Regional Airport Upgrade Project Business Case. They relied upon the best known information at the time, but are subject to a number of uncertainties outlined herein.

Code E and A380 alternate for Perth Airport – Given the significant cost of infrastructure that would be required to provide an alternate aerodrome for Perth Airport's code E and A380 operations, the issue should be addressed to State and Commonwealth Government agencies so that its place in the future planning of BMRRA can be ascertained.

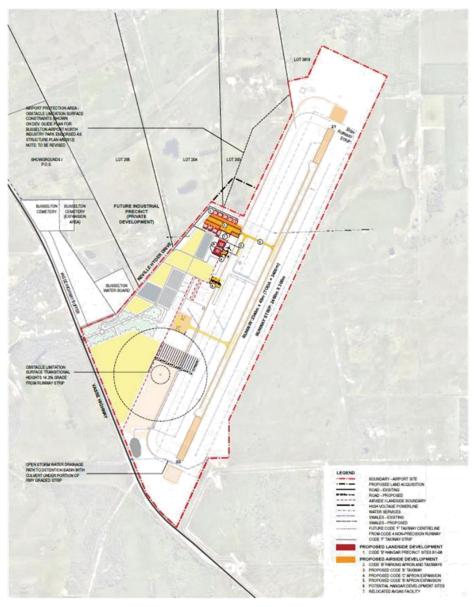
Funding – Each stage of the master plan will require significant capital expenditure. The availability of capital funding will influence the viability and/or timing of each stage.



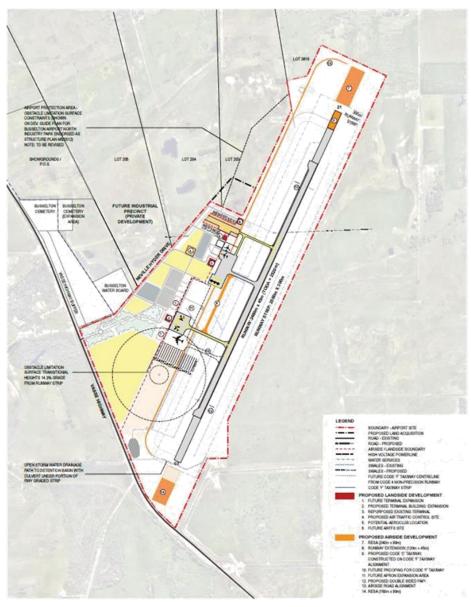


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Stage 2 Master Plan



Stage 2 AEO Master Plan



Stage 2A Master Plan





## 1. PLANNING CONTEXT

#### 1.1. Introduction

Busselton-Margaret River Regional Airport (BMRRA) is located 6.5 km south east of the centre of the City of Busselton. The 1800 m long runway can support jet aircraft such as the 100 seat Fokker F100 which can be used for regular public transport (RPT) and fly-in fly-out (FIFO) and other charter services.

The airport was built in 1997 and is required to be operated in accordance with the requirements set out in Ministerial Statement 399, issued by the then Minister for the Environment.

In December 2010 Shire of Busselton (now City of Busselton) gave in-principle support to expansion of the existing airport. The proposed expansion is intended to service the south west region of Western Australia with flights in and out of the eastern states and international destinations.

In June 2015, WA Government approved funding for the works required to upgrade the airport in order to support non-stop services between BMRRA and east coast destinations such as Sydney and Melbourne. These works were scoped as Stage 2 in the associated business case.

This Master Plan has been prepared to establish and update the framework for the future planning and development of BMRRA to ensure it meets the City's strategic objectives.

The location of BMRRA (circled) with respect to the City of Busselton is shown in Figure 1 (source: Google Earth).



Figure 1 Busselton township and Busselton-Margaret River Regional Airport



#### 1.2. Regional planning context

The South West region of Western Australia encompasses 12 local government areas and three sub-regions of Bunbury Wellington, Vasse and Warren Blackwood as shown in Figure 2 (image from South West Regional Blueprint, December 2014).

BMRRA is centrally located on the western coastal boundary and is the only jet airport servicing the region.



Figure 2 South west region of Western Australia



#### 1.3. Economic significance

BMRRA is viewed as an important driver of economic development for the South West Region of WA.

The South West Regional Planning and Infrastructure Framework March 2014 (draft), published by the Department of Planning on behalf of the Western Australian Planning Commission, identifies upgrade of the BMRRA as an economic project of regional significance. The objective of the project is to upgrade BMRRA to international standards, which will benefit to the region and subregion as a result of increased tourism, FIFO activities and freight services.

Further aspects of regional development related to the airport upgrade are outlined in Table 1.

Table 1 South West Regional Planning and Infrastructure Framework March 2014 - aspects relating to BMRRA

Area of Impact	Project
Economy - Tourism	Busselton Foreshore. Performing Arts Centre in Busselton. Convention Centre in Busselton.
Air Transport	BMRRA Expansion.

The project is considered important because of the following considerations:

- Aviation has a key role in regional tourism, trade and mining;
- The lack of a South West aviation strategy has produced localised development with limited connection of strategic aviation requirements between locations;
- Busselton is well placed to provide a regional entry point for national and international jet services;
   and
- This project will complement work to assist the upgrades of Bunbury and Manjimup airports as
  general aviation sites in the north and south of the region respectively. Development will result in
  improved tourism opportunities, provision of a South West muster point for fly-in, fly-out operations,
  improved safety and access to international export markets.

The following benefits are expected to accrue from the project:

- · increased number of visitors to the region;
- · safer fly-in, fly-out employment opportunities;
- · increased national and international awareness of the region as a tourist destination;
- improved access to the eastern states for business and leisure opportunities;
- the opportunity for direct flights to and from Asia; and
- new trade opportunities, including air freight.





The South West Development Commission (SWDC), in its South West Action Statement, identifies a number of projects that can contribute more broadly to the region's development and in so doing help contribute to State and national objectives. Increasing the capacity of BMRRA to handle direct national and international flights and FIFO operations is identified as one of these regionally significant projects.

The South West Development Commission Strategic Plan 2010 – 2025 identifies a modern, competitive transport network as a Strategic Priority in order to achieve its mission to develop the region's economy and enhance those qualities which make the South West the best place to live, work and invest. Air transport outcomes are established for the three five-year blocks commencing 2010, as outlined in Table 2.

Table 2 SWDC Strategic Plan 2010-2025 - aspects relating to BMRRA

Horizon	Outcomes	
2010-2015	<ul> <li>Detailed design and fatal flaw analysis has commenced with the Shire of Busselton (now City of Busselton) to maximise the use of Busselton's regional airport facility.</li> </ul>	
2015-2020	<ul> <li>Aviation infrastructure is being developed at key airports.</li> <li>An Eastern States' passenger service from BMRRA is being promoted.</li> </ul>	
2020-2025	<ul> <li>The South West has an integrated aviation transport network supporting commercial and recreational aviation sectors.</li> <li>BMRRA is used for both national and international air services.</li> </ul>	

In the SWDC Annual Report 2014-15, titled *Destination2050*, it was noted that the State Government committed \$59.7 million towards the expansion of BMRRA. The expansion project is underscored for its potential to unlock critical economic and business opportunities.

#### 1.4. Tourism WA

Tourism WA is the State Government agency responsible for promoting Western Australia as an extraordinary holiday destination. Its focus is on marketing the State; developing, attracting and promoting major sporting, cultural and business events; and developing significant tourism infrastructure and projects.

In its Strategic Plan 2010/11, national and international aviation access to the Margaret River region is listed as one of four key priorities for development of tourism infrastructure.

#### 1.5. City of Busselton Strategic Community Plan 2013

The City of Busselton Strategic Community Plan 2013 Key Goal Area 4 is a well connected City that provides for safe, accessible and efficient transport and communications systems to and within the district.

Council strategies to support achievement of these community objectives include:

 Continue with expansion plans for the BMRRA, including lobbying for State and Federal government funding; and





Attachment A

 Work with airlines and the mining industry to provide accessible networks to the east coast of Australia, northern WA and neighbouring South East Asia.

#### 1.6. Statement of Intent

The Council of the City of Busselton approved the current version of the Statement of Intent for BMRRA (version 3) on 12 November 2014, and amended it in November 2015 to reflect the Premier of Western Australia's announcement of the new name for the airport. The content of Policy No 124 is copied below.

#### 1.6.1. Vision for the Facility

The Council of the City of Busselton holds a vision for the Busselton-Margaret River Regional Airport (BMRRA) as the South West Regional Airport to deliver quality air transport outcomes for the benefit of the residents of the City and the South West.

#### 1.6.2. A Balanced Approach

The airport will be developed in a manner that respects residential amenity, recognising community impacts associated with its operations, particularly noise, while providing economic, social and tourism benefits to the City and the South West. Over time, the airport will become a hub for passenger, business, tourism and recreational uses that deliver benefit to the broader community.

#### 1.6.3. Protecting Your Environment

As with any airport facility, there will be residents affected by its operations either by proximity to the facility or flight paths associated with it. To minimise that impact as far as possible, the City of Busselton makes the following commitments:

- We will manage noise by proactively implementing the Noise Management Plan
- We will proactively promote Fly Neighbourly practices
- We will consider the amenity implications when proposing any expansion of airport facilities and airport operations
- We will update and review noise modelling data as required and respond appropriately to changes in impact revealed
- We will respond to and investigate noise complaints
- . We will consider potential noise amelioration as part of development proposals

#### 1.6.4. Viability for the Community

The City of Busselton is committed to developing the BMRRA into a commercially viable community facility for the benefit of ratepayers. It is a particular vision to develop the airport into a sustainable facility including the capacity for asset renewal requirements to be funded from its operations.

- We will proactively seek Government funding for the facility
- We will seek to develop airport uses delivering income streams through landing fees, head taxes, licensing fees and other charges





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#### 1.6.5. Economic Benefits

The City of Busselton recognises the significant economic opportunities associated with having an airport located in the District.

- We will promote Busselton, Dunsborough and Yallingup as well as The Margaret River Region and other South West locations as destinations serviced by the BMRRA for visitors, nationally and internationally
- We will promote the City of Busselton as a base for fly-in fly-out services and their employees and families
- We will investigate and pursue business (import and export) opportunities

#### 1.6.6. Social Benefits

The City of Busselton seeks to deliver an accessible air transport service for the benefit of its residents and those of the broader South West.

- We will seek to facilitate the airport as a base for airborne emergency services
- We will seek to facilitate the provision of efficient and accessible passenger services such as interstate and international services
- We will seek to facilitate the provision of fly-in fly-out services to provide additional employment opportunities for local community members

#### 1.6.7. Governance

The BMRRA will be managed by the City of Busselton in a manner that gives the highest regard to relevant regulations and safety, is responsible and progressive.

- We will ensure compliance with CASA and Air Services safety regulations and standards
- . We will report any matter not in the jurisdiction of the City to the relevant authority
- . We will be a responsible and accountable airport operator on behalf of the community
- We will continuously improve and review where necessary management principles and practices

#### 1.6.8. Community Involvement

The City of Busselton recognises it is managing the BMRRA on behalf of its community and will therefore involve the community in decision-making.

- . We will be consultative, informative and responsive
- We will regularly report on airport activities supporting the highest levels of transparency and visibility
- We will support a committee to provide advice on relevant airport matters.





#### 1.7. Purpose of master planning study

The purpose of the Master Plan is to establish a framework for the future planning and development of BMRRA to ensure the region achieves its strategic objectives and capitalises on the aeronautical and commercial opportunities provided by the airport.

The Master Plan is intended to establish the basis for more detailed studies of design, infrastructure planning, land use planning and environmental impacts required to achieve the strategic direction.

#### 1.8. Staging - 2011 Airport Master Plan

The 2011 Master Plan nominated four stages of development as outlined below:

1.8.1. Stage 1 - Code 3C intrastate

Stage 1 incorporates current operations, up to code 3C, instrument non-precision approaches, RPT and charter services, as well as other aviation activities.

Aircraft potentially operating during this stage include ATR42, ATR72, Bae146, F50, F100 and Dash8.

1.8.2. Stage 2 - Code 4C Domestic

Stage 2 will see A320/B737 code 4C narrow body jets using instrument non-precision approaches, conducting domestic RPT and charter services to east coast destinations, as well as other aviation activities. Aerodrome Rescue and Fire Fighting services will be required when passenger movements exceed 350 000 in the previous financial year.

Stage 2 operations are the most likely scope of operations at the end of the 20 year planning horizon.

1.8.3. Stage 2A - Code 4C International

Stage 2A will see narrow body code 4C jets flying to international destinations. Aerodrome Rescue and Fire Fighting services will be required regardless of the number of passenger movements.

1.8.4. Stage 3 - Code 4E

Stage 3 will see up to A330/B787 code 4E wide body jets using category I precision approaches, conducting domestic and international RPT and charter operations, as well as other aviation activities.

1.8.5. Stage 4 - Code 4F

The opportunity to consider A380 aircraft requirements has been taken so that the implications of providing an alternate for potential future Perth-bound A380 or other large wide body aircraft can be further examined and documented.

### 1.9. Staging - Revised

The stages of development contemplated in this master plan are outlined below:





Stage 1 incorporates current operations, up to code 3C, instrument non-precision approaches, RPT and charter services, as well as other aviation activities.

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Aircraft potentially operating during this stage include ATR42, ATR72, Bae146, F50, F100 and Dash 8

Stage 1 ends when the Stage 2 upgrade project is complete.

1.9.2. Stage 2 - Code 4C Domestic

Stage 2 will see A320/B737 code 4C narrow body jets using instrument non-precision approaches, conducting domestic RPT and charter services to east coast destinations, as well as other aviation activities. Aerodrome Rescue and Fire Fighting services will be required when passenger movements exceed 350 000 in the previous financial year.

Under the funding agreement, the BMRRA Development Project is required to deliver the following elements of infrastructure:

- upgrade the airport to code 4C standard certificate of compliance issued by CASA;
- runway extended to 2340 m x 45 m;
- two apron parking bays (A320 / B737 standard) and connecting taxiway;
- passenger terminal capable of handling up to 350 passengers;
- new 600 bay carpark;
- supporting services requirements such as; connection to water services, onsite waste treatment plant, undergrounding of overhead powerlines, telecoms, drainage, etc; and
- Jet fuel facility.

# 1.9.3. Stage 2 – Aviation Enterprise Opportunities (AEO)

Following the completion of Stage 2, and during the 20 year planning horizon, various aviation-related enterprise opportunities are expected to arise. Representative opportunities are incorporated in the overall concept plan to identify spatial planning requirements.

# 1.9.4. Stage 2A - Code 4C International

Stage 2A will see narrow body code 4C jets flying to international destinations. Aerodrome Rescue and Fire Fighting services will be required regardless of the number of passenger movements, and an air traffic control tower may be required.

### 1.9.5. Stage 3

Stage 3 will see up to A330/B787 code 4E wide body jets using category I precision approaches, conducting domestic and international RPT and charter operations, as well as other aviation activities.







In addition to the potential for BMRRA to act as an A380 alternate or emergency diversion airport, the master plan considers spatial requirements applicable to the permanent operation of a code 4F aircraft such as the B747-800F conducting freight operations.

#### 1.10. Planning horizon

The Busselton-Margaret River Regional Airport Master Plan considers a 20 year period from 2016 through to the end of 2036.

Periods of the 20 year Master Plan are described as short, medium and long term.

1.10.1. Short term

The short term is the five year period through to mid-2020, and is characterised in two distinct phases – Stage 2 construction and then Stage 2 operations.

Stage 2 construction (to the end of 2017) characterises the construction period of the BMRRA Development Project (Stage 2).

Subject to the availability of funding, Stage 2 AEO and 2A infrastructure may also be constructed during this period.

Stage 2/2A operations are planned to commence once construction is complete.

1.10.2. Medium term

The medium term is the period between five and 10 years (mid-2020 to mid-2026).

1.10.3. Long term

The long term is the period beyond 10 years (mid-2026 and beyond).



# A AVIATION PROJECTS

#### 1.11. Planning objectives

The aims of this Master Planning study are therefore to:

- · consider the planning context within which the study is being undertaken;
- · identify constraints to development of the airport;
- consider current and planned aeronautical activity to identify the infrastructure required to meet
  forecast demand. This infrastructure includes aircraft movement areas including the runway, taxiway
  and apron complex, aviation support facilities, passenger facilities, the ground transport system and
  utilities;
- consider current and planned compatible commercial activities, land use and development to identify
  opportunities for the future growth of the region's business activities;
- consider planning and environmental impacts of the proposed aeronautical and commercial developments;
- develop a Master Plan that provides a strategic framework for the realisation of forecast and potential
  aeronautical and compatible commercial opportunities; and
- develop a staged implementation strategy to guide planning and investment decisions. Funding requirements are to be incorporated at a later date.

Separate to but arising from the developments proposed in this Master Plan, governance/management arrangements will need to be investigated to ensure that BMRRA can be effectively managed.

Options for governance structures include:

- · City department;
- City business unit;
- City organisation (trust); and
- independent organisation (company).

Considerations relating to determination of the most appropriate structure include:

- implications of legal status;
- relationship of the aerodrome business with the City;
- · funding sources and their continuity;
- accountability arrangements;
- transparency of use of public funds;
- · efficiency and effectiveness;
- · relationships with industry stakeholders; and
- Funding conditions



#### 1.12. Stakeholder engagement

Numerous stakeholders were consulted in the course of preparing this Master Plan, during the conduct of individual studies or in the development of the Master Plan document itself. These stakeholders included:

- aeromedical aircraft operators including Royal Flying Doctor Service and Surf Life Saving WA;
- airport management;
- aircraft operators, including Skippers, Qantas/Qantaslink and Virgin Australia;
- · airport tenants, retailers and users;
- applicable community groups;
- · City of Busselton and other local government authorities as applicable;
- · prospective investors/tenants; and
- State Government agencies including the Environmental Protection Authority (EPA), Department of Fire and Emergency Services, Department of Parks and Wildlife.

Several significant issues were identified which influence the need for a planned approach towards the development and upgrade of BMRRA, including:

- · aircraft noise:
- · the success (failure) of previous RPT services;
- demand for FIFO services associated with employment opportunities in the resource industry;
- population growth;
- · economic development including export opportunities; and
- growth of the tourism industry.

### 1.13. Regulatory context

Regulations, standards and other requirements applicable to the proposed developments at BMRRA include, but are not limited to the following:

Commonwealth of Australia

- Airspace Regulations 2007;
- Aviation Transport Security Act 2004 and Aviation Transport Security Regulations 2005;
- Civil Aviation Act, Civil Aviation Regulations 1988 and Civil Aviation Safety Regulations 1998;
- Civil Aviation Safety Regulations Part 139 Aerodromes and Manual of Standards 139 Aerodromes;
- · Environmental Protection and Biodiversity Control Act 1999;



# Government of Western Australia

- Environmental Protection Act 1986 and associated regulations;
- Planning and Development Act 2005;

# City of Busselton

Town Planning Scheme and associated instruments;

# Other Agencies

- AS 2021-2015 Acoustics Aircraft noise intrusion Building siting and construction;
- International Civil Aviation Organization Standards and Recommended Practices Annex 14 Aerodromes



# 2. EXISTING AERODROME FACILITIES

#### 2.1. Aeronautical infrastructure

BMRRA has a single runway oriented 03/21, 1800 m long and 30 m wide (with 3 m shoulders) with a 150 m graded runway strip. 60 m clearways and 60 m runway end safety areas (RESAs) are provided.

The aerodrome is published as a code 3 instrument non-precision aerodrome and was originally designed to support the operation of Bae146 aircraft.

The current runway width and pavement strength restricts operations to code 3C aircraft such as Bae146, Fokker F100 and Embraer E-170, as well as Dash 8-Q400 and ATR-72 and other smaller aircraft.

The provision of aerodrome lighting permits night operations.

The main central taxiway which connects the runway to the parking apron is 15 m wide with 3.5 m shoulders.

The parking apron is designed to accommodate three F100 aircraft simultaneously, with an additional bay provided for ad-hoc charter and general aviation aircraft parking.

The passenger terminal provides comfortable facilities for approximately 100 passengers, as well as a small check in area, airport management office and storage room.

#### 2.2. General aviation

In addition to the Busselton Aero Club facility, there are three multi-bay light aircraft hangars connected to the central taxiway by a series of small taxiways.

These hangars occupy a high value part of the overall site and potentially constrain optimal development.

A small building and aircraft parking is provided just to the north of the current terminal for aerial ambulance patient transfer operations.

Two helicopter pads constructed in support of Department of Fire and Emergency Services (DFES) fire response operations are located to the north of the passenger terminal.

#### 2.3. Support facilities

Avgas is provided from a fixed point refuelling facility located at the southern end of the main parking apron.

Jet A1 is not supplied for general aerodrome users. DFES provides its own supply in support of fire response activities. Other itinerant users provide their own fuel according to individual requirements.

A non-directional beacon (NDB) is located to the south of the passenger terminal. The NDB approach procedure is designed for a straight-in landing on runway 21. Global positioning system (GPS) based procedures are designed for straight-in approaches to each end of the runway.

An automatic weather information service (AWIS) with broadcast capability is provided.



# 2.4. Ground transport

Busselton-Margaret River Regional Airport is accessed from Vasse Highway then Neville Hyder Drive.

34 public spaces and 350 secure parking spaces are provided for longer term parking.

Images of the aerodrome and the passenger terminal precinct are provided in Figure 3 and Figure 4 (source: Google Earth).



Figure 3 Site overview



Figure 4 Passenger terminal precinct

# 2.5. Demand forecasts

Infrastructure requirements can only be scoped once demand for individual elements can be quantified over the planning period. This then enables an integrated development strategy to be prepared. Passenger demand, demand for aircraft parking and passenger terminal capacity requirements are explored in the following sections.

The terms compound annual growth rate and average annual growth rate have been used strictly in accordance with the documents from which applicable data has been sourced.

#### 2.6. South West Regional Plan

The South West Regional Plan informs current and expected population within the region. The 2011 population was 161 255, while the expected population in 2026 is 206 640. These values derive an annual growth rate of 1.67% to 2026. Projecting this rate forward results in a forecast population in 2036 of 243 861.

An updated table of population forecast for each local government area in the South West region is provided in Table 3 (Based on data sourced from Western Australia Tomorrow, Department of Planning 2015 – Band C projections).

Table 3 Population forecast for the South West region

Shire	1996	2001	2006	2007	2008	2011	2016	2021	2026
Augusta-Margaret River	8,047	9,851	10,677	11,608	11,830	12,820	13,950	15,280	16,500
Boyup Brook	1,604	1,558	1,479	1,581	1,594	1,565	1,700	1,720	1,740
Bridgetown- Greenbushes	3,904	3,985	3,863	4,258	4,339	4,327	4,580	4,650	4,650
Bunbury (City)	26,556	28,682	29,072	32,037	32,841	33,238	34,350	35,390	35,820
Busselton	17,490	22,060	25,067	27,893	29,183	31,175	35,510	39,810	43,950
Capel	5,692	6,533	9,878	11,415	11,935	14,092	18,370	22,020	25,840
Collie	8,636	8,400	8,371	9,079	9,151	8,943	9,720	10,010	10,180
Dardanup	6,344	8,350	10,037	11,613	12,167	13,794	14,490	16,170	17,680
Donnybrook-Balingup	4,029	4,305	4,480	5,101	5,198	5,390	5,940	6,350	6,710
Harvey	14,766	17,272	18,925	21,550	22,529	24,675	27,220	30,340	33,310
Manjimup	10,093	10,030	9,391	9,875	9,995	9,828	9,220	9,050	8,890
Nannup	1,144	1,183	1,197	1,297	1,325	1,333	1,320	1,350	1,370
Totals	108,305	122,209	132,437	147,307	152,087	161,255	176,370	192,140	206,640



#### 2.7. Most likely demand profile

A number of demand forecasts were prepared during the progressive development of the Busselton Regional Airport Upgrade Project Business Case. The various forecasts, along with a representative set of scenarios used for sensitivity testing were analysed by AEC Group in the development of financial and feasibility models as described in Busselton Regional Airport Financial Modelling Outcomes, South West Development Commission, 27 February 2014.

Figure 5 illustrates the range of passenger demand forecast results arising from earlier work. Option 2 (stage 2 base) was selected as the basis for the business case. According to the Stage 2 Base Case, at the 20 year planning horizon, it is expected that BMRRA will support approximately 350 000 passenger movements.

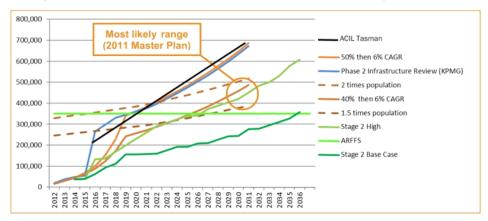


Figure 5 Option 2 (Stage 2 base case) passenger demand forecast

# 2.8. Demand assumptions

Assumptions used in the preparation of the Stage 2 Base Case forecast are listed below:

- Aircraft capacity 176 passengers with load factor 80%;
- · Flight is one direction so return is two flights;
- Demand for another flight is based on 80% load factor as assumed determinant of airline decision.
   Note: 75% capacity and seating configuration of 168 have been considered but a representative low cost carrier seating configuration of 176 for B737-800 and A320-200 and an 80% load factor have been retained in the model;
- Flights are increased based on the profile provided by WA Tourism and then increased at a 6.2% AAGR; and
- Additional flights to other east coast destinations such as Brisbane will be provided for within the 6.2% demand increase.

The allocation of aircraft movements according to Stage 2 scenarios are copied in Table 4.

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Table 4 Stage 2 Base Case aircraft and passenger movements forecast

Year	Stage 2 Base Case	Stage 2 High Case	Stage 2 Low Case
2015/2016	3 flights per week to Melbourne for 5 month of year	3 flights per week to Melbourne 3 flights per week to Sydney	3 flights week to Melbourne Jan to April
2016/2017	3 flights per week to Melbourne	3 flights per week to Melbourne 3 flights per week to Sydney	(Year 1) 3 flights per week to Melbourne for 6 months
2017/2018	(Year 2) 3 flights per week to Melbourne 2 flights per week to Sydney for 6 months	4 flights per week to Melbourne 4 flights per week to Sydney	(Year 2) 3 flights per week to Melbourne
2018/2019	(Year 3) 4 flights per week to Melbourne 3 flights per week to Sydney	5 flights per week to Melbourne 5 flights per week to Sydney	(Year 3) 3 flights per week to Melbourne 2 flights per week to Sydney for 6 months
2019/2020	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)	6 flights per week to Melbourne 6 flights per week to Sydney	(Year 4) 4 flights per week to Melbourne (2 months) 3 flights per week to Melbourne (10 months) 3 flights per week to Sydney (2 months) 2 Flights per week to Sydney (4 months)
2020/2021	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)	7 flights per week to Melbourne 7 flights per week to Sydney	(Year 5) 4 flights per week to Melbourne (2 months) 3 flights per week to Melbourne (10 months) 3 flights per week to Sydney (2 months) 2 Flights per week to Sydney (4 months)

Year	Stage 2 Base Case	Stage 2 High Case	Stage 2 Low Case
2021/2022	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)	8 flights per week to Melbourne 8 flights per week to Sydney	(Year 6) 4 flights per week to Melbourne 3 flights per week to Sydney
2022/2023	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)	8 flights per week to Melbourne 9 flights per week to Sydney	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)
2023/2024	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)	8 flights per week to Melbourne 10 flights per week to Sydney	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)
2024/2025	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)	8 flights per week to Melbourne 11 flights per week to Sydney	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)
2026 onwards	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)	AAGR 6.2% on previous years total passengers (modeled as additional flight when 176 capacity and 80% load factor achieved)

# 2.9. Stage 2 Base Case aircraft and passenger movements

The passenger and aircraft movements derived from the assumptions noted above are copied in Table 5.

Table 5 Stage 2 Base Case passenger and aircraft movements

	Passeng	er Movem	ents		Aircraft Movements						
	Total	RPT Intrastate	RPT Interstate	FIFO/ Charter	Total	RPT Intrastate	RPT Interstate	FIFO/ Charter	GA/RAA		
2015/2016	62,806	3,770	18,304	40,732	15,438	520	130	2288	12,500		
2016/2017	92,472	3,770	43,930	44,772	15,692	520	312	2360	12,500		
2017/2018	110,164	5,590	58,573	46,001	15,932	624	416	2392	12,500		
2018/2019	155,336	5,590	102,502	47,243	16,348	624	728	2496	12,500		
2019/2020	156,609	5,590	102,502	48,517	16,348	624	728	2,496	12,500		
2020/2021	157,922	5,590	102,502	49,830	16,348	624	728	2,496	12,500		
2021/2022	159,265	5,590	102,502	51,172	16,348	624	728	2,496	12,500		
2022/2023	175,291	5,590	117,146	52,555	16,452	624	832	2,496	12,500		
2023/2024	191,353	5,590	131,789	53,974	16,556	624	936	2,496	12,500		
2024/2025	192,810	5,590	131,789	55,438	16,556	624	936	2,496	12,500		
2025/2026	208,950	5,590	146,432	56,935	16,764	624	1,040	2,600	12,500		
2026/2027	210,487	5,590	146,432	58,472	16,764	624	1,040	2,600	12,500		
2027/2028	226,709	5,590	161,075	60,051	16,868	624	1,144	2,600	12,500		
2028/2029	242,973	5,590	175,718	61,673	16,972	624	1,248	2,600	12,500		
2029/2030	244,638	5,590	175,718	63,338	16,972	624	1,248	2,600	12,500		
2030/2031	275,635	5,590	205,005	65,048	17,284	624	1,456	2,704	12,500		
2031/2032	277,361	5,590	205,005	66,804	17,284	624	1,456	2,704	12,500		
2032/2033	293,837	5,590	219,648	68,608	17,388	624	1,560	2,704	12,500		
2033/2034	310,333	5,590	234,291	70,460	17,492	624	1,664	2,704	12,500		
2034/2035	326,878	5,590	248,934	72,363	17,596	624	1,768	2,704	12,500		
2035/2036	358,118	5,590	278,221	74,317	17,804	624	1,976	2,808	12,500		

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#### 2.10. Passenger movement demand forecast sensitivities

Several sensitivities exist in this analysis:

- Actual demand is unquantified since there have been no RPT services at BMRRA for several years;
   and
- The date of introduction of east coast services is dependent upon demand and the commissioning date of the upgraded runway capable of supporting the applicable aircraft operations.

Other broader factors influencing passenger demand include:

- · international recognition of the Margaret River Wine Region brand;
- the South West region's proximity to South East Asia;
- positioning of Busselton as the 'Events Capital';
- · the strategic location of Busselton within the South West region;
- the current economic environment and desire to diversify the economic base of the region;
- investment in public and private infrastructure such as the Busselton Foreshore project and other commercial opportunities including development of the lots adjacent to BMRRA as a light industrial precinct; and
- · constraints at Perth Airport.

### 2.11. Aircraft parking bay capacity

To plan for the number of required parking bays, an analysis of aircraft types and likely schedules has been performed. This analysis relies on some preliminary assumptions regarding noise management and likely destinations. The number and type of aircraft have been chosen with a view to arriving at indicative annual passenger movements according to the number and type of aircraft allocated to each parking bay.

Table 6 show indicative schedules, aircraft types and passenger numbers for a high side scenario at the 20 year horizon. The date in Table 6 should be interpreted as follows:

- Bays 1 and 2 refer to the parking bays in front of the current terminal, suitable for up to F100 size aircraft;
- Bay 4 is the recently constructed bay on the northern end of the main parking apron;
- Bays 5 and 6 refer to the new parking bays to be built in Stage 2 near the new terminal, suitable for up to B737-800 size aircraft;
- FIFO: fly-in fly-out operations, PVT: Private (corporate) operations, RPT: regular public transport operations, BNE: Brisbane, INTL: international destinations, MEL: Melbourne, SYD: Sydney; and
- PAX: passengers, LF: load factor (notionally 80%), Factored: aircraft passenger seating capacity
  multiplied by the load factor, x2: factored passenger numbers multiplied by 2 (arriving and departing),
  No: number of aircraft per day, Pax/day: factored number of passengers per day, Pax/year: factored
  passengers per year.



It can be seen from this analysis that the number of parking bays available will adequately accommodate and allow for substantial growth in passenger demand and provide some additional capacity for off-schedule or unscheduled aircraft and during peak periods.

Where parking apron capacity becomes constrained, scheduling arrangements can be put in place to optimise capacity until additional parking apron space can be provided.

#### 2.12. Scheduling considerations

The curfew at 2300 hours for RPT operations outlined within the 2015 Noise Management Plan will restrict departure times for flights to Sydney to no later than approximately 1600 hours local time (1500 hours during daylight savings in New South Wales). This is because of the curfew at Sydney Airport which regulates movements to between 0600 and 2245 hours local time. It will not be practical to depart Busselton just before 2300 hours, because the aircraft would be arriving overhead Sydney Airport just after 0500 hours, nearly an hour before the curfew is lifted. Similarly, departure times for flights to Adelaide by aircraft such as A320, B737 and F100 will be restricted to no later than approximately 1830 hours local time (1730 hours during daylight saving in South Australia). The curfew at Adelaide Airport regulates movements to between 0600 and 2300 hours local time.



Table 6 High side of apron demand forecast at 20 year horizon

Bay	Aircraft/Time	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Pax	LF	Factored	x2	No	Pax/day	Pax/year
1	Charter		FIFO				FIFO		FIFO		FIFO		FIFO		FIFO					9	0.8	7	14	2	29	10,512
2	F100	FIFO							FIFO					FIFO						100	0.8	80	160	3	480	175,200
4	Private jet		PVT						PVT					PVT						10	0.8	8	16	3	48	17,520
5	B737/A320											SYD						MEL		176	0.8	141	282	2	563	205,568
6	B737/A320											SYD						INTL		176	0.8	141	282	2	563	205,568
																										614,368

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Note: Subject to NMP restrictions, flights may occur after 11 pm (2300 hours local) and/or before 6 am (0600 hours local) but are not shown in this table for the purpose of legibility.



#### 2.13. Passenger terminal capacity

The current passenger terminal has capacity for approximately 100 passengers, following a recent interim upgrade that saw the incorporation of security screening arrangements and expansion of the check-in and baggage reclaim areas.

Passenger terminal capacity is informed by spatial requirements associated with passenger numbers and functional requirements.

Spatial requirements are in part informed by the level of service framework articulated by the International Air Transport Association (IATA). Greater space per passenger is associated with a higher level of service. Level of Service C, described as 'Good level of service, condition of stable flow, acceptable delays, high level of comfort' is the recommended design specification.

Transport security requirements must also be considered in terminal design. Closed charter services are not currently required to screen their passengers, although this may change in the future. For the purpose of longer term planning, it is recommended that any new passenger terminal is designed with the potential to accommodate all charter (FIFO) and RPT passengers.

Generally, the terminal must have sufficient room to accommodate passengers arriving and departing on each aircraft that is parked on the parking apron at the same time. For example, a B737-800 with a capacity of 176 passengers would potentially disembark 176 passengers into the arrivals hall while there were 176 passengers moving through the check-in and screening areas into the sterile waiting lounge. Usually these figures are factored by the load factor, which is nominally 80% for planning purposes.

An essential deliverable of the BMRRA Development Project is a passenger terminal capable of handling up to 350 passengers.

This consideration arises from the potential to have two A320/B737 aircraft operating simultaneously.

# 2.14. Incidental demand as an alternate to Perth Airport

Due to its proximity to Perth Airport, BMRRA acts as an alternate airport for those aircraft that it can serve. As BMRRA is progressively upgraded it will serve as an alternate for commensurately larger aircraft, providing operational, economic and environmental efficiencies to those aircraft operators and potentially relieving some congestion at Perth Airport.



# 3. DEVELOPMENT CONSTRAINTS

Constraints to development include Town Planning Scheme requirements such as zoning, future road transport corridor(s), flood, mineral sands tenements and noise and other environmental considerations.

#### 3.1. Zoning

The airport is zoned as the Busselton Regional Airport on Lot 9001, at the site known as Four Mile Hill, as indicated in Figure 6. Lot boundaries supplied by City of Busselton.

As part of the BMRRA Development Project a land acquisition strategy is required to expand the runway to the north and south.



Figure 6 Property boundaries

# 3.2. Town Planning Scheme

The City of Busselton Town Planning Scheme has identified areas for Special Provision (SP), Airport Protection and Additional Use as outlined below and shown in Figure 7 (source: Intramaps) and described in Table 7 and Table 8. The remainder of surrounding land is currently zoned rural, although Lots 203 and 204 are subject to an application for rezoning to light industrial.



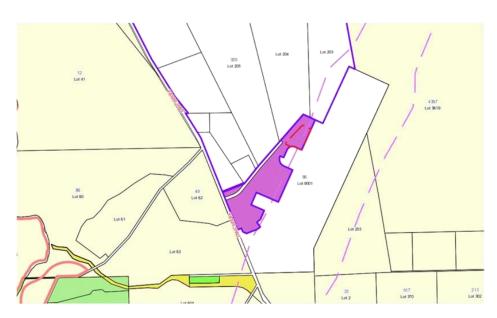


Figure 7 Town Planning Scheme

Additional Uses and Special Provisions applicable to the site are outlined in Table 7 and Table 8.

Table 7 Additional Use A41

Additional	Particulars	Land use	Conditions
Use No	of Land	permitted/specified	
A41	Portion Lot 340 Vasse Hwy, Yalyalup	Aviation Research; Education & Training including Incidental Accommodation	Development shall be in accordance with the Busselton Airport Business Park Development Guide Plan and the City of Busselton Industrial Development Code.



# Table 8 Special Provisions

Special Provision No	Particulars of Land	Zone	Special Provisions
SP3	Portion of Lot 340 Vasse Hwy, Yalyalup	Industry	1. Subdivision and development shall generally be in accordance with the Busselton Airport Business Park Development Guide Plan and the City of Busselton Industrial Development Code.  2. The following uses shall not be permitted:

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A copy of the Busselton Airport Development Guide Plan is provided in Figure 8.

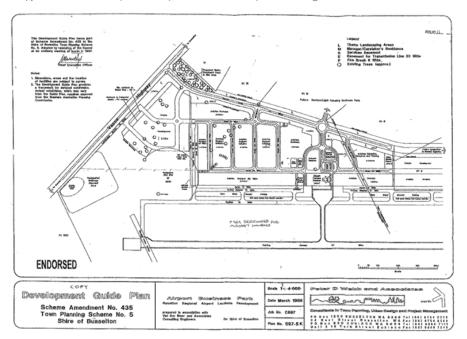


Figure 8 Busselton Airport Development Guide Plan

The Development Guide Plan (DGP) and other provisions of the Town Planning Scheme will need to be amended once this Master Plan is adopted.

### 3.3. Future road transport corridor(s)

Main Roads WA has identified several potential corridors for construction of a dual carriageway bypass of Busselton. The final location chosen for this bypass corridor will influence the airport's connection with surrounding developments. The bypass is not planned to be constructed within the 20 year planning horizon. The conceptual Busselton Outer Bypass alignment is shown in the drawing in Figure 9.

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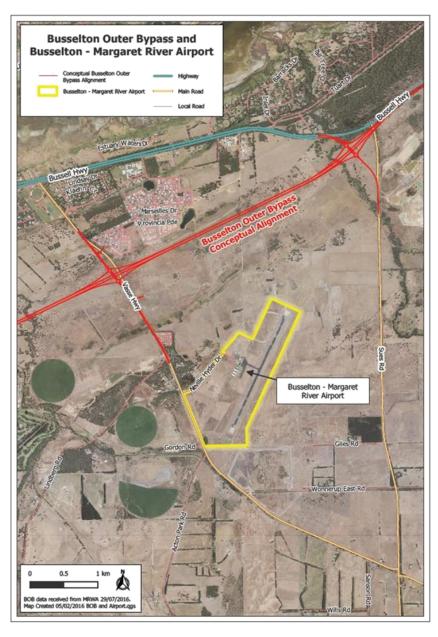


Figure 9 Conceptual Busselton Outer Bypass alignment



# 3.4. Flood

The land on which the airport is situated and on adjoining properties is relatively level, and is not identified as being flood prone. An image showing  $5\,\mathrm{m}$  contour intervals is shown in Figure 10. Note the airport sits within the 10 m and 20 m contours.



Figure 10 Contours

An image taken from the threshold of runway 03 looking south is shown below.





Attachment A

#### 3.5. Environmental constraints

There are a number of environmental constraints to development on and around the airport. These include original permit conditions relating to noise, the impact of aircraft noise, preservation of the obstacle restriction area around the airport and environmental impacts on flora and fauna, in particular the Vasse-Wonnerup (Ramsar) Wetlands. Each of these issues is discussed in further detail in section 12.

#### 3.6. Mineral sands tenement

Cristal Mining Australia Ltd has mineral sands tenements within Lot 3819 to the north of the airport site which constrains development to the current site. Tenure or some form of arrangement will be required for permanent use of the land on which applicable mineral sands tenements are located.

Options for resolution of this issue include the following:

- The resource could be extracted and stockpiled clear of the site in preparation for the runway extension works;
- The entire resource could be extracted prior to the runway extension works;
- Only those parts of the resource which hinder construction and operation off the extended runway could be extracted prior to construction works;
- City of Busselton could buy the tenement and pay the landowner and Department of Minerals and Petroleum any royalties they would expect to receive from the resource being extracted; or
- City of Busselton could apply to have the tenement removed and the resources would stay in the ground.

An indicative drawing showing the extent of the clearing permit issued by WA Department of Petroleum and Mines on 09 April 2015 is shown in Figure 11.

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# **A AVIATION PROJECTS**

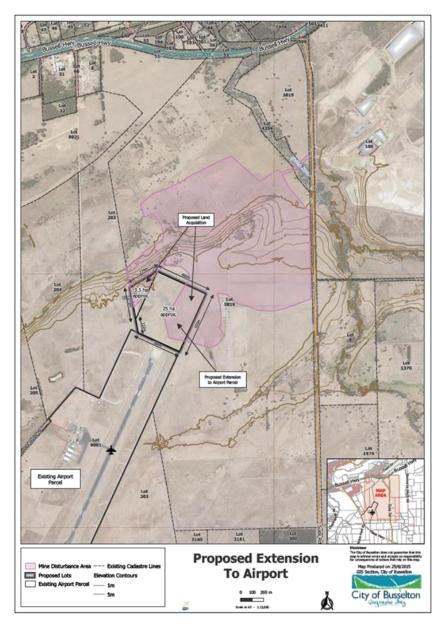


Figure 11 Mineral sands clearing permit





# 3.7. Development stages

The most significant influences on aerodrome development are the physical characteristics and obstacle limitation surfaces associated with aircraft intending to use the aerodrome. It is anticipated that these aircraft will be introduced according to demand, in stages.

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The physical characteristics and obstacle limitation surfaces (OLS) design requirements are set out in Manual of Standards (MOS) Part 139 – Aerodromes. For the purpose of establishing these requirements, three design aircraft and intended scope of operations have been chosen according to the stages identified below.

#### 3.8. Stage 1 - Complete

Stage 1 incorporates current operations, up to code 3C, instrument non-precision approaches, RPT and charter services, as well as other aviation activities.

Aircraft potentially operating during this stage include ATR42, ATR72, Bae146, F50, F100 and Dash 8.

Shown below are a Cobham Bae146, Skippers Dash 8, Skywest F50, and an Alliance F100.









Images courtesy Australian Aviation, Avcom, aegwaspotters.blogspot.com and Alliance.



Attachment A

#### 3.9. Stage 2 - construction complete by end of 2017

Stage 2 will see A320/B737 code 4C narrow body jets using instrument non-precision approaches, conducting domestic RPT and charter services to east coast destinations, as well as other aviation activities. Aerodrome Rescue and Fire Fighting services will be required when passenger movements exceed 350 000 in the previous financial year.

Stage 2 operations are the most likely scope of operations at the end of the 20 year planning horizon.

Shown below area a Jetstar A320, a Virgin Australia B737 and Qantaslink B717.







Images courtesy Flight.org, Perth Airport Spotter's Blog and Australian Aviation.

# 3.10. Stage 2 AEO

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.

# 3.11. Stage 2A - as demand by international carriers dictate

Stage 2A will see narrow body code 4C jets flying to international destinations. Aerodrome Rescue and Fire Fighting services will be required regardless of the number of passenger movements.

Shown below are a Pacific Blue B737 and a Strategic A320 used for short haul international flights to South East Asia.







Image courtesy Mike Archer

# 3.12. Stage 3 – as required by demand

Stage 3 will see up to A330/B787 code 4E wide body jets using category I precision approaches, conducting domestic and international RPT and charter operations, as well as other aviation activities.

Shown below are a Jetstar A330 and a Boeing B787.





Images courtesy SMH.com.au and Boeing.

# 3.13. Stage 4 - Long term future planning opportunity

The opportunity to consider large code 4F aircraft (A380, B747-800) requirements has been taken so that the implications of supporting large code 4F freight aircraft such as the B747-800F or providing an alternate for potential future Perth-bound A380 or other large wide body aircraft can be further examined and documented.

Shown below are a Cathay Pacific B747-800F and an A380.



Images courtesy Cathay Pacific Cargo and Qantas.



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# 3.14. Intended operations and design aircraft

Australia has adopted the International Civil Aviation Organisation (ICAO) methodology of using a code system, known as the Aerodrome Reference Code, to specify the standards for individual aerodrome facilities which are suitable for use by aeroplanes within a range of performances and sizes. The Code is composed of two elements: element 1 is a number related to the aeroplane reference field length; and element 2 is a letter related to the aeroplane wingspan and outer main gear wheel span. Table 2.1-1: Aerodrome Reference Code taken from MOS 139 refers (shown in Table 9).

Table 9 MOS 139 Table 2.2-1

Code Ele	ment 1	Code E	Element 2	
Code number	Aeroplane reference field length	Code letter	Wing span	Outer main gear wheel span
1	Less than 800 m	A	Up to but not including 15 m	Up to but not including 4.5 m
2	800 m up to but not including 1200 m	В	15 m up to but not including 24 m	4.5 m up to but not including 6 m
3	1200 m up to but not including 1800 m	С	24 m up to but not including 36 m	6 m up to but not including 9 m
4	1800 m and over	D	36 m up to but not including 52 m	9 m up to but not including 14 m
		E	52 m up to but not including 65 m	9 m up to but not including 14 m
		F	65 m up to but not including 80 m	14 m up to but not including 16 m

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# 3.15. Physical characteristics and obstacle limitation surfaces design requirements

A summary of current and future physical characteristics and obstacle limitation surfaces requirements is provided in Table 10.

Table 10 Physical Characteristics and OLS Design Criteria

Aspect		Current	Stage 2 Code 4C A320/B737-800	Stage 3 Code 4E A330/B787	Stage 4 Code 4F A380/B747-8
Minimum runway length		1800 m	2340 m (2) 2460 m (2A)	Subject to scope of ops	Subject to scope of ops
Minimum runway width		30 m	45 m	45 m	60 m
Runway shoulders		3 m	N/A	7.5 m	7.5 m
Aircraft (pavement) cond	ession number	18	38 (nominal)	TBD	TBD
Runway strip width - grad	ded	150 m	150 m	150 m	150 m
Total runway strip width		150 m	300 m	300 m	300 m
Runway strip length (bey	ond runway)	60 m	60 m	60 m	60 m
Runway end safety area		90 m	90 m (240 m Stage 2A)	240 m	240 m
Taxiway separation from	runway	>190 m	93 m (non-prec) 168 m (prec)	182.5 m	190 m
Taxiway width		15 m	15 m	23 m	25 m
Taxiway shoulders		3.5 m	3.5 m	10.5 m	17.5 m
Taxiway strip width (tota	l) each side of CL	26 m	26 m	47.5 m	57.5 m
Taxiway strip width (grad	led) each side of CL	12.5 m	12.5 m	22 m	30 m
Taxilane separation from	n object	24.5 m	24.5 m	42.5 m	50.5 m
Approach Surface	Width inner edge	150 m	300 m	300 m	300 m
	Divergence	15%	15%	15%	15%
	Length	15 000m	15 000 m	15 000 m	15 000 m
	Gradient		2%	2%	2%
	Dist from threshold		60 m	60 m	60 m
Take-off Climb Surface	Width inner edge	180 m	180 m	180 m	180 m
	Divergence	12.5%	12.5%	12.5%	12.5%
	Length	15 000 m	15 000 m	15 000 m	15 000 m
	Gradient	2%	2%	2%	2%



Attachment A

The following notes apply:

- 1. Stage 2 runway length required is 2340 m (providing 2400 m take-off distance available).
- 2. Stage 2A runway length required is 2460 m (providing 2520 m take-off distance available).
- 3. The most likely instrument procedures to be used by code 4C aircraft such as the B737 and A320 are those non-precision approaches already published for the aerodrome, and potentially Area Navigation Required Navigation Performance (RNAV-RNP) and other satellite-based non-precision approaches. Ground based precision approaches such as instrument landing system (ILS) are unlikely to provide value for money. Satellite-based precision approaches are considered the most likely requirement for code 4E aircraft operations.
- 4. The runway end safety area must be 90 m long. 240 m should be provided especially at international aerodromes.
- 5. Code C taxiway width is specified as 18 m but may be reduced to 15 m for aircraft with a wheelbase of less than 18 m. B737-800 and A320 aircraft wheelbases are less than 18 m and so the 15 m taxiway width applies. Other significant aspects of taxiway design including turning radii of design aircraft should also be applied during detailed design.

## 3.16. Aircraft performance

Aircraft performance was analysed by Aviation Projects to determine runway length requirements, in *Aircraft Performance Analysis – Busselton Regional Airport*, v1.1 14 December 2014. This analysis informed the BMRRA Development Project.

Primary destinations considered during the analysis for the BMRRA Development Project are listed in Table 11

Table 11 Sector distances and location codes

Sector	Great circle distance (nm)
Busselton (BQB) - Perth (PER)	109
Busselton (BQB) - Melbourne (MEL)	1453
Busselton (BQB) - Bali (DPS)	1491
Busselton (BQB) - Sydney (SYD)	1780
Busselton (BQB) - Brisbane (BNE)	1979
Busselton (BQB) - Singapore (SIN)	2192

The analysis recommended that:

- In order to enable operation by A320-200 and B737-800W aircraft to Melbourne, Bali or Sydney, the runway should be extended to at least 2300 m; and
- In order to enable operation by A320-200 and B737-800W aircraft to Brisbane or Singapore, the runway should be extended to at least 2500 m.

# **A- AVIATION PROJECTS**

#### 3.17. Development concept

The 2011 Master Plan proposed two options for the location of the new passenger terminal and associated infrastructure. The preferred option was to locate the passenger terminal precinct to the south of the current terminal. It was thought that this location was less constrained and provided the best solution for future expansion of the terminal and parking apron facilities, and that there was adequate room for development of car parking and other road transport infrastructure.

Aviation Projects subsequently undertook a review of infrastructure costs in *Infrastructure Cost Estimate Peer Review – Phase 2 - Busselton Regional Airport*, v1.0, 22 August 2013. In the course of this review, it was concluded that Stage 2 development could be delivered at a slightly reduced cost if the new passenger terminal and associated infrastructure was located to the north of the existing terminal precinct, subject to the cost of undergrounding the high voltage power lines. The siting of the passenger terminal in this location was not subject to future proofing for code F aircraft.

Following approval of funding for the Stage 2 Development Project, and in the course of preparing this master plan, City of Busselton specified a requirement to future proof the site for code F aircraft such as the B747-800F. This led to a review of the site for the passenger terminal and overall siting outcomes, resulting in a decision to locate the passenger terminal precinct to the south of the existing precinct as per the original 2011 Master Plan, and to protect a full length code F parallel taxiway. These considerations are the main determinants of the remainder of the development concept.



# 4. AIRCRAFT MOVEMENT AREAS

#### 4.1. Runway 03/21

The current runway is 1800 m long and 30 m wide.

At the current runway length A320/B737 aircraft could reach Adelaide or Darwin, but not east coast destinations such as Brisbane, Melbourne or Sydney.

The annual technical inspection conducted in July 2010 found that the runway seal is showing signs of wear and tear and recommended that the runway should be resealed. It was last sealed in 1997. The seal was expected to continue to deteriorate. The need to maintain the current pavement and potentially incur the cost of a reseal was considered in the planning for upgrade works.

Subsequent inspections have noted progressive deterioration in the condition of the sealed runway surface.

A pavement strength rating is a set of pavement parameters which can be translated into an allowable aircraft gross weight, according to the load applied to the pavement through the aircraft wheels/tyres. The ACN-PCN method compares the damaging effect of aircraft with a maximum ramp weight above 5700 kg (ACN) with the supportive capability or bearing strength of the pavements on which they intend to operate (PCN).

The current pavement strength is described as PCN 18/F/A/1000 (145PSI)/T. This means that aircraft with an ACN of up to 18 and tyre pressure up to 1000 kPa can use the aerodrome without restriction. Such aircraft include F50, Dash 8-Q400 and BAE-146.

The B737-800 ACN is nominally 38. This means that the pavement of the current runway will need to be strengthened before it can sustain regular operations by these aircraft.

The runway strip will need to be increased to 300 m in order to conform to MOS 139 requirements.

The work required to upgrade the runway in Stage 2 is to:

- construct an additional 540 m to extend the length to 2340 m;
- widen the runway to 45 m; and
- strengthen the pavement to a minimum pavement concession number (PCN) of 38.

Issues for resolution are as follows:

- Land acquisition has been proposed to enable extension of the runway to the south (300 m) and north (240 m). The minimum land area should provide for a 300 m wide runway strip, drainage, a perimeter road, 60 m clearway and 240 m RESA; and
- Tenure or some form of arrangement will be required for permanent use of the land on which mineral sands tenements are located.

An image showing the proposed land acquisition to extend the runway to the north to facilitate the BMRRA Development Project is shown in Figure 12. Note the small section of Lot 203 represents a constraint to future development and has been included in the proposal, although it would not be essential for Stage 2 operations.

# **A- AVIATION PROJECTS**

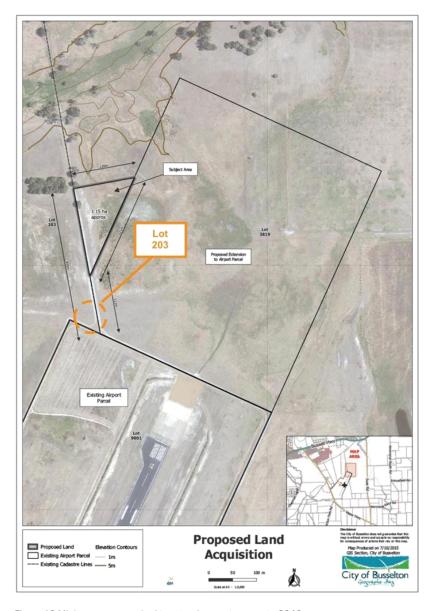


Figure 12 Minimum area required to extend current runway to 2340  $\mbox{m}$ 



#### 4.2. Runway usability

An important consideration in the orientation, siting and number of runways at an aerodrome is runway usability with respect to the distribution of wind.

MOS 139 specifically excludes discussion of runway usability as being not within the scope of the standards; however, International Civil Aviation Organization (ICAO) Annex 14 – Aerodromes, which is strictly applicable to international aerodromes, recommends that the number and orientation of runways at an aerodrome should be such that the usability factor of the aerodrome is not less than 95% for the aeroplanes that the aerodrome is intended to serve.

It is not apparent whether a formal usability analysis has been prepared for the current runway orientation, so this consideration remains unresolved.

Wind rose data showing average direction and speed of wind in km/h at 9am and 3pm for BMRRA for the period 16 October 1997 to 28 February 2010 is shown in Figure 13. These wind roses indicate on a preliminary analysis that the runway would be preferably orientated north west/south east.

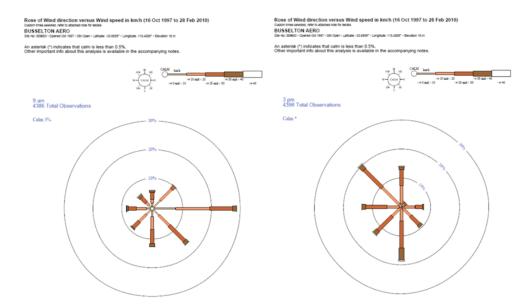


Figure 13 Wind Roses for average wind at BMRRA at 9am and 3pm for the period 16 Oct 1997 to 28 Feb 2010

# 4.3. Taxiways

The main stub taxiway is located centrally to the runway and is 15 m wide with 3.5 m sealed shoulders. Code C aircraft with a wheelbase of greater than 18 m require an 18 m wide taxiway (vice 15 m) with 3.5 m shoulders. The F100 wheelbase is less than 18 m so the current width is adequate.



This taxiway provides access to the general aviation precinct via a code B taxilane.

The new parking apron will require a new stub taxiway to join the runway. This taxiway should be 18 m wide with 3.5 m shoulders and be laterally separated from any other stub taxiway by a distance of at least 80 m.

A full length parallel taxiway capable of accommodating code 4F aircraft would need to be centred at least 190 m from the runway centreline.

It is unlikely that a full length parallel taxiway will be required in the 20 year planning horizon.

#### 4.4. Main parking apron

The current parking apron is designed to accommodate three F100 aircraft simultaneously, with an additional bay provided for ad-hoc charter and general aviation aircraft parking.

#### 4.5. New parking apron

Preliminary aircraft parking position demand analysis indicates that two new code C (A320/B737-800) parking bays will be adequate for the level of activity expected in the 20 year planning horizon. The bays should be designed for power-in, power-out operations.

When there is sufficient demand for another aircraft parking position, the parking apron should be extended in a linear arrangement.

When code E or F aircraft commence operations, the apron will need to be extended again. This is not likely to occur in the 20 year planning horizon.

The apron should be located so that a code F aircraft can park and remain below the transitional surface of the OLS. For the purpose of preliminary planning, the front of the terminal building should be located at least 410 m from the runway centreline.

## 4.6. Geotechnical aspects of pavement design

The current runway pavement has a PCN of 18.

The largest aircraft currently operating to BMRRA is the F100, which has an ACN of 25. This is greater than the derived PCN, but Golder Associates, as a result of a geotechnical investigation, concluded that the runway is safely accommodating F100 operations at the current low level of coverages.

The existing runway pavements are planned to be strengthened in the Stage 2 Development Project.

The existing taxiway and parking apron may require a strengthening overlay.

# 4.7. General aviation facilities

In addition to the Busselton Aero Club facility, there are three multi-bay light aircraft hangars connected to the central taxiway by a series of small taxiways.



A small building and aircraft parking area is provided just to the north of the current terminal for aerial ambulance patient transfer operations. This facility should not need to be moved in the short term, but may constrain future development.

The area to the north of the current terminal has been identified as the most suitable location for development of similar facilities in the short to medium term. A cul-de-sac arrangement with alternating taxiway and access roads is recommended. This allows easier implementation of security measures and separates pedestrian and vehicular traffic from aircraft moving on the taxiway.

The acquisition of Part of Lot 204 would allow further expansion of general aviation facilities.

The parking apron adjacent to the patient transfer facility is the most appropriate location for the development of code C hangars.

Structures should not be located any closer than 247.5 m to the current runway centreline to provide room for a parallel code F taxiway and taxiway strip if it is ever needed.

In the longer term, the site on the western side at the northern end of the current runway could be developed, or alternatively, land adjoining the south eastern side of the new runway could be acquired and developed.

### 4.8. Helicopter facilities

Two helicopter pads constructed in support of DFES fire response operations is located to the north of the current passenger terminal.

This helipad should be able to remain in its present location in the short term.

The overhead power lines near the current helipad are considered by DFES a hazard to their operations.

Since BMRRA is a regional base for DFES operations, it is anticipated that the temporary facilities will become permanent and additional hardstand area will be required.

# 4.9. Lighting

Aerodrome ground lighting around the runway will need to be removed and replaced when the runway is extended and widened.

The new parking apron and taxiway will require aerodrome ground lighting, and the parking apron will require flood lighting.



# 5. AVIATION SUPPORT FACILITIES

### 5.1. Fuel

Avgas is provided from a fixed point facility located on the southern edge of the current apron. In the medium term, avgas facilities should be relocated in closer proximity to general aviation facilities scoped for development to the north of the existing terminal site.

Jet A1 is not provided for general aerodrome users. This is a significant constraint to the development of the airport as aircraft operators are forced to carry additional fuel for any onward legs. This means that charter/FIFO/RPT operators will operate with reduced loads and incur additional and unnecessary costs. Private charter and itinerant aircraft will need to fly to another destination for fuel and park there, rather than at BMRRA. This potentially constrains the number of overnight visitors to the region.

Provision of Jet A1 fuel should be seen as an essential element of the overall Stage 2 Development Project. A site should be identified near the new terminal precinct that has landside access for bridger tanker resupply and airside access for refuelling trucks.

Code C aircraft such as A320/B737 can be refuelled from a tanker truck supplied from the main facility.

Code E/F aircraft generally require greater volumes of fuel that can only be practically delivered by in-ground systems and hydrants. Hydrant refuelling may need to be considered during the design of code E/F parking aprons, which is not expected until beyond the 20 year planning horizon.

# 5.2. Ground support equipment

Sufficient space should be provided in close proximity to the new passenger terminal and parking apron for parking of ground support equipment (GSE).

# 5.3. Navigation and approach aids

An NDB is located to the south of the passenger terminal. The NDB approach procedure is designed for a straight-in landing on runway 21.

GPS based procedures (RNAV-GNSS) are designed for straight-in approaches to each end of the runway. Non-precision approach procedures allow aircraft to descend to approximately 500 ft above ground level (AGL).

For efficient aircraft operations and to increase the likelihood of descending clear of weather in sight of the runway, it is preferable to have instrument approach procedures that permit descent to a lower height. This is possible with some relatively new GPS-based non-precision approach procedures called RNAV-RNP, which can allow descent to approximately 250 ft AGL. Specific approval is required to use these procedures.

Alternatively, precision approach procedures can be introduced which rely on ground based equipment such as ILS. These systems are relatively costly and have higher maintenance costs and do not necessarily provide a lower descent height than RNAV-RNP. They also require a straight-in approach along the runway extended centreline commencing approximately 10 nautical miles (nm) from the landing threshold.

RNAV-RNP approaches have a significant operational and environmental benefit over other types of approaches because they can be designed with curves to avoid terrain and they do not need to be aligned with





the runway until approximately 2 nm from the landing threshold. This flexibility in design also means that the approach track can be designed to minimise noise and other environmental impacts.

The NDB antenna is situated in a location which will potentially have a higher and better use in the future, and will likely restrict the location of the new terminal building. GPS-based approaches are progressively replacing approaches to ground-based navigation aids such as the NDB.

Airservices Australia is responsible for maintaining the NDB as part of the longer term planning for a national backup network of ground-based navigation aids. The lease agreement for the site provides for relocation of the NDB antenna on the request of City of Busselton.

Siting requirements are set out in MOS 139. The immediate surrounding area within a radius of 60 m of the antenna should be free of obstacles. Development between 60 m and 300 m radius from the centre of the NDB antenna that exceed an elevation angle of  $5^{\circ}$  from ground level at the centre of the NDB antenna, require assessment by an NDB technical authority.

Overhead power lines, 33kV or greater, should be at least 300 m from the centre of the NDB antenna.

It is preferable that the NDB is decommissioned or relocated to another aerodrome to maximise commercial development opportunities.

### 5.4. Weather information service

An AWIS with broadcast capability is provided and is considered adequate.

Subject to future development opportunities, the AWIS may require relocation.

There is potential to provide a site for a Bureau of Meteorology facility if part of Lot 3819 to the north west of the current site is acquired.

# 5.5. Aerodrome rescue and fire fighting services

Civil Aviation Safety Regulation 1998 Part 139 Subpart H sets out the requirements applicable to provision of aerodrome rescue and fire fighting services (ARFFS). According to these regulations, ARFFS must be provided at an aerodrome from or to which an international passenger air service operates; and any other aerodrome through which more than 350 000 passengers passed on air transport flights during the previous financial year.

According to preliminary passenger demand forecasts this requirement is not likely to be triggered until at or around the 20 year planning horizon. The ARFFS facility must be situated so that response time requirements can be met.

# 5.6. Air traffic control and airspace

The airport is currently located within non-controlled Class G airspace and no air traffic control services are provided.





The introduction of air traffic control services is subject to an aeronautical study which weighs risk in a cost/benefit analysis. Air traffic control services are not likely to be required for domestic aircraft operations until beyond the 20 year planning horizon.

International operations may trigger a requirement for air traffic services. This issue will depend to some extent on the aircraft operator and type of operations being conducted.

Any significant changes to airspace or instrument approach procedures will require an environmental assessment and potentially a referral under the EPBC Act.



# 6. PASSENGER FACILITIES

# 6.1. Passenger terminal overview

The recently expanded passenger terminal, shown in Figure 14, provides comfortable facilities for approximately 100 passengers, as well as a small check in area, airport management office, storage room and



Figure 14 Passenger terminal building

## 6.2. Passenger terminal Stage 1

Stage 1 operations are scoped to include FIFO and RPT operations by aircraft up to F100 size.

Following its recent expansion, the existing terminal is considered adequate for the purpose of sustaining Stage 1 operations and/or aviation related business operations.

An image of the departures lounge is provided at Figure 15.



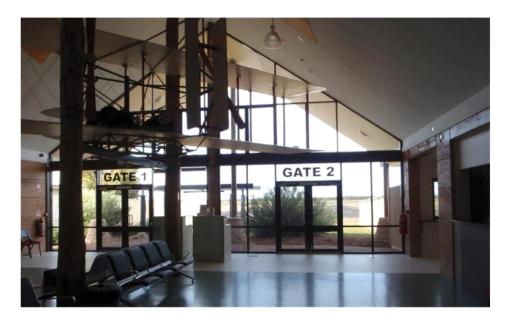


Figure 15 Departures lounge

# 6.3. Passenger terminal Stage 2 - general description

An essential deliverable of the BMRRA Development Project is a passenger terminal capable of handling up to 350 passengers.

Facilities should include a check area, waiting area, security screening area, sterile waiting area and baggage claim area, along with necessary public facilities. A small area should be set aside for concessions such as hire cars, tourism information and a cafe.

Applicable security screening requirements are set out in the Aviation Transport Security Regulations and associated guidance material.

Provision should be made in the design to accommodate international operations when the need arises. This would most likely include additional security screening measures set out in the Aviation Transport Security Regulations as well as Australian Quarantine and Inspection Service (AQIS) requirements set out in the International Airport Operator's Guide prepared by the Australian Customs and Border Protection Service.

The terminal should be designed to permit progressive expansion according to future demand along the linear frontage of the parking apron.

The location of the passenger terminal and associated infrastructure is an important determinant of the ultimate development concept.

# A AVIATION PROJECTS

### 6.4. Passenger terminal Stage 2

The master planning team assessed two options for placement of the terminal:

- · Option 1 Adjacent to the existing terminal; and
- Option 2 At the centre/core of the site.

Option 2 was deemed by the client and planning team to be of greater benefit to the airport for the following reason:

The strategy for Option 2 focuses on re-purposing the existing terminal, situated in the centre of the site. This will minimize visitor exposure to the proximate industrial environment while presenting the new terminal and commercial opportunities in a manner that reflect the growth, diversity, vision and aspirations of the Busselton and Margaret River region.

The main aspects for Option 2 include:

- Presentation
  - · Displays / presents terminal as front of house;
  - · Landscape integration into presentation; and
  - General aviation and future freight can be at back of house;
- Growth expansion
  - · Lateral growth and expansion both north and south; and
  - Parking for opportunities code 4F aircraft at terminal;
- Circulation and parking
  - Alignment of industrial park and freight opportunity with vehicle access at back of site;
  - Circulation presents drop off and terminal/landslide developments as a priority; and
  - Car parking is designed to be operational rather than a welcome mat to the airport precinct.

### 6.5. Charter terminal

While closed charter services are not required to provide security screening, there will potentially be some efficiencies gained by charter operators if they can operate through the current terminal once the new terminal is built. The current terminal and parking apron could therefore be designated the Charter Terminal/FBO for the use of FIFO and other charter operators, or leased to a FIFO operator for its sole use.

Once security screening is required of FIFO and other certain closed charter operations their passengers would preferably be handled through the new terminal. The current terminal could then be made available for smaller charter or private operators according to demand, airport management, emergency services, office accommodation or other appropriate uses.

# **A- AVIATION PROJECTS**

# 6.6. Car parking facilities

There are currently 34 public car parking spaces and 350 secure parking spaces for longer term parking. There is also provision for disabled and hire car parking.

