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# MINUTES

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## PLANNING AND DEVELOPMENT COMMITTEE

**05 November 2014**

5.30pm

City of Albany Council Chambers

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

**VISION**

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

**VALUES**

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

**Focused: on community outcomes**

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

**United: by working and learning together**

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

**Accountable: for our actions**

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

**Proud: of our people and our community**

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

PLANNING AND DEVELOPMENT COMMITTEE

MINUTES –05/11/2014

\*\* REFER DISCLAIMER \*\*

**TERMS OF REFERENCE**

**(1) Function:**

The Planning and Development Committee will be responsible for the delivery of the following Liveable Environmental Objectives contained in the City of Albany Strategic Plan:

- (a) To advocate, plan and build connected, liveable communities;
- (b) To create a community that supports people of all ages and backgrounds;
- (c) To create vibrant neighbourhoods which are safe yet retain our local character and heritage.

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

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

**(3) Chairperson:** Councillor V Calleja

**(4) Membership:** Open to all elected members, who wish to be members

**(5) Meeting Schedule:** 1<sup>st</sup> Wednesday of the Month

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

**(7) Executive Officer:** Executive Director Planning & Development Services

**(8) Delegated Authority:** None

PLANNING AND DEVELOPMENT COMMITTEE  
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1. **DECLARATION OF OPENING** [5:30:08 PM](#)

2. **PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS**

*“Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”*

*“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.*

*We would also like to pay respect to Elders both past and present”.*

3. **RECORD OF APOLOGIES AND LEAVE OF ABSENCE**

**Mayor** Mayor D Wellington (Deputy Chair)

**Councillors:**

Member	V Calleja JP (Chair)
Member	A Hortin JP
Member	A Goode JP
Member	R Hammond
Member	G Gregson
Member	N Williams

**Staff:**

Executive Director Planning & Development Services	D Putland
Manager Planning	J van der Mescht
Senior Strategic Planner	A Nicol
Senior Planning Officer	
/Statutory Planning and Compliance Minutes	Tom Wenbourne J Cobbold

**Apologies:**

Member	S Bowles
Member	R Sutton
Member	B Hollingworth

PLANNING AND DEVELOPMENT COMMITTEE

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4. **DISCLOSURES OF INTEREST - NIL**
5. **REPORTS OF MEMBERS - NIL**
6. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE - NIL**
7. **PUBLIC QUESTION TIME - NIL**
8. **APPLICATIONS FOR LEAVE OF ABSENCE - NIL**
9. **PETITIONS AND DEPUTATIONS - NIL**
10. **CONFIRMATION OF MINUTES**

**DRAFT MOTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HORTIN**

**SECONDED: COUNCILLOR GREGSON**

**THAT the minutes of the Planning and Development Committee Meeting held on 08 October 2014, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED: 7-0**

11. **PRESENTATIONS** – The Executive Director Planning and Development Dale Putland addressed the Committee with the following updates.  
ALPS  
THE WATERFRONT  
THE ESPLANADE SITE  
PREMIER CIRCLE DECISION
12. **UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS - NIL**

**PD057: DEVELOPMENT APPLICATION – CHANGE OF USE TO  
HOLIDAY ACCOMMODATION – 35 LA PEROUSE COURT, GOODE  
BEACH**

<b>Land Description</b>	: 35 La Perouse Court, Goode Beach
<b>Proponent</b>	: Smithson Planning
<b>Owner</b>	: Dr Jessamine Hui-min Soderstrom
<b>Business Entity Name</b>	: NIL
<b>Attachments</b>	: Site Plan 1:400 @ A3 Draft Management Plan
<b>Supplementary Information &amp; Councillor Workstation:</b>	: Original submission Letters of representation from the public
<b>Report Prepared by</b>	: Senior Planning Officer – Statutory Planning & Compliance (T Wenbourne)
<b>Responsible Officer</b>	: Executive Director Development Services (D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter.
2. This is a statutory planning matter that is assessed against the Local Planning Scheme No.1 (LPS1) and any relevant planning policies. As such there are no strategic implications. Notwithstanding this, the most relevant strategic document is the Albany Local Planning Strategy (ALPS). This proposal is consistent with the strategic direction set in the ALPS;
  - a. *Section 5.4.2 Accommodation* of the ALPS sets the following Planning Objective:  
  
*“Promote the development of sustainable tourist accommodation”.*

**In Brief:**

3. Council is requested to consider a proposal for a change of use of an existing single house to short-term holiday accommodation at 35 La Perouse Court, Goode Beach.
4. The proposal is considered compliant with Local Planning Scheme No. 1 (LPS1) and the Holiday Homes Planning Policy requirements.
5. The proposal has been advertised to the public with two letters of representation received. These letters raise minor concerns, but no objections. The concerns are discussed later in the report
6. The concerns raised can be addressed through the proposed conditions and relevant accommodation operational guidelines.
7. The proposal is recommended for approval and has been referred to Council in accordance with Council's previous resolution that all proposals within this zone be referred to Council for determination.
8. A revision/amendment of the previous resolution is suggested through recommendation 2.

RECOMMENDATION

PD057: COMMITTEE RECOMMENDATION #1

**MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLER GREGSON**

**THAT Council resolves to ISSUE a Notice of Planning Scheme Consent for Holiday Accommodation at 35 La Perouse Court, Goode Beach; subject to the following conditions:**

- (1) Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the City of Albany, all development shall occur in accordance with the stamped, approved plans.**
- (2) The proposal is to comply with any details and/or amendments marked in red on the stamped, approved plans.**
- (3) The holiday/tourist accommodation hereby approved shall only be used for short stay accommodation, with any single tenant permitted to stay for no more than three months in any calendar year.**
- (4) The maximum number of persons residing in the holiday accommodation shall be restricted to 6 at any one time, exclusive of the owner/operator.**
- (5) The holiday accommodation hereby approved shall not prejudicially affect the amenity of the neighbourhood by, but not limited to, the emission of noise, vibration, smell, smoke or dust to any extent greater than what is to be expected within a residential zone.**
- (6) Notwithstanding the submitted information, prior to the commencement of the use hereby approved, a management plan for the operation of the accommodation shall be submitted to and approved in writing by the City of Albany. The holiday accommodation shall be operated in accordance with the approved management plan.**

**Advice relating to this condition:**

***In addition to the submitted detail, the management plan shall include details of day to day management including provision of access for late entry and a 24 hour emergency point of contact with details of such contact being provided to the City of Albany as well as surrounding landowners. The owner/operator is advised that they are required to submit an updated management plan if any changes occur.***

- (7) The operator or manager of the premises hereby approved for holiday accommodation are to provide and maintain a register of all people who utilise the holiday accommodation during the year to the satisfaction of the City of Albany. A receipt book must be kept.**
- (8) No signs are to be erected on the lot without the approval of the City of Albany, in accordance with the City Of Albany's Sign Bylaws.**

**(9) All vehicular parking and access areas shall be maintained as per the approved details and plans, to the satisfaction of the City of Albany.**

**(10) All access tracks and parking facilities to be “all-weather” trafficable and no informal tracks shall be created from the property into the adjoining reserve.**

**CARRIED: 7-0**

**PD057: COMMITTEE RECOMMENDATION #2**

**MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR HAMMOND**

**(1) THAT Council RESOLVES that all applications for Planning Scheme Consent be determined in accordance with the current Local Planning Scheme and Officer Delegations.**

**(2) THAT Council Policy Position – relating to Special Residential Area No 8 – La Perouse Court, Goode Beach (Report Item 11.3.3, Part iii), resolved on 15 April 2003, requirement for staff to refer all Planning Scheme Consents to Council for determination for lots 401 and 402, be NOTED as SUPERSEDED.**

**CARRIED: 7-0**

**PD057: RESPONSIBLE OFFICER RECOMMENDATION #1**

THAT Council resolves to ISSUE a Notice of Planning Scheme Consent for Holiday Accommodation at 35 La Perouse Court, Goode Beach; subject to the following conditions:

- (1) Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the City of Albany, all development shall occur in accordance with the stamped, approved plans.
- (2) The proposal is to comply with any details and/or amendments marked in red on the stamped, approved plans.
- (3) The holiday/tourist accommodation hereby approved shall only be used for short stay accommodation, with any single tenant permitted to stay for no more than three months in any calendar year.
- (4) The maximum number of persons residing in the holiday accommodation shall be restricted to 6 at any one time, exclusive of the owner/operator.
- (5) The holiday accommodation hereby approved shall not prejudicially affect the amenity of the neighbourhood by, but not limited to, the emission of noise, vibration, smell, smoke or dust to any extent greater than what is to be expected within a residential zone.
- (6) Notwithstanding the submitted information, prior to the commencement of the use hereby approved, a management plan for the operation of the accommodation shall be submitted to and approved in writing by the City of Albany. The holiday accommodation shall be operated in accordance with the approved management plan.

Advice relating to this condition:

*In addition to the submitted detail, the management plan shall include details of day to day management including provision of access for late entry and a 24 hour emergency point of contact with details of such contact being provided to the City of Albany as well as surrounding landowners. The owner/operator is advised that they are required to submit an updated management plan if any changes occur.*

- (7) The operator or manager of the premises hereby approved for holiday accommodation are to provide and maintain a register of all people who utilise the holiday accommodation during the year to the satisfaction of the City of Albany. A receipt book must be kept.
- (8) No signs are to be erected on the lot without the approval of the City of Albany, in accordance with the City Of Albany's Sign Bylaws.
- (9) All vehicular parking and access areas shall be maintained as per the approved details and plans, to the satisfaction of the City of Albany.
- (10) All access tracks and parking facilities to be “all-weather” trafficable and no informal tracks shall be created from the property into the adjoining reserve.

PD057: RESPONSIBLE OFFICER RECOMMENDATION #2

- (3) THAT Council RESOLVES that all applications for Planning Scheme Consent be determined in accordance with the current Local Planning Scheme and Officer Delegations.
- (4) THAT Council Policy Position – relating to Special Residential Area No 8 – La Perouse Court, Goode Beach (Report Item 11.3.3, Part iii), resolved on 15 April 2003, requirement for staff to refer all Planning Scheme Consents to Council for determination for lots 401 and 402, be NOTED as SUPERSEDED.

**BACKGROUND**

9. The City received an application for Planning Scheme Consent (PSC) for a change of use of 35 La Perouse Court, Goode Beach from a single house to holiday accommodation.
10. The subject site is 2409m<sup>2</sup> in area and is zoned Special Residential No.8 under (LPS1). It is currently developed with a 3 bedroom, 2-storey house that was constructed in 2011.
11. Holiday accommodation is a use listed within LPS1, but is not specifically identified as a permissible use for this zone through Schedule 15 of LPS1. Although not listed for the zone it is also not prohibited. As such, Holiday Accommodation can be considered as an ‘A’ use meaning a use not permitted unless the Local Government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4.
12. Goode Beach is an area identified as a preferred location for short stay accommodation in Council's Holiday Homes Planning Policy. Identification within the policy provides further justification for considering Holiday Accommodation as an ‘A’ use.
13. The proponent has provided a draft management plan addressing matters set out in the Holiday Homes Planning Policy.

14. At its Ordinary Council Meeting on 15 April, 2003, Council resolved to support a revised subdivision guide plan for Special Residential Area No.8. The resolution of Council included the following:

*“iii) require staff to refer all Planning Scheme Consents to Council for determination for lots 401 and 402.”*

15. This proposal has been referred to Council for consideration in accordance with the above resolution, but would otherwise have been approved under delegation.

## DISCUSSION

16. The proposal seeks consent for the change of use of the property from regular full time domestic occupancy to short stay holiday accommodation. The proposed change in tenure would limit an individual's cumulative occupancy to a maximum 90 days in any calendar year. No physical alterations to the property are proposed.
17. The 3 bedroom 2-storey house can provide accommodation for up to 6 people. The minimum required 2 car parking bays can easily be accommodated onsite.
18. The proposal has been advertised for a 21 day period with an advertisement appearing in the public notices section of the Albany Advertiser on 14 August 2014. The issues raised are covered and addressed in the following section of the report.
19. The maximum number of guests at the property was the substantive issue raised during consultation. A condition restricting maximum occupancy is proposed to be applied as a condition of consent.
20. The proponent has provided a draft management plan detailing how the proposed use would operate; with minor additional information this would meet the City's standard requirements for such a proposal. This additional information is recommended to be requested through a proposed condition of consent.
21. Such a change of use is generally supported in a residential area and Council's Holiday Homes Planning Policy identifies Goode Beach as a preferred area for this use. The proposal does not conflict with the aims and objectives of the zone and can be considered acceptable.
22. Applications for Holiday Accommodation are generally determined at officer level in accordance with officer delegation. However, when a policy was considered for the subdivision guide plan for this zone at the Ordinary Council Meeting held on 15 April 2003 (Item 11.3.3); there was concern for the potential for building envelopes to be altered through applications for planning scheme consent. To address these concerns officer delegation for applications for planning scheme consent within this subdivision were removed and all subsequent applications have been referred to Council for determination.
23. As this zone requires planning scheme consent for all development, it results in small scale development, such as a water tank, being required to be determined by Council. This places an unnecessary administrative burden on City staff and results in delays for proponents with routine development requests.
24. Staff recommend Council's previous resolution be revoked and replaced with the recently endorsed delegations. Or if concerns remain regarding the variation of building envelopes, perhaps the previous resolution of Council can be amended to only apply to requests to vary the building envelopes being referred to Council for determination.

## GOVERNMENT & PUBLIC CONSULTATION

25. Consultation with Government Agencies was not required.
26. In accordance with Local Planning Scheme No.1 requirements, this proposal was advertised for a 21 day period. The consultation period commenced when a public notices advertisement was published in the Albany Advertiser on Thursday 14 August 2014.
27. In addition, a public notification sign was placed onsite and letters were sent to 29 surrounding landowners.
28. Two submissions were received in response to the public consultation. These submissions raised some observations and concerns, but no objections to the proposal. The concerns and issues raised are:
  - i. The site plan and documentation indicates six parking spaces, so there is potential for 30 people to be at the property. This raises concern about the amount of traffic this could bring to the area.
  - ii. The documentation states there are no adjoining neighbours, but there is one direct neighbour.
  - iii. Request for contact details of managing agent and caretaker in case of emergency or to report concerns.
  - iv. There is no mention of a fire extinguisher being provided. Is this a requirement?
  - v. An adjoining lot has a flat grassed area that local children play on. The current owners do not object so long as the area is left clean and tidy. New owners may not like this to continue.
  - vi. Can the house colour be changed from blue to a tone that blends more with the natural vegetation?
29. The concerns raised can be addressed through the suggested conditions and standard operating requirements. In regards to the colour of the dwelling, this has previously been assessed against the requirements of the original approval for the house and was deemed to be compliant.

## STATUTORY IMPLICATIONS

30. The subject land is zoned Special Residential No.8 under the City of Albany Local Planning Scheme No.1 (LPS1).
31. Holiday Accommodation, whilst listed within LPS1 is not specifically identified as permitted or prohibited in the Schedule for Special Residential No.8. Where such a scenario arises it is common practice that an application can be judged on its merits against the aims and objectives of the zone and be treated as an ‘A’ use requiring public consultation.
32. The potential permissibility of this use in this zone is further justified by the identification of Goode Beach as a preferred location for Holiday Home short stay accommodation in Council’s Holiday Homes Planning Policy. The subject lot is included in the Goode Beach locality map within the policy.
33. The voting requirement for the Holiday Accommodation application is **SIMPLE MAJORITY**.

34. The voting requirement to replace the previous resolution of Council (OCM 15/04/03 Item 11.3.3 part iii) with current delegations or to amend the resolution is an **ABSOLUTE MAJORITY**.

**POLICY IMPLICATIONS**

35. The proposal is consistent with Council’s Holiday Homes Planning Policy, subject to the provision of additional information in a management plan as recommended in the proposed conditions.

**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<p><b>People Health &amp; Safety</b></p> <p><i>The proposal is approved and the use results in a detrimental impact on the amenity of the area through antisocial behaviour by short stay tenants.</i></p>	<p><i>Unlikely</i></p>	<p><i>Minor</i></p>	<p><i>Low</i></p>	<p><i>The risk can be mitigated through the suggested conditions with the management plan and 24 hour point of contact should issues arise. If continual breaches occur, the consent can be revoked with the property returned to normal domestic occupation.</i></p>

**FINANCIAL IMPLICATIONS**

37. There are no financial implications related to this item.

**LEGAL IMPLICATIONS**

38. There are no legal implications related to this item.

**ENVIRONMENTAL CONSIDERATIONS**

39. Effluent from the existing dwelling is disposed of via an existing onsite Alternative Treatment Unit that complies with the relevant Australian Standards. The particular unit installed is certified to service up to 10 persons in a domestic situation.
40. The 3 bedroom property is designed for occupation by up to 6 people and this proposed use is also limited to a maximum of 6 occupants. Therefore the existing effluent disposal system is considered more than capable of accommodating the demands of the proposed Holiday Accommodation use.

**ALTERNATE OPTIONS**

41. Council has the following alternate option in relation to this item:
- THAT Council resolves to ISSUE a Notice of REFUSAL of Planning Scheme Consent for Holiday Accommodation at 35 La Perouse Court, Goode Beach, WA 6330.

**SUMMARY CONCLUSION**

42. The proposed change of use to short term Holiday Accommodation for up to 6 people is considered to satisfy the Local Planning Scheme and Planning Policy requirements, subject to the controls and requirements in the suggested conditions.

43. It is recommended that Council resolves to ISSUE a Notice of Planning Scheme Consent for Holiday Accommodation at 35 La Perouse Court, Goode Beach WA 6330, subject to the conditions in the officer recommendation.

<b>Consulted References</b>	:	1. Local Planning Scheme No. 1 2. Albany Local Planning Strategy 2010 3. City of Albany Holiday Homes Planning Policy
<b>File Number (Name of Ward)</b>	:	A185773 (Vancouver Ward)
<b>Previous Reference</b>	:	OCM 15/04/03 - Item 11.3.3 OCM 14/12/10 – Item 1.1

### Holiday Accommodation

The dwelling itself is orientated to the north, with open play / recreation areas facing in that same direction, away from the majority of residents located in the suburb of Goode Beach.

There are three downstairs bedrooms providing accommodation for a maximum of six people – and that would be the maximum size group to be entertained by the managing agent as instructed by the landowners.

