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# MINUTES

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

**Wednesday 15 May 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** – The Chair declared the meeting open at 6.00pm.
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 Shanahun (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	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

**Apologies:**

Member	T Sleeman
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**4. DISCLOSURES OF INTEREST**

<b>Name</b>	<b>Committee/Report Item Number</b>	<b>Nature of Interest</b>
Councillor Smith	DIS160	Impartiality – own and run holiday accommodation.

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

At the Development and Infrastructure Service Committee held on 10 April 2019, Mrs Helen Cope addressed the Committee during Public Question Time regarding increased Dog exercise areas.

In response: (Emailed to Mrs Cope on 16/04/2019) The City has adopted a Dog Exercise, Prohibited & Rural Leashing Policy in November 2018, which has increased the amount of dog exercise areas throughout Albany.

**6. PUBLIC QUESTION TIME**

6:01 - Hollie Hummerston (Owners) – DIS160 Holiday accommodation.

Summary of key points:

- The property will be managed by the owners who live two streets away.
- Guests will be met by the owners.
- Pets will be contained within the property.

6:03 - there being no further speakers the Chair declared the Public Question Time closed.

**7. PETITIONS AND DEPUTATIONS - Nil**

**8. CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

**MOVED: COUNCILLOR MOIR  
SECONDED: COUNCILLOR STEPHENS**

**THAT the minutes of the Development and Infrastructure Services Committee meeting held on 10 April 2019, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED: 12-0**

**9. PRESENTATIONS - Nil**

**10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS - Nil**

## DIS157: FOOD ORGANICS AND GARDEN ORGANICS (FOGO)

<b>Attachments</b>	: Confidential FOGO Business Case
<b>Report Prepared By</b>	: Waste Project Officer (J Passmore)
<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:** 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:

- Council endorsement is sought to develop an operational plan for the roll-out of a kerbside Food Organics and Garden Organics (FOGO) service in 2020.
- Estimated costings for three service options are provided in the attached FOGO Business Case.

### RECOMMENDATION

#### DIS157: COMMITTEE RECOMMENDATION

**MOVED: MAYOR WELLINGTON**  
**SECONDED: COUNCILLOR TERRY**

**THAT the Responsible Officer Recommendation be ADOPTED**

**CARRIED: 12-0**

#### DIS157: RESPONSIBLE OFFICER RECOMMENDATION

1. THAT Council APPROVE the commencement of a kerbside FOGO service in January 2020 to properties receiving a kerbside waste collection.
2. THAT Council APPROVE Option 3, being fortnightly collection of all bins (FOGO, commingled recyclables and general waste) with weekly FOGO collection for 8 weeks during December-February.

### BACKGROUND

2. In 2004, the City of Albany was one of the first Western Australian councils to introduce a three-bin kerbside service which includes collection of general waste, commingled recyclables and garden organics (GO). Garden waste is processed into compost by the City's green waste contractor.
3. Implementation of kerbside food scrap collection was identified for action in the City of Albany Strategic Waste Management Plan 2014-18. A FOGO service directs households to put food scraps in with garden waste for collection and processing into compost.
4. 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 and an 8-week Food Organics and Garden

Organics (FOGO) collection trial was conducted in five streets in October and November 2018.

5. Introduction of a kerbside collection system that includes separation of FOGO from other waste categories in all Perth metropolitan and Peel local governments by 2025 was identified as a target of the State Waste Avoidance and Resource Recovery (WARR) 2030 Strategy.
6. The City of Bunbury was the first WA council to introduce a FOGO system in 2013 and the rate of diversion from landfill has increased from 24% to 65%. Councils planning to implement a kerbside FOGO service during 2019 and 2020 include Melville, Fremantle and Bassendean.
7. Public demand for kerbside food waste collection has grown in the past twelve months buoyed by increased media attention, including the ABC's War on Waste television series.