A progressive increase in demand for car parking spaces is anticipated.

There will also be progressively increasing demand for charter bus services as tourist numbers increase, so parking spaces should be set aside for buses with trailers.

Stage 1 parking will be in the vicinity of the current terminal. Stage 2 car parking will be in the vicinity of the new terminal building. The disposition of these car parking spaces will depend upon the number of FIFO passengers and whether charter operations require security screening. In the first instance, FIFO operations are planned to continue from the current terminal building during Stage 2 development.

The Development Project must deliver a new 600 bay park.



# 7. GROUND TRANSPORT SYSTEMS

### 7.1. Access roads

Busselton-Margaret River Regional Airport is accessed from Vasse Highway via Neville Hyder Drive.

The entrance statement at the turn off from Vasse Highway could be improved to achieve the impression desired of airport visitors.



Figure 16 Airport entrance statement

The turn off from Vasse Highway will also need to be upgraded to provide turning lanes, lighting etc according to demand.

# 7.2. Busselton Bypass Transit Corridor

Main Roads WA has identified several potential corridors for construction of a dual carriageway bypass of Busselton. The final location chosen for this bypass corridor will influence the airport's connection with surrounding developments.

# 7.3. Light industrial area connection

Properties adjacent to the airport to the west, including Lots 203 and 204, are subject to development as a light industrial area. The development of this precinct will heavily influence the airport's connection with the surrounding region. The light industrial development should incorporate consideration of ground transport and



traffic requirements between each site and ensure that any access through the light industrial area to the airport achieves desired urban planning and design outcomes.

### 7.4. Other transport modes

Only road transport is scoped in the 20 year planning horizon.

There is an opportunity to develop a transport hub at the airport that would combine air services, road services and potentially rail services.



# 8. COMMERCIAL LAND USE AND DEVELOPMENT

#### 8.1. Current commercial activities

Only minimal commercial activities are based or conducted at BMRRA. Southern Skydiving operates from a hangar in the GA precinct, and the Busselton Aero Club conducts flying training.

### 8.2. Land use and development plan

City of Busselton is negotiating with a number of prospective investors that are seeking to develop aviation related enterprises at BMRRA.

Other aviation-related commercial development opportunities are likely to be put forward as the level of activity at the airport increases over time. These will likely include air freight, aircraft manufacture, maintenance and repair or overhaul, charter, flying training, parachute jumping, as well as cleaning, catering and others.

Although there is a light industrial estate proposed to be developed on adjoining land, the airport represents an ideal site for businesses that are not sensitive to noise and require relatively large sites for their operation.

The South West Action Statement identifies an Agrifood processing facility as an important regional development project. While the location of this facility is still to be determined, there exists an opportunity to locate the facility adjacent to the BMRRA in the proposed industrial sub-division, near major road transport and air freight distribution networks.

As a longer term goal, City of Busselton should seek to develop a land use master plan that maximises the 'landside' real estate value of the airport whilst being sensitive to operational requirements, accommodates the future airport growth, and identifies opportunities for real estate value to be realised and income to be generated.

This goal can be achieved by preparing a commercial land use and development plan that:

- provides for the future growth of the region's business activities through a pragmatic development 'vision';
- maximises the value of the land for the City (and generates income-producing investments for the City);
- encourages and facilitates general business, employment and commercial real estate activity;
- embodies good urban planning and design outcomes;
- integrates with the planning scheme for the region (including the City's hierarchy of development and general planning policies and guidelines) – including the rezoning and revision of the Development Guide Plan for the airport;
- · integrates with surrounding development,
- identifies trends of development near the airport and maximise the City's ability to leverage from the development of the airport;
- considers in detail the physical development constraints;



- identifies key landmark sites for iconic 'place-making' opportunities; and
- outlines the steps and issues to be addressed in the implementation of the commercial land use and development plan (including resourcing, funding, Development Control Plan, etc).

Development sites on the current aerodrome site are located on the south western side of the property, to the north of the current terminal building and around the new terminal precinct.

Other potential sites exist to the north west and south east of the current site, subject to acquisition. Potential development on these sites, subject to further planning, include general aviation facilities, commercial/industrial activities, a Bureau of Meteorology facility and/or an ARFFS fire training ground.





# 9. UTILITIES

#### 9.1. Water

The Busselton Water Board (Busselton Water) provides water to customers within its area of responsibility, which includes the airport. Scheme water is not currently available at the airport. Potable water and water for fire fighting is provided by rain water collected in tanks at each building site.

Scheme water will be an essential requirement for construction and operation of the new terminal building.

Busselton Water has indicated that the scheme water supply is being progressively extended along Vasse Highway to the site at Lot 1602 from where water could be supplied to the airport. The supply is currently near the land designated as future Showgrounds and is being extended at a rate of approximately 300 m per year.

It is necessary to connect scheme water to the new terminal precinct.

### 9.2. Electricity

Electricity is provided to the site via overhead transmission lines which go underground to the north of the current terminal.

Any future development on the airport will require further investigation of supply and distribution requirements according to demand.



Figure 17 Overhead transmission lines go underground to the north of the current terminal

Any development to the north of the existing terminal precinct will be dependent upon the relocation and/or undergrounding of these powerlines.

# 9.3. Sewer

There is no sewer service on the site. Each building has its own septic system. Waste treatment options should be investigated in further design work. In the first instance, on site waste treatment may be required. It should be noted that the new light industrial estate to the north west of the site is planned to be connected to the reticulated waste water scheme.



# 9.4. Communications

Fixed line and mobile telephone services are available at the airport, although a high speed (ADSL) internet service is not available.

A robust and high capacity, high speed internet service will be essential for effective operations. The new terminal building should be provided with a high speed internet service.

### 9.5. Liquefied petroleum gas

Liquefied petroleum gas (LPG) is not provided at BMRRA except in refillable bottles or tanks. There is no reticulated supply within close proximity to the airport so any future requirements for supply of LPG to facilities on the site would be met by storage tanks. The location for this storage facility would be identified on an as required basis.



# 10. ENVIRONMENTAL AND LAND USE PLANNING IMPACTS

### 10.1. Conditions relating to noise

BMRRA is required to be operated in accordance with conditions set out in Ministerial Statement 399. Some of these conditions relate to noise emissions from aircraft operating at the aerodrome.

Management Commitments for Aircraft Noise set out in Appendix 4 of Bulletin 785 are as follows:

- Ensure that noise levels at any adjacent residential properties do not exceed a maximum of 65 dB(A)
   L<sub>dn</sub>: this constraint will limit the number of aircraft movements and aircraft size.
- 11. In the event that any residence is found to be within the Ldn55 noise contour than Council undertakes to liaise with the affected landowners to implement the noise reduction measures appropriate to the circumstances of the dwelling, at Council's cost, and to consider noise management techniques for the airport itself.
- 12. Ensure aircraft over the Vasse-Wonnerup Estuary remain above 640 ft AGL.
- Initiate a monitoring program to determine the effect of aircraft noise on the breeding behaviour of waterbird species.

The monitoring program required under condition 13 is discussed in further detail in section 10.3.

City of Busselton operates BMRRA under a Noise Management Plan (NMP). The purpose of the NMP is to assist the general community in understanding noise management controls and procedures employed at the airport and define clear guidelines for airport users as well as providing amenity protection for the local community who may be affected by noise emanating from the airport.

The NMP was first submitted to the Environmental Protection Authority (EPA) in 2011 and after an extensive consultation process was approved. In 2012 the NMP was reviewed and amendments approved in 2015.

The noise management issue is the single most important constraint to future development of the airport in terms of operating hours and will need to be reviewed, again to facilitate more flexible operating arrangements.

# 10.2. Noise impacts - general considerations

City of Busselton has indicated in the NMP that Australian Noise Exposure Forecast (ANEF) contours and N65 and N70 contours will be further considered for land use planning purposes and the development of an Airport Buffer Zone and Special Control Area via a Town Planning Scheme amendment process.

ANEF contours provide a scientific measure of the aircraft noise exposure levels around airports taking into account the frequency, intensity, time and duration of aircraft operations. Standard methodology for evaluating the noise climate around airports is defined in AS 2021-2015 Acoustics – Aircraft Noise Intrusion – Building Sitting and Construction, which recognises the ANEF contour charts as the primary method for long-term noise impact assessment.

N65 and N70 contours depict the annualised average daily number of location-based noise events louder than a specified noise level.



The ANEF contours are compared against a set of criteria published in AS 2021-2015 and reproduced in Table

The applied criteria are used to determine suitable land usage for land which is impacted by aircraft noise emission. Typically, regions around an airport falling below the 20 ANEF curve are found to be suitable for residential, municipal and commercial urban development, with less strict criteria being applied to industrial premises. Levels below the 20 ANEF chart are dominated by background noise coming from sources other than aircraft and are thus not included in the charts. For zones termed conditionally acceptable, the noise criteria can be achieved by providing adequate sound insulation to the exposed building facades.

Table 12 Building types according to ANEF

Building Type	ANEF Zone of Site		
	Acceptable	Conditionally acceptable	Unacceptable
House, home unit, flat, caravan park	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Hotel, Motel, hostel	Less than 25 ANEF	ANEF 25 to 30 ANEF	Greater than 30 ANEF
School, university	Less than 20 ANEF	ANEF 20 to 25 ANEF	Greater than 25 ANEF
Hospital, nursing home	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF
Public building	Less than 20 ANEF	20 to 30 ANEF	Greater than 30 ANEF
Commercial Building	Less than 25 ANEF	25 to 35 ANEF	Greater than 35 ANEF
Light industry	Less than 30 ANEF	30 to 40 ANEF	Greater than 40 ANEF
Heavy industry	Acceptable in all ANEF zones		

# 10.3. Noise modelling

To70 Aviation (Australia) Pty Ltd (To70) was contracted by City of Busselton to perform noise modelling for BMRRA, specifically ANECs and N-Contours for the Stage 2A infrastructure modelling Stage 2 operations.

An ANEC chart is determined by the same procedures as an ANEF chart, excluding the confidence in forecasting required. These procedures are detailed in AS 2021-2000. Therefore, the ANEC can be considered equivalent to the ANEF, without having AirServices Australia endorsement.



To70 produced the following outputs:

- Standard ANEC for the Busselton Regional Airport Master Plan 2016 aerodrome infrastructure / operations projected to twenty years, 2038/39; and
- N65, N70, N75 and N80 contours for the following scenarios:
  - Master Plan (2016) aerodrome infrastructure / operations 2018/19;
  - Master Plan (2016) aerodrome infrastructure / operations 2022/23;
  - Master Plan (2016) aerodrome infrastructure / operations 2028/29; and
  - Master Plan (2016) aerodrome infrastructure / operations 2038/39.

A full copy of the report is provided at Annexure 2.

10.3.1. Software

The Federal Aviation Administration's (FAA) Integrated Noise Model (INM) version 7.0d was used for the calculation of the ANEC and other contours. INM 7.0d is the latest version of this software package.

10.3.2. Weather

INM requires the input of weather conditions observed at the airport. Average weather settings are derived from the Bureau of Meteorology (BoM) for Nov-14 to Oct-15. The annual average temperature and pressure at Busselton Airport weather station (station 009603) is used as input for this INM study.

The weather settings used in the modelling are noted as follows:

- Temperature 19.6 degrees C;
- Pressure 764.22 mm-Hg;
- Relative humidity 59.3%; and
- Headwind 14.8 km/h (default INM value).

10.3.3. Traffic Forecast

Updated aircraft traffic forecasts for the noise modelling were provided by City of Busselton to To70 in the form of a spreadsheet containing annual movements by year. The forecasts were reviewed and updated based on input from To70. The detailed aircraft traffic forecasts (including day/night split) can be found in Appendix A of the report.

10.3.4. Runway usage

To70 assumed the following runway use based on information provided by City of Busselton:

Runway 03 - 40%; and



Runway 21 - 60%.

### 10.3.5. ANEC Observations

In its report, To70 noted the ANEC –standard 20 year (shown in Figure 18) shows the ANEC 20 contour does not extend to any populous areas and for this reason ANEC 10 has been shown for informational purposes. As specified in AS2021, buildings (residences) which fall within ANEC 20 are permissible and as such would apply for ANEC 10. In that regard, there is no major impact to dwellings both north and south of the runway that are situated within the ANEC.

### 10.3.6. N-Contour results

To complement the ANEF maps, Noise-Above contours (N contours) charts show the number of aircraft noise events per day exceeding specific noise levels. N contours can be used to provide information both on past and planned aircraft operations. This helps communities and individuals to visualise noise impact in specific areas as it takes a person's reaction to noise out of the equation. In its report, To70 notes that, similar to the ANEC findings, both the N65 and N70 10 event noise contours do not extend to any populous areas, as can be seen in Figure 19.



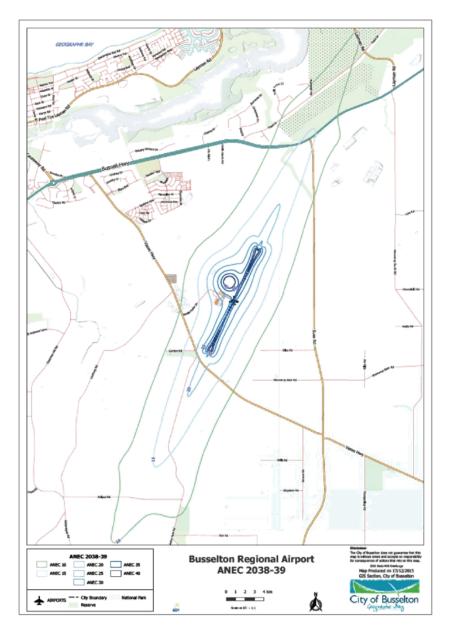


Figure 18 ANEC 2038/39

# **A AVIATION PROJECTS**

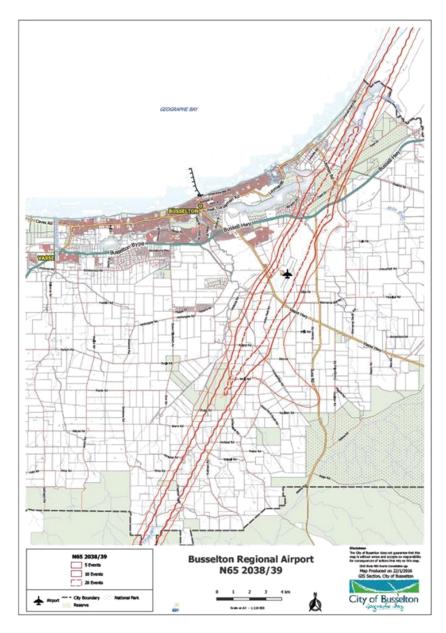


Figure 19 N65 2038/39



# 10.4. Waterbirds of the Vasse-Wonnerup Wetlands

The Vasse-Wonnerup Wetland System lies approximately 5km north of the BMRRA site. It is listed as an Internationally Important Wetland under the Ramsar Convention because of its significance for waterbirds.

The location of the Vasse-Wonnerup Wetland system with respect to the town of Busselton and BMRRA is shown in Figure 20.

The monitoring program required under condition 13 of the Management Commitments for Aircraft Noise set out in Bulletin 785 was undertaken over three years from 1997 to 1999. In a report issued by Birds Australia on 14 February 2000, it was concluded that:

There has been no observable impact on waterbird breeding by aircraft using Busselton Regional Airport.

To assess the potential effects or impacts of the proposed increases in aircraft activity over the Vasse Wonnerup System, the overlap between the modelled increases in the frequency of 65 decibel noise events across the wetland system and the known distribution and nesting patterns of waterbirds within the system was examined by environmental consultant Green Iguana, which concluded as follows:

The most recent detailed distribution data suggest that the current flight path and extent of increased noise events (for all scenarios) over the wetland system does not overlap with the areas of highest waterbird usage within the system. For all waterbirds combined, the western end of the Vasse Estuary, and the eastern end of the Wonnerup Estuary (i.e. those parts of the wetland system that are furthest from the modelled flight path) support the highest number of waterbirds whereas Malbup Creek and the lower Wonnerup Estuary channel support far lower numbers of waterbirds than other areas within the system. In terms of migratory waders (shorebirds), the pattern of distribution was similar to all waterbirds and although shorebird usage of the Wonnerup Estuary was somewhat more uniform than the Vasse Estuary, the flight path does not overlap with the areas of greatest shorebird usage.

Because the effects of increased aircraft activity on the species present within the system cannot be accurately predicted, it is possible that the breeding and foraging of some species may be affected. All of the species which may be affected occur and/or breed in greater numbers in other parts of the system, away from the modelled flight path affected areas, with the exception of the Yellow-billed Spoonbill nesting colony which may be adversely affected by aircraft overflights. The Yellow-billed Spoonbill is not a species that the wetland is statutorily important for, nor is it a listed threatened or migratory species.

Because the likely impacts of the airport upgrade on the system's waterbirds cannot be estimated with certainty, if the proposed upgrade is to occur using the existing flight path (rather than re-routing the flight path to avoid the system entirely), the proposal should be referred to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities for determination on whether the proposal requires assessment under the Environmental Protection and Biodiversity Control (EPBC) Act.



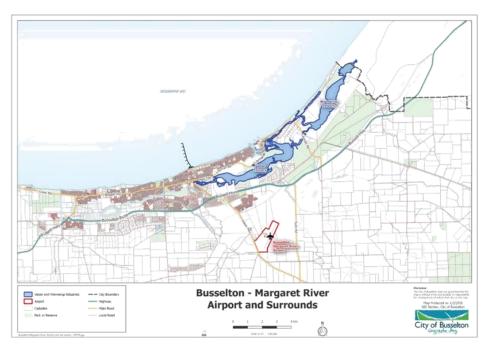


Figure 20 Location of the Vasse Wonnerup Ramsar Wetlands site

As part of the process of attaining project environmental approvals for the BMRRA Development Project, City of Busselton engaged environmental consultants to assess the potential of any future impacts resulting from the BMRRA development on the Vasse-Wonnerup Wetlands. This involved consulting with Department of Parks and Wildlife offices from the area and engaging an environmental specialist to conduct a literature review on the effects of aircraft operations on wetlands of similar significance in the vicinity of other airports. City of Busselton has also consulted with the Australian Government agency, Department of the Environment (DotE) with regards to submitting a referral under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and, subject to advice from DotE, will submit a project proposal for referral under the EPBC Act.

## 10.5. Fauna assessment

Green Iguana was also engaged to provide information on the fauna values of the BMRRA runway extension footprint (based on extension of the current runway to 2600 m).

To minimise the impacts of the proposed airport expansion on the site's fauna and fauna habitats, the following recommendations were made:

(1) Clearing of Marri and Peppermint woodland should be offset by a comparable area of rehabilitation of both vegetation communities within a suitable distance of the site.





- (2) Clearing of the Peppermint woodland should be carried out in accordance with DEC clearing guidelines for the Western Ringtail Possum, including obtaining a Regulation 15 Licence to Take Fauna for Public Purposes issued by DEC under the WA Wildlife Conservation Act (1950).
- (3) Loss of seasonal wetland habitat within the site should be offset by rehabilitation of seasonal wetland habitat elsewhere, preferably within the boundaries of the Vasse- Wonnerup Ramsar site.

The locations of the habitats mentioned are indicated in Figure 21.

As part of the BMRRA Development Project, City of Busselton engaged environmental consultants to complete a Level 1 flora and vegetation survey to define values pertaining to flora and vegetation within the BMRRA precinct. The level 1 survey was to determine if the remnant vegetation located on the airport precinct was suitable as foraging, roosting or nesting habitat for any of the Black Cockatoo species and Western Ringtail Possum listed as Threatened under the EPBC Act and the Wildlife Conservation Act 1950 (WC Act). The results from the survey are to be submitted to the Western Australian Government Office of the Environmental Protection Authority as part of the environmental approval process required for the BMRRA Development Project.



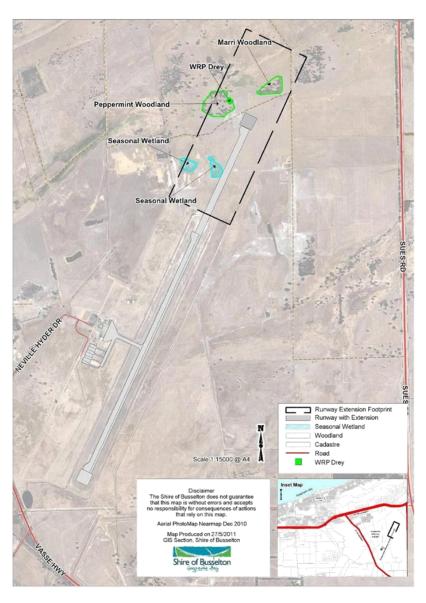


Figure 21 BMRRA runway extension footprint for fauna assessment



### 10.6. Aircraft flight path optimisation to reduce noise impacts

RNAV-RNP or other instrument approach procedures which can be designed with flexible flight paths have not been scoped as an input to the noise model; however, further investigation should be undertaken to determine if noise impacts can be reduced through careful design of these procedures for introduction in time for the commencement of Stage 2 operations.

### 10.7. Obstacle limitation surfaces

So that the obstacle restriction area around the aerodrome can be protected from penetration by obstacles, the obstacle limitation surfaces applicable to the ultimate aerodrome design should be published in the Town Planning Scheme.

# 10.8. Flooding and stormwater drainage

Flooding is not a significant issue for the future planning of the airport. The current site and parts of adjoining properties scoped for development lie outside any flood prone land.

An open unlined drain along the southern boundary of the existing airport site will need to be modified to permit extension of the runway to the south, into the neighbouring property subject to acquisition.

### 10.9. Other development control measures

There are other development control measures which are not part of the statutory planning framework but should be considered with a view to ensuring the development is positioned to meet future requirements.

# 10.9.1. National Airport Safeguarding Framework

The Commonwealth Government has an interest in better planning and integrated development on and around airports and to lessen the adverse effects of aviation activity on the environment and communities. It is not a planning authority in this case, but provides guidance on broader issues such as noise around airports that can be used by statutory authorities to achieve the stated objectives.

The National Airports Safeguarding Advisory Group (NASAG) has produced National Airport Safeguarding Framework to advance this agenda.

## 10.9.2. Public Safety Zones

A public safety zone is used to restrict development in areas where there is potentially a higher risk of an accident involving an aircraft landing or taking off.

A public safety zone is not currently required for BMRRA.

As outlined above, the National Airports Safeguarding Advisory Group (NASAG) will be working on the development of a national policy on public safety zones.

# 10.9.3. Lighting in the vicinity of an airport

MOS 139 establishes a restriction to lighting within the vicinity of an airport which, by reason of its intensity, configuration or colour, might endanger the safety of an aircraft. The vicinity of the airport





can be taken to be within a 6 km radius of the airport. For a code 4 instrument runway, the areas most likely to cause problems to aircraft operations are within a rectangular area the length of which extends at least 4500 m before each threshold and the width of which is at least 750 m either side of the extended runway centreline.

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10.9.4. Bird hazards

Birds present a significant safety hazard to aircraft, so controls should be put in place to minimise the use of land within the vicinity of the airport that attracts birds.

MOS 139 suggests careful consideration of the location of off-airport attractors such as animal sale yards, picnic areas, aeration facilities and waste disposal or land fill areas.

Also, Management Commitments for Aircraft Safety set out in Appendix 4 of Bulletin 785 requires the Council to:

14. Maximise aircraft movements to the south, to reduce the risk of bird strike.





# 11. MASTER PLAN

The Master Plan is characterised by progressive upgrades in four distinct stages according to aircraft types and operations as outlined below.

The triggers and dependencies of the elements of Stages 1, 2, 2 AEO and 2A are provided in Table 13 and Table 14. Timings are indicative and subject to further feasibility assessment, funding, approvals, design and construction of necessary infrastructure, as well as negotiation with applicable aircraft operators. Development of Stages 3 and 4 are beyond the 20 year planning horizon and subject to demand and government consideration.

### 11.1. Stage 1 - ongoing to the end of 2017

Charter (and potentially RPT) operations from the current facility by aircraft such as ATR42, ATR72, Bae146, F50, F100 and Dash 8:

- interim expansion of passenger terminal facilities to accommodate F50/F100 RPT operations (complete):
- provision of passenger screening (complete but not currently required);
- development and implementation of a Transport Security Program which will require definition and fencing of the airside/landside boundary (complete);
- provision of a Jet A1 fuel facility (deferred to Stage 2);
- expansion of car parking facilities according to demand (complete);
- construction of an additional aircraft parking bay (complete); and
- land acquisition in preparation for future stages preferably the maximum envelope rather than the minimum requirement (deferred to Stage 2).

# 11.2. Stage 2 - construction complete by end of 2017

Infrastructure required for the introduction of narrow body code 4C jet aircraft such as A320, B737:

- strengthening, widening to 45 m and extension to 2340 m (TODA 2400 m) of runway 03/21;
- · construction of a two bay parking apron and connecting taxiway;
- construction of a new passenger terminal capable of handling 350 passengers at one time; and
- expansion of car parking facilities, including hire cars, buses etc to at least 600 new spaces.

# 11.3. Stage 2 AEO – as demand arises

Infrastructure anticipated as a result of potential aviation enterprise opportunities includes:

• expansion of the existing apron near the existing Aero Club;



- · construction of a code B parking apron and taxiway;
- development of code B hangar precinct sites (includes provision for RFDS transfer station and avgas facility);
- · expansion of the existing parking apron to facilitate development of code C hangars; and
- · construction of new roads to connect these developments to the internal road network.

### 11.4. Stage 2A - as demand by international carriers dictate

International narrow body code 4C jet RPT such as A320, B737:

- Extension of the runway to 2460 m (TODA 2520 m);
- provision of 240 m RESA at each runway end;
- Installation of additional precision approach path indicator lights at each runway end;
- · expansion of the passenger terminal to provide international passenger facilities; and
- provision of ARFFS and ATC if/when required.

End of 20 year planning horizon

### 11.5. Stage 3 - subject to demand

Wide body code 4E jet RPT operations such as A330, B787:

- extension of runway 03/21, initially at the northern end, to a length of approximately 2700 m, within the RESA footprint, 45 m wide with 7.5 m shoulders;
- construction of 23 m wide taxiways with 10.5 m shoulders;
- if extending the current runway, construction of a parallel taxiway to near the threshold of the current runway (subject to land ownership constraints and the little wedge of Lot 203) designed around Code E separation requirements;
- extension of the parking apron;
- expansion of the passenger terminal; and
- provision of hydrant refuelling.

# 11.6. Stage 4 - subject to demand

International freight and/or alternate aerodrome for large wide body or code F aircraft such as the A380 or B747-800:

- Upgrade runway/taxiway and pavement to Code F requirements; and
- Provide other facilities as required to support the scope of operations.



### 11.7. Precinct plan

A number of precincts have been identified for the purpose of characterising the likely developments appropriate for each area of the aerodrome site, based on upon function. These precincts, along with the ultimate development and other planning considerations are described below and shown in **Annexure 1**.

### 11.7.1. Aeronautical Business Park

The Aeronautical Business Park is identified as a land bank, providing a zone for aeronautical business opportunities.

The precinct is located within prime access to the Vasse Highway / Airport entry and in close proximity to the Terminal. As such, front of house land uses would be encouraged in this zone.

### 11.7.2. Aeronautical Operations Precinct

The Aeronautical Operations Precincts is defined by the airside / landside secure separation. All aspects of this precinct are incremental to the operations of the Airport.

### 11.7.3. Terminal Precinct

The Terminal Precinct is on axis with the Vasse Highway entrance to the site. The terminal building is located within the view corridor of the arrivals sequence; reinforcing the use of the site.

The arrivals / departure sequence features regional landscapes as a buffer between the airport and surrounding infrastructure to heighten the visitors' experience of the Terminal Precinct.

## 11.7.4. Aviation Logistics Precinct

The Aviation Logistics Precinct is located to the north of the Terminal Precinct and houses predominantly landside operational requirements and support facilities for the Airport. This precinct is also land banked to enable planned growth for the Airport proper.

# 11.7.5. Light Aviation Precinct

The Light Aviation Precinct is located in close proximity to the existing terminal building. This precinct seeks to re-purpose the current uses on the northern most parcel of the site proper.

There is opportunity for integration with adjacent developments off-site.

# 11.7.6. Helicopter Operations Precincts

The Helicopter Operations Precinct is currently located on a parcel of land that is still under negotiation. The following document identifies options for the resolution of this precinct both within the staging and design options. This precinct will principally house all rotary wing operations.

# 11.8. Utilities plan

Utilities will need to be provided according to incremental demand. Requirements should be scoped during planning for construction of Stage 2 infrastructure.



Element	Stage 2 – Code 4C	Stage 2A – Code 4C International
Site	Extend site by 550 m to the north Include the little corner cut out and the additional triangular area in the Manning property. Extend the site to the south over the Water Corp property.	
Runway	2340 TORA (essential criteria) 2400 TODA (essential criteria) Extend 300 m south Culvert for open drain along southern boundary of existing site – under runway strip Extend 240 m north 45 m wide (essential criteria) No turning pads at this stage 90 m RESAs 300m runway strip	Extend another 120 m north so that we have 2460 m TORA and 2520 m TODA 240 m RESAs  Note: Based on variable runway ends in earlier planning work the following essential criteria are specified for this aspect of the project: 2400 m TORA (essential criteria) 2520 TODA (essential criteria)
Taxiways	New code C stub taxiway to new apron (essential criteria) 18 m wide with 3.5 m wide shoulders	New parallel taxiway between new stub taxiway and existing apron along code F alignment 18 m wide with 3.5 m wide shoulders
New terminal	Building line offset 410 m from runway centreline to accommodate B747-800F tail height under transitional surface Accommodate 350 passengers (essential criteria)	Expand to accommodate border control agencies (essential criteria)
New apron	2 x B737-800 (essential criteria)	
Jet A1 Fuel storage	North of the new terminal building west of the building line	
Works depot	Relocate works depot to between new terminal and Jet A1 fuel storage facility	
Existing apron	Consider pavement overlay	
Avgas	Retain in current location (short term)	



Element	Stage 2 – Code 4C	Stage 2A – Code 4C International
Existing code A hangars	Retain pending resolution of leases in short-medium term	Remove and relocate leases to Light Aviation Precinct (include remove existing light pavement taxiways between existing apron and hangars).
Aeroclub	Retain in present position in short term	Relocate Aero Club to Light Aviation precinct
NDB	Remain as is, protect building restricted area	Remain as is, protect building restricted area
Primary IWDI	Relocate clear of OLS – near new main apron (northern side), clear of code F taxiway strip	
Secondary IWI	Relocate as indicated, noting problem with siting of IWI near threshold 21 due to OLS.	
AWS	Relocate to a 30 m x 30 m box just east of 1.15 ha site identified for acquisition and west of the airside road near threshold 21	
Aeronautical ground lighting	Medium Intensity runway edge lighting etc RTIL Single sided PAPI	Double sided PAPI
OLS	Code 4 Instrument non-precision	
ATC tower	N/A (subject to number of aircraft movements and timing of Stage 2A)	West of the existing terminal building and north of the existing main entrance road.  There is some flexibility about the specific location within the general area in which it has been shown.
ARFFS	N/A (subject to number of passenger movements and timing of Stage 2A)	ARFFS facility at airside edge of Light Aviation Precinct – access via new stub taxiway
Car parking	Additional 600 parking spaces (Essential criteria)	As required by demand
Intersection upgrade	Upgrade intersection from Vasse Highway	
Entrance road	Create new entrance road and loop past terminal front	

# **AL AVIATION PROJECTS**

Element	Stage 2 – Code 4C	Stage 2A – Code 4C International
Other roads	As shown – note allocation of public and internal roads	
Power lines	Relocate power lines along northern boundary of Light Aviation Precinct with 8.5 m easement.	
Water, sewer	Along western side of showgrounds, east of cemetery and Busselton Water Lot 11 to Busselton Water Lot 1602 to pumping station, then into airport site.	



Table 14 Stage 2 AEO infrastructure summary

Element	Stage 2 AEO
Taxiways	New code B stub taxiway to Light Aviation precinct Connect to existing apron via short parallel code B taxiway 10.5 m wide taxiway
Existing apron	Extend apron to south over grassed area in front of Aero Club – for code B fixed wing aerial fire fighting aircraft (DPaW)  Extend apron in front of new F100 extension to service code C hangars.
Code B hangars	Create new Light Aviation Precinct, connected to the runway via a code B stub taxiway, designed around code B aircraft.  Leave room on northern side of precinct for access road and underground power easement.  Provide itinerant parking area.
Avgas	Relocate to Light Aviation Precinct
RFDS transfer station	Relocate to Light Aviation Precinct
Code C hangars	Identify two sites – first one adjacent to the new F100 parking apron north of the existing terminal (over the RFDS transfer station), with a second one alongside to the north
Fixed wing aerial fire fighting (DPaW)	On the southern side of the existing apron (Pavement infill of grassed area in front of Aero Club)
Rotary wing aerial fire fighting (DFES)	First option – co-located with DPaW in area in front of aero club (details to be worked out in further detail)  Second option – in part of site north of Light Aviation Precinct (land not yet acquired)
Existing code A hangars	Remove and relocate leases to Light Aviation Precinct (include remove existing light pavement taxiways between existing apron and hangars).
Aeroclub	Relocate Aero Club to Light Aviation precinct
Other roads	As shown - note allocation of public and internal roads
Power lines	Relocate power lines along northern boundary of Light Aviation Precinct with 8.5 m easement.
Water, sewer	As required to service developments



Attachment A



Staging of development over the course of the master planning horizon and beyond will be influenced by a number of general considerations outlined below.

### **12.1.** Demand

Demand forecasts were prepared in support of the Busselton Regional Airport Upgrade Project Business Case. They relied upon the best known information at the time, but are subject to a number of uncertainties outlined berein.

### 12.2. Code E and A380 alternate for Perth Airport

Given the significant cost of infrastructure that would be required to provide an alternate aerodrome for Perth Airport's code E and A380 operations, the issue should be addressed to State and Commonwealth Government agencies so that its place in the future planning of BMRRA can be ascertained.

### **12.3.** Funding

Each stage of the master plan will require significant capital expenditure. The availability of capital funding will influence the viability and/or timing of each stage.

# **AUDITION PROJECTS**

# 13. FUNDING/COST ANALYSIS

While this Master Plan has considered costs at a high level, further investigation of the likely costs of the upgrades proposed will inform future feasibility studies and preparation of business cases in support of funding applications.



# **GLOSSARY**

AAGR average annual growth rate
ACN aircraft concession number

AGL above ground level

ANEF Australian Noise Exposure Forecast

ARFFS aerodrome rescue and fire fighting service

ATC air traffic control

AWIS automatic weather information system

BITRE Bureau of Infrastructure, Transport and Regional Economics

BMRRA Busselton-Margaret River Regional Airport

CAGR compound annual growth rate
CAR Civil Aviation Regulation 1988

CASR Civil Aviation Safety Regulation 1998

EPA Environmental Protection Authority

EPBC Environmental Protection and Biodiversity Control

DFES Department of Fire and Emergency Services

DPaW Department of Parks and Wildlife

FIFO fly-in fly-out

ft feet

GPS global positioning system
GSE ground support equipment

IATA International Air Transport Association
ICAO International Civil Aviation Organization

ILS instrument landing system

LCC low cost carrier

LPG liquefied petroleum gas

MOS Manual of Standards



# **AUDITION PROJECTS**

MTOW maximum take-off weight

NASAG National Airports Safeguarding Advisory Group

NDB non-directional beacon

nm nautical miles

NMP Noise Management Plan

OLS obstacle limitation surfaces

PCN pavement concession number

RESA runway end safety area

RNAV-GNSS Area Navigation – Global Navigation Satellite System

RNAV-RNP Area Navigation – Required Navigation Performance

RPT regular public transport

WA Western Australia



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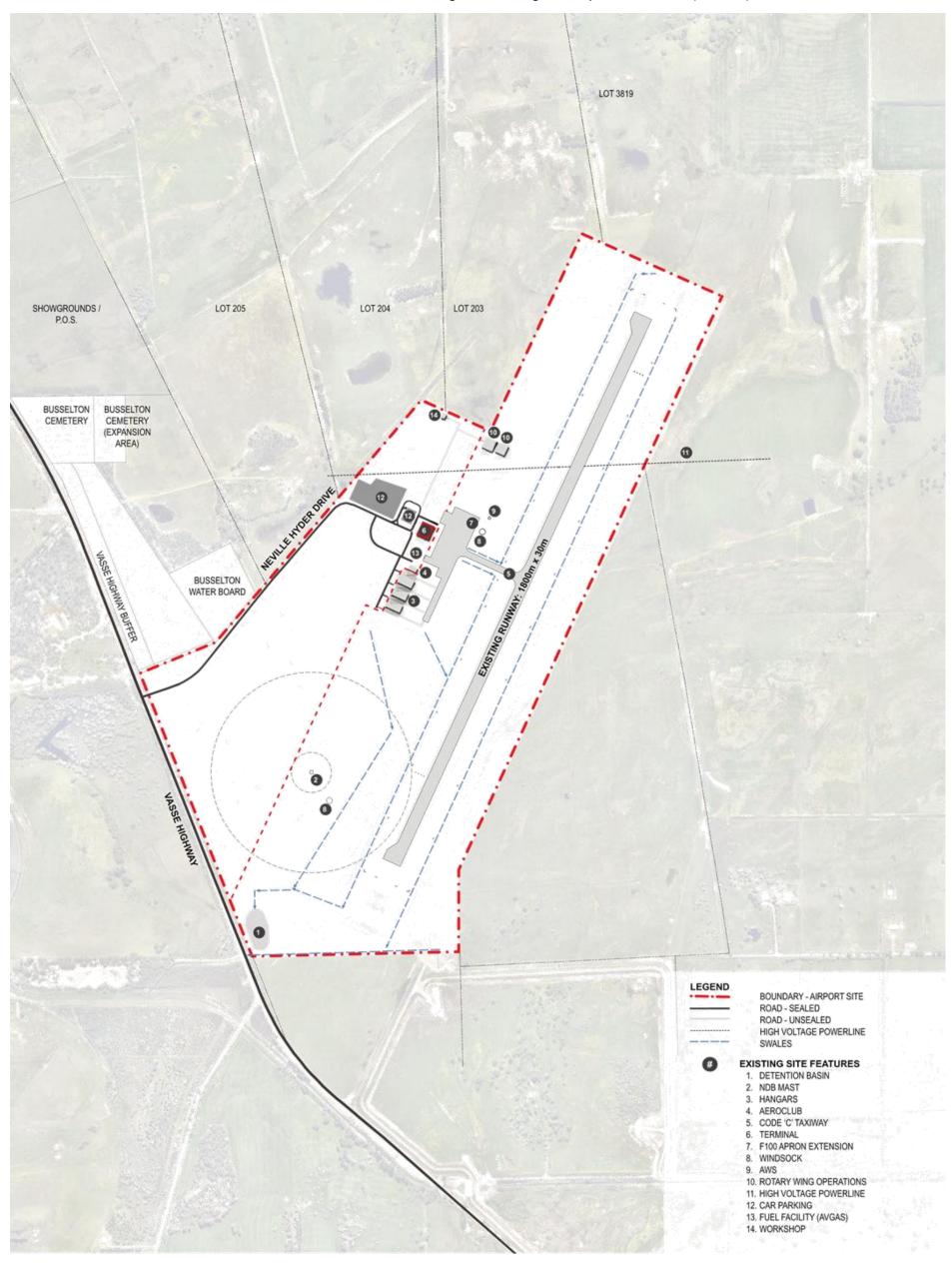
# **ANNEXURES**

- 1. Master Plans and Precinct Plans
- 2. Noise Modelling Report

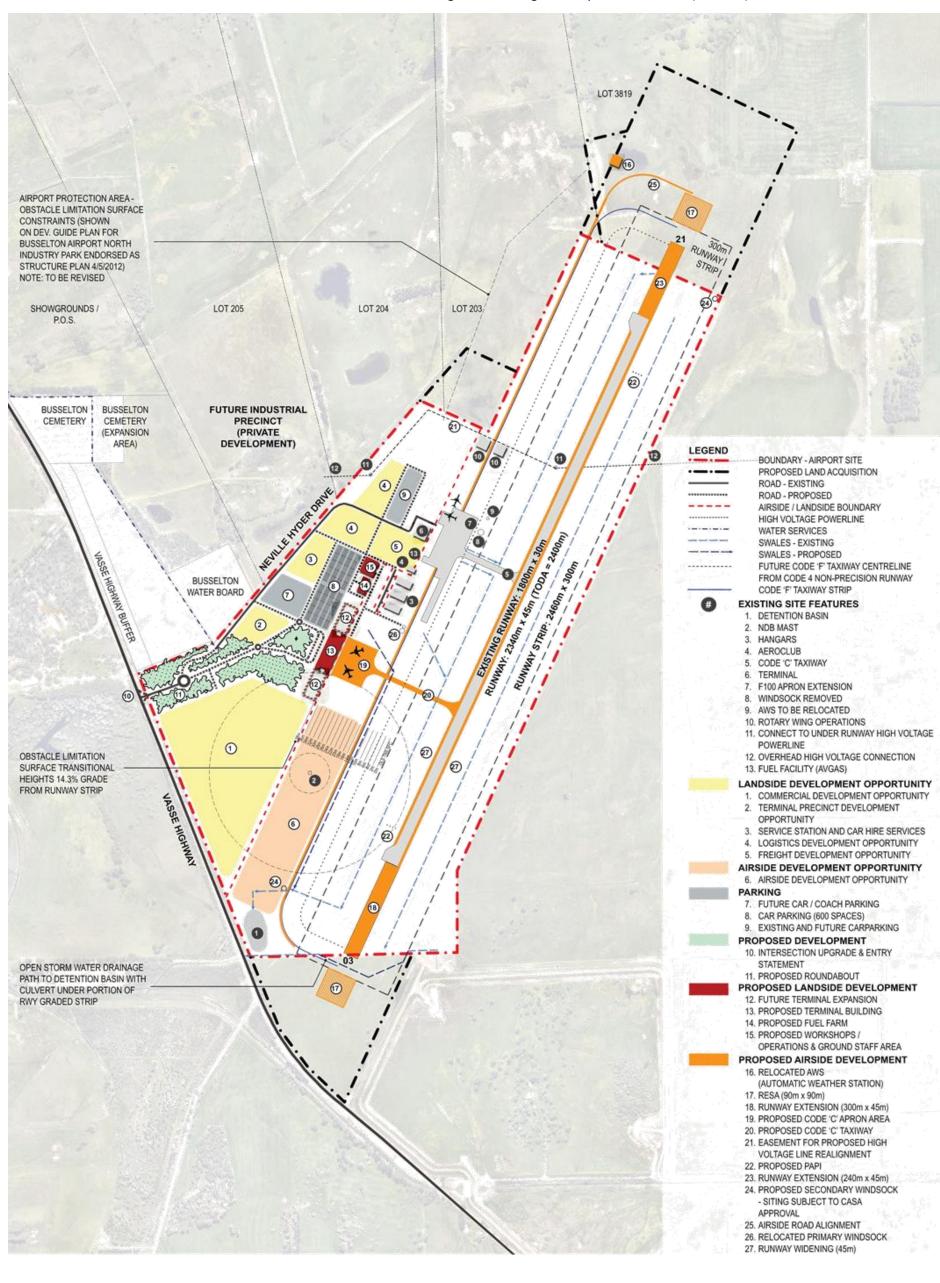


## ANNEXURE 1 - MASTER PLANS AND PRECINCT PLANS

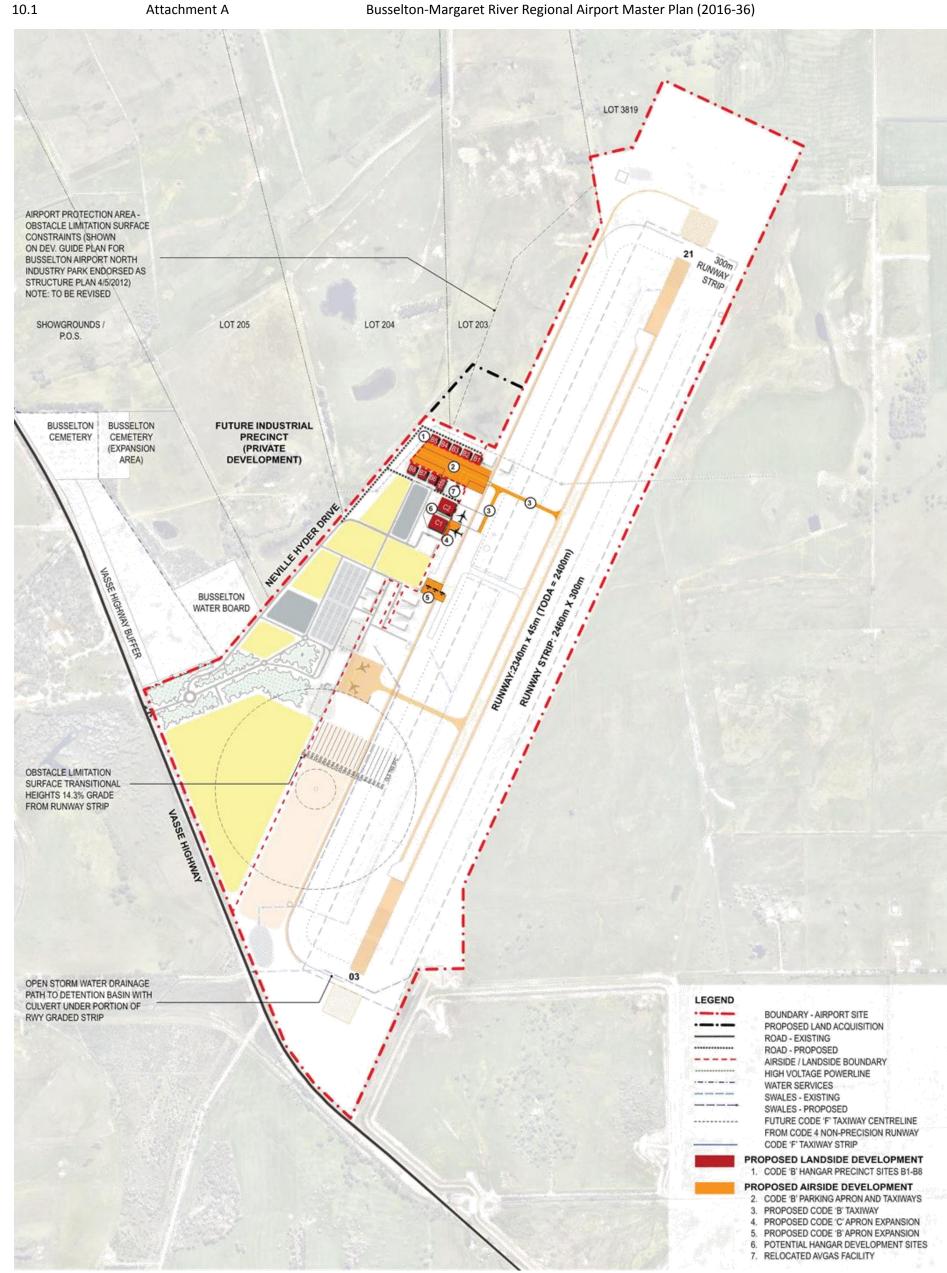
- 1. Existing Airport Precinct, Drawing DD-A-0001, Rev B, 09 February 2016
- 2. Stage 2, Drawing DD-A-0002, Rev B, 09 February 2016
- 3. Stage 2 AEO, Drawing DD-A-0003, Rev B, 09 February 2016
- 4. Stage 2A, Drawing DD-A-0004, Rev B, 09 February 2016
- 5. Aeronautical Business Park Precinct, Drawing DD-A-0005, Rev B, 09 February 2016
- 6. Aeronautical Operations Precinct Stage 2, Drawing DD-A-0006, Rev B, 09 February 2016
- 7. Aeronautical Operations Precinct Stage 2 AEO, Drawing DD-A-0007, Rev B, 09 February 2016
- 8. Aeronautical Operations Precinct Stage 2A, Drawing DD-A-0008, Rev B, 09 February 2016
- 9. Terminal Precinct, Drawing DD-A-0009, Rev B, 09 February 2016
- 10. Aviation Logistics Precinct, Drawing DD-A-0010, Rev B, 09 February 2016
- 11. Light Aviation Precinct, Drawing DD-A-0011, Rev B, 09 February 2016
- 12. Helicopter Operations Precinct, Drawing DD-A-0012, Rev B, 09 February 2016





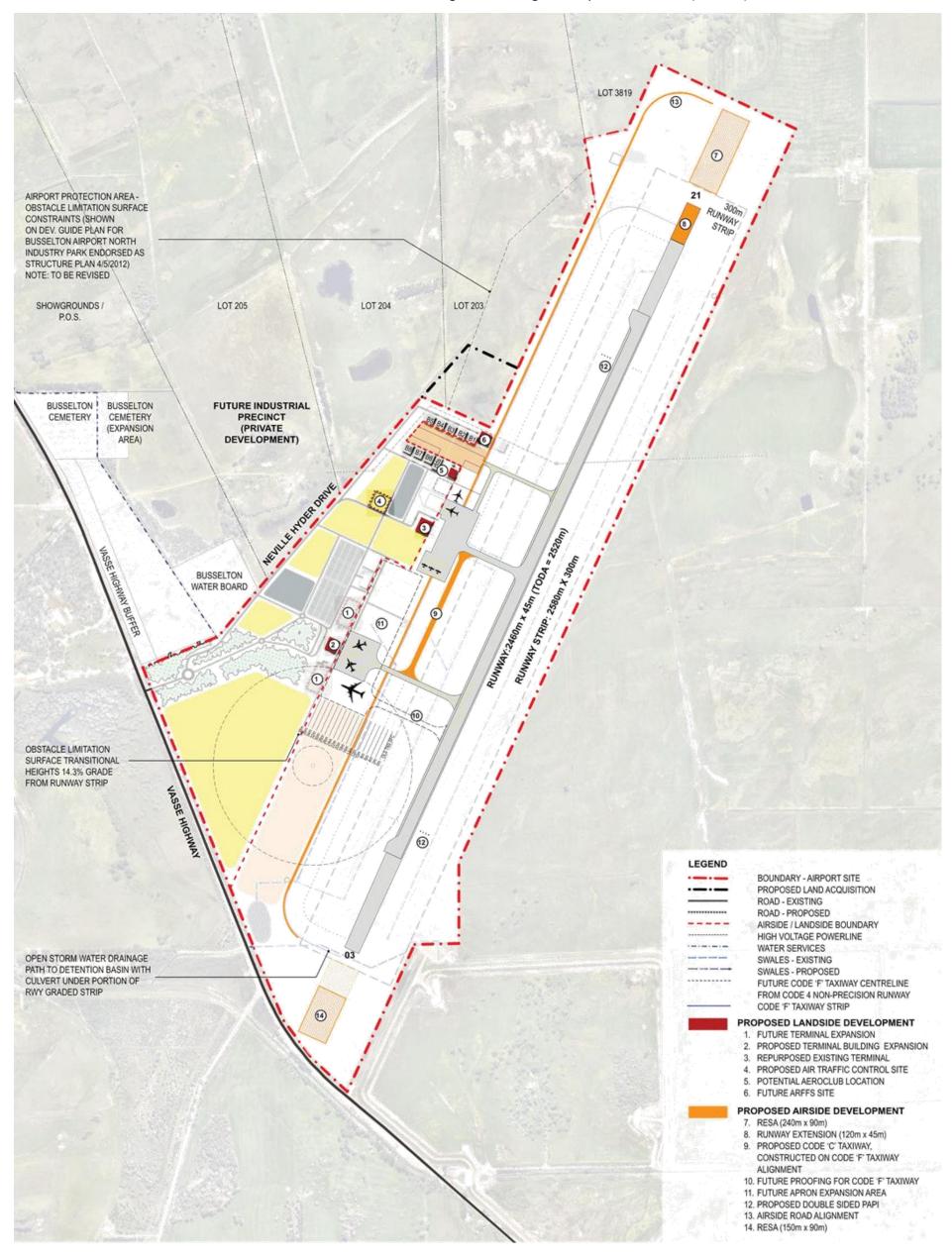




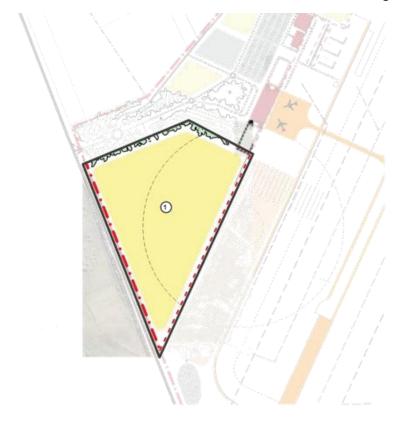












STAGE 2



STAGE 2 AEO



179 0 LEGEND BOUNDARY - AIRPORT SITE
AIRSIDE / LANDSIDE BOUNDARY PRECINCT KEY PLAN ABP - AERONAUTICAL BUSINESS PARK AOP - AERONAUTICAL OPERATIONS PRECINCT TP - TERMINAL PRECINCT ALP - AVIATION LOGISTICS PRECINCT

STAGE 2A

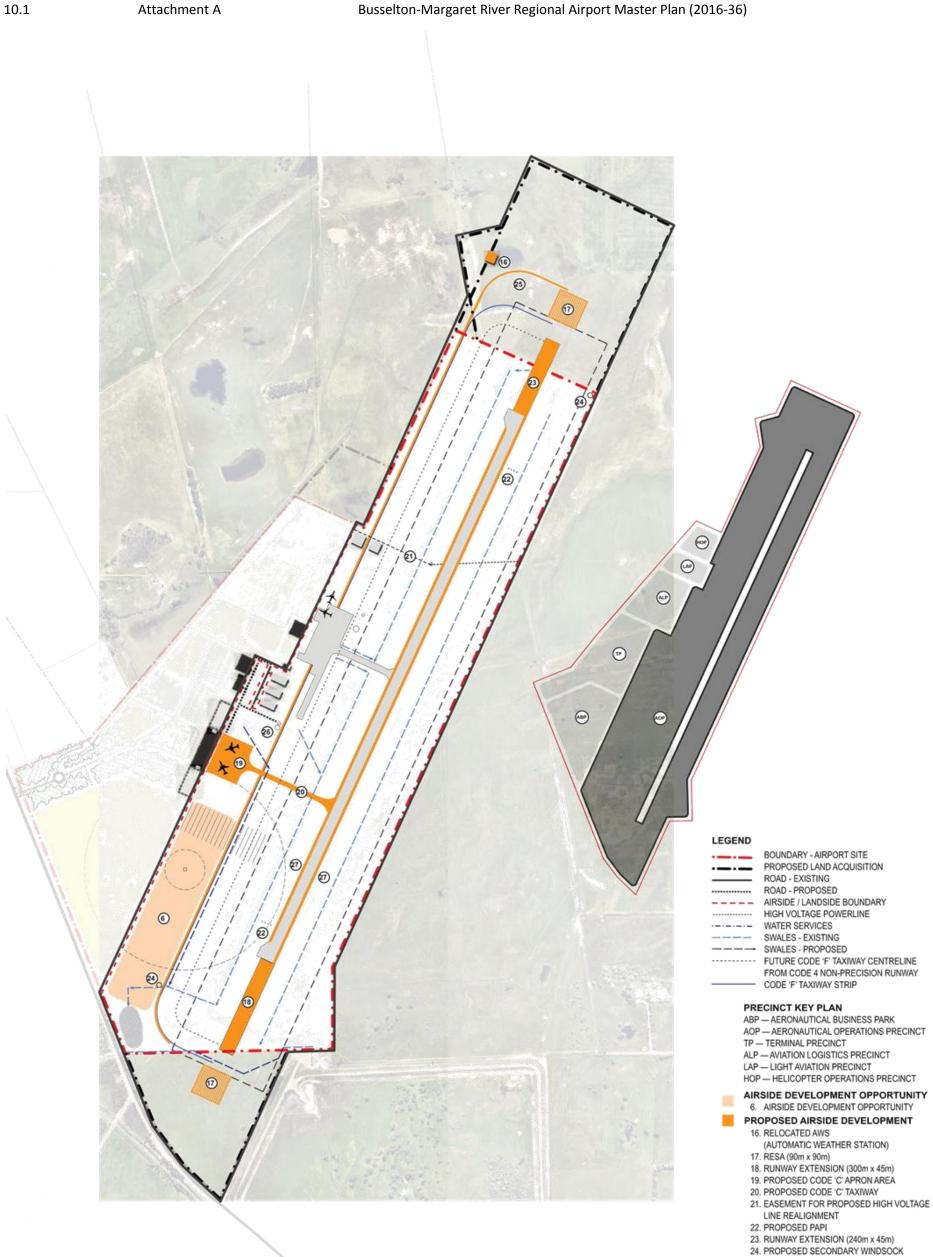




PRECINCT PLANS AERONAUTICAL BUSINESS PARK Project No: Scale:

LAP - LIGHT AVIATION PRECINCT HOP — HELICOPTER OPERATIONS PRECINCT LANDSIDE DEVELOPMENT OPPORTUNITY 1. COMMERCIAL DEVELOPMENT OPPORTUNITY

> 15477PEF 09/02/16 1:10,000 @ A3





STAGE 2



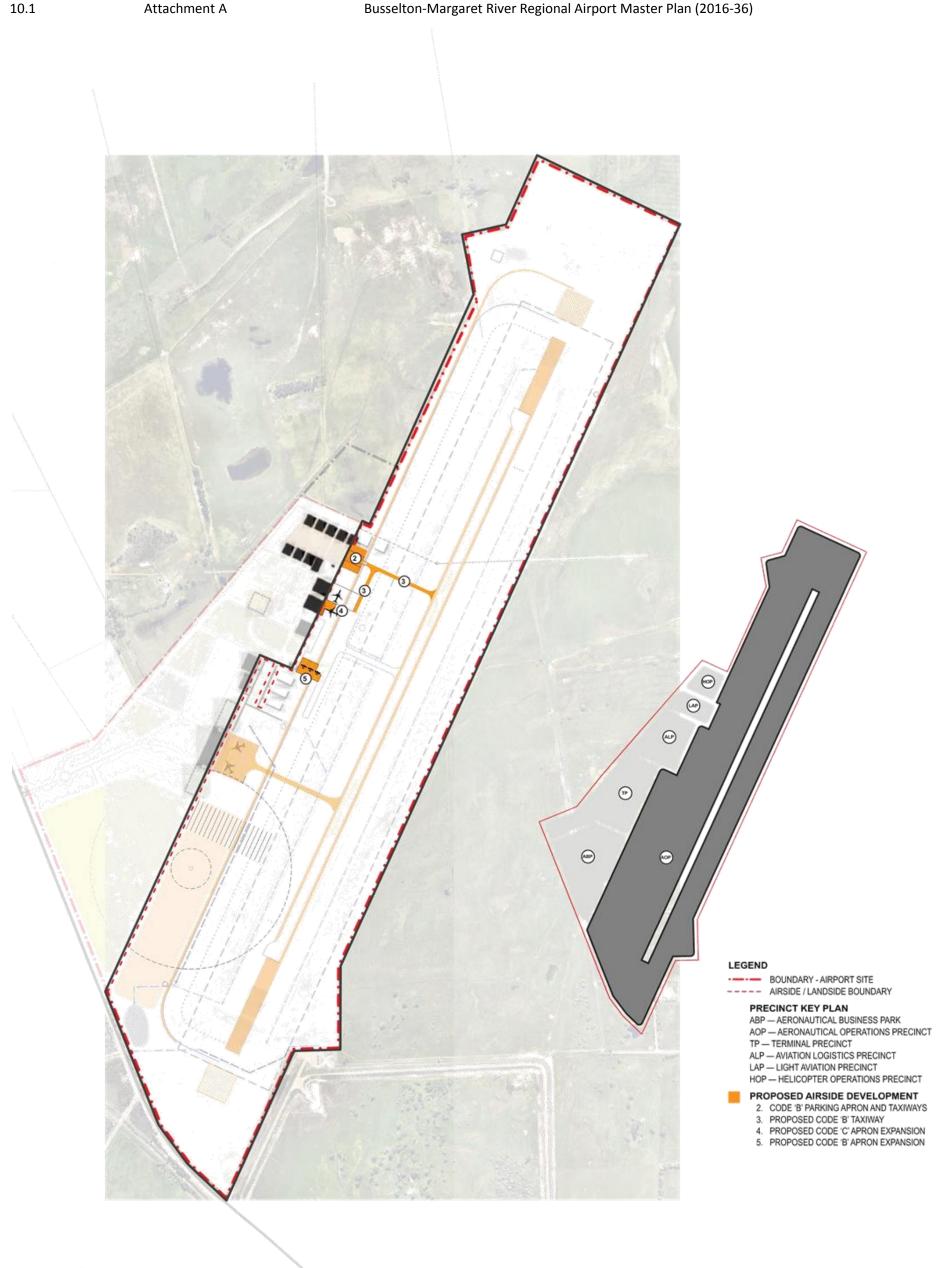
PRECINCT PLANS
AERONAUTICAL OPERATIONS
PRECINCT - STAGE 2
FINAL

Project No: 15477PEF Date: 09/02/16 Scale: 1:10,000 @ A3

- SITING SUBJECT TO CASA APPROVAL

25. AIRSIDE ROAD ALIGNMENT 26. RELOCATED PRIMARY WINDSOCK

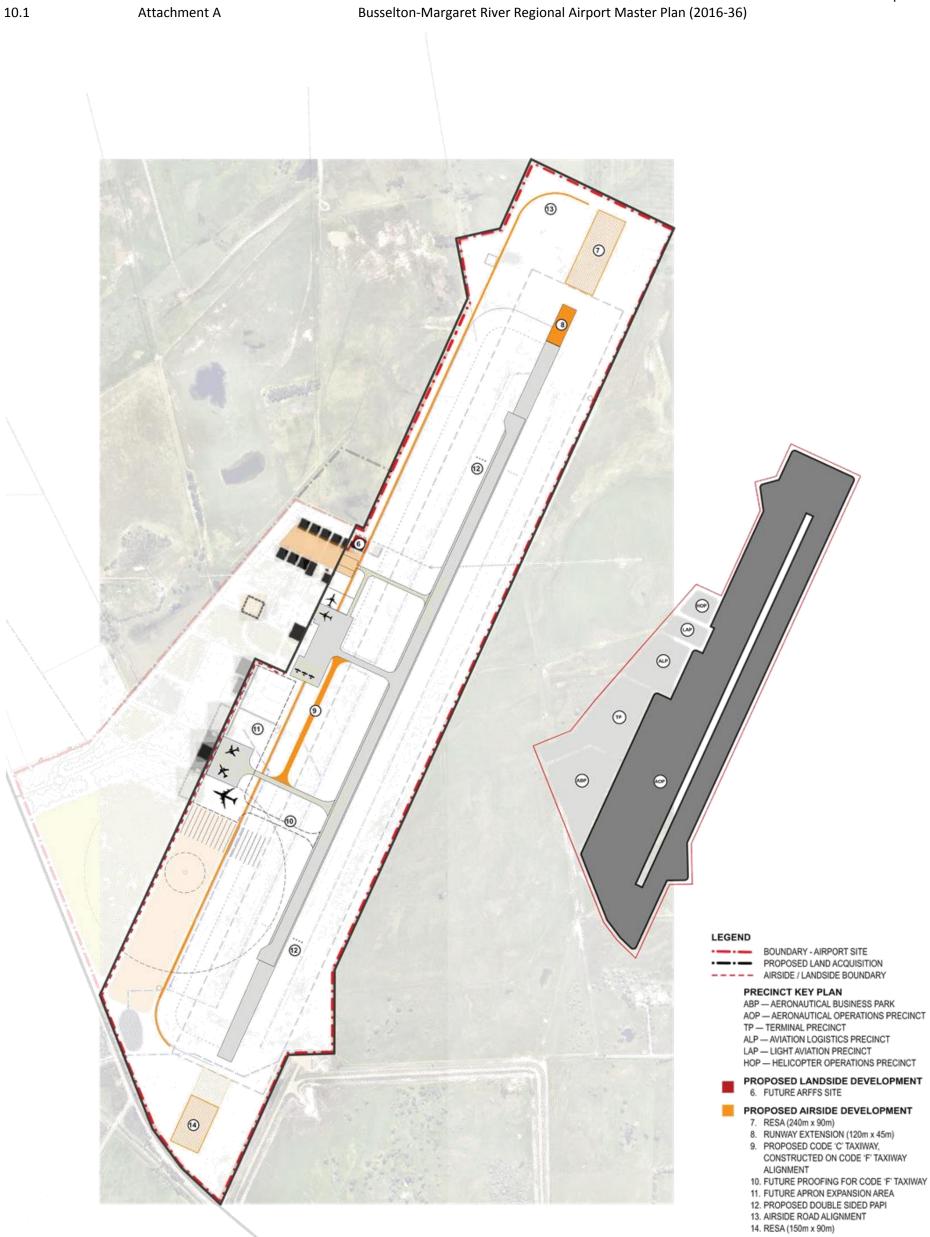
27. RUNWAY WIDENING (45m)





