



MINUTES

DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE MEETING

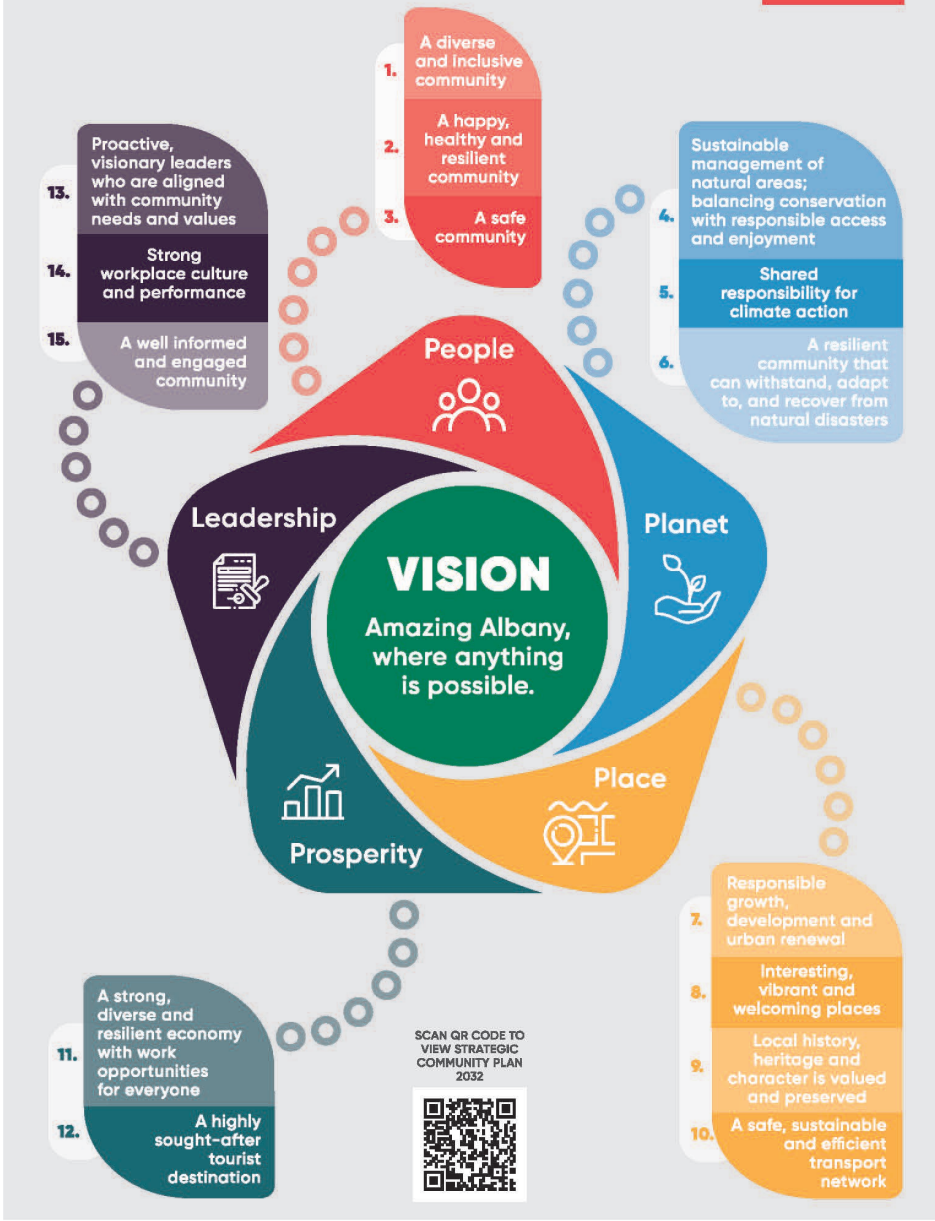
Wednesday 15 November 2023

6.00pm

Council Chambers



STRATEGIC COMMUNITY PLAN 2032



Development & Infrastructure Services Committee
Terms of Reference

Functions:

This Committee is responsible for:

- Sustainable management of natural areas, balancing conservation with responsible access and enjoyment.
- Shared responsibility for climate action.
- Responsible growth, development, and urban renewal.
- Creating interesting, vibrant, and welcoming places.
- Valuing and preserving local history, heritage, and character.
- Ensuring a safe, sustainable, and efficient transport network.

