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# AGENDA

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## **DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE MEETING**

**Wednesday 13 March 2019**

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 Moir
Member	B Hollingworth
Member	R Hammond
Member	E Doughty
Member	R Sutton (Deputy Chair)
Member	R Stephens
Member	A Goode JP
Member	T Sleeman
Member	G Stocks

**Staff:**

Chief Executive Officer	A Sharpe
Executive Director Development Services	P Camins
Acting Executive Director Infrastructure and Environment	M Richardson
Meeting Secretary	Jenny Cobbold
Manager City Reserves	Jacqui Freeman
Reserves (Natural) Officer	Sandra Maciejewski

**Apologies:**

**4. DISCLOSURES OF INTEREST**

<b>Name</b>	<b>Committee/Report Item Number</b>	<b>Nature of Interest</b>

**5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**6. PUBLIC QUESTION TIME**

**7. PETITIONS AND DEPUTATIONS**

**8. CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

**THAT the minutes of the Development and Infrastructure Services Committee meeting held on 13 February 2019, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**9. PRESENTATIONS**

**10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS**

## DIS149: VANCOUVER ART CENTRE ROOF RE-CLADDING

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Vancouver Art Centre Roof Options
<b>Report Prepared By</b>	: Team Leader Asset Management (B Aris)
<b>Responsible Officers:</b>	: Acting Executive Director Infrastructure & Environment (M Richardson)

### 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:** 3. Clean, Green & Sustainable
  - **Objective:** 3.2 To build, maintain and renew city assets sustainably
  - **Community Priority:** 3.2.1 Deliver environmentally & financial sustainable long term planning for infrastructure via a forward capital works program that meets the needs of our community

#### In Brief:

- Council approval is sought to replace the existing sheoak roof shingles on the limestone Cottage Hospital building at the Vancouver Art Centre with a flat grey clay tile, as used on the University of Western Australia leased building (former Albany Post Office).
- To advise the Heritage Council of the decision to use a flat grey tile as the most prudent and feasible alternative to sheoak shingles.

### RECOMMENDATION

#### DIS149: RESPONSIBLE OFFICER RECOMMENDATION

**That Council RECOMMEND re-cladding the roof on the original limestone Cottage Hospital building at the Vancouver Art Centre with flat grey tiles at a cost of \$240,000 ex-GST.**

### BACKGROUND

2. The City submitted a Development Application P2160515 10 October 2016 to replace the shingle roof with like-for-like which was approved.
3. On calling for tenders for the works by a reputable shingle contractor, the costs escalated to \$640,000. This amount was considered too much of a burden for Albany ratepayers given the roof would only likely last another 20 – 30 years with a 2-yearly maintenance program of oiling and significant reactive maintenance in later years with slippage.
4. The City engaged a heritage consultant to prepare a Heritage Impact Statement to investigate alternative materials that may be considered by the Heritage Council for this site. This statement was received in January 2017 and proposed the plain tile as an alternative with merit.
5. A letter was sent to the Heritage Council on 6 July 2017 requesting the Heritage Council consider the alternate options of plain flat grey tile and corrugated galvanised sheeting. This request was not supported by the Heritage Council via correspondence dated 1 August 2017.
6. After some correspondence between the Heritage Council and the City Officers, a briefing note was sent to the Minister for Local Government; Heritage; Culture and the Arts in August 2017 detailing all of the concerns as to why it was considered untenable to replace the failing roof with like-for-like.
7. The Minister forwarded the briefing note to the next Heritage Council meeting for consideration.

8. Manager City Engineering and Executive Director Infrastructure & Environment attended a 'Shingles Workshop' on 14 December 2017 at the request of the Heritage Council.
9. The Heritage Impact Statement V3 was submitted to the Heritage Council on 11 October 2018 for re-consideration.
10. Advice was provided by the Heritage Council on 3 January 2019 as follows:-

*"The Development Committee wishes to advise that its preference is that the Albany Cottage Hospital building is roofed in split timber shingles; however, if the City of Albany determines that there is no prudent and feasible alternative, the use of corrugated galvanised roofing would be acceptable given the exposed location and saline environment, and subject to the following conditions: 1. The original Roof form of the building shall not be altered; 2. The original roof structure, including items such as sarking boards, sheathing or battens shall be conserved and retained in order to provide physical evidence of the shingle roof; 3. A standard archival record is prepared prior to the removal of the tiles. The archival record should include important and unique details of the construction of the shingle roof.*

11. The Heritage Impact Statement V3 notes the recent approval to use a grey coloured clay 'plain' tile on the Albany Post Office and proposes the use of the same tile used for this project, as a prudent and feasible alternative for the Vancouver Art Centre roof.