## DISCUSSION

8. Implementing a FOGO service in Albany would adapt the current service so that food organics (FO) are included with garden organics (GO) in the green waste bin to be collected for composting by the green waste contractor.
9. Visual audits of household waste in Albany found approximately 30% of kerbside general waste bin contents are food and garden organics. This is consistent with the National Waste Report 2013 which indicated that 30-46% of the contents of household general waste bins in Australia is food waste.
10. The impact of food waste in landfill includes the production of greenhouse gases, such as methane and carbon dioxide, and polluting leachate. Leachate emissions from Hanrahan Landfill is an ongoing management consideration.
11. Collecting food waste together with garden waste has the potential to reduce greenhouse gas emissions and leachate run off, increase available landfill space and contribute to the circular economy by recycling food waste into valuable compost. Collecting food waste for composting could potentially divert more than 2,300 tonnes of waste from Albany's landfill per annum (which is equivalent to the amount diverted through kerbside recycling in 2017-18) and minimise the release of associated greenhouse gases and leachate.
12. Surveys following Albany's 2018 FOGO trial found that 95% of households who participated in the trial were supportive of the introduction of a FOGO service. Surveys of the general population showed that 68% of Albany residents were motivated by the idea of diverting food waste from landfill to a composting facility.
13. It is recommended that the implementation of a FOGO service directing households to place food scraps along with garden organics in green waste bins to be collected and processed into compost commence in January 2020.
14. Three potential collection options for a kerbside FOGO service have been identified, as detailed in the attached FOGO Business Case (p9-10).
  - **Option 1:** Fortnightly collection of all bins (FOGO, recyclables and general waste)
  - **Option 2:** Fortnightly collection of all bins with weekly FOGO collection during December-March (12 weeks)
  - **Option 3:** Fortnightly collection of all bins with weekly FOGO collection during December-February (8 weeks)
15. Estimated costings indicate Option 1 would have significant ongoing cost savings compared to the current kerbside service, Option 2 would be slightly more expensive than the current service, and Option 3 would be cost-neutral.

Option 1 and Option 2 would address potential concerns about increased odours during warmer weather and increased waste generation during the holiday period.



16. Consideration would be given to the provision of options such as additional bins for households with large waste output due to exceptional circumstances including households with high occupancy or specific medical needs. These services would be paid or unpaid depending on householder circumstances.
17. A comprehensive implementation strategy would be developed to inform and prepare residents for the transition to FOGO, assist with waste separation between the three bins and promote waste prevention and reduction. Appropriate internal staff, agencies and community groups would be consulted in the preparation of the strategy to minimise negative impacts and maximise positive outcomes for all residents.
18. The implementation strategy would include print, digital and social media advertising, face to face engagement, direct mail, email, signage and displays.
19. The proposed implementation would include delivery of kitchen caddies, compostable bin liners and information material such as bin stickers and fridge magnets to assist residents with sorting their waste.
20. Promotions and education would continue to encourage residents to recycle organic waste at home by composting and keeping poultry where appropriate, while recognising that these methods are not suitable for all households.
21. Adapting Albany's current three-bin service into a FOGO system will be a relatively simple process that will provide positive environmental, social and financial outcomes.
22. The proposed FOGO service will make use of proven waste diversion solutions while allowing time to research and consider developing waste processing technologies.

#### GOVERNMENT & PUBLIC CONSULTATION

23. There has been no government consultation in relation to this item, although the State Waste Avoidance and Resource Recovery Strategy 2030 has been considered in its preparation.
24. A Food Waste Diversion Trial supported by WA Waste Authority Community and Industry Engagement (CIE) funding was conducted in October-November 2018.
25. Community surveys and focus groups were conducted as part of the Food Waste Diversion Trial and Behaviour Research Project supported by Waste Authority CIE funding.
26. Future government consultation will be conducted to assist implementation of a FOGO service.
27. Future public engagement will be conducted during the planning and roll-out of a FOGO service.

#### STATUTORY IMPLICATIONS

28. Waste Avoidance and Recovery Act and associated Regulations.

#### POLICY IMPLICATIONS

29. There are no policy implications directly relating to this item.

#### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Community:</b> Concern regarding changes to bin schedule and waste sorting.	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	<i>A comprehensive implementation strategy to equip and educate the community to encourage positive waste diversion behaviours will be essential.</i>

<b>Reputation:</b> <i>By not introducing a FOGO system, the City has not delivered one of the actions of the 2014-18 Strategic Waste Management Plan.</i>	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Introduction of a FOGO service will fulfil a commitment of the 2014-18 Strategic Waste Management Plan.</i>
<b>Operations:</b> <i>Uncertainty around incorporating food waste into current garden waste processing.</i>	<i>Possible</i>	<i>High</i>	<i>High</i>	<i>Work with contractors and relevant departments to ensure quality output and that processing adheres to licencing requirements.</i>
<b>Opportunity:</b> <i>Separation of food waste at source to recover for processing into compost has significantly better environmental outcomes than sending organic material to landfill. The introduction of a FOGO collection service demonstrates the City of Albany's commitment to sustainable waste management and is an obvious next step for the City of Albany's waste management services with potential for positive environmental, social and financial outcomes.</i>				

