



Shire of Busselton

**Community and Stakeholder  
Consultation into the Future Use of  
the Locke Estate**

Reference No. 26615

REPORT FOR PUBLIC COMMENT

***Connell Wagner***

# Contents

Section	Page
<b>Executive Summary</b>	<b>1</b>
<b>1. Site Introduction</b>	<b>6</b>
<b>2. Project Brief</b>	<b>8</b>
<b>3. Methodology</b>	<b>9</b>
<b>4. Implementation</b>	<b>12</b>
<b>5. Background Information</b>	<b>13</b>
5.1 Historical Land Use	13
5.2 Lease Status and Compliance	16
5.3 Environmental Description	17
5.4 Legislative Framework	20
<b>6. Results and Evaluation of Community Engagement</b>	<b>28</b>
6.1 Stakeholder Meetings	28
6.2 Public Displays	28
6.3 Website	29
6.4 Open Day	29
6.5 Media	29
6.6 Public Comment	30
6.7 Workshops	32
<b>7. Conclusion</b>	<b>48</b>
Concept Options	49
<b>8. Recommendations</b>	<b>55</b>
<b>Appendix A: Project Implementation Outline</b>	
<b>Appendix B: Coastline Movements</b>	
<b>Appendix C: Proposed Erosion Setback Line</b>	
<b>Appendix D: Stakeholder List</b>	
<b>Appendix E: Public Displays</b>	
<b>Appendix F: Media Statements</b>	
<b>Appendix G: Public Comment Sheet</b>	
<b>Appendix H: Public Comment Database</b>	

Key milestones in the consultation process included:

- **Initial telephone contact** with identified local stakeholders and State Government agencies advising them of the project and the importance the project team placed on their active involvement. This initial gesture of goodwill created a positive environment of trust and respect that informed future stages of the consultation and was fundamental to the success of the project in the long term.
- **Face to face meetings** with local groups and managers of the leases were undertaken prior to any major media releases regarding the project. This activity ensured lease holders were informed of the process prior to the general public, again helping to develop a basis of trust and allayed any misinformed fears.
- **Meeting with site Caretakers** was held on a Saturday morning and involved a number of the on-site caretakers from various groups leasing areas of the Locke Estate. These individuals were facing considerable impact with the future cessation of leases and this meeting was another opportunity to allay fears, reinforce the retention of the class A reserve status and listen to their ideas and concerns.
- **Face to face meetings with Perth and local leaseholders** ensured that all lessees were given the opportunity to meet with the project managers and discuss their views on the future of Locke Estate. These meetings provided a space for the groups to explain their desired future and the potential demand they recognised for facilities such as this.
- **Public Displays and Comment Sheets** were printed and distributed to all major outlets in the Busselton Shire including libraries, community centres and the Shire building. Over 500 submissions were received in relation to the future of the site.
- **Locke Estate Open Day** was initiated in response to concern that the community may be providing comment on the future of the site without ever having visited. This initiative was very successful and resulted in over 100 people visiting the site and talking with the project team.
- **First Workshop** consisted of two meetings. One for lease holders and one for local groups, State and Local Government. These were held in the Busselton RSL hall, a venue that had a strong community feel, and were timed to suit workshop participants. The aim of this workshop was to explain the process of consultation so far, identify additional issues that each group felt had been omitted and to creatively develop draft concepts for the future use of the site.

The leaseholder workshop was represented by the majority of leaseholders and enabled the groups an opportunity to speak as one voice about their involvement in the site, the investment that had been made over many years and the fears they had for the future use of Locke Estate. Despite these concerns, these groups generated considerable ideas regarding the future of the site which were incorporated into concept plans for stage two workshops.

The later workshop, with State and Local Government representatives, was held at 5pm at the RSL hall and likewise focused the issues and opportunities of the Locke Estate on more technical matters related to infrastructure, environmental and social constraints.

The outcomes of these workshops were distributed to all participants, as part of the open communication approach, as well as being publicised through the media.

- **Second Workshop** aimed to refine the initial draft concepts for Locke Estate based upon three scenarios – retain existing leases, consolidate leases or let the leases expire.

## Executive Summary

This report presents the outcomes of the extensive community and stakeholder consultation undertaken by the Connell Wagner project team on behalf of the Shire of Busselton. The report aims to assist the Project Control Group, consisting of Shire and Department for Planning and Infrastructure representatives, in achieving concepts for the future use of Reserve No.22674, known as 'The Locke Estate'.

The Locke Estate is a 37.5ha parcel of Crown land located on Geographe Bay approximately 10 km west of Busselton. The site is a class A reserve for "Recreational Camp Sites and Group Holiday Accommodation", the management of which has been placed with the Shire of Busselton. The site has historically been leased to a number of different community groups. All the current leases, which were for a period of 21 years, expire in December 2011 and the Shire has taken proactive steps to determine an appropriate future use for the site.

The three concepts presented herein are the result of the consultation outcomes, taking into account background research based on the various social, demographic, economic and environmental issues associated with the land, legal and planning considerations, and community and stakeholder preferences borne out of community engagement, workshops and a managed public relations strategy.

A detailed history of the site and explanation of how the current leases came into existence is provided in the report. The environmental and social values of the Locke Estate have been highlighted and integrated for consideration in the concept options. The unique vegetation which forms the habitat of the vulnerable Western Ringtail Possum presents both an opportunity and a constraint for the use and development of the Locke Estate. Foreshore erosion and coastal protection are also important considerations in the interests of beach amenity and public access to this part of Geographe Bay.

### Consultation Overview

The consultation process for Locke Estate has been recognised as a fundamental aspect of the project's success to date.

Prior to the commencement of the contract, Connell Wagner included a community consultation specialist as part of the project team; along with a public relations consultant. This combination of community engagement and public relations has ensured that the philosophy underpinning the community engagement has been carried through all media activities.

The Locke Estate project commenced in an environment of some scepticism regarding consultation among the local community. The Shire of Busselton clearly wanted a consultation process that built new bridges to the community and demonstrated they were listening to the needs of their constituents.

The approach adopted by the project team was to base all consultation processes on the underlying philosophy of open and truthful communication, as this was considered to be the only approach that would ensure a sustainable outcome.

A fundamental component of this approach was the commitment by the Minister for Planning and Infrastructure to maintain the site in the future as a class A reserve. This commitment allayed local community fears that another local open space was being taken up by property developers and the public would lose access to the coast.

Upon confirmation of the class A reserve status for Locke Estate, all media and consultation approaches were 'branded' with this message, thus reducing the possibility of confusion amongst stakeholders.



This full day workshop consisted of State and Local Government representatives, local community groups with a direct interest in the site and randomly selected community members. All leaseholders were included in the community sector and had the potential to be randomly selected.

The workshop commenced with a dedication to the all those individuals who had had a relationship with the Locke Estate in the past, as it was recognised that the future of the site would begin to change as a result of the workshop.

Participants were randomly placed together and each group reviewed the strengths and weaknesses of one option, as well as adding additional items to the original concept plans. Individuals were asked to rate their preferred option.

Participants were then clustered based upon the sector they represented – Local, State Government, community or community group – and asked to review updated concept plans with specific input based upon their technical and local expertise.

Outcomes of this workshop were sent to each participant and feedback so far has been that it not only provided a clear indication of the key issues facing the future of the Locke Estate, but enabled groups to exchange ideas in a well represented mix of interests.

- **Public comment period** will commence upon approval of the concept options by the Shire of Busselton. The public will have up to four weeks to comment on the draft concept plans following which the report and comments will be presented to the Minister for Planning and Infrastructure.

In summary, the consultation process has been praised as a model for future consultation in the Shire of Busselton. The Shire has been portrayed positively in the media through a responsible media strategy and the community has had access to a number of opportunities to have their say in the future of the Locke Estate.

### **Public Relations**

Prior to contract award, the Connell Wagner project team met with Shire of Busselton representatives to discuss the level of interest the project had attained in the community.

At the State and local level, adverse publicity had been received that generally focused on a perception that property developers were interested in the site. The Shire was very concerned about this perception, and felt it would have a detrimental effect on the process. The Shire clearly indicated that it and the Department for Planning and Infrastructure had not received any approaches from developers. Consequently, the Shire was advised by Connell Wagner that regardless of who undertook the project, a commitment from the Minister for Planning and Infrastructure as to maintaining the site in the future as a class A reserve would be critical in deterring this type of negative publicity and community perception.

This commitment has been instrumental in:

- gaining community support for all consultation processes;
- deterring the media from printing more stories focused on developer interest in “taking over the site”;
- providing a range of positive stories for the project, and ultimately the Shire’s commitment to open consultative processes.

The media plan was developed to include local and State electronic and print media. Media statements were to be released at regular project milestones to heighten community awareness, with official comment and approval to be provided by the Shire of Busselton. The Shire’s public relations officer was responsible for releasing the statements.

Media statements included consultation processes and timelines, the Ministerial commitment and other key information, in order to achieve consistent and clear messages throughout the project.

These milestones were:

- COMMUNITY URGED TO HAVE INPUT INTO LOCKE ESTATE REVIEW (Contract announcement and aims of project; released February 12, 2007)
- LOCKE ESTATE OPEN DAY (advertising Saturday February 24 Open Day where Connell Wagner and Shire representatives would conduct tours and answer questions; coincided with launch of public comment sheets; released February 20, 2007).
- LOCKE ESTATE OPEN DAY WELL ATTENDED (Report on open day numbers and additional prompt for comment sheets; released February 27, 2007).
- COMMUNITY VALUES ENVIRONMENT, MEMORIES OF LOCKE ESTATE (Update on community feedback – 200 responses – and identified managing the Locke Estate environment and providing a valuable service to the youth and elderly as key themes; released March 13, 2007)
- LAST WEEK FOR COMMUNITY FEEDBACK COMMENT ON LOCKE ESTATE Stage One (Reminding people to have their say; released April 3, 2007).
- SECOND WORKSHOP TO FOCUS ON CONCEPT PLANS FOR LOCKE ESTATE Stage Two (Outline of workshop two process to inform community and stakeholders; released May 1, 2007).
- COMMUNITY MEMBERS JOIN STATE AND LOCAL GOVERNMENT IN SECOND LOCKE ESTATE WORKSHOP (Community members, State and Local Government representatives met to formulate concept plans for the future of Locke Estate; released May 15, 2007).
- LOCKE ESTATE UPDATE (Stakeholder groups and community members will soon be asked to comment on the future proposals for Locke Estate; released 19 June 2007)

Engendering media support for the process was crucial from the onset of consultation. The project team followed up the initial media release by inviting the media to the Open Day to ensure they were able to mix with community members and interview people about the project (as opposed to having a separate media tour, which could have been seen as an attempt to keep them away from the community and resultant comments). Media representatives from the ABC (TV and radio), Busselton Dunsborough Mail and Busselton Margaret River Times attended the Open Day. Radio coverage of the event encouraged community attendance and ABC news coverage of the event was aired on Sunday February 25, 2007. Media packs were provided to:

- WIN Television, Bunbury
- Sunday Times, Perth
- GWN Bunbury
- West Australian (Bunbury office)
- Busselton Margaret River Times
- ABC News and Radio
- Busselton Dunsborough Mail.

The Shire of Busselton received an inquiry from the *West Australian* on Wednesday April 18, 2007, and directed this to the project team for further information on the process. Because the *West Australian* had previously published articles about developer interest, the project team was able to address this issue to ensure an accurate article outlining the processes and community involvement was published, and to deter further comments about developers being published that might confuse and mislead the community.

Overall, the media coverage for the project so far has been favourable. Positive feedback has been received from both the Shire and media outlets, with the media stating that they have appreciated being able to access various stakeholders for comment throughout the process to ensure all opinions receive an airing. Importantly, the Shire has been portrayed positively in the media through a responsible stakeholder and community consultation program.

### **Concept Options**

Drawing from the key themes and ideas generating from the public consultation processes, it has become evident that the basis of change will depend on the management (renewal, modification or termination) of the existing leasing arrangements. Therefore, the concept options are titled according to the proposed lease opportunities and integration of the potential for change.

The proposed concept options are described in detail in the Conclusions section of this report, being the option to:

- *Conditional Retention*
- *Consolidation or*
- *Reformation*

The associated broadbrush concept plans that visually outline what the concept may look like on the site and the issues and opportunities associated with each option are outlined in detail in the Conclusion to the report.

### **Recommendations**

Key issues that have been highlighted for consideration in the development of the concept plans have formed a number of recommendations with consideration of:

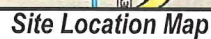
- Land Management
- Land Use and Environment
- Lease Management
- Heritage

The next steps in the process are to generate widespread publicity for the concepts, and advertise the opportunity for public comment. It is recommended that the Busselton Shire Council considers the feasibility of the concept options and advise if each is deemed suitable for advertising and public comment. The commitments required of both the Shire of Busselton and the Department for Planning and Infrastructure under each of the concept approaches must be carefully addressed.

The agreed concepts will be presented for further consideration and comment through a public advertising period, following which the outcomes of the entire process will be presented to the Shire of Busselton and the Minister for Planning and Infrastructure. Should there be any requirement to change the purpose of the Reserve or change the Reserve boundaries, the final decision rests firstly with the Minister for Planning and Infrastructure and, if she agrees, both Houses of Parliament.

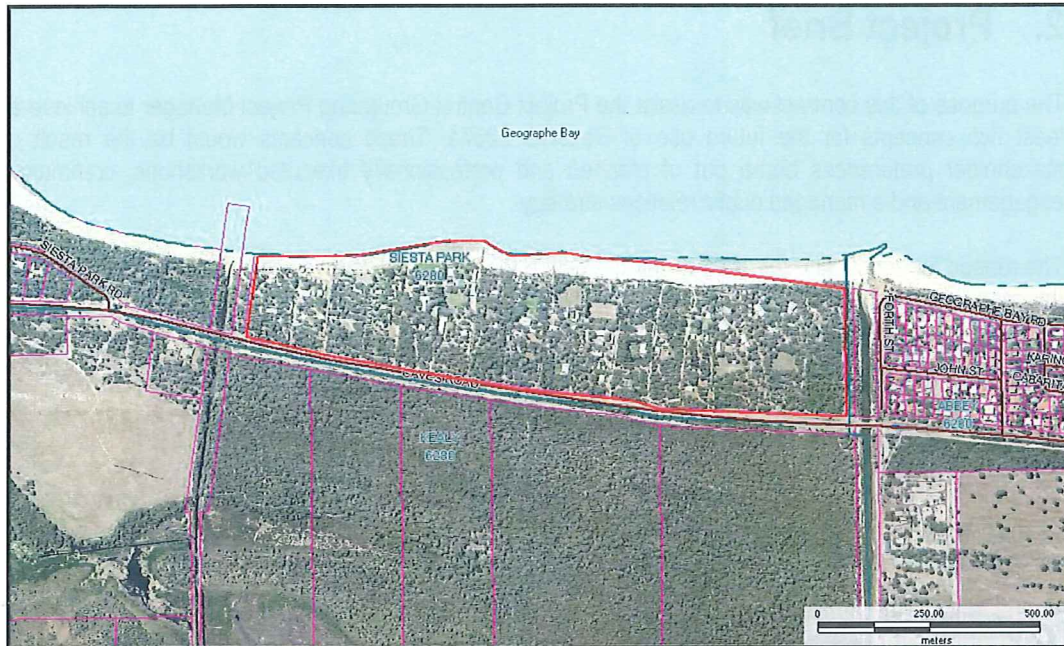


The subject site, Reserve No.22674, is known as 'The Locke Estate'. It is unique in that it is Crown Land that is managed by the Shire of Busselton, but is leased by a number of different groups and physically broken up into a number of discrete land parcels accordingly.



Reserve No.22674 is 37.5 hectares in area and consists of a series of 16 campsites. It is a class A Reserve vested in the Shire of Busselton for "Recreational Camp Sites and Group Holiday Accommodation" uses.





*Aerial Layout of The Locke Estate and surrounds*

The site is currently reserved for 'Public Purposes' under Shire of Busselton Town Planning Scheme No.20. A Coastal Management Overlay exists over land abutting the foreshore 'Recreation' reserve and the site is within the 'Landscape Value Area'. The land is delineated to both the east and west by drainage and road reserves.

