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# ATTACHMENTS

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## **Planning and Development Committee Meeting**

**04 March 2015**

5.30pm

City of Albany Council Chambers

PLANNING AND DEVELOPMENT COMMITTEE  
ATTACHMENTS –04/03/2015

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**Local Planning Scheme No. 1**  
**Application: P2130445**  
**Proposal: Telecommunciation Infrastrucutre**  
**Schedule of Submissions for 64 Barrass Road, Little Grove WA 6330**

No.	Submission	Officer Comment
1.	<ol style="list-style-type: none"> <li>1. The proposal is inconsistent with 4.5.2 of ALPS – <i>“Maintain the outstanding visual amenity and public view scapes and iconic elements”</i></li> <li>2. If approved the proposal would significantly impact views</li> <li>3. The tower would be significantly taller and out of character to other infrastructure in the precinct.</li> <li>4. The application contains a number of errors               <ul style="list-style-type: none"> <li>- Existing vegetation will screen the tower</li> <li>- Surrounding streetscape description does not represent the area</li> </ul> </li> <li>5. The proposal will negatively impact property and rental prices.</li> <li>6. Will approval create precedent for the addition of additional antennae to the tower</li> <li>7. There are sites within the area with a ground elevation of 70m which would be more suitable.</li> <li>8. Rejection of NBN towers is not without precedent , primarily in relation to impacts on views</li> </ol>	<ol style="list-style-type: none"> <li>1. ALPSs is a strategic document, the objectives are passed through into statutory control through Local Planning Scheme No. 1 (LSP1). Concerns regarding the issue are noted.</li> <li>2. Concerns noted. Views are identified as a factor to be assessed within WA Planning Commission (WAPC) State Planning Policy 5.2.</li> <li>3. It is acknowledged that there is no other telecommunications infrastructure within the immediate area of Barrass rd</li> <li>4. The City of Albany contacted the applicant in order to clarify these observations. Firstly, the screening of the tower is primarily referring to screening the base and equipment from street level. In relation to streetscape element, the applicant has advised that the description refers to the much wider area of Frenchman Bay Rd and Little Grove. While the clarification is noted, the City has not used such a wide area to assess amenity and has consequently not used these components e.g. rail in assessing the application.</li> </ol>

No.	Submission	Officer Comment
		<p>5. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</p> <p>6. Additional infrastructure would be subject to a separate process. If it is of a minor nature it would not be subject to a City of Albany planning application. It is however subject to a process of advertising and comment under the <i>Telecommunications (Low impact Facilities) Determination 1997</i>.</p> <p>7. In response to concerns raised the City of Albany contacted NBN regarding the potential to revisit sites or review alternate locations. NBN advised that this site met technical parameters and that access had been secured. On this basis they advised that they would be proceeding with the subject site. The City does not have the statutory authority to make NBN review other sites. An application cannot be refused on the basis that there may be more suitable sites.</p> <p>8. Noted. The City has reviewed applications determined at other Local Governments.</p>
2.	<p>1. The visual impact will affect the natural and historical heritage of the Torindirrup Coastal reserve</p> <p>2. The coastal reserve needs protecting at all costs</p>	<p>1. Concerns noted. It is acknowledged that the subject site adjoins a National Park. In terms of heritage the City of Albany utilises its MHI to determine any</p>

No.	Submission	Officer Comment
		<p>heritage sites within the area.</p> <p>2. Noted.</p>
3.	<p>1. The tower would detract from the scenic landscape and goes against the already stringent conditions to blend into the hillside.</p> <p>2. Property devaluation</p> <p>3. Health risks associated with living near a telecommunication tower</p>	<p>1. The impact of the proposed tower on the landscape of the area is a matter of assessment.</p> <p>2. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</p> <p>3. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</p>
4.	<p>1. The proposal would be more appropriate in an industrial area</p>	<p>1. Given the operational requirements of the proposed infrastructure it would not be possible to locate within an existing industrial area and still services the little grove area.</p>
5.	<p>1. Highly concerned about the proposed site</p>	<p>1. Concerns noted</p>

No.	Submission	Officer Comment
	<ol style="list-style-type: none"> <li>2. The tower would detract from the scenic landscape and goes against the already stringent conditions to blend into the hillside.</li> <li>3. Health risks associated with living near a telecommunication tower</li> </ol>	<ol style="list-style-type: none"> <li>2. The impact of the proposed tower on the landscape of the area is a matter of assessment under WA Planning Commission (WAPC) State Planning Policy 5.2.</li> <li>3. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</li> </ol>
6.	<ol style="list-style-type: none"> <li>1. Proposed structure is incompatible with the City's visual management policy. The structure will be visible from neighbourhood, Frenchmans bay rd and the City.</li> <li>2. The structure is incompatible with the immediately adjacent Torndirrup National park</li> <li>3. The structure is incompatible with the Dept of Water 'Groundwater Land Use Controls' which prohibits any commercial activity</li> </ol>	<ol style="list-style-type: none"> <li>1. Concerns noted. WA Planning Commission (WAPC) State Planning Policy 5.2.</li> <li>2. Concerns noted. The amenity and landscape issues of the proposal are discussed within the report and are assessed against State Planning Policy 5.2.</li> <li>3. The proposal does not interfere with groundwater any more than a dwelling. Telecommunications infrastructure is listed as a compatible use under the</li> </ol>

No.	Submission	Officer Comment
	<ul style="list-style-type: none"> <li>4. <b>Property will become devalued an unsellable</b></li> <li>5. <b>Did not receive a invitation to attended the NBN Co public forum</b></li> <li>6. <b>Numerous comments regarding water quality</b></li> <li>7. <b>Numerous comments regarding misuse of the internet service created as a result of the proposal.</b></li> </ul>	<p>land use controls.</p> <ul style="list-style-type: none"> <li>4. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</li> <li>5. Noted. The community consultation undertaken by the applicant has no statutory standing in the scope of this report.</li> <li>6. Water quality is addressed within LPS1 through water protection areas. The Telecommunications infrastructure is listed as a compatible use under the land use controls. Any other groundwater concerns will need to be direct to Department of Water.</li> <li>7. The misuse of the internet is not a planning consideration and as is not within the scope of assessment.</li> </ul>
7.	<ul style="list-style-type: none"> <li>1. <b>Inadequate public consultation has been undertaken</b></li> <li>2. <b>Visual impact is significant and has not been meaningfully addressed by the applicant</b></li> <li>3. <b>The tower is not appropriate for the rural setting and inconsistent with the development conditions placed on property owners</b></li> <li>4. <b>The tower will detrimentally impact property values</b></li> <li>5. <b>The proposal will significantly impact views which were a significant fact when buying/ designing properties.</b></li> </ul>	<ul style="list-style-type: none"> <li>1. City of Albany consultation has been undertaken in accordance with LPS1. The area and time of consultation was extended beyond the regular statutory limits in this instance. The community consultation undertaken by the applicant has no statutory standing in the scope of this report.</li> <li>2. Concerns noted. Visual impact is subject to assessment against the provisions of LPS1, Local Rural Strategy and State Planning Policy 5.2.</li> </ul>



No.	Submission	Officer Comment
	<p>6. <b>Proposed Tower location is a Bushfire risk</b></p> <p>7. <b>Health risks associated with living near a telecommunication tower</b></p>	<p>3. Concerns noted. Visual impact is subject to assessment against the provisions of LPS1, Local Rural Strategy and State Planning Policy 5.2.</p> <p>4. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</p> <p>5. Impacts on views are subject to assessment within State Planning Policy 5.2.</p> <p>6. While the area would generally be considered a bushfire risk, the proposal is not classified as vulnerable structure.</p> <p>7. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</p>
8.	<p>1. <b>There has been little effective community consultation</b></p> <p>2. <b>The visual impact assessment provided by the proponents is significantly lacking in detail the proposal will have a</b></p>	<p>1. City of Albany consultation has been undertaken in accordance with LPS1. The area and time of consultation was extended beyond the regular</p>

No.	Submission	Officer Comment
	<p>detrimental impact of the visual amenity of the landscape. Further assessment should be subject to a visual impact assessment – this assessment should be made available to those affected.</p> <ol style="list-style-type: none"> <li>3. The proposal is inappropriate for the rural lifestyle setting</li> <li>4. The proponent has been selective in addressing the objectives of the Rural residential Zone</li> <li>5. The tower is inconsistent with the planning restrictions placed on landowners in the area</li> <li>6. The application is inaccurate in describing the surrounding landscape and infrastructure of the area e.g. street lights, rail infrastructure.</li> <li>7. Guidelines for minimising visual impact states that towers should be located where similar infrastructure is available</li> <li>8. The proposal is inconsistent with the planning scheme and zoning</li> <li>9. The applicant has promoted the economic benefits and is silent on the social impacts for landowners.</li> <li>10. The tower will detrimentally impact property values</li> <li>11. The aerial power supply to the tower are vulnerable to bushfires.</li> <li>12. Management of the national park should not be compromised by the proposed location of the tower.</li> <li>13. If the tower proceeds owners will likely plant more screening vegetation and consequently impact bushfire protection considerations within building protection areas.</li> <li>14. Potential for additional antennae to be added to the proposed</li> </ol>	<p>statutory limits. Concerns from the community regarding the NBN consultation are noted.</p> <ol style="list-style-type: none"> <li>2. Concerns noted. Visual impact is subject to assessment against the provisions of LPS1, Local Rural Strategy and State Planning Policy 5.2.</li> <li>3. Concerns noted.</li> <li>4. Scheme controls relating to the area specifically primarily relate to the establishment of a single dwelling and associated outbuildings. The proposal is subject additional controls under State Planning Policy 5.2.</li> <li>5. As above.</li> <li>6. The City of Albany contacted the applicant in order to clarify these observations. Firstly, the screening of the tower is primarily referring to screening the base and equipment from street level. In relation to streetscape element, the applicant has advised that the description refers to the much wider area of Frenchman Bay Rd and Little Grove. While the clarification is noted, the City has not used such a wide area to assess amenity and has consequently not used these components e.g. rail in assessing the application.</li> <li>7. In this instance there is no exiting infrastructure to facilitate co – location.</li> <li>8. Concerns noted. Telecommunications infrastructure</li> </ol>

No.	Submission	Officer Comment
	<p>tower.</p> <p>15. The EME levels are not placed within the context of electronic equipment.</p> <p>16. Outcome of search of heritage registers is not provided</p> <p>17. Referenced flora and fauna study is not provided</p> <p>18. Alternative locations which will have minimal impact should be investigated.</p>	<p>is classified as 'A' use and is assessed against LPS1 and pertinent statutory documents within the report.</p> <p>9. Concerns noted.</p> <p>10. Property values are not an applicable planning consideration in the assessment of the application.</p> <p>11. Concerns noted. The same obligations for landowners apply vegetation in the vicinity to poles.</p> <p>12. While the proximity to the national Park is acknowledged, there is no additional burden which would be placed upon the management of the park.</p> <p>13. Additional screening would be at least 80m from the dwelling on the lot. Planting can be undertaken in without impacting the building bushfire compliance.</p> <p>14. Concern noted and identified as a risk within report. Additional infrastructure could potential be classified as a low impact addition and not require City of Albany development approval. Notwithstanding this, any addition would be subject to public advertising.</p> <p>15. There is information on the Australian Radiation Protection and Nuclear Safety Agency website for EME levels. A Australian Centre for Radio Frequency Bioeffects Research states that a microwave within a house typical has an output level of 4.4% of the maximum exposure limit.</p> <p>16. Applicant has provided document. City of Albany has access to State, Aboriginal and Municipal heritage</p>

No.	Submission	Officer Comment
		<p>registers and checks application against these databases.</p> <p>17. Applicant has provided document. City has reviewed the database results.</p> <p>18. In response to concerns raised the City of Albany contacted NBN regarding the potential to revisit sites or review alternate locations. NBN advised that this site met technical parameters and that access had been secured. On this basis they advised that they would be proceeding with the subject site. The City does not have the statutory authority to make NBN review other sites. An application cannot be refused on the basis that there may be more suitable sites.</p>
9.	<ol style="list-style-type: none"> <li>1. <b>Property devaluation</b></li> <li>2. <b>There must be better sites than on the edge of the Torinderrup national Park</b></li> <li>3. <b>Not fully aware of health issues</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</li> <li>2. The City of Albany contacted NBN regarding the potential to revisit sites or review alternate locations. NBN advised that this site met technical parameters and that access had been secured.</li> <li>3. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the</li> </ol>

No.	Submission	Officer Comment
		<p>Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</p>
10.	<ol style="list-style-type: none"> <li>1. <b>Not comfortable living in the vicinity of such structures. There is not enough evidence either way to suggest it is safe.</b></li> <li>2. <b>The proposal is inconsistent with the character of the area</b></li> <li>3. <b>Property devaluation</b></li> </ol>	<ol style="list-style-type: none"> <li>1. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</li> <li>2. Concerns noted. Visual impact is subject to assessment against the provisions of LPS1, Local Rural Strategy and State Planning Policy 5.2.</li> <li>3. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</li> </ol>

No.	Submission	Officer Comment
11.	<ol style="list-style-type: none"> <li>1. <b>No definitive evidence regarding potential health issues</b></li> <li>2. <b>Detrimental impact on property values</b></li> <li>3. <b>Quality of the applicants public consultation forum</b></li> </ol>	<ol style="list-style-type: none"> <li>1. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</li> <li>2. Concerns noted. Visual impact is subject to assessment against the provisions of LPS1, Local Rural Strategy and State Planning Policy 5.2.</li> <li>3. Concerns noted.</li> </ol>
12.	<ol style="list-style-type: none"> <li>1. <b>The proposal is unsuitable for the area including the tourist drive of Frenchman Bay rd and the nearby National park</b></li> <li>2. <b>Health concerns</b></li> <li>3. <b>Question the necessity of such a structure when compromises are made on other services when moving into the area.</b></li> <li>4. <b>Property devaluation</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Concerns noted</li> <li>2. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from</li> </ol>



No.	Submission	Officer Comment
		<p>the site will be 0.028% of the maximum public exposure level.</p> <p>3. Other services mentions are suitably replaced by either water tanks or septic systems. Given the larger lot sizes of the area it is not feasible to connect each dwelling to cable internet.</p> <p>4. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</p>
13.	<ol style="list-style-type: none"> <li>1. The proposal represents a visual eyesore which is not compatible with the existing amenity and nearby national park.</li> <li>2. There are errors in the applicants report regarding the surrounding landscape features e.g. rail infrastructure.</li> <li>3. The proposal does not comply with the Local Rural Strategy</li> <li>4. Quality of the applicants public consultation forum</li> <li>5. Future additions could potentially be approved</li> <li>6. This tower has been rejected in other areas of Little and Big Grove</li> </ol>	<ol style="list-style-type: none"> <li>1. Concerns noted. Visual impact is subject to assessment against the provisions of LPS1, Local Rural Strategy and State Planning Policy 5.2. Surrounding amenity is established using WAPC landscape planning manual. The provisions from this document are also within SPP 5.2.</li> <li>2. In response to concerns raised the City of Albany contacted NBN regarding the potential to revisit sites or review alternate locations. NBN advised that this site met technical parameters and that access had been secured. On this basis they advised that they would be proceeding with the subject site. The City does not have the statutory authority to make NBN review other sites. An application cannot be refused on the basis that there may be more suitable sites.</li> </ol>

No.	Submission	Officer Comment
		<p>3. ALPSs is a strategic document, the objectives are passed through into statutory control through Local Planning Scheme No. 1 (LSP1). Concerns regarding the issue are noted.</p> <p>4. Concerns noted. The City was not part of the applicant's community consultation. This consultation did not form part of the City of Albany assessment.</p>
14.	<p>1. <b>Support the proposal</b></p>	<p>1. Noted.</p>
15.	<p>1. <b>Object to the proposal</b></p> <p>2. <b>The proposal should be relocated to an industrial area.</b></p>	<p>1. Objection noted.</p> <p>2. Given the operational requirements of the proposed infrastructure it would not be possible to locate within an existing industrial area and still services the little grove area.</p>
16.	<p>1. <b>Are there alternative locations being considered</b></p> <p>2. <b>Has the site been established already – am I wasting my time</b></p> <p>3. <b>Is NBN Co and Council able to give assurances regarding health affects</b></p>	<p>1. The City of Albany contacted NBN regarding the potential to revisit sites or review alternate locations. NBN advised that this site met technical parameters and that access had been secured.</p> <p>2. No approvals have been issued. The current application is before the City of Albany and is being assessed against the statutory framework.</p> <p>3. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally</p>

No.	Submission	Officer Comment
		<p>established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</p>
17.	<ol style="list-style-type: none"> <li>1. Concerns regarding health</li> <li>2. Property devaluation</li> </ol>	<ol style="list-style-type: none"> <li>1. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</li> <li>2. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</li> </ol>
18.	<ol style="list-style-type: none"> <li>1. Oppose the application</li> </ol>	<ol style="list-style-type: none"> <li>1. Opposition noted.</li> </ol>

No.	Submission	Officer Comment
	<ol style="list-style-type: none"> <li>2. Significant property devaluation</li> <li>3. The proposal will detrimentally affect the rural secluded nature of the area</li> <li>4. Incorrect statements within the proposal;               <ol style="list-style-type: none"> <li>a. The National Park being identified as an appropriate back drop for the facility.</li> <li>b. Notion that existing vegetation will screen the tower</li> <li>c. Incorrect/ misleading description of existing landscape infrastructure for the area.</li> <li>d. The proposal only mentioned the positive economic impacts, not the negative</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>2. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</li> <li>3. Concerns noted. Visual amenity impact is subject to assessment against the provisions of LPS1, Local Rural Strategy and State Planning Policy 5.2. Surrounding amenity is establish using WAPC landscape planning manual.</li> <li>4. The City of Albany contacted the applicant in order to clarify these observations. Firstly, the screening of the tower is primarily referring to screening the base and equipment from street level. In relation to streetscape element, the applicant has advised that the description refers to the much wider area of Frenchman Bay Rd and Little Grove. While the clarification is noted, the City has not used such a wide area to assess amenity and has consequently not used these components e.g. rail in assessing the application.</li> </ol>
19.	<ol style="list-style-type: none"> <li>1. Proposal conflicts with the ALPS – specifically 4.5.2 Visual Amenity.</li> <li>2. The proposal will directly impact views, be out of character and</li> </ol>	<ol style="list-style-type: none"> <li>1. ALPSs is a strategic document, the objectives are passed through into statutory control through Local Planning Scheme No. 1 (LSP1). Concerns regarding</li> </ol>

No.	Submission	Officer Comment
	<p>dominate the landscape</p> <ol style="list-style-type: none"> <li>3. Ask the City to consider the community submissions</li> <li>4. Request the NBN to search for an alternative location</li> <li>5. The proposal will negatively impact property values</li> <li>6. Incorrect statements within the proposal;               <ol style="list-style-type: none"> <li>e. Notion that existing vegetation will screen the tower</li> <li>f. Incorrect/ misleading description of existing landscape infrastructure for the area.</li> </ol> </li> <li>7. Ask the City to Request the applicant to review where tenure could not be secured or where commercial terms could not be reached.</li> <li>8. Ask the City to request why other sites within Little Grove were not considered</li> <li>9. Ask the City to request the NBN co policy and rationale for pursuing private tenure</li> <li>10. What does the City have in place to prevent residents from soliciting the co-location of additional telecommunications infrastructure.</li> <li>11. Can the City provide a policy which will ensure decommissioning of these towers if they become obsolete.</li> <li>12. If approved, will the application create a precedent for approval</li> <li>13. Sites with a ground elevation of up to 70 metres exist within 70m of the proposed tower</li> <li>14. Rejection of a NBN tower in Australia is not without precedent.</li> <li>15. Numerous points regarding issues and deficiencies with the consultation undertaken by the applicant prior to submission of</li> </ol>	<p>the issue are noted.</p> <ol style="list-style-type: none"> <li>2. Visual impact is subject to assessment against the provisions of LPS1, Local Rural Strategy and State Planning Policy 5.2. Surrounding amenity is established using WAPC landscape planning manual.</li> <li>3. The matters to be considered of LPS1 include community comments received during consultation.</li> <li>4. The City of Albany contacted NBN regarding the potential to revisit sites or review alternate locations. NBN advised that this site met technical parameters and that access had been secured.</li> <li>5. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</li> <li>6. The City of Albany contacted the applicant in order to clarify these observations. Firstly, the screening of the tower is primarily referring to screening the base and equipment from street level. In relation to streetscape element, the applicant has advised that the description refers to the much wider area of Frenchman Bay Rd and Little Grove. While the clarification is noted, the City has not used such a wide area to assess amenity and has consequently not used these components e.g. rail in assessing the application.</li> <li>7. The City requested the applicant to review sites. The</li> </ol>