## DISCUSSION

12. Nil

## GOVERNMENT & PUBLIC CONSULTATION

13. Development Application, correspondence and Heritage Impact Statement.

## STATUTORY IMPLICATIONS

14. Heritage of Western Australia Act 1990 s11(3)(c).

## POLICY IMPLICATIONS

15. Heritage Protection Policy.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Finance</b> Cost of original roofing material unaffordable, with high lifecycle costs.	Possible	Severe	High	Use the recommended alternative material.
<b>Property</b> Roof failure causing property damage.	Likely	Moderate	High	Avoid further postponement of this project.
<b>Opportunity:</b> Consistency in roofing materials on two major heritage buildings with a long life, low maintenance and attractive. Improved financial sustainability.				

## FINANCIAL IMPLICATIONS

17. Cost analysis of material options:

Roof Material	Total Cost	Lifespan	Renewal Cost per year
Shingles	\$640,000	25	\$25,600
Plain Tiles	\$240,000	50	\$ 4,800
Corrugated Galvanised	\$158,000	30	\$ 5,267

**LEGAL IMPLICATIONS**

18. Nil

**ENVIRONMENTAL CONSIDERATIONS**

19. Nil

**ALTERNATE OPTIONS**

20. Using sheoak shingles or corrugated galvanised sheeting.

**CONCLUSION**

21. The heritage values of the Vancouver Arts Centre are extremely high and therefore every endeavour to retain its conservation value has been exhausted. Due to the large portfolio of heritage buildings the City is responsible for, a financially sustainable approach also needs to be taken. The recommendation to replace the sheoak shingles with a flat grey tile has been well considered over the last few years and is thought to be the most viable way forward.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• Local Government (Functions and General) Regulations 1995</li><li>• Council Policy – Heritage Protection</li><li>• Strategic Asset Management Plan</li></ul>
<b>File Number (Name of Ward)</b>	:	CP.MAI.7 (Frederickstown)
<b>Previous Reference</b>	:	Nil

## **DIS150: NATURAL RESERVES STRATEGY UPDATE**

<b>Land Description</b>	: City of Albany Managed Natural Reserves
<b>Proponent / Owner</b>	: City of Albany (Land vested in the care and control of the City of Albany).
<b>Attachments</b>	: Natural Reserves Strategy Progress Report – Quarter 2.
<b>Report Prepared By</b>	: Manager City Reserves (J Freeman)
<b>Responsible Officers:</b>	: Acting Executive Director Infrastructure & Environment (M Richardson)

### **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: 3** Clean Green and Sustainable
  - **Objective: 3.1** To protect and enhance our natural environment in a changing climate
  - **Community Priority: 3.1.1** Deliver effective practices that reduce risk to property, infrastructure and the natural environment and improve community awareness and resilience.

#### **In Brief:**

- The Natural Reserves Strategy and Action Plan was adopted by Council at the Ordinary Council Meeting in March 2017.
- The high priority actions are considered to be of significance to the Councillors and the community and to be addressed in a timely manner.

### **RECOMMENDATION**

#### **DIS150: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council NOTE the Natural Reserves Strategy Progress Report for 2<sup>nd</sup> Quarter (October to December 2018).**

### **BACKGROUND**

1. The Natural Reserve Strategy and Action Plan was adopted by Council in March 2017 (OCM DIS 013). A quarterly progress report is attached for reference.
2. The Strategy contains 83 actions of which 14 have been identified as of high priority. The majority of the remaining actions are on-going as part reserves daily management with 22 a medium priority and 2 a low priority.

### **DISCUSSION**

2. Four of the 14 high priority action are complete with seven (7) on track, one (1) being monitored and one (1) yet to commence.
3. All these priority actions will be completed by the end of June 2019.

### **GOVERNMENT & PUBLIC CONSULTATION**

4. N/A

### **STATUTORY IMPLICATIONS**

5. N/A

## POLICY IMPLICATIONS

6. N/A

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Reputation</b> Actions from the NRSAP underwent considerable consultation with the community. Failure to deliver will have negative impacts on the City's reputation.</p>	Possible	Minor	Medium	All high priority actions are being resourced and will be delivered in a timely manner.
<b>Opportunity:</b> Short term high priority actions are achieved in a timely manner.				