## 2. Project Brief

The purpose of this contract was to assist the Project Control Group and Project Manager to achieve at least two concepts for the future use of Reserve 22674. These concepts would be the result of stakeholder preferences borne out of planned and professionally executed workshops, community engagement and a managed public relations strategy.

The reason for conducting this review and the desire to conceptualise the medium to long term future of this reserve stemmed from:

- good public land management practice, whereby a land manager would regularly review the use of the land to ensure that it was being utilised in the best or most beneficial manner available. Given that the current leases expire in 2011, this presents a time frame sufficient to allow ample community and stakeholder engagement;
- comments received from community, government and business sectors regarding the operations and methods of management of the campsites and how these management practices affect the community in both a positive and negative way; and
- the desire for a needs assessment in recognition of the immense growth in the permanent population of the Shire and the steady increase in tourist and casual visitor traffic over recent years, and the anticipated continuation of this trend.

The methodology included the following requirements of the brief:

### ***Background investigations***

- (a) The history of the land and the various social, demographic, economic and environmental issues and legal and planning considerations associated with the land would be studied.
- (b) An understanding of the culture of the current land use of Reserve 22674, together with the community and stakeholder support and/or opposition to changes, would be established.

### ***Community Consultation (Public Relations Strategy)***, incorporating;

- (a) Workshops, both internal and external. The consultant would plan and facilitate a number of workshops or forums of a style (or styles) proposed by the consultant. Various representative stakeholders (statewide) would be invited to participate in structured workshops, in order that preferred 'broadbrush' concepts could be formulated;
- (b) Print and electronic media. Some media coverage (statewide and local) had occurred in recent months, mainly through talk back radio and letters to the editor. This demonstrated the depth of emotion and broad interest generated by the land and its use. Further media releases would be required during the consultation process; and
- (c) advertising of draft proposals.

### ***Council and Internal Briefings***

Briefings would be undertaken at key milestones in the process with both elected members and staff. This would involve presentation of proposals from workshops to Council and DPI and assistance with assessment of viability of 'broadbrush' concepts for consideration of proposals which would be publicly advertised.

### 3. Methodology

The project team took a proactive approach to consultation in order to keep the community fully informed of the progress of the consultation from the onset. The mission statement for community relations was: *"to ensure each stakeholder in the community is kept fully informed of the progress of the consultation and has the opportunity to have input into the process"*.

Through integration with Shire of Busselton's existing communication strategy, all communication materials for public dissemination were produced in conjunction with, and approved by, the Shire of Busselton prior to production and distribution.

Key objectives for consultation were consistent with the Shire of Busselton objectives and include:

- heightening awareness of the consultation and its importance to the State and local communities;
- engendering trust among all stakeholders through open communication planning and activities;
- acknowledge the work already undertaken and the issues already agreed upon in early communication with the community groups involved (if any);
- encourage a shared vision and commitment among all stakeholders to achieving the best possible outcome for the future of Locke Estate and the surrounding communities;
- facilitate cooperation with State and Local Government, community members, businesses, Parliamentary Members and other key stakeholders;
- ensure all stakeholders were well informed on the consultation components through a range of information tools and outlets;
- identify issues/concerns and act upon these according to set response times, and continually database these issues.

In order to achieve the desired outcome, the project team proposed to undertake the following tasks:

#### Task 1: Project Inception Meeting

- **Initial briefing:** to the Project Control Group on the proposed methodology, timeframe and deliverables. At this briefing, the Shire and DPI would be asked to provide copies of all available background material relating to the project.
- **Approvals process:** Development of a flow chart outlining approvals process for all public consultation materials.

#### Task 2: Background Investigations

- **Investigation of Land Ownership and Management Issues:**  
Assessment would include:
  - History of use.
  - Land title details and copies of relevant historical documentation.
  - Various issues stemming from past land management practices.
  - Planning considerations associated with the land.
- **Understanding of the Current Situation:**  
Assessment would include:
  - Culture of land use.
  - Identification of stakeholders.
  - Community/stakeholder support and/or opposition to changes.

#### Task 3: Community Consultation Strategy

Following background investigations and identification of all stakeholders, the communications plan would be finalised, subject to endorsement of the proposed methodology by the Shire and/or Project

Control Group. Council would work with the consultant in identifying any negotiables and non-negotiables (technical, social, economic etc) for Focus Groups.

The strategy would include:

- **Letter:** to affected stakeholders outlining the issue and the consultation requirements (to include fact sheets as background. Could also constitute initial invitation/expression of interest in Focus Group.)
- **Face to face meetings:** existing lessees and stakeholders (in Busselton and Perth) would be offered one-on-one briefings with Connell Wagner representatives. These briefings would outline the project, timeline and involvement, as well as being utilised as an information gathering exercise to generate initial feedback on issues, values, who to consult and any future plans.
- **Media release (initial):** from either Minister for Planning and Infrastructure or Shire of Busselton outlining the endorsed process and timelines.
- **Media liaison (ongoing):** At key points in the consultation process.
- **Public information:** in addition to a media release, utilise a mix of static public displays (libraries/shopping centres), website information (plus feedback forms), advertising and newsletter to heighten awareness of the process in the wider community.
- **Public Open Day:** for the general public to view the sites and obtain a first-hand understanding of the related operations and issues.
- **Focus Groups:** Selection and development of the mix for Focus Groups and workshops would be agreed. Members to be sent information and clear guidelines according to an agreed process. One round of preliminary workshops would measure the objectives of each stakeholder group and consider the constraints and opportunities of the site, with a final round of workshops to present a number of broadbrush concept plans and achieve agreement on concepts to be put forward for Council consideration.
- **Post Focus Group consultation (in line with FG recommendations):**
  - Information brochure/survey: would include project background, contact details, proposals, advantages/disadvantages (if applicable) and survey form (developed to communicate Focus Group recommendations).
  - Distribution through the wider community: newspapers.

#### Task 4: Preparation of Constraints and Opportunities Plans

The constraints and opportunities plan would be used in the workshop environment to develop ideas and discussion about the future use and management of the estate, without attempting to pre-empt the outcomes of the stakeholder workshops by prescriptively applying any concepts at this stage.

The plan would take into consideration:

- historic land use;
- existing infrastructure;
- road and pedestrian linkages to and from the site;
- views to and from the site;
- topography, contours and landscape features;
- significant environmental features; and
- any significant cultural and Aboriginal heritage features.

#### Task 5: Preliminary Focus Group Workshops

Having agreed the appropriate mix for Focus Groups and workshops in Task 3, members would be sent information and clear guidelines according to the following process:

- Introductions/welcome.
- Development of shared ground rules.
- Issues to be addressed (Project Team).



- Process of Consultation (including background/findings to date).
- Aims, parameters and objectives of Focus Groups (includes negotiables and non-negotiables).
- Consideration of site opportunities and constraints.
- Requirements for the future – i.e. development of broadbrush options.
- Focus Groups to have input into the format for the second stage of consultation (i.e. communication and presentation of broadbrush options to the community).

#### **Task 6: Preparation of Concept Plans**

A number of broadbrush concept plans would be formulated from the key ideas and perceptions of the community and stakeholders. The development of these plans would be very dependant on the outcomes of the preliminary focus group workshops, although considerations would include:

- Current/future land management arrangements.
- Land area / infrastructure needs.
- Opportunities for consolidation of infrastructure.

These plans would be developed into large-scale copies that could be duplicated for workshop purposes.

#### **Task 7: Concept Planning Workshops**

Taking into account Focus Group feedback on the format for the second stage of consultation, the main objective of these workshops would be to present the broadbrush concept plans and achieve agreement on which concepts should be put forward for Council consideration.

The concepts would be assessed against criteria developed and agreed by each group, taking into consideration the objectives and aims of the stakeholders and community for the site.

#### **Task 8: Presentation to PCG and Briefing to Council**

The outcomes of the workshops along with a number of broadbrush concept plans would be presented to the PCG and Council provided with a briefing of the recommendations. The aim of the presentation and briefing would be to achieve consensus to the recommendations prior to finalising the report and plans for Public Advertising.

#### **Task 9: Report and Plan for advertising**

The deliverable from this task would be provision of the report including recommendations and the agreed concept plans for consideration. This would be an accumulation of information from the entire consultation process, including the outcomes of the presentation and any resulting feedback from Council and the PCG.

This task would also be a 'hold point' for Council approval to proceed with advertising once Council, the PCG and DPI had endorsed the report and its outcomes.

#### **Task 11: Advertising of the Draft Report**

The advertising period for public comment would be approximately four (4) weeks. The timeline would allow an extra week in the project schedule to take into account administrative tasks in preparing for advertising.

Following the closure of advertising, the Project Team would undertake the compilation of public comments. A summary of comments would be included in the final report and the report would be revised according to the comments received.

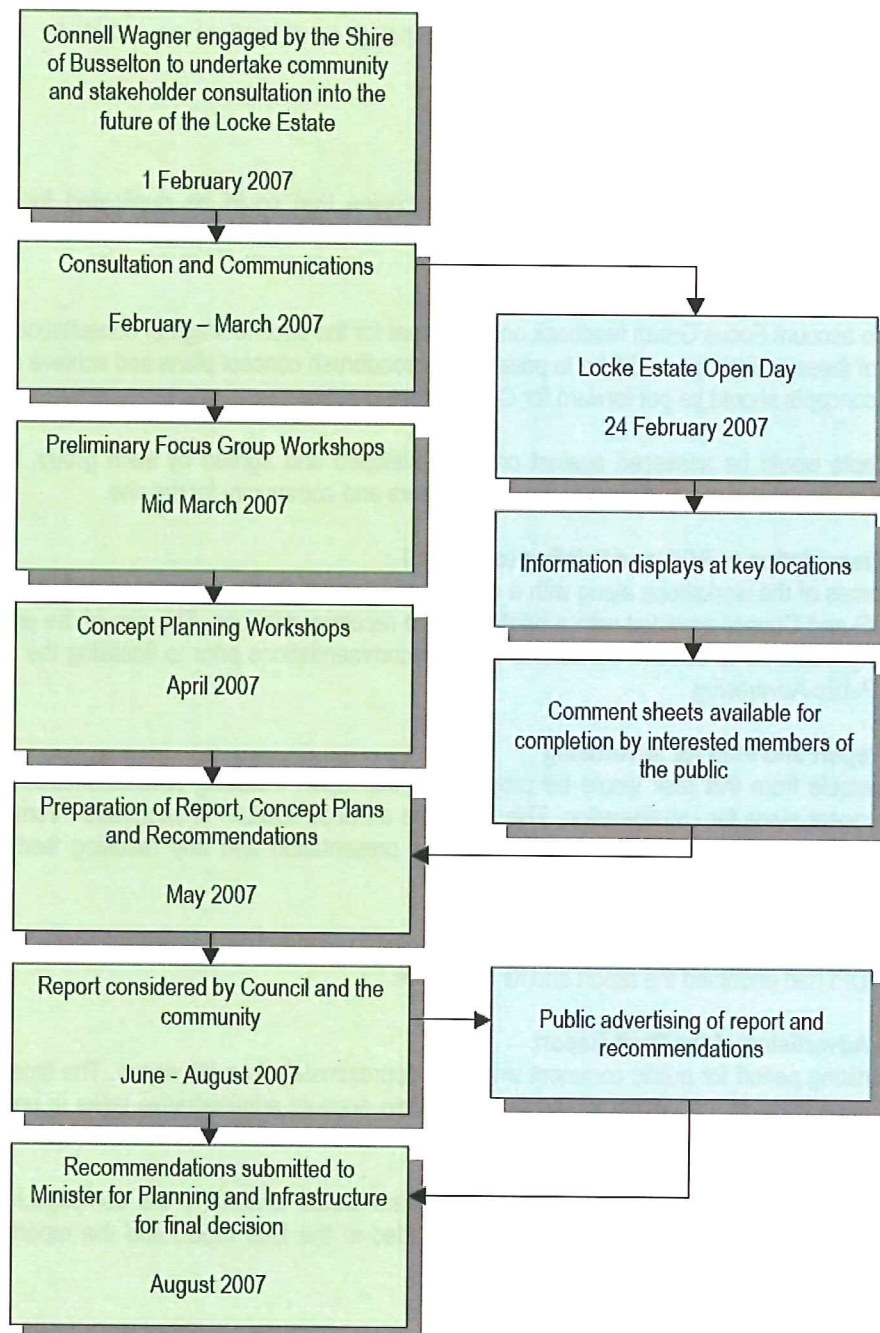
#### **Task 10: Final Recommendations Report**

The final Recommendations Report would be submitted in draft format. Following Council and DPI comment and approval, the Report would be submitted in Final format.

## 4. Implementation

The project implementation outline showing key tasks and deadlines is detailed in Appendix A. Revisions to the outline were made with the agreement of the Project Control Group following the Inception Meeting to include some tasks that were seen to be important in the consultation process, and to revise the timeframe in order to accommodate reporting and approval processes late in the program.

An overview of the project outline is provided below:



## 5. Background Information

### 5.1 Historical Land Use

Since first bought by the State of Western Australia on a freehold basis in 1920 for repatriation purposes, Locke Estate has been under the development and control of a government body. Expressions of interest were made in the 1940s for the development of the foreshore area for a fishing village and holiday resort. However, it was recognised at this stage that this area was particularly in demand from campers and Reserve 22674 was created for 'Camping and Recreation' over Sussex Location 3860 and given class A status, as gazetted 29/08/1947.

**1953:** An application to lease approximately seven (7) acres of Reserve 22674 was received from the South West Girl Guides' Association for the purpose of camping and training Guides. The request was referred to the State Gardens Board, which at the time had informal control of the Reserve.

**1954:** State Gardens Board recommended that the Busselton Road Board be granted vesting of the whole reserve, enabling them to deal direct with the Girl Guides Association. Accordingly, a vesting order was issued in favour of the Busselton Road Board over Reserve 22674 for 'Camping and Recreation' with power to lease the whole or any portion of the reserve for any period up to 21 years, subject to the approval of the Minister for Lands.

In view of the anticipated demand by associations and societies for the erection of holiday camps for their members, the Department of Lands decided that the maximum area that should be lease to any one body should be limited to three acres. The Shire of Busselton appealed this decision.

**1955:** An inspection with representatives from the Girl Guides Association, Perth Legacy and the Busselton Road Board was completed to discuss requirements by the organisations. It was considered appropriate to allow the Girl Guides Association and Perth Legacy an area of seven (7) acres each, as some road frontage and also some sea frontage was required, and a block limited to three (3) acres would result in an inadequate width for providing a satisfactory layout.

**1954-1978:** Leases to approximately 17 organisations were issued by the Shire of Busselton and approved by the Minister for Lands.

**1981:** Following concerns raised by the local Member about the standard of development which had occurred on portions of the reserve, and in particular, complaints received from public caravan park proprietors alleging that some lessees were operating as public caravan parks, an inspection was completed of the leased area by the Divisional Surveyor. In his opinion, there were a number of problems and inconsistencies in the whole of the leasing arrangement, listed below:

- Purpose of the class A Reserve 22674 is 'Camping and Recreation' and it is vested in the Busselton Road Board with power to lease for periods not exceeding 21 years.
- The Board has leased approximately 16 acres to various organisations, however it seems the lease document places no limitation on the type of development to be established.
- Legal opinion obtained by Council advises apparently that siting of caravans on some of these areas contravenes the conditions of the standard Lands Dept. Leases adopted by Council.
- The development of flats, chalets and other extensive building is contrary to the reserve purpose.
- The leases generally serve a very useful purpose in many cases, providing holiday accommodation for people who otherwise may not get this type of holiday.

Following a meeting with the Busselton Road Board a letter was sent to the Shire of Busselton on informing them that, although Reserve 22674 was Council's responsibility in the first instance by virtue of the vesting order held, the Department of Lands had an overall responsibility in the reserve management and an obligation to ensure that the land usage conformed to the reserve purpose and that appropriate lease conditions apply. An inspection revealed that there were a number of problems relating to the document and usage of the reserve that should be examined – ranging from standard of

development to compatibility of usage with the reserve purpose. It was apparent that some lessees had attempted to operate commercially as caravan/camping parks and advertised as such. It was essential that this practice, which is contrary to the reserve purpose, be eliminated.

