



AGENDA

DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE MEETING

Wednesday 13 June 2018

6.00pm

City of Albany Council Chambers

**CITY OF ALBANY
COMMUNITY STRATEGIC PLAN (ALBANY 2023)**

VISION

Western Australia's most sought after and unique regional city to live, work and visit.

VALUES

All Councillors, Staff and Volunteers at the City of Albany will be...

Focused: on community outcomes

This means we will listen and pay attention to our community. We will consult widely and set clear direction for action. We will do what we say we will do to ensure that if it's good for Albany, we get it done.

United: by working and learning together

This means we will work as a team, sharing knowledge and skills. We will build strong relationships internally and externally through effective communication. We will support people to help them reach their full potential by encouraging loyalty, trust, innovation and high performance.

Accountable: for our actions

This means we will act professionally using resources responsibly; (people, skills and physical assets as well as money). We will be fair and consistent when allocating these resources and look for opportunities to work jointly with other directorates and with our partners. We will commit to a culture of continuous improvement.

Proud: of our people and our community

This means we will earn respect and build trust between ourselves, and the residents of Albany through the honesty of what we say and do and in what we achieve together. We will be transparent in our decision making and committed to serving the diverse needs of the community while recognising we can't be all things to all people.

TERMS OF REFERENCE

(1) **Functions:** The Committee is responsible for:

Development Services:

The delivery of the “*Liveable Environmental Objectives*” contained in the City of Albany Strategic Plan:

- Advocate, plan and build connected, liveable communities.
- Create a community that supports people of all ages and backgrounds.
- Create vibrant neighbourhoods which are safe yet retain our local character and heritage.

Infrastructure Services:

The delivery of the “*Clean and Green Objectives*” contained in the City of Albany Strategic Plan:

- To protect and enhance our pristine natural environment.
- To promote environmental sustainability.
- To promote our region as clean and green.

(2) **It will achieve this by:**

- (a) Developing policies and strategies;
- (b) Establishing ways to measure progress;
- (c) Receiving progress reports;
- (d) Considering officer advice;
- (e) Debating topical issues;
- (f) Providing advice on effective ways to engage and report progress to the Community; and
- (g) Making recommendations to Council.

(3) **Membership:** Open to all elected members.

(4) **Meeting Schedule:** Monthly

(5) **Meeting Location:** Council Chambers

(6) **Executive Officers:** Executive Director Infrastructure and Environment, Executive Director Development Services

(7) **Delegated Authority:** None

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1. DECLARATION OF OPENING

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 both past and present”.

3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Mayor D Wellington

Councillors:

Member	P Terry
Member	J Shanhun (Chair)
Member	S Smith
Member	A Goode JP
Member	A Moir
Member	R Sutton (Deputy Chair)
Member	B Hollingworth
Member	E Doughty
Member	R Hammond
Member	R Stephens
Member	T Sleeman
Member	G Stocks

Staff:

Chief Executive Officer	A Sharpe
Executive Director Development Services	P Camins
Executive Director Infrastructure and Environment	M Thomson
Meeting Secretary	J Cobbold

Apologies:

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6. PUBLIC QUESTION TIME

7. PETITIONS AND DEPUTATIONS

8. CONFIRMATION OF MINUTES

DRAFT RESOLUTION

THAT the minutes of the Development and Infrastructure Services Committee meeting held on 9 May 2018, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

9. PRESENTATIONS

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

DIS099: COUNCIL POLICY - MAINTENANCE OF WATERCOURSES AND DRAINAGE CHANNELS

Land Description	: City of Albany
Proponent / Owner	: City of Albany
Attachments	: Draft Council Policy - Maintenance of Watercourses and Drainage
Report Prepared By	: Manager City Engineering (D King)
Responsible Officers:	: Executive Director Infrastructure & Environment (M Thomson)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Theme:** Clean Green and Sustainable.
 - **Objective:** To Build, maintain and renew city assets sustainably
 - **Community Priority:** Design construct and maintain infrastructure cost effectively in a manner that maximises it's life, capacity and function.

