

Please note: These minutes are yet to be confirmed as a true record of proceedings

**CITY OF BUSSELTON**

**MINUTES FOR THE COUNCIL MEETING HELD ON 8 OCTOBER 2014**

**TABLE OF CONTENTS**

<b>ITEM NO.</b>	<b>SUBJECT</b>	<b>PAGE NO.</b>
<b>1.</b>	<b>DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS.....</b>	<b>3</b>
<b>2.</b>	<b>ATTENDANCE .....</b>	<b>3</b>
<b>3.</b>	<b>PRAYER .....</b>	<b>3</b>
<b>4.</b>	<b>PUBLIC QUESTION TIME.....</b>	<b>4</b>
	Response to Previous Questions Taken on Notice.....	4
	Public Question Time .....	4
<b>5.</b>	<b>ANNOUNCEMENTS WITHOUT DISCUSSION.....</b>	<b>4</b>
	Announcements by the Presiding Member .....	4
	Announcements by other Members at the invitation of the Presiding Member .....	4
<b>6.</b>	<b>APPLICATION FOR LEAVE OF ABSENCE.....</b>	<b>4</b>
<b>7.</b>	<b>PETITIONS AND PRESENTATIONS .....</b>	<b>4</b>
<b>8.</b>	<b>DISCLOSURE OF INTERESTS .....</b>	<b>4</b>
<b>9.</b>	<b>CONFIRMATION AND RECEIPT OF MINUTES .....</b>	<b>4</b>
	Previous Council Meetings .....	4
	9.1 Minutes of the Council held on 24 September 2014.....	4
	Committee Meetings.....	5
	<b>ITEMS BROUGHT FORWARD AND ADOPTION BY EXCEPTION RESOLUTION .....</b>	<b>5</b>
	Items Brought Forward For Discussion .....	5
	En Bloc Motion .....	5
<b>10.</b>	<b>PLANNING AND DEVELOPMENT SERVICES REPORT .....</b>	<b>6</b>
	10.1 FINAL ADOPTION OF PERCENT FOR ART LOCAL PLANNING POLICY PROVISIONS FOLLOWING COMMUNITY CONSULTATION.....	6
	10.2 FINAL ADOPTION OF STORMWATER MANAGEMENT AND DRAINAGE INFILL CONTRIBUTIONS LOCAL PLANNING POLICY PROVISIONS FOLLOWING COMMUNITY CONSULTATION.....	16
	10.3 PROPOSED CHANGE TO MANAGEMENT ORDER FOR CREEKVIEW RESERVE (R12492) TO FACILITATE LEASE OF PORTION TO NBN CO.....	27
	10.4 PROPOSED CHANGES TO SPECIAL PURPOSE PARKING DESIGNATIONS IN THE BUSSELTON CITY CENTRE AND PRESENTATION OF CAR PARKING USAGE MONITORING RESULTS.....	31
<b>11.</b>	<b>ENGINEERING AND WORK SERVICES REPORT .....</b>	<b>39</b>
	11.1 PROPOSAL TO RENAME PART OF JULIANNE STREET (ABBEY) TO JONES WAY.....	39

**12. COMMUNITY AND COMMERCIAL SERVICES REPORT ..... 44**  
    12.1 MARKETING AND EVENTS REFERENCE GROUP OUTCOMES ..... 44

**13. FINANCE AND CORPORATE SERVICES REPORT ..... 49**  
    Nil

**14. CHIEF EXECUTIVE OFFICER'S REPORT ..... 50**  
    14.1 PROPOSED APPROVAL TO ISSUE INSTRUCTIONS FOR THE ARCHITECTS TO  
        PROCEED TO DETAILED DESIGN AND SPECIFICATIONS FOR THE CIVIC AND  
        ADMINISTRATION FACILITY ..... 50  
    14.2 COUNCILLORS' INFORMATION BULLETIN ..... 53

**15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN ..... 55**  
    Nil

**16. CONFIDENTIAL REPORTS ..... 55**  
    Nil

**17. PUBLIC QUESTION TIME ..... 55**

**18. NEXT MEETING DATE ..... 55**

**19. CLOSURE ..... 55**

## MINUTES

MINUTES OF A MEETING OF THE BUSSELTON CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON 8 OCTOBER 2014 AT 5.30PM.

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

The Presiding Member open the meeting at 5.30pm.

### 2. ATTENDANCE

#### Presiding Member:

Cr Ian Stubbs      Mayor

#### Members:

Cr Grant Henley  
Cr John McCallum  
Cr Tom Tuffin  
Cr Gordon Bleechmore  
Cr Rob Bennett  
Cr Coralie Tarbotton  
Cr Jenny Green  
Cr Terry Best

#### Officers:

Mr Mike Archer, Chief Executive Officer  
Mr Oliver Darby, Director, Engineering and Works Services  
Mr Paul Needham, Director, Planning and Development Services  
Mrs Naomi Searle, Director, Community and Commercial Services  
Mr Matthew Smith, Director, Finance and Corporate Services  
Miss Lynley Rich, Manager, Governance Services  
Mrs Katie Banks, Administration Officer, Governance

#### Apologies

Nil

#### Approved Leave of Absence

Nil

#### Media:

“Busselton-Dunsborough Times”  
“Busselton-Dunsborough Mail”

#### Public:

Nil

### 3. PRAYER

The prayer was delivered by

**4. PUBLIC QUESTION TIME**

**Response to Previous Questions Taken on Notice**

**Public Question Time**

Nil

**5. ANNOUNCEMENTS WITHOUT DISCUSSION**

**Announcements by the Presiding Member**

**Announcements by other Members at the invitation of the Presiding Member**

Nil

**6. APPLICATION FOR LEAVE OF ABSENCE**

Nil

**7. PETITIONS AND PRESENTATIONS**

Nil

**8. DISCLOSURE OF INTERESTS**

Nil

The Mayor noted that a declaration of impartiality interest had been received from:

- Cr <Firstname Surname> in relation to Agenda Item <Item N<sup>o</sup> & Title>.

The Mayor advised that in accordance with the Local Government (Rules of Conduct) Regulations 2007 this declaration would be read out immediately before Item <Item N<sup>o</sup>> was discussed.

**9. CONFIRMATION AND RECEIPT OF MINUTES**

**Previous Council Meetings**

**9.1 Minutes of the Council held on 24 September 2014**

**RECOMMENDATION**

That the Minutes of the Council Meeting held 24 September 2014 be confirmed as a true and correct record.

## **Committee Meetings**

### **ITEMS BROUGHT FORWARD AND ADOPTION BY EXCEPTION RESOLUTION**

At this juncture the Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion, that the remaining reports, including the Committee and Officer Recommendations, will be adopted en bloc.

#### **Items Brought Forward For Discussion**

- 10.1 FINAL ADOPTION OF PERCENT FOR ART LOCAL PLANNING POLICY PROVISIONS FOLLOWING COMMUNITY CONSULTATION
- 10.2 FINAL ADOPTION OF STORMWATER MANAGEMENT AND DRAINAGE INFILL CONTRIBUTIONS LOCAL PLANNING POLICY PROVISIONS FOLLOWING COMMUNITY CONSULTATION
- 10.3 PROPOSED CHANGE TO MANAGEMENT ORDER FOR CREEKVIEW RESERVE (R12492) TO FACILITATE LEASE OF PORTION TO NBN CO.
- 10.4 PROPOSED CHANGES TO SPECIAL PURPOSE PARKING DESIGNATIONS IN THE BUSSELTON CITY CENTRE AND PRESENTATION OF CAR PARKING USAGE MONITORING RESULTS
- 11.1 PROPOSAL TO RENAME PART OF JULIANNE STREET (ABBAY) TO JONES WAY
- 12.1 MARKETING AND EVENTS REFERENCE GROUP OUTCOMES
- 14.1 PROPOSED APPROVAL TO ISSUE INSTRUCTIONS FOR THE ARCHITECTS TO PROCEED TO DETAILED DESIGN AND SPECIFICATIONS FOR THE CIVIC AND ADMINISTRATION FACILITY
- 14.2 COUNCILLORS' INFORMATION BULLETIN


#### **En Bloc Motion**

#### **RECOMMENDATION**

That the Committee and Officer Recommendations in relation to the following agenda items be carried en bloc:

## **10. PLANNING AND DEVELOPMENT SERVICES REPORT**

### **10.1 FINAL ADOPTION OF PERCENT FOR ART LOCAL PLANNING POLICY PROVISIONS FOLLOWING COMMUNITY CONSULTATION**

<b>SUBJECT INDEX:</b>	Local Planning Policy Framework
<b>STRATEGIC OBJECTIVE:</b>	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
<b>BUSINESS UNIT:</b>	Development Services and Policy
<b>ACTIVITY UNIT:</b>	Statutory Planning
<b>REPORTING OFFICER:</b>	Policy Planner, Statutory Planning - Carly Rundle
<b>AUTHORISING OFFICER:</b>	Director, Planning and Development Services - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Current Percent for Art Local Planning Policy 6B 

#### **PRÉCIS**

The Council is requested to consider final adoption following earlier consultation of the draft Local Planning Policy 6B - Percent for Art Provisions (referred to herein as 'draft policy'). The draft policy will form part of the City of Busselton's Development Contribution Policy and will replace the existing Town Planning Policy 6B – Percent for Art Provisions (referred to herein as the 'current policy').

The aim of the policy is to protect and enhance community and cultural identity through a contribution of one percent of eligible development proposals and City capital works towards the inclusion of artworks in built form and public spaces.

The draft policy has been developed as part of a review of the current policy, which has been undertaken in accordance with part 3.5 of the current policy, which identifies that a five yearly review is to be conducted to evaluate processes and procedures, and identify any required amendments to the policy. The draft policy modifies the current policy to provide a restructured document which is intended to be more easily understood by the public, and introduces two contribution precincts, Busselton (east) and Dunsborough (west) to address the need to provide further clarity and provide certainty as to where cash contributions (in the rare cases where they are made) will be spent.

The associated Step by Step Guide for Developers will be amended for consistency with the draft policy, following Council's final consideration.

#### **BACKGROUND**

Council considered the draft revised policy on 9 October 2013 and resolved to adopt the draft policy for the purpose of public consultation subject to modifications including:

1. Modify Section 5.3 to make clear the City's general desire for the proponent to fulfil their percent for art obligations through on-site artwork; and
2. Removed the requirement for a public art register as the City has not prepared a public art register; and
3. Deletion of the reference to young, emerging and indigenous arts in part 2.2 as this was considered far too restrictive.

The Policy was amended and Public consultation was undertaken for a period of 28 days ending on the 27 November 2013.

## **STATUTORY ENVIRONMENT**

The key statutory environment is set out in the City of Busselton's District Town Planning Scheme No. 20 ('the Scheme'), specifically Clause 103 "Power to make policies".

The draft Local Planning Scheme No. 21 (LPS 21) is considered to be a 'seriously entertained document', with the expected gazettal date in early October 2014. LPS 21 will not impact on the process of amending or revoking a Local Planning Policy.

## **RELEVANT PLANS AND POLICIES**

### *City of Busselton Cultural Plan*

The City of Busselton Cultural Plan identified the need to develop a Percent for Art Policy. The Local Cultural Planning Strategy builds on the relevant recommendations of the plan and provides the main objectives for the provisions.

### *Settlement Art Project*

The draft revised policy proposes to use cash in lieu contributions collected from the Busselton (east) precinct to implement the recommendations of the Settlement Art Project as a priority. The Busselton Settlement Art Projects is a series of six life sized bronze sculptures by WA sculptor Greg James to be located in the Busselton Cultural Precinct which commemorate the successful establishment of Busselton as one of the first settlements in W.A. outside Perth.

### *Draft Dunsborough Foreshore Plan (2007) and Dunsborough Townscape Plan*

The draft revised policy proposes to use cash in lieu contributions collected from the Dunsborough (west) precinct to implement art projects consistent with the recommendations of the Dunsborough Townscape Plan and draft Dunsborough Foreshore Plan. Whilst the Dunsborough Townscape Plan and draft Dunsborough Foreshore Plan do not identify any specific works to be implemented they identify a need to reinforce civic identity through the provision of artwork.

The associated Step by Step Guide for Developers, referred to in part 5.6 of the draft revised policy will be amended for consistency with the revised provisions, following Council's decision.

## **FINANCIAL IMPLICATIONS**

The recommendations of this report will support the delivery of the Settlement Art Project and a potential future art project for the Dunsborough Town Centre and / or Foreshore. The amount currently held by the City from Percent for Art contributions is \$38,000 and this all relates to the East Precinct. In the past, the majority of eligible proposals have chosen to fulfil their obligations by providing their own artwork, not cash in lieu contributions. It is expected this trend will continue into the future.

## **STRATEGIC COMMUNITY OBJECTIVES**

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

## **RISK ASSESSMENT**

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City's risk assessment framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well.

No risks were found where the residual risk, once controls have been identified, were considered to be 'medium' or greater.

## **CONSULTATION**

Public consultation was undertaken from a period of 28 days ending 27 November 2013. No submissions were received.

## **OFFICER COMMENT**

The current provisions address the need to protect and enhance the utility, amenity and identity of the public domain of places such as town/village centres, commercial nodes, main streets, entry points, squares, foreshores and parks within the City of Busselton. The draft policy further addresses this need by providing clarity and certainty as to where funds will be spent by the introduction of contribution precincts.