Council's comments as to the problems encountered in the management of this reserve were sought to isolate the problems and formulate mutually acceptable solutions. Subsequently, a letter was sent to the Shire of Busselton on the 18/06/1981 outlining discussions that took place in regard to Reserve 22674. It was suggested to the Shire of Busselton that the existing reserve purpose may not be entirely appropriate to its present usage and a suggested change of purpose to "Recreation and Group Holiday Accommodation" or something similar. If consideration was to be given to the granting of new leases, it was felt that it would be appropriate to perhaps review the rentals payable and ensure that the purpose for which the land was leased was well defined, making it clear that there could be no commercial use made of the land. Having regard to the value of the land and the fragile nature of the coastline, it would be advisable to ensure that no further development be undertaken or additional structures erected without plans being first submitted and approval being granted by Council. There was also a need for the area to be inspected on a regular basis.

**1982:** A draft lease was compiled by the Shire to include the points raised by the Department of Lands.

**1985:** A meeting was held, attended by the Regional Manager and all lessees, councillors and council officers, at the Shire of Busselton to discuss proposals for the provision of new lease agreements. The Shire of Busselton asked the Department of Lands to consider a change of purpose for class A Reserve 22674 to more correctly reflect its current uses range from camping, caravan parking, self-contained chalets and units, dormitory accommodation, meeting halls to community kitchens.

At the Council meeting of 25/02/1985 (attended by the Regional Manager as above) and 11/03/1985, the Shire of Busselton adopted the following recommendations for inclusion in the new lease agreements:

- Vesting to be changed to 'Recreational Camp Sites and Group Holiday Accommodation' on the understanding that a maximum number of caravans on any site be 20 and (subject to Council having the powers available to it) licences will be issued on an individual basis to sites which require the land to be used for caravans and/or campsites;
- The inclusion of a disclaimer clause for erosion damage;
- The inclusion of a clause whereby the lessee is advised that if it is proven that the lease is being used for commercial purposes outside the agreement, Council may cancel the lease;
- Requirement for the lessee to keep a Register of Accommodation Bookings;
- A Foreshore Management Plan be developed for Reserve 22674, with the lessee being required to comply with conditions set out in this plan;
- Lessees must comply with these setbacks when developing lots: 20m from Caves Road, 7.5m from side boundaries and 100m from the foreshore vegetation.
- Lessees must comply with all development conditions including fire control, beach access, approval on the removal of vegetation; tree planting and all development proposals must be approved in writing by Council.
- Permissible uses for the reserve be defined as
  - (a) Camping when carried out by organised groups involved in outdoor recreation, and sport or in religious, ethnic or educational pursuits, conferences or conventions using trained leadership;
  - (b) Provision of accommodation to bona-fide workers who are there to improve the site;
  - (c) Provision of holiday accommodation to financially disadvantaged persons who would otherwise not be able to afford a holiday away from home; and
  - (d) Provision of retreat accommodation to persons being counselled.
- That a term of 21 years be offered to all lessees in return for their acceptance of a new lease and conditions.
- All signposting of the campsites make it clear that the sites are not available to the general public.



**1986:** In accordance with the above recommendations, on 10/10/1986 the Department of Lands amended the purpose of Reserve 22674 to "Recreational Camp Sites and Group Holiday Accommodation" with a new vesting order issued to the Shire of Busselton on 13/03/1987 granting power to lease for any term not exceeding 21 years

**1990:** The Shire of Busselton forwarded seventeen new uniform lease documents to commence as of 01 December 1990 and to terminate at 01 December 2011, incorporating the conditions adopted in their meeting of 28/10/1985, for approval on behalf of the Minister for Lands. All seventeen of these Deeds of Leases were endorsed on behalf of the Minister and returned to the Shire of Busselton in 1991.

The groups listed below were granted leases. All except two remain on the site today.

- Scout Association of Australia
- Seventh Day Adventist
- Apostolic Church Trust
- Bunbury Diocesan Trustees
- Baptist Union of Western Australia (Inc)
- Church of the Four Square Gospel
- Churches of Christ in Western Australia (Inc)
- Roman Catholic Bishop of Bunbury
- Busselton Gospel Chapel (Inc)
- Abundant Life Centre Busselton (Inc)
- Scripture Union of Western Australia
- Uniting Church of Australia (Presbytery of Peel)
- Gnuraren Aboriginal Corporation (Inc)
- Legacy Fund of Perth (Inc)
- Guide Association of Western Australia (Inc)
- St John's Ambulance – now vacant and maintained by Shire of Busselton
- Busselton Apex Club - lease cancelled on 9 November 1992

**1996:** The Shire of Busselton Council resolved to change the purpose of portion of Reserve 22674, being Lot 3860, to 'Foreshore Management, Landscape Protection and Recreation' as this area is undisturbed bushland, containing various species of Flora and Fauna and requires protection.

**2002:** The Minister for Lands approved the following recommendation on 25/07/2002. To:

- Reduce the area of class A Reserve 22674 for 'Recreational Camp Sites and Group Holiday Accommodation' from 53.2465 to 37.5700 hectares and to now comprise of Sussex Location 5303 on Deposited Plan 220583; and
- Set apart as class A Reserve portion of the land excised in (i) above, being Sussex Location 5302 on Deposited Plan 220583 for the purpose of "Foreshore Management, Landscape Protection and Recreation"

The focus of this consultation process is that land comprising Sussex Location 5303 on Deposited Plan 220583, being 37.57hectares.

## 5.2 Lease Status and Compliance

As outlined above, it was brought to the Council's attention as far back as 1981 that there were concerns about the standard of development which had occurred on portions of the reserve, and in particular, complaints received from public caravan park proprietors alleging that some lessees were operating as public caravan parks.

For this reason, in 1986 the Department of Lands amended the purpose of Reserve 22674 to "Recreational Camp Sites and Group Holiday Accommodation" with a new vesting order issued to the Shire of Busselton on granting power to lease for any term not exceeding 21 years. The Date of Commencement of the existing Locke Estate leases was 1 December 1990, to terminate on the twenty first anniversary of this date, being the last day of November 2011. A Standard Deed of Lease has been implemented by the Shire of Busselton for each of the Locke Estate Campsites.

The key items of the Standard Deed of Lease that are relevant to the issues that have arisen through the public consultation period are:

- Section 4.01 – Register: requiring the lessee to keep a register of invitees and licencees which must be made available to the Lessor on request.
- Section 4.02 – Permitted Use: permitting only the following, providing that none of these shall be construed so as to permit the sites to be used as short stay residential accommodation open to the public generally:
  - Camping by groups of the lessees invitees or licencees participating in organised activities of an outdoor recreational sporting or educational nature and led by trained leaders.
  - Provision of accommodation to site workers who are there for the purpose of making improvements to the premises.
  - Provision of holiday accommodation to financially disadvantaged persons who would not otherwise be able to afford a holiday away from home.
  - Provision of retreat accommodation to persons being counselled or families involved in inter-family fellowship activities.
- Section 4.02 also permits up to twenty (20) caravans at any one time to be on the site provided that the lessee obtain a licence from the Shire which may be granted on terms and conditions as the Shire considers appropriate including charging a fee for issuing and enjoying the licence.
- Section 4.08 – Erection of Certain Signs: requiring the lessee to erect a single sign indicating the name of and the entrance to the site, and to clearly state "Private Campsite".

A number of recommendations made in 1985 for inclusion in the new lease agreements were not incorporated into the Standard Deed of Lease and have potentially contributed to the continuing environmental management issues on the site. These were:

- The inclusion of a disclaimer clause for erosion damage;
- The inclusion of a clause whereby the lessee is advised that if it is proven that the lease is being used for commercial purposes outside the agreement, Council may cancel the lease;
- A Foreshore Management Plan be developed for Reserve 22674, with the lessee being required to comply with conditions set out in this plan;
- Lessees must comply with these setbacks when developing lots: 20m from Caves Road, 7.5m from side boundaries and 100m from the foreshore vegetation;
- Lessees must comply with all development conditions including fire control, beach access, approval on the removal of vegetation; tree planting and all development proposals must be approved in writing by Council.

It was again brought to Council's attention in 2002 that not all campsites may be operating in accordance with the above provisions of the lease by various degrees of non-compliance with the maintenance register and the permitted site use (*Locke Estate Campsites - Discussion Paper*, Shire of Busselton, 2003).

At the time a number of recommendations were made as to possible resolutions that Council could consider in relation to addressing the issues that have been identified. The issue of lease compliance has been raised as an issue through the project consultation and must be addressed in the consideration of each concept option.

## 5.3 Environmental Description

### 5.3.1 Regional Environmental Description

The Locke Estate is located on Geographe Bay, approximately 10 km west of Busselton Town Centre, in the locality of Siesta Park. Reserve 22674 is bounded by the ocean to the north, Caves Road to the south, and the Buayanup and Locke Swamp drains to the east and west.

The unique vegetation of the low Geographe Bay Quindalup dunes with its woodland of *Agonis flexuosa* (peppermint woodland/trees) right to the foreshore differs in species composition and vegetation structure from other Quindalup dune vegetation on the Swan Coastal Plain. This unique vegetation complex within the sheltered Geographe Bay area is highly cleared of its original extent and poorly represented within the conservation estate.

As described in the previous section, the portion of class A Reserve to the west of the subject site, being Sussex Location 5302 on Deposited Plan 220583, was excised in 2002 for the purpose of "Foreshore Management, Landscape Protection and Recreation". It remains a well protected area of bushland and is reserved for 'Recreation' under the Shire of Busselton Town Planning Scheme No.20. It provides a natural buffer between Locke Estate and the residential development of Siesta Park to the west.

Reserve 41972 (Lots 1576 – 1580) to the south of Caves Road opposite Locke Estate is similarly reserved for 'Recreation'. It is a Nature Reserve of high conservation value and contains significant vegetation and wetland areas. It is managed by CALM on behalf of the Conservation Commission of WA.

Immediately east of the site is the Abbey residential area comprising predominantly R15 low density urban development. The Peppermint Park Eco Village exists in close proximity to the site in this area. Pockets of 'Agriculture' still exist to the south of Caves Road/Bussell Hwy to the east and west of Locke Estate.

### 5.3.2 Site Environmental Description

Locke Estate is situated on a Crown reserve vested in the Shire of Busselton for "Recreational Camp Sites and Group Holiday Accommodation" and is reserved 'Public Purpose' under the Shire of Busselton Town Planning Scheme No.20. The campsites are currently leased to a number of community groups and one campsite is vacant.

#### Environmental Values

Excellent examples of the unique vegetation of the low Geographe Bay Quindalup dunes with its woodland of *Agonis flexuosa* vegetation (peppermint woodland) remain within the Locke Estate and are particularly valuable in supporting one of the highest density populations of the Western Ringtail Possum which is unique to the south west of Western Australia.

(Ref: PersComm, Martin Pritchard, Geocatch)

The Western Ringtail Possum, *Pseudocheirus occidentalis*, is listed as 'Vulnerable' under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). The main determinants of suitable habitat appear to be the presence of peppermint woodland either as the dominant tree or as an understorey component of Eucalypt forest or woodland. Any clearing of such habitat therefore requires referral to the Department of Environment under the EPBC Act.

Being close to a Nature Reserve Park, places like the Peppermint Park Eco-Village have worked closely with CALM to enable the local Western Ringtail Possum to remain on site. The park has retained a plentiful supply of peppermint trees which are the possum's favourite habitat and food source. This is expected to help in rebuilding the numbers in the area. Such a management regime appears applicable for the Locke Estate.

### **Coastal Management**

In December 2004, the Department for Planning and Infrastructure completed a study into the causes of coastal erosion at the Locke Estate and developed a number of options for foreshore stabilisation. The study identified the coastal processes responsible for driving the erosion and considered a range of options for long-term foreshore remediation and infrastructure protection, which were presented to the Shire of Busselton for its consideration.

In 1967, when the Locke Estate properties were originally developed, they were located at a minimum of 100m inland from the shoreline; however, this proved insufficient to cater for the subsequent shoreline recession. Coastal erosion in this area has threatened the adjacent camp infrastructure and decreased the beach amenity for some years. Over this time, various strategies have been used to manage the erosion and its effects, including minor sand nourishments, construction of private seawalls, relocation of infrastructure, and construction of five low-profile timber groynes. The history of coastal recession from 1941 – 1982 and then 1985 – 2003 is shown in Appendix B.

Coastal protection works designed to provide adequate storm protection are required if the existing beach line is to be retained and the adjacent land and infrastructure protected. The study investigated the technical aspects of a range of foreshore stabilisation options and recommended solutions based on appropriateness and value for money.

The stabilisation and restoration of the western and eastern sections of the beach were considered separately. The western section of foreshore is already partially protected by a series of groynes while the eastern section has no artificial protection. A number of stabilisation options were investigated and costed for each section.

For the western section the condition of the existing groynes was investigated, with a view towards either their removal or their retention and repair. The study found it would be most practicable and cost-effective to retain all five existing composite timber-rock low-profile groynes. It was recommended that these groynes be restored and extended to increase their sand retention capacity, then nourished with additional sand to provide an extra storm buffer and reduce downdrift erosion.

For the eastern section, six coastal protection options were considered - sand nourishment, conventional groynes, alternative groynes, seawall, offshore breakwaters/headlands or a perched beach. The study found that the combination of two 50m conventional rock groynes and sand nourishment would be the most cost-effective and lowest risk stabilisation option. This is entirely consistent with the existing works, relatively low cost in the long-term and could be staged in accordance with funding availability.

In addition, a number of possible sources for nourishment sand were investigated. It was recommended that sand be obtained from updrift foreshore sites of excessive accretion giving the additional benefit of reducing the problems caused by the accretion at these sites.

Stage One works, being undertaken by the Department for Planning and Infrastructure and the Shire of Busselton, are expected to commence in mid 2007 and will need to be considered in the context of future planning for the Locke Estate.



### **Aboriginal Heritage**

While no sites containing Aboriginal significance were identified within the Locke Estate on the Department of Indigenous Affairs database, it is recognised that issues relating to Aboriginal heritage are important in determining possible future uses and development of the land.

The Harris Family, Southwest Patjarr Group and Southwest Boojarah (#2) have registered native title claims lodged with the Federal Court. They accordingly have procedural rights for Crown lands and waters under the Native Title Act and also have rights and obligations under section 7 of the Aboriginal Heritage Act. However, prior to the reservation of the Locke Estate as a class A Reserve the land was private freehold land. As such it is the Department for Planning and Infrastructure's position that the procedural rights afforded under the Native Title Act 1993 do not apply to this land.

Whatever use of the land is decided upon, relevant local Aboriginal group members wish to be engaged to conduct Aboriginal heritage site surveys before any ground disturbing works are commenced.

### **Cultural Heritage Significance**

While no sites of cultural heritage significance are recorded on the database of the Heritage Council of WA or the Shire of Busselton Municipal Inventory for the Locke Estate site, it is recognised that there may be cultural value inherent in some of the existing infrastructure given its history and origin.

A number of examples of valued infrastructure have been brought to the attention of the project team through the consultation process that may have built heritage significance in their current context. For example, the timber cottages located toward the foreshore on the Baptist Union campsite, the hall on the Guides site from Collie, and the old Busselton school classroom.

While it may be considered relevant to retain this infrastructure on site, if there is to be consideration of the removal of infrastructure, further assessment of its cultural heritage value in the context of the Locke Estate is recommended.

Given the many responses received that acknowledge the memories that people have of the site from their childhood, it is evident that the social heritage of the site is strong and an oral history project is recommended as a separate project to record this.

### **Economic Considerations**

Under the existing lease arrangements each lessee pays the Shire of Busselton yearly rental of \$100 (ex. GST). No land rates are paid. The lessee's pay for all public utility charges and any associated infrastructure works and must maintain the drains and wastes.

The Shire provides rubbish collection on a domestic basis. The campsites put out 240L wheelie bins of rubbish to be collected each Tuesday by Waste Services. The number of bins put out by the sites varies significantly. Only three of the 16 sites currently pay for rubbish collection. A Council audit has been undertaken to determine the average number of bins it should charge for to address this discrepancy.

For FY 06/07 and into FY 07/08 the Shire, in conjunction with the Department for Planning and Infrastructure, will be reconstructing two groynes and carrying out sand replenishment. The budget provision for these works is \$220,000 with a 50:50 arrangement between the two authorities. This will be an on-going process for the continual stabilisation of the Locke Estate beach.

While there is a requirement for the lessees to keep a register of invitees and licensees including the number of people involved in one booking, their name and address, and the purpose and duration of their stay, it appears from both historical and recent records that this information is not readily available in a uniform format. Therefore it is difficult to make an assessment of the utilisation and economic return enjoyed by each campsite.