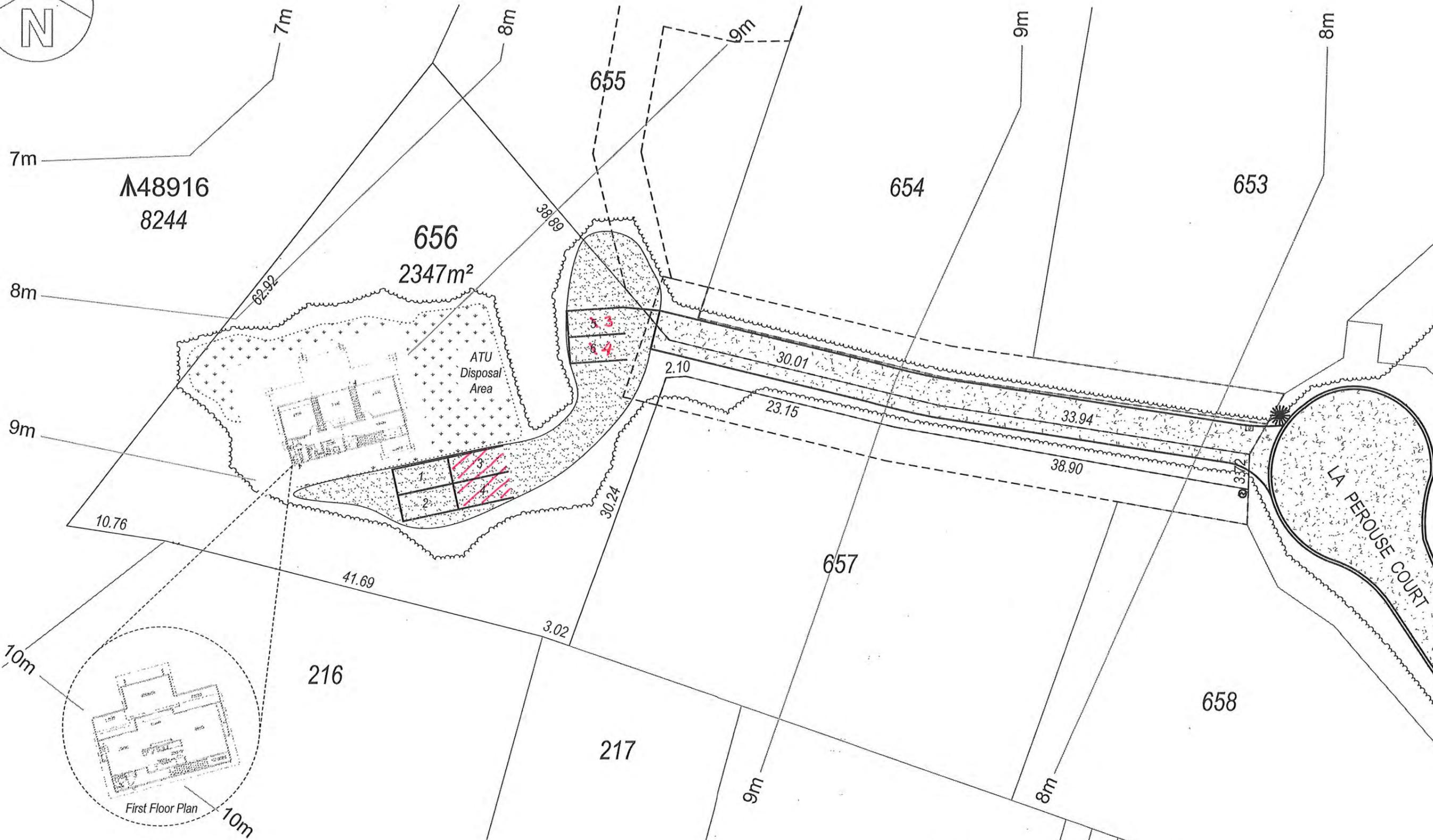
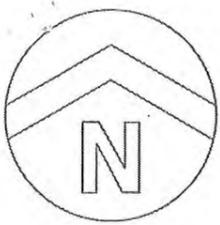
There is a large grassed area immediately east of the dwelling for ATU wastewater disposal, and the driveway is gravel base and drains naturally on-site, catering for up to six private cars parked (two tandem end to end bays). There are a further two car parking bays on-site at the entrance to the drive-way.

In association with the gravel areas of the current driveway, it is not expected that there will be any problem with on-site parking and traffic management. LPS #1 Clause 5.8.5.1 requires a minimum of four (4) on-site car parking bays. Pursuant to Clause 5.8.5.12, Bus and Coach parking is not advocated, and it is not considered desirable or necessary in the circumstance.

### Short-stay Tourist Management Plan

The owners / managers have drafted a Management Plan for Tourist Accommodation in accordance with the City of Albany's guidelines, and would seek to ensure that the casual tenants comply at all times. The following commitments are made in relation to future management of tourist activities :

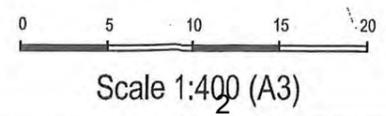
- ❖ **Residential amenity** – the house is located on a cul-de-sac backing onto the Vancouver Lake nature reserve. It is on a large block with no adjoining neighbours currently.
- ❖ **Noise** – the house is fully insulated, and the selection of building materials will prevent internal noise from escaping – the external entertainment areas (ground floor and balcony) both face north, away from the vast majority of other dwellings situated in Goode Beach should not be a major issue currently as there are no adjoining neighbours and the land surrounding the house are vacant with natural bush land.
- ❖ **Code of conduct** – 35 La Perouse Court adjoins Lake Vancouver and is close to the Torndirrup National Park – our patrons will be requested to be considerate, respectful and empathetic at all times of this beautiful part of Albany, leave no more than footprints on the walk trails in the nature reserves.
- ❖ **Car parking** – there are four car parking spaces designated (two by two-tandem), and all cars must be parked in the spaces provided on the property – there is to be no temporary or permanent parking by visitors or service vehicles in La Perouse Court.
- ❖ **Managing agent** – all bookings will be taken by a professional property manager, and there will be a local caretaker employed to deal with any on site requirements that may occur during visitor stays.
- ❖ **Waste management** – there will be two rubbish bins and two recycling bins provided and maintained on-site, with the caretaker responsible for kerb placement and retrieval each week / fortnight.
- ❖ **Domestic fire management & emergency response** – a fire blanket will be provided in the house, and an emergency exit plan posted next to the front door – the emergency evacuation point will be the car park next to the house, and then the cul-de-sac itself.
- ❖ **Bushfire management & emergency response** – the evacuation point will be Goode Beach, which is about 100m from the property until emergency services arrive, or alternatively walk paths lead to Vancouver Lake – both offer access to permanent water and human safety from the threat of fire.
- ❖ **Complaints** – guests will have the contact details of the caretaker and any complaints will be addressed immediately within 12 hours by telephone or in person.
- ❖ **Maximum stay** – up to 3 months maximum stay per guest in any 12 month period, but most stays would be an average of 3-7 days.
- ❖ **Guest register** – a register of all guest stays will be maintained with relevant lawful details retained for a period of 12 months from occupation.



**SMITHSON PLANNING**  
 364 Middleton Road Albany WA 6330  
 PO Box 5377 Albany WA 6332  
 Tel: (08) 9842 9841  
 Fax: (08) 9842 9843  
 Mobile: 0428 556 444  
 Web: [www.smithsonplanning.com.au](http://www.smithsonplanning.com.au)  
 Town Planning & Environmental Assessment

**Client :** J.H. Soderstrom  
**Project:** Holiday Accomodation  
**Title :** Site Feature Plan  
**Scale :** 1:400 (A3)  
**Source:** John Kinnear & Assoc.  
**Date :** July 2014

**Land :** Lot 656 (#35) La Perouse Court  
**Suburb:** Goode Beach  
**C/T :** 2564-191



- Side Entry Pit
- Street Light
- Power Connection
- Lawned Area
- Driveway (Gravel)
- Bitumen
- Edge of Vegetation
- Right of Carriageway
- Car Bays

PD058: PROPOSED PERMANENT CLOSURE OF INTERSECTION OF FLYNN WAY AND LOWER KING ROAD, BAYONET HEAD

**Land Description** : Intersection of Flynn Way and Lower King Road, Bayonet Head  
**Proponent** : City of Albany  
**Owner** : State Government  
**Attachments** : ICR6016891.pdf  
Removal of Temporary Intersection Plan.pdf  
**Councillor Workstation** :  
**Report Prepared By** : Land Officer (Atlanta Veld)  
**Responsible Officer(s):** : Executive Director Planning & Development Services (Dale Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
  - a. **Key Theme:** 3. A connected built environment.
  - b. **Strategic Objective:** 3.1. To advocate, plan and build friendly and connected communities.
  - c. **Strategic Initiative:** 3.3.2. Provide proactive planning & building services.

**In Brief:**

2. Council requested to consider the proposed permanent closure of the intersection of Flynn Way and Lower King Road as detailed in the original 2006 subdivision application for Lot 43 Lower King Road, Bayonet Head.

**RECOMMENDATION**

**PD058: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR GREGSON**  
**SECONDED: COUNCILLOR HORTIN**

**THAT Council RESOLVES to close the intersection of Flynn Way and Lower King Road.**

**CARRIED: 7-0**

**PD058: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council RESOLVES to close the intersection of Flynn Way and Lower King Road.**

## BACKGROUND

3. In October 2006, the Western Australian Planning Commission approved the subdivision of Lot 43 Lower King Road, which was Stage 1 of the Oyster Harbour Development.
4. Within this application was temporary access to the development via the intersection of Flynn Way and Lower King Road. The temporary access was to be eventually closed once entrances to the development were created to the south (Stranmore Boulevard) and east (Paul Terry Drive).

## DISCUSSION

5. As the new access points to the Oyster /Harbour Development via Stranmore Boulevard and Paul Terry Drive have now been created, the intersection of Flynn Way and Lower King Road now needs to be closed, as per original subdivision application documents.
6. The closure of the intersection will not involve any changes to the tenure of the affected land and it will remain as part of the existing Lower King Road reserve, as outlined on the Removal of Temporary Intersection Plan.
7. As the City of Albany has delegated authority to progress permanent thoroughfare closures (2014:027), notification was undertaken by way of public notices published in the Albany Advertiser on August 19, 2014, displayed at the road intersection, in the Albany Public Library and at the City's North Road Offices. Submission regarding the public notification closed on 26 September, 2014.
8. One submission was received by a resident objecting to the road closure on the basis of convenience and emergency access in the event of a hazard. Condition 14 of subdivision application required a Section 70A notification to be placed on the Certificates of Title of the proposed lots, advising that access from the subdivision to and from Lower King Road is provided on a temporary basis only and the access point will be closed when further stages of the subdivision have been completed. No objections or conditions were received by any emergency service provider during the WAPC consultation process at the time of the original subdivision application.

## GOVERNMENT & PUBLIC CONSULTATION

9. Section 3.50 of the *Local Government Act 1995* sets out the procedure for permanently closing thoroughfares. A local government may advertise, by public notice, the proposed order giving details of the proposal, including the location of the thoroughfare and where, when and why it would be closed and inviting submissions from any person who wishes to make a submission.

## STATUTORY IMPLICATIONS

10. Section 3.50 of the *Local Government Act 1995*;

“3.50 Closing certain thoroughfares to vehicles

- (1) A local government may close any thoroughfare that it manages for the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.
  - (a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.

- (2) The order may limit the closure to vehicles of any class, to particular times or to such other case or class as may be specified in the order and may contain exceptions.
- (3) [ repealed]
- (4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to-
- (a) Give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when and why it would be closed, and inviting submissions from any person who wishes to make a submission;
- (b) Give written notice to each person who-
- i. Is prescribed for the purpose of this section; or
- ii. Owns land that is prescribed for the purpose of this section; and
- (c) Allow a reasonable time for submissions to be made and consider any submissions made.
- (5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930, a copy of the contents of the notice required by subsection (4)(a).
- (6) An order under this section has effect according to its terms but may be revoked by the local government or by the Minister by order of which the local public notice is given.
- (7) [ repealed]
- (8) If, under subsection (1), a thoroughfare is closed without giving public notice, the local government is to give local public notice of the closure as soon as practical.
- (9) Voting Requirement for this item is **SIMPLE MAJORITY**

### POLICY IMPLICATIONS

11. There are no policy implications.

### RISK IDENTIFICATION & MITIGATION

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>People Health &amp; Safety</b> New community enquiries/objections once siteworks to close the intersection begin	Possible	Minor	Medium	Provide onsite signage at the intersection before beginning siteworks

### FINANCIAL IMPLICATIONS

12. There are minor administrative costs associated with advertising the proposal to the public and relevant servicing agencies that can be accommodated in the 2014/15 budget allocation for land acquisition.

## ENVIRONMENTAL CONSIDERATIONS

13. There are no environmental implications.

## ALTERNATE OPTIONS

14. Decline to close the intersection of Flynn Way & Lower King Road. This may cause traffic congestion on Lower King Road as future subdivision of Oyster Harbour progresses.

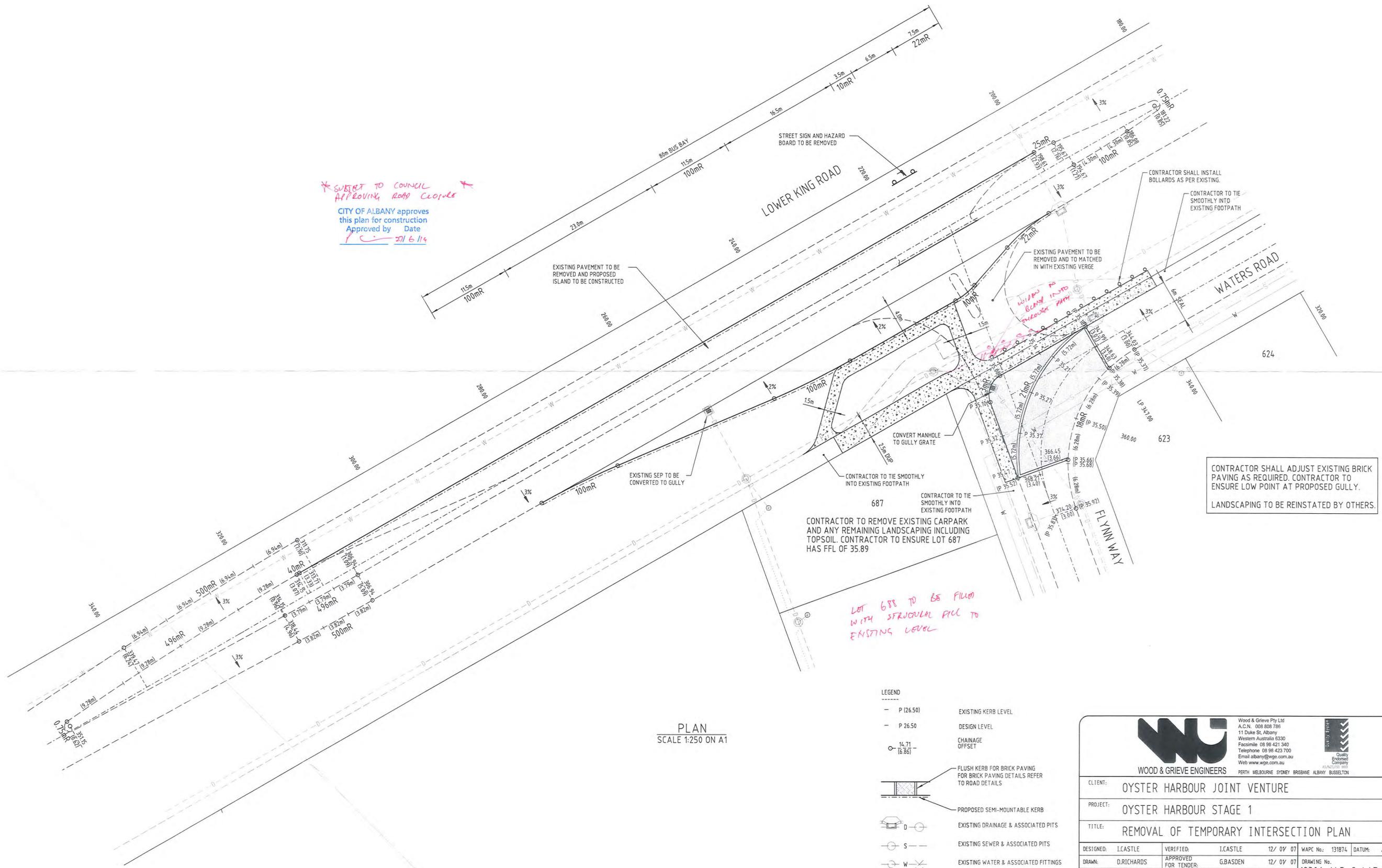
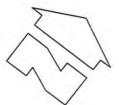
## SUMMARY CONCLUSION

15. The original subdivision accepted by the Western Australian Planning Commission in October 2006 outlined the closure of the intersection of Flynn Way and Lower King Road once alternate traffic routes into the Oyster Harbour subdivision were constructed.

16. These alternate routes, namely Paul Terry Drive and Stranmore Boulevard have now been built and dedicated as public roads, facilitating the closure of the Flynn Way intersection.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i>
<b>File Number (Name of Ward)</b>	:	ICR6016891 (Yakamia)
<b>Previous Reference</b>	:	

REV.	DESCRIPTION	DRN	VER'D	APPROVED
A	ORIGINAL ISSUE	DJR	IRC	IRC 12/01/07



*\* SUBJECT TO COUNCIL APPROVING ROAD CLOSURE \**  
 CITY OF ALBANY approves this plan for construction  
 Approved by Date  
 [Signature] 27/6/14

PLAN  
 SCALE 1:250 ON A1

LEGEND

- P (26.50)	EXISTING KERB LEVEL
- P 26.50	DESIGN LEVEL
○ 14.71 (6.86)	CHAINAGE OFFSET
	FLUSH KERB FOR BRICK PAVING FOR BRICK PAVING DETAILS REFER TO ROAD DETAILS
	PROPOSED SEMI-MOUNTABLE KERB
	EXISTING DRAINAGE & ASSOCIATED PITS
	EXISTING SEWER & ASSOCIATED PITS
	EXISTING WATER & ASSOCIATED FITTINGS

SCALE BAR 1:250 @ ORIGINAL SHEET SIZE A1

<p><b>WOOD &amp; GRIEVE ENGINEERS</b></p>		Wood & Grieve Pty Ltd A.C.N. 008 808 786 11 Duke St, Albany Western Australia 6330 Facsimile 08 98 421 340 Telephone 08 98 423 700 Email albany@wge.com.au Web www.wge.com.au		<p>Quality Endorsed Company</p>
		PERTH MELBOURNE SYDNEY BRISBANE ALBANY BUSSETTON		
CLIENT:	OYSTER HARBOUR JOINT VENTURE			
PROJECT:	OYSTER HARBOUR STAGE 1			
TITLE:	REMOVAL OF TEMPORARY INTERSECTION PLAN			
DESIGNED:	I.CASTLE	VERIFIED:	I.CASTLE	12/ 07 07
WAPC No.:	131874	DATUM:	A. H. D.	
DRAWN:	D.RICHARDS	APPROVED FOR TENDER:	G.BASDEN	12/ 07 07
DRAWING No.:	18306-ALB-C-1/ R6			REV. A
APPROVED FOR CONSTRUCTION:	I.CASTLE 16/ 07 07			

A 44123



REPORT ITEM PD058 REPERs

City of Albany Records  
 Doc No: ICR6016891  
 File: 131874  
 Date: 12 OCT 2006  
 Officer: PLAN7

Your Ref : 131874/PA16749  
 Enquiries : Georgina Folvig

Attach:

Chief Executive Officer  
 City of Albany  
 P O Box 484  
 ALBANY WA 6331

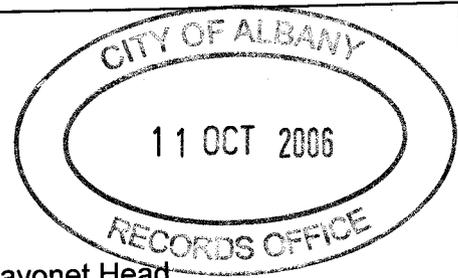
**Approval Subject To Condition(s)  
 Freehold (Green Title) Subdivision**

Application No : 131874

**Planning and Development Act 2005**

Applicant	: Chappell Lambert & Everett Po Box 796 SUBIACO WA 6904
Owner	: Alan Raymond Martin 442 Lower King Road BAYONET HEAD WA 6330 and Frances Noreen Smith 442 Lower King Road BAYONET HEAD WA 6330
Application Receipt	: 14 July 2006

Lot number	: 43
Location	:
Diagram/Plan	: D034923/43
C/T Volume/Folio	: 1757/481
Street Address	: Lot 43 Lower King Road, Bayonet Head
Local Government	: City of Albany



The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with Plan No. 2036-18o, Revised 20.9.06, once the condition(s) set out have been fulfilled.