In Brief:

- This policy recognises that watercourses and drainage channels and their associated vegetation should be left in as undisturbed a state as possible, unless extraordinary circumstances apply.
- The City recognises that there are instances in which the condition of watercourses may deteriorate as a result of erosion and/or sedimentation, overgrowth with weeds or dumping or accumulation of rubbish. In such cases, it is recognised that maintenance and/or rehabilitation of these waterways may be required.

DIS099: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council SUPPORT the Policy for Maintenance of Watercourse and Drainage Channels

BACKGROUND

2. Albany town site was developed over a number of decades when open drainage was accepted as suitable infrastructure. As community expectations change, some areas of Albany have been upgraded with kerb and pipe drainage systems.
3. However, there are a number of instances where drainage channels exist. Sometimes these channels exist as open drains alongside a roadway but more significantly, larger capacity truck drains exist to convey stormwater to a natural watercourse.
4. The City of Albany has a number of natural watercourses, the most significant example of this is the Yakamia Creek. The definition of a watercourse is 'A stream of water whether perennial or intermittent, flowing in a depression of a natural channel or a natural channel artificially improved or in an artificial channel, which has changed the course of the stream.'
5. Although a number of the above drains and channels sit within a City of Albany controlled land, there are many instances where they sit in private ownership
6. There is no current policy to guide officers in the decision making of maintenance of drainage channels and watercourse in private or City ownership.

DISCUSSION

7. The objective of the policy is to define Council’s obligations and policy regarding the maintenance, improvements and rehabilitation of watercourses including Drainage Reserves and Channels.
8. The policy makes statements to maintenance and improvement issues regarding drainage easements and natural watercourses,

GOVERNMENT & PUBLIC CONSULTATION

9. If the Council resolves to support the Maintenance of Watercourse and Drainage Channels Policy. Formal advertising of the proposed policy via newspaper will be undertaken, giving details of:
 - Where the draft policy can be inspected;
 - The subject and nature of the draft policy; and
 - In what form and during what period (being not less than 21 days from the day that the first notice is published) submissions may be made.
10. After expiry of the period within which submissions may be made, the Local Government is to:
 - Review the policy in light of any submissions made; and
 - Resolve to adopt the policy with or without modification, or not to proceed with the policy.

STATUTORY IMPLICATIONS

11. There are no statutory implications relating to resolving to advertise the proposed Policy.

POLICY IMPLICATIONS

12. The proposed policy aims to provide officers with guidance on decision making with respect to maintenance and improvements of drainage channels and natural watercourses.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p>Reputation</p> <p><i>Risk: Policy position may have an impact on property owners that have private drainage channels or watercourses.</i></p> <p><i>Advertising the proposed policy, could give rise to objectionable comments from the above noted owners</i></p>	Possible	Moderate	Medium	<p><i>Policy can be amended once feedback is assessed; this is the purpose of advertising prior to final adoption.</i></p>
<p>Opportunity: Increase consistency equity with regards to decision making</p>				

FINANCIAL IMPLICATIONS

14. Minimal advertising costs already budgeted for.

LEGAL IMPLICATIONS

15. There are no legal implications relating to resolving to advertise the proposed Policy.

ENVIRONMENTAL CONSIDERATIONS

16. Nil

ALTERNATE OPTIONS

17. Council has the following alternate options in relation to this item, which are:

- To resolve that the draft policy is unacceptable and refuse advertising.
- To resolve to amend the proposed policy prior to advertising.

CONCLUSION

18. The proposed policy seeks to provide guidance and clarification on the application of City funds to maintain and improve drainage channels and natural watercourses.

19. Council is requested to support the new policy for the purpose of advertising.

Consulted References	:	<i>Local Government Act 1995</i>
File Number (Name of Ward)	:	EM.PLA.26 (All Wards)
Previous Reference	:	Nil

DIS100: STORMWATER MANAGEMENT STRATEGY

Land Description	: City of Albany
Proponent / Owner	: City of Albany
Attachments	: Stormwater Management Strategy
Report Prepared By	: Manager City Engineering (D King)
Responsible Officers:	: Executive Director Infrastructure & Environment (M Thomson)

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan or Corporate Business Plan informing plans or strategies:
 - **Theme:** Clean Green and Sustainable.
 - **Objective:** To Build, maintain and renew city assets sustainably
 - **Community Priority:** Design construct and maintain infrastructure cost effectively in a manner that maximises it's life, capacity and function.