It is recommended that improved economic indicators be developed and monitored to ensure reliable economic data be implemented as part of any renewed lease agreements.

### **Traffic Impact**

The site currently has 21 accesses to the various camps. Main Roads has advised that any development of the site would require the rationalisation of accesses to a much fewer number of access points designed at a higher standard, whether they be roads or major driveways. In doing so the design would need to ensure there was sufficient turning capacity to accommodate the type and volume of traffic visiting the site.

There are no plans to widen Caves Road at this location at this time. The future planning for the area is to develop the Vasse - Dunsborough Route as the regional highway to Dunsborough. The new road will begin at Vasse, bypass this site and terminate at Dunsborough. Therefore, it is expected that the traffic on this section of Caves Road will be local and commuter traffic once the alternative road is place.

It is suggested by Main Roads that:

- The existing path along Caves Road will need to be maintained or improved to accommodate development.
- The site will need to be fenced along Caves Road and the type of fencing should reflect the development (this could mean development of a theme to distinguish the site, and potentially be the subject of a public art project).
- Any proposed dwellings that may be subject to future traffic noise will need to be protected on the site.
- Stormwater should be retained on site and not spilled into the Caves Road reserve.

## **5.4 Legislative Framework**

A number of legislative regulations govern the Locke Estate site at Commonwealth, State and Local levels. These are detailed below.

### **5.4.1 Commonwealth Legislation**

#### **Environment Protection and Biodiversity Conservation Act 1999**

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) protects the environment, particularly matters of National Environmental Significance (Protected matters). It streamlines national environmental assessment and approvals process, protects Australian biodiversity and integrates management of important natural and cultural places.

The EPBC Act Matters of National Environmental Significance report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the Locke Estate area. A report generated for the Locke Estate summarises the matters of national environmental significance that may occur in, or may relate to, the area.

A number of birds, mammals, sharks and fish at various levels of protection are listed for the Locke Estate area. Two of the mammals of which species or species habitat are likely to occur within the area are the Western Ringtail Possum (*Pseudocheirus occidentalis*) and the Chuditch, or Western Quoll (*Dasyurus geoffroii*). Both are listed as 'Vulnerable'.

Should activities be proposed for the site that may have a significant impact on one or more matters of national environmental significance, such as impact on the habitat of the Western Ringtail Possum or Western Quoll, then the Administrative Guidelines on Significance must be considered and the approval processes followed (e.g. referral of the action to the Minister for the Environment and Heritage).

An action is likely to have a significant impact on a vulnerable species such as the Western Ringtail Possum if there is a real chance or possibility that it will:

- lead to a long-term decrease in the size of an important population of a species;
- reduce the area of occupancy of an important population;
- fragment an existing important population into two or more populations;
- adversely affect habitat critical to the survival of a species;
- disrupt the breeding cycle of an important population;
- modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline;
- result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat;
- introduce disease that may cause the species to decline; or
- interfere substantially with the recovery of the species.

A search of the EPBC Database also identifies the Vasse - Wonnerup Wetland System which lies immediately east of Busselton. The Ramsar Site as originally nominated in February 1990 consisted of non-freehold wetland (including the Vasse Estuary portion of Reserve 31188) within the boundaries of the Vasse and Wonnerup estuaries and Wonnerup Inlet, and an adjoining area of non-freehold wetland (formerly part of Wonnerup Estuary) between Wonnerup Estuary and Forrest Beach Road.

In November 2000, the Site was extended to include: - the remainder of Reserve 31188, which includes a part of the Sabina River; - those parts of Tuart Forest National Park (Reserve 40250) that are between the Vasse - Wonnerup System Ramsar Site as originally nominated and Tuart Drive. This extension includes a length of the Abba River, however road reserves are not included. - Nature Reserve 41568, which includes a substantial part of the northern shore of Vasse Estuary.

It is not considered that the existing or proposed land uses or activities at the Locke Estate will impact on the Vasse-Wonnerup Wetland System.

#### 5.4.2 State Legislation

##### Land Administration Act 1997

The *Land Administration Act 1997* ('the LAA') describes all processes relating to Crown land including reserving Crown land for a specific purpose, and the sale or transfer of Crown land into freehold. Part 4 of the LAA deals with Crown Reserves and the relevant sections in relation to Locke Estate are outlined below.

Under the LAA the Minister for Planning and Infrastructure may reserve Crown land for one or more purposes in the public interest. The reserve may be classified as a class A reserve, such as Locke Estate. A class A reserve retains a purpose specified in the relevant order until that purpose is changed.

The Minister may by order make minor additions, adjustments or amendments to a class A reserve. However if the Minister proposes to make a more major change to a class A reserve (e.g. reduce the area of, or excise an area from, a class A reserve; or to cancel, or change the purpose or classification of, a class A reserve) the Minister must cause that proposal to be laid before each House of Parliament. The Minister must, not less than 30 days before acting on such a proposal in relation to a class A reserve, advertise his or her intention so to act in a newspaper circulating throughout the State.

The Minister may by order place with any body the care, control and management of a reserve for the same purpose as that for which the relevant Crown land is reserved and for purposes ancillary or beneficial to that purpose. In the case of the Locke Estate the Minister has placed the management of the reserve with the Shire of Busselton.

The Minister may apply conditions to the management order and with the consent of the management body and of the holders of any interests within the reserve, by order vary any condition to which the care, control and management of the reserve is subject.

The Minister may by order confer on a management body power to grant a lease or sublease or licence over the whole or any part of the Crown land within the reserve. The Shire of Busselton has the power to grant leases over the Locke Estate for any term not exceeding 21 years.

If Crown land reserved for the purpose of recreation is leased, the lessee may, unless the terms of the management order or the lease or sublease otherwise provide, restrict public access to the area leased. Such is the case with the Locke Estate.

A management body, such as the Shire of Busselton, may submit to the Minister for his or her approval a plan for the development, management and use of the Crown land in its managed reserve for the purpose of that managed reserve. This may be prepared at the request of the Minister. Such a management plan must consider any conservation, environmental or heritage issues relevant to the development, management or use of the Crown land in its managed reserve for the purpose of that managed reserve; and incorporate in the plan a statement that it has considered those issues in drawing up the plan.

If the Minister approves the management plan and notifies the management body of that fact, the management body may develop, manage and use the Crown land concerned in accordance with the plan; or if the Minister approves a variation of the plan, in accordance with the plan as varied.

When a management body agrees that its management order should be revoked; or does not comply with its management order or with a management plan which applies to its managed reserve, the Minister may by order revoke that management order.

If, in the absence of agreement or non-compliance referred to above, the Minister considers that it is in the public interest to revoke a management order, the Minister may by order revoke the management order.

### **State Coastal Planning Policy**

Western Australian Planning Commission Statement of Planning Policy 2.6 recognises that there are pressures on the coast for use by different groups in the community for a variety of purposes including a mix of recreational, residential, industrial and commercial uses. Planning for coastal land is about balancing these often competing needs and desires in a way that takes into account the values of the coast. These values include its scenic, aesthetic and ecological qualities, its recreational opportunities, and its social, indigenous, cultural and economic importance. The presence of coastal hazards is also an important consideration. The overall effect is such that the coast contributes to our psychological well being and health.

The objectives of this Policy are to:

- protect, conserve and enhance coastal values, particularly in areas of landscape, nature conservation, indigenous and cultural significance;
- provide for public foreshore areas and access to these on the coast;
- ensure the identification of appropriate areas for the sustainable use of the coast for housing, tourism, recreation, ocean access, maritime industry, commercial and other activities; and
- ensure that the location of coastal facilities and development takes into account coastal processes including erosion, accretion, storm surge, tides, wave conditions, sea level change and biophysical criteria.

The State Coastal Planning Policy has elected to use a setback measured from a defined Horizontal Setback Datum (HSD) (which is nominated as the vegetation line on a stable or accreting shore and the toe of the erosion scarp on an eroding shore). The setback has three components to allow for:

- short term fluctuation of the shore;
- long-term continuing erosion; and
- future mean sea level rise.

The Policy uses a planning period of 100 years (which is used as a multiplier of the expected annual erosion rate to cater for continuing erosion) and calls for the modelling of a 100-year recurrence storm event to cover the short-term fluctuation. Future sea level change is considered in relation to the published 'predictions' of the Intergovernmental Panel on Climate Change (IPCC) sponsored by the United Nations.

A number of measures are recommended for consideration in planning decisions and instruments and many are relevant to the Locke Estate concept plan, including requirements to:

- Ensure that adequate opportunity is provided to enable the community to participate in coastal planning and management.
- Maintain and enhance public enjoyment of the coast where this is consistent with the objectives of this Policy.
- Require the provision of public access to the coast that is consistent with the values and management objectives of the area including, the interests of security, safety and protection of coastal resources, as well as the recreational opportunities, both on and offshore, of that section of coast.
- Support public ownership of the coast, including where appropriate the provision of a coastal foreshore reserve and accommodation of regional and local recreational needs.
- Support vesting of the coastal foreshore reserve in the relevant local government for the purposes of foreshore management and recreation. Where the land has significant conservation value, vesting should generally be with the State body responsible for the conservation estate.
- Ensure that the identification of coastal foreshore reserves takes into account consideration of ecological values, landscape, seascape, visual amenity, indigenous and cultural heritage, public access, public recreation needs and safety to lives and property.
- Ensure that any development is appropriate in scale and in accordance with the Building Height Limits set under the amendment to the State Planning Policy gazetted in December 2006.

#### **Busselton Foreshore –Development Setbacks**

*Busselton Foreshore –Erosion Management of Residential Development* (Department of Planning and Infrastructure - Maritime Division, 2003) details the location of a development setback line for the sandy shores of Geographe Bay behind which private residential property and associated access roads can be defended against damage by sea-induced beach erosion for a reasonable forward planning period of 50 to 100 years.

In the context of the WAPC's Coastal Statement of Planning Policy, were the Busselton shore to be more irregular, more exposed to changing sea conditions, or to have more variable sediment supply conditions, then a more complex study of erosion-linked parameters could give more information to planners.

For Busselton, the same study would involve measuring (in addition to the shoreline movement history):

- Mean wave energy flux per unit of coastline
- Gross and Net longshore sediment transport rates
- Dimensions of backshore, foreshore and offshore to the storm breaker line
- Mean size and density of beach sediments.

This would be expensive, requiring the expenditure of four or five times the recent total annual beach protection budget, and its main benefit would be that it would quantify the relative urgency of beach protection works between segments. However, in the referred paper, despite the depth of study and the direct relevance of the measured parameters, it concluded that it was not possible to produce a specific statistical risk factor for each shore section. It was still necessary to use value judgements regarding the development of a shore, in the context of the community desire for defensive works which can control natural shoreline behaviour.



This form of study is *not* recommended for Busselton, where the problems are known to be simple, and to be amenable to simple management techniques involving (by industry standards) low cost management and maintenance works. Subsequently a proposed erosion setback line has been proposed for the Locke Estate area as indicated in the plan in Appendix C.

The Locke Estate was vacant when the Siesta Park groyne was built. It rapidly eroded while the groyne filled, but it is now showing only minor erosion in some parts at times of extreme storms (see Appendix B). Unfortunately, developments owned by the community groups are now very close to the shoreline and are vulnerable to those extreme storms and to the normal changes which have occurred on this shore. All littoral drift sand to this section comes alongshore past the Siesta Park groyne, and any minor variations to the supply rate could cause variations to the stable shore position.

From the Siesta Park groyne to the Locke Swamp drain, there has been no recent erosion and there are no existing developments. The shore land is an undeveloped crown reserve. There is therefore no present need for protective works. The small groyne is not important at this time. The report recommends that the whole of this Reserve be left undeveloped as public land, which is in keeping with the vesting of the land. Alternatively, any development should be set back 75 metres from the 1993 vegetation line in view of its proximity downdrift of the major Siesta Park groyne.

The Locke Estate from Locke Swamp drain to Buayanup drain is a special case for which a groyne field has been constructed, and which has shown stability in the past decade as a consequence. The only vegetation line movement between 1987 and 1993 was at the Scout site and occurred in one severe storm, which illustrates the continued vulnerability of any developments very close to the vegetation line. It is recommended on equity grounds that, provided that the five effective groynes are filled with sand and maintained between lots 4300 and 4500, those leased lots be allowed to keep existing buildings and have new developments up to 20 metres from the 1987/1993 vegetation line.

Leases east from Lot 4500 have not experienced erosion within their boundaries, and the vegetation line has moved seaward since 1987, in response to the stabilising influence of the groyne/training wall at the Buayanup drain outlet (Forth St.). It is desirable that any new developments are kept 50 metres back from the 1993 vegetation line, and if this is done this group of leases should remain free of erosion threat for the balance of their tenure term.

These setbacks were recommended as a guide for the term of the current leases (i.e. until 2011). A forward plan is now required to ensure sustainable development for the life of the Locke Estate beyond 2011. Therefore recommended setbacks have been suggested for concept planning purposes to be considered for adoption on any future concept plan for the Locke Estate.

### **Leeuwin-Naturaliste Ridge State Planning Policy, 2003**

The Leeuwin-Naturaliste Ridge State Planning Policy was adopted in 1998 and reviewed in 2003. It applies to the scenic, narrow coastal strip stretching from Cape Naturaliste to Cape Leeuwin and generally inland to Bussell Highway. The Leeuwin-Naturaliste Ridge provides a wide range of opportunities for agriculture, recreation, lifestyle, tourism and commercial activity. Rapid growth and change in the policy area have provided benefits to increasing numbers of residents and visitors. They have also resulted in increasing land use conflict and opposing views on management of natural and economic resources and the level of change that will be acceptable.

In light of these pressures for change, the WA Planning Commission and the Shire's of Augusta-Margaret River and Busselton agreed that a clear and more certain strategic tool was needed. It was recognised that a regional planning approach was required in order to protect the unique ecological, social and landscape values of the policy area. As a result, the Leeuwin-Naturaliste Ridge Planning Review was conducted as a cooperative effort between the WA Planning Commission and the two Shires. It has resulted in the Leeuwin-Naturaliste Ridge State Planning Policy to provide clear direction on future land use within the policy area. The purpose of the Policy is to provide the strategic planning

framework for the policy area for the next 30 years by providing greater vision, guidance and certainty of land use. It promotes sustainable development, conservation, and land and resource management.

The Policy seeks to provide assistance to those managing land use change, enable greater consistency between the two Shires, give clear regional level advice to proponents of development, and provide a reference to guide development and conservation by improving the information available to the community.

The objectives of the Policy are to:

- Conserve and enhance the special benefits arising from landscape elements of the region.
- Respect and conserve its outstanding natural and cultural heritage and environmental values.
- Cater for population growth consistent with the objectives of the Policy and provide a range of settlement options located to enhance the economic, social and environmental functions, while promoting quality and innovation in urban design and built form.
- Protect agricultural land for its economic, landscape, tourism, and social values.
- Encourage a mix of compatible land uses while separating conflicting uses.
- Facilitate a robust, diverse and sustainable economy.
- Foster a sense of community and creativity.

Elements of the Leeuwin-Naturaliste Ridge State Planning Policy have been adopted in the approach to concept planning and consultation for the future use of the Locke Estate.

#### **Proposed Geographe Bay/Leeuwin-Naturaliste/Hardy Inlet ('Capes') Marine Park**

The waters of the Capes are home to a wealth of marine life and provide the basis for a range of recreational and commercial opportunities. In recognition of the area's high ecological and social values, the Government and the Marine Parks and Reserves Authority identified the waters around the Geographe Bay-Leeuwin Naturaliste-Hardy Inlet area as a priority for consideration as a marine conservation reserve. The Minister for the Environment launched the planning process for community consideration of a proposed marine conservation reserve in the area in 2003.