This decision is valid for four years from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 6 October 2010 or this approval no longer will remain valid.

Great Southern Office, PO Box 1108, Albany, Western Australia 6330  
 Tel: (08) 9892 7333; Fax: (08) 9841 8304; TTY: (08) 9264 7535; Infoline: 1800 626 477  
 e-mail: corporate@wapc.wa.gov.au; web address: <http://www.wapc.wa.gov.au>  
 ABN 35 482 341 493



### Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.wapc.wa.gov.au>

### Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

### Deposited plan

The deposited plan is to be submitted to the Department of Land Information (DLI) for certification. Once certified, DLI will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to DLI is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.wapc.wa.gov.au>

### Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.



If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any site works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

#### CONDITION(S)

1. The plan of subdivision being amended in accordance with Plan No. 2036-180, Revised 20.9.06 and as required by any of the following conditions and/or advice.
2. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)
3. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)
4. The provision of easements for existing or future water, sewerage and/or drainage infrastructure as may be required by the Water Corporation being granted free of cost to that body. (Water Corporation)
5. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power)



6. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)
7. The applicant/owner making a pro-rata contribution towards the cost of the acquisition of the primary school site identified in the Bayonet Head Outline Development Plan. (Department of Education)
8. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local government the cost of such road works as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)
9. Street corners within the subdivision, with the exception of the roundabout in the south eastern corner, are to be truncated as indicated on the plan of subdivision. (Local Government)
10. The cul-de-sac heads being designed, constructed and drained to the satisfaction of the local government. (Local Government)
11. The temporary access point to Lower King Road being designed and constructed to the satisfaction of the local government. (Local Government)
12. Bollards being installed along the Lower King Road frontage of Lot 43 at the owner/applicant's cost and to the satisfaction of the local government. (Local Government)
13. Arrangements being made to the satisfaction of the local government for the deposit of a bond to ensure closure of the temporary access to Lower King Road (as indicated on the plan of subdivision), following construction of connecting subdivisional roads to the east and the south. (Local Government)
14. Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot(s) advising that access from the subdivision to and from Lower King Road is provided on a temporary basis only and the access point will be closed when further stages of the subdivision are completed. (Local Government)
15. The southernmost subdivisional road being widened to 16 metres between the roundabout and the temporary access point to Lower King Road. (Local Government)
16. Elizabeth Street and Lower King Road being widened in accordance with the plan submitted by the subdivider.



17. Arrangements being made with the local government for the upgrading and/or construction of Elizabeth Street to urban standard. (Local Government)
18. Arrangements being made with the local government for the upgrading of Lower King Road in accordance with the Bayonet Head Outline Development Plan. (Local Government)
19. The battleaxe accessway(s) being constructed, drained and sealed at the applicant/owner's cost to the specifications of the local government. (Local Government)
20. A 2.5 metre wide dual use path/cycleway being constructed along the southern side of Elizabeth Street between Lower King Road and the eastern boundary of Lot 43 by the applicant/owner. (Local Government)
21. Construction of 1.5 metre footpaths along the northern side of the east-west subdivisional roads, connecting Waters and Culley Roads to the Lower King Road dual use path, and along the eastern side of the north-south subdivisional road, above the roundabout. (Local Government)
22. The land being filled, retained and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost. (Local Government)
23. The applicant/owner is to provide a geotechnical report certifying that the land is physically capable of development prior to the commencement of site works. (Local Government)
24. Arrangements being made for the preparation and implementation of a drainage management plan to the satisfaction of the Department of Water and the City of Albany, in accordance with the Department's Water Sensitive Urban Design Guidelines, the Bayonet Head Outline Development Plan and the PPK Flood Management Plan, April 2000. (DoW/LG)
25. The lots being provided with stormwater drainage connections and being connected to the comprehensive district drainage system at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)



26. Subdivisional works/construction should not commence until Council has approved detailed engineering plans and specifications of the works, including earthworks, roads and paths, drainage, clearing, landscaping/rehabilitation and soil stabilisation measures, both during and after construction. (Local Government)
27. All areas disturbed as a result of subdivisional works are to be reinstated (including restoration and stabilisation of topsoil) to the satisfaction of the Western Australian Planning Commission. (LG)
28. All buildings, outbuildings and/or structures being demolished and materials removed from the **affected** lots and road reserve. (Local Government)
29. The proposed reserve(s) shown on Plan No. 2036-18o, Revised 20.9.06, being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown.
30. Arrangements being made to the satisfaction of the local government for the construction of 2 parking bays in the road reserve adjacent to the public open space. (Local Government)
31. Uniform fencing along the boundaries of all of the proposed lots abutting the public open space are to be constructed at the applicant/owner's cost. (Local Government)
32. The subdivider providing a contribution for infrastructure and works in accordance with the cost schedule for the Bayonet Head ODP Area, as provided for under Clause 5.2.4 of the City of Albany's Town Planning Scheme No. 3. (Local Government)
33. Preparation and implementation of a landscape and vegetation plan for the Lower King Road frontage of Lot 43, to the satisfaction of the local government. (Local Government)

#### ADVICE

1. With regard to Condition 5, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.

If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.

With regard to Condition 6, the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power.

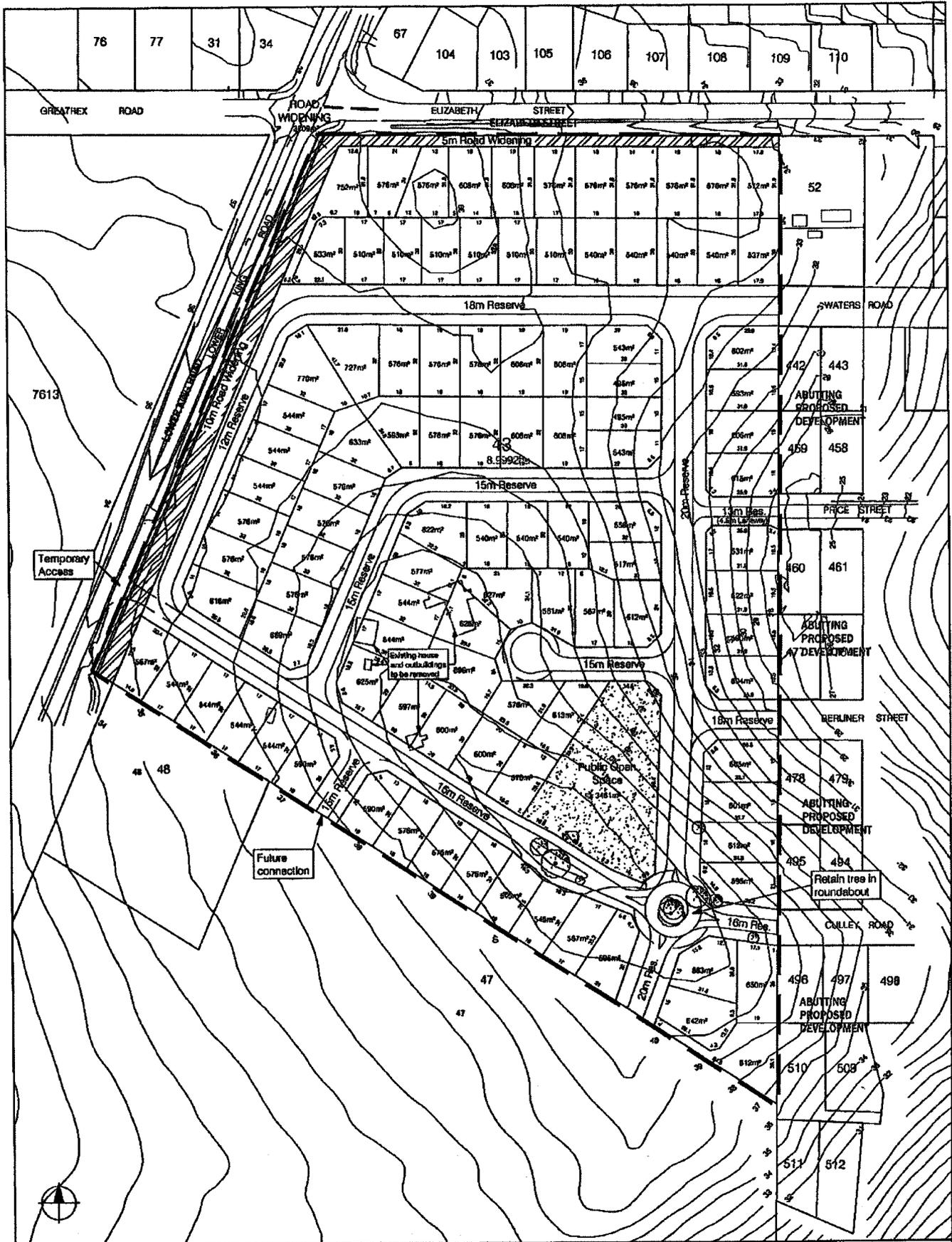
2. Condition 9 - The roundabout has insufficient room to properly develop approach geometry. Some widening of the approach legs on the 16 metre road reserve will be required.
3. Condition 17 will apply to the section of Elizabeth Street between Lower King Road and the eastern boundary of Lot 43.
4. Condition 22 - retaining walls will be required where lot gradients exceed 1 in 10, as per the City of Albany Subdivision Guidelines.
5. Condition 24 - the City of Albany advises that the drainage management plan is to demonstrate how the works identified in the PPK Flood Management Plan are to be implemented for catchments H & E.
6. The Department of Water advises that the plan should identify interim measures, demonstrating how stormwater will be retained on site and not exported to neighbouring properties.
7. As stormwater from this site will eventually drain into a wetland system before it enters Oyster Harbour, it is important that no direct drainage occurs into these areas and that temporary basins are constructed to ensure some opportunity for nutrient stripping. The Department of Water is supportive of the construction of temporary basins to retain developed flows on site until such time as neighbouring properties are developed and/or the remaining drainage system is constructed. Any significant erosion or scouring as a result of the basins should be remedied at the earliest possible time to prevent sediment and nutrient export into downstream waterways. Early consultation regarding detailed design should be undertaken with the Department of Water and the City of Albany at development stage.
8. Condition 25 - Connection of each lot to the drainage network will be required and each lot is to be provided with a separate house connection pit. Provision of on site detention to reduce runoff rates from each lot to pre-development flows is supported as an appropriate method to control stormwater volume. It is essential that the system is considered in conjunction with existing and proposed downstream drainage facilities. (LG)
9. Condition 26 - approved plans are those that have been submitted to and approved by Council, duly amended to meet its requirements and endorsed as approved. At both design and construction stage, subdivisional works shall be assessed in accordance with the City of Albany's Subdivision Guidelines. The applicant will be advised of any changes required when works plans are assessed by Council.
10. The emission of noise, dust and/or sand are to be managed in accordance with Department of Environment and Conservation guidelines.



11. Condition 28 - If any portion of the existing building is to be demolished to facilitate the proposed subdivision, a Planning Approval and/or Demolition Licence is to be obtained from the local government prior to the commencement of demolition works.
  
12. Condition 31 - Fencing solid to a maximum height of 1.2 metres and/or permeable to a maximum height of 1.8 metres will be permitted.
  
13. Condition 33 - The plan should achieve the rationale of Open Space Area P16 of the Bayonet Head Outline Development Plan, as follows:  
*P16 is intended to function as a landscape buffer along Lower King Road.*  
*Its rationale includes:*
  - a) *Provision of a visual buffer to Lower King Road*
  - b) *Provision of a noise attenuation buffer (by distance, not necessarily obstruction/barrier) to Lower King Road, and*
  - c) *The enhancement of the landscape value and resource of Lower King Road, as a transitional environment between the rural hinterland and the urban area in accordance with the Bayonet Head Physical Assessment Study.**The ultimate landscaping of the POS should give preference to establishing large canopy trees (where existing tree cover may be absent) and/or creating an avenue along Lower King Road.*

A handwritten signature in black ink, appearing to read "Moshe Gilovitz".

Moshe Gilovitz  
Secretary  
Western Australian Planning Commission  
06 October 2006



**AMENDED PLAN OF SUBDIVISION  
LOT 43 LOWER KING RD, BAYONET HEAD  
CITY OF ALBANY**

D.P.L REF: 131274  
SCALE: 100 LOTS  
GROUP:  
NON RES:  
YIELD: 102 LOTS  
Application Area  
8.9902 ha



**CHAPPELL** DATE: 07.06.08  
**LAMBERT** REVISED: 20.09.08  
**EVERETTY** SCALE: 1:1500 (A3)  
TOWN PLANNING + URBAN DESIGN COMPILED: CLE, HSG  
LEVEL 1 - 26 BOWLING STREET SUITE 201, 4000 JOCK MAC BRIDGES WAY  
SUITE 201, 26 BOWLING STREET SUITE 201, 4000 JOCK MAC BRIDGES WAY  
SUITE 201, 26 BOWLING STREET SUITE 201, 4000 JOCK MAC BRIDGES WAY  
PLAN No: 2038-180

**PD059: ENDORSE ADVERTISING FOR DRAFT ‘SIGN’ POLICY**

<b>Land Description</b>	: City of Albany
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Business Entity Name</b>	: N/A
<b>Attachments</b>	: Draft ‘Sign’ policy
<b>Supplementary Information &amp; Councillor Workstation</b>	: N/A
<b>Appendices</b>	: Nil
<b>Report Prepared by</b>	: Senior Planning Officer, Strategic Planning (A. Nicoll)
<b>Responsible Officer(s)</b>	: Executive Director Planning & Development Services (D Putland)

**Responsible Officer’s Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates directly to the following element of the *Community Strategic Plan “Albany 2023”*:

*3.1; To advocate, plan and build friendly and connected communities.*

**In Brief:**

2. The signage policy is complimentary to Local Planning Scheme No 1 and guides the development/erection of signs that require planning approval. It does not apply to signs that are exempted or listed in the scheme.

**Relationship of this Policy to Local Laws.**

3. The SIGNS LOCAL (AMENDMENT) LAW 2008 is a local law that has to be complied with in addition to the Local Planning Scheme and Local Scheme Policy. The City’s Building services section issues licences under the local law. The local law is mainly focused on the physical erection of signs and controlling construction standards, safety and maintenance of signs.
4. Signs are an element of the built environment that if not appropriately controlled can detract from the visual character of an area.
5. Provisions of the City’s newly adopted *Local Planning Scheme 1 (LPS1)* contradict the City’s existing Sign Policy.
6. Council is asked to support the advertising of a draft ‘Sign’ policy, which has been developed to ensure:
  - o Consistency with the City’s new LPS1;
  - o Signs are structurally sound;
  - o Signs are appropriate to the use of the land and character of the area and building; and
  - o Signs do not present a hazard to pedestrians or block motorists’ views.

**RECOMMENDATION**

**PD059: COMMITTEE RECOMMENDATION**

**MOVED: MAYOR WELLINGTON**  
**SECONDED: COUNCILLOR HAMMOND**

**THAT Council:**

- 1. Endorse the draft 'Sign' policy, for advertising, for a period of 28 days.**

**CARRIED: 7-0**

**PD059: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council:**

- 1. Endorse the draft 'Sign' policy, for advertising, for a period of 28 days.**

**BACKGROUND**

- In May 2014, LPS1 was endorsed.
- Part 8 of LPS1 requires the prior approval of signs, except for the erection of any of the exempted classes of signs listed in Schedule 5 of LPS1.
- Some of the exempted classes of signs listed in Schedule 5 of LPS1 contradict the City's existing 'Sign' policy, which has been carried over from the rescinded Town Planning Schemes 1A and 3.
- A new draft 'Sign' policy has therefore been written to be consistent with Schedule 5 of LPS1.

**DISCUSSION**

- Local Planning Policies are guidelines used to assist the Local Government in making decisions under the LPS1. Although Local Planning Policies are not part of the LPS1 they must be consistent with, and cannot vary, the intent of the LPS1 provisions. This being said, inconsistencies between Schedule 5 of LPS1 and the City's existing Sign Policy exist and include:

<b>Schedule 5 of LPS1</b>	<b>Existing Sign Policy</b>
The LPS1 supports for dwellings, one professional nameplate that does not exceed 0.2m <sup>2</sup> .	The Policy supports for dwellings, one professional nameplate that does not exceed 0.6m <sup>2</sup> .
The LPS1 supports for Commercial buildings, signs located below a height of 5m.	The Policy supports signs above 5m from ground level as long as the following size requirements are met: Max height of sign: 3m Max width of sign: 7m Max area of sign:15m <sup>2</sup>  Not height limits above ground level are in place.

The LPS1 supports for industrial properties, a max of two free standing signs not exceeding 5m in height.	The Policy supports a max of one free standing sign not exceeding 6m in height.
<b>Generalised Comparative between LPS1 and Sign Policy</b>	
<p>LPS1 controls are less stringent for commercial and industrial areas and more stringent for residential areas.</p> <p>LPS1 permits larger wall signs in commercial areas.</p> <p>LPS1 permits more free standing signs in industrial areas. t</p>	

12. The existing Sign Policy has therefore been amended to make consistent with the LPS1.

13. Without contradicting Schedule 5 of the LPS1, additional requirements for signs have been included in the new amended Policy and include:

- a. The following signs have the potential to impact on the character of a building or area and have therefore been identified in the new draft Policy as being 'not permitted':
  - A Third Party Sign that can be viewed externally to a Lot. A third party sign advertises a business that is not available to the public within that Lot;
  - A Sky Sign, which is a sign that projects above the roof of a building; and
  - Illuminated signs located in residential areas.
- b. The LPS1 does not adequately make requirements for Banner, Fascia, Free Standing, Wall, Roof, Third Party, A-Frame, Flag and Election signs. The Policy therefore includes provisions to address this inadequacy.

## GOVERNMENT & PUBLIC CONSULTATION

14. If the Council resolves to support the draft 'Sign' policy for advertising:

- a. a notice of the proposed Local Planning Policy, is to be placed, once a week for two consecutive weeks in a newspaper circulating in the LPS1 area, giving details of:
  1. Where the draft Local Planning Policy can be inspected;
  2. The subject and nature of the draft Local Planning Policy; and
  3. In what form and during what period (being not less than 21 days from the day that the first notice is published) submissions may be made.

15. After expiry of the period within which submissions may be made, the Local Government is to:

- a. Review the draft Local Planning Policy in light of any submissions made; and
- b. Resolve to adopt the Local Planning Policy with or without modification, or not to proceed with the Local Planning Policy.

