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## CITY OF BUSSELTON

### MINUTES FOR THE COUNCIL MEETING HELD ON 12 APRIL 2017

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## MINUTES

MINUTES OF A MEETING OF THE A MEETING OF THE BUSSELTON CITY COUNCIL HELD IN MEETING ROOM ONE, COMMUNITY RESOURCE CENTRE, 21 CAMMILLERI STREET, BUSSELTON, ON 12 APRIL 2017 AT 5.30PM.

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

The Presiding Member opened the meeting at 5.31pm.

### 2. ATTENDANCE

#### Presiding Member:

Cr Grant Henley Mayor

#### Members:

Cr Ross Paine  
Cr Terry Best  
Cr John McCallum  
Cr Rob Bennett  
Cr Paul Carter  
Cr Robert Reekie  
Cr Gordon Bleechmore

#### Officers:

Mr Mike Archer, Chief Executive Officer  
Mr Paul Needham, Director, Planning and Development Services  
Mrs Naomi Searle, Director, Community and Commercial Services  
Mr Cliff Frewing, Director, Finance and Corporate Services  
Mr Daniell Abrahamse, Manager, Engineering and Facilities Services  
Miss Kate Dudley, Administration Officer, Governance  
Miss Kate Willott, Councillor Support Officer, Governance

#### Apologies

Cr Coralie Tarbotton Deputy Mayor  
Mr Oliver Darby, Director, Engineering and Works Services

#### Approved Leave of Absence

Nil

#### Media:

"Busselton-Dunsborough Times"  
"Busselton-Dunsborough Mail"

#### Public:

Nil

### 3. PRAYER

Nil

**4. PUBLIC QUESTION TIME****Response to Previous Questions Taken on Notice**

Nil

**Public Question Time**

Nil

**5. ANNOUNCEMENTS WITHOUT DISCUSSION****Announcements by the Presiding Member**

Nil

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

Nil

**6. APPLICATION FOR LEAVE OF ABSENCE**

Nil

**7. PETITIONS AND PRESENTATIONS****7.1 Petition**

The Residents of Blue Crescent, West Busselton submitted a petition expressing their concern at the lack of visibility to all road users when exiting Blue Crescent at the western end, adjacent to the Amalfi.

**Council Decision**

Moved Councillor R Bennett, seconded Councillor P Carter

That the Petition be received and referred to Engineering and Works Services to be resolve.

**CARRIED 8/0**

**8. DISCLOSURE OF INTERESTS**

Nil

**9. CONFIRMATION AND RECEIPT OF MINUTES****Previous Council Meetings****9.1 Minutes of the Council Meeting held 22 March 2017****Council Decision and Officer Recommendation**

**C1704/070**

Moved Councillor R Reekie, seconded Councillor P Carter

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

**CARRIED 8/0**

**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.

**Council Decision / Committee Recommendation and Officer Recommendation**

**C1704/071** Moved Councillor G Bleechmore, seconded Councillor P Carter

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

- 11.1 SCHEME AMENDMENT 21 TO LOCAL PLANNING SCHEME 21 AND PROPOSED MODIFIED STRUCTURE PLAN - LOT 11 AND PORTION LOT 803 CHAPMAN HILL ROAD, BUSSELTON - INITIATION FOR ADVERTISING
- 11.2 PROPOSED ENVIRONMENTAL VOLUNTEER MANAGEMENT AND ENGAGEMENT STRATEGY AND REVIEW OF ENVIRONMENTAL REFERENCE GROUP TERMS OF REFERENCE
- 12.1 PROPOSAL TO CLOSE PERMANENTLY 'BROCKMAN ROAD', A SECTION OF UNNAMED ROAD BETWEEN BROCKMAN COVE AND CATALPA CLOSE, BROADWATER
- 15.1 COUNCILLORS' INFORMATION BULLETIN

**CARRIED 8/0**


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**10. REPORTS OF COMMITTEE**

Nil

## 11. PLANNING AND DEVELOPMENT SERVICES REPORT

### 11.1 SCHEME AMENDMENT 21 TO LOCAL PLANNING SCHEME 21 AND PROPOSED MODIFIED STRUCTURE PLAN - LOT 11 AND PORTION LOT 803 CHAPMAN HILL ROAD, BUSSELTON - INITIATION FOR ADVERTISING

<b>SUBJECT INDEX:</b>	Town Planning Schemes and Amendments
<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 Services
<b>ACTIVITY UNIT:</b>	Strategic Planning
<b>REPORTING OFFICER:</b>	Principal Strategic Planner - Louise Koroveshi
<b>AUTHORISING OFFICER:</b>	Director, Planning and Development Services - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Location Plan 
	Attachment B Existing and Proposed Zoning 
	Attachment C Proposed Structure Plan 
	Attachment D Endorsed Structure Plan 
	Attachment E Extract from draft Local Planning Strategy 

## PRÉCIS

The Council is requested to consider initiating for public consultation proposed Amendment No. 21 to *Local Planning Scheme No. 21* (LPS21). The Amendment seeks to: rezone a portion of Lot 803 Chapman Hill Road from 'Agriculture' to 'Special Purpose (Ambergate Industrial/Service Commercial Development Area)'; delete Special Provision Area 47 from Schedule 3 'Special Provision Areas' of LPS21; amend the boundary of Special Provision Area 48 to include the whole of the subject land; and amend Schedule 3 'Special Provision Areas' in relation to the permissible uses listed under Special Provision Area 48 to include 'Medical Centre' and 'Convenience Store'.

The purpose of the proposal is to shift the land use/development focus away from motor vehicle and marine sales to a more conventional light industrial and service commercial development area. Modifications to the endorsed Ambergate Automotive Structure Plan are also proposed that reflect land use changes sought through the Amendment.

Officers are also recommending changes to Schedule 1 – 'Interpretations' (specifically in relation to 'Medical Centre', 'Discount Department Store' and 'Supermarket' definitions) and Schedule 2 - 'Additional Uses (specifically Additional Use 64 that relates to portion of Lot 17 West Street) pursuant to LPS21, in response to issues that have arisen from planning decisions and subsequent appeals that are currently before the State Administrative Tribunal that could similarly occur in relation to the land the subject of this Amendment proposal.

Officers are recommending that the Council adopts the proposed Amendment and Structure Plan for initiation and consultation, which will include referral to the EPA and relevant state government agencies and advertising. The Amendment is viewed as a 'standard' amendment for the purposes of Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

## BACKGROUND

The proposal comprises a scheme amendment and modifications to the endorsed Ambergate Automotive Structure Plan. The subject land is bound by the Busselton Bypass, Chapman Hill Road and the Vasse Diversion Drain and is 24.5ha in area (Attachment A). The land is flat and largely cleared, apart from scattered mature paddock trees and is used for broadacre grazing. Land north of the Busselton Bypass is zoned and mostly developed for light industrial purposes. West of the Vasse

Diversion Drain the land is subject to the Ambergate North Structure Plan and is zoned for urban development.

Amendment 179 (Gazetted in 2012) to the City's previous Town Planning Scheme No. 20 and the Ambergate Automotive Structure Plan introduced the current planning framework applicable to the land, the purpose of which was to facilitate the development of a new location specifically for the long term growth and expansion of motor car dealerships, marine sales and complementary allied service commercial businesses. Amendment 179 introduced two precincts (corresponding to Special Provision Areas 47 & 48) and specific controls over permissible land uses within each. Special Provision Area 47 was intended to primarily accommodate motor vehicle and marine sales premises. Special Provision Area 48 was intended to accommodate a broader, but still relatively restricted, range of service commercial land uses complementary to the core automotive/marine sales precinct. Since the land was rezoned there has been little apparent interest from car or boat dealerships to relocate to the area. The overall intent of this Amendment, therefore, is to shift the land use focus away from specialist motor vehicle and marine sales to conventional light industrial and service commercial development. This will not, however, preclude motor vehicle and/or marine sales dealerships from relocating to the subject land.

A range of environmental and other matters (traffic and parking, geotechnical assessment, servicing, local water management strategy and fire management) were addressed as part of the assessment of Amendment 179 and the Ambergate Automotive Structure Plan. The Local Water Management Strategy and Transport Assessment Report have been updated to reflect the proposed changes, however it is considered that the proposal does not raise any significant issues beyond that contemplated within Amendment 179 and the associated structure plan.

Each element of the proposal is outlined below under appropriate subheadings.

### **Scheme Amendment**

The Scheme Amendment proposes to –

1. Rezone a 4ha portion of Lot 803 Chapman Hill Road, Busselton from 'Agriculture' to 'Special Purpose (Ambergate Industrial/Service Commercial Development Area)';
2. Delete Special Provision Area 47 from Schedule 3 'Special Provision Areas';
3. Amend the boundary of Special Provision Area 48 to include the whole of the subject land; and
4. Amend Schedule 3 Special Provision Areas to include 'Medical Centre' and 'Convenience Store' as permitted land uses for Special Provision Area 48.

Existing and proposed zoning maps are provided at Attachment B.

### **Proposed Modified Structure Plan**

The proposed Ambergate Industrial/Service Commercial Area Structure Plan is provided at Attachment C. The proposed structure plan retains key elements of the endorsed Structure Plan (provided at Attachment D) including:

- A minimum 30m landscape and drainage buffer to the Busselton Bypass;
- A minimum 50m landscape, drainage and fire management buffer to the Vasse Diversion Drain (the total POS/buffer/drainage area is 6.9ha);
- A circulating internal road with service road frontages to limit access to Chapman Hill Road and the Busselton Bypass;
- Rear lane with access easement along the rear of the southern portion of the land.

- Limited vehicle access points from Chapman Hill Road and the future Ambergate North entry road (that will form the southern extent of the development area);
- A requirement for the preparation of a local development plan to guide detailed design matters such as development setbacks, integrated parking and access, landscaping and built form for lots fronting Chapman Hill Road.
- Estimated yield of 39 lots ranging in size from 3,200m<sup>2</sup> to 4,000m<sup>2</sup> +.

### Proposed Changes to Schedule 1 – ‘Interpretations’ and Schedule 2 – ‘Additional Uses

Proposed changes to Schedule 1 – ‘Interpretations’ and Schedule 2 – ‘Additional Uses’ are as follows:

#### 1. Schedule 1 – ‘Interpretations’

- The definition of ‘Medical Centre’ as it currently is in LPS21 – *“means consulting rooms and professional accommodation for duly qualified and registered medical practitioners, dentists, physiotherapists, optometrists, chiropodists and pharmacists”* to be replaced with the Model Scheme Text definition of ‘Medical Centre’ as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*, which reads as follows -

*“Medical Centre’ means “premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care”.*

- Delete the following definitions – ‘Discount Department Store’ and ‘Supermarket’.

