

PD018: ADOPT AMENDED POLICIES

Proponent	: City of Albany
Owner	: N/A
Business Entity Name	: N/A
Attachments	: Follow Report – <ul style="list-style-type: none">○ Amended Temporary Caravan Accommodation Policy;○ Amended Relocated Dwelling Policy;○ Amended Holiday Home Policy; and○ Amended Ancillary Accommodation Policy.
Appendices	: Nil
Councillor Workstation	: Nil
Responsible Officer(s)	: Executive Director Planning & Development Services (D Putland)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):

- a. **Key Theme:**

3. A connected built environment.

- b. **Strategic Objective:**

- 3.2 To develop and implement planning strategies that support people of all ages and backgrounds.

- 3.3 To develop vibrant neighbourhoods which retain our local character and heritage.

IN BRIEF

- The following policies have been amended and then advertised to seek public comment:
 - Temporary Caravan Accommodation Policy;
 - Relocated Dwelling Policy;
 - Holiday Home Policy; and
 - Ancillary Accommodation Policy.
- No submissions were received at the close of advertising (3 October, 2013).
- It is recommended that Council resolves to finally adopt the amended policies.

RECOMMENDATION

**PD018: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council ADOPT the following amended policies:

- a. **Temporary Caravan Accommodation Policy;**
- b. **Relocated Dwelling Policy;**
- c. **Holiday Home Policy; and**
- d. **Ancillary Accommodation Policy.**

PD018: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR HORTIN
SECONDED: MAYOR WELLINGTON**

THAT Council ADOPT the following amended policies:

- a. Temporary Caravan Accommodation Policy;
- b. Relocated Dwelling Policy;
- c. Holiday Home Policy; and
- d. Ancillary Accommodation Policy.

CARRIED 8-0

**PD018: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council ADOPT the following amended policies:

- a. Temporary Caravan Accommodation Policy;
- b. Relocated Dwelling Policy;
- c. Holiday Home Policy; and
- d. Ancillary Accommodation Policy.

BACKGROUND

2. At the August 2013 Ordinary Council Meeting, Councillors moved to advertise the following amended policies:
 - o Temporary Caravan Accommodation Policy;
 - o Relocated Dwelling Policy;
 - o Holiday Home Policy; and
 - o Ancillary Accommodation Policy.
3. The City advertised the amended policies twice in the local newspaper and on the City's website. At the close of advertising, zero (0) submissions were received.
4. The amended policies are in response to:
 - o changes in state policy;
 - o improving the assessment process;
 - o improving the outcome of development and land-use.

DISCUSSION

5. The 'Temporary Caravan Accommodation Policy' enables owners of a property to live in a caravan at their property whilst their dwelling is being constructed. The following changes have been proposed for this policy:
 - a. A procedural requirement has been added to ensure neighbouring properties are consulted at the planning assessment phase to safeguard the amenity of the area.
 - b. The existing policy requires the builder of the dwelling to be an 'Owner Builder'. This requirement has been deleted meaning that the builder can be an 'Owner Builder' or a 'Registered Builder'.
 - c. In order to safeguard the occupants of the caravan from the activities occurring at the construction site, a condition has been added to ensure safety barriers are constructed around the dwelling during construction.

6. The 'Relocated Dwelling Policy' administers the relocation of previously constructed dwellings. The following changes have been proposed for this policy:
 - a. A requirement has been added to this policy to ensure asbestos is removed prior to relocation of a dwelling.
 - b. A requirement has been added to ensure that any relocated dwelling is clad in materials similar to materials used on existing dwellings in the neighbourhood.
 - c. The existing policy evidently requires the owner to lodge a performance bond of \$5000 with the City of Albany. If redevelopment of the dwelling is not to the satisfaction of the City, the performance bond is utilised to complete the necessary works. The City is of the opinion that the bond should be increased to \$10,000 to provide enough of an incentive to undertake incomplete work.

7. The 'Holiday Home Policy' administers the letting of a dwelling for a maximum stay of 3 months within any 12 month period. The following changes have been proposed for this policy:
 - a. An advice note has been added to ensure that owners are aware that; in-order to revert back to permanent occupancy, a new Planning Scheme Consent will need to be lodged requesting approval for 'Single Dwelling'.
 - b. The existing policy dictates that approvals are issued to the owner of the land and not the land itself. This type of approval complicates the land use rights of the property, especially if the property is sold. This requirement has therefore been deleted.

8. The 'Ancillary Accommodation Policy' administers the development of a self contained apartment on the same lot as a single house. The following changes have been proposed for this policy:
 - a. The existing policy restricts the occupants of the ancillary unit to family members of the main dwelling. This requirement has been deleted to give homeowners the opportunity to rent their self contained apartment to gain extra income. This change is in accordance with *State Planning Policy 3.1 (Residential Design Codes)* and will assist in achieving cost-effective housing development.
 - b. The existing policy restricts the size of an ancillary unit to 75m². This has been changed to 70m² in accordance with the *State Planning Policy 3.1 (Residential Design Codes)*.
 - c. A new condition has been added in accordance with the *State Planning Policy 3.1 (Residential Design Codes)*, requiring the size of a property on which an ancillary unit is proposed to be greater than 450m².

GOVERNMENT AND PUBLIC CONSULTATION

- 9. An advertisement was placed in the local newspaper for two consecutive weeks and on the City’s website. The advertisement gave details of where the amended policies may be inspected and during what period (being not less than 21 days) comments may be made to the City.
- 10. At the close of advertising, zero (0) comments were received.

STATUTORY IMPLICATIONS

- 11. As required by the City’s Town Planning schemes 1A and 3; following final endorsement of the policies, details thereof shall be advertised publicly and a copy kept with the Scheme documents (Policy Manual) for inspection during normal office hours.

POLICY IMPLICATIONS

- 12. There are no policy implications relating to this item.

RISK IDENTIFICATION & MITIGATION

- 13. The risk identification and categorisation is summarised in the following table:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Organisational Operations Poor decision making as a result of unnecessary or inconsistent requirements.</i>	<i>Likely</i>	<i>Medium</i>	<i>Medium</i>	<i>Adopt amendments to the Policy Manual.</i>

FINANCIAL IMPLICATIONS

- 14. There are no financial implications related to this item.

LEGAL IMPLICATIONS

- 15. There are no legal implications related to this item.

ENVIRONMENTAL CONSIDERATIONS

- 16. There are no pertinent environmental considerations relating to this item.

ALTERNATE OPTIONS

- 17. Council has the options of supporting, refusing or deferring consideration of the amended policies.

SUMMARY CONCLUSION

- 18. The processing of applications, the quality of development and land-use and the benefit to the community in Albany is expected to be improved as a result of the amended policies. Amendments are a response to changes in State planning policy and are therefore in line with standard practices.
- 19. It is recommended that Council finally supports the amended policies.

Consulted References	:	Local Planning Scheme 1A and 3 Policy Manual State Planning Policy 3.1 (Residential Design Codes)
File Number (Name of Ward)	:	City of Albany
Previous Reference	:	OCM 19/04/11 - Item 1.1 (Adoption of Final version of Policy Manual). OCM 27/08/13 – Item PD005 (Consider advertising amendments to 'Policy Manual')