No.	Submission	Officer Comment
	<p>the application.</p> <p>16. Ask the City to request the lease documentation for the proposal. What is proposed when the lease expires.</p> <p>17. Noise generated from the proposal in the operation phase</p> <p>18. Potential detrimental health issues.</p> <p>19. Ask the City to request NBN co to develop a partnership with community groups who are objecting to NBN sites to enable communities to employ independent contractors to identify alternative sites.</p>	<p>applicant stated they wish to proceed with the selected site. The City of Albany does not have the statutory authority to enforce a review.</p> <p>8. As above.</p> <p>9. The City of Albany has not request these details from the NBN co. There are a number of instances where infrastructure services are located on both public and private land. The tenure does not alter the statutory assessment framework.</p> <p>10. Concern noted and identified as a risk within report. Additional infrastructure could potential be classified as a low impact addition and not require City of Albany development approval. Notwithstanding this, any addition would be subject to public advertising.</p> <p>11. It is expected that if the proposed tower were to be obsolete that it would be removed. The City could potentially apply this as a condition.</p> <p>12. In terms of planning law, specific terms must be addressed in order to justify that precedent be relevant to any future applications. Therefore, in this case, risks of unwanted precedent occurring is minimal.</p> <p>13. As mentioned previously, the city contact NBN requesting sites to be reviewed. NBN advised that they would be proceeding with the selected site.</p> <p>14. Noted. The City has reviewed and researched</p>





No.	Submission	Officer Comment
		<p>proposals of a similar nature.</p> <p>15. Noted. The community consultation undertaken by the applicant has no statutory standing in the scope of this report.</p> <p>16. Lease documentation is not considered to be a planning consideration. The documentation has not been requested.</p> <p>17. The City contacted NBN co in respect to noise from the site. It is advised that a air conditioner operated in the cabinets when required. The operation is cycled and only occurs when necessary. Decibel information has been received. It is advised that the noise is equal to or less a household air conditioning system.</p> <p>18. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</p> <p>19. As mentioned previously, the City of a Albany contacted NBN and were advised that they wish to proceed with the current site.</p>

No.	Submission	Officer Comment
20.	<ol style="list-style-type: none"> <li>1. The consultation undertaken the proponent was misrepresentative</li> <li>2. There are a number of other sites which would allow for a smaller pole</li> <li>3. The application is misleading when it states that;               <ol style="list-style-type: none"> <li>a. that existing vegetation will screen the tower</li> <li>b. Incorrect/ misleading description of existing landscape infrastructure for the area.</li> </ol> </li> <li>4. That the points of the guidelines have not been suitably addressed.</li> <li>5. There is no certainty that additional antennae will not be added to the infrastructure.</li> <li>6. The proposal incorrectly states that fire and ground water contamination are not issues</li> <li>7. Consider the mental health impact that the proposal is having on residents.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. The community consultation undertaken by the applicant has no statutory standing in the scope of this report.</li> <li>2. The City of Albany contacted NBN regarding the potential to revisit sites or review alternate locations. NBN advised that this site met technical parameters and that access had been secured.</li> <li>3. The City of Albany contacted the applicant in order to clarify these observations. Firstly, the screening of the tower is primarily referring to screening the base and equipment from street level. In relation to streetscape element, the applicant has advised that the description refers to the much wider area of Frenchman Bay Rd and Little Grove. While the clarification is noted, the City has not used such a wide area to assess amenity and has consequently not used these components e.g. rail in assessing the application.</li> <li>4. Concerns noted. In assessing the application, the City of Albany has independently assessed the proposal against and State Planning Policy 5.2.</li> <li>5. Concern noted and identified as a risk within report. Additional infrastructure could potential be classified</li> </ol>

No.	Submission	Officer Comment
		<p>as a low impact addition and not require City of Albany development approval. Notwithstanding this, any addition would be subject to public advertising.</p> <p>6. The proposal does not interfere with groundwater any more than a dwelling. Telecommunications infrastructure is listed as a compatible use under the Department of Water Land Use Controls.</p> <p>7. While the area would generally be considered a bushfire risk, the proposal is not classified as vulnerable structure.</p>



	Area Plan		
		1:8000	

**Local Planning Scheme No. 1**  
**Application: P2130446**  
**Proposal: Telecommunciation Infrastrucutre**  
**Schedule of Submissions for 241 Robinson Road, Robinson WA 6330**

No.	Submission	Officer Comment
1.	<ol style="list-style-type: none"> <li>1. The proposal will negatively impact on the existing level of amenity of the area and will be highly visible.</li> <li>2. Concerns regarding vegetation removal.</li> <li>3. The proposal has the potential to cause negative health effects.</li> <li>4. The proposal risks negatively impacting on property values.</li> </ol>	<ol style="list-style-type: none"> <li>1. Concerns noted. The impact on amenity is specifically assessed within the statutory framework. Amenity and views are identified as a factor to be assessed within WA Planning Commission (WAPC) State Planning Policy 5.2. The WAPC landscape planning manual is used in reference to determining landscape values.</li> <li>2. There are no additional vegetation controls on the site other than those contained within LPS1. The applicant has obligations under to the Department of Environmental Regulation for a clearing permit if required. The vegetation proposed to be removed is minimal and considered appropriate.</li> <li>3. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from</li> </ol>

No.	Submission	Officer Comment
		<p>the site will be 0.028% of the maximum public exposure level.</p> <p>4. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</p>
2.	<ol style="list-style-type: none"> <li>1. <b>Oppose the application</b></li> <li>2. <b>Did not receive an invitation to attend the NBN Co public forum, the NBN consultation has not contact us.</b></li> <li>3. <b>The proposal will negatively impact visual amenity.</b></li> <li>4. <b>Negative impact on property values.</b></li> <li>5. <b>Health risks associated with living near a telecommunication tower</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Opposition noted.</li> <li>2. Noted. The community consultation undertaken by the applicant has no statutory standing in the scope of this report.</li> <li>3. The amenity and landscape issues of the proposal are discussed within the report and are assessed against State Planning Policy 5.2.</li> <li>4. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</li> <li>5. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public</li> </ol>



No.	Submission	Officer Comment
		exposure level.
3.	<ol style="list-style-type: none"> <li>1. Did not receive an invitation to attended the NBN Co public forum, the NBN consultation has not contact us.</li> <li>2. The proposed tower does not fit with the special rural zoning and will negatively impact visual amenity.</li> <li>3. Property devaluation</li> <li>4. Potential of negative health impacts.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted. The community consultation undertaken by the applicant has no statutory standing in the scope of this report.</li> <li>2. Telecommunication infrastructure is an "A" use under LPS1. The impact of the proposed tower on the landscape of the area is a matter of assessment under WA Planning Commission (WAPC) State Planning Policy 5.2. The WAPC landscape planning manual is used in reference to determining landscape values.</li> <li>3. Concerns noted. Property values are not an applicable planning consideration in the assessment of the application.</li> <li>4. The City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.</li> </ol>

No.	Submission	Officer Comment
5.	<ol style="list-style-type: none"> <li>1. <b>Oppose the application</b></li> <li>2. <b>Refer to State Planning policy 5.2</b></li> <li>3. <b>The Karri is unique to the area and do not need to be disturbed by bulldozers and vehicles.</b></li> <li>4. <b>Robinson rd was once referred to as the old bean track and is one of the first market garden areas.</b></li> <li>5. <b>The City is required to have due regard to State Planning Policy.</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Concerns noted</li> <li>2. The proposal is subject to an assessment against the City of Albany statutory framework. This includes assessment against WA Planning Commission (WAPC) State Planning Policy 5.2.</li> <li>3. It is proposed to minimise all clearing. A condition requirement the submission of a construction management plan has been applied. The applicant has obligations under to the Department of Environmental Regulation for a clearing permit if required. The vegetation proposed to be removed is minimal and considered appropriate.</li> <li>4. Noted. The City of Albany Local Planning Scheme requires reference to State and Local heritage listings. There are no listings for the site.</li> <li>5. Noted, the City of Albany adheres to these requirements. In the instance State Planning Policy 5.2 is the applicable policy.</li> </ol>
6.	<ol style="list-style-type: none"> <li>1. <b>Express strong disapproval for the proposed site.</b></li> <li>2. <b>Construction would destroy the historical significance of the area.</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Opposition noted.</li> <li>2. Noted. The City of Albany Local Planning Scheme requires reference to State and Local heritage</li> </ol>

No.	Submission	Officer Comment
	3. Will detrimentally affect the amenity of the area.	<p>listings. There are no listings for the site.</p> <p>3. The amenity and landscape issues of the proposal are discussed within the report and are assessed against State Planning Policy 5.2. The WAPC landscape planning manual is used in reference to determining landscape values.</p>
7.	1. Support the proposal	Support noted.
8.	<p>1. Did not receive correspondence from the City of Albany on the matter.</p> <p>2. Request for further consultation.</p>	<p>1. Noted. Letters were sent out within a 1km radius from the site. The respondent's property is just outside of this radius. The 1km radius was used to compensate for the larger lot size in the area.</p> <p>2. City of Albany consultation has been undertaken in accordance with LPS1. The area and time of consultation was extended beyond the regular statutory limits in this instance. The community consultation undertaken by the applicant has no statutory standing in the scope of this report.</p> <p>3. of the proposal are discussed within the report and are assessed against State Planning Policy 5.2.</p> <p>4. The proposal does not interfere with groundwater any more than a dwelling. Telecommunications infrastructure is listed as a compatible use under the land use controls.</p> <p>4. Concerns noted. Property values are not an</p>

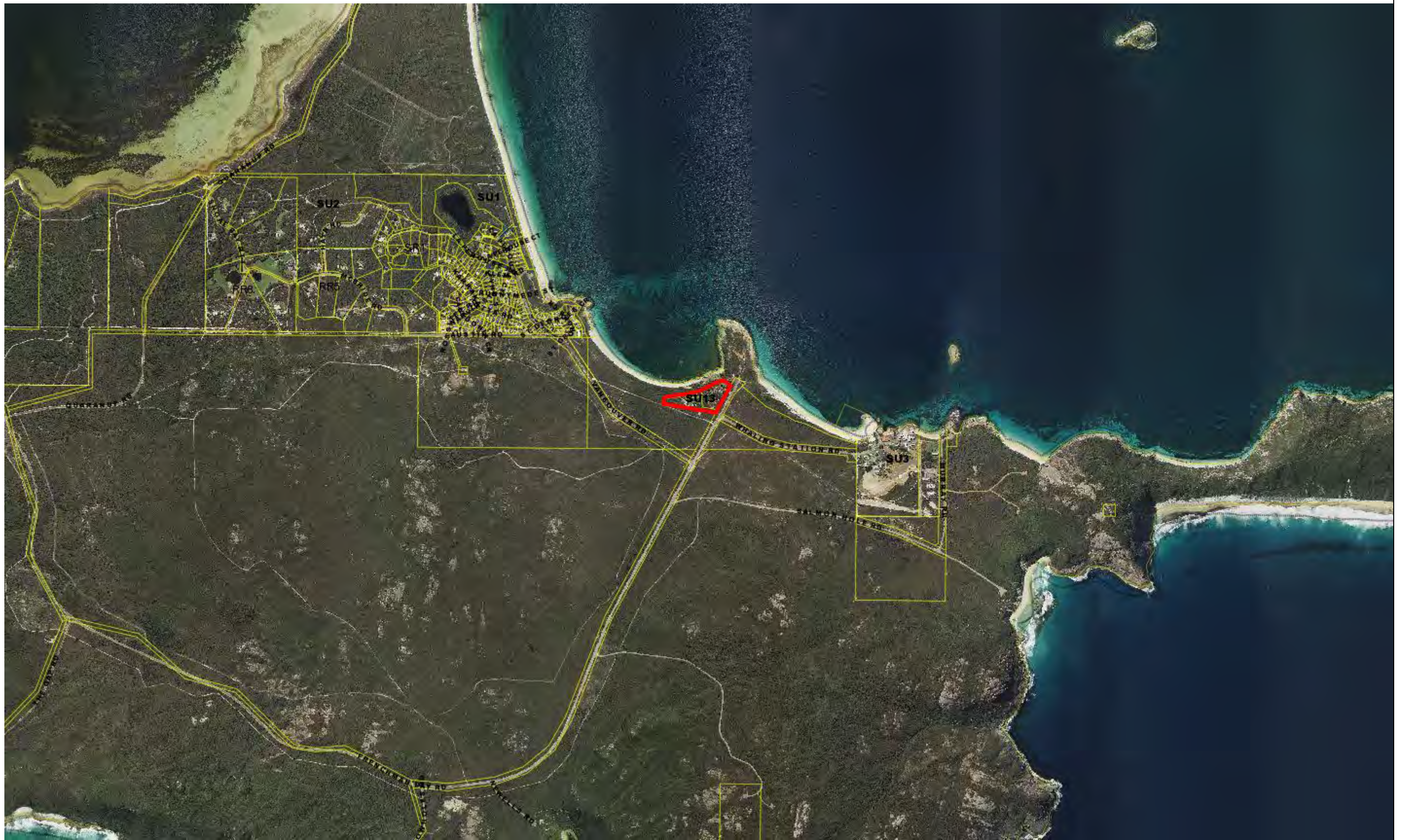
No.	Submission	Officer Comment
		<p>applicable planning consideration in the assessment of the application.</p> <p>5. Noted. The community consultation undertaken by the applicant has no statutory standing in the scope of this report.</p> <p>6. Water quality is addressed within LPS1 through water protection areas. The Telecommunications infrastructure is listed as a compatible use under the land use controls. Any other groundwater concerns will need to be direct to Department of Water.</p> <p>7. The misuse of the internet is not a planning consideration and as is not within the scope of assessment.</p>
9. (Petition 89 signatures)	<ol style="list-style-type: none"> <li>1. <b>Oppose the application</b></li> <li>2. <b>The area is historical important previously Robinson Rd was referred to as the 'old bean track'</b></li> <li>3. <b>The area has a high level of visual amenity. The proposal will negatively impact the current level of visual amenity. The proposal will be clearly visible from Mt Melville and Robinson Rd.</b></li> <li>4. <b>The lowered visual amenity would impact on the perception of the Robinson rd area would impact on the tourism values of the area.</b></li> <li>5. <b>Potential access issues for adjoining properties during</b></li> </ol>	<ol style="list-style-type: none"> <li>1. Opposition noted</li> <li>2. Noted. The City of Albany Local Planning Scheme requires reference to State and Local heritage listings. There are no listings for the site.</li> <li>3. The proposal is subject to an assessment against the City of Albany statutory framework. This includes assessment against WA Planning Commission (WAPC) State Planning Policy 5.2. The WAPC landscape planning manual is used in reference to determining landscape values.</li> <li>4. Concerns relating to tourism values are noted.</li> </ol>

No.	Submission	Officer Comment
	<p>construction.</p> <p>6. The proposal is located in close proximity to residences. The health effects of the proposal cannot be guaranteed. The proposal risks negatively affecting property values within the area.</p> <p>7. The proposal is not consistent with State Planning Policy 5.2.</p> <p>8. There are more suitable locations for the proposal in less significant locations.</p>	<p>5. If supported, a condition requiring a construction management plan has been recommended.</p> <p>6. Concerns regarding property values noted. Property values are not an applicable planning consideration in the assessment of the application.</p> <p>7. Noted. The proposal has been assessed by the City of Albany against State Planning Policy 5.2.</p> <p>8. In response to concerns raised the City of Albany contacted NBN regarding the potential to revisit sites or review alternate locations. NBN advised that this site met technical parameters and that access had been secured. On this basis they advised that they would be proceeding with the subject site.</p>









Location Plan

1:20000







# Harley Dykstra

PLANNING & SURVEY SOLUTIONS

## Application for Development Guide Plan

Lots 1 & 2 Frenchman Bay Road, Frenchman Bay

Prepared by Harley Dykstra Pty Ltd for MTK Ventures Pty Ltd

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## DOCUMENT CONTROL

Control Version	DATE	Status	Distribution	Comment
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C				
D				
E				

Prepared for: MTK Ventures Pty Ltd  
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## 1 INTRODUCTION & PROPOSAL

This Development Guide Plan and supporting report has been prepared by Harley Dykstra on behalf of MTK Ventures Pty Ltd, the landowner of Lots 1 and 2 (No.1823) Frenchman Bay Road, Frenchman Bay, herein referred to as the 'site'. It relates to the adoption of a Development Guide Plan over the site previously occupied by the Frenchman Bay Caravan Park and identified as Special Use Site No.13 of the City of Albany Local Planning Scheme No.1. It is proposed to name the development 'Frenchman Bay Retreat'.

It is proposed for the development to comprise:

- 20 holiday accommodation units;
- 10 permanent residential units;
- A reception/kiosk/café and caretakers building;
- A communal landscape central area comprising gazebo and barbeque facilities and a playground; and
- A boat parking facility.

The design has been composed based upon the previous studies and works undertaken with previous proposals presented to Council. Information has been sourced from the previously prepared reports of:

- Bowman Bishaw Gorman – Environmental Management Consultants
- Bayley Environmental Services
- Ross McDonald – Architects Pty Ltd
- Jonathon Riley – Traffic Consultant
- Dykstra Planning - Town Planning Design
- BPA Engineering

Compared with previous designs proposed to the land, the proposed development is low key and seeks to provide a solution for the development of the subject land which is consistent with the landscape and environment, whilst still capitalizing the prime tourism nature of the property. The proposed development will significantly promote and stimulate tourism facilities and attractions in the Frenchman Bay area. The development will also create employment, resulting in economic benefit to the City of Albany.

## 2 LOCATION AND EXISTING USES

### 2.1 Site Overview

Lots 1 and 2 Frenchman Bay Road have a combined area of approximately 3.26 hectares, with frontage to Whalers Beach, within Frenchman Bay. The road frontage of the site is adjacent to the intersection of Whaling Station Road and Frenchman Bay Road (Refer to Figure 1 and 2).

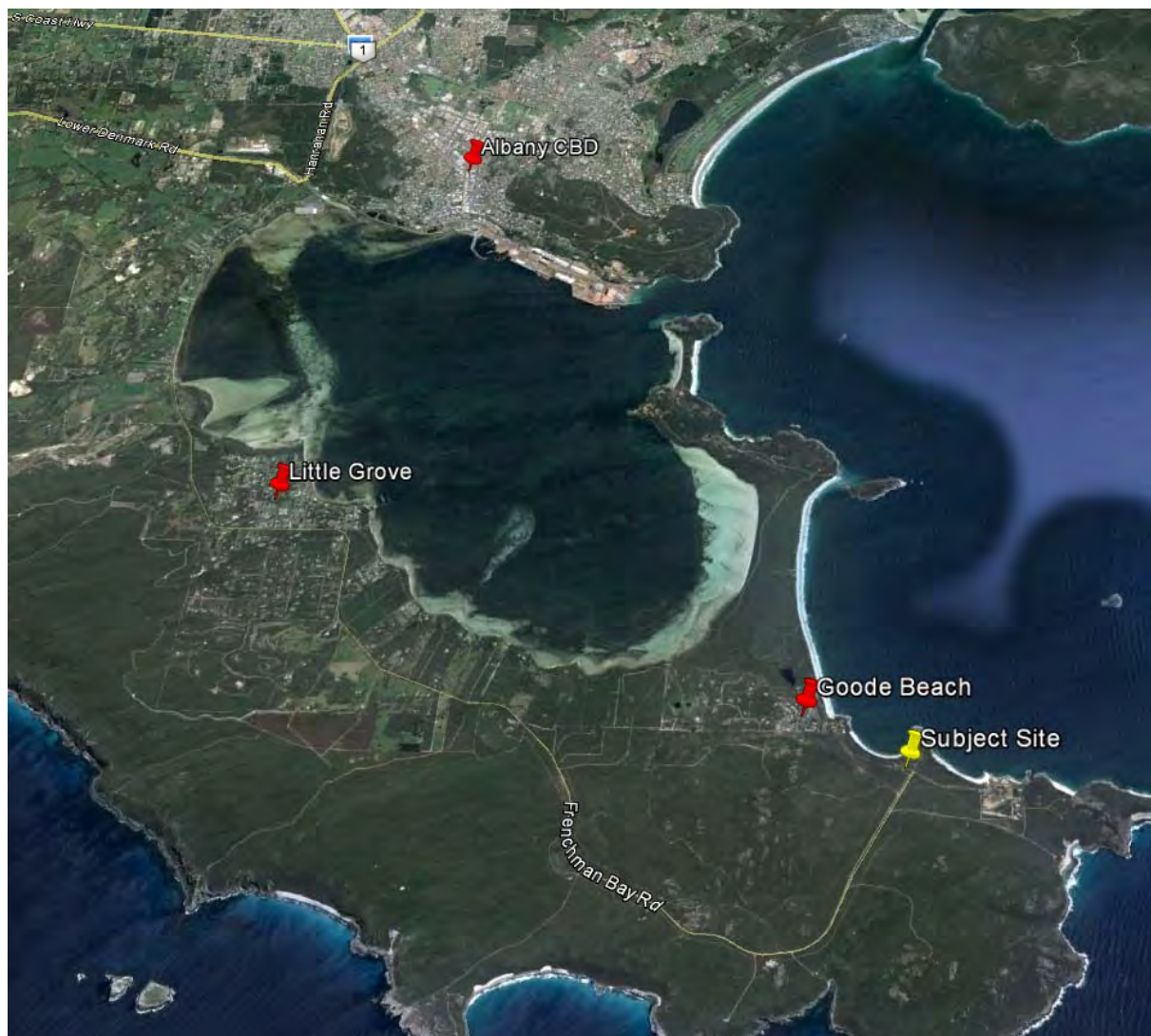


Figure 1: Location Plan

[Source: Google Earth]





Figure 2: Aerial Site View

[Source: Landgate]

Surrounding uses in the precinct include fishing and tourism with beaches, museums, the Bibbulmun Track and Torndirrup National Park nearby. Views of King George Sound and the Southern Ocean are accessible from the site.