## FINANCIAL IMPLICATIONS

8. All works to be completed are budgeted for as part of the capital works program.

## LEGAL IMPLICATIONS

9. N/A

## ENVIRONMENTAL CONSIDERATIONS

10. Any works implemented on ground will go through the required environmental approvals.

## ALTERNATE OPTIONS

11. Nil

## CONCLUSION

12. The high priority actions under the Natural Reserves Strategy are on track for completion by the end of June 2019.

<b>Consulted References</b>	:	Nil
<b>File Number (Name of Ward)</b>	:	CR.COC.44 (All Wards)
<b>Previous Reference</b>	:	DIS013 – OCM – March 2017

## DIS151: ENVIRONMENTAL WEED MANAGEMENT PLAN

<b>Land Description</b>	: All City of Albany managed lands
<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: Environmental Weed Management Plan
<b>Report Prepared By</b>	: Reserves Officer (S Maciejewski)
<b>Responsible Officers:</b>	: Acting Executive Director Infrastructure & Environment (M Richardson)

### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan:
  - **Theme:** Clean, Green & Sustainable.
  - **Objective:** To protect and enhance our natural environment.
  - **Community Priority:** Sustainably protect and enhance our iconic coastline and reserves.
2. This item relates to the following elements of the Natural Reserves Strategy and Action Plan 2017-2021:
  - **Strategic Goal 1.3:** To reduce the impact of invasive species on the natural environment.

### In Brief:

- The Environmental Weed Management Plan is a revised version of the Environmental Weeds Strategy for City of Albany Reserves that was first adopted by Council in 2001, and then again in 2005.
- The Environmental Weed Management Plan is designed to provide a framework for the management of environmental weeds on City-managed lands.
- The Plan is an integral part of the City's Natural Reserves Strategy and Action Plan and is important for guiding the City's Natural Reserves Team operations.

### RECOMMENDATION

#### DIS151: RESPONSIBLE OFFICER RECOMMENDATION

**THAT Council ADOPT the Environmental Weed Management Plan.**

### BACKGROUND

3. In 2001, the City adopted its first Environmental Weeds Strategy.
4. In 2004, a second version of this plan was adopted by Council. This document provided strategic implementation direction for the City's Bushcare Coordinator and two (2) part-time Bushcare Assistants.
5. Since 2004, City resources for managing environmental weeds have increased to include the equivalent of five (5) full time positions.
6. The review of the 2004 plan is identified as a high priority in the Natural Reserves Strategy and Action Plan, hence the development of this updated document.

### DISCUSSION

7. There are no major changes in the strategic framework for environmental weed control between the 2004 documents and the current updated plan. Minor changes are outlined below.
8. The document name has changed from a 'Strategy' to a 'Management Plan' as it now sits under the afore-mentioned Natural Reserves Strategy and Action Plan.
9. Reference to relevant legislation, plans and information has been updated.

10. Changes to priority areas include (refer to Table 4, Page 15 of Attachment for justification of priority reserves):-
- Mount Martin has been removed as it is now managed by Department of Biodiversity Conservation and Attractions.
  - Mount Melville has advanced to priority 2, as the importance of this reserve to the community is now recognised by the City. Weed control in this reserve is also more achievable given its location in the landscape.
  - Reserves in the Bon Accord Road area have been added, as the environmental value of these reserves have now been recognised by the City.
11. The Objectives and Strategies have been updated to reflect lessons learnt by staff since 2004 and to include additional operational areas that are now also incorporating the control of environmental weeds in works.
12. The plan now includes the development of an Annual Action Plan to be implemented primarily by the City's Reserves Team. An Action Plan for the first 12 months can be found in Appendix 1.
13. Appendix 2 lists and provides information on the weed control techniques that the City currently uses.
14. Appendix 3 lists and provides information on the weed control techniques that the City does not currently use.
15. Appendix 4 lists and provides some information on the herbicides used by the City.

#### GOVERNMENT & PUBLIC CONSULTATION

16. Given this is a revised version of an existing adopted document, with no major changes, external consultation was not considered to be required.

#### STATUTORY IMPLICATIONS

17. None.

#### POLICY IMPLICATIONS

18. None.

#### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Reputation</b> <b>Risk:</b> There is a risk that by not adopting this revised Plan, there could be criticism by the community on the Council having out-of-date documents and work practices.</p>	Likely	Moderate	High	<p>If adopted, the Plan will be up-to-date with current best practice techniques and legislation included.</p> <p>If not adopted, the document will be out-of-date and not accurate.</p>
<p><b>Environmental</b> <b>Risk:</b> There is a risk that by not updating this Plan that environmental weed control works on City land will not be as effective as they could be, resulting in low environmental benefit.</p>	Likely	Moderate	High	<p>Council adoption of this Plan will ensure City work practices are strategic and up-to-date.</p>
<p><b>Opportunity:</b> Strategic and up-to-date weed control works with high environmental outcomes.</p>				

### FINANCIAL IMPLICATIONS

20. There will be no new financial implications as the City of Albany already has an annual budget item for the maintenance of natural reserves which is currently used to implement the City's Environmental Weed Strategy.