The provisions now also address the need to consider allowing educational institutions to undertake Percent for Art projects using their own teaching staff, even though they may not satisfy all of the criteria under the definition of a Professional Artist. The draft revised provisions include references to the City of Busselton Cultural Plan and Local Cultural Planning Strategy, which were not previously acknowledged. The provisions have also been rearranged to create a more legible document.

Any cash in lieu contributions received prior to the final adoption of the provisions shall be dealt with in accordance with the approved provisions current at the time of expending the funds. The above-mentioned changes have been included in the draft revised provisions.

## **CONCLUSION**

Final adoption of the draft revised Percent for Art Provisions is recommended.

## **OPTIONS**

Should the Council not support the officer recommendation, the options are –

1. Defer adoption of the provisions and request that further work, such as further infrastructure planning or development analysis, be undertaken prior to their presentation for the Council's further consideration;
2. Determine not to adopt the provisions in their entirety, but leave the existing policies in place;
3. Adopt the draft provisions subject to changes as deemed appropriate; or
4. Revoke the existing policies.



## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The implementation of the Officer Recommendation will involve the publication of a notice (once) in a newspaper circulating in the district advising of the adoption of the draft revised policy.

### **OFFICER RECOMMENDATION**

That the Council resolve, pursuant to Clause 103 of District Town Planning Scheme No. 20, to -

1. Rescind Town Planning Policy 6B: Percent for Art Provisions.
2. Adopt the draft revised Percent for Art Provisions as set out below, for final adoption to form part of Local Planning Policy 6 – Development Contribution Policy.

### **6B PERCENT FOR ART PROVISIONS**

#### **1.0 Preliminary**

##### **1.1 Purpose**

The City of Busselton Cultural Plan 2005 identified the need to develop a Percent for Art Policy. The City of Busselton Local Cultural Planning Strategy 2011 (LCPS) builds on the relevant recommendations of the Cultural Plan and states the following objectives for the Percent for Art Provisions:

- a) promotion of civic, community and cultural identity by introducing public art which makes streets, open spaces and buildings more locally distinctive;
- b) enhancing a sense of place by encouraging public art forms which reinforce and highlight European and indigenous history, cultural heritage and contemporary traditions;
- c) promotion of community reflection, inspiration, celebration and wellbeing;
- d) improving visual amenity by use of public art to screen unattractive views and improve the appearance of places; and
- e) improving the functionality of the public domain through the use of public art to provide appropriate street furniture functions.

These Percent for Art Provisions were originally adopted in 2008 and respond to the City's desire to protect and enhance the utility, amenity and identity of the public domain of places such as town/village centres, commercial nodes, main streets, entry points, squares, foreshores and parks within its municipality.

#### **2.0 Definitions**

##### **2.1 Public Art**

For the purposes of these provisions 'Public Art' is defined as being site-related and place-responsive art in the public domain. It includes the process of engaging artists' ideas, enhances the built and natural environments and adds value to character and cultural identity through the use of a diverse range of art forms and design applications.

### 2.1.1 Exclusions to Public Art

Art projects ineligible for consideration include:

- commercial promotions in any form;
- directional elements such as supergraphics, signage or colour coding;
- 'art objects' which are mass produced such as fountains, statuary or playground equipment;
- most art reproductions;
- landscaping or generic hardscaping elements which would normally be associated with the project; and
- services or utilities necessary to operate or maintain artworks.

## 2.2 Professional Artist

Only professional artists will be eligible to carry out public art commissions. As the term 'artist' is self-referencing, for the purposes of these provisions a professional visual artist can be defined as a person who fits into at least two of the following categories:

- a person who has a university degree or minimum 3 year full time TAFE Diploma in visual arts, or when the brief calls for it, other art forms such as multimedia;
- a person who has a track record of exhibiting their artwork at reputable art galleries that sell the work of professional artists;
- a person who has had work purchased by major public collections, including (but not limited to) the Art Gallery of Western Australia, any of the university collections or Artbank;
- a person who earns more than 50% of their income from arts related activities, such as teaching, selling artwork or undertaking public art commissions;
- an artist who is a member of Artsource and / or holds public liability and professional indemnity insurance.

Sometimes it will be appropriate to be more flexible and seek people other than professional artists to carry out artwork commissions. In addition to the above, the City supports art teachers and students from recognised educational institutions taking on and fulfilling the obligations, subject to meeting general criteria.

## 3.0 Application

### 3.1 Public Art to be Required

The City of Busselton shall require eligible proposals to provide public art in accordance with the described method for determining Public Art contributions described hereunder.

### 3.2 Proposals Eligible for Public Art Contributions

#### 3.2.1 Proposals Eligible

All development proposals for multiple dwellings, grouped dwellings, mixed use, commercial, civic, institutional, educational projects or public works of a value greater than \$1,000,000 (one million dollars) shall be regarded as eligible proposals under these provisions.

#### 3.2.2 Prescribed Zones

These provisions apply to those development proposals listed in 3.2.1 above where they are situated within the municipality of the City of Busselton.

### 3.2.3 Proponents

These provisions shall apply to all proponents, except those exempt from obtaining local authority planning approval under other legislation. Those proponents so exempted should utilise these provisions as a guide for the implementation of their respective percent for art obligations where applicable.

## 4.0 Method of Determining Public Art Contribution

### 4.1 Public Art Contribution Rate

The cost of any Public Art provided under these provisions shall be no less than one percent of the value of the eligible proposal.

### 4.2 Form of Public Art Contribution

Public Art required pursuant to these provisions shall be provided on site by the proponent. Alternatively, the proponent may choose to satisfy the contribution through a cash in lieu payment towards precinct public artwork.

In cases where the proponent chooses a cash in lieu payment as their preferred method of satisfying their obligation, the funds collected from their contribution shall be expended by the City on public artwork in the Precinct in which the funds were collected. Cash-in-lieu contributions in the Busselton (east) Precinct may be paid directly into the charitable trust established for the Settlement Artwork Project.

### 4.3 Precincts

There are two Percent for Art Precincts, Busselton (east) and Dunsborough (west). The precinct map is attached as Appendix A. Funds collected within the Busselton Precinct will be expended on the Settlement Artwork project. Funds collected within the Dunsborough Precinct will be expended on an artwork within the Dunsborough Town Centre and / or Foreshore.

Unless otherwise determined by the City, cash in lieu contributions for public artwork shall be collected and expended in the manner and on the artwork set out above.

## 5.0 Implementation of Percent for Art Policy Provisions

### 5.1 Location of Public Art

Public Art provided pursuant to these provisions shall be provided on site, or on crown land immediately adjacent to the site, in a location approved by the City.

### 5.2 Separate approval generally not required for Public Art

Public Art provided under these provisions, in fulfilment of a condition of Planning Approval, shall not require a further Development Application.

### 5.3 Cash In Lieu

Although it is desirable that the proponent fulfil their Percent for Art obligations through on-site artwork, their obligation may be satisfied by a cash-in-lieu contribution based on the rate described in these provisions. Such cash-in-lieu payments are to be paid to the City of Busselton

Public Arts Fund (Percent for Public Art) and expended in accordance with sections 4.2 and 4.3 above.

#### 5.3.1 Eligible Costs

Costs associated with the production of an art project may include:

- professional artist's budget, including artist fees, Request for Proposal, material, assistants' labour costs, insurance, permits, taxes, business and legal expenses, operating costs, and art consultant's fees if these are necessary and reasonable;
- fabrication and installation of artwork;
- site preparation;
- structures enabling the artist to display the artwork;
- documentation of the artwork; and
- acknowledgment plaque identifying the artist, artwork and development(s) from which funding was obtained.

#### 5.4 Equity, Safety and Universal Access

Public art should be made accessible to all members of the community, irrespective of their age and abilities. While art in public spaces might be considered primarily a visual experience, it can provide a range of sensory experiences for people with disabilities – artwork can be tactile, aural and give off pleasant smells as well as being visual. Artwork need not be monumental, but can be at heights suitable for people in wheelchairs to touch, move through and explore. Artwork can be interactive play objects for family groups and children. Interpretive signage in an easy to read format, including Braille, will ensure that artworks are inclusive of all members of the community. Where feasible and appropriate to the site and community, the City of Busselton will commission artworks that can be enjoyed as an interactive experience, irrespective of age, mobility or ability. Issues of public safety will be considered and addressed during design and installation of the artworks.

#### 5.5 Design Documentation

The artist will be required to prepare detailed documentation of the artwork at various stages of the commission, design, fabrication and implementation processes. Such documentation shall demonstrate the structural viability and suitability of the materials and fabrication processes for the proposed location. Depending upon the project, the documentation may include concept drawings, maquettes, structural and other engineering drawings, photographic images of works in progress, photographic images of completed and installed work and a maintenance schedule.

#### 5.6 Clearance Process

The approval of the City shall be required prior to the creation and installation of the Public Art. For this purpose, the Council may delegate authority to grant approval to the Public Art to an appropriate Officer, or duly appointed panel.

Details of works shall be submitted to and approved by the City of Busselton prior to issue of a building permit. The detail submitted shall be assessed against the requirements of these provisions and associated *Step by Step Guide for Developers*. The public artwork must be completed and installed prior to occupation of the development and/or issue of a Permit to Use, and maintained thereafter by the owner(s). It is recommended that the artist be contracted early in the design process to avoid any delays to final clearance. Alternatively, the City may accept a suitable agreement, prepared at the applicant's expense, binding the proponent to complete the works within a specified time frame and indicating that the works will be maintained by the

owner for the life of the artwork.

Where agreement has been reached for the contribution to be met by way of a cash in lieu payment, this shall be satisfied prior to issue of a building permit.

## **6.0 Following Completion of Artwork**

### **6.1 Maintenance Schedule**

Artworks that are low maintenance, robust, durable and resistant to vandalism will be encouraged and this will form part of the assessment of all proposals. Proponents will be required to present the City with a maintenance schedule at the completion of the commission.

### **6.2 Recording**

The public artwork will be registered in the City's Public Art Inventory once the artwork is completed.

### **6.3 Decommissioning**

In the case of artworks located on Crown Land, the City may decide to remove an artwork because it is in an advanced state of disrepair or damage, because the artwork is no longer considered suitable for the location or for other reasons such as safety risk. In such cases, the City will consult with the artist, where possible, prior to making a decision to remove and prepare a documented archival record of the artwork prior to its removal.

In the case of artworks located on private property, the developer must contact the City and the artist at least 28 days ahead of any relocation, sale, alteration or removal of an artwork. In the case that an artist has moved and the developer cannot find them, evidence that a reasonable attempt to find the artist must be provided on request.

## **7.0 Creative Development Process**

### **7.1 Creative Design Process**

The proponent (or City where the public art is situated on City managed land) will consult with the City's Cultural Development Officer to identify appropriate locations, themes and materials from which the proponent will develop an Artists' Brief. This document will be used to select and commission a professional artist to design, fabricate and install the artwork. The proponent may, at their discretion, coordinate and manage the process by which the artist works as part of the design team, alongside architects, landscape architects, planners and engineers. Alternatively, they may engage the services of a specialist art consultant whose fees may be considered as part of the public art contribution within the general intent of these provisions and on application by the proponent

### **7.2 Consultation with the Community**

Where appropriate, an invitation should be extended to community members to participate in the artwork process. This can be facilitated through, but not limited to, drawing sessions, cultural mapping processes to identify themes, or representation on a selection panel.

Some groups in the community are not comfortable with the expression of interest and tender processes, and will not enter into them without assistance. While artists from these groups will be encouraged to apply for all publicly advertised commissions, there may be opportunities for

designating specific commissions for them. In such cases, the selection processes outlined above may be modified and more assistance given to the artists submitting Expressions of Interest or Requests for Proposals.

### 7.3 Collaboration

There is an expectation that commissioned artists will work in collaboration with other consultants engaged by the proponent (most commonly, but not exclusively, landscape architects, urban planners and engineers) and that the conceptual and technical requirements of these professionals will be duly regarded by the artist when designing and installing the artwork.

There is an equal expectation that the artists' aesthetic judgement will be respected by other consultants engaged by the proponent. Changes to an artwork, even at concept stage, can only be made with the full knowledge and approval of the artist.

## 8.0 Artists Rights

### 8.1 Artist Contract

The proponent will be required to forward copies of the artist's contract, maintenance schedule and artist contact details to the City at the commencement of the project. In the case where the proponent is the City, it shall satisfy itself that these requisites have been met.

The artist's contract or letter of agreement should, in general, follow the provisions of the ArtsLaw Centre of Australia pro forma Design and Commission Agreement or other similar contractual document such as the WA State Government Percent for Art Agreement.

### 8.2 Moral Rights

Since 2000, moral rights legislation has protected artists. In brief, an artist's moral rights are infringed if:

- their work is not attributed or credited;
- their work is falsely attributed to someone else; or
- their work is treated in a derogatory way by distorting, modifying or removing it without their knowledge or consent.

In practical terms this means that all artworks should have the artist's name on or attached it, that the City cannot change an artwork in any way without seeking the artist's permission; likewise, cannot remove or re-locate the artwork without seeking the artist's permission. In the case that an artist has moved and the City cannot find them, evidence that a reasonable attempt to find the artist must be provided on request.

The City will take special care to ensure that acts of restoration or preservation (of artworks) will be conducted in a sensitive manner with prior consultation with the artists. Wherever possible, preservation or restorative works should be carried out by professional conservators. Special care will also be taken with the moral rights associated with works created by more than one artist, in that it is acknowledged that collaborators on artistic creations can take different views on issues such as relocation and restoration.

### 8.3 Acknowledgement of Artwork

In line with moral rights legislation, the proponent (or City where the artwork is situated on Crown Land) will install a plaque or plate near each artwork, acknowledging the name of the

artist, and the name of the person, agency or company who funded the artwork.