### FINANCIAL IMPLICATIONS

31. There are no immediate financial implications related to this report although there will be a cost incurred in the implementation phase of the service to be considered for the 2019/20 budget.
32. Estimated costings for services and activities associated with FOGO service implementation and education are provided to Council for review in the attached business case.
33. An application for State Government Community and Industry Engagement funding to assist with costs associated with FOGO implementation, subject to Council endorsement, has been submitted. Assistance may also be available through the State Government's Better Bins program or Federal Emissions Reduction Funding.

### LEGAL IMPLICATIONS

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

### ENVIRONMENTAL CONSIDERATIONS

35. The City of Albany values a clean, green and sustainable environment, and works to deliver a sustainable and efficient waste management service. The proposed FOGO service has potential to increase diversion of waste from landfill, reduce gas and leachate emissions associated with decomposing food in landfill and improve community waste and recycling habits.

### ALTERNATE OPTIONS

36. Continue current kerbside service with food waste going to landfill.
37. Consider other options for service provision frequency.

### CONCLUSION

38. It is recommended that Council endorse the commencement of a kerbside FOGO service in January 2020.
39. It is recommended that Council endorse Option 3, being fortnightly collection of all bins (FOGO, commingled recyclables and general waste) with weekly FOGO collection for 8 weeks during December-February.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>• <i>City of Albany Strategic Waste Management Plan 2014-18</i></li> <li>• <i>State Waste Avoidance &amp; Resource Recovery Strategy 2030</i></li> </ul>
<b>File Number (Name of Ward)</b>	:	CM.STD.6 (All Wards)
<b>Previous Reference</b>	:	Nil

**DIS158: COMMUNITY WASTE RESOURCE STRATEGY 2019-2026**

- Attachments** : Draft Community Waste Resource Strategy 2019-2026  
Waste Avoidance & Recovery (WARR) Strategy 2030  
Proposed South Coast Sustainable Waste Alliance Strategic  
Vision
- Report Prepared By** : Waste Project Officer (J Passmore)
- Responsible Officers:** : 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:** 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:**

- The proposed Community Waste Resource Strategy 2019-2026 is an eight year plan designed to provide a framework for the management of waste minimisation and management in the City of Albany.
- The Strategy's objectives are to minimise waste to landfill, engage stakeholders, lead and advocate for best practice waste management, encourage innovation and provide cost-effective services.

**RECOMMENDATION**

**DIS158: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR MOIR**

**THAT the Responsible Officer Recommendation be ADOPTED**

**CARRIED: 12-0**

**DIS158: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council ADOPT the Community Waste Resource Strategy 2019-2026**

**BACKGROUND**

2. The Strategic Waste Management Plan adopted by Council in 2014 was flagged for review in September 2018.
3. The State Government released the Waste Avoidance and Resource Recovery (WARR) Strategy 2030 in February 2019.
4. The proposed South Coast Sustainable Waste Alliance Strategic Vision was prepared in March 2019.
5. The proposed Community Waste Resource Strategy was prepared by waste services staff in consultation with the Waste Management Working Group.