The site has previously accommodated a Caravan Park, Tea Rooms, ablution blocks and a caretakers cottage, all of which have been removed from the site. During its operation, the Caravan Park has been licensed for 45 Caravan sites.

## 2.2 Legal Description

The subject site comprises two lots, being Lots 1 (No.1823) and 2 Frenchman Bay Road, Frenchman Bay. The total site area is 3.2594ha.

## 2.3 Physical Description

### 2.3.1 Landform, Geology and Soils

The subject site is situated on the western side of Waterbay Point, located east of the Vancouver Peninsula in Frenchman Bay. The site lies on the north-facing slope of a large granite headland overlain by sand.

The subject site generally slopes from south to north, from a high point of 26m AHD on the southern boundary to 14m AHD at the north-east corner. Limited cut and fill has been carried out in developing the caravan park, leaving broad (25-50m) flat areas separated by banks 1-3m high.



Immediately outside the northern boundary the land falls steeply about 15m down to the foreshore at about 1m AHD.

The soils of the site are mapped by Churchward et al. (1988) as follows:

- Soils on the coastal edge of the site are mapped as part of the Meerup unit, with podzols over calcareous sand. These podzols generally have a grey surface, bleached A2 horizon and brown or yellow-brown B horizon, with calcareous sand appearing in the profile at 1.5m–2m depth.
- Within 100m of the coast, the soils are mapped as part of the Gardner unit, with leached sands and podzols and also some granite outcrops. Iron podzols are most frequent in this unit and have a grey surface.

Site investigation and test pitting at five locations within the site confirm the general soil mapping, with deep leached grey sands occupying about the eastern half of the site and grey sands over yellow sands with an iron-enriched hardpan at about 2m depth occurring in the west. The depth to clay or hard rock is greater than 3m and is probably in the order of 10-15m.

Soil samples collected at 0.6-1.0m and 2-2.5m intervals in the test pits were analysed for Phosphorus Retention Index (PRI), an indication of the soils' ability to retain phosphorus and other ionic contaminants. The analyses showed PRI of less than 0.1 at all sites except Site 5 (PRI 0.3 and 1.8), indicating that the soils have very little ability to retain these contaminants. PRI values of less than 2 are generally regarded as very low, while PRIs of 10-20 are regarded as moderate and PRI >100 is regarded as high.

### 2.3.2 Hydrology

Given the sandy soils and generally low slopes on the site, there is no defined surface drainage.

Groundwater beneath the subject site would be limited to seepage above the clay or granite, probably in the order of 10m below ground level. Groundwater was not encountered in any of the 3m deep test pits dug on the site.

A bore located at the foot of the slope north-west of the site supplies water to the caravan park and nearby council-owned toilet in the lookout car park. The depth of this bore is unknown but, given its proximity to the ocean, it is likely to be less than 10m deep, collecting water from the shallow fresh water lens above the salt water interface. The bore appears to be outside of the site, and the availability of continued access is unclear. The quality of water supplied by the bore is unknown.

### 2.3.3 Vegetation

The subject land comprises mostly parkland cleared vegetation, a remnant of its previous use as a caravan park.

### 3 REGIONAL AND LOCAL CONTEXT

Frenchman Bay is located 430 kms south of Perth and 20km south of the Albany CBD, accessible from the tourist drive along Frenchman Bay Road. The site is located on the eastern side of Vancouver Peninsula and is sheltered on the westerly side by Waterbay point. Historically, Frenchman Bay operated as a whaling station, primarily by Norwegian whalers during the early 1900's. Albany was the last whaling port in Australasia, closing the Frenchman Bay station of the Cheynes Beach Whaling Company in 1978. In recent years Frenchman Bay has functioned primarily as an iconic tourist destination. Coastal recreation opportunities include fishing and tourism, with strong economic and social benefits to the local community.

The Frenchman Bay area is serviced with a reticulated scheme water supply and it has a limited sewerage system. Any future development at the site will require a major upgrade of facilities, both in the provision of water as well as effluent disposal.

The site is adjacent to Whaling Station Road and fronts Frenchman Bay Road, both of which are sealed roads of good construction. Frenchman Bay Road is on the major tourist route south of Albany, ending in a loop road nearby. The beach area is developed for recreational uses and is located within proximity of residential development, although this is sited adjacent to Vancouver Point and Goode Beach, a short distance away. A local site context aerial view is included below in Figure 3.



Figure 3: Subject Site Context in Frenchman Bay/Goode Beach Locality.

[Source: Landgate]

## 4 PLANNING AND STRATEGIC CONTEXT

### 4.1 City of Albany Local Planning Scheme No.1

The site is zoned *Special Use* by the City of Albany Local Planning Scheme No.1 and identified as *Special Use Site No.13* within the Scheme. The purpose of this application is to submit and have approved a Development Guide Plan for the site, to comply with Condition 1 applicable to the site zoning. Other conditions applicable to the development of the site include:

- A shop, office and café only being accommodated within the northern portion of the site;
- All development being setback 75m from the horizontal setback datum (coast);
- All development being setback 65m from catchment of Vancouver Spring;
- A Foreshore Management Plan being prepared for the site;
- Memorials being placed on title referring to the site being subject to coast erosion;
- The site being serviced by reticulated sewer, or a suitable alternative system;
- A reticulated water supply being connected;
- A Fauna Management Plan and Fire Management Plan being prepared prior to the development of the land;
- The public coastal reserve being ceded free of cost to the Crown and clearly demarcated on the site;
- Development being subject to any other planning policies of the City of Albany;
- Single storey development only being permitted within 15m of the 75m coastal setback; and
- Double storey development being permitted beyond 90m of the coastal setback.

The Development Guide Plan complies with the conditions of Special Use Site No.13, as evidenced by the following:

- It is proposed for a café/kiosk/ reception and caretakers residence to be located in the northern portion of the development;
- The coastal setback of 75m has been indicated on the Development Guide Plan and the proposed development complies with this setback;
- The 65m setback to Vancouver Spring has been mapped and no development is proposed within this setback;
- Memorials can be placed on future titles of the land advising that it may be subject to coastal erosion;
- The site is serviced by an on-site effluent disposal system. Given the size of the development and the remoteness from a reticulated sewer system, the possibility of connecting reticulated sewer would make the project unviable . As evidenced within this

report, the site is capable of on-site effluent disposal in accordance with requirements of the Department of Health Western Australia;

- A reticulated water supply is not proposed to be connected. However, a suitable on-site supply has been determined and demonstrated as a viable source of water within this report and will be reticulated throughout the development;
- A Fauna Management Plan and Fire Management Plan can be prepared for the land prior to development. It is noted that fire management has been addressed on the Development Guide Plan and within this report; and
- All development, with the exception of a lookout and footpath, has been excluded from the single storey development area. All of the proposed units are to be double storey and setback a minimum of 90m from the coast, as required within by Special Use Site No.13 and various other policies of the City of Albany.

The proposal is consistent with the conditions of Special Use Site No.13 of the City of Albany Local Planning Scheme No.1 and specifically fulfils condition 1 requiring a Development Guide Plan to be adopted prior to the development of the land.

## 4.2 Albany Local Planning Strategy

The Albany Local Planning Strategy (ALPS) identifies the subject site as a *Tourist Accommodation Node* on Map 9B Urban. The following is also mentioned within the Albany Local Planning Strategy text regarding the site specifically:

*"The ALPS supports, in principle, the development of fully serviced tourism accommodation sites in...Frenchman Bay (caravan park). These locations are shown as tourist accommodation nodes on Map 9B."*

ALPS also has the following Actions relating to tourism:

*"Encourage the development of sustainable tourism uses and proposals that integrate with the City's unique natural and man-made landscape and heritage values."*

The following Planning Principle's relating to Tourism are noted:

*"Albany will remain the premier tourism destination on the South Coast and will provide a complete tourism experience."*

*"To retain existing and facilitate new tourism developments which are sympathetic to community and environmental considerations."*

*"Promote the development of sustainable tourist accommodation."*

The proposed Development Guide Plan has been developed with the following key principles:

- That the tourism development of the site is of foremost importance, with tourism units being located on the beach frontage and forming the majority of the units in the future development;
- That all servicing (excepting power) is to be provided onsite, a key sustainability initiative;
- That future development is to minimize its footprint and impact on the environment; and
- To provide a local convenience node for the Frenchman Bay community, reinstating the functions of the previous tea rooms and convenience store provided on the site.

It is believed that the proposal complies with the various requirements for tourism listed within the Albany Local Planning Strategy.

#### 4.3 City of Albany Local Planning Schemes 1A and 3 Policy Manual – Significant Tourist Accommodation Sites

The site is identified as Site No.9 of the Significant Tourist Accommodation Sites policy of the City of Albany Local Planning Schemes 1A & 3 Policy Manual. The purpose of the policy is to identify tourism sites around Albany, their importance and identify guide the location of permanent residential components on these tourism sites.

The policy refers to no permanent residential development being supported on the site, and further guidance on the site being available in Council's Frenchman Bay Tourist Development Site Policy (refer Section 4.4).

Prior to the presentation of this Development Guide Plan to Council for determination, a number of meetings have occurred with the City of Albany regarding the site including a component of permanent residential accommodation. Whilst the City's policy does specifically preclude permanent residential development, it is believed that the mix of accommodation achieved by the Development Guide Plan will make the development more sustainable in the long-term, as evidenced by the following:

- Albany's main tourist season occurs throughout the late spring/summer months, extending to the long weekend in Easter. Whilst holiday accommodation closer to the Albany town centre benefits from use by tradepersons, visiting business professionals, etc, it is believed that a development such as this, located some distance from the Albany town centre would not be as desirable, given the travel times to Albany for visitors;
- A permanent residential component would ensure that the development is occupied year round, improving security, maintenance and vibrancy of the development;
- Strata-titling arrangements (as explained further in Section 5.5) can be developed to ensure that there is not further pressure for more of the units to be converted to permanent residential accommodation and also ensure that the units are available for use for holiday accommodation to tourists year round; and
- A development comprising 100 percent tourism accommodation is not seen as viable, explaining why this site has remained vacant for many years following the removal of the Frenchman Bay Caravan Park.



It is believed that the proposal to include one-third of the units for permanent residential development will ensure that the development is viable, secure, vibrant and provide availability for holiday accommodation in this highly desirable location.

#### 4.4 City of Albany Local Planning Schemes 1A and 3 Policy Manual – Frenchman Bay Tourist Development Site

The purpose of the Frenchman Bay Tourist Development Site policy is to outline the options and restrictions for the development of the site. These include:

- 75m coastal development setback (referred to on the Development Guide Plan as Physical Processes Setback Line);
- 15m setback of double storey development from the coastal development setback (90m total);
- Vancouver Spring setback;
- Foreshore boundary delineation;
- The identification of an area for a small convenience store/commercial component;
- Restriction on building heights; and
- Details for any application to be submitted to Council.

An excerpt of the plan accompanying the policy is included in Figure 4 below.



Figure 4: Excerpt from Appendix A – Frenchman Bay Tourist Development Site Policy [Source: Landgate]

The proposed Development Guide Plan complies with the requirements of the policy for the Frenchman Bay Tourist Development Site, as all of the above has been taken into consideration and implemented on the proposed Development Guide Plan.

#### 4.5 Draft Country Sewerage Policy

The draft Country Sewerage Policy set out the requirements. As previously identified within this report, the subject site is located remote from a reticulated sewer connection, which is located in the locality of Little Grove, approximately 7 km from the site. As such, the Discretionary Provisions listed in Section 5 of the Policy are applicable.

Policy 5.3 of the Policy states that:

***“Remote and Isolated Subdivision or Remote and Isolated Residential Development***

*Proposals in remote and isolated locations may be supported, depending on the nature of the site and the wastewater disposal arrangement chosen, and subject to:*

- *The development being a maximum density of R10 and no more than 25 lots or dwelling units in total;*
- *The overall objectives of the policy not being compromised; and*
- *The statutory authority being satisfied, after considering the advice of consultative authorities, that the intended wastewater disposal arrangements are acceptable.”*

The Development Guide Plan complies with the draft Country Sewerage Policy, as evidenced by the following:

- Although 31 total dwelling units are proposed to be developed on the site, when considering the total breakdown of units, twenty (20) of the units are for tourism accommodation. Loadings from tourism accommodation are deemed to be approximately 70% from those of permanent residential housing. Therefore, this is equivalent to fourteen (14) units at full loading. In addition to ten (10) permanent units and one caretakers dwelling, this take the total equivalent of units on the site to 25;
- The soil types of the site are conducive to receiving treated wastewater. Method of on-site effluent disposal is to be via an Alternative Treatment Unit (ATU) or Aerobic Wastewater Treatment System (AWTS), with irrigation incorporated into landscaping around the development;
- Suitable setbacks from disposal areas to water sources and bodies adjacent to the site can be achieved; and
- The site is likely to be developed with a communal wastewater treatment system, rather than individual systems for units. The details of the system to be used are to be determined at the time of Development Application.

Further detail on on-site effluent disposal is included within Section 5.4.3 of this report.

#### 4.6 Whalers Beach Landscape Plan

The Whalers Beach Landscape Plan seeks to provide protection to the sensitive and unique environment within the area of Frenchman Bay. The Plan encompasses the management and protection of the area addressing elements such as: beach erosion, sand stabilisation and run – off. The Plan also addresses aspects of human interaction within the area including the cleaning of fish, steps to the Caravan Park, parking, the provision and placement of picnic tables, signage and rubbish bins. Also included in the Plan is the intent to restrict vehicular access to the beach in order to protect the environmental constraints within the site.



## 5 THE PROPOSAL

### 5.1 Overview of Proposal

This application for adoption of the Development Guide Plan contrasts from the previous proposals presented for the land. It represents a significantly lower key holiday accommodation retreat, with limited facilities, a subdued built form, on-site effluent disposal treatment. A copy of the Development Guide Plan is included in **Appendix A**.

A low key holiday accommodation facility that includes the following key development attributes is proposed:

- Twenty (20) two storey beach front holiday units, each with a double carport accessing a central driveway system;
- Ten (10) two storey permanent residential units accessing the southern driveway, also serviced by double carports;
- A caretaker's dwelling incorporating kiosk and café, with a reception office strategically positioned at the entrance to the complex;
- A central landscaped open space area incorporating playground and gazebo/barbeque facilities; uncovered parking bays throughout the subject site to accommodate visitors parking;
- A separate boat parking compound; and
- A path network circulating around the development and connecting to the stairway to Whalers Beach.

### 5.2 Site Layout and Design

The Frenchman Bay Retreat will cater for three different types of land uses including:

- Holiday Accommodation Units as the primary use;
- Permanent Residential Units as a secondary use; and
- Kiosk/Café Facilities for convenience and to service the local population and tourists.

These land uses as well as passive recreation areas and the beach will accommodate a number of interconnected and compatible land uses which will blend harmoniously to ensure good utilisation of space. A large proportion of the space will remain as landscaped open space, which provide for an holiday accommodation environment, whilst also improving the stormwater and wastewater management of the site.

### 5.3 Architecture and Built Form

The purpose of the Development Guide Plan is to provide a broad outline of the concept for the development of the land. Whilst specific architectural design of the site is yet to be undertaken, the concept does demonstrate indicative building footprints for the type of unit to be proposed on

the site, as well indicating that the units will be two storey in height. Detailed designs indicating floor plans and elevations of the proposed development will be provided with a subsequent Application for Planning Scheme Consent lodged for the site.

## 5.4 Servicing

### 5.4.1 Water

Currently there is an operating bore and tank on site which previously serviced the 45 site caravan park and services the City of Albany ablution facilities at the termination of Frenchman Bay Road. This bore pump and tank will be upgraded to include multiple tanks with suitable pressure pumps and water treatment devices to provide potable supply to each of the units, and also to provide suitable firefighting supplies.

During the preparation of this application, the client has undertaken detailed investigation with the Water Corporation and engineering designs and found that a viable reticulated water supply solution is not available to the property.

At the time of development, suitable applications will be made to the relevant authority for the extraction, treatment and use of a bore water supply for the proposed development.

### 5.4.2 Drainage

Given the porous sandy soils of the area, disposal of stormwater drainage by infiltration is expected to be relatively straightforward. As per the standard requirements of the City of Albany, stormwater attenuation and infiltration provision for a 1:10 year ARI event will be made on-site. Suitable flood routes will be mapped through the site for larger rainfall events, as per the requirements of the City of Albany. It is envisaged that drainage facilities will be considerably upgraded to minimise run – off and erosion whilst aiding sand stabilisation in the development as detailed in the Whalers Beach Landscape Plan.

### 5.4.3 Effluent Disposal

Due to the site's proximity from the ocean, as well as ensuring best practice in effluent management, all units and facilities will incorporate secondary and/or tertiary treatment systems. The aim of these systems is to minimise contaminants such as phosphorus and nitrogen.

To inform the design process and the likely maximum yield of the site compliant with the Draft Country Sewerage Policy, a review of the average occupancy rate for tourism accommodation in the Albany Region was undertaken. The 'Albany - Overnight Visitor Fact Sheet – Years Ending December 2010/11/12' prepared by Tourism WA indicates that the highest occupancy rate occurs in January, where an occupancy rate of 69.1% is achieved. An overall average throughout the year of 57.8% occupancy is achieved.

When calculating effluent loading, the following assumptions have been made:

- Holiday Accommodation Units will 'at most' be occupied for up to 70% of the time, therefore, the daily effluent loading for each unit is equivalent to 70% of a permanent residential unit;
- A residential unit is assumed to generate an average of 540L/day of wastewater; and
- A holiday accommodation units will therefore generate on average 378L/day of wastewater.

As mentioned earlier in this report, the draft Country Sewerage Policy allows for isolated developments to accommodate up to 25 dwellings without connection to a reticulated water supply, should a reticulated sewer supply be remote or unavailable. When calculating the total equivalent number of units on the site, the following was equated:

20 holiday accommodation units @ 70% occupancy:	14 residential equivalent units
10 permanent residential units @100% occupancy:	10 residential equivalent units
1 caretakers unit @ 100% occupancy:	1 residential equivalent units
<b>Total Residential Equivalent Units</b>	<b>25 residential equivalent units</b>

The other factor to consider when determining the ability for on-site effluent disposal is that landform conditions are conducive to receiving on-site effluent disposal. As previously outlined in this report, the soils conditions are conducive to on-site effluent disposal. A summary of the main soil characteristics, as extracted from RPS Bowman Bishaw Gorham Drainage and Effluent Management Plan, are as follows:

- Soils consist of the Meerup and Gardner units, generally consisting of podzols over leached and calcareous sands within 2m of the grounds surface;
- Phosphorous Retention Index (PRI) levels across the site are generally regarded as very low, identified as being less than 0.1 at all but one site; and
- Depth to rock or clay soils profiles is in excess of 3m of the surface and generally considered to be between 10m-15m below groundsurface.

The final factor is the type of unit to accommodate on-site effluent disposal. Whilst the details of this arrangement are yet to be finalised, the assessment prepared by RPS Bowman Bishaw Gorham suggested that to achieve contaminant levels of the Health Department of Western Australia recommended that a system incorporating tertiary treatment would be required. This is likely to be in the form of a package treatment plant, consisting of Alternative Treatment Unit (ATU) of Aerobic Wastewater Treatment System (AWTS). Some of these systems require on-site irrigation, with a general presumption of 150m<sup>2</sup> subsurface irrigation field required per one unit residential equivalent. Therefore, if a system with an irrigation area is required, the site would need to accommodate an area of 3,750m<sup>2</sup>. This area which is easily achieved within the developments recreation/open space areas (north of permanent residential units and north of holiday accommodation units).