### LEGAL IMPLICATIONS

21. None.

### ENVIRONMENTAL CONSIDERATIONS

22. The adoption of this Plan will ensure that City staff continue to manage environmental weeds on City-managed land using best practice techniques, while targeting priority areas and priority species.
23. State Acts that are relevant to this Plan include:
- a. *Biosecurity and Agriculture Management Act 2007*.
24. National and State Strategies that are relevant to this Plan include:
- a. *Australian Weeds Strategy 2017 to 2027*; and
  - b. *Environmental Weed Strategy for Western Australia (CALM 1999)*.
  - c. *Weeds of National Significance List*.
  - d. *National Environmental Alert Weeds List*.

### ALTERNATE OPTIONS

25. None.

### CONCLUSION

26. The adoption of this revised plan will ensure that the City will continue to manage environmental weeds on City-managed land in the most environmentally effective way.

<b>Consulted References</b>	:	Environmental Weed Strategy Documents named in Point 24 above
<b>File Number (Name of Ward)</b>	:	EM.PLA.1 (All Wards)
<b>Previous Reference</b>	:	Nil

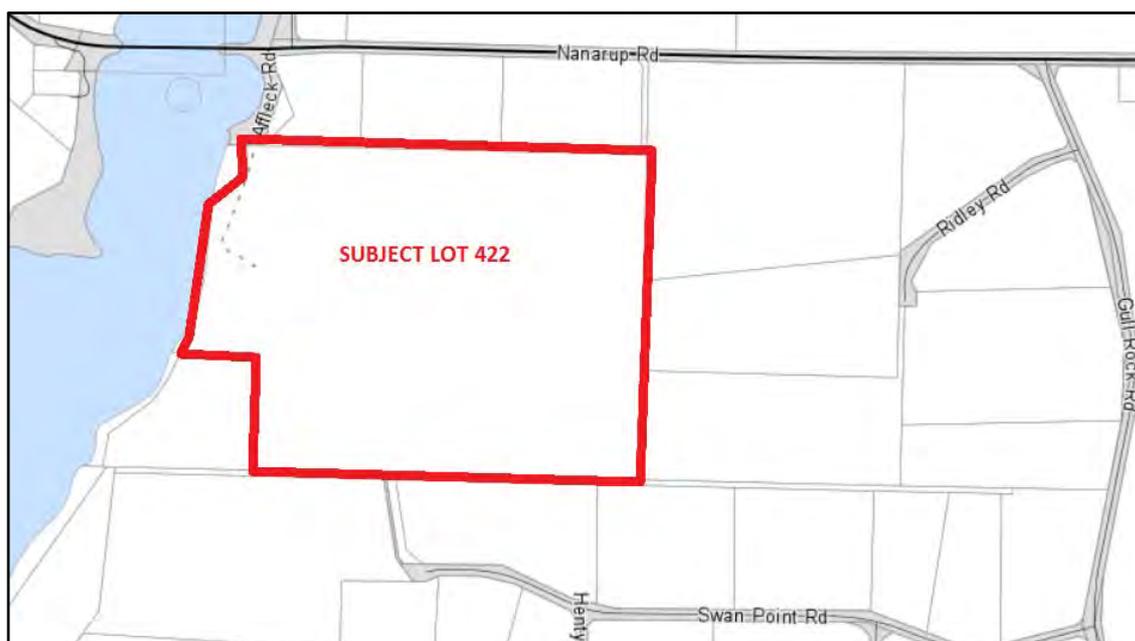
**DIS152: LOCAL PLANNING SCHEME AMENDMENT NO 15 – LOT 422  
AFFLECK ROAD, KALGAN**

<b>Land Description</b>	: Lot 422 Affleck Road, Kalgan
<b>Proponent</b>	: Harley Dykstra
<b>Owner</b>	: Archipelago Nominees Pty Ltd ( Leisa Ann Paunic)
<b>Business Entity Name</b>	: Achillies Pty Ltd; Shuttleworth & Associates; Great Southern Sands; Spinifex Crushing & Screening Pty Ltd
<b>Attachments</b>	: 1. Scheme Amendment Document 2. Schedule of Submissions 3. Letter from Department of Planning, Lands and Heritage
<b>Report Prepared by</b>	: Senior Planning Officer – Strategic planning (A Nicoll)
<b>Responsible Officer</b>	: Executive Director Development Services (P Camins)

**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter.
2. The application for consideration involves a scheme amendment to rezone Lot 422 Affleck Road, Kalgan from the 'General Agriculture' zone to the 'Rural Residential No. 45' zone.
3. When exercising its discretion in relation to planning matters, the pertinent strategic document is the *Albany Local Planning Strategy 2010*.
4. This proposal is consistent with the strategic direction set in the *Albany Local Planning Strategy 2010*. The *Albany Local Planning Strategy 2010* identifies the land as being suitable for rural lifestyle lots, consistent with surrounding established lots comprising of 1-2 hectares.