## DISCUSSION

6. The proposed Community Waste Resource Strategy provides an innovative way forward to decrease waste generation and manage our community's waste.
7. The Strategy's timeline aligns with major organisational milestones and the anticipated timeframe to establish a new waste facility. The development of a new landfill site will require significant changes to logistical operations and types of services the City provides. Capturing the whole of this period of change is a practical approach.
8. The Community Waste Resource Strategy complements the proposed Strategic Vision for the South Coast Sustainable Waste Alliance and fits under the umbrella of the City of Albany's 2030 Community Strategic Plan to incorporate the Community Priority to 'Deliver a sustainable and progressive approach to waste management including collaboration with neighbouring local governments'.
9. The Strategy aligns with the goals and targets of the State Government's Waste Avoidance and Resource Recovery (WARR) Strategy 2030 which is guided by the priorities of the waste hierarchy to avoid and minimise waste, and the optimised use of resources through the circular economy model.
10. The Strategy acknowledges the need to ensure shared responsibility for waste management and minimisation between those who generate, produce and use goods and services and a preference to deal with waste as close to the place of production as possible.
11. Guiding Principles for the City's waste management innovations are:
  - i. Empower people
  - ii. Think creatively
  - iii. Build employment
  - iv. Manage waste as a resource
  - v. Plan for the future
  - vi. Regional focus
12. Five strategic objectives targeting key focus areas provide direction for the Strategy's associated priorities:
  - i. Minimise waste to landfill
  - ii. Engage stakeholders
  - iii. Lead and advocate for best practice waste management
  - iv. Encourage innovation
  - v. Provide cost-effective services
13. The Strategy's Actions and Key Performance Measures will be monitored on an Action Plan Scorecard and reported on quarterly.
14. The Strategy aligns with WARR Strategy 2030 Targets for waste reduction and resource recovery to improve current waste trends:

<b>Resource Recovery Rate</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>
All sectors Western Australia		70%	75%
Municipal Solid Waste Perth metropolitan region	65%	67%	70%
Municipal Solid Waste Major regional centres	50%	55%	60%
Commercial and Industrial Western Australia	70%	75%	80%
Construction and Demolition Western Australia	75%	77%	80%

15. Significant innovation and collaboration with community, business and the State Government will be required to meet the ambitious goals. Federal Government leadership in the advancement of a sustainable circular economy model will also be essential.
16. Major projects to be delivered over the life of the Strategy include implementation of a Food Organics and Garden Organics (FOGO) collection service; identification, acquisition and approvals of a new landfill site; new waste facility construction; and closure of Hanrahan Landfill.

### GOVERNMENT & PUBLIC CONSULTATION

17. No government consultation is required for this item, although the State Waste Avoidance and Resource Recovery Strategy 2030 has been considered in its preparation.
18. There has been no specific community consultation in relation to this item, although consideration has been given to outcomes of consultation for the City of Albany Community Strategic Plan 2030, and surveys and focus groups were conducted in conjunction with the Behaviour Change Tools Development Project and Household Food Waste Diversion Trial funded by the Waste Authority Community and Industry Engagement program.
19. Future government consultation and public engagement will be conducted in relation to actions associated with the Strategy.

### STATUTORY IMPLICATIONS

20. Waste Avoidance and Recovery Act and associated Regulations.

### POLICY IMPLICATIONS

21. There are no policy implications directly relating to this item.

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Community:</b> There is a risk community expectations raised by the Community Waste Resource Strategy are not met.	Possible	Moderate	Medium	If adopted, Council allocates resources to accommodate actions identified in the Strategies in a timely manner.
<b>Operations:</b> By not adopting the Strategy there is lack of clear direction for the City's future waste management and planning.	Likely	High	High	Adopt the Strategy and communicate progress regularly to Council and stakeholders.
<b>Reputation:</b> Future Council decisions inconsistent with the Community Waste Resource Strategy may result in lack of community confidence.	Possible	High	High	All future waste planning to be informed by current best-practice and up-to-date research, with Strategy reviewed as required.
<b>Opportunity:</b> Positive direction and clear plan for waste management with environmental and community benefits in the City of Albany.				

### FINANCIAL IMPLICATIONS

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

### LEGAL IMPLICATIONS

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

### ENVIRONMENTAL CONSIDERATIONS

26. The City of Albany values a clean, green and sustainable environment, and works to deliver a sustainable and efficient waste management service. The proposed Community Waste Resource Strategy has been prepared with consideration of environmental outcomes and aims to reduce waste to landfill and improve community waste and recycling habits.

### ALTERNATE OPTIONS

27. Council may elect to request amendments to the proposed Community Waste Resource Strategy 2019-2026.

### CONCLUSION

28. It is recommended that Council adopt the proposed Community Waste Resource Strategy 2019-2026.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• <i>City of Albany Strategic Waste Management Plan 2014-18.</i></li><li>• <i>State Waste Avoidance &amp; Resource Recovery Strategy 2030.</i></li></ul>
<b>File Number (Name of Ward)</b>	:	CM.STD.6 (All Wards)
<b>Previous Reference</b>	:	Nil