STAGE 2 AEO

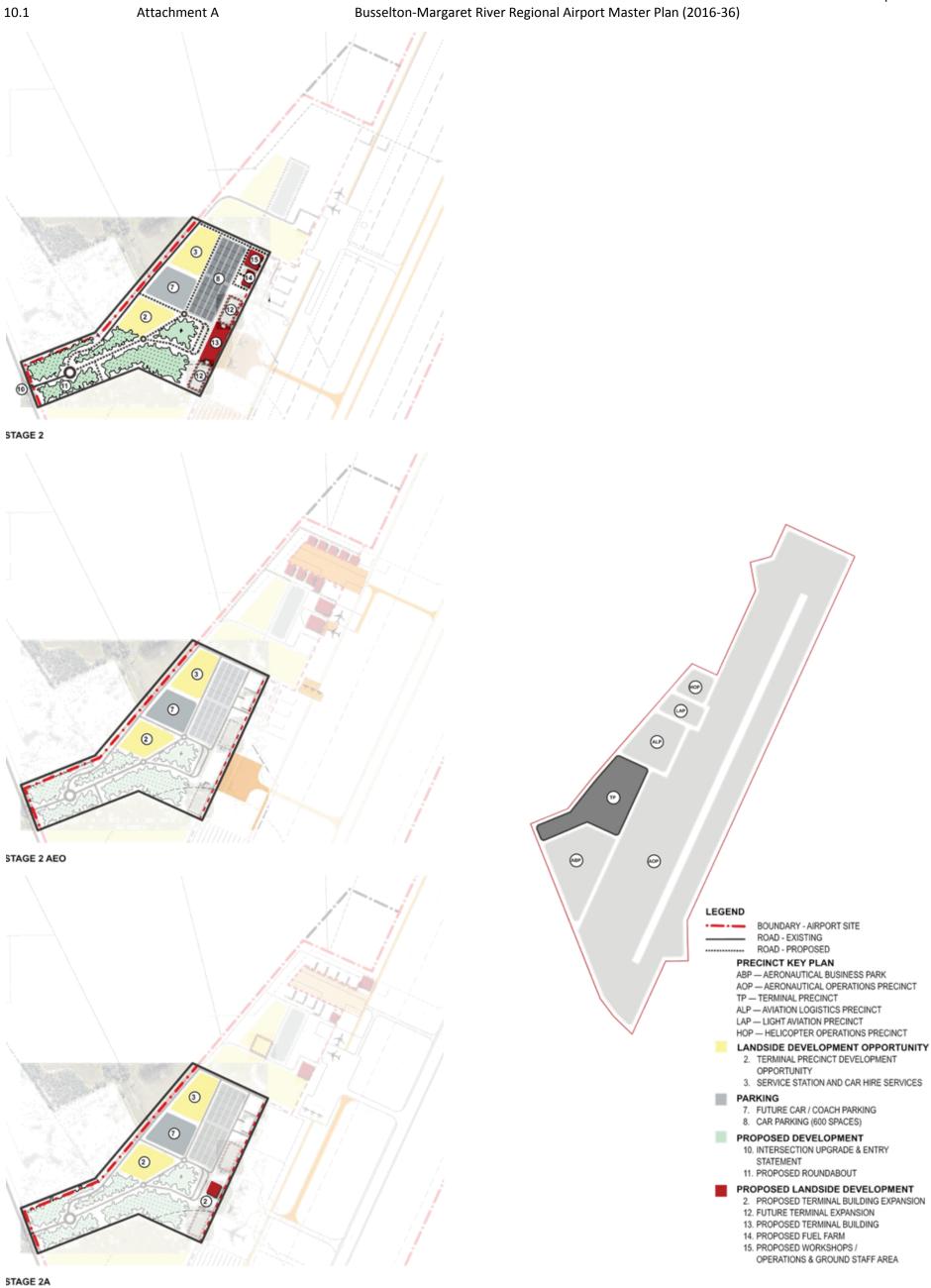






STAGE 2A

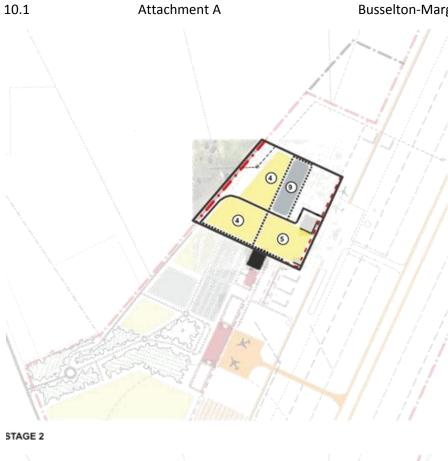






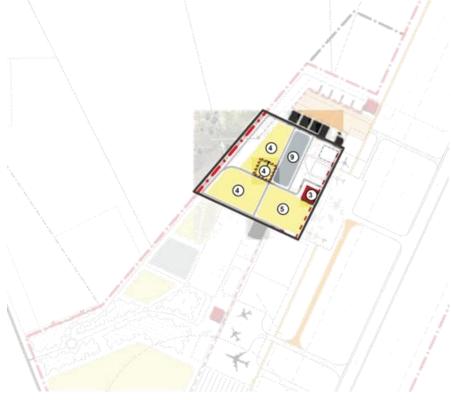




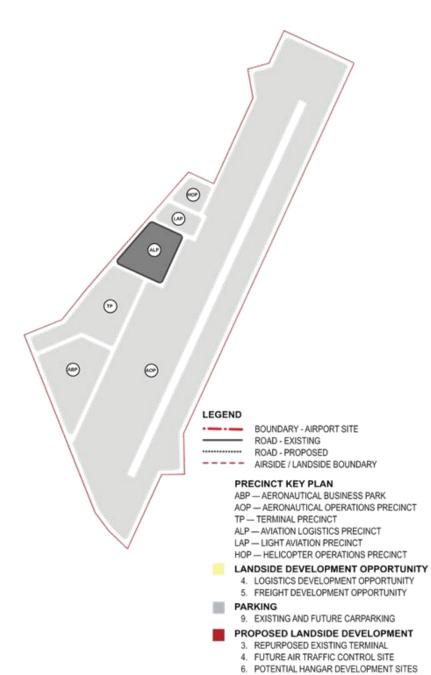




STAGE 2 AEO



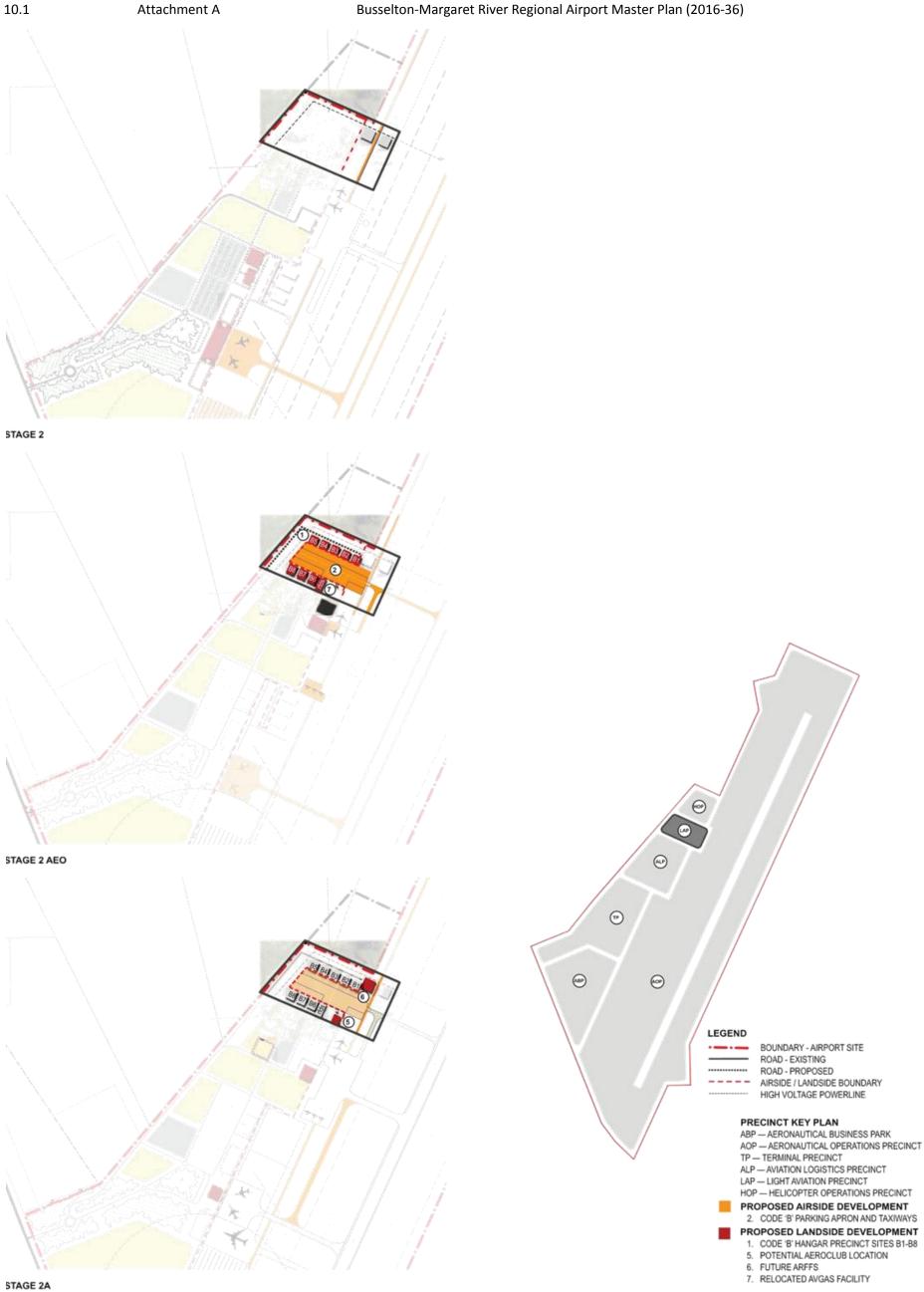
STAGE 2A







PRECINCT PLANS AVIATION LOGISTICS PRECINCT Project No: 15477PEF Date: 09/02/16 Scale: 1:10,000 @ A3

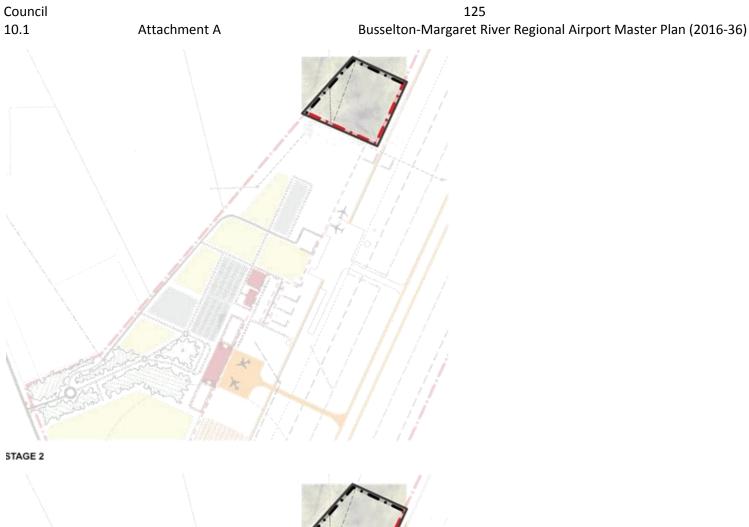






PRECINCT PLANS LIGHT AVIATION PRECINCT Project No: Date: Scale: 1:1

15477PEF 09/02/16 1:10,000 @ A3





STAGE 2 AEO



**A=** AVIATION PROJECTS BUSSELTON-MARGARET RIVER

AIRPORT MASTER PLAN

86 Neville Hyder Dr Yalvalup WA 6280

PRECINCT PLANS HELICOPTER OPERATIONS PRECINCT

19

0

(ap)

LEGEND

Project No: 15477PEF 09/02/16 1:10,000 @ A3 Scale:

DD-A-0012

BOUNDARY - AIRPORT SITE
PROPOSED LAND ACQUISITION PRECINCT KEY PLAN

> TP - TERMINAL PRECINCT ALP -- AVIATION LOGISTICS PRECINCT LAP - LIGHT AVIATION PRECINCT HOP — HELICOPTER OPERATIONS PRECINCT

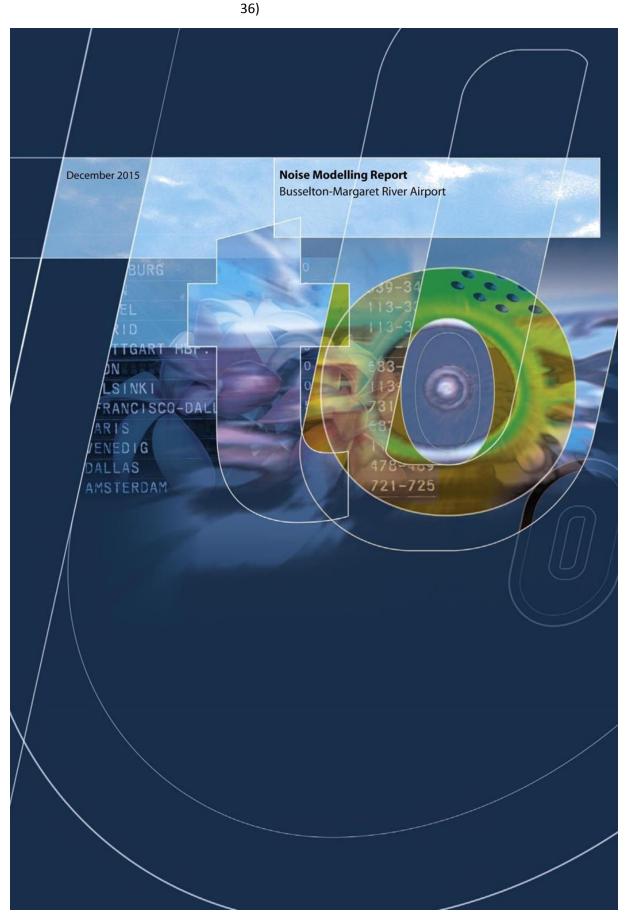
ABP — AERONAUTICAL BUSINESS PARK AOP — AERONAUTICAL OPERATIONS PRECINCT

STAGE 2A



# **ANNEXURE 2 - NOISE MODELLING REPORT**

1. To70, Noise Modelling Report Busselton-Margaret River Airport, December 2015



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# **Noise Modelling Report**

**Busselton-Margaret River Airport** 

Prepared for

### **City of Busselton**

2 Southern Drive Busselton

Western Australia 6280

Prepared by

## To70 Aviation (Australia) Pty Ltd

Suite 14, 204-218 Dryburgh Street North Melbourne, VIC 3051 Australia E-mail: info@to70.com.au

North Melbourne, December 2015

# 13 April 2016

Busselton-Margaret River Regional Airport Master Plan (2016-36)



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#### 1 Introduction

The City of Busselton (COB) require the preparation of an additional Australian Noise Exposure Concept (ANEC), noise modelling and noise contour maps for Busselton-Margaret River Airport (BMRA). COB have awarded this work to To70 Aviation (Australia) Pty. Ltd. (To70). This report provides the results of the noise modelling work as well as details of the inputs and assumptions used in the noise modelling work.

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#### 1.1 Background

The COB has been awarded funding of \$55.9m for the redevelopment of BMRA. This redevelopment is aimed at providing the necessary airport infrastructure to allow for interstate air services. Since the preparation of the ANECs and noise contours by To70 in 2014, some of the design characteristics of the airside infrastructure (runway, aprons and taxiways) have changed and need to be remodelled. Additionally, the COB wishes to review the aircraft traffic forecast, design aircraft and model inputs previously developed to ensure that they are still considered appropriate for the BMRA redevelopment.

BMRA is currently regulated by the Environmental Protection Authority (EPA) in accordance with Ministerial Statement 1009. The Statement 1009 and preceding statements (399, 825, 878, 887 and 901) determine the environmental conditions in which the BMRA operates, including the requirement to produce an approved Noise Management Plan. As part of the redevelopment project, environmental approvals from the Minister for Environment; Heritage and OEPA are required. The City of Busselton will therefore need to prepare an environmental review document for an Assessment on Proponent Information (Category A) (API – Category A) under the Environmental Protection Act (1986). The API – Category A review document will need to include the ANEC, N65 and N70 Contours prepared for the development project infrastructure and future (projected) aircraft operations. As a result of the changes in infrastructure, possible changes to traffic forecasts and the statutory requirements placed on the COB, To70 was engaged to review the original noise modelling assumptions, aircraft traffic forecasting and provide updated Noise Contours (ANEC, N-contours and L<sub>Amax</sub>). The Noise Contours identify the predicted noise footprint of redeveloped BMRA upgrade for comparison with modelling of current operations and alternative aerodrome development scenarios.

#### 1.2 Scope and deliverables

To 70 have been contracted by COB to conduct additional noise modelling for BMRA, specifically revision of the ANEC, N-contours and  $L_{Amax}$  contours. The scope of work required a review of previous noise modelling undertaken by To 70 in order to reproduce noise contours reflective of updated changes to infrastructure and traffic forecasts. Consequently, the following outputs have been produced;

- Remodelled standard ANEC for the Busselton Regional Airport Master Plan 2015 (first draft 30 Oct 2015) aerodrome infrastructure / operations projected to twenty (20) years, that is; 2038/39.
- N65, N70, N75 and N80 contours for the following scenarios:
  - Master Plan (2015) aerodrome infrastructure / operations 2018/19
  - Master Plan (2015) aerodrome infrastructure / operations 2022/23
  - Master Plan (2015) aerodrome infrastructure / operations 2028/29
  - Master Plan (2015) aerodrome infrastructure / operations 2038/39
- Single event L<sub>Amax</sub> contours
  - Fokker100 (approach & departure for 03 and 21).
  - A320 (approach & departure for 03 and 21).
  - B737-800 (approach & departure for 03 and 21).



#### 2 Inputs and assumptions

This section provides detail on the inputs and assumptions used for the noise calculations. These have been discussed and verified by COB.

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### 2.1 General settings

The Federal Aviation Administration's (FAA) Integrated Noise Model (INM) version 7.0d is used for the calculation of the ANEC and other contours. INM 7.0d is the latest version of this software package.

#### Weather

INM requires the input of weather conditions observed at the airport. Average weather settings are derived from the Bureau of Meteorology (BoM) for Nov-14 to Oct-15. The annual average temperature and pressure at Busselton Airport weather station (station 009603) is used as input for this INM study.

The weather settings are as follows:

Temperature19.6 degrees CPressure764.22 mm-Hg

Relative humidity 59.3 %

Headwind 14.8 km/h (default INM value)

Terrain data has been downloaded from the NASA website. The Shuttle Radar Topography Missions digital topographic data has been converted to an INM compatible format and imported into the INM study in the World Geodetic System 1984 (WGS84) coordinates. The images below show the terrain in original and INM format.

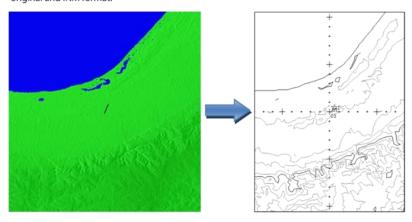


Figure 1 - Terrain



#### **Aerodrome Reference Point**

The Busselton Aerodrome Reference Point (ARP) is shown below.

Description	Latitude	Longitude	Elevation (m)
ARP	-33.692500	115.395278	17

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Table 1 - Busselton ARP

#### **Runway coordinates**

To 70 has modelled the revised/masterplan layout (Busselton Airport Master Plan General Arrangement - 2A), which will include a 360m extension to runway end 21 and 300m extension to runway end 03 (and not the 480m extension to the south previously modelled). There are no displaced thresholds. Details of the runway are below.

Description	on Latitude Longi		Length × Width (m)	Elevation (m)	
Runway 03	-33.697328	115.396362	2460 45	17	
Runway 21	-33.677320	115.407818	2460 × 45	17	

Table 2 - Runway end coordinates

#### Helipad

The study uses the existing helipad location.

Description	Latitude	Longitude	Elevation (m)
Helipad	-33.683626	115.401024	17

Table 3 - Helipad coordinates

#### 2.2 Traffic

#### Forecas

Updated aircraft traffic forecasts for the noise modelling have been provided by COB to To70 in the form of a spreadsheet containing annual movements by year. The forecasts have been reviewed and changes made based on input from To70. The detailed aircraft traffic forecasts (including day/night split) can be found in Appendix A of this document.

Class	Aircraft Type	2018/19	2022/23	2028/29	2038/39
RPT	Narrow Body Jet	6	14	16	24
Closed	Regional Jet	14	14	14	14
Charter	Turboprop	2	6	10	10
Other		242	255	266	271

Table 4 – Traffic forecast summary (weekly movements)



#### Aircraft and substitutes

Aircraft types used in the noise modelling have been specified by the Council and is based on historic traffic and traffic forecasts. To 70 has modelled the forecast aircraft using the following INM equivalents

Class	Forecast Aircraft	INM ACFT ID
RPT	B737-800	
	B737-800NG	737MAX
Closed Charter	Fokker100	F10065
	ATR72	DO328
Used in L <sub>Amax</sub> only	A320	A320-211

Table 5 – RPT/Charter aircraft types

Class	Forecast Aircraft	INM ACFT ID
Recreation	Evektor Sportstar - L S A	GASEPF
Emergency Services	PC12	PC12
	Dornier 328	DO328
	Piper - PA31	PA31
General	Cessna 180,182, 172, 210	CNA172
	Cessna Citation	CNA750
	Learjet 45	LEAR45
	Restored Aircraft (i.e Douglas C47; De Havilland DH-82A)	DC3
	Airvan GA8	CNA206
	Bombardier Dash 8	DHC8
Military	Pilatus PC9	JPATS

Table 6 – Other aircraft types

Class	Forecast Aircraft	INM ACFT ID
Helicopter	Eurocopter AS350	EC130
	Squirrel A350	EC130
	Bell 206 JetRanger	
	Bell 214B	B212
	Sikorsky Seaking S61N	S61

Table 7 – Helicopter types



#### 2.3 Operational

#### Runway usage

To 70 has assumed the following runway use based on information provided by COB:

**Runway 03** 40% **Runway 21** 60%

#### Tracks

This section shows the arrival, departure and circuit tracks that have been assigned for each runway end. Tracks are based on the existing model and have been adjusted to ensure they are flyable by the aircraft that are assigned to them.



Figure 2 - Runway 03 flight tracks



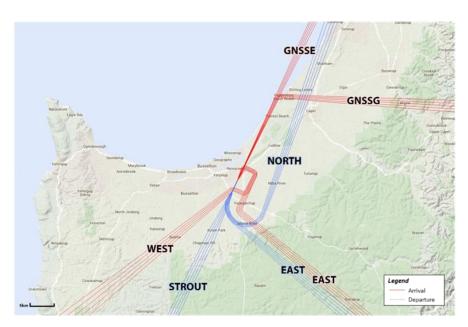


Figure 3 – Runway 21 flight tracks

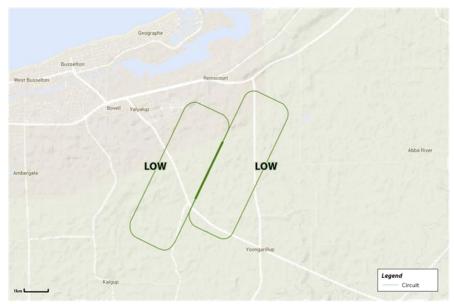


Figure 4 – Circuit flight tracks



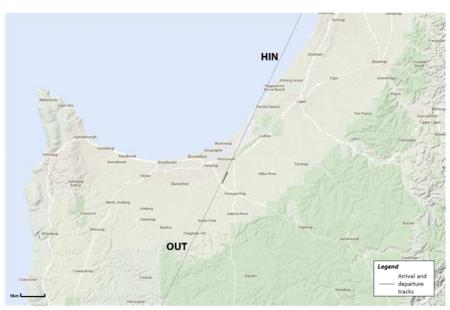


Figure 5 – Helicopter flight tracks

### **Track Usage**

This section shows the origin and destination of RPT and FIFO aircraft routes that services Busselton Airport.



Figure 6 – Origins/Destinations for RPT and FIFO flights

RPT, and closed charter movements are assigned to tracks based on shortest distance to origin/destination and is represented in the following table.



Origin/Destination	Runway 03 track		Runway 21 track	
	Arrivals	Departures	Arrivals	Departures
Perth, Boolgeeda, West	WEST	STROUT	GNSSG	NORTH
Angeles, Jandakot, Karara				
Melbourne, Sydney	GNSSA	EAST	GNSSG	EAST

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Table 8 - Track allocation (RPT and closed charter)

Other traffic (such as general aviation) is assigned to tracks as follows, as per previous noise modelling.

Traffic	Runway	Operation	Track	Percentage
	03	A	GNSSB	50%
			WEST	50%
			WEST	33%
		D	EAST	33%
			STROUT	33%
General Aviation / Recreation Aviation / Emergency Services			GNSSE	33%
	21	A	WEST	33%
			EAST	33%
	21		EAST	33%
	D	NORTH	33%	
			STROUT	33%
	03	Α	GNSSB	50%
Military		D	STROUT	33%
Military	21	Α	GNSSE	33%
	21	D	STROUT	33%
Helicopter	Helipad	Α	HIN	100%
		D	OUT	100%

Table 9 – Track allocation (other)



#### 3 Results

In this section, we present the results of the noise modelling and describe the metrics used to generate the contours. To 70 has generated the following contours:

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- ANEC for 2038/39
- N-Contours for 2018/19, 2022/23, 2028/29 and 2038/39
- Single Event L<sub>Amax</sub> contours for A320, B737-800 and Fokker 100

#### 3.1 ANEC Results

ANEC contours are used to quantify the noise impact of airport development scenarios. These maps are based on assumptions about the size, shape and demand of aircraft and airport operations, and can relate to the distant future. Because the concepts and scenarios are hypothetical and may never occur, the maps produced have no official status for land-use planning purposes. The ANEC uses the Effective Perceived Noise Level (EPNL) which applies a weighting to account for the fact that by the human ear is less sensitive to low audio frequencies.

ANEC contours are generated using the FAA-approved Integrated Noise Model (INM). The INM combines factors such as aircraft noise signatures, distance from source of the noise, duration and frequency of events to calculate the average noise levels on the ground at any point around a given airport. These noise levels are expressed as contours overlaid over an aerial map of the airport and surrounding areas where aircraft noise is likely to be relevant for planning. ANEC contours do not refer to normal decibel levels, but are the result of "averaged annual day" data inputs. ANEC contours also take into account the cumulative nature of noise exposure, for example, night time operations are weighted higher than day time operations to reflect peoples increased sensitivity to aircraft noise at night.

#### ANEC 2038/39

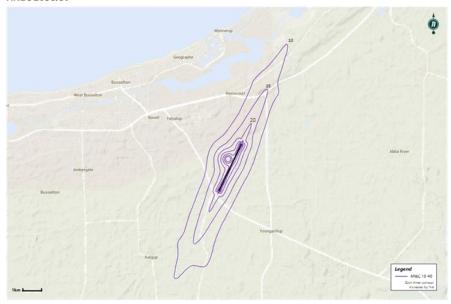


Figure 7: ANEC 2038/39



#### Observations

The ANEC for the BMRA is a result of consultation with the Council and expert knowledge and judgement about aircraft noise, operations and modelling. It uses robust, accurate and defensible assumptions which have come about from detailed knowledge of the operations at BMRA.

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The ANEC 20 contour does not extend to any populous areas and for this reason ANEC 10 has been visualised for informational purposes. As specified in AS2021, buildings (residences) which fall within ANEC 20 are permissible and as such would apply for ANEC 10. In that regard, there is no major impact to dwellings both north and south of the runway that are situated within the ANEC,



#### 3.2 N-Contour results

To complement the ANEF maps, Noise-Above contours (N contours) charts show the number of aircraft noise events per day exceeding specific noise levels. N contours can be used to provide information both on past and planned aircraft operations. This helps communities and individuals to visualise noise impact in specific areas as it takes a person's reaction to noise out of the equation. Further information including a detailed technical explanation of N contours can be found on the DIRD website at; <a href="https://infrastructure.gov.au/aviation/environmental/transparent\_noise/expanding/4.aspx">https://infrastructure.gov.au/aviation/environmental/transparent\_noise/expanding/4.aspx</a>.

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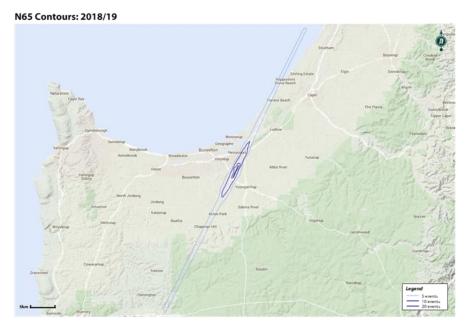


Figure 8: N65 Contours: 2018/19

## N70 Contours: 2018/19

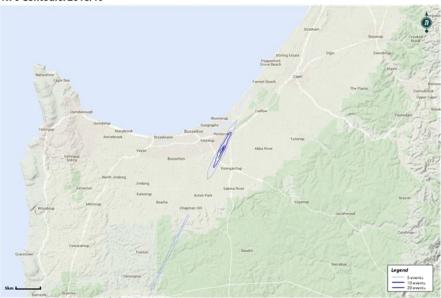


Figure 9: N70 Contours: 2018/19

Similar to ANEC findings, both the N65 and N70 10 event noise contours do not extend to any populous areas.







Figure 10: N75 Contours: 2018/19

## N80 Contours: 2018/19

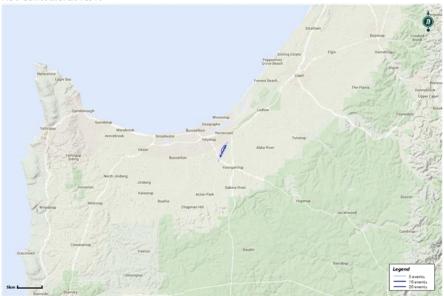


Figure 11: N80 Contours: 2018/19

Similar to ANEC findings, both the N75 and N80 10 event noise contours do not extend to any populous areas.





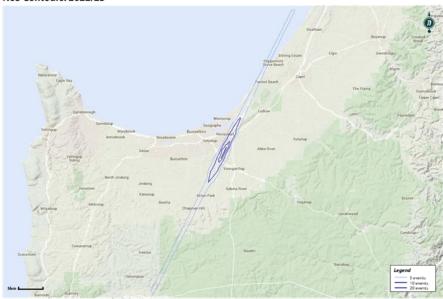


Figure 12: N65 Contours: 2022/23

## N70 Contours: 2022/23

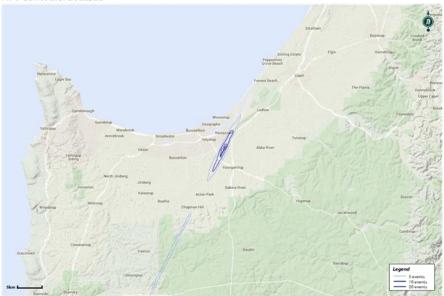


Figure 13: N70 Contours: 2022/23

Similar to ANEC findings, both the N65 and N70 10 event noise contours do not extend to any populous areas.





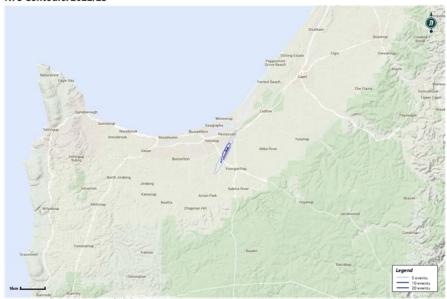


Figure 14: N75 Contours: 2022/23

## N80 Contours: 2022/23

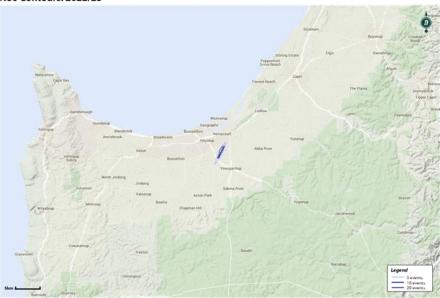


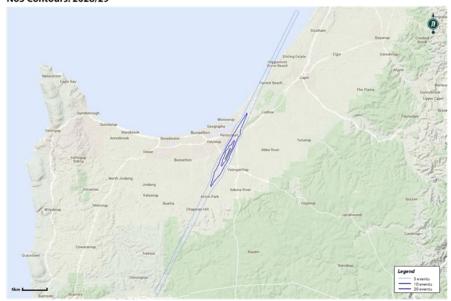
Figure 15: N80 Contours: 2022/23

Similar to ANEC findings, both the N75 and N80 10 event noise contours do not extend to any populous areas.

Busselton-Margaret River Regional Airport Master Plan (2016-36)







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Figure 16: N65 Contours: 2028/29

#### N70 Contours: 2028/29

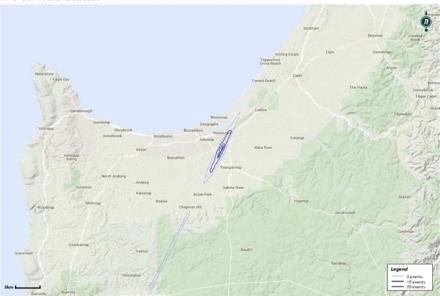


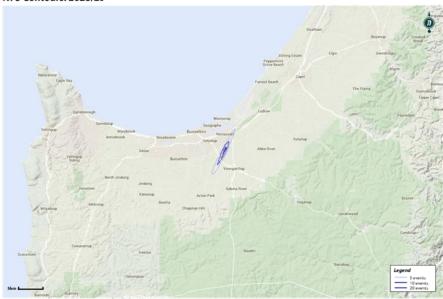
Figure 17: N70 Contours: 2028/29

Similar to ANEC findings, both the N65 and N70 10 event noise contours do not extend to any populous areas.

Busselton-Margaret River Regional Airport Master Plan (2016-36)







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Figure 18: N75 Contours: 2028/29

#### N80 Contours: 2028/29

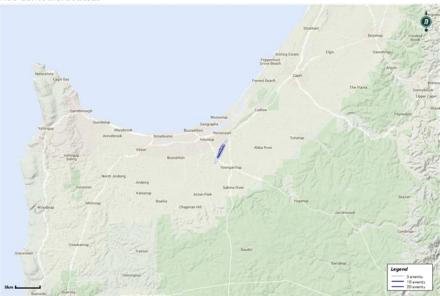


Figure 19: N80 Contours: 2028/29

Similar to ANEC findings, both the N75 and N80 10 event noise contours do not extend to any populous areas.





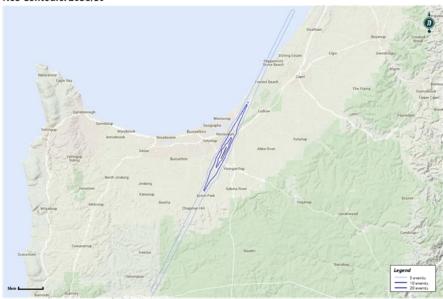


Figure 20: N65 Contours: 2038/39

#### N70 Contours: 2038/39

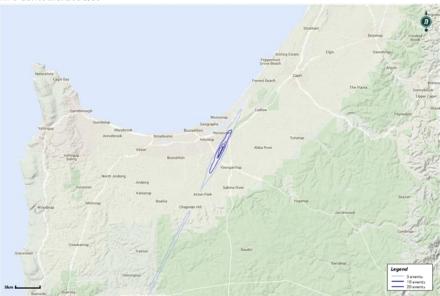


Figure 21: N70 Contours: 2038/39

Similar to ANEC findings, both the N65 and N70 10 event noise contours do not extend to any populous areas.





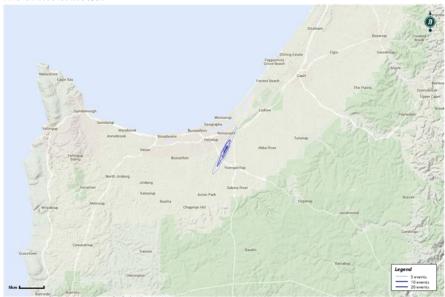


Figure 22: N75 Contours: 2038/39

#### N80 Contours: 2038/39

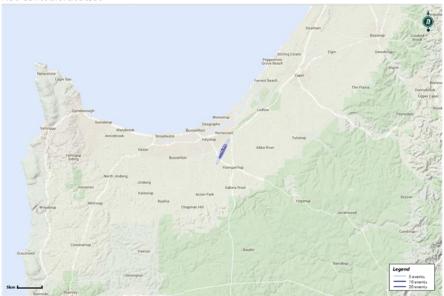


Figure 23: N80 Contours: 2038/39

Similar to ANEC findings, both the N75 and N80 10 event noise contours do not extend to any populous areas.

Busselton-Margaret River Regional Airport Master Plan (2016-36)



#### 3.3 Single event contour results

L<sub>Amax</sub> Single event noise levels are a basic metric and are the maximum noise exposure (in A-weighted Decibels) during an overflight. They should only be used for indicative purposes. The figures below show the maximum noise exposure for a single arrival and departure for each runway direction using indicative straight out flight paths.

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See next page.





L<sub>Amax</sub> F100: Runway 03

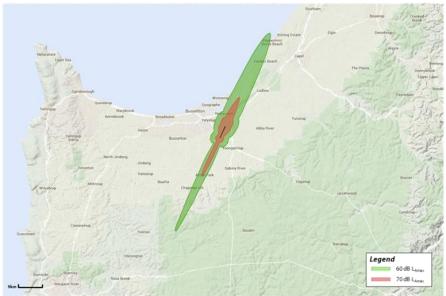


Figure 24: L<sub>Amax</sub>F100: Runway 03

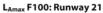




Figure 25: L<sub>Amax</sub> F100: Runway 21

The 60 dB contour reaches part of Reinscourt and part of Yalyalup. The 70 dB contour reaches part of Reinscourt.





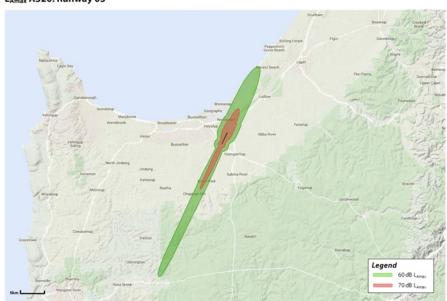


Figure 26: L<sub>Amax</sub> A320: Runway 03

# L<sub>Amax</sub> A320: Runway 21



Figure 27: L<sub>Amax</sub> A320: Runway 21

The 60 dB contour reaches part of Reinscourt. The 70 dB contour does not extend to any populous areas.





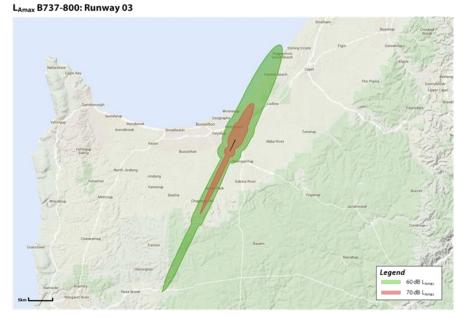


Figure 28: L<sub>Amax</sub> B737-800: Runway 03

# L<sub>Amax</sub> B737-800: Runway 21

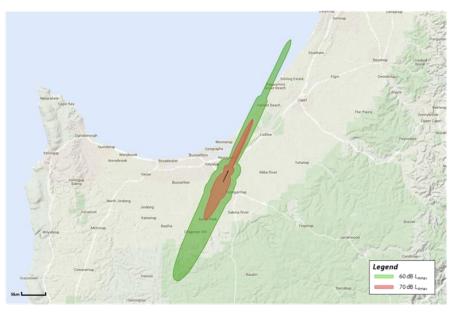


Figure 29: L<sub>Amax</sub> B737-800: Runway 21

 $The \, 60 \, dB \, contour \, reaches \, Reinscourt \, and \, part \, of \, Yalyalup. \, The \, 70 \, dB \, contour \, reaches \, part \, of \, Reinscourt.$ 



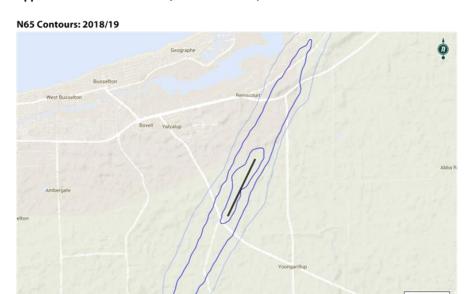
# **Appendix A: Traffic Forecasts**

				5 Park 20 Park 2						-										
				A ronual		Day! Night	ř	Annua	la.	Day	Day/ Night		Annual		Day/Night	r	Annual		Day.	Day/Night
Class Aircraft	OI WAI	Destination	ARR	DEP	TOT	0	NARR	R DEP	P TOT	٥	z	ARR	DEP	TOT	D N	ARR	DEP	101	۵	z
CLO SED CHA RTER			416	416	832		520	0 520	0 1,040	0		624	624	1,248		624	624	1,248		
Folkert00	F10.085	Perth.	20	208	364	85% 12	15% 156	208	364	8.5%	944	93	208	364	85% 15%	99	208	364	8.5%	1/3
Folker100	F0005	Boolgeeda	ğ	92	156	85% 15	15% 0.4		25	85%	6	10	SH	951	85% 15%	% 04	24	156	60 60 80 80 80 80 80 80 80 80 80 80 80 80 80	6
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RPT			156	156	3.12		364	1 364	4 728			416	4 16	832		624	624	1,248		
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OTHER			6,288	6,288	12,577		6,635	35 6,635	35 13,270	9		6,911	6.911	13,822		7,046	7,046	14,092		
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153



# Appendix B: N-Contour results (alternative zoom)



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Figure 30: N65 Contours: 2018/19

# N70 Contours: 2018/19



Figure 31: N70 Contours: 2018/19





Figure 32: N75 Contours: 2018/19

# N80 Contours: 2018/19



Figure 33: N80 Contours: 2018/19





Figure 34: N65 Contours: 2022/23

# N70 Contours: 2022/23



Figure 35: N70 Contours: 2022/23





Figure 36: N75 Contours: 2022/23

# N80 Contours: 2022/23



Figure 37: N80 Contours: 2022/23





Figure 38: N65 Contours: 2028/29

# N70 Contours: 2028/29



Figure 39: N70 Contours: 2028/29







Figure 40: N75 Contours: 2028/29

# N80 Contours: 2028/29



Figure 41: N80 Contours: 2028/29





Figure 42: N65 Contours: 2038/39

# N70 Contours: 2038/39



Figure 43: N70 Contours: 2038/39





Figure 44: N75 Contours: 2038/39

# N80 Contours: 2038/39



Figure 45: N80 Contours: 2038/39

Attachment A



# **AL AVIATION PROJECTS**

# 10.2 <u>Policy and Legislation Committee - 24/03/2016 - PROPOSED ADOPTION OF POLICY ON</u> BEACH SHELTERS

**SUBJECT INDEX:** Adoption of Policy - Beach Shelters

**STRATEGIC OBJECTIVE:** Our natural environment is cared for and enhanced for the enjoyment

of the community and visitors.

BUSINESS UNIT: Environmental Services
ACTIVITY UNIT: Environmental Services

**REPORTING OFFICER:** Ranger and Emergency Services Coordinator - Dean Freeman A/Director, Planning and Development Services - Martyn Glover

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Nil

This item was considered by the Policy and Legislation Committee at its meeting on 24 March 2016, the recommendations from which have been included in this report.

#### **PRÉCIS**

Council has been seeking to address the buildup of long term beach shelters on local beaches. This report seeks to outline the matters to be considered and recommended policy to provide guidance to City staff and the community on the objectives of Council in this matter.

#### **BACKGROUND**

At its ordinary meeting of 14 October 2015, the Council received a petition that effectively asked that the Council support allowing the placement of shelters on beaches and to allow those shelters to remain in place for the duration of the summer - rather than having to be put up and taken down each day or as needed, which is what the City's Property Local Law requires (unless a permit has been issued to allow a shelter to remain in place for a longer period).

At the 14 October meeting, the Council resolved that the CEO prepare a report relating to the petition for consideration by the Council or a committee.

Council, at its meeting on 9 December 2015 resolved as follows:

- 1. That it does not support the placement of shelters for private purposes on beaches overnight;
- 2. Supports the implementation of the Property Local Law by facilitating removal of shelters placed on beaches (or in any other public place), contrary to the local law; and
- 3. That a draft policy to that effect be prepared for consideration by the Policy and Legislation Committee.

This report is being presented for the Committee's and Council's consideration pursuant to that Council resolution.

# **STATUTORY ENVIRONMENT**

The principal statutory environment is set out in the *City of Busselton Local Government Property Local Law 2010* ('the local law'). The local law contains the following key provision:

- 3.14 Permit required to camp outside a facility...
- 3) A person must not without a permit...

(b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day.

It is clear that a 'beach shelter' or similar can therefore not be placed on local government property without the prior granting of a permit, following the making of an application for such a permit.

Unauthorised structures can be impounded under the provisions of the Local Government Act 1995 and the Local Government (Functions and general) Regulations.

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

There are no plans or policies currently relevant to this matter.

#### **FINANCIAL IMPLICATIONS**

Resources required for implementation of the local law, that is to remove shelters left overnight or longer, are provided for within the City's overall operational budget and can be achieved without any significant effect on other operational areas.

Changing that approach, however, through seeking, assessing and then monitoring compliance with permits allowing shelters to remain overnight or longer would require more resources and would have a discernible effect on other operational areas, unless additional resources were made available. Additionally the City would have a duty of care to ensure that structures were maintained and safe and this would require additional resourcing.

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

There are no long-term financial plan implications associated with this matter.

#### STRATEGIC COMMUNITY OBJECTIVES

Consideration of this matter is consistent with Key Goal 5 – Cared for and Enhanced Environment, Community Objective 5.1 - Our natural environment is cared for and enhanced for the enjoyment of the community and visitors – of the City of Busselton Strategic Community Plan 2013.

#### **RISK ASSESSMENT**

An assessment of the risks associated with implementing the officer recommendation has been undertaken using the City's risk assessment framework. Only 'downside' risks, rather than 'upside' risks are identified, and risks are only identified where the residual risk, once controls are identified, is assessed as 'medium' or greater. No such risks have been identified.

## **CONSULTATION**

No community consultation has been undertaken in the preparation of this report. The Council could, either in considering this report or at some point in the future, choose to undertake consultation, but this is not considered necessary given Point 1 of Council's resolution from 9 December 2015 as follows:

1. That it does not support the placement of shelters for private purposes on beaches overnight.

#### **OFFICER COMMENT**

Over recent summers, the Council has noted an increase in the number and structural complexity of beach shelters erected. It is considered that as beaches are a significant part of the natural environment, the City needs to ensure that structures are not allowed to any extent that compromises this asset.

Beaches are public open space and should not be allowed to develop a setting more aligned with commercial or material objectives. The nature of semi permanently erected shelters gives the appearance of private use only as it is reasonable for users of the beach to assume that they are unable to use someone else's property.

Matters such as structural integrity and restricting public use of beaches have been previously discussed in other reports to Council. These reports to Council have noted the issues of lack of identification of ownership/responsibility for the current structures and with that, the ability to promptly take any remedial action to remedy risks to public safety.

Previous reporting to Council has also identified the additional impost on City resources in receiving, assessing and then ongoing maintenance of conditions of approval associated with any proposal to allow structures to be erected for longer terms on a permit basis.

While the focus of the City's enforcement of the provisions of the Local Government Property Local law has been aimed at preventing the buildup of long term unauthorised structures on beaches, consideration also needs to be given to permitting structures which are deemed necessary for other authorised activities.

In this regard, structures associated with City supported events such as the Gourmet Escape, Kellogs Nutri Grain ironman Series, or structures relating to the provision of Surf Life Saving WA beach patrols need to be catered for.

Structures for these activities can be adequately assessed as part of the overall assessment of the activity in terms of Policy 231 – Events, which is intended to promote and encourage events that enhance a wide variety of opportunities to residents and visitors to the City of Busselton while ensuring compliance with Regulatory requirements and standards.

#### **CONCLUSION**

Adoption of the proposed policy will provide for the consistent enforcement of the Council's objectives relating to structures on beaches. The Policy as proposed seeks to keep our beaches as part of our natural environment while still facilitating structures which are required as part of other authorised activities.

#### **OPTIONS**

Should the Council not support the principle behind the officer recommendation; that the draft policy be adopted, Council will then need to consider an alternative strategy for dealing with shelters on beaches. This may include the issuing of permits allowing structures, however this would require resources for receiving and assessing applications as well as on the ground monitoring of structures for permits and public safety. These costs have not been considered in this report and will require further investigation and reporting to Council.

#### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

This Policy will be implemented immediately following its adoption by Council.

#### COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council adopts the Policy relating to Shelters and Structures on Beaches:

Shelters and Structures on beaches	DRAFT V1
------------------------------------	----------

#### 1. PURPOSE

The purpose of this Policy is to establish the objectives of the Council in the management of structures erected on beaches within the City of Busselton.

#### 2. SCOPE

This policy will guide the community and staff on circumstances when shelters or structures may be permitted to be erected, and the manner in which structures which are erected without authorisation are to be removed.

#### 3. POLICY CONTENT

Definition - Beach Shelter - For the purposes of this policy, "beach shelter" shall mean a temporary portable structure which when erected is designed for the purposes of providing shade or shelter from the wind. A beach shelter shall not exceed an area greater than 9m2 and shall remain erected only during the hours of daylight.

Consistent with the provisions of the City of Busselton Local Government Property Local Law 2011, the City of Busselton does not support the overnight retention of shelters and structures that have been erected on beaches within the City.

Structures may only be erected on the beach and left overnight where this is absolutely necessary for an activity or event authorised by the City under the City of Busselton Local Government Property Local Law 2011.

#### 4. APPLICATION OF THE POLICY

Applications to erect shelters or structures on a beach will only be supported if the Applicant satisfactorily addresses the following matters:

- 1. There is no practical alternative available other than leaving the structure erected,
- 2. Location so as to minimise obstruction/conflict
- 3. Public Liability insurance (minimum value \$10,000,000)
- 4. Structural integrity.

Unauthorised structures shall be managed in accordance with the Local Government Act 1995, the Local Government (Functions and General) Regulations and Operating practices and Procedures developed for this purpose.

Such Procedures shall provide for the giving of 72 hours' notice to remove the structure, after which the structure shall be impounded.

The procedure shall also provide for the immediate removal of the structure if it is considered to be obstructing community access, poses a risk to the public due to structural integrity issues or other factors such as inclement weather which potentially pose a risk to public safety.

# Policy Background

Policy Reference No. - TBC

Owner Unit – Ranger and Emergency Services

Originator – Ranger and Emergency Services Coordinator

Policy approved by – Council

Date Approved – For Consideration

Review frequency – As required

Related Documents – City of Busselton Local Government Property Local Law

#### History

<b>Council Resolution</b>	Date	Information
		Version 1

# **ALTERNATIVE OFFICER RECOMMENDATION**

That the Council adopts the Policy relating to Shelters and Structures on Beaches:

	Shelters and Structures on beaches	DRAFT V1
	Sileiters and Structures on beaches	DIVALLAT

#### 1. PURPOSE

The purpose of this Policy is to establish the objectives of the Council in the management of structures erected on beaches within the City of Busselton.

#### 2. SCOPE

This policy will guide the community and staff on circumstances when shelters or structures may be permitted to be erected, and the manner in which structures which are erected without authorisation are to be removed.

# 3. POLICY CONTENT

Clause 3.14 (3) (b) of the City's Property Local Law sets out that –

A person must not without a permit -

...erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day.

As a result of the above, a 'beach shade or windbreak' can be brought to the beach for use for the day, but is not allowed to remain overnight, and nor is any other kind of structure allowed, without a permit. 'Beach shade or windbreak' is not specifically defined, but Council considers that any structure larger than 15m<sup>2</sup> in area cannot reasonably be considered to be a 'beach shade or windbreak'.

Consistent with the provisions of the City of Busselton Local Government Property Local Law 2011, the City of Busselton does not, though, support the overnight retention of any shelters or structures that have been erected on beaches within the City, other than in the circumstances set out in the paragraph below.

Structures may only be erected on the beach and left overnight where this is absolutely necessary for an activity or event authorised by the City under the City of Busselton Local Government Property Local Law 2011.

#### 4. APPLICATION OF THE POLICY

Applications to erect shelters or structures on a beach will only be supported if the Applicant satisfactorily addresses the following matters:

- 1. There is no practical alternative available other than leaving the structure erected,
- 2. Location so as to minimise obstruction/conflict
- 3. Public Liability insurance (minimum value \$10,000,000)
- 4. Structural integrity.

Unauthorised structures shall be managed in accordance with the Local Government Act 1995, the Local Government (Functions and General) Regulations and Operating practices and Procedures developed for this purpose.

Such Procedures shall provide for the giving of 72 hours' notice to remove the structure, after which the structure shall be impounded.

The procedure shall also provide for the immediate removal of the structure if it is considered to be obstructing community access, poses a risk to the public due to structural integrity issues or other factors such as inclement weather which potentially pose a risk to public safety.

#### **Policy Background**

Policy Reference No. - TBC

Owner Unit – Ranger and Emergency Services

Originator – Ranger and Emergency Services Coordinator

Policy approved by – Council

Date Approved – For Consideration

Review frequency – As required

Related Documents – City of Busselton Local Government Property Local Law

#### <u>History</u>

Council Resolution	Date	Information
		Version 1

#### REASONS FOR ALTERNATIVE OFFICER RECOMMENDATION

The key differences between the original officer/committee recommendation and the alternative officer recommendation, and their rationale, are as follows –

- A reference to the clause in the Property Local Law that allows beach shelters to be placed without a permit, but not overnight, and which requires a permit before any other structure can be placed on the beach, has been added the purpose of that is to ensure that officers and the public in future can easily find the relevant clause;
- The description of what is considered the reasonable maximum size of a shelter has been modified to be slightly larger (15m<sup>2</sup> rather than 9m<sup>2</sup>), the description is also not know characterized as a 'definition', but as what is considered reasonable the reason for the increase in size is because beach shelters are often of this somewhat larger size, and especially in more isolated parts of the coast, as long as shelters are not left overnight,

slightly larger shelters are not seen as being problematic, and it is not appropriate to define a term via a policy, but where there is no specific definition, a policy can provide clear guidance regarding what is reasonable.

# 10.3 Policy and Legislation Committee - 24/03/2016 - MINOR UPDATING OF COUNCIL POLICIES FOLLOWING FURTHER REVIEW PROCESS

**SUBJECT INDEX:** Policies and Procedures

STRATEGIC OBJECTIVE: Infrastructure assets are well maintained and responsibly managed to

provide for future generations.

**BUSINESS UNIT:** Engineering and Works Services **ACTIVITY UNIT:** Facilities; Operations Services

**REPORTING OFFICER:** Director, Engineering and Works Services - Oliver Darby **AUTHORISING OFFICER:** Director, Engineering and Works Services - Oliver Darby

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Asbestos Management Policy With Proposed Changes

Tracked

Attachment B Rails to Trails Policy With Proposed Changes Tracked
Attachment C Private Works Margin Policy With Changes Tracked
Attachment D Maintenance Bonds for Subdivisions Policy With

**Changes Tracked** 

This item was considered by the Policy and Legislation Committee at its meeting on 24 March 2016, the recommendations from which have been included in this report.

# **PRÉCIS**

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

This report presents a range of policies in the Engineering and Works Services area of responsibility, being Asbestos Management, Rails to Trails, Private Works Margin and Maintenance Bond for Subdivisions.

#### **BACKGROUND**

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

#### STATUTORY ENVIRONMENT

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

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

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

# FINANCIAL IMPLICATIONS

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

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

Not applicable.

#### STRATEGIC COMMUNITY OBJECTIVES

The ongoing review of Council policies helps achieve governance systems that deliver responsible, ethical and accountable decision-making. This range of policies relates to the objective of well maintained infrastructure assets that are responsibly managed to provide for future generations.

#### **RISK ASSESSMENT**

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

#### **CONSULTATION**

Not required.

#### **OFFICER COMMENT**

This report presents a range of policies that have been reviewed by the responsible officers and assessed as requiring only minor changes. While no substantial changes are recommended, the operation of each policy has been examined in detail to ensure no other changes are required.

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

# **Asbestos Management Policy 010**

The only changes recommended to this policy are updating Shire to City and the responsible business unit to Engineering and Facilities Services.

#### Rails to Trails Policy 011

The only changes recommended to this policy are updating Shire to City as required and the responsible business unit to Engineering and Facilities Services.

#### **Private Works Margin Policy 063**

Changes recommended to this policy are updating Shire to City and the details of the responsible area and officers. Additionally, it is proposed that the requirement for the payment in advance exception in the second paragraph of the policy content is increased from \$3,000 to \$5,000 for reasons of it not being likely that any works completed in accordance with this policy being less than \$5,000.

# **Maintenance Bond for Subdivisions Policy 180**

This policy has been reviewed and no changes are recommended.

#### **CONCLUSION**

The policies have provided consistent guidance to City decision-making processes and it is not considered that any changes are required, other than the minor updates that have been outlined.

# **OPTIONS**

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

#### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

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

#### **COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION**

That the Council:

1. Adopts the following updated Asbestos Management Policy:

010 Asbestos Management	V2 DRAFT
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#### 1. PURPOSE

This Policy is developed to assist the City of Busselton to comply with government policy and legi requirements in the management of Asbestos Containing Materials (ACM) in workplaces.

The City of Busselton as an employer has a responsibility to maintain a safe working environment und provisions of:

- \* Occupational Safety and Health Act 1984.
- \* Regulation 3.1 of the *Occupational Safety and Health Regulations 1996 (OSH Regulations* which requires an employer to identify hazards at a workplace, assess the risk of harm to a property from each hazard and to take steps to reduce the risk.
- \* Regulation 5.43 (OSH Regulations 1996) which specifically requires the presence and locat asbestos at a workplace to be identified and that the process of identification and risk assessn conducted in accordance with the Code of Practice for the Management and Control of Asbeworkplaces [NOHSC:2018 (2005)].

#### 2. SCOPE

This policy applies to management of ACM in all buildings on City owned or managed land including, b limited to;

- \* Ablutions and Toilets;
- \* Art and Cultural Buildings;
- Commercial and Community Leased Buildings;
- Community Buildings;
- Community Halls;
- Operations Facilities (Depots etc);
- Recreation Facilities;
- Residential Buildings;
- City Offices;
- \* Caravan Parks; and
- \* Camping Reserves (including Locke Estate).

ACM is the general term used to describe all products that contain asbestos; it is defined as any magnet, product or debris containing asbestos.

#### 3. POLICY CONTENT

The City of Busselton is committed to ensuring that ACM in all buildings on City owned or managed managed and controlled to protect the health and well-being of workers, contractors and the commun

The ultimate long-term aim is for all buildings on City owned or managed land to be free of as materials. The presence of asbestos in premises on City owned or managed land will be identified a risk to health evaluated.

The programmed removal of ACM will be based on the risk to health as identified by a competent programmed removal of ACM will be based on the risk to health as identified by a competent programmed carrying out an inspection. It is recognised that ACM in sound condition, left undisturbed, present litter to the general community. Removal may not be immediately necessary but should be completed programmed programmed removal on the risk to health as identified by a competent programmed removal of ACM will be based on the risk to health as identified by a competent programmed removal of ACM will be based on the risk to health as identified by a competent programmed removal of ACM will be based on the risk to health as identified by a competent programmed removal of ACM will be based on the risk to health as identified by a competent programmed removal of ACM will be based on the risk to health as identified by a competent programmed removal of ACM in sound condition, left undisturbed, present little to the general community. Removal may not be immediately necessary but should be completed programmed removal of ACM in sound condition.

The City will manage the risks from ACM and provide a record of actions undertaken with the ultima being to:

- \* Increase awareness;
- Prevent airborne asbestos fibre exposure;
- Prevent the spread of asbestos fibres;
- \* Increase competency and experience; and
- Control of works likely to disturb ACM.

To achieve these outcomes the City will:

- \* Ensure that clubs / organisations wanting to upgrade buildings or facilities on City owr managed land will be required to remove ACM as part of any facility upgral alteration/improvement where it is necessary to do so to comply with legislative requirements
- \* In relation to organisations seeking Council support and / or funding support for external fulfill from such bodies as CSRFF etc, any submission will be required to include the removal of At part of the application and/ or scope of works.
- \* Review Council's Lease Documentation to ensure ACM management in accordance with the padequately provided for.
- \* Ensure that during the planning process and before commencement of major upgrac renovations of any buildings / facility on City owned or managed land that priority is given removal of ACM in relation to funding.
- \* Where the building is located on land that the City owns or manages, the City will ensure t appropriate risk assessment of any identified ACM has been conducted. Where the risk asses has deemed it necessary, the ACM will be safely removed as per the requirements of the OI 1982 and related Regulations and Codes of Practice.
- \* Ensure that all buildings on City owned or managed land are surveyed to identify ACM, so fa reasonably practicable, that may be present therein.

- \* Ensure that all appropriate building surveys prior to any demolition or structural alteration buildings on City owned or managed land being undertaken.
- \* Provide information on ACM to employees, contractors, sub-contractors and any other perso may be affected by the presence of the ACM in their work area.
- Promote awareness of the risks from ACM and the City's Management Procedures through to and induction of relevant employees.
- \* Ensure that information regarding the presence of asbestos is contained in tender and Require Quotation documentation as may be appropriate, and that contractors and sub contractors has assessments, method statements etc., where appropriate for its removal and/or managem place.
- \* Ensure that any ACM that may be present in any buildings on land that it owns or mana maintained in a condition so as to prevent the possibility of any harm to health occurring.
- Monitor the condition of ACM left in situ.
- \* Provide adequate resources to ensure the provision of appropriate information, instruction training.
- \* The Schedule programmed removal of ACM in buildings on City owned or managed land to the eventual long-term aim of removal of all ACM, will be based on the availability of resc funding and the prioritisation based on a risk assessment that includes the facilities service hierarchy, assigned level of insurance and the purpose of the facility.

Asbestos management planning will define roles and responsibilities for decisions and address appromethodologies for the implementation of these decisions.

The following information shall be collated and documented as a minimum as part of asbestos manag planning:

- \* Asbestos Register. This includes details of the location and condition of the known or presented ACM and the level of risk posed by the identified ACM;
- Process involved for the Identification of ACM hazards;
- Rationale for conducting risk assessments of ACM hazards;
- Control measures required as a result of risk assessments of ACM hazards;
- \* Details of any monitoring and management arrangements in place (i.e. labelling and signage buildings scheduled for planned removal of ACM);
- \* Safe work methods for working with ACM;
- \* Emergency procedures;
- Details of consultation, information sharing and training;
- \* Any operational considerations;
- \* A timetable for review;

\* Areas of responsibility within the asbestos management process.

This Policy is to act as a guide for the effective identification, risk assessment, monitoring and manag of ACM within buildings on City owned or managed land; the guidelines contained within are to ensur the requirements of government policy and legislative requirements are adhered to.

#### **Policy Background**

Policy Reference No. - 010
Owner Unit – Engineering and Facilities Services
Originator – Asset Management Officer
Policy approved by – Council
Date Approved - 27 April, 2011
Review Frequency – As required
Related Documents –
Occupational Safety and Health Act 1984

#### **History**

<b>Council Resolution</b>	Date	Information
C1104/126	27 April, 2011	Date of implementation
		Version 1

# 2. Adopts the following updated Rails to Trails Policy:

011 Rails to Trails	V3 DRAFT
---------------------	----------

#### 1. PURPOSE

The government railway network within the region was once extensive and much of the land that formed the railway reserves remains as State land. As part of a statewide railway network, the three lines that ran through the district were:

- (a) Boyanup to Busselton;
- (b) Busselton to Flinders Bay; and
- (c) Wonnerup to Nannup.

The land has recognised heritage and environmental value and given the extent of the land, it also has potential for many uses. This policy provides that the land is retained as State land, as non-motorised transport corridors, and is managed for the purpose of recreation trails.

#### 2. SCOPE

This policy applies to the use of land that formed government railways within the district; to establish a framework for the development and management of recreation trails on that land to form what may be referred to as "rails to trails"; and to link the rails to trails with other recreational and heritage trails within the region.

# 3. POLICY CONTENT

With respect to the land that formed the government railway network within the region, the Council recognises the significance of the land as a strategic transport corridor, for recreation and for its heritage and environmental values.

It is the position of the Council then that:

- (a) the land is a valuable public asset and should be retained as Crown land;
- (b) unless the Council approves otherwise, the land is to be kept as a contiguous transport corridor;
- (c) under the Land Administration Act 1997 and with the Minister of Lands approval, the land is to be made Crown Reserve and managed for the primary purpose of 'recreation trail'; and
- (d) where the Council determines that the City is capable of managing sections of the Crown Reserve, the City may advise the Minister that the City would be willing to accept a management order over those sections of Crown Reserve.

#### It is the intent of the Council that:

- (a) the land be promoted, developed and managed as recreation trails for non-motorised transport, or what may be referred to as "rails to trails";
- (b) within the district, the Busselton Jetty forms the head of the rails to trails;
- (c) the rails to trails network is integrated with other recreational and heritage trails within the district and the broader region;
- (d) the City works openly with neighbouring local governments, landowners and government agencies towards achieving a regional trails scheme of world-class standard;
- (e) the promotion, development and management of the rails to trails be achieved through a strategic plan that has the endorsement of the Council and describes among other things: objectives, priorities, key stakeholders, communications, funding, resourcing and measures of success; and
- (f) the City engages the community in all phases of the development and management of the rails to trails.

#### That, where practicable:

- (a) a walk-cycle trail is constructed on the alignment of the old railway formation;
- (b) the character of the railway formation mound is retained;
- (c) the walk-cycle trail is made suitable for hiking and for riding of bicycles designed for trails, although where the trail passes through built-up and residential areas, the trail be made more suitable for the expected traffic and usage;
- (d) the heritage characteristics of the heritage railway be retained, particularly for the design of structures such as bridges, crossings and formations;
- (e) at various stages, the trail is designed allowing for access by broad sections of the community;
- (f) the trail provides for a range of interests and experiences including recreation, heritage, environmental and adventure; and
- (g) the landscape of the reserve land be retained and enhanced so that it is in keeping with the natural environment.

# **Policy Background**

Policy Reference No. - 011

Owner Unit – Engineering and Facilities Services

Originator – Land and Infrastructure Officer

Policy approved by – Council

Date Approved – 9 March 2011

Review Frequency – As required

Related Documents –

Background/History – Implemented 12 August, 2009

#### **History**

<b>Council Resolution</b>	Date	Information
C1103/072	9 March, 2011	Reviewed by Council. No changes to
		content but adopted in revised format.
		Version 2
C0908/277	12 August, 2009	Date of implementation
		Version 1

3. Adopts the following updated Private Works Margin Policy:

#### 1. PURPOSE

The City of Busselton occasionally receives requests for the City to undertake private works. A fee, in the form of cost plus margin, is established to ensure that the community's assets are properly used and applied.

#### 2. SCOPE

Private works are defined as those works carried out using Council resources for other organisations, whether on private land or within Council, Crown or other public land.

# 3. POLICY CONTENT

Quotes in writing are given by managerial or supervisory staff of Council's Engineering and Works Services Directorate for private works undertaken by Council's plant and works crews. The quotes are compiled using all Council's internal costing with margins in accordance with this policy added to the total of the whole of Council's internal estimated costs.

The customer is to be charged the quoted price including, where agreed extras occur, the full Council cost plus the margin. Payment shall be in advance by cash or bank guarantee for jobs with the exception that jobs under the estimated cost of \$5,000 may be dealt with by the client or customer signing a form works description in which he/she commits to paying the cost plus the margin, based on the estimate provided by staff.

The following margins are applicable to all quotes for private works and on charges raised for incidental works that were not quoted on (such as small jobs where a customer has agreed to pay all material, plant and labour costs). The margins are:

- On Council's plant, labour and materials charges, not less than 15%;
- On any private works for local community, sporting or school groups, NIL;
- For road reinstatement works, 30%;

- On plant, labour and materials for private works on private land and/or for finishing forfeited outstanding and maintenance bonds for subdivision and development not less than 15% and up to 30% depending on difficulty and indirect cost implications in each case;
- The Chief Executive Officer will assess the market conditions for individual projects at a value of greater than \$200,000 gross and may vary the above stated margins on those projects in circumstances where he believes that market conditions warrant.

# **Policy Background**

Policy Reference No. - 063

Owner Unit – Operations Services

Originator – Director, Engineering and Works Services

Policy approved by – Council

Date Approved – 8 December 2010

Review Frequency – As required

Related Documents –

City of Busselton Fees and Charges

#### History

<b>Council Resolution</b>	Date	Information
C1012/415	8 December, 2010	Policy re-adopted in new standard
		format
		Version 2
		Version 1

4. Conforms the continuation of the Maintenance Bond for Subdivisions Policy:

180	Maintenance Bond for Subdivisions	V3 DRAFT

#### 1. PURPOSE

This policy is to provide a framework for maintenance bonds to be held to ensure the adequate and appropriate completion of any subdivision work.

#### 2. SCOPE

The maintenance bond required under this policy shall be applied to the value of roads and drainage, and associated earthworks, landscaping, footpaths, dual use paths and all works incidental to these items for any subdivision undertaken in the City of Busselton.

# 3. POLICY CONTENT

A maintenance bond will be applied to subdivision work and held for 12 months from the date of practical completion of a minimum of 95% of the works, excluding final sealing. Maintenance bonds shall not be refunded until the expiration of 12 months and refund is subject to repair, maintenance correction, adjustment, re-alignment and/or clean up of works deemed to be the responsibility of the contractor or the developer.

The bond shall be applied to the value of roads and drainage, and associated earthworks, landscaping, footpaths, dual use paths and all works incidental to these items at the following rate:

\$200,001 - \$400,000 work value	3.5%
\$400,001 - \$600,000 work value	3%
\$600,001 and over work value	2.5%

If the required works are not carried out, Council may complete the required work, drawing on the maintenance bond following the expiration of a reasonable time to allow the contractor or the developer to carry out the work.

# 4. APPLICATION OF THE POLICY

The policy shall be applied by Planning and Development Services and Engineering and Works Services.

# **Policy Background**

Policy Reference No. - 180

Owner Unit – Planning and Development Services, Engineering and Facilities Services

Originator – Historical

Policy approved by – Council

Date Approved – 27 June 2012

Review Frequency – As required

# **History**

<b>Council Resolution</b>	Date	Information
C1206/155	27 June 2012	Update to new policy format
		Version 2
		Version 1

Last updated 27/04/2011 (Implementation)

#### PURPOSE

This Policy is developed to assist the Shire-City of Busselton to comply with government policy and legislative requirements in the management of Asbestos Containing Materials (ACM) in workplaces.

Shire—The City of Busselton as an employer has a responsibility to maintain a safe working environment under the provisions of:

- Occupational Safety and Health Act 1984.
- \* Regulation 3.1 of the *Occupational Safety and Health Regulations 1996 (OSH Regulations 1996)*, which requires an employer to identify hazards at a workplace, assess the risk of harm to a person from each hazard and to take steps to reduce the risk.
- \* Regulation 5.43 (OSH Regulations 1996) which specifically requires the presence and location of asbestos at a workplace to be identified and that the process of identification and risk assessment is conducted in accordance with the Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC:2018 (2005)].

#### 2. SCOPE

This policy applies to management of ACM in all buildings on Shire-City owned or managed land including, but not limited to;

- \* Ablutions and Toilets;
- Art and Cultural Buildings;
- \* Commercial and Community Leased Buildings;
- \* Community Buildings;
- \* Community Halls;
- \* Operations Facilities (Depots etc);
- \* Recreation Facilities;
- \* Residential Buildings;
- \* CityShire Offices;
- Caravan Parks; and
- \* Camping Reserves (including Locke Estate).