The proposed Development Guide Plan and unit yield has demonstrated that it can comply with the requirements of the draft Country Sewerage Policy and Health Department of Western Australia in accommodating on-site effluent disposal, without detriment to the environment.

#### 5.4.4 Power/Telecommunications

Power and Telecommunications infrastructure are supplied within the vicinity of the subject land and are able to service the proposed development.

#### 5.4.5 Roads and Parking

The holiday accommodation units, permanent residential units, and caretakers/reception/kiosk/café will be serviced by an internal driveway system connected to Frenchman Bay Road via a single entry. Frenchman Bay Road is a major sealed tourist road, in good condition. Frenchman Bay Road will provide a safe point of access to the development and presently accommodates significant tourist traffic.

A secondary emergency access/egress driveway has been provided connecting the internal driveway to Frenchman Bay Road in the south of the development, providing alternative access in the event of an emergency. Given the low scale of the development and low volume of likely traffic, a Traffic Impact Assessment assessing the likely impacts of the proposed development has not been prepared.

Internal roads consist of a 6m driveway corridor identified on the Development Guide Plan. The exact engineering specifications of the roads are yet to be determined, but may include a pedestrian component. A total of nineteen (19) car parking bays have been provided throughout the development, with six (6) bays located directly adjacent to the kiosk/café to provide customer parking. In addition to the formal visitor parking, permanent residential units will be provided with a visitor parking in the driveway connecting to the carport/garage.

In the western extent of the development, a Boat Parking compound area has been identified, providing permanent residents and tourists with a suitable area to store either boats, caravans or other towed vehicles.

#### 5.4.6 Service and Refuse Vehicles

The internal driveway design provides sufficient turning area and circulation to allow smaller “Cleanaway” refuse trucks to collect bins internally.

#### 5.4.7 Fire Management

As shown on the aerial photography, the land surrounding the site is vegetated and was determined in an assessment prepared by FirePlan WA to be rated as ‘Moderate’ to ‘Extreme’ hazard.

In accordance with Planning for Bushfire Protection Edition 2 (2010), a 20m Building Protection Zone setback is included on the Development Guide Plan. This setback has been demarcated from the following:

- On the southern, eastern and northeast boundaries, from the lot boundaries;

- On the western boundary, from the 65m Vancouver Spring setback, which will remain vegetated;
- On the northern boundary, from the new foreshore boundary, which will presumably remain vegetated.

In addition to the above, the following measures will be included to ensure the fire management of the site remains utmost priority:

- Construction standards in accordance with AS 3959-2009 Construction of buildings in bushfire prone areas;
- Water supply points throughout the development for fire fighting water supply in the event of a fire emergency;
- Dual access and egress to the development from Frenchman Bay Road;
- Ensuring the internal access network is of a suitable standard for access by emergency vehicles; and
- Ensuring the Building Protection Zone is kept in a low fuel state at all times (i.e. 8 tonnes p/ha total fuel load).

All of the above measures will identified in a future Fire Management Plan to be developed for the site.

## 5.5 Strata Titling and Management

It is intended for the entire development to be managed as a strata-titled retreat (built strata), which provides individuals with the ability to invest in the retreat. This will exclude the caretakers building, which is required to be on common property as per normal procedure. A number of these strata-titled developments have been developed throughout Western Australia, being predominantly located in the south-west.

Upon completion of the development, a built strata plan and strata management statement will be lodged with the necessary authorities for approval. Any management statement applicable to the development will be required to include provision that all holiday accommodation units be used only for holiday accommodation in perpetuity, with indicative conditions applicable including:

*“A requirement for residential buildings on lots X, X and X to be used only for short stay accommodation in accordance with the length of stay restrictions (if any) under the Town Planning Scheme, any relevant development approvals issued by the shire or the Western Australian Planning Commission and any other applicable planning conditions.”*

*“Entry to units, including by landowners, is controlled by the facility manager/operator with the management agreement providing that all tourist use units will be available only for tourist use, including owners use, unless subject to maintenance.”*

*“Any changes to the management statement affecting the matters identified above are to require approval by the Local Government and the Western Australian Planning Commission in consultation with Tourism Western Australia.”*

This reduces the risk of the holiday accommodation units being converted to permanent residential in the future. Such a strata management statement can also ensure that the holiday accommodation units are rented out when not occupied by the owners, instead of owners securing the unit for their benefit only, whilst only occupying it for a small proportion of the year.

Strata Titling of a development by way of “built strata” is a common practice in Western Australia and used as a tool to secure investment in the development and long-term ongoing ownership. When secured by an appropriate Strata Management Statement, it can lead to a well-managed and operating development for the benefit of the individual title holders and tourists alike.

## 5.6 Foreshore Management

In accordance with the requirements of the City of Albany policy manual, the foreshore area will be ceded free of cost and is delineated on the Development Guide Plan. At the time of Planning Scheme Consent, a Foreshore Management Plan will be prepared detailing the requirements applicable to foreshore land and the interface between the proposed development and the foreshore area. At this time, no development has been depicted on the foreshore area by the Development Guide Plan.

The proponent is willing to assist in the implementation of various improvements that Council may be seeking in the adjoining Whalers Beach reserve area. A number of such improvements have been identified in the Whalers Beach Landscape Plan (2002), and some of these upgrades could in fact be implemented simultaneously with the development.

# 6 PLANNING AND ENVIRONMENTAL ISSUES

## 6.1 Environmental Sensitivity

As demonstrated throughout this report, all of the environmental parameters, including foreshore protection, coastal erosion setback, setback to the Vancouver Spring and the like have been met by the proposed Development Guide Plan. Future development is proposed to be of a low-scale to ensure the environmental integrity of the site and its surrounding are not compromised.

## 6.2 On-Site Water Supply and Effluent Disposal

As demonstrated throughout this report, both on-site water supply and effluent disposal are achievable, with further details to be completed as part of an Application for Planning Scheme Consent to be lodged with the City of Albany. A summary of compliance is indicated below.

- Soil profiles are well draining, but not conducive of phosphorous/nitrate retention, therefore tertiary treatment options are likely to be required, with sub-surface irrigation fields integrated throughout the development; and
- The site was previously occupied by the Frenchman Bay Caravan Park, comprising 45 sites which was supplied by an on-site water supply from treated bore water. If an occupancy average of 70% was applied, this would be equivalent to 31 residential equivalent units, therefore water supply is likely to be sufficient.

The proposed Development Guide Plan and this supporting report has demonstrated that on-site water supply and effluent disposal will be able to support the proposed development.

### 6.3 Holiday and Permanent Accommodation Mix

The Development Guide Plan proposes a mix of holiday accommodation and permanent residential units. When discussing the proposal with officers from the City of Albany, although permanent residential was not immediately supported, it was indicated that careful design of the integration of the two uses would have to occur. The key principles have eventuated:

- Given the primary tourism nature of the development, all of the holiday accommodation units have been located in a beach front location, as this is considered the prime tourism land;
- All of the permanent residential units, whilst still having views facing north, are located in the southern portion of the site. It was considered a key design element that the permanent residential units have some form of separation from the holiday accommodation component, hence the reasoning for the placement of the main landscaped open space of the development;
- Access to the permanent residential units will be separate to the holiday accommodation units, therefore, it is less likely for traffic conflict to occur between the two uses; and
- The indicative unit design shown (subject to further detail), shows all units will face toward the ocean, with living areas/balconies likely to be located on the second storey to take advantage of the view, therefore, no units will be facing one-another.

The proposed Development Guide Plan achieves a well-integrated tourism and residential development, ensuring these uses are clearly separated within the development and reducing the likelihood of nuisances occurring between the respective land uses.

### 6.4 Future Built Strata Titling Arrangements

When preliminary discussions were held with the City of Albany regarding the proposal, it was identified that the strata-titling of holiday accommodation units may undermine the future use of the development for holiday accommodation. It was outlined that owners of individual units may seek to live on-site permanently or withhold their units from being used for holiday accommodation, choosing them to sit vacant for their personal use three (3) months of the year.



However, this is a proposition that can be dealt with in any well-worded Strata Management Statement applicable to the built strata, which can include statements such as:

*“A requirement for residential buildings on lots X, X and X to be used only for short stay accommodation in accordance with the length of stay restrictions (if any) under the Town Planning Scheme, any relevant development approvals issued by the shire or the Western Australian Planning Commission and any other applicable planning conditions.”*

*“Entry to units, including by landowners, is controlled by the facility manager/operator with the management agreement providing that all tourist use units will be available only for tourist use, including owners use, unless subject to maintenance.”*

*“Any changes to the management statement affecting the matters identified above are to require approval by the Local Government and the Western Australian Planning Commission in consultation with Tourism Western Australia.”*

As evidenced by the above, a Strata Management Statement applicable to a proposed tourism development has ample methods of ensuring that the tourism use of the property continues in perpetuity. By requiring the approval of the Local Government and Western Australian Planning Commission, this provides an element of security ensuring the units will remain for holiday accommodation and will not convert to permanent residential.

It is believed that the strata titling of the proposed development will not pose future issue nor pressure the twenty (20) holiday accommodation units to be used for permanent residential accommodation.



## 7 CONCLUSION

The proposed Development Guide Plan and this supporting report provide the relevant details and rationale in support of a new plan for a low key holiday and permanent residential retreat with limited facilities, subdued built form, and on-site water supply and effluent disposal.

In view of the research and investigation that has taken place previously, the landowners have concluded that they need to examine an alternative holiday accommodation/permanent residential proposal that is not resort style but more a low-key retreat. Succinctly, the proposal comprises twenty (20) holiday accommodation units, ten (10) permanent residential units, a caretaker's dwelling/kiosk/café/reception and supporting facilities and infrastructure. A key to making this a more feasible development option is the proposal to be exempt from a reticulated sewerage and water connection requirements and the reduced infrastructure and building costs associated with a low key built form.

This application has been supported by previous technical reports that have previously been thoroughly assessed by Government Departments, and hence it is not envisaged that any government department will assess any new issues that would impact upon the proposed Development Guide Plan.

On the basis of the supporting town planning and environmental rationale detailed within this report, it is respectfully requested that favourable consideration be given to the proposed Frenchman Bay Retreat at Frenchman Bay as detailed in the Development Guide Plan included within this submission.

---


## APPENDIX A – DEVELOPMENT GUIDE PLAN





# FRENCHMAN BAY RETREAT

Development Guide Plan  
Lot 1 & 2 on Diagram 77269  
Frenchman Bay Road  
FRENCHMAN BAY



**Harley Dykstra**  
PLANNING & SURVEY SOLUTIONS

DRAWN  
SDP 19/02/2015

CHECKED  
19/02/2015

DRAWING No  
20164-03G.dgn

SCALE AT A3 1:1000

ALL DISTANCES ARE IN METRES

57

REV	DESCRIPTION	DATE
F	Parking Modifications	10/10/2014
G	Council Modifications	19/02/2015

**LEGEND**

- 20m Wide Fire Setback
- Single Story Development Setback
- Foreshore Boundary
- Physical Processes Setback Line
- 65m Vancouver Spring Setback
- Restricted Stay Units (Two Storey)
- Unrestricted Stay Units (Two Storey)
- 2m Wide Dual-Use Path
- Unencumbered Development Area
- Reception / Caretaker / Kiosk / Restaurant / Alfresco

**ALBANY OFFICE:**  
116 Serpentine Road, ALBANY WA 6330  
T: 08 9841 7333 F: 08 9841 3643  
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**NOTE:**  
This plan has been prepared for planning purposes. Areas, Contours and Dimensions shown are subject to survey.







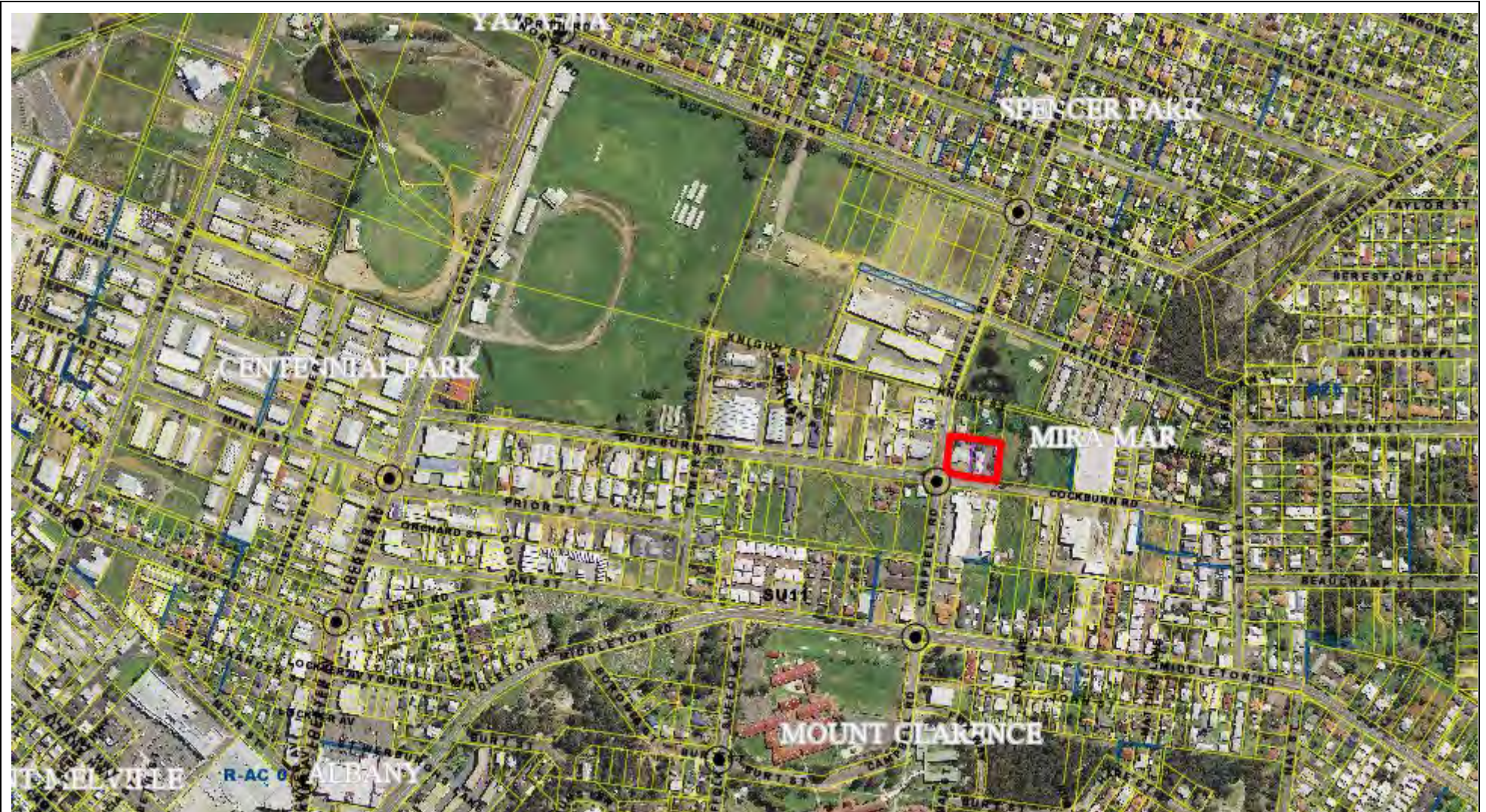
Site Plan

2015

1:500





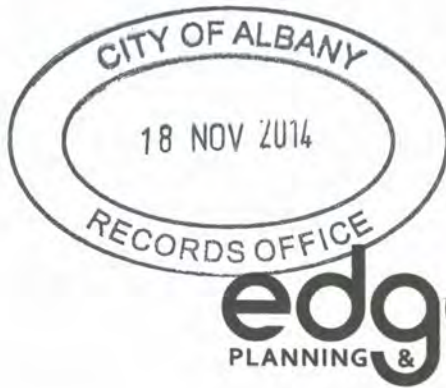


Location Plan

1:8000







REPORT ITEM PD076 REFERS

1124230



Graham Foster  
Chief Executive Officer  
City of Albany  
PO Box 484  
Albany WA 6331

City of Albany Records  
Doc No: ICR14158802  
File: LAMD8  
Date: 18 NOV 2014  
Officer: AOP1;MPS;PLAN18

Attach:  
Box:  
Vol:  
Box+Vol:

Attention: Craig McMurtrie

Dear Craig

**Scheme Amendment No. 8 to the City of Albany Local Planning Scheme No. 1 - Lot 103 Cockburn Road and Lot 104 Campbell Road, Mira Mar**

I refer to recent correspondence and discussions regarding the above.

On behalf of our client, Rob & Lizzi Stockdale, Edge Planning & Property seek the Council's adoption of an amendment to the City of Albany Local Planning Scheme No. 1 for our client's land (Lot 103 Cockburn Road) from "Residential R30" to "Regional Centre Mixed Business". Our client has also arranged the support of the owner of Lot 104 Campbell Road, T&O Management Pty Ltd, to rezone their property from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business".

In support of the request, please find attached scheme amendment documentation which complements the electronic version recently provided. I have also attached a cheque for \$3200 for City's scheme amendment processing fee.

Please contact me on 0409107336 or [steve@edgeplanning.com.au](mailto:steve@edgeplanning.com.au) should you have any questions, seek clarification or require additional information.

On behalf of our client, Edge Planning & Property trust you will positively consider the request and we look forward to Council's adoption of the amendment.

Yours sincerely

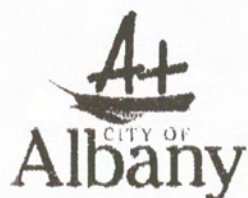
Steve Thompson  
**PARTNER**

17 November 2014



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Mobile: 0409107336 Email: [steve@edgeplanning.com.au](mailto:steve@edgeplanning.com.au) [www.edgeplanning.com.au](http://www.edgeplanning.com.au)  
ABN: 51 473 192 534





102 North Rd  
 Yakamia WA 6330  
 Phone .. 9841 9333  
 Email .. staff@albany.wa.gov.au

TAX INVOICE  
 ABN 94 717 875 167  
 SD & CN THOMPSON

Receipt Number: 354853

Receipt Date : 18.11.14

Receipt Type Detail	Amount
Miscellaneous	\$3,200.00
SD & CN THOMPSON T/AS EDGE	
PLANNING & PROPERTY	
SAR NO. 8 LOT 103 COCKBURN	
RD & LOT 104 CAMPBELL RD	
Account: 0124230	

* GST Exclusive Charge	\$3,200.00	
* GST	\$0.00	
Cash	Cheque	Other
\$0.00	\$3,200.00	\$0.00
<b>Total</b>	<b>\$3,200.00</b>	
Tendered	\$3,200.00	
Change Given	\$0.00	
Bank	066-504	
Branch	BRIDGETOWN	
Cashier	NS	

# **City of Albany Local Planning Scheme No. 1 Scheme Amendment No. 8**

**Lot 103 Cockburn Road and  
Lot 104 Campbell Road  
Mira Mar**



**November 2014**

Prepared by



[www.edgeplanning.com.au](http://www.edgeplanning.com.au)

**PLANNING AND DEVELOPMENT ACT 2005****RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME****CITY OF ALBANY LOCAL PLANNING SCHEME NO. 1****AMENDMENT No. 8**

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amends the above local planning scheme by:

1. Rezoning Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
2. Rezoning Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
3. Amending the Scheme Map accordingly.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2014

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Date

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**PROPOSAL TO AMEND A LOCAL PLANNING SCHEME**

1. **LOCAL AUTHORITY:** City of Albany
2. **DESCRIPTION OF LOCAL PLANNING SCHEME:** Local Planning Scheme No. 1
3. **TYPE OF SCHEME:** Local Planning Scheme
4. **SERIAL NUMBER OF AMENDMENT:** 8
5. **PROPOSAL:**
  1. Rezone Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
  2. Rezone Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
  3. Amend the Scheme Map accordingly.

## REPORT BY THE CITY OF ALBANY

### 1. INTRODUCTION

The City of Albany seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Hon. Minister for Planning to:

1. Rezone Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
2. Rezone Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
3. Amend the Scheme Map accordingly.

The purpose of this report and associated plans are to explain the proposal and set out the planning merits of rezoning Lot 103 Cockburn Road and Lot 104 Campbell Road (the site) to Regional Centre Mixed Business.

The site's proximity to the Albany city centre and other facilities (outlined in Figure 1) and that it is adjacent to commercial development (Figure 2) highlight its suitability for mixed business use. The scheme amendment will address as historic anomaly in the zoning of Lot 103. Lot 103 has previously being used for commercial purposes (including labour hire and training services). The generous parking, the large building size and the internal layout of the main building all suggest Lot 103 is suitable for commercial development. Amending the zoning on Lot 104 will ensure there is a consistent approach to the zoning of the site and for commercial development in the area. A medical centre use is a "D" (discretionary use) in the Regional Centre Mixed Business zone.