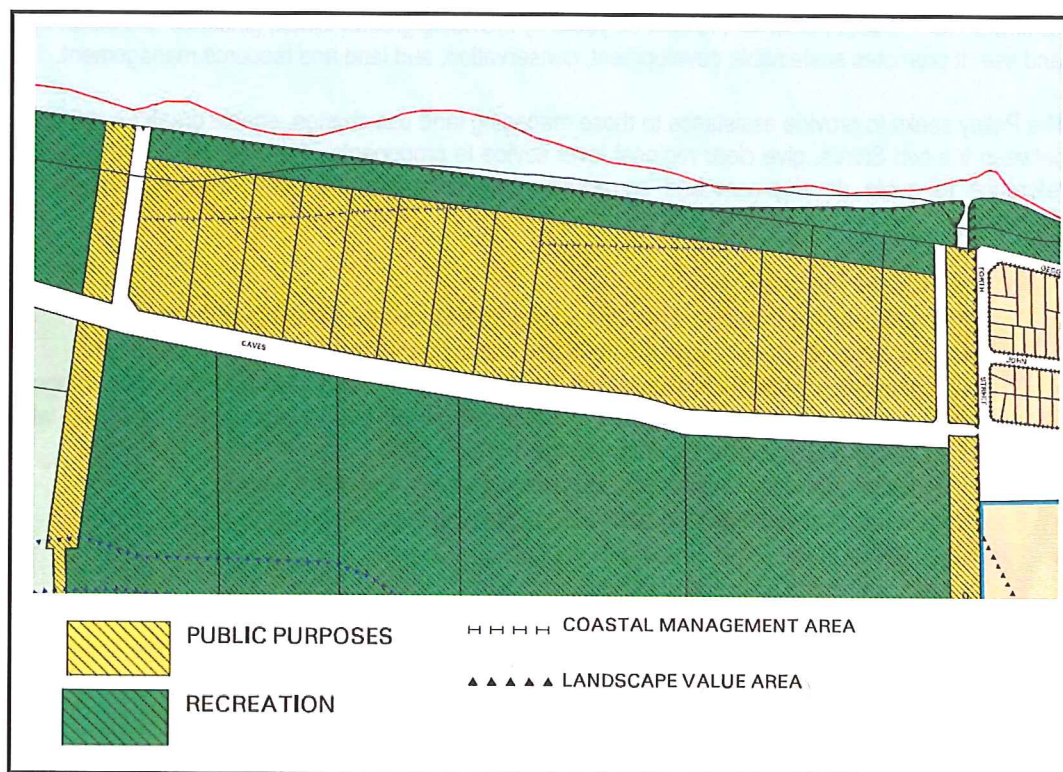
On 6 September 2006, the Minister for the Environment announced the release of the Indicative Management Plan for the Proposed Geographe Bay/Leeuwin-Naturaliste/Hardy Inlet Marine Park for public comment. The closing date for submissions was 15 December 2006. The final plan is subject to change due to public comment.

The Locke Estate coastal area is defined as having dense perennial seagrass and is within a proposed 'General Use Zone' therefore permitting most fishing, boating and recreational uses. It is well removed from the proposed 'Geographe Bay – Central Sanctuary Zone', an offshore area of 572ha. Specific 'Special Purpose' zones are identified for surfing and shore-based activities. The issue of boat moorings off the Locke Estate coast and the broader Shire, has been raised as an issue and it is recommended that the Shire of Busselton address this issue at a local but also Shire based level.

### **5.4.3 Shire of Busselton Local Legislation**

#### **Town Planning Scheme No. 20**

Class 'A' Reserve No. 22674 is currently reserved for 'Public Purposes' and 'Recreation' under the provisions of the Shire of Busselton Town Planning Scheme No. 20. It is within the defined 'Landscape Value Area' and is also affected in part by the 'Coastal Management Area'.



Shire of Busselton Town Planning Scheme No.20 – Extract for Locke Estate area

### Reserves

Part 3 of the Shire of Busselton Town Planning Scheme No. 20 deals with Reserves. It states that Scheme Reserves may be used for the purpose for which the land is reserved under the Scheme, as identified above and, where such land is vested in a public authority, for any purpose for which such land may be lawfully used by that authority.

Any development on a Scheme Reserve requires the approval of the Council. Where an application for Planning Consent is made with respect to land within a Reserve, the Council shall have regard to the ultimate purposes intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before granting or refusing that consent.

### Landscape Value Area

In the Landscape Value Area that overlays the entire Locke Estate site, the Council will not grant consent to the clearing of land or any other development on that land unless it has considered:

- whether the development will be compatible with the maintenance and enhancement, as far as is practicable, of the existing rural and scenic character of the locality
- whether the development will materially affect any wildlife refuge, significant wetland, coastal environment or any identified site containing Aboriginal archaeological relics;
- disturbance to the natural environment, including:
  - i. visual effects of clearing for development;
  - ii. maintenance of rural character;
  - iii. habitat disturbance.

### Coastal Management Area

The Coastal Management Area applies to the northern portion of a number of lease areas in the Locke Estate Reserve where foreshore erosion has impacted on the vegetation line and subsequently had the potential to adversely affect coastal processes, landscape and the scenic/environmental quality of the area. The Shire of Busselton Town Planning Scheme No. 20 states that development shall not be carried out for any purpose on land to which this Clause applies except with the consent of the Council.

Where the Council receives an application for consent to the carrying out of development on land to which this Clause applies, the Council shall, within 7 days of its receipt of the application, forward a copy of the application to the Water & Rivers Commission (now Department of Water) and the Department of Transport and Ministry for Planning (now Department for Planning and Infrastructure) for comment.

In deciding whether to grant consent to development, the Council shall take into consideration:

- The likelihood of the proposed development adversely affecting, or being adversely affected by, coastal processes;
- The likelihood of the proposed development adversely affecting any dune or beach of the shoreline or foreshore;
- The likelihood of the proposed development adversely affecting the landscape or the scenic or environmental quality of the land in the locality;
- Whether adequate safeguards and rehabilitation measures have been, or will be, taken to protect the environment;
- Any comments made by the State government Departments to which the proposal is referred.

#### **Local Planning Strategy and Scheme Review**

The Shire of Busselton is working towards completion of a number of strategies that will feed into preparation of the Shire's Local Planning Strategy and Scheme Review process. These include strategies relating to settlement and housing, transport, commerce, tourism, environment and rural land use. The outcomes of these strategies may guide or influence the future use of the Locke Estate.

These strategies include:

- **Local Tourism Planning Strategy:** This strategy includes an Accommodation Audit and consideration of regional issues and opportunities in meeting market demand for tourist facilities. One of the key issues the strategy considers is the recently expressed concerns of many people over the loss/redevelopment of coastal caravan parks, and recognises the social and cultural function these facilities play.
- **Review of Community Facilities Implementation Policy** to address the development and subdivision issues and the need for developer contributions to the provision of community facilities and infrastructure in the Shire.
- **Local Commercial Planning Strategy** to consider the impacts of continued growth in the region in relation to ensuring adequate services and facilities are provided to meet the needs and aspirations of the community.
- **Local Rural Planning Strategy** developed to ensure that the rural land use planning policy remains current and useful in order to protect the commercial and agricultural viability of rural land and rural land use in the Shire, minimise the potential for conflict between agricultural and non-agricultural uses in the rural areas, and maintain the rural and natural landscape character values of the Shire.

Other strategies that will be undertaken by the Shire as part of the Scheme Review process are:

- **Environmental Planning Strategy** to consider possible scenarios and influences of climate change and other events, biodiversity, protection of remnant vegetation etc.
- **Settlement Planning Strategy** – housing, transport and infrastructure.
- **Communications Strategy**
- **Cultural Heritage Strategy**

## 6. Results and Evaluation of Community Engagement

### 6.1 Stakeholder Meetings

The opportunity to have meetings with a wide range of stakeholders, as well as each of the site lessees and some caretakers, provided a solid base of information on which the Public Display materials and Public Comment Sheet survey questions could be based. The Project Team was aware of ensuring that both the State and local branches of lessee and stakeholder groups were addressed where relevant, with meetings held in Busselton, Bunbury and Perth.

A number of groups and individuals were approached either by written invitation or phone with a view to having a meeting to discuss the Locke Estate. Of these, the following groups/individuals participated in meetings held between January and March 2007. The extensive Stakeholder List is provided in Appendix D.

- Lessees:
  - Four Square Church
  - Baptist Union
  - Scouts
  - Scripture Union
  - Guides
  - Churches of Christ
  - Uniting Church
  - Seventh Day Adventist
  - Abundant Life
  - Legacy
  - Catholic
  - Anglican
  - Grace Christian
  - Busselton Gospel Chapel/Christian Assembly
- Department for Planning and infrastructure
- Department of Environment and Conservation
- Shire of Busselton
- Geographe Bay Tourism Association
- Geocatch
- Beachlands Caravan Park
- Busselton Naturalists Club
- Tourism WA
- Wardan Aboriginal Cultural Centre
- Dunsborough Coast and Land Care (Inc).

The key issues arising from these early meetings have been further developed in the preparation of the constraints and opportunities plan and investigated in the workshop environment, further described below.

### 6.2 Public Displays

Public Displays were erected at the Shire of Busselton offices and the Busselton and Dunsborough libraries. The displays provided background information on the site and had a supply of comment sheets available for people to provide comment. The public display material is provided in Appendix E and included:

- Project Introduction and contact details
- Constraints and Opportunities Plan highlighting key site issues
- Frequently Asked Questions
- Project Outline



### 6.3 Website

The project website, located at [http://www.conwag.com/project\\_feedback/locke\\_estate.asp](http://www.conwag.com/project_feedback/locke_estate.asp) has been a successful tool in providing the community with detailed background information and an opportunity to access the Public Comment Sheet. It provides a link to the Shire of Busselton website for further information and in addition provides links to the Frequently Asked Questions and Project Outline. It has been updated regularly to indicate project progress and will be used to present the concept plans during the Public Comment period.

### 6.4 Open Day

A site Open Day was held on 24 February 07 to encourage the community to see what the campsites are really like from a social and environmental perspective. Over 100 people visited the site and more than 50 people were taken on guided tours through the participating sites (not all lessees participated).

The Public Display materials and Public Comment Sheets were available for visitors to understand the background to the site, the aims of the project and then have an opportunity to make an informed comment. The Open Day attracted significant media and community interest and was a successful launch for the public consultation program.



Open Day Base Camp



Visitors returning from a tour

### 6.5 Media

Media from the ABC and Busselton Dunsborough Mail attended the Open Day. Radio coverage of the event encouraged community attendance and ABC news coverage of the event was aired on Sunday 25 February.

Media packs were provided to:

- WIN Television, Bunbury
- Sunday Times, Perth
- GWN: Robert Crescent, Bunbury
- West Australian (Bunbury office)
- Busselton Margaret River Times
- ABC News and Radio
- Busselton Dunsborough Mail

A series of media statements have also been made to ensure that the public is aware of the processes involved in the project, and the progress being made. Copies of the Media Statements are provided in Appendix F.

To date the media response to the project and its early outcomes has been quite positive. While it was made clear at an early stage in all of the project documentation that the Minister had stated that the

Locke Estate would remain a class A reserve and would not be sold as freehold land for development, there have still been some statements in the media regarding developers who are taking an interest in the site.

The strategy used in the early stages of project to try to ensure that the general public could lay to rest their fear of extensive commercial development on the site, and therefore focus on other issues and ideas, has been largely successful. Once the concept plans are developed, approved by stakeholders and the Shire and advertised, the fear of developers/freehold land should diminish significantly, as a clear picture for the future will emerge.

## 6.6 Public Comment

Public Comment Sheets were released to the community in February 2007 and were available for the community to provide input until 11 April 2007. An example of the Public Comment Sheet is provided in Appendix G. A summary of all responses received to date is provided in Appendix H.

A total of 443 Public Comment Sheets were received and collated. In addition, a number of very detailed submissions and expressions of interest were also received. Analysis of the public comment is outlined below.

Key issues/outcomes arising from the Public Comment process and analysis of response are:

- The majority of respondents had visited the campsites and experienced the area firsthand (see Table 1).
- The majority of respondents wanted to see "Group camping through existing or new groups" established on the site (see Table 2).
- The second most popular response was for a spiritual or community focus (ie hall, gathering place), followed by Public Open Space, then Shire Caravan Park – caravan and camping. Many respondents specifically stated that in the context of a Shire caravan park they did not want to see chalets.
- In the order of significance of issues, Foreshore Erosion was by far the most significant issue requiring attention on the campsites (see Table 3). The cultural significance of the site was considered the least significant issue requiring attention.

In order to gain an understanding of the key features people want to see on the Locke Estate, it was necessary first to categorise the general written responses into "themes". Each of the responses fell into one of the categories identified in Table 4 and the key ideas from each of these categories has been listed.

Table 1

Question 1: Have you visited any of the Locke Estate campsites?	
Yes	88%
No	4%
No response	8%

**Table 2**

Question 2: What would you like to see established on the Locke Estate campsites? (In order of popularity)	
Group camping through existing or new groups	350
Spiritual / community focus – ie hall, gathering place	114
Public open space	109
Shire Caravan Park – caravan and camping	90
Shire Caravan Park – caravan, camping and chalets	63
Playground	59
Public attraction / public art	36
Sports facilities ie basketball court	34

**Table 3**

Question 3: What do you consider to be the key environmental issues requiring attention on the Locke Estate campsites? (In order of significance)								
	#1	#2	#3	#4	#5	#6	#7	No score
<b>Foreshore Erosion</b>	<b>208</b>	73	38	17	5	3	1	98
<b>Erosion</b>	<b>79</b>	65	52	49	24	20	17	137
<b>Possum Habitat</b>	41	<b>78</b>	59	51	41	10	10	153
<b>Remnant Vegetation</b>	25	66	<b>72</b>	47	24	36	6	167
<b>Fire Risk</b>	14	26	26	39	<b>68</b>	47	21	202
<b>Vandalism</b>	6	18	23	23	42	<b>76</b>	51	203
<b>Cultural Significance</b>	12	8	22	27	24	23	<b>103</b>	223

**Table 4**

Category	Key themes/ideas
1. No preference identified	-
2. Leave as is	<ul style="list-style-type: none"> <li>- Retain tranquillity, affordability, unique natural environment.</li> <li>- Ease of access</li> <li>- Safe and simple</li> <li>- Fellowship, Social networking, youth opportunities</li> <li>- Family tradition, memories</li> <li>- Suitability of accommodation</li> <li>- Non-profit</li> </ul>
3. Room for improvement, but on similar basis to current arrangements	<ul style="list-style-type: none"> <li>- Facility Upgrades: expansion and sharing of existing accommodation types, conference facilities, better maintenance of sites for hygiene, aesthetics, safety</li> <li>- Infrastructure: improvement of access from Caves Road, boat access, toilet and laundry facilities</li> <li>- Environment: Attention to foreshore stabilisation, preservation of vegetation and fauna habitat, buffer zones</li> <li>- Better supervision of compliance: accountability</li> <li>- Public Access to accommodation and facilities</li> </ul>
4. Specific change sought	<ul style="list-style-type: none"> <li>- Shire Caravan Park: one or more sized in consideration of the environment to meet demand for rising number of caravan/campers and decreasing number of caravan / camping parks along the south west coast</li> <li>- Active Shire management</li> <li>- Public Open Space and associated passive recreation facilities</li> <li>- Environmental education facilities and infrastructure</li> <li>- Community conference centre</li> <li>- Beach and boat access for aquatic activities</li> <li>- Major facility and infrastructure upgrades to specific standards</li> <li>- Under-utilised and run-down campsites should be offered to other groups or used by the Shire for public purposes</li> </ul>

## 6.7 Workshops

Two workshops were held on 13 March 2007, the first with Lessee representatives, the second with selected stakeholders, and a Concept Planning workshop was held on 8 May 2007 with community representatives and stakeholders. A summary of workshop outcomes was provided to all workshop participants and is detailed below as an overview of the workshop consultation process identifying outcomes and key issues raised by groups and individuals who attended the workshops.



Stakeholder Workshop, March 2007

### 6.7.1 Recognition of Site Values

The following are values that were recognised by attendees as being important in relation to the Locke Estate.

Fellowship	Peaceful	Care
Restore	Equality / Equity	Knowledge
Refresh	Environment	Faith
Simplicity	Responsibility	Exploration
Safety/Security	Generations	Discovery
Cooperation	Family	Synergy
Affordability	Unity	Nature
Accessibility	Unique	Respect
Exclusivity	Wellbeing	Unspoilt
History	Relaxation	Knowing
Natural	Sense of place	

### 6.7.2 Issues Identification

A number of general issues that have been identified through the consultation feedback to date were listed and discussed. The key outcomes of the discussion of issues were:

#### Erosion

A number of issues were raised regarding foreshore erosion on the site including the requirement to implement setbacks for rising sea level, the historical rate of recession (last 30 years average 2m recession/yr) and queries about future works/management.