**DIS160: PROPOSED HOLIDAY HOUSE – 16 TAYLOR STREET  
MIRA MAR WA 6330**

<b>Land Description</b>	: Lot 131, 16 Taylor Street, Mira Mar WA 6330
<b>Proponent</b>	: Hollie and John Hummerston
<b>Business Entity Name</b>	: N/A
<b>Attachments</b>	: Copy of Application
<b>Report Prepared By</b>	: Planning officer - (J Anderson)
<b>Responsible Officers:</b>	: Executive Director Development Services (P Camins)

**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter.
2. In making a decision on the proposed development application, Council is obliged to draw conclusion from its adopted *Community Strategic Plan – Albany 2030*. The structure plan complies with strategic planning for the following reasons:
  - a) 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 131, 16 Taylor Street, Mira Mar



**In Brief:**

- On January 25 March, 2019, the City of Albany received a planning application for a Holiday House at 16 Taylor Street, Mira Mar.
- The matter was subject to public advertising. Through this process, one submission raising concerns with the proposal was received.
- Due to the provisions of the City of Albany's Holiday Accommodation Policy, the proposal is required to be referred to Council for determination.
- Staff consider that the proposal is in accordance with City of Albany Holiday Accommodation policy and recommend the proposal be supported subject to conditions.

**RECOMMENDATION**

**DIS160 COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON  
SECONDED: MAYOR WELLINGTON**

**THAT the Responsible Officer Recommendation be ADOPTED**

**CARRIED: 12-0**

**DIS160: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council resolves to ISSUE a notice of determination granting development approval, subject to the following conditions, for a Holiday House at Lot 131, 16 Taylor Street, Mira Mar:**

**Conditions:**

1. All development shall occur in accordance with the stamped, approved plans referenced P2190165 and dated XX XX 2019, unless varied by a condition of approval or a minor amendment, to the satisfaction of the City of Albany.
2. If the development, the subject of this approval, is not substantially commenced within a period of 2 years from the date of approval, the approval shall lapse and be of no further effect.
3. The operation of the holiday house hereby approved shall be in accordance with the approved management plan, which shall be reviewed and updated at the time of any change of ownership or management, to the satisfaction of the City of Albany.
4. The holiday house hereby approved shall not prejudicially affect the amenity of the neighbourhood by, but not limited to, the emission of noise, vibration, smell, smoke or dust to any extent greater than what is to be expected within a residential zone.
5. The holiday house hereby approved shall only be used for short stay accommodation, with any single tenant permitted to stay for no more than three months in any twelve month period.
6. The operator or manager of the holiday house hereby approved shall



**maintain an annual register of all guests to the satisfaction of the City of Albany. A receipt book must also be kept.**

7. **All vehicular parking and access areas shall be maintained as per the approved details and plans, to the satisfaction of the City of Albany.**
8. **Each bedroom utilising beds shall have a floor space of not less than four square metres per person; each bedroom utilising bunks shall have a floor space of not less than 2.5 square metres; and a maximum of twelve persons are permitted to stay on the premises at any one time.**
9. **Sign(s) shall not be erected on the lot without the prior approval of the City of Albany.**

***Advice Condition 8:***

***Please refer to the City of Albany Local Planning Policy 2B – Signs for further information.***

## **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. Most importantly, the Scheme controls the types of uses and development allowed in different zones. There are particular controls included for heritage and special control areas. The Scheme Text also sets out the requirements for planning approval, enforcement of the Scheme provisions and non-conforming uses.
4. The site is located approximately 2.2km north east of the Albany CBD. The property is 440m<sup>2</sup> in size and zoned Residential R25 under Local Planning Scheme No.1.
5. The surrounding properties are also zoned Residential R25, with the exception of a Reserve to the West (Bluff Rock reserve).
6. The application was advertised for public comment for a period of 21 days, with nearby landowners directly notified by letter.  
  
One submission was received during advertising which raised concerns in respect to the proposal. The concerns raised are summarised later in this item.
7. Council is now requested to consider the submission received during the public advertising period and determine whether to grant development approval.