In Brief:

- The City of Albany has undertaken the development of the Stormwater Management Strategy.
- The strategy provides the frameworks for the renewal, upgrade and expansion of stormwater assets within the City of Albany.

RECOMMENDATION

DIS100: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Stormwater Management Strategy be ADOPTED.

BACKGROUND

2. Albany town site was developed over a number of decades when open drainage was accepted as suitable infrastructure. As community expectations change, some areas of Albany have been upgraded with kerb and pipe drainage systems. In many of these areas, the systems were sized for lower density housing and now have reduced capacity to effectively convey storm flows for increasing development densities.
3. As pipes reach the end of service life, the City evaluates the need for resizing pipe systems to manage infill development with higher density housing and fully paved road infrastructure of later development.
4. Historically, the City sought to discharge stormwater into waterways and estuaries (such as Yakamia Creek) and little provision was given to detention (holding) or attenuation (slowing) of stormwater. Landholders seeking to reduce water logging by connecting property drainage into the road drainage networks have altered catchment hydrology and storage capacities of existing catchments have reduced capacity to buffer major storm events.
5. Overland flow paths through private landholdings need to be formalised to inform landowners that major overland flows will pass through these holdings. Landowners need to gain an understanding that topography directs flood waters and stormflows that pass through private estates and this a natural consequence of water flowing downhill. Where possible, roads are utilised as overland flood routes, however not all water can be directed through City owned land.
6. Historically, funds to upgrade the City of Albany's Drainage systems have been driven from the Flood Management Strategy developed in 2010. This strategy was based around customer complaints and evidence obtained from large rainfall events.

7. Whilst effective in delivering immediate and long term solutions to a number of failure points this strategy suffered from a lack of a holistic view of the drainage systems and was reliant on landowner feedback only.
8. The Flood management strategy also focussed only on the conveyance of stormwater and did not address environmental issues.

DISCUSSION

9. The City of Albany Stormwater Management Strategy provides an overarching direction for managing the conveyance of stormwater and floodwater to protect the social, economic and environmental assets within the community.
10. The purpose of this strategy is to provide the City of Albany and its community with robust and objective criteria to guide local government decision making about stormwater planning and investment.
11. The Strategy is based around three pillars to address uncontrolled storm and flood waters:
 - Protect private and public infrastructure
 - Manage public safety
 - Protect environmental assets
12. The Strategy looks at the challenges around the above pillars and provides a response and guidance on addressing each pillar.
13. The Strategy is supported by an upgrade investment plan, asset management plan and Policy.
14. The upgrade investment plan identifies weaknesses in the existing infrastructure with regards to stormwater conveyance capacity. It also costs upgrade works and priorities them according to risk. Based on this information, the asset management plan then sets a base line service level and service level goals for future years.
15. A summary of the upgrade works is provided in Table 1 of the Stormwater Management Strategy 2017.

GOVERNMENT & PUBLIC CONSULTATION

16. Nil

STATUTORY IMPLICATIONS

17. Nil

POLICY IMPLICATIONS

18. Nil

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Environment <i>Risk: There is a risk that by not establishing clear direction with regards to water reuse and treatment opportunities will be missed.</i>	Possible	Moderate	Medium	If the proposed strategy is not endorsed, staff will review and address areas of concern.
Finance <i>Risk: There is a risk that by not establishing a clear</i>	Likely	Severe	Extreme	

<i>direction with regards to upgrade expenditure, funds could be poorly allocated to lower priority works as a result of feedback from public.</i>			<i>If the proposed strategy is not endorsed, staff will continue to use the pre-existing strategy in allocating upgrade funding. Note: Consequence Severe due to effect being in excess of \$150,000.</i>
Opportunity: <i>Reduction in environmental impacts of stormwater and optimisation of upgrade expenditure.</i>			

FINANCIAL IMPLICATIONS

19. The Long Term Financial Plan (LTFP) allocates funds to address priority upgrades to the City's stormwater assets.
20. The current allowance for upgrades to stormwater assets (in the LTFP) does not cover the total value of remediation works. As such, works are scheduled as per the priority indicated in the upgrade investment plan.