### 2. BACKGROUND

#### 2.1 Cadastral details

Cadastral details for the site are summarised below:

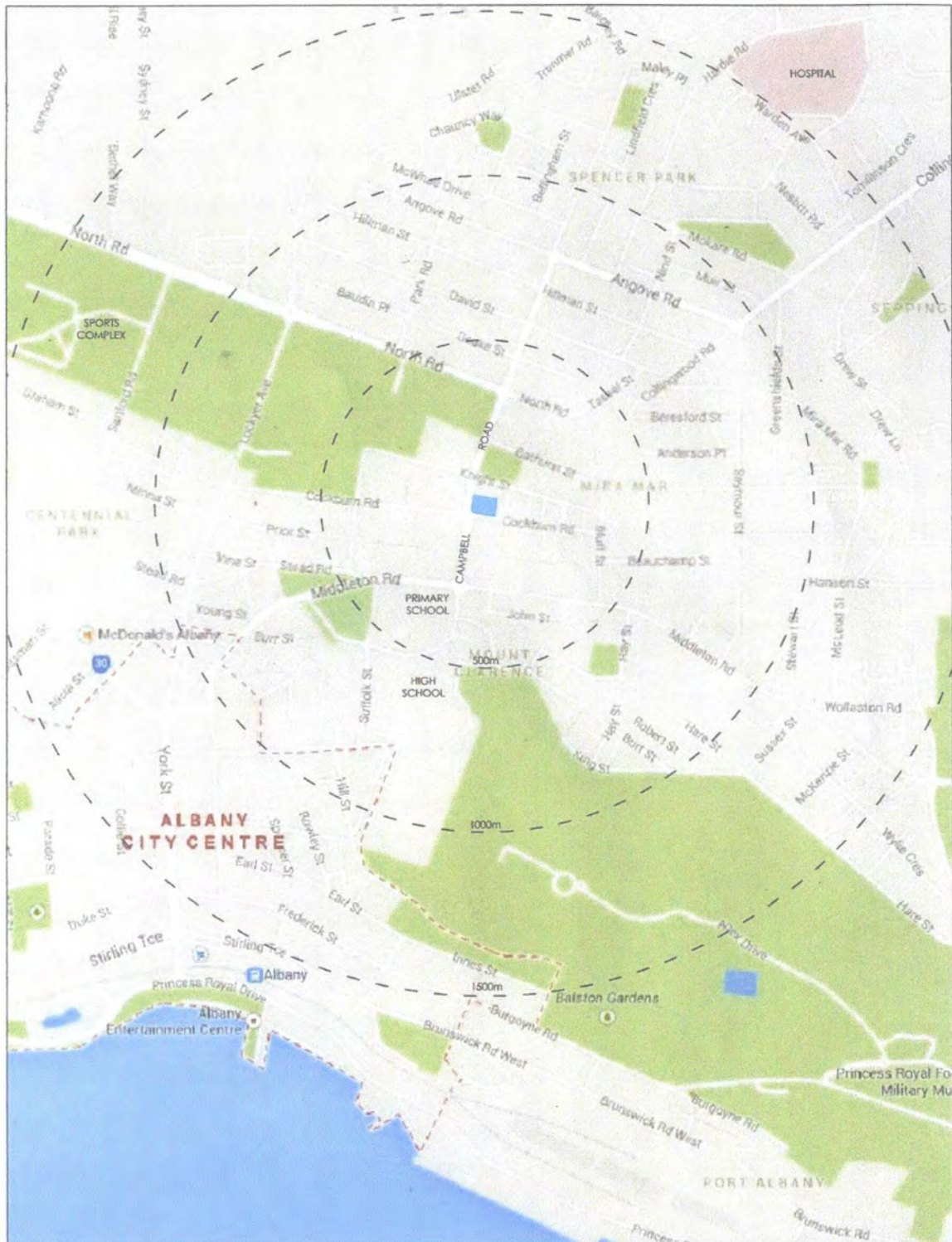
Lot	Deposited Plan	Volume	Folio	Area
Lot 103 Cockburn Road, Mira Mar	300002	1954	992	2054m <sup>2</sup>
Lot 104 Campbell Road, Mira Mar	300002	1416	88	1700m <sup>2</sup>

The registered proprietor of Lot 103 is Robert and Lizzi Stockdale, while T&O Management Pty Ltd own Lot 104. Copies of the current Certificate of Titles are included in Attachment 1.

#### 2.2 Regional context

The site is situated in the City of Albany which is located 409 kilometres south-east of Perth. Albany is the regional centre for the Great Southern Region. The city provides a wide range of services and facilities to residents and visitors.





## LOCATION PLAN

Lot 103 Cockburn Road and Lot 104 Campbell Road  
Mira Mar  
Albany

scale 1 : 15,000 @ A4

0 300m 600m



Figure 1

### 2.3 Local Context

The site is located approximately 1.5 kilometres north-east of the Albany city centre (see Figure 1). The site adjoins and is surrounded by a wide range of uses (see Figure 2). This includes low and medium density residential development, commercial development, light industry along with medical practices and consulting room uses.

Cull Park is nearby and is proposed to be enhanced.

The current *City of Albany Local Planning Scheme No.1* (LPS1) zonings surrounding the amendment site are shown in the existing zoning map. Land to the north and east of the amendment site is land zoned Residential with a density coding of R30. Land to the east of the site along Cockburn Road (north side) is gradually undergoing consolidation for grouped dwellings.

Land to the west, south-west and south of the site is land zoned Regional Centre Mixed Business. Nearby commercial businesses include Reeves on Campbell, Retravision and Campbell Road Motors. Land to the south-east of the site is zoned Light Industry.

It is understood that there are proposals to seek City support to change the zoning of land to the south-west of the site (west of Campbell Road) from Residential R30 to a commercial zoning.

### 2.4 Physical Characteristics

The site has the following characteristics and features:

- it has a combined area of 3754m<sup>2</sup>;
- Lot 103 contains a large building which has in the past been used for commercial purposes including as an office for labour hire and training services. The buildings are currently not occupied. Lot 103 also contains an outbuilding in the north-east section;
- Lot 104 contains a medical clinic or more specifically the Albany Dental Centre. A planning approval has been issued by the City for the medical clinic;
- vehicular access to Lot 103 and Lot 104 are from Cockburn Road;
- the land is virtually flat with an approximate height of 23m AHD;
- it is cleared of native vegetation. Open areas are a mix of grass and replanted native vegetation and exotics;
- the soil landscape covering the site is coded as 242KgS7f, named "Minor Valleys S7 Floor Phase", described as "footslopes and swampy valley floors of minor valleys" with the soil type being predominantly semi-wet soils with deep sands/sandy duplexes as set out in the *Soil Landscape Mapping of South-Western Australia* (1987) by the Department of Agriculture and Food Western Australia; and
- it is not classified as a contaminated site.

The amendment site is shown in Figure 3.





Figure 2





Figure 3

## 2.5 Existing Services

### 2.5.1 Roads

Vehicular access to Lots 103 and 104 are via Cockburn Road. Vehicular access to Lot 103 is set back from the roundabout at the intersection of Cockburn Road and Campbell Road. Campbell Road is classified as a "priority road" in LPS1.

A footpath adjoins the site on the Campbell Road frontage.

### 2.5.2 Drainage

The site is connected to the City's stormwater (drainage) network.

### 2.5.3 Water supply

The site is connected to the reticulated water system operated by Water Corporation.

### 2.5.4 Wastewater disposal

The site is connected to the reticulated sewerage operated by Water Corporation.

### 2.5.5 Power and telecommunications

Power and telephone services are connected to the site.

## 2.6 Heritage

The Department of Aboriginal Affairs' Aboriginal Heritage Inquiry System shows no known sites of Aboriginal significance on the amendment site. Additionally, the site does not contain any structure or place of heritage significance on the *City of Albany Municipal Heritage Inventory*.





### 3. PLANNING FRAMEWORK

#### 3.1 Overview

The following section outlines how the proposed Regional Centre Mixed Business zoning suitably addresses the planning framework. In summary, the scheme amendment request is considered consistent with the planning framework.

#### 2.6 Assessment of Scheme amendment request against planning framework

Planning document	Consistency with planning document and implications for scheme amendment request
<b>State Planning Strategy 2050 (2014)</b>  The Strategy classifies Albany as a regional centre. The Strategy encourages urban intensification and economic development.	The requested scheme amendment is considered consistent with the Strategy given it promotes appropriate employment land, centrally located, in a regional centre.
<b>State Planning Policy No. 3 – Urban Growth and Settlement (2006)</b>  This Policy sets out the principles and considerations which apply for urban growth and settlement in Western Australia. The policy promotes a sustainable settlement pattern, supports building on existing communities, and seeks convenient access to employment and services.	The requested scheme amendment is consistent with SPP 3 given the site is close to the city centre, provides opportunities for employment and can enhance the provision of services to the local community. The site is highly accessible by walking, cycling, public transport and car.
<b>Albany Local Planning Strategy (2010)</b>  A planning principle of the Strategy (page 71) is to "Facilitate opportunities for local employment and economic growth by providing appropriate locations for establishing and growing business" while a strategic objective (page 151) is to "Promote economic development and encourage local employment opportunities."  Strategic Plan: Urban (Map 9B) identifies the site as "City Centre" which reflects the site's current and former commercial uses. Figure 8, in comparison shows the site opposite the regional (town centre) with the boundary being Campbell Road. Overall, the Strategy promotes a transition to mixed-use activities which enhance the area's amenity.	The requested scheme amendment is considered consistent with the strategic direction set out in the <i>Albany Local Planning Strategy</i> given it is classified as City Centre.  The site is located in an area that has a wide range of commercial development. This area is highly accessible including to the elderly, as it is serviced by a bus route and is near medium density housing which promotes access by walking or cycling.
<b>City of Albany Activity Centres Planning Strategy (2010)</b>  The Strategy Plan identifies the site as "existing commercial complex" with nearby areas also with this classification along with "existing industrial complex".	The requested scheme amendment is considered consistent with the Strategy given the site is recognised as commercial. The site forms part of the Centennial Park district which is part of the regional (City) centre.



<p>The Strategy identifies the regional centre as the York Street and Centennial Park districts (Figure 15) and has deliberately not included a hard boundary.</p> <p>Figure 32 shows the site bordering the regional (town) centre. Page 50 states "it would be inappropriate for the town centre precincts defined under this ACPS to be hard-bounded." The Strategy is to be used as a guide for assessing development applications both within and in the immediate context of the regional centre.</p>	
<p><b>City of Albany Local Planning Scheme No. 1 (2014)</b></p> <p>The site is zoned "Residential R30" and "Residential R30" with "Additional Use AU17 Medical Centre". In terms of the requested Regional Centre Mixed Business Zone, the objectives for the zone are set out in Clause 4.2.9 which state:</p> <ul style="list-style-type: none"> <li>(a) Provide for the development of offices, service industries, trades, wholesaling, showrooms, bulky goods outlets and other large-format retail in conjunction with limited residential uses;</li> <li>(b) Preclude 'Main Street' style developments and confine retailing to bulky goods and large-format stand alone category based outlets which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot be conveniently or economically accommodated in other commercial or industrial related zones;</li> <li>(c) Preclude development of those main-street retail uses which would normally be located in the Regional Centre zone by prescribing minimum floor areas and restricting retail developments to larger format stand-alone businesses;</li> <li>(d) Ensure that the built form of site development is robust, to enable future adaptability and re-use;</li> <li>(e) Ensure new development presents an attractive street façade to enhance the visual amenity of surrounding areas;</li> <li>(f) Ensure the cumulative off site impacts of new residential, commercial and industrial development, particularly noise, traffic and parking impacts, are appropriately managed so that the area continues to provide a high quality living environment; and</li> <li>(g) Preclude the establishment of new uses which would clearly conflict with existing or approved residential uses.</li> </ul> <p>Clause 5.5.7 sets out additional requirements relating to the Regional Centre Mixed Business Zone.</p>	<p>The scheme amendment request is considered consistent with LPS1 requirements including relating to the objectives of the Regional Centre Mixed Business Zone. In particular:</p> <ul style="list-style-type: none"> <li>• it will provide employment opportunities in a manner that will not conflict with adjoining residential uses;</li> <li>• development will not compete with the City centre but will rather complement it;</li> <li>• the site contains existing development which is consistent with the area's character; and</li> <li>• car parking can be contained on site.</li> </ul> <p>The scheme amendment addresses as historic anomaly in the zoning of Lot 103 which has previously being used for commercial purposes (including labour hire and training services). The generous parking, the large building size and the internal layout of the main building all suggest Lot 103 is suitable for commercial development.</p> <p>Amending the zoning on Lot 104 will ensure there is a consistent approach to the zoning of the site and for commercial development in the area. A medical centre use is a "D" (discretionary use) in the Regional Centre Mixed Business zone.</p>
<p><b>Lower Great Southern Strategy (2007)</b></p> <p>Albany is classified as a regional centre which offers</p>	<p>The requested scheme amendment is considered consistent with the strategy</p>

a wide range of services, facilities and employment opportunities. A key issue is protecting the city centre from commercial development on the outskirts of Albany. There is a preference to build on existing communities.	including that it will not impact the city centre.
--	--

**3.3 Planning context implications for scheme amendment request**

The requested Regional Centre Mixed Business zoning is considered consistent with the planning framework. This includes that employment generation and economic growth is encouraged, Albany is classified as a regional centre and the *Albany Local Planning Strategy* identifies the site as part of the city centre. Given Lot 103 has previously used for commercial purposes, the amendment will not harm the viability of the Albany City Centre but will rather support the local community and local economy.





#### 4. AMENDMENT PROPOSAL

##### 4.1 Proposed scheme amendment

The intent of the scheme amendment request is to:

1. Rezone Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
2. Rezone Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
3. Amend the Scheme Map accordingly.

##### 4.2 Scheme Provisions

Future development and land use will be controlled by LPS1 provisions.



## **5. PLANNING CONSIDERATIONS AND PLANNING JUSTIFICATION**

### **5.1 Overview**

This section brings together an assessment of the site's attributes and the planning framework in considering key planning matters and justifying the requested zoning for the site.

The buildings on Lot 103 are currently vacant and have had a low occupancy rate in recent years with the Residential zoning limiting the range of uses. Lot 103 is poorly used in its current state which indicates that the Residential Zone is not financially viable for commercial development. Given the size and internal layout of the building and the availability of parking, the site is suitable for re-use without major capital outlay.

### **5.2 Suitability of the site for Regional Centre Mixed Business Zoning**

The site is considered suitable for the requested Regional Centre Mixed Business zoning for reasons including:

- the use is consistent with the planning framework;
- Lot 104 is currently a commercial site (medical centre) while Lot 103 has previously been used for commercial purposes. The generous car parking and the large size and the internal layout of the main building on Lot 103 are commercial in nature;
- the area contains a significant number of existing commercial development and the site is opposite an area zoned as Regional Centre Mixed Business. The amendment "rounds off" Regional Centre Mixed Business zoning in the area;
- the site is well located for the proposed land uses. This is evidenced by the location of a number of businesses in close proximity to the site (Figure 2). This locality has been well established with businesses for many years;
- the zoning will complement and not conflict with nearby land uses;
- the site is centrally located and has high levels of accessibility from throughout Albany;
- is located on an existing bus route (Campbell Road) and is conveniently located at the intersection of a priority road and a district level road;
- the site contains no environmental assets and the requested zoning is unlikely to create adverse environmental impacts;
- the site is not subject to heritage or landscape constraints;
- it is appropriately serviced; and
- traffic impacts are manageable and car parking can be contained on-site.

The requested zoning is considered consistent with the principles of orderly and proper planning.

### **5.3 Environmental Impact**

It is expected that the requested scheme amendment will have limited environmental impacts. The reasons include:

- the site contains existing development and there is no remnant native vegetation;
- the site is connected to the reticulated sewerage system and the City's stormwater system;
- the site is close to the city centre limiting the need for motorised transport and providing opportunities for journeys to be made by cycling and walking; and
- it is not a contaminated site.

#### **5.4 Compatibility with adjoining and nearby land uses**

The site is near a range of businesses in an area containing a wide mix of uses (Figure 2). The proposed use is considered compatible with adjoining and nearby land uses/development which includes commercial, industrial and residential uses. There is considered to be minimal risk of land use conflict resulting from low-key commercial development use on Lot 103 adjacent to dwellings to the east and north of the site.

The proposed Regional Centre Mixed Business zoning will retain and/or enhance the area's character and amenity given there is existing commercial development on Lot 104 and Lot 103 has previously been used for commercial development. Accordingly, it is considered that the requested Regional Centre Mixed Business zoning represents a logical and sound planning outcome for the site.

#### **5.5 Vehicular access and car parking**

Vehicular access to both Lot 103 and Lot 104 is from Cockburn Road. Vehicular access to Lot 103 is appropriate and complies with sight distance standards which will facilitate safety for road users. Additionally, the site is highly accessible and it is centrally located.

Both Cockburn Road and Campbell Road can readily accommodate the expected traffic generated by a change of use on Lot 103 to facilitate commercial development.

The car parking is already sealed and vehicular access to the sites is via sealed crossovers. On-site car parking is considered to be sufficient for staff and clients. Should the Regional Centre Mixed Business zoning be approved by the Minister for Planning and gazetted, a change of use on Lot 103 will require separate planning consent from the City. Depending on the nature of the development, car parking number can be determined at the Planning Application stage.

#### **5.6 Servicing**

The sites are appropriately serviced and connected to reticulated water, reticulated sewer, power and telecommunications. It is not envisaged that upgrading of services is required to facilitate the re-use on Lot 103.

#### **5.7 Building design**

The existing buildings are compatible with surrounding development including in size, setbacks to boundaries and character.



The building containing the medical centre (dental practice) is relatively new. The external appearance of the buildings on Lot 103 is not proposed to change in the short term. Finalisation of the amendment should in time encourage investment in the buildings on Lot 103 Cockburn Road.

### **5.8 Supporting the local economy and community**

As previously outlined, the proposed Regional Centre Mixed Business zoning is consistent with the planning framework and reflects that Lot 103 was previously used for commercial purposes. Should the scheme amendment be gazetted, it is expected to assist in encouraging upgrading and additional investment on Lot 103.

The formalisation of the zoning to facilitate commercial uses on Lot 103 will assist with job creation which will have various economic and community benefits. This includes it will support local employment and assist in a more sustainable local economy and it will add to Albany's overall viability, vitality and prosperity in accordance with the planning framework. Additionally, it will build onto an existing community with established facilities, services and infrastructure and assist to strengthen and sustain local businesses.

### **5.9 Planning Justification**

In summary, the planning justification for the requested Regional Centre Mixed Business zoning is set out below:

- the proposal is consistent with the planning framework;
- it will address an historic anomaly of the zoning of Lot 103 which has been used for commercial purposes;
- it will result in a complementary approach to zoning of Lots 103 and 104;
- the proposed zoning is considered compatible with adjoining and nearby uses;
- the site is appropriately serviced and car parking can be contained on-site;
- the site contains no environmental assets and will not create adverse environmental impacts;
- the site is not subject to heritage or landscape constraints; and
- the proposal will assist in enhancing Albany as a regional centre and assist in creating jobs in a highly accessible location.

Given the above, the scheme amendment request is considered consistent with the principles of orderly and proper planning.

## 6. CONCLUSION

This report confirms that the scheme amendment request is consistent with the planning framework and that Lot 103 Cockburn Road, Mira Mar is considered to be both suitable and capable for accommodating mixed business use. The modifications to the zoning on Lot 104 simply formalises the existing commercial use and it provides a consistent approach to the zoning of Lots 103 and 104 which rounds off the Regional Centre Mixed Business zoning in the precinct.

The support of the WAPC and the Hon. Minister for Planning is requested to approve the scheme amendment to rezone Lot 103 Cockburn Road, Mira Mar from "Residential R30" to "Regional Centre Mixed Business" and to rezone Lot 104 Campbell Road, Mira Mar from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business".

**PLANNING AND DEVELOPMENT ACT 2005****CITY OF ALBANY****LOCAL PLANNING SCHEME No. 1****AMENDMENT No. 8**

That the Council, under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme by:

1. Rezoning Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
2. Rezoning Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
3. Amending the Scheme Map accordingly.