#### 2. Schedule 2 – ‘Additional Uses’

Amend ‘Additional Use 64’ by inserting definitions for ‘Discount Department Store’ and ‘Supermarket’ to read as follows –

No.	PARTICULARS OF LAND	LAND USES PERMITTED/SPECIFIED	CONDITIONS
A64	Pt Lot 17 West Street, West Busselton	Discount Department Store	<p>1. The additional use specified shall be deemed to be a “D” use for the purposes of Part 4 of the Scheme.</p> <p>2. Development shall be in accordance with a Land Use Concept Plan adopted by the Council.</p> <p>3. The additional use specified shall comprise a single discount department store with a gross leasable floor area of not less than 5,000m<sup>2</sup> and not more than 8,000m<sup>2</sup>. For the purpose of this clause only ‘Discount Department Store’ means a premises wherein a substantial range of consumer goods are kept in a substantial number of different departments and offered for sale by a single retailer but does not include a supermarket nor a supermarket component’ and ‘Supermarket’ means premises used to sell a range of food and household convenience goods by</p>



			retail but does not include a discount department store, showroom or takeaway food outlet.'
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The 'Officer Comment' section of this report discusses key considerations of the proposed Amendment and Structure Plan.

### **Local Water Management Strategy**

The Local Water Management Strategy (LWMS) has been updated to include the portion of Lot 803 forming part of the amendment proposal. The LWMS states that fill on lots will be required to maintain an adequate separation to groundwater. The stormwater and drainage management system will comprise on lot storage, bioretention gardens within road reserves, swales and constructed wetlands within buffer areas, with approximately 95% of stormwater to be detained and treated onsite.

### **Transport Assessment Report**

The Transport Assessment Report has been updated to address the Amendment and proposed modifications to the Structure Plan. The assessment also considered the findings of the traffic impact assessment for Ambergate North, with particular reference to vehicle movements likely to be generated by Ambergate North at full development for the future entry road from Chapman Hill Road.

At full development the structure plan area is calculated to generate 3,926 vehicle movements per day. Assessment of the surrounding road network indicates that sufficient capacity exists to cater for forecast traffic movements that would result from the prospective development of the subject land. Access to the site is calculated to operate at appropriate levels of service during peak periods, including the future Ambergate North entry road and Chapman Hill Road intersection.

## **STATUTORY ENVIRONMENT**

The key elements of the statutory environment with respect to this proposal are set out in the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015* and the relevant objectives, policies and provisions of the *City of Busselton Local Planning Scheme No. 21*. Each is discussed below under appropriate subheadings.

### **Planning and Development Act 2005**

The *Planning and Development Act 2005* outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this Amendment.

### **Planning and Development (Local Planning Schemes) Regulations 2015**

The *Planning and Development (Local Planning Schemes) Regulations 2015*, which came into operational effect on 19 October 2015, identifies three different levels of amendments – basic, standard and complex. The resolution of the local government is to specify the level of the amendment and provide an explanation justifying this choice. This Amendment is considered to be a 'standard' amendment.

The new Regulations provide separate processes for the approval of scheme amendments and structure plans, adherence to which would advance the proposed Structure Plan ahead of the Amendment. However as the Structure Plan is reliant upon the change in zoning proposed in the

Amendment and the nature of the proposal supports their assessment in parallel, the Structure Plan and Amendment are being progressed concurrently. Progression of the proposed Structure Plan will therefore assume the process and timeframes associated with the Amendment.

### **Local Planning Scheme No. 21**

The land is zoned 'Special Purpose (Ambergate Automotive Development Area)' and is within Special Provision Areas 47 and 48 pursuant to Schedule 3 of LPS21. The Scheme sets out a broad objective for each special provision area and establishes land use permissibilities within each.

### **RELEVANT PLANS AND POLICIES**

The key policies relevant to the proposal are the *Draft Local Planning Strategy* and the *Local Commercial Planning Strategy*. Each is discussed below under appropriate subheadings.

#### **Draft Local Planning Strategy**

The *Draft Local Planning Strategy* (LPS) identifies Lot 11 Chapman Hill Road as current/existing Industrial/Service Commercial Area 4 'Chapman Hill Road (1)' and notes that the area is already zoned and structure planned with particular emphasis on accommodating automotive-related development. Issues highlighted for consideration include water quality issues given the land's proximity to the Vasse River and the Vasse Diversion Drain and important heritage assets adjacent to the subject land.

The draft LPS identifies Lot 803 as 'Reserves and Open Space' and as being traversed by a 'Planned Potential Strategic Road'. This future road is one of the main distributor roads identified on the endorsed structure plan for Ambergate North that will ultimately form a strategic east-west road link between Rendezvous Road at Queen Elizabeth Avenue and Vasse Highway, thus connecting the City's existing and planned urban growth areas of Ambergate North, Bovell and Yalyalup (Provence).

The 'Planned Potential Strategic Road' also forms the southern boundary of land identified by the draft LPS as medium term Industrial/Service Commercial Area 7 'Chapman Hill Road (2)', which is located the subject land. An extract of the draft LPS in relation to the subject land is provided at Attachment E.

The draft LPS was adopted for final approval by the Council in September 2016 and is currently pending endorsement by the WAPC. The resolution of the Council also contained recommended modifications to the draft LPS, including amending the draft LPS map to include part of Lot 803 within current/existing Industrial/Service Commercial Area 'Chapman Hill Road (1)', consistent with this Amendment.

#### **Local Commercial Planning Strategy**

The *Local Commercial Planning Strategy* considered the issue of location of car sales uses and recommended that Lot 11 Chapman Hill Road be identified for potential future service commercial development, subject to more detailed planning and consultation. The site was previously considered to have strategic merit for service commercial development and in particular for the automotive industry (as exemplified by Amendment 179 that zoned the land for those purposes in 2012) due to its proximity and location contiguous to, and compatibility with, industrial and service commercial activity in the Strelly Street industrial area.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from the recommendations of this report.

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

Nil

### **STRATEGIC COMMUNITY OBJECTIVES**

The Officer Recommendation is consistent with community objective 2.2 of the City of Busselton *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 identified ‘downside’ risks only, rather than upside risks as well. The implementation of the Officer Recommendation will involve initiating the proposed Amendment for referral to the Environmental Protection Authority and adopting the proposed Structure Plan for advertising. In this regard, there are no significant risks identified.

### **CONSULTATION**

There is no requirement under the *Planning and Development (Local Planning Schemes) Regulations 2015* to advertise a proposed scheme amendment prior to it being initiated by the Council. Accordingly, no advertising has occurred to date.

If the Council resolves to initiate the proposed Amendment, the relevant amendment documentation would be referred to the Environmental Protection Authority for consideration of the need for formal assessment under Part IV of the Environmental Protection Act 1986. Should the EPA resolve that the Amendment does not require formal assessment it will be advertised for 42 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Western Australian Planning Commission has been consulted regarding the submission of a dual scheme amendment request and a structure plan since the new local planning schemes Regulations came into effect. The approach to this application will be to process the Structure Plan and Amendment concurrently.

### **OFFICER COMMENT**

The current planning framework applicable to Lot 11 Chapman Hill Road intended to facilitate the development of a new location for the long term growth and expansion of the automotive industry, marine sales and complementary allied service commercial businesses. Since the planning framework was introduced in 2012 no automotive and/or marine sales dealerships have sought to establish at this location.

This Amendment therefore seeks to shift the land use/development emphasis away from automotive and marine sales to conventional light industrial and service commercial development. This would not, however, preclude the establishment of automotive and/or marine dealerships and allied services at this location.

The proposal to expand the Special Purpose zone and SP48 to include part of Lot 803 will align the southern boundary of the development area with the future entry road to Ambergate North from Chapman Hill Road. This is consistent with medium term Industrial/Service Commercial Area 7 ‘Chapman Hill (2)’ as identified by the draft LPS for the land opposite the subject land and will provide for better continuity of land uses along this section of Chapman Hill Road. The Amendment is

also consistent with the resolution of the Council regarding adoption of the draft LPS for final approval and the recommended modification to the draft LPS map to include part of Lot 803 within current/existing Industrial/Service Commercial Area 'Chapman Hill Road (1)'.

Some of the existing provisions set out under Special Provision 48 are either non-compliant with, or are 'deemed provisions' within the *Planning and Development (Local Planning Schemes) Regulations 2015*. The text changes proposed (as set out under the Officer Recommendation) will bring the special provisions in line with the Regulations.

The Amendment proposal seeks to amend the special provisions applicable to the subject land to include 'Medical Centre' as a permitted land use. Officers are recommending changes to Schedule 1 – 'Interpretations' (specifically in relation to 'Medical Centre', 'Discount Department Store' and 'Supermarket' definitions) and Schedule 2 - 'Additional Uses (specifically Additional Use 64) of the Scheme in response to issues relating to the 'Restricted Business' zone (specifically Lot 17 West Street) that have arisen from planning decisions and subsequent appeals that are currently before the State Administrative Tribunal against those decisions that could similarly occur in relation to the land the subject of this Amendment proposal.

The issue relating to the definition of 'Medical Centre' in the Scheme concerns the interpretation of 'pharmacist' as including a pharmacy component. A pharmacy is a 'Shop' (as defined by the Scheme) but is not defined as part of a 'Medical Centre'. The inclusion of the 'Supermarket' and 'Discount Department Store' definitions in the Scheme (but not within the Zoning Table of the Scheme) has created the discretion that allows for considering approval of such development outside of areas specifically planned for 'shop' uses i.e. the 'Business' zone and the part of Lot 17 West Street subject to Additional Use 64. This will, however, have no effect on Additional Use 64.

Irrespective of the pending appeal decisions, the key issue remains that the land the subject of this Amendment proposal is not a suitable location for the establishment of shop, discount department store or supermarket uses. The changes proposed will ensure that outside of areas specifically planned for such uses future development reflects that strategic planning direction.

## **CONCLUSION**

Officers are recommending that proposed Scheme Amendment 21 to Local Planning Scheme No. 21 and the proposed Structure Plan be adopted for public consultation, which will include referral to the EPA and subsequent advertising and referral to relevant state government agencies.

## **OPTIONS**

Should the Council not support the Officer Recommendation the Council could instead resolve –

1. To decline the request to initiate the proposed amendment (and provide a reason for such a decision). It should be noted that under the relevant legislation there is no right of appeal against a Council decision not to initiate an amendment.
2. To seek further information before making a decision.
3. To initiate the proposed amendment subject to further identified modification(s) as required.

Officer assessment has not revealed any substantive issue or reasonable grounds that would support any of these options and it is considered that options 2 and 3 could be more appropriately considered following the receipt of advice from the relevant state government agencies.

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The implementation of the Officer Recommendation would include advising the applicant of the Council resolution and referring the Amendment to the Environmental Protection Authority, which will occur within one month of the resolution.