LEGAL IMPLICATIONS

21. Nil

ENVIRONMENTAL CONSIDERATIONS

22. Nil

ALTERNATE OPTIONS

23. Nil

CONCLUSION

24. The City of Albany Stormwater Management Strategy provides an overarching direction for managing the conveyance of stormwater and floodwater to protect the social, economic and environmental assets within the community.
25. It is recommended that the strategy be adopted to provide officers with direction on addressing issues relating to storm and flood waters.

Consulted References	:	Flood Management Strategy 2010
File Number (Name of Ward)	:	EM.PLA.26 (All Wards)
Previous Reference	:	Nil

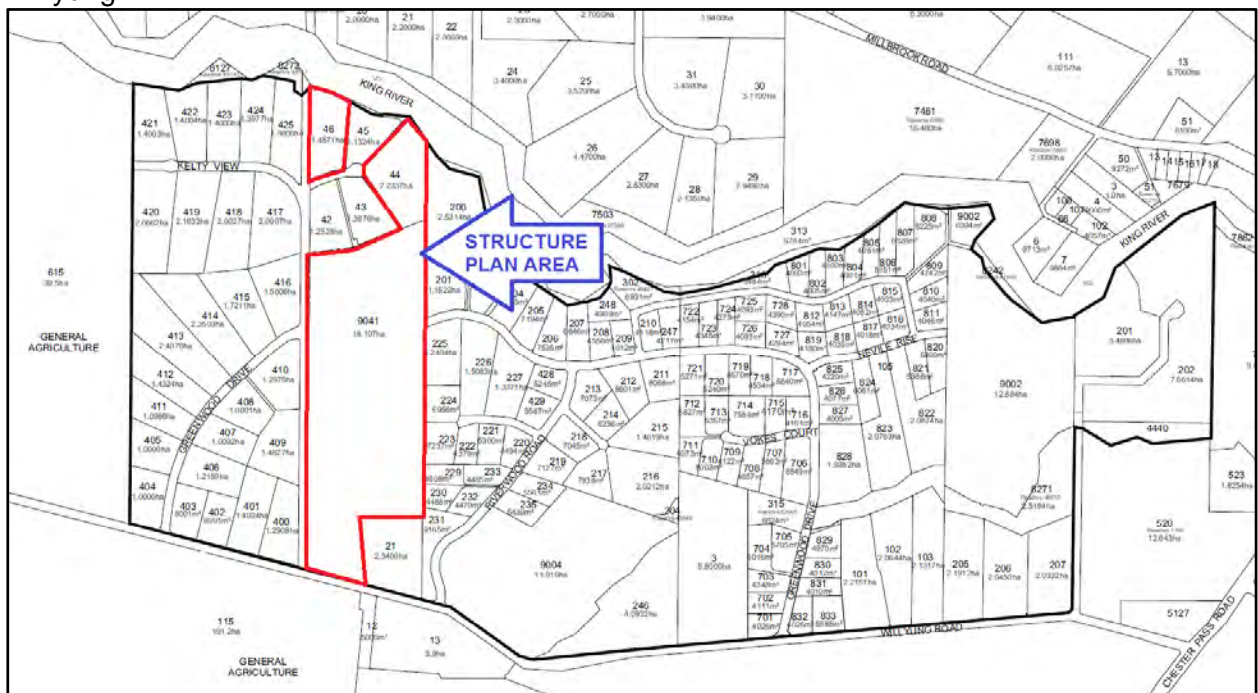
DIS101: RECOMMEND ADOPTION OF LOCAL STRUCTURE PLAN NO.16 – LOT 9041 WILLYUNG ROAD AND LOTS 44 & 46 BILABOYA PLACE, WILLYUNG.