# City of Albany

## Local Planning Scheme No. 1

### Amendment No. 8

#### LEGEND

##### RESERVES

-  PARKS & RECREATION
-  PRIORITY ROAD

##### ZONES

-  RESIDENTIAL
-  REGIONAL CENTRE MIXED BUSINESS
-  LIGHT INDUSTRY

##### OTHER

-  RCODE BOUNDARY
-  ADDITIONAL USE  
(SEE SCHEME TEXT)
-  CADASTRE



Existing Zoning Map



Scheme Amendment Map



**PLANNING AND DEVELOPMENT ACT 2005****CITY OF ALBANY****LOCAL PLANNING SCHEME No. 1****AMENDMENT No. 8****ADOPTION**

Adopted by resolution of the Council of the City of Albany at the meeting of the Council held on \_\_\_\_\_

\_\_\_\_\_  
MAYOR\_\_\_\_\_  
Date\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER\_\_\_\_\_  
Date**FINAL ADOPTION**

Adopted by Resolution of the City of Albany at the meeting of the Council held on the \_\_\_\_\_, and pursuant to that Resolution was hereunto affixed by the authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
MAYOR\_\_\_\_\_  
Date\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER\_\_\_\_\_  
Date**RECOMMENDED/SUBMITTED FOR FINAL APPROVAL**\_\_\_\_\_  
DELEGATED UNDER S.16 OF THE  
PLANNING AND DEVELOPMENT  
ACT 2005\_\_\_\_\_  
Date**FINAL APPROVAL GRANTED**

MINISTER FOR PLANNING

\_\_\_\_\_  
Date



REGISTER NUMBER <b>103/DP300002</b>	
DUPLICATE EDITION <b>N/A</b>	DATE DUPLICATE ISSUED <b>N/A</b>

WESTERN  AUSTRALIA

**RECORD OF CERTIFICATE OF TITLE**  
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1954**      FOLIO **992**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

  
REGISTRAR OF TITLES 

**LAND DESCRIPTION:**

LOT 103 ON DEPOSITED PLAN 300002

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

ROBERT GRAEME STOCKDALE  
LIZZI MARIE STOCKDALE  
BOTH OF POST OFFICE BOX 1742, ALBANY  
AS JOINT TENANTS

(T G049698 ) REGISTERED 8 DECEMBER 1995

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

1. G049699 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 8.12.1995.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1954-992 (103/DP300002).  
PREVIOUS TITLE: 1696-484.  
PROPERTY STREET ADDRESS: 36 COCKBURN RD, MIRA MAR.  
LOCAL GOVERNMENT AREA: CITY OF ALBANY.


NOTE 1: L454984 LAND DESCRIPTION AMENDED ON ORIGINAL CERTIFICATE OF TITLE - BUT NOT SHOWN ON CURRENT EDITION OF THE DUPLICATE.  
NOTE 2: SKETCH ON ORIGINAL SUPERCEDED PAPER TITLE AMENDED - BUT NOT SHOWN ON CURRENT EDITION OF THE DUPLICATE.  
NOTE 3: DEPOSITED PLAN 300002 HAS YET TO BE PRODUCED.

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Dec 11 13:24:55 2012 JOB 40684833


ORIGINAL—NOT TO BE REMOVED FROM OFFICE OF TITLES

LT. 37

Sundry Document F138787 WESTERN AUSTRALIA  
Volume 1696 Folio 484

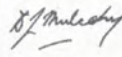
  
**CERTIFICATE OF TITLE**  
 UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED


REGISTER BOOK  
VOL. CT 1954 FOL. 992



I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Dated 24th February, 1993

  
 REGISTRAR OF TITLES



ESTATE AND LAND REFERRED TO

Estate in fee simple in portion of Albany Suburban Lot 72, and being lot 103 on DP 300002, delineated on the map in the Third Schedule hereto.


FIRST SCHEDULE (continued overleaf)

~~Helen Elizabeth Ford of 36 Cockburn Road, Albany~~

SECOND SCHEDULE (continued overleaf)

1. MORTGAGE F118445 to R & I Bank of Western Australia Ltd. Registered 24.2.93 at 8.07 hrs.  
Discharged G49697 8.12.95

THIRD SCHEDULE



The Deposited Plan for this Certificate of Title is yet to be produced. The Plan and Lot number have been allocated as an interim measure to enable issue of a Digital Certificate of Title. Please refer to this Title for the sketch of the land.

Land Parcel Identifier amended - Regulation 6 of Transfer of Land (Surveys) Regulations 1995  
Corr. 1775-2000-01  
Date: 10/9/04

NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.


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Page 2 (of 2 pages)

# Superseded - Copy for Sketch Only

LT. 37

FIRST SCHEDULE (continued)		NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS				
REGISTERED PROPRIETOR		INSTRUMENT		REGISTERED	TIME	CERT. OFFICER
NATURE	NUMBER					
Robert Graeme Stockdale and Lizzi Marie Stockdale both of Post Office Box 1742, Albany as joint tenants.		Transfer	G49698	8.12.95	8.12	

SECOND SCHEDULE (continued)		NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS				
INSTRUMENT		PARTICULARS		REGISTERED	TIME	CERT. OFFICER
NATURE	NUMBER					
Mortgage	G49699	to National Australia Bank Ltd.		8.12.95	8.12	

CERTIFICATE OF TITLE VOL-1954 FOL992

WESTERN



AUSTRALIA

# RECORD OF CERTIFICATE OF TITLE UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 1416  
FOLIO 88

REGISTER NUMBER <b>104/DP300002</b>	
DUPLICATE EDITION <b>4</b>	DATE DUPLICATE ISSUED <b>5/10/2010</b>

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

  
REGISTRAR OF TITLES



## LAND DESCRIPTION:

LOT 104 ON DEPOSITED PLAN 300002

## REGISTERED PROPRIETOR: (FIRST SCHEDULE)

T & Q MANAGEMENT PTY LTD OF 22 VISCOUNT HEIGHTS, ALBANY  
(T L051906 ) REGISTERED 25 AUGUST 2009

## LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. L430630 MORTGAGE TO INVESTEC EXPERIEN PTY LTD REGISTERED 17.9.2010.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
\* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

## STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1416-88 (104/DP300002).  
PREVIOUS TITLE: 445-91.  
PROPERTY STREET ADDRESS: 26 CAMPBELL RD, MIRA MAR.  
LOCAL GOVERNMENT AREA: CITY OF ALBANY.

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Sep 23 14:07:37 2014 JOB 45725294

  
Landgate  
www.landgate.wa.gov.au











## **Attachment 1 – Albany Local Planning Strategy Excerpts**

### **Section 5.2 Commerce**

Section 5.2 Commerce of the *Albany Local Planning Strategy 2010* (ALPS) sets the following planning principle:

*“Albany to remain the commercial centre of the Lower Great Southern, supported by neighbourhood and local centres”.*

It expands on this by stating that:

*“As the regional centre of the Great Southern, Albany will continue to provide services for a broad range of activities including retailing, administration, government and social, cultural, tourist-related and inner-city residential living needs. The regional centre is supported by neighbourhood centres catering for bulk shopping, residential service needs, office accommodation and medical and welfare services. Local centres provide smaller-scale shopping, convenience retailing and service needs.”*

### **Section 6.4.5 Health**

Section 8.5.4 Tourism of the ALPS sets the following strategic objective:

*“To provide and promote health care facilities to cater for community needs and be located within or near major centres and connected to a major public transport system”.*

It expands on the matter of health as follows:

*“Albany’s rising number of middle-aged and senior residents needs a corresponding increase in aged and specialist care. Developers have responded to this demographic shift by proposing and providing a number of aged-care units. A key health aim is the encouragement of a network of private clinics and health facilities throughout Albany to improve access to healthcare providers”.*

# **City of Albany Local Planning Scheme No. 1 Scheme Amendment No. 11**

**Lots 312 & 1315 Cockburn Road  
Mira Mar**

December 2014



Prepared by



[www.edgeplanning.com.au](http://www.edgeplanning.com.au)



**PLANNING AND DEVELOPMENT ACT 2005****RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME****CITY OF ALBANY LOCAL PLANNING SCHEME NO. 1****AMENDMENT No. 11**

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amends the above local planning scheme by:

1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.
2. Adding provisions to Schedule 4 "Special Use Zones" to the Scheme Text for SU25.
3. Amending the Scheme Map accordingly.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2015

\_\_\_\_\_  
Chief Executive Officer

\_\_\_\_\_  
Date

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**PROPOSAL TO AMEND A LOCAL PLANNING SCHEME**

- |   |  |
|---|--|
| <b>1. LOCAL AUTHORITY:</b>                      | City of Albany   |
| <b>2. DESCRIPTION OF LOCAL PLANNING SCHEME:</b> | Local Planning Scheme No. 1  |
| <b>3. TYPE OF SCHEME:</b>                       | Local Planning Scheme  |
| <b>4. SERIAL NUMBER OF AMENDMENT:</b>           | 11   |
| <b>5. PROPOSAL:</b>                             | <ol style="list-style-type: none"> <li>1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.</li> <li>2. Adding provisions to Schedule 4 "Special Use Zones" to the Scheme Text for SU25.</li> <li>3. Amending the Scheme Map accordingly.</li> </ol> |



## REPORT BY THE CITY OF ALBANY

### 1. INTRODUCTION

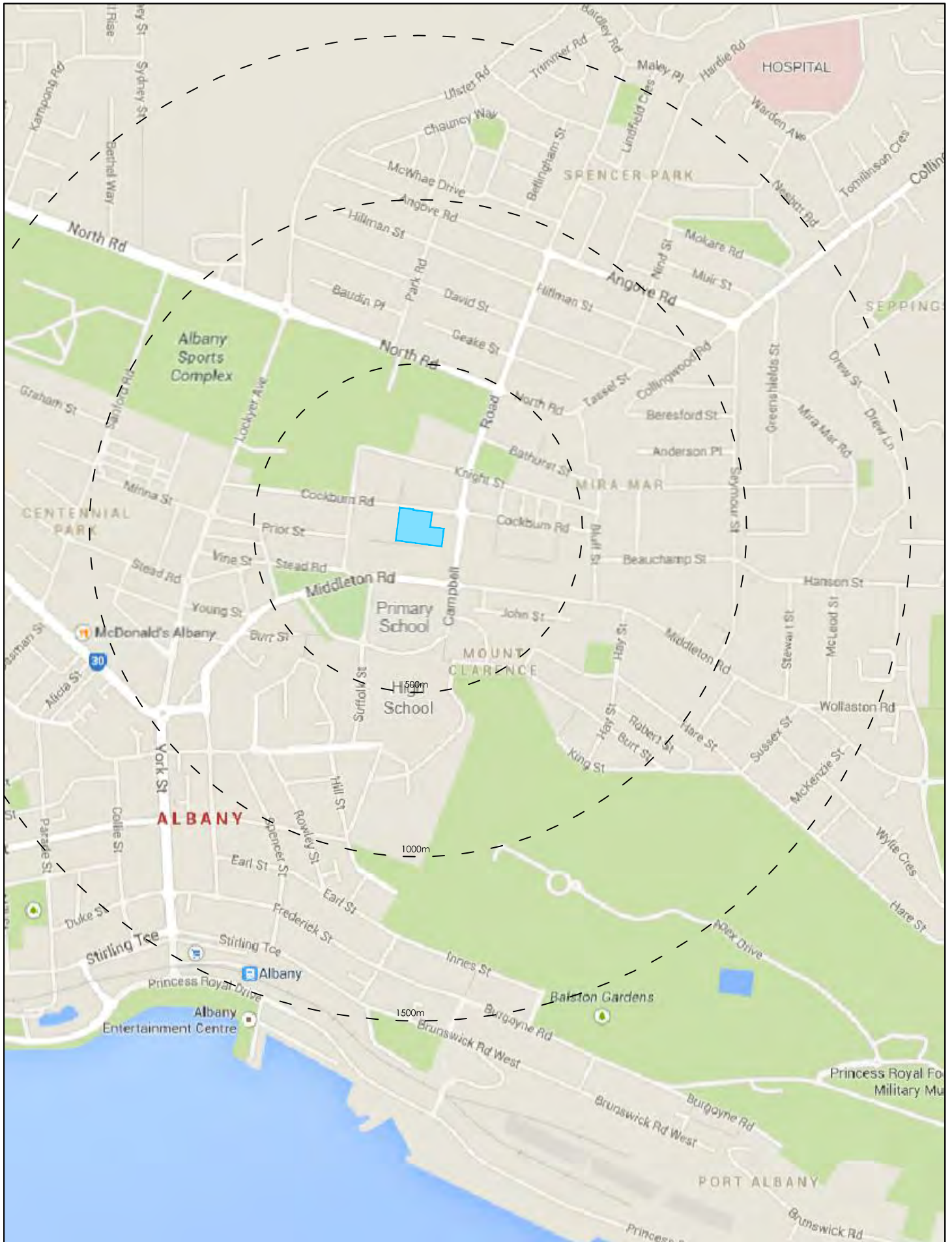
The City of Albany seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Hon. Minister for Planning to amend the *City of Albany Local Planning Scheme No. 1* (LPS1) by:

1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.
2. Adding provisions to Schedule 4 "Special Use Zones" to the Scheme Text for SU25.
3. Amending the Scheme Map accordingly.

The purpose of this report and associated plans are to explain the proposal and set out the planning merits of rezoning Lots 312 and 1315 Cockburn Road to Special Use to facilitate the development of a health precinct along with complementary and ancillary uses.

The site's proximity to the Albany city centre, Albany Regional Hospital and other facilities (outlined in Figure 1) and that it is adjacent to commercial development (Figure 2) highlight its suitability for the proposed health precinct use.





## LOCATION PLAN

Lots 312 and 1315 Cockburn Road  
Mira Mar  
Albany



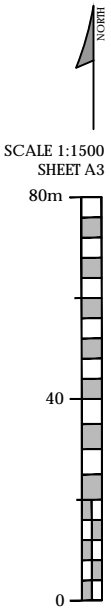
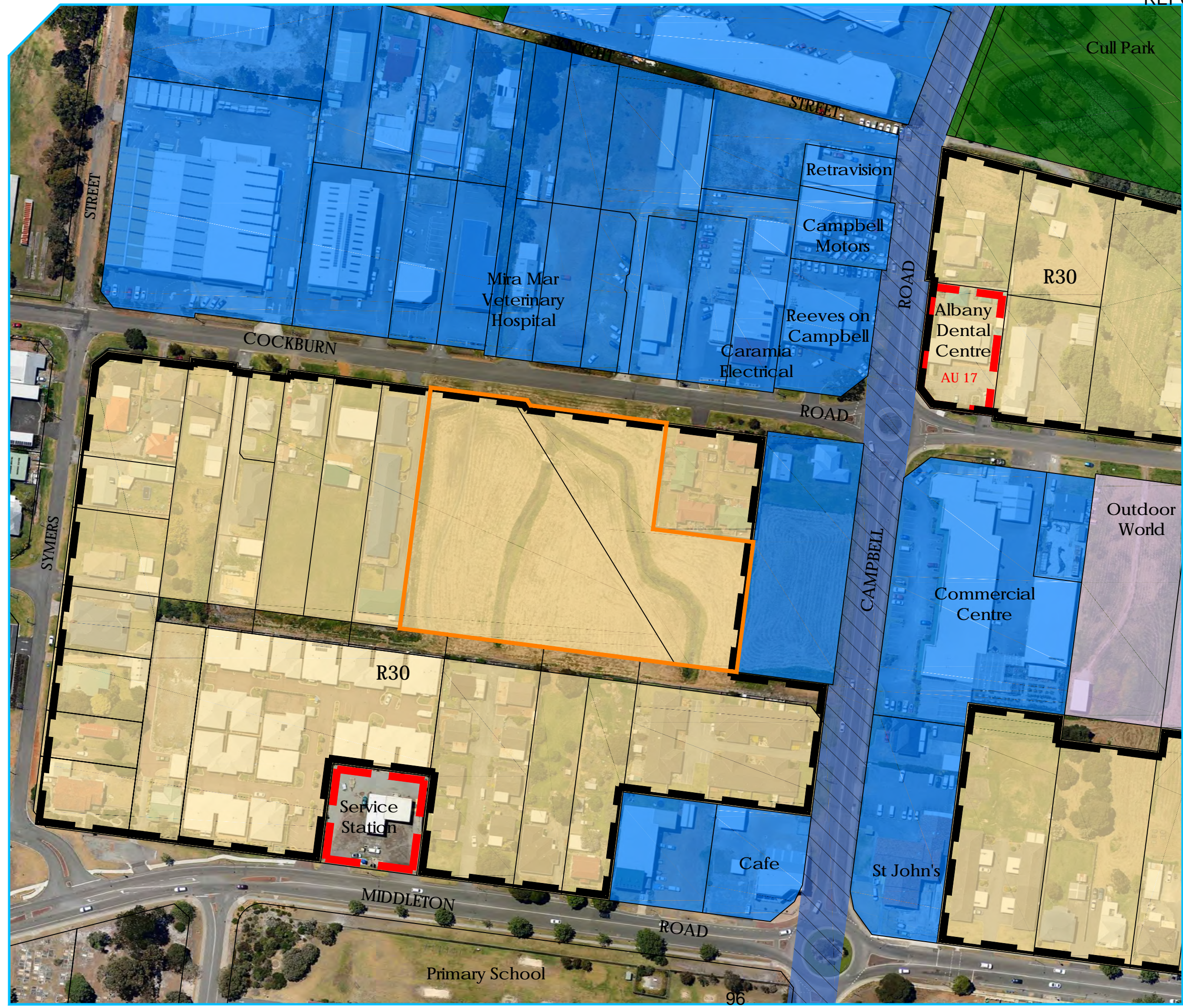


# CONTEXT PLAN

Lots 312 and 1315  
Cockburn Road  
Mira Mar  
City of Albany

## LEGEND

-  SUBJECT LAND
-  REGIONAL CENTRE
-  SPECIAL USE / ADDITIONAL USE
-  LIGHT INDUSTRY
-  RESIDENTIAL
-  PARKS & RECREATION
-  PRIORITY ROAD



B	MINOR MODIFICATIONS	141117	SJ	ST
A	CONTEXT PLAN	141116	SJ	ST
REV	DESCRIPTION	YYMMDD	DRAWN	APPRVD
AERIAL PHOTOGRAPHY CAPTURE: 13th December 2013				

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DRAWING NUMBER  
EP 140827 04

REV  
B

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All areas and dimensions are  
subject to detail design + survey.



## 2. BACKGROUND

### 2.1 Cadastral details

Cadastral details for the site are summarised below:

<i>Lot</i>	<i>Deposited Plan</i>	<i>Volume</i>	<i>Folio</i>	<i>Area</i>
Lot 312 Cockburn Road, Mira Mar	144712	2822	517	7546m <sup>2</sup>
Lot 1315 Cockburn Road, Mira Mar	400795	2822	517	4656m <sup>2</sup>

The registered proprietor of both lots is Three of a Kind Pty Ltd. Copies of the current Certificate of Titles are included in Attachment 1.

### 2.2 Regional context

The site is situated in the City of Albany which is located 409 kilometres south-east of Perth. Albany is the regional centre for the Great Southern Region. The city provides a wide range of services and facilities to residents and visitors including the regional hospital.

### 2.3 Local context

The site is located approximately 1.5 kilometres north-east of the Albany city centre (see Figure 1). The site adjoins and is surrounded by a wide range of uses (see Figure 2). This includes medium density residential development, commercial development and light industry along with nearby medical practices and consulting room uses.

The current LPS1 zonings surrounding the amendment site are shown in the existing zoning map. Land to the west, south and east of the amendment site is land zoned Residential with a density coding of R30. Land to the north and slightly east of the site is zoned Regional Centre Mixed Business.

### 2.4 Physical characteristics

The site has the following characteristics and features:

- it has a combined area of 12202m<sup>2</sup> (1.22 hectares);
- it is vacant (contains no buildings). It is likely that the land was cleared in the past for farming activities such as grazing;
- the land is gently sloping ranging from 23 metres AHD (Australian Height Datum) on the northern boundary to 26 metres AHD in the south-east section;
- it is cleared of native vegetation with the site covered in kikuyu;
- the soil landscape is coded as 242KgS7f, named "Minor Valleys S7 Floor Phase", described as "footslopes and swampy valley floors of minor valleys" with the soil type being predominantly semi-wet soils with deep sands/sandy duplexes as set out in the *Soil Landscape Mapping of South-Western Australia* (1987) by the Department of Agriculture and Food Western Australia. Further details are set out in Attachments 2 and 3; and
- it is not classified as a contaminated site.

The amendment site is shown in Figure 3.