### Council Decision and Officer Recommendation

**C1704/072**

Moved Councillor G Bleechmore, seconded Councillor P Carter

That the Council:

1. In pursuance of the *Planning and Development (Local Planning Schemes) Regulations 2015*, initiates draft Amendment No. 21 to the City of Busselton Local Planning Scheme No. 21 for the purposes of:
  - a) Rezoning a portion of Lot 803 Chapman Hill Road, Bovell from 'Agriculture' to 'Special Purpose (Ambergate Industrial/Service Commercial Development Area)'.
  - b) Deleting Special Provision Area 47 from Schedule 3 'Special Provision Areas'.
  - c) Amending the boundary of Special Provision Area 48.
  - d) Amending Schedule 3 'Special Provision Areas' as follows –

SP48	Lot 11 and part Lot 803 Chapman Hill Road, Bovell	Special Purpose (Ambergate Industrial/Service Commercial Development Area)	<p>1. The intent of this special provision area is to enable the use and development of the site as a service commercial and mixed light industrial precinct.</p> <p>2. The following uses shall be permitted:</p> <ul style="list-style-type: none"> <li>• Bulk Store</li> <li>• Bus Depot</li> <li>• Chandlery</li> <li>• Convenience Store</li> <li>• Educational Establishment</li> <li>• Lunch Bar</li> <li>• Light Industry</li> <li>• Liquid Fuel Depot</li> <li>• Medical Centre</li> <li>• Motor Vehicle and Marine Sales Premises</li> <li>• Motor Vehicle Repair</li> <li>• Motor Vehicle Wash</li> <li>• Research and Development Facility</li> <li>• Plant Nursery</li> <li>• Public Utility</li> <li>• Recreation Area</li> <li>• Recreation Facility</li> <li>• Service Industry</li> <li>• Service Station</li> <li>• Showroom</li> <li>• Transport Depot</li> <li>• Veterinary Hospital</li> <li>• Warehouse</li> </ul>
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			<p>All other uses are not permitted.</p> <p>3. Notwithstanding Part 4 of the deemed provisions of the Scheme the structure plan shall include the following details:</p> <p>a. No direct vehicular access to lots from Chapman Hill Road or Busselton Bypass;</p> <p>b. Vehicular access to the precinct shall be limited to controlled, shared access points from Chapman Hill Road and the Ambergate North entry road only;</p> <p>c. Service roads and shared, coordinated parking and access shall be provided within the land and along the service road frontage;</p> <p>d. Protection of sites of heritage, conservation or environmental significance;</p> <p>e. Built form and presentation guidelines to ensure the appropriate design and siting of buildings;</p> <p>f. Particular design requirements for landmark buildings to be located at the corner of the Busselton Bypass and Chapman Hill Road and the corner of the Ambergate North entry road and Chapman Hill Road; and</p> <p>g. Other information considered relevant by the local government.</p> <p>4. All development that adjoins the Busselton Bypass shall have a minimum 24m building setback.</p>
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- e) Amending Schedule 1 – ‘Interpretations’ by amending the definition of ‘Medical Centre’ to read as follows –

“‘Medical Centre’ means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care’.

- f) Amending Schedule 1 – ‘Interpretations’ by deleting ‘Discount Department Store’ and ‘Supermarket’.

- g) Amending Schedule 2 – ‘Additional Uses’ by modifying ‘Additional Use 64’ relating to Pt Lot 17 West Street, West Busselton so that the ‘Conditions’ read as follows –

No.	PARTICULARS OF LAND	LAND USES PERMITTED/SPECIFIED	CONDITIONS
A64	Pt Lot 17 West Street, West Busselton	Discount Department Store	<p>1. The additional use specified shall be deemed to be a “D” use for the purposes of Part 4 of the Scheme.</p> <p>2. Development shall be in accordance with a Land Use Concept Plan adopted by the</p>



			<p>Council.</p> <p>3. The additional use specified shall comprise a single discount department store with a gross leasable floor area of not less than 5,000m<sup>2</sup> and not more than 8,000m<sup>2</sup>. For the purpose of this clause only '<i>Discount Department Store</i>' means a premises wherein a substantial range of consumer goods are kept in a substantial number of different departments and offered for sale by a single retailer but does not include a supermarket nor a supermarket component' and '<i>Supermarket</i>' means premises used to sell a range of food and household convenience goods by retail but does not include a discount department store, showroom or takeaway food outlet.'</p>
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h) Amending the Scheme Map accordingly.

2. In accordance with regulation 35(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, it is the opinion of the Council that draft Amendment No. 21 is a 'standard' amendment, for the following reasons:
  - a) The draft Amendment will have minimal impact on land in the Scheme area that is not the subject of the amendment; and
  - b) The draft Amendment will have no significant environmental, social, economic or governance impacts on the land in the Scheme area.
3. Upon preparation of the necessary documentation, refers the proposed Amendment to the Environmental Protection Authority (EPA) as required by the *Planning and Development Act 2005*. On receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, the proposed Amendment will be advertised for a period of 42 days and referred to relevant state government agencies for comment. In the event that the EPA determines that the proposed Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to consultation.
4. Pursuant to Part 4 of the Deemed Provisions (Schedule 2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts the draft Structure Plan for Lot 11 and portion of Lot 803 Chapman Hill Road, Bovell for public consultation concurrent with draft Amendment No. 21.

**CARRIED 8/0**  
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11.2 PROPOSED ENVIRONMENTAL VOLUNTEER MANAGEMENT AND ENGAGEMENT STRATEGY AND REVIEW OF ENVIRONMENTAL REFERENCE GROUP TERMS OF REFERENCE

<b>SUBJECT INDEX:</b>	Environmental projects and programs
<b>STRATEGIC OBJECTIVE:</b>	Our natural environment is cared for and enhanced for the enjoyment of the community and visitors.
<b>BUSINESS UNIT:</b>	Environmental Services
<b>ACTIVITY UNIT:</b>	Environmental Planning
<b>REPORTING OFFICER:</b>	Meelup / Environmental Management Officer - Kay Lehman
<b>AUTHORISING OFFICER:</b>	Director, Planning and Development Services - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Environmental Volunteer Management and Engagement Strategy 
	Attachment B Friends of Reserves Strategy 
	Attachment C Environmental Reference Group Terms of Reference 

## PRÉCIS

The purpose of this report is to seek Council adoption of a draft Environmental Volunteer Management and Engagement Strategy (EVMES) to provide a framework for the management of volunteers. This proposed draft EVMES is also intended to maximize community volunteer engagement and improve collaboration between existing environmental groups on related projects and activities. A key action within this draft EVMES is the preparation of a detailed operational manual with procedures/protocol to guide City staff and environmental volunteers. This report recommends that Council rescind the existing *Friends of Reserve Strategy*, as two of its key components relating to the formation of volunteer friends of reserve groups and the preparation of reserve management plans have been incorporated into the proposed operational manual.

To support the draft EVMES, this report also recommends that the Council endorse revised terms of reference for the Environmental Reference Group to clarify and expand the group's purpose, membership and to provide a forum for increased communication and collaboration between volunteer groups and the alignment of environmental projects and activities.

## BACKGROUND

In November 2016, Council resolved (resolution C1611/128) to adopt the *Environment Strategy*, to provide direction on how the City will meet the environmental aspirations of the community as set out in the *Strategic Community Plan* and also to guide the City's future activities in environmental management and sustainability.

The adopted *Environment Strategy* included an action requiring the development of a strategy for the management of volunteers and for enhancing community participation in natural resource management activities on City managed land. In accordance with this *Environmental Strategy* action, a draft EVMES has been prepared to outline the City's approach to environmental volunteer management and for increasing the level of community engagement and collaboration between volunteer groups. The draft EVMS is included with this report as **Attachment A**.

In 1999, Council adopted the *Friends of Reserves Strategy* for the purpose of developing mutually beneficial arrangements for volunteers undertaking land and bush care activities on City managed land and this Strategy has for many years guided that work. The City's Friends of Reserves strategy is included with this report as **Attachment B**.



The intent of the *Friends of Reserve Strategy* at the time of its development in 1999, was to provide direction for the management of volunteers through the formation of volunteer friends of reserves groups and direction for the preparation of reserve management plans. While the *Friends of Reserve Strategy* has served its purpose over many years, it is predominantly an operational guide for City staff and requires a review to incorporate the changing ways people volunteer, the use of information technology to strengthen volunteer engagement, arrangements for volunteer training and a process for the recognition of the community volunteer contribution to the environment.

It is proposed that the current *Friends of Reserve Strategy* be rescinded with its key elements relating to the formation of volunteer friends of reserve groups and the preparation of reserve management plans being incorporated into a more detailed operational manual to assist City staff and volunteers themselves, with the management and engagement of environmental volunteers.

In 2005, the Council resolved (resolution CO507/260) to support the establishment of the Environmental Reference Group (ERG), with terms of reference to outline the group's purpose and operating framework. The purpose of the ERG has been to monitor the implementation of the City's Environment Strategy and to provide a forum for discussion of environmental issues.

Environmental volunteer management and increased engagement to deliver environmental projects and activities requires a structured forum, supported by an effective communication network to enhance working relationships and collaboration between environmental volunteers, friends of reserves groups and the City.

The ERG could provide a suitable forum for environmental volunteers to communicate and collaborate on their environmental programs and activities to enhance the benefits that volunteers provide to the community. This report recommends that the ERG's current terms of reference be revised to involve the ERG in the management and engagement of environmental volunteers. The current ERG terms of reference are included with this report as **Attachment C**.

## STATUTORY ENVIRONMENT

There is no statutory requirement to prepare the draft EVMES however, as part of its many functions and operations, the City must have regard to the following environmental legislation:

- Environmental Protection Act 1986
- Contaminated Sites Act 2003
- Wildlife Conservation Act 1950
- Rights in Water and Irrigation Act 1914
- Waste Avoidance and Resource Recovery Act 2007
- Environmental Protection and Biodiversity Conservation Act 1999 (Commonwealth)

The ERG is not a formal Committee of Council (as defined in s5.8 of the Local Government Act 1995) and has no delegated (decision-making) authority.

## RELEVANT PLANS AND POLICIES

The *Environment Strategy* adopted by Council in November 2016, provides direction on how the City will meet the environmental aspirations of the community as set out in the Strategic Community Plan and guides the City's future activities in environmental management and sustainability. The *Environment Strategy* included the following action for the enhancement of environmental volunteer management and engagement:

Environmental Strategy Action 3.1 – *Support and build capacity of volunteers to undertake bushcare and other biodiversity conservation initiatives. Develop and implement an NRM and Community Engagement Strategy to support community involvement in managing City lands.*

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with the officer recommendation seeking Council adoption of the draft EVMES and review of Environmental Reference Group terms of reference.

**Long-term Financial Plan Implications**

No significant long term financial implications have been identified should Council support the officer recommendation.

**STRATEGIC COMMUNITY OBJECTIVES**

The review of the *Environment Strategy* is relevant to Key Goal Area 5 – Cared for and Enhanced Environment and Community, and Objective 5.1 – “Our natural environment is cared for and enhanced for the enjoyment of the community and visitors.”

**RISK ASSESSMENT**

An assessment of the potential implications of not implementing the officer recommendation has been undertaken using the City’s risk assessment framework. The assessment sought to identify ‘downside’ risks only rather than ‘upside’ risks and where the risk, following implementation of controls, has been identified as medium or greater.