Land Description	: Lot 9041 Willyung Road and Lots 44 & 46 Bilaboya Place, Willyung.
Proponent	: Ayton Baesjou
Business Entity Name	: B & C Lowrie
Attachments	: Map - 1999 Subdivision Guide Plan Map - Local Structure Plan No.16 Report - Local Structure Plan No.16 Traffic Calming – Information Sheet Schedule of Submissions and Recommendations Copy of Submissions
Supplementary Information & Councillor Workstation	
Report Prepared By	: Senior Planning Officer – Strategic Planning (A Nicoll)
Responsible Officers:	: Executive Director Development Services (P Camins)

STRATEGIC IMPLICATIONS

1. The application for consideration proposes a structure plan to guide future subdivision and development of land in the Willyung area.
2. In making a decision on the proposed structure plan, the Council is obliged to draw conclusion from its adopted *Albany Local Planning Strategy 2010* and *Community Strategic Plan – Albany 2030*. The structure plan complies with strategic planning for the following reasons:
 - a) The Albany Local Planning Strategy (2010) seeks to encourage the development of the Structure Plan area for ‘Special Residential’ development (min 4000m² lots).
 - b) The *Albany Community Strategic Plan – Albany 2030* recommends a proactive planning service that supports sustainable growth while reflecting our local character and heritage (Community Priority: 5.1.2).

Maps and Diagrams: Subject Site – Lot 9041 Willyung Road and Lots 44 & 46 Bilaboya Place, Willyung.



In Brief:

- Local Structure Plan No.16 proposes 19 special residential lots ranging in size from 4600m² to 2.2ha.
- The structure plan proposes to modify a 1999 Subdivision Guide plan in order to increase the potential number of Special Residential lots from 17 to 27. The modification is consistent with consolidation that has been occurring within the area in response to the demand for smaller lots. The revision to smaller lot sizes has been supported by land suitability and capability assessments.
- Council is requested to consider submissions received on the Local Structure Plan No.16, and to recommend that the Western Australian Planning Commission support the structure plan subject to modifications.

RECOMMENDATION

DIS101: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council, pursuant to section 75 of the *Planning and Development Act 2005 and Regulation 20. (2)(e) of the Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to:

- 1. Recommend that the Western Australian Planning Commission approve Local Structure Plan No.16 subject to the following modifications:**
 - a) The Bushfire Attack Level Contour Map is annotated to:**
 - I. State clearly that Class G Grassland areas have not been contoured and that the lots are subject to BAL-40/BAL-FZ; and**
 - II. Include proposed lot numbers.**
 - b) The structure plan being amended as follows:**
 - I. Building envelopes are renamed as ‘developable areas’ to ensure that an Asset Protection Zone can be located within the lot.**

Note; Lot boundaries may need to be modified to ensure capacity is available within lots, for building development and asset protection.
 - II. The following provisions being included on the structure plan map:**
 - *At the subdivision/development stage, the proposed access way to Lot 1 and Lot 9041, being constructed and drained at the landowner/applicant’s cost to the specifications of the local government.*
 - *At the subdivision/development stage, a revegetation plan being prepared, approved and implemented for the revegetation of ‘Drainage Line Protection’ areas.*
 - *At the development stage, the minimum habitable floor level height at proposed Lots 3, 4 and 8 shall be 500mm above the datum height at the adjacent 1:100 year flood boundary.*
 - *At the subdivision stage, a financial contribution being provided for the upgrading of Willyung Road.*
- 2. Forward structure plan documentation and submissions to the Western Australian Planning Commission with a request that the Commission grant approval to the structure plan (with modifications).**
- 3. Advise the applicant/owner and those who lodged a submission of the Council decision accordingly.**

BACKGROUND

3. *Local Planning Scheme No. 1* was gazetted on 28 April 2014 and consists of the Scheme Text and the Scheme Maps. The Scheme divides the Local Government district into zones to identify areas for particular uses and identifies land reserved for public purposes.
4. In 1999, a subdivision guide plan was endorsed to guide the subdivision and development of land in Willyung. This guide plan is provided as an attachment to this report item.
5. Since 1999, various land parcels within the subdivision guide plan area have subdivided into 'Special Residential' size lots (>4000m²).
6. To support additional traffic culminating from proposed subdivision, the City has commenced an upgrading program of Willyung Road. In order to fund the upgrading, financial contributions are paid as subdivision occurs.
7. A new proposed structure plan has been submitted seeking to increase the number of lots capable of being subdivided by an additional 10, from 17 to 27.
8. The City of Albany advertised the proposed Local Structure Plan No.16 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.
9. At the close of advertising, the City of Albany received nine (9) submissions in respect to the proposed structure plan.
10. Council is requested to consider the submissions received and determine whether to recommend that the Commission support the structure plan with modifications.