## STATUTORY IMPLICATIONS

16. Part 8 of LPS1 requires the prior approval of advertisements, except for the erection of any of the exempted classes of advertisements listed in Schedule 5 and in respect of a heritage area/place.

17. The City’s LPS1 defines advertisement as:

*“any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising.”*

18. In addition to provisions of the LPS1 and policy, the City of Albany has adopted a Sign Local Law. The Sign Local Law has been adopted to ensure that the larger wall signs and signs affixed to the ground are structurally adequate. All signs require a Sign Permit in accordance with the Sign Local Law.

19. Voting requirement for this item is **SIMPLE MAJORITY**.

**POLICY IMPLICATIONS**

20. There are no Policy implications relating to this item.

**RISK IDENTIFICATION & MITIGATION**

21. The following indicates the risk to the City in making a decision to support or not support the ‘Residential Building’ Policy:

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<p><b>Business Enterprise</b>  <i>Reputation – Policy position may have an impact on business advertising.</i></p> <p><i>Advertising the proposed policy could give rise to objectionable comments from business owners and sign writers looking to advertise their business or develop signs.</i></p>	<p><i>Unlikely</i></p>	<p><i>Minor</i></p>	<p><i>Low</i></p>	<p><i>Policy can be amended once feedback is assessed, this is the purpose of advertising prior to final adoption.</i></p> <p><i>Provisions within the Policy have been included to address inadequacies of the LPS1 and to enable the development of advertising signs without the need for an additional approval process and impacting the character of an area or building.</i></p>

**FINANCIAL IMPLICATIONS**

22. There are no financial implications beyond what has already been budgeted for advertising.

**LEGAL IMPLICATIONS**

23. There are no legal implications relating to resolving to advertise a draft policy, which is seeking to manage the development of signs.

**ENVIRONMENTAL CONSIDERATIONS**

24. The Sign Policy is seeking to control the amount, location and size of signage as a means to protect the character of areas and buildings.

**ALTERNATE OPTIONS**

25. Council may determine that the proposed policy is unacceptable and may resolve to refuse advertising.

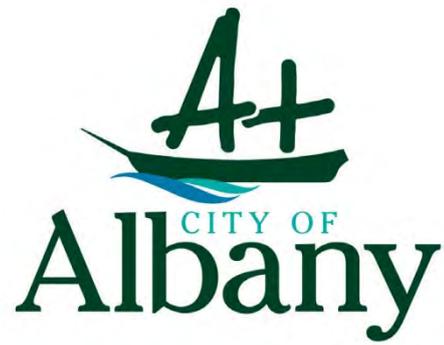
**SUMMARY CONCLUSION**

26. Provisions of the City’s newly adopted LPS1 contradict the City’s existing Sign Policy.

27. The existing Sign Policy has been amended to be consistent with the LPS1 and to address any inadequacies.

28. This item requests that Council supports the advertising of the ‘Sign’ Policy.

<b>Consulted References</b>	:	1. <i>Local Planning Scheme 1</i> 2. <i>Policy Manual</i>
<b>File Number (Name of Ward)</b>	:	N/A
<b>Previous Reference</b>	:	OCM 19/04/11 - Item 1.1 Final Adoption of Policy Manual



## Planning & Development Services

City of Albany  
Policy

# SIGNS

# City of Albany - Sign Policy

## Policy Statement

1. Signs are an element of the built environment that if not appropriately managed can detract from the visual amenity of an area. Too many signs can be less effective in their purpose as messages get lost in the clutter.

## Objectives

2. Signs should:
  - a) Be structurally sound;
  - b) Be appropriate to the use of the land;
  - c) Be appropriate to the character of an area;
  - d) Be appropriate to the character of the building; and
  - e) Not present a hazard to pedestrians or block motorists' views.

## Scope

3. The signage policy is complimentary to Local Planning Scheme No 1 and guides the development/erection of signs that require planning approval. It does not apply to signs that are exempted or listed in the scheme.

### Relationship of this Policy to Local Laws.

4. The SIGNS LOCAL (AMENDMENT) LAW 2008 is a local law that has to be complied with in addition to the Local Planning Scheme and Local Scheme Policy. The City's Building services section issues licences under the local law. The local law is mainly focused on the physical erection of signs and controlling construction standards, safety and maintenance of signs.
5. Part 8 of the LPS1 requires the prior approval of advertisements, except for the erection of any of the exempted classes of advertisements listed in Schedule 5 of *Local Planning Scheme 1*.
6. This Policy is adopted in accordance with the City of Albany *Local Planning Scheme 1* (LPS1). This Policy supports signs and design criteria in addition to and without contradicting the exempted classes of advertisements listed in Schedule 5 of *Local Planning Scheme 1*.

## Definitions

7. The City's *Local Planning Scheme 1* defines advertisement as:

*“any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising.”*

*Note: advertisement is inclusive of any word, letter, illustration painted onto a wall or structure.*

### Strategic Context

8. This policy relates directly to the following element of the *Community Strategic Plan "Albany 2023"*: *to advocate, plan and build friendly and connected communities.*

### Legislative Context

9. In addition to provisions of the scheme and policy, the City of Albany has adopted a Sign Local Law. The local law has been adopted to ensure that the larger wall signs and signs affixed to the ground are structurally adequate.
10. All signs require a permit in accordance with the Sign Local Law.

### Policy Provisions

11. A proposed sign that complies with the provisions of Schedule 5 of *Local Planning Scheme 1* and the provisions of this Policy does not require Planning Approval.
12. Planning approval is required for all signage that is not exempted as listed in the Schedule 5 of *Local Planning Scheme 1* and Table 1 within this Policy.
13. Planning approval is required for signage proposed within a place of heritage significance.

*Note: Applications for signs within a place of heritage significance will be referred to the regional heritage advisor and/or State Heritage Office for assessment.*

14. The following signs will not be permitted:
  - a) A sign that can be viewed externally to a Lot and that is advertising a business, services or goods that are not available to the public within that Lot (third party sign);
  - b) A sign that is illuminated in a living area (residential, tourist residential, etc).
  - c) A Sky Sign.

*Note: A Sky Sign extends higher than the roof gutter line of a building...includes a floatation sign.*

15. With the exception of a third party sign or sky sign, an application for a sign that is non-compliant with Schedule 5 of the Local Planning Scheme 1 or the provisions of the Policy will at the discretion of the assessing officer be either approved on the ground that the sign complies with the objectives of the Policy, be refused on the ground that the sign does not comply with the objectives of the Policy or referred to the Council for deliberation.
16. Advertising structures are to be placed completely within the confines of the lot. The exceptions to this are A-Frame Signs and Flag Signs.
17. Approved illuminated signs are not to be illuminated outside of business operational hours.
18. Attachment 1 is to be completed on application for planning approval for an advertisement.

Table 1

Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy				
If a proposed sign complies with the following Scheme provisions, then Planning Scheme Consent is not required.			If a proposed sign complies with Schedule 5 of the Scheme and the following Scheme Policy provisions, then Planning Scheme Consent is not required.				
Land Use and/or Development	Exempted Sign Type & No. (Includes the change of posters or poster signs and applies to non-illuminated signs unless otherwise stated).	Maximum Area	Policy Provisions				
Dwellings	One professional nameplate as appropriate.	0.2m <sup>2</sup>	<p>Illuminated signs are not exempted in residential areas and will not be supported.</p> <p>Other than for an approved business, (Home Business, Bed and Breakfast, Holiday Accommodation, Medical Clinic, Consulting Rooms and the like), signs at residential properties will not be supported.</p>				
Home Business or Home Occupation	One advertisement sign describing the nature of the home business or home occupation.	0.5m <sup>2</sup>	<p>The criteria applied to Home Business or Home Occupation also apply to Bed and Breakfast, Holiday Accommodation, Medical Clinic, Consulting Rooms, Agriculture related business and the like.</p> <p>Illuminated signs are not exempted in living areas and will not be supported.</p> <table border="1"> <tr> <td>Wall Sign exempted if:</td> <td>Complies with Scheme (max 0.5m<sup>2</sup>) (includes Banner Sign)</td> </tr> <tr> <td>Free Standing Sign exempted if:</td> <td>1) Complies with Scheme (max 0.5m<sup>2</sup>) and does not exceed one (1) free standing sign that does not exceed 2m in height and 2m<sup>2</sup>.</td> </tr> </table>	Wall Sign exempted if:	Complies with Scheme (max 0.5m <sup>2</sup> ) (includes Banner Sign)	Free Standing Sign exempted if:	1) Complies with Scheme (max 0.5m <sup>2</sup> ) and does not exceed one (1) free standing sign that does not exceed 2m in height and 2m <sup>2</sup> .
Wall Sign exempted if:	Complies with Scheme (max 0.5m <sup>2</sup> ) (includes Banner Sign)						
Free Standing Sign exempted if:	1) Complies with Scheme (max 0.5m <sup>2</sup> ) and does not exceed one (1) free standing sign that does not exceed 2m in height and 2m <sup>2</sup> .						

Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy	
<b>Places of Worship, Meeting Halls and Places of Public Assembly</b>	One advertisement sign detailing the function and/or activities of the institution involved.	0.5m <sup>2</sup>	Fence Sign exempted if:	1) Complies with Scheme (max 0.5m <sup>2</sup> ) and does not exceed one fence sign that does not exceed 1m <sup>2</sup> .
			Wall Sign exempted if:	Complies with Scheme (max 1 sign and max 0.5m <sup>2</sup> ).  (includes Banner Sign)
			Free Standing Sign exempted if:	1) Complies with Scheme (max 1 sign and max 0.5m <sup>2</sup> ) and does not exceed one free standing sign that does not exceed 2m in height and 7.5m <sup>2</sup> .
<b>Cinemas/Theatres</b>	Two advertisement signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	No sign is to exceed 5m <sup>2</sup>	Wall Sign exempted if:	Complies with Scheme (max 5m <sup>2</sup> and max 2 signs)  (includes Banner Sign)
			Free Standing Sign exempted if:	1) Complies with Scheme (max 5m <sup>2</sup> and max 2 signs) or does not exceed one free standing sign that does not exceed 5m in height and 5m <sup>2</sup> .
<b>Shops, Showrooms and Other Uses appropriate to a Shopping Area</b>	All advertisement signs affixed to the building below the top of the awning or, in the absence of any awning, below a line measured at 5 metres from the ground floor level of the building.	Not applicable	Wall Sign exempted if:	Complies with Scheme (below 5m and area not applicable)  (includes Banner Sign)
			Projection Sign exempted if:	1) Does not exceed one per building; 2) Does not project from building more than one metre; and 3) Does not exceed 2m <sup>2</sup> .
			Flag Sign - exempted if:	<u>Located on Building</u> Complies with Scheme (below 5m and area not applicable) and does not exceed two (2) per Lot.  <u>Free Standing</u> Complies with Scheme (below 5m and area not applicable) and: 1) Does not exceed 2 per Lot (includes flag signs approved in road reserve); 2) Does not exceed 3m in height.

Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy	
			Fascia Sign (affixed on or below fascia) exempted if:	Complies with Scheme (below 5m and area not applicable) and: 1) For fascia signs that are hanging (below fascia), a minimum ground clearance of 2.75m is achieved.
			Free Standing Sign (Pylon/Monolith) exempted if:	Complies with Scheme (below 5m and area not applicable) and: 1) Does not exceed 6m in height; 2) Does not exceed one (1) per lot; 3) Does not project beyond property boundary.
			Roof Sign exempted if:  <i>Note: Sky signs are not permitted</i>	Complies with Scheme (below 5m and area not applicable) or: 1) Does not exceed 10m <sup>2</sup>
<b>Industrial and Warehouse Premises</b>	A maximum of <u>four</u> advertisements signs applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building and excluding signs which are connected to a pole, wall or other building.	Total area of such advertisements not to exceed 15m <sup>2</sup>	Wall Sign exempted if:	Complies with Scheme (max 15m <sup>2</sup> and max 4)  (includes Banner Sign)
			Flag Sign – affixed to building exempted if:	1) Does not exceed two (2) per Lot.
			Fascia Sign (affixed on or below fascia) exempted if:	1) For fascia signs that are hanging (below fascia), a minimum ground clearance of 2.75m is achieved.
	A maximum of two freestanding advertisement signs not exceeding five metres in height above ground level.	Total area of such advertisements not to exceed 10m <sup>2</sup> and individual advertisement signs are not to exceed 6m <sup>2</sup>	Free Standing Sign (Pylon/Monolith) exempted if:	1) As per Scheme: and a. does not project beyond property boundary; b. does not exceed 6m in height above ground level; c. individually do not exceed 9m <sup>2</sup> . 2) Flag sign may be approved in addition to Pylon sign subject to: a) Max 2 per Lot (includes flag signs approved in road reserve); b) Not to exceed 3m in height and 3m <sup>2</sup> in area.

Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy	
<b>Racecourses, Major Racing Tracks, Sports Stadium, Major Sporting Grounds and Complexes</b>	All advertisement signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	Not applicable	Wall Sign exempted if:	1) Maximum of one (1) wall sign advertising the use (football club), visible to the street.
			Free Standing Sign exempted if:	1) Maximum of one (1) free standing sign advertising the use (golf club), visible from the street and not exceeding 3m in height.
			Third Party Sign exempted if:	Complies with Scheme (not visible from outside complex).
<b>Public Places and Reserves</b>	<ul style="list-style-type: none"> <li>Advertisement signs (illuminated and non-illuminated) relating to the functions of Government, a public authority or Local Government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body;</li> <li>Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the Local Government; and</li> <li>Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that such advertisement is constructed and/or exhibited strictly in accordance with</li> </ul>	Not applicable	Exempted if complies with Scheme	

Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy
	the requirements specified therein.		
<b>Railway Property and Reserves</b>	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon the railway station.	No sign is to exceed 2m <sup>2</sup>	Exempted if complies with Scheme (max 2m <sup>2</sup> )
<b>Advertisements within Buildings</b>	All advertisement signs placed or displayed within buildings, which cannot be seen by a person outside of those buildings.	Not applicable	Exempted if complies with Scheme
<b>All Classes of Buildings other than Dwellings</b>	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m <sup>2</sup>	Exempted if complies with Scheme (0.2m <sup>2</sup> )
<b>Temporary Signs</b>	Exempted Sign Type & No. (Includes non-illuminated signs unless otherwise stated).	Maximum Area	Illuminated signs are not to be supported...otherwise as per Scheme (exempted).
<b>Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows:</b> a) Dwellings b) Multiple Dwellings, Shops, Commercial and Industrial Properties c) Large Developments or Redevelopment Projects involving	a) One advertisement sign per street frontage containing details of the project and the contractors undertaking the construction work; a) One sign as for a) above; and b) One sign as for a) above and one additional sign showing the name of the project builder	a) 2m <sup>2</sup> ; b) 5m <sup>2</sup> ; and c) 10m <sup>2</sup> (main sign) & 5m <sup>2</sup> (additional sign)	Exempted if complies with Scheme

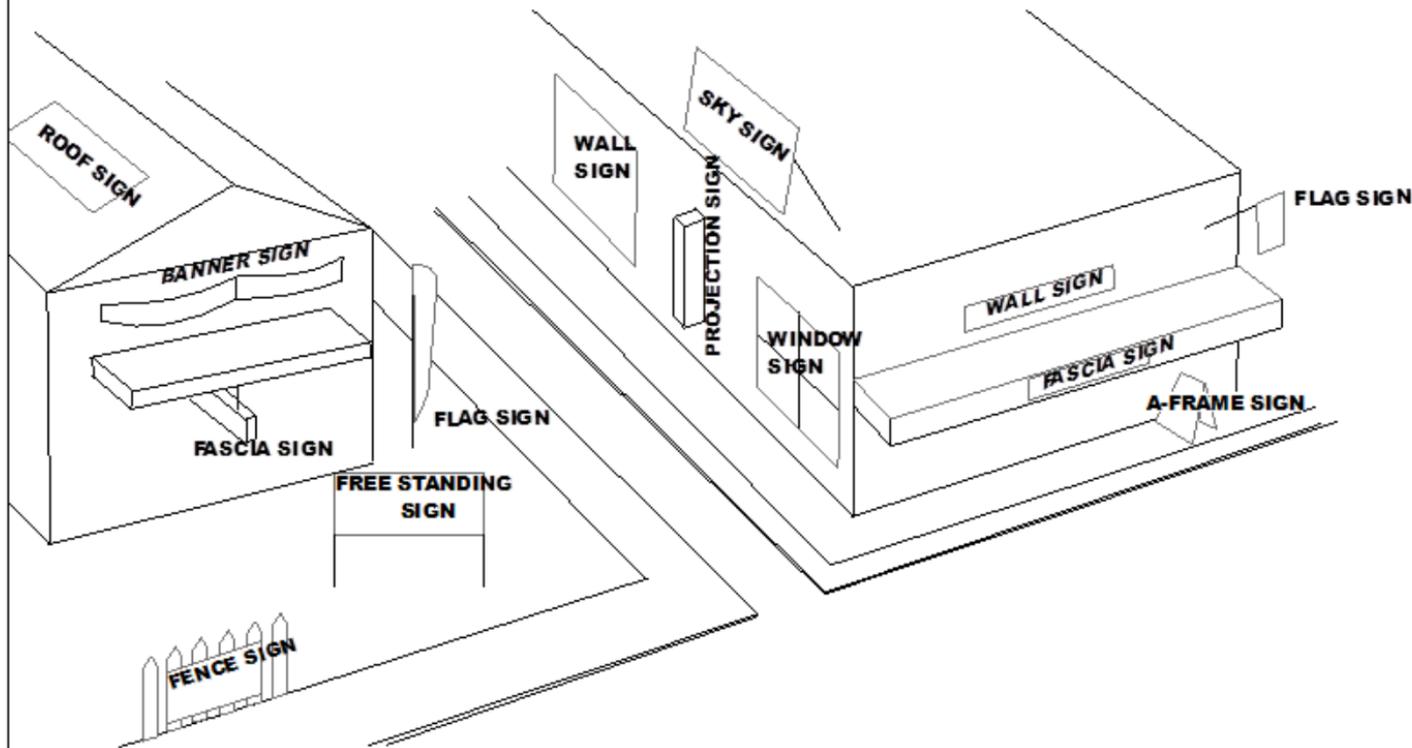
Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy
Shopping Centres, Offices or Other Buildings exceeding three storeys in height.			
Sales of Goods or Livestock	One advertisement sign per lot displayed for a period not exceeding three months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m <sup>2</sup>	Exempted if complies with Scheme
<p><b>Property Transactions (advertisement signs displayed only for the duration of the period over which property transactions are offered and negotiated) as follows:</b></p> <p><b>a) Dwellings</b></p> <p><b>b) Multiple Dwellings, Shops, Commercial and Industrial Properties</b></p> <p><b>c) Large Properties comprised of Shopping Centres, Buildings in excess of four storeys and Rural Properties in excess of five hectares</b></p>	<p>a) One advertisement sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is displayed;</p> <p>b) One advertisement sign as for a) above; and</p> <p>c) One advertisement sign as for a) above.</p>	<p>a) 2m<sup>2</sup>;</p> <p>b) 5m<sup>2</sup>; and</p> <p>c) 10m<sup>2</sup></p>	Exempted if complies with Scheme

Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy
<p><b>Display Homes</b> (advertisement signs displayed only for the duration of the period over which homes are on display for public inspection)</p>	<p>One advertisement sign for each dwelling on display plus one additional advertisement sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.</p>	<p>2m<sup>2</sup> (individual sign) 5m<sup>2</sup> (additional sign)</p>	<p>Exempted if complies with Scheme</p>
<p><b>Other Signs</b></p>	<p>Refer to Local Planning Policy Signs.</p>	<p>Not applicable</p>	<p>A-Frame Sign exempted if:</p> <ol style="list-style-type: none"> <li>1) Located on Crown Road Reserve immediately adjacent to business to which sign relates;</li> <li>2) Placed so as not to obstruct a pedestrian or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;</li> <li>3) Sign writing relates only to business adjacent;</li> <li>4) Removed at the close of business each day;</li> <li>5) One (1) per business;</li> <li>6) Does not exceed 1m in height and 1m<sup>2</sup> in area.</li> </ol> <p>Flag Sign – free standing exempted if:</p> <ol style="list-style-type: none"> <li>1) Located on private allotment or Crown Road Reserve immediately adjacent to business to which sign relates;</li> <li>2) Placed so as not to obstruct a pedestrian or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;</li> <li>3) Sign writing relates only to business adjacent;</li> <li>4) Removed at the close of business each day;</li> <li>5) Max 2 per Lot;</li> <li>6) Does not exceed 3m in height and 3m<sup>2</sup> in area.</li> </ol> <p>Sign on vehicle</p> <ol style="list-style-type: none"> <li>1) Advertisements displayed on or in any</li> </ol>

Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy	
			<p>vehicle or vessel which is normally moving is exempt from requiring approval.</p> <p>Window Sign</p> <p>Election Sign exempted if:</p>	<p>1) Signs in windows are exempt from requiring approval.</p> <p>1) Free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;</p> <p>2) Placed so as not to obstruct a pedestrian or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;</p> <p>3) Not being erected until the election to which it relates has been officially announced;</p> <p>4) Being removed within 24 hours of the close of polls on voting day;</p> <p>5) Being securely installed;</p> <p>6) Not being an illuminated sign;</p> <p>7) Not incorporating reflective or fluorescent materials.</p>
			Offices	<p>Free Standing Sign</p> <p>1) Maximum of one free standing sign not exceeding 6m in height and 9m<sup>2</sup></p> <p>Wall Sign</p> <p>1) Not exceeding 10% of the area of wall.</p> <p>Flag sign - wall</p> <p>1) Max 2 per Lot (includes flag signs approved in road reserve);</p> <p>2) Not to exceed 3m in height and 3m<sup>2</sup> in area.</p> <p>Fascia Sign</p> <p>1) For fascia signs that are hanging (below fascia), a minimum ground</p>

Schedule 5 – Exempted Advertisements [cl.8.2(f)]			Policy
			<p>clearance of 2.75m is achieved.</p> <p>Projection Sign</p> <ol style="list-style-type: none"> <li>1) Does not exceed one per building;</li> <li>2) Does not project from building more than one metre; and</li> <li>3) Does not exceed 2m<sup>2</sup>.</li> </ol>
			<p><b>Any signs that fallout out of the category of signs referred to in the Scheme and Policy require Planning Approval. Such signs will be judged against protecting the amenity of an area and in-keeping with existing characteristics.</b></p>

# REPORT ITEM PD059 REFERS



**Attachment 1: Additional Information for Advertising**

**ADDITIONAL INFORMATION FOR ADVERTISEMENTS**

*Note: To be completed in addition to the Application for Planning Approval form.*

1. DESCRIPTION OF PROPERTY UPON WHICH ADVERTISEMENT IS TO BE DISPLAYED INCLUDING FULL DETAILS OF ITS PROPOSED POSITION WITHIN THAT PROPERTY:

\_\_\_\_\_

\_\_\_\_\_

2. DETAILS OF PROPOSED SIGN:

a) TYPE OF STRUCTURE ON WHICH ADVERTISEMENT IS TO BE ERECTED (I.E. FREESTANDING, WALL MOUNTED, OTHER):

\_\_\_\_\_

b) HEIGHT: \_\_\_\_\_

WIDTH: \_\_\_\_\_

DEPTH: \_\_\_\_\_

c) COLOURS TO BE USED:

\_\_\_\_\_

d) HEIGHT ABOVE GROUND LEVEL:

- (TO TOP OF ADVERTISEMENT): \_\_\_\_\_

- (TO UNDERSIDE): \_\_\_\_\_

e) MATERIALS TO BE USED: \_\_\_\_\_

\_\_\_\_\_

ILLUMINATED: YES/NO

If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source: \_\_\_\_\_

3. PERIOD OF TIME FOR WHICH ADVERTISEMENT IS REQUIRED:

\_\_\_\_\_

4. DETAILS OF ANY SIGNS (IF ANY) TO BE REMOVED IF THIS APPLICATION IS APPROVED:

\_\_\_\_\_

\_\_\_\_\_

**NOTE: THIS APPLICATION SHOULD BE SUPPORTED BY A PHOTOGRAPH OR PHOTOGRAPHS OF THE PREMISES SHOWING THE PROPOSED POSITION FOR THE ADVERTISEMENT SUPERIMPOSED THEREON AND THOSE ADVERTISEMENTS TO BE REMOVED, AS DETAILED IN SECTION 4 ABOVE.**

SIGNATURE OF ADVERTISER(S): \_\_\_\_\_ DATE: \_\_\_\_\_

(IF DIFFERENT FROM LANDOWNERS)

**Review Position and Date**

N/A

**Associated Documents**

*Local Planning Scheme 1*

**Version Control**

<b>Document Approval</b>			
<b>Document Development Officer:</b>		<b>Document Owner:</b> <i>(Dale Putland)</i>	
Enter Title		Jan Van Der Mescht	
<b>Document Control</b>			
<b>File Number - Document Type:</b>	LP.PLA.1 – Policy		
<b>Synergy Reference Number:</b>	(?)		
<b>Meta Data: Key Search Terms</b>	Policy		
<b>Status of Document:</b>	<b>Council policy position:</b> Draft		
<b>Document file details:</b>	Location of Document:		
<b>Quality Assurance:</b>	Chief Executive Officer		
<b>Distribution:</b>	Internal Document/Public Document		
<b>Document Revision History</b>			
<b>Version</b>	<b>Author</b>	<b>Version Description</b>	<b>Date Completed</b>
Draft	Adrian Nicoll	Draft (Advertising)	1/10/2014

**PD060: ENDORSE ADVERTISING FOR THE DRAFT  
YAKAMIA/LANGE STRUCTURE PLAN**

<b>Land Description</b>	: Various Lots - Yakamia and Lange.
<b>Proponent</b>	: City of Albany.
<b>Owner</b>	: Various owners.
<b>Business Entity Name</b>	: N/A.
<b>Attachments</b>	: Attachments 1, 2, 3, 4 and 5 Written advice from the Office of the Environmental Protection Authority Structure Plan
<b>Supplementary Information &amp; Councillor Workstation</b>	: <a href="http://www.albany.wa.gov.au/your-property/planning/planning-policies-structure-plans/">http://www.albany.wa.gov.au/your- property/planning/planning-policies-structure-plans/</a>
<b>Appendices</b>	: Nil.
<b>Report Prepared by</b>	: Senior Planning Officer, Strategic Planning (A. Nicoll)
<b>Responsible Officer(s):</b>	: Executive Director Planning and Development Services (Dale Putland).

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter. When exercising its discretion in relation to planning matters, the pertinent strategic document is the Albany Local Planning Strategy (ALPS).
2. The land uses proposed within the Draft Structure Plan are consistent with the City's endorsed Local Planning Strategy (ALPS), which has designated the subject land for urban growth within the short term. As outlined by the ALPS:
  - a) The land forms a logical extension to land already developed to the south; and
  - b) Retail, service and community infrastructure exists in close proximity to the subject areas.

**In Brief:**

3. Council is requested to endorse the draft Yakamia/Lange Structure Plan for the purpose of landholder, public and Government consultation.
4. The City has prepared the draft Structure Plan to guide land use, development and subdivision for the localities of Yakamia and Lange.
5. Preparation of the Structure Plan came about from:
  - i) Landholder requests to subdivide;
  - ii) The City's Local Planning Strategy identifying the localities for urban development in the short term;
  - iii) The need to provide a comprehensive understanding of infrastructure needs; and
  - iv) The need to provide guidance in accordance with state planning principles and policies.

## **RECOMMENDATION**

### **PD060: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR WILLIAMS**  
**SECONDED: COUNCILLOR GREGSON**

**THAT Council:**

- 1. Resolves to ENDORSE the Draft Yakamia/Lange Structure Plan for consultation for a period of 42 days.**

**CARRIED: 7-0**

### **PD060: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council:**

- 1. Resolves to ENDORSE the Draft Yakamia/Lange Structure Plan for consultation for a period of 42 days.**

## **BACKGROUND**

- The areas of Yakamia and Lange are located north of Albany, on the fringes of existing urban developed land, approximately 3.5km from Albany's central business district and 1.5km from a neighbourhood centre and service industries located off Chester Pass Road.
- Planning for the urban expansion of the Yakamia and Lange localities dates back fifteen years to 1998. To date, the following documents have been produced on behalf of the City of Albany for planning purposes:
  - The Draft Yakamia District Structure Plan (1998 – Taylor Burrell);
  - The Draft Yakamia Structure Plan (2005 – Allering Associates);
  - Yakamia Creek Flood Study report, published by Water and Rivers Commission (2001); and
  - Various environmental reports including:
    - Coffey Environmental Report of Wetlands and Waterways (2008);
    - Vegetation assessment for Lot 4743 North Road (Coffey Environments 2008);
    - Opportunistic Flora Survey for Lots 79 and 80 Bond Street (Alan Tingay and Associates 1996);
    - Opportunistic Flora and Vegetation Survey (2000) to supplement 1996 survey for lots 79 and 80 Bond Street (ATA Environmental 2000);
    - Flora Survey for Location 4743 Yakamia (Sandiford 2005); and
    - Flora and Fauna Surveys for the previous Yakamia Structure Plan area (ATA Environmental 2005).
- Preparation of the Yakamia Structure Plan is necessary to facilitate the urban expansion of the Yakamia and Lange localities in accordance with the Albany Local Planning Strategy (ALPS) and in response to requests from landholders in the area who have intentions to develop and subdivide their land.
- In 2011, the City of Albany received a letter of support from the Department of Parks and Wildlife (previously known as the Department of Environment and Conservation) for an alignment of a new major north/south link road (Range Road) over vegetated land

(Lot 4743 North Road). The proposed road is planned to provide a connection between North Road and Mercer Road.

10. In 2012, the City consulted with landowners and received the following comments as summarised :
  - a) *The land should be planned to accommodate residential living.*
  - b) *Creek areas should be turned into public parkland.*
  - c) *A north/south transport link is greatly recommended.*
  - d) *Vegetation in designated wetland and POS areas should be protected.*
  - e) *Valley areas should be reserved for recreation.*
  - f) *I would like to see the area developed into a mixture of smaller and special rural blocks.*
  - g) *Most certainly support smaller lots.*
  - h) *It would be great to see the creeks regenerated and include a cycle-way connecting to Catalina shopping precinct.*
  - i) *We are in full support of future development.*
  - j) *We would like to see an area flooded and lakeside lots created.*
11. In March, 2013, the City of Albany undertook a review of existing environmental information. The review concluded the following for vegetated areas:
  - a) No threatened flora has been identified (noting that detailed environmental investigations have not been undertaken for some areas);
  - b) Vegetated communities with Banksia Coccinea are possibly threatened;
  - c) There are remnant stands of vegetation (Jarrah/Mari) in excellent condition and that form natural corridors.
12. Based on the environmental review, in 2012 the City developed a Draft Structure Plan, which proposed to protect vegetation within the structure plan area (refer to Attachment 1).
13. The Draft plan was referred to the Office of the Environmental Protection Authority (OEPA) and property developers.
14. The OEPA supported the structure plan on the basis that vegetation in excellent condition, that's possibly threatened, that forms a large coverage and that forms an alliance with the foreshores is protected. The structure plan was modified to make consistent with the OEPA advice and to avoid the City having to undertake formal environmental reviews (refer to Attachment 2)
15. Developers strongly objected to vegetation protection measures on the basis that it would detrimentally affect the viability of any development on their land.
16. The City sent the Draft plan to all landholders giving advice that the plan will be going to Council for initiation to advertise (refer to Attachment 3).

## DISCUSSION

17. There are approximately 140 different lots/landholdings identified within the Structure Plan areas. The average lot size is 4.5ha, with the largest lot being approximately 14ha. The land is either used for living purposes (single dwelling), grazing, market gardening or is vacant.

18. The Draft Structure Plan encompasses an area of approximately 379ha and is proposing to designate two (2) areas of land for a variety of uses. The Draft Structure Plan includes two separate areas; 'Area 1' – area adjacent to Barnesby Drive and 'Area 2' - area bound by Mercer Road to the north, reserved land to the east, North Road and Ulster Road to the south and Chester Pass Road to the west (refer to Attachment 4).
19. Based on designations proposed within the structure plan area, there is the potential for approximately 2707 dwellings, which equates to a population of approximately 6500 persons.
20. The zoning of the land included in the structure plan encompasses the following:
  - a) Southern areas of the Structure Plan being zoned 'Future Urban' and 'Yakamia Creek'; and
  - b) Northern area being zoned 'General Agriculture'.  
(Refer to Attachment 5)
21. The 'General Agriculture' zoning will need to be amended to a development zone (Future Urban) prior to supporting subdivision or development in accordance with the Structure Plan.
22. The vision of the Structure Plan is:
  - a) To establish an integrated urban and environmentally sustainable landscape that:
    1. Protects the foreshore areas adjacent to waterways that feed into Oyster Harbour;
    2. Protects priority ecological communities;
    3. Protects jarrah communities in excellent condition; and
    4. Provides for diverse land development options; ranging from a high density node adjacent to the Catalina commercial precinct through to medium to large lots on the steeper slopes and adjacent to vegetation protection areas."
23. The Aims of the Structure Plan are to:
  - a) Facilitate an urban form that provides for housing and associated infrastructure which is responsive to the character of the site and the locality, as depicted on the Plan;
  - b) Provide safe and convenient vehicle and pedestrian access to the activity centres at Chester Pass Road and the Central Business District;
  - c) Provide a stormwater system that minimises risk to public health and amenity, protects the built environment from flooding and water logging and that enhances the quality of water flowing to the Oyster Harbour;
  - d) Maintain vegetation where possible within road reserves, areas of public open space and foreshore areas and protect vegetation in excellent condition and where possibly threatened species exist; and
  - e) Provide a range of public open spaces catering for recreational, sporting and nature use by the local community.
24. The Structure Plan intends to implement the following key principles:
  - a) Foreshores
    1. Maintain water quality and quantity to Oyster Harbour by managing land uses and redeveloping waterways (eg. developing sediment basins);
    2. Improve Biodiversity (diversity of life) adjacent to waterways by enabling uniform redevelopment and management of foreshores via a foreshore management plan;

3. Seek funds via 10% POS provision for development of public open space facilities (formal and informal - pedestrian path/boardwalk) within foreshores.
- b) Protect Vegetation as a means to maintain threshold, visual amenity and diversity of life.
1. Protect possibly threatened vegetation (*Banksia coccinea*); and
  2. Protect remnant vegetation that is in excellent condition and that forms a natural corridor.
- c) Residential
1. Support high density (R30) residential on more suitable flat land adjacent to major link roads and the Catalina commercial precinct;
  2. Support medium density (R25) in relatively unconstrained areas; and/or
  3. Support low density (R5) adjacent to steep topographies and in areas where the connection to deep sewer is constrained.
- d) Transportation
1. Roads are to be developed in accordance with Liveable Neighbourhood principles (i.e. to follow contours).
  2. A 30m wide road reserve is to be set aside and a 2 lane sealed road is to be developed to direct traffic to and from the CBD along two new North/South link roads - Range Rd and Barnesby Drive. Ultimately these routes will be developed with 4 lanes. The development of the north/south links will help alleviate congestion issues being experienced at the Chester Pass Roundabout.
  3. Major intersection treatments will be required for intersection at Range Rd and Mercer Rd, Range Rd and North Rd; Range Rd and Catalina Rd and Barnesby Drive and Chester Pass Road.
- e) School Sites
1. A primary school site has been identified as part of a previous consultation process with the Department of Education and a structure plan endorsed for the properties in the locality between Hudson and Catalina Roads. The site identified is located at the corner of Catalina Road and Lockheed Street. The Yakamia Primary School exists in the locality at Barnesby Drive.
- f) Public Recreation Space
1. Public spaces for both passive (informal) and active (formal - sporting) recreation have been identified in the structure plan area in accordance with recommendations made in 'The Liveable Neighbourhoods' and by the Department of Sport and Recreation. In principle, larger/multi use spaces (>5000m<sup>2</sup>) have been encouraged. The locality is within short distance to the Centennial Park sporting precinct, which includes an aquatic centre and indoor and outdoor sporting facilities.

## GOVERNMENT & PUBLIC CONSULTATION

25. The City consulted with landholders, Main Roads WA, the Department of Water, the Department of Planning, the Department of Parks and Wildlife and the Office of the Environmental Protection Authority in developing the Draft Structure Plan.

26. The Office of the Environmental Protection Authority (OEPA) provided written advice on areas and measures for protection of vegetation (refer to OEPA letter attached).
27. The Structure Plan will be advertised for public comment if council agrees to its adoption. As part of the advertising, relevant Government agencies, utility providers and landholders in the locality will be invited to provide comment.

### STATUTORY IMPLICATIONS

28. The *Local Planning Scheme 1* requires the following details for a structure plan :
  - a) The area to which the Structure Plan applies;
  - b) The proposed residential density code that will apply to the Structure Plan Area;
  - c) Key opportunities and constraints of the area including landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, ownership, land use, roads and public transport, and services;
  - d) Proposed major land uses, in particular, residential areas, public open space, school sites, civic and community uses, commercial uses (including the location and hierarchy of commercial centres), mixed use, industrial and mixed business uses;
  - e) Estimates of future lots, dwellings, population, employment and retail floor space;
  - f) Provision for major infrastructure, including main drainage, sewerage, water supply and other key infrastructure services;
  - g) The proposed road network and hierarchy including connectivity between proposed/future and existing developments, public transport services and bicycle and pedestrian networks.
29. The above matters have been adequately covered in the Structure Plan in the following manner:
  - a) The Structure Plan addresses best practice principles associated with the Western Australian Planning Commission's *Liveable Neighbourhoods* document; and
  - b) The structure plan includes a detailed land capability, transport and public open space analysis.
30. The Structure Plan has been developed in accordance with the Western Australian Planning Commission's '*Structure Plan Preparation Guidelines (2012)*'.
31. Voting requirement for this item is **SIMPLE MAJORITY**

### POLICY IMPLICATIONS

32. The Western Australian Government '*Liveable Neighbourhoods (2009) Policy*' has been used to guide the outcome of the proposed Draft Structure Plan. The following Liveable Neighbourhood principles have some relevance to the Structure Plan:
  - a) A foreshore reserve will generally not be included in a 10% public open space contribution;
  - b) Promoting increased integration of urban water management elements into the urban form;
  - c) To provide a variety of lot sizes;
  - d) Simplified context and site analysis and application requirements.
33. The Western Australian Government's "*Water Resources (2006) Policy*" has been used to guide the outcome of the proposed Draft Structure Plan. The following Water Resource principles have some relevance to the Structure Plan:

- a) Protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;
- b) 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
- c) Promote and assist in the management and sustainable use of water resources.