It accomplishes this by:

- Developing policies and strategies.
- Creating progress measurement methods.
- Receiving progress reports.
- Considering officer advice.
- Debating current issues.
- Offering advice on effective community engagement and progress reporting.
- Making recommendations to Council.

Membership: Open to all elected members.

Meeting Schedule: Monthly Meeting

Location: Council Chambers

Executive Officers:

- Executive Director Infrastructure, Development & Environment Services
- Manager Planning & Building Services
- Manager Engineering & Sustainability

Delegated Authority: None

DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE
MINUTES – 15/11/2023

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DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE
MINUTES – 15/11/2023

1. DECLARATION OF OPENING - by the Chief Executive Officer Mr Andrew Sharpe.

The Chief Executive Officer declared the meeting open at 6.00pm.

The Chief Executive Officer called for nominations for the position of Chair of the Development and Infrastructure Services Committee. One nomination was received from Councillor Amanda Cruse. Councillor Cruse was then declared Chair.

Nominations were then called for the position of Deputy Chair. One nomination was received from Councillor Malcom Traill. Councillor Traill was then declared Deputy Chair.

Nominations: Councillor Amanda Cruse (Chair)
Councillor Malcolm Traill (Deputy Chair)

Chair: Cr Amanda Cruse

Deputy Chair: Cr Malcolm Traill

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

“Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”

“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.

We would also like to pay respect to Elders past, present and emerging”.

3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Mayor	G Stocks
Councillors:	
Deputy Mayor Councillor	P Terry
Councillor	R Sutton
Councillor	T Brough
Councillor	D Baesjou
Councillor	A Cruse (Chair)
Councillor	S Grimmer
Councillor	M Traill
Councillor	L MacLaren
Councillor	C McKinley
Councillor	M Lionetti
Staff:	
Chief Executive Officer	A Sharpe
Executive Director Infrastructure, Development & Environment	P Camins
Manager Planning and Building Services	J van der Mescht
Meeting Secretary	N Banyard

Apologies:

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest
Nil		

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE - Nil

6. PUBLIC QUESTION TIME

In accordance with City of Albany Standing Orders Local Law 2014 (as amended):

Clause 4 (6) The total time allowed for public question time will be no more than 30 minutes.

Any extension to the time period defined by the City of Albany Standing Orders Local Law 2014 (as amended) will be at the discretion of the Presiding Member.

In accordance with City of Albany Standing Orders Local Law 2014 (as amended):

Clause 5) The Presiding Member may decide that a public question shall not be responded to where—

- (a) the same or similar question was asked at a previous Meeting, a response was provided and the member of the public is directed to the minutes of the Meeting at which the response was provided;*
- (b) the member of the public asks a question or makes a statement that is offensive, unlawful or defamatory in nature, provided that the Presiding Member has taken reasonable steps to assist the member of the public to rephrase the question or statement in a manner that is not offensive, unlawful or defamatory.*

7. PETITIONS AND DEPUTATIONS – Nil

8. CONFIRMATION OF MINUTES

RESOLUTION

MOVED: COUNCILLOR SUTTON

SECONDED: MAYOR STOCKS

THAT the minutes of the Development and Infrastructure Services Committee meeting held on 13 September 2023 as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 11-0

9. PRESENTATIONS - Nil

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS - Nil

DIS370: OYSTER HARBOUR FORESHORE MANAGEMENT PLAN

Attachments	: Oyster Harbour Foreshore Management Plan
Report Prepared By	: Major Projects Officer (L Adams)
Authorising Officer:	: Executive Director Infrastructure, Development and Environment (P Camins)