ACM is the general term used to describe all products that contain asbestos; it is defined as any material, object, product or debris containing asbestos.

### 3. POLICY CONTENT

The <u>Shire City</u> of Busselton is committed to ensuring that ACM in all buildings on <u>Shire City</u> owned or managed land is managed and controlled to protect the health and well-being of workers, contractors and the community.

The ultimate long-term aim is for all buildings on <u>CityShire</u> owned or managed land to be free of asbestos materials. The presence of asbestos in premises on <u>CityShire</u> owned or managed land will be identified and the risk to health evaluated.

Last updated 27/04/2011 (Implementation)

The programmed removal of ACM will be based on the risk to health as identified by a competent person carrying out an inspection. It is recognised that ACM in sound condition, left undisturbed, present little risk to the general community. Removal may not be immediately necessary but should be completed prior to demolition or major renovation.

The Shire-City will manage the risks from ACM and provide a record of actions undertaken with the ultimate aim being to:

- Increase awareness;
- Prevent airborne asbestos fibre exposure;
- Prevent the spread of asbestos fibres;
- \* Increase competency and experience; and
- Control of works likely to disturb ACM.

To achieve these outcomes the Shire City will:

- \* Ensure that clubs / organisations wanting to upgrade buildings or facilities on <a href="Shire-City">Shire-City</a>
  owned or managed land will be required to remove ACM as part of any facility upgrade or alteration/improvement where it is necessary to do so to comply with legislative requirements.
- \* In relation to organisations seeking Council support and / or funding support for external funding from such bodies as CSRFF etc, any submission will be required to include the removal of ACM, as part of the application and/ or scope of works.
- \* Review Council's Lease Documentation to ensure ACM management in accordance with the policy is adequately provided for.
- \* Ensure that during the planning process and before commencement of major upgrades or renovations of any buildings / facility on <a href="Shire-City">Shire-City</a> owned or managed land that priority is given to the removal of ACM in relation to funding.
- \* Where the building is located on land that the <u>CityShire</u> owns or manages, the <u>ShireCity</u> will ensure that an appropriate risk assessment of any identified ACM has been conducted. Where the risk assessment has deemed it necessary, the ACM will be safely removed as per the requirements of the OHS Act 1982 and related Regulations and Codes of Practice.
- \* Ensure that all buildings on Shire-City owned or managed land are surveyed to identify ACM, so far as is reasonably practicable, that may be present therein.
- \* Ensure that all appropriate building surveys prior to any demolition or structural alteration of any buildings on <a href="CityShire">CityShire</a> owned or managed land being undertaken.
- \* Provide information on ACM to employees, contractors, sub-contractors and any other person who may be affected by the presence of the ACM in their work area.

Last updated 27/04/2011 (Implementation)

- Promote awareness of the risks from ACM and the Shire's City's Management Procedures through training and induction of relevant employees.
- \* Ensure that information regarding the presence of asbestos is contained in tender and Request for Quotation documentation as may be appropriate, and that contractors and sub contractors have risk assessments, method statements etc., where appropriate for its removal and/or management in place.
- \* Ensure that any ACM that may be present in any buildings on land that it owns or manages is maintained in a condition so as to prevent the possibility of any harm to health occurring.
- Monitor the condition of ACM left in situ.
- Provide adequate resources to ensure the provision of appropriate information, instructions and training.
- \* The Schedule programmed removal of ACM in buildings on <a href="CityShire">CityShire</a> owned or managed land to ensure the eventual long-term aim of removal of all ACM, will be based on the availability of resources, funding and the prioritisation based on a risk assessment that includes the facilities service level hierarchy, assigned level of insurance and the purpose of the facility.

Asbestos management planning will define roles and responsibilities for decisions and address appropriate methodologies for the implementation of these decisions.

The following information shall be collated and documented as a minimum as part of asbestos management planning:

- Asbestos Register. This includes details of the location and condition of the known or presumed ACM and the level of risk posed by the identified ACM;
- Process involved for the Identification of ACM hazards;
- \* Rationale for conducting risk assessments of ACM hazards;
- \* Control measures required as a result of risk assessments of ACM hazards;
- Details of any monitoring and management arrangements in place (i.e. labelling and signage and buildings scheduled for planned removal of ACM);
- Safe work methods for working with ACM;
- \* Emergency procedures;
- Details of consultation, information sharing and training;
- \* Any operational considerations;
- A timetable for review;
- \* Areas of responsibility within the asbestos management process.

Last updated 27/04/2011 (Implementation)

This Policy is to act as a guide for the effective identification, risk assessment, monitoring and management of ACM within buildings on <a href="Shire-City">Shire-City</a> owned or managed land; the guidelines contained within are to ensure that the requirements of government policy and legislative requirements are adhered to.

### **Policy Background**

Policy Reference No. - 010

Owner Unit – Engineering and Facilities Services Infrastructure Development

Originator – Asset Management Officer

Policy approved by – Council

Date Approved - 27 April, 2011

Review Frequency – As required

Related Documents –

Occupational Safety and Health Act 1984

Council Resolution	Date	Information
C1104/126	27 April, 2011	Date of implementation
		Version 1

#### 10.3 Attachment B

Last updated 09/03/2011

011 **Rails to Trails V3 DRAFT2 Current** 

#### 1. **PURPOSE**

The government railway network within the region was once extensive and much of the land that formed the railway reserves remains as State land. As part of a statewide railway network, the three lines that ran through the district were:

- Boyanup to Busselton; (a)
- (b) Busselton to Flinders Bay; and
- (c) Wonnerup to Nannup.

The land has recognised heritage and environmental value and given the extent of the land, it also has potential for many uses. This policy provides that the land is retained as State land, as non-motorised transport corridors, and is managed for the purpose of recreation trails.

#### 2. **SCOPE**

This policy applies to the use of land that formed government railways within the district; to establish a framework for the development and management of recreation trails on that land to form what may be referred to as "rails to trails"; and to link the rails to trails with other recreational and heritage trails within the region.

#### 3. **POLICY CONTENT**

With respect to the land that formed the government railway network within the region, the Council recognises the significance of the land as a strategic transport corridor, for recreation and for its heritage and environmental values.

It is the position of the Council then that:

- the land is a valuable public asset and should be retained as Crown land;
- (b) unless the Council approves otherwise, the land is to be kept as a contiguous transport corridor;
- under the Land Administration Act 1997 and with the Minister of Lands approval, the land is to be made Crown Reserve and managed for the primary purpose of 'recreation trail'; and
- (d) where the Council determines that the Shire-City is capable of managing sections of the Crown Reserve, the Shire-City may advise the Minister that the Shire-City would be willing to accept a management order over those sections of Crown Reserve.

It is the intent of the Council that:

- the land be promoted, developed and managed as recreation trails for non-motorised transport, or what may be referred to as "rails to trails";
- (b) within the Shire-district, the Busselton Jetty forms the head of the rails to trails;
- (c) the rails to trails network is integrated with other recreational and heritage trails within the Shire district and the broader region;
- the Shire-City works openly with neighbouring local governments, landowners and government agencies towards achieving a regional trails scheme of world-class standard;

## Attachment B

Last updated 09/03/2011

- the promotion, development and management of the rails to trails be achieved through a strategic plan that has the endorsement of the Council and describes among other things: objectives, priorities, key stakeholders, communications, funding, resourcing and measures of success; and
- (f) the Shire-City engages the community in all phases of the development and management of the rails to trails.

#### That, where practicable:

- a walk-cycle trail is constructed on the alignment of the old railway formation;
- (b) the character of the railway formation mound is retained;
- the walk-cycle trail is made suitable for hiking and for riding of bicycles designed for trails, although where the trail passes through built-up and residential areas, the trail be made more suitable for the expected traffic and usage;
- the heritage characteristics of the heritage railway be retained, particularly for the design of structures such as bridges, crossings and formations;
- at various stages, the trail is designed allowing for access by broad sections of the community; (e)
- (f) the trail provides for a range of interests and experiences including recreation, heritage, environmental and adventure; and
- the landscape of the reserve land be retained and enhanced so that it is in keeping with the natural environment.

#### **Policy Background**

Policy Reference No. - 011

Owner Unit - Infrastructure Development Engineering and Facilities Services

Originator - Land and Infrastructure Officer

Policy approved by - Council

Date Approved – 9 March 2011

Review Frequency - As required

Related Documents -

Background/History - Implemented 12 August, 2009

<b>Council Resolution</b>	Date	Information
C1103/072	9 March, 2011	Reviewed by Council. No changes to
		content but adopted in revised format.
		Version 2
C0908/277	12 August, 2009	Date of implementation
		Version 1

#### 10.3 Attachment C

Last updated 08/12/2010

	063	Private Works Margin	V3 DRAFT <del>2 Current</del>
11	003	i iii die voiks maigin	S DIVI I CONTENT

#### **PURPOSE**

The Shire-City of Busselton occasionally receives requests for the Shire-City to undertake private works. A fee, in the form of cost plus margin, is established to ensure that the community's assets are properly used and applied.

#### 2. **SCOPE**

Private works are defined as those works carried out using Council resources for other organisations, whether on private land or within Council, Crown or other public land.

#### 3. **POLICY CONTENT**

Quotes in writing are given by managerial or supervisory staff of Council's Community Infrastructure Division Engineering and Works Services Directorate for private works undertaken by Council's plant and works crews. The quotes are compiled using all Council's internal costing with margins in accordance with this policy added to the total of the whole of Council's internal estimated costs.

The customer is to be charged the quoted price including, where agreed extras occur, the full Council cost plus the margin. Payment shall be in advance by cash or bank guarantee for jobs with the exception that jobs under the estimated cost of \$35,000 may be dealt with by the client or customer signing a form works description in which he/she commits to paying the cost plus the margin, based on the estimate provided by staff.

The following margins are applicable to all quotes for private works and on charges raised for incidental works that were not quoted on (such as small jobs where a customer has agreed to pay all material, plant and labour costs). The margins are:

- On Council's plant, labour and materials charges, not less than 15%;
- On any private works for local community, sporting or school groups, NIL;
- For road reinstatement works, 30%;
- On plant, labour and materials for private works on private land and/or for finishing forfeited outstanding and maintenance bonds for subdivision and development - not less than 15% and up to 30% depending on difficulty and indirect cost implications in each case;
- The Chief Executive Officer will assess the market conditions for individual projects at a value of greater than \$200,000 gross and may vary the above stated margins on those projects in circumstances where he believes that market conditions warrant.

### **Policy Background**

Policy Reference No. - 063

Owner Unit - Infrastructure Development Operations Services

Originator - Director, Engineering and Works Services Community Infrastructure

Policy approved by - Council

Date Approved – 8 December 2010

Review Frequency - As required

Related Documents -

Shire City of Busselton Fees and Charges

# Attachment C

Last updated 08/12/2010

Council Resolution	Date	Information
C1012/415	8 December, 2010	Policy re-adopted in new standard
		format
		Version 2
		Version 1

# Maintenance Bonds for Subdivisions Policy With Changes

Tracked

Last updated 27/06/2012

189

#### 1. **PURPOSE**

This policy is to provide a framework for maintenance bonds to be held to ensure the adequate and appropriate completion of any subdivision work.

#### **SCOPE** 2.

The maintenance bond required under this policy shall be applied to the value of roads and drainage, and associated earthworks, landscaping, footpaths, dual use paths and all works incidental to these items for any subdivision undertaken in the City of Busselton.

#### 3. **POLICY CONTENT**

A maintenance bond will be applied to subdivision work and held for 12 months from the date of practical completion of a minimum of 95% of the works, excluding final sealing. Maintenance bonds shall not be refunded until the expiration of 12 months and refund is subject to repair, maintenance correction, adjustment, re-alignment and/or clean up of works deemed to be the responsibility of the contractor or the developer.

The bond shall be applied to the value of roads and drainage, and associated earthworks, landscaping, footpaths, dual use paths and all works incidental to these items at the following rate:

\$0-\$100,000 work value	5%
\$100,001 - \$200,000 work value	4%
\$200,001 - \$400,000 work value	3.5%
\$400,001 - \$600,000 work value	3%
\$600.001 and over work value	2.5%

If the required works are not carried out, Council may complete the required work, drawing on the maintenance bond following the expiration of a reasonable time to allow the contractor or the developer to carry out the work.

#### 4. APPLICATION OF THE POLICY

The policy shall be applied by Planning and Development Services and Engineering and Works Services.

### **Policy Background**

Policy Reference No. - 180 Owner Unit - Planning and Development Services, Engineering and Facilities Services Originator - Historical Policy approved by - Council Date Approved - 27 June 2012 Review Frequency - As required

# Maintenance Bonds for Subdivisions Policy With Changes Tracked

Last updated 27/06/2012

<b>Council Resolution</b>	Date	Information
C1206/155	27 June 2012	Update to new policy format
		Version 2
		Version 1

190

# 10.4 <u>Policy and Legislation Committee - 24/03/2016 - REVIEW OF POLICY 133: DRAINAGE IN</u> RECREATION RESERVES

**SUBJECT INDEX:** Drainage

**STRATEGIC OBJECTIVE:** Infrastructure assets are well maintained and responsibly managed to

provide for future generations.

**BUSINESS UNIT:** Engineering and Works Services **ACTIVITY UNIT:** Engineering and Facilities Services

**REPORTING OFFICER:** Director, Engineering and Works Services - Oliver Darby **AUTHORISING OFFICER:** Director, Engineering and Works Services - Oliver Darby

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Drainage in Recreation Reserves Policy With Changes

Tracked

This item was considered by the Policy and Legislation Committee at its meeting on 24 March 2016, the recommendations from which have been included in this report.

### **PRÉCIS**

The Drainage in Recreation Reserves policy is presented for review and updating as part of the ongoing policy review process. It is proposed that a requirement to reduce health risks from mosquitoes is included in the policy.

#### **BACKGROUND**

This report forms part of the rolling review of Council policies that the Policy and Legislation Committee has been charged with. The Drainage in Recreation Reserves policy was last reviewed in 2012.

### STATUTORY ENVIRONMENT

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

### **RELEVANT PLANS AND POLICIES**

This report recommends changes to an existing Council policy, the Drainage in Recreation Reserves policy.

### **FINANCIAL IMPLICATIONS**

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

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

Not applicable.

### STRATEGIC COMMUNITY OBJECTIVES

The ongoing policy review process is part of the City's governance systems to ensure responsible, ethical and accountable decision-making is delivered. This policy relates to the objective of well maintained infrastructure assets that are responsibly managed to provide for future generations.

#### **RISK ASSESSMENT**

The recommendation is to reduce the health risk associated with mosquitoes.

#### **CONSULTATION**

NA.

#### **OFFICER COMMENT**

It is proposed to insert the following additional requirement into the existing policy:

To reduce health risks from mosquitoes, retention and detention treatments should be designed to ensure that between the months of November and May, detained immobile stormwater is fully infiltrated in a time period not exceeding 96 hours. This reflects current standards and practices, however, it is not currently explicitly stated in the policy.

#### **CONCLUSION**

It is considered that the inclusion of the requirement to detain immobile stormwater to reduce health risks associated with mosquitoes is an important addition to the policy.

#### **OPTIONS**

The Council could choose not to change the policy or to make additional changes to the policy.

#### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The updated policy would be effective immediately upon adoption by the Council.

### **COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION**

That the Council adopts the following updated Drainage in Recreation Reserves policy:

133 Drainage in Recreation Reserves	V3 DRAFT
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### 1. PURPOSE

This policy is to provide the circumstances under which the City of Busselton may agree to the use of a recreation reserve for drainage purposes.

### 2. SCOPE

The policy applies to the proposed use of any recreation reserve in the City of Busselton for the purpose of drainage.

### 3. POLICY CONTENT

The City of Busselton may approve the use of portion of a recreation reserve for the use of a drainage compensation basin, subject to:

- a) it being reasonably demonstrated that there is no other acceptable means of providing an outfall drainage area;
- b) the proposal to use the recreation area for drainage being submitted with the subdivision application;
- c) To reduce health risks from mosquitoes, retention and detention treatments should be

- designed to ensure that between the months of November and May, detained immobile stormwater is fully infiltrated in a time period not exceeding 96 hours; and
- d) the subdivider undertaking in writing to "Develop" the reserve as required and specified by the City of Busselton. The term "Develop" may include earthworks, establishment of lawns, landscaping, provision of reticulation, provision of playground equipment, public seating, dual use paths, fencing and carparking etc.

## 4. APPLICATION OF THE POLICY

The policy shall be applied by Engineering and Works Services.

# **Policy Background**

Policy Reference No. - 133

Owner Unit – Engineering and Facility Services

Originator – Historical

Policy approved by – Council

Date Approved – 27 June 2012

Review Frequency – As required

Related Documents – N/A

Council Resolution	Date	Information
C1206/155	27 June, 2012	Update to new policy format
		Version 2
		Version 1

133 Drainage in Recreation Reserves V3 DRAFT2 Current
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#### **PURPOSE** 1.

This policy is to provide the circumstances under which the City of Busselton may agree to the use of a recreation reserve for drainage purposes.

#### 2. SCOPE

The policy applies to the proposed use of any recreation reserve in the City of Busselton for the purpose of drainage.

#### 3. **POLICY CONTENT**

The City of Busselton may approve the use of portion of a recreation reserve for the use of a drainage compensation basin, subject to:

- it being reasonably demonstrated that there is no other acceptable means of providing an outfall drainage area;
- b) the proposal to use the recreation area for drainage being submitted with the subdivision application;
- To reduce health risks from mosquitoes, retention and detention treatments should be designed to ensure that between the months of November and May, detained immobile stormwater is fully infiltrated in a time period not exceeding 96 hours; and
- the subdivider undertaking in writing to "Develop" the reserve as required and c) specified by the City of Busselton. The term "Develop" may include earthworks, establishment of lawns, landscaping, provision of reticulation, provision of playground equipment, public seating, dual use paths, fencing and carparking etc.

#### 4. APPLICATION OF THE POLICY

The policy shall be applied by Engineering and Works Services.

### **Policy Background**

Policy Reference No. - 133 Owner Unit - Engineering and Facility Services Originator - Historical Policy approved by - Council Date Approved – 27 June 2012 Review Frequency - As required Related Documents - N/A

<b>Council Resolution</b>	Date	Information
C1206/155	27 June, 2012	Update to new policy format
		Version 2
		Version 1

### 10.5 Policy and Legislation Committee - 24/03/2016 - REVIEW OF POLICY 181: CROSSOVERS

SUBJECT INDEX: Crossovers

STRATEGIC OBJECTIVE: Infrastructure assets are well maintained and responsibly managed to

provide for future generations.

**BUSINESS UNIT:** Engineering and Works Services **ACTIVITY UNIT:** Engineering and Facilities Services

**REPORTING OFFICER:** Director, Engineering and Works Services - Oliver Darby **AUTHORISING OFFICER:** Director, Engineering and Works Services - Oliver Darby

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Crossovers Policy With Changes Tracked

This item was considered by the Policy and Legislation Committee at its meeting on 24 March 2016, the recommendations from which have been included in this report.

#### **PRÉCIS**

The Crossovers policy is presented for review and updating as part of the ongoing policy review process. In addition to the necessity to update terminology from Shire to City and updated directorate details, it is proposed that a statement be included relating to footpaths taking priority over crossovers where a footpath exists. It is also proposed to clarify that culvert pipes, if required, be at the cost of the landowner.

#### **BACKGROUND**

This report forms part of the rolling review of Council policies that the Policy and Legislation Committee has been charged with. The Crossovers policy was last reviewed in 2010.

### STATUTORY ENVIRONMENT

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

### **RELEVANT PLANS AND POLICIES**

This report recommends changes to an existing Council policy, the Crossovers policy.

### **FINANCIAL IMPLICATIONS**

None relating to the review of the policy.

#### STRATEGIC COMMUNITY OBJECTIVES

The ongoing policy review process is part of the City's governance systems to ensure responsible, ethical and accountable decision-making is delivered. This policy relates to the objective of well maintained infrastructure assets that are responsibly managed to provide for future generations.

# **RISK ASSESSMENT**

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

#### **CONSULTATION**

NA.

#### **OFFICER COMMENT**

Where a footpath exists within the road verge the footpath is to take priority over a crossover. The footpath is not to be removed to make way for a crossover, rather the crossover is to butt up to the footpath on both sides. It is also proposed to clarify that culvert pipes, if required, be at the cost of the landowner.

The requirement for a footpath to take priority is standard practice, however, as it is not explicitly stated in the policy, there have been occasions where footpaths have been removed for the construction of a crossover.

The requirement relating to culvert pipes is to provide clarity as to the City's responsibility, which is only for contribution to the crossover, not associated drainage requirements.

#### CONCLUSION

It is considered that the inclusion of the requirements for footpaths to take priority over crossovers and for landowners to be responsible for culvert pipes if required provides further clarity to the application of the Crossovers policy.

#### **OPTIONS**

The Council could choose not to change the policy or to make additional changes to the policy.

#### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The updated policy would be effective immediately upon adoption by the Council.

### COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council adopts the following updated Crossovers policy:

181	Crossovers	V3 DRAFT
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#### 1. PURPOSE

The City may set the position of the crossover access onto the road, require its construction and/or repair and maintain the crossover as provided for under Regulation 12 of the Local Government (Uniform Local Provisions) Regulations 1996.

The City is required to contribute 50% of the estimated cost of the first "Standard Crossover" to the land, under Regulation 15 Local Government (Uniform Local Provisions) Regulations 1996. This policy provides the standards to be met to establish eligibility for the City contribution and provide guidelines for the safe positioning of vehicle access from private property to the road.

#### 2. SCOPE

All crossovers (a constructed traffic way connecting the paved street to the private property) shall be constructed to the approved Council standards and specifications.

#### 3. POLICY CONTENT

# **Standard Crossover**

#### **General Requirements**

A standard crossover does not include the value of culverts or alteration to services or tree removal. Applicants in rural and special rural areas are required to request the advice of City staff regarding the need for and the size of pipes for drainage purposes.

The width of a standard crossover at the property line is to be a minimum of 2.75 metres and splay to 4.5 metres wide at the road edge, with 1.0 metre radii or 1.0 metre truncation at the road edge. The total minimum width of opening at the road edge is 6.5 metres. This configuration represents the Standard Crossover, with the length being variable. Extra width is allowable, with approval of the Chief Executive Officer, but no additional subsidy applies.

Full requirements for meeting the standard crossover are detailed in Council's Standards and Specifications. Area specific requirements are as follows:

#### **Urban Areas**

The crossover shall be sealed utilising sprayed bitumen, bituminous concrete, in-situ concrete, paving bricks or blocks.

### Rural and Special Rural Areas

All rural and special rural developments require a sealed crossover where a sealed road frontage exists. If the road is gravel Council will allow an unsealed crossover (gravel). The provision of culvert pipes, if required, shall be at cost to the landowner.

### **Special Character Areas**

Within special character areas, such as Old Dunsborough and Eagle Bay, crossovers are to be constructed of materials consistent with an earthy tone such as pea gravel or red asphalt seals.

#### **Crossover Subsidy**

Council will contribute (or subsidise) half the estimated cost of a standard crossover (one crossover to a property) subject to the crossover being deemed by the Chief Executive Officer to conform with the City's "Standard Crossover".

The crossover subsidy will be determined by the material type and length of the crossover based on the dimensions of a standard crossover.

The subsidy applies to the first crossover to a lot for industrial, business, commercial and all residential buildings. In the case of strata titles, a subsidy will apply to each title for the crossover up to the number of titles.

Crossovers, eligible for subsidy, may be claimed for at the subsidy rate that applies in the financial year construction is completed. Crossovers in excess of one year old shall have a reduced subsidy based on straight line depreciation, for age and type, as per the following: (Crossovers in excess of this life are not eligible for a subsidy claim).

### Crossover Type Maximum Crossover Life

2 Coat Seal 10 years
Asphalt 15 years
Brick/Block 20 years
Concrete 25 years

#### Construction

The Owner/Agent is to arrange for construction. Any alterations for the removal/relocation of the conflicting public utilities, such as drainage pits and structures, services inspection pits, power or light poles, traffic medians and street trees will be at the owner's cost and subject to the approval of the service authority concerned. Alternative alignments and/or position of crossovers will be considered by the Shire.

Where a footpath exists within the road verge the footpath is to take priority over a crossover. The footpath is not to be removed to make way for a crossover, rather the crossover is to butt up to the footpath on both sides.

Road safety and turning radii will be taken into account in deciding the position of a crossover. Owners are advised when designing building/s requiring vehicle access from the street to take into account services, public utility services and street trees.

#### **Crossover Maintenance**

Council will not be responsible for maintenance of crossovers. Council will not subsidise the maintenance or replacement of crossovers.

## **Policy Background**

Policy Reference No. - 181

Owner Unit – Engineering and Facilities Services

Originator – Director, Engineering and Works Services

Policy approved by – Council

Date Approved – 8 December 2010

Review Frequency – As required

Related Documents – Local Government (Uniform Local Provisions) Regulations 1996

<b>Council Resolution</b>	Date	Information
C1012/429	8 December, 2010	Updated to remove requirement for bonds Version 2
		Version 1

#### 10.5 Attachment A

Last updated 08/12/2010

| 181 Crossovers V3 DRAFT2 Current

#### **PURPOSE** 1.

The Shire-City may set the position of the crossover access onto the road, require its construction and/or repair and maintain the crossover as provided for under Regulation 12 of the Local Government (Uniform Local Provisions) Regulations 1996.

The CityShire is required to contribute 50% of the estimated cost of the first "Standard Crossover" to the land, under Regulation 15 Local Government (Uniform Local Provisions) Regulations 1996. This policy provides the standards to be met to establish eligibility for the ShireCity contribution and provide guidelines for the safe positioning of vehicle access from private property to the road.

#### 2. **SCOPE**

All crossovers (a constructed traffic way connecting the paved street to the private property) shall be constructed to the approved Council standards and specifications.

#### 3. POLICY CONTENT

#### **Standard Crossover**

#### **General Requirements**

A standard crossover does not include the value of culverts or alteration to services or tree removal. Applicants in rural and special rural areas are required to request the advice of Shire City staff regarding the need for and the size of pipes for drainage purposes.

The width of a standard crossover at the property line is to be a minimum of 2.75 metres and splay to 4.5 metres wide at the road edge, with 1.0 metre radii or 1.0 metre truncation at the road edge. The total minimum width of opening at the road edge is 6.5 metres. This configuration represents the Standard Crossover, with the length being variable. Extra width is allowable, with approval of the Chief Executive Officer, but no additional subsidy applies.

Full requirements for meeting the standard crossover are detailed in Council's Standards and Specifications. Area specific requirements are as follows:

#### **Urban Areas**

The crossover shall be sealed utilising sprayed bitumen, bituminous concrete, in-situ concrete, paving bricks or blocks.

#### Rural and Special Rural Areas

All rural and special rural developments require a sealed crossover where a sealed road frontage exists. If the road is gravel Council will allow an unsealed crossover (gravel). The provision of culvert pipes, if required, shall be at cost to the landowner.

### **Special Character Areas**

Within special character areas, such as Old Dunsborough and Eagle Bay, crossovers are to be constructed of materials consistent with an earthy tone such as pea gravel or red asphalt seals.

### **Crossover Subsidy**

#### 10.5 Attachment A

Last updated 08/12/2010

Council will contribute (or subsidise) half the estimated cost of a standard crossover (one crossover to a property) subject to the crossover being deemed by the Chief Executive Officer to conform with the Shire's City's "Standard Crossover".

The crossover subsidy will be determined by the material type and surfacelength-area of the crossover based on the dimensions of a standard crossover.

The subsidy applies to the first crossover to a lot for industrial, business, commercial and all residential buildings. In the case of strata titles, a subsidy will apply to each title for the crossover up to the number of titles.

Crossovers, eligible for subsidy, may be claimed for at the subsidy rate that applies in the financial year construction is completed. Crossovers in excess of one year old shall have a reduced subsidy based on straight line depreciation, for age and type, as per the following: (Crossovers in excess of this life are not eligible for a subsidy claim).

#### Crossover Type Maximum Crossover Life

2 Coat Seal 10 years Asphalt 15 years Brick/Block 20 years Concrete 25 years

#### Construction

The Owner/Agent is to arrange for construction. Any alterations for the removal/relocation of the conflicting public utilities, such as drainage pits and structures, services inspection pits, power or light poles, traffic medians and street trees will be at the owner's cost and subject to the approval of the service authority concerned. Alternative alignments and/or position of crossovers will be considered by the Shire.

Where a footpath exists within the road verge the footpath is to take priority over a crossover. The footpath is not to be removed to make way for a crossover, rather the crossover is to butt up to the footpath on both sides

Road safety and turning radii will be taken into account in deciding the position of a crossover. Owners are advised when designing building/s requiring vehicle access from the street to take into account services, public utility services and street trees.

#### **Crossover Maintenance**

Council will not be responsible for maintenance of crossovers. Council will not subsidise the maintenance or replacement of crossovers.

### **Policy Background**

Policy Reference No. - 181

Owner Unit - Infrastructure Development Engineering and Facilities Services

Originator - Director, Engineering and Works Services Community Infrastructure

Policy approved by – Council

Date Approved – 8 December 2010

Review Frequency - As required

Related Documents -

Local Government (Uniform Local Provisions) Regulations 1996

# Crossovers Policy With Changes Tracked

Last updated 08/12/2010

Council Resolution	Date	Information
C1012/429	8 December, 2010	Updated to remove requirement for
		bonds
		Version 2
		Version 1

10.6 Policy and Legislation Committee - 24/03/2016 - REVIEW OF POLICY 025: BUILDING

**CONTROL - STANDARD OF SITE CLASSIFICATION FOR SUBDIVISIONS** 

**SUBJECT INDEX:** Subdivisons

STRATEGIC OBJECTIVE: Infrastructure assets are well maintained and responsibly managed to

provide for future generations.

**BUSINESS UNIT:** Engineering and Works Services **ACTIVITY UNIT:** Engineering and Facilities Services

**REPORTING OFFICER:** Director, Engineering and Works Services - Oliver Darby **AUTHORISING OFFICER:** Director, Engineering and Works Services - Oliver Darby

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Building Control - Standard of Site Classification for

**Subdivisions Policy With Changes Tracked** 

This item was considered by the Policy and Legislation Committee at its meeting on 24 March 2016, the recommendations from which have been included in this report.

### **PRÉCIS**

The Building Control – Standard of Site Classification for Subdivisions policy is presented for review and updating as part of the ongoing policy review process. In addition to the necessity to update terminology from Shire to City, it is proposed that a requirement for a Section 70A notification where the desired A class site is not practicably achievable is included in the policy.

#### **BACKGROUND**

This report forms part of the rolling review of Council policies that the Policy and Legislation Committee has been charged with. The Building Control – Standard of Site Classification for Subdivisions policy was last reviewed in 2011.

#### STATUTORY ENVIRONMENT

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

### **RELEVANT PLANS AND POLICIES**

This report recommends changes to an existing Council policy, the Building Control – Standard of Site Classification for Subdivisions policy.

### **FINANCIAL IMPLICATIONS**

None relating to the review of the policy.

#### STRATEGIC COMMUNITY OBJECTIVES

The ongoing policy review process is part of the City's governance systems to ensure responsible, ethical and accountable decision-making is delivered. This policy relates to the objective of well maintained infrastructure assets that are responsibly managed to provide for future generations.

#### **RISK ASSESSMENT**

The recommendation to include the requirement for the Section 70A notification in the policy reduces the risk of this requirement not being applied.

#### **CONSULTATION**

NA.

#### **OFFICER COMMENT**

The existing policy requires new residential subdivisions within the City of Busselton to be prepared and constructed to a standard where each lot within the subdivision reaches a site classification of 'A' (equivalent to a stable construction site) or a site classification as close to 'A' as practicable.

Where a site classification of 'A' cannot be achieved, a section 70A notification needs to be placed on titles, however, this is not included in the current policy. It is therefore proposed to include this, along with the standard wording for the Section 70A notification as follows:

Landfill has been placed on the lot, or the lot has been identified as requiring a Geotechnical Report which has been prepared and which provides a general site classification for the subdivision area. The nature of undertaking bulk earthworks and the variability of insitu soil conditions means the general classification cannot be guaranteed of individual lots. Further soil investigations will be required prior to housing design as the site classification may affect the design footings and the issue of a Building License for each individual lot. Determination of lot specific site classification for the purposes of footing and slab design remains the responsibility of the individual lot owner who should be aware that lot site classification may be different to the general site classification by the geotechnical consultant at the time of the subdivisional development.

### **CONCLUSION**

It is considered that the inclusion of the Section 70A notification requirement into the policy is a relevant addition to the content.

### **OPTIONS**

The Council could choose not to change the policy or to make additional changes to the policy.

#### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The updated policy would be effective immediately upon adoption by the Council.

### **COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION**

That the Council adopts the following updated Building Control – Standard of Site Classification for Subdivisions policy:

025	Building Control - Standard of Site Classification for	V4 DRAFT
	Subdivisions	

#### 1. PURPOSE

This policy is to ensure that uncontrolled fill is not used in subdivisions and ensures that fill and compaction is adequate. It helps to ensure that potential owners of lots are aware of site conditions.

#### 2. SCOPE

This policy applies to new residential subdivisions within the City of Busselton.

#### 3. POLICY CONTENT

New residential subdivisions within the City of Busselton are to be prepared and constructed to a standard where each lot within the subdivision reaches a site classification of 'A' (equivalent to a stable construction site) or a site classification as close to 'A' as practicable.

The objective of this policy is to enable purchasers of lots within new subdivisions to build using minimum residential construction standards, without the need for individually engineered footing and slab details. Where a new subdivision has not achieved a class 'A' status for every prospective dwelling site, the policy allows prospective purchasers to be informed of the cost implications and construction requirements for lots within the subdivision before making their decision to purchase.

Site classifications are defined in Australian Standard AS2870.1 - 1988 "Residential Slabs and Footings - Part 1: Construction" and range from 'A' which is stable, through 'S', 'M', 'H', 'E' and 'P', in increasing degree of instability or reactivity. Site classifications are to be certified by a practicing structural engineer in accordance with the provisions of AS2870.1 - 1988.

Conditions of subdivision will be recommended to the Department of Planning for new residential and special rural subdivisions as considered appropriate by the Chief Executive Officer to achieve the objectives of this policy. Conditions may include but are not limited to:

- A requirement to submit a geotechnical report and associated test results to Council with certification of the site classification of the existing un-subdivided property.
- A requirement to provide certification from a practicing structural engineer on completion of the subdivision confirming the site classification that has been achieved for each lot in the subdivision.

Where an applicant is able to demonstrate to the satisfaction of the Chief Executive Officer that achieving a site classification of 'A' is not practicable, then a lesser site classification may be approved.

Where a lesser site classification has been approved, the conditions of subdivision may include but are not limited to:

- A requirement to provide Council with engineer certified footing and slab construction
  details designed for site classifications that are applicable within the subdivision. The details
  are to allow for both single and double-storey construction in a range of materials up to full
  brick. The details are to be provided on the basis that they will be made available by Council
  to members of the public as approved details for construction within the subdivision.
- A requirement for the developer to notify prospective purchasers of the site classifications
  within the subdivision and to provide a copy of engineered footing and slab details that are
  suitable as a minimum standard for the respective site classifications.

Where a site classification of "A" cannot be achieved, a section 70A notification will need to be placed on titles with the following wording:

Landfill has been placed on the lot, or the lot has been identified as requiring a Geotechnical Report which has been prepared and which provides a general site classification for the subdivision area.

The nature of undertaking bulk earthworks and the variability of insitu soil conditions means the general classification cannot be guaranteed of individual lots. Further soil investigations will be required prior to housing design as the site classification may affect the design footings and the issue of a Building License for each individual lot. Determination of lot specific site classification for the purposes of footing and slab design remains the responsibility of the individual lot owner who should be aware that lot site classification may be different to the general site classification by the geotechnical consultant at the time of the subdivisional development.

### **Policy Background**

Policy Reference No. - 025

Owner Unit – Engineering and Works Services

Originator – (Historical)

Policy approved by – Council

Date Approved – 09/03/2011

Review Frequency – As required

Related Documents –

Background/History – Implemented 12 April 1995

<b>Council Resolution</b>	Date	Information
C1103/072	9 March, 2011	Reviewed by Council and adopted without content change in accordance with the policy template Version 3
C0412/435	8 December, 2004	Re-resolved as a continuing policy of the Council - no change
C011/037	24 January, 2001	Minor amendments to policy. Version 2
(P95/0077) C95/0148	12 April, 1995	Date of implementation. Version 1

# Building Control - Standard of Site Classification for Subdivisions Policy With Changes Tracked

Last updated 09/03/2011

025	<b>Building Control - Standard of Site Classification for</b>	V4 DRAFT3 Current
	Subdivisions	

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#### PURPOSE

This policy is to ensure that uncontrolled fill is not used in subdivisions and ensures that fill and compaction is adequate. It helps to ensure that potential owners of lots are aware of site conditions.

#### SCOPE

This policy applies to new residential subdivisions within the Shire-City of Busselton.

#### 3. POLICY CONTENT

New residential subdivisions within the Shire City of Busselton are to be prepared and constructed to a standard where each lot within the subdivision reaches a site classification of 'A' (equivalent to a stable construction site) or a site classification as close to 'A' as practicable.

The objective of this policy is to enable purchasers of lots within new subdivisions to build using minimum residential construction standards, without the need for individually engineered footing and slab details. Where a new subdivision has not achieved a class 'A' status for every prospective dwelling site, the policy allows prospective purchasers to be informed of the cost implications and construction requirements for lots within the subdivision before making their decision to purchase.

Site classifications are defined in Australian Standard AS2870.1 - 1988 "Residential Slabs and Footings - Part 1: Construction" and range from 'A' which is stable, through 'S', 'M', 'H', 'E' and 'P', in increasing degree of instability or reactivity. Site classifications are to be certified by a practicing structural engineer in accordance with the provisions of AS2870.1 - 1988.

Conditions of subdivision will be recommended to the Department for of Planning and Infrastructure for new residential and special rural subdivisions as considered appropriate by the Chief Executive Officer to achieve the objectives of this policy. Conditions may include but are not limited to:

- A requirement to submit a geotechnical report and associated test results to Council
  with certification of the site classification of the existing un-subdivided property.
- A requirement to provide certification from a practicing structural engineer on completion of the subdivision confirming the site classification that has been achieved for each lot in the subdivision.

Where an applicant is able to demonstrate to the satisfaction of the Chief Executive Officer that achieving a site classification of 'A' is not practicable, then a lesser site classification may be approved.

Where a lesser site classification has been approved, the conditions of subdivision may include but are not limited to:

# Building Control - Standard of Site Classification for Subdivisions Policy With Changes Tracked

Last updated 09/03/2011

 A requirement to provide Council with engineer certified footing and slab construction details designed for site classifications that are applicable within the subdivision. The details are to allow for both single and double-storey construction in a range of materials up to full brick. The details are to be provided on the basis that they will be made available by Council to members of the public as approved details for construction within the subdivision.

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 A requirement for the developer to notify prospective purchasers of the site classifications within the subdivision and to provide a copy of engineered footing and slab details that are suitable as a minimum standard for the respective site classifications.

Where a site classification of "A" cannot be achieved, a section 70A notification will need to be placed on titles with the following wording:

Landfill has been placed on the lot, or the lot has been identified as requiring a Geotechnical Report which has been prepared and which provides a general site classification for the subdivision area. The nature of undertaking bulk earthworks and the variability of insitu soil conditions means the general classification cannot be guaranteed of individual lots. Further soil investigations will be required prior to housing design as the site classification may affect the design footings and the issue of a Building License for each individual lot. Determination of lot specific site classification for the purposes of footing and slab design remains the responsibility of the individual lot owner who should be aware that lot site classification may be different to the general site classification by the geotechnical consultant at the time of the subdivisional development.

## Policy Background

Policy Reference No. - 025

Owner Unit – Engineering and Works Services

Originator – (Historical)

Policy approved by – Council

Date Approved – 09/03/2011

Review Frequency – As required

Related Documents –

Background/History – Implemented 12 April 1995

<b>Council Resolution</b>	Date	Information
C1103/072	9 March, 2011	Reviewed by Council and adopted
		without content change in accordance
		with the policy template
		Version 3
C0412/435	8 December, 2004	Re-resolved as a continuing policy of the
		Council - no change
C011/037	24 January, 2001	Minor amendments to policy.
		Version 2
(P95/0077)	12 April, 1995	Date of implementation.
C95/0148		Version 1

# 10.7 <u>Policy and Legislation Committee - 24/03/2016 - REVIEW OF POLICY 195: REINSTATEMENT</u> OF WORKS IN ROAD RESERVES

**SUBJECT INDEX:** Road Reserves

**STRATEGIC OBJECTIVE:** Infrastructure assets are well maintained and responsibly managed to

provide for future generations.

BUSINESS UNIT: Engineering and Works Services
ACTIVITY UNIT: Engineering and Facilities Services

**REPORTING OFFICER:** Director, Engineering and Works Services - Oliver Darby **AUTHORISING OFFICER:** Director, Engineering and Works Services - Oliver Darby

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Reinstatement of Works in Road Reserves Policy With

**Changes Tracked** 

This item was considered by the Policy and Legislation Committee at its meeting on 24 March 2016, the recommendations from which have been included in this report.

### **PRÉCIS**

The Reinstatement of Works in Road Reserves policy is presented for review and updating as part of the ongoing policy review process. It is proposed that the requirement for a Traffic Management Plan is included in the policy, along with other statements clarifying the current application of the policy which are not explicitly included in the existing version.

#### **BACKGROUND**

This report forms part of the rolling review of Council policies that the Policy and Legislation Committee has been charged with. The Reinstatement of Works in Road Reserves policy was last reviewed in 2012.

#### STATUTORY ENVIRONMENT

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

# **RELEVANT PLANS AND POLICIES**

This report recommends changes to an existing Council policy, the Reinstatement of Works in Road Reserves policy.

### **FINANCIAL IMPLICATIONS**

None relating to the review of the policy.

#### STRATEGIC COMMUNITY OBJECTIVES

The ongoing policy review process is part of the City's governance systems to ensure responsible, ethical and accountable decision-making is delivered. This policy relates to the objective of well maintained infrastructure assets that are responsibly managed to provide for future generations.

#### **RISK ASSESSMENT**

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

#### **CONSULTATION**

NA.

#### **OFFICER COMMENT**

Works completed by contractors require the approval of specifications to Council adopted standards. It is proposed to include a requirement for an endorsed of a Traffic Management Plan (TMP).

Where works are carried out by a contractor under the management and supervision of a Public Utility no payment of bonds is applicable subject to there being a 12 months defects period, however, this is not currently explicitly stated in the policy.

It is also proposed to include the following requirements:

- Aftercare signage and delineation in accordance with a City of Busselton endorsed traffic management plan shall remain in place until the reinstatement is complete.
- Pre-works and post-works inspections are to be carried out to determine any existing defects and to ensure any reinstatements are carried out to the City's standards and specifications.
- The replacement of trees and roadside vegetation and minimising disruption and damage to verge vegetation.

### **CONCLUSION**

It is considered that the inclusion of the identified requirements is simply to clarify the existing requirements and to ensure that they are explicitly stated.

#### **OPTIONS**

The Council could choose not to change the policy or to make additional changes to the policy.

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The updated policy would be effective immediately upon adoption by the Council.

### COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION

That the Council adopts the following updated Reinstatement of Works in Road Reserves policy:

195 Reinstatement of Works in Road Reserves	V3 DRAFT
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## PURPOSE

This policy is to provide guidelines to ensure the City of Busselton's expectations are met where road or public utility works are carried out in a road reserve by contractors.

#### 2. SCOPE

The policy applies to any occasion when reinstatement of a road reserve is required due to contractor activity.

#### 3. POLICY CONTENT

Where road or public utility works carried out by contractors occurs in a road reserve it is to be ensured that there is full reinstatement and that all costs for reinstatement of drainage to roads, paths, street furniture, lawns, gardens, planting, trees, verge vegetation and drains are met by the contractor.

The contractor will use underground boring construction methods in order to avoid the removal of trees and vegetation.

In exceptional circumstances the City of Busselton may agree to tree removal/vegetation removal where it is not possible to underground bore for technical reasons and no alternative route for the service is available. In this instance the contractor will be required to replant with equivalent plant species and tree species in order to return the verge to pre work standards. Vegetation planting and tree planting/species will be in accordance with the City of Busselton's Technical specifications. If specialist arborist are required this will be at the cost of the contractor.

Works completed by contractors require the approval of specifications to Council adopted standards, endorsement of a Traffic Management Plan (TMP) and payment of a bond according to Council's Standard Fees and Charges prior to commencement and prior to excavations. Where works are carried out by a contractor under the management and supervision of a Public Utility no payment of bonds is applicable subject to there being a 12 months defects period.

Council requires payment in advance, where the reinstatement is undertaken by the City of Busselton, based on standard rates in the Schedule of Fees and Charges. Retention of contractor payments by a recognised public utility for the purpose of securing the reinstatement is acceptable in lieu of a bond.

The contractor shall leave and maintain the site in a safe condition and where excavation and trenching takes place, carry out the backfill and compaction using the appropriate materials, to Council's standards and specifications, until such time as the reinstatement is complete. Aftercare signage and delineation in accordance with a City of Busselton endorsed traffic management plan shall remain in place until the reinstatement is complete.

Pre-works and post-works inspections are to be carried out to determine any existing defects and to ensure any reinstatements are carried out to the City's standards and specifications.

The City of Busselton may carry out surface repairs, such as to paths, drains, road concrete crossovers and kerbing, not completed to its satisfaction and within 14 days of completion of backfill of excavations using the expenses to recover. Bonds shall be retained for a minimum of three months after completion of the reinstatement to ensure failure, subsidence or fault can be rectified.

#### 4. APPLICATION OF THE POLICY

The policy shall be applied by Engineering and Works Services.

### Policy Background

Owner Unit – Engineering and Facility Services
Originator – Historical
Policy approved by – Council
Date Approved – 27 June 2012
Review Frequency – As required
Related Documents – N/A

# <u>History</u>

Council Resolution	Date	Information
C1206/155	27 June 2012	Update to new policy format
		Version 2
		Version 1

# Reinstatement of Works in Road Reserves Policy With Changes Tracked

Last updated 27 June 2012

195 Reinstatement of Works in Road Reserves V2-Current3 DRAFT

#### PURPOSE

This policy is to provide guidelines to ensure the City of Busselton's expectations are met where road or public utility works are carried out in a road reserve by contractors.

#### SCOPE

The policy applies to any occasion when reinstatement of a road reserve is required due to contractor activity.

#### 3. POLICY CONTENT

Where road or public utility works carried out by contractors occurs in a road reserve it is to be ensured that there is full reinstatement and that all costs for reinstatement of drainage to roads, paths, street furniture, lawns, gardens, planting, trees, verge vegetation and drains are met by the contractor.

The contractor will use underground boring construction methods in order to avoid the removal of trees and vegetation.

In exceptional circumstances the City of Busselton may agree to tree removal/vegetation removal where it is not possible to underground bore for technical reasons and no alternative route for the service is available. In this instance the contractor will be required to replant with equivalent plant species and tree species in order to return the verge to pre work standards. Vegetation planting and tree planting/species will be in accordance with the City of Busselton's Technical specifications. If specialist arborist are required this will be at the cost of the contractor.

Where road or public utility works carried out by contractors occurs in a road reserve it is to be ensured that there is full reinstatement and that all costs for reinstatement of drainage to roads, paths, street furniture, lawns, gardens and drains are met by the contractor.

Works <u>completed</u>done by contractors require the approval of specifications to Council adopted standards, <u>endorsement of a Traffic Management PolicyPlan (TMP)</u> and payment of a bond according to Council's Standard Fees and Charges prior to commencement and prior to excavations. <u>Where works are carried out by a contractor under the management and supervision of a Public Utility no payment of bonds is applicable subject to there being a 12 months defects period.</u>

Council requires payment in advance, where the reinstatement is undertaken by the City of Busselton, based on standard rates in the Schedule of Fees and Charges. Retention of contractor payments by a recognised public utility for the purpose of securing the reinstatement is acceptable in lieu of a bond.

The contractor shall leave and maintain the site in a safe condition and where excavation and trenching takes place, carry out the backfill and compaction using the appropriate materials, to Council's standards and specifications, until such time as the reinstatement is

# Reinstatement of Works in Road Reserves Policy With Changes Tracked

Last updated 27 June 2012

complete. Aftercare signage and delineation in accordance with a City of Busselton endorsed traffic management plan shall remain in place until the reinstatement is complete.

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<u>Pre-works and post-works inspections are to be carried out to determine any existing defects and to ensure any reinstatements are carried out to the City's standards and specifications.</u>

The City of Busselton may carry out surface repairs, such as to paths, drains, road concrete crossovers and kerbing, not completed to its satisfaction and within 14 days of completion of backfill of excavations using the expenses to recover. Bonds shall be retained for a minimum of three months after completion of the reinstatement to ensure failure, subsidence or fault can be rectified.

#### 4. APPLICATION OF THE POLICY

The policy shall be applied by Engineering and Works Services.

#### **Policy Background**

Policy Reference No. - 195
Owner Unit – Engineering and Facility Services
Originator – Historical
Policy approved by – Council
Date Approved – 27 June 2012
Review Frequency – As required
Related Documents – N/A

<b>Council Resolution</b>	Date	Information
C1206/155	27 June 2012	Update to new policy format
		Version 2
		Version 1

### 11. PLANNING AND DEVELOPMENT SERVICES REPORT

11.1 AMENDMENT NO. 17 TO LOCAL PLANNING SCHEME NO. 21 - INTRODUCTION OF A SPECIAL PROVISION AREA TO PERMIT AN UNRESTRICTED LENGTH OF STAY AND REZONE PORTION OF LAND FROM PUBLIC PURPOSE RESERVE TO AGRICULTURE - DUNSBOROUGH LAKES HOLIDAY RESORT AND CARAVAN PARK - CONSIDERATION FOR FINAL APPROVAL

**SUBJECT INDEX:** Town Planning Schemes and Amendments

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
ACTIVITY UNIT: Strategic Planning and Development
REPORTING OFFICER: Senior Strategic Planner - Helen Foulds

**AUTHORISING OFFICER:** A/Director, Planning and Development Services - Martyn Glover

**VOTING REQUIREMENT:** Simple Majority

**ATTACHMENTS:** Attachment A Location Plan

Attachment B Scheme Amendment Map Attachment C Schedule of Submissions

#### **PRÉCIS**

The Council is requested to consider adopting for final approval draft Amendment No. 17 to Local Planning Scheme No. 21 (LPS21).

The intent of the proposal is twofold:

- (1) to correct an anomaly by rezoning a 'Public Purpose' (Drain) Reserve to 'Agriculture' zone; and
- (2) to introduce a 'Special Provision' that will allow for no more than 15% of developed sites to be utilised on an 'unrestricted length of stay' basis (i.e. for greater than 3 months by any one person in any 12 month period).

The amendment was advertised for 42 days (between 20 January and 2 March 2016) and no objections were received. An assessment of the submissions did not reveal any substantive issues.

It is considered that the proposal is broadly consistent with the strategic planning framework applicable to the area. Officers are recommending that the amendment be adopted for final approval.

#### **BACKGROUND**

The Council is asked to consider a scheme amendment over Lot 2761 Commonage Road, Quindalup, known as the Dunsborough Lakes Holiday Resort and Caravan Park. The subject land, which was developed as a caravan park in the mid-1990's is 37.12ha in area and is situated directly opposite the Dunsborough Lakes residential area on Commonage Road.

The proposal seeks to accomplish two key elements:

- 1. Correct an anomaly by zoning a 'Public Purpose (Drain)' Reserve to 'Agriculture' zone; and
- 2. Introduce a special provision to permit an unrestricted length of stay for up to 15% of caravan sites.

To achieve the objectives of the second part of the amendment it is proposed to include the whole of the subject land within a Special Provision Area pursuant to Schedule 3 of LPS21, as outlined in the table below –

No.	Particulars of	Zone	Special Provision
	Land		
60	Lot 2761 (Vol 2214 & Folio 197) Commonage Road, Quindalup	Agriculture	1. That Council may approve the use of up to, but not more than, 15% of caravan sites developed on-site with no restriction on length of stay. The remainder of the caravan sites shall be for short-stay use only and subject of length of stay restrictions to no more than 3 months in any 12 month period.
			2. The caravan sites provided for use on an unrestricted length of stay basis shall be proportionate to the total number of short-stay caravan sites developed at any given time.
			3. Upon Gazettal of Scheme Amendment No. 17, sites to be utilised on an 'unrestricted length of stay' basis are to be clearly identified by lodgement and approval of an application for planning approval.

The proposed amendment would facilitate a variation for specific caravan sites to the standard restriction of 3 months occupancy within a 12 month period that applies to tourist accommodation, to allow the occupiers to occupy a site for an unrestricted length of time. It should be noted there are a number of people permanently residing on the site at present, which is not consistent with the current town planning scheme.

### STATUTORY ENVIRONMENT

The *Planning and Development Act 2005* outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this amendment. The *Planning and Development (Local Planning Schemes) Regulations 2015*, which came into operational effect on 19 October 2015, identifies three different levels of amendments – basic, standard and complex. This Amendment has been identified and processed as a 'standard' amendment.

The City of Busselton Local Planning Scheme No. 21 (the Scheme) identifies the majority of the land within the 'Agriculture' zone, with a small portion identified as 'Public Purpose (Drain)' Reserve. The property is developed for 'Caravan Park & Camping Grounds', which is defined pursuant to Schedule 1 or LPS21 as meaning —

"a property licensed for the placement of caravans and may also include camping sites."

Clause 5.18 of LPS21 deals with residential occupancy of tourist developments as follows:

- "5.18.1 No person shall occupy a tourist accommodation unit, chalet, caravan, camp or any other form of tourist accommodation for more than a total of 3 months in any one 12 month period.
- 5.18.2 Notwithstanding the provisions of clause 5.18.1 and subject to consideration of the need to make available adequate tourist accommodation the local government may grant planning approval for the permanent occupancy of up to 15% of caravan sites within a caravan park only on land in the Residential zone or Tourist zone."

On 9 March 2016, the Council adopted for final approval, the majority of Omnibus Amendment No. 1, which included an amendment to Clause 5.18 as follows:

### "5.18 PERMANENT/RESIDENTIAL OCCUPATION OF TOURIST DEVELOPMENTS

- 5.18.1 Outside the residential zone, occupation by any person of the following use classes approved under the Scheme as short stay accommodation is limited to a maximum of 3 months in any 12 month period. This applies to the following use classes:
  - (a) Guesthouse;
  - (b) Chalet;
  - (c) Caravan Park;
  - (d) Park Home Park;
  - (e) Tourist Accommodation.
- 5.18.2 Notwithstanding the provisions of clause 5.18.1 and subject to consideration of the need to make available adequate tourist accommodation the local government may grant planning approval for the permanent occupancy of up to:
  - (a) 100% of caravan sites within a Caravan Park or Park Home Park on land in the Residential zone; and
  - (b) 15% of caravan sites within a Caravan Park or Park Home Park on land in the Tourist zone."

This proposed amendment to Clause 5.18 does not alter the intent of the clause as it relates to Amendment No. 17 and is still subject (together with the rest of Omnibus Amendment No. 1) to final approval by the WAPC/Minister.

Although the subject land is zoned 'Agriculture', clause 6.3.1 of LPS21 provides the mechanism for Special Provisions to be introduced into the Scheme, in addition to provisions normally applying to that zoning, where suitable and appropriate and for the Scheme Map to be updated accordingly.

### **RELEVANT PLANS AND POLICIES**

The key policy implications for consideration of the proposed amendment are set out in:

- \* the Western Australian Planning Commission *Planning Bulletin 83/2013 Planning for Tourism*;
- \* the Western Australian Planning Commission Planning Bulletin 49/2014 Caravan Parks;
- \* the City of Busselton Local Tourism Planning Strategy;
- \* the City of Busselton Local Rural Planning Strategy; and
- \* the City of Busselton Rural Tourist Accommodation Policy Provisions.

Each is discussed below under appropriate subheadings.

## Western Australian Planning Commission (WAPC) Planning Bulletin 83/2013 – Planning for Tourism

The Bulletin sets out the policy of the WAPC to guide decision making by the WAPC and local government for subdivision, development and scheme amendment proposals for tourism purposes. Policy provisions outlined in this bulletin relevant to the consideration of the proposed amendment include –

- \* Proposals for non-tourist accommodation developments (such as permanent residential, commercial, retail and restaurant) within tourism sites to facilitate the development of tourist accommodation should be considered on a case-by-case basis.
- \* For permanent residential use, local governments may set a percentage limit within their local planning strategy or local planning policy.

# Western Australian Planning Commission Planning Bulletin 49/2014 – Caravan Parks

This Bulletin provides guidance on matters to be taken into consideration in planning for caravan parks, including the development of new or redevelopment of existing parks. Relevant statements made in this bulletin to the proposed amendment include –

- \* The retention and development of caravan parks as affordable holiday accommodation within the State is a priority that is being addressed across government.
- \* A key planning objective to ensure the compatibility of short-stay and long-stay (occupancy for any period of time greater than three months in any twelve month period) uses of caravan parks through appropriate separation.
- \* Where practicable, caravan parks comprising a long-stay component should be located where there is access to urban facilities and amenities.
- \* There is a presumption against caravan parks comprised of long-stay residents being located in areas of high tourism value because it is preferable that these sites/locations are secured for tourism purposes.
- \* Any long-stay accommodation should complement the short-stay sites with priority given to locating short-stay accommodation on those areas of the site providing the highest tourism amenity (e.g. the beachfront, proximity to shared ablution blocks).
- \* The design of the caravan park should separate any long-stay accommodation from shortstay accommodation to help ameliorate noise and social issues. Where possible, separate facilities and access should be provided.

## **City of Busselton Local Tourism Planning Strategy**

The Local Tourism Planning Strategy (the Tourism Strategy) provides the long term strategic land use planning and strategic direction for tourism development within the District. The Tourism Strategy identifies specific parcels of land as Strategic Tourism Sites, Strategic Tourism Precincts and Non-strategic Tourism Sites, all of which are to be retained for tourism purposes. The Tourism Strategy supports an unrestricted length of stay component on non-strategic sites subject to meeting assessment criteria.

Whilst the Tourism Strategy is silent on the matter of caravan parks on 'Agriculture' zoned land and does not specifically identify the tourism development on this property, recommendation 3.12 of the strategy states as follows:

"3.12 Support a change to District Town Planning Scheme 20 (Clause 43(2)) [now clause 5.18.2 of Local Planning Scheme No. 21] to permit consideration of up to 15% of caravan sites for permanent occupancy in caravan parks abutting or adjoining urban zones."

# **City of Busselton Local Rural Planning Strategy**

The Local Rural Planning Strategy (the Rural Strategy) guides land use and development in the rural areas of the municipality. The subject land is located within Precinct 5 'Central Rural', which is considered to comprise the "rural wedge" between the Busselton/Vasse and Dunsborough urban centres. The Rural Strategy acknowledges existing tourist developments within this precinct, including along Commonage Road, being on the periphery of the urban area. The precinct vision is to retain the rural wedge between Busselton and Dunsborough and support rural-based tourist development in a manner that sustains the existing natural environment, landscape values and character of the area.

# **City of Busselton Rural Tourist Accommodation Policy Provisions**

Whilst the existing development is consistent with the relevant requirements of the Rural Tourist Accommodation policy provisions in terms of development design (location, site area, density, etc) the Policy provisions are silent on the matter of length of stay.

## **FINANCIAL IMPLICATIONS**

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

# **Long-term Financial Plan Implications**

Nil.

#### STRATEGIC COMMUNITY OBJECTIVES

The proposed amendment is considered to be consistent with the following community objectives of the City's *Strategic Community Plan 2013* –

- 2.2 A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections; and
- 3.1 A strong, innovative and diverse 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 identified 'downside' risks only, rather than upside risks as well. In this regard, there are no significant risks identified.

## **CONSULTATION**

The amendment was advertised for public consultation for 42 days, with the public submission period closing on 2 March 2016. One public submission of support was received from a neighbouring landowner. Six submissions were received from public authorities in which no substantive issues were raised (refer to Attachment C). The submissions are noted and no further action is necessary.

## **OFFICER COMMENT**

The proposed Scheme Amendment has two components:

(1) to rezone an area of the subject property currently identified as 'Public Purpose (Drain) Reserve' to 'Agriculture'; and

(2) to permit up to 15% of caravan sites to be utilised for unrestricted length of stay accommodation.

Each component is addressed below under separate headings.

## Rezone the Public Purpose (Drain) Reserve

Whilst the majority of Lot 2761 and surrounding properties are zoned 'Agriculture', there is a narrow 9 metre-wide strip of Public Purpose (Drain) Reserve that runs the length of the southern boundary. The original intent of this reserve is unknown and, given that it is located on private property, it is not available for that public purpose. Relevant government authorities were invited to provide comment on the proposed Amendment, all of which provided 'no objection' to the proposal.

# **Unrestricted Length of Stay**

The proponent seeks an approval to allow for patrons to permanently reside at the caravan park and to continue providing a unique, low cost accommodation facility within the Dunsborough area.

Tourism Planning guidelines acknowledge the need to support and retain caravan parks across the State to provide for affordable holiday accommodation. In many instances caravan parks in primary tourist locations have over time been redeveloped into more up-market accommodation, reducing the availability of more affordable accommodation to the general public.

There is currently no provision in the Scheme that covers the unrestricted length of stay in tourism sites outside of the 'Residential' and 'Tourist' zones and this type of proposal is therefore covered on a case by case basis. As the site is zoned 'Agriculture' and contains an established caravan park over a portion of the property, a maximum allowance of up to 15% of sites to be used for an unrestricted length of stay ensures that those sites remain secondary to the general short-stay tourist purpose whilst assisting the commercial viability of the park, particularly given the seasonal nature of the industry.

Tourism Planning guidelines generally require innovative planning of the residential components of a development to enhance the tourism use of the site and to ameliorate potential conflicts that may arise, such as noise, between tourist accommodation and permanent residents.

The proponent feels that the requirement to consolidate permanent residents into one or more areas of the site is impractical as the standard process of accommodating permanent stay residents within the caravan park is apparently for the proposed tenant to select a site, rather than the site being the choice of the park operator. The proponent has suggested that as a result there will be a spread of permanent residents/sites that are unlikely to comply with the intent of Planning Bulletins 49/2014 and 83/2013 in relation to separation. Whilst it is acknowledged that it would be impractical to relocate existing residents, the effort should be made over time to ensure that any new residents are placed in an appropriate area of the caravan park that works towards consolidation of the unrestricted length of stay sites. It is envisaged this would be examined further through a development application process following gazettal of the proposed Amendment, if it is endorsed.

Given the location of the site on the periphery of the Dunsborough urban area, it is well located for access to urban facilities and amenities whilst not being considered an area of high tourism value (it is not identified as a strategic or non-strategic tourism site in the Tourism Strategy). As such, support is recommended for the proposal to allow a component of unrestricted length of stay opportunity (for up to a maximum 15% of developed sites) within the subject caravan park.

## **CONCLUSION**

The proposal is consistent with the relevant strategic planning framework and the desirable outcomes it seeks to achieve. The proposal is therefore recommended to be adopted for final approval.

## **OPTIONS**

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

- 1. Resolve to decline the request to adopt the amendment for final approval and provide a reason for such a decision.
- 2. Resolve to adopt the amendment for final approval, subject to modification(s).

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The implementation of the Officer Recommendation will involve referral of the Scheme Amendment documents to the Western Australian Planning Commission and this will occur within one month of the date of the Council decision.

#### OFFICER RECOMMENDATION

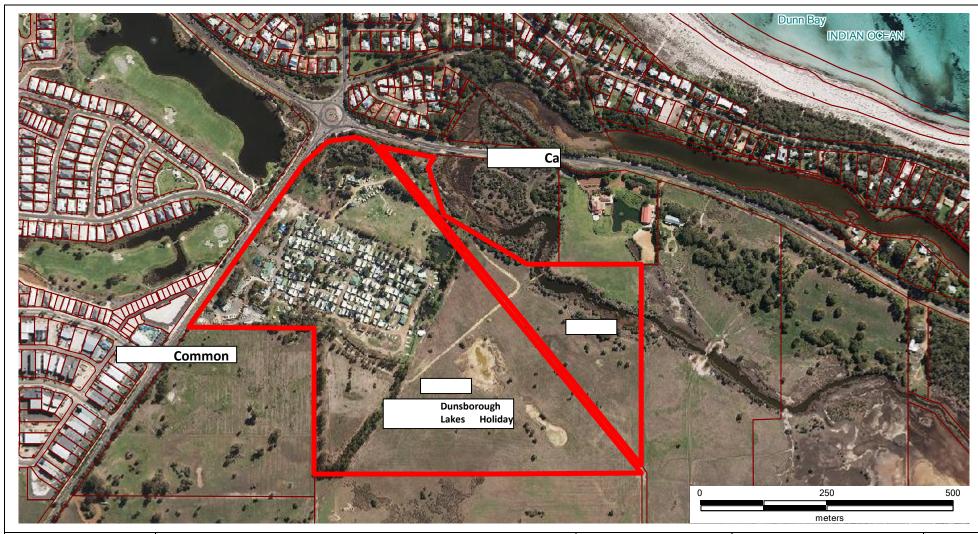
That the Council:

- 1. Pursuant to s. 75 of Part V of the Planning and Development Act 2005, resolves to adopt draft Amendment No. 17 to the City of Busselton Local Planning Scheme No. 21 for final approval, for the purposes of:
  - a) zoning portion Lot 2761 Commonage Road, Quindalup from Public Purpose Reserve (Drain) to Agriculture;
  - b) amending Schedule 3 Special Provision Areas of the Scheme Text to include the subject land within the Schedule as follows:

No.	Particulars of Land	Zone	Special Provisions
60	Lot 2761 (Vol 2214 & Folio 197) Commonage Road, Quindalup	Agriculture	<ol> <li>That Council may approve the use of up to, but not more than, 15% of caravan sites developed on-site with no restriction on length of stay. The remainder of the caravan sites shall be for short-stay use only and subject of length of stay restrictions to no more than 3 months in any 12 month period.</li> <li>The caravan sites provided for use on an unrestricted length of stay basis shall be proportionate to the total number of short-stay caravan sites developed at any given time.</li> <li>Upon Gazettal of Scheme Amendment No. 17, sites to be utilised on an 'unrestricted length of stay' basis are to be clearly identified by lodgement and approval of an application for planning approval.</li> </ol>

c) amending the Scheme Map accordingly.

- 2. Pursuant to r.53 of the *Planning and Development (Local Planning Schemes) Regulations* 2015, resolves to endorse the 'Schedule of Submissions' at Attachment C prepared in response to submissions received on the draft Amendment No. 17 following public consultation between 20 January and 2 March 2016.
- 3. Pursuant to r.53 and r.55 of the *Planning and Development (Local Planning Schemes)*Regulations 2015, resolves to provide the draft Amendment No. 17 to the Western Australian Planning Commission with a request for the approval of the Hon. Minister for Planning.
- 4. Pursuant to r. 56 of the *Planning and Development (Local Planning Schemes) Regulations* 2015, should directions be given that modifications to the draft Amendment No. 17 are required, these modifications are to be undertaken accordingly, on behalf of the Council, unless they are considered by Officers to be likely to significantly affect the purpose and intent of the proposed Amendment, in which case the matter shall be formally referred back to the Council for assessment and determination.