#### 8.4 Copyright of Artwork

Once an artwork has been completed and accepted by the City, copyright will be held jointly by the City and the artist. In practical terms this means that the City has the right to reproduce extracts from the design documentation and photographic images of the artwork for non-commercial purposes, such as annual reports, information brochures about the City and information brochures about the artwork. The artist will have the right to reproduce extracts from the design documentation or photographic images of the artwork in books or other publications associated with the artist or artwork.

#### 8.5 Fees to Artists

A fee may be paid to artists invited to submit a Request for Proposal (RFP) and this may be credited to the value of the Public Art required under the Policy. The amount will be at the discretion of the proponent and in proportion to the overall artwork budget. The fee will be paid after the proposal had been submitted, deemed to comply with the requirements and the artist has attended their interview.

### 9.0 Reference Documentation





Relevant documents to be referenced by these provisions include but are not limited to:

- City of Busselton Local Cultural Planning Strategy 2012
- Busselton Town Centre Guide Plan 2004
- City of Busselton Cultural Plan 2005
- Dunsborough Townscape Plan 2002
- Liveable Neighbourhoods WAPC 2009

### 10.0 Review

A five yearly review of these provisions will be undertaken to allow evaluation of processes and procedures and identify any required amendments. If such amendments are deemed to be necessary, a report will be referred to Council for consideration.

10.2 FINAL ADOPTION OF STORMWATER MANAGEMENT AND DRAINAGE INFILL CONTRIBUTIONS LOCAL PLANNING POLICY PROVISIONS FOLLOWING COMMUNITY CONSULTATION

<b>SUBJECT INDEX:</b>	Local Planning Policy Framework
<b>STRATEGIC OBJECTIVE:</b>	Growth is managed sustainably and our environment is protected and enhanced as we develop.
<b>BUSINESS UNIT:</b>	Development Services and Policy
<b>ACTIVITY UNIT:</b>	Statutory Planning
<b>REPORTING OFFICER:</b>	Policy Planner, Statutory Planning - Carly Rundle
<b>AUTHORISING OFFICER:</b>	Acting Chief Executive Officer - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Draft Stormwater Management Provisions  Attachment B Draft Drainage Infill Contributions Provisions  Attachment C Draft Water Sensitive Urban Design Guidelines  Attachment D Council Policy 182-3 and 184-3 

### PRÉCIS

The Council is asked to consider final adoption of two new Local Planning Policy Provisions - 8C Stormwater Management and 6F Drainage Infill Contributions Provisions. Local Planning Policy 6F will replace three largely obsolete Council Policies (set out in Attachment D) – namely 182/3 (Vasse Diversion Drain Contributions), 183/3 (Local Drainage Contributions) and 184/3 (Main Drain Contributions) which have become obsolete in terms of their content and applicability.

Both draft policies, if adopted, will provide clearer guidance to the community and industry on standards for ‘on lot’ stormwater drainage, and how to determine the value of contributions toward upgrading of the City’s drainage infrastructure through the development and subdivision approval process.

The draft policies will:

- Update the volumetric capacity of stormwater to be retained on a lot as a result of development.
- Specify ‘on lot’ measures to improve the quality of stormwater entering the City’s drainage system and the environment, consistent with contemporary water sensitive urban design measures.
- Update and revise the methodology for developer contributions for upgrading of the City’s local and main drainage system where the target level of ‘on lot’ retention of stormwater is impractical, or where subdivision and development will contribute to the need to upgrade public infrastructure.
- Ensure the policy provisions integrate with existing Building Code of Australia requirements, Australian Standards and Engineering Technical Specifications for ease of use.

Draft Water Sensitive Urban Design Guidelines have been prepared as a ‘Guide’ to implementing the stormwater retention initiatives referred to in the draft policies. It is referenced in Schedule 1 of the draft *Stormwater Management Provisions*, although will not form part of the policy and can be modified as new information becomes available.



## BACKGROUND

In 2008 the State Government, as part of a series of water use and resource management reforms, published *Better Urban Water Management* for the purposes of implementing water sensitive urban design (WSUD) on the Swan Coastal Plain, and with particular regard to the Swan-Canning and Vasse-Geographe catchments. The document provides guidance on the implementation of *State Planning Policy 2.9 Water Resources (2006)*. It also provides broad guidance for how the City should apply stormwater management and more specifically, water sensitive urban design criteria, to new subdivisions and developments. The intent is to better manage urban stormwater drainage on the Swan Coastal Plain, specify when a formal drainage management plan may be required in the planning and development process and avoid water quality impacts on receiving water bodies such as rivers, wetlands, estuaries and aquifers. Since its publication, a number of South-West local governments have adopted various forms of local planning policies, local laws and/or technical specifications to reflect these guidelines.

Further to this the Department of Water ran a series of workshops in the region during 2012 to further refine and clarify the specific WSUD measures that could be applied to urban development in the South-West, specifically the retention and management of stormwater at the single lot scale. The Department's intent has been to develop a set of mechanisms and principles in a standardized format that local authorities can implement in more detail through a local planning policy and changes to their statutory approval processes.

A key outcome of this work is the identification that improvements in water quality and stormwater management can be gained if stormwater is retained for reuse and/or infiltrated at source through a variety of 'structural controls'— within individual lots prior to it entering the local or main (City managed) drainage system.

These structural controls can include -

- \* Rainwater tanks
- \* Pervious paving
- \* Infiltration soakwells
- \* Rain gardens
- \* Swales
- \* Bio filtrations systems (bio filters)

The draft policies (Attachments A and B) seek to make improvements to the way the City manages stormwater at the single lot scale. The provisions reflect the need for clearer guidance on how stormwater management, developer contributions and water quality improvement measures are to be integrated at the lot scale of the land development process. It sets out how a variety of measures can be applied at the lot scale to better manage stormwater from roof runoff and hard paved areas in residential and commercial/industrial development. The specific explanation of the key measures and the rationale for those measures is set out under Officer Comment.

Council considered the draft policies on 9 October 2013 and resolved to adopt draft amendments to:

- *Local Planning Policy 8 General Development and Process standards* to introduce new policy provision 8C – *Stormwater Management* for the purposes of community consultation;
- *Local Planning Policy 6 – Developer Contributions* – to introduce new policy provision 6F – *Drainage Infill Contributions*, for the purposes of community consultation;

- Forward both draft policies to the WAPC for comment and consent to advertise, prior to advertising commencing; and
- Foreshadow that in the event the provisions are adopted for final approval, the Council proposes:
  - To revoke existing Council Policy 184/3 – Development Contribution Drainage (Main) and Council Policy 182/3 – Vasse Diversion Drain Contributions;
  - Amendments to the Engineering Technical Specifications which may be required to update those in line with the measures outlined in the stormwater policy provisions; and
  - Transitional provisions to apply such that the adopted policy provision will not commence for at least 3 months from the date of final adoption to allow time for existing development proposals to be assessed under the existing provisions before the new requirements are applied.

The WAPC did not have any comments prior to advertising. Community consultation was undertaken for a period of 35 days ending on 5 March 2014.

## **STATUTORY ENVIRONMENT**

### *Town Planning Scheme No. 20 and Local Planning Scheme No. 21*

The key statutory environment is set out in the City of Busselton's District Town Planning Scheme No. 20 ('the Scheme'), specifically Clause 103 "Power to make policies".

The draft Local Planning Scheme No. 21 (LPS 21) is considered to be a 'seriously entertained document' with the expected gazettal date in October 2014. LPS 21 will not impact the process of amending or revoking a Local Planning Policy.

### *Planning and Development Act*

The *Planning and Development Act 2005* establishes an ability to require through, a condition of approval, a financial contribution for the purpose of reducing the costs to the broader community that would otherwise be contributed or caused by a development then under consideration.

### *State Planning Policy 3.6 (SPP 3.6): Development Contributions for Infrastructure*

*SPP 3.6* was prepared and adopted by the State Government (Western Australia Planning Commission - WAPC) in November 2009. *SPP 3.6* supersedes and incorporates the earlier *Planning Bulletin 18 Developer Contributions for Infrastructure (1997)* and *Planning Bulletin 41 Draft Model Text Provisions for Development Contributions (2000)*.

The objectives of *SPP 3.6* are:

- To promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development;
- To ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided;
- To ensure consistency and transparency in the system for apportioning, collecting and spending development contributions;
- To ensure the social well-being of communities arising from, or affected by, development.

SPP 3.6 sets out the principles and considerations that apply to development contributions for the provision of infrastructure in both new and established areas, and outlines a framework under which local authorities may apply cost contributions, including the form, content and process to be followed. SPP 3.6 and case law has been taken into consideration when drafting the two new local planning policies.

*State Planning Policy 3.1 - Residential Design Codes of Western Australia (R-Codes)*

The R-Codes provides standard requirements for Residential development which apply to the whole of Western Australia. The Stormwater Management Provisions seek to vary the 'deemed to comply' requirements of the R Codes, specifically Part 5.3.9 and Part 6.3.6. These components of the R Codes relate to the management of stormwater within a residential lot.

Part 7 and specifically Part 7.3.1 and 7.3.2 of the R Codes allow for a local planning policy to vary any deemed to comply criteria of the R Codes with the consent of the WAPC. The WAPC have advised that the content of the draft Stormwater Management Policy is not inconsistent with the R-Codes and builds on the very broad requirements that currently exist.

## **RELEVANT PLANS AND POLICIES**

*Better Urban Water Management*

The document *Better Urban Water Management* published by the Western Australian Planning Commission, 2008, was formulated as part of a strategy for implementing water sensitive urban design (WSUD) on the Swan Coastal Plain, with particular regard for the Swan-Canning and Vasse-Geographe catchments. The document provides guidance on the implementation of *State Planning Policy 2.9 Water Resources 2006*, and describes how water resources should be considered at each planning stage through identifying various actions and investigations.

*Water Quality Improvement Plan for the Vasse Wonnerup Wetlands and Geographe Bay (DoW 2009)*

The recommendations of the *Water Quality Improvement Plan for the Vasse Wonnerup Wetlands and Geographe Bay (DoW 2009)* have also been considered, especially, recommendations 7 and 9 that relate to –

- \* Ensuring new urban developments incorporate water sensitive urban design (WSUD); and
- \* Undertaking strategic retrofitting of water sensitive urban design in existing urban areas.

## **FINANCIAL IMPLICATIONS**

The contributions collected since the introduction of the two existing policies are:

- \* Vasse Diversion Drain (VDD) – approximately \$427,000; and
- \* Main Drain Dunsborough and Busselton– approximately \$ 198,000.

The balance held in the VDD municipal account is \$384,463.62 and balance held in the Main Drain account is \$59,439.00.

It is intended that once these policies are rescinded all unspent money collected pursuant to the former policies will be spent on water quality and stormwater management measures within areas which will lead to improvements in stormwater management for the precincts identified in Schedule 1 of the drainage infill provisions.

The existing and proposed policies by their nature mean that estimating future revenue is not reliable. The total value of the future revenues under the new provision is likely to be the equivalent value of contributions collected under the former policies, i.e. possibly in the order of \$600,000 over 15 years.

The cost to the City to calculate, secure and apply the contributions will not change under the new provisions.

### **STRATEGIC COMMUNITY OBJECTIVES**

The recommendations of this report reflect Community Objective 5.2 of the Strategic Community Plan 2013, which is; *"Growth is managed sustainability and our environment is protected and enhanced as we develop"*.

### **RISK ASSESSMENT**

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk assessment framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well.

No such risks have been identified.

### **CONSULTATION**

Community consultation was undertaken for a period of 35 days ending on 5 March 2014. In addition to internal staff consultation, copies of the draft provisions were forwarded to key development, industry stakeholders, such as project home builders, architects and local building designers.

One submission was received from the Department of Water (DoW) generally supporting the policy with some minor formatting and editing changes suggested to both draft policies.

Of particular significance to the draft Drainage Infill Contributions provisions was the comment by DoW which related to the fixed contribution rate to be charged at the subdivision stage. The contributions to be charged at a fixed rate for subdivisions and vacant lots were proposed to be calculated based on lot area and site coverage as referenced by the R Code (i.e an R20 coded lot requires open space of 50% to be provided, and allows 50% site coverage).

For example, to calculate a drainage contribution for a vacant lot in the range of 301m<sup>2</sup> to 500m<sup>2</sup>, the maximum area of the lot is divided by the maximum permissible site coverage (50% as determined by the R Coding) 50% x 500 = 250m<sup>2</sup>. The value is then multiplied by \$1.80 to determine the contribution amount to the nearest \$10 dollars, which is \$450. The officers comment section provides the rationale for the contribution amount of \$1.80.

DoW have suggested that as the site coverage is central to the calculation of the contribution amounts, and that the site coverage is determined by the R Codes and R Code density, that the R Code density should be referenced (i.e. R20, R30) rather than the lot size. This has been modified in the draft infill contribution policy to relate fixed contribution amounts to the R Coding rather than the lot size.

**OFFICER COMMENT***Stormwater Management Provisions*

Water sensitive urban design in current practice, encourages developments to retain for reuse and/or infiltrate appropriate rates of stormwater within private lots. The issues that have led to the development of the current proposal (draft provisions) relate in part, to a lack of appropriate volumes of retention of stormwater within individual lots.