<i>Risk</i>	<i>Controls</i>	<i>Consequence</i>	<i>Likelihood</i>	<i>Risk Level</i>
Environmental/ Reputational risk arising from inadequate management of natural environs.	Strategy developed for increased community engagement and building community capacity to respond effectively and positively to environmental challenges and protection of environmental and heritage values.	Minor	Possible	Medium

**CONSULTATION**

The recent review of the *Environment Strategy*, involved extensive consultation with community and agency stakeholders as part of the initial process of developing the Strategy, following which a draft *Environment Strategy* was publicly advertised seeking comment from the broader community, prior to Council adopting the *Environment Strategy* in November 2016. The direction for the development of a volunteer management and engagement strategy to guide the management of existing and future environmental volunteers is an action for implementation within the *Environment Strategy*.

In March 2016, the ERG held a workshop to focus the group’s attention and discussion on possible changes to the group’s terms of reference to enhance relationships and collaboration between environmental volunteers, friends of reserve groups and the City. The outcomes from the workshop were used to inform the review of the *Environment Strategy* adopted by Council in November 2016, and review of the ERG terms of reference.

**OFFICER COMMENT**

Community volunteers play an integral part in the enhancement of the City’s natural environment and while the systems for recording the environment volunteer contribution are currently being developed, the volunteer contribution in terms of hours involved in environmental activities for the

past 12 month period indicates that environmental volunteers contributed in excess of 5,000 hours towards the management of the City's natural environment and the volunteer contribution is expected to increase.

The strategic outcome and actions in the draft EVMES are intended to provide a framework for the management and engagement of environmental volunteers. The draft EVMES has identified 28 strategic actions aimed at building the capacity of the community to respond effectively and positively to environmental challenges and for maximizing community engagement and participation in environmental related projects and activities.

The strategic actions identified in the draft EVMES have been categorized under the following themes:

- Volunteer management systems
- Building environmental volunteer connections
- Environmental volunteer recognition
- Safe systems and practices for environmental volunteers

The development of volunteer management systems will focus on enhancing volunteer programs and activities by providing direction to ensure volunteer projects and programs align with the City's plans and by providing a variety of support tools to achieve consistent management of individual and group volunteers within the District.

Building environmental volunteer connections is essential to expanding volunteer involvement and it is proposed that this be achieved through the development of communication systems and better use of technology. It is also proposed that the ERG role and purpose be expanded to provide a forum for environmental volunteer communication and collaboration on environmental issues and the alignment of projects and activities.

Environmental volunteer recognition in a way that is meaningful to individual volunteers is vital to keeping volunteers engaged, and a variety of techniques would be developed to recognize volunteer contributions. It is also proposed that a system for capturing the volunteer contribution including volunteer hours and travel be developed and implemented.

Safe systems and safe practices are an essential component of managing the risks and provision of a safe workplace for volunteers involved in land care and bush care activities on City managed land. Key actions have been identified in the draft EVMES including the development and implementation of volunteer safety programs, volunteer skills development/training, and a workplace induction process supported by the development of safe operating procedures to guide volunteers.

Key action 1.10 in the draft NVMES requires the preparation of an operational manual with detailed procedures/protocol to guide City's staff and environmental volunteers. It is proposed that this operational manual when developed will include the key elements of the City's Friends of Reserves Strategy relating to the formation of friends of reserve groups and development of reserve management plans, making the City's Friends of Reserve Strategy superfluous. The officer recommendation in this report is that the Council simultaneously adopt the draft EVMES and rescind the Friends of Reserve Strategy.

It is intended that the operational manual will be subject to regular review when and as required, to ensure the information is relevant and up to date and this report recommends that the CEO (who would delegate as appropriate) prepare an operational manual with the necessary detailed internal protocols/procedures to guide City staff and environmental volunteers. It is not seen as necessary or appropriate that such protocols/procedures, however, be formally considered or adopted by the Council as they would be quite detailed and clearly operational.

For many years the ERG has assisted the City with the implementation of the City's Environment Strategy and has provided the community with a forum for discussion of environmental issues. The current ERG terms of reference are included with this report in Attachment C.

The ERG current terms of reference indicate its purpose and role is to monitor progress and assist the City's implementation of the Environment Strategy and to provide a forum that can be used by the City to gain consolidated feedback from local environmental interests on issues of environmental importance.

The feedback from the workshop held in March 2016, indicated a desire for the role of the ERG to be reviewed to increase community engagement and communication on environmental matters. The purpose of the ERG has been revised in accordance with this desire as follows:

The ERG purpose is:

1. *To assist the Council with the implementation of the City's Environmental Strategies for the benefit of the community, but is not an advocacy or lobby group for environmental matters or issues.*
2. *To facilitate information exchange on environmental matters and maintain productive working relationships between the Council, City officers and community environmental stake holders.*
3. *To promote and encourage collaboration between environmental volunteer groups and build the capacity of the community to respond effectively and positively to environmental challenges.*

The ERG does not have a decision-making role.

The current ERG membership is limited to one elected member and one deputy elected member appointed by the Council and 8 community members from the broader community. The City undertakes the advertising of community vacancies and appointment of community members.

It is proposed that the community representation on the ERG be increased from its current number of 8 community members to a membership of around 25 persons to allow representation by all friends groups, and also include relevant agency representation. As the main purpose of the ERG would be to enhance community engagement and communication on environmental management, a larger membership is considered appropriate for this purpose. Given the operational nature of the group, Councillor involvement is not seen as necessary. To expand the ERG membership, it is proposed that community and agency representation comprise the following:

- One nominated representative from each friends of reserve group and environmental organisation, actively involved in authorised land care/bush care and or other related environmental activities on City land.
- One representative from each relevant agency or other organizations such as SWALSC, engaged in natural resource management.
- Three representatives from the broader community who may not be a member of land care/bush care group but are able to convey information from the general community to the ERG.

Membership on the ERG would be determined by the Chief Executive Officer and it is proposed that each friends of reserve group, environmental organisation and agency actively involved in authorised land care/bush care and or other related environmental activities on City land, be invited to nominate an ERG representative. The three ERG positions to be filled from the broader community would be publicly advertised by City staff and appointed by the CEO.

## CONCLUSION

The draft NVMES provides a framework for the management of volunteers and for maximizing community volunteer engagement and participation in environmental related projects and activities and it is recommended that Council adopt the draft EVMES.

The ERG provides a forum for the promotion of environmental volunteer communication on environmental issues and collaboration on environmental volunteer projects and activities and this report recommends Council adopt the revised terms of reference for the ERG and expands the purpose and membership of the ERG.

This report also recommends that Council rescind the *Friends of Reserve Strategy*, with two of its key components relating to the formation of volunteer friends of reserve groups and the preparation of reserve management plans retained and incorporated into an operational manual.

## OPTIONS

The Council may resolve not to support the officer recommendations to adopt the draft EVMES or may amend the NVMES prior to its adoption. Similarly, the officer recommendation proposes the adoption of new terms of reference for the City's ERG. Council may resolve not to accept the proposed changes to the ERG terms of reference or may amend the terms of reference prior to adoption.

This report also includes an officer recommendation that the Council replaces the *Friends of Reserve Strategy* with a more detailed operational manual to guide City staff and environmental volunteers. Council may resolve not to rescind the *Friends of Reserve Strategy* and may amend the draft EVMES to remove key action 1.10 in the draft NVMES which requires the preparation of the operational manual.

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

It is envisaged that implementation of the officer recommendation relating the draft EVMES and strategic actions therein would commence immediately following Council supporting the officer recommendation, with the development of an operational manual to be completed by the end of the 2017 calendar year.

### Council Decision and Officer Recommendation

**C1704/073**

Moved Councillor G Bleechmore, seconded Councillor P Carter

That the Council:

1. Adopts the revised draft Environmental Volunteer Management and Engagement Strategy (Attachment A) to guide the City's management and engagement of environmental volunteers and building the capacity of the community to respond effectively and positively to environmental challenges.
2. Rescinds the City's *Friends of Reserve Strategy* with the key components of this Strategy relating to the formation of volunteer friends of reserve groups and the preparation of reserve management plans incorporated into operational guidelines.
3. Adopts the revised terms of reference for the Environmental Reference Group, to commence after the next ordinary Council election, as set out below:

## ***Environmental Reference Group – Terms of Reference***

### *1.0 Introduction*

*The Council of the City of Busselton has established the Environmental Reference Group to provide a forum for community engagement, collaboration and positive contribution to the conservation, protection and enhancement of the City's natural environment.*

### *2.0 Purpose*

- 2.1 To assist the Council with the implementation of the City's Environmental Strategies for the benefit of the community, but is not an advocacy or lobby group for environmental matters or issues.*
- 2.2 To facilitate information exchange on environmental matters and maintain productive working relationships between the Council, City officers and community environmental stake holders.*
- 2.3 To promote and encourage collaboration between environmental volunteer groups and build the capacity of the community to respond effectively and positively to environmental challenges.*

### *3.0 Status*

*The Environmental Reference Group is an informal reference group, it is not a formal Committee of Council (as defined in s5.8 of the Local Government Act 1995) and has no delegated (decision-making) authority and does not have a decision-making role.*

### *4.0 Membership*

- 4.1 City officers, as identified by the Chief Executive Officer.*
- 4.2 One nominated representative from each interested friends of reserve groups and environmental organisation actively involved in authorised land care/bush care and or other related environmental activities on City land.*
- 4.3 One representative from each relevant agency engaged in natural resource management.*
- 4.4 Three representatives from the broader community who may not be a member of a land care/bush care group or organisation, that may be co-opted to carry out a particular project or task as a general community representative or play an important role in conveying information from the general community to the group. These positions will be advertised, inviting nominations from the broader community.*
- 4.5 Membership of the Group shall, unless determined otherwise, be for a term of approximately 2 years ceasing on the day of the next ordinary election of the Council.*
- 4.6 If any member other than an elected member is absent for more than three consecutive meetings without appropriate notice, the Chief Executive Officer may invite the unrepresented group/organisation/agency to nominate a replacement member, or where the member vacancy is a position referred to in clause 4.5, seek applications from the community.*

### 5.0 Chairperson

*Once established, the Group may appoint a Chairperson and Deputy Chairperson to run its meetings, but initially the Group will be chaired by a City officer.*

### 6.0 Meetings

*6.1 Meetings of the Group shall be scheduled when the need for a meeting is identified by City officers.*

### History







Revised March 2017	
Adopted 24 August 2005	CO507/260

**CARRIED 8/0**

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## 12. ENGINEERING AND WORKS SERVICES REPORT

### 12.1 PROPOSAL TO CLOSE PERMANENTLY 'BROCKMAN ROAD', A SECTION OF UNNAMED ROAD BETWEEN BROCKMAN COVE AND CATALPA CLOSE, BROADWATER

<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>	Land matters
<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 'Brockman Road', Broadwater 
	Attachment B Sandy Bay Holiday Park site plan 
	Attachment C Proposal from Sandy Bay Holiday Park 
	Attachment D Area of encroachments on Crown land 
	Attachment E Usage of Crown land over time 
	Attachment F Compilation of submissions to proposal to close 'Brockman Road' 

#### PRÉCIS

A section of unnamed and unconstructed road lies between Brockman Cove and Catalpa Close in Broadwater. The road is just north of the Sandy Bay Holiday Park. For the purposes of this report, the road is referred to as 'Brockman Road'.