**Maps and Diagrams**



**In Brief:**

- Local Planning Scheme Amendment No.15 was initiated at the June 2016 Ordinary Council Meeting and was advertised accordingly.
- As part of the advertising process, responses were received which recommended that additional work be undertaken to comply with;
  - *State Planning Policy 2.6 – State Coastal Planning*; and
  - Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- In 2017 the City of Albany requested that the proponent undertake additional work to address requirements of the *State Planning Policy 2.6* and Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- The information which was requested has not been provided to the City of Albany by the proponent.
- In January 2019, the Department of Planning, Lands and Heritage required that the City pass a resolution, to support or not support the amendment by the 16 April, 2019.
- The applicant advised the City of Albany that they are unwilling to undertake the required additional studies as requested.
- On this basis it is recommended that the Council refuse the amendment application.

**RECOMMENDATION**

**DIS152: RESPONSIBLE OFFICER RECOMMENDATION**

1. **THAT Council, pursuant to regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves NOT TO SUPPORT the Amendment No. 15, which proposes to:**
  - a) **Rezone Lot 422 Affleck Road, Kalgan from the ‘General Agriculture’ zone to the ‘Rural Residential’ zone; and**
  - b) **Amend the Scheme Maps accordingly.**
2. **Forward amendment documentation and submissions to the Western Australian Planning Commission with a request that the Hon. Minister for Planning refuse the amendment for the following reason:**
  - a) **Information to determine a foreshore reserve has not been provided.**
  - b) **and a structure plan has not been submitted.**

**Note:**

- **The landowner advised the City of an unwillingness to provide additional information as requested by agencies.**
- **A structure plan is required in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

- **Section 77 of the *Planning and Development Act 2005* requires local governments, when preparing or amending a local planning scheme, to have due regard to this State Coastal Planning Policy where it affects its district.**
  - **The SPP 2.6 states:**
    - ***Local and regional planning strategies, structure plans, schemes, subdivisions, strata subdivision, development applications, coastal planning strategies and foreshore management plans, as well as other planning decisions and instruments relating to the coast should comply with the policy measures.***
  - **The Environmental Protection Authority advised that:**
    - ***...a foreshore reserve will need to be established prior to the finalisation of the amendment...The foreshore reserve should be consistent with the requirements of State Planning Policy No. 2.6 State Coastal Planning Policy (SPP 2.6).***
- 3. Advise the applicant/owner and those who lodged a submission of the Council decision accordingly.**
- Note that the Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:**
- a) **The amendment is consistent with the *Albany Local Planning Strategy*, which identifies the site as ‘Special Residential’ and ‘Rural Residential’ and sets a strategic objective to ensure that future rural living areas are planned and developed in an efficient and co-ordinated manner by being located adjacent to Albany as designated on the ALPS maps;**
  - b) **The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
  - c) **The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**

## **BACKGROUND**

5. *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. Most importantly, the Scheme controls the types of uses and development allowed in different zones.
6. Council resolved to advertise Amendment No.15 at the June 2016 Ordinary Council meeting.
7. Prior to advertising, the amendment was referred to the Environmental Protection Authority (EPA), where it was determined that the scheme amendment is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the *Environmental Protection Act 1986* (EP Act). However, the EPA did however provide the following specific advice:

*...a foreshore reserve will need to be established prior to the finalisation of the amendment... The foreshore reserve should be consistent with the requirements of State Planning Policy No. 2.6 State Coastal Planning Policy (SPP 2.6).*

8. Following notice from the EPA, the amendment was advertised in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
9. Following advertising, the proponent was requested (March 2017) ;
  - a) to undertake additional studies, including: Determination of a Foreshore reserve, undertaken in accordance with the State Planning Policy 2.6 – State Coastal Planning; and
  - b) To prepare a Structure Plan in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
10. The above-mentioned additional documents have not been provided. Subsequently, the Department of Planning, Lands and Heritage has formally required that the City of Albany pass a resolution, to support or not support the amendment by the 16 April 2019.