DISCUSSION

11. The subject land comprises of Lot 44 and 46 Bilaboya Place and Lot 9041 Willyung Road Albany. The land is located approximately 14km northwest of the Albany CBD in the Willyung area.
12. The subject site is bound by Willyung Road to the south, residential/lifestyle blocks to the east and west and rural properties to the south and north.
13. A land capability and geotechnical assessment undertaken in support of the proposed structure plan concludes that the site is suitable for the proposed special residential subdivision, subject to a minimum lot size of 4,000m².
14. The structure plan indicates:
 - a) Suitable location of building envelopes and effluent disposal systems considerate of:
 - i. 1:100 year flood level;
 - ii. 100m effluent disposal setback.
 - b) Extension of Greenwood Drive and emergency egress;
 - c) Stormwater management; and
 - d) Construction of dwellings considerate of bushfire threat.
15. The proposed building envelopes and effluent disposal systems are located on cleared land and outside of flood prone areas.
16. According to the structure plan report, the soil types are highly capable of accepting nutrient loading via alternative treatment units.

17. Essential infrastructure such as sealed bitumen roads, underground power and a scheme water supply are available to service the development. The City proposes to seek a contribution from the developer for the upgrade of Willyung Road. This is to be calculated on a per lot contribution at the subdivision stage, which adjusted for inflation totals around \$1,750/lot and is consistent with other recent developments in the precinct.
18. The extension of Greenwood Road will complete the main loop road serving the locality which will significantly improve the overall access and egress to the area.
19. Dwellings will be required to be constructed to manage stormwater and to protect property and occupants from bushfire.
20. The proposed lot density (minimum 4,600m² lot size) is compatible with the surrounding rural residential development and adopted legislation. The modest increase of a potential further 10 lots on the site represents a more efficient use of land, which ultimately helps reduce the pressure to subdivide additional rural land.
21. As part of the advertising process, the following key comments were received:
 - a) Identify indicative Asset Protection Zones within proposed properties (DFES);
 - b) Concern about traffic volume and speed along Greenwood Drive;
 - c) Additional and smaller lots will transform the character of the area from country to suburban; and
 - d) The 1:100 Year Flood Level has been moved. It appears this may be to support a larger building envelope, to assist in sub division in proposed lots 1, 3 and 4 of the new proposal.

Asset Protection Zones

22. The Department of Fire and Emergency Services requested that Asset Protection Zones are indicated on a plan to demonstrate that the lots can accommodate the necessary fire protection measures within each individual property boundary.
23. In support of the DFES comment, it is recommended that building envelopes are renamed as 'developable areas', to ensure that Asset Protection Zones can be located within proposed lots. Lot boundaries may need to be modified to ensure capacity is available within lots to achieve enough area for building development and asset protection.

Greenwood Drive

24. A landholder made the following comment in respect to Greenwood Drive:
 - a) Greenwood Drive is used illegally for testing the speed of vehicles; and
 - b) Greenwood Drive is currently partly developed as a no-through road. The subdivision of the subject land assists the completion of Greenwood Drive as a through-road, which may attract illegal vehicle speed testing. The landholder recommends the development of traffic calming devices to slow traffic along Greenwood Drive.
25. In response, to these matters, and after careful consideration, the City recommends that traffic calming devices not be applied. This conclusion is in accordance with the City's '*Traffic Calming Devices – Information Sheet (Works and Services 2015)*' (attached).
26. There are numerous devices used to calm traffic. These include, but are not limited to:
 - a) Speed humps - full width humps
 - b) Speed cushions - part width humps to allow large vehicles to travel unimpeded
 - c) Slow points/chicanes – kerbing treatments to break up traffic flow.