The Department for Planning and Infrastructure representative, Bill Andrews, provided an overview of the erosion protection strategy being implemented. Stage 1 works have been funded to \$220,000. This will include refurbishment of 2 groynes and sand renourishment. Bill provided a history of coastal dynamics in the area and stated that the foreshore is currently fairly stable. Detailed reports on this issue are available.



### **Possum habitat**

Secure protection of possum habitat is required including guidelines for building demolition and impact on possum habitat (this includes understorey as well as mature trees). Locke Estate has a high population of possums. It has been found that possums often use buildings to live so they don't have to build a nest. Predation – foxes, cats and dogs - should be managed. Feral animals could become a bigger issue if the site is opened up more. Any work needs to be undertaken in consultation with fauna experts. Potential to be an “icon species” – tourist attraction. The Quenda should also be considered.

### **Environmental Management**

This is considered to be a key issue which needs to be addressed before anything else. The site provides a significant camp and group accommodation service; however a strategy is required to balance proposed uses with environmental values in “co-existence”.

### **Access: Caves Road/POS**

Linkages to surrounding reserves have the potential for fauna/flora environmental education (Interpretation, walk trails etc). The Geographe Bay Tourism Association (GBTA) has identified a lack of all weather attractions / activities open seven days. Seasonal impacts on the quality of experiences in the existing tourism mix is an issue. Night time activities with nocturnal animals suggested, or an Interpretive facility. Environmental education should be tied into Public Open Space. Meelup was provided as an example, however at 500 hectares presents a capacity issue in the context of the Locke Estate.

Native Vegetation – CALM survey of Quindalup Dunes vegetation community in this area is available. Shire and Main Roads are keen to retain vegetation along Caves Road. Vegetation management is important in its retention.

With regard to public beach access, it was acknowledged that the Shire's Leisure Services Plan states a preference for a foreshore aligned trail system with a proposed trail from Busselton to Dunsborough using the Locke Estate foreshore and also identifies access points to beach. Prime opportunity to provide continuous public access to the foreshore.

Beach views and safe access (for elderly, prams etc.) lacking. Public access for beach parking also required. Any Public Open Space needs to be high amenity. The issue of a strategic view on access to the bay for the growing population, and for changing demographic, is acknowledged in the Leisure Services Plan.

The 21 existing access points from Caves Road is considered an issue by some. Consolidation of sites could mean rationalisation of access.

### **Management – coast**

It was stated that there is a need for boat ramps as there are not enough in Dunsborough. This could take up pressure from future Vasse users. Balance against the need to retain safe beaches for children. Issue with coastal movements and permanent structures – they get buried in sand or stranded above water. Boat harbour with sand bypassing is believed to be the only option however was not raised as an option for this site. A jetty in this location shouldn't compete with Busselton Jetty and its interpretive centre.

With regard to Marine Activities it was stated that this location is more about above-water activity. Activities need to fit with land uses and are therefore dependent on leaseholders uses of sites. Water activity fits with youth use of the area and increases physical activity. Issue of moorings should be assessed and managed. Use of powercraft must be policed/enforced and is a safety concern.



### **Management – site**

Provision of low cost non-commercial accommodation is believed to be of highest importance. Consolidation/cooperative management of themed zones could be more efficient. A number of groups aren't currently represented on the site and have registered interest in use of the Locke Estate. Some believe that the Locke Estate is not currently a friendly environment to the general public and implies exclusivity. This is potentially due to the requirements of the leases. It could be seen to be inequitable to only allow disadvantaged people/groups.

### **Provision of group accommodation**

Accommodation provision needs to reflect population growth/needs: a key issue for the Tourism Association is low cost accommodation for seasonal workers – need dormitory style accommodation (backpackers). School camp style infrastructure existing on sites should be made available for this use for 6 – 8 week stays over summer. Currently low occupancy could deem consolidation & cooperative use worthwhile. The Department of Education and Training have mandatory requirements for school groups. (e.g. Woodman Point) and the sustainability of the year-round use of infrastructure needs to be assessed.

Competition is an issue for private operators (commercial caravan operators) dealing with private users who are not part of a group. It is recommended that the feasibility of a Shire caravan park at Locke Estate be investigated looking at social, environmental and economic viability.

### **Facility upgrades**

An overall strategy for drainage, sewer, civil infrastructure etc. is required. Facility capacities should also take into account development at Vasse and the need for foreshore access by a growing population.

### **Other issues**

- Vesting 'purpose' of the site is the key issue. The vesting order permits "Recreational Camp Sites and Group Holiday Accommodation". The level of permitted development is not clear.
- History of creation of leases should be taken into account.
- Nutrient management.
- Could the same uses be placed elsewhere? Given the environmental issues on this site, can the groups achieve the same outcomes elsewhere? Key issue is to understand how the values/outcomes of each group can be implemented on site, if the site is the right vehicle to accommodate this.
- Cessation of leases causes corporate issues – level of detail is not helpful and is highly inefficient as all leases could be terminated.
- Consideration of social and capital expenditure by existing lessees should be taken into account.
- The terms of lease require removal of infrastructure by lessees within 3 months otherwise it reverts back to the site.
- Each site different in size – influences development.
- Compliance: Have existing lessees complied with lease requirements?
- Fire Management.

### 6.7.3 Site Concept Planning

In the workshop period participants were asked to think about the following questions:

- How can the identified values be developed on the site?
- What will it look like in 20 years?

Following is a summary of some of the key items that participants could envision for the future Locke Estate. Not all of these points were unanimously agreed upon by the participants.

Accommodation	Activities
<p>Simple, low cost, non-commercial with diversity – camps, tents, chalet, dorm, &amp; caravan Families &amp; large groups – meetings/conference facilities. Smaller groups on western lots. Dorm style accommodation for school groups and temp workers. Rotation/time share of facilities. Tent sites closer to the foreshore Need to reflect changes in community standards &amp; demographics. Disabled access. Good resource use – sustainable water and energy systems. Eco friendly. Solar power – sell back to grid. “Budget” Shire caravan park to meet seasonal peak. Public Open Space should link with Caravan Park. Most appropriate area would be western end – appears more degraded Cooperative use of nodes/zones</p>	<p>Environmental awareness: education/interpretive centre (managed by the Shire). Include history of the Estate Could be placed on Guides Site (good bushland – links into public access track to beach) Smaller recreation activities. One shared oval or similar facility (with grassed areas &amp; hall). Sailing – marine activities. Beach uses – surf cat, canoe hire etc. For use in designated use areas. Some don't want to see power boats, boat ramps etc. Youth group activity – after school access. For Vasse residents/youth. Active recreation &amp; Adventure course (walk trail along beachfront, ropes, rock climbing, flying fox) integrated into environment. Don't want motorbikes or high impact uses. Zones of activity (perhaps based on demographics: - Aquatic – Bush - Rest &amp; Retreat</p>
Access	Infrastructure
<p>Priority for disadvantaged people Beach front path with footbridge over drain to continue access from east. Maintain Caves road accesses (low accident rate) Vs Rationalization of crossovers or single access point Public Open Space at Siesta Park should be linked to dedicated POS on the Estate (west). Access also available via road to the beach at east end. Beach access with open space, boat ramp, BBQ's, pontoon, amenities etc. Linkages with Reserve to the south for nature education (wetlands, birdwatching, nocturnal tours etc.) Requires managed crossing over Caves Road for children. Local users to be encouraged.</p>	<p>More groynes. Assess impacts of Siesta Park groyne. Improved drainage – headworks More uniform frontage to Caves Road, common road access. Address traffic management. Foreshore reserve excised and managed separately, including DUP &amp; general access infrastructure Infrastructure upgrades needed for Caravan Park to comply. No tree removal. Improve and preserve existing veg. Revegetate buffer along Caves Road</p>

Issues	Management
Low cost – but how to define/determine compliance	Security of tenure: 40 – 50 years wanted.
Vandalism management	Managed/regulated foreshore access with agreed guidelines for foreshore use
Beach front path could have safety issues: duty of care of campsite managers.	Synergy of merged groups (7-10 groups) Basis of use/integration of primary interest holders to be aligned with the stakeholders current constitutions/core business.
Better environmental information and education to prevent further degradation.	Strict development regulations including Audit of bed numbers, condition, infrastructure, vegetation management, safety
Environmental management plan required to guide future development	Cooperative management group/council to uniformly manage whole site. Made up of group representatives. Some see problems with shared facilities and “use management”
Longer term requirement for management & planning	Caravan Park opens door for commercial activity – how does this fit with rest of uses?
Sensitivity/balance with environment	Increased payment from lessees for site management.
Eliminate existing lease boundaries and start again	Fully Shire managed – do not renew leases
Rebranding of site with changes to ‘give a new lease of life’	
Survey of existing site condition (flora/fauna) to guide development areas	

#### 6.7.4 Implementation

A number of issues were raised by lessee representatives in relation to the potential lease management and processes that would need to be addressed in the implementation of the various concepts. These are outlined below.

- Access
  - “Private campsite” sign confuses people. It demonstrates a level of exclusivity, which is not wanted by lessees, but is required under the lease.
  - Workable/Clearer definition of who can use the site is required in the lease. Broader community? Still retain some restriction on who can visit.
  - How to define disadvantaged? Should be done on a common basis across the whole site. Process is open to legal and privacy issues. Individuals may need to have accessed a service for assistance with disability/disadvantage or be part of a “group” to be eligible to use the site.
- Site Development
  - Capitalisation is high risk. Not-for-profit organizations have issues with capital resource development on leased lands. Includes civil Infrastructure development costs.
  - Recognition of existing/current investment (social and capital) – compensation/adjustment for period of lease.
  - Property development vs management. – Council could develop capital infrastructure which is managed by the lessee.
  - Public beachfront or POS activity – duty of care. Responsibility for security of infrastructure?
  - Beachfront signage – improved public communication
  - Minimum standards for development of accommodation
- Management
  - MOU between agencies
  - Need for data collection – reporting
  - Strategic approach to leasing and capital development. – could attract more funding.
  - Overarching management body
  - Costs of lease should stay “low”
  - Allocation of licenses for camping under the Caravans & Camping Act under the lease
  - Self management of environment vs paid management of environment
  - Iconic value in Shire – strategic approach to advertising/promotion: e.g. Shire website information.
  - Public information in relation to the history of the site, lease conditions etc. is required.
- Leasing
  - Security of tenure essential. 50 years tenure – issue is that community expectations change. Leases must reflect change.
  - Council is the primary interest holder – what will they offer?
  - How could a lease be accessed? What criteria?
  - Financial implications of providing the services and meeting the commitments required of the groups running the sites is a burden.
  - The site is a “Gift” and must be managed well
  - Should existing leaseholders have first option to get lease? Based on set key criteria.
  - Lessees want enough notice to ensure criteria can be assessed to determine if they will wish to stay or go. So that lessees can develop an exit plan.
  - Leases must include review and right to terminate. Council to monitor compliance.

### 6.7.5 Concept Plan Refinement

Based on the 500 submissions received, various ideas and suggestions were filtered into tangible ideas. With three concepts becoming clear, example concept plans for each of the options were provided to participants prior to the workshop. The aim of this workshop was to work further on these to get some clear concepts to present to the Shire to approve for public comment.



State and Local Government, local community groups and community representatives working together at the Locke Estate Workshop, May 2007

Explanation of three options, comments (feedback to date) and considerations.

- Concept One: Retain lease boundaries, but not “do nothing” which is not considered to be an option. Requires review of lease terms and conditions, building setbacks and infrastructure improvement. Maintains low cost accommodation, addresses the suitability of accommodation. Acknowledges ‘tradition’.
- Concept Two: Acknowledges room for improvement of site infrastructure and access and opportunity for consolidation of uses for better utilization and teaming of core businesses. Recognises potential for retention of some leases. Examples of potential new uses: Public Open Space Caravan Park – shire hold lease, run by private operator – and environmental education centre.
- Concept Three: Seeks specific change based on outcomes of consultation comments. Strategic site plan reviewing the site as a whole. Themes/zoning based on attributes of area. Potential for continued group use, but under single management. Recognises continuous foreshore reserve (strong desire to have a dual use path on the foreshore). Other examples include Public Open Space, improved beach access and environmental education centre. Suggests uniform management of the site to better address environmental and foreshore management issues and lease compliance/property management.

#### Identification of Issues and Assessment Criteria

The project team had suggested some criteria on which each concept could be assessed based on values previously identified (sheets distributed). Participants were asked to assess the previously identified criteria, and to identify more criteria.

Some of the key values from the previous workshops were used to start participants thinking about what is important for the site: fellowship, peace and quiet, synergy, nature, accessibility, affordability, history, safety and security, cooperation, responsibility.

Participants then individually ranked the criteria on their sheets to identify which criteria were most important in relation to assessing concepts.



*Comments:*

- Caravan Park
  - Shire looked at a Caravan Park for Locke Estate years ago – but the concept was rejected and could be rejected again.
  - Caravan Park – commercial nature and how do you control the nature of that commerciality and ensure viability of operator.
  - Viability of campsite or Caravan Park will require a valid management structure.
  - Commercialisation: query whether shire should manage – conflict of interest?
  - Costly (infrastructure).
  - Redevelopment of caravan parks to chalets, 5 star resorts: have wide range of uses that can be accommodated. Objective at Locke Estate is not to make money, but keep Caravan Park running. People with vans etc that want to come here – can't exclude them as it affects tourism in SW. Believe such a facility is good for the town.
  - Shire currently has control which is safe. Closure of two caravan parks a real concern – enjoyment for park users now gone.
  - The issue of caravan parks in shire is relevant to this project but not core focus of the Locke Estate brief.
- Land Status
  - Legal responsibility – what is legal status? Class A Reserve status not going to change.
  - The Goose – operates on a class A Reserve? Uses must be in accordance with vesting order. Goose is different – subdivided as a separate lot off that reserve to accommodate the use. Will it occur on Locke? General reservation of philosophy – community, low cost accommodation. Community doesn't want commercial operations (cafes, commercial, etc).
  - Does this mean non-profit and focusing on low socio-economic? Prohibits commercial activity.
- Environment
  - Lease conditions and management needs to address impacts.
  - Foreshore erosion requires some change to management. Plans show recommended setbacks. DPI coastal planning advise that the foreshore is now fairly stable. Recommended 20m and 50m setbacks for future permanent development from existing vegetation line. Actual Geographe Bay setback – 83 m. These need to be assessed for validity over next 21 years (or lease length).

**Review of Concept Options**

The group reviewed all three options and had creative input in terms of issues, possible strengths and weaknesses, constraints and opportunities of each of three concepts. Across the six tables, two tables each looked at one concept. The outcomes of this session are outlined in the following tables.