The owners of the holiday park have requested a lease over a portion of 'Brockman Road' to extend their caravanning and camping area. But before this may occur, there are several regulatory procedures to be completed, starting with the permanent closure of 'Brockman Road', pursuant to the *Land Administration Act 1997*.

Based on the findings in this report and the public submissions received to the proposal, this report recommends that the road is closed and made a Crown Reserve for 'parklands and recreation', but *not* leased to the adjoining holiday park.

#### BACKGROUND

##### The subject public road - 'Brockman Road'

Referring to Attachment A, the subject public road 'Brockman Road' (approximate area 2540m<sup>2</sup>) lies between the intersections of: (a) Norman Road and Brockman Cove (west), and (b) Armstrong Road and Catalpa Close (east). The public road is unconstructed and unnamed, although referred to in this report by its historical name 'Brockman Road'. The road is blocked at both ends so vehicular traffic is not able to pass through between Norman Road and Armstrong Road.

Services that run through 'Brockman Road' are overhead powerlines, underground water pipe and telecommunications cable, all contained within the southern few metres of 'Brockman Road'. These public services are maintained from an access track within the southern half of 'Brockman Road'.

##### Current use of the subject public road by adjoining Sandy Bay Holiday Park

For several years, the [Sandy Bay Holiday Park](#), located south of 'Brockman Road', has been letting part of the public road for caravanning and camping. Park management advised that they take



advance booking for four sites (numbers 84, 87, 100 and 101 on park map, Attachment B) that are let during peak holiday periods only.

#### Proposal to close the subject road from the Sandy Bay Holiday Park

After becoming aware of the non-approved development on 'Brockman Road', City officers advised Sandy Bay Holiday Park management that the City might consider a retrospective development application. Park management responded with a request to lease a 1918m<sup>2</sup> portion of 'Brockman Road' (Attachment C).

#### Process to authorised use of 'Brockman Road' by Sandy Bay Holiday Park

The Sandy Bay Holiday Park is keen to resolve the matter of non-approved development on public road by requesting a lease agreement with the City of Busselton over the road land. But the request is subject to a legislative process described below:

1. Permanent road closure – Pursuant to section 58 of the *Land Administration Act 1997*. This first step is the reason for this report. Permanent closure of a public road involves a public notice period, report to the Council to consider public submissions, a Council resolution, formal request to the Department of Lands (DoL) for road closure, DoL assessment of the proposal, consultation with various authorities (such as Department of Planning, Department of Mining and Petroleum), surveying, road closure order and creation of Crown land titles.
2. Creation of a Crown Reserve – Pursuant to section 41 of the *Land Administration Act 1997*, the Department of Lands may create a Crown Reserve over the Crown land title.
3. Management order – To be issued by the Department of Lands to the City of Busselton over part of or the entire Crown Reserve for the purpose of 'recreation, camping and caravanning' or similar, with 'power to lease'.
4. Lease (disposal of property) – Assuming the above steps have been successful, the City may establish a lease agreement with Sandy Bay Holiday Park pursuant to section 3.58 of the *Local Government Act 1995*. This may involve preparation of a legal document (the lease agreement), valuation of the commercial lease agreement, public notice and consideration of submissions, surveying of the lease area and a draft lease agreement. The lease would be subject to a Council resolution and the consent of the Minister for Lands.
5. Development application – Sandy Bay Holiday Park will be required to submit a development application to be assessed against the City of Busselton Local Planning Scheme No. 21, and if approved, conditions may be imposed.
6. Compliance with regulations – Various regulations including health, building, and caravanning and camping. For example, the sites will require access to fire hydrants and facilities, dependent on the number of overall sites at the caravan park. Furthermore, powered sites within a lease area may need to comply with electrical safety regulations.

The City is not able to guarantee to Sandy Bay Holiday Park a successful outcome (i.e. a lease and approved development) as the process depends on factors such as: (a) consideration of public submissions; (b) decisions of the Council and the Minister for Lands; (c) payment of costs, fees and charges; (d) approvals from various authorities; (e) agreement to the lease area, terms of the lease including the lease duration, rents and outgoings; and (f) approval conditions, and (g) other factors.

### Class A Crown Reserve 22624

North of and adjacent to 'Brockman Road' is Class A Crown Reserve 22624, vested with the City of Busselton for the purpose of 'parklands and recreation'. The Geographe Bay coastline forms the northern extent of the reserve. The Busselton-Dunsborough Shared Path runs through the reserve.

### Broadwater Foreshore Management Plan (BFMP) and loss of vegetation due to coast erosion

'Brockman Road' and Class A Crown Reserve 22624 form part of the [Broadwater Foreshore Management Plan](#) (BFMP), as adopted by the Council, October 2005.

The BFMP identifies a need to restrict the number of informal paths and uses of the foreshore to improve the quality of the coastal vegetation. The report found the use of fencing along paths an effective method to restrict access and to keep pedestrians and cyclists to formal paths.

No part of the BFMP supports the use of any part of the management area for caravanning and camping purpose.

### Overhead powerlines and other public utilities

Overhead powerlines run through the southern half of the 'Brockman Road'. Other services through the public road reserve include water and telecommunications.

Any person performing any activities within the subject road would need to be fully aware of the overhead powerlines and ensure a safe distance is maintained from the powerlines, allowing for sag and swing. The hazards associated with setting up and tearing down a caravan or camp site under overhead powerlines (such as erecting an antenna mast from the roof of a caravan) should be assessed professionally against Western Power '[Working near our network](#)' guidelines. Ideally, the powerlines should be placed underground, but the risk may be mitigated by ensuring no caravan or camp sites are permitted under the powerlines.

### Encroachments onto Crown land

Referring to Attachment D, the extent of the unauthorised uses of Crown land ('Brockman Road' and Class A Crown Reserve 22624) to the north of Sandy Bay Holiday Park and south of the Busselton to Dunsborough Shared Path is estimated at 2,300sqm. This represents approximately 38% of the total 6,200sqm area of Crown land north of the holiday park and south of the path.

From the City's archive of aerial photographs, it is apparent that the encroachments onto Crown land have been occurring since 2007, maybe prior (Attachment E).

The types of the encroachments include:

- caravanning and camping sites
- vehicle access ways (apart from for maintenance of public services)
- several informal paths through the vegetation to the Busselton to Dunsborough Shared Path
- parking for vehicles and trailers (including park management)
- removal of understorey vegetation
- storage of materials
- piles of wood, wood chip and gravel
- rotary hoist clothesline
- storage of a bulk bin for waste
- dumping of lawn clippings
- electrical leads and garden hose pipes extend across the access ways 20m or more from the adjoining holiday park to caravans

- weed species that have taken hold in the reserve vegetation, possibly introduced by the activities of the holiday park

#### STATUTORY ENVIRONMENT

- [Caravan Parks and Camping Grounds Act 1995](#), especially Part 2 ‘Regulation of caravan parks and camping grounds’
- [Caravan Parks and Camping Grounds Regulations 1997](#), especially Schedule 7
- [Land Administration Act 1997](#) - Section 41 ‘Reserving Crown land, Minister’s powers as to’; section 46 ‘Care, control and management of reserves’; and section 58 ‘Closing roads’
- [Land Administration Regulations 1998](#) regulation 9 ‘Local government request to close road permanently (Act s.58(2)), requirements for’
- [Local Government Act 1995](#) section 3.58 ‘Disposing of property’

#### RELEVANT PLANS AND POLICIES

- City of Busselton [‘Broadwater Foreshore Management Plan’](#), October 2005
- Department of Planning [‘Coastal Planning and Management Manual’](#), August 2003

#### FINANCIAL IMPLICATIONS

Costs to consider with a proposal to close ‘Brockman Road’ might include surveying, easements, legal, conveyancing, fencing, access control and revegetation.

Should the Council determine as per the officer recommendation (i.e. with the land being made a Crown Reserve and managed in accordance with the Broadwater Foreshore Management Plan), the City might bear the costs over one or multiple budget periods as part of the management responsibility that the City presently has for the land.

Should the Council determine that portion of the land is leased to the Sandy Bay Holiday Park (not recommended), these costs might be borne by park management as a condition of a lease agreement. The lease should also provide revenue for the City, at a rate that should be comparable to market value (and subject to section 3.58 of the *Local Government Act 1995*, ‘Disposing of property’). To determine market value, a report would be required from a licenced property valuer.

#### Long-term Financial Plan Implications

Irrespective of whether the subject land remains as public road or is made a Crown Reserve, the City would continue to have management responsibility for the land; so implication on the long term financial plan is considered to be nil.

Should the Council determine that portion of the land is leased to the Sandy Bay Holiday Park (not recommended), the City would receive an annual income from the lease, less any administrative costs associated with managing the lease that are not borne by the lease holder.

#### STRATEGIC COMMUNITY OBJECTIVES

Key goals	Community objectives
2. Well planned, vibrant and active places	2.1 A City where the community has access to quality cultural, recreation, and leisure facilities and services. 2.2 A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.

	2.3 Infrastructure assets that are well maintained and responsibly managed to provide for future generations.
4. Connected City	4.1 Transport options that provide greater links within our district and increase capacity for community participation. 4.2 A community that is well connected to its neighbours and the broader world. 4.3 A linked network of cycle ways and pedestrian paths providing alternative transport options.

## RISK ASSESSMENT

- Unauthorised development – The unauthorised development on and use of the public road for caravanning and camping purpose may pose risks to the public and environment. This may be resolved by either removing the development; or approving the development subject to a development application and then ensuring the development conforms to any approval conditions.
- Environmental harm – Vegetation with the area of the Broadwater Foreshore Management Plan has been significantly degraded by unauthorised development on and uses of ‘Brockman Road’. To minimise further impact on the management plan area and to allow the area a chance to recover, all unauthorised development should be removed and the area fenced with access controls in accordance with the management plan. Should a development be permitted, the area should be minimised and stringent controls placed on the development to ensure encroachments outside of the development area are avoided.
- Financial gain from an approved lease – There is a financial opportunity for the City to earn revenue from a lease over portion of ‘Brockman Road’ where it adjoins the Sandy Bay Holiday Park. Lease agreements over local government property are subject to section 3.58 of the *Local Government Act 1995*, and the lease fee should be comparable with market value, as assessed by a licenced property valuer.
- Proximity to overhead powerlines – The risk of allowing caravanning and camp sites under overhead powerlines should be assessed professionally. Making contact or near contact with the powerlines may cause death. The risk may be mitigated by placing the powerlines underground or not permitting caravanning or camp sites under the powerlines.