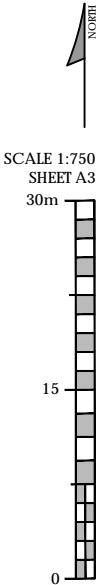


# AMENDMENT SITE

Lots 312 and 1315  
Cockburn Road, Mira Mar  
City of Albany

## LEGEND

- SUBJECT LAND
- EXISTING LOT DETAILS
- CONTOURS
- U/GROUND SEWER PIPE
- U/GROUND WATER PIPE



B	AMENDMENT SITE	141117	SJ	ST
A	BASE PLAN	140827	SJ	ST
REV	DESCRIPTION	YYMMDD	DRAWN	APPRVD
	AERIAL PHOTOGRAPHY CAPTURE:	13th December 2013		

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## **2.5 Existing services**

### *2.5.1 Roads*

Vehicular access to the site is via Cockburn Road. Vehicular access to the site is well separated from the roundabout at the intersection of Cockburn Road and Campbell Road.

No footpath adjoins the site.

### *2.5.2 Drainage*

There are currently open drains that dissent the site as well as an open drain within the Cockburn Road reserve. The site can be readily connected to the City's stormwater (drainage) network.

### *2.5.3 Water supply*

The site can be readily connected to the reticulated water system operated by Water Corporation.

### *2.5.4 Wastewater disposal*

The site can be readily connected to the reticulated sewerage operated by Water Corporation.

### *2.5.5 Power and telecommunications*

Power and telephone services can readily be connected to the site.

## **2.6 Heritage**

The Department of Aboriginal Affairs' Aboriginal Heritage Inquiry System shows no known sites of Aboriginal significance on the amendment site. The *Aboriginal Heritage Act 1972* provides for the protection and preservation of Aboriginal heritage and culture throughout Western Australia, including places and objects that are of significance to Aboriginal people.

The site does not contain any structure or place of heritage significance on the *City of Albany Municipal Heritage Inventory*.



### **3. PLANNING FRAMEWORK**

#### **3.1 Overview**

The following section outlines how the proposed Special Use (SU) zoning, to facilitate the development of a health precinct, suitably addresses the planning framework. In summary, the scheme amendment request is considered consistent with the planning framework.

#### **3.2 State Planning Strategy 2050 (2014)**

The Strategy classifies Albany as a regional centre. The Strategy encourages urban intensification and economic development along with a range of public, private and not-for-profit health providers, facilities and services (page 98).

The requested scheme amendment is considered consistent with the Strategy given it promotes appropriate employment land and enhanced health facilities, centrally located, in a regional centre.

#### **3.3 State Planning Policy No. 2.9 Water Resources (2006)**

The State's water resources are subject to wide ranging impacts and demands. Effective planning should contribute to the protection and wise management of water resources by ensuring planning strategies, schemes, structure plans, subdivisions and other proposals adopt a sustainable approach.

The Policy supports an integrated approach, taking account of the total water cycle management, supporting water sensitive urban design principles and provides guidance on appropriate buffers to watercourses and waterways. The objectives of the Policy are to:

- protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;
- assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources; and
- promote and assist in the management and sustainable use of water resources.

To address the requirements of SPP 2.9, a Local Water Management Strategy is provided in Attachment 3.

#### **3.4 State Planning Policy No. 3 – Urban Growth and Settlement (2006)**

This Policy sets out the principles and considerations which apply for urban growth and settlement in Western Australia. The policy promotes a sustainable settlement pattern, supports building on existing communities, and seeks convenient access to employment and services.

The requested scheme amendment is considered consistent with SPP 3 given the site is close to the city centre, provides opportunities for employment and can enhance

the provision of services to the local community. The site is highly accessible by walking, cycling, public transport and car.

### **3.5 State Planning Policy No. 3.1 Residential Design Codes (2013)**

The site is currently zoned "Residential R30". The requested SU25 zoning incorporates a mix of uses including a residential component. Future residential development will be guided by the R Codes including setbacks, site planning and design, vehicular access and car parking.

### **3.6 Liveable Neighbourhoods (2007 with updates)**

Liveable Neighbourhoods promotes walkable neighbourhoods, mixed uses, the provision of a range of housing types and lot sizes, to efficiently use land and to effectively manage stormwater. While particularly related to large master planned subdivisions, key elements can be applied for infill developments. Future development will incorporate various elements of Liveable Neighbourhoods including promoting mix use development in a centrally located area and effectively managing stormwater.

### **3.7 Lower Great Southern Strategy (2007)**

Albany is classified as a regional centre which offers a wide range of services including health/medical, facilities and employment opportunities. A key issue is protecting the city centre from commercial development on the outskirts of Albany. There is a preference to build on existing communities.

The Strategy notes that there will be increased demands from increasing numbers of elderly residents and retirees who "will require improved aged care facilities, medical services and specialists. Incentive schemes are required for the recruitment and retention of health care professionals and specialists" (page 64).

The requested scheme amendment is considered consistent with the Strategy including that it will complement rather than impact the city centre and it will assist to enhance health services for a growing and aging population.

### **3.8 Albany Local Planning Strategy (2010)**

A planning principle of the Strategy (page 71) is to "Facilitate opportunities for local employment and economic growth by providing appropriate locations for establishing and growing business" while a strategic objective (page 151) is to "Promote economic development and encourage local employment opportunities."

Strategic Plan: Urban (Map 9B) identifies the site as "City Centre" and Figure 8 shows the site as regional (town centre). Overall, the Strategy promotes a transition to mixed-use activities in the locality to enhance its amenity.

Relevant planning objectives include:

"Provide appropriate locations for establishing and growing business activity."

(section 5.2.2)

*"To provide and promote health care facilities to cater for community needs and be located within or near major centres and connected to a major public transport system." (section 6.4.5).*

The requested scheme amendment is considered consistent with the strategic direction set out in the *Albany Local Planning Strategy* given it is classified as City Centre.

### **3.9 City of Albany Activity Centres Planning Strategy (2010)**

The Strategy identifies the regional centre as the York Street and Centennial Park districts (Figure 15), while Figure 32 shows the site within the regional (town) centre. The Strategy is intended to be used as a guide for assessing development applications both within and in the immediate context of the regional centre.

The requested scheme amendment is considered consistent with the Strategy given the site forms part of the Centennial Park district which is part of the regional (City) centre. The development will not compete with the City centre but will rather complement it. This is supported by a proposed SU25 condition which states "The retail use shall be limited and incidental to the predominant use of the property as determined by the Local Government."

### **3.10 City of Albany Local Planning Scheme No. 1 (2014)**

Clause 1.6 "Aims of the Scheme" of LPS1 includes the following aims:

- “(a) Implement the findings of the *Albany Local Planning Strategy* (ALPS) within the City.
- (k) Provide for increased population growth within the City by establishing controls for the co-ordinated planning and development of land to be used for residential purposes allowing for complimentary uses to provide a range of services to meet the needs of the local residents.
- (m) Respond to the changing needs of the City through the provision of social, administrative and land use initiatives which support the retention and growth of rural townsites, the urban population and advance sustainable land use practices.
- (o) Promote opportunities for new and value-added industries and businesses, particularly those industrial and business activities that create synergies with existing activities.”

The site is currently zoned "Residential R30". The requested Special Use (SU25) zoning is intended to create a health precinct. The requested scheme amendment refines uses that are available in the Residential Zone along with those in the adjoining Regional Centre Mixed Business Zone. Uses that are incompatible with the health precinct such as Industry Light, Industry Service, Motor Vehicle, Boat or Caravan Sales, Motor Vehicle Repair, Motor Vehicle Wash, Showroom and Warehouse are proposed to be "X" uses (not permitted) in SU25.

Clause 4.7 of LPS1 states the following:

Amendment 11 to the City of Albany Local Planning Scheme No. 1



"4.7.1 Special Use zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table.

4.7.2 A person must not use any land, or any structure or buildings on land, in a Special Use zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

*Note: Special Use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme."*

The following is an extract from Table 5 Car and Bicycle Parking Requirements from LPS1:

Land Use	Car Parking	Bicycle Parking
Aged or Dependent Persons' Dwellings	As per R-Codes	
Consulting Rooms	3 per practitioner + 1 per 3 employees	1 per 10 car bays
Grouped Dwelling	As per R-Codes	
Hospital	1 per 4 beds plus 1 per employee	
Medical Centre	As per Consulting Room	1 per 10 car bays

The requested SU25 zoning proposes to use the standards of the Regional Centre Mixed Business Zone, unless otherwise set out in the special provisions, for non-residential development. Table 7 Site Requirements of LPS1 sets out the following for the Regional Centre Mixed Business Zone:

- maximum plot ratio – 0.8;
- front setback – 3 metres;
- rear setback – nil; and
- side setback – nil.

Land to the south of the site is reserved as "Local Road" in LPS1.

The scheme amendment request is considered consistent with LPS1 requirements. This includes it will provide employment opportunities in a manner that will not conflict with adjoining residential uses and development will not compete with the City centre but will rather complement it. Additionally, the site is located in an area that has a wide range of commercial development, the area is highly accessible including to the elderly, as it is serviced by a nearby bus route and is near medium density housing which promotes access by walking or cycling.

### 3.11 City of Albany Community Strategic Plan 2023 (2014)

The City's vision is "To be Western Australia's most sought-after and unique regional City to work, live and visit". Key themes include a "Smart, Prosperous & Growing" and "A Sense of Community". Associated outcomes include diversifying the

economy, growing local employment, the provision of accessible support and services and improved community health and wellbeing.

The development of a health precinct is considered consistent with the Community Strategic Plan including that it provides opportunities for training and research, diversifying the local economy, improving access to health services and assisting to improve community health and wellbeing.

### **3.12 City of Albany Economic Development Strategy 2013-2017 (2013)**

Strategic objectives include "To strengthen and diversify our economic base" and "To foster links between education training and employment that support our economic growth and development." The Strategy notes Albany is well placed to facilitate research in various areas including studies related to rural environments such as health and education.

The development of a health precinct is considered complementary with the City's objectives of developing a Science and Technology Park and Regional University and becoming a Learning City.

### **3.13 Planning framework implications for the scheme amendment request**

Common themes of the policies, strategies, plans and LPS1 and their implications for the scheme amendment request include promoting economic development, promoting enhanced provision of community services/facilities including health services, promoting infill development, addressing stormwater management and the need for appropriate servicing.

The requested Special Use (SU25) zoning is considered consistent with the planning framework. This includes that employment generation, economic growth and enhanced health services are encouraged, Albany is classified as a regional centre and the *Albany Local Planning Strategy* identifies the site as part of the city centre. Given the intent to create a health precinct, the requested amendment will not harm the viability of the Albany City Centre but will rather support the local community and local economy.

## **4. AMENDMENT PROPOSAL**

### **4.1 Proposed scheme amendment**

The intent of the scheme amendment request is:

1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.
2. Adding provisions to Schedule 4 "Special Use Zones" to the Scheme Text for SU25.
3. Amending the Scheme Map accordingly.

### **4.2 Scheme provisions**

Future development and land use will be controlled by site specific provisions added to Schedule 4 of LPS1.

The proposed Special Use zoning is considered the most appropriate zoning to facilitate the development of a health precinct. As set out in clause 4.7 of LPS1, "Special Use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme."

### **4.3 Proposed health precinct**

The requested zoning will create a health precinct with supporting complementary and ancillary uses. The expected health related uses include a day or general hospital, medical centre, health practitioner offices and complementary uses such as a pharmacy and a cafe.

It is envisaged that there would be a component of residential development which borders existing residential units in the western portion of the site. The residential uses may include providing short-stay accommodation for visiting health specialists, nurses and others along with the provision of accommodation for palliative/respite care.

The development of a health precinct is considered to be a "good fit" for Albany in terms of community health benefits and to support sustainable job creation. The site's central location is close to the city centre, hospital, and other health providers and is highly accessible.

The concept is to complement the Albany Regional Hospital and existing health services and not to compete with the city centre. It is not intended to develop offices unless they are complementary with the health industry.



#### 4.4 Development Guide Plan

In support of the requested scheme amendment, a Development Guide Plan (DGP) is provided in Figure 4 which broadly shows how the site can be developed. The DGP is indicative only and will be subject to detailed design at the Development Application and Building Permit stages. The DGP has been designed to provide for the orderly and proper planning in terms of land use and design.

The DGP responds to the site's opportunities and constraints and the planning framework. In particular, key planning and design elements of the DGP include:

- managing water resources and the recommendations set out in the Local Water Management Strategy (Attachment 3);
- the Traffic Impact Assessment (Attachment 4);
- widening Cockburn Road;
- the potential for a road link between the site and Campbell Road on the southern boundary;
- enhancing pedestrian links to the site;
- land use compatibility; and
- providing sufficient flexibility to account for more detailed feasibility and detailed design.

The DGP shows:

- indicative development areas with the key use expected to be a day/general hospital with associated consulting rooms and ancillary uses, along with residential units which have the potential for health related office uses;
- indicative landscaping and open space which will include landscaping on the Cockburn Road frontage;
- two road connections to Cockburn Road and key internal vehicular access;
- the potential for a road link between the site and Campbell Road on the southern boundary;
- an anticipated service delivery area;
- road widening for a portion of Cockburn Road;
- enhanced pedestrian links;
- flood routes; and
- key development requirements.

It is highlighted that the indicative development areas are not intended to be “wall to wall” buildings but will also include open space and parking.

While noting that there is a need for detailed feasibility and design, including confirming land requirements, the total health related floor space for the day/general hospital; medical centre and support facilities could be in the order of 6000m<sup>2</sup>. At this stage, it is expected that in the order of 15 residential units will be constructed.

It is expected there would be a mix of 1 – 3 storey buildings complemented by a high standard of landscaping.

The proposed development will consist of sealed access ways and car parking, full servicing, upgraded fire management measures, enhanced stormwater management and landscaping.

The DGP seeks to provide sufficient guidance while also providing the opportunity for appropriate flexibility to accommodate the needs of specialist health providers over the coming years. Variations may be permitted to the DGP by the Local Government after following the procedures in Clause 9.4 of the Scheme.





# DEVELOPMENT GUIDE PLAN

Lots 312 and 1315 Cockburn Road, Mira Mar  
City of Albany

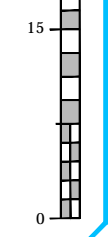
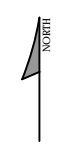
## LEGEND

- SUBJECT LAND
- EXISTING LOT DETAILS
- INDICATIVE DEVELOPMENT AREAS
- INDICATIVE LANDSCAPING AND OPEN SPACE
- KEY INTERNAL VEHICULAR ACCESS
- FUTURE ROAD RESERVE
- KEY PEDESTRIAN LINKS
- LAND CEDED FOR ROAD WIDENING
- ANTICIPATED SERVICE DELIVERY AREA
- FLOOD ROUTE

## DEVELOPMENT REQUIREMENTS

- The development will create a health precinct with supporting complementary and ancillary uses.
- The Development Guide Plan is indicative only and will be subject to detailed design at the Development Application and Building Permit stages.
- Current lot boundaries will be modified to accommodate development stages.
- Land will be ceded free of cost to the City for widening Cockburn Road as shown on the Development Guide Plan.
- Subject to the City securing appropriate land tenure, the developer will construct a road between the site and Campbell Road on the site's southern boundary.
- The day hospital will orientate towards Cockburn Road.
- Most buildings are expected to be two - three storeys and will accommodate ground level or basement parking.

SCALE 1:750  
SHEET A3  
30m



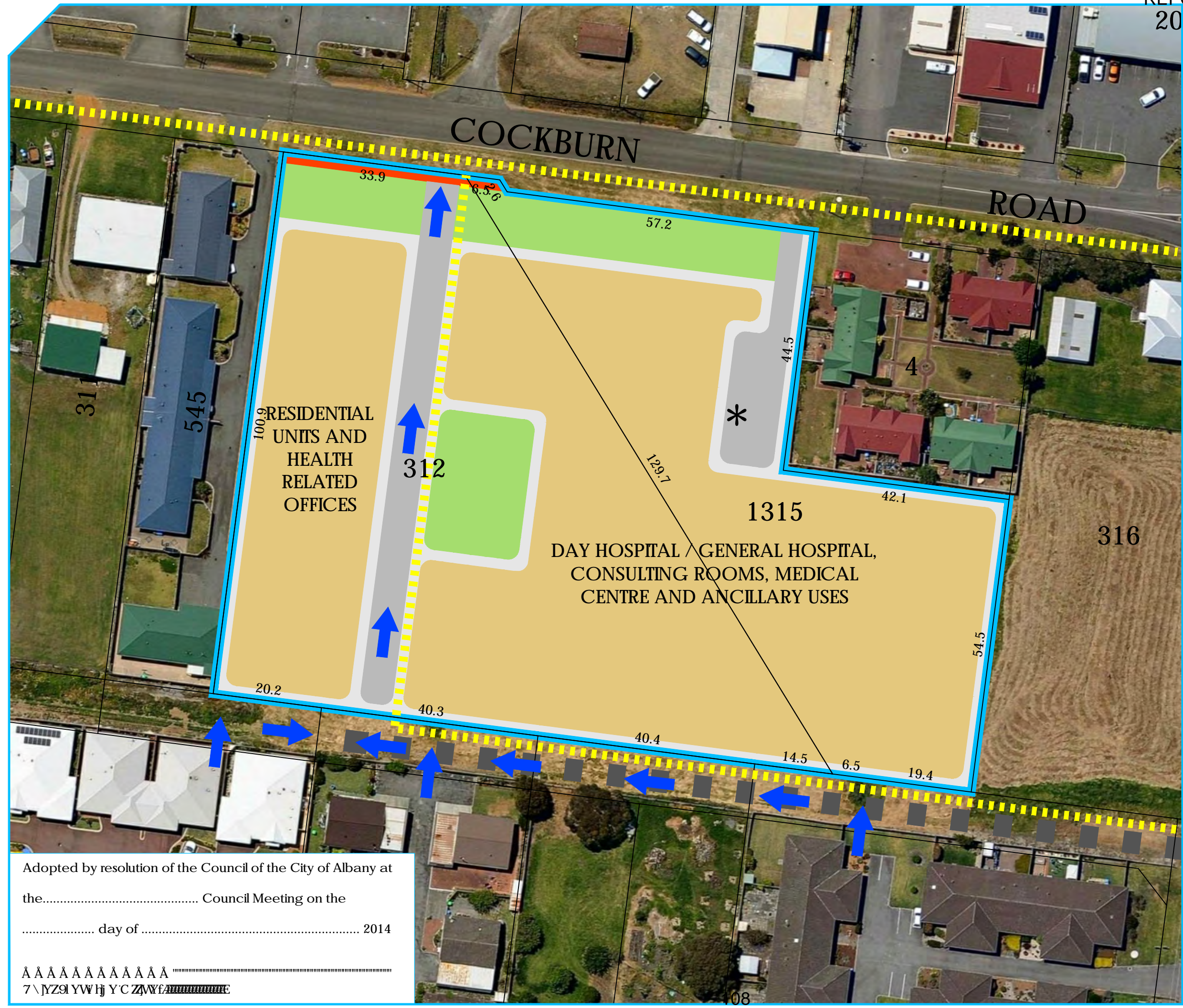
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Adopted by resolution of the Council of the City of Albany at  
the..... Council Meeting on the  
..... day of ..... 2014

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## 5. PLANNING CONSIDERATIONS AND PLANNING JUSTIFICATION

### 5.1 Overview

This section brings together an assessment of the site's attributes and the planning framework in considering key planning matters and justifying the requested zoning for the site.

### 5.2 Suitability of the site for the proposed health precinct

There are considered to be limited opportunities for the development of a centrally located health precinct in Albany. Key criteria include a large and relatively flat site with access to local distributor or main roads.

The site is considered suitable for the requested Special Use (SU25) zoning to facilitate the proposed health precinct for reasons including:

- the use is consistent with the planning framework;
- the site is well located for the proposed land use. This is evidenced by the location of a number of businesses in close proximity to the site (Figure 2). The locality contains a number of consulting rooms, health practitioners and other businesses. The site is also opposite an area zoned as Regional Centre Mixed Business;
- the zoning will complement and not conflict with nearby land uses;
- the site is centrally located and has high levels of accessibility from throughout Albany;
- the site is located near an existing bus route (Campbell Road) and is conveniently located near the intersection of a priority road and a district level road;
- that traffic impacts are manageable and will have negligible impacts on the functioning of Cockburn Road, Campbell Road or nearby intersections;
- the site's large size enables car parking to be retained on site;
- it promotes infill development on a vacant site;
- the site is capable of being fully serviced;
- the site contains no environmental assets and future development is unlikely to create adverse environmental impacts;
- the site is not subject to heritage or landscape constraints; and
- the site is flat to gently sloping making it particularly attractive to elderly people and health service clients.

Accordingly, the requested zoning is considered consistent with the principles of orderly and proper planning. Development of the health precinct will provide significant additional health services for Albany and Great Southern residents.