34. The Western Australian Government’s ‘*Environment and Natural Resource (2003) Policy*’ has been used to guide the outcome of the proposed Draft Structure Plan. The following environment and natural resource principles have relevance to the Structure Plan:

- a) Avoid development that may result in unacceptable environmental damage;
- b) Support development which provides for environmental restoration or enhancement; and
- c) Protect significant natural and cultural features.

**RISK IDENTIFICATION & MITIGATION**

35. The risk identification and categorisation relies on the following Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<b>Community</b> <i>Inappropriate development and subdivision. Development and subdivision has previously been supported within the Structure Plan areas without considering relevant planning principles and policies and gaining necessary and/or appropriate contributions for roads, public open space and foreshores.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>The Structure Plan will consider the impacts for development and subdivision on the entire area prior to considering individual lot subdivisions.</i>
<b>Legal and Environment</b> <i>Landholders may indicate disapproval to vegetation protection measures and seek compensation for loss of existing development rights.</i>	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Minimise risk to Council by not removing existing development rights.</i>
<b>Financial</b> <i>If the structure plan acts contrary to advice from the OEPA the City of Albany, may be responsible for</i>	<i>Almost certain</i>	<i>Severe</i>	<i>Extreme</i>	<i>This risk is mitigated through adhering to advice provided by OEPA and protecting certain vegetated areas.</i>

<i>undertaking environmental assessment.</i>				
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### FINANCIAL IMPLICATIONS

36. The cost of advertising the Structure Plan has been budgeted for in the Development Services Budget.
37. The cost of further environmental reviews has been avoided through adhering to advice provided by the OEPA.
38. The Structure Plan shows the indicative alignment of Range Road. The alignment and costing will be finalised in future as part of the detailed planning stages. However, it is noted that the City will incur some costs associated with design and construction.

### LEGAL IMPLICATIONS

39. This item if endorsed will result in the release of a Structure Plan for public consultation and as such does not have any legal implications.
40. Legal advice may have to be obtained at a later stage in response to submissions received as part of the public consultation stage.

### ENVIRONMENTAL CONSIDERATIONS

41. An environmental and water management review and informal consultation with landholders, the Department of Planning and the OEPA has guided the development of the Draft Structure Plan.

### ALTERNATE OPTIONS

42. As an alternative option Council can resolve to require further review and refinement prior to advertising.

### SUMMARY CONCLUSION

43. The Draft Structure Plan has been developed taking into consideration the following:
  - a) Landholder and Government (OEPA) consultation;
  - b) Environmental and Water Management reporting; and
  - c) Western Australian Planning Commission Policy requirements (e.g. *Liveable Neighbourhoods* Document).
44. The Structure Plan aims to establish an integrated urban and environmentally sustainable landscape that:
  - a) Protects the foreshore areas adjacent to waterways that feed into Oyster Harbour;
  - b) Protects priority ecological communities and remnant vegetation in excellent condition; and
  - c) Provides for diverse land development options; ranging from a high density node adjacent to the Catalina commercial precinct through to medium and large lots on the steeper slopes.
45. Staff recommend that Council endorse the Draft Yakamia/Lange Structure Plan for the purpose of public and government consultation.

<b>Consulted References</b>	: 1. <i>Local Planning Scheme 1</i> 2. <i>Local Planning Strategy</i> 3. Western Australian Planning Commission's (WAPC) ' <i>Structure Plan Preparation Guidelines (2012)</i> ' 4. WAPC ' <i>Liveable Neighbourhoods (2009) Policy</i> ' 5. Western Australian Government's ' <i>Water Resources (2006) Policy</i> ' 6. Western Australian Government's ' <i>Environment and Natural Resource (2003) Policy</i> '
<b>File Number (Name of Ward)</b>	: LP.PLA.1
<b>Previous Reference</b>	: Nil

Attachment 1



Attachment 2

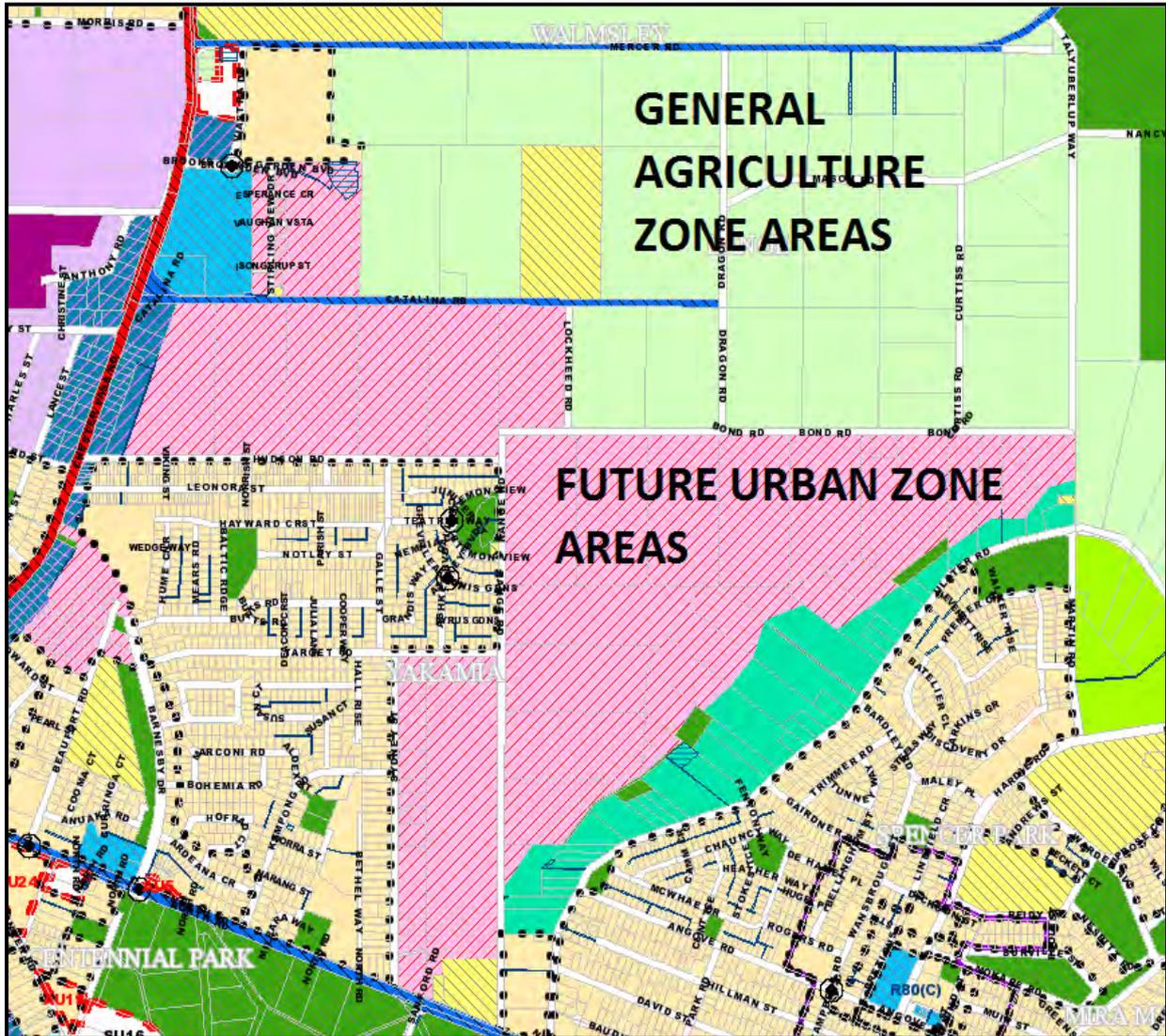


Attachment 3





Attachment 5





## Planning & Development Services



# YAKAMIA/LANGE STRUCTURE PLAN

DRAFT

## Contents

This structure plan comprises three (3) parts being: an executive summary; a non statutory (explanatory) section; and a statutory (provisions) section.

### Part 1 – Executive Summary

The executive summary gives an overview of the purpose of the plan, major influences that guided outcomes and principle components of the plan.

### Part 2 – Non-statutory (explanatory) section

The non-statutory section provides a reference guide to interpret and justify the implementation of the statutory section.

### Part 3 – Statutory (provisions) section

The statutory section contains the structure plan map(s) and statutory planning provisions.

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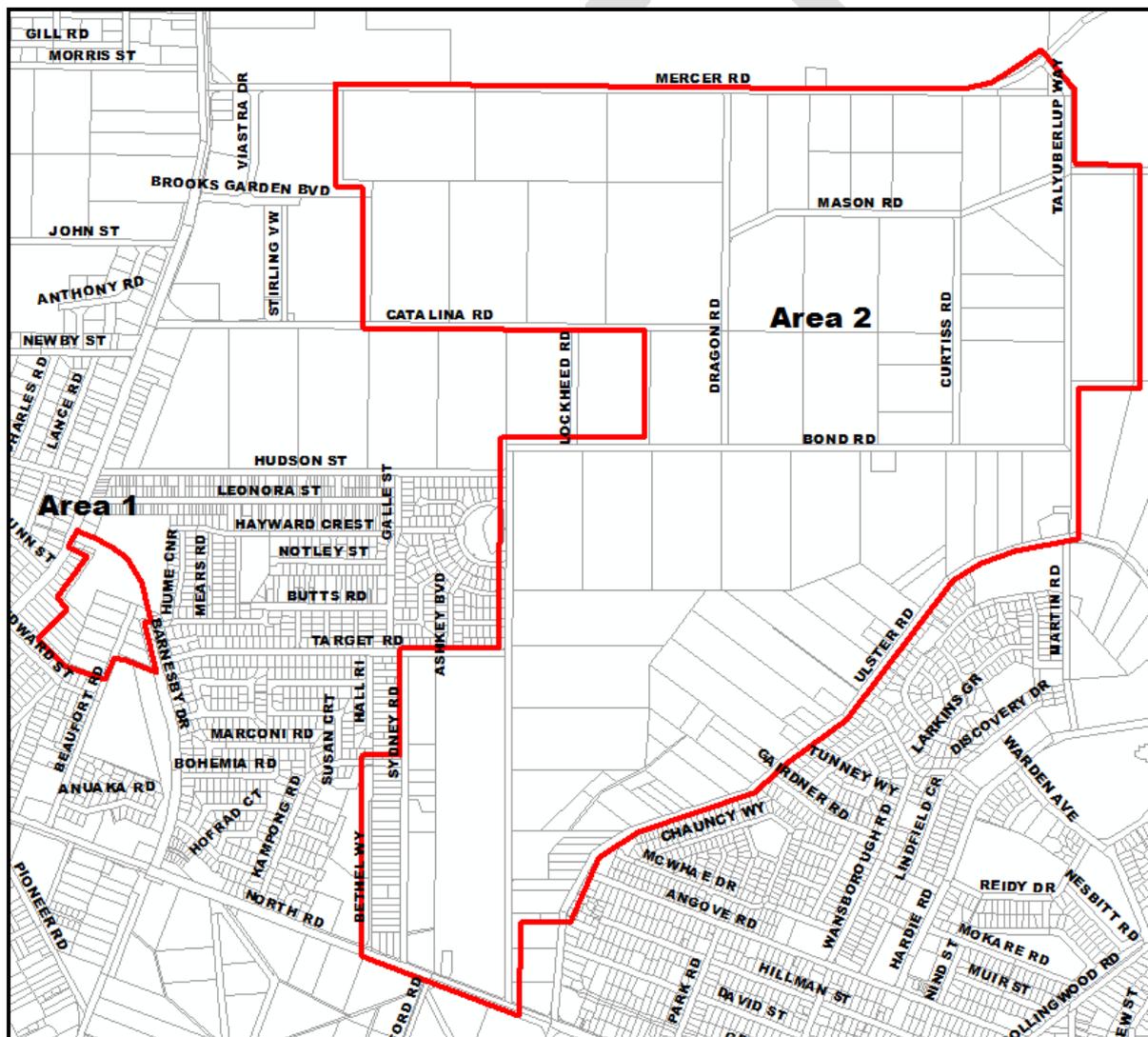
# 1. Executive Summary

## 1.1 Local Structure Plan Area

The study area for the Local Structure Plan includes the localities of Yakamia and Lange in the City of Albany. The localities of Yakamia and Lange are located north of Albany on the fringes of existing urban developed land, approximately 3.5km from Albany’s central business district and 1.5km from a neighbourhood shopping centre and Service Industries at Catalina (Chester Pass Road). Two separate assessment areas apply - a small area to the west adjacent to Barnesby Drive and a large over 300ha area located between Mercer and North Roads. Refer to the following Plan 1 for boundary detail.

### Plan 1 Structure Plan Areas

(Source: COA)



## 1.2 Purpose of Structure Plan

The Yakamia/Lange structure plan provides guidance to the City of Albany and the Department of Planning in the exercising of discretion for the location and layout of land uses and management of environmental issues within the structure plan area.

It includes potential development areas, foreshore protection areas, vegetation protection areas and road networks. It also provides proposals for the implementation of the plan such as zoning mechanisms and management arrangements.

The study areas have been the subject of increasing development pressure over recent years and amendments and subdivisions have previously been considered within the structure plan areas.

## 1.3 Structure Plan Approval Process

The preparation of the structure plan was undertaken by the City of Albany with support of environmental consultants in developing a Water Management Strategy and Environmental Opportunities and Constraints Plan.

Preparation occurred under the direction of key stakeholders, which included; Councillors, landholders, Department of Planning, Department of Parks and Wildlife, Office of the Environmental Protection Authority, Department of Water, Main Roads WA and Water Corporation.

Preparation involved the following key steps:

- Identification of opportunities and constraints;
- Discussion and evaluation of options;
- Consultation; and
- Adoption of a preferred option.

## 1.4 Major Planning Influences

Major influences included the following:

- Local Planning Scheme 1 zones;
- Principles defined by Liveable Neighbourhoods (i.e. walkable (400m) neighbourhood, 10% POS, Conservation Category Wetlands);
- Areas adjacent to waterways (flood prone land, riparian vegetation, foreshores);
- Vegetation in excellent condition and identified as Priority Ecological Communities;
- Comments received from the Office of the Environmental Protection Authority;
- Fire management safety; and
- High densities in unconstrained areas adjacent to the Catalina shopping centre.

These issues have been investigated thoroughly with the help of key stakeholders, a steering committee and specialist consultants.

## 1.5 Vision

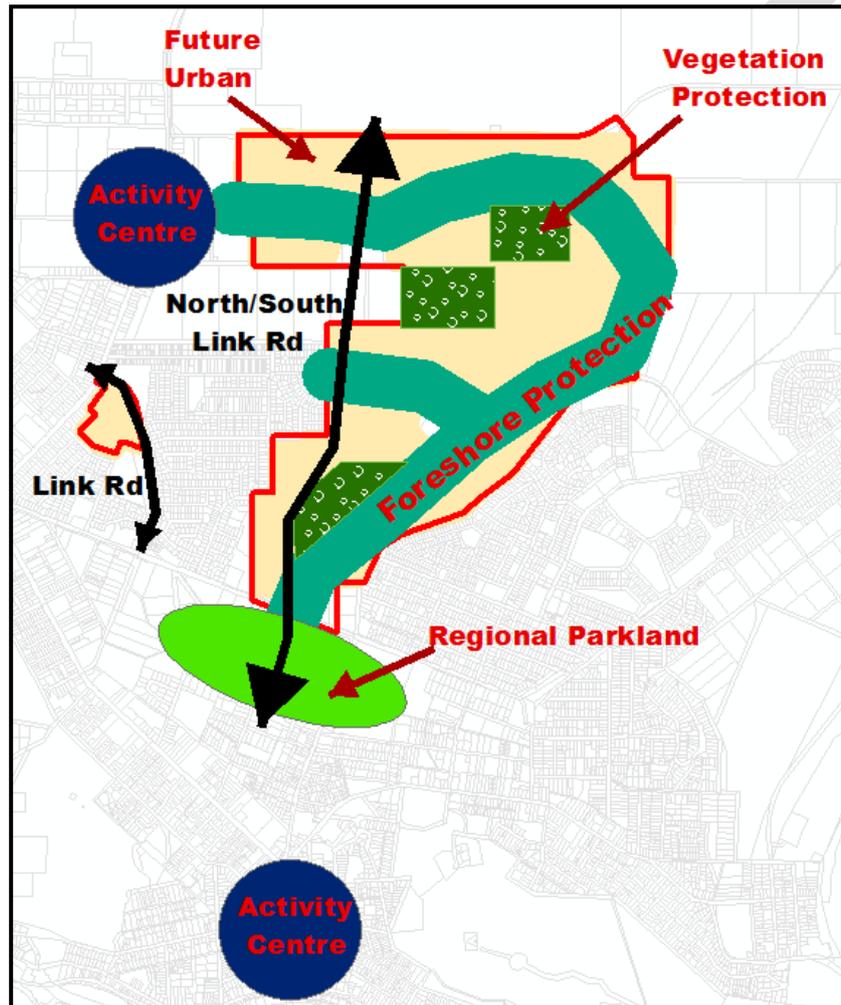
The ultimate vision for the area is:

*“To establish an integrated urban and environmentally sustainable landscape that:*

- *protects the foreshore areas adjacent to waterways that feed into Oyster Harbour;*
- *protects priority ecological communities;*
- *protects jarrah communities in excellent condition; and*
- *provides for diverse land development options; ranging from a high density node adjacent to the Catalina commercial precinct through to medium to large lots on the steeper slopes and adjacent to vegetation protection areas.”*

### Plan 2 – Vision

(Source: COA)



## 1.6 Key Principles

### Protect and enhance foreshore areas adjacent to waterways

*A ‘foreshore’ is defined as; “land adjoining or directly influencing a body of water that is managed to protect waterway and riparian values” (Water and Rivers Commission Foreshore Policy 1, 2002).*

- Maintain water quality and quantity to Oyster Harbour by managing land uses and redeveloping waterways (eg. developing sediment basins);

- Improve Biodiversity (diversity of life) adjacent to waterways by enabling uniform redevelopment and management of foreshores via a foreshore management plan;
- Seek funds via 10% POS provision for development of public open space facilities (formal and informal - pedestrian path/boardwalk) within foreshores.

**Protect Vegetation as a means to maintain threshold, visual amenity and diversity of life.**

- Protect possibly threatened vegetation (*Banksia coccinea*); and
- Protect remnant vegetation that is in excellent condition and that forms a natural corridor;

**Residential**

- Support high density (R30) residential on flat topography adjacent to major link roads and the Catalina commercial precinct;
- Support medium density (R25) in relatively unconstrained areas;
- Support low density (R2 or R5) adjacent to steep topographies, areas adjacent to a foreshore and in areas where the connection to deep sewer is constrained.

**Transportation**

Roads are to be developed in accordance with *Liveable Neighbourhood* principles (i.e. to follow contours).

A 30m wide road reserve is to be set aside and a 2 lane sealed road is to be developed to direct traffic to and from the CBD along two new North/South link roads - Range Rd and Barnesby Drive. Ultimately these routes will be developed with 4 lanes. The development of the north/south links will help alleviate congestion issues being experienced at the Chester Pass Roundabout.