## CONSULTATION

### Public consultation

During May 2016, written notices of a proposal to close ‘Brockman Road’ were posted to the owners and occupiers of approximately 72 properties within a few hundred metres of ‘Brockman Road’. The proposal was also advertised for public submissions.

Nine (9) submissions were received to the proposal from nearby residents. While several submissions did not object to the closure of the road, *all* submissions objected to the use of the land for caravanning or camping purpose.

A compilation of comments and objections to the proposal are summarised in Attachment F, under the following topics:

- environmental
- Norman Road, traffic and parking
- amenity
- holiday park management
- impact of increased patronage to the holiday park

### Public utilities

While the asset of a public utility is located within a public road, the utilities may legally access their asset. But if the public road is closed permanently, arrangements are generally required for each public utility to gain unrestricted access to their asset. Generally, an easement may be created over the asset to the benefit of the public utility, but depending on the situation, the public utility may require their asset to be relocated (at cost to the proponent).

Public utilities in Brockman Road are water, electricity and telecommunications. In response to a notice of a proposal to close 'Brockman Road' permanently:

- Busselton Water advise that at this stage they may accept an easement over their asset
- Western Power advise that they neither support nor object to the proposal
- Telstra advise that at this stage they require their cable to be relocated

### **OFFICER COMMENT**

This report recommends that 'Brockman Road' is closed permanently and made a Crown Reserve for the purpose of 'parklands and recreation' and more tightly managed under the Broadwater Foreshore Management Plan. Should the reserve be made a Class A Crown Reserve, it may then be amalgamated with adjoining Crown Reserve 22624.

This report does *not* recommend that the reserve is used for caravanning, camping or similar purposes, and the land should not be leased to the adjoining Sandy Bay Holiday Park. The holiday park should be notified to cease all activity on the land and remove all encroachments. The holiday park should be advised to fence along the northern boundary of the holiday park to clearly delineate where the property boundary lies and to avoid encroachments onto Crown land.

Should the holiday park management have any proposals that are compatible with the BFMP, they may present the proposal to the City for consideration. Otherwise, the City should not accept unauthorised uses of the land.

Given public services run through the length of 'Brockman Road' within the southern few metres, the first approximate 8m from the southern boundary of 'Brockman Road' should be maintained for public services and pedestrian access (but not vehicular access). A post and 4-strand plastic wire fence should be erected on that line to designate the start of the area for re-vegetation and to restrict beach access to Norman Road and Armstong Road.

The reasons for the recommendation are:

- Foreshore protection
- Environmental matters
- Community opinion
- Holiday park management

More detail on each reason is provided below.

### Foreshore protection

The vegetation of the Broadwater foreshore has suffered ongoing damage from human activities, coming from the interface of the foreshore with freehold land to the south. Encroachment of the land by structures, turf and landscaping, uncontrolled access to the beach, fertiliser use and dumping of green waste are all human disturbances that are contributing to the loss of vegetation within the management area of the Broadwater Foreshore Management Plan (BFMP).

The area of land north of the Sandy Bay Holiday Park have been impacted heavily by these disturbances, particularly as they have been deliberately used for camping and overflow parking. It is important to recognise the significance of foreshore vegetation and the impact that development is having on the vegetation. According to the Department of Planning '[Coastal Planning and Management Manual](#)' (2003, page 7.3),

*"Vegetation is essential for the long-term stability of the coast."*

Within the BFMP management area, the City has progressively installed fencing to restrict access to formalised access paths, revegetated degraded areas and investigated reports of encroachment and damage to foreshore vegetation. It wasn't until the investigation into development on 'Brockman Road' that City officers become aware of the extent of the damage to foreshore vegetation (referring to Appendix D).

#### Environmental matters

As the urban areas intensify with development, the vegetated foreshore areas are becoming increasingly important habitat areas for the [western ringtail possum](#), a species of fauna listed as "rare or likely to become extinct (specifically protected)" under the [Wildlife Conservation Act 1950](#). The City should do what it can to protect and enhance remaining foreshore areas and habitats of the Western Ringtail Possum.

The area is also a habitat for the Southern Brown Bandicoot (Quenda), and various species of birds, reptiles and frogs.

#### Community opinion

From the submissions received to the notice of a proposal to close 'Brockman Road', all oppose the use of the land for caravanning and camping purpose. Broadly, the reasons for the objections were environmental, road traffic (particularly Norman Road) and parking, amenity, holiday park management, and impact of increased patronage to the holiday park (Attachment F).

From the submissions, the preferred use of the land was for encroachments to be removed and the land revegetated as part of the adjoining Crown Reserve.

#### Holiday park management

Over a period of a decade or maybe more, Sandy Bay Holiday Park management has demonstrated little regard for the limits of property boundary, and the amenity and environmental values of the Crown land north of the holiday park. Their operation has extended not only over 'Brockman Road' but also onto Class A Crown Reserve and within metres of the Busselton to Dunsborough Shared Path.

When shown leniency by City officers for a non-approved development on public road land, park management continued to allow campsites on Crown land (including Class A Crown Reserve) beyond what might have otherwise been considered acceptable to caravanning and camping regulations, and beyond the limits of a proposal from the holiday park for use of 'Brockman Road' (Attachment C).

### **CONCLUSION**

'Brockman Road' forms a significant part of a Broadwater Foreshore Management Plan (BFMP) for the protection of the Broadwater foreshore vegetation, necessary for the long term stability of the coast. For this reason and due to the environmental values of the Crown land, the amenity of the Broadwater foreshore area and community feedback; 'Brockman Road' should be closed as a public

road and more tightly coupled with the BFMP. Use of the land for caravanning, camping or similar purpose should *not* be supported; and all unauthorised development on the land should be removed and all unauthorised uses ended.

### **OPTIONS**

The Council might consider supporting the proposal from the Sandy Bay Holiday Park, or something similar, to lease a portion of 'Brockman Road' subject to the *Land Administration Act 1997* and the *Local Government Act 1995*. Should the Council consider supporting this option, the lease area should be closely assessed with consideration for environmental values and amenity; and the lease should place stringent controls to ensure no activity from the holiday park encroaches beyond the lease area and should ensure the holiday park strictly complies with all applicable regulations.

Should the Council consider supporting this option, the Council should endorse the permanent closure of 'Brockman Road', pursuant to the *Land Administration Act 1997*. The Council should also support the land being made one or more Crown Reserves with a management order to the City of Busselton with power to lease.

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

A letter to the Department of Lands requesting a permanent road closure may be made within a month of a Council decision.

### **Council Decision and Officer Recommendation**

**C1704/074**

Moved Councillor G Bleachmore, seconded Councillor P Carter

That the Council:

1. Endorses the permanent closure of a portion of unnamed public road between Brockman Cove and Catalpa Close, Broadwater (referred to herein as 'Brockman Road'), pursuant to the *Land Administration Act 1997*.
2. Supports a recommendation to the Department of Lands that on closure of 'Brockman Road', the road is made a Crown Reserve for the purpose of 'parklands and recreation', and a management order over the reserve is issued to the City of Busselton.
3. Supports a written notice being issued by the CEO to the Sandy Bay Holiday Park to remove all encroachments on and to cease all unauthorised use of Crown land (including 'Brockman Road' and Crown Reserve 22624), and advice to fence the northern boundary of Lot 55, 12 Norman Road, Broadwater, so as to clearly delineate where the lot boundary lies and to restrict vehicle access to 'Brockman Road' from Lot 55.

**CARRIED 8/0**

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



**13. COMMUNITY AND COMMERCIAL SERVICES REPORT**

Nil



## 14. COUNCILLORS' INFORMATION BULLETIN

### 15.1 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>	Governance 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 Planning Applications Received 1 March - 15 March 
	Attachment B Planning Applications Determined 1 March - 15 March 
	Attachment C WALGA State Council and Zone Agenda Summary and Recommendations - 24 February 2017 
	Attachment D Meelup Regional Park Management Committee Informal Meeting Notes - 27 February 2017 
	Attachment E Busselton Water Growth Plan 

### PRÉCIS

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

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

### INFORMATION BULLETIN

#### 15.1.1 Planning and Development Statistics

Attachment A is a report detailing all Planning Applications received by the City between 1 March, 2017 and 15 March, 2017. 22 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 1 March, 2017 and 15 March, 2017. A total of 29 applications (including subdivision referrals) were determined by the City during this period with 28 approved / supported and 1 refused / not supported.

#### 15.1.2 Current Active Tenders

#### RFT01/17 KERBSIDE RECYCLING SERVICES

The City invited tenders for the collection of material from yellow top recycling bins and related services within the City of Busselton. The tender was advertised on 28 January 2017, with a closing date of 10 March 2017. A total of 3 tenders were received. The value of the contract is expected to exceed the CEO's delegated authority.

**RFT02/17 KING STREET BEACH CAR PARK – SEAWALL REFURBISHMENT**

The City of Busselton invited tenders for the upgrade of the geotextile sand containers seawall at the King Street Beach Car Park. The tender was advertised on 18 February 2017, with a closing date of 15 March 2017. A total of 6 tenders were received. The value of the contract will not exceed the CEO's delegated authority.

**RFT03/17 DETAILED DESIGN AND CONSTRUCTION OF TODDLER'S PLAYGROUND, BUSSELTON FORESHORE**

The City of Busselton invited tenders for the detailed design and construction of a toddler's playground at the Busselton foreshore. The tender was advertised on 18 March 2017, with a closing date of 18 April 2017. The value of the contract is not expected to exceed the CEO's delegated authority.

**RFT05/17 BUSSELTON FORESHORE CENTRAL EAST CAR PARK**

The City of Busselton invited tenders for the construction of a new car park located at the Busselton foreshore known as the Busselton Foreshore Central East Car Park. The tender was advertised on 18 March 2017, with a closing date of 4 April 2017. The value of the contract is not expected to exceed the CEO's delegated authority.

**15.1.3 WALGA State Council and Zone Agenda Summary and Recommendations**

A summary of the South West Zone WALGA meeting held on 24 February 2017 and the State Council WALGA meeting held on 1 March 2017 are available to view in Attachment C.

**15.1.4 Meelup Regional Park Management Committee Informal Meeting Notes**

The minutes from the Meelup Regional Park Management Committee informal meeting of 27 February 2017 are available to view in Attachment D.

**15.1.5 Busselton Water Growth Plan**

A letter to the Minister for Water, Hon D J Kelly MLA seeking support for the progress of Busselton Water's Growth Plan is available to view in Attachment E.