## DISCUSSION

11. Amendment No.15 is proposing to rezone Lot 422 Affleck Road from the 'General Agriculture' zone to the 'Rural Residential No.45' zone.
12. The amendment introduces provisions within the proposed zone, to govern land use, subdivision and development.
13. The City was notified via the advertising process, that additional information is required to address requirements of the:
  - a) *State Planning Policy 2.6 – Coastal Planning*; and
  - b) Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### State Planning Policy 2.6 – Coastal Planning

14. The EPA recommended that a foreshore reserve be determined prior to the finalisation of the amendment, consistent with *State Planning Policy 2.6*.
15. Likewise, the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions, recommended dedication of a foreshore reserve, to protect values of the Oyster Harbour.

### Structure Planning

16. The Department of Planning, Lands and Heritage requested the processing of a Structure Plan in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
17. The preparation of a Structure Plan determines key attributes and constraints, any major land uses, zoning or reserves proposed by the plan and the extent to which the plan provides for the coordination of infrastructure.

### Finalisation

18. The City of Albany has made numerous requests to the proponent for information to address the *State Planning Policy 2.6* and to address Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

19. The Information requested has not been provided. The proponent has indicated that they are unwilling to undertake the additional work as requested.
20. The Department of Planning, Lands and Heritage has now required that the City of Albany pass a resolution, to support or not support the amendment by the 16 April, 2019.
21. The proponent has been advised that unless additional information is provided, staff propose to recommend that Council recommend to refuse the amendment.

### GOVERNMENT & PUBLIC CONSULTATION

22. The local planning scheme amendment was advertised in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
23. Eleven submissions were received from agencies and members of the public. Submissions are considered in a schedule available as an attachment to this report.

### STATUTORY IMPLICATIONS

24. Scheme amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.
25. Section 75 of the *Planning and Development Act 2005* allows a local government authority to amend its local planning scheme with the approval of the Minister for Planning.
26. Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows Council to refuse a standard amendment.
27. Section 77 of the *Planning and Development Act 2005* requires local governments, when preparing or amending a local planning scheme, to have due regard to this State Coastal Planning Policy where it affects its district.
28. Voting requirement for this item is **SIMPLE MAJORITY**

### POLICY IMPLICATIONS

29. The *State Planning Policy 2.6 – Coastal Planning (SPP2.6)*, applies to the coast throughout Western Australia, including:
  - a) Sandy coasts, rocky coasts, mixed sandy and rocky coasts, coastal lowlands, and tidal reaches of inland waters;
  - b) Near shore marine waters, state waters;
  - c) All islands within the state lying seawards of the mainland; and
  - d) Land use and development within the coastal zone.
30. The purpose of the SPP2.6 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.
31. The SPP 2.6 states:

*Local and regional planning strategies, structure plans, schemes, subdivisions, strata subdivision, development applications, coastal planning strategies and foreshore management plans, as well as other planning decisions and instruments relating to the coast should comply with the policy measures.*

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Organisational Operations and Reputation</b> The proposal may be accepted by the Western Australian Planning Commission or the Minister for Planning.</p>	Possible	Minor	Medium	If supported by the WAPC or Minister, the City will advise the proponent as such.
<p><b>Community, Organisational Operations and Reputation</b> A decision of refusal may invoke a negative response from the landholder.</p>	Possible	Minor	Medium	<p>Submissions have been considered and will be forwarded to the WAPC for further deliberation.</p> <p>The proponent has on repeated occasions, been requested to provide additional information prior to the amendment being supported.</p>
<p><b>Opportunity:</b> To leave the foreshore area unaltered until such a time a suitable study undertaken and foreshore area is identified.</p>				

## FINANCIAL IMPLICATIONS

33. There are no financial implications directly relating to this item.

## LEGAL IMPLICATIONS

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

## ENVIRONMENTAL CONSIDERATIONS

35. As per Section 48(A) of the *Environmental Protection Act 1986*, the proposal was referred to the Environmental Protection Authority and environmental assessment was not deemed necessary.

## ALTERNATE OPTIONS

36. Council may consider an alternate option in relation to this item, such as resolving to support the scheme amendment with or without modification.

## SUMMARY CONCLUSION

37. Advertising of the Scheme Amendment No.15 determined the need to;
- Establish a Foreshore reserve, undertaken in accordance with the *State Planning Policy 2.6 – State Coastal Planning*; and
  - Prepare a Structure Plan in accordance with Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

38. Staff requested the proponent provide additional information to address requirements of the *State Planning Policy 2.6* and Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
39. Additional information pertaining to above-mentioned matters has not been provided.
40. The Department of Planning, Lands and Heritage required that the City pass a resolution, to support or not support the amendment by the 16 April, 2019.
41. Council is requested to consider submissions received and to agree to refuse the amendment.