Major intersection treatments will be required for intersection at Range Rd and Mercer Rd, Range Rd and North Rd; Range Rd and Catalina Rd and Barnesby Drive and Chester Pass Road.

**School Sites**

A primary school site has been identified as part of a previous consultation process with the Department of Education and a structure plan endorsed for the properties in the locality between Hudson and Catalina Roads. The site identified is located at the corner of Catalina Road and Lockheed Street. The Yakamia Primary School exists in the locality at Barnesby Drive.

**Public Recreation Space**

Public spaces for both passive (informal) and active (formal - sporting) recreation have been identified in the structure plan area in accordance with recommendations made in 'The Liveable Neighbourhoods' and by the Department of Sport and Recreation. In principle, larger/multi use spaces (>5000m<sup>2</sup>) have been encouraged. The locality is within short distance to the Centennial Park sporting precinct, which includes an aquatic centre and indoor and outdoor sporting facilities.

## 1.7 Objectives

The objectives of the structure plan are to:

1. Facilitate an urban form that provides for housing and associated infrastructure which is responsive to the character of the site and the locality, as depicted on the Plan;
2. Provide safe and convenient vehicle and pedestrian access to the activity centres at Chester Pass Road and the Central Business District;
3. Provide a stormwater system that minimises risk to public health and amenity, protects the built environment from flooding and water logging and that enhances the quality of water flowing to the Oyster Harbour;

4. Maintain vegetation where possible within road reserves, areas of public open space and foreshore areas and protect vegetation in excellent condition and where possibly threatened species exist;
5. Provide a range of public open spaces catering for recreational, sporting and nature use by the local community.

## 1.8 Implementation

### Structure Plan

There are a number of steps to be taken before the implementation of the structure plan. Part of the process will involve the review of the structure plan by:

- Amending the Rural and Yakamia Creek zones on the Scheme maps to Future Urban or Residential and to include contribution plans;
- Contribution planning reviews;
- Urban Water Management Planning;
- Foreshore Management Planning;
- Fire Management Planning;
- Transport Management Planning;
- Local (detailed) area plans; and
- For areas vegetated and identified by the structure plan, referral to the Office of the Environmental Protection Authority and the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) to determine a level of assessment under the EPBC Act.

### Infrastructure Provisions

Applications for subdivision and development will need to demonstrate what, where and when supporting infrastructure (eg. deep sewerage) will be developed.

### Management Planning

Management planning is to be undertaken at the subdivision stage to provide site specific detail.

A Water Management Strategy has already been prepared to support the structure plan. Key requirements of development relating to water management include:

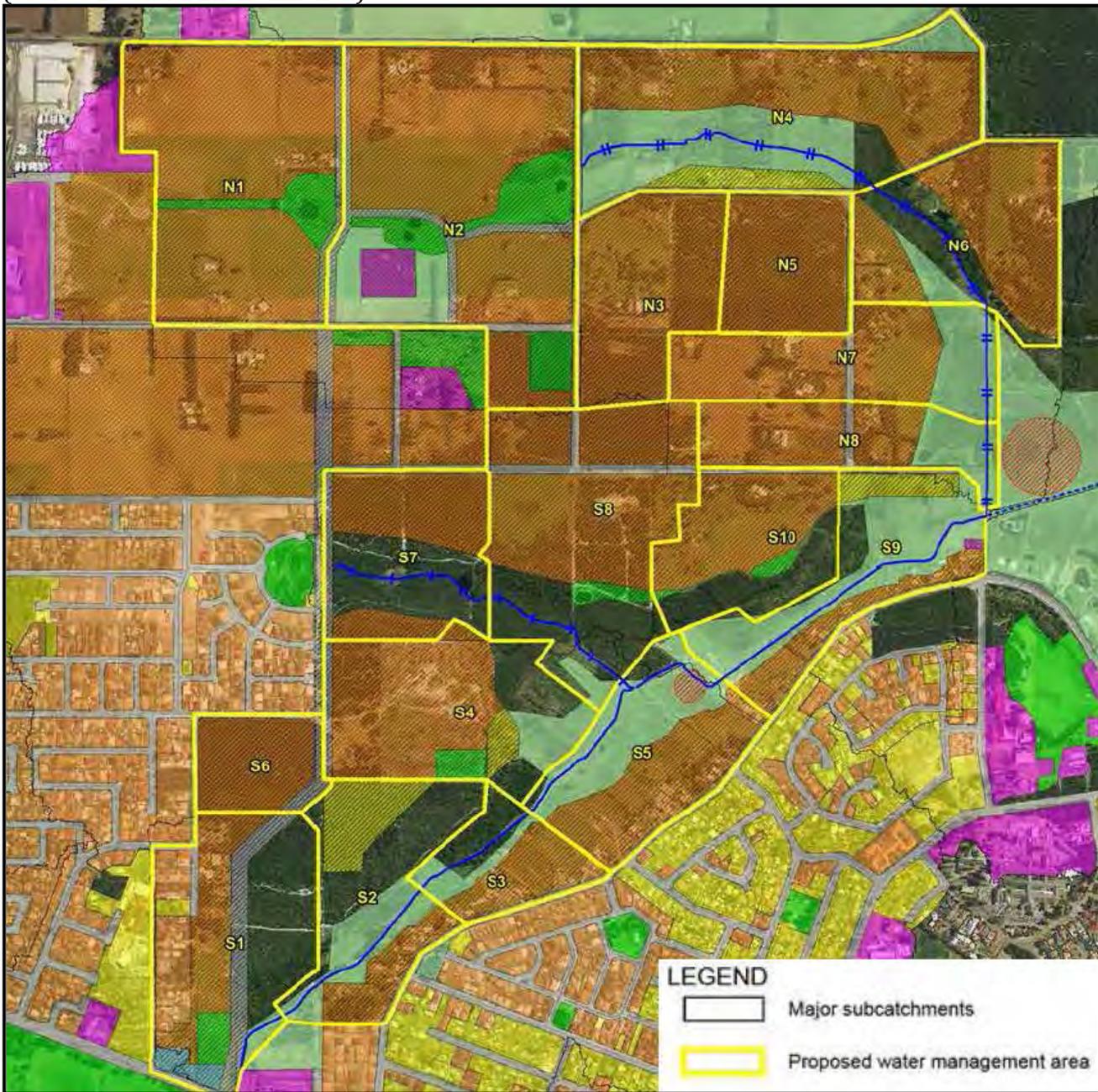
- Detention of surface water flows to ensure that development does not result in an increase to peak flow rates to downstream drainage systems or natural flow paths.
- Provide drainage infrastructure which provides conveyance of stormwater from upstream catchments without increases to upstream flood frequency.
- Control of sediment transport through management of flow velocities and provision of sediment control points prior to discharge and energy dissipation structures at discharge points.
- Development of land in the Barnseby Drive precinct should facilitate reconstruction of Yakamia Drain to the western side of Beauford Road and provide a defined floodway for safe passage of flows.
- Proposed future intersections at Barnseby Drive / Chester Pass Road and Range Road / North Road will need to be designed to facilitate safe passage of major flood events.

The model of the existing drainage system was modified to represent the future landuse scenario proposed by the structure plan, and development of other areas outside of the structure plan area. Preliminary modelling suggests that provision of detention storage at 19 locations can be effective in managing peak flow rates and therefore achieve the key requirements outlined above. Peak discharge rates and design storage volumes for each of the flood storage areas is outlined in the following Table 1 and Plans 3, 4 and 5.

**Table 1: Indicative Water Infrastructure Sizing**

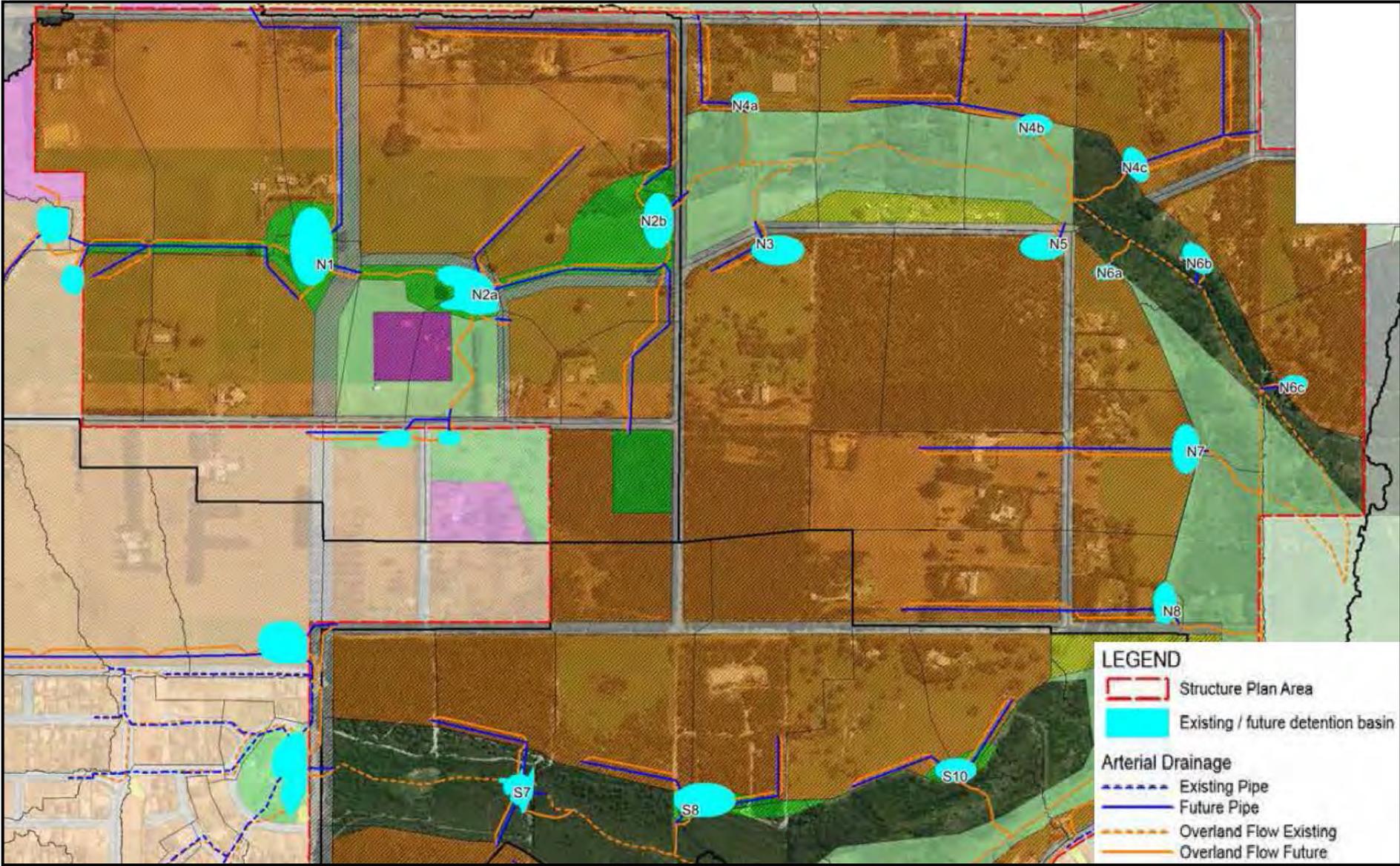
<b>Location</b>	<b>Design Detention</b>	<b>Peak Discharge (m<sup>3</sup>/s)</b>	<b>Peak Discharge (m<sup>3</sup>/s) 10 Year</b>
S1	2132	0.192	1.148
S4a	1000	0.087	0.118
S4b	491	0.091	0.295
S6	869	0.138	0.705
S7	1228	1.027	3.979
S8	3110	0.129	0.97
S10	1242	0.076	0.546
N1	8112	0.147	1.502
N2a	4333	0.172	1.379
N2b	4262	0.181	1.25
N3	2654	0.095	0.677
N4a	790	0.167	2.224
N4b	1287	0.07	1.305
N4c	1181	0.153	2.852
N5	1717	0.057	0.65
N6a	296	0.06	0.164
N6b	928	0.13	0.849
N6c	551	0.019	0.427
N7	1944	0.073	0.495
N8	1299	0.066	0.463

**Plan 3 (Proposed Water Management Areas)**  
(Source: Essential Environmental)

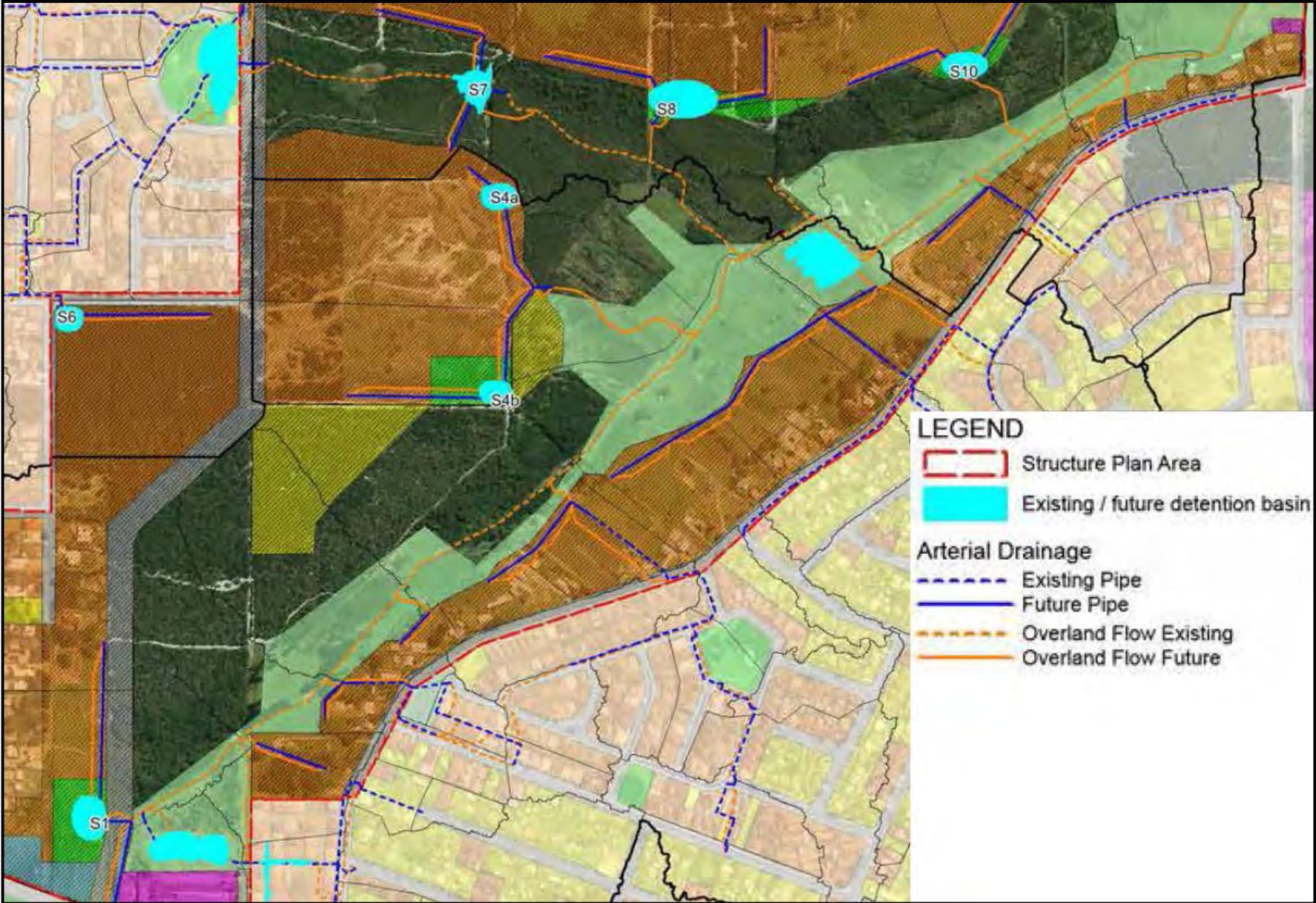


**Plan 4 (Arterial Drainage Plan - North)**

(Source: Essential Environmental)



**Plan 5 (Arterial Drainage Plan - South)**  
(Source: Essential Environmental)



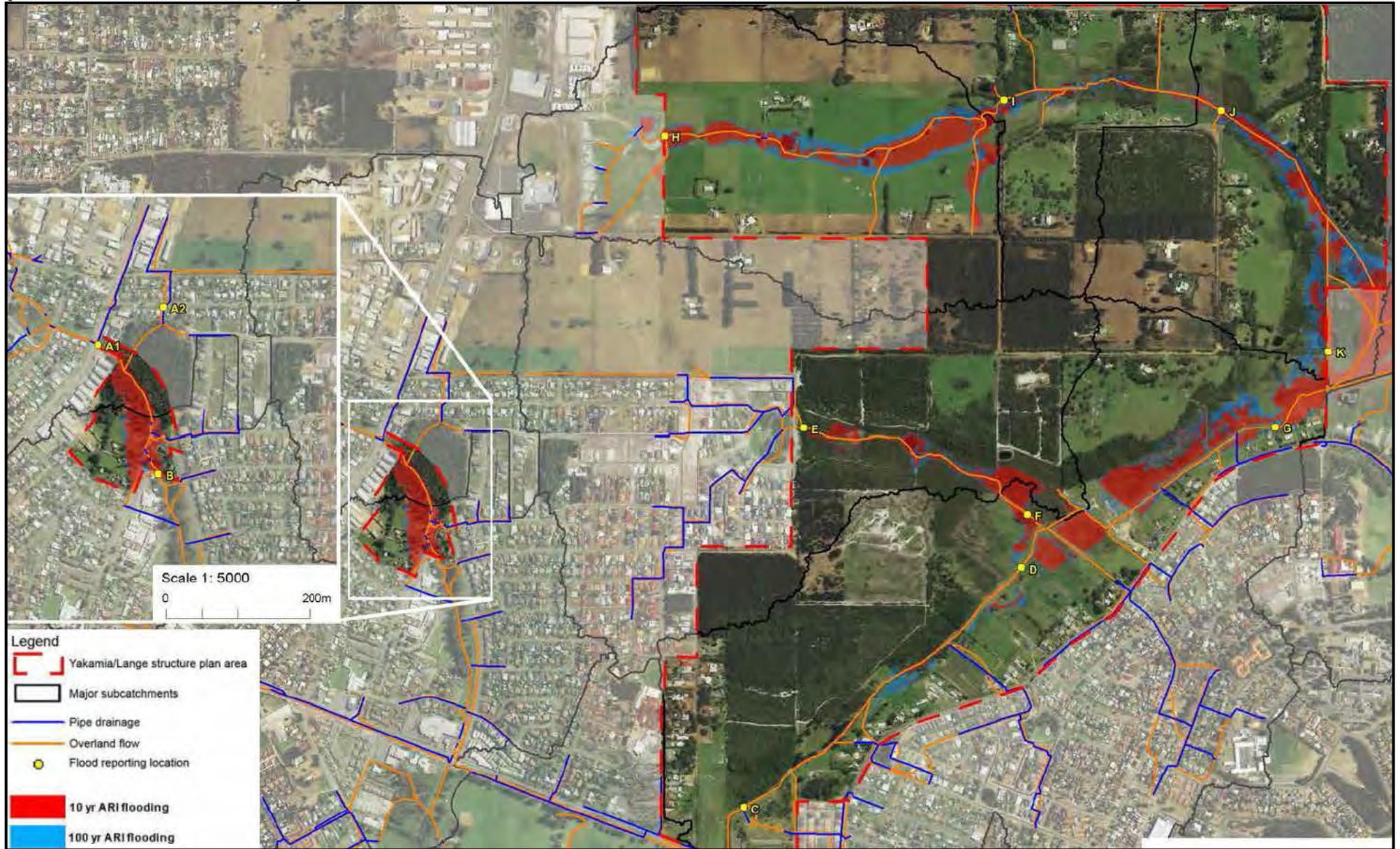
The impact of development using the proposed detention arrangements can be assessed by observing the predicted change in peak discharge rates at the key locations as presented in the following Table 2 and Plan 5. It can be seen that the proposed detention storages achieve protection of downstream systems by providing nominal reductions or manageable increases in peak flow rates during major and minor events.