## **DISCUSSION**

8. The City of Albany *Local Planning Scheme No.1* defines Holiday House as “means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast”.
9. A dwelling on the subject lot is currently under construction. The applicant has advised that this has been done with the intention of using the property for holiday accommodation. While this may be the applicant’s intention, ultimately, it is immaterial to the matter before Council, as the dwelling under construction is a single house.
10. The applicant has provided the following (summarised) outline of how the proposed holiday house will operate:
  - The Property will be managed by the landowners, who live in close proximity
  - A security bond is required

- Strict control on guest numbers
  - Guests will be met on-site by the landowners to ensure the correct number of people are checking in.
  - House rules will be provided to the guests
  - No parties being permitted, including or restrictions on additional visitors
  - Adjacent neighbours in close proximity will be given the landowners contact details should any problems arise.
  - Any disturbance issues will be dealt with immediately and eviction may occur.
  - Limitations and controls for pets on the premise
11. The main concerns raised and the proposed mitigation measures are addressed, as follows;
- The proposal potentially impacting upon the amenity and character of the area;
  - The proposal potentially impacting upon the viability of a future hotel within the City of Albany;
  - Not everyone within the street was notified;
  - Impacts on property values;
  - Pets should be secured; and
  - That notification should have occurred prior to the building being substantially commenced.
12. In respect to the amenity and character of the area, it is necessary to consider that the proposal is located within the preferred area for holiday accommodation within the City of Albany Holiday Accommodation Local Planning Policy. Further to this, the dwelling approved on the site has the built form of a regular dwelling and would be indistinguishable in that respect from the surrounding buildings. It is considered that with the implementation of a suitable management plan as a condition of approval, that the use will not detrimentally affect the character or amenity of the area.
13. While both land uses of Holiday House and Hotel come under the broader definition of holiday accommodation, the land uses are ultimately separate land uses with separate definitions. Notwithstanding that, both land uses are distinctly different, the impact of one development application on the viability of a separate land use is not classified as a matter to be considered under clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015.
14. Only nearby landowners were consulted, in accordance with the City of Albany procedure.
15. Property values are not a matter outlined within cl 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and is therefore not a matter which can be taken into consideration in the assessment process.
16. The keeping of domestic animals is permitted on a residential property. The proponent has amended the house rules to ensure that guests are only permitted one pet (which is approved at the time of booking). The pet must remain outside within the fenced area, and not be of disturbance to any neighbours.
17. As mentioned previously, while it may be the owner's intent to use the dwelling which is currently being developed for holiday accommodation, the development on the site is for a single dwelling. The proposal currently before council will enable the change of use if it is approved.

## GOVERNMENT & PUBLIC CONSULTATION

18. The application was advertised for public comment for a period of 21 days, with nearby landowners directly notified by letter.
19. One submission was received during advertising which raised concerns in respect to the proposal. The broad issues are discussed in paragraph 12-18, above.

## STATUTORY IMPLICATIONS

20. A Holiday House is classified as a “D” use within the ‘Residential’ zone under *Local Planning Scheme No. 1*, meaning that the use is not permitted unless the Local Government has exercised its discretion by granting planning approval.
21. Voting requirement for this item is **SIMPLE MAJORITY**

## POLICY IMPLICATIONS

22. The proposal is subject to the City of Albany Holiday Accommodation Local Planning Policy.
23. The primary reason the matter has been referred to council for consideration is due to the position within this policy which states;

*“Where a neighbour objects to a proposal, the application is to be referred to the Council for deliberation and considered in view of the following:*

- a. *The proximity of the holiday accommodation to key tourism attractions such as the beach or town centre/activity centre (typically a 5 minute walk – 400m);*
  - b. *location within a street(s) which facilitates safe, efficient and pleasant walking, cycling and driving;*
  - c. *location compatible with Figure A below (the areas illustrated are within close proximity to the town centre and popular swimming beaches).”*
  - d. *A management plan designed to facilitate community concerns.*
24. The following comments are made in respect to the above matters of consideration:
  25. Firstly, the subject lot is located on the end of a street, and only has one adjoining neighbour. Further to this, the property is in walking distance of the Spencer Park shopping centre and also in close proximity to footpaths which lead to Middleton Beach and the centre of town. It is considered that the location for the proposed development is suitable on the basis that it is located in a rather central area which is between the centre of town and the Middleton Beach tourism area.
  26. As per Figure A of the Local Planning Policy, the proposal is located within the preferred area for Holiday Accommodation.
  27. In accordance with the policy, the applicant has also submitted a management plan which controls the usage of the property and places clear guidance for its use. Measures to protect amenity through the management of the site include;
    - The requirement for a security bond;
    - Strict control on guest numbers
    - No parties being permitted, including restrictions on additional visitors.
    - Limitations and controls for pets on the premise

28. In respect to management, the owners live in close proximity to the dwelling, and are ideally placed to respond to any issues on the property. Further to this, it is noted that the applicant has incorporated termination clauses in the event that there are issues with users of the accommodation.
29. It is considered that the proposal meets the key matters of the Holiday Accommodation Local Planning Policy and is capable of approval subject to appropriate conditions.