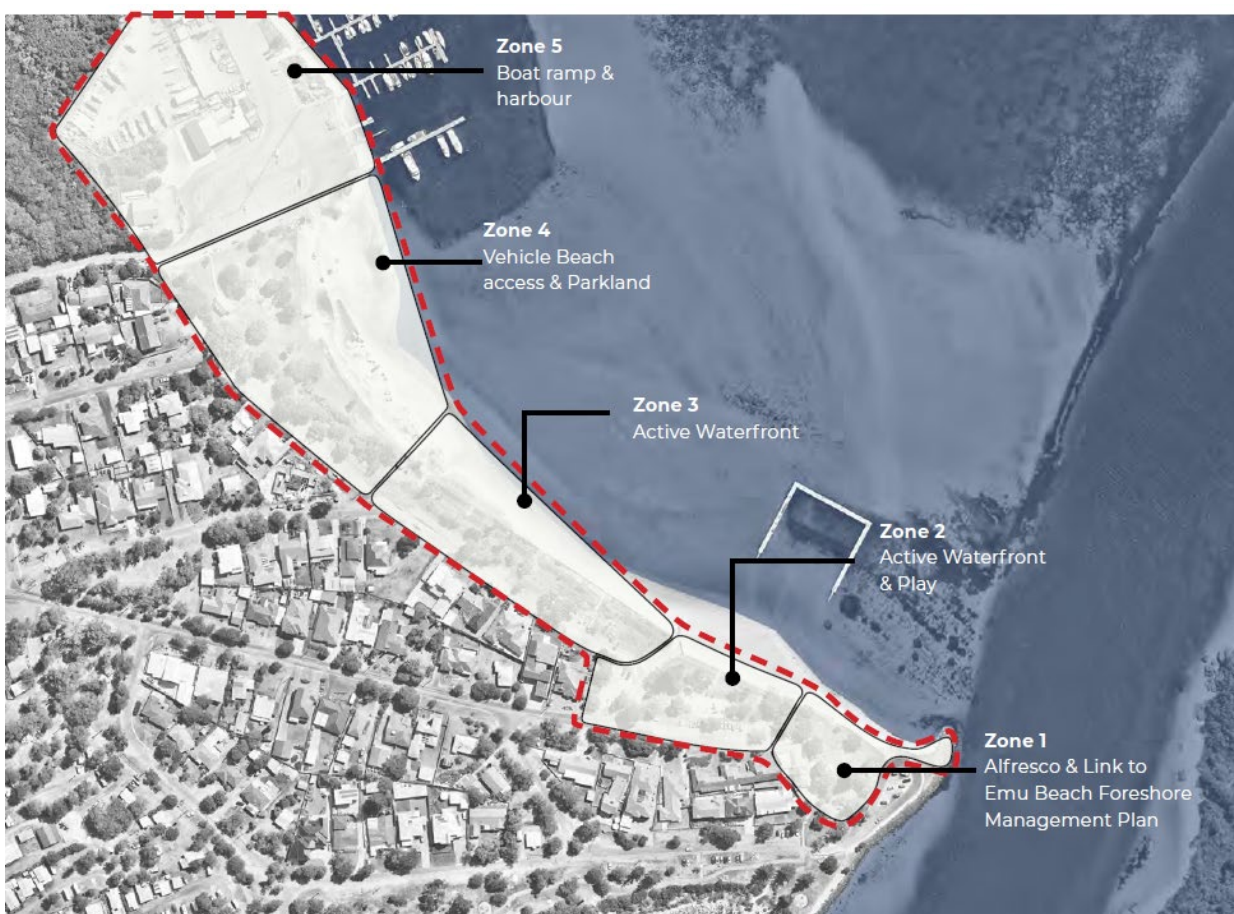
STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany's Strategic Community Plan 2032 or Corporate Business Plan 2021-2025 informing plans or strategies:
 - **Pillar:** Place.
 - **Outcome:** Interesting, vibrant and welcoming places.
 - **Pillar:** Planet.
 - **Outcome:** Sustainable management of natural areas; balancing conservation with responsible access and enjoyment.

In Brief:

- The Oyster Harbour Foreshore Management Plan (FMP) is an important guiding document for the management of coastal assets in the precincts between the Emu Point Marina and café.
- The purpose of this report is for Council to consider adoption of the final Oyster Harbour FMP prepared for the City of Albany.

Maps and Diagrams: Subject Site and Key Assets



RECOMMENDATION

DIS370: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR TERRY
SECONDED: COUNCILLOR TRAILL

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 11-0

DIS370: AUTHORISING OFFICER RECOMMENDATION

THAT Council, in accordance with *State Planning Policy No. 2.6 – State Coastal Planning Policy*, ADOPT the final Oyster Harbour Foreshore Management Plan.