### 5.3 Environmental impact

It is expected that the requested scheme amendment will have limited environmental impacts. The reasons include:

- the site contains no remnant native vegetation;
- the site will be connected to the reticulated sewerage system;

- stormwater will be effectively managed in accordance with the Local Water Management Strategy (Attachment 3);
- the site is close to the city centre limiting the need for motorised transport and providing opportunities for journeys to be made by cycling and walking; and
- it is not a contaminated site.

#### **5.4 Geotechnical report**

A Geotechnical Report (soil and groundwater investigation) has been prepared for the site by Albany Soil & Concrete Testing which is set out in Attachment 2. This investigation included excavation of 10 boreholes to 1500mm below ground level to log the soil profile and groundwater level (if intercepted).

The findings of this investigation identified grey sand with silt with some gravel across the majority of the site with small areas containing black sand with silt and organic matter from between 700mm – 1400mm over grey/ dark grey sand with silt. Onsite investigations identified groundwater in some locations which lie generally in the middle of the site, in a north-south direction, at between 900mm and 1100mm below ground level.

Site works and required servicing will ensure that proposed development is physically capable. As part of this, there is a need to manage acid sulfate soils in portions of the site and to ensure that stormwater is effectively managed. It is recognised that there will be a need for engineering design and implementation to meet the requirements of the City and other State Government departments.

#### **5.5 Acid sulfate soils**

The majority of the site is located in an area of High Risk of Actual Acid Sulfate Soil (AASS) or Potential Acid Sulfate Soils (PASS) as set out in the WAPC's Albany-Torbay Acid Sulfate Soils mapping.

During the onsite investigation undertaken by Albany Soil & Concrete Testing on 18 November 2011, four soil samples of black silty sand with high organic matter were collected from locations 5, 7, 8 and 10. The soil samples were analysed by BioScience. The laboratory testing by BioScience revealed that none of the samples had a field pH less than 4, therefore were not Actual Acid Sulfate Soils (AASS). The results of the soil samples analysed indicate that the black silty sand on the site is likely to be Potential Acid Sulfate Soil (PASS). It is recommended that PASS is managed as per Department of Environment Regulation requirements.

Prior to building, it is expected that relevant existing soil will be removed and backfilled with clean compacted sand fill to required levels for the development.

#### **5.6 Water management**

A Local Water Management Strategy (LWMS) has been prepared for the site by Opus International Consultants (Australia) Pty Ltd as outlined in Attachment 3. The LWMS provide an overview of water resources at the site and presents a recommended approach for total water cycle management, with an emphasis placed on water sensitive design.

Key recommendations of the LWMS include:

- treatment of the 1:1 year ARI post development stormwater events is required as per the Faculty for Advancing Water Biofiltration guideline of a treatment area based on 2% of constructed impervious area within the development area (only);
- the 1:10 year post development ARI stormwater runoff from within the development area (only) are proposed to be attenuated and released from the site as per predevelopment stormwater flows;
- stormwater runoff from the upstream catchment is required to be conveyed through the development via an appropriately sized pipe network to accommodate the 1:5 year ARI event. There is no requirement for the developer to treat the 1:1 year ARI event or attenuate 1:10 year ARI stormwater runoff from the upstream catchment, within the development area; and
- at the detailed design stage consideration is made for 1:100 year ARI event flood routing as per the Stormwater Management Strategy and Catchment Plan. The City will require that this flood route also accommodates the surface water runoff from the upstream catchment.

There is a need to ensure that stormwater from the development is effectively managed to the requirements of the City. The stormwater design is required to limit development run-off through promoting at source infiltration through the use of measures including swales, soak wells and revegetating/landscaping parts of the site. While noting this, given Albany's rainfall and the site's soil types, stormwater in major rainfall events will be directed to a legal point of discharge into the City's drainage system.

Stormwater is required to be designed and provided in accordance with the endorsed Local Water Management Strategy.

### **5.7 Vehicular access**

The site is highly accessible being centrally located. Vehicular access to the site is currently from Cockburn Road. Cockburn Road, which links Lockyer Avenue and Campbell Road, is classified as a local distributor.

As set out on the DGP, the key vehicular access to and from the proposed health precinct will be from Cockburn Road, with access limited to two access points. To complement this, the DGP also states that "Land will be ceded free of cost to the City for widening Cockburn Road".

In addition to the above and subject to the City securing appropriate land tenure, the developer will construct a road between the site and Campbell Road on the site's southern boundary. The road will not be required as part of the stage 1 development, but is expected to be provided in future stages. Details will be addressed at the Development Application stage.

To support the scheme amendment request, Wood & Grieve Engineers were commissioned to prepare a Traffic Impact Assessment (TIA) which is set out in Attachment 4. The TIA considers the expected impacts of increased traffic volumes



generated from the development and its effect on Middleton Road/Campbell Road and Cockburn Road/Campbell Road roundabouts. The report concludes:

"This report provides guidance to the existing and long-term performance of the existing roundabouts of Middleton Road/Campbell Road, and Cockburn Road/Campbell Road. After modelling each of the roundabouts using SIDRA Intersection, the current and long term performance of these roundabouts are expected to provide an acceptable level of service, with the impact of the traffic generated from the development considered to be negligible."

Both Cockburn Road and Campbell Road can readily accommodate the expected traffic generated by the health precinct and complementary uses.

Proposed vehicular access will comply with sight distance standards which will facilitate safety for road users. Access ways will be designed to allow two-way traffic at low speed, with details confirmed at the Development Application stage.

### **5.8 Car parking**

Car parking design will be determined at the Planning Application stage. The numbers of car parking bays, including special purpose bays, which will depend on the nature and scale of the development and associated staging. While noting this, some preliminary principles are outlined below:

- car parking will be provided on site in accordance with clause 5.8.5 of LPS1. This includes consideration of shared/combined parking areas where justified by the applicant;
- car parking spaces will be provided for clients, visitors, health practitioners, support staff and for people with disabilities;
- there will be coordinated parking areas and access/egress points;
- vehicles will be able to enter and leave the site in a forward gear;
- a drop off/pick up area will be provided which will greatly assist clients who are often expected to be aged or have walking difficulties;
- vehicular access, parking and manoeuvring areas will be constructed, drained and sealed to the satisfaction of the City;
- some of the parking will be accommodated at ground level or basement parking, with a component of open parking; and
- car parking will be positioned behind the buildings fronting Cockburn Road.

### **5.9 Access from other forms of transport**

The site's central location provides realistic opportunities for various journeys to be made by walking, cycling and public transport. Promoting more sustainable journeys, especially by walking and cycling, is consistent with the objectives of creating a healthy community and developing a health precinct. To assist:

- bicycle parking/racks will be provided to at least meet LPS1 standards;
- it is expected that showers and change rooms will be provided as part of the day hospital/general hospital or as part of the common facilities;
- residential units will have storage areas to accommodate bicycles;

- the developer will contribute to a dual use path on the site's Cockburn Road frontage;
- subject to securing appropriate land tenure, there are opportunities for a dual use path on the southern boundary of the site to connect with Campbell Road;
- the development will promote universal access including wheelchair access between buildings and car parks and within buildings. The site's flat to gentle slopes will assist; and
- there is an opportunity for a future bus bay to be located on the site's Cockburn Road frontage.

### **5.10 Servicing**

The site can be readily serviced and connected to reticulated water, reticulated sewer, power and telecommunications. Increases in capacity of these services will be required in the normal manner at the time of development.

Additionally, to support the development of a health precinct, there will be a need for an appropriate fire service (e.g. hydrants, pumps and possible water tank), back-up power and specialist equipment such as a bulk storage oxygen vessel.

### **5.11 Compatibility with adjoining and nearby land uses**

The site is located in an area containing a wide mix of uses including commercial, industrial and residential uses (Figure 2). The proposed health precinct is considered compatible with adjoining and nearby land uses/development.

The requested zoning refines uses that are available in the Residential Zone and the adjoining Regional Centre Mixed Business Zone. Uses that are incompatible with the health precinct such as Industry Light, Industry Service, Motor Vehicle, Boat or Caravan Sales, Motor Vehicle Repair, Motor Vehicle Wash, Showroom and Warehouse are proposed to be "X" uses (not permitted) in SU25. Not permitting these uses will further minimise the potential for land use impacts with adjoining and nearby properties.

A number of proposed SU25 conditions will assist to minimise land use impacts.

It is expected that a caretaker/site manager will be based on the site or live nearby. The caretaker/site manager will assist to ensure there is effective management of facilities and can address issues with neighbours.

The proposed health precinct is expected to enhance the area's character and amenity along with enhancing services. Accordingly, it is considered that the requested Special Use (SU25) zoning represents a logical and sound planning outcome for the site.

### **5.12 Building development and design**

It is proposed to create a health precinct with supporting complementary and ancillary uses. At this early stage of the design process, it is expected that the total health related floor space for the day/general hospital, medical centre and support

facilities could be in the order of 6000m<sup>2</sup>. It is also expected that in the order of 15 residential units will be constructed.

A number of proposed SU25 conditions will assist with guiding the design and ensuring there is appropriate consideration of adjoining and nearby development.

The DGP is indicative only and will be subject to detailed design at the Development Application and Building Permit stages based on detailed feasibility and design, including confirming land requirements. It is highlighted that the indicative development areas shown on the DGP are not intended to be "wall to wall" buildings but will also include open space and parking.

Design will be determined at the Planning Application and Building Permit stages. While noting this, some preliminary principles are outlined below:

- there will be a mix of 1 – 3 storey buildings complemented by a high standard of landscaping;
- buildings will not generally exceed 12 metres in height to the top of the pitched roof or have a wall height which exceeds 9 metres, which is measured vertically from the natural ground level, unless set out in design guidelines which have been approved by the local government;
- the buildings and site are to be designed to provide an attractive streetscape with coordinated parking areas and access/egress points;
- development to the R30 residential density code standard is permitted;
- development to the R60 residential density code standard may be permitted by the local government subject to the preparation of design guidelines to the local government's satisfaction;
- all setbacks for residential uses shall be as per the Residential Design Codes which will address matters including visual privacy;
- setbacks for non-residential uses shall be as per the Regional Centre Mixed Business Zone along with any variations as may be approved by the local government;
- the retail use shall be limited and incidental to the predominant use of the property as determined by the local government;
- the day hospital will orientate towards Cockburn Road;
- there will be an increased setback to Cockburn Road to accommodate landscaping and expected entry statement;
- the building walls are expected to be predominantly rendered with some feature brick, stone or other materials. It is expected that building's roofs will be colourbond;
- internal storage areas will be provided for each dwelling and storage areas provided for rubbish bins which are screened from the street;
- plant room equipment will be appropriately located and insulated to minimise noise;
- fencing and landscape screening will assist to minimise off-site impacts; and
- the proposed development will consist of sealed access ways and car parking, full servicing and enhanced stormwater management.

Given the site is essential flat, it will assist to minimise visual impact compared to a sloping block.



At the detailed design stage will need to be given to ensure external features such as solar collectors, aerials antennae, satellite dishes and pipes are integrated into the design and are not visually obtrusive from the street or neighbouring properties.

The development of the health precinct will enhance the area's character and amenity given the building design will be of a high standard.

### **5.13 Landscaping**

Given the site has been completely cleared; required landscaping will enhance the amenity of the site and the area. A Landscape Plan is required to be prepared, approved by the City and then appropriately implemented at the Building Permit stage. The preliminary concept includes:

- it is expected that at least 10% of the site will be landscaped as guided by Table 8 of LPS1 for the Regional Centre Mixed Business Zone;
- particular emphasis will be placed on landscaping adjacent to the northern boundary and providing a central meeting area. The landscaping and open space will create an attractive environment for visitors and those working on the site;
- to use a mixture of local native and water-wise exotic species that are appropriate in an urban setting; and
- to complement the effective management of stormwater.

There may be opportunities for innovations including vertical gardens and internal courtyards/atriums which can be further discussed with health service providers.

### **5.14 Detailed feasibility, detailed design and staging**

It is highlighted there is a need for more detailed feasibility and design which is intended to be progressively undertaken as relevant approvals are obtained. It is also highlighted that development is expected to be staged over a number of years. While noting this, the SU25 provisions and the DGP provide sufficient guidance.

The current lot boundaries will be modified through the development process to accommodate development stages.

### **5.15 Supporting the local economy and community**

The proposed health precinct will result in job creation which will have various economic and community benefits. This includes:

- it will improve the service Albany and Great Southern residents have in conveniently access specialist services without the requirement to travel to Perth;
- the health precinct will provide a valuable enhanced health service for Albany and Great Southern residents;
- the proposed investment will further enhance the range of services offered in Albany and will support training, research and a Learning City;
- it will support local employment (direct and indirect jobs) and assist in a more sustainable local economy;

- it will add to Albany's overall viability, vitality and prosperity in accordance with the Local Planning Strategy and other documents; and
- it will build onto an existing community with established facilities, services and infrastructure and assist to strengthen and sustain local businesses.

### 5.16 Planning justification

In summary, the planning justification for the requested Special Use (SU25) zoning to facilitate a health precinct is set out below:

- the proposal is consistent with the planning framework;
- the site is well located for the proposed land use;
- the proposed zoning is considered compatible with adjoining and nearby uses;
- traffic impacts are negligible;
- the site can be appropriately serviced and car parking will be contained on-site;
- it promotes infill development on a vacant site;
- the site contains no environmental assets and will not create adverse environmental impacts;
- the site is not subject to heritage or landscape constraints;
- it will benefit local residents through enhanced and conveniently accessible health services; and
- the proposal will assist in enhancing Albany as a regional centre and assist in creating jobs in a highly accessible location.

Given the above, the scheme amendment request is considered consistent with the principles of orderly and proper planning.



## 6. CONCLUSION

This report confirms that the scheme amendment request is consistent with the planning framework and that the site is considered to be both suitable and capable of accommodating a health precinct.

The support of the WAPC and the Hon. Minister for Planning is requested to approve the scheme amendment to rezone Lots 312 and 1315 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)".



**PLANNING AND DEVELOPMENT ACT 2005****CITY OF ALBANY****LOCAL PLANNING SCHEME No. 1****AMENDMENT No. 11**

That the Council, under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme by:

1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.
2. Adding the following to Schedule 4 "Special Use Zones" to the Scheme Text:

No.	Description of Land	Special Use	Conditions
SU25	Lots 312 and 1315 Cockburn Road, Mira Mar	<p>All uses permissible in the Regional Centre Mixed Business Zone, as set out in the Table 1 – Zoning Table, along with the following variations with associated permissibility:</p> <p>Aged or Dependent Persons' Dwelling: "D"</p> <p>Aged Persons' Village: "A"</p> <p>Ancillary Accommodation: "D"</p> <p>Boarding/Guest/Lodging House: "D"</p> <p>Caretaker's Dwelling: "D"</p> <p>Chalet/Cottage Unit: "D"</p> <p>Civic Use: "A"</p>	<p><b>1. Purpose</b></p> <p>1.1 The purpose of Special Use Zone SU25 is to create a health precinct with supporting complementary and ancillary uses.</p> <p><b>2. Development Guide Plan</b></p> <p>2.1 Development shall be generally in accordance with the Development Guide Plan endorsed by the CEO.</p> <p>2.2 Variations may be permitted to the Development Guide Plan by the Local Government after following the procedures in Clause 9.4 of the Scheme.</p> <p><b>3. General</b></p> <p>3.1 Buildings shall not generally exceed 12.0 metres in height to the top of the pitched roof or have a wall height which exceeds 9.0 metres, which is measured vertically from the natural ground level, unless set out in design guidelines which have been approved by the Local Government.</p> <p>3.2 The buildings and site are to be</p>

		<p>Convenience Store: "A"</p> <p>Family Day Care: "A"</p> <p>Grouped Dwelling: "D"</p> <p>Holiday Accommodation: "D"</p> <p>Home Business: "D"</p> <p>Hospital: "A"</p> <p>Industry Light: "X"</p> <p>Industry Service: "X"</p> <p>Motor Vehicle, Boat or Caravan Sales: "X"</p> <p>Motor Vehicle Repair: "X"</p> <p>Motor Vehicle Wash: "X"</p> <p>Multiple Dwelling: "D"</p> <p>Nursing Home: "A"</p> <p>Residential Building: "A"</p> <p>Restaurant: "A"</p> <p>Showroom: "X"</p> <p>Warehouse: "X"</p> <p>Other ancillary health and support uses approved by the Local Government.</p>	<p>designed to provide an attractive streetscape with coordinated parking areas and access/egress points.</p> <p><b>4. Residential Density and Use</b></p> <p>4.1 Development to the R30 residential density code standard is permitted.</p> <p>4.2 Development to the R60 residential density code standard may be permitted by the Local Government subject to the preparation of design guidelines to the Local Government's satisfaction.</p> <p>4.3 All setbacks for residential uses shall be as per the Residential Design Codes.</p> <p><b>5. Other Uses</b></p> <p>5.1 Setbacks for non-residential uses shall be as per the Regional Centre Mixed Business Zone along with any variations as may be approved by the Local Government.</p> <p>5.2 The retail use shall be limited and incidental to the predominant use of the property as determined by the Local Government.</p> <p><b>6. Car Parking</b></p> <p>6.1 On site car parking to be provided in accordance with the Local Government's car parking requirements as set out in clause 5.8.5 of the Scheme. This includes consideration of shared/combined parking areas where justified by the applicant.</p> <p><b>7. Stormwater Management</b></p> <p>7.1 Stormwater shall generally be accommodated in accordance with the endorsed Local Water Management Strategy.</p>
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### 3. Amending the Scheme Map accordingly.

# City of Albany

## Local Planning Scheme No. 1

### Amendment No. 11

#### LEGEND

##### RESERVES

 PRIORITY ROAD

##### ZONES

 RESIDENTIAL

 REGIONAL CENTRE MIXED BUSINESS

##### OTHER

 RCODE BOUNDARY

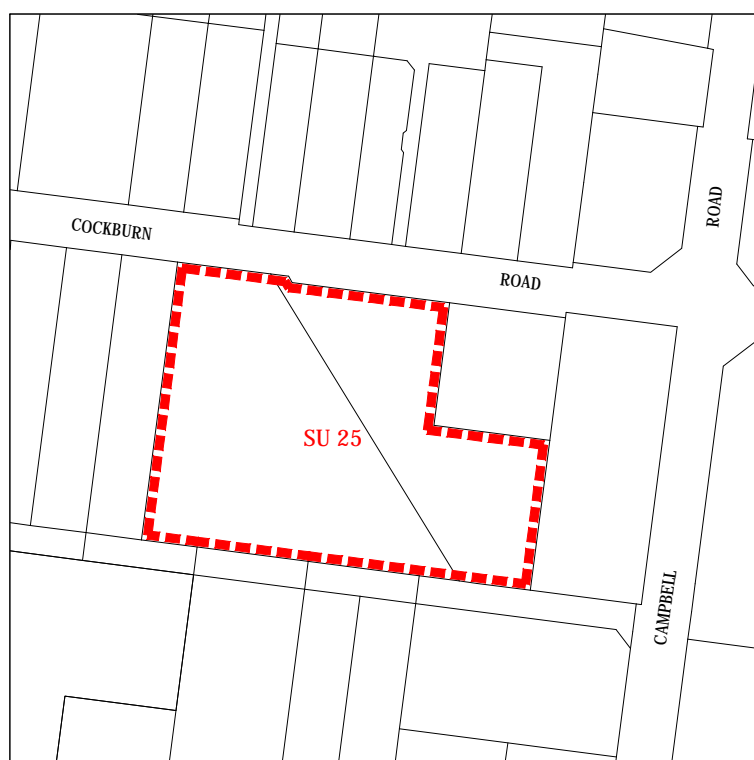
 SPECIAL USE  
(SEE SCHEME TEXT)

 LOCAL ROAD

 CADASTRE



Existing Zoning Map



Scheme Amendment Map



**PLANNING AND DEVELOPMENT ACT 2005****CITY OF ALBANY****LOCAL PLANNING SCHEME No. 1****AMENDMENT No. 11****ADOPTION**

Adopted by resolution of the Council of the City of Albany at the meeting of the Council held on \_\_\_\_\_

\_\_\_\_\_  
MAYOR\_\_\_\_\_  
Date\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER\_\_\_\_\_  
Date**FINAL ADOPTION**

Adopted by Resolution of the City of Albany at the meeting of the Council held on the \_\_\_\_\_, and pursuant to that Resolution was hereunto affixed by the authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
MAYOR\_\_\_\_\_  
Date\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER\_\_\_\_\_  
Date**RECOMMENDED/SUBMITTED FOR FINAL APPROVAL**\_\_\_\_\_  
DELEGATED UNDER S.16 OF THE  
PLANNING AND DEVELOPMENT ACT  
2005\_\_\_\_\_  
Date**FINAL APPROVAL GRANTED**\_\_\_\_\_  
MINISTER FOR PLANNING\_\_\_\_\_  
Date