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation. The approval may generate unacceptable impacts on the amenity on the area.	Possible	Minor	Low	The application and adherence of appropriate planning conditions will mitigate this risk.
<b>Opportunity:</b> Responds to market demand in a controlled fashion.				

### FINANCIAL IMPLICATIONS

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

### LEGAL IMPLICATIONS

32. As per the appeal rights conferred by the *Planning and Development Act 2005*, the decision on the matter can be appealed to the State Administrative Tribunal.

### ENVIRONMENTAL CONSIDERATIONS

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

### ALTERNATE OPTIONS

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

- To resolve to refuse the proposal subject to reasons; and
- To resolve to approve the proposal subject to additional or modified conditions.

### CONCLUSION

35. The proposal is considered to be consistent with the objectives of the zone and the requirements of the *City of Albany's Holiday Accommodation* local planning policy.
36. The matters raised in the public submissions received during the advertising period have also been broadly addressed by the proponent and can be mitigated through the application of appropriate planning conditions.
37. It is therefore recommended that Council approve the proposed development, subject to the conditions provided.

<b>Consulted References</b>	:	1. <i>Local Planning Scheme No.1</i> ; 2. <i>Holiday Accommodation local planning policy</i>
<b>File Number (Name of Ward)</b>	:	A238257 Frederickstown Ward
<b>Previous Reference</b>	:	Nil

## DIS161: VANCOUVER ARTS CENTRE – ROOF CONDITION REPORT

<b>Proponent / Owner</b>	: City of Albany
<b>Attachments</b>	: 1. VAC – Memorandum – Roof Condition Report, 2019 2. Heritage Impact Assessment, Lynne Farrow, 2017
<b>Report Prepared By</b>	: Acting Team Leader Asset Management (R Westerberg)
<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:

- To provide Council the requested additional information on the condition of the roof of the Vancouver Arts Centre and the required timing program for the roof re-cladding, together with reporting on external grant funding opportunities to reduce the direct cost to the City.

### RECOMMENDATION

#### DIS161: COMMITTEE RECOMMENDATION

**MOVED: MAYOR WELLINGTON**  
**SECONDED: COUNCILLOR HOLLINGWORTH**

**THAT the Responsible Officer Recommendation be ADOPTED**

**CARRIED: 9-3**

Against the Motion - Councillors Sutton, Stocks and Terry

#### DIS161: RESPONSIBLE OFFICER RECOMMENDATION

##### THAT Council:

1. **NOTE** the attached condition report.
2. **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 in the 2019/20 financial year.

### BACKGROUND

2. DIS149 Vancouver Art Centre Roof Re-Cladding was presented at the March 2019 Ordinary Council Meeting with a 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.*
3. At the March Ordinary Council Meeting, under DIS149 Vancouver Art Centre Roof Re-Cladding, Council approved an alternate motion:-

*THAT Council:*

- a) *ADVISE the Heritage Council of the decision to use a flat grey tile on the roof of the original limestone Cottage Hospital building at the Vancouver Art Centre as the most prudent and feasible alternative to sheoak shingles.*
  - b) *That a further report be presented to Council on the condition of the roof and the required timing program for the roof re-cladding, together with reporting on external grant funding opportunities to reduce the direct cost to the City.*
4. Advice has been provided to the Heritage Council of the decision to use a flat grey tile on the roof of the original limestone Cottage Hospital building at the Vancouver Art Centre as the most prudent and feasible alternative to sheoak shingles.
  5. A Heritage Impact Assessment was undertaken and a report prepared by Architect Lynne Farrow in 2017. Excerpts from this report are contained within the discussion section below and the complete report is attached.
  6. A further and current condition assessment on the Vancouver Arts Centre roof was made by City of Albany's Building Infrastructure Officer with the findings of this assessment attached to this agenda item.
  7. The Vancouver Arts Centre is now used to house the City of Albany's history collection. The level of protection over the history collection will be improved through the roof replacement programme.
  8. The verandah on the south side of the Vancouver Arts Centre has previously suffered a total failure leading to the corrugated iron sheeting as a temporary repair. This verandah area houses some of the City of Albany's history collection.