27. While the City of Albany receives numerous requests for traffic calming devices throughout the town, their application and use must be carefully considered in each situation. Installing traffic calming devices to control isolated users may create unnecessary inconvenience to the majority of users. Furthermore, history has shown that whilst speeds are often reduced, the isolated speed offender may use the device for other hazardous 'hooning' activities.
28. Rather than agreeing to install traffic calming devices, it is proposed that the City conduct monitoring to determine whether speeding is a pattern of behaviour or isolated users. However, ultimately, the police are responsible authority for illegal speeding matters.

Character of the Area

29. A landholder commented that additional lots will transform the character of the area from country to suburban and ultimately de-value property values.
30. In respect to this comment, the structure plan is proposing lot sizes (minimum 4,600m²) in-keeping with scheme standards. In addition to this, the existing developed lots are not dissimilar from the existing endorsed subdivision guide plan.
31. The subject land is zoned 'Special Residential' area No.11. The City's Local Planning Scheme states the following for the subject 'Special Residential' zone:
 - *Subdivision of SR11 shall generally be in accordance with the Subdivision Guide Plan SR11 endorsed by the CEO, with any minor variations approved by the Western Australian Planning Commission.*
 - *The minimum lot size shall be 4,000m².*
32. While noting that the lot size is consistent with the scheme provisions, it is not expected that additional lots will impact on property values. Property values are generally based on location. In conjunction with location, changes to property values generally occur via building upgrades or building deterioration.

1:100 Year Flood Level

33. A landholder and the Department of Water and Environmental Regulation noted that the 1:100 year flood boundary provided for the proposed structure plan shows a change from the flood boundary shown on the 1999 subdivision guide plan.
34. The City consulted with the applicant on this matter and it was revealed that:
 - a) Since 1999, more detailed assessments for the subject land has been undertaken to determine a new flood boundary. It has been concluded that, because the floodway widens out on the northern side of the creek, opposite lot 3, the original flood level was artificially high.
 - b) Predicted flood levels are conservative, noting also that the King River is not tidal at this location.
35. In line with the Department of Water and Environmental Regulation comment on development within floodplains, it is recommended that the following provision is included on the structure plan map:

The minimum habitable floor level of proposed Lots 3, 4 and 8 shall be 500mm above the 1:100 year flood boundary.

Drainage Line Protection Area

36. The Department of Water and Environmental Regulation commented that a foreshore management plan should be prepared to identify how drainage line protection areas are rehabilitated and managed.
37. In response to this comment, the City recommends that the following provision is included on the structure plan map:

At the development subdivision stage, a revegetation plan being prepared, approved and implemented for the revegetation of 'Drainage Line Protection' areas.

GOVERNMENT & PUBLIC CONSULTATION

38. The Structure Plan No.16 was advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*. Structure Plans require advertising in accordance with Part 4, cl.18 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Reg's).
39. Submissions were received from government agencies and members of the public. Submissions have been provided to the Councillors in original form and as summarised in the attached Schedule of Submissions.
40. Commentary on the submissions has been provided in this report item and in the attached Schedule of Submissions.

STATUTORY IMPLICATIONS

41. Local Structure Plans undergo a statutory process in accordance with Schedule 2, Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
42. Schedule 2, Part 4, clause 19 requires the local government to consider the submissions made within the period specified in the notice advertising the structure plan.
43. Schedule 2, Part 4, clause 20 requires the local government to prepare a report to the Western Australian Planning Commission, including a recommendation on whether the proposed structure plan should be approved by the Commission.
44. Voting requirement for this item is **SIMPLE MAJORITY**.