BACKGROUND

2. In 2019 the City of Albany completed the first Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for the area of coast from Ellen Cove to the Emu Point Boat Harbour.
3. Whilst the CHRMAP makes broad recommendations about what to do to manage the coast over the long-term, a FMP essentially details the ‘how’ by identifying a series of key management actions through engagement with the community and key stakeholders. This is then translated into management strategies with technical detail from engineers, landscape architects and town planners.
4. A Foreshore Management Plan (FMP) for the Emu Beach area was developed and adopted by Council in August 2021 (DIS267), which predominantly deals with management of assets from erosion hazards.
5. Through the Emu Beach FMP process it became clear that a FMP was also required for the area of Oyster Harbour from the Emu Point Café to the Emu Point Marina, which has a different set of management issues.
6. These key issues were identified as:
 - Short-term beach erosion vulnerability.
 - Long-term vulnerability of assets from erosion and inundation in certain areas.
 - The estimated 10-15 years of remaining design life of the northern groyne and grouted rock wall.
 - A lack of adequate parking in the marina.
 - The identified need to provide uninterrupted cycling and pedestrian paths along the coastline, separated from private vehicle traffic (as also identified in the Cycle City Albany Strategy).
7. The study area includes the coast and adjacent parks, beaches, playgrounds and car parks. The area south of the café is excluded from the remit of this Oyster Harbour FMP as it is covered in the Emu Beach FMP; the plan on page 53 of the Oyster Harbour FMP shows how these neighbouring plans interface.
8. The 90% complete draft document was presented to Elected Members via a Briefing Note on 15 April 2023, which was followed by workshops and a further round of consultation.

DISCUSSION

9. The key objectives of the Oyster Harbour FMP are:
 - To respond and align with the findings of the Middleton Beach to Emu Point CHRMAP.
 - To inform and consult with the local community and stakeholders to deliver the FMP.
 - To provide guidance for future development along the Oyster Harbour foreshore area.
 - To provide recommendations on appropriate land uses and functions that respond to the changing coastline.
10. The FMP analyses the existing conditions from the planning and environmental context, alongside the social value of the sites and the activities community members carry out at these places. Accordingly, the FMP recognises the strong community values of access to the beach for swimming and walking, long-term pedestrian and cycling connectivity, the commercial and recreational uses of the place, and the preservation of coastal habitats and landscapes.
11. The coastal management actions contained in the FMP include dual naming (as a delivery of the Restoring Menang Place Names project), resilience planning and monitoring, sand nourishment, physical asset management, natural asset management, erosion threshold markers, educational signage, lease land management and an investigation into a future jetty suitable for Fishability WA.
12. The final FMP compiles concept plans for five activity ‘zones’ covering public recreation spaces and commercial areas, and these concepts have been the key focus for public and stakeholder interest in the plan.

GOVERNMENT & PUBLIC CONSULTATION

13. The project governance structure included a Project Steering Group, with membership comprising City of Albany staff and relevant government, community and business stakeholders.
14. Additional consultation activities included static displays of the project boards at the Albany Library, in-person consultation sessions at the Emu Point Sporting Club and Emu Point Café, and individual meetings with stakeholder groups, such as representatives from the Friends of Emu Point.
15. The results of this process informed the 50% Engagement Outcomes report, which was finalised by Shape Urban at the end of 2021. The key issues raised by the public and stakeholders in the consultation sessions were, in general:
 - Public toilets and amenities.
 - Safety concerns about revising the current boat parking arrangement at the marina.
 - Dual-use paths, however some respondents were concerned about speeding cyclists.
 - Access for the disabled, including parking.
 - Land regeneration.
 - A general requirement for more car parking.
16. This consultation was used to update the FMP to 90% design, with the 90% document advertised for public comment. A further round of consultation addressed finer detail issues, such as ensuring turnarounds for trailers were feasible on the proposed new access to the Emu Point Café. These issues will be further explored when concepts are progressed to detailed/engineered design.

17. In response to user conflict issues regarding parking at the marina, City staff have undertaken significant stakeholder consultation in the period between November 2022 and April 2023. Maritime businesses and marina user groups have had multiple one-on-one sessions to discuss potential car park layouts to alleviate the issues of congestion near the commercial jetty, unorganised car parking outside of demarcated bays, safety concerns around speeding cars, and general under-provision of parking spaces for cars. The design has been redrafted to reflect all feedback. Marina stakeholders consulted in detail regarding the parking layout include:
- Emu Point Slipway
 - Squid Shack
 - Watercraft Marine
 - Harvest Road
 - Albany Boating and Fishing Club and the Albany Dragon Boat Club
 - Fishability WA
 - Albany Sea Rescue.
18. The Department of Transport (DoT), as owner of the commercial jetties, is also a key stakeholder for works at the marina. DoT's Operations Manager has been consulted regarding the revised car parking design. DoT support introducing the cul-de-sac at the northern end of the existing car park and restricting access to the water's edge in that area to operational vehicles only.
19. DoT have also consistently advocated for increasing the density of boat and trailer parking near the boat ramp, but preliminary designs to revise the layout of boat parking bays drew considerable opposition from the community and other stakeholders.