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

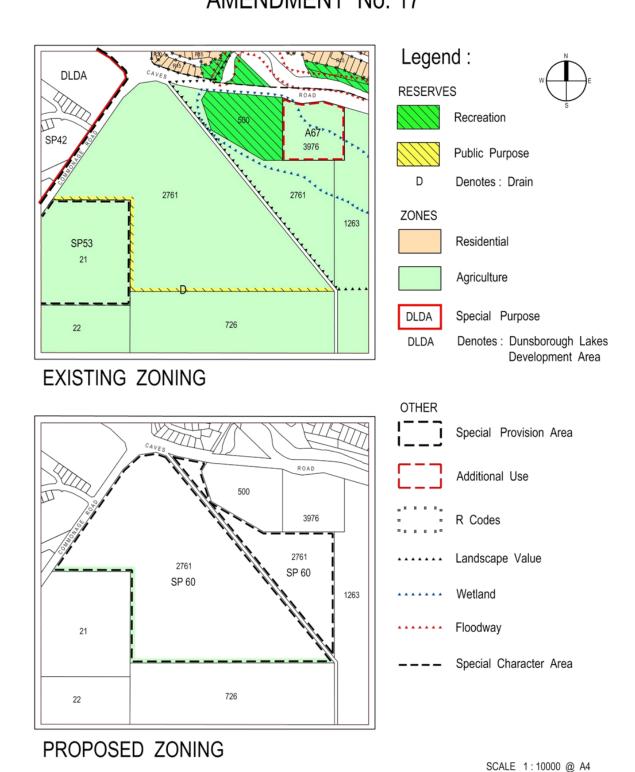
LOT 2761 COMMONAGE ROAD, QUINDALUP (Dunsborough Lakes Holiday Resort and Caravan Park

Produced on: Wednesday, 7 October 2015

Map Scale: 1:7500



# CITY OF BUSSELTON LOCAL PLANNING SCHEME No. 21 AMENDMENT No. 17



Attachment C Schedule of Submissions

# **SCHEDULE OF SUBMISSIONS**

13 April 2016

AMD21/0017 - Amendment No. 17 - Introduce Special Provision No. 60 (to permit 15% unrestricted length of stay) and rezone portion of the lot from 'Public Purpose Reserve (Drain)' to 'Agriculture' Lot 2761 (No. 9) Commonage Road Quindalup (Dunsborough Lakes Caravan Park)

NO.	ADDRESS	NATURE OF SUBMISSION	COMMENT	RECOMMENDATION		
Govern	Government Agencies					
1	Department of Water South West Region	No objection.  There is no DoW owned infrastructure within the subject land.	Noted.	That the submission be noted.		
2	ATCO Gas Australia 81 Prinsep Road Jandakot WA 6164	No objection.	Noted.	That the submission be noted.		
3	Water Corporation PO Box 100 Leederville WA 6902	No objection.	Noted.	That the submission be noted.		
4	Department of Agriculture and Food PO Box 1231 Bunbury WA 6230	No objection.	Noted.	That the submission be noted.		
5	Department of Fire and Emergency Services Bunbury WA 6230	No objection.	Noted.	That the submission be noted.		
6	Department of Health PO Box 8172 Perth Business Centre WA 6849	1. Wastewater Disposal No objection (connection to reticulated sewerage via private pump stations).  2. Mosquito-borne Disease Control Program and Services Region regularly experiences significant problems with nuisance and disease carrying mosquitoes (Ross River and Barmah Forest viruses). The subject land is within 3km of mosquito breeding habitat associated with Dunsborough Lakes and Toby Inlet. Mosquitoes will disperse from these sites to the subject land under favourable environmental conditions. Additionally, there is the potential for mosquitoes to breed in on-site infrastructure and constructed water	<ol> <li>Noted.</li> <li>The City of Busselton intends to continue mosquito management into the future. Also any potential future subdivision of the land would require a notification be placed on the new titles such that new residents are warned of the risk of mosquitoborne disease and the potential for nuisance mosquitoes.</li> </ol>	That the submission be noted.		

NO.	ADDRESS	NATURE OF SUBMISSION	COMMENT	RECOMMENDATION
		bodies if they are poorly designed and maintained.		
		To mitigate the threat, the City of Busselton will		
		need to ensure it has sufficient resources to		
		continue mosquito management for the future of		
		the development. Also, new residents are to be		
		warned of the risk of mosquito-borne disease and		
		the potential for nuisance mosquitoes via an		
		appropriately worded notification on any newly		
		created property titles.		
Public S	ubmissions			
7	Topsouth Holdings Pty Ltd.	Support proposed 15% unrestricted length of stay.	Noted.	That the submission be
	PO Box 699			noted.
	Dunsborough WA			

## 11.2 PROPOSED SUPERMARKET (ALDI) AND SHOWROOM, LOT 17, WEST STREET, BUSSELTON

**SUBJECT INDEX:** Statutory Planning Development Assesment

**STRATEGIC OBJECTIVE:** Governance systems that deliver responsible, ethical and accountable

decision-making.

**BUSINESS UNIT:** Development Services; Environmental Services

**ACTIVITY UNIT:** Statutory Planning

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

**VOTING REQUIREMENT:** Simple Majority

**ATTACHMENTS:** Attachment A Location Plan

Attachment B Land Use Concept Plan

Attachment C Site Plan

Attachment D Site Works Approval

Attachment E Elevations

Attachment F Confidential Legal Advice
Attachment G Schedule of Submissions
Attachment H SAT Order for Reconsideration

Attachment I Consolidated Copy of Agenda Report and Minutes of

10 February 2016 Council Meeting

#### **PRÉCIS**

An application for approval for development of a supermarket (understood to be for an 'Aldi' store) was refused by the Council at its meeting of 10 February 2016. The applicants have subsequently lodged an application for review with the State Administrative Tribunal (SAT). As is sometimes the case with SAT matters, SAT has invited the Council to reconsider the application before the review process proceeds any further. The SAT has required the Council to advise of the outcome of its reconsideration by no later than 18 April.

#### **BACKGROUND**

The City on 10 February 2016 resolved (C0162/018) -

"That the Council refuses the development application for a proposed supermarket (ALDI) and showroom, Lot 17, West Street, Busselton.

The reasons for refusal are:

- 1. It would fragment the town centre, creating a frequent use supermarket area disconnected from the CBD, an outcome that does not align with the Community Objective 2.2 of the Strategic Community Plan. It would create a new shopping area separate from the existing community that has little to no opportunity for social interaction or community connection, eroding social capital.
- 2. The proposed location was considered for show rooms that would be less frequently visited than a supermarket, the increase in traffic from would negatively impact on traffic flow and congestion, or require significant financial investment from the City to upgrade Bussell Highway and West Street.
- The zoning of the area does not explicitly allow a supermarket in this location."

A consolidated copy of the agenda report and minutes (excluding attachments) associated with that decision is provided as Attachment I. A series of other relevant attachments are provided as

Attachments A-H. Given the information provided as Attachment I, however, a detailed description of the proposal and the assessment provided at that time has not been repeated in the body of this report.

## STATUTORY ENVIRONMENT

#### State Administrative Tribunal Act 2004

At its meeting of 10 February Council resolved by a 5 to 4 majority to refuse the application in relation to the proposed Aldi supermarket and showroom at lot 17 West Street. Realview Holdings has made application to the State Administrative Tribunal in relation to the decision of the Council (C0162/018).

Pursuant to s.31 State Administrative Tribunal Act 2004 the SAT has invited Council's reconsideration of its original decision in relation to this application.

The Council now has the option to reconsider the proposal and in doing so makes a new determination. It is free to either make the same determination as it made on 10 February 2016 or it can decide to grant consent to the proposal subject to conditions.

For further description of the Statutory Environment, see Attachment I.

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

The relevant plans and policies are set out and described in Attachment I.

#### **FINANCIAL IMPLICATIONS**

There are no relevant financial implications in relation to the assessment of the application.

# **Long-term Financial Plan Implications**

There are no relevant long term financial plan implications in relation to the assessment of the application.

# STRATEGIC COMMUNITY OBJECTIVES

Governance systems that deliver responsible, ethical and accountable decision making.

## **RISK ASSESSMENT**

There are a range of organisational risks associated with this matter, but they are generally not relevant to the decision the Council is being asked to make and, as such, they are not set out in this report.

# **CONSULTATION**

The consultation process and outcomes are described in Attachment I.

### **OFFICER COMMENT**

When the Council first considered this matter at its 10 February meeting, it decided to refuse the application, for the following reasons –

- 1. It would fragment the town centre, creating a frequent use supermarket area disconnected from the CBD, an outcome that does not align with the Community Objective 2.2 of the Strategic Community Plan. It would create a new shopping area separate from the existing community that has little to no opportunity for social interaction or community connection, eroding social capital.
- 2. The proposed location was considered for show rooms that would be less frequently visited than a supermarket, the increase in traffic from would negatively impact on traffic flow and congestion, or require significant financial investment from the City to upgrade Bussell Highway and West Street.
- 3. The zoning of the area does not explicitly allow a supermarket in this location.

Councillors would be aware that officers previously recommended approval of the application, and the rationale for that recommendation is set out in Attachment I. Officers were and remain of the view, however, that the issues associated with the application are quite complex and difficult, and that the Council's decision to refuse the application was a reasonable one. It is, however, also seen as appropriate that officers provide some further advice in relation to the Council's reasons for refusal due to the previous resolution being put forward by a Councillor (and therefore without substantial officer comment).

In relation to reason for refusal number one, that the proposed development, it if were to proceed, would fragment the town centre, it is clear that the development of a supermarket, in association with a discount department store, would create a separate activity node isolated from the existing town centre. It is also clear that approval of a supermarket in this location would act to reduce the likelihood of development occurring in the existing City Centre. Avoidance of that kind of outcome is a legitimate planning consideration, especially as the relevant planning framework, including the Council and WAPC endorsed *City of Busselton Local Commercial Planning Strategy* does not support the extension of the City Centre, or the creation of a node of shop retail/town centre development (other than a single discount department store), in the area in which the development is proposed.

Instead, the relevant planning framework supports the consolidation of the City Centre within the area currently subject of the 'Business' zoning, which does not extend to the west of West Street. Approval of a supermarket on the land would clearly have the potential to undermine that aim. In very simple terms, whilst it is not appropriate for the Council to favour development by or for one particular landowner, developer or operator, it is appropriate for the Council to consider the most appropriate location for development, and where discretion exists, refuse development where it considers that development could and should occur in a more appropriate location. It is also clear that, whilst greenfields development is usually easier than redevelopment within an existing town or city centre, the challenges associated with assembling sites in the Busselton City Centre are not especially great, in comparison with many other, comparable centres.

In relation to reason for refusal number two, relating to potential traffic impacts, whilst it is correct to some degree, it is not considered by officers that a supermarket of the scale proposed would have significant or identifiably greater impact than would the alternative land uses permitted by the town planning scheme. The underlying issue is that there are a limited number of, quite constrained routes, into and out of the City Centre, which creates significant traffic challenges. Significant traffic challenges are also created by any commercial development along and/or to the south of Bussell Highway/Albert Street, including development currently in place. Whilst any SAT review process would need to further consider traffic impacts, this is not considered to be a particularly strong reason for refusal. It should be noted, though, that should the application for review proceed to hearings, consideration is not limited to issues specifically identified as reasons for refusal set out in the decision being reviewed.

In relation to reason for refusal number three, relating to the zoning of the land, the observation is correct, but it is not a reason for refusal as such. This is, in fact, in many ways a variant of reason for refusal number one. It is fairly clear, though, that the intent of the inclusion of the 'supermarket' definition in the town planning scheme, which has created the discretion that allows for considering approval of the development was, in fact, actually designed to prevent development of a supermarket on the land. If the Council is to retain its previous position to refuse, a modification of this reason for refusal to reflect that situation would be seen as appropriate.

#### **CONCLUSION**

This is clearly a difficult and complex issue, with a wide range of matters to consider and a wide range of views in the community and more broadly. As set out in the earlier report on this matter, though, legal advice received by the City indicates that the Council does have the discretion to approve the development and doing so would not be an unreasonable decision.

#### **OPTIONS**

# Option 1 – refuse the application

That the Council refuses the development application for a proposed supermarket (ALDI) and showroom, Lot 17, West Street, Busselton.

The reasons for refusal are:

- 1. It would fragment the town centre, creating a frequent use supermarket area disconnected from the CBD, an outcome that does not align with the Community Objective 2.2 of the Strategic Community Plan. It would create a new shopping area separate from the existing community that has little to no opportunity for social interaction or community connection, eroding social capital.
- 2. The proposed location was considered for show rooms that would be less frequently visited than a supermarket, the increase in traffic from would negatively impact on traffic flow and congestion, or require significant financial investment from the City to upgrade Bussell Highway and West Street.
- 3. The zoning of the area does not explicitly allow a supermarket in this location.

## Option 2 – approve the application

## That the Council resolve

- That application DA15/0578 submitted for development of a Discount Department Store at Lot 17 West Street Busselton is generally consistent with Local Planning Scheme No. 21 and the objectives and policies of the zone within which it is located.
- That application DA16/0578 submitted for development of a Discount Department Store at Lot 17 West Street Busselton is approved 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 details and plan(s) (enclosed).

## Prior to Commencement of any works conditions:

- 3. That development hereby approved or any work associated with this approval must not commence until the site works as approved in DA15/0577 have been completed. These works create the land suitable for development.
- 4. 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
  - 1. A Dust Management Plan detailing measures to be implemented to minimise the amount of dust pollution.
  - II. Details of signage, including but not limited to the design, materials and levels of illumination.
  - III. Details of type and colour of all external materials to be used.
  - IV. Details of materials colours and articulation treatments that are to be applied to the south elevations to bring forward and setback elements to create features of interest and reduce the appearance of bulk; such as has been provided using parapets and intervening colour panels as used on the north face.
  - V. A detailed plan which shows natural ground levels, finished ground levels and finished floor levels
  - VI. A detailed external lighting plan. Aside from avoiding excessive light spill it should enhance security to the carpark and can it be used to create visual interest on the building's form.
  - VII. Details of bicycle parking facilities including location and design.
  - VIII. A Construction Management Plan, which shall include details of site offices, material compounds, construction parking.
- 5. 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.

Note: The City may agree to this amount being combined with percent for art contributions arising from other development on the site and the artworks being undertaken at the site. Artworks undertaken at the site in this regard are to be applied to the area adjoining West Street.

# Prior to Occupation/Use of the Development Conditions:

6. The development hereby approved shall not be occupied, or used, until all plans, details or works required by Conditions 3 - 5 have been implemented.

# **Ongoing conditions:**

- 7. All signage is to be maintained in good condition with an unbroken or faded surface.
- 8. Windows facing east and the carpark (north face) should remain open to views and shall not be covered by more than 20% such as for advertising.

# <u> Advice Notes:</u>

- 1. This Decision Notice grants planning consent to the development the subject of this application (DA15/0579). 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.
- 2. Please note it is the responsibility of the applicant / owner to ensure that, in relation to substantial commencement, this Planning Consent remains current and does not lapse. The City of Busselton does not send reminder notices in this regard.
- 3. 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.
- 4. Details will be required at building permit for the provision of a static water supply for fire-fighting purposes. Hydrant pressure alone cannot be relied upon. This supply may be in conjunction with the requirements of other development at Lot 17.

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The SAT and proponent will be advised of the Council decision by no later than 18 April 2016.

# **OFFICER RECOMMENDATION**

No specific recommendation is made, with the Council being provided the two options as set above.



Land Use Concept Plan

# LAND USE CONCEPT PLAN

# Lot 17 West Street, West Busselton

The purpose of this Land Use Concept Plan (LUCP) is to provide an appropriate layout for the future subdivision and development of Lot 17 West Street, West Busselton, and implement the conditions of the Special Provision Area 26 and Additional Use 64 (A64) conditions of the City of Busselton's Local Planning Scheme No.21 (LPS21).

The following provisions apply to the subdivision and development of land within this LUCP:

- 1. At least 50% of the DDS building footprint shall be within the A64 area.
- 2. A dual use path is to be fully constructed to link Prince Regent Drive with West Street in the first stage of the subdivision, generally in the location as shown on the LUCP.
- 3. Public access, in the form of a public access easement (or equivalent) for vehicles and pedestrians, shall be provided:
  - · linking West Street, Bussell Highway and Prince Regent Drive, via adjoining Lots 3 and 11, and
  - along the southern boundary of Lots 4, 401, 300, 143, 144, 100 and 22 (but not connecting directly to West Street)

in the locations generally shown on this LUCP. The public access easement (including intersections with West Street and Bussell Highway) shall be constructed as part of the first stage of the development.

- 4. A gate shall be erected between the southern boundary of Lot 22 and the northern boundary of Lot 500, restricting access between Lot 17 and West Street by all persons with the exception of the registered proprietor of Lot 143 on Deposited Plan 27202.
- 5. An urban water management plan for the whole of the site to be submitted and approved prior to the first stage of subdivision or development, whichever occurs first.
- 6. Land reserved for Recreation purposes under LPS21 is to be ceded to the Crown as a condition of subdivision for foreshore and drainage purposes. The reserve will serve a number of functions, including incorporation of an appropriate buffer to the adjacent CCW, provision of drainage swales, landscaping and vegetation and public access.
- 7. Development adjacent to Residential-zoned land shall be:
  - restricted to a single-storey.
  - · incorporate measures to avoid light spill into the adjacent residential area, and
  - · provide service areas that are enclosed and located to minimise noise and disturbance to the

to ensure an appropriate level of amenity and privacy to residential properties.

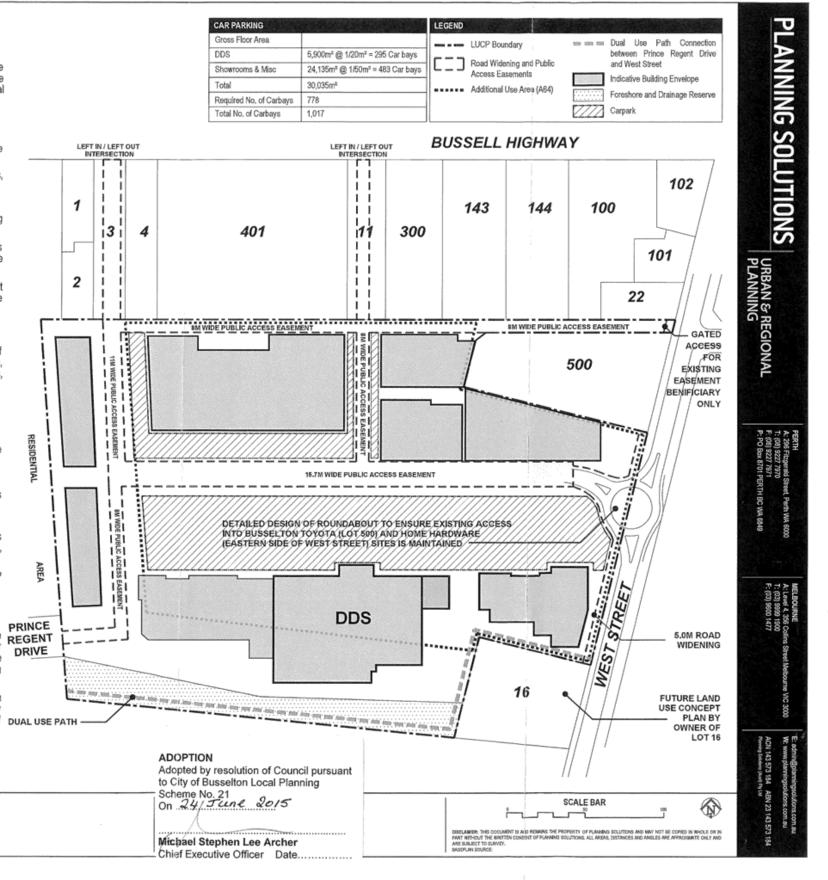
- 8. Building envelopes and car parks shall be constructed in the location as generally shown on this LUCP to maintain sightlines to buildings.
- 9. Public Access Easements and Car Parking:
  - a. All public access easements and the car park area south of the 15.7m wide public access easement to be constructed in full as part of the first stage of subdivision or development, whichever occurs first
  - b. Car parking shall be provided by the developers of each site as generally shown on the LUCP and subject to a public access easement (or equivalent).
- Road widening of West Street shown on the LUCP shall be ceded at the first stage of development.
- 11. Design Guidelines:
  - a. for the built form and provision of landscaping being provided on the LUCP that promote a simple architectural form, the use of glass at ground floor level which faces the carparks. clear identification of building entries, contiguous verandahs, enclosure of storage areas, and the landscaping methodology proposed for car parking and roadways areas and at the landscaping approach proposed for interface to the Wetland, and
  - b. for the built form being provided on the LUCP addressing the southern face of any building which faces towards the Wetlands, to incorporate design elements that break the expanse of walls by bringing forward and setting back elements and creating features of interest though the use of DUAL USE PATH light and shadow, colors and textures

prior to the first stage of development.

12. Development of Lot 16 shall not occur unless and until the LUCP has been amended to incorporate

LAND USE CONCEPT PLAN

LOT 17 WEST STREET WEST BUSSELTON WESTERN AUSTRALIA





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Our Ref: DA15/0577

Your Ref:

Enquiries: Anthony Rowe

28 January 2016

Planning Solutions PO Box 8701 PERTH WA 6849

Dear Sir/Madam,

# APPLICATION FOR DEVELOPMENT APPROVAL SITE WORKS - LOT 17 (HSE NO 80) WEST STREET WEST BUSSELTON

I refer to your application for Development Approval received by the City on 16th October 2015 for Site Works on the above mentioned site.

The City has considered the application and I can advise that the application has been approved, subject to conditions. A decision notice and approved plans are enclosed. Please note that this approval follows the conditions of subdivision WAPC 152597

Please take the time to carefully read the decision notice, including all conditions and advice notes, as well as any notations made on the approved plans, prior to commencing the development.

Please note that the decision notice is a Development Approval only and is not a building permit or any other form of approval.

If you have any queries regarding this matter please do not hesitate to contact Anthony Rowe direct on 9781 0473 or via email at Anthony.Rowe@busselton.wa.gov.au.

Yours sincerely

Paul Needham
DIRECTOR PLANNING AND DEVELOPMENT SERVICES

Enc: Decision Notice

Approved plans



Application No: DA15/0577

Decision Date: 29 January 2016

# **DECISION ON APPLICATION FOR DEVELOPMENT APPROVAL**

# CITY OF BUSSELTON LOCAL PLANNING SCHEME No. 21

The City having considered the application:

Dated: 16th October 2015
Submitted by: Planning Solutions

On behalf of: Realview Holdings Pty Ltd, E M Bardi, P E Bardi, Greatwave

Holdings Pty Ltd

Legal Description: Lot 17 PLAN 1717

Property Details: 80 West Street WEST BUSSELTON WA 6280

Proposal: Site Works

hereby advise that it has decided to:

## **GRANT DEVELOPMENT APPROVAL**

subject to the following conditions:

- The development hereby approved shall be substantially commenced within two years of the date of this decision notice.
- The works undertaken in accordance with the approved plan (stamped) except as may be modified by the following conditions.
- 3. Easements shall be provided in accordance with attached Easement Plan.
- No building/pad site is to be located within 6m of the new West Street boundary, established to accommodate a road widening of 5m.

## **Prior to Commencement of Any Works Conditions:**

- All buildings present on lots 3, 11 (plan of subdivision WAPC 152597) are to be demolished and removed.
- 6. The development hereby approved, or any works required to implement the development, shall not commence until the following plans or details have been submitted to the City and have been approved in writing:
  - $5.1 \qquad \text{Details for the provision of a suitable water supply service will be available to all lots.}$
  - 5.2 Details for the provision of a sewerage service will be available to the lots shown on the approved plan of subdivision.
  - 5.3 Details for the provision of an underground electricity supply to all lot(s).
  - 5.4 Details and specifications for all retaining walls and fencing.
  - 5.5 Details of the location and capacity of fire emergency infrastructure.
  - 5.6 Details for the transfer of land as a Crown reserve free of cost to Western Power for the provision of electricity supply infrastructure.

Attachment D

- 5.7 Details and specifications for street lighting, at the intersections with West Street and Bussell Highway to the standards of the relevant licensed service provider.
- 5.8 Detail of internal access roads, parking areas, and pedestrian path way lighting and arrangement for their ongoing management.
- 5.9 An Urban Water Management Plan prepared consistent with the local water management strategy LWMS, prepared in accordance with the WAPC Better Urban Water Management Guidelines 2008 and in consultation with the Department of Water.
- 5.10 A hard and soft Landscape Plan, the plan should include plantings locations and species in areas as indicatively shown on the Site Plan plus additional planning in the 6m set back from the new West Street road boundary. Particular attention is to be applied to trees within the parking areas,gate way landscaping at the West Street intersection, landscaping adjoining the dual use path to enhance the amenity at the southern boundary (Lot 09 and 10) and at Lot 12 to include land profiling to enhance the natural amenity despite accommodating the transition from wetland to site finished levels.

Note: This plan in relation to the West Street setback is encouraged to work in unison with any intended artworks (condition 7).

- 5.11 Engineering drawings and construction specifications:
  - For the filling and/or draining of the land, ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system.
     These Engineering drawings and specifications are to be in accordance with an approved Urban Water Management;
  - Ensuring roads and access ways connecting with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly;
  - c. For the provision of road and paved surfaces, including colour and texture of footpaths either paved or in cement aggregate. Service roads are to be correctly signed and marked to distinguish their function from that of general public carriage. : and
  - d. For carparking areas demonstrating compliance with Australian Standards, bitumously sealed, and incorporating water sensitive urban design principles (condition 5.8) and landscaping in accordance with the landscape plan (condition 5.9)
- 5.12 Engineering drawings, specifications and geotechnical report for grading and/or stabilisation of the site to ensure that lots can accommodate their intended use and their finished ground levels at the boundaries of the lot(s) match the ground levels of the land abutting. This includes a land contamination and an acid sulphate soils assessment and any remedial works required.
- 5.13 Engineering drawings and specifications and a Wetlands Management Plan for Lot 12 (plan of subdivision WAPC 152597) including the design of the drainage basins, and their ongoing management to ensure the function of the foreshore and environmental protection of the wetland. To be developed in unison with the landscape plan (condition 5.9). The Management Plan is to include arrangements for development and maintenance for two summers after completion.
- 5.14 Engineering drawings, specifications for the design and construction of the roundabout and associated road works at West Street, and at Bussell Highway the left-in/left-out associated roadworks and the medians.
- 5.15 A construction management plan:
  - a. detailing how risk of erosion and sedimentation impacts into nearby water bodies will be minimised during the undertaking of site works;

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- detailing the location of site offices, material compounds, construction parking;
- c. detailing measures to maintain the residential amenity for the residence at Lot 16 and the residents adjoining the western boundary of the site, to be free of noise, vibration, odour, dust and light spill during the undertaking of site works.
- 5.16 A Dust Management Plan detailing measures to be implemented to minimise the amount of dust pollution until all allotments have been built upon. All bare earth shall be subject to ongoing dust mitigation and suppression.
- 5.15 Satisfactory arrangements for the full cost of upgrading and/or construction of West Street and Bussell Highway intersections, including:
  - a) the construction of a single lane roundabout at the entrance to West Street;
  - b) median treatments to be constructed to restrict access onto Bussell Highway to 'left-in/left-out';
  - c) The dual access path at the southern end of the site; and
  - All drainage basins, landscaping and fencing in the foreshore reserve Lot 12 (plan of subdivision WAPC 152597).
- 5.16 Pursuant to Section 150 of the *Planning and Development Act 2005* and Division 3 of the *Planning and Development Regulations 2009*, a covenant preventing vehicular access onto West Street being lodged on the certificate(s) of title of the proposed Balance of Title lot (shown as proposed Lot 11 on the plan of subdivision) at the full expense of the landowner/applicant. The covenant is to prevent access, to the benefit of the City of Busselton. The covenant is to specify:
  - "No vehicular access is permitted from West Street."
- 5.17 Easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of the City of Busselton and the public at large are to be placed on the certificate(s) of title of the proposed lot(s) specifying access rights generally in accordance with the approved Easement Plan. Notice of these easement(s) is to be included on the diagram or plan of survey (deposited plan).
- 5.19. Proposed Lot 11 shown on the approved plan of subdivision shown as a Balance of Title lot on the diagram of survey pending amalgamation with an adjacent lot.
- 5.20. The landowner/applicant entering into an agreement with the local government to ensure reciprocal rights of access over the proposed lots and for the ongoing coordinated management of shared infrastructure including drainage, lighting, roadways, pedestrian paths, carparking areas, landscaping and a consolidated approach to advertising signage, ie Pylon sign.
  - Note: Pylon signage will be restricted to one sign at the entrances with Bussell Highway and West Street, the sign to be no higher than 5m.
- 5.21 A kangaroo management plan is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan.

#### Prior to Occupation/Use of the Development Conditions:

7. 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.

Note: The City may agree to this amount being combined with percent for art contributions arising from other development on the site and the artworks being undertaken at the site.

- Artworks undertaken at the site in this regard are to be applied to the area adjoining West Street
- 8. The development hereby approved shall not be occupied, or used, until all plans, details or works required by Condition 5 have been implemented; and, the following conditions have been complied with:
  - 7.1 Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005.)
  - 7.2 Lot 12 shown on the approved plan being shown on the diagram or plan of survey (deposited plan) as reserve(s) for foreshore protection and drainage and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown.
  - 7.3 A fence restricting vehicle, pedestrian and feral animal access to the foreshore protection and drainage reserve is to be constructed south of the Dual Use Path.
  - 7.4 The applicant is to enter into a Performance Bond, for development on City land, which shall be held against satisfactory compliance with Conditions 5.13 and 5.14 of this Planning Consent, accompanied by an executed legal agreement with the City at the full cost of the owner

The legal agreement shall include:

- a) written authorisation from the owner of the land that the City may enter the site
  at any time and permit the City to complete or rectify any outstanding work to
  the satisfaction of the City; and
- b) the ability for the City to be able to recover the bond, or part of the bond as appropriate, and any costs to the City including administrative costs of completing or rectifying any outstanding works on site in accordance with the conditions of this planning consent.

## **On-going Conditions:**

The works undertaken to satisfy Condition 3, 4, 5 and 6 shall be subsequently maintained for the life of the development.

#### **ADVICE TO APPLICANT**

- 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.
- 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.
- This Decision Notice grants Development Approval to the development the subject of this
  application (DA15/0577). It cannot be construed as granting Development Approval for any
  other structure shown on the approved plans which was not specifically included in this
  application.
- Please note it is the responsibility of the applicant / owner to ensure that, in relation to Condition 1, this Development Approval remains current and does not lapse. The City of Busselton does not send reminder notices in this regard.
- 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.

Regulations 1996, you are hereby notified that any vehicle access from the land to a road or other public thoroughfare must be in accordance with the City's adopted Crossover Policy and Vehicle Crossovers Technical Specification.

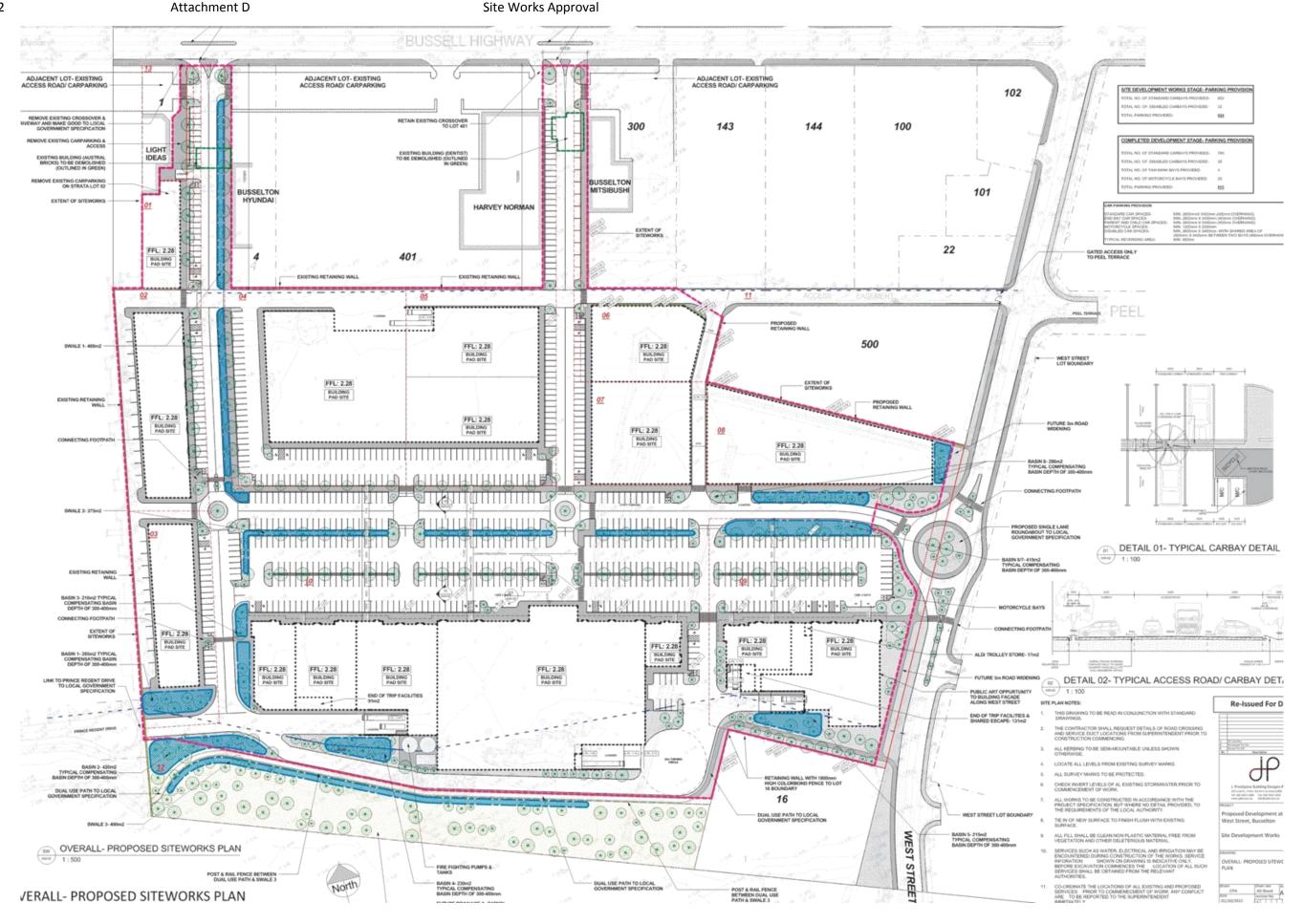
In accordance with the requirements of the Local Government (Uniform Local Provisions)

Paul Needham
DIRECTOR PLANNING AND DEVELOPMENT SERVICES

Date 29 January 2016

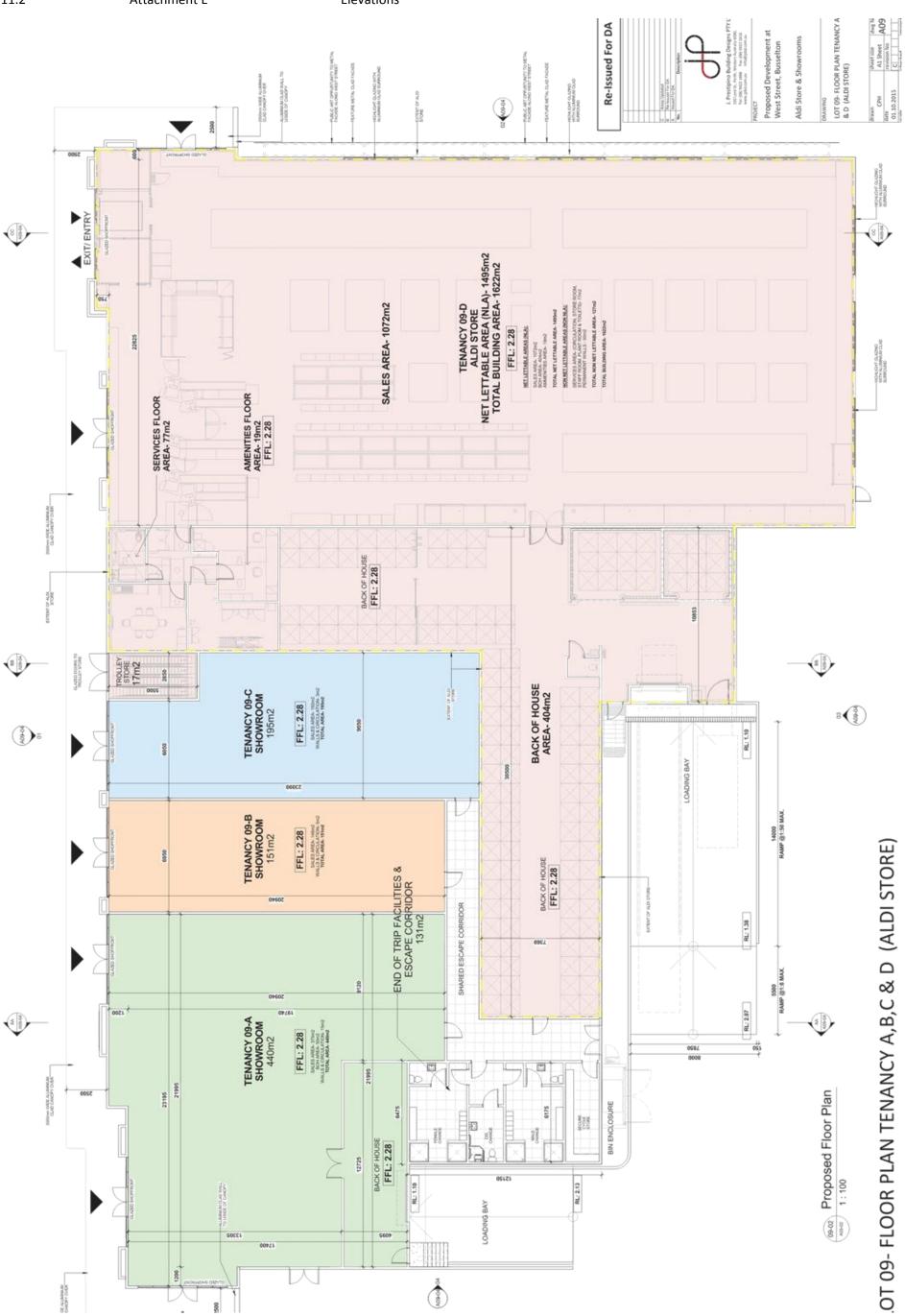
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App. No	NAME	Nature of Submission	Comment
	nment Submission	S	
1	Department of Water	Local Water Management Strategy approved 20 November 2015. This endorsement does not provide exemption to gain any statutory local government or other agency planning approvals, nor other approvals that may be required under the Rights in Water and Irrigation Act 1914, relating to water allocations, dewatering licences and permits to interfere with beds and banks of water courses.  Of note the masterplan that has been included in this LWMS is not the most current masterplan and further changes are required to meet the satisfaction of the City of Busselton. Based on discussion and knowledge of the City's requests it is considered that the masterplan used for the purpose of this LWMS is sufficient to prove the concept. However, in the event there are modifications to the masterplan that do have implications on aspects of water management and hence the LWMS, the department should be notified to enable the implications to be assessed it is however considered these are likely to be best addressed in the subsequent UWMP.  DoW supports the need for the preparation of an UWMP as outlined in item 5 of Table 2 – Provision of the LUCP, and it is recommended that the level of detail in the UWMP be sufficient to guide the detailed design of subsequent individual Development Applications. It is however recommended that the UWMP be completed, to the satisfaction of the City of Busselton, prior to any detailed design and/or engineering drawings for subsequent individual Development Applications are received and/or assessed.  It is recommended that the following shall be required subsequent to approval of DA15/0579:  The Urban Water Management Plan is to be completed, to the satisfaction of the City of Busselton before detailed design and/or engineering drawings for subsequent individual development applications are assessed and approved.  Of note for this development the department highly recommended that the subsequent UWMP must:  Be based on the final approved masterplan that meets the requirements of and is approved by the	The LWMS was a part of the sub division and it has been approved by DoW since the making of this submission.  The Urban Water Management Plan (UWMP) is required by a condition of approval on the subdivision.  A condition to require the City's approval for the UWMP, prior to undertaking any works, has been applied in the Site Works approval DA15/0577.
	WaterCorp	No objections to the proposals.	The "No objection" is noted.
		A 225mm diameter gravity sewer traverses the southern part of the lot (see attached plan). It should be noted that existing sewerage mains protected within an easement are located within the subject land. It	The applicant has indicated that sewer lines will be relocated and no buildings

		would appear from the plans that some of the building are located over this sewer.	will be constructed over a sewer line. A
		The landowner/developer is required to make appropriate arrangements with the Corporation to relocate the gravity sewer to an alternative suitable alignment. The feasibility of relocating the sewer will be determined through the Corporation's design process. The cost of relocating the pipes will be borne by the proponents.	requirement to provide easements for the location of utilities is a condition of the subdivision approval and has been reflected in the Site Works approval.
		The individual servicing requirements for the proposed buildings will be determined though the subdivision process (WAPC Ref. 150197) and through building approvals on each proposed lot when building applications are submitted to the Corporation for authorization under Section 82 of the Water Services Act 2012. Approval from the Corporation's Building Services Section are required with respect to protecting or modifying any of the existing infrastructure which are affected by the proposed development.	
		Due to the increase in development density, upgrading of the current system may be required to prevent existing customers being affected by the proposed development. The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation, and a contribution for Water, Sewerage and Drainage headworks. In addition the developer may be required to fund new works or the upgrading of existing works and protection of all works.	
		The subject area falls within the Busselton Drainage Catchment. The Water Corporation's drainage system can only take predevelopment flows. So the developer will need to compensate any additional flows on their own land.	
	Department of Health	The DOH provides the following comment:  Water Supply and Wastewater Disposal. The proposed development is required to connect to scheme water and reticulated sewerage in accordance with the draft Country Sewerage Policy.  Food Act Requirements All food related aspects to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines.	The DOH comments are routine matters that have been addressed in the conditions of sub division and the provision <i>details</i> is a condition of the Site Works approval. The DOH comment is applicable to all Lots.
	Department of Fire and Emergency Services	The final Masterplan design is yet to be promulgated and therefore DFES comment pertaining to Building Code of Australia (BCA) requirements is limited. It is assumed that any buildings will be required to be afforded the provision of life and fire safety systems in accordance with the relevant provisions of the BCA.	These comments relate more to the overall development than just the supermarket and showrooms proposal.
		In this regard DFES and community expectations will require satisfactory emergency vehicular access to be provided to each building. Given that all access roadways and turn around areas should	The subject site is not affected by the provisions of the BCA for bushfire prone areas.
		satisfactorily accommodate the mass of an attending fire appliance, please review DFES Guideline GL- 11 from our website, which provides data on fire appliances to enable designers to plan adequate access to and around developments.  Local government is to have regard for the current WAPC SPP 3.4 and Draft SPP 3.7. DFES would	Details of the location and capacity of fire emergency infrastructure been assigned as a condition at the Site Works approval, and will also be pursued at the building
		expect that all future development is in accordance with the current 'Planning for Bush Fire Protection Guidelines' Edition 2 May 2010' and/or future 'Planning for Bushfire Risk Management Guidelines &	permit.  The City had sort additional information
		Appendices' as is necessary.	regarding the movement of service and emergency vehicles through the site. The City has received advice from the

Council 247 13 April 2016

		<del>,</del>
		applicant's traffic engineers demonstrating internal Road widths and radius is adequate and that roundabouts within the site are to be a drive—over type.
Main Roads	Main Roads principal concern relates to access from Bussell Highway and more particularly the impact the development will have on the West Street / Bussell Highway intersection. The suggestion that modifying the signal phasing at this intersection (in accordance with the Arup Traffic Study) may improve the capacity of the intersection is not supported and in fact appears to be contradicted by the modelling undertaken by Jacobs (refer Jacobs Final Technical Note).  Also as outlined previously, the current signal phasing at the intersection is about as good as you could achieve from a capacity and safety perspective and significant additional capacity could only really be	The comments of Main Roads are not specific to the proposed supermarket and showrooms but relate to the overall site.  The subject of these comments was considered as part of the review of the Land Use Concept Plan. The City received advice from the applicant's
	achieved by increasing the number of lanes. The upgrade of the West Street / Bussell Highway intersection is obviously very constrained by the adjacent development (buildings, services etc) and therefore any widening to create extra lanes required would be difficult to achieve and very costly.	transport consultants and sought external advice in preparing the solutions identified in the Land Use Concept Plan.
	If a significant upgrading is not being contemplated, then the only way to reduce pressure on this intersection is to provide additional connections from Bussell Highway to the site. In this regard, the most important requirement is considered to be an access that intercepts vehicles from the west before they get to West Street. The only way to achieve this is to create a new access that allows the right turn in from Bussell Highway - something that the proponents are not offering. The proposal for two left — in / left - out connections to Bussell Highway will take some pressure off the signals at West Street, but not nearly to the same extent as providing a right-in.	The City is confident in the advice it received that Bussell Highway does not have sufficient width to accommodate the solutions identified by Main Roads; there is insufficient space for a slip lane and without it passage along Bussell Highway would be constricted.
	The most western access/ driveway connection to Bussell Highway was modelled by Jacobs as a full intersection with different treatments, including a roundabout and traffic signals. All were discounted, accept the option of the unsignalised T junction which is now no longer being pursued, presumably because of the difficulty /cost of widening Bussell Highway. Jacobs modelling for the signalised intersection showed that a signalised intersection would result in "extensive queuing on Bussell Highway" which is not supported by our analysis.	The constraints at the West Street Bussell Highway intersection are acknowledged and proportionately caused and worsened by the existing size of the City of Busselton and the expected population growth.
	If widening of Bussell Highway is problematic then the option of a signalised T junction without turn lanes whilst not ideal, would not be an issue from a capacity perspective — a similar intersection already exists on Bussell Highway at Queen Elizabeth Avenue. If this option is pursued then it is important that the left-out from the access is done under Give Way to minimise the impact on Bussell Highway.	The City acknowledges a significant upgrade at the West Street Bussell Highway intersection is required.
	The development will also have a significant impact on West Street south of the highway and it is important that the ultimate requirements for this road are at least protected and the necessary provision made for any future upgrade. In this regard, a plan showing the ultimate dual carriageway, intersection layouts, pedestrian facilities etc should be prepared.	
	It is understood that there is also a proposal to expand the existing Busselton Shopping Centre on the north side of the highway which will only further increase traffic demands at the West Street intersection with Bussell Highway. It is strongly recommended that City carry out an independent review of the traffic modelling, which focuses on the impact that the proposed development will have on the traffic signals at the Bussell Highway / West Street intersection. Main Roads could assist in this review. Further, it is recommended that the City investigate requirements for including a right turn in access from Bussell	

		Highway and longer term requirements for upgrading the intersection of West Street and Bussell Highway. Also, it is recommended that concept designs be prepared for the two proposed access / driveways to Bussell Highway to ensure that appropriate access, widening and intersection treatments can be accommodated.	
	Department of Environment and Regulation	Lot 17 has not been reported to DER under Section 11 of the Contaminated Sites Act 2003 and DER does not hold any information on its contamination status.  Lot 17 is located within an area mapped as possessing a medium to high risk of encountering acid sulfate soils within 3m of the ground surface.  It is recommended that the following conditions be included on any approvals:  • An acid sulfate soils self-assessment form and, is required an acid sulfate soils report and an acid sulfate soils management plan shall be submitted and approved by the Department of Environment Regulation before any subdivision works or development are commenced. Where an acid sulfate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan.  An assessment of the site indicated that fill will be cut and redistributed across the site. Aerial imagery suggests that fill soils may have been deposited at the site. The use of uncontrolled fill is a land use activity that has the potential to cause contamination as specified in the guideline 'Assessment and Management of Contaminated Sites'.  DER does not recommend that a contaminated condition is required in this instance, but request that due to the risk the following advice note be included on any approvals:  • The use of uncontrolled fill is a land use activity that has the potential to cause contamination as specified in the guideline 'Assessment and Management of Contaminated Sites' (Department of Regulation, 2014). Any use of fill material should be undertaken in accordance with the Environmental Protection Act 1986 and DER's guidelines for the use of waste derived materials.	The comments of DER are routine matters pursued at subdivision (conditioned). The subdivision and Site Works approvals both require an acid sulphate soil assessment and a soil contamination assessment, together with remedial actions to be undertaken if required.
	Department of Parks and Wildlife	The 'Lot 09 Proposed Site Plan Overall' in Appendix 3 of DA15/0579 appear consistent with the agreement reached with Department of Parks and Wildlife for the treatment of the wetlands buffer within the southern portion of Lot 17.  The proposal is acceptable, and the Local Water Management Strategy is supported by DPaW.	The support of DPaW is noted.
Public	Submissions		
	G. Herrera	<ul> <li>Request for further information on:</li> <li>How point 7 of the Land Use Concept Plan has been addressed. The application provides that this provision is not applicable to the proposal.</li> <li>The amount of fill that is proposed on site and what level development will be built on.</li> </ul>	The application for the supermarket included an overall site concept for context but it does not form part of the application. A number of public comments received are relevant to the overall site context. The overall site concept follows the Land Use Concept Plan, the issues raised had been taken

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into account at the time of the Council approval of the Land Use Concept Plan. Point 7 of the Land Use Concept Plan seeks to protect the amenity of the adiacent residential area. The Site Works approval has followed the Land Use Concept Plan and conditioned a requirement for a construction management plan that will minimise the disturbance to the adjoining residential area during site works construction. The proposed supermarket and showrooms however, are distant and will have no direct effect upon the amenity of the western residential area. Point 7 of the Land Use Concept Plan Is a set of development controls that will apply to the assessment of any land use and buildings adjacent to the western boundary. Subject to the UWMP and final engineering the finished level of the site will be 2.0m. The adjoining residential area has been built to that level. H. Bowler Concerns regarding: The application for the supermarket included an overall site concept for The interface of commercial development on Lots 2 and 3 and impact on amenity of adjoining context but it does not form part of the residential development; application. A number of public comments received are relevant to the Impact of pollution and carbon monoxide generated from development; overall site context. The overall site Noise from delivery trucks and industrial sized air conditioning: concept follows the Land Use Concept Plan, the issues raised had been taken Location of dual access road along the rear boundary of Lots 2 and 3 and connection to Prince into account at the time of the Council Regent Drive becoming a 'rat run' for cars to avoid the lights at West Street and Bussell Highway; approval of the Land Use Concept Plan. Request that if car park remains at the end of residential development that it be enclosed, and no The proposed development is distant to through traffic allowed; the western residential area and will not directly impact upon its amenity. What measures will be in place to minimise the effect of noise, pollution, dirt, lights, security concerns on adjoining residences; and Point 7 of the Land Use Concept Plan will apply to the assessment of any land Security and suggest that security gates be installed for use after hours to stop undesirable activity. adjacent the residential area and its purpose is to ensure future development does not detract from the amenity of the adjoining residential area by way of light spill, noise, odour, and building scale.

		The Site Works approval has a requirement for the applicant to prepare for City approval a construction management plan that will minimise the disturbance to the adjoining residential area during site works construction.  The Site Works approval also requires that on an ongoing basis any area of bare earth (such as areas awaiting a building to be constructed) is to be managed to minimise dust/dirt escape.  The access from the western residential are through Prince Regent as indicated in the Land Use Concept Plan has been a long standing request of the community.
MPM Development Consultants on behalf of Amoeba Nominees Pty Ltd	<ul> <li>In Principle support for the application, but have the following comments</li> <li>No details of intended use of the lots are provided and informed submission cannot be provided. Request for details of land use to be provided and the proposal readvertised.</li> <li>Access to the homemaker centre should be retained so adjoining businesses are not disadvantaged;</li> </ul>	The application for the supermarket included an overall site concept for context but it does not form part of the application.  These comments relate more to the overall concept and not the supermarket and showroom proposal, which is for a specific use at its Lot.
		The remainder of the site is to accommodate land uses that are consistent with the provisions of the City's Local Planning Scheme, mostly showrooms, bulk store/bulky goods and warehouses.
		Access to the Homemaker Centre, and access to Bussell Highway was addressed at the Land Use Concept Plan. Right turn into Lot 17 is to be restricted but only to the extent across the across the entrances to Lot 17. This leaves the majority of the length along Bussell Highway available for right turns, including an existing access for the Homemaker Centre.
D. Watts	No Objection, but request that the following be considered:	The City has responded to Mr Watts

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	<ul> <li>Stormwater to be retained on site and not impact adjoining Lot 16;</li> <li>Retaining walls not to exceed 500mm above the Finished Floor Level of Lot 16 and request a 1.8m high colorbond fence above retaining be constructed at the full cost of the developer;</li> <li>No information has been provided regarding lighting during construction and after development. Light should be designed to retain Lot 16's amenity.</li> <li>Concerns regarding dust and noise during construction and ongoing operation of commercial uses on Lot 17 including service vehicles, waste removal occurring at all hours;</li> <li>No information is provided on rubbish and refuse disposal areas;</li> <li>Consideration is to be given to impact on services to Lot 16 during construction;</li> <li>Request that the City of Busselton ensure insurances are in place to account for any damage to land on Lot 16 as a result of construction;</li> </ul>	concerns and these matters have been addressed as conditions in the Site Works approval.  This includes:  Stormwater will be managed on site by the UWMP, details are required for retaining walls and lighting.  A construction management plan expressly addressing the avoidance of impacts upon Lot 16 is required including details of site offices, storage of materials and moments during construction.  The dual use path separates the proposed development from Lot 16. The City will pursue a high amenity through this area. Details are required regarding building materials and landscaping through this area.  Lot 16 has direct access from West Street and a practical access to Lot 16 is expected to be maintained throughout the construction associated with the Site Works.
M & M Young	<ul> <li>Objection to proposal:</li> <li>Supermarket should not be approved outside of the town centre as it is contrary to the existing zoning and objectives and policies of the Restricted Business zone;</li> <li>The Land Use Concept Plan does not identify a supermarket land use as being permissible, and the land use is not an unlisted use, as it falls within the definition of a 'Shop' which is a prohibited land use in this zone.</li> <li>Car Parking calculations do not contemplate the more intensive retail uses.</li> <li>Placement of the Aldi store outside of the CBD would be contrary to locating shops within the town centre and inconsistent with the intent of the Restricted Business Zone and Scheme, Busselton Town Centre Strategy, Land Use Concept Plan and contrary to orderly and proper planning.</li> </ul>	A supermarket is listed in Schedule 1 of the Scheme but not on the zone table where it applies to the Restricted Business Zone.  The supermarket and showrooms was a assessed as a use not listed and pursuant to cl 4.4.2(b) determined to be consistent with the objectives of policies of the zone having regard to Additional Use 64.  A supermarket is materially comparable with that of a Discount Department Store and the quantum of 8000sqm (AU64) will not be exceeded.  The carparking rate for a Shop, Supermarket and a Discount Department Store, is the same.
Not Sure Pty	Support for the proposal provided that public access easement between future Lot 6 and 300 Bussell is	The application for the supermarket included an overall site concept for

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Ltd	removed. Concerns that easement will promote antisocial behaviour.	context but it does not form part of the application.
		This submission is not related to the proposed supermarket and showrooms.
E. Flurry	<ul> <li>Plans do not show design of access to loading area of existing Lot 1 building;</li> <li>Bussell Highway needs redesigning, power poles are located to close to roads and should be relocated underground;</li> </ul>	The application for the supermarket included an overall site concept for context but it does not form part of the application.
	<ul> <li>Treatments to Bussell Highway restricting right turns from existing crossovers will result in traffic being forced westwards and onto High/Dorset/Kent and West Streets resulting in more traffic entering and existing the West Street Bussell highway intersection which is already dangerous.</li> </ul>	This submission is not related to the proposed supermarket and showrooms.
Squire Patton Boggs on behalf of Australian	Objection to proposal:     The Proposed Supermarket is not a permitted or discretionary use for Lot 17 West Street, West Busselton (Site), which is zoned as 'Restricted Business' under the City's Local Planning Scheme No. 21. Disagree that the land use is consistent with a 'convenience store' which is defined as	A Supermarket is listed in Schedule 1 of the Scheme but not on the zone table where it applies to the Restricted Business Zone.
Unity Investments	buildings that do exceed 300sqm. The size limit is a mandatory requirement, not discretionary and the land use cannot be classified as this. While convenience stores sell goods which are commonly sold in supermarkets, it does not logically follow that supermarkets are a type of convenience store. They differ in terms of NLA, trading hours, volume of customers, and parking requirements. A	This distinguishes required approach from that of the case law cited in the comment.
	<ul> <li>convenience store is not merely a smaller version of a supermarket.</li> <li>Previous case law supports that the use would not be considered a 'Convenience Store' (Warriewood Properties Pty Ltd v Pittwater Council [2010] NSWLEC 215). The main arguments include that the 'neighbourhood shop' definition bears resemblance to the convenience store</li> </ul>	The supermarket and Showrooms was assessed as a <i>use not listed</i> and pursuant to cl 4.4.2(b) determined to be consistent with the objectives of policies of the zone having regard to Additional
	<ul> <li>definition and by applying the courts' reasoning, the size of the proposed supermarket is essential to its use categorisation.</li> <li>Disagree with the applications suggestion that the proposed use is consistent with the 'Restricted Business' zone objectives and complementary to the Busselton Town Centre. The reasons for this are that the use will generate high traffic, is a size that is better suited to the town centre, will detrimentally impact on existing supermarket sales in the town centre and will promote ribbon</li> </ul>	Use 64.  The City obtained independent legal advice, to objectively examine the issue of an appropriate classification for the proposed development. The City's approach is supported by that advice.
	development beyond the town centre which will detrimentally impact the commercial integrity and vibrancy of the town centre. The Retail Location and Impact Assessment provided as supporting information in the application supports this stating that the supermarket will generate traffic beyond that expected for a convenience store, the assessment estimates a loss of 8.7 million or 6.7% in sales as a direct impact of the proposed supermarket. There is also no demographic requirement for an additional supermarket in Busselton in the assessment.	The comments do not acknowledge that an additional use (AU64) provides a Discount Department Store up to 8000sqm is provided by the Scheme at this location. It compared the proposal to a Showroom rather than a Discount
	• In Chambers v Maclean Shire Council (2003) 57 NSWLR 152, the Court found that the classification of a development as permissible or prohibited is jurisdictional and is to be determined objectively.	Department Store.  A supermarket is materially comparable with that of a discount department store
	In Meyer Shircore and Associates Architects v Shire of Augusta-Margaret River [2011] WASAT 38 held that	and the quantum of 8000sqm (AU64) will not be exceeded by this proposal.
	a) a supermarket is a 'shop' under the relevant scheme which is a permitted use, however,	Amendment 181 on the other hand, would have expanded the development

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permitted uses are not exempt from the need to obtain planning approval;

(b) the SAT has a wide discretion to have regard to 'orderly and proper planning' and "the amenities of the locality" in determining the application;

Schedule of Submissions

- (c) the scale and nature of the supermarket, as a 'full-line' supermarket is in conflict with the objectives and vision for the Town Centre, it would result in a significant departure from the desired character of the area;
- (d) the construction of the supermarket would be contrary to the orderly and proper planning of the locality; and
- (e) approval for the supermarket was refused.

The facts in the Application are similar. Applying the Court's reasoning to the Application, the scale and nature of the Proposed Supermarket conflicts with the objective and policies of the 'Restricted Business' zone, which is intended to support and complement and not to detract from the commercial primacy of the Town Centre. The City seeks to maintain the primacy of the Town Centre, ensuring that retail and commercial opportunities exist primarily within it. The Proposed Supermarket would be contrary to the orderly and proper planning of the locality.

- The application is inconsistent with the strategic planning framework of the Busselton Local Commercial Strategy (LCPS) which is to maintain the primacy of the Busselton and Dunsborough town centres and advises against fragmentation of the town centre. The RLI assessment summarises the type of higher level commercial facilities (which the LCPS says should be concentrated in the Busselton "town site") including 'discount department stores, supermarkets, specialty retail, bulk retail and tourist retail. The Proposed Supermarket fits squarely within these commercial uses and should properly be located in the Busselton Town Centre.
- The application is inconsistent with previous decisions issued on the site. Amendment 181which
  proposed a rezoning from 'Restricted Business' to 'Business' was refused by the Minister for
  Planning. The amendment proposal on page 2 of A181 stated that a rezoning would allow for and
  would provide for a greater range of land uses such as a supermarket and shops. The minister
  refused AM181 for reasons including:
  - a) that the rezoning and land uses it would permit would detract from the primacy of the Busselton CBD by creating a separate retail node and failed to capitalise on the significant state and local investment in the CBD and surrounds:
  - b) the proposal would encourage retailers to relocate to the subject location, thus diminishing the sustainability and vibrancy of the existing Busselton CBD:
  - the proposal would reduce the amount of land available for `Restricted Business' purposes which are otherwise not sufficiently catered for;
  - d) the proposal did not accord with the City's LCPS, which reflects the Western Australian Planning Commission (WAPC)'s position in respect to a retail hierarchy for the City;
  - e) WAPC was of the view that the existing retail offer together with redevelopment opportunities and new planned centres, as detailed in the LCPS, were sufficient to meet the needs of the Busselton community.

In order to approve the Proposed Supermarket, the City would be required to circumvent the Minister's previous decision regarding the Site.

potential, and the intensity of development beyond, that contemplated and provided by Additional Use 64 and the 8000sqm.

The carparking rate for a *Shop*, is the same for a *Supermarket* and a *Discount Department Store*.

The comments on the subject of traffic relate to the overall development at Lot17 and were addressed by the City at the Land Use Concept Plan.

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- Disagree with the conclusion that car parking for the use is required at the rate of a Showroom. The
  definition of a showroom specifically excludes the sale by retail of foodstuffs, liquor or beverages
  and suggest that a new parking analysis be undertaken on the appropriate rate.
- The JDAP on 16 November 2015 approved a similar application for an expansion and upgrade to the Busselton Shopping Centre. The City should ensure that all of its planning decisions, including that in respect of the Application, are made in a consistent and orderly manner.
- Submission of traffic and parking review prepared by Cardno. The review suggests that supermarkets generate car parking demand based on a rate of 1 bay per 25sqm NLA. The review suggests that the current overall rate of car parking will cater for demand but does not provide a contingency amount of car parking (10-15%) to provide a functional car park. The additional car parking is required to allow for parking turnover, reduction in search time and promotes an effective parking system without congestion. The actual amount of car parking provided at Lot 9 is not sufficient and has relied on the car parking to be constructed on the overall site. Assuming that the car park can be maintained at 90-95% efficiency suggests that the overall parking supply for Lot 9 West Street should be in the order of 97-102 parking bays. The parking supply of 106 bays described in the Lot 9 DA documentation is considered to be sufficient to support the proposed uses, but would allow for very little additional supply to support the overall Lot 17 requirements.
- The proposed Lot 9 uses, which include a 1,482sq.m supermarket, generate in themselves a substantial increase in traffic when compared with a similar component of showroom development. For reference, when considered as part of a shopping centre or precinct, standard showroom generation tends to be in the order of 1.1-3.8 trips per 100sq.m. This can be compared with 13.8-15.5 trips per 100sq.m for supermarket generation (according to the RTA Guide to Traffic Generating Development). Therefore, it is considered likely that Lot 9 would contribute between 3 and 8 times as much traffic during the peak hour in its proposed configuration, when compared to showroom alone. The City of Busselton have commissioned a strategic study to determine the potential impact of future population and employment growth, and the requirements for upgrade of the local road network. This study concluded that traffic would substantially increase along West Street and Bussell Highway, with volumes at the intersection of these streets exceeding 36,000 vehicles per day. It is unclear whether the 2026 model included the development at Lot 17 West Street in its forward projections. Given that the function of the West Street/Bussell Highway intersection has been modelled for the future scenario and found to be inadequate in its existing configuration, there is a significant risk that the imposition of a high-traffic generating development immediately adjacent to this critical point will exacerbate this problem.
- The proposed access locations are via left-in/left-out intersections from Bussell Highway and via a roundabout access on West Street. Of these access points, it is expected that the vast majority of traffic will enter the site via the West Street roundabout. This will greatly increase the volume of traffic passing through the Bussell Highway signals, to an extent that the ongoing function of this intersection is likely to be compromised. Egress movements from the development will also largely be via the West Street roundabout, with some additional traffic flowing directly onto Bussell Highway. However, the legibility of the easements is significantly lower than the Main Street and drivers would be expected to disproportionately favour the West Street egress.
- To accommodate the volume of traffic generated by the development, the developer proposes to
  control the Main Street intersection with a large roundabout. This roundabout would need to be
  modified to a dual-circulating roundabout in the future to accommodate the duplication of West
  Street. It is important to consider the function of a roundabout in the context of the adjacent signals,
  located 150m to the north. Roundabouts work best when in locations where there is consistent

	demand from all directions, and where traffic arrives in a random distribution. In this case, the roundabout operation will be governed by the Bussell Highway signals to a significant degree. Therefore, the assessment of the access roundabout cannot be done in isolation, it must be considered as part of a system. This would generally require more detailed analysis in the form of a small-scale micro-simulation. The construction of a roundabout access also detracts from the safety and function of the proposed on-street bicycle facilities along West Street, to the extent that we would recommend alternative arrangements. Multi-lane roundabouts pose a serious safety risk to cyclists due to high speeds and poor lane compliance.	
R. Lloyd and P Semmons.	<ol> <li>Objection to the proposal:         <ol> <li>That the proposal will create a separate retail precinct and detract from the primacy of the Busselton CBD.</li> <li>The proximity of a large amount of car parking in proximity to a supermarket is likely to be a more attractive option than entering the CBD and detrimentally impact on similar retailers in the CBD.</li> <li>Aldi notes on their website that they are a 'Supermarket'.</li> <li>A decision by the Minister for Planning was partly on the basis to exclude land uses such as Supermarkets on this site;</li> </ol> </li> <li>The location of Supermarket in this location will have a flow on effect with other retailers locating in proximity, creating vacant shops that are currently rented in the CBD and detracting from the primacy of Busselton CBD.</li> <li>Trip chaining and expenditure is an important part of the viability of the CBD, and location out of this area will reduce expenditure from retailers in the CBD.</li> </ol>	The supermarket and Showrooms was a assessed as a use not listed and pursuant to cl 4.4.2(b) determined to be consistent with the objectives of policies of the zone having regard to Additional Use 64.  A supermarket is materially comparable with that of a Discount Department Store and the quantum of 8000sqm (AU64) will not be exceeded.  Amendment 181 would have expanded the development potential and the intensity of development beyond that contemplated by Additional Use 64 and the 8000sqm.  There are a number of destinations outside of the City that could accommodate a supermarket.  Supermarkets are not strong contributors to trip chaining, they are car dependant, goods are taken home immediately and not a leisure retail experience.



Jurisdiction: Planning and Development Act 2005

Application: Review of a decision under a local planning

scheme or region planning scheme

Parties: Realview Holdings Pty Ltd (Applicant)

City of Busselton (Respondent)

Matter Number: DR 53/2016

Application Lodged: 24 February 2016

Date of Decision: 15 March 2016 (decision on documents)

Decision of: Deputy President, Judge Parry

Outcome: Adjourned to Directions Hearing

- 1. The directions hearing listed at 10:30am on 18 March 2016 is vacated.
- Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision at its meeting on 13 April 2016.
- 3. By 18 April 2016 the respondent must file with the Tribunal and give to the applicant a statement of its decision upon reconsideration.
- By 20 April 2016:
  - (a) if the applicant is content with the respondent's decision upon reconsideration, then the applicant must file with the Tribunal and give to the respondent a statement seeking leave to withdraw the proceeding; or
  - (b) if the applicant is not content with the respondent's decision upon reconsideration, then the applicant must file with the Tribunal and give to the respondent a statement of the aspects of the respondent's decision upon reconsideration which the applicant contests in the proceeding with brief contentions in relation to each aspect.
- 5. If the applicant seeks leave to withdraw the proceeding, then the respondent must, within one working day of receiving the applicant's statement seeking leave to withdraw the proceeding, file with the Tribunal and give to the applicant a statement of whether the respondent consents to leave being granted to the applicant to withdraw the proceeding and any consequent orders the respondent seeks.
- The proceeding is adjourned to a further directions hearing at 12:00pm on 22 April 2016 in order to await the reconsideration.



- 7. The Tribunal notes that the parties have agreed to provide a copy of the application for review to Australian Unity Investments Pty Ltd and that the applicant's solicitor will provide a copy to the third party's solicitor by 16 March 2016.
- 8. Until further order, a copy of all orders made in this proceeding is to be sent to Squire Patton Boggs on behalf of Australian Unity Investments Pty Ltd.

Wostyn Australia Wostyn Australia

## 11.2 Attachment I

# Consolidated Copy of Agenda Report and Minutes of 10 February 2016 Council Meeting

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### 10.3 PROPOSED SUPERMARKET (ALDI) AND SHOWROOM, LOT 17, WEST STREET, BUSSELTON

SUBJECT INDEX: Statutory Planning Development Assesment

**STRATEGIC OBJECTIVE:** Governance systems that deliver responsible, ethical and accountable

decision-making.