# OPTIONS REVIEW: OPTION 1

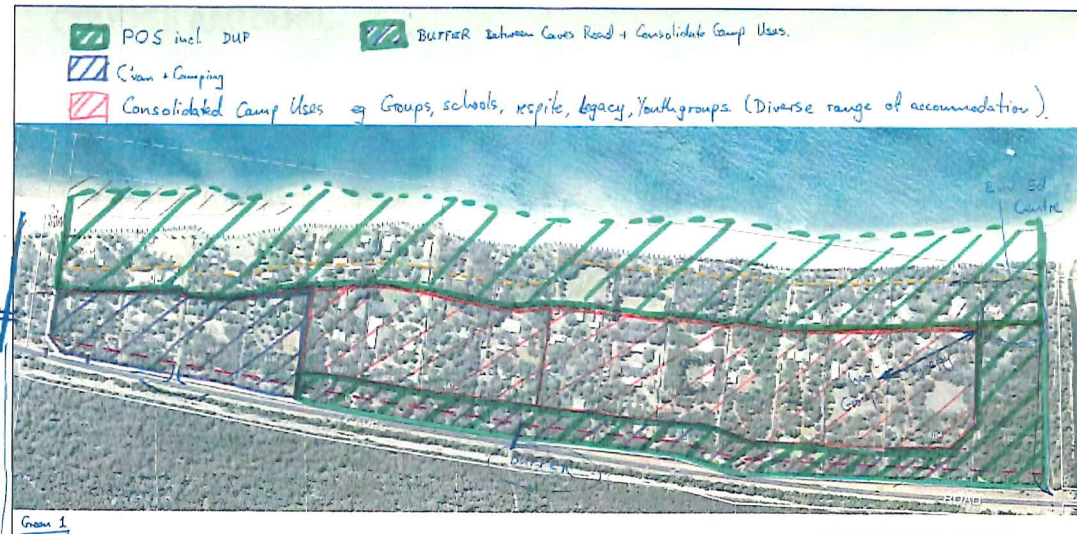
<p><b>STRENGTHS</b></p> <p>Maintain Status Quo – no frills  Recognises existing lessees investment in and commitment to the site  Recognises historical connections  Allows access to holidays for Low socio economic families  Good networks throughout Australia of the sites through church groups  Beach use – safety with existing lessees  Non commercial – not for profit focus  Lessees have contributed to cost of beach erosion  Stops commercialization of the site  Honours Locke family wishes  School group use on some sites  Potential of low cost accommodation &amp; schools/education uses  Possum habitat  Opportunity for change  Gives current lessees opportunity to invest &amp; redevelop with renewed lease</p>	<p><b>OPPORTUNITIES</b></p> <p>Potential to consolidate leases based on synergies.  Yielding up of some leases - Expression of Interest process  Subsequent use of these for public open space or similar  Consolidation of access points along caves Road  Identify ecological corridors across all sites  Address issues of building standards – tightening of lease/compliance issues where relevant  Co-location (eg scouts and guides)  Security of tenure for lessees to invest</p>
<p><b>WEAKNESSES</b></p> <p>No public access to the beach or public recreation areas  Under utilised sites, beach  Limited use – only by those involved in each lessees network  Current leases are still 'closed/private' focus  Doesn't allow for consolidation or grouping of sites  No long term lease – therefore poor infrastructure development  No consensus or management of infrastructure standards  Duplication of infrastructure  No stand alone education centre  Current lease agreement limits the full potential of the sites – as per the Locke Estate  policy at the cost of providing extra income for the upgrading of infrastructure.  Does not address environmental site issues  Does not address closure of caravan parks  Does not allow flexibility  Uncontrolled beach access, does not promote controlled beach access</p>	<p><b>CONSTRAINTS</b></p> <p>Current lease agreement  Uncertainty of lease  Lack of income generation to develop infrastructure</p>

## OPTIONS REVIEW: OPTION 2

<p><b>STRENGTHS</b></p> <p>Increased green belt along beach and back to Caves Road.  Addresses risk of storm surge and rising sea levels.  Links to south of Caves Road &amp; western part of Locke Estate  Link caravan park to public open space/ vacant council land to the west  Consolidated use of facilities by groups to allow separation (halls, dorms, chalets, ovals etc) Camp use for school groups, respite (Legacy), youth groups for Churches, diverse range of accommodation required (eg some quiet/ privacy, some dorms).  Separation of uses. Design needed to reflect best location of these uses. Opportunity to separate noisy and respite groups  Strong buffer between Caves Road  Preservation of remnant vegetation  Vegetation east end  Environmental education center (synergy between user groups eg schools)  Inclusion of active recreation facilities within green belt</p>	<p><b>WEAKNESSES</b></p> <p>Risk of rising sea levels – ever increasing. Not much point of developing land close to coast with rising sea levels  Need to bridge across the western drain  Night time security along DUP especially through vegetation area (safety)  Competing interest for “consolidated camp uses”  Management of caravan/camping site (caravan sites keep upgrading and lose low cost – economic pressure to expand)  Need to remove, modify or expand existing infrastructure  Caves Road safety - access &amp; design issue  Commercialisation - risk that environmental education might attract café or other commercial use</p>
<p><b>OPPORTUNITIES</b></p> <p>Potential to consolidate leases  Attract development funding (education center – grants etc) to facilitate development  Increase patronage to broaden user base  Business enterprise at caravan park  Improvement of facilities  Educational facility east end  Meandering DUP through vegetation and through large foreshore setback – bridge over drains and connection to existing cycleway.  Underground power  Recycling sewerage to reticulate lawns etc  Revegetate beach reserve, use boardwalks and fenced paths  Active zone - ovals, people can use  Major section – caravan lease  Tent zone – lower socio economic  Use of slipways to limit entrances into the park</p>	<p><b>CONSTRAINTS</b></p> <p>Conflicting interest between lessees  Class A reservation – can this be developed given status of land  Western drain – link between Caravan Park and vacant land?  Possum habitat  Rising sea levels and storm surge  No deep sewerage for the area  Continuous maintenance issues with DUP  Carparking provision for new uses</p>

## CONCEPT TWO

### Group Plans and Ideas

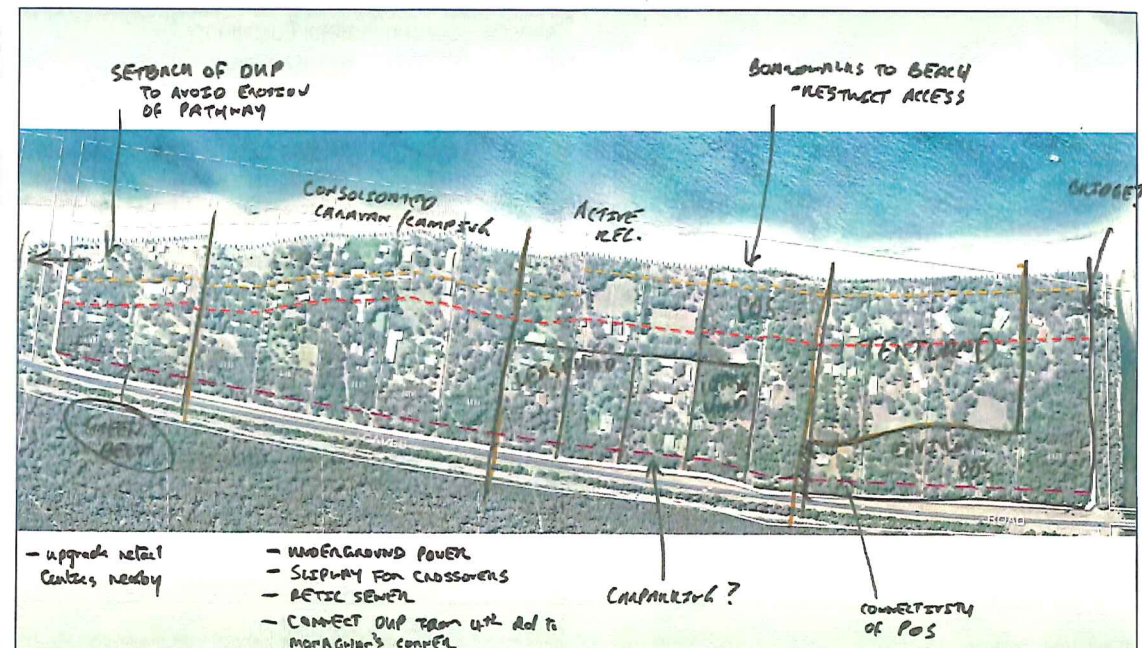


Potential to link to other available Council land for expanded Crown + camping

## LOCKE ESTATE



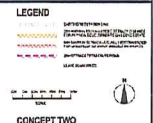
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## LOCKE ESTATE



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### OPTIONS REVIEW: OPTION 3

#### **STRENGTHS**

Access for broader community  
Eco friendly strip with preservation of flora/fauna  
Focus all concepts into appropriate design  
Integration of functional / uses over the site  
Access to beach for locals – community benefit  
Possum habitat  
Renewable energy  
Grey water  
Keep servicing low key and low budget – eco friendly infrastructure  
Vegetation to the eastern end  
Linkage to POS on western end  
Consolidation of group uses/activities and vehicle access points  
Greater potential for coordinated redevelopment (low-key)  
Low key, Eco focused, Low budget Tourist accommodation – NO permanent

#### **WEAKNESSES**

Removal of existing boundaries – loss of historical use by existing users  
Multiple leaseholders – aspirations may not be compatible  
Need to separate uses within POS buffers  
Coordination of infrastructure renewal/relocation  
Need for over-arching environmental protection  
Building control and limits from foreshore

## OPPORTUNITIES

World class best model eco practice that is accessible to all and provides an 'alternative' and affordable experience.

Two separate public open space areas:

1) Eco zone (tent under the trees, semi-permanent tents – 'eco-tents', no caravans); paths – natural resources; retain majority of trees, removal of infrastructure, solar power, natural energy (efficiency). Use of renewable energy, effluent recycling etc limits potential for development = low budget. Restrict number of people at any one time.

2) Group accommodation area with active recreation area (youth camps, school groups, corporate training); and quiet reflective group area/retreat use link to environmental area at eastern end.

- Strategic Management of entire area with management plan to protect environment and maximize site use by consolidating infrastructure and reducing impact on the environment.

- No long term bookings (arrive on the day)

Strategic linkage between Locke Estate & reserves surrounding & two strategic links north-south

Provide environmental linkage at eastern end (ie guides end)

Protection of habitat paramount: Provision of vegetation buffer to Caves Road (visual, wildlife corridors, noise)

Identification of foreshore reserve – state how wide it has to be – no permanent development (no structures...low key), protect amenity

Consolidate activities under single management – greater opportunity for funding / resourcing

Discrete nodes, consolidate vehicle access – three access points.

Greater public access (POS linkages provide parking and cleared areas to get to beach)

Strong foreshore reserve with meaningful setbacks – no development but potential for a DUP set back from beach

Greater potential for coordination and redevelopment (pull areas together)

Happy with caravan, camping, group accommodation (school groups)

Maintain community welfare – associations and religious groups, subsidised accommodation –

Retreat area

## CONSTRAINTS

Multiplicity of leaseholders - coordination of consolidation an issue

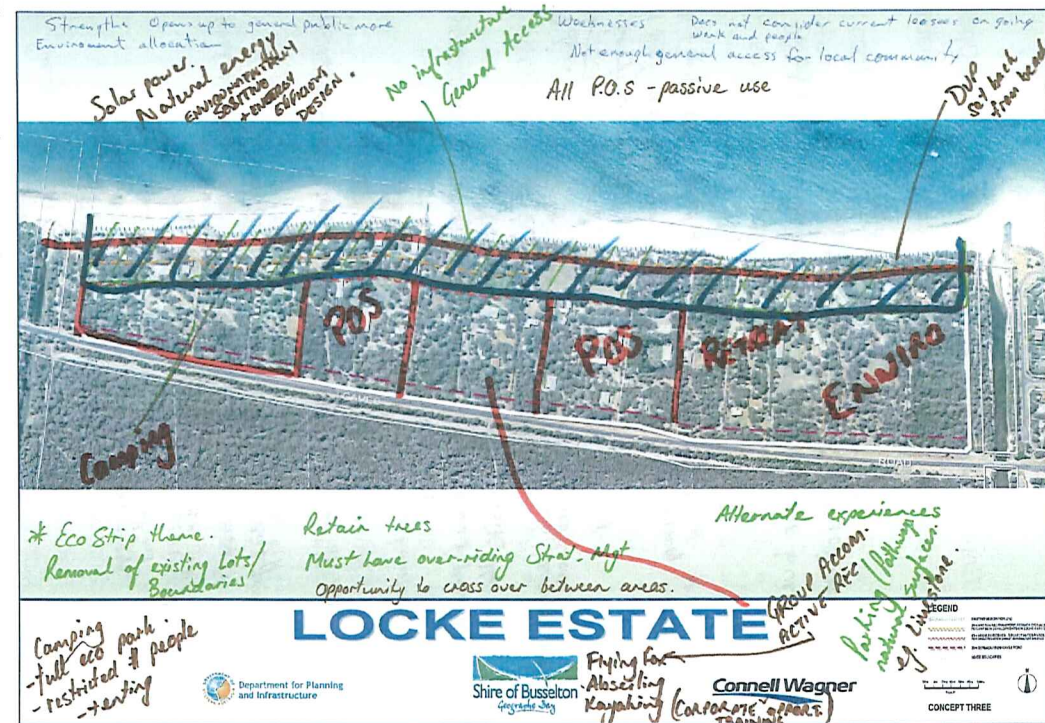
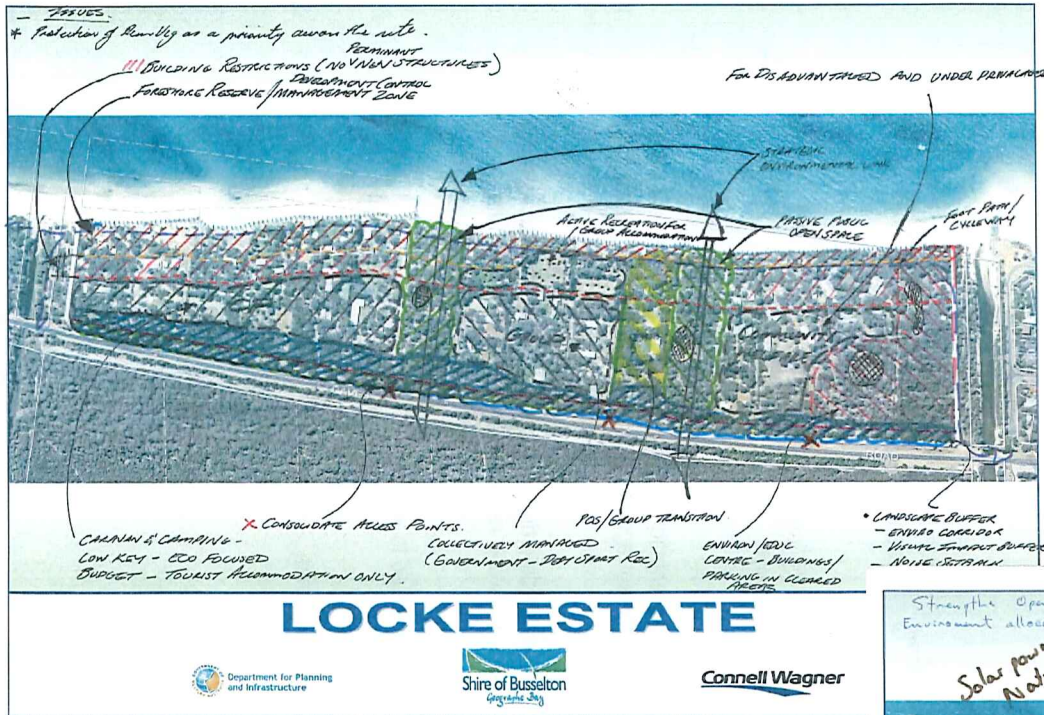
Who manages accommodation? Critical management issue. (Difference between commercial opportunity and providing a service. e.g. caravans increasing, but parks decreasing. Issue: is it commercial, or just maintained – non profit, local govt)

Must have over-riding strategic management.

Condition of existing infrastructure



## CONCEPT THREE Group Plans and Ideas



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### General Issues arising from Review of Concept Options

- Existing groups find it economically difficult / unviable to manage with no public allowed to access the sites
- Beach access needs to be addressed in any option to ensure coastal stabilization
- Concept 3: Management from 15 different groups to one. If system is to work, one body/agency must have responsibility for infrastructure and management, with appropriate resources.
- The 250ml Busselton Water main along Caves Road has sufficient spare capacity to meet any anticipated development.
- Ultimately state reserve (sub leased to shire). If shire does not want involvement, it will go back to State. State Government wants to know what the community aspirations are (gain broader idea of what community aspirations are, talk to leaseholders about feedback). Then decisions can be made – if it's an extensive concept for planning and redevelopment of site, where does Shire fit?
- Consideration of traffic generation by moving Caravan Park to Locke Estate.
- We are projecting a possibility, viability needs to be determined - logistics up for debate
- Four years to do it (to 2011) – great start.
- Feedback on the process in general: Very inclusive process – best so far; sets a benchmark for consultation projects.

### Individual Feedback on Concept Options

Participants were asked to place either a green, yellow or red sticker on each concept.

Green = most preferred

Yellow = middle preference

Red = not preferred

#### Key results:

Concept 1:	Red 20	Yellow 2	Green 4
Concept 2:	Red 0	Yellow 16	Green 10
Concept 3:	Red 6	Yellow 8	Green 12

- 77% least preferred Concept 1 (20 red dots)
- The results suggest that there is some preference for options 2 and 3.
- There is no opposition to Concept 2 (10 green, 16 yellow)

### Review of Concept Options by Sector

Participants were re-grouped according to their representation - into community members, community groups, state government agencies and local government agencies to provide feedback on the criteria list using their specific interest/expertise.