Stormwater volume values are typically set for the annual recurrence storm event, the five year recurrence event and the 100 year recurrence event. These are termed Average Recurrence Interval (ARI) and the values set for the ARI relate to the amount of rainfall expected for each of these events over a one hour duration. They are expressed for Busselton and Dunsborough as follows:

- \* 1 year/1 hour ARI – equivalent to 16 mm rainfall
- \* 5 year/1 hour ARI - equivalent to 25 mm rainfall
- \* 100 year/1 hour ARI - equivalent to 40 mm rainfall

Typically, all residential development must retain and infiltrate the 1 year/1 hour ARI on site. Where ground slope, soil or water table constraints do not allow this ARI to be retained and infiltrated on site a discharge point from the lot to the street drainage system may be required, such as occurs at Dunsborough Lakes. As a general principle the 1 year/ 1 hour ARI is managed within the lot to protect the capacity of the City stormwater drainage system and enable it to manage larger rainfall events in built up areas.

The City's stormwater drainage system typically accommodates the 5 year ARI but not the 1 year ARI. As mentioned above the one year event is managed within individual lots and for the reasons set out is intended to protect the capacity and the functionality of the City's stormwater drainage system.

The 5 year ARI is managed by the City within the street system (minor drainage system design) mainly through the capture and conveyance of stormwater from lots, streets and pavements into drainage pipes and subsequently to detention basins before the stormwater eventually enters a receiving water body. In the case of Busselton these receiving water bodies include the Vasse-Wonnerup wetlands, the Lower Vasse River and Geographe Bay. In the case of Dunsborough the receiving water bodies include Toby Inlet and Geographe Bay.

The policy works to encourage high levels of retention in the first instance, and a contribution required only for the difference between a 1 year ARI event and a 5 year ARI event.

A number of methods to achieve 'on lot' water management improvements are set out in the draft policy provisions and include:

- \* reuse of water through rainwater tank capture
- \* use of rain gardens in commercial developments
- \* infiltration soakwells
- \* rain gardens
- \* swales, and
- \* biofilters– which capture pollutants before the water enters waterways.

The stormwater policy provisions define these structures and set out how they can be applied to various forms of development. The provisions include a Schedule that will set out standard design drawings that can be used for single residential building applications, as well as standard water quality measures to manage erosion and sediment movements within construction sites (standard design drawings for soakwells will be provided prior to advertising of the policy provisions). This will not only result in water quality improvements, it will simplify and clarify the requirements for approval of stormwater devices at the building permitting stage.

The provisions seek to apply a higher standard of 'on lot' retention for higher intensity land-uses such as offices, grouped dwellings, commercial and industrial uses. These uses are generally required to retain the 5 year ARI on site due to the higher risks associated with managing stormwater from these uses and the larger expanses of impervious area associated with these developments.

#### *Drainage infill Contributions Provisions*

Developer contributions have been applied by the City since the 1990's to enable contributions to works for the purpose of general stormwater management and upgrading of the public drainage system. The existing provisions are provided in Council Policies 182/3 (Vasse Diversion Drain contributions), 183/3 (Local Drainage Contributions) and 184/3 (Main Drain Contributions). The policies inform parts of Engineering Technical Specifications 6 and 10 (Attachment E), which currently sets the City's contribution amounts. The policies guide the exercise of the City's planning discretion and are applied as conditions of planning approval. They have the support of the WAPC when considered as conditions of infill strata and subdivision conditions.

The two existing Engineering drainage contribution policies provide for contributions as follows:

Contributions for Subdivision	
Residential - per lot	\$165.00
Industrial - per lot	\$270.00
Commercial - per lot	\$270.00
Contributions for Development	
Residential - per Dwelling Unit	165.00
Industrial - per Strata Title / Unit	270.00
Commercial - per Strata Title Unit	270.00

Dunsborough Area 1	Upper	144.00
Dunsborough Area 2	Middle	200.00
Dunsborough Area 3	Lower	244.00
Dunsborough Area 4	Quindalup/Dunsborough	144.00
Busselton	Gale – Brown Street (CBD & surrounding catchments) Geo Bay-Vasse River	144.00
East Busselton	Brown-Guerin	200.00

There are a number of inconsistencies in the content of the policy and there are difficulties in the way that it is interpreted and applied by the Engineering and Works section such as:

- \* There is no longer an appropriate rationale for the values of the contributions to works values set out in the tables.

- \* Many of the drainage upgrade works are difficult to effectively cost and practically implement as the City has no strategic district or local water management plans for its various catchments.
- \* An audit of the system is incomplete making decisions on upgrading difficult if not impossible without expensive surveys.
- \* The contributions do not factor in water quality controls where retrofitting of existing drainage infrastructure is required.

It is worth noting that the Vasse Diversion Drain was originally intended to provide flooding and water control management in the wider Vasse-Wonnerup catchment, however works undertaken by Water Corporation in the upper catchment in 2008/09 has effectively resolved the issue for which the contributions were originally collected.

It is proposed to supersede these policies with one single infill drainage contribution local planning policy. Contribution amounts will only apply to 'infill development' other than single residential and new developments in greenfields areas. The rationale behind this is as follows:

- Infill development generally occurs in older designed and constructed subdivisions where the stormwater design was not designed to accommodate for the increased impervious area as a result of higher density development;
- Single dwellings have sufficient availability of land within lots to manage stormwater and place low demands on the public drainage system;
- New developments in greenfield areas generally occur in accordance with a local water management strategy and/or urban water management plan where stormwater management systems are in place to accommodate the quality and flow of excess stormwater from the lots to the street drainage system. The need to upgrade the drainage system does not arise as a consequence of these developments.

The draft Stormwater Management Provisions will require all developments to retain a 1 in 1 year ARI rainfall on site. It is the 1 in 5 year ARI rainfall that the City's roads and public drainage infrastructure are designed to manage. Infill development increases the impervious area on a lot and subsequently increases the stormwater run-off into public drainage infrastructure. Older subdivisions have not been designed to accommodate this additional run-off and as such infill development if it does not retain the 1 in 5 ARI rainfall (25mm) on site, places unanticipated demand on the City's public drainage infrastructure and contributions will be required to account for upgrades required as a result.

As the 1 in 1 year ARI rainfall (16.5mm) is required to be retained on site, contributions are only be required for the 1 in 5 year ARI (25mm). Where a dwelling can accommodate the 1 in 5 year ARI on site, no contribution will be required. For a dwelling to cater for the difference between the 1 in 1 year (16mm) and 1 in 5 year ARI rainfall (25mm), an additional 34% (8.5mm) needs to be retained on site. For a standard 250m<sup>2</sup> dwelling and based on relevant examples and estimates the cost to provide on-site stormwater for a 1 in 1 year ARI of \$2,500 for a single residential dwelling and to accommodate for a 1 in 5 year ARI is an additional \$450. Therefore the cost per square metre of impervious area to retain a 1 in 5 year event on a standard 250m<sup>2</sup> lot will be \$1.80/m<sup>2</sup> of impervious area.

The value of the charges for subdivision and strata under the draft Provisions is as follows:

**TABLE 1 – New Policy - Drainage Infill Contributions**

<b>Residential Infill</b>	
R2, R2.5 and R5	\$720
R10	\$720
R12.5	\$648
R15	\$599
R17.5	\$514
R20	\$405
R25	\$315
R30	\$297
R35	\$257
R40	\$218
R50	\$194
R60	\$162
R80	\$151
<b>Commercial and Industrial Infill</b>	
Area of lot/Strata	Contribution/lot
0 - 250m <sup>2</sup>	\$400
251 –750m <sup>2</sup>	\$1,200
751 – 1200m <sup>2</sup>	\$1,940
1201 +	\$2,200

Worked examples of contributions required under the existing policies and draft provisions are as follows:

- \* Example A (DA11/0182) – 3 residential (grouped dwelling) units, Ford Road, Busselton

*Existing policies* – Stormwater Main Drain contribution of \$200 per additional dwelling unit, therefore total drainage contribution payable is \$400. Note that while the Vasse Diversion Drain contribution remained, the development would have paid an additional \$495 bringing the total payable to \$895.

*New provisions* – Upgrading Contribution of \$1.80 for each 1m<sup>2</sup> of additional impervious area. Total impervious area equates to 702 m<sup>2</sup>, therefore the total contribution payable is \$1,265. Alternatively the developer can manage the stormwater fully on site and make no contribution to works.

- \* Example B (DA10/0361) – Car Wash Centre - Cook Street, Busselton (lot area 1,408m<sup>2</sup>)

*Existing policies* – No Stormwater drainage contribution would be applied as the site lies outside the drainage Main Drain contribution catchment area. Note that while the Vasse Diversion Drain contribution remained the development would have paid a single contribution of \$270.

*New provisions* –Upgrading Contribution of \$1.80 for each 1 m<sup>2</sup> of additional impervious area. Total impervious area equates to 1264 m<sup>2</sup>, therefore the total contribution payable is \$2,275. Alternatively the developer can manage the stormwater fully site and make no contribution to works.

- \* Example C (DA12/0336) – 2 vacant residential strata lots (zoned Residential with a coding of R15), Beach Road, Dunsborough



*Existing policies* – Stormwater Main Drain contribution of \$144 per strata dwelling unit site, therefore total drainage contribution payable is \$288.

*New provisions* –Upgrading contribution in accordance with Table 1 of the draft policy provision 6F which equates to \$599 per lot created. The total contribution payable is \$1,198.

#### *New draft Water Sensitive Urban Design Guidelines*

The purpose of this document is to provide guidance on a number of water sensitive urban design (WSUD) measures which may be employed to meet the City's requirements for stormwater management on individual lots, or through infill development and subdivision (as outlined in draft Local Planning Policy provisions 8C).

This is a live document that will be updated as new data and information becomes available. The guidelines will be used to assist applicants in the choosing and implementation of WSUD treatments appropriate to a site. There is a WSUD calculator which will enable the public to easily calculate required stormwater methods to meet stormwater retention requirements and expected contribution amounts. There will be two different calculators one for single residential and the second for more complex developments. This calculator will be available on the web via a link.

### **CONCLUSION**

The draft provisions are seen as providing for an efficient, equitable and transparent approach to the assessment, securing and application of developer contributions to the upgrading of our stormwater infrastructure, and to help ensure that the City's stormwater infrastructure continues to operate in a safe, environmentally sustainable and efficient manner.

The draft provisions are also seen as making a significant improvement to stormwater management and the protection of water quality within the City generally. The draft provisions are considered sound and appropriate for the circumstances of the City and worthy of support by the development industry and the Community.

Final adoption of the draft Stormwater Management Provisions and Drainage infill Contributions Provisions is recommended.

### **Options**

Should the Council not support the officer recommendation, the options are –

- \* Defer adoption of the provisions and request that further work, such as further infrastructure planning or development analysis, be undertaken prior to their presentation for the Council's further consideration;
- \* Determine not to adopt the provisions in their entirety, but leave the existing policies in place;
- \* Adopt the draft provisions subject to changes as deemed appropriate; or
- \* Revoke the existing policies, but fund infrastructure improvements through increases in rates revenue or forego the infrastructure improvements.

### **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**


The implementation of the Officer Recommendation will involve the publication of a notice (once) in a newspaper circulating in the district advising of the adoption of the draft revised policy.

**OFFICER RECOMMENDATION**

That the Council resolve to:

1. Pursuant to clause 103 of District Town Planning Scheme 20, finally adopt amendments to:
  - a) *Local Planning Policy 8 General Development and Process standards* - to introduce new policy provision 8 C – *Stormwater Management* (as set out at Attachment A);
  - b) *Local Planning Policy 6 – Developer Contributions* – to introduce new policy provision 6F – *Drainage infill Contributions* (as set out at Attachment B);
2. Revoke Council Policy 184/3 – Development Contribution Drainage (Main). 183/3 Local Drainage Contributions and Council Policy 182/3 – Vasse Diversion Drain Contributions;
3. Amend the Engineering Technical Specifications as may be required to update those in line with the measures outlined in the stormwater policy provisions;
4. Apply Transitional provisions such that the adopted policy provisions will not commence for at least 3 months from the date of final adoption to allow time for existing development proposals to be assessed under the existing provisions before the new requirements are applied.
5. Endorse the Urban Water Sensitive Design Guidelines (set out in Attachment D).

10.3 PROPOSED CHANGE TO MANAGEMENT ORDER FOR CREEKVIEW RESERVE (R12492) TO FACILITATE LEASE OF PORTION TO NBN CO.

<b>SUBJECT INDEX:</b>	Property Leasing
<b>STRATEGIC OBJECTIVE:</b>	Transport options that provide greater links within our district and increase capacity for community participation.
<b>BUSINESS UNIT:</b>	Strategic Planning and Development
<b>ACTIVITY UNIT:</b>	Strategic Planning and Development
<b>REPORTING OFFICER:</b>	Property Development Officer - James Young
<b>AUTHORISING OFFICER:</b>	Director, Planning and Development Services - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Location Plan 

## PRÉCIS

The National Broadband Network (NBN) is a Federal Government initiative to deliver a high speed broadband network across Australia utilising a combination of optical fibre, fixed wireless and satellite technology. NBN Co. selected Busselton rural districts in 2011 as one of the first locations in Western Australia to receive the service. Eleven NBN telecoms tower locations have been identified which includes the City-managed Creekview Reserve (R12492), and the infrastructure proposed would serve 'Yallingup East' and is the subject of this Council Report.

This report recommends that the City seeks consent from the Minister for Lands to amend the reserve purpose to include 'communications site' to align with the proposed NBN use and that 'Power to Lease' is included to enable the City to grant a lease directly to Crown Castle Australia Pty Ltd (the trading company of NBN Co.) and receive the annual rent.