BUSINESS UNIT: Development Services and Policy

**ACTIVITY UNIT:** Statutory Planning

**REPORTING OFFICER:** Manager, Development Services - Anthony Rowe

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

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Location Plan

Attachment B Land Use Concept Plan

Attachment C Site Plan

Attachment D Site Works Approval

Attachment E Elevations

Attachment F Published Under Separate Cover Confidential Legal

Advice

#### **PRÉCIS**

The City has received a planning application for a Discount Department Store (intended to accommodate a K-Mart store) and showroom premises at Lot 17 West Street, Busselton.

This application has followed a methodical approach of a Land Use Concept Plan, subdivision and a site works plan. This assessment is dependent upon fulfilment of the site works approval (DA15/077), but it enables the assessment of this proposal as if on a site ready to development, with access, car parking and drainage matters already resolved. The application has been submitted in parallel with a similar application for a Discount Department Store on another part of the site, and which is also subject of a report to the Council on this meeting agenda.

Key issues to consider with respect to the application are whether there is discretion to approve the primary land-use (i.e. supermarket) and whether and how that discretion should be exercised. The City has obtained legal advice in respect to the first of those issues, and that advice is provided to Councillors as (confidential) **Attachment G**.

Given the nature of some of the issues requiring consideration, it was seen as appropriate to undertake public consultation prior to the Council being asked to formally consider the application.

The proposal is recommended for approval subject to conditions.

## **BACKGROUND**

The subject land is zoned Restricted Business, which is generally for showrooms, warehousing and bulky goods shopping. Ordinarily, a supermarket business would fall into the 'Shop' land-use designation, and would be a prohibited land-use in the Restricted Business zone. The City has, however, received advice which indicates that, in this instance, the supermarket development proposed can be considered a 'use-not-listed' in the City's town planning scheme, and that legal discretion therefore exists to approve the proposed development. The City has obtained legal advice in respect to that key issue, and that advice is provided to Councillors as (confidential) **Attachment G**.

Special Provisions that relate to the land (SP26) also require that development shall be undertaken in accordance with a Land Use Concept Plan.

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In June 2015 the City approved a Land Use Concept Plan. The Land Use Concept Plan illustrated indicative buildings and explicitly it identified a building at the location of this proposal as a Discount Department Store. A copy of the endorsed Land Use Concept Plan is included as **Attachment B**.

Following the approval of the Land Use Concept Plan, a subdivision application consistent with it was approved by the WAPC on 11 December 2015.

A Site Works application, for construction involving the filling of the land, installing services, making roads, carparks and individual building sites, consistent with the Land Use Concept Plan, was lodged concurrently with the subdivision application. It was approved under delegation on 29 January 2016. A copy of the site works approval is included as **Attachment D**.

The proposed development now before the Council consists of:

- A supermarket with 1,606m<sup>2</sup> NLA
- Three showroom tenancies with NLAs of 510m<sup>2</sup>, 145m<sup>2</sup> and 140m<sup>2</sup>
- Loading docks at the rear of the supermarket and showroom tenancies

There are two key, existing subdivision/development approvals already in place, namely the subdivision and site works approvals referred to above. Each of these is described in a little more detail under appropriate sub-headings below.

### Subdivision WAPC 152597

The Subdivision proposed the creation of 11 allotments out of Lot 17 West Street and some adjoining lots in common ownership, and followed the allocation of land use and the indicative internal road layout consistent with the Land Use Concept Plan. A significant feature included ceding land for the foreshore reserve and the space to accommodate the road widening of West Street, including a proposed roundabout to provide the primary means of access to the overall development. The subdivision also provides the arrangement of easements for the shared use of car parking areas, access ways (private internal roads) and services/utilities. No public roads are proposed through the area of Lot 17. All access ways, dual use footpaths, pedestrian footpaths and car parking are to be covered by public easements available to the benefit of the City of Busselton and the public at large.

### Site Works Development Application DA15/0577

The site works implement the layout cascading from the Land Use Concept Plan through to the subdivision. The site works application addressed all works/constructions except for the buildings themselves. It is the works associated with the filling of the land, the making the roads, drainage works, car parking areas, service roads, street lighting, landscaping, public paths and the development of the foreshore reserve. It includes the construction of the roundabout at West Street and the construction of the road medians on Bussell Highway.

A particular focus of the officer assessment of the site works application, prior to the granting of an approval under delegated authority, was ensuring that, whilst recognizing the fact that the development is an essentially service commercial precinct, rather than a main street type precinct, the overall site layout and detailed design will provide a high level of amenity, with adequate footpaths to encourage and facilitate pedestrian access, as well as landscaping to soften the overall precinct.

Works are not to commence on site until (technical) engineering drawings, specifications and arrangements (Agreements) for ceded assets and works on public land have first been agreed.

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A kangaroo management plan is to be prepared for approval by the Department of Parks and Wildlife prior to commencement. A construction management plan controlling dust, noise, and stormwater through the period of construction has also been conditioned for the purpose of minimizing disturbance to neighbours and to protect the water quality of the New River wetland

### STATUTORY ENVIRONMENT

On the 23 August 2015 the Minister Gazetted the Development (Local Planning Schemes) Regulations 2015. The new regulations introduced at Schedule 2, of the Regulations, a set of Deemed Provisions that must be read concurrently with the City's Local Planning Scheme; until such time as the City prepares an amalgamated Local Planning Scheme. In the event of conflict between Schedule 2 and the City Scheme, the provisions of Schedule 2 prevail.

### Development (Local Planning Schemes) Regulations 2015 (Schedule 2)

In considering an application for development approval the City is to have **due regard** to the matters to be considered as listed at cl.67. (see Officer Comments).

To the extent they are the most directly applicable to the proposal, regard has been given to the *Matters of Considerations* listed in Schedule 2 and in turn the most applicable policy and guidance found across State Policy, Local Planning Scheme policy, and Local Planning policy.

Applicable Policy
Scheme 21
LPP2,4,6 and 8
Nil
Nil
Nil
Nil, addressed in investigations LUCP
Part 5 Scheme 21
Part 5 Scheme 21
DEC Wetland Mapping, addressed at Land Use Concept Plan
Part 5 Scheme 21

## **Local Planning Scheme 21**

## Zoning Table

The zoning table lists a variety of land uses under each zone title in the City's Scheme. It denotes whether a land use is *Permitted*, *Discretionary*, *Discretionary* requiring advertising and *Prohibited*.

Development that does not fall comfortably within a use listed in the Table (having referred to the Definitions provided at Schedule 1 of the Scheme) may be assessed as a *use not listed*.

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In addition to the Zoning table, *additional uses* identified in Schedule 2 of the Scheme may apply, and particular conditions that may apply to the development of particular sites can be listed as Special Provisions in Schedule 3 of the Scheme.

### Restrictive Business Zone:

The subject land is located in the Restricted Business Zone.

The Restrictive Business Zone does not list a Supermarket in the Zoning Table. An additional use however is provided at the subject land (in Schedule 2) for a Discount Department Store to be determined as a Discretionary use, not requiring advertising, and also Special Provisions listed in Schedule 3 apply.

Schedule 2 at Additional Use 64 (A64) includes:

- Pt Lot 17 West Street, West Busselton Discount Department Store 'D' discretionary use and does not require advertising.
- Developed in accordance with a Land Use Concept Plan adopted by the Council.
- Development shall comprise of a single Department store with a gross leasable area not less than 5,000m and not more than 8,000m<sup>2</sup>.

Schedule 3 at Special Provision 26 (SP26)

- Development in accordance with the Land Use Concept Plan (LUCP)
- Development of the land shall make provision for dual use path connections between Prince Regent Drive and Bussell Highway
- Development shall make provision for a foreshore and drainage reserve
- A Stormwater and Drainage Management Plan shall be provided
- · Development shall address the interface with adjacent Residential zoned land
- Dust and Noise Management Plans are to be prepared

The Objective of the Restricted Business Zone is:

"To make adequate provision for other commercial needs and opportunities not ideally located in the town centres of Busselton and Dunsborough whilst having regard to the strategic importance and need to maintain the commercial primacy of the town centres."

### Land Use Concept Plan

The Additional Use provisions and the Special Provisions both rely on the Land Use Concept Plan.

The Land Use Concept Plan was recently amended by the City following advertising and consultation with state agencies. It was advertised 17 April 2015 to 15 may 2015 and adopted by Council on 24 June 2015.

The Land Use Concept Plan provides for the allocation of space within Lot 17.

It identifies indicative building locations, road arrangement, car parking and the delineation of the foreshore reserve. It also illustrated and notated the widening of West Street and provision of the roundabout, and access onto Bussell Highway with restrictions to only left-in/left-out movement.

## 11.2 Attachment I

# Consolidated Copy of Agenda Report and Minutes of 10 February 2016 Council Meeting

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The Land Use Concept Plan includes policy guiding development, requiring development adjacent the residential zoned land, west boundary, to be restricted to single storey, and measures to protect residential amenity and privacy.

### **RELEVANT PLANS AND POLICIES**

### **State Planning Policy**

Nil

### **Local Planning Policy**

## LPP 2 Traffic and Transport Policy

A Traffic Impact Assessment was undertaken as part of the Land Use Concept Plan. The assessment was prepared by Jacobs SKM and critically reviewed by City engineers with assistance from ARUP consulting. The impacts upon the network and future demand was analysed, resulting in the approval of the Land Use Concept Plan with the roundabout and precise positioning on West Street, and medians restricting left-in/left-out turns at Bussell Highway. Insufficient road width is available at Bussell Highway to provide a slip lane for right hand turns, which is necessary to avoid congestion on Bussell Highway.

Light sequencing and restrictions on right-hand turns travelling west from Bussell Highway may be of temporary assistance, but the intersection at Bussell Highway and West Street will require a significant upgrade to cater for the natural growth of the City.

## **LPP 4 Urban Centres Policy**

This policy addresses design guidelines for specific commercial centres. Whist the subject land is outside of the boundary of the Urban Centres Policy it is considered relevant and has been given regard to.

## LPP 6 Development Contribution Policy

This policy identifies the requirement for contributions.

A percent for art contribution is at 1% of the development value is applicable to this application.

Drainage and infill contributions are not required as development through the UWMP for the Site Works application is to achieve standards for on - site disposal and therefore not require any augmentation of the City systems.

All roadwork associated with the development including the roundabout and medians will be at the applicant's cost and is addressed by condition of the site works approval.

### LPP 8 General Development and Process Standards policy

The CBD parking requirements can be applied to the considerations at this site and key considerations in this regard, from the General Development and Process Standards policy, include:

- Taxi spaces are required in close proximity to entrance at 1 per 1,000m<sup>2</sup> gross floor area.
- Where reciprocal parking is proposed, the City must be satisfied that parking arrangements are permanent

## 11.2

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- All car parking areas are to be sealed, line-marked and drained to the satisfaction of the City
- Car park design and construction shall include adequate provision for landscaping
- The City may require the lodgement of performance guarantees against the satisfactory construction, completion and establishment of car parking areas and associated landscaping
- The rate of carparking spaces for particular land uses is:
  - Shop, Office 1 space for every 30sqm of net lettable area.
  - Showroom 1 space for every 50sgm of net lettable area.

#### FINANCIAL IMPLICATIONS

Nil

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

There are no long term financial implications directly attributable to the determination of this application.

### STRATEGIC COMMUNITY OBJECTIVES

Governance systems that deliver responsible, ethical and accountable decision making.

## 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.

One of the submissions received during advertising has questioned the determination of the nature (category) of land use. The submitter has the prerogative to challenge the City's categorisation at the Supreme Court. The City has obtained independent legal advice which has supported its categorisation.

### CONSULTATION

The application for a supermarket was advertised between 30 October 2015 and 18 November 2015. Nine public submissions were received. Relevant agencies were also consulted.

A summary of the submissions received is attached (Attachment F).

The public issues raised in the submissions include:

- Concern about disturbance to the adjacent residential area
- Access to the homemaker centre should not be disadvantaged
- Relationship to Lot 16
- Concern the development will detract from the town centre of Busselton
- A supermarket was not identified on the concept plan
- The proposal is a shop and should be assessed as prohibited

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The proposal is contrary to the Ministers reasons for declining Scheme 20 Amendment 181

The issues raised by agencies include:

11.2

- Development is supported if consistent with the Local Water Management Strategy and Urban Water Management Plan. (DoW, DPAW)
- Supported if satisfactory manoeuvring space is provided for emergency vehicles.(DFES)
- Concern about impact/congestion on the West Street Bussell Highway intersection. (Main Roads)

### Reply to submissions received

The matters raised in the public submissions relate more to the considerations that were given in determining the Land Use Concept Plan. They relate to the overall development of the site and not specifically the supermarket and showrooms in their location on site.

The proposed building is located away from the residential area to the west. It will not directly impact upon the residents located at the western boundary. The Land Use Concept Plan guides the future development. In the area adjacent to the western residents it nominates buildings to be single storey and set back from the boundary (the setback utilised as a service access). It also provides in this area that any future assessment to ensure an appropriate level of amenity and privacy is provided to the adjacent residents. This includes matters of light spill, noise, odour, overlooking.

Overall the development does provide a benefit for the residents located to the west, which the City has pursued in response to their concerns; to provide them with an additional route of access to West Street or Bussell Highway.

The comments of Main Roads WA are not specific to the Supermarket but the development of lot 17 overall. These matters were considered at the land Use Concept Plan investigations and resulted in road treatments at West Street (provision for road widening and provision of a roundabout) and at Bussell Highway (medians restrictions facilitating only left-in and left-out turns.

It is acknowledged that the West Street Bussell Highway intersection is under pressure **at peak** times and is worsening. Work by the City has not been able to proportionate the impact of other recent commercial developments from that of the general and natural population growth. The City has therefore not been seeking upgrade contributions from recent developments in the town centre for the West Street Bussell Highway intersection. The capacity in the immediate term may be extended by signalling treatments including restricting right hand turns north at peak times, and by improving real time information for drivers (active signage at peak times) about alternate routes to destinations.

Storm water disposal, and the interface with the foreshore and wetlands, has now been approved by the Department of Water and the Department Parks and Wildlife, through the subdivision approved by the WAPC.

### OFFICER COMMENT

This proposal follows a methodical approach to the development of Lot 17. Many of the matters that would be considered have been addressed through the development of the Land Use Concept Plan, namely the impact up on the traffic network including intersection designs, the integration of utilities, the relationship to adjoining properties and protection of the wetlands.

## 11.2 Attachment I

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The subdivision application that followed the Land Use Concept Plan and the Site Works approval resolved the requirements for, floor levels, stormwater management, internal traffic movement, shared parking, pedestrian movement and landscaping.

### The key *Matters to be Considered* are the:

- Classification and orderly development
- Design and appearance of the building;
- Amenity;
- Carparking; and
- Effect on the natural environment

## Classification and Orderly development

### Classification

A number of submissions questioned the appropriateness of the location for a supermarket and also whether it was in fact a *Shop* and therefore a prohibited land use in the Restrict Business Zone. The Land Use Concept Plan identified the building but not the use as a Supermarket.

The applicant had sought to have the application categorised as a *Convenience Store*, which is a land use explicitly contemplated in the Restricted Business Zone.

The City's initial determination was that the proposal constituted a *Supermarket* (as well as showrooms), and that a *Supermarket* was not a use listed within the Zoning table in the Restricted Business zone. Significantly it is identified that Schedule 1, lists a *Supermarket* as a use that is different to a *Shop*.

The City then proceeded to consider Scheme clause 4.2.2 and determined that the Supermarket, and the application, was applicable to sub clause (b); that the use **may be** consistent with the objectives and policies of the Restricted Business zone and that advertising is required. The City proceeded to determine the application on that basis.

The City has sought external legal opinion as to the appropriate classification of the land use/application.

The legal advice obtained by the City supports the adopted the correct approach.

The legal advice also supports that Aldi is a particular form of Supermarket. An Aldi store can be distinguished from other supermarkets by its inclusion of special buys, which include furniture, electrical appliances, hardware, clothing toys and sheets. The advice however found that these distinctions neither make an Aldi store a shop or a showroom, but by proportion, it still satisfies the definition of a *Supermarket*. The legal advice did not support the opinion that the proposal could be considered a *Convenience Store*.

## Orderly development

The Statutory requirement is for the determining authority, the Council, to give due regard to the *Matters to be Considered*, as prescribed in the Regulations. Importantly *due regard* requires the determining authority to apply the development controls practically and mindful of their purpose.

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The Restricted Business includes an additional use for a Discount Department Store, up to 8000sqm and this was approved by the Minister in June 2007.

The City's Local Commercial Strategy's reflection on the purpose of facilitating the development of a Discount Department Store at Lot 17, which is unique only to this Restricted Business zone, recognised that it was important due to the difficulties in coordinating and consolidating land parcels in the town centre and rather than undermining the town centre it would be beneficial in reducing the escape expenditure to other centres in the region.

The Local Commercial Strategy did however recognise the importance of detailed design to ensure the development did not create fragmentation of the town centre.

Since then the detailed design referred to has been achieved through the Land Use Concept Plan. The recently approved Busselton Central, the main carpark off West Street has also worked to create a strong north-south connection linking Lot 17 to the town centre. The New River foreshore also provides a natural barrier defining the extent of development and perception of the town centre for the public.

The purpose that may be derived of the Zone, in considering the zoning table, the zone objectives and additional use, is that of commercial activity, a clean environment of a high amenity. A land use for *Industry*, as an example, is prohibited. A Discount Department Store up to  $8000\text{m}^2$  is a discretionary use not requiring advertising, therefore contemplated as appropriate and positively encourage by explicit identification in the Scheme.

The City has received a separate application for a Discount Department Store with a gross lettable area of 6133  $\text{m}^2$ . The proposed supermarket has a net lettable area of 1606  $\text{m}^2$ . Combined the total is 7739  $\text{m}^2$ ; within the 8000  $\text{m}^2$  Discount Department Store envisaged as desirable by the Scheme.

The Scheme purposefully provides for the impact a 8000 m² discount department store would have materially on the town centre and found advantages to do so despite a conflict with the Zone's objective. It cannot therefore be read at this particular Restricted Business Zone that anything that might be found in the City centre automatically cannot occur in this.

A Discount Department Store up to  $8000 \text{ m}^2$  is contemplated, and its intensity and impact including traffic was anticipated. Anything materially similar and within that quantum of  $8000 \text{ m}^2$  is arguably within the expected impact upon the City centre and road network, and therefore not inconsistent with the provisions of the Zone in this regard.

A Supermarket is materially comparable to a Discount Department Store. They are both car dependent, high turnover, large format, and the movement of people through and around them is very much the same. They are both not associated with any noxious emissions. They have the same car parking requirements and expected turnover of spaces. The only distinguishing feature is the product on sale; and this is not a distinguishing effect on the physical relationship the development may have with its surroundings. When comparing a Supermarket with a Discount Department Store they are externally comparable.

The proposed supermarket is an Aldi and it is a new market entrant. It is not an existing supermarket relocating from the town Centre. Aldi has a particular following and loyalty that may draw people from outside a normally expected catchment. There is no ready location within the town centre to practically accommodate an Aldi (that is not already held by a competitor) or be a site likely to be contemplated by Aldi as suitable, other than to displace an existing supermarket. As a supermarket however, an Aldi could be accommodated at a number of other locations within the District (e.g. the Commercial site at Old Broadwater Farm).

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The arrival of Aldi will have an effect upon other supermarkets, but competition is not a direct planning consideration and the competitive effect will be felt whether or not Aldi was to locate at the proposed location or elsewhere in the City's area.

The proposed use, because it is materially comparable with a Discount Department Store and is within the envisaged intensity of development and the impact that would have on the town centre and traffic, is considered consistent with the orderly development of the city.

As an aside, it should be noted that the Council has in the past supported zoning changes for the land, which had they not been rejected by the Minister for Planning, allowed further shop and supermarket floorspace on the land.

### Design and Appearance of the Building

The City has worked constructively with the applicant to improve the design and appearance of the initial proposal. These considerations included widening the footpaths, increasing the glazing at the ground floor, ensuring a continuous awning for pedestrians, the locations for advertising identified within the building profile and the relocation of the trolley store area from the West Street frontage to a central position at the northern face (front) of the supermarket.

The resulting building is a simple design (see **Attachment E**) but the use of vertical feature parapets, the continuous awning as a linking horizontal element, the interchange of colours and a high use of proportion of window creates a frontage of interest and interaction at the carpark. The other sides of the building feature only an interchange of colour. It however, does present a neat and orderly appearance with more interest than typically expected of a uniform cement tilt up construction.

### West Street Setback

Through the various design iterations and negotiations regarding the Site Works approval, the supermarket/building has been pushed south. The orientation of the building and the angle of West Street has resulted in an inadvertent narrowing of the setback to where the new the West Street boundary will be; once West Street has been widened. The south east corner of the building will have a 2m set back instead of the 6m set back identified in the Land Use Concept Plan. The building should be setback 6m from the widened road alignment in accordance with the Land Use Concept Plan to provide space for landscaping and sense of an appropriate scale to a public area.

The public's perspective is primarily from West Street. The architectural elements facing West Street are simple/bland. Landscaping, if the building is set back 6m, will intervene to assist in creating some variation and interest. The City has also indicated a preference for artwork, from the overall percent for art contribution at the site, to be directed to this area. Ideally the landscaping and the artwork should complement each other to provide a high standard of appearance at this area. The City can pursue this through the fulfillment of the conditions Site Works conditions.

A dual use path is to be located between the proposed building's service area and Lot 16. The Site Works investigations resolved the positioning of buildings, ground levels, and landscaping to ensure a pleasant amenity for the public travelling through the area. This has in turn benefited the relationship between the proposal and the house at lot 16.

The service areas located on the southern side of the proposed building are screened and the screening will present a neat and uncluttered edge to the building. This is consistent with the Scheme requirements for the location and screening of service areas. Precise details of materials, colours and textures should be conditioned, again to work with the considerations of the landscape plan details, conditioned in the Site Works approval, to ensure this area is an attractive public space.

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## Building height

The predominant building height is 9.53m, with feature parapets on the north face extending up to 10.7m. Advertising signage is to be retained below the heights of the parapet walls. The City's general building height limit is 10m (cl.5.8) but is discretionary. Limited features extending above that height are routinely accepted by the City.

The proposed building is a compatible scale in terms of the Home Hardware building on the opposite side of West Street (east), the proposed Discount Department Store (west) and the buildings (north – Toyota). The building will however be significantly taller that the existing residence at lot 16, which is located immediately south of the proposed building.

### Percent for Art

The Percent for Art Policy requires a contribution, or works, of one percent of the estimated value of the development is to be provided towards the inclusion of artworks in built form and public spaces (1% of \$2,000,000 + \$20,000). This is applied as a condition.

The applicant has indicated a preference to provide the art of an equivalent value on site, rather than making the cash contribution. The City has indicated that the combined contributions from the Site Works and other development applications should be directed to the area adjoining West Street.

### **Amenity**

The proposed building and its use as a supermarket and showrooms are not normally associated with high external impacts as fundamental to the land use. Possible impacts may be disturbance by service vehicle noise, light spill, odour from service area bins and potentially cooking doors. These may be described as management scale impacts and can be addressed by conditions. They are also enforceable under environmental health legislation.

## Carparking

Car parking is to be provided from a shared carpark. Both the proposal and the adjacent Discount Department Store will share a large block carpark. A formal arrangement for the continued access to the parking area is a condition that must be satisfied for both the lots to be divided and for the site works to commence. The proposal requires 70 car parking spaces; the supermarket calculated at 1:30m² NLA and the showrooms at 1:50m². Across the developments that share the carpark, a total of 700 spaces is required and 815 have been provided. This includes overall, 26 disabled bays, four taxi ranks, and 20 motorcycle spaces (this accords with LPP8 numbers and CI 5.22 car parking in the Restricted Business Zone).

The City has ensured that the carpark will be provided to practical dimensions ensuring that overhangs maintain the functionality of footpaths and landscape strips and drainage swales. Car parking areas will be sealed and line marked. Taxi bays 2 and disabled bays 4 are indicated convenient to the supermarket entrances

The vehicle movement and parking arrangements pursued by the Site Works approval are designed to facilitate safe, efficient and secure access for users of the development. Through negotiation some initial spaces were removed to provide more space adjacent the internal roundabouts and at the aisle ends. Although some minor modifications will be required at the detailed design stage, associated with the Site Works approval, the key elements of the City's Car Parking Policy have been complied with.

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### Effect on the natural environment

Through the investigation of the Land Use Concept Plan and the Local Water Management Strategy as part of the subdivision and expected of the Urban Water Management Plan a focus was to provide certainty for the adjacent (south) New River wetlands and its protection from entry of adverse quality storm water. These aspects have been addressed through establishing a foreshore reserve to be ceded to the Crown, by the requirements of the sub division approval and in the Site Works approval management plans and works the satisfaction of the Department of Parks and Wildlife.

The proposal before council will connect to the systems established by the site works and in that sense it will have a neutral affect upon the natural environment.

Another indirect impact, but addressed by site works approval is the provision of a Kangaroo Management Plan to be approved by the Department of Parks and Wildlife.

#### CONCLUSION

The proposal follows an orderly and proper approach to the development of the Restricted Business Zone. It follows approval of the Additional Use and the development of the Land Use Concept Plan, a sub division and a Site Works plan that provides the land in a ready state of development.

Whilst a supermarket is not a low intensity traffic generator it is materially similar to a Discount Department Store of 8000m<sup>2</sup>. The proposed supermarket and the proposed Discount Department Store are less than 8000m<sup>2</sup>.

The supermarket will have a competitive impact and contribute an increase in local traffic but it is within the impact that has been previously considered acceptable.

Further, the supermarket as an ALDI provides an additional competitor rather than simply providing an opportunity for an existing supermarket to relocate from the town centre. There is no readily available site in the town centre suitable for an Aldi. Declining this application would not strengthen the town centre, but it may deny the community the retail competition or it may see a site further from the town centre developed, which would be more damaging to the primacy, vitality and public perception of the town centre.

## **OPTIONS**

That the Council resolve

- 1. Refuse the proposal setting out reasons for doing so.
- 2. Approve the application with additional or different conditions.

## 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:

 That application DA15/0579 submitted for development a Supermarket and Showrooms at Lot 17 West Street Busselton is generally consistent with Local Planning Scheme No. 21 and the objectives and policies of the zone within which it is located.

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 That application DA16/0579 submitted for development a Supermarket and Showrooms at Lot 17 West Street Busselton is approved subject to the following conditions:

### **General conditions**

- The development hereby approved shall be undertaken in accordance with the signed and stamped, Approved Development Plan(s) (enclosed) except as may be modified by the following conditions.
- 2. No building is to be located within 6m of the new West Street boundary, established to accommodate a road widening of 5m.
- The development hereby approved shall be substantially commenced within two years of the date of this decision notice.

### Prior to Commencement of any work

- 4. That development hereby approved or any work associated with this approval must not commence until the site works as approved in DA15/0577 have been completed. These works create the land suitable for development.
  - 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
  - II. A revised floor plan and elevations reflecting a 6m building setback from the new West Street road boundary, consistent with the site works approval DA15/0577.
  - III. A detailed plan which shows natural ground levels, finished ground levels and finished floor levels.
  - IV. Details of type and colour of all external materials to be used.
  - V. Details of the proposed bin storage and loading dock areas including, but not limited to, the design and the materials to be used in their construction and management plan to minimise odour and pests.
  - A Dust Management Plan detailing measures to be implemented to minimise the amount of dust pollution.
  - VII. Details of signage, including but not limited to the design, materials and levels of illumination.
  - VIII. A detailed external lighting plan that avoids light spill to the residential property located immediately south, and is to be maintained for as long as that property remains as a place of residence. Aside from avoiding light spill to the south light should provide security to the carpark and can be used to create visual interest on the building's form.
  - IX. A Noise Management Plan detailing the control of all noise emanating from the property which is to include loading docks, service bays, waste management/ bin areas, exhaust air outlets and air conditioning plants.
  - X. Details of bicycle parking facilities including location and design.
  - A Construction Management Plan, which shall include details of site offices, material compounds, construction parking.
- 5. 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.

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## Attachment I

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Note: The City may agree to this amount being combined with percent for art contributions arising from other development on the site and the artworks being undertaken at the site. Artworks undertaken at the site in this regard are to be applied to the area adjoining West Street.

### Prior to Occupation/Use of the Development Conditions:

 The development hereby approved shall not be occupied, or used, until all plans, details or works required by Conditions 4-5 have been implemented.

### **Ongoing conditions**

- 7. All signage is to be maintained in good condition with an unbroken or faded surface.
- 8. Windows facing east and the carpark (north face) should remain open to views and shall not be covered by more than 20% such as for advertising.

#### **Advice Notes**

- 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 Southern Joint Development Assessment Panel.
- This Decision Notice grants planning consent to the development the subject of this
  application (DA15/0579). 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.
- 3. Please note it is the responsibility of the applicant / owner to ensure that, in relation to substantial commencement, this Planning Consent remains current and does not lapse. The City of Busselton does not send reminder notices in this regard.
- 4. 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.
- Details will be required at building permit for the provision of a static water supply for fire-fighting purposes. Hydrant pressure alone cannot be relied upon. This supply may be in conjunction with the requirements of other development at Lot 17.

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**Council Decision** 

C1602/001 Moved Councillor R Paine, seconded Councillor P Carter

That the Council refuses the development application for a proposed supermarket (ALDI) and showroom, Lot 17, West Street, Busselton.

CARRIED 5/4

Voting:

For the motion: Mayor G Henley, Councillor J McCallum, Councillor C Tarbotton,

Councillor P Carter and Councillor R Paine.

Against the motion: Councillor R Bennett, Councillor T Best, Councillor G Bleechmore and

Councillor R Reekie.

Note:

In accordance with Regulation 11(da) of the Local Government (Administration) Regulations 1996, the minutes of a Council meeting must include written reasons for a decision that is significantly different from the recommendation.

#### Reasons:

The Council is concerned that approval of the development would fragment the town centre, creating a frequent use supermarket area disconnected from the CBD, an outcome that does not align with the Community Objective 2.2 of the Strategic Community Plan. It would create a new shopping area separate from the existing community that has little to no opportunity for social interaction or community connection, eroding social capital. The proposed location was considered for show rooms that would be less frequently visited than a supermarket, the increase in traffic from would negatively impact on traffic flow and congestion, or require significant financial investment from the City to upgrade Bussell Highway and West Street. In addition, the zoning of the area does not explicitly allow a supermarket in this location.

## 12. ENGINEERING AND WORKS SERVICES REPORT

Nil

## 13. COMMUNITY AND COMMERCIAL SERVICES REPORT

### 13.1 GLC ALLIED HEALTH PROFESSIONAL SUITES

**SUBJECT INDEX:** GLC Allied Health Suites

**STRATEGIC OBJECTIVE:** A City where the community has access to quality cultural, recreation,

leisure facilities and services.

**BUSINESS UNIT:** 

**ACTIVITY UNIT:** Community Services

**REPORTING OFFICER:** Recreation Facilities Coordinator - David Goodwin

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

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Allied Health Suite Two

Attachment B Allied Health Suite Four Attachment C Allied Health Suite Valuations

### **PRÉCIS**

Expressions of Interest (EoI) were sought in relation to commercial lease opportunities at the Geographe Leisure Centre (GLC) (part of Reserve 29933) for the use of Allied Health Professional Suites.

The City advertised the proposed disposition in accordance with section 3.58 of the Local Government Act 1995 (LGA), informing the public of the City's intention to enter into a lease with two proponents as follows:

- 1. Gavin Rainbow to operate an Occupational Therapy practice over a portion of the reserve; Suite number two (2). No submissions were received.
- 2. Charlotte De Latte to operate a Myopractic service over a portion of the reserve; Suite number four (4). No submissions were received.

This report recommends that Council enter into lease agreements with the two proponents and the terms and conditions of these arrangements.

### **BACKGROUND**

During 2014 the GLC underwent a significant expansion and upgrade program, incorporating a new gymnasium, crèche, pool deck showers and change cubicles, universal access facilities, customer service area, offices, meeting room, cycle room, and four (4) health/ professional suites.

The health suites were added to attract health practitioners to provide mental and physical health services that complement existing services offered at the GLC. Each suite is fully independent and purpose built for health service businesses with exposure to GLC member traffic. Each suite has a hand basin, telephone and data point, air-conditioning, windows providing natural light and external door access allowing them to function separately from the GLC's operations. Suites vary in configuration and size ranging from 16 m² to 25 m². In addition to providing support services for GLC customers, the suites provide an additional revenue source that will assist in reducing the GLC's net operating deficit.

The City has been promoting the suites since October 2014 and has secured two tenants, Family Planning Association of WA who is leasing Suite three (3) to run their Family 1<sup>st</sup> Programme. Suite

three (3) is approximately 25m2 and has been leased to the Family Planning Association for two years at \$15,600 per annum (inclusive of GST and outgoings). The lease commenced on 31 August 2015 and expires on 30<sup>th</sup> August 2017 with no further option to extend.

Julie Ann Ferry is leasing Suite one (1) to run a Nutritionist business. Suite one (1) is approximately 17m2 and has been leased to Julie Ann Ferry for 6 months at \$12,220 per annum exclusive of GST and outgoings for which the tenant contributes \$50 per month. The lease commenced on 2<sup>nd</sup> November 2015 and expires on 2<sup>nd</sup> May 2016 with 2 further options of 6 months and I year respectively.

New Fees and Charges for Community and Commercial daily hire were also adopted by Council on 25 February 2015(C1502/040). These fees have enabled the rooms to be hired periodically by a number of different users. Both proponents De Latte and Rainbow are renting the suites until such time as the lease is approved and signed.

This report provides the details of Charlotte De Latte and Gavin Rainbow's submitted proposal, the results of the public notice and seeks Council endorsement of the terms of a proposed commercial lease arrangement with Gavin Rainbow to operate an Occupational Therapy business from suite two (2) and for Charlotte De Latte to operate a Myopractic service business from health suite four (4) at the GLC.

### STATUTORY ENVIRONMENT

Section 3.58 of the LGA relates to the disposal of property by a local government and disposal is defined to include leasing.

Local Governments are compliant with the LGA if the procedure under section 3.58(3) is followed. This requires the publishing of prior notice to the local public of the proposed disposition which describes the property concerned, gives details of the proposal and invites submissions to be made before a specified date, not less than two weeks after the notice is first given. Any submissions received before the date specified in the notice must be considered and if a decision is made by the Council or a Committee, the decision and the reasons for it must be recorded in the minutes of the meeting at which the decision was made.

The GLC health suites two (2) and four (4) are located on a part of Reserve 29933, being Lot 300, Deposited Plan 50595 Volume LR3137 Folio 982, 1 Recreation Lane, West Busselton. The land is vested with the City with the power to lease for any term not exceeding 21 years, with consent of the Minister for Lands, for the designated purpose of "Aquatic and Community Centre".

### **RELEVANT PLANS AND POLICIES**

The leasing of the allied health suites is in line with the GLC Master Plan and Council endorsed (C1404/108) GLC Business Plan 2014/15-2018/19.

## **FINANCIAL IMPLICATIONS**

Negotiations in relation to the proposed lease with Gavin Rainbow resulted in an annual rent of \$15,600 exclusive of GST and inclusive of outgoings. The rent will be indexed by CPI annually. The proposed lease term is twelve (12) months, with an option for a further twelve (12) months and then a further two (2) year option.

Negotiations in relation to the proposed lease with Charlotte De Latte resulted in an annual rent of \$15,600 exclusive of GST and inclusive of outgoings. The rent will be indexed by CPI annually. The proposed lease term is twelve (12) months, with an option for a further twelve (12) months.

A net market rental value for the health suites provided a range of rental income of between \$12,200 and \$14,040 per annum exclusive of GST and outgoings. This was provided by an independent valuer on the 13 January 2016. (See Attachment C).

Both the proponent's rental offer of \$15,600 exclusive of GST and inclusive of outgoings, is in line with the range of market rental recommended in the valuation.

The tenants will provide their own telephone and internet connections and be responsible for all associated connection and usage charges.

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

The annual rental payment recommendation achieves the rent forecast in the Council endorsed (C1404/108) GLC Business Plan.

### STRATEGIC COMMUNITY OBJECTIVES

Leasing of Suite two (2) and Suite four (4) at the GLC is consistent with the following City of Busselton Community Strategic Plan objectives:

- 2.1 A City where the community has access to quality cultural, recreation, and leisure facilities and services.
- 2.2 A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
- 2.3 Infrastructure assets that are well maintained and responsibly managed to provide for future generations.

## **RISK ASSESSMENT**

There are no identified risks of medium or greater associated with the officer recommendation, with the recommendation serving to mitigate the risks associated with there not being a lease in place.

### **CONSULTATION**

Local advertising of the City's intention to lease the property was undertaken from 2 to 16 March 2016, in accordance with Section 3.58 of the Local Government Act 1995. No submissions were received.

## **OFFICER COMMENT**

The City has been trying to lease all four allied health suites at the GLC since December 2014. In December 2015, a new approach was implemented and the suites were advertised through an online real estate agent which generated a number of enquiries. All interested parties were sent an Expression of Interest form with a closing date of 1st February 2016. Three expressions of interest were received however one proponent advised that they did not wish to proceed leaving the City with the two proponents: Charlotte De Latte and Gavin Rainbow.

The proponent, Gavin Rainbow, has an established business both in Perth and the South West called Live it! Occupational Therapy which has operated for approximately ten years and has had a growing client base over this time. The head office is in Mount Hawthorn with therapists servicing all areas of the Perth Metro area and South West region. Live it! has a therapist living in Cowaramup who has provided services on a part time basis working from home. However their client base has expanded now such that they have an additional full time therapist who lives in Busselton. The Health suite at the GLC will be for these two therapists to base their work from.

In his submission, Gavin Rainbow has offered a rent of \$15,600 exclusive of GST and inclusive of outgoings. This offer is in line with the market rental valuation. The proposed lease term is twelve (12) months, with an option for a further twelve (12) months and then a further two (2) year option.

The proponent Charlotte De Latte has an established myopractic business in the South West (Optimum Health Wellness and Bodywork Centre) with rooms in both Dunsborough and Bayside shopping Centre in Busselton. Charlotte De Latte has an established client base in both centres and is planning to move her office in Busselton to Suite four (4) at the GLC and sees her services complimentary to the services which we provide.

In her submission, Charlotte De Latte has offered a rent of \$15,600 exclusive of GST and inclusive of outgoings. This offer is in line with the market rental valuation. The proposed lease term is twelve (12) months, with an option for a further twelve (12) months.

Both tenants will provide their own telephone and internet connections and be responsible for all associated connection and usage charges.

A commercial lease arrangement for Suite two (2) and Suite four (4) supports the Council's objective to: increase revenues and reduce operating costs at the GLC. It also helps to achieve the key performance indicator: to continue to reduce the net operating deficit of the GLC facility. The rent proposed by the proponent is in line with the market valuation and supports the achievement of the revenues forecast in the GLC Business Plan.

### **CONCLUSION**

The Myopractic and Occupational Therapy services proposed will add to the diversity of health and fitness services available from the GLC. The proposal aligns well with community objectives outlined in the Strategic Community Plan and GLC Business Plan to provide quality, affordable and accessible services and facilities and it supports the key performance indicator to reduce the net operating deficit of the GLC.

For these reasons, it is recommended that the Council enter into a lease with Gavin Rainbow and Charlotte De Latte on the conditions noted in the Officer Recommendation with all other conditions to be consistent with the City's existing allied health suite leases.

## **OPTIONS**

- 1. Council can resolve not to enter into a lease agreement with Charlotte De Latte and/or Gavin Rainbow and re-advertise the premises;
- 2. Council can resolve to enter into a different term of lease with Charlotte De Latte and/or Gavin Rainbow.

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

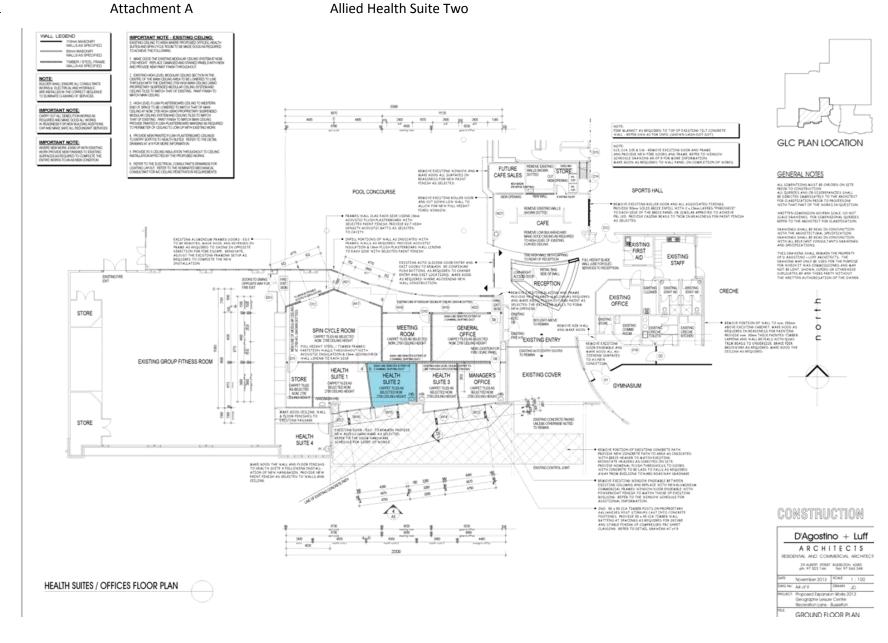
A lease would be forwarded to the Minister for Lands for preapproval by 15 April 2016. It is anticipated that signing of the lease would be on or before the 1 May 2016.

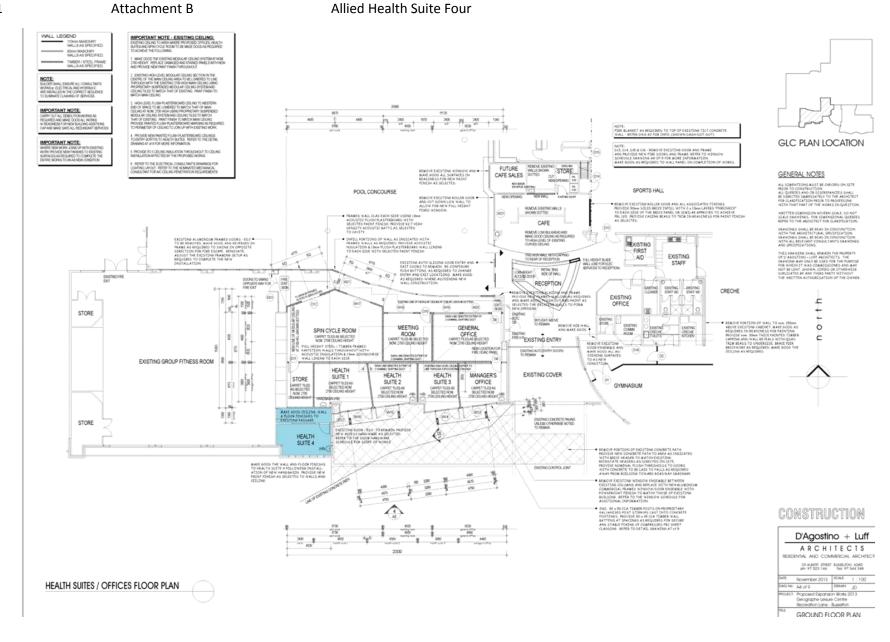
## **OFFICER RECOMMENDATION**

### That the Council:

1. Enter into a lease, subject to the Minister for Lands approval, with Gavin Rainbow for the occupation of Suite two (2) of a portion of Reserve 29933, being Lot 300, Deposited Plan

- 50595, Volume LR3137 Folio 982, 1 Recreation Lane, West Busselton as shown highlighted on Attachment A, subject to the terms and conditions of the lease to include the following:
- a. an initial leasehold term of 12 months; with an option for a further twelve (12) months and then a further two (2) year option.
- b. rent to commence at \$15,600 exclusive of GST and inclusive of outgoings, in the first year then indexed by CPI annually.
- c. the tenant to be responsible for telephone and, internet connections and charges applied to the leased premises; and
- d. other terms and conditions consistent with the City's existing allied health suite leases.
- 2. Enter into a lease, subject to the Minister for Lands approval, with Charlotte De Latte for the occupation of Suite four (4) of a portion of Reserve 29933, being Lot 300, Deposited Plan 50595, Volume LR3137 Folio 982, 1 Recreation Lane, West Busselton as shown highlighted on Attachment B, subject to the terms and conditions of the lease to include the following:
  - a. an initial leasehold term of twelve (12) months; with a further twelve (12) month option.
  - b. rent to commence at \$15,600 exclusive of GST and inclusive of outgoings, in the first year then indexed by CPI annually.
  - c. the tenant to be responsible for telephone and, internet connections and charges applied to the leased premises; and
  - d. other terms and conditions consistent with the City's existing allied health suite leases.





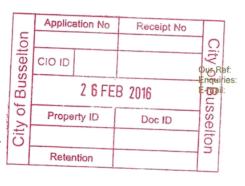
13.1 Attachment C





19th February 2016

Emma O'Brien Administration Officer City of Busselton Locked Bag 1, Busselton, WA, 6280



183793 / 00143-2016 Niall McMahon Ph: 9721 0807 Niall.McMahon@landgate.wa.gov.au

Dear Emma,

## MARKET RENTAL VALUATION - GEOGRAPHE LEISURE CENTRE - HEALTH SUITE OFFICES 1- 4 AND CAFÉ - 1 RECREATION LANE, WEST BUSSELTON

In response to your instructions dated 24<sup>th</sup> December 2015, requesting a market rental valuation for the above property, you are advised as follows;

LEGAL DESCRIPTION: Part of Lot 300, on Deposited Plan 50595; being the whole of land

in Certificate of Crown Title Volume LR3137, Folio 982.

• LEASE AREA: Health suite 1: 16m<sup>2</sup> approximately

Health suite 2: 17m<sup>2</sup> approximately

Health suite 3: 25m<sup>2</sup> approximately

Health suite 4: 23m<sup>2</sup> approximately

Café shop: 24m² approximately

LESSEES: Health suite 1: Julie Ferry "Health Smart Nutrition"

Health suite 2: Vacant

Health suite 3: Emma Blackwell "People 1st Programme"

Health suite 4: Vacant

Café shop: Vacant

13.1

## Allied Health Suite Valuations

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Property & Valuation Services- Country South West

### LEASE TERMS:

Health suite 1: The lease is for a period of six (6) months commencing on 2<sup>nd</sup> November 2015 and with two (2) further options of six (6) months and one (1) year respectively after the expiry date on 1<sup>st</sup> May 2016. CPI increases on each anniversary of the commencement of the lease. Current rental: \$13,442 (including GST).

Health suite 2: Vacant

Health suite 3: The lease is for a period of two (2) years commencing on 31<sup>st</sup> of August 2015 and with no further options, expiring on 30 August 2017. CPI increases on each anniversary of the commencement of the lease. Current rental: \$15,600 (including GST).

Health suite 4: Vacant

Café shop: Recently vacated, however at the time of vacating in January 2016 the rental as per lease was \$34,891.92 per annum (including GST).

ZONING:

Under the City of Busselton Local Planning Scheme No. 21 the land is zoned 'Recreation'.

 DESCRIPTION OF PREMISES: The subject building comprises brick and rendered brick / iron roof construction, built in circa 2000. The café is located internally behind the entrance reception area and presents to a modern standard of finish comprising; vinyl floor coverings and a stainless steel kitchenette which includes a two bowl sink. The café is airconditioned and the leisure centre is alarmed. The café is available to be operated during the leisure centre normal operating hours. There is a meals area of approximately 48m² associated with the café shop and a storage area of approximately 10m², however these areas do not seem to be included in the recently vacated lease details.

The health suites vary in size and each suite comprises a hand basin, carpet flooring, telephone point, power and data points, airconditioning, window and external access, allowing each suite to function separately from Geographe Leisure Centre operations. Health suite 4 includes a small waiting area / passage.

DATE OF VALUATION:

13<sup>th</sup> January 2016, being the date of inspection.

BASIS OF VALUATION:

The valuation assessment is based on comparable rental evidence as analysed to a per week basis.

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Property & Valuation Services- Country South West

### EVIDENCE COMMNETS:

Comparable rental evidence held on file for the health office suites has been drawn from smaller office space rentals within the Busselton location. Generally, rental rates vary from \$160 per week to \$320 per week net per annum (p.a.) ex-GST, depending on the quality of the premises, street exposure and location within Busselton.

Having considered the subject health office suites and available rental evidence within Busselton, a range of \$235 per week to \$270 per week plus GST and outgoings is considered a realistic rental range in the current market. An offer of within 10% of the assessed \$235 to \$270 per week rental range to lease the vacant health office suites would be considered fair and reasonable.

There is limited rental evidence of cafés situated within leisure centres in the south-west region of WA and therefore we have considered rental evidence of cafes, kiosks and kitchens leased within Busselton and the surrounding locations of Dunsborough and Bunbury. In completing investigations into cafés which are currently operated within leisure centres throughout the south-west of WA, it has become evident that the majority of cafés in the region are internally run by the respective shire where the leisure centre is situated. Should the café remain vacant for a period of time that extends beyond management's expectations, running the café internally may be an option to consider.

Having considered the subject café and available rental evidence held on file, a rental range of \$280 per week to \$320 per week net p.a. plus GST and outgoings for the café shop within the Geographe Leisure Centre is considered appropriate. An offer of within 10% of the assessed \$280 to \$320 per week rental range to lease the vacant café shop would be considered fair and reasonable.

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Property & Valuation Services- Country South West

MARKET RENT:

Having regard to the above factors, the market rental for the subject premises is as follows:

- Health suite 1: \$235 per week net p.a., (disclosing \$12,200p.a.), excluding GST and outgoings
- Health suite 2: \$235 per week net p.a., (disclosing \$12,200p.a), excluding GST and outgoings
- Health suite 3: \$270 per week net p.a., (disclosing \$14,040p.a), excluding GST and outgoings
- Health suite 4: \$260 per week net p.a., (disclosing \$13,520p.a), excluding GST and outgoings
- Café shop:
   \$300 per week net p.a., (disclosing \$15,600p.a), excluding GST and outgoings

This valuation has been prepared by Niall McMahon under delegation of the Valuer-General as defined in Part II of the Valuation of Land Act 1978.

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Property & Valuation Services- Country South West

## Assumptions, Conditions and Recommendations

- This assessment has been based on the information provided from you via email, our
  office records and other advice from Real Estate Agents active in the Busselton area.
- It is unknown whether a prospective tenant will have exclusive access to the waiting /
  passage area for health suite 4 as the passage provides internal access to an
  existing fitness room within the Geographe Leisure Centre. This has been reflected in
  the assessment of the market rental for health suite 4.

This report has been prepared for the private and confidential use of the client to whom it is addressed and should not be reproduced, either wholly or in part, or relied upon by third parties for any use, without the express authority of the Valuer-General.

Should you have any further queries, please do not hesitate to contact me.

Yours sincerely,

NIALL McMAHON, AAPI LICENSED VALUER NO. 44723, PROPERTY & VALUATION SERVICES, COUNTRY SOUTH WEST

## 13.2 MARKETING AND EVENTS REFERENCE GROUP OUTCOMES

**SUBJECT INDEX:** Events

STRATEGIC OBJECTIVE: A City of shared, vibrant and well planned places that provide for

diverse activity and strengthen our social connections.

BUSINESS UNIT: Commercial Services
ACTIVITY UNIT: Commercial Services

**REPORTING OFFICER:** Events Coordinator - Peta Tuck

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

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Nil

### **PRÉCIS**

The purpose of this report is to seek Council's approval to fund two upcoming events through the City's 2015/16 Events Budget.

### **BACKGROUND**

The Council, at its meeting of 13 April 2011 (C1104/114), resolved to endorse the implementation of a differential rating system whereby properties rated within the Industrial and Commercial zones across the City would directly contribute toward the City's continued support of tourism, marketing and event activities. This resolution also endorsed the establishment of a 'Key Stakeholders Reference Group' (now known as the 'Marketing and Events Reference Group') to make recommendations to Council with respect to the marketing and events budget allocations.

Further to this, at its meeting of 22 June 2011 (C1106/201), Council resolved to introduce a 3% Differential Rate on the abovementioned properties and as a result, \$180k was included in the 2011/2012 budget towards events and marketing. Following this, Council increased the Differential Rate to 6% in 2012/2013 (totalling \$360k), 7% in 2013/2014 (totalling \$379k) and 8% in 2014/2015 (totalling \$488k) towards events and marketing.

As part of the 2015/2016 adopted budget, Council increased the Differential Rate to 9% (totalling \$556k), with the funds split 75:25 between events and marketing respectively.

The total endorsed marketing and events budget for 2015/2016 is \$893k; \$697k allocated for events and \$196k allocated towards marketing. The \$697k budget allocation for events includes \$280k from municipal funds and \$417k from the Differential Rate Budget of \$556k. \$196k has been allocated specifically for marketing, including \$139k from the Differential Rate Budget and \$57k carry over from 2014/15. This excludes budgetary allocations for the Leavers Week event, administration, and events staffing.

Through the City's Events Sponsorship Programme a number of one-off and multi-year events have been allocated funding, as endorsed by Council, two of which in 2015/16 include the Books by the Bay Festival and the City of Busselton Criterium.

At the 14 October 2015 Ordinary Meeting of Council, Council resolved (C1510/293) to allocate \$15k for the Books by the Bay festival, to be provisionally funded from the draft 2016/17 Differential Rate Events Budget. Whilst this event is to be held in the 2016/17 financial year, forward funding has been requested to enable event organisers to secure authors' attendance. As such, \$5k has been requested to be funded from the 2015/16 budget, with the balance of \$10k to be funded in 2016/17. Further to this, at the Ordinary Meeting of Council on 11 December 2013, Council endorsed (C1312/325) entering into a multi-year funding agreement with the South West Cycle Club for the City of Busselton Criterium event, for the amounts of \$7k (2014/15), \$5k (2015/16) and \$5k

(2016/17), to be funded from the Differential Rate Events budget. This event did not proceed in 2015/16, however event organisers are holding a Delirium 24 hr Cycle Event at Barnard Park in April 2016 and as such have requested the allocation of \$5k for the Criterium to be allocated to the new event.

This report seeks Council's approval to fulfil the funding requests to both events to occur.

### STATUTORY ENVIRONMENT

Section 6.11 (1) of the *Local Government Act 1995* (the Act) requires that 'subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.'

### **RELEVANT PLANS AND POLICIES**

The recommendations are in line with Council policies.

### **FINANCIAL IMPLICATIONS**

As part of the 2015/2016 budget process, Council increased the Industrial and Commercial Differential Rate by 1% from 8% to 9%, with the funds being split 75:25 between events and marketing respectively, (\$417k towards events and \$139k towards marketing).

In addition to employing Events staff, the total 2015/16 marketing and events budget totals \$893k; \$697k allocated for events including \$280k from municipal funds for events funded through multi-year agreements and \$196k allocated specifically for marketing, including \$139k from the Differential Rate budget and \$57k carryover from the 2014/15 marketing budget. The funding allocated through the 2015/16 Municipal budget is as follows;

Events - Multi-Year Agreements funded through Municipal funds	2015/16
Busselton Jetty Swim	\$15,600
Ironman WA Busselton	\$149,400
Busselton Ironman 70.3	\$45,000
Geographe Bay Race Week	\$10,000
Cinefest Oz	\$50,000
Festival of Busselton	\$6,000
Carols by the Jetty	\$1,000
Australia Day	\$3,000
TOTAL	\$280,000

Within the 2015/16 Differential Rate Events Budget, \$232.6k is allocated for events funded through multi-year agreements, leaving a total of \$164.3k for the Events Sponsorship Programme. \$106k in event sponsorship was approved by Council in Round 1, and \$47.1k for Round 2, leaving \$11.2k in the events budget for 2015/2016.

In the 2015/16 financial year, three (3) events that funding has been allocated through the City's Events Sponsorship Programme to have not occurred, those being the Wrecked Festival (\$5k); City of Busselton Criterium (\$5k); and Dunsborough Bay Fun Run (\$3k). Based on this, a total of \$24.2k remains within the Differential Rate Events budget, which will enable funding requests for the 2015/16 financial year received for the Books by the Bay and Delirium 24 hour Cycle events to occur (\$10k in total).

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

The marketing and events budget, including both the municipal contribution and funds generated through the Differential Rate, are in line with the City's Long Term Financial Plan.

### STRATEGIC COMMUNITY OBJECTIVES

This matter aligns with the City of Busselton's endorsed Strategic Community Plan 2013, and principally with the following Strategic Goal:

Well planned vibrant and active places;

A City where the community has access to quality cultural, recreation, and leisure facilities and services.

#### **RISK ASSESSMENT**

The recommendations contained within this report are considered low risk and as such a formal risk assessment is not provided.

### **CONSULTATION**

Consultation has been undertaken with members of the Marketing and Events Reference Group, consisting of representatives from the Busselton Chamber of Commerce and Industry, Dunsborough Yallingup Chamber of Commerce and Industry, Geographe Bay Tourism Association and Conservation Association, Busselton Jetty Environment and Conservation Association and the City of Busselton.

### **OFFICER COMMENT**

he Marketing and Events Reference Group has been established with representatives from the City of Busselton, local Chambers of Commerce, the Margaret River Busselton Tourism Association, and the Busselton Jetty Environment and Conservation Association. A Terms of Reference guides the operations of the Group and an Events Sponsorship Programme has been developed.

Supporting the development and attraction of new events throughout the year, the Events Sponsorship Programme promotes the City of Busselton as an attractive host and event tourism destination for a range of events. The City, through the programme has attracted exciting new events to boost the local economy through event tourism.

City staff have received funding requests from two events to be allocated in the 2015/16 financial year; the Books by the Bay Festival, and the 24 Hour Delirium Cycle:

## The Books by the Bay Festival

This is a new event to be held in July 2016, and was successful in securing \$15k through the City's Events Sponsorship Programme. The funding allocation was endorsed by Council (C1510/293) to be provisionally funded from the draft 2016/17 Differential Rate Events budget. However, due to many costs arising in the 2015/16 financial year, the organiser has requested that \$5k be allocated in the 2015/16 financial year and the balance of \$10k to be funded in the 2016/17 financial year.

## The Delirium 24 Hour Cycle

The Delirium 24 Hour Cycle Event is also a new event, taking place around Barnard Park sporting precinct on 16-17 April 2016. This event has previously been successfully run in Cowaramup for the last 5 years, however due to the urban growth of Cowaramup it is no longer viewed as a desirable location. The event currently attracts more than 250 competitors from all over the state, either as

individuals or riding in teams for the duration. The organisers, South West Cycle Club, are well known to the City of Busselton, having been involved in many events over the past years most notably the City of Busselton Criterium . The Criterium was sponsored through the Differential Rate Events Budget as a multi-year agreement for the 2014/15 – 2016/17 financial years, for the amounts of \$7k, \$5k and \$5k respectively. Due to the inability to secure sufficient volunteer organising committee support, the South West Cycle Club advised the City that they would be unable to hold their scheduled Criterium events in February 2016 and February 2017. They have elected instead to focus on bringing the Delirium event to Busselton in 2016. As such event organisers have requested to be able to utilise the \$5k previously allocated to the Criterium event in the 2015/16 budget for the new Delirium event, to offset the large traffic management costs associated with running a 24 hour onroad event.

Both events are seen to reflect the City of Busselton's Events Strategy and sufficient funding is available in the 2015/16 Differential Rates Events budget to enable the funding requests to be fulfilled. As such it is recommended that the funding requests be approved.

### **CONCLUSION**

Officers support the budget amendment to fund \$5k from the 2015/16 Differential Rate Events Budget and \$10k from the 2016/17 Differential Rate Events Budget for the Books by the Bay festival, and to fund \$5k from the 2015/16 Differential Rate Events Budget for the Delirium 24 hour Cycle Event.

### **OPTIONS**

Council may choose not to support the recommendations made by Officers and resolve not to endorse part or all of the recommendations.

### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Following Council's decision, the outcomes will be communicated to all members of the Marketing and Events Reference Group and relevant event organisers for their information and implemented where required.

## **OFFICER RECOMMENDATION**

That the Council:

- 1. Endorses the allocation of \$5k from the 2015/16 Differential Rate Events Budget for the Books by the Bay festival, with the balance of \$10k to be provisionally allocated from the draft 2016/17 Differential Rate Events Budget.
- 2. Endorses the allocation of \$5k from the 2015/16 Differential Rate Events Budget for the Delirium 24 hr Cycle Event.

## 14. FINANCE AND CORPORATE SERVICES REPORT

## 14.1 GEOGRAPHE BAY YACHT CLUB LEASE RENEWAL REQUEST

**SUBJECT INDEX:** Agreements/Contracts

STRATEGIC OBJECTIVE: Infrastructure assets are well maintained and responsibly managed to

provide for future generations.

**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 Proposed Lease and Licence Areas

Geographe Bay Yacht Club

## **PRÉCIS**

The City leases a portion of Lot 4539 King Street, West Busselton, Reserve 17319, as shown edged in red on the plan marked Attachment A ("the Premises") to the Geographe Bay Yacht Club ("the GBYC"). The lease expired on the 30 June 2015 and the GBYC remain in occupation on a month by month basis.

The GBYC would like to continue to lease the Premises on the same terms and conditions as their existing lease. The purpose of this report is to inform Council of the outcome of negotiations with the GBYC and to make a recommendation as to a proposed lease renewal.

## **BACKGROUND**

Lot 4539 King Street, West Busselton, Reserve 17319, also known as "Lou Weston Reserve", is Crown Land vested with the City for the purpose of 'Recreation'. Lou Weston Oval is utilised year round by various sporting groups including Netball, Rugby, Tee-ball and Football. Additionally a number of purpose built facilities have been constructed on the reserve and are leased to the Busselton Netball Association, the Busselton Fitness Club and the GBYC.

The GBYC leases a large portion of Lou Weston Reserve. Their Premises includes the yacht club clubrooms, boat storage and junior sailing club, a fuel shed, the boat compound, fishing club clubrooms and storage facilities for the outrigger canoe racing club. The GBYC have leased the Premises for many years, with their current lease being for a term of 21 years, expiring on 30 June 2015. They remain in occupation on a month by month basis.

In 2010, the GBYC made a request to amend their leased area to include all of their built infrastructure and the boat compound. They also sought inclusion of the small grassed section beyond the existing northern boundary and the boat ramp as shown hatched green on Attachment A in their lease. This was not supported by the City or the Department of Lands, as it would limit pedestrian access to the beach. Council instead resolved (C1009/331) to amend the leased boundary to include the boat compound and to enter into a licence agreement with the GBYC for the small grassed section and the boat ramp, thereby retaining public access to these areas.

At the same meeting, the Council also resolved to explore the possibility of entering into an agreement with the GBYC to allow for some public vehicular access to the boat ramp from within their lease area. While discussions were held with the GBYC, an agreement was unable to be reached with the club concerned about safety relating to additional traffic and the difficulties in managing non club member use.

Lou Weston is a multi-purpose reserve with a number of different groups regularly using the oval and three different groups occupying the various buildings. Additionally the Scouts have recently acquired the land between the GBYC and the Fitness Club. Given its variety of uses City Officers have been looking at ways to improve the access and egress to the oval and surrounding buildings and to the carpark to the east of the Premises, as shown on Attachment A.

There is currently a shared driveway between the Premises and the Lou Weston Oval, which provides access to the GBYC and is also used regularly by users of the oval. There is informal parking adjacent to the driveway and the shared use path also runs through the area. A draft redesign of the area has been completed and will require a realignment of the GBYC's leased boundary. City Officers have been in discussions with the GBYC in relation to this; the outcome of these discussions is further outlined in the report.

## 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) (il) 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 GBYC is such that this exemption applies.

The portion of land occupied by the GBYC is located on Lot 4539 King Street, West Busselton on Deposited Plan 211912, Volume LR3004 Folio 329, Reserve 17319. The land is Crown Land vested with the City. The City has the power to Lease for a term not exceeding 21 years for the designated purpose of Recreation subject to the consent of the Minister of Lands

## **RELEVANT PLANS AND POLICIES**

Nil

## **FINANCIAL IMPLICATIONS**

The GBYC currently pay \$100.00 per annum inclusive of GST. The rent currently charged to community and sporting groups for City land and/or buildings is \$205.00 per annum inclusive of GST, increased annually by CPI. It is proposed that the rent terms under a new lease be brought in line with this.

It is proposed that the GBYC remain responsible under their lease for the structural integrity and maintenance obligations of the Premises and for the boat ramp through a licence agreement. Therefore there should be no financial implications to the City in this regard.

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

Nil

## STRATEGIC COMMUNITY OBJECTIVES

The proposed Lease is consistent with the following City of Busselton Strategic Objectives: Key Goal Area 2: Well planned, vibrant and active places:

- 2.1 A City where the community has access to quality cultural, recreation, leisure facilities and services.
- 2.2 A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
- 2.3 Infrastructure assets are well maintained and responsibly managed to provide for future generations.

### **RISK ASSESSMENT**

There are no identified risks assessed as being of a medium or greater level associated with the Officer recommendation, with the recommendation serving to mitigate the risks associated with there not being a lease in place.

## **CONSULTATION**

City Officers attended the GBYC committee meeting to discuss new lease terms for the Premises, including the proposal to offer a term of 5 years with an option for a further 5 years, as is consistent with the City's current standard community and sporting group lease. The Committee were provided with a draft of the City's current standard community and sporting group lease.

The GBYC expressed their strong preference for a 21 year term, citing their level of investment on the site and a lack of alternative sites that would accommodate their needs. City officers explained that the 5 plus 5 approach is not only consistent with current standard lease terms but also with other leases of Lou Weston Reserve, with the Busselton Fitness Club entering into a 5 plus 5 lease term in 2010 and the Busselton Netball Association in 2014.

The proposed changes to the leased area to facilitate an upgrade to parking and access and egress have been discussed with the committee, with the committee broadly comfortable with the proposed changes.

The proposed caretaker arrangements discussed in the Officer Comment section of this report have been discussed with the Department of Lands, who have indicated that they have no concerns with the proposal subject to Council providing approval.

## **OFFICER COMMENT**

The GBYC was established in 1959. Its objectives are to foster and encourage sailing and sail racing; to promote social activities between members of the club and to affiliate with other clubs or associations that have similar interests or objectives. The club has a membership of approximately 350 members and offers regular sailing classes, promotes sailing events such as Geographe Bay Race week and runs other social events from their Premises. Additionally, the Naturaliste Game Fishing Club and the Geographe Outrigger Canoe Racing Club Incorporated have facilities on a portion of the Premises for their activities, with members of both clubs required to be affiliate members of the GBYC.

The GBYC have a long affiliation and history with Lou Weston Reserve and would like to remain in occupation of the Premises. They are keen to continue upgrading their existing facilities and have verbally communicated plans to construct a covered BBQ area and extend the boat compound to the western boundary of the leased area.

The GBYC would also like to formalise caretaker arrangements for security purposes and are seeking approval for a caretaker's caravan to remain on the Premises for the duration of the lease term. The City, as the body responsible for care and control of the land, can provide approval under the lease

and it is recommended that Council provide this approval as part of the lease conditions, subject to appropriate obligations as to use and maintenance and the like.

As noted in the background City officers have been looking at ways to improve access to and egress through the reserve, resulting in proposed changes to the GBYC leased area. It is proposed that a southern portion of the land of the GBYC's existing leased area be excluded from their leased premises, as shown hatched yellow on Attachment A. This will provide for improved flow through the area as well as some additional car parking.

The GBYC are comfortable with this area being removed from their lease, but did express concern that formal parking in this area may create fewer parking spaces for boat trailers. While this concern has been considered, the upgrade is primarily to provide for safer traffic and pedestrian flow through the area and formalising car and boat parking bays is required to achieve this.

Although the GBYC have requested a 21 year lease term, it is recommended that the City enter into a 5 year lease with a further option of 5 years. Lou Weston Reserve is an important recreation asset for the City and, as reflected in its Corporate Business Plan, the City has identified the need to prepare a concept plan for the future development of Lou Weston Reserve. This may lead to the upgrade of facilities and buildings and is a key reason for officers recommending a lease term of 5 years plus a further 5 year option. In this way the City maintains greater flexibility to make potential changes that may result from the concept plan process, for example changes to leased area, in a shorter timeframe.

The same term was offered to the Busselton Netball Association who also requested a 21 year lease term. The City did however include a right of first refusal clause in the lease, providing the lessee with the first right to renew should the premises continue to be offered for lease by the City. This was to alleviate the association's concerns that the City would offer a lease of their premises to another group or entity after the 10 year expiry. As the GBYC have expressed similar concerns, it is recommended that this provision also be included in their lease.