STATUTORY IMPLICATIONS

20. The purpose of *State Planning Policy 2.6: State Coastal Planning Policy* (SPP 2.6, WAPC) is to:
- 'Provide guidance for decision-making within the coastal zone including managing development and land use change; establishment of foreshore reserves; and to protect, conserve and enhance coastal values.'*
21. The Emu Point to Middleton Beach Coastal Hazard Risk Management Adaptation Plan (CHRMAP), which has been used to guide the preparation of this FMP, was prepared in accordance with SPP 2.6.
22. SPP 2.6 provides a definition for an FMP and the general requirements for its development. Further guidance within the SPP 2.6 suite of documents is provided through the *State Coastal Planning Policy Guidelines* (WAPC 2020) and the *Coastal Planning and Management Manual* (WAPC 2003).

POLICY IMPLICATIONS

23. N/A.

RISK IDENTIFICATION & MITIGATION

24. The risk identification and categorisation relies on the City's Enterprise Risk and Opportunity Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational / Business Operations: <i>The FMP is not adopted.</i>	Possible	Moderate	Medium	<i>The FMP will be reviewed and represented for adoption.</i>
Opportunity: <i>Confidence in the City of Albany to deliver outcome from funding body and confidence with the community and key stakeholders is maintained.</i>				
Financial: <i>The projects in the FMP are unable to be delivered.</i>	Possible	Moderate	Medium	<i>Alignment with Capital Works program</i>
Opportunity: <i>Packaging the projects within this FMP and its integrated planning framework opens their eligibility for various funding rounds.</i>				

FINANCIAL IMPLICATIONS

25. There are no financial implications related to this report.
26. The Oyster Harbour FMP was completed within the agreed budget allocation.
27. The implementation of the precinct concepts of the Oyster Harbour FMP will be subject to further funding being acquired, and a detailed/engineered design process.

LEGAL IMPLICATIONS

28. Governments at all levels and private parties (individuals, businesses and the community) each have important, complementary and differentiated roles in managing risk arising from coastal hazards.
29. Local government decision making on coastal planning and development is steered by State government policy and legislation.
30. There are no direct legal implications related to this report. However, it should be noted that the City is responsible for:
- Local land use planning;
 - Significant aspects of environmental management in the coastal zone, including the provision of waste removal and treatment services, and working with state government for the provision of water, drainage and sewerage services;
 - Land management of coastal reserves and other coast buffer areas; and
 - Provision and management of public infrastructure such as roads, recreational area and parks in the coastal zone.
31. Governments, on behalf of the community, are primarily responsible for managing risk to public goods and public assets which they own and manage.
32. WALGA have issued a document titled *Legal Response to the Local Government Coastal Hazard Planning Issues Paper*. Whilst not a formal legal opinion, this document provides guidance on issues that WA Local Governments are experiencing in meeting coastal hazard planning responsibilities established by SPP 2.6.

ENVIRONMENTAL CONSIDERATIONS

33. Implementation of individual management actions and precinct concepts will require further environmental consideration.

ALTERNATE OPTIONS

34. Council may choose not to support the adoption of the Oyster Harbour Foreshore Management Plan.

CONCLUSION

35. The City of Albany has undertaken the development of a FMP for the Oyster Harbour area to guide the management of coastal assets identified by the community as highly valued for economic, social and environmental reasons.
36. It is recommended the Oyster Harbour Foreshore Management Plan be adopted.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995, s5.56</i>• <i>Local Government (Administration) Regulations 1996, Reg. 19D</i>• <i>State Planning Policy No. 2.6 – State Coastal Planning Policy</i>
Previous Reference	:	<ul style="list-style-type: none">• <i>Emu Beach Foreshore Management Plan (DIS 267) – August 2021</i>

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN - Nil

12. MEETING CLOSED TO THE PUBLIC – 6:26pm

13. CLOSURE – 6:26pm

There being no further business the Chair declared the meeting closed at **6:26pm**

(Unconfirmed Minutes)

Councillor Cruse
CHAIR