## DISCUSSION

### Funding Opportunities

9. External funding opportunities that would reduce the City of Albany's direct costs have been explored with unsuccessful results. The fact that the VAC currently houses City of Albany employees severely limits funding opportunities.
10. Funding avenues will be monitored for any new funding models in the lead up to the replacement works. However, at this stage there is no funding available for these works.

### Scheduling of Replacement Works

11. The Heritage Impact Assessment conducted by Architect Lynne Farrow in 2017 states:-

*"The present timber shingles on the roof of the cottage hospital were laid over 30 years ago in approximately 1986. They replaced former shingles and the original architectural drawings show that the original roof material was shingles. These shingles are in very poor condition and photographs illustrate the extent to which they have slipped and are therefore leaking. They require replacement."*

It goes on to say:-

*"The shingle roof cladding on the limestone Cottage Hospital building requires replacement. It is now over 30 years since the existing shingles were laid, and the nails have rusted and the shingles slipped and a number are missing. The lapped jarrah board sarking has kept the roof relatively watertight, and although there is little leaking, continued water penetration will eventually damage the jarrah boarding. The roof needs re-cladding before the timber sarking boards deteriorate from exposure and leaking increases."*

12. The Heritage Council have advised that in order to preserve the Jarrah Sark lining beneath the shingles a re-cladding exercise must be undertaken.
13. The current condition of the Jarrah Sark lining is good however there are signs of the commencement of rot as noted in the condition report by the City of Albany's Building Infrastructure Officer.
14. Failure to protect the Jarrah Sark lining will result in deterioration of the lining that will exacerbate current leaks and create further leaks into the roof space.

15. The necessity to commence the replacement program became more evident in during a recent storm event on Friday 19 April 2019. Water ingress was identified under the area of roof that is scheduled for replacement.

### GOVERNMENT & PUBLIC CONSULTATION

16. Development Application, correspondence and Heritage Impact Statement.

### STATUTORY IMPLICATIONS

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

### POLICY IMPLICATIONS

18. Heritage Protection Policy.

### 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
<b>Business Interruption</b> <i>There is potential that, if left, roof will impact the City of Albany employees working from within the VAC.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>The timely replacement of the shingles with the flat grey tile will remove this risk.</i>
<b>Community</b> <i>The VAC is a community facility. Reactive maintenance that comes about due to a failure of the roof will disrupt community use.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>The planned and controlled roof replacement program will significantly reduce, potentially remove, disruptions to community use of the facility.</i>
<b>People Health &amp; Safety</b> <i>There exists a risk that the loose shingles could fall on people. The fallen shingles could also cause a trip hazard if they fall to the path.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Replacement of the shingles will remove the risk of falling shingles.</i>
<b>Property</b> <i>The VAC holds exceptional heritage value. In addition, the VAC currently stores the City of Albany's history collection.</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Roof replacement will serve to protect both the building and the history collection.</i>

### FINANCIAL IMPLICATIONS

20. As previously advised under DIS149, the cost analysis of the material options is below:-

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

### LEGAL IMPLICATIONS

21. Nil

### ENVIRONMENTAL CONSIDERATIONS

22. Nil

**CONCLUSION**

23. The current condition of the Vancouver Arts Centre roof is poor condition as evidenced by the third-party Heritage Impact Assessment and the condition report by City of Albany’s Building Infrastructure Officer. Due to the poor condition and the requirement to preserve the Jarrah Sark lining, the roof is scheduled for replacement in the 2019/20 financial year with the grey coloured clay ‘plain’ tile. Funding opportunities for the roof replacement have been explored to ease the direct costs to the City of Albany with no success.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>• Heritage Impact Assessment by Architect Lynne Farrow.</li> <li>• Condition Report by City of Albany’s Building Infrastructure Officer</li> </ul>
<b>File Number (Name of Ward)</b>	:	CP.MAI.7 (Frederickstown)
<b>Previous Reference</b>	:	DIS149 (March 2019 OCM)



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

12. **MEETING CLOSED TO THE PUBLIC - 6:26**

13. **CLOSURE**

There being no further business, the meeting was closed at 6:26.