<b>Consulted References</b>	:	<ol style="list-style-type: none"> <li>1. <i>Local Planning Scheme No. 1</i></li> <li>2. <i>Albany Local Planning Strategy 2010</i></li> <li>3. Western Australian Planning Commission <i>State Planning Policy 2.6 – Coastal Planning</i></li> </ol>
<b>File Number (Name of Ward)</b>	:	LAMD15 (Kalgan Ward)
<b>Previous Reference</b>	:	<p>OCM 16/06/2009 – Item 11.2.1          OCM 15/09/2009 – Item 15.5.2          OCM 15/06/2010 – Item 13.2.8          OCM 16/11/2010 – Item 1.4          OCM 19/07/2011 – Item 2.3          OCM - PD132 - 28/6/2016</p>

## **DIS153: WASTE MANAGEMENT UPDATE**

<b>Attachments</b>	:	<i>Waste Management Update</i> <i>Waste Management Presentation</i> <i>FOGO Trial – Overview and Analysis</i> <i>Garage Sale Trail – WA Impact Report 2018</i>
<b>Report Prepared By</b>	:	<i>Waste Sustainability Officer (J Passmore)</i>
<b>Responsible Officers:</b>	:	<i>Acting Executive Director Infrastructure &amp; Environment</i> <i>(M Richardson)</i>

### **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 & Sustainable.
  - **Objective:** To identify and deliver improvements in sustainability within the City and wider community
  - **Community Priority:** Deliver a sustainable and progressive approach to waste management including collaboration with neighbouring local governments.

#### **In Brief:**

- This report provides a summary of the context and progress of activities in relation to the City of Albany's waste management.

### **RECOMMENDATION**

#### **DIS153: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council NOTE the context and progress of current waste management activities.**

### **BACKGROUND**

2. The Regional Waste Alliance is a sub-group of the South Coast Alliance comprising representatives from the City of Albany, Shire of Denmark and Shire of Plantagenet. The Alliance is currently working to update the Regional Waste Strategic Plan.
3. The City of Albany's waste management has been guided during the past 6 years by the Strategic Waste Management Plan 2013-18. A new Strategic Waste Management Plan is currently being developed.
4. With a projected life expectancy of less than 8 years at the Hanrahan Road Waste Facility Landfill, the City contracted a consultant who has used multi-criteria analysis to focus on potential new landfill sites.
5. Implementation of kerbside food scrap collection was identified for action in the City of Albany Strategic Waste Management Plan 2014-18.
6. In 2018, the City successfully applied for funding for a combined Behaviour Change Tools Development Project and Food Waste Diversion Trial through the Waste Authority Community & Industry Engagement Program.
7. An 8-week trial was Food Organics and Garden Organics (FOGO) collection trial was conducted in five streets in October and November 2018.
8. Promotion of waste reduction and awareness to the community is an ongoing priority. Waste sustainability activities undertaken are guided by the Strategic Waste Management Plan and relate to the Community Strategic Plan objective to be Clean, Green & Sustainable with the aim of increasing community awareness in reuse and recycling.

## **DISCUSSION**

### **Regional Waste Strategic Plan**

9. The Regional Waste Alliance, comprising City of Albany, Shire of Denmark and Shire of Plantagenet representatives, will finalise a draft Sustainable Waste Strategic Vision for consideration by the South Coast Alliance on Thursday 21 March 2019.

### **City Strategic Waste Management Plan**

10. A draft Strategic Waste Management Plan has been distributed to the Waste Management Working Group and will be released for internal comment ahead of presentation for consideration by Council in April 2019.

### **New Landfill Site Selection**

11. Following multi-criteria analysis by Talis Consultants, City staff are currently exploring freehold site options. A report outlining the site selection alternatives will be presented to Council once investigations are complete.

### **Hanrahan Landfill Post-Closure Plan**

12. The City of Albany has contracted GHD to prepare a draft post-closure plan for Hanrahan Road Landfill.

### **Behaviour Change Tools Development and Food Waste Diversion**

13. Following a successful Food Organics and Garden Organics (FOGO) collection trial in October-November 2018 a business case presenting options for food waste collection in the City of Albany's kerbside service will be prepared for consideration by Council by the end of March 2019.
14. A consultant's report will be considered following the conclusion of the Behaviour Change Tools Development Project which considers residential and commercial challenges and opportunities related to waste and recycling and is intended to inform future communication strategies.