**Council Decision and Officer Recommendation**

**C1704/075** Moved Councillor G Bleachmore, seconded Councillor P Carter

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


- 15.1.1 Planning and Development Statistics
- 15.1.2 Current Active Tenders
- 15.1.3 WALGA State Council and Zone Agenda Summary and Recommendations
- 15.1.4 Meelup Regional Park Management Committee Informal Meeting Notes
- 15.1.5 Busselton Water Growth Plan

**CARRIED 8/0**

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## **15. FINANCE AND CORPORATE SERVICES REPORT**

### **14.1 ADOPTION OF STRATEGIC COMMUNITY PLAN 2017**

<b>SUBJECT INDEX:</b>	Strategic Community Plan
<b>STRATEGIC OBJECTIVE:</b>	An organisation that is managed effectively and achieves positive outcomes for the community.
<b>BUSINESS UNIT:</b>	Corporate Services
<b>ACTIVITY UNIT:</b>	Organisational Development
<b>REPORTING OFFICER:</b>	Manager Corporate Services - Sarah Pierson
<b>AUTHORISING OFFICER:</b>	Director, Finance and Corporate Services - Cliff Frewing
<b>VOTING REQUIREMENT:</b>	Absolute Majority
<b>ATTACHMENTS:</b>	Attachment A Strategic Community Plan 2017 

#### **PRÉCIS**

This report presents the attached City of Busselton Strategic Community Plan 2017-2030 and seeks Council approval for formal adoption of the plan.

#### **BACKGROUND**

On 26 August 2012 the Minister for Local Government introduced regulations (contained within the *Local Government (Administration) Regulations 1996*) which established new requirements for the Plan for the Future under the Local Government Act 1995. Under these regulations, all local governments in Western Australia were required to develop and adopt (by absolute majority) two key documents by 30 June 2013: a Strategic Community Plan and a Corporate Business Plan. These documents are supported and informed by resourcing and delivery strategies, namely Asset Management Plans, a Long Term Financial Plan and a Workforce Plan. This framework is commonly referred to as Integrated Planning.

The Department of Local Government and Communities uses three standards for measuring a local government's performance – level 1 – achieving standard, level 2 – intermediate standard and level 3 – advanced standard. The legislation requires that only level 1 standards are met, with intermediate and advanced standards demonstrating the higher levels to which local governments should aspire as they mature and improve their planning practices.

The Strategic Community Plan is required to be for a minimum 10 year timeframe with its purpose being to state the community vision, aspirations and objectives. The plan must be developed through consultation with the community, with community engagement involving a minimum of 500 people and two documented mechanisms being required in order to meet the basic standard.

The City's current Strategic Community Plan 2013 was adopted by Council in February 2013. The regulations require that a local government reviews its Strategic Community Plan at least once every 4 years. Additionally the Department of Local Government and Communities standards recommend that a minor strategic review is undertaken 2 years after adoption.

The City commenced its major four year review on 1 July 2016 with the consultation program open between 1 July 2016 and 30 September 2016. Under the banner of VISION 2030, Council sought input from the community about what their vision is for our community and what people would like to see happen over the next 10-15 years.

The program included a variety of face to face community engagement workshops and discussions, with each workshop and round table discussion conducted by a professional and independent facilitator. Five community workshops were held attracting 80 participants. Three workshops were

attended by people randomly selected from the City's ratepayer database and invited to attend by the Mayor, with 2000 invitations in total sent out. The remaining two workshops were open workshops with participants drawn through advertising and promotion. These workshops involved creative discussion and explored the things people think are worth retaining and the things that they would like to see in the City by 2030. Participants were also asked to prioritise initiatives over the next four years.

Two round table discussions forums were also held with members of the rural community providing them with the opportunity to identify the aspirations and issues relevant to their particular lifestyle. Our younger community members were provided the opportunity to contribute their thoughts and ideas through two workshops held at St Mary McKillop College and Cape Naturaliste College, attended by 44 students in total. At these sessions students were asked to envisage and record the things they would need in 2020, 2025 and in 2030. A staff workshop rounded out the face to face consultation.

Input was also sought through the City's interactive social engagement platform, [yoursay.busselton.wa.gov.au](http://yoursay.busselton.wa.gov.au), where discussion and brainstorm forums generated new ideas on how to provide for our growing population, our youth, and what might be missing in our City.

A community survey seeking the community's vision and aspirations was also available on [yoursay.busselton.wa.gov.au](http://yoursay.busselton.wa.gov.au) as well as in hard copy from selected City locations and in two local print media publications.

In total the number of submissions received (engaged participants) across all consultation mediums was 665.

The outcomes from the consultation process were presented to Council at a workshop on the 9<sup>th</sup> November 2016. Based on the key themes identified a draft Strategic Community Plan was developed with Council through a series of workshops. This draft Strategic Community Plan was presented to Council at their meeting of 8<sup>th</sup> February 2017 with the Council resolving:

*"In accordance with Regulation 19C of the Local Government Administration Regulations, endorse the attached draft City of Busselton Strategic Community Plan 2017-2030 for the purposes of public advertising, with advertising to be undertaken for a period of 21 days."*

## **STATUTORY ENVIRONMENT**

Section 5.56 of the Local Government Act 1995 requires local governments to Plan for the Future, ensuring that plans made are in accordance with any regulations made about planning for the future of the district. Regulation 19C of the Local Government Administration Regulations 1996 requires the creation of a Strategic Community Plan in accordance with the following:

1. A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
2. A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
3. A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
4. A local government is to review the current strategic community plan for its district at least once every 4 years.

5. In making or reviewing a strategic community plan, a local government is to have regard to —
  - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
  - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
  - (c) demographic trends.
6. Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
7. A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
*\*Absolute majority required.*
8. If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
9. A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
10. A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

Regulation 19DA requires that a corporate plan is made for the district covering at least 4 years and setting out, consistent with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district.

## **RELEVANT PLANS AND POLICIES**

In order for the Strategic Community Plan to meet the Department of Local Government and Communities basic standard, a community engagement policy or strategy must be in place. This requirement is met through the City's Community Engagement and Consultation Policy.

## **FINANCIAL IMPLICATIONS**

The Strategic Community Plan has been developed in house and, aside from costs associated with running the consultation program and the costs of advertising and publishing the final document, all of which has been budgeted for within the current budget, the development of the Strategic Plan itself has no direct financial implications.

There will however be financial implications in terms of the delivery of some of the strategies identified within the plan and delivery of agreed Corporate Business Plan actions, services and projects over the next 4 years. These have, and will continue to be costed and considered as part of review of the City's Long Term Financial Plan. Overall the City of Busselton is well positioned to fund core service delivery along with the strategies and projects identified in the plan, with several sources of available revenue including rates, borrowings, reserves, contributions and grant funding.

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

The City's Long Term Financial Plan sets out the City's financial resourcing requirements to ensure the delivery of services, projects and activities to the community and the responsible management of assets. This includes current and projected staffing requirements, set out as part of the City's Workforce Plan.

The Strategic Community Plan guides and in turn is guided by the Long Term Financial Plan, with the relationship between the two documents crucial. Nothing within the Strategic Community Plan however is expected to impact adversely on the City's current Long Term Financial Plan, with the plan representing an enhancement of Council's current strategic direction as opposed to a significant change.

### **STRATEGIC COMMUNITY OBJECTIVES**

The Strategic Community Plan provides the overall strategic direction for the community, for Council and for others who deliver services and play a part in the City's growth and development (our Key Partners). The plan can be used as a guiding document, not only with respect to the City of Busselton's responsibilities, but with respect to the broader community's responsibilities; and those of other agencies, private investors, residents and so on. As such the plan is of significant strategic importance.

In terms of current Strategic Community Plan linkages the development of the plan aligns with Key Goal Area 6 – Open and Collaborative Leadership – and the community objectives:

- 6.1 A Council that engages broadly and proactively with the community.
- 6.2 Governance systems that deliver responsible, ethical and accountable decision making.
- 6.3 An organisation that is managed effectively and achieves positive outcomes for the community.

### **RISK ASSESSMENT**

There are not considered to be any medium or high level risks associated with adoption of the revised Strategic Community Plan.

### **CONSULTATION**

The plan was advertised in accordance with the above resolution between 15 February 2017 and 8 March 2017. Fifteen (15) submissions were received. Overall the submissions provided support for the plan, with positive comments received about the coverage of the plan, its structure and tone and the opportunity for community involvement. 67% of respondents rated the plan either a 9 or 10 out of 10 (1 being the lowest and 10 being the highest score). The submissions included commentary on the following range of matters:

- support for a performing arts / entertainment centre with a desire for such a centre to service the community into the future and provide opportunities for local writers / performers;
- town planning and the need to ensure it supports the community vision;
- ensuring foreshores and town centres are natural and people friendly;
- regular clean ups of road verges to keep the City tidy and attractive;
- the need to remain financially sustainable;
- improvements in recreation infrastructure;
- traffic management and addressing congestion around the entry into Busselton;
- support for a future light rail transport network around the district;

- tourism and various ideas to ensure we remain an attractive destination, including businesses staying open longer;
- scope for further consideration of indigenous issues and recognition and improved consultation with the indigenous community;
- more specific information around improving waste management / recycling; and
- inclusion of measures and reporting mechanisms back to the community.

All of the submissions assisted in further assessing the plan and the extent to which it meets community aspirations. Many of the submissions supported community objectives and council strategies contained within the plan, with the following being most relevant to the submissions:

#### **Community Objectives**

- a friendly and safe community with a strong community spirit (KGA 1);
- planning strategies that foster the development of neighbourhoods that meet our needs (KGA 2);
- events and unique tourism experiences that aid in attracting visitors and investment (KGA 4);
- public transport services that meet the needs of the community (KGA 5);
- road networks that provide for a growing population and the safe movement of all users through the district (KGA 5);
- accountable leadership that is supported by a skilled and professional workforce (KGA 6)

#### **Council Strategies:**

- establish a performing arts centre within the District (KGA 1);
- create sport and recreation hubs to service local and regional communities (KGA 1);
- explore ways to improve social connectedness and inclusion (KGA 1);
- develop and maintain rural and suburban parks and reserves for the enjoyment of the community (KGA 2);
- develop and maintain a City with pedestrian access, green spaces, shady trees and high quality public amenities (KGA 2);
- develop and implement strategies that attract business investment, diversify the economy and provide a balance between large and small business (KGA 4);
- continue to investigate the potential for improving road design around the Busselton town site (KGA 5);
- continue to develop and implement waste management strategies with a focus on waste avoidance, reduction, reuse and recycling (KGA 3);
- ensure the City's long term financial planning delivers the community goals and aspirations in a sustainable and affordable manner (KGA 6)

In considering the plan and the submissions received, it is important to note that a Strategic Community Plan is designed to be a high level document which sets out the community's vision and aspirations along with some high level strategies. Focused strategies of a more medium term nature are generally contained within the City's four year Corporate Business Plan, currently being reviewed. For instance Key Goal Area 1 contains an objective and strategy in relation to provision of a range of recreational facilities and services. More focused strategies such as the development of a masterplan for the Geographe Leisure Centre and the Naturaliste Community Centre sit within the Corporate Business Plan. The Corporate Business Plan is the activating document which outlines in more detail how the City will seek to achieve the community's objectives and fulfill the strategies contained within the Strategic Community Plan.

With this in mind the plan broadly covers all areas of the feedback received. Having said that, a number of small changes have been made to the plan in response to the submissions received.