## BACKGROUND

The objective of establishing a National Broadband Network in Australia was first conceived in 2003 and the NBN Co. was established in April 2009. The rural districts of Busselton were selected in 2011 to trial a fixed wireless network, which is similar to a mobile broadband service but provides superior quality. NBN Co. gave a presentation to Councillors in February 2013 which provided the background to the proposed trial in the rural districts of Busselton.

NBN Co. consultants *Daly International* identified eleven locations across the rural districts of Busselton and concluded that a combination of using both existing infrastructure and greenfield sites was required to meet the necessary coverage and performance objectives. The current statuses of the locations that have been identified to date are listed below:

- Yallingup East: A 45m monopole located on Creekview Reserve - the subject of this Council Report;
- Port Geographe: 30m monopole in a car park (replacing a light pole) - City owned land, and intended to be the subject of a future Council Report;
- Ambergate: 40m monopole at Chapman Hill Road (private land owner);
- Busselton: proposed 40m monopole at Rendezvous Road (private land owner);
- Busselton West: co-location on existing Broadcast Australia tower, Caves Road (owned by Broadcast Australia Pty Ltd);
- Dunsborough: co-location on existing Telstra tower (a portion of land excised from Big Rock Nature Reserve, Crown land);
- Dunsborough North: No location yet identified;

- Dunsborough South : No location yet identified;
- Dunsborough West: No location yet identified;
- Yallingup Siding: No location yet identified; and
- Yallingup: No location yet identified.

Creekview Reserve is located in Yallingup Siding, some 5km south of Dunsborough (refer Attachment A: Location Plan). The reserve is 20.467ha and was formerly a quarry but received a new Management Order in 2009 with the purpose of Landscape Protection.

The location of Creekview Reserve represents one of the seven proposed NBN telecoms towers intended to cover the Dunsborough / Yallingup rural district, and the suite of towers will have symbiotic connectivity relationships between one another, meaning that the fixed wireless network covering this particular rural district requires all seven towers to be simultaneously operational.

### **STATUTORY ENVIRONMENT**

Creekview Reserve is managed by the City of Busselton for the purpose of 'Landscape Protection' which was amended in 2009 from the former purpose of 'Quarry Gravel'. Under Section 46 of the Land Administration Act 1997, in order for the City to grant a new lease to Crown Castle Australia Pty Ltd (the trading company of NBN Co.) the City would be required to seek consent from the Minister for Lands to amend the reserve purpose to include 'communications site' with 'power to lease' over a portion. An access easement would subsequently be granted to Crown Castle Australia Pty Ltd over the Reserve.

The Department of Lands position with regard to telecommunications equipment is to seek a direct lease with the operator, and consequently secure the rental income. Discussions with the Department have indicated that due consideration will be given to a request to amend the reserve purpose and for the City to seek power to lease that is supported by a Council Resolution. This aligns with the publication of the Department's Policy Paper in November 2012 relating to s.152 Public Recreation reserves where land could be excised from a reserve for telecommunications facilities on the condition that the lease revenue will be used for improvements to the 'parent' reserve or betterment of other reserves in the general locality. It also reflects the necessity that costs associated with maintaining the broader reserve and providing access to the site would be borne by the City and its ratepayers.

### **RELEVANT PLANS AND POLICIES**

Creekview Reserve Management Plan (2000) was prepared by the Toby Inlet Catchment Group Inc. to serve as a guide for the protection of the reserve and to enhance its conservation values.

### **FINANCIAL IMPLICATIONS**

Should the City be granted the power to lease over portion of the Reserve, then a commercial lease will be negotiated with the NBN Co. and a commercial rent established, which could be set within the range of \$5,000pa - \$10,000pa, based on the anticipated market rate for telecoms towers in rural locations (potentially generating \$61,000 - \$122,000 over the 20 year duration of the lease). A formal independent rental valuation would be obtained.

### **STRATEGIC COMMUNITY OBJECTIVES**

The recommendation of this report reflects Community Objectives 2.1, 2.2, 3.1 and 4.2 of the Strategic Community Plan 2013, which are:

- 2.1 A City where the community has access to quality cultural, recreation and leisure facilities and services;
- 2.2 A City of shared, vibrant and well planned places that provide for diverse activity and strengthen social connections;
- 3.1 A strong, innovative and diversified economy that attracts people to live, work, invest and visit; and
- 4.2 A community that is well connected to its neighbours and the broader world, lobbying key partners to enhance our connectivity links including the implementation of the National Broadband Network.

### **RISK ASSESSMENT**

An assessment of the potential implications of implementing the officer's recommendation has been undertaken using the City's Risk Assessment Framework. The assessment identifies 'downside' risks only, rather than 'upside' risks as well and no reportable risks were identified.

### **CONSULTATION**

NBN Co. has engaged the services of telecoms consultants *Daly International* and *Ericsson*, who prepared a Stakeholder Identification Checklist and Engagement Strategy in 2013. A Community Information Session was held on 29th October 2013 at the Naturaliste Community Centre, Dunsborough. This was widely advertised via a letter drop and newspaper advertisement and 29 people attended the session. The vast majority of attendees were in favour of the proposal.

### **OFFICER COMMENT**

The objective of amending the reserve purpose and including "power to lease' is to enable the City to enter into a direct lease with Crown Castle Australia Pty Ltd and to benefit from receipt of the annual rent. The City is responsible for the management of the reserve and incurs costs in meeting its obligations. It is therefore reasonable to propose the amendment to the reserve purpose to enable the City to receive the proposed income.

Should Council endorse to seek approval from the Minister for Lands to amend the reserve purpose to enable the erection an NBN telecoms tower, with the power to lease, the City would obtain an independent valuation and enter into lease negotiations with NBN Co. consultants *Daly International*. It is anticipated that a 20 year lease agreement would be entered into with an initial rent per annum to be agreed, with an annual percentage increase.

The 45 metre monopole will have a circular headframe with three antennas. The telecoms compound will measure 12 m x 8 m with a 3m wide fire break surrounding it. A new electrical power supply will run underground through the reserve for approximately 40m. Access to the compound is along an existing gravel access track leading from Creekview Road.

The anticipated delivery date for new wireless broadband sites is 2015/2016, however, this is dependent on the locations for the requisite number of towers in any one district being identified and secured. NBN Co. has advised that business cases for subsequent towers in the district will be prepared on a case-by-case basis.

## **CONCLUSION**

The delivery of the National Broadband Network across the City of Busselton is a positive outcome for the City's businesses, residents and visitors. NBN Co. has selected Busselton as only one of a small number of locations to trail the roll-out of the network within mainland Australia. The opportunity to secure the required locations on a site-by-site basis contributes to the overall delivery of the NBN fixed wireless broadband network in rural Busselton. Creekview Reserve offers the preferred location of one such tower and the opportunity for the City to secure an annual rent from the telecoms tower by seeking power to lease.

## **OPTIONS**

Council may choose to not accept the Officer recommendation and instead allow NBN Co. to seek excision of part of Creekview Reserve and enter into a lease directly with the Department of Lands.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**





Should Council support the Officer Recommendation, then City officers will within one month seek approval from the Minister for Lands to amend the Reserve purpose, to include 'power to lease' and also begin lease negotiations with NBN Co.

## **OFFICER RECOMMENDATION**

That the Council:

1. Seek the Minister for Lands' approval to amend the reserve purpose to include 'communications site' with 'power to lease' over portion of Creekview Reserve (R 12492);
2. Indicate lease revenue would be applied to management of Creekview Reserve or management of other City managed reserves in the general locality; and
3. Does not support the excising out of portion of the reserve by Department of Lands to create a new Lot for direct leasing by the State to NBN Co.

10.4 PROPOSED CHANGES TO SPECIAL PURPOSE PARKING DESIGNATIONS IN THE BUSSELTON CITY CENTRE AND PRESENTATION OF CAR PARKING USAGE MONITORING RESULTS

<b>SUBJECT INDEX:</b>	Townscape Busselton
<b>STRATEGIC OBJECTIVE:</b>	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
<b>BUSINESS UNIT:</b>	Strategic Planning and Development
<b>ACTIVITY UNIT:</b>	Strategic Planning and Development
<b>REPORTING OFFICER:</b>	Strategic Planner - William Hosken
<b>AUTHORISING OFFICER:</b>	Director, Planning and Development Services - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Current Car Parking Supply and Time Limits – Busselton 
	Attachment B Adopted Car Parking Time Limits – Busselton 
	Attachment C Proposed Changes to Special Purpose Parking – Busselton 
	Attachment D Car Parking Usage Monitoring Results – Busselton 

## PRÉCIS

On 29 January 2014 the Council adopted changes to the time limits for car parking in the Busselton City Centre and Dunsborough Town Centre, subject to a review of special purpose parking (ACROD, loading, bus, taxi and motorcycle parking) being completed prior to implementation. The review has been completed and this report discusses and provides recommendations relating to changes to special purpose parking designations in the Consolidated Vehicle Parking Scheme.

The findings of car parking usage monitoring for 2013/14 are presented in this report to inform the Council's consideration of principles and long term strategies relating to car parking supply.

## BACKGROUND

Car parking under the City's management in the Busselton City Centre, including the current number of bays and currently identified time restrictions, is identified in the plan provided at **Attachment A**. Identified at **Attachment B** is the changes to car parking time limits in Busselton which were adopted by the Council in January 2014 and are proposed to be implemented following consideration of this report.

Prior to implementing changes to parking restrictions, it was identified in the report to the Council of 29 January 2014 that further assessment of special purpose parking was necessary. This report presents findings of this review and proposes a number of further changes to special purpose parking designations as outlined in the Consolidated Vehicle Parking Scheme.

As detailed designs for streetscape improvements have not yet been finalised, proposed changes to special purpose parking in Dunsborough are not included in this report and are expected to be reported to the Council in 2015. Proposed changes within Busselton are reported at this time to enable implementation prior to the 2014/15 summer holiday period.

### Special Purpose Parking Bays

The current arrangement of special purpose parking bays (including universal access (ACROD), motorcycle, bus, taxi and loading bays) is shown at **Attachment C** for the Busselton City Centre. This plan incorporates a number of recently completed improvements, which are proposed to be formally adopted in the Consolidated Vehicle Parking Scheme, as well as changes currently proposed to be

adopted and implemented. A small number of additional special purpose parking bays/ facilities exist in privately managed parking areas, which are not accounted for in this assessment.

#### *ACROD (Disability) Bays*

The City of Busselton is committed to the principles of universal access in accordance with the City's Disability Access and Inclusion Plan (DAIP 2014-18), and the demand for parking which supports access for people with limited mobility is generally growing in line with Busselton's growing and ageing population. ACROD parking bays are relatively spread throughout the centre of Busselton, however most bays were constructed prior to updates to the relevant Australian Standard. The City has received feedback from users and the DAI Reference Group (DAIRG) regarding the difficulties in using some of these bays.

National Disability Services statistics indicates 1,444 ACROD permit holders residing within the 6280 postcode (majority of Busselton district), with a further 223 permits in the 6281 and 6282 postcode areas (Dunsborough, Yallingup and surrounds). There are currently 37 City managed ACROD bays in the Busselton City Centre (including six recently constructed bays at the Old Courthouse, Busselton Library and Community Resource Centre, Kent Street and in the Stanley Street car parking area).

#### *Motorcycle Bays*

Motorcycle use is increasing in popularity as an economical way of travelling, as well as for lifestyle, particularly evident in the City through tourists and visitors. While persons travelling by motorcycle are a minority, supplying dedicated motorcycle parking provides for their needs and reduces instances of informal parking on footpaths and verges. Instances of motorcycle parking within car parking bays also result in an underutilisation of this space, while smaller areas not practical for car parking are currently (or can be) utilised for motorcycle parking and therefore increase the overall number of vehicle parking bays. There are currently approximately 18 City managed, dedicated motorcycle bays in the Busselton City Centre.

#### *Bus Bays*

In the Busselton City Centre, public transport bus services are provided with on street bays in Kent Street, Albert Street and Peel Terrace (as well as school bus stops in Adelaide Street), and these are generally considered to meet the locational requirements of these users and services. One small bus parking bay is located adjacent to the Busselton Boulevard shopping centre.

#### *Taxi Bays*

Taxi parking ranks in Busselton are currently provided in Queen Street (adjacent to Mitchell Park) and on Marine Terrace (outside the Esplanade Hotel). Several other taxi pick-up bays are provided in shopping centre car parks, and are now required for major commercial developments in accordance with the City's Local Planning Policy 8A. The location of taxi ranks and anti-social behaviour issues are discussed further in the 'Officer Comment' section of this report, however no changes in relation to the consolidated parking scheme are proposed in this report.

#### *Loading Bays*

A large number of businesses in the core of the Busselton City Centre lack direct delivery access and rely on the delivery of goods by transport services which utilise on street short stay loading bays, including in high access locations of Queen, Prince and Kent Streets. A number of laneways are also utilised for this purpose in both a formal and informal manner, resulting in some businesses expressing concern over the blocking of access. Due to the time pressures associated with delivery



services, bays close to the point of delivery are important for operators and an even and logical distribution of bays necessary.

#### Parking Usage Monitoring – Busselton

The Busselton City Centre (excluding the Busselton Foreshore) is serviced by approximately 1850 car parking bays under the City's management and an estimated further 700 bays which are privately owned and managed. In comparison with other similar urban centres, Busselton benefits from ease of access to car parking as a high proportion is available in consolidated, publicly managed parking areas. Parking is provided free but a large proportion is subject to various time restrictions. It has been anecdotally observed that a shortfall of car parking exists during peak holiday periods, reflecting high tourist/ visitor numbers but also as a relative comparison made to off peak times when users become accustomed to a significant oversupply.