The City in 2003 entered into a Jetty Licence with respect to the boat ramp, with the Department of Transport (DoT). Under the Jetty Licence the City is required to allow the general public to have unrestricted access to the ramp at all times, such that the public are not restricted from crossing the ramp and accessing the beach either side. High tide access is provided via the grassed area in front of the yacht club as shown hatched green on Attachment A. The City is also required under the Jetty Licence to maintain the boat ramp.

These obligations have to date been primarily met by the GBYC and it is proposed that a separate (non-exclusive) licence agreement is entered into for the boat ramp and the grassed area, requiring the GBYC to continue to maintain these areas.

## **CONCLUSION**

The offering of a lease renewal to the GBYC will provide for the continuation of the club's activities at Lou Weston Reserve. It also provides the opportunity for realignment of the lease boundary so that the City can make necessary improvements to traffic and pedestrian flow at Lou Weston Reserve. A term of 5 years with an option for a further 5 years is recommended, as it is consistent with the term offered to other Lou Weston Reserve lessees and the majority of the City's current community and sporting group leases. It is recommended that a licence agreement be entered into for the boat ramp and grass area, providing clarity in relation to use and maintenance obligations for these facilities.

## **OPTIONS**

- 1. Council can resolve not to enter into a lease with the GBYC.
- 2. Council can resolve to enter into a different lease term with the GBYC, for any term not exceeding 21 years.

### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

A lease and a licence will be forwarded to the Minister for Lands seeking in-principle approval following the resolution of Council. It is anticipated that the lease and the licence will be executed by the GBYC by 1 July 2016.

## **OFFICER RECOMMENDATION**

## That the Council:

- 1. Enter into a lease, subject to the consent of the Minister for Lands approval, with the Geographe Bay Yacht Club Inc for a portion of Lot 4539, 2 King Street, West Busselton, as shown hatched blue on Attachment A.
  - a) The term of the lease commencing 1 July 2016 and expiring 30 June 2021, with a further 5 year option expiring 30 June 2026;
  - b) The annual rent to commence at \$205.00 inclusive of GST with annual rent increase of CPI;
  - c) The lease is to be consistent with the City's standard community and sporting groups lease agreement with the addition of clauses allowing for an onsite caretaker subject to appropriate conditions and giving the Club first right of refusal if the City decide to re-lease the premises at the expiry of the Term; and
  - d) All costs associated with the preparation of the new lease to be met by the Lessee.
- 2. Enter into a licence, subject to the consent of the Minister for Lands approval, with the Geographe Bay Yacht Club Inc for a portion of Lot 4539, 2 King Street, West Busselton, as shown hatched green on Attachment A for a term to coincide with the lease to the Club, which requires the Club to maintain the licensed area.

## Plan Showing Proposed Lease and Licence Areas Geographe Bay Yacht Club



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## 14.2 CONTRACT FOR ELECTRICITY SUPPLY TO CITY OF BUSSELTON CONTESTABLE SITES

**SUBJECT INDEX:** Request for Quotation

**STRATEGIC OBJECTIVE:** An organisation that is managed effectively and achieves positive

outcomes for the community.

BUSINESS UNIT: Corporate Services
ACTIVITY UNIT: Legal Services

**REPORTING OFFICER:** Legal Services Coordinator - Cobus Botha **AUTHORISING OFFICER:** Manager, Corporate Services - Sarah Pierson

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Confidential Quotation Assessment Report RFQ 15-16

## **PRÉCIS**

The City has 15 sites which could potentially be classified as "contestable" under the *Electricity* (*Licensing*) Regulations 1991. Electrical supply for these contestable sites can be taken to the open electricity market to seek best value for money from prospective suppliers.

Pursuant to a request for quotation process it is recommended that Alinta Sales Pty Ltd (**Alinta Energy**) be awarded the contract to provide electricity to the City of Busselton contestable sites for the period 1 May 2016 to 30 April 2018.

### **BACKGROUND**

The energy market in Western Australia is regulated by the Economic Regulation Authority. Electricity supplied to metered sites with an annual load greater than 50,000 kWh can be taken to the market as "contestable supply". Contestable supply delivers potential savings to the consumer due to the discounted tariffs applied to these sites. For sites with a lower annual load than the "contestable site" threshold the City must continue purchasing electricity from the nominated supplier (currently Synergy) at its relevant standard rates.

The City continues to see an increase in the number of contestable sites with a total of 15 sites now considered eligible for contestable supply, compared to 11 contestable sites during the previous contract term. Substantial savings have been achieved through use of contestable supply.

The City has previously entered into electricity supply agreements (two year contract terms) with Perth Energy Pty Ltd (Perth Energy) for contestable sites in 2010, 2012 and 2014. The City's current agreement with Perth Energy expires on 30 April 2016. For purposes of securing electricity supply for a further term of two years to the relevant City owned facilities, quotations have been requested through WALGA's eQuotes system. WALGA's Contestable Energy & Related Services Contract C024\_14 provides savings of up to 30% in comparison to the standard business tariffs. Figures from WALGA indicate the City has in the past achieved substantial savings through contestable energy supply.

The WALGA "Energy - Contestable Energy and Related Services" panel comprises of nine panelists, that is AER Retail Pty Ltd, Alinta Energy, COzero, Enigin Western Australia, Infinite Energy, Perth Energy, Landfill Gas & Power Pty Ltd, Synergy and Kleenheat Gas. Some of these suppliers, like Kleenheat Gas and Landfill Gas & Power, supply only gas, while some of the others focus mainly on renewable energy. The request for quotation was sent to Synergy, Alinta Energy and Perth Energy as they are well known electrical retailers, operating regionally and with the ability to meet local demand. All three of them have submitted quotations. Further details of the submissions received from Synergy, Alinta Energy and Perth Energy are provided in confidential Attachment A.

### STATUTORY ENVIRONMENT

In terms of the Local Government (Functions and General) Regulations 1996 (LG Regulations) a local government must publicly invite tenders where the consideration for the supply of the relevant goods or services is likely to exceed the statutory threshold (currently \$150,000), unless one or more of the exemptions under LG Regulation 11(2) apply. In terms of LG Regulation 11(2)(b) tenders do not have to be publicly invited if the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program.

Synergy, Alinta Energy and Perth Energy are all on the WALGA Preferred Supplier Panel. The Request for Quotation process for electricity supply to the City's contestable sites has been undertaken via WALGA's eQuotes system under WALGA's Contestable Energy & Related Services Contract C024\_14 and therefore the exemption under LG Regulation 11(2)(b) applies.

### **RELEVANT PLANS AND POLICIES**

Policy 239 – *City of Busselton Purchasing Policy* applies. The procurement process for the supply of electricity to the City's contestable sites complies with this policy.

## **FINANCIAL IMPLICATIONS**

It is estimated that over the next contract term of two years the City will pay between \$800,000 and \$1,2 million (excluding GST) for electricity supply to City facilities which qualify as contestable sites (based on the estimated electricity consumption and the estimated cost over life of the supply contract). The estimated electricity consumption at the contestable sites (based on the City's historical use) and the three respondents' quoted rates have been used to assess their quotations, which provided the following results:

Supplier	Estimated total cost over life of contract
Alinta Energy	\$1,032,478 (rates fixed no CPI indexing)
Perth Energy	\$1,073,628 (subject to CPI indexing)
Synergy	\$1,182,178 (rates fixed – no CPI indexing)

It is estimated that CPI indexing (calculated at 2.5%) could add approximately \$13,420 over the contract life to Perth Energy's total cost.

Based on the evaluation results Alinta Energy's offered pricing structure and rates clearly presents better value for money than both Synergy and Perth Energy.

Further detail of each respondent's rates is provided in confidential Attachment A. A comparison of the rates under the current supply contract with the rates/charges offered by Alinta Energy for the new contract term shows the following price increases (which are considered to be consistent with current market tendencies):

On-peak charge – 12.32% increase Off-peak charge – 10.1% increase

A comparison of the rates/charges offered by Alinta Energy for the City's contestable sites with the general rates/charges currently paid by the City in respect of its "non-contestable" sites shows that Alinta Energy's offered rates/charges are significantly cheaper. Although it is not always possible to compare prices directly, Alinta Energy's offered rates/charges could in some instances present a cost saving of as much as 31% over the so-called "general" rates/charges.

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

The estimated electricity consumption and cost of supply over the proposed contract period aligns with current projections in the City's Long-term Financial Plan.

### STRATEGIC COMMUNITY OBJECTIVES

Entering into an electricity supply agreement for the City's contestable sites aligns with Community Objective 6.3 of the City's Strategic Community Plan:

6.3 An organisation that is managed effectively and achieves positive outcomes for the community.

## **RISK ASSESSMENT**

WALGA has prequalified and contracted a range of suppliers, an arrangement designed to mitigate risks to Local Governments. Through this process, comprehensive due diligence has been undertaken to ensure the integrity and sustainability of the suppliers, including Alinta Energy. Compliance risks are therefore mitigated through WALGA's centralised supplier panel model. In addition, the following comments on Alinta Energy are relevant.

Alinta was established in 1941 and began operations in Western Australia in 1995 as part of the State Energy Commission of WA. In 2007 the company was acquired by a consortium between Australia's second-largest investment bank, Babcock & Brown, and Singapore Power International and subsequently delisted from the Australian Securities Exchange, currently operating as a private company. It currently is one of Australia's largest energy providers employing over 800 people across Australia and New Zeeland and selling gas and electricity to over 700,000 customers. Alinta Energy owns and operates 9 power stations (4 of which are in WA) with a generation capacity of 2,500MW. If Alinta Energy were to fail, the City would be able to terminate the electricity supply agreement without penalty and seek to enter into a new agreement with an alternative supplier.

The proposed contract with Alinta Energy does not involve any significant changes from current practices and is therefore considered low risk.

## **CONSULTATION**

None

## **OFFICER COMMENT**

The City of Busselton potentially has 15 contestable sites. These are as follows:

- (1) Geographe Leisure Centre
- (2) City of Busselton Depot
- (3) City of Busselton Administration Office
- (4) Naturaliste Community Centre
- (5) Busselton Regional Airport
- (6) Busselton Library
- (7) Bovell Park
- (8) Kookaburra Caravan Park (Adelaide St)
- (9) Kookaburra Caravan Park (L7885 Adelaide St)
- (10) Community Resource Centre
- (11) Queen Street (Foreshore)
- (12) Kookaburra Caravan Park Park 3

- (13) Dunsborough Sports Oval
- (14) ArtGeo Complex, Old Sergeants Quarters, Tea Rooms & Studio
- (15) Vasse Lakes Irrigation

Sites 1-11 listed above were covered by a current supply agreement with Perth Energy. Prior to requesting the quotations, the City investigated the usage at its sites and identified four further sites (sites 12 - 15 above) which would potentially qualify as contestable sites. The City will continue to monitor usage at all of its sites. The proposed contract with Alinta Energy provides for additional sites to be included under the contract as and when they qualify as contestable. All sites with the potential of reaching the "contestable" threshold will be monitored on an ongoing basis.

The submissions received from the three respondents were assessed on the basis of comparing the estimated cost over life of the contract using the estimated consumption at abovementioned sites by factoring in each respondent's rates/charges for on-peak and off-peak consumption and supply charges. This method is considered the most reliable for making a fair and impartial assessment. Based on abovementioned assessment results Alinta Energy's offered pricing structure clearly presents best value for money.

An operational assessment of the variables between the respondents indicated similarity in terms of account management, terms of supply and service standards.

The Alinta Energy's proposal includes the following terms:

- Payment terms of 14 days from date of receipt of each bill;
- Rates and charges include, as at the start date, all capacity charges, exit point network charges IMO Market Charges, renewable energy charges but exclude costs increases due to changes in law and taxes;
- No minimum "take factor", that is no pre-determined minimum usage thresholds which could trigger additional charges if not met;
- No "Contract Maximum Demand" which means additional sites, like the new Admin Building, could be included once the "contestable site" threshold of 50,000kWh is reached

The general conditions of contract proposed by Alinta Energy for the new contract (2016 - 2018) are based on the *Alinta Energy Electricity Supply Agreement Terms and Conditions October 2014*, which is standard to all Alinta Energy's customers who are provided with a similar service.

Alinta Energy also submitted a *Transition Plan for City of Busselton (Electricity Supply)* and nominated a dedicated account manager to effect a smooth transition to Alinta Energy as new electricity supplier.

## **CONCLUSION**

Entering into an electricity supply agreement with for the City's contestable sites will provide savings when compared to the standard business tariffs. With electricity consumption within the City increasing and also electricity prices forecast to rise, entering into a supply agreement would shelter the City from large increases in electricity tariffs during the term of the agreement.

The Alinta Energy quotation clearly represents best value for money. It is therefore recommended that Alinta Energy be awarded the contract resulting from RFQ15/16 for the supply of electricity to the City's contestable sites for the period of 1 May 2016 to 30 April 2018 on the basis of their submitted rates and the *Alinta Energy Electricity Supply Agreement Terms and Conditions October* 2014.

## **OPTIONS**

As alternatives to the Officer's Recommendation, the following options are available to Council:

- 1) Enter into an electricity supply agreement with the current supplier, Perth Energy. This would result in additional costs of approximately 4.3% plus the effect of CPI indexing (in total approximately \$54,000 over the contract life) above the Alinta Energy offer over the term of the contract.
- 2) Not enter into a "contestable site" electricity supply agreement with any electrical suppliers and revert to the standard Synergy business supply tariffs. This would result in higher costs of approximately 30% or more than under the proposed Alinta Energy contract over a two year period.

For the reasons mentioned in this report neither one of these options is recommended.

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The current Perth Energy contract expires on 30 April 2016. Therefore, if endorsed by Council, the City will enter into a new electricity supply agreement with Alinta Energy to take effect from 1 May 2016.

## **OFFICER RECOMMENDATION**

That the Council awards the contract for supply of electricity to the City of Busselton contestable sites to Alinta Sales Pty Ltd for the period of 2 years on the basis of their rates submitted in response to Request for Quotation RFQ 15/16 and on terms and conditions which are materially the same as Alinta Sales standard terms and conditions to their business customers.

## 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:** Executive Services

**REPORTING OFFICER:** Reporting Officers - Various

**AUTHORISING OFFICER:** Chief Executive Officer - Mike Archer

**VOTING REQUIREMENT:** Simple Majority

**ATTACHMENTS:** Attachment A Planning Applications Received 1 February - 29

February 2016

Attachment B Planning Applications Determined 1 February - 29

February 2016

Attachment C State Administrative Tribunal Appeals as at 1 April

2016

Attachment D Meelup Regional Park Management Committee

Informal Meeting Minutes 19 January 2016

Attachment E Meelup Regional Park Management Committee

Informal Meeting Minutes 23 February 2016

Attachment F ALGA – 2016 Federal Budget Submission Attachment G Busselton Jetty Swim - Letter of Appreciation

Attachment H DFES – Bush Fire Service Medallions

Attachment I Dunsborough Bay Yacht Club – Letter of Appreciation

Attachment J Dunsborough Bay Yacht Club – Photos

Attachment K South West Academy of Sport – Letter of Appreciation

## **PRÉCIS**

This report provides an overview of a range of information that is considered appropriate to be formally presented to the Council for its receipt and noting. The information is provided in order to ensure that each Councillor, and the Council, is being kept fully informed, while also acknowledging that these are matters that will also be of interest to the community.

Any matter that is raised in this report as a result of incoming correspondence is to be dealt with as normal business correspondence, but is presented in this bulletin for the information of the Council and the community.

## **INFORMATION BULLETIN**

## 15.1.1 Planning and Development Statistics

Attachment A is a report detailing all Planning Applications received by the City between 1 February, 2016 and 29 February, 2016. 82 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 1 February, 2016 and 29 February, 2016. A total of 63 applications (including subdivision referrals) were determined by the City during this period with 60 approved / supported and 3 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 March 2016.

## 15.1.3 Meelup Regional Park Management Committee

The minutes from the informal committee meetings of the Meelup Regional Park Management Committee for the 19 January 2016 is included in Attachment D and the 23 February 2016 is included in Attachment E.

## 15.1.4 Australian Local Government Association – 2016 Federal Budget Submission

Correspondence has been received from the Australian Local Government Association and is available to view in Attachment F.

## 15.1.5 Busselton Jetty Swim – Letter of Appreciation

Correspondence has been received from the Busselton Jetty Swim and is available to view in Attachment G.

## 15.1.6 Department of Fire & Emergency Services – Bush Fire Service Medallions

Correspondence has been received from the Department of Fire & Emergency Services and is available to view in Attachment H.

## 15.1.7 Dunsborough Bay Yacht Club – Letter of Appreciation

Correspondence has been received from the Dunsborough Bay Yacht Club and is available to view in Attachment I & J.

## 15.1.8 South West Academy of Sport – Letter of Appreciation

Correspondence has been received from the South West Academy of Sport and is available to view in Attachment K.

## **OFFICER RECOMMENDATION**

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

- 15.1.1 Planning and Development Statistics
   15.1.2 State Administrative Tribunal (SAT) Appeals
- 15.1.3 Meelup Regional Park Management Committee
- 15.1.4 Australian Local Government Association 2016 Federal Budget Submission
- 15.1.5 Busselton Jetty Swim Letter of Appreciation
- 15.1.6 Department of Fire & Emergency Services Bush Fire Service Medallions
- 15.1.7 Dunsborough Bay Yacht Club Letter of Appreciation
- 15.1.8 South West Academy of Sport Letter of Appreciation

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## Attachment A

Application Number	Description			Date Application	Estimated Cost		Applicant Name	Clock Days
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Deemed Complete	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications								
DA15/0594	Two [2] Additional Grouped Dwelling (forming Three (3) Grouped Dwellings)	8 Peake Street~WEST BUSSELTON WA 6280	Lot 4 PLAN 7054	2/02/2016	480000	Kimberly Pty Ltd	Bob Bruce Design	50
DA15/0615	Grouped Dwelling	3/126 Gifford Road DUNSBORDUGH WA 6281	Lot 3 SSPLN 58420	26/02/2016	328332	Gary James Battle & Deborah Maree Battle	Ventura Home Group Pty Ltd	35
DA15/0664	Additions and Alterations to Existing Dwelling	532 Caves Road~MARYBROOK WA 6280	Lot 34 PLAN 8009	10/02/2016	850000	Estate Of Marion Elsie Yates Couch	David Arthur Couch, Jennifer Lee Couch	15
DA15/0670	Holiday Home (Single Dwelling) 10 people	41 Burton Road~NATURALISTE WA 6281	Lot 7 DIAGRAM 78431	3/02/2016	0	Cameron Clive Bell	Cameron Clive Bell	45
DA15/0685	Outbuilding (Trotting Club, Churchill Park)	78 Adelaide Street"BUSSELTON WA 6280	Lot 410 PLAN 216960	11/02/2016	36462	City of Busselton-Crown Grant In Trust	Busselton Trotting Track	45
DA15/0687	Change of Use (from Used Vehicles to Motor Vehicle Repair)	13 Wright Street~BUSSELTON WA 6280	Lot 87 DIAGRAM 70300	8/02/2016	0	Kevin John Davis	Christopher Charles Maxwell	68
DA15/0690	Additions to Grouped Dwelling (Special Character Area)	11A Turner Street*DUNSBOROUGH WA 6281	Lot 1 SSPLN 52036	19/02/2016	50000	Bernard Hoffmann	Daniel Prestipino Design	75
DA15/0697	Fixed Jetty	14 Headstay Cove~GEOGRAPHE WA 6280	Lot 44 PLAN 57392	17/02/2016	18500	Graham Francis Broadley & Barbara Anne Broadley	West Coast Jetties	75
DA15/0704	Landscape Value Area - Re-roofing Single Residence	21 Lenamont Court*DUNSBOROUGH WA 6281	Lot 55 PLAN 19168	2/02/2016	19500	Gwyn Jeremy Davies & Julie Anne Davies	WA External Solutions	
	Relocated Building Envelope to Accommodate							31
DA15/0705	a Water Tank	70 Drummond Glen^NATURALISTE WA 6281	Lot 12 PLAN 22558	19/02/2016	0	Graham Rochford Dowland	Charles Eric Grist	66
DA15/0711	Single Dwelling (Landscape Value Area)	Quedjinup Drive~QUEDJINUP WA 6281 64A Reynolds Street~WEST BUSSELTON WA	Lot 103 PLAN 21711	16/02/2016	725965	Carolyn Jane Robinson & Michael Eric Robinson	Dale Alcock Homes South West Pty Ltd	85
DA15/0712	Residence on Survey Strata Property	6280	Lot 2 SSPLN 69518	12/02/2016	230000	Scott William Eardley & Joanne Eardley	Scott William Eardley	74
DA15/0713	Two (2) Sea Containers (Industrial Lot) Busselton Golf Club (Toilets and Shed	7 Goldsmith Street~BUSSELTON WA 6280	Lot 2 STPLN 49408	3/02/2016	5700	Yarrow WA Pty Ltd	Ashley John Armstrong	37
DA15/0716	addition)	277 Chapman Hill Road*AMBERGATE WA 6280	Lot 26 DIAGRAM 55936	4/02/2016	220000	Busselton Golf Club Incorporated	Busselton Golf Club Incorporated	57
	Relocated building envelope (oversized						Michelle Anne Seton-Stewart, Peter Robert Seton-	
DA15/0719	outbuilding including use of "light colours") Single House (Landscape Value and Coastal	MacLaren Drive"YALLINGUP WA 6282	Lot 135 PLAN 39416	24/02/2016	80000	Michelle Anne Seton-Stewart	Stewart	21
DA15/0722	Management Areas)	408 Caves Road*SIESTA PARK WA 6280	Lot 7 PLAN 26508	8/02/2016	2000000	Ross Francis Stanley	D4 Designs	51
DA15/0724	Modification to Chalet Design	7/11 Quininup Road~YALLINGUP WA 6282	Lot 7 SSPLN 58314	24/02/2016	225000	Gerrit Andre Kemp	Gerrit Andre Kemp	78
0A15/0727	Holiday Home (Single House) 8 people	8 Plover Court~GEOGRAPHE WA 6280	Lot 32 PLAN 20015	1/02/2016	0	Denise Elizabeth Marsh & Trudy Gayle Dawson	Denise Elizabeth Marsh, Trudy Gayle Dawson	44
DA16/0007	Holiday Home (Grouped Dwelling) 6 people Additions to Single House (Landscape Value	8A Gibney Street*DUNSBOROUGH WA 6281	Lot 1 STPLN 18112	25/02/2016	0	Mark Connell Parker	Mark Connell Parker	34
DA16/0023	Area)	231 Lagoon Drive~YALLINGUP WA 6282	Lot 2 PLAN 24227	1/02/2016	102000	Melanie Tara Redman Carr	West Coast Designs Pty Ltd	46
	Cafe/Takeaway - Three (3) Shops - Three (3)							
0A16/0024	Proposed future Lots 102 & Lot 103 (L9542) Development Application: Patio Addition,	Napoleon Promenade"VASSE WA 6280	Lot 9542 PLAN 403620	8/02/2016	830000	Perron Developments Pty Ltd & Stawell Pty Ltd Kathleen Margaret Begg & Stuart Harry Morrison	Perron Developments Pty Ltd, Stawell Pty Ltd	64
DA16/0027 DA16/0030	Landscape Value Area Over-height Outbuilding	176 Lagoon Drive^YALLINGUP WA 6282 29 Harris Road^BUSSELTON WA 6280	Lot 27 PLAN 24326 Lot 10 DIAGRAM 15442	3/02/2016 8/02/2016	18000 17000	Begg Donald Peter Watt	Mick Strange Carpentry  Donald Peter Watt	38
DA16/0034			Lot 7 PLAN 38059	8/02/2016	0	Paul Matthew Sullivan Bailey & Serena Bee Neo	Paul Matthew Sullivan Bailey, Serena Bee Neo Sia	14
	Holiday Home (Single House) 6 Person	80 Nukklgup Loop~YALLINGUP WA 6282			_	Judith Emily Brook & Kenneth Frederick James	,	14
DA16/0035 DA16/0036	Ancillary Accommodation (Agriculture) Jetty (Port Geographe) Single Residence	10 Florence Road*VASSE WA 6280 10 Headstay Cove*GEOGRAPHE WA 6280	Lot 462 PLAN 301732 Lot 46 PLAN 57392	4/02/2016 4/02/2016	55000 13000	Brook PLL Super Pty Ltd	Judith Emily Brook, Kenneth Frederick James Brook Keith Hyde Oldfield	20
	Retrospective Development Application:							
DA16/0037	Minor additions, Landscape Value Area	25 Blue Orchid Court YALLINGUP WA 6282	Lot 3 PLAN 24327	1/02/2016	10000	Sarah Schladow	BeSafe Building Inspections	-
0A16/0038 0A16/0039	Oversized Outbuilding (reduced setbacks)  Shed (storage) Legacy Campsite	3 Otway Pass~WEST BUSSELTON WA 6280 128 Caves Road~SIESTA PARK WA 6280	Lot 355 PLAN 402935 Lot 5303 PLAN 220583	5/02/2016 23/02/2016	19600 60000	David Hann & Mandy Cant Legacy Fund of Perth (Inc)	CPR Outdoor Centre Busselton Sheds	37
						Kristin Sue Jones, Kimberley Paul Larsen,		
DA16/0040 DA16/0042	Outbuilding (residential) Gable Patio (extension)	2 Peake Street*WEST BUSSELTON WA 6280 111 Beachfields Drive*ABBEY WA 6280	Lot 7 PLAN 7054 Lot 133 PLAN 45229	1/02/2016 16/02/2016	18000 9600	Cameron Stuart Macdonald Coral Anne Woosnam	WABCA Pty Ltd  CPR Outdoor Centre	
								31
DA16/0043	Single Dwelling (Landscape Value Area) Building Envelope Modification (Pool / Pool	66 O'Byrne Road*QUINDALUP WA 6281	Lot 40 DIAGRAM 96571	2/02/2016	417567	David Raymond Pike & Debbie Elizabeth Pike Matthew John Dollisson & Kirsty Lynette	Dale Alcock Homes South West Pty Ltd	51
DA16/0045	House) Over-height Outbuilding and Water Tank	55 Sloan Drive^DUNSBOROUGH WA 6281	Lot 95 PLAN 49891	8/02/2016	100000	Dollisson	Matthew John Dollisson, Kirsty Lynette Dollisson	36
0A16/0046	(prior to construction of residence)	45 Everwood Glade"AMBERGATE WA 6280	Lot 67 PLAN 45238	8/02/2016	50000	Geoffrey Peter Bell & Susan Janet Valerie Bell	Busselton Sheds	42
DA16/0047	Double Storey Grouped Dwelling	4/126 Gifford Road-DUNSBORDUGH WA 6281	Lot 2 SSPLN 58420	8/02/2016	333814	Royal Force Pty Ltd	Ventura Home Group Pty Ltd	20
DA16/0048	Outbuilding (Quindalup Special Character Area)	14 Elmore Road*QUINDALUP WA 6281	Lot 28 PLAN 12288	2/02/2016	10000	BCSS United Pty Ltd	Trevor Hughes	17
DA16/0049	Front Fence - 3 Masthead Loop Geographe	5 Masthead Loop~GEOGRAPHE WA 6280	Lot 3 PLAN 50929	9/02/2016	10000	Merri-Lea Lawrence & Ricky Nathan Lawrence	Ricky Nathan Lawrence, Merri-Lea Lawrence	15
DA16/0053	Caravan Park and Camping Grounds (15 sites)	199 Silverwood Road*METRICUP WA 6280	Lot 10 DIAGRAM 85060	9/02/2016	20000	Andrew Paul Lindsay	Soul Camping	3
	Extensions to Sun Deck and Retaining Walls						-	
DA16/0054	extensions to sun peck and netaining waits	17 Marcator WardEAGLE BAY WA 6781	Lot B4 DIAGRAM 60885	11/02/2016	25000	Extra Moldings Dry Ltd	David Kelth Ladas	

## Planning Applications Received 1 February - 29 February 2016

						Gregory Roland Christian, Linda Catherine Christian, Aerodene Holdings Pty Ltd, Bradley		
DA16/0055	Change of Use (Plant Nursery)	10 Ponsford Chase~BUSSELTON WA 6280	Lot 162 PLAN 22025	8/02/2016	100000	Glen Christian	D'Agostino and Luff Architects Pty Ltd	18
0.120,0000				4,04,000	103030	Gregory Roland Christian, Douglas Barry	a significant constitution of the	
						Christian, Jeanette Fay Christian, Linda Catherine		
DA16/0055	Change of Use (Plant Nursery)	29 Cook Street*BUSSELTON_WA_6280	Lot 161 PLAN 20855	8/02/2016	100000	Christian, Bradley Glen Christian	D'Agostino and Luff Architects Pty Ltd	18
	Modification to Planning Consent P3413 - Extension to Roof Cover over Balcony (Units 7-							
DA16/0056	9)	7/1652 Caves Road DUNSBOROUGH WA 6281	Lot 7 SSPLN 46428	3/02/2016	1	Timothy John Reed & Susan Anne Reed	D'Agostino and Luff Architects Pty Ltd	23
	Modification to Planning Consent P3413 -							
	Extension to Roof Cover over Balcony (Units 7-							
DA16/0056	Modification to Planning Consent P3413 -	9/1652 Caves Road=DUNSBOROUGH WA 6281	Lot 9 SSPLN 46428	3/02/2016	1	Sharon Kaye Anderson & Peter Craig Gordon	D'Agostino and Luff Architects Pty Ltd	23
	Extension to Roof Cover over Balcony (Units 7-							
DA16/0056	9)	8/1652 Caves Road DUNSBOROUGH WA 6281	Lot 8 SSPLN 46428	3/02/2016	1	David Russell Leith & Elizabeth Margaret Leith	D'Agostino and Luff Architects Pty Ltd	23
DA16/0061	Two (2) Storey Dwelling	42 Lanyard Boulevard~GEOGRAPHE WA 6280	Lot 80 PLAN 59251	11/02/2016	595065	John Kevin Frankham	Ventura Home Group Pty Ltd	21
DA16/0062	Holiday Home (Single House) 10 occupants	45 Berwick Place~QUINDALUP_WA_6281	Lot 215 PLAN 68461	9/02/2016	1	Martiin Paul Bosboom	Martiin Paul Bosboom	42
DF120) 000E	Single Storey Dwelling (Quindalup Special	45 SELENCE TRUE CONTONEOU THE SESS	100 223 7 004 00402	370272010		marcyn radii ddaddonii	ina opreson	72
DA16/0063	Character Area)	39 Ollis Street~QUINDALUP WA 6281	Lot 30 PLAN 12288	4/02/2016	260290.91	Sussane Maria Siegrist & Martin Siegrist	BGC Residential Pty Ltd	13
		1/7 Morrison Street: WEST BUSSELTON WA			_			
DA16/0065	Holiday Home (Group Dwelling) 6 persons Modified Building Envelope (Sand Fill	6280	Lot 1 STPUN 25772	8/02/2016	0	Te Aroha Nominees Pty Ltd	Te Aroha Nominees Pty Ltd	34
DA16/0066	Embankments)	252 Brash Road~YALLINGUP WA 6282	Lot 31 PLAN 68867	12/02/2016	480000	Kim Therese Ehrig	West Coast Designs Pty Ltd	36
DA16/0068	Four (4) Signs	2 Hawker Approach*YALYALUP WA 6280	Lot 1 PLAN 35179	22/02/2016	7686	Anglican Schools Commission Incorporated	Anglican Schools Commission Incorporated	11
DA16/0069	Extension to Over-height Outbuilding	6 McGregor Place*WEST BUSSELTON WA 6280	Lot 400 PLAN 14974	9/02/2016	4000	Richard Glindon Miles & Christine Ann Miles	Richard Glindon Miles, Christine Ann Miles	34
DA16/0071	Single House (boundary wall variation)	6 Dunsborough Lakes Drive**DUNSBOROUGH WA 6281	Lot 622 PLAN 402176	11/02/2016	286857	Kim Lorraine Morrow	33 South Building Group Pty Ltd	اء
DA16/0072	Holiday Home (Single House) 6 People	8 Crosby Close*DUNSBOROUGH WA 6281	Lot 31 PLAN 12952	11/02/2016	0	Susan Grieve & Gary Frances McGrath	Susan Grieve, Gary Frances McGrath	- 1
				20,34,222				
DA16/0073	Holiday Home (Single House) 10 Occupants	37 Hammond Road~YALLINGUP WA 6282	Lot 83 PLAN 8037	12/02/2016	0	Julian Joshua Beaumont	Julian Joshua Beaumont	38
D&16/9074	Additional Two (2) Dwellings (to form Three	72 Reynolds Street"WEST BUSSELTON WA		23/02/2016	393276			
DA16/0074 DA16/0077	(3) Grouped Dwellings) Floating Jetty	7 Twine Court*GEOGRAPHE WA 6280	Lot 29 DIAGRAM 19991 Lot 476 PLAN 22273	23/02/2016 11/02/2016	393276 44637	Charles Eric Grist & Kerry Lee Grist John Chapman & Diane Edith Chapman	Ventura Home Group Pty Ltd Robert Bertram Godridge	44
UPLIN/0077	Modified Building Envelope to Accommodate	7 TWINE COURT GEOGRAPHE WAY 0200	OC 470 FLAR 22273	11/02/2010	94037	John Crapman & Drane Edich Chapman	nobert bertram doorlage	
DA16/0079	Outbuilding	14 Lindsay Drive"YALYALUP WA 6280	Lot 248 PLAN 39414	15/02/2016	18000	Alan Douglas West & Margaret Helen West	Busselton Sheds	44
		2 Dumbarton Road~WEST BUSSELTON WA						
DA16/0080	Holiday Home (Single House) 10 Persons	6280	Lot 56 PLAN 8541	15/02/2016	0	Tania Dawn Townsend & Paul David Utting	Tania Dawn Townsend, Paul David Utting	36
DA16/0081	Single House (Special Character Area) Swimming Pool (Port Geographe	3A Toby Court*QUINDALUP WA 6281	Lot 75 PLAN 53715	17/02/2016	324543.24	Tamina Jane Ostling Stephen James Catchpole & Lynette Kaye	AK Homes Construction Pty Ltd	- 6
DA16/0083	Development Area)	4 Casuarina Drive~GEOGRAPHE WA 6280	Lot 98 PLAN 20376	16/02/2016	18700	Catchpole	Lynette Kaye Catchpole, Stephen James Catchpole	13
	Development Application: Outbuilding,					Cedarfield Holdings Pty Ltd & Timothy Simon		
DA16/0084	Landscape Value Area	2807 Caves Road YALLINGUP WA 6282	Lot 1 SSPLN 32218	18/02/2016	47000	Hopkins	Zarzal Pty Ltd	10
DA16/0086	Additions / Alterations to Single House (Special Character Area)	28 Carnaryon Castle Drive~EAGLE BAY WA 6281	Lot 334 PLAN 55023	22/02/2016	19500	Raymond Harmer Passmore & Christine Passmore	Mark Walantan Parisas	
UA10/0080	(Special Character Area)	0281	LOT 334 PLAN 55023	23/02/2016	19500	Passmore	Mark Webster Design	29
DA16/0087	Holiday Home (Single House) 10 People	4 Hibernia Close*DUNSBOROUGH WA 6281	Lot 72 PLAN 14244	15/02/2016	0	Guiseppina Kilgallon & Philip Joseph Kilgallon	Guiseppina Kilgallon, Philip Joseph Kilgallon	32
						Michael Charles Reynolds & Barbara Walriana	Barbara Walriana Reynolds, Michael Charles	
DA16/0091	Over-sized Outbuilding (reduced setback)	29 Knapton Street WEST BUSSELTON WA 6280	Lot 214 DIAGRAM 76620	17/02/2016	5000	Reynolds	Reynolds	26
DA16/0095	New Rear Fence for Existing Accommodation Unit	3/22 Valley Road"YALLINGUP WA 6282	Lot 3 STPLN 11964	18/02/2016	10000	Anne Marie Hawthorne & Robert James Hawthorne	Lurie Concepts	
UN10/0023	One.	SYLL VARIET HOSE TALLINGOF WAY GLOS.	DC 33170411304	10/02/2020	20000	Peter Christopher Mullin & Christine Fiona	Control Contro	
DA16/0096	Outbuilding (reduced side setback)	16 Gannet Court*GEOGRAPHE WA 6280	Lot 463 PLAN 21790	22/02/2016	7700	Mullin	Peter Christopher Mullin, Christine Fiona Mullin	31
	Relocated Building Envelope (for an over-					Fabrizio Goria & Maria Mariah Dottori De		
DA16/0099	height and oversize outbuilding)	Nuttman Road*CHAPMAN HILL WA 6280	Lot 76 PLAN 401187 Lot 1 SSPLN 55934	19/02/2016	0	Cerqueira  David Michael Wilkins	Sheds Down South Busselton Sheds	0
DA16/0104	over-height and oversize outbuilding	35 Gibney Street~DUNSBOROUGH WA 6281 478B Geographe Bay Road~QUINDALUP WA	Lot 1 SSPUN 55934	22/02/2016	19000	David Michael Wilkins	Busselton Sheds	30
DA16/0105	Grouped Dwelling (Special Character Area)	6281	Lot 2 SSPLN 61758	22/02/2016	300000	Brett Donald Baker & Zoe Clare Baker	M-Sky Homes Pty Ltd	7
DA16/0109	Over-height Outbuilding (reduced setbacks)	8 Hutchins Street*WEST BUSSELTON WA 6280	Lot 131 DIAGRAM 61614	22/02/2016	10500	Craig Ronald Gibson & Annette Marie Gibson	Sheds Down South	28
DA16/0111		22 Alan Street*BROADWATER WA 6280	Lot 1 SSPLN 65560	26/02/2016	12000			
UA16/0111	Oversized Outbuilding (Reduced Setback)  R-Codes : Patio Addition (to existing single	22 Alan Street BRUADWATER WA 6280	LOT 1 55P(N 65560	26/02/2016	12000	Noel Campbell Facius & Christine Teresa Facius	Stephen Glenn Potter	25
DA16/0119	house)	36 Heritage Drive~VASSE WA 6280	Lot 780 PLAN 52474	24/02/2016	9500	Kelley Anne Robinson	Ryan Coulton Forster, Kelley Anne Robinson	
DA16/0124	Holiday Home (Single House) 8 Persons	26 Hammond Road"YALLINGUP WA 6282	Lot 42 PLAN 8037	24/02/2016	0	Laura Leaver	Laura Leaver	13
		115 Bussell Highway*WEST BUSSELTON WA						
DA16/0128	Change of Use (Medical Centre)	6280 18 Tip Dray Terrace~WEST BUSSELTON WA	Lot 73 DIAGRAM 25159	25/02/2016	55000	Telemed Pty Ltd	Telemed Pty Ltd	23
DA16/0130	Change of Use (Bed and Breakfast)	6280	Lot 635 PLAN 45235	24/02/2016	0	Cheryl Beth Mazure	Cheryl Beth Mazure	23
	Modification to Detailed Area Plan Dawson					The second secon	The state of the s	- 25
	Village (DAP 4) and Vasse Development Guide		Lot 9000/P65895 Lot 221/P250842 &					
DP15/0001	Plan (Rev Q)	6280	Lot 461/P301732	15/02/2016	0	Perron Developments Pty Ltd & Stawell Pty Ltd	Roberts Day Group - Town Planning and Design	396
DP16/0001	Modification to Structure Plan - Lot 2 Kookaburra Way Busselton	Busselton Bypass*VASSE WA 6280	Lot 2 DIAGRAM 25825	4/02/2016	0	QUBE Property Group Pty Ltd	Calibre Consulting (Aust) Pty Ltd	60
or any orMa		Dunsborough Lakes Drive*DUNSBOROUGH WA	DOLE OF GUILDING ENGEN	4/04/4010		Control of	Came Combining (rest) Fty Lto	60
DP16/0002	Estate	6281	Lots 9054 & 9055 PLAN 404548	17/02/2016	0	Daws & Son Pty Ltd	RPS	60
WAPC16/0003	Amalgamation of 2 Lots to 1 (2560m2)	23 Dorset Street*WEST BUSSELTON WA 6280	Lots 1 & 2 Diagram 18147	4/02/2016	0	Leonard Wilson Evans & Joan Olive Evans	BSO Development Consultants Pty Ltd	46
WAPC16/0004	28 Built Strata Lots plus one Vacant Lot Strata	97 Smiths Beach Road~YALLINGUP WA 6282	Lot 1 PLAN 45279	11/02/2016	0	Richard Thomas Hadley	Harley Dykstra	52
The Carlotter	per control service conspins one vacant cot strata	The result of the result of the state of the	100 1 - 0-01 40513	11/06/2010	_ v		- mont wholes	37

Attachment A

								1	- 1
WAPC16/0005	3 x Subdivision lots (303m2 / 304m2 / 393m2)	53 Harris Road~BUSSELTON WA 6280	Lot 43 DIAGRAM 20877	15/02/2016	0	Joy Alison Atkinson	Western Australian Planning Commission (WAPC)	2	£
									7
WAPC16/0006	15 x Survey Strata Lots (235m2 - 599m2)	Napoleon Promenade"KEALY WA 6280	Lot 9540 PLAN 404729	15/02/2016	0	Perron Developments Pty Ltd & Stawell Pty Ltd	Western Australian Planning Commission (WAPC)	3	2
									1
	Re-Subdivision of 5 Existing Lots to Create 7								1
WAPC16/0007	Residential Lots and 1 Balance Lot	32 Lanyard Boulevard GEOGRAPHE WA 6280	Lot 75 PLAN 59251	23/02/2016	0	Aigle Geographe No 7 Pty Ltd	Aigle Geographe Pty Ltd	2	al.

## Attachment B

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
	•			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			10.000			
evelopment Applications		21 Monclair Circuit**DUNSBOROUGH								
A15/0426	Holiday Home (Single House) 6 People	WA 6281	Lot 971 PLAN 50053	22/02/2016	Approved	Approved	171	0	Lee Daniel Mccaw & Tanya Sophia Mills	Lee Daniel Mccaw
A15/0539	Over-height Outbuilding (reduced setbacks)	1 Wentworth Loop~DUNSBOROUGH WA 6281	Lot 1061 PLAN 58898	4/02/2016	Approved	Approved	129	16000	Carl Rex Heins & Carly Jayne Robinson	Busselton Sheds
HIJ USSS	over-neight outburiang (reduced settiation)	80 West Street"WEST BUSSELTON WA	10017101730230	4/02/2010	групотей	прротей		10000	Carried trems at Carry Juyre Hourison	Todasenon sireos
A15/0577	Site Works	6280	Lot 17 PLAN 1717	22/02/2016	Approved	Approved	130	2500000	Realview Holdings Pty Ltd	Planning Solutions
A15/0578	Discount Department Store (Kmart)	80 West Street~WEST BUSSELTON WA 6280	Lot 17 PLAN 1717	19/02/2016	Approved	Approved	127	9000000	Realview Holdings Pty Ltd	Planning Solutions
		80 West Street"WEST BUSSELTON WA								
A15/0579	Showroom and Supermarket	6280 11 Moondah Close~DUNSBOROUGH	Lot 17 PLAN 1717	18/02/2016	Refused	Refused	126	2000000	Realview Holdings Pty Ltd  Danielle Dorisse Elizabeth Beckwith & Simon	Planning Solutions
A15/0592	Single House (front and side setback variation)	WA 6281	Lot 7 PLAN 19719	17/02/2016	Refused	Refused	41	485000	John Bolton	Dale Alcock Homes South West Pty Ltd
A15/0594	Two (2) Additional Grouped Dwelling (forming Three (3) Grouped Dwellings)	8 Peake Street~WEST BUSSELTON WA 6280	Lot 4 PLAN 7054	16/02/2016	Approved	Approved	50	480000	Kimberly Pty Ltd	Bob Bruce Design
413/0334	Three (3) Grouped Divernigs)	Chapman Hill East Road~CHAPMAN	201470417034	20/02/2010	Approved	Аррготеа	30	40000	ranioeny rey sea	boo brace besign
A15/0599	Relocated Building Envelope	HILL WA 6280	Lot 32 PLAN 68454	26/02/2016	Approved	Approved	1	0	Peter Dowson & Vanessa Dowson	Able Planning & Project Management
A15/0600	Over-sized Outbuilding & Convert existing Outbuilding to Ancillary Accommodation	27 Windlemere Drive DUNSBOROUGH WA 6281	Lot 73 PLAN 19168	3/02/2016	Approved	Approved	73	40000	Peter Charles Germanis & Jodie Suzanne Greasley	Busselton Sheds
		36A Reading Street~WEST BUSSELTON								
A15/0610	Holiday Home (Grouped Dwelling) 6 people	WA 6280 3/126 Gifford Road~DUNSBOROUGH	Lot 1 STPLN 60756	15/02/2016	Approved	Approved	104	0	Suzanne Patricia Strapp	Suzanne Patricia Strapp
A15/0615	Grouped Dwelling	WA 6281	Lot 3 SSPLN 58420	26/02/2016	Approved	Approved	35	328332	Gary James Battle & Deborah Maree Battle	Ventura Home Group Pty Ltd
A1E (0621	Outbuilding in Quindalup Special Character Are with Reduced Setbacks	DE ONL STREET OF THE STREET	1 44 27 DI 4N 12200	5/02/2016	Annenual	A	89	9000	Sharen Lunatta Kanaada	Busselten Shade
A15/0621	with Reduced Setbacks	25 Ollis Street~QUINDALUP WA 6281 8 Kalgaritch Avenue~WEST BUSSELTON		5/02/2016	Approved	Approved	89	9000	Sharon Lynette Kennedy	Busselton Sheds
A15/0647	Sea Container (Retrospective)	WA 6280	Lot 39 PLAN 17763	26/02/2016	Approved	Approved	71	5000	Robert Michael Zahtila	Robert Michael Zahtila
A15/0650	Multiple Dwelling & Commercial Development	24 Marine Terrace BUSSELTON WA 6280	Lot 45 PLAN 31643	25/02/2016	Approved	Approved	64	3000000	Uniplex Constructions Pty Ltd	Uniplex Constructions Pty Ltd
	Mobile Telephone Base Station - Including 60m	176 Abbeys Farm Road~YALLINGUP								
A15/0657	tower, antennas and equipment room	WA 6282 422 Commonage Road~QUINDALUP	Lot 1 DIAGRAM 73786	17/02/2016	Approved	Approved	85	130000	Barry John House	Deighton Pty Ltd
A15/0660	Outbuilding (Landscape Value Area)	WA 6281	Lot 73 PLAN 37015	16/02/2016	Approved	Approved	76	2000	Franz Knapp & Patsy Jill Grist	Franz Knapp, Patsy Jill Grist
	B. 11 - 1 - 11 - 1 - 1 - 1 - 1 - 1 - 1	8 Stockyard Lane~GEOGRAPHE WA		2 (02 (22 )				14500		500 C
A15/0663	Patio (with reduced setbacks)	6280 88 Naturaliste	Lot 61 PLAN 50381	3/02/2016	Approved	Approved	41	16500	Paul Anthony Glover & Marylene Glover	CPR Outdoor Centre
A15/0667	Single House (and Ancillary Accommodation)	Terrace~DUNSBOROUGH WA 6281	Lot 8 DIAGRAM 56869	22/02/2016	Approved	Approved	0	250000	Linda Pearl Anderson	Linda Pearl Anderson
A15/0668	Holiday Home (Single House) 12 people	60 Lagoon Drive~YALLINGUP WA 6282	Lot 25 PLAN 21893	24/02/2016	Approved	Approved	63		Andrew Ian Heaton	Andrew Ian Heaton
-123/0000	monday monte (angle mode) az people	41 Burton Road~NATURALISTE WA	201257 1511 22055	2-4/02/2020	Аррготеа	пррготеа			Period Car Inter Processing	Prior ew ign reason
A15/0670	Holiday Home (Single Dwelling) 10 people	6281 38 Gale Street~WEST BUSSELTON WA	Lot 7 DIAGRAM 78431	15/02/2016	Approved	Approved	49	0	Cameron Clive Bell	Cameron Clive Bell
A15/0673	Holiday Home (Single House) 5 Occupants	6280	Lot 300 PLAN 26355	8/02/2016	Approved	Approved	71	0	Brett Goran Divich	Brett Goran Divich
A15/0676	Mesh Hoarding	Busselton Bypass~VASSE WA 6280	Lot 2 DIAGRAM 25825	18/02/2016	Approved	Approved	79	2000	QUBE Property Group Pty Ltd	QUBE Property Group Pty Ltd
A15/0681	Single house (reduced rear setback) Port Geographe Development Area	445 Marine Terrace**GEOGRAPHE WA 6280	Lot 2 SSPLN 70771	3/02/2016	Approved	Approved	44	252590	Mark Russell Jacobsen & Toni Lynette Jacobsen	Dale Alcock Homes South West Pty Ltd
		172 Caves Road~SIESTA PARK WA								
A15/0686	Replace Existing Signage	6280 30 Beach Road~DUNSBOROUGH WA	Lot 5303 PLAN 220583	5/02/2016	Approved	Approved	65	0	Busselton Gospel Chapel inc Mark Francis Collins, Victoria Albertina	Busselton Gospel Chapel inc
A15/0688	Single House (Special Character Area)	6281	Lot 1 SSPLN 70775	26/02/2016	Approved	Approved	79	343226.85	Collins, Bianca Maree Florenca	AK Homes Construction Pty Ltd
	Food Later	14 Headstay Cove" GEOGRAPHE WA	4 4 4 0 4 1 5 7 7 7 7 7	22/02/2017			24	10500	Graham Francis Broadley & Barbara Anne	Micro Constanting
A15/0697	Fixed Jetty	6280	Lot 44 PLAN 57392	23/02/2016	Approved	Approved	75	18500	Broadley	West Coast Jetties
A15/0700	Holiday Home (Single House) 8 Persons	47 Harris Road~BUSSELTON WA 6280	Lot 22 DIAGRAM 22385	3/02/2016	Approved	Approved	59	0	Dawn Amanda Barron-Williams	Dawn Amanda Barron-Williams
A15/0702	Patio Addition to Single House in Quindalup Special Character Area	29 Campion Way~QUINDALUP WA 6281	Lot 33 PLAN 9047	1/02/2016	Approved	Approved	13	7000	Elizabeth Mary Carrick, Susan Jane Vetten, Jennifer Elna Anderson	Outdoor World Cape to Cape
	Landscape Value Area - Re-roofing Single	21 Lenamont Court*DUNSBOROUGH				пругочео				
A15/0704	Residence	WA 6281	Lot 55 PLAN 19168	4/02/2016	Approved	Approved	51	19500	Gwyn Jeremy Davies & Julie Anne Davies	WA External Solutions
A15/0705	Relocated Building Envelope to Accommodate a Water Tank	70 Drummond Glen~NATURALISTE WA 6281	Lot 12 PLAN 22558	23/02/2016	Approved	Approved	66	0	Graham Rochford Dowland	Charles Eric Grist
A15/0706	Oversized Outbuilding (cumulative)	45 Norwood Pass~VASSE WA 6280 7 Goldsmith Street~BUSSELTON WA	Lot 29 PLAN 56807	24/02/2016	Approved	Approved	64	14146	Geoffrey Philip Fullston & Rosemary Fullston	Geoffrey Philip Fullston, Rosemary Fullsto
A15/0713	Two (2) Sea Containers (Industrial Lot)	6280	Lot 2 STPLN 49408	11/02/2016	Approved	Approved	37	5700	Yarrow WA Pty Ltd	Ashley John Armstrong
	Burney College College	277 Chapman Hill Road"AMBERGATE		40 (00 (20) C				222000		
A15/0716	Busselton Golf Club (Toilets and Shed addition)	WA 6280	Lat 26 DIAGRAM 55936	18/02/2016	Approved	Approved	57	220000	Busselton Golf Club Incorporated	Busselton Golf Club Incorporated

Attachment B

# 306 Planning Applications Determined 1 February - 29 February 2016

		40 Schooner Crescent "DUNSBOROUGH								
DA15/0718	Ancillary Accommodation (Landscape Area)	WA 6281	Lot 364 PLAN 34435	4/02/2016	Approved	Approved	27	116000	Marianne Ingrid Wichmann	Marianne Ingrid Wichmann
DA15/0720	Grouped Dwelling	85 Peel Terrace~BUSSELTON WA 6280	Lot 2 DIAGRAM 24581	2/02/2016	Approved	Approved	0	391500	Rowena Suzanne Smith	Southbound Homes Pty Ltd
DA15/0727	Holiday Home (Single House) 8 people	8 Ployer Court~GEOGRAPHE WA 6280	Lot 32 DI AN 20015	3/02/2016	Approved	Approved	44	0	Denise Elizabeth Marsh & Trudy Gayle Dawson	Denise Elizabeth Marsh, Trudy Gayle Dawson
UA13/0727	Overheight Outbuilding (including a Reduced	18 Cherry Hills Circle DUNSBOROUGH	LOT 32 PLAN 20015	3/02/2016	Approved	Approved	44	- 0	Stephen Thomas Clifford & Charlotte Maria	Denise Elizabeth Marsh, Trudy Gayle Dawson
DA15/0730	Rear Setback)	WA 6281	Lot 717 PLAN 47639	15/02/2016	Approved	Approved	55	15000	Franken	Stephen Thomas Clifford
01123/0730	Theor Sectorery	22 Keel Retreat~GEOGRAPHE WA	00.7177000-77000	13/02/2010	групотеа	гарр: отео		25000	I I I I I I I I I I I I I I I I I I I	ocephen monas emora
DA16/0013	Jetty (Port Geographe Development Area)	6280	Lot 565 PLAN 22450	3/02/2016	Approved	Approved	0	29000	Darren Jeffery Smith & Tanya Marie May	West Coast Jetties
	Single House (Port Geographe Development	2 Gunwale Elbow~GEOGRAPHE WA		3,00,000		140.000				
DA16/0017	Area)	6280	Lot 117 PLAN 59251	1/02/2016	Approved	Approved	22	324355	Wade Robert Fewster	Dale Alcock Homes South West Pty Ltd
		160 Vintners Drive~QUINDALUP WA							Tomislav Mark Radic, Ross Ryan Radic,	
DA16/0025	Modified Building Envelope (Carport)	6281	Lot 62 PLAN 33465	26/02/2016	Approved	Approved	31	20000	Cristobal Moreno, Rafael Moreno	Richard David Norrish
	Development Application: Patio Addition,	176 Lagoon Drive~YALLINGUP WA							Kathleen Margaret Begg & Stuart Harry	
DA16/0027	Landscape Value Area	6282	Lot 27 PLAN 24326	24/02/2016	Approved	Approved	0	18000	Morrison Begg	Mick Strange Carpentry
		110 Woodbridge Vale~YALLINGUP							Cameron Scott Jordan & Shannon Marie	
DA16/0031	Building Envelope Relocation (Swimming Pool)	SIDING WA 6282	Lot 2 PLAN 38741	3/02/2016	Approved	Approved	15	32390	Jordan	Dunsborough Pool and Spa
		80 Nukkigup Loop~YALLINGUP WA							Paul Matthew Sullivan Bailey & Serena Bee	L
DA16/0034	Holiday Home (Single House) 6 Person	6282	Lot 7 PLAN 38059	15/02/2016	Approved	Approved	14	0	Neo Sia	Paul Matthew Sullivan Bailey, Serena Bee Neo Si
0.115/0005	A	10 Florence Road~VASSE WA 6280	Lot 462 PLAN 301732	15/02/2016			20	55000	Judith Emily Brook & Kenneth Frederick	Judith Emily Brook, Kenneth Frederick James Brook
DA16/0035	Ancillary Accommodation (Agriculture)	10 Headstay Cove"GEOGRAPHE WA	LOT 462 PLAN 301732	15/02/2016	Approved	Approved	20	55000	James Brook	Brook
DA16/0036	Jetty (Port Geographe) Single Residence	6280	Lot 46 PLAN 57392	17/02/2016	Approved	Approved	22	13000	PLL Super Pty Ltd	Keith Hyde Oldfield
UNIO/0030	Retrospective Development Application: Minor	25 Blue Orchid Court~YALLINGUP WA	LOT 40 F DATA 37332	17/02/2010	Approved	Approved	- 22	13000	PEL Super Pty Lto	Reter Hyde Oldrield
DA16/0037	additions, Landscape Value Area	6282	Lot 3 PLAN 24327	1/02/2016	Approved	Approved	6	10000	Sarah Schladow	BeSafe Building Inspections
UNIO/UUSI	and the ray contractors of the contractors	2 Peake Street~WEST BUSSELTON WA	COLOT DAY E-SE	1/02/2010	эфричес	гарриотеа		10000	Kristin Sue Jones, Kimberley Paul Larsen,	besite someting inspections
DA16/0040	Outbuilding (residential)	6280	Lot 7 PLAN 7054	3/02/2016	Approved	Approved	8	18000	Cameron Stuart Macdonald	WABCA Pty Ltd
		4/126 Gifford Road~DUNSBOROUGH								
DA16/0047	Double Storey Grouped Dwelling	WA 6281	Lot 2 SSPLN 58420	16/02/2016	Approved	Approved	20	333814	Royal Force Pty Ltd	Ventura Home Group Pty Ltd
		5 Masthead Loop~GEOGRAPHE WA							Merri-Lea Lawrence & Ricky Nathan	
DA16/0049	Front Fence - 3 Masthead Loop Geographe	6280	Lot 3 PLAN 50929	17/02/2016	Approved	Approved	15	10000	Lawrence	Ricky Nathan Lawrence, Merri-Lea Lawrence
									Gregory Roland Christian, Linda Catherine	
		10 Ponsford Chase~BUSSELTON WA							Christian, Aerodene Holdings Pty Ltd, Bradley	L
DA16/0055	Change of Use (Plant Nursery)	6280	Lot 162 PLAN 22025	15/02/2016	Approved	Approved	18	100000	Glen Christian	D'Agostino and Luff Architects Pty Ltd
									Gregory Roland Christian, Douglas Barry Christian, Jeanette Fay Christian, Linda	
DA16/0055	Change of Use (Plant Nursery)	29 Cook Street~BUSSELTON WA 6280	Lot 161 PLAN 20855	15/02/2016	Approved	Approved	18	100000	Catherine Christian, Bradley Glen Christian	D'Agostino and Luff Architects Pty Ltd
UA10/0033	Change of Ose (Flant Nursery)	42 Lanvard Boulevard~GEOGRAPHE	LUI 101 FLAN 20833	13/02/2010	Approved	Approved	10	100000	Catrierine Christian, Bradley Glen Christian	D'Agostino and con Architects Pty Lto
DA16/0061	Two (2) Storey Dwelling	WA 6280	Lot 80 PLAN 59251	23/02/2016	Approved	Approved	21	595065	John Kevin Frankham	Ventura Home Group Pty Ltd
0.120/0002	The (2) storely butter by	6 Dunsborough Lakes		20,02,2010	74910100	740.0100		333003		Tenteron and a second
DA16/0071	Single House (boundary wall variation)	Drive~DUNSBOROUGH WA 6281	Lot 622 PLAN 402176	15/02/2016	Approved	Approved	8	286857	Kim Lorraine Morrow	33 South Building Group Pty Ltd
		8 Crosby Close~DUNSBOROUGH WA								
DA16/0072	Holiday Home (Single House) 6 People	6281	Lot 31 PLAN 12952	24/02/2016	Approved	Approved	1	0	Susan Grieve & Gary Frances McGrath	Susan Grieve, Gary Frances McGrath
DA16/0081	Single House (Special Character Area)	3A Toby Court~QUINDALUP WA 6281	Lot 75 PLAN 53715	23/02/2016	Approved	Approved	6	324543.24	Tamina Jane Ostling	AK Homes Construction Pty Ltd
	Development Application: Outbuilding,	2807 Caves Road"YALLINGUP WA							Cedarfield Holdings Pty Ltd & Timothy Simon	
DA16/0084	Landscape Value Area	6282	Lot 1 SSPLN 32218	24/02/2016	Approved	Approved	10	47000	Hopkins	Zarzai Pty Ltd
		1676 Caves Road~DUNSBOROUGH WA					l		Caves Road 1676 Pty Ltd Atf The Caves Road	
WAPC13/0089	Survey Strata Subdivision - 50 x Tourist Lots	6281 2 Grace Court~WEST BUSSELTON WA	Lot 200 PLAN 50936	23/02/2016	Refuse	Refused	84	0	Trust	Harley Dykstra
WAPC15/0055	Proposed Road Widening	2 Grace Court~WEST BUSSELTON WA 6280	Lot 6 DIAGRAM 71002	17/02/2015	Support	Annual	42	0	Cornerstone Christian College Limit-	SurvCon Pty Ltd
WAPC15/0055 WAPC15/0080	34 x Rural Residential Lots	Norwood Pass~VASSE WA 6280	Lot 9000 PLAN 76953	17/02/2016 12/02/2016	Support	Approved WaitWAPC	54	0	Cornerstone Christian College Limited Vasse Property Pty Ltd	LB Planning
WAPC15/0080 WAPC15/0081	2 x Lots (10Ha - 25Ha)	Downs Road*LUDLOW WA 6280	Lot 1992 PLAN 203009	3/02/2016	Support	WaitWAPC	45	0	LCM Super Pty Ltd	BSO Development Consultants Pty Ltd
HW. C13/0001	E A 2013 (20118 - 23118)	1664 Wildwood Road YALLINGUP WA	LUI 1992 7 LUII 20,0009	3/02/2016	Jupport	WallWAFC	-43	, ·	LCM Super Fry Liu	030 DEVELOPMENT CONSUITABLES PLY LIU
WAPC15/0083	8 x Rural Residential Lots (1.51Ha - 6.55Ha)	6282	Lot 5 DIAGRAM 68031	3/02/2016	Support	WaitWAPC	56	0	West Coastal Development Pty Ltd	RPS
		23 Dorset Street"WEST BUSSELTON		3,02,2023	Juppo. 1			Ť		
WAPC16/0003	Amalgamation of 2 Lots to 1 (2560m2)	WA 6280	Lots 1 & 2 Diagram 18147	26/02/2016	Support	WaitWAPC	46	0	Leonard Wilson Evans & Joan Olive Evans	BSO Development Consultants Pty Ltd
				_0;00,000	Support					

#### Attachment C State Administrative Tribunal Appeals as at 1 April 2016

(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 1 April 2016

APPEAL (Name,	DATE	DECISION	RESPONSIBLE	STAGE COMPLETED	NEXT ACTION AND	DATE
No. and Shire	COMMENCED	APPEAL IS	OFFICER		DATE OF ACTION AS	COMPLETED
File Reference)		AGAINST			PER SAT ORDERS	/ CLOSED
Eichenberg V's 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/Cobus Botha	Mediation on 20 November 2015 which resulted in following orders being made:  • Applicant to engage an accredited fire specialist to prepare a Bushfire Fire Management Plan.  • All notices have been stayed pending consideration of the BFMP.	Mediation scheduled for 5 April 2016	
Harmanis Holdings Pty Ltd V's city of Busselton	Sept 2014	Appeal against a 204(3) notice to revegetate the fire track.	Jo Wilson/Moshe Philips	<ul> <li>Directions Hearing on 20 November 2015; agreed that the notice be stayed pending further discussion between the applicant and the City upon agreed extent of vegetation rehabilitation.</li> <li>Development application refused for creek crossing and amended Fire Management Plan.</li> </ul>	Mediation scheduled for 6 April 2016	

13 April 2016

15.1 Attachment C State Administrative Tribunal Appeals as at 1 April 2016

Lee V's City of	June 2015	Appeal against	James	Mediation on 14	Directions Hearing
Busselton		Demolition Order	Washbourne/	September 2015;	scheduled for 10 May
			Cobus Botha	agreed that the	2016
				applicant would submit	
				a revised building	
				application within 3	
				months (24 December	
				2015); and within 4	
				months after approval	
				make a substantial start	
				with practical	
				completion in 12 months	
				A Building Permit was	
				approved on 22	
				December 2015.	
				Building work	
				commenced on 23	
				January 2016.	
				Site inspection on 21     March 2016 by City	
				March 2016 by City	
				officers indicated that very little progress has	
				been made with building	
				works.	
				<ul> <li>At 29 March 2016</li> </ul>	
				Directions Hearing: City	
				Officers expressed their	
				concerns in relation to	
				no real progress being	
				made with building	
				works. Dr Lee indicated	
				that he is confident that	
				buildings will be	
				completed by the	
				agreed September 2016	
				deadline. Proceedings	
				listed for a further	
				directions hearing 10	

		1	1					1
					May 2016.			
DCSC V's Southern JDAP	January 2016	Appeal against refusal of Development application	State Solicitors Office/Anthony Rowe/Paul Needham	•	Parties to circulate documents categorising the land use within 14 days. Land use to be determined by SAT.	•	Mediation to be scheduled following SAT determination.	
Realview Holdings Pty Ltd V's City of Busselton	March 2016	Appeal against refusal of Development Application	Cobus Botha/Anthony Rowe	•	Directions hearing on 18 March 2016, agreed that the City would reconsider its decision at the Council meeting on 13 April 2016; by 18 April 2016 the City must provide a statement of its decision to the applicant and Tribunal; by 20 April 2016 if the applicant is content then they must withdraw from proceedings or provide to the City a statement of the aspects of the decision that it contests.	•	Directions Hearing scheduled for 22 April 2016	

Caves Caravan March 2016 Appeal against Moshe Orders made pursuant SAT Mediation on date Park V's City of Section 34(4) of Philips/Tanya to 23 March 2016 to be confirmed – likely **Busselton** the Caravan Parks Gillett/Jo Wilson Directions Hearing: late April 2016 and Camping 1. Amend the SAT Grounds Act 1995 application to be in the caravan park's company name (not directors) 2. City to file a response to the application including a copy of the 5 February 2016 decision and reasons 3. Mediation at City's Offices on a date to be confirmed – likely late April 2016

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## Meelup Regional Park Management Committee

CO Locked Bag 1 · Busselton · Western Australia · 6280

Email: Kay.Lehman@busselton.wa.gov.au

Web: ww.meeluppark.com Facebook: Meelup Regional Park

## **Informal Meeting- Minutes**

DATE: Tuesday 19<sup>th</sup> January 2016, 5pm **VENUE: Eagle Bay Community Hall** 

### 1.0 Attendance and Apologies

#### Attendance:

Members: Dr Bob Jarvis (Presiding Member), Peter Randerson Deputy Presiding Member), Cr John Mc Callum, Cr Ross Paine, Mrs Shirley Fisher, Mr John Lang

Officers: Mr Greg Simpson, Ms Kay Lehman

Apologies: Mr Bob Ginbey, Mr Albert Haak, Cr Terry Best and Paul Needham

## 2.0 Acceptance of Minutes from Meeting 22 December 2015

The following corrections to the Minutes of the 22 December 2015 committee meeting were requested:

- Section 5.1 Gourmet Escape Report –last dot point -a grammatical error (from what to that); and
- Section 5.8 Request for Stand-Up Paddle Board Lessons at Bunker Bay- last sentence changed to read- It was concluded that the Stand -up Paddle Board operator at Bunker Bay will not foreseeably have an impact on the Meelup Regional Park, but this will be reviewed annually.

## **Proposed Direction:**

The Meelup Regional Park committee minutes from 22 December 2015 are amended to include the above edits.

## 3.0 Financial Summary

The Financial Statement to January 2016 included as Attachment A was discussed.

The meeting discussed the formation of a Working Group to prioritise the MRP work programme to 30 June 2016 and preparation of the 2016/17 budget submission to Council.

### **Proposed Direction:**

That a working group comprising Peter Randerson, John Lang, Greg Simpson and Kay Lehman meet to review work programme and 2016/17 Budget and report back to the 23 February 2016 meeting.

## 4.0 Meelup Volunteer Update

- Seed collection workshop to be run over two mornings- Tuesday 2<sup>nd</sup> and 9<sup>th</sup> February
  coordinated by Richard Clark from the Geographe nursery. Bob Ginbey has sent out
  information to volunteers to attend.
- Volunteer events coming up-Coastal Beach Clean-ups

### **Proposed Direction:**

That the Meelup Volunteer update be noted.

## 5.0 Action Summary Progress Update

The Action Summary table was discussed with outstanding/ongoing actions to be summarised for the next meeting. Refer to the Action Summary table for details.