In Key Goal Area 1 the word inclusive has been added to community objective 1.1 ('a friendly, safe

**and inclusive** community ...'), which in turn further links to council strategy 1(a) about exploring social connectedness and inclusion. Additionally recognition of the Wardandi Noongar People of the South West as the traditional owners of the City's land has been included in the Who we are section.

In Key Goal Area 4 council strategy 4d has been edited to add reference to the importance of activating key business nodes, now reading 'work with key partners to develop initiatives that support existing and new business, **including the activation of key business nodes**'. This is in response to consistent feedback around business opening hours and the positive impact longer opening hours could have on vibrancy and economic activation of town centres.

In Key Goal Area 5 council strategy 5f has been edited to include specific reference to investigating options for an alternative entry / exit point. The strategy now reads 'continue to investigate **options** for improving road design around the Busselton town site, **including an alternative entry / exit point**' as opposed to 'continue to investigate the potential for improving road design around the Busselton town site'.

Additionally on review Officers felt that reference should be made to the City's corporate values and the role they play in defining how we will go about delivering on the community's vision. This reference has been added on page 11 of the plan with the values of **Pride in Performance, Empowerment, Mutual Respect, Strength as a Team** and **Community Focus** noted.

#### OFFICER COMMENT

The community input received through the Vision 2030 and public comment period provides a clear guide as to what the community desires in the next 10 plus years. Overall the following key themes were consistently identified throughout the consultation:

- **Roads and Traffic** - improved road design, relieving parking problems and traffic congestion and completion of the dual carriageway highway between Capel and Busselton.
- **Public Transport** - better more accessible public transport schedules, networks and systems.
- **Education** - higher education facilities in the form of a university and TAFE plus more primary and high school options.
- **Health** - improvements to health, hospital and specialist services in the District.
- **Environment** - management and preservation of the City's natural environment including maintaining green belts, looking after our waterways, managing the effects of climate change and facilitating sustainable living options.
- **Economy** - diversification of industry and provision of a range of sustainable employment opportunities.
- **Cycle ways** - improving cycle way and bike path networks to connect key destinations and provide an alternative means of transport.
- **Planning** - a focus on well planned places such that our unique village feel is maintained along with green belts while at the same time developing a more modern cosmopolitan city with high density and mixed-use living.
- **Vibrancy** - longer shopping hours in town centres and diversity in the goods offered by retail enterprises.

There were many valuable ideas recorded by the community through the consultation and a number of clear priorities were identified. These included:

- Intensive town planning to cater for / balance growth and environmental factors
- Second entrance to Busselton
- Traffic flow and parking in Dunsborough
- Expansion and integration of cycle and walk trails
- Higher education infrastructure and spaces
- A performing arts centre for the district, and
- Vasse River



The attached Strategic Community Plan 2017 captures and distils these key themes and priorities into an overall vision for the District – ***‘where environment, lifestyle and opportunity meet’*** – supported by six key goals areas (listed below) and twenty one community objectives.

1. Community - *Welcoming, friendly and healthy*
2. Places and Spaces - *Vibrant, attractive and affordable*
3. Environment - *Valued, conserved and enjoyed*
4. Economy - *Diverse, robust and prosperous*
5. Transport - *Smart, connective and accessible*
6. Leadership - *Visionary, collaborative and accountable*

The plan also outlines a number of high level Council strategies, things that Council will do to support achievement of the community objectives. This further detail is not designed to be exhaustive in nature; it is designed to demonstrate to the community the role Council can play in progressing the plan’s goals and objectives. As outlined in the plan there is a limit to what can be achieved solely by the City of Busselton within its legislative, financial and workforce resources. Where aspirations cannot be achieved by local government alone, the plan notes Council’s commitment to work with its key partners to advocate and respond in a way that can make a positive difference.

It is important to recognise that this revised plan is not new in its direction; rather it builds on and enhances our current Strategic Community Plan, developed in 2013. Progress over the next four years will be measured through biennial surveys of the community and through tracking achievements within the City’s supporting Corporate Business Plan, currently under review.

## **CONCLUSION**

The City of Busselton has reviewed its Strategic Community Plan 2013, in accordance with legislative requirements, and has developed a revised draft Strategic Community Plan 2017. The plan is presented to Council for adoption in accordance with Section 5.56 of the Local Government Act. Once adopted Officers will publish the plan and intend to actively launch the plan to ensure it is promoted to the community and that the community are informed of the strategies contained within, some of which the City is already well progressed in.

## **OPTIONS**

1. Council may decide not to adopt the Strategic Community Plan 2017. It should be noted that Council is required to review its strategic community plan every 4 years.
2. Council may decide to adopt the Strategic Community Plan 2017 with amendments.

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

Within a month of adoption the Strategic Community Plan 2017 will be published for distribution in both hard copy format and as an E-book on the City’s website.

### **Council Decision / Committee Recommendation and Officer Recommendation**

**C1704/076**

Moved Councillor J McCallum, seconded Councillor T Best

### **ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That the Council adopt the City of Busselton Strategic Community Plan 2017 in the form attached to this report as its Plan for the Future as required by Section 5.56 of the Local Government Act 1995.

**CARRIED 8/0**

## 14.2 BUDGET AMENDMENT REQUEST - PLANT PURCHASES

<b>SUBJECT INDEX:</b>	Budget Planning and Reporting
<b>STRATEGIC OBJECTIVE:</b>	An organisation that is managed effectively and achieves positive outcomes for the community.
<b>BUSINESS UNIT:</b>	Finance and Corporate Services
<b>ACTIVITY UNIT:</b>	Financial Services
<b>REPORTING OFFICER:</b>	Manager Financial Services - Kim Dolzadelli
<b>AUTHORISING OFFICER:</b>	Director, Finance and Corporate Services - Cliff Frewing
<b>VOTING REQUIREMENT:</b>	Absolute Majority
<b>ATTACHMENTS:</b>	Nil

### PRÉCIS

Council is being requested to consider a Budget Amendment to allow the bringing forward of Plant Purchases currently scheduled for 2017/2018.

### BACKGROUND

Council adopted its 2016/2017 Municipal Budget on Thursday 21 July 2016.

The City of Busselton has received advice from the Department of Transport that:

*“Effective from 1 July 2017, the Department of Transport (DoT) will discontinue vehicle licence concessions currently offered to Western Australian Local Government Authorities. For affected vehicles, this will mean that the concession will no longer apply from the first licence expiry date on or after 30 June 2017. Concessions will automatically be discontinued, and no further action from owners is required.”*

Officers are seeking a Budget Amendment for various Plant items in order to bring forward their purchases from the 2017/2018 Financial year and in doing so have potential savings of \$19,043 which is the estimated additional cost in Stamp Duty associated with the above DoT advice. The vehicles in question are scheduled for replacement within the first four months of the 2017/18 financial year. As a consequence, no additional expenditure is proposed only earlier expenditure in order to make savings.

### STATUTORY ENVIRONMENT

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

### RELEVANT PLANS AND POLICIES

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

### FINANCIAL IMPLICATIONS

Budget amendments being sought will be funded by transfer from the Plant Replacement Reserve and as such there will be no change to Council's current Budget Surplus position.

Furthermore the bring forward of these purchases will result in an estimated saving of \$19,043.

**Long-term Financial Plan Implications**

Should the Officer Recommendation be supported the stated purchases would not need to be included in the LTFP for 2017/2018,

**STRATEGIC COMMUNITY OBJECTIVES****Open and Collaborative Leadership**

6.2 Governance systems that deliver responsible, ethical and accountable decision making.

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

**RISK ASSESSMENT**

Should Council not approve the requested Budget Amendment an additional estimated cost of \$19,043 will be incurred by way of Stamp Duty costs associated with the purchase of listed plant items.

**CONSULTATION**

Internal staff have been consulted to ensure that the proposal being put forward is achievable and strictly in keeping with Plant replacement requirements.

**OFFICER COMMENT**

The Officer considers that it is prudent to bring forward the following Plant Purchases shown in Table 1, which if approved will save an estimated \$19,043 in Stamp Duty costs:

**Table 1:**

<b>Plant Description</b>	<b>Plate</b>	<b>Purchase</b>	<b>Sale</b>	<b>SD Rate</b>	<b>Stamp Duty</b>
P190047 (Mayor)	BSN 1	50,000	25,000	6.50%	3250
P194078 (Manager Corp Svcs)	BSN549P	40,000	20,000	5.00%	2000
P194079 (HR Coordinator)	BSN224P	35,000	15,000	4.25%	1487.5
P194077 (Env Plan Coord)	BSN512N	35,000	16,000	4.25%	1487.5
P196068 (Survey Officer Ute)	BSN992K	45,000	20,000	5.75%	2587.5
P194080 (Rec Facilities Coord)	BSN174P	35,000	15,000	4.25%	1487.5
P194073 (Parks & Gardens Coord)	BSN484M	35,000	15,000	4.25%	1487.5
P196073 (Project & Tech Officer ute)	BSN592M	37,000	19,000	4.55%	1683.5
P193057 (CBD crew ute)	BSN955N	38,000	19,000	4.70%	1786
P196074 (Parks Maint Supervisor ute)	BSN990M	38,000	19,000	4.70%	1786
<b>Total</b>		<b>388,000</b>	<b>183,000</b>		<b>19,043</b>
<b>To be funded from Plant Replacement Reserve:</b>		<b>Net Cost</b>	<b>205,000</b>		

**Impact on Surplus Position:**

**Nil**

**CONCLUSION**

The Officer commends these requested Budget Amendments to Council for consideration.

**OPTIONS**

The Council could decide not to go ahead with any or all of the proposed budget amendment requests, this would result in loss of potential savings of \$19,043.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Should the Officer Recommendation be endorsed, the associated budget amendment will be processed immediately and the procurement process will commence.

**Council Decision and Officer Recommendation****C1704/077**

Moved Councillor R Bennett, seconded Councillor P Carter

**ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That Council endorse Budget Amendments as shown in Table 1, resulting in no change to the City of Busselton's Amended Budgeted Surplus Position.

**Table 1:**

<b>Plant Description</b>	<b>Plate</b>	<b>Purchase</b>	<b>Sale</b>	<b>SD Rate</b>	<b>Stamp Duty</b>
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<b>Total</b>		<b>388,000</b>	<b>183,000</b>		<b>19,043</b>
<b>To be funded from Plant Replacement Reserve:</b>		<b>Net Cost</b>	<b>205,000</b>		

**Impact on Surplus Position:****Nil****CARRIED 8/0**

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17. **CONFIDENTIAL REPORTS**

Nil

18. **QUESTIONS FROM MEMBERS**

Nil

19. **PUBLIC QUESTION TIME**

Nil

20. **NEXT MEETING DATE**

Wednesday, 26 April 2017

21. **CLOSURE**

The meeting closed at 5.32pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 45 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON WEDNESDAY, 26 APRIL 2017.

DATE: \_\_\_\_\_

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