Monitoring of car parking usage has been undertaken by the City's Parking Officers in Busselton since November 2013, and the consolidated results of this work are provided at **Attachment D**. This monitoring provides relatively accurate assessment of car parking demand across a full season, while Parking Officers are also providing consistent enforcement to ensure that designated time restrictions are effective in providing available bays in highly sought after locations.

Monitoring in Busselton was previously (and currently in Dunsborough) undertaken by City Rangers according to resource availability, which varied according to the existence of other priorities (such as fire prevention) particularly during peak periods.

In relation to the monitoring of car parking usage undertaken in the Busselton City Centre, it is noted that:

- \* Monitoring occurs on weekdays only.
- \* Results do not capture on street parking, which is often preferred by short stay users, and in the core of the City Centre tends to have higher average occupancy than off-street car parking.
- \* It is more difficult to visually locate bays in parking areas that are close to full, and monitoring results may therefore slightly underestimate the number of available bays (however this reflects the experiences of users also).
- \* Some parking areas have special considerations, particularly where permit parking for employees is accommodated on privately owned car parking areas, the management of which is otherwise delegated to the City.
- \* A detailed assessment of events has not been made, as while these generate increased general traffic they often provide alternative traffic and parking arrangements.

Discussion of these monitoring results is provided in the 'Officer Comment' section of this report.

#### **STATUTORY ENVIRONMENT**

The City designates and polices parking and traffic restrictions under the powers of the *Parking Local Law 2011*. The designation of parking stalls, stations and areas occurs under Part 2 of the Local Law, and the Consolidated Vehicle Parking Scheme (a large series of plans identifying the location and type of parking restrictions in detail) is adopted pursuant to Part 2 as a means to identify these designations. Designations are given practical effect through on-ground signage and line marking, as well as the issue of local public notice as required by the Local Law.

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

The Busselton City Centre Conceptual Plan endorsed by the Council in January 2014 guides detailed planning and development within the Busselton City Centre, particularly in regard to City managed lands. The recommendations of this report are consistent with this plan.

*Local Planning Policy 8A: Car Parking Provisions* outlines the requirements for the provision of vehicle parking facilities associated with development, which includes consideration of special purpose parking dependent on the nature of the development and includes minimum provision of taxi pick-up bays, motorcycle bays and bicycle parking facilities.

## FINANCIAL IMPLICATIONS

General maintenance including landscaping, street sweeping and minor repair work is carried out as part of annual programmed works and budget allocation. Works required to implement changes to car parking time restrictions as well as special purpose parking bays are relatively minor and will be undertaken within annual budget allocations for signage, line marking and maintenance.

Cash in lieu contributions and Car Parking Reserve funds may be considered for use by the City for future projects which deliver an increase in or enhancement of parking and associated infrastructure, such as the construction of parking on City land on Harris Road, however this report does not provide any specific recommendations in this regard.

## STRATEGIC COMMUNITY OBJECTIVES

The recommendation of this report reflects Community Objective 2.2 of the Strategic Community Plan 2013, which is; *“A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections”*.

## RISK ASSESSMENT

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City’s risk assessment framework. The assessment identifies ‘downside’ risks only, rather than ‘upside’ risks as well. The table below describes identified risks where the residual risk, once controls have been identified, is identified as ‘medium’ or greater.

Risk	Controls	Consequence	Likelihood	Risk Level
Public Health and Reputational Risk - Upgrading of ACROD bays is delayed, public complaint or injury is sustained	Adoption of scheme and subsequent improvement works, as funding permits	Minor	Possible	Medium

## CONSULTATION

In accordance with the *Parking Local Law 2011* public notice of changes to parking designations is required, which is proposed to be provided in a local newspaper and on the City’s website in accordance with the Council’s resolution. Where works are required of a substantial nature (beyond changes to line marking and signage) targeted consultation of adjoining landowners and business will occur once detailed designs have been prepared. It is noted that the majority of the changes proposed as a direct result of this review are generally of a minor nature.

In preparing changes to special purpose bays, officers have consulted with the City’s DAIRG who provided the following comments (summarised):

- \* ACROD bays need to be available and safe to service driver, passenger and rear loading;
- \* Long ACROD bays or bus bays are needed for community service vehicles;
- \* ACROD bays should be overall increased to service the growing need;
- \* Information material, signage and guides to the location of ACROD parking as well as other accessible facilities would be useful.

Various specific examples of access difficulties due to kerb heights, ramp locations and other physical impediments were also identified and these will be taken into consideration as part of detailed design and construction wherever practical.

Consideration of taxi services has formed part of discussions relating to a liquor accord, and the outcomes of this process will be considered as this matter is further progressed.

General observations of City officers and anecdotal evidence regarding the behaviour of delivery drivers has been considered in preparing recommendations relating to loading bays, however it was considered that this group did not provide specific opportunities for engagement and many delivery services are based outside of the district.

## **OFFICER COMMENT**

### Special Purpose Parking Bays

In proposing changes to the designation of special purpose parking bays (refer Attachment C), officers considered a regular, easy to interpret pattern of parking was desirable in addition to the principles, constraints and opportunities discussed below.

#### *ACROD (Disability) Bays*

Improvements to a number of bays and relocation of others will increase access to bays which currently demonstrate limited usage. While bays have generally been retained near key attractions such as shopping and service centres, some bays have been relocated to provide an even spread of bays and provide for accessible distances of less than 200 metres within the Busselton City Centre. The current number of bays is proposed to be maintained in Busselton, and with improvements made to improve access and facilitate higher usage.

A number of universal access bays are currently provided in on street parallel parking, which is considered to present a safety concern as access from the driver's side of a vehicle can conflict with the flow of traffic. Rather than widening bays into footpath areas or roadways which is largely impractical, it is proposed to locate universal access bays in a uniform pattern along side streets (Prince, Kent and Duchess Streets) in angled parking areas. ACROD bays in off street parking areas are maintained to provide safer access for rear loading vehicles.

Wherever possible universal access bays are paired to accommodate sharing of designated access zones now required under the Australian Standard, as well as providing options for safe access on both the driver and passenger sides of vehicles. Acknowledging the challenges associated with limited mobility, the practice of City staff is not to rigidly enforce time restrictions for ACROD parking where a valid permit is displayed.

#### *Motorcycle Bays*

Design improvements to reduce the need for motorcycles to reverse into on street bays have been considered as appropriate, and the co-location of small numbers of small numbers of motorcycle bays to provide identifiable parking locations will also assist users in accessing dedicated parking bays. No new motorcycle bays are identified for the Busselton City Centre at this time however an

increase in dedicated motorcycle bays will occur gradually over time through redesign of car parking areas as well as part of parking provided in new commercial developments, in accordance with Local Planning Policy 8A.

#### *Bus Bays*

One additional small bus parking bay is proposed within the Mitchell Park parking area, in order to provide a second central location for aged and community service providers to park (in addition to the Coles car parking area). One additional full length bus bay is proposed in Kent Street adjacent to Fig Tree Lane to provide pick up/ drop off for public and private bus services. Both of these proposed designations provide access close to the centre and provide for travel along Kent Street, and are also consistent with planned streetscape works on Kent Street.

#### *Taxi Bays*

In the Busselton City Centre, taxi servicing during retail trading hours is generally considered to be sufficient and pick up locations are designated in a number of parts of the centre. The taxi rank on Queen Street alongside Mitchell Park is considered to be a central and visible location for this service and is a use consistent with the high turnover of parking in this vicinity. The City's Draft Safety and Security Strategy for Busselton identifies the potential for improvement to real and perceived safety at the Mitchell Park taxi rank. Additional taxi bays will also be provided for in significant commercial developments in accordance with Local Planning Policy 8A.

Taxi services in the evening which service entertainment venues are somewhat more contentious, with taxi services limited by the influence of anti-social behaviour. As part of discussions towards a proposed Busselton Liquor Accord agreement, an alternative location for a taxi rank close to the Esplanade Hotel has been suggested in order to separate taxi and other hotel patrons. As this is subject to ongoing discussions and consultation regarding potential locations, no changes are proposed as part of this report, however further change to the parking scheme may be required in the future to facilitate changes as required.

#### *Loading Bays*

To accommodate the needs of business without direct loading access within the densely developed parts of Queen, Prince and Kent streets, the three existing loading bays in these locations are considered important to retain. However due to the high turnover of parking in loading bays there is not considered to be a need for additional bays at this time.

#### Parking Usage in Busselton

The results of car parking usage monitoring in the Busselton City Centre (refer Attachment D) provide the following observations:

- \* Peak car parking demand occurs in the months of December and January, followed by November and April. Peak daily usage occurs between 11am and 2pm.
- \* During peak daily usage in December and January, approximately one out of every six City managed off street car parking bays are vacant. As such, parking demand may not be considered to have reached critical levels during peak periods however uneven patterns of parking usage certainly contribute to the perception of a shortage.
- \* Some car parking areas are more popular than others and are typically close to full regardless of season (eg. Mitchell Park, Woolworths Duchess Street parking area opposite Mitchell Park), while others have a significant amount of available parking even during peak periods (eg. IGA Overflow, Woolworths Duchess Street main parking area, Cammilleri Street).

- \* Car parking areas that consistently have available parking are both 2 hour restricted and unrestricted length of stay (all day), suggesting that there is not a particular shortage of one category of parking over the other.

In considering the function of car parking areas and accessibility of bays, the following general principles are noted:

- \* The shorter the time restriction in a parking area, the higher the rate of exchange (cars coming and going) and the more likely a car parking area is able to function even when usage levels are high. This principle provides the basis for the shorter time limits designated for some on street car parking bays, which the Council has already endorsed.
- \* Relatively high usage levels are desirable to provide a return on infrastructure investment.
- \* Changes in user behaviour, such as accessing the City Centre outside of peak days and times and considering other transport modes not reliant on car parking availability, are not encouraged unless there are constraints to peak period access.
- \* More available car parking during peak periods encourages more car travel during peak periods and has corresponding traffic impacts on the surrounding road network.
- \* Busselton benefits from having large, consolidated parking areas which can serve as parking 'destinations' and thereby reduce the time a user spends searching for a car parking bay. The opportunity therefore exists to better promote these parking 'destinations' through public information material and signage.
- \* On street car parking is generally preferred for short stay users, and is therefore likely to be utilised first.

A significant proportion of car parking bays required to meet growing demand are expected to be delivered in association with significant retail and commercial developments which will provide for growing demand for services (potentially including the West Street, Busselton Central and Vasse developments).

As monitoring continues and statistics on car parking usage are collected over a number of years, it will be possible to provide more accurate projections of increases in car parking demand and assess the need for further provision of public car parking. On the basis of current usage, it is not considered necessary for car parking to be constructed on land recently acquired by the City on Harris Road at this time.

## **CONCLUSION**

It is recommended that the Council adopt the Officer Recommendation to note the results of monitoring of parking usage, and to amend the consolidated parking scheme inclusive of changes to designated special purpose parking bays, facilitating the progression of detailed design and upgrading as appropriate.

## **OPTIONS**

The Council may consider various other options, including resolving to modify certain parking arrangements or locations or to seek further information or consultation before making a final decision in relation to the proposal.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

In accordance with the *Parking Local Law 2011* public notice of the proposed changes to parking designations will be undertaken within one month of the Council resolution. Changes to signage associated with time limits will be scheduled for completion prior to 15 December 2014 (by the commencement of the summer holiday period for 2014/15). Changes to signage and line marking

associated with special purpose parking bays will be scheduled for completion prior to 31 March 2015.




**OFFICER RECOMMENDATION**

That the Council:

1. Note the results of monitoring of car parking usage within the Busselton City Centre and continuation of this monitoring by the City's Parking Officers.
2. Adopt, pursuant to the City of Busselton Parking Local Law 2011, changes to the Consolidated Vehicle Parking Scheme for the Busselton City Centre as depicted in Attachment C, with those changes to come into effect upon the completion of necessary changes to signage and line-marking.
3. Gives public notice of the adoption of the amended Consolidated Vehicle Parking Scheme.

## 11. ENGINEERING AND WORK SERVICES REPORT

### 11.1 PROPOSAL TO RENAME PART OF JULIANNE STREET (ABBEY) TO JONES WAY

<b>SUBJECT INDEX:</b>	Thoroughfares
<b>STRATEGIC OBJECTIVE:</b>	Infrastructure assets are well maintained and responsibly managed to provide for future generations.
<b>BUSINESS UNIT:</b>	Engineering and Facilities Services
<b>ACTIVITY UNIT:</b>	Engineering and Facility Services
<b>REPORTING OFFICER:</b>	Land and Infrastructure Officer - Andrew Scott
<b>AUTHORISING OFFICER:</b>	Director, Engineering and Works Services - Oliver Darby
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Aerial photographs of the area  Attachment B Plan of road name change request  Attachment C Submissions to the proposal 

### PRÉCIS

At a meeting held 14 May 2014, the Council resolved to support a proposal to rename a segment of Julianne Street to Jones Way, subject to a notice of the proposal to owners and residents of affected property.

This report considers the submissions received to the proposal and recommends making a recommendation to the Minister for Lands to rename the segment of road so that the road name consistent with the contiguous segment of constructed road.

### BACKGROUND

In 2005, a subdivision of land (Dawson Beach Estate) created a segment of public road that completed a link between Jones Way and Julianne Street (refer to aerial photographs in Attachment A). At the time, the developer proposed the new segment of road was named Jones Way, and that the existing segment of Julianne Street (through to Harnett Street) was renamed to Jones Way, so that the same road name applied to a contiguous segment of road.