## 6.0 Reports

### 6.1 Australia Day Planning

## **Background**

A working group including City Environment Officer and Ranger and Emergency Services Coordinator, Dunsborough Police, Department of Transport and Department of Parks, Wildlife marine officers and Committee representative John Lang have been meeting to plan for Australia Day in the Meelup Regional Park. The following planning and management measures have been arranged to assist in managing Australia Day in the Meelup Regional Park this year.

It is recognised that it is not practical, nor desirable to deny access to the beaches within the Park on days such as Australia Day. The City, with back up support from the Dunsborough Police, will however be implementing a variety of measures which are intended to limit the number of vehicles (and people) that access both Meelup and Castle Rock beaches. These include:

- Manned traffic control points at the entrance to Castle Rock beach and Meelup beach (both entrances).
- Traffic control will be in place so that cars within these parking areas do not exceed the number of marked bays,

· No parking will be allowed on the actual beach access roads off Meelup Beach/Eagle Bay Road,

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- Rangers will be in attendance at Meelup early in the morning to ensure that amplified music is not set up. Back up support will be provided by Dunsborough Police if necessary.
- · Additional rubbish bins will be placed at both Meelup and Castle Rock beaches,
- Litter bags will be handed by traffic control staff to any vehicles permitted into the parking areas
  or to pedestrians walking in from Meelup/Eagle Bay Road. Corflute litter signs will also be placed
  at Meelup and Castle Bay beaches.
- Variable Message Board signage will be in place at two locations in the Park in the week leading
  up to, and on Australia day advising of limited parking, no drinking, do not litter
- "Core flute" signage at a variety of locations throughout the Park on the day reminding Park patrons of their obligations.
- City staff and Dunsborough Police are also trying to ascertain the identity of "leaders" of the impromptu entertainment/music with the intention of preventing them from setting up their equipment.

## **Proposed Direction:**

- 1 That traffic control is extended to manage vehicle numbers entering the Park with control points on Meelup Eagle Bay Road.
- 2 That arrangements are put in place for cleanup of litter on beach.

### Australia Day 2017

A scope and budget for a more comprehensive management approach for next year, including further traffic management, buses, security and a range of other measures is to be considered for Australia Day 2017.

## **Proposed Direction:**

That the committee have input into planning for the 2016/2017 summer events.

## **6.2 Governance Arrangements**

The roles of the key elements of the governance arrangements are described in the 26 August 2015 and 14 October 2015 Council Minutes, a copy of which was tabled.

The key focus areas in relation to the management of Meelup Regional Park for the balance of the 2015/16 financial year, with progress to be reviewed and reported to the Council by no later than June 2016, are as follows:

- Establish an incorporated 'Friends of Meelup Regional Park' group and memorandum of understanding between that group and the City.; and
- Investigate potential alternative means of securing funds to assist with meeting the
  costs associated with managing the Park and provide an update to the Council by no
  later than the end of March 2016.

## **Proposed Direction:**

- The working group for the establishment of a Friends of Meelup Regional Park' group to include Bob Ginbey, Greg Simpson, Kay Lehman and Shirley Fisher- Meeting scheduled for 23 February 2016.
- The working group to investigate potential alternative means of securing funds to assist with meeting the costs associated with managing the Park to include Paul Needham, Kay Lehman, Cr John McCallum and Albert Haak -Meeting scheduled for 12 February 2016.

### 6.3 Visitor Survey Update

The training session for volunteers was conducted on Friday, January 8th (11 am to 1 pm) at the Eagle Bay Community Hall with 12 volunteers attending.

The visitor surveys have been conducted on 14 and 16 January at the 7 locations (listed below). Further surveys will be conducted on 28<sup>th</sup> and 30<sup>th</sup> January. -Sites to be surveyed include:

- · Dunsborough trailhead
- Castle Bay (carpark/bbqs)
- Meelup Beach (carpark/picnic area)
- Point Picquet (carpark)
- Eagle Bay beaches (carparks)
- Rocky Point (carpark)
- Bunker Bay (carpark/boardwalk)

### **Proposed Direction:**

That Committee noted the visitor survey update.

## 6.4 Summary of Grants

An update on the status of the five grants for works in the Meelup Regional Park was provided to the Committee. The grants are:

- Point Piquet Whale Platform (National Landcare Funding)
- Hooded Plover Survey (Birds Aust. grant)
- Wildlife Corridor Project (SWCC grant)
- Revegetation, Weed Control Zone 6 (State NRM grant)
- Revegetation, trail realignment (CoastWest grant)

## **Proposed Direction:**

That Committee noted the grant update.

## 6.5 Jet Boat Adventure Tour Proposal

An application has been received by the City to operate a Jet Boat Eco Tour business from the Quindalup boat ramp. The operator is proposing to land at Castle Rock beach and for customers to disembark from the boat using a swimming pool type ladder into the shallow water to have a

20 minute nature/historic walk at Castle Rock. The proposed hours of operation are 11am-3pm, 7 days a week from January 2016- April 2016 and September 2016- April 2017.

## **Proposed Direction:**

That a meeting be arranged with the operator to discuss the proposal.

## 6.6 Meelup Regional Park Sign Audit

There are variations of signage style throughout the Meelup regional Park. It is recommended that a sign audit be undertaken with a view to standardise and improve the message and intent of signs.

## **Proposed Direction:**

That a sign audit be undertaken to identify the types and location of signage throughout the Park.

#### 7.0 Late Items

## 7.1 Boxing Day Tinny Tie-Up

## **Proposed Direction:**

That a Working Group including committee representation meets in November 2016 to plan for the Boxing Day.

#### 7.2 Exclusion Zone 6

The meeting discussed the need for installation of signage and danger tape around the contaminated site areas due to community access to the area.

## **Proposed Direction:**

Signage and flagging for the contaminated exclusion zones to be installed in Zone 6.

## 7.3 Soil/Rock in Meelup carpark

There was a discussion on the soil and rock material that remains from the Meelup Beach carpark works. This material could used for future works at the Point Piquet carpark. When removed the area will then be landscaped and revegetated.

## **Proposed Direction:**

That excess rock at the Meelup Beach carpark be removed and reused if suitable for the Whale Viewing Platform project.

## 7.3 Meelup carpark

There was a discussion on the bollards that need to be re-installed before Australia Day.

## **Proposed Direction:**

Environment Officer to follow up on installation of bollards.

## 7.4 Zone 6- Detailed Contaminated Site Investigation

A Request For Quotation is being drafted to prepare an Asbestos Management Plan and to prepared a Detailed Site Investigation, with these plans to be completed by the end of April 2016.

#### **Proposed Direction:**

That the Committee notes the update on the preparation of management plans for the contaminated areas of Zone 6.

## 7.5 Skip Bins

There was a query from the committee on whether the two skip bins at Meelup Beach carpark are permanent.

## **Proposed Direction:**

Follow-up with Waste Services to determine if skip bins are permanent.

### 7.6 Ice-cream vendors

The Committee discussed the itinerant licence requirements for the ice cream van that has been observed to conduct trading at Castle Rock carpark. The vendor can only operate if they are flagged down by a customer, can stay to serve all of the customers and then move on.

### **Proposed Direction:**

That the Committee notes the update on trading at Castle Rock carpark.

## 7.7 Ranger Statistics

There was an enquiry that the Committee does not have any information on the City's Ranger presence in the Park or any reporting of concerns or issue they may encounter. The City has a Geofence which has capability to track vehicle movements.

## **Proposed Direction:**

To be followed-up with the Ranger and Emergency Services Coordinator as to the extent to which this information can be made available to the Committee

## 8.0 Next Meeting Date

Tuesday February 23rd-5pm at the Eagle Bay Hall

## 9.0 Closure

The meeting closed at 7.00pm





### Meelup Regional Park Management Committee

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Email: Kay.Lehman@busselton.wa.gov.au

Web: <u>ww.meeluppark.com</u> Facebook: Meelup Regional Park

## **Informal Meeting- Minutes**

DATE: Tuesday 23 February 2016, 5pm VENUE: Eagle Bay Community Hall

## 1. ATTENDANCE AND APOLOGIES

#### Attendance:

**Members:** Dr Bob Jarvis (Presiding Member), Peter Randerson Deputy Presiding Member), Cr John Mc Callum, Cr Ross Paine, Mrs Shirley Fisher, Mr Bob Ginbey, Mr Albert Haak.

**Officers:** Mr Greg Simpson (Manager Environmental Services), Ms Kay Lehman (Meelup Environment Officer), Mr Martyn Glover (Acting, Director Planning and Development)

Apologies: Mr John Lang, Cr Terry Best and Mr Paul Needham

## 2. FINANCIAL SUMMARY - Attachment A

The Financial Statement to January 2016 included as Attachment A was discussed.

## **Update on Work Program and Budget**

The review of the current year work program and preparation of the 2016/17 budget was discussed at the Working Group meeting attended by Peter Randerson, John Lang, Kay Lehman and Greg Simpson.

The current Recreation Reserves Maintenance account currently has \$25,000 unallocated expenditure. A review of the Meelup Beach and the other coastal nodes expenditure requirements, particularly between Castle Bay and Eagle Bay will be undertaken to determine priorities for allocation of the \$25,000.

The 2016/17 draft Budget will follow the 10 year financial plan.

### 15.1 Attachment E

# Meelup Regional Park Management Committee Informal Meeting Minutes 23 February 2016

There were a number of works identified that need to be undertaken around Meelup Beach Carpark. A request will be made to Engineering and Works Services for these works to be completed as part of the Meelup Beach carpark upgrade project.

It was discussed to visit Meelup Beach and the other coastal nodes, particularly between Castle Bay and Eagle Bay, the Car Rally site and the proposed trail work near Point Piquet (Coastwest grant). The working group will meet at Castle Bay carpark at 8:45am on Thursday 3<sup>rd</sup> March.

## **Proposed Direction:**

- 1. For Committee members to note the financial statement presented in Attachment A.
- For Committee members, if available, to attend the work plan field meeting at Castle Bay carpark at 8:45am on Thursday 3<sup>rd</sup> March.

## 3. MEELUP VOLUNTEER UPDATE - Bob Ginbey

## Volunteer opportunities:

- Great cockie count-registration with BirdsLife Australia due 20 March-the count at sunset on Sunday 3 April.
  - The Great Cocky Count is a long-term citizen science survey and the biggest single survey for black-cockatoos in Western Australia. On one night in autumn, volunteers monitor known roost sites and count black-cockatoos as they come in to their evening roosts. Records submitted from across the southwest provide a snapshot of black-cockatoo populations, and over time this has helped to quantify the changes in black-cockatoo numbers.
- Meelup beach clean-up. We have all the gear from Tangoroa Blue to start the beach clean-ups. Meelup Environment Officer attended the Tangoroa Blue workshop in Margaret River on Thursday 18<sup>th</sup> February.

## **Seed Collection Workshops**

Two seed collection workshops were held in February with six and seven volunteers attending, respectively. Seed was collected from nine native species with 611 grams of seed collected. The seed will be propagated at the Geographe Community Nursery.

## **Proposed Direction:**

- 1. That the Meelup Volunteer update be noted.
- 2. Meelup Environment Officer to liaise with Bob Ginbey to send out an email to volunteers in surveying for the Great Cocky Count on Sunday 3 April.
- 3. To incorporate a Beach Clean-Up, perhaps once a month or as required, with the regular Tuesday morning volunteer activities.
- 4. To investigate the possibility of the Meelup Regional Park committee utilizing the shed at

Armstrong Reserve, to move to the Vidler Road depot, for storage of the trailer and other field equipment.

For the Committee to note that Bob Jarvis has removed all of the fishing line bins at the
various coastal nodes. Kay to investigate whether the fishing line bins could be reused on
the Busselton jetty.

#### 4.0 Action Summary Progress Update

The action summary is appended as **Attachment B.** The Action Summary table was discussed with outstanding/ongoing actions to be summarized for the next meeting. Refer to the Action Summary table for details.

#### 5. REPORTS

## 5.1 Australia Day Report

The Australia Day 2016 was a family focused day with no major parties, no traffic or parking issues minimal rubbish and no incidents.

## Traffic Management

- There was two Traffic Management Points set up with Traffic Force personnel on the Meelup
  Beach Road and Castle Rock Road intersection and at Eagle Bay (approximately 250m east of the
  roundabout) controlling the number of vehicles entering into Meelup Beach and to Castle Rock
  Beach. Numbers of vehicles were limited to the designated parking available in each carpark.
  When the carpark at Meelup was near full, gates would be used to maintain a full carpark.
- Road closures started at 5.30/6am and were due to be removed at 5pm, depending on the conditions.
- Vehicle Message Boards (VMS) were placed near Dunsborough Lakes to inform the public of restricted parking within the Park. VMB were moved to the Park the day prior to Australia Day to the corner of Cape Naturaliste and Meelup Beach intersection and at the roundabout at Eagle Bay (Gypsey St/ Meelup Beach Rd).
- Bin bags were handed out by Traffic Force personnel at the traffic stops. In addition, a leaflet
  was given out directing the public to park only in designated parking bays, no roadside
  parking/on vegetation, infringements may apply and take litter with you or place in bins.
- City staff were on site on Australia Day to monitor and on Wed 27 January to clean the beach.
- There will be 3 City ranger staff in the Park in the morning and a City ranger covering the area between Bunker Bay and Dunsborough for the day.
- There were Department of Transport and Department Parks and Wildlife boats in the water at Meelup/Castle Bay.

## Ranger presence

- Three ranger staff were in the Park from 5.30am and patrolled over the day to keep spotters informed about traffic/parking.
- The Ranger staff were also able to speak to the person who has previously had a party at Meelup Beach on Australia Day.

Attachment E

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# Meelup Regional Park Management Committee Informal Meeting Minutes 23 February 2016

## Rubbish

15.1

- There was minimal litter left on the beaches and carparking areas. The public generally put their rubbish in the bins provided.
- Additional skips were provided at Meelup and Castle Rock beaches.
- Corflute signs-'Put Litter in Bins' placed at Meelup and Castle Rock beaches.
- ACTIV group on-site at 9am 27<sup>th</sup> January to assist in clean-up- very little to cleanup at Meelup and Castle Bay beaches.

### De-brief session

 A de-brief session was held on Wednesday 17<sup>th</sup> February with the Dunsborough Police, City Ranger and waste management staff, Meelup Environment Officer, Department of Transport and Department of Parks and Wildlife marine officers. Refer to Attachment C for the de-brief summary.

## **Proposed Direction:**

- 1. For the Committee to thank John Lang for his time and initiative on the traffic management planning for the Australia Day event.
- 2. To note John Lang as an apology in the Australia Day de-brief minutes.

### 5.2 Visitor Survey Update

The visitor surveys have been completed for summer. There were three sessions completed. The final session was cancelled due to the weather conditions. We have undertaken 389 visitor surveys so far. The next visitor surveys are due to be undertaken in April.

## **Proposed Direction:**

- 1. To contact Mandy for a spreadsheet to assist in analysing the data.
- 2. Peter Randerson volunteered to start analysing the visitor survey data.
- 3. To investigate what analysis, if any, is available from the online Survey Monkey.

## 5.3 Jet Boat Adventure Tour Proposal

An application has been received by the City to *Trade in Public Places* to operate a Jet Boat Eco Tour business from the Quindalup boat ramp. The operator is now proposing to land at Eagle Bay beach (adjacent to Baudin Memorial), for customers to disembark from the boat using a swimming pool type ladder into the shallow water to have a 20 minute nature/historic walk.

### Attachment E

# Meelup Regional Park Management Committee Informal Meeting Minutes 23 February 2016

The proposed hours of operation are 11am-3pm, 7 days a week from January 2016- April 2016 and September 2016- April 2017.

A meeting was held with the operators, Pete and Ross from Jet Adventure with Kay Lehman, John Land, Cr McCallum along with Matt Dasey and Fiona Graham (Marine Officers for Department of Parks and Wildlife) on 2 February at Eagle Bay.

The operator discussed their proposed plan, leaving from Quindalup beach and travelling along the coast the Eagle Bay to disembark and visit the memorial to discuss the history and conservation aspects of the Park. The boat will be anchored close to shore and the passengers get off the boat via a small ladder on the boat.

They will be travelling at speed of 5-8 knots within the 300m zone as required by the Dept. of Transport. There will be no-refuelling in the area (all done on land). We discussed issues of swimmer/snorker safety-the operator said they have a good view from the boat and will be travelling at slow speeds in these areas. DPaW advised that the operator will have to apply for a Commercial Tour Operator Licence to operate within the Marine Park (as well as a whale and seal interaction licence, if required).

It was discussed that the location at Eagle Bay was better than the Castle Rock area due to the much wider beach and easier access to land.

The City has discussed the Jet Boat Adventure application with the relevant staff including the possibility of the boat coming in at the boat ramp area at Eagle Bay. A meeting was held with the operator on 17<sup>th</sup> February with City Officers where the use of the boat ramp area at Eagle Bay was discussed. The operator will be sending the City of Busselton a formal proposal which will be considered and will require a permit approval by the Directorate or CEO.

## **Proposed Direction:**

1. That the Committee notes the Jet Boat adventure update.

## 5.4 Zone 6- Exclusion Zone

The following is a response sent to Meelup Regional Park Committee members to outline the proposed actions relating to asbestos containing material identified in Zone 6.

Asbestos containing material (ACM) has been identified at various locations within Meelup Regional Park Zone 6. The deposit of ACM in Zone 6 is the result of former waste disposal activities that occurred until 1987 when the site was closed to waste disposal and at the time of closure deposited waste was covered with soil however, overtime some ACM has become exposed. An emu bob has been carried out in June 2015, to pick up surface ACM across zone 6 and a further emu bob is now required due to further surface ACM being identified.

Quotations are currently being sought (from experienced consultants) for the preparation of an Asbestos Management Plan for the former waste disposal areas, which is expected to identify in-situ treatment earth works and soil cover as a barrier to the human exposure pathway. The Request for

Quotation closes 26 February 2016, with the requested delivery date of the Asbestos Management Plan 29 April 2016.

While there is no formal trail network within Zone 6, there are a number of locations where vegetation has been removed without authorisation to form trails which allow public access to the former waste disposal areas. As indicated by the Presiding Member of the Meelup Regional Park Management Committee Bob Jarvis, further activities and disturbance of soils is being undertaken by some members of the public in the vicinity of the former waste disposal areas.

Staff have liaised with the Department of Health (WA) and as a means of informing the local community and visitors to the Park the following action is being undertaken.

#### Information

- A media release about the city's concerns that children and persons are accessing the former
  waste disposal areas and disturbing soil cover to construct trails.
- Information will be provided to schools, Dunsborough Districts Country Club, sporting clubs that
  may access Zone 6 as to the location and avoidance of the former waste disposal areas.

## Onsite notices and barriers

- Signage advising that access to the area is prohibited will be installed around the perimeter of the former waste disposal areas.
- Barriers will be installed across the main access trails leading into the former waste disposal areas
- Danger tape will be installed to indicate the former waste disposal areas.

#### Monitoring of Site

The site will be monitored to ensure barriers and signs are not removed.

### **Emu Bob**

 An emu bob will be undertaken to pick up surface ACM in the vicinity of the former waste disposal areas.

The above actions are expected to be implemented by mid-March 2016.

## **Proposed Direction:**

- 1. Information for the Committee to note.
- The Committee requested that warning signs should also be placed at entrances to the Park near the contaminated Zone 6 area including entrances near Endicoot Loop, Little Big Rock, opposite the school and adjacent to the boundary with the Dunsborough District Club near the water tank.

## 5.5 X Adventure Event-Update

Planning for the X Adventure event is underway. John Lang and the Meelup Environment Officer met with X Adventure organisers Richard Renn and Helen Baker and walked the proposed bike section trail in

Zone 6 of the Park on 21 February 2016. There are further on-site meetings planned with the coordinator of the running section next week.

The proposed bike trail was presented to the Committee to review and discuss.

Sections of the proposed bike trail will be checked on the ground including trails near the water tank and along the Chapman Street road reserve adjacent to residents.

## **Proposed Direction:**

- 1. Information for the Committee to note.
- 2. Sections the proposed bike and run trails will be checked on the ground to finalise the route.

### 5.6 Working Group-Alternative Funding

The Working Group to discuss 'Potential Alternative Means of Securing Funds to Assist with meeting the Costs Associated with Managing the Meelup Regional Park' met on 12 February. The group consists of Paul Needham, Albert Haak, Cr John McCallum and Kay Lehman. The meeting was very productive, discussing alternative funding sources and will meet again in the next few weeks to complete our discussions. In the meantime, a summary of the meeting is being prepared and will be sent out to committee members.

### **Proposed Direction:**

1. Kay to send out the meeting summary notes for input from committee members.

## 5.7 Working Group- Friends of Meelup Regional Park

The Friends of Meelup Regional Park working group met on 23 February. A summary of the meeting will be prepared to establish a framework to progress the Friends of Meelup Regional Park.

## **Proposed Direction:**

1. Information for the Committee to note.

## 5.8 Working with the Busselton Senior High School

Teacher, Geoff Holt has expressed an interest in having his Year 9/10 student undertake work in the Meelup Regional Park each term. Kay has developed a schedule of activities for the students over the year including Beach Clean-up, weedy, planting, Great cockie count, wildflower walk etc. The school will be involved in grant projects including on-ground works for the Wildlife Corridor and Rehabilitation of Coastal Nodes.

## **Proposed Direction:**

1. Information for the Committee to note.

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## Meelup Regional Park Management Committee Informal Meeting Minutes 23 February 2016

#### 5.9 **Guest Speakers**

15.1

Matt Dasey, Marine Park Coordinator, Department of Parks and Wildlife will speak about the Ngari Capes Marine Park at the next meeting March 22 at 7pm.

### **Proposed Direction:**

1. Information for the Committee to note.

#### 6.0 **LATE ITEMS**

6.1 Information on Ranger Statistics for the Meelup Regional Park.

## **Proposed Direction:**

1. Provide further information on the Ranger vehicle GPS tracking system and the Geofence.

#### 6.2 Update on the progress on the Events Policy.

## **Proposed Direction:**

1. Provide an update on the draft Event Policy to the committee.

#### 6.3 Update on the Point Piquet Whale Platform.

Request for Quote for the construction of the whale viewing platform is due on Friday 26<sup>th</sup> February. The Dunsborough Coast and Landcare Committee have indicated that they may be able to provide funding for interpretative signage.

## **Proposed Direction:**

1. Information for the Committee to note.

#### 6.4 **Update on the Meelup Coastal Clean Ups Program**

This item was discussed during the meeting. The Coastal Clean Ups will be incorporated into the regular Tuesday morning volunteer schedule.

7.0 NEXT MEETING- 22nd March 2016, 5pm Eagle Bay Hall. Guest speaker- Matt Dasey, Marine Park Coordinator, Department of Parks and Wildlife -7pm.

After the meeting, we will be having a BBQ Dinner-BYO Food and Drink.

#### **CLOSURE** 8.0

The meeting closed at 7.00pm

## ALGA - 2016 Federal Budget Submission



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#### AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

10 March 2016

Shire of Busselton Locked Bag 1 BUSSELTON WA 6280

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Dear Mayor Henley

I am writing to provide you with a copy of the Australian Local Government Association's submission to the 2016 Federal Budget.

ALGA's submission focuses on support for the priorities and needs of our communities while acknowledging the fiscal restraints on Commonwealth Government spending. It makes the point that community priorities and demands cannot wait for the best of economic times; they need to be addressed as they arise.

The submission is titled "Investment in an Innovative and Prosperous Future" and it reflects the role councils play in supporting and stimulating investment and local economic activity. Investment in local infrastructure and services underpins our future prosperity and targeted local investment programs, in partnership with the Australian Government, provide opportunities for all Australian communities to contribute to national growth.

Councils play a critical role in advocating and articulating the priorities of local government at the local level with their Federal Member of Parliament. I encourage you to actively champion ALGA's budget submission by meeting with your local MP and discussing with them the challenges faced by our sector and the opportunities identified in the submission to drive local investment and economic development.

Yours sincerely

Mayor Troy Pickard President





## Attachment F ALGA – 2016 Federal Budget Submission



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SUBMISSION TO THE 2016-17 FEDERAL BUDGET

Treasurer
Parliament House

The Hon Scott Morrison MP

CANBERRA ACT 2600

28 JANUARY 2016

By email: prebudgetsubs@treasury.gov.au

Dear Treasurer

## ALGA 2016-17 BUDGET SUBMISSION

The Australian Local Government Association (ALGA) is pleased to present this Submission to highlight local government's priorities as discussions about the 2016-17 Federal Budget commence.

ALGA acknowledges the challenging fiscal environment facing the Australian Government and the Government's commitment to return the Budget to a surplus by 2020-21. ALGA notes with increasing concern the stubbornly high level of unemployment, particularly youth unemployment in rural and regional Australia. ALGA also notes the growing income disparity across Australia's regions and the importance of supporting jobs growth, innovation and opportunities for all Australians regardless of where they live. For these reasons ALGA believes the 2016-17 Federal budget should prioritise investment in infrastructure, investment in job creation, particularly in rural and regional communities, continued support for essential community

services, and initiatives that will increase Australia's international competitiveness and the sustainability of local communities.

Local Government was disappointed by the decision in the 2014-15 Budget to pause the indexation of Financial Assistance Grants (FAGs) for three years. This decision will see FAGs frozen at their current level until 2017-18 and will result in a permanent reduction in the FAGs base by an estimated 13 per cent. The quantum of FAGs will be reduced by more than \$300 million per year. Councils in rural and regional areas are relatively more dependent on FAGs and ALGA expects that those councils, in particular, will be more negatively impacted by the reduction in FAGs. ALGA asks the Australian Government to restore the indexation of FAGs in the 2016-17 Budget and to consider the adequacy of the quantum of FAGs and the indexation methodology in the future.

ALGA acknowledges the significant injection of funding for Roads to Recovery and other infrastructure programs, announced since the 2015-16 Budget was handed down. This was warmly welcomed by councils, but the additional tied infrastructure funding cannot offset the general purpose funding foregone due to the indexation freeze of FAGs. The doubling of Roads to Recovery funding recognises the challenge faced by councils in managing the local roads network and ALGA believes that the funding for Roads to Recovery should be permanently doubled and the Bridges Renewal program also made permanent. In the coming budget, ALGA sees a need for additional targeted strategic funding with a focus on freight to address both the challenges and opportunities in first-mile and last-mile regional roads projects to drive productivity improvements. This also extends to the need for a renewed focus on the benefits of investment in community infrastructure.

ALGA supports the restoration of fairer roads funding for South Australia. The additional funds (\$17.5 million in 2013-14) provided to South Australian councils from 2004 to 2014 recognised the manifestly unfair treatment of South Australian Local Government in the provision of local roads funding from the Federal Government. The strong case and need for this additional

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## Investment in an Innovative and Prosperous Future

funding remain unchanged and ALGA believes that the Federal Government should reinstate this additional funding, with such funding indexed annually in line with the indexation of the Financial Assistance Grants.

Finally, ALGA calls in this Submission for additional investment in natural disaster mitigation to improve the resilience of local communities and reduce the escalating relief and recovery costs of disaster events. This includes funding to help councils plan for adapting to the impacts of climate change and support work to ensure planning decisions are based on best evidence, as well as seeing the opportunity for collaboration and innovation in this space.

#### The 2016-17 Budget should include a commitment to:

- Immediately restore the indexation of the Financial Assistance Grants;
- Establish a program directed at regional road projects, funded at \$200 million per annum over the next five years, to ensure that first mile/last mile and freight connectivity issues are addressed to improve national productivity;
- Restore fairer roads funding for South Australia by reinstating the additional roads funding for South Australian councils of \$17.5 million per annum.
- · Make the Bridges Renewal Program permanent;
- Fund community infrastructure at a cost of \$300 million per annum for the next five years to stimulate growth over the longer term and build community resilience:
- \$100 million over four years to support local governments' capacity to manage their own unique climate risks;
- Fund a targeted disaster mitigation program at a level of \$200 million per annum;
- Include betterment funding as a core element of Natural Disaster Relief and Recovery Arrangements (NDRRA).

#### Beyond 2016-17, the Federal Government should commit to:

- Returning the quantum of the Financial Assistance Grants to a level equal to at least 1 per cent of Commonwealth tax revenue and implementing a revised indexation methodology which better reflects the cost increases faced by councils;
- Provide appropriate resources to aid in the prevention of cost shifting, including working towards a renewed Inter-governmental Agreement;
- · A permanent doubling of Roads to Recovery funding; and
- A Review of the new arrangements for funding municipal services in indigenous communities to ensure that services are meeting the needs to communities and that there has not been a shifting of responsibilities and costs on to local governments.

ALGA understands the fiscal challenges facing the Commonwealth, however, expenditure on priorities does not wait for a convenient moment. Indeed, ALGA would argue that in times of fiscal constraint Governments should focus on community priorities and investment in productive infrastructure through the most efficient processes to deliver programs. The direct funding of local government to deliver infrastructure and services is appropriate in the current environment.

I commend this Budget submission to you.

Yours sincerely

SUBMISSION TO THE 2016-17 FEDERAL BUDGET





#### **PREAMBLE**

SUBMISSION TO THE 2016-17 FEDERAL BUDGET

28 JANUARY 2016

The Australian economy is growing, albeit in an uneven manner. With lower economic growth in China and European stagnation, the international outlook remains fragile. This has been evidenced by adjustments to Budget outcomes and forecasts in recent years. The Australian Local Government Association (ALGA) understands the budgetary pressures which the Government faces and its commitment to bring the Budget back to surplus.

Building a strong Budget surplus over the coming years will require difficult choices and discipline, but those constraints should not be at the expense of support for essential community services, investment in infrastructure and initiatives that are vital to increase Australia's international competitiveness and the sustainability of local communities. ALGA supports the Government's agenda of boosting productivity, reducing red and green tape and investing in vital national infrastructure projects. ALGA believes that these goals will be easier to achieve if the Government's priorities include a complementary focus on support for our communities.

Local Government welcomes the Australian Government's renewed focus on innovation. The sector has a long history of early-adoption of new technologies and practices and using its own resources to drive local innovation, based on local knowledge and expertise.

In this Budget Submission, ALGA proposes some initiatives for the 2016-17 Budget which reflect the immediate priorities of local government, and some further initiatives for future years which the Government may consider as fiscal conditions improve.

## LOCAL GOVERNMENT NATIONALLY

Local Government nationally employs just under 189,000 Australians (around 10 per cent of the total public sector), lowns and manages non-financial assets with an estimated written down value of \$354 billion (2013-14)2, raises around 3.4 per cent of Australia's total taxation revenue per annum<sup>3</sup> and has annual operational expenditure of around \$33 billion (2013-14), just under 6 per cent of total public sector spending.4

Local Government's expenditure is directed towards the provision of local services across the nation. These services include: housing and community amenities; transport and communications; recreation and culture and general public services.5

Independent research commissioned by ALGA in 2012 shows that a majority of Australians agree that local councils play an important role in their lives.6 It should be noted that at an aggregate level, local government undertakes its work while being more than 80 per cent self-funded. However, many rural and regional councils do not have the means to collect the same revenues as their urban and larger regional counterparts and are consequently much more reliant on external funding sources. Adequate grant levels are absolutely critical to these authorities being able to function in the best interests of their residents and to equalise the availability of services and infrastructure across the community. Considerable local government funds are spent on vital additional work that relates to broad national issues. As the level of government closest to Australians, Local Government is aware of and understands the myriad of challenges faced by local and regional communities as they live, work and interact in an increasingly complex domestic and global environment. Local and regional communities require support to respond and adapt to factors they cannot control, such as drought, natural disasters and economic upheavals.

<sup>1</sup> ABS Cat No. 6248.0.55.002 Employment and Earnings, Public Sector, Australia 2013-14.

<sup>2</sup> ABS Cat No. 5512.0 Government Finance Statistics, Australia.

<sup>3</sup> ABS Cat No. 5506.0 Taxation Revenue series.

<sup>4</sup> ABS Cat No. 5512.0 Government Finance Statistics, Australia.

<sup>5</sup> Op cit at 4 above

<sup>6</sup> Unpublished research 2012.

## ALGA - 2016 Federal Budget Submission

## Investment in an Innovative and Prosperous Future

Local Government strives, wherever possible, to assist communities to overcome these types of challenges, enhance their capacity to respond to new and unforeseen challenges and identify opportunities that can help build resilience and increase overall prosperity.

The Australian Government has shown that it understands and appreciates that Local Government's strength lies in its capacity to identify and respond to the diverse and emerging needs of communities across Australia.

The Australian Government has also shown its commitment to working with Local Government to achieve real and meaningful outcomes for local and regional communities. ALGA looks forward to the Government continuing this important partnership.

### MAINTAINING EFFECTIVE SERVICE DELIVERY

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Local Government currently receives general purpose funding from the Australian Government in the form of Financial Assistance Grants (FAGs). This funding is technically provided as a Specific Purpose Payment (SPP) to the states and territories made under the Local Government (Financial Assistance) Act 1995 [Cth].

The decision in the 2014-15 Federal Budget to freeze the indexation of the FAGs until 2017-18 will have significant long-term impacts on councils across the country and will affect their capacity to deliver high quality services to communities, indeed those effects are already being felt. Almost \$1 billion will be withdrawn from communities through this cut over the Budget cycle, with the aggregate level of FAGs permanently reduced by an estimated 13 per cent.

The immediate restoration of indexation of FAGs is a priority for ALGA. Over half of all councils in Australia have passed resolutions calling for the restoration of this indexation, as well as providing numerous examples of the real-world impact, particularly for rural and remote councils, of this freeze. A number of rural councils (including West Wimmera, Wodonga and Toowong in Victoria, Collie in WA and South Burnett in Queensland), have informed ALGA that as a result of the FAGs freeze they will be forced to postpone infrastructure work, look at substantial increases in the fees for services such kindergartens, reduce the hours of operation of council facilities and look at possible rates increases (although for many councils a limited rates base means the foregone FAGs cannot be made up through rate increases). A range of case studies on the impact of the FAGs freeze can be found on the ALGA website.7

ALGA's main longer term priority is for an increase in the FAGs to return funding to the level of previous years and for a move to an indexation methodology which better reflects increases in local government costs.

7 www.alga.asn.au

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SUBMISSION TO THE 2016-17 FEDERAL BUDGET

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#### THE INADEQUACY OF THE FINANCIAL ASSISTANCE GRANTS FOR LOCAL GOVERNMENT

The Commonwealth has noted that around 88 per cent of Local Government's revenue in 2011-12 was from its own sources.8 Over the last decade, Local Government has consistently raised more than 80 per cent of its total revenue from own sources. Local Government is also utilising almost 90 per cent of its total hypothetical maximum rate revenue capacity, 9 which indicates there is limited scope for local government to introduce new or additional revenue

However, the Government also noted in the latest Local Government National Report<sup>10</sup> that averages can mask the true situation of specific local councils and that individual councils have differing abilities to raise revenue. The Productivity Commission has previously confirmed that a significant number of local councils, particularly in rural and remote areas, will remain dependent on grants from other spheres of government to meet current expenditure. The Commission further concluded that some councils will always remain highly dependent on FAGs, notwithstanding they might have fully utilised their own-source revenue raising capacity. 11 This is why intergovernmental funding, particularly FAGs, continues to be very important in ensuring local and regional communities are financially capable of meeting both day-to-day costs and new challenges, whilst retaining sufficient flexibility to harness new opportunities. Funding certainty is critical to the long term planning of local and regional communities.

The decision to freeze FAGs indexation until 2017-18, and therefore permanently reduce funding to councils into the future by more than \$300 million per annum, will impact most on vulnerable and grant-dependent

councils and their communities. As the responsibilities of councils and the costs of delivering services increase, these reductions will have a real and growing impact which undermines future service delivery.

Of all the levels of government in Australia, the Australian Government has the greatest capacity to raise revenue relative to its responsibilities. On the other hand, ABS statistics show that Local Government is the least taxing of Australia's three levels of government. 12

The Local Government (Financial Assistance) Act 1995 embodies the principle that the Commonwealth should distribute a proportion of revenue to Local Government to support the building of resilient and prosperous communities. The FAGs, which are untied in the hands of local councils, are intended to improve local government's capacity to provide communities with an equitable level of services and to increase the effectiveness and efficiency of Local Government.

#### A BETTER FUNDING POOL AND MORE APPROPRIATE INDEXATION

Although FAGs are intended to supplement the ability of Local Government to support functions, they have fallen over time as a proportion of overall Commonwealth taxation revenue.

In 2013-14, FAGs amounted to around 0.67 per cent of total Commonwealth taxation revenue, continuing a long trend of FAGs falling as a proportion of the Commonwealth's taxation revenue. The decision to freeze the indexation of FAGs until 2017-18 will see that proportion of revenue drop to less than 0.60 per cent. By contrast, these grants represented around 1 per cent of total Commonwealth taxation revenue in 1995-96 and 1996-97. This dramatic

<sup>8</sup> On cit at 2 above, n.8.

<sup>9</sup> Productivity Commission report Assessing Local Government Revenue Raising Capacity (April 2008), Finding 5.4, p.xxxvii (herein referred to as the 'PC report').

<sup>10</sup> Op cit at 2 above, p.8.

<sup>11</sup> Op cit at 10 above, Finding 5.5, p.xxxviii.

<sup>12</sup> See ABS Cat No. 5512.0 Government Finance Statistics series.

# Investment in an Innovative and Prosperous Future

and continuing decline in general purpose funding means that councils are struggling to maintain appropriate local government services. The current base funding of approximately \$2.3 billion should be increased to better reflect the actual cost of local government services and infrastructure and should be restored to a level equal to at least 1 per cent of Commonwealth taxation revenue.

The escalation or growth methodology for the FAGs also requires revision. The methodology is based on population growth and inflation and has remained unchanged for decades, despite significant changes in our economy such as the introduction of GST and real wages growth. The costs of councils are not driven by the same factors as the CPI, accordingly escalation by the CPI is inadequate to maintain the real value of the grants. Over the last decade in particular, the inadequate escalation methodology has contributed to a growing gap in the funds required by Local Government to meet increased demand for local community infrastructure and services. In contrast, the general purpose funding provided from the Commonwealth to the states and territories through the GST more transparently reflects growth in the real economy and trends in costs.

The other element of the escalation determination is the use of ABS population data. Problems with the data were highlighted in 2012, when the ABS revised its data and, as consequence, population estimates were downgraded. The Commonwealth immediately reduced the value of many payments, including FAGs, even after Budget announcements. While Local Government fully supports the need to ensure public funds are spent with the utmost care and probity, the impact of reducing already strapped councils' grants by a further 2.5 per cent, is the difference between a service being provided and not. In its submission to the ABS on this issue, ALGA highlighted the position of vulnerable councils and called for greater consultation with Local Government as well as investigating a way to phase in any future substantial adjustments.

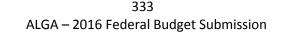
Although horizontal fiscal equalisation is one of seven federally legislated principles for the allocation of FAGs, the Productivity Commission has observed that 'the current level of FAGs is insufficient to achieve horizontal fiscal equalisation' and that 'there is a case to review the provision of Australian Government general purpose grants to local government'<sup>13</sup>.

ALGA notes the Australian Government's decision to establish reviews into the Federation and the taxation system and calls on the Government to ensure that the review processes consider the overall suitability and sustainability of local government funding, noting the following:

- On top of a long-term growth trend, growth in demand for local government services has increased rapidly during the past decade, corresponding to substantial growth in the national economy. In addition, Local Government must also play a role in meeting new and unprecedented challenges affecting all Australians, such as the impact of an ageing population and associated health care needs, disease and obesity, environmental protection and climate change. To respond adequately, local government revenues must increase in a way that better reflects the cost of delivering local government services and community infrastructure, having regard to relevant major economic cost drivers including the costs of labour. This principle applies equally to intergovernmental transfers.
- In addition to the increasing community demand for services, Local Government must devote a growing level of its resources to capital formation and depreciation liabilities. The report of the House of Representatives Standing Committee on Economics, Finance and Public Administration, Rates and Taxes: A Fair Share for Responsible Local Government, October 2003 and subsequent reports into local government financial sustainability have found that Local Government is struggling

13 PC report, op cit at 10 above, Finding 5.6, p.xxxviii.

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SUBMISSION TO THE 2016-17 FEDERAL BUDGET

28 JANUARY 2016

to meet community demand for more intensive 'human services to the people', whilst maintaining its increasingly ageing local community assets. In 2006 the backlog was estimated to be \$14.5 billion nationally and today the backlog is estimated to be beyond \$20 billion. As a result, Local Government faces the choice of reducing services, ignoring its deteriorating physical infrastructure and/or increasing its already wellutilised revenue base. Each of these options involves social, environmental and political costs. Although funding from the Australian Government of around \$1.1 billion in 2008-09 and 2009-10 to assist Local Government to modernise local community infrastructure was greatly welcomed, the gap cannot be adequately or sustainably corrected in the absence of further ongoing funding support to the sector.

Given the demands upon Local Government and its limited capacity to raise additional own-source revenue, adequate revenue growth for general purposes can only be achieved through an increase in the quantum of intergovernmental financial transfers.

ALGA seeks a change to both the base funding for FAGs, and the indexation methodology, so that communities can have the certainty they need to plan adequately for future challenges. Reform of these arrangements would help to ensure a revenue stream for Local Government that will reasonably keep pace with demand for service delivery and infrastructure provision. In turn, better funding levels will boost community resilience and Australia's overall prosperity in the future.14

Local Government would welcome the opportunity to further its partnership with the Australian Government by working together to identify constructive general purpose funding reform options that more adequately meet community needs and fulfil the Commonwealth's objectives as set out in the

14 See speech by Treasury Secretary Dr Ken Henry AC, 'Fiscal Policy - More than just a national budget' 30 November 2009, in which he acknowledges that '[w]hatever the size of government, fiscal sustainability is important for maintaining macroeconomic stability, reducing aggregate economic vulnerabilities; and in those ways, improving aggregate economic performance. It reduces the degree of uncertainty about future policy settings and facilitates growth-enhancing economic decision-making, especially regarding the accumulation of physical and human capital.

Local Government (Financial Assistance) Act 1995. Such reforms would enable Local Government to more fully meet the diverse economic, social and environmental needs of local and regional communities, whilst delivering on important national priorities being pursued at the Australian Government and COAG levels.

#### A STRENGTHENED INTERGOVERNMENTAL AGREEMENT TO PREVENT COST SHIFTING

A key driver of the increased demand on local government finances is its role in acting as a major service provider of Commonwealth and state services. Local Government remains committed to playing this role. However, as Local Government has been providing those services on behalf of other levels of government, it is unreasonable to expect Local Government to meet the costs of the services if funding is withdrawn.

A greater focus on cost shifting is especially relevant as discussions about the roles and responsibilities of each level of government continue in the context of Federation and Taxation reform processes.

Withdrawal of funding once councils have accepted a service delivery role exposes councils to community pressure to fund the continuation of the service. This is cost shifting and a poor outcome for communities. Importantly, it can erode the value of the FAGs and other federal funding provided to Local Government by forcing councils to divert resources into areas formerly funded by other levels of government.

Cost shifting by the Commonwealth and state governments has been estimated to have a negative impact on councils of up to \$1.1 billion annually. 15 The effects of cost shifting to Local Government from other levels

<sup>15</sup> House of Representatives Standing Committee on Economics, Finance and Public Administration, Rates and Taxes: A Fair Share for Responsible Local Government, October 2003

# Investment in an Innovative and Prosperous Future

of government (mainly state governments) for which the sector remains uncompensated, have magnified over recent years, and present a genuine threat to the ongoing financial sustainability of the sector. This is because other levels of government continue, whether indirectly or directly, to assign additional responsibilities to councils. These include increased emergency and disaster management, environmental programs, community education, business development, management of certain land and the transfer of roads. Compulsory amalgamations in some jurisdictions over recent years, coupled with state-prescribed responsibilities, for example in the Northern Territory, have also increased opportunities to cost shift onto the local government

In April 2006, all Australian governments signed the Intergovernmental Agreement Establishing Principles Guiding Intergovernmental Relations on Local Government Matters [the IGA]. The IGA outlines a set of principles designed to establish an ongoing framework to address future cost shifting and prevent the cost shifts that have occurred in the past.

ALGA is committed to the IGA as it underlines the importance of effective intergovernmental collaboration and processes to avoid and prevent cost shifting practices, which are essential to maximising Local Government's own efforts to enhance financial sustainability. As noted above, there is little scope left for Local Government to increase own-source revenue in order to meet the additional costs that come with new responsibilities.

A focus on Federation reform provides an opportunity to consider the roles and responsibilities of each level of government and the importance of ensuring they are adequately resourced to carry out those roles. As part of this process, ALGA believes that the Cost Shifting IGA should be reviewed and strengthened so that all levels of government agree to comply with its principles whenever new or additional functions, or new or increased service standards affecting local government, are being considered.

#### The 2016-17 Budget should include a commitment to:

• Immediately restore the indexation of the Financial Assistance Grants.

#### Beyond 2016-17, the Federal Government should commit to:

- Increase the quantum of the base and reform the indexation methodology of the Financial Assistance Grants; and
- Provide appropriate resources to aid in the prevention of cost shifting, including working towards a renewed Inter-governmental agreement.

SUBMISSION TO THE 2016-17 FEDERAL BUDGET

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## ROADS, TRANSPORT AND INFRASTRUCTURE

Local roads are the capillaries of our communities linking our homes, schools, farms and business. They are the building blocks of our nation's transport network providing access to and from our front gates to local, regional, state, national and international services and markets. Without local roads there would be no access to schools, health facilities, community facilities and markets.

The local road system has developed and expanded so that its 640,000 kilometres is around 75 per cent by length of all roads in Australia and a significant component of the national transport system. The National Transport Commission has estimated that 36 per cent of all kilometres travelled in Australia are on local roads. The economic importance is demonstrated by 30 per cent of medium vehicle kilometres and 16 per cent of heavy vehicle kilometres being on local roads.

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SUBMISSION TO THE 2016-17 FEDERAL BUDGET

28 JANUARY 2016

The maintenance of the local road system is one of Local Government's major tasks and in most councils it is the single largest item of expenditure. Total expenditure on local roads by councils in 2012-13 was estimated by the Bureau of Infrastructure, Transport and Regional Economics to be just over \$6.4 billion.

Councils have an obligation to manage their local roads effectively and to continue to improve their asset management. However, improved asset management alone cannot meet the backlog in funding to address the issue. The ALGA study released in 2010 into local road funding found expenditure on local roads has been less than the life cycle cost for the past five years and that the shortfall in funding to simply maintain rather than improve Australia's local roads in the period from 2010 to 2025 is estimated to be around \$1.2 billion annually.

The study quantified what councils knew - the local road system is breaking down. This is an untenable position for Australia.

#### MAINTAINING OUR INFRASTRUCTURE NETWORK

Since 2000, the Australian Government has recognised that the needs of local roads are beyond the financial capacity of Local Government and has provided funding under the Roads to Recovery Program. Local Government acknowledges and is grateful for the significant contribution that the Roads to Recovery funding has made to improving local roads and the economic, social and community benefits the program has achieved to date. It is difficult to imagine what the state of local roads would now be without the more than \$6 billion in funding provided so far.

The Roads to Recovery Program is a true partnership between the Federal and local governments. Under the terms of the Roads to Recovery Program, Local Government has complete management responsibility for the delivery of the Program without Federal intervention. It is also a testament of the effectiveness of the direct relationship between the Australian Government

and local councils. The major outcomes of investment under the Program include improved productivity and road safety, both national objectives.

There is of course more to do on our local roads. The continued underinvestment in local roads hinders local and regional social and economic development and ultimately affects the development of the nation as a whole. Councils are under great pressure to maintain their vital roads expenditure, especially in South Australia where councils also lost the additional roads funding provided by the Australian Government to ensure a fairer level of roads funding for South Australia.

ALGA welcomed the decision to extend Roads to Recovery, currently funded at \$350 million per annum. While this measure was a positive step, it is vital that this program be supported and protected for the long-term by making the funding permanent in legislation.

ALGA also welcomed the decisions to increase funding to the Roads to Recovery and Black-Spot programs in 2015-16. This will enable councils to increase funding to key projects but this additional funding is being provided at a time when the general purpose funding for council activities being reduced by around 13 per cent through the decision to freeze FAGs (including the identified local road component). ALGA estimates that the permanent reduction in the FAGs base will exceed the full value of the Roads to Recovery program by around 2020. As fiscal circumstances permit, ALGA urges the Government in future budgets to commit to permanently doubling Roads to Recovery expenditure to \$700 million per annum.

ALGA strongly applauds the funding of the Bridges Renewal Program from 1 July 2014 at a level of \$300 million over five years. This program is an initiative with the potential to help councils address the very substantial problems affecting local bridges, especially timber bridges, but we recognise the magnitude of the task facing councils and the interest of state governments in using Federal funding to address state infrastructure. ALGA believes there is strong evidence to show that this program is not only

## Investment in an Innovative and Prosperous Future

attractive, but effective. Therefore, ALGA is calling for this program to be made permanent in legislation. This step will enable long-term projects and long-term security of funding.

Local Government, particularly in South Australia, was dismayed by the decision to end the additional roads grant that had been provided for local roads in South Australia. This decision has placed pressure on local authorities and ALGA is calling for the immediate re-instatement of the additional roads funding of \$17.5 million per annum to South Australian councils.

## BOOSTING AUSTRALIA'S FUTURE INFRASTRUCTURE CAPACITY

ALGA strongly supports the Government's focus on improvements in productivity through investment in infrastructure. Local roads play a vital role and the issue of first and last mile access is an important factor in the productivity equation. We must unlock local and regional productivity improvements through investment that improve access for freight vehicles and connectivity between local roads and preferred state and national freight routes.

To achieve these improvements, ALGA calls for the creation in the 2016-17 Budget of a program funded at \$200 million per annum over the next five years. The new program would have the specific objective of investing in identified local projects which would achieve real, measurable productivity outcomes through improved access and connectivity, specifically in rural and regional Australia.

#### The 2016-17 Budget should include a commitment to:

- Establish a program directed at regional road projects, funded at \$200 million per annum over the next five years to ensure that first mile/last mile and freight connectivity issues are addressed to improve national productivity;
- Make the Bridges Renewal Program permanent; and
- Restore fairer roads funding for South Australia by reinstating the additional roads funding of \$17.5 million per annum to South Australian councils.

#### Beyond 2016-17, the Federal Government should commit to:

A permanent doubling of Roads to Recovery funding.

#### COMMUNITY AND REGIONAL INFRASTRUCTURE

Local Government is responsible for billions of dollars worth of community infrastructure, excluding local roads. This infrastructure provides the social and economic backbone for communities throughout Australia, particularly those in rural and regional areas that are continuing to experience economic hardship exacerbated by increasingly unfavourable weather conditions and an uncertain global economic outlook.

The funding allocated by the Australian Government to support the Regional and Local Community Infrastructure Program in 2008-09 and 2009-10 was warmly welcomed by local communities across the nation. This funding made an important contribution to assist councils to meet the backlog and underspend on this community infrastructure that has accumulated over many decades and the value and benefits of such a program were evident to all. Projects delivered under the Program will continue to have benefits for the economy and broader community for years to come.

However, extensive feedback from the local government sector indicates that more needs to be done. Well-located, well-designed and properly maintained community infrastructure helps produce better quality outcomes for

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28 JANUARY 2016

Australian communities as well as facilitating greater social inclusion. It also helps achieve other important social and regional policy outcomes, including attraction and retention of skilled workers, preventative health (through the use of walking tracks, cycle paths, swimming pools, parks and other recreational facilities), social cohesion and tolerance (for example, positive ageing), builds social capital and enables broad-based education and learning (through the provision of galleries, libraries and museums). For some groups in the community, local government facilities are their only means to access ongoing lifelong learning, interact socially and undertake mental and physical health and fitness activities.

ALGA therefore urges the Australian Government to commit to specific local government community infrastructure funding in the 2016-17 Budget, at the level of \$300 million per annum over the next four years. This will enable all local councils to plan and deliver adequate and appropriate community infrastructure across all areas of Australia and enhance their resilience in the face of less favourable economic conditions. 16 Over the past few months, ALGA has collected hundreds of examples where relatively small investments in restoring facilities or infrastructure will see significant benefits to the quality of life in local communities.

#### The 2016-17 Budget should include a commitment to:

- Fund community infrastructure at a cost of \$300 million per annum for the next five years to stimulate growth over the longer term and build community resilience.
- 16 See for example, the Bureau of Infrastructure, Transport and Regional Economics report (June 2009), Global Economic downturn - some implications for Australian Local Governments, which concluded [a]s the Commonwealth's infrastructure spending flows to local economies, their ability to withstand the negative effects of the global downturn and adjust quickly when it has passed, will continue to improve' [p.5] - see http://www.bitre.gov.au/info.aspx?Resourceld=720&Nodeld=111

### **BUILDING RESILIENCE** AND SUSTAINABILITY

#### NATURAL DISASTER ARRANGEMENTS

On average, in Australia each year, 50 people lose their lives as a direct result of natural disasters. A further 1,500 are injured and 250,000 are affected in some way. 17 The economic cost to communities is estimated by Deloitte Access Economics to be in excess of \$6 billion per annum. 18

Natural disasters have a significant economic, social, environmental and political impact on communities. Natural hazards are occurring more frequently in Australia than in the past as the climate continues to warm and sea levels rise, and they are producing more severe and longer-term

Local government has been a strong supporter of the Natural Disaster Relief and Recovery Arrangements (NDRRA) under which the costs of restoring government infrastructure (including local government infrastructure) are shared across the levels of government with the Commonwealth committing to meet up to 75 per cent of those costs, subject to adequate insurance arrangements being in place at the jurisdictional level. It is important that the Commonwealth's commitment and level of support for the NDRRA is not reduced.

Natural disasters often have long term financial and social impacts. This was particularly evident after the Queensland flooding events in 2011 and 2012. Even under the NDRRA arrangements, a number of councils remain unable to adequately fund the restoration of local infrastructure. ALGA appreciates the positive discussions that took place across the levels of government in the aftermath of those disasters. It is important to help insulate communities from the effects of natural hazards. Local Government therefore endorses

<sup>17 2009</sup> and 2011 were exceptional years.

<sup>18</sup> Attorney-General's Department report, Working Together to Manage Emergencies: Strategic Plan to Nationally Enhance Emergency Management in the Community (2004).

### Attachment F

## Investment in an Innovative and Prosperous Future

initiatives that build capacity in local and regional communities to identify, mitigate and adapt, as well as respond to natural disasters.

This extends to the issue of betterment funding. It is common sense that in the face of an increasing occurrence of extreme weather events, simply rebuilding infrastructure to its original specifications and condition is not sufficient. Betterment funding is a strong example where a targeted additional investment will produce savings in the long term, simply because the infrastructure is now built to withstand its new situation.

In its recent inquiry into natural disaster funding the Productivity Commission noted the value of disaster mitigation expenditure and raised the idea of a \$200m per annum mitigation program. ALGA has long called for a Federal commitment to higher and more targeted mitigation funding to assist local government to strengthen the resilience of local communities. The value of investment in mitigation was also highlighted by the Australian Business Roundtable for Disaster Resilience and Safer Communities in its 2013 White Paper.

#### The 2016-17 Budget should include a commitment to:

- Maintain the levels of support for the Natural Disaster Relief and Recovery Arrangements (NDRRA);
- Fund a targeted disaster mitigation program at a level of \$200 million per annum; and
- Include betterment funding as a core element of the NDRRA.

### MANAGING OUR CHANGING CLIMATE

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Managing the effects of a changing climate will require the efforts of every level of government in Australia. The outcome of the Conference of Parties 21 (COP 21) held in Paris in December 2015 sets the scene for increased efforts to address climate change and ALGA strongly supports the Australian Government's commitment, through COP21, to holding the increase in the global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above preindustrial levels, recognising that this would significantly reduce the risks and impacts of climate change.

While much can be done to reduce greenhouse gas emissions in all parts of Australia, ALGA welcomes COP21's acknowledgement of the importance of sub-national governments, including local governments, in addressing and responding to climate change. The role for climate-ready and climate-smart cities is particularly important.

The establishment of the Emissions Reduction Fund sets the Government's preferred path for mitigation although there are concerns among local governments that councils will find it difficult to compete for available funding for mitigation projects.

Local government in Australia has a proven track record in addressing climate change and our cities will play an important role in helping the Australian Government achieve internationally agreed climate change targets. Many councils have responded by adopting proactive climate change strategies to reduce emissions and to adapt to unavoidable climate change impacts. However, they need assistance to implement on-ground projects and other key aspects of these strategies. Local Government, working in partnership with the Australian Government, can deliver highly effective climate change projects that can mitigate the production of greenhouse gas emissions in cities, and also greatly assist the community to be better prepared and better able to adapt to future climatic conditions.

For other, less prepared councils, particularly smaller councils in regional areas, small grants may also be needed to support them to consult with their

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28 JANUARY 2016

community to undertake climate vulnerability assessments and develop adaptation plans as well as to fund implementation.

ALGA is calling for a \$100 million program over four years program to enhance local government resources for work with local businesses and communities in implementing local and regional climate change plans and to provide small grants to local governments that have not yet developed Local Climate Change Adaptation Plans.

#### SUPPORTING LONG-TERM DECISION MAKING

Climate change is a long-term issue, with long-term consequences that cover social, economic and legal concerns, as well as core environmental ones. A key concern for local government is the risk to councils from legal actions stemming from planning decisions. A 2011 report from Baker and Mackenzie undertook a broad analysis of the issue and highlighted a fundamental need for councils to ensure that decisions are based on the best-evidence available. Ever since the emergence of climate change as an appreciable risk and necessary consideration in planning decisions, there has been a lack of clarity and organisation of the knowledge and expertise available.

ALGA has been active in supporting bodies such as the Commonwealth Scientific Industrial Research Organisation, the Bureau of Meteorology and the National Climate Change Adaptation Research Facilities and their work to provide the data sets that councils rely on every day. These organisations are examples of Government investment leading to innovation and increasing knowledge that benefits the wider community. Councils are also skilled and experienced at collating and developing their own data-sets, especially when dealing with threats from extreme weather events. ALGA urges the Australian Government to increase support for the collection, retention and maintenance of climate vulnerability data sets. It is important that this data is transformed into easily accessible and utilised products, that all stakeholders and decision-makers are able to access locally relevant and academically rigorous information to aid them in their work.

#### The 2016-17 Budget should include a commitment to provide:

• \$100 million over four years to support local government's capacity to manage its own unique climate risks.

#### INDIGENOUS MUNICIPAL SERVICES

ALGA has consistently applauded the Australian Government for its commitment to initiatives that aim to close the gap between Indigenous and non-Indigenous Australians in the areas of housing, health, early childhood development, education, economic participation and remote service delivery. Initiatives like these are vital if our nation is to overcome the economic and social costs of disadvantage being experienced disproportionately in our Indigenous communities and position them to be more prosperous and sustainable. ALGA has welcomed more than \$4 billion in funding provided since 2011 as positive steps to address the conditions that could significantly improve the well-being of those living in isolated or remote communities.

The decision of the Federal Government in the second-half of 2014 to return primary responsibility for remote service delivery to the states has caused concerns in remote communities. There are questions about whether sufficient resources have been made available to meet the needs of communities and there are concerns that additional and unfunded responsibilities may be placed on local governments to provide municipal services in remote communities.

It is important that the reforms in this area achieve the best outcomes for communities and ALGA calls on the Federal Government to commit to review of the new arrangements, once they have been bedded down, to ensure that the intended outcomes have been achieved.

#### Beyond 2016-17 the Federal Government should commit to:

• A review of the new arrangements for funding municipal services in Indigenous communities to ensure that services are meeting the needs to communities, are focused on improving well-being and that there has not been a shifting of responsibilities and costs on to local governments.

## Investment in an Innovative and Prosperous Future

#### CONCLUSION

ALGA recognises the challenges currently facing the Government, however we strongly believe that there should be initiatives in the 2016-17 Budget to ensure continued support for essential community services and investment in infrastructure to increase Australia's competitiveness and strengthen the resilience of communities in the face of natural disasters and climate change. These initiatives should be complemented by additional actions in future budgets as fiscal conditions permit.

#### The 2016-17 Budget should include a commitment to:

- · Immediately restore the indexation of the Financial Assistance Grants;
- Establish a program directed at regional road projects, funded at \$200 million per annum over the next five years, to ensure that first mile/last mile and freight connectivity issues are addressed to improve national productivity;
- Restore fairer roads funding for South Australia by reinstating the additional roads funding for South Australian councils of \$17.5 million per annum.
- · Make the Bridges Renewal Program permanent;
- Fund community infrastructure at a cost of \$300 million per annum for the next four years to stimulate growth over the longer term and build community resilience:
- \$100 million over four years to support local governments' capacity to manage their own unique climate risks;
- Fund a targeted disaster mitigation program at a level of \$200 million per annum; and
- Include betterment funding as a core element of Natural Disaster Relief and Recovery Arrangements (NDRRA).

#### Beyond 2016-17, the Federal Government should commit to:

- Returning the quantum of the Financial Assistance Grants to a level equal to at least 1 per cent of Commonwealth tax revenue and implementing a revised indexation methodology which better reflects the cost increases faced by councils;
- Provide appropriate resources to aid in the prevention of cost shifting, including working towards a renewed Inter-governmental Agreement;
- · A permanent doubling of Roads to Recovery funding; and
- A Review of the new arrangements for funding municipal services in indigenous communities to ensure that services are meeting the needs to communities and that there has not been a shifting of responsibilities and costs on to local governments.

SUBMISSION TO THE 2016-17 FEDERAL BUDGET



## Busselton Jetty Swim - Letter of Appreciation



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## **Busselton Jetty Swim**

24 February 2016

Mike Archer Chief Exectuve Officer City of Busselton Locked Bag 1 BUSSELTON WA 6280

Dear Mike, Shane and Peta

	Application No	Person No.	info@busseltonjettyswim.org.au
Busselton	CIO ID	В	PO Box 410, Busselton WA 6280 usselton Allsports Inc. ABN 58 673 977 239
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#### SunSmart Busselton Jetty Swim 2016

On behalf of the President and Committee of Busselton Allsports Inc I take this opportunity to thank you and your organisation for being a Diamond Partner for the SunSmart Busselton Jetty Swim 2016.

As you would be aware, this year's event was a tremendous success. A record number of swimmers registered (2084) surpassing the previous record for the year 2015 of 1976.

As part of your sponsorship is an award in the form of a trophy, I have pleasure in advising that the following are the details of the awards presented on behalf of your organisation:

2ND OPEN MALE won by Jeremy Brooke-Smith of Watermans Bay WA with a time of 0:43:48 2ND OPEN FEMALE won by Megan Stephens of Doubleview WA with a time of 0:46:28 1ST BUSSELTON MALE won by Louis Bray of Busselton WA with a time of 0:48:03 1ST BUSSELTON FEMALE won by Lisa Harding of Abbey WA with a time of 0:53:27

There were 475 swimmers competing as part of 2 and 4 person teams.

The committee extend its sincere appreciation of your support of the 2016 event and we look forward to having you as one of our Diamond Partners for the 2017 event, the 22nd year of the Busselton Jetty Swim.

With kind regards

Rhonda Stubbs Secretary





www.busseltonjettyswim.org.au

Saturday 13th & Sunday 14th February



# Certificate of Appreciation

Awarded to

City of Busselton

in recognition of your valued support of the 21<sup>st</sup> Busselton Jetty Swim

Max Higgins President Busselton Allsports Inc

## Busselton Jetty Swim - Letter of Appreciation

## Event Partner

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The SunSmart Busselton Jetty Swim 2016 is proudly sponsored by Healthway to promote the SunSmart message

## Diamond Partners

City of Busselton
WIN Television WA
Tourism Western Australia, Royalties for Regions, Department of Regional Development
Lotterywest
Busselton Dunsborough Times

## Gold Partners

Malatesta Road Paving & Hot Mix Southern Cross Austereo (Radiowest & Hot FM) Events West

#### Silver Partners

Higgins Building Contractors Busselton Water

## Brouze Partners

Dale Alcock Homes South West
The Equinox
Planet Graphics
Geographe Financial Group
The Goose Beach Bar + Kitchen
Abbey Beach Resort
Capecare
Busselton Aquatastic and Climbtastic

#### Valued Partners

Sportspower Busselton
West Coast Radiology
Geographe Timber and Hardware
Busselton Discount Drug Store
Jeannie Davis Occupational Therapist
Hon Adele Farina MLC
Boyd Reilly
Busselton Jetty

#### Special Thanks

Margaret River Busselton Tourism Association
Total Horticultural Services
Vasse Bins
Hon Barry House MLC
Westralia Helicopters
Door Smart WA
Grocock Glass

## DFES – Bush Fire Service Medallions

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Government of Western Australia Department of Fire & Emergency Services DFES

Our ref: LSW00508

**DFES Regional Office** Lower South West PO Box 1420 MANJIMUP WA 6258

4 March 2016

Mr Mike Archer Chief Executive Officer City of Busselton Locked Bag 1 Southern Drive **BUSSELTON WA 6280** 

Dear Mike,

## **BUSH FIRE SERVICE MEDALLIONS**

Please find enclosed Bush Fire Service Medallions awarded to the following members of the Sussex Bushfire Brigade.

#### 10 year

Gary Charlton Colin Bartlett Raymond Hansen

Please pass on our congratulations to the recipients on the significant achievement of this award.

In a state covering one third of the Australian continent, it is only possible for DFES to provide a comprehensive high quality fire and emergency service to the standard expected by the Western Australian public because of the contribution made by our well trained and dedicated volunteers.

Should you have any further queries in regards to the Bush Fire Service Medallions, please contact DFES Regional Office on 9771 6800.

Yours singerely,

J∕ohn Tillman

SUPERINTENDENT LOWER SOUTH WEST

cc: Chief Bush Fire Control Officer - Alan Guthrie DFES District Officer - Danny Mosconi

CESM - Tim Wall



Dunsborough Bay Yacht Club Inc PO Box 479 Dunsborough WA 6281

Sunday, 20 March 2016



Mike Archer CEO City of Busselton Locked Bag 1 Busselton WA 6280

Dear Mike,

On behalf of the Management Committee and Members of the Dunsborough Bay Yacht Club and Minnow Association, I would like to thank the City of Busselton for its generous support of our recent State Minnow Titles (5<sup>th</sup>-7<sup>th</sup> March)

The \$500 from the Donations, Contributions and Subsidies Fund meant we could provide our junior sailors with long-sleeved regatta tee shirts. They were these mementos of the weekend with pride!

The regatta was a great success. The weather and conditions over that weekend showcased Dunsborough at its very best, much to the pleasure of our visitors from Perth.

The City was promoted as our major sponsor by way of banner display and acknowledgement in all speeches, and at our prize giving ceremony.

Thanks once again for the City's support of DBYC and our junior sailing programme.

Kind Regards

Trish Flower Organising Committee

trishflower@aapt.net.au;

3 Norfolk St, Dunsborough WA,6281; 0428229445









13 April 2016

## **State Minnow Titles**



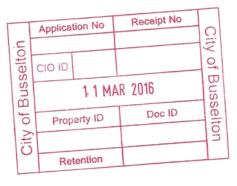
## Winner



## South West Academy of Sport – Letter of Appreciation

8th March 2016

Mr. Mike Archer CEO City of Busselton Locked Bag 1 Busselton WA 6282





Dear Mr. Archer

## SOUTH WEST ACADEMY OF SPORT (SWAS) ONGOING FUNDING SUPPORT

On behalf of the South West Academy of Sport Board, we once again thank you for the financial support that the City of Busselton has provided to South West Academy of Sport (SWAS). SWAS provides a unique opportunity for the region to collaborate together for the benefit for our young regional athletes.

In the past 7 years all Local Governments in the South West were approached by SWAS Board to provide consideration of a modest financial allocation towards the Academy. The support of the Local Governments providing funding towards SWAS with the importance being placed upon the development of our sporting youth has been very encouraging.

The SWAS Board understands that any further financial commitments would be subject to normal Local Government approval of 2016/2017 budget planning which will be occurring now. It is our hope that the City of Busselton will confirm a provisional amount that will be allocated and considered for approval by the members of your Council.

SWAS will appreciate the support of your Council and looks forward to working with all partners to foster the Academy through to its full potential for the benefit of our youth.

Please do not hesitate to contact me should you require any further details.

Yours sincerely

BERNICE BUTLION

CEO

## 16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

## 17. CONFIDENTIAL REPORTS

Nil

## 18. **QUESTIONS FROM MEMBERS**

## 19. PUBLIC QUESTION TIME

## 20. <u>NEXT MEETING DATE</u>

Wednesday, 27 April 2016

## 21. <u>CLOSURE</u>