POLICY IMPLICATIONS

45. The following applicable policies have been considered during the assessment of the structure plan:
 - a) *Draft Government Sewerage Policy; and*
 - b) *State Planning Policy 3.7 Planning in Bushfire Prone Areas;*

Draft Government Sewerage Policy

46. This policy requires all subdivision and development to be connected to reticulated sewerage, unless exemptions to the policy apply.
47. As the subject land is zoned 'Special Residential' with a minimum lot size of 4000m², exemption is requested under provision 6.2 (6) which states that:

Land in a sewage sensitive area that is already zoned for urban use with a Residential R5 or R10 density coding based primarily on the provisions of the Government Sewerage Policy (Perth Metropolitan Area 1996) or draft Country/Sewerage Policy may be subdivided in accordance with the existing density coding providing that the minimum site requirements as outlined in provision 6.4 are met. A secondary treatment system with nutrient removal may be required.

State Planning Policy 3.7 Planning in Bushfire Prone Areas

48. The publicly released Bushfire Prone Area Mapping (DFES, 2017) shows that the whole of the Subject Site is located within a Bushfire Prone Area (situated within 100m of >1 ha of bushfire prone vegetation).
49. An assessment of bushfire criteria, submitted as an appendix to the structure plan, confirms that subdivision and development may occur in accordance with the Commission's Guidelines for Planning in Bushfire Prone Areas. The structure plan complies with the following acceptable solutions:
 - a) The proposed location of development can achieve a BAL 29 or below;

- b) Design allowing for two way traffic and safe egress from the subdivision via the existing road network of Willyung Road, the extension/linking of Greenwood Drive and Emergency Access Ways can be achieved; and
- c) The development will be provided with reticulated scheme water in accordance with the specifications of the relevant water supply authority (Water Corporation) and DFES requirements.

RISK IDENTIFICATION & MITIGATION

50. The risk identification and categorisation relies on the City’s Enterprise Risk & Opportunity Management Framework.

<i>Risk</i>	<i>Likelihood</i>	<i>Consequence</i>	<i>Risk Analysis</i>	<i>Mitigation</i>
Reputation. <i>The proposal may not be accepted by the Western Australian Planning Commission or the Minister for Planning.</i>	<i>Possible</i>	<i>Minor</i>	<i>Low</i>	<i>If the Structure Plan is not supported by the WAPC the City may be required to make modifications.</i>
Opportunity: <i>Increase opportunity for efficient servicing and development consolidation.</i>				

FINANCIAL IMPLICATIONS

51. If the City of Albany does not provide a recommendation and report on the structure plan to the Commission, the Commission may take reasonable steps to obtain the services or information on its own behalf. All costs incurred by the Commission may, with the approval of the Minister, be recovered from the local government as a debt due to the Commission.

LEGAL IMPLICATIONS

52. There are no legal implications directly relating to this item.

ENVIRONMENTAL CONSIDERATIONS

53. Measures have been recommended to be implemented to address the following matters:

- a) Protect development from flooding;
- b) Manage weeds; and
- c) Rehabilitate drainage creek lines.

ALTERNATE OPTIONS

- 54. Council may consider alternate options in relation to the structure plan, including;
 - a) Recommend, with justification, that the Western Australian Planning Commission not approve the proposed structure plan; or
 - b) Recommend that the Western Australian Planning Commission approve the proposed structure plan without modification;
 - c) Recommend that the Western Australian Planning Commission approve the proposed structure plan subject to additional modifications.

CONCLUSION

- 55. The structure plan proposes special residential lots ranging in size from 4,600m² to 2.2ha. The proposed lot sizes comply with the City’s local planning scheme, which supports a minimum 4,000m² lot size for the Special Residential area No.11.
- 56. The structure plan was advertised for public comment and provisions have been recommended to address matters raised.

57. Council is requested to agree to recommend that the Western Australian Planning Commission approve the structure plan subject to modifications.

Consulted References	:	1. <i>Local Planning Scheme No.1;</i> 2. <i>Local Planning Strategy 2010;</i> 3. <i>Draft Government Sewerage Policy;</i> 4. <i>State Planning Policy 3.7 Planning in Bushfire Prone Areas.</i> 5. <i>Traffic Calming Devices – Information Sheet (Works and Services 2015).</i>
File Number (Name of Ward)	:	LSP16 (Kalgan Ward)
Previous Reference	:	Nil

- 11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12. MEETING CLOSED TO THE PUBLIC**
- 13. CLOSURE**