Given the proposal involved a road name change, the proposal was advertised for public comment and two objections were received. The summary of the reasons for the objections were:-

- Julianne existed before Jones Way;
- To change the street name and numbers would be more confusing;
- Permanent resident and should not have to go through the hassle and expense of changing mailing addresses for all services, bank accounts, car registration etc.;
- Would create expenses for the City such as street signs and advertising;
- Developers could have called new section of road Julianne Street; and
- Should not have to go through the expense of notifying utilities, business, family and friends.

At a meeting held 8 June 2005, the Council resolved (C0506/180) differently to the developer's naming proposal:

1. That Jones Way and Julianne Street start/finish at the intersection of Barkle Close.
2. That the CEO (or his delegated officer) request Geographic Names Committee to formalise the road names.
3. That all submitters be advised of Council's outcome.

The reason for the decision was due to the inconvenience and cost that the owners and residents (of Julianne Street) would incur for the road name change.

Following that Council decision, the road linking Jones Way and Julianne Street was constructed, resulting in Jones Way of 740m continuing on to Julianne Street of 160m to Harnett Street.

At a meeting held 12 February 2014, the Council received a petition requesting that Julianne Street (from Barkle Close, Abbey to Harnett Street, Broadwater) is renamed to Jones Way to remove confusion caused by having two different road names for the same contiguous section of physical road. The petition contained 21 signatures all (with the exception of one) from residents of Barkle Close, Jones Way and Julianne Street.

At that meeting, the Council resolved (C1402/016):

*That the petition be received and referred to the CEO to prepare a report to the Council.*

At a meeting held 14 May 2014, the Council resolved (C1405/127) to support:

1. *A proposal to rename a segment of Julianne Street (between Barkle Close, Abbey and Harnett Street, Broadwater) to Jones Way.*
2. *The issuing of written notices of the proposal to owners and occupiers of affected property, inviting comments to the proposal within 28-days.*
3. *A request to rename Julianne Street as proposed is forwarded to the Geographic Names Committee should there be no objections to the proposal; otherwise the CEO should prepare a report to the Council for consideration of the objections to the proposal.*

A written notice of the proposal was sent to eight (8) affected properties. Five (5) objections were received to the proposal (refer to Attachment C).

## **STATUTORY ENVIRONMENT**

Roads may be renamed by order of the Minister for Lands, pursuant to section 26 of the *Land Administration Act 1997*.

## **RELEVANT PLANS AND POLICIES**

Council Policy 141/3 "Street Names" applies to the naming and renaming roads. The policy requires that the guidelines of the Geographic Names Committee (an advisory committee to the Minister for Lands) should apply to the naming and renaming of roads.

The Geographic Names Committee (GNC) publication 'Policies and Standards for Geographical Naming in Western Australia' is the main publication for the naming of roads, localities, parks, reserves and topographic features. Under section 8.5 of the publication headed 'Road naming amendments':

*'Road names are intended to be enduring. The renaming of a road is discouraged unless there are good reason for a change of name.'*

The reasons that a road name change may be considered include a redesign of a road layout and for the emergency services who require clear and unambiguous road naming.

## **FINANCIAL IMPLICATIONS**

The costs to rename the road are estimated to be \$1000 for road traffic signage and mail redirection.

No specific budget has been allocated to the request but funding may be accommodated within existing budget.



## STRATEGIC COMMUNITY OBJECTIVES

Key goals	Community objectives
2. Well Planned, Vibrant and Active Place	2.3 Infrastructure assets that are well maintained and responsibly managed to provide for future generations.

## RISK ASSESSMENT

The risk associated with renaming a road is considered minimal based on previous experience with renaming roads, provided guidelines and procedures are followed.

## CONSULTATION

A written notice of the proposal to rename portion of Julianne Street was posted to the owners and residents of the eight (8) affected properties on Julianne Street. Objections were received from five (5) and including one from a property owner that had previously signed the petition to rename the road but decided to withdraw their signature from the petition.

The objections to the proposal are documented in Appendix C. Following is a summary:-

- Inconvenience in having to notify public utilities, agencies, family and friends of the new address;
- The house number plate for the property will need to be changed. In one case, this is embedded into a limestone block;
- Costs;
- Not necessary as there is no confusion. Satellite navigation systems show the correct name;
- The issue of the road name has been dealt with previously; and
- Julianne Street is a preferred name to Jones Way.

## OFFICER COMMENT

### Ambiguity of having two road names for one section of constructed road

Where one contiguous stretch of road has two road names, this can be confusing to the driver as it is not apparent where the road name changes. The driver does not normally see the road name sign as it is parallel with the road and as it is generally obscured by other road names blades on the same signpost.

To correctly signpost the road, a separate road name sign on a larger green background should be erected to face the traffic at the point where the road name changes, slightly offset from the intersection. A separate sign is required for each direction. Due to the size of the sign and the irregular nature of it, it would require two posts and be erected on the verge perpendicular to the road. This can create some inconvenience to the residents of property that adjoins the verge.

This signage is in addition to the regular signpost at the intersection for the traffic coming from the side road (in this case with Barkle Close).

Due to the irregularity, inconvenience and the cost of the 'correct' signage, it is rarely done.

### Reasons to change the road name

Avoiding ambiguity of road names is important for navigating the road network, particularly for the service industries (such as tradespeople, delivery services and taxi services), but especially for emergency services.

While it is not uncommon for a contiguous section of road to have different names, the transition normally occurs at a cross road (such as Albert Street to Bussell Highway) and not normally at a T-section, as is the case for Jones Way to Julianne Street. Furthermore, the road segments are generally substantially more than 1km in length.

On that basis, and given the petition to the Council claiming that the road naming is confusing, there is merit in changing the name of Julianne Street where it lies between Jones Way and Harnett Street. Renaming the road would provide more consistency with geographic naming policy.

#### Properties that would be affected by a road name change

Eight (8) properties would be affected by a change of portion of Julianne Street to Jones Way. These are:

No.	Street	New No.	New street
10	Julianne Street	84	Jones Way
11	Julianne Street	109	Jones Way
12	Julianne Street	82	Jones Way
13	Julianne Street	107	Jones Way
14	Julianne Street	80	Jones Way
16	Julianne Street	78	Jones Way
18	Julianne Street	76	Jones Way
20	Julianne Street	74	Jones Way

Of those properties, one is vacant land and another has a building under construction.

#### Objections to the proposal to change the road name

Objections to the proposal are documented in Appendix C and summarised in the Consultation section of this report.

#### Inconvenience and costs associated with changing the road name

With respect to the inconvenience caused by renaming a road, affected residents would need to notify service providers (such as banks, utilities, insurance, superannuation, etc.), family and friends of a change of mailing address. To minimise the inconvenience of the change of address and allow time to notify of the change of address, Australia Post offer a mail redirection service. The monthly rate for the service is \$20.50 for personal mail and \$64.55 for both personal and business mail. (NOTE: An increasing discount applies for 3, 6 or 12 months of mail redirection). This report recommends that the City reimburses affected residents for the cost of the mail redirection for a period of 3 months.

On the renaming of the road, a new house number would be allocated to each property (refer to the section above 'Properties that would be affected by a road name change'). This would mean changing the house numbers displayed to the street, incurring a cost to the property owner of approximately \$30, although this may be more should a custom house number be used.

Road name signs would need to be changed on the renaming of the road. The signage should read 'Jones Way' and on a separate sign 'Formerly Julianne St'. The second sign may be removed after a period. The cost of signage is estimated to be \$350.

## **CONCLUSION**

To address any issues relating to the ambiguity of road naming, the segment of Julianne Street from Barkle Close to Harnett Street should be renamed to Jones Way.

Renaming the road will involve short term inconvenience to local residents, but in the longer term should avoid any ambiguity issues over the road name.

## **OPTIONS**

### Option 1: - Do not change the road name

This option would result in no inconvenience to the eight properties that would be directly affected by the proposal, but does not address the issue of ambiguity over the road name, which is an ongoing issue. The Council may also wish to consider installation of further signage as described in this report.

### Option 2: - Additional signage

Install additional signage to clearly identify where Jones Way ends and Julianne Street starts, in an attempt to reduce confusion with two (2) road names on the same portion of road.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The recommendation could be completed within the 2014/15 Financial Year.

## **OFFICER RECOMMENDATION**

That the Council supports:

1. The proposal to rename a segment of Julianne Street (between Barkle Close, Abbey and Harnett Street, Broadwater) to Jones Way;
2. Making a request the Geographic Names Committee to rename Julianne Street as proposed;
3. Subject to Geographic Names Committee approval, implementation of the proposal including reimbursing the cost to affected residents (on the renaming of the road) for three (3) months of mail redirection service with Australia Post, provided the resident produces a valid tax invoice from Australia Post for the service.

## **12. COMMUNITY AND COMMERCIAL SERVICES REPORT**

### **12.1 MARKETING AND EVENTS REFERENCE GROUP OUTCOMES**

<b>SUBJECT INDEX:</b>	Events, Regional Economic Development, Tourism Development, Sponsorship & Grant Applications
<b>STRATEGIC OBJECTIVE:</b>	A City where the community has access to quality cultural, recreation, leisure facilities and services.
<b>BUSINESS UNIT:</b>	Commercial Services
<b>ACTIVITY UNIT:</b>	Events
<b>REPORTING OFFICER:</b>	Events Coordinator - Shane Walsh
<b>AUTHORISING OFFICER:</b>	Director, Community and Commercial Services - Naomi Searle
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Nil

#### **PRÉCIS**

A meeting of the Marketing and Events Reference Group (MERG) was held on Friday 5 September 2014. This report presents recommendations from this meeting.

#### **BACKGROUND**

The Council, at its meeting of 13 April 2011 (C1104/114), resolved to endorse the implementation of a differential rating system whereby properties rated within the Industrial and Commercial zones across the City would directly contribute toward the City's continued support of tourism, marketing and event activities. This resolution also endorsed the establishment of a 'Key Stakeholders Reference Group' (now known as the 'Marketing and Events Reference Group') to make recommendations to Council with respect to the marketing and events budget allocations.

Further to this Council, at its meeting of 22 June 2011 (C1106/201), resolved to introduce a 3% Differential Rate on the abovementioned properties and as a result, \$180k was included in the 2011/2012 budget towards events and marketing. Following this, in 2012/2013 budget, Council increased the Differential Rate to 6% resulting in the allocation of \$270k for the purpose of Events and \$90k for the purpose of Marketing, and in 2013/14 Council increased the Differential Rate to 7%, allocating \$253k towards events and \$126k towards marketing.

As part of the 2014/2015 budget process, Council provided 'in-principle' support to increase the Differential Rate to 8%, allocating \$366k towards events and \$122k towards marketing.

A MERG meeting was held on Friday 5 September 2014, and the outcomes of that meeting were as follows:

The key focus areas in the ongoing implementation of the City of Events Strategy include:

- Development of a strategic events management report in early 2015, which will focus on the long term direction/objectives of the event sponsorship program
- Recording of financial and in-kind support for events
- Streamlining the event application process on line.

Key matters discussed at the meeting included:

- The Recharge Evaluation Campaign and Spring 2014 Marketing Campaign was presented to the Group

- The results of the Events Strategy and continued growth of events in Busselton and Dunsborough/Yallingup; the number of events for this financial year have increased from 83 to 111 in the first two months of 2014/2015
- Post event reports on CinefestOz, Jazz by the Bay, and Fringe Festival of Arts Busselton
- Recommendation not to waive the ground hire or concert fees for Southbound 2015 for the January 2015 music festival as per Sunset Events request
- Recommendation to reallocate \$2k to the new entity – Busselton Running Club who will be the new event organisers of the Busselton half Marathon event
- Recommendation to allocate \$15k towards the cruise ship visitation program from the marketing budget
- Recommendation to change the City of Busselton ‘Events Capital of Regional WA’ branding to ‘Events Capital WA’ and drop the word regional to better reflect the City’s position with regards to events
- Recommendation to review grant applications for the Taste of Autumn at Happs and Margaret River Open Studios events as part of the Round 2 Events Sponsorship Programme applications in November 2014.

### STATUTORY ENVIRONMENT

Nil

### RELEVANT PLANS AND POLICIES

The recommendations are in line with Council policies.

### FINANCIAL IMPLICATIONS

As part of the 2014/2015 budget process, Council provided ‘in-principle’ support to increase the Differential Rate to 8%, allocating \$366k towards events and \$122k towards marketing.

In addition to employing Events staff and the funding of marketing and events through the Differential Rate, the City funds the following events through multi-year funding arrangements, as per the 2014/15 budget as follows.

<b>Events - Multi-Year Agreements funded through Municipal funds</b>	<b>14/15 Proposed</b>
Busselton Jetty Swim	\$15,600
Ironman WA Busselton	\$169,400
Busselton Ironman 70.3	\$45,000
Geographe Bay Race Week	\$10,000
Cinefest Oz	\$50,000
Festival of Busselton	\$6,000
Carols by the Jetty	\$1,000
Australia Day	\$3,000
<b>TOTAL</b>	<b>\$300,000</b>

Round 1 of the 2014/15 Events Sponsorship Programme closed 27 March 2014. A total of 15 applications were received, with requests totalling \$156k. \$49k was allocated under the new sponsorship guidelines for Round 1, leaving \$19.k for Round 2. \$22k remains unallocated in the marketing budget.