### **Waste Sustainability**

15. More than 1400 attended the third annual Green Fair on the Square in November 2018. The event featured Albany's first Festival of Forgotten Skills to promote skills associated with waste reduction including sewing, knitting and crochet, book binding, edible weeds, rope making and how to check water and power meters.
16. Five community groups received funding through the City's inaugural Waste & Sustainability Grant scheme for initiatives to promote waste reduction in the community.
17. More than 250 residents have purchased a discounted compost bin through the City's Compost Revolution membership.
18. Waste Services assisted Communications staff with the production of the 2019 Community Calendar which features local "sustainable heroes" and highlights simple tips to help residents reduce waste.
19. The Sustainable Heroes theme is continued in the current Your City video campaign on social media which is sponsored by Cleanaway.
20. Recycling and waste reduction tips shared regularly on The City of Albany Facebook page receive significant engagement from residents. Initiatives promoted through social media and local news outlets also include Clean Up Australia Day and Keep Australia Beautiful's Adopt-A-Spot program.
21. Thirteen recycle and waste bin stations were installed between Middleton Beach and Emu Point and recycle bins were placed throughout the Albany Leisure and Aquatic Centre.

22. A recycle station was recently installed as part of the Albany Public Library upgrade to provide a central collection point for recyclable items including household batteries and spectacles. Library staff program and promote regular waste reduction and recycling activities.
23. The City hosted the WALGA Container Deposit Scheme Pilot at the Australia Day Middleton Beach Festival which received great interest from the community and collected more than 12,000 containers in one day.
24. Fossicker's Community Workshops provide residents with hands-on skills for waste reduction. Five workshops have been held including a popular introductory composting session attended by 50 residents. Other topics have included worm farming, backyard chook keeping for beginners, pallet upcycling and book binding using recycled materials.
25. A new shed has been constructed at Fossicker's Tip Shop to host future waste reduction workshops and volunteer groups.
26. City staff continue to work closely with Cleanaway's Education Officer to promote recycling and waste reduction to residents, including school and community groups. More than 1000 residents have participated in tours of the Material Recovery Facility in the past twelve months.
27. Together with the Shires of Denmark and Plantagenet, the City successfully applied to participate in the WALGA Bin Tagging Program. The program will provide feedback to residents to assist in reduced contamination of recyclables as well as the diversion of resources from landfill. The program will build on bin audits currently conducted by Cleanaway.
28. Staff will make provision for Garage Sale Trail membership and associated expenses in Council's 2019/20 and 2020/21 budgets.
29. Garage Sale Trail is a membership program for councils which promotes reuse, waste education and reduction, and community engagement, culminating in a weekend of garage sales in October.
30. Garage Sale Trail resources will complement other City of Albany communications advising the community of alternative disposal and redistribution options during 2019 when no bulk hard waste collection will be provided.

#### **GOVERNMENT & PUBLIC CONSULTATION**

31. No government consultation is required for this item.
32. Surveys and focus groups were conducted in conjunction with the Behaviour Change Tools Development & Food Waste Diversion trial.
33. Future government consultation will be conducted in relation to the landfill site selection, post-closure plan and FOGO collection.
34. Future public engagement will be conducted in relation to the landfill site selection, post-closure process, FOGO trial and behaviour change programs and Garage Sale Trail.

#### **STATUTORY IMPLICATIONS**

35. There are no statutory implications related to this item.

#### **POLICY IMPLICATIONS**

36. There are no policy implications related to this item.

#### **RISK IDENTIFICATION & MITIGATION**

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

**Opportunity:** To improve councillor and staff awareness of current waste management activities.

### **FINANCIAL IMPLICATIONS**

38. There are no direct financial implications related to this report.
39. Proposed activities that have financial implications will be presented for Council review and decision separately.

### **LEGAL IMPLICATIONS**

40. There are no legal implications related to this report.

### **ENVIRONMENTAL CONSIDERATIONS**

41. The City of Albany values a clean, green and sustainable environment and works to deliver a sustainable and efficient waste management service. Current operations and future planning aim to reduce waste to landfill and improve community waste and recycling habits.

### **ALTERNATE OPTIONS**

42. Information report only.

### **CONCLUSION**

43. It is recommended that Council note the context and progress of current waste management activities.

<b>Consulted References</b>	:	<i>City of Albany Strategic Waste Management Plan 2014-18</i> <i>Regional Waste Strategic Plan</i> <i>State Waste Avoidance &amp; Resource Recovery Strategy</i>
<b>File Number (Name of Ward)</b>	:	CM.STD.6 (All Wards)
<b>Previous Reference</b>	:	Nil

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