Criteria developed by the group (see Section 4) were ranked during this early session by each individual participant. Bringing all of the criteria together, the following ranking was applied to weight the scoring undertaken by each sector group.

1. Environmental Management
2. Community Acceptance (Sector Groups not asked to score)
3. Equity/Accessibility
4. Lease/Property Management
5. Historical Acknowledgement / Cultural Significance
6. Affordability
7. Safety / Security
8. Infrastructure Standards
9. Education
10. Social Benefit

Using these criteria, the sector groups were asked to score each option. Using a Multi-Criteria Analysis to incorporate the criteria ranking and sector group scoring of each option, collectively each sector group scored Concept 3 highest, and Concept 1 lowest.

**Comments:**

- Management:
  - All concepts are dependant on appropriate management strategies.
  - Need for active and strategic management that keeps an eye on things day to day (not delegated). Which government agency would take on the role/responsibility – is it appropriate for State Government to manage? Likely that State agencies would balk at involvement - tend not to focus on smaller items such as Locke (investment and return – financial or community/social benefit).
  - Advantage of 'known' management, with State Government support. Passive involvement of State Government – criteria in leases built in by DPI and government agencies.
  - Link management plans to lease arrangements. Holistic approach to management.
  - Local government has responsibility to provide amenity for people of Australia. Philosophical debate for council regarding provision of low cost accommodation – not for profit versus commercial.
  - Likelihood of errors in setting up new lease management. Adaptive management period to address issues in any new concept (i.e. 1 – 5 year trial period). Difficulty in looking forwards 50 years and knowing what might be required.
  - Potential for direct lease management through State government but need Shire involvement in the management process.
  - Effectiveness of lease/property management for the potential caravan/camping area would be OK but could be a problem with consolidated use areas.
- Beach activities: How do we manage it to be safe and equitable?
- The unknown: Concept 1 - we know what situation is, people can make decisions from and about campsites (but not necessarily an informed one). Concept 2&3 – Hypothetical, unknown management, and big task to embrace. May limit opportunity.
- Triple bottom line – not just about money.
- If some existing leaseholders continue, who is the final beneficiary – should be community (eg paying for programs or staff on site).
- Who carries the considerable cost of infrastructure? Cost of security measures also a consideration.
- Cultural significance – historical acknowledgement: Concepts 2 & 3 need to recognize transition from existing traditional uses to a new history/culture for future generations.
- Wider environmental considerations –Siesta Park groyne had detrimental effect on Locke Estate.
- Lease duration impacts on availability of funds (Council has power to lease for up to 21 years). Broadening accessibility to the general public may generate funding/revenue interest.
- Locke Estate consultation process is being cited as how community consultation should be done .

The group was asked if, having undertaken the criteria analysis, anyone wanted to change their “dot” rankings. None of the group wished to change their choices. While there appeared to be some resonance for Concept 2 and 3, there was no clear preference. The major issue that was identified by the workshop group is management of the site and the level of commitment required from the Shire Council, State Government, Groups, and community in general.

A key outcome from the workshops has been that pro-active leadership and management is needed for the next cycle of the review of the future of the Locke Estate. It was agreed that more work would need to be undertaken to refine the concepts prior to going out for public comment and that recommendations for further work in a second stage process would be necessary in the final report. This second stage would include significant refinement of the preferred option with necessary stakeholders to acknowledge and verify the consultation process undertaken in stage one.

## 7. Conclusion

The Locke Estate is a place that has engendered a sense of ownership in a community that extends beyond Busselton and includes all those people who have enjoyed holidays or sought respite at the site. Its cultural and historical significance is highly valued by the community; however it is recognised that a transition is required from existing traditional uses that have changed over the past 50-60 years to a new culture for future generations.

There is an opportunity with such a transition to address the issues that have been highlighted by this process and implement a concept that reflects the needs and aspirations of the community, as well as the demands of the growing south west population in the context of current and future Shire and State strategies.

At the conclusion of the consultation program, the following key issues and themes have been identified:

- There are a number of 'non-negotiable' items that have been agreed by the Project Control Group based on site investigations, stakeholder and community consultation and statements by the Minister for Planning and Infrastructure. These are:
  - the reserve will remain a class A reserve and be retained for community/public benefit;
  - the land will remain Crown land and will not be sold as freehold land or developed for housing; and,
  - environmental values of the site are identified and managed appropriately to ensure their preservation.
- The majority of lessees are keen to renew their leases. The management of one lease area has been taken over by the neighbouring lessee and one lessee group indicated that it was not interested in continuing its lease beyond 2011. In addition to the former St John Ambulance site (currently vacant and managed by Council), this indicates that there are up to three sites which offer the potential for change. It is acknowledged that there may be other existing leaseholders that do not wish to renew their leases if the lease criteria do not suit their use of the site or core business.
- There are historical issues with the management of the leases and the operation of the campsites by some lessees that are still current and must be addressed to ensure clear guidelines for future leasing.
- Key themes arising from consultation and background investigation include:
  - A clear need to acknowledge the community/public benefit in the current leasing arrangements and capital and social investment by some lessee groups.
  - Acknowledgement that doing nothing is not an option. There is room for improvement in the environmental and social management of the site with particular regard to foreshore erosion and lease management/compliance and public access.
  - Support for "Group camping through existing or new groups" to be retained on the site, as well as provision for alternative/complementary uses, including Public Open Space and Caravan Park – caravan and camping.
  - A strong desire to see provision for the general public to access and enjoy the site.
  - A sense of ownership the community has of the Locke Estate. The community and stakeholder groups have taken the lead through this consultation program to 'think outside the box' and provide innovative ideas that could see the future use and development of this site as a model for sustainable community land use and community/government partnerships providing mutual benefits.
  - Requirement for a statement of commitment by the Shire of Busselton in order to review the legal care, control and management of the reserve and decision as to the appropriateness of revocation of the Ministerial management order to the Shire of Busselton.

## Concept Options

Drawing from the key themes and ideas generating from the public consultation and workshop processes, it has become evident that the basis of change will depend on the management (renewal, modification or termination) of the existing leasing arrangements. Therefore, the concept options are titled according to the proposed lease opportunities.

The proposed concept options are described below, and the associated broadbrush concept plans that visually outline what the concept may look like on the site are on the following pages:

### Option One: Conditional Retention

- Retain the physical lease boundaries.
- Establish criteria for leasing of sites under an appropriate process (e.g. Expression of Interest).
- Offer existing lessees the opportunity to renew their lease for each site for up to 21 years with a number of revisions to the existing lease provisions to ensure that the identified values of the Locke Estate are managed appropriately to ensure their preservation.
  - Leasing issues must be addressed and are likely to include an increase in lease fee, higher levels of compliance, revision of use conditions, and increased standards of environmental management.
  - Lease provisions must establish planning and development guidelines (building setbacks, removal of existing infrastructure, materials, fencing etc).

Should any existing lessee not want to renew their lease on this basis, there is an opportunity for:

- a new group to take up the lease through an appropriate lease process (e.g. Expression of Interest, Tender etc)

OR

- alternative development or use in keeping with the vesting of the site.

### **Issues:**

- Limited public access to the beach or foreshore recreation areas.
- Perceived 'closed/private' focus and limited use by the general public in accordance with current lease conditions.
- Potential for continued under-utilisation of some campsites.
- Limited potential for consolidation or grouping of sites based on existing synergies.
- Need for over-arching environmental protection, management, standards and infrastructure development guidelines (building control and limits from foreshore).
- Duplication of infrastructure.
- Does not address growing demand for caravan parks and broader community demand for low-income budget caravan, camping and group accommodation.
- Requirement to address consolidation of access points along Caves Road in consultation with lessees.
- Need for increased resources for lease management.

### **Opportunities:**

- Review of lease terms and conditions to rectify existing management, use and compliance issues.
- Yielding up of some leases may permit an Expression of Interest process or similar to allow new groups to lease campsites, or alternative use of these (e.g. public open space).
- Recognises investment in and commitment to the site from existing lessees.
- Recognises historical connections.
- Maintains principles of non-commercial, not for profit focus.
- Maintains potential for low cost accommodation and group uses.
- Gives current lessees opportunity to invest and redevelop with renewed lease.



### **Option Two: Consolidation**

- Consolidation of similar uses across the various campsites based on established criteria (e.g. suitability of existing infrastructure, core business of groups, utilisation etc).
- Offer leases for relevant sites for up to 21 years with provisions to ensure that the identified values of the Locke Estate are managed appropriately to ensure their preservation.
  - Leasing issues must be addressed and are likely to include an increase in lease fee, higher levels of compliance, revision of use conditions, and increased standards of environmental management and infrastructure sharing arrangements
  - Lease provisions must establish planning and development guidelines (building setbacks, materials, fencing etc).
- As it is expected that this process will leave some campsites vacant or reduced in area, there is opportunity for:
  - a new group to take up a lease area or shared lease arrangement through the appropriate process (e.g. Expression of Interest, Tender etc.);
  - OR
  - alternative development or use in accordance with the vesting of the site under the care, control and management of the Shire or an alternative managing body.

### **Issues:**

- Security and safety issues for remaining lessees with increased public access and use.
- Competing/conflicting interests for consolidated camp uses.
- Management and viability of caravan/camping site.
- Need to remove, modify or expand existing infrastructure to support new development.
- Requirement to address consolidation of access points along Caves Road.
- Impact of more intense development on protected species and habitat on the Reserve.
- Continuous maintenance issues with increased foreshore reserve area and dual use path.
- Funding and management of public facilities (capital and operating costs).
- Strategic assessment and design needed to reflect the best location of the preferred uses in accordance with site attributes.
- Need for overarching environmental protection and development guidelines (building control and foreshore setbacks).

### **Opportunities:**

- Review of lease terms and conditions to rectify existing management and compliance issues, and to reflect community access and demand in the conditions of use.
- Potential to consolidate leases where synergies exist to increase site utilization and broaden the user base.
- Opportunity for development of alternative uses (e.g. caravan park, environmental education centre) to address growing demand for caravan parks and broader community demand for low-income budget caravan, camping and group accommodation.
- Consolidated use of facilities by various groups with allowance for separation and a diversity of accommodation and infrastructure (halls, dormitories, chalets, ovals etc).
- Managed foreshore area provides an opportunity to address storm surge risk and rising sea levels, to manage foreshore erosion uniformly across the site, and to develop public amenities with potential for a dual use path linking to the east and west.
- Preservation of remnant vegetation under a strategic site management plan for consolidated areas.
- Potential to attract funding for consolidated uses (e.g. education centre – grants etc) to facilitate development.
- Improvement of facilities (e.g. underground power, recycled sewerage, reticulation etc).

### **Option Three: Reformation**

- All leases will expire in 2011 and lease boundaries will be removed.
- Develop a Strategic Site Plan to identify themed zones based on a number of criteria (e.g. existing infrastructure, significant flora/fauna, environmental setbacks) for alternative development consistent with the purpose of the Reserve.
- Uniform management of the whole site under the care, control and management of the Shire or alternative managing body.
- The management body would have responsibility for:
  - booking arrangements for shared infrastructure,
  - potential for leases over specific buildings/areas/infrastructure,
  - environmental site management.
- **Issues:**
  - Loss of historical use by existing users.
  - Condition of existing infrastructure.
  - Coordination, funding and management of infrastructure renewal/relocation.
  - Impact of more intense development on protected species and habitat on the Reserve.
  - Need for over-arching environmental protection and development guidelines (building control and limits from foreshore).
  - Commitment to operation, management and viability of the site and alternative uses.
- **Opportunities:**
  - World class, best practice, eco model that is accessible to all and provides an 'alternative' and affordable experience providing low key, eco focused camping, accommodation and recreation opportunities.
  - Strategic Management of the entire site with a management plan implemented to protect the environmental attributes of the site and maximise site use by consolidating infrastructure and reducing impact on the environment.
  - Strategic linkages between Locke Estate and surrounds and visual improvement of the frontage of the Reserve onto Caves Road.
  - Strategic rationalisation of vehicle access.
  - Greater public access (POS linkages providing parking, access and amenity).
  - Managed foreshore area provides an opportunity to address storm surge risk and rising sea levels, manage foreshore erosion uniformly across the site, and to develop public amenities with potential for a dual use path linking to the east and west.
  - Opportunity for development of alternative uses (e.g. caravan park, environmental education centre) to address growing demand for caravan parks and broader community demand for low-income budget caravan, camping and group accommodation.
  - Greater potential for coordination and redevelopment of a diverse range of accommodation.
  - Maintain community welfare services through associations and religious groups with subsidised accommodation.
  - Access for the broader community.
  - Consolidated improvement of facilities and infrastructure (e.g. underground power, recycled sewerage, grey water, renewable energy alternatives, reticulation etc).

## 8. Recommendations

The recommended concept plan approaches as described above are:

- ***Conditional Retention***
- ***Consolidation***
- ***Reformation***

It is recommended that the Busselton Shire Council considers releasing this report for advertising and public comment. The commitments required of both the Shire of Busselton and the Department for Planning and Infrastructure under each of the concept approaches must be carefully addressed.

Given the positive momentum that this consultation project has developed it is recommended that, following the public advertising period, the Shire and the Department for Planning and Infrastructure proactively provide direction on the preferred concept and move forward with the next stage of planning and consultation for the future use of the Locke Estate, seeking Ministerial support and agreement if necessary.

Key issues that have been highlighted for consideration in the development of the concept plans form the following recommendations that must be addressed in moving forward once a preferred option is agreed:

### Land Management

- Review of the legal care, control and management of the reserve be undertaken and advice provided by the Shire of Busselton as to its commitment to
  - managing the site into the future, or
  - seeking revocation of the Minister's management order.
- In the case of a requirement for revocation of the Minister's management order, consultation at State and Local Government levels be undertaken to determine an alternative management regime that will meet the requirements for site management based on the agreed future concept for the site borne out of stakeholder and community preference for the site.

### Land Use and Environment

- The feasibility of a caravan park at Locke Estate be investigated looking at social, environmental and economic viability. The management of the caravan park must be carefully considered to ensure future viability as well as compliance with the purpose of the Reserve for "Recreational Camp Sites and Group Holiday Accommodation".
- Development setbacks as a guide for concept planning purposes be adopted as follows:
  - Lessees/land users be allowed to keep existing buildings within 50 metres of the 2003 vegetation line only at the discretion of the management authority, if it is deemed not to increase the threat of erosion, and subject to a site infrastructure survey.
  - All new permanent infrastructure to be a minimum of 50m from the foreshore vegetation line, 20m from Caves Road and 7.5m from side boundaries.
- The Shire of Busselton continue to work with the Department for Planning and Infrastructure to manage foreshore erosion on the Locke Estate and surrounds to maintain coastal stability and beach amenity and consult with and involve lessee's and site users accordingly.
- A detailed infrastructure survey be undertaken and recommendations made on the removal or upgrade of buildings and services, with particular regard to foreshore setback recommendations.

- Further assessment / survey of the remnant vegetation on the site be undertaken and a management and rehabilitation plan be developed with a view to retaining and improving habitat for the Western Ringtail Possum.
- An Environmental Management Plan be prepared for the entire Reserve and the Management recommendations from the Plan be incorporated into any lease arrangements to ensure future environmental compliance. This can be developed in accordance with the Reserve Management Plan.

#### **Lease Management**

- Improved economic indicators to be developed and monitored to ensure reliable economic data be implemented in any renewed lease agreements as part of the requirement for the lessees to keep a register of invitees and licensees;
- Should any leases be granted following the expiry of the current leases in 2011, the current requirements of the Standard Deed of Lease be reviewed with regard to their suitability based on the proposed future mix of uses across the site and assessment of past performance of lessees in meeting these requirements;
- A number of recommendations made in 1985 for inclusion in the new lease agreements were not incorporated into the Standard Deed of Lease and have potentially contributed to the continuing environmental management issues on the site. These and other conditions of lease should be reviewed and incorporated as appropriate.

#### **Heritage**

- Further assessment of the cultural and built heritage value of the Locke Estate be undertaken;
- An oral history project to record the social heritage of the Locke Estate be undertaken;
- Relevant local Aboriginal group members be involved to conduct Aboriginal heritage site surveys should any ground disturbing works be proposed.