### STRATEGIC COMMUNITY OBJECTIVES

This matter aligns with the City of Busselton's endorsed Strategic Community Plan 2013, and principally with the following Strategic Goal:

Well planned vibrant and active places;

- A City where the community has access to quality cultural, recreation, and leisure facilities and services.

#### **RISK ASSESSMENT**

The recommendations contained within this report are considered low risk and as such a formal risk assessment is not provided.

#### **CONSULTATION**

Consultation has been undertaken with members of the Marketing and Events Reference Group, consisting of representatives from the Busselton Chamber of Commerce and Industry, Dunsborough Yallingup Chamber of Commerce and Industry, Geographe Bay Tourism Association and Conservation Association, and the City of Busselton.

#### **OFFICER COMMENT**

The Marketing and Events Reference Group has been established with representatives from the City of Busselton, local Chambers of Commerce, and the Geographe Bay Tourism Association. A Terms of Reference guides the operations of the Group and an Events Sponsorship Programme has been developed.

Supporting the development and attraction of new events throughout the year, the Events Sponsorship Programme promotes the City of Busselton as an attractive host and event tourism destination for a range of events. The City, through the programme has attracted exciting new events to boost the local economy through event tourism.

In 2013/2014, the City increased its number of major events from 61 to 83. This is an increase of 22 events or 36% in the 12 month period. This follows an increase of 38% in the previous financial year. Based on applications as at 15 September 2014, the number of events planned for 2014/2015 is 111.

#### City of Busselton Half Marathon – 7 February 2015

In July 2014, Council endorsed (C1407/182) a 3 year multi-year funding agreement with event organiser R2R on behalf of the Jets Running Club for the Busselton Half Marathon event, for \$2k per year, commencing in 2015. Since awarding the funding, the Jets Running Club has dissolved and a new entity, Busselton Running Club has been formed and will take over as event organisers for the Half Marathon.

It is recommended that Council acknowledges the new event organiser and continue to sponsor the event as per the endorsed multi-year funding agreement at \$2k per year ending in 2017. MERG discussed the recommendation and agreed to recommend to Council that the funding be supported for the first year with a two year option should the event be successful.

#### 'Events Capital of Regional WA' Branding

The 'Events Capital of Regional WA' brand was tabled for discussion with the view of changing the branding to better reflect the City's position with regards to events. MERG discussed different options and recommended that 'Events Capital WA' become the new brand.

#### Cruise Ship Visit on 27 November 2014

The first of the planned cruise ships will arrive in Busselton on 27 November 2014. A working group has been established to develop and oversee an entertainment program to welcome the ships to Busselton; street performers, markets and various entertainment will be set up on the foreshore and in the Cultural Precinct, in addition to other entertainment through the CBD.

A program budget was presented to MERG, with discussions regarding funding from the marketing budget to assist with costs associated with the visits. Tourism WA has allocated \$5k towards the activities. MERG recommended allocating \$15k from the marketing budget towards the program, to be re-evaluated after the first visit in November 2014.

#### **CONCLUSION**

The Marketing and Events Reference Group (MERG) has been assigned by Council to make recommendations on the way in which funds raised through the Industrial and Commercial Differential Rate for the purposes of events and marketing are allocated. This report contains the recommendations made at the September 2014 meeting, which if endorsed by Council, will result in the continuation of high quality events being held within the region, supported by successful marketing promotions. All recommendations support Council's vision of being recognised as the 'Events Capital of Regional WA.'

#### **OPTIONS**

Council may choose to disagree with the recommendations made by the Marketing and Events Reference Group and resolve not to endorse part or all of the recommendations.

#### **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Following Council's decision, the outcomes will be communicated to all members of the Marketing and Events Reference Group and relevant event organisers for their information and implemented where required.

#### **OFFICER RECOMMENDATION**

That the Council:

1. Acknowledges the dissolution of the Jets Running Club as the event organiser of the Busselton Half Marathon event;
2. Acknowledges the Busselton Running Club as the new event organiser for the Busselton Half Marathon event and enters into a sponsorship agreement with the Busselton Running Club for the event for one (1) year, plus two (2) year option, consisting of \$2k cash per annum commencing in 2015, and that this be funded from the Differential Rate Events budget
3. Endorses the rebranding of the City of Busselton 'Events Capital of Regional WA' to 'Events Capital WA'

4. Endorses the allocation of \$15k from the Differential Rate Marketing Budget towards costs associated with the 2014/15 cruise ship visitation program, and that the program be reviewed by the Marketing and Events Reference Group after the initial cruise ship visit









**13. FINANCE AND CORPORATE SERVICES REPORT**

Nil

## 14. CHIEF EXECUTIVE OFFICER'S REPORT

### 14.1 PROPOSED APPROVAL TO ISSUE INSTRUCTIONS FOR THE ARCHITECTS TO PROCEED TO DETAILED DESIGN AND SPECIFICATIONS FOR THE CIVIC AND ADMINISTRATION FACILITY

<b>SUBJECT INDEX:</b>	Administration Centre Building Review
<b>STRATEGIC OBJECTIVE:</b>	An organisation that is managed effectively and achieves positive outcomes for the community.
<b>BUSINESS UNIT:</b>	Governance Services
<b>ACTIVITY UNIT:</b>	Major Projects - Admin Building
<b>REPORTING OFFICER:</b>	Manager, Governance Services - Lynley Rich Manager, Major Projects - Paul Crewe
<b>AUTHORISING OFFICER:</b>	Acting Chief Executive Officer - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Causeway Road / Southern Drive perspective  Attachment B Causeway Road perspective  Attachment C Vasse River perspective  Attachment D Ground Floor  Attachment E First Floor  Attachment F Second Floor 

## PRÉCIS

This report is presented to Council seeking approval to instruct the Civic and Administration project architects to proceed to detailed design and specifications for the Civic and Administration Building now that the Admin Building Working Group has signed off on the final concept plans.

The Admin Building Working Group, at a meeting on 24 September, 2014, approved the final concepts in accordance with those endorsed by the Council at its meeting on 23 July, 2014. The project is now ready to proceed to the next design phase.

## BACKGROUND

A Council decision on 27 March 2013 set the framework within which the Civic and Administration Building project would progress. The community was advised that the Council had committed to move to the next stage of the project to deliver new, modern and expanded administration and Council facilities for the City of Busselton.

The Council later appointed an architect for this purpose (C1307/200) on the 24 July 2013 and delegated authority to the CEO to finalise negotiations and enter into a contract. The architects have been working on the concept designs since that time as the project has evolved over a series of briefings with the Councillors and Admin Building Working Group meetings.

At the Council meeting on 23 July, 2014, Council endorsed the concept plans and in the ensuing months final assessment of the design has been undertaken to consider workflows, workforce plan projections and internal operational realities. The plans as now presented have been signed off by the Acting CEO and all Directors to satisfy these requirements and finally the Admin Building Working Group.

## STATUTORY ENVIRONMENT

Not applicable to the subject of this report, however, sections 6.20 and 6.21 of the *Local Government Act 1995* and Regulations 20 and 21 of the *Local Government (Financial Management) Regulations 1996* refer to a Local Government's power to borrow. The financial model for the Civic and

Administration building includes borrowings and therefore these sections of the Act and associated Regulations applied and the loan has been drawn.

### **RELEVANT PLANS AND POLICIES**

The Civic and Administration Building is recognised in the City's four-year Corporate Business Plan. The recommendation in this report is consistent with the corporate action in that plan to design and construct a redeveloped City Civic and Administration Centre on the current site that meets the needs of a growing community.

### **FINANCIAL IMPLICATIONS**

Provision has been made in the City's Long-term Financial Plan (LTFP) for the Civic and Administration Building in accordance with the financial model that was advertised with the proposal and the loan for \$18 million has been drawn with the funds placed in interest-bearing term deposit facilities. This year's adopted budget makes provision for the costs associated with the architectural fees.

### **STRATEGIC COMMUNITY OBJECTIVES**

The Civic and Administration Building supports the following community objective in the City's Strategic Community Plan.

- An organisation that is managed effectively and achieves positive outcomes for the community.

### **RISK ASSESSMENT**

The risks associated with the Civic and Administration Building proposal have been assessed throughout the life of the project and controls to mitigate these risks have been and are being built into the project and contract management practices.

### **CONSULTATION**

The recommendation in this report has been developed with the full participation of the Admin Building Working Group and senior staff. The Acting CEO and Directors signed off on the final concept plans on Tuesday 23 September, 2014. The Admin Building Working Group consisting of Mayor Ian Stubbs, Councillor Gordon Bleechmore, Councillor Jenny Green, Acting CEO Paul Needham, Manager, Major Projects Paul Crewe, Manager, Corporate Services Sarah Pierson, Manager, Governance Services Lynley Rich, IT Coordinator Hendrik Boshoff, Facilities Coordinator Shawn Lombard, Environment Officer Mathilde Breton, Building Surveyor John Gosper and Landscape Architect Bruce Thomas signed off on the final concept plans on Wednesday, 24 September, 2014.

### **OFFICER COMMENT**

The final concepts as they are now presented have not changed significantly from those that were presented to Council on 23 July, 2014. The footprint of the building remains the same. Since that time, thorough assessment has been undertaken relating to the new building's workflows and functionality, capacity to accommodate future workforce plan projections out to 10 years, and options to further future-proof the building. Key to this is the intention to include the basic infrastructure to enable a third floor to be built on the two-storey section into the future. Conceptually, the Admin Building Working Group is very supportive of pursuing this option. It is intended that this will be specifically and separately costed during the detailed design and specifications stage for further consideration at a later time.

The Admin Building Working Group has recommended that Council approves the issuing of instructions to the project architects to proceed to detailed design and specifications.

### **CONCLUSION**

The detailed design and specifications stage, including the development of contract documentation, is expected to take until the end of February 2015 after which further Council approval to proceed to tender will be sought.

### **OPTIONS**

The Council has the option of delaying the detailed design and specifications instructions should changes be required, which will however impact on the project timeline.




### **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

It is intended that the construction of a Civic and Administration Building would commence in October 2015.

### **OFFICER RECOMMENDATION**

That the Council approves the issuing of instructions to the project architects for the Civic and Administration Building to proceed to detailed design and specifications.

## 14.2 COUNCILLORS' INFORMATION BULLETIN

<b>SUBJECT INDEX:</b>	Councillors' Information
<b>STRATEGIC OBJECTIVE:</b>	Governance systems that deliver responsible, ethical and accountable decision-making.
<b>BUSINESS UNIT:</b>	Executive Services
<b>ACTIVITY UNIT:</b>	Executive Services
<b>REPORTING OFFICER:</b>	Reporting Officers - Various .
<b>AUTHORISING OFFICER:</b>	Chief Executive Officer - Mike Archer
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Report detailing planning applications received 
	Attachment B Report detailing planning applications determined 
	Attachment C MERG Meeting Minutes - 05/09/2014 

### PRÉCIS

This report provides an overview of a range of information that is considered appropriate to be formally presented to the Council for its receipt and noting. The information is provided in order to ensure that each Councillor, and the Council, is being kept fully informed, while also acknowledging that these are matters that will also be of interest to the community.

Any matter that is raised in this report as a result of incoming correspondence is to be dealt with as normal business correspondence, but is presented in this bulletin for the information of the Council and the community.

### INFORMATION BULLETIN

#### **14.2.1 Planning & Development Services Statistics**

##### Planning Applications

Attachment PDS1 is a report detailing all Planning Applications received by the City between 1 and 15 September, 2014. Thirty two formal applications were received during this period.

Attachment PDS2 is a report detailing all Planning Applications determined by the City between 1 and 15 September, 2014. A total of thirty applications (including subdivision referrals) were determined by the City during this period with all approved / supported.

#### **14.2.2 Marketing and Events Reference Group Meeting Minutes – 05/09/2014**

A meeting of the Marketing and Events Reference Group was held on 5 September 2014. A copy of the meeting minutes is provided at Attachment 3.

#### **14.2.3 Type Item Heading**

[Enter text here](#)

#### **14.2.4 Type Item Heading**

[Enter text here](#)

#### **14.2.5 Type Item Heading**

[Enter text here](#)

**14.2.6 Type Item Heading**

Enter text here

**14.2.7 Type Item Heading**

Enter text here

**14.2.8 Type Item Heading**

Enter text here

**14.2.9 Type Item Heading**

Enter text here

**14.2.10 Type Item Heading**

Enter text here

**14.2.11 Type Item Heading**

Enter text here

**14.2.12 Type Item Heading**

Enter text here

**OFFICER RECOMMENDATION**

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

- 14.2.1 Planning & Development Services Statistics
- 14.2.2 Marketing and Events Reference Group Meeting Minutes – 05/09/2014
- 14.2.3 Type Item Heading
- 14.2.4 Type Item Heading
- 14.2.5 Type Item Heading
- 14.2.6 Type Item Heading
- 14.2.7 Type Item Heading
- 14.2.8 Type Item Heading
- 14.2.9 Type Item Heading
- 14.2.10 Type Item Heading
- 14.2.11 Type Item Heading
- 14.2.12 Type Item Heading

**15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**16. CONFIDENTIAL REPORTS**

Nil

**17. PUBLIC QUESTION TIME**

Nil

**18. NEXT MEETING DATE**

Wednesday, 22 October 2014

**19. CLOSURE**

The meeting closed at <time>.

THESE MINUTES CONSISTING OF PAGES 1 TO 55 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON WEDNESDAY, 22 OCTOBER 2014.

DATE: \_\_\_\_\_ PRESIDING MEMBER:  
\_\_\_\_\_