**Table 2: Surface water modelling results – peak flow (m<sup>3</sup>/s)**

Loc	Existing		Post-development		Change %		Comment
	5 year	100 year	5 year	100 year	5 year	100 year	
A1	2.735	9.116	2.684	7.5	-1.9%	-17.7%	Reduction due to piping existing drain. Upstream impact to be assessed further during design.
A2	0.335	1.22	0.262	0.986	-21.8%	-19.2%	Assumed detention storage to be provided in upstream catchment reduces flow rates
B	3.466	7.856	3.583	9.189	3.4%	17.0%	Increase due to removal of localised flooding. Downstream impact to be assessed further during design.
C	8.19	16.88	8.3	17.08	1%	1%	Nominal increase due to local urbanisation
D	8.49	19.67	8.81	20	4%	2%	Nominal increase due to local and upstream urbanisation. Impact is offset by improved environmental performance along creek / drain.
E	1.32	5.62	1.01	3.45	-23%	-39%	Reduced peak flows due to better utilisation of existing detention storage.
F	0.99	7.4	1.16	5.25	17%	-29%	Increased catchment from S8. Increase in minor event flow expected and can be accommodated with construction of living stream.
G	9.8	31.23	10.08	27.15	3%	-13%	The impact of small increase in minor event flows is offset by improved environmental performance along creek / drain.
H	0.17	0.47	0.32	0.73	88%	55%	A piped outlet will be provided from existing upstream detention area to improve safety and amenity; this has resulted in increased flow rates.
I	0.2	3.15	0.18	1.25	-10%	-60%	Nominal reduction in minor flows due to pipe size increments
J	0.75	14.82	0.78	7.41	4%	-50%	Nominal increase due to local urbanisation.
K	0.78	6.39	0.9299	5.5211	19%	-14%	Moderate increase due to local urbanisation. Impact is offset by improved environmental performance along creek / drain.

# Plan 6 (Existing Flood Extent and Key Reporting Locations)

(Source: Essential Environmental)



## 1.9 Acknowledgements

### Key Stakeholders

Department of Planning  
 City of Albany  
 Department of Water  
 Department of Environment and Conservation  
 Main Roads WA  
 Water Corporation  
 Councillors  
 Landholders  
 Aurora Environmental  
 Essential Environmental

## 2. Explanatory Section

### 2.1 Introduction

Planning of the area evolved the result of landholders appealing to the City of Albany, the Department of Planning and the Environmental Protection Authority to support subdivision and development.

Structure planning is required prior to supporting rezoning, subdivision and/or development. For reasons including:

- achieving integrated and connected land use management; and
- as a requirement of the scheme (areas zoned 'Future Urban');

Factors that have dominated discussion for land use planning include the following:

1. There are three dominant valleys with foreshore areas at their base.

The Department of Water defines a 'foreshore' area as follows:

*The land that adjoins or directly influences a 'waterway'. It is the area of transition between the edge of the waterway and the furthest extent of riparian vegetation, the floodplain and riverine landforms, or a negotiated area endorsed by the Department of Water.*

A 'waterway' is defined as:

*Any river, creek, stream or brook, including its floodplain and estuary. This includes systems that flow permanently, for part of the year or occasionally; and parts of the waterway that have been artificially modified (source: Operational policy 4.3: Identifying and establishing waterways foreshore areas)*

The structure plan recommends that the areas identified as foreshore, are managed appropriately. The foreshore areas are important as they;

- Are of archaeological (Yakamia Creek - Aboriginal Heritage) significance;
- Support extensive areas of emergent and fringing foreshore vegetation;
- Help to manage water quality and quantity;
- Enhance biodiversity; and
- Constitute part of a linked natural system and destruction of these areas would impact on the biodiversity of life at Oyster Harbour.

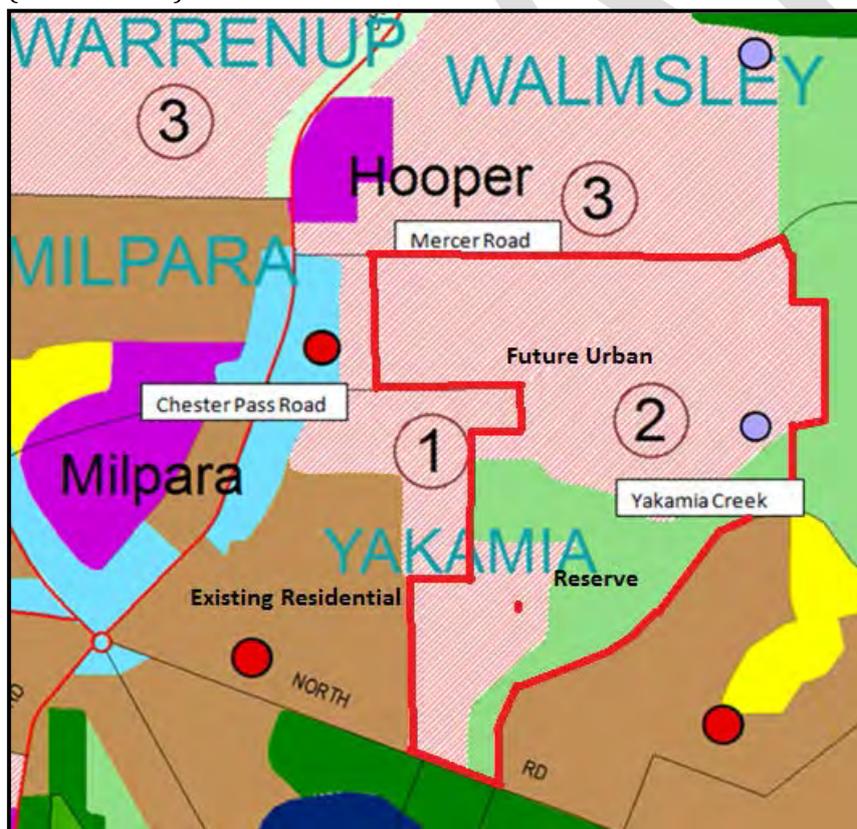
2. There are remnant stands of vegetation in good to excellent condition in parts;
  - Under the EPBC Act, a person who proposes to take an action which will have, or is likely to have, a significant impact on a matter of national environmental significance is responsible for referring the action to the Commonwealth Environment Minister for a decision as to whether an assessment is required.
  - Carnaby's Black-Cockatoo (white tail) are listed as endangered and Western Ringtail Possum are listed as threatened under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Both species exist within the locality.
3. There are Priority Ecological Communities identified (possibly threatened vegetation);
4. Consideration of two new north/south roads (Range Rd and Barnesby Drive);
5. An Arterial Drainage Plan, a Water Management Strategy and an Environmental Opportunities and Constraints Plan;
6. Western Australian Planning Commission Structure Planning Guidelines and policies; and
7. Comments received from key stakeholders, which includes the public/landholders;

There are approximately 140 different lots/landholdings identified within the structure plan area. The average lot size is 4.5ha with the largest lot being approximately 14ha. The land is either used for living purposes (single dwelling), market gardening, grazing or is vacant.

The City of Albany Local Planning Strategy (2010) identifies the area as being suitable, in the short to medium term for 'Future Urban' expansion (refer to the following map and in particular, the areas coloured pink).

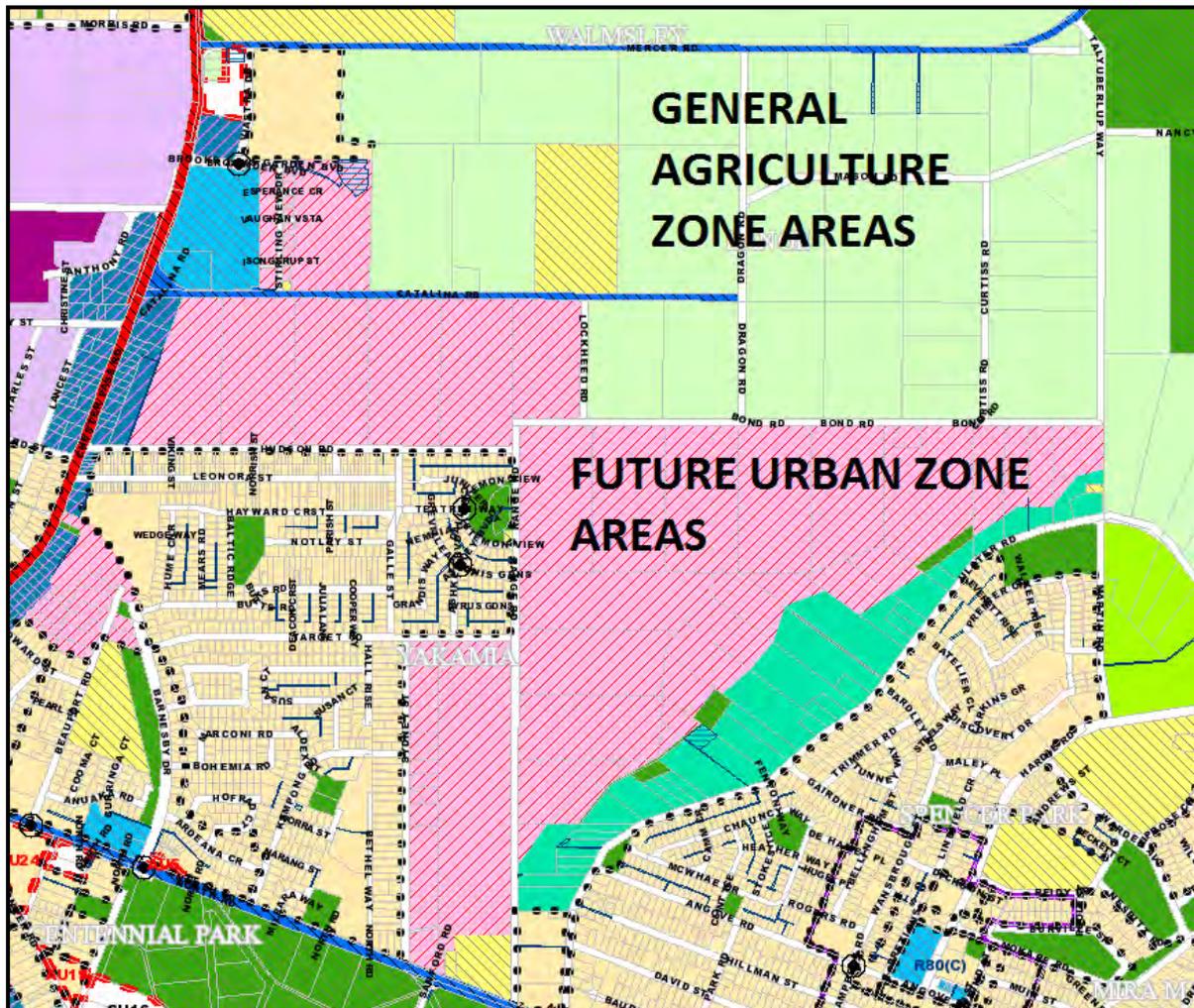
### Plan 7 (Albany Local Planning Strategy Map 9B)

(Source: COA)



The *Local Planning Scheme 1* governs use and development of the localities. Other than for a 'Single Dwelling' and incidental uses, the scheme requires Structure Planning and in some instances rezoning prior to supporting intensification. Zonings for the localities include: 'Future Urban'; 'Yakamia Creek' and 'Rural' (Refer to following zoning diagram).

**Plan 8 (Land Zonings)**  
(Source: COA)



The structure plan encompasses an area of approximately 350ha, just over half of which, is indicated for residential, ¼ identified as foreshore and 1/6 for conservation. The area is capable of accommodating approximately 2700 dwellings and a population of 6500 persons (refer to Table 3).

The structure plan recognises the need to request financial contributions for the development of infrastructure associated with recreation within areas of POS and the foreshore (refer to Table 4).

**Table 3 Potential Land Use/Population/Dwellings**

Use	Area	Ratio	Dwe/Pop (2.4p/d)
Western Power Substation	1.5ha		
Buffer to Substation	6.6ha		
Foreshore Area	97ha	27%	
Vegetation Protection Areas	42.8ha	15%	
Public Service Areas	2.5ha		
School Site	3.2ha		
Special Use Site	1ha		
Residential	198ha	56%	2700/6500
<b>Total</b>	<b>352.6ha</b>		

**Table 4 Potential POS**

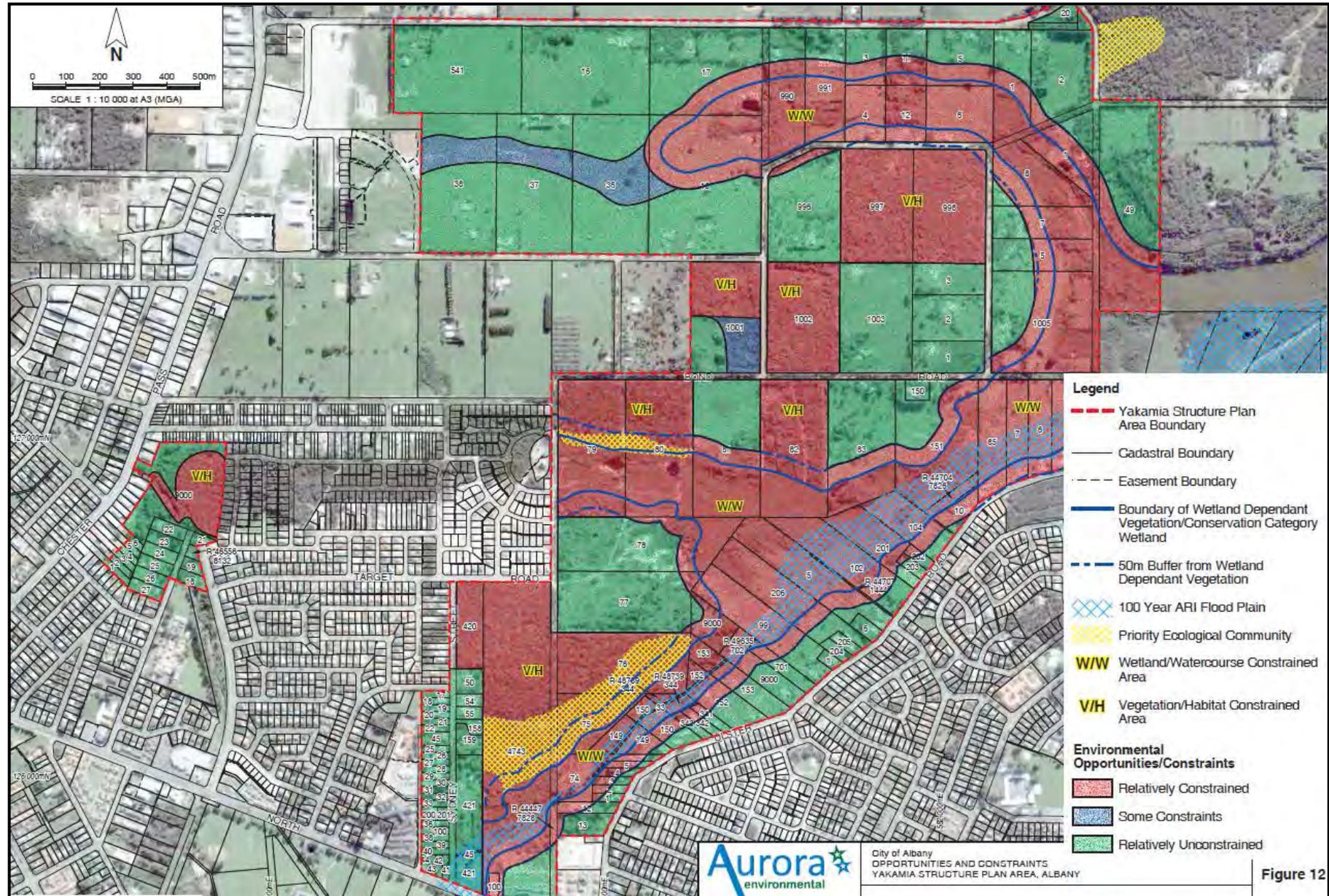
Residential Land Use	Area
Residential R2	3.6ha
Residential R25 (350m <sup>2</sup> )	74ha
Residential R30 (300m <sup>2</sup> )	35ha
Residential R5/25	85ha
<b>Total Residential</b>	<b>198ha</b>
Approximate Potential POS based on total hectares and 10% calculation	198ha X10% of this equates to 19.8ha
<b>POS Proposed</b>	
10.2ha of formal and informal space is proposed to be developed via cash contribution in areas given up as 'foreshore'. Additional areas may eventuate once a foreshore management plan has been completed.	
2 x parks at 3000m <sup>2</sup> , 2 x parks at 5000m <sup>2</sup> , 1 x park at 6000m <sup>2</sup> and 2 x parks at 1ha (developed with formal and informal facilities) proposed outside of foreshore (Total = 3.2ha)	
Total POS = 13.4ha	
Balance of 10% (6.4ha) to be used to develop recreation facilities within foreshore and parks outside of foreshore (eg. paths, play equipment, sporting fields).	

Having assessed various characteristics of the localities via an Environmental Opportunities Constraints Plan (refer to following plan), a Water Management Plan, an Arterial Drainage Plan and consultation with key stakeholders; a structure plan indicating preferred land uses, and the location of supporting infrastructure (roads and POS) has been formulated (refer to following plans).

The structure plan:

- 1) Indicates the general layout for land uses, the provisions of roads, pedestrian linkages and other urban design elements highlighted in 'Liveable Neighbourhoods';
- 2) Indicates areas worthy of conservation and resource enhancement;
- 3) Promotes a mix of housing types - low density (R2 5000m<sup>2</sup> and R5 2000m<sup>2</sup>), medium density (R25 350m<sup>2</sup>) to higher density (R30 300m<sup>2</sup>); and
- 4) Integrates the provision of Public Open Space with natural features (foreshore areas) to provide active and passive facilities and to include drainage management measures.

**Plan 9 (Opportunities and Constraints Plan)**  
 (source: Aurora Environmental)



**Plan 10 (Structure Plan)**  
 (Source: COA)



## 2.2 Previous Reports and Studies

There has been a long history of consideration for residential expansion in the subject locality. The following documents have all played some part in recommending or guiding development and environmental management for the localities of Yakamia and Lange:

- The Albany Local Planning Strategy (City of Albany, 2010);
- The Draft Yakamia District Structure Plan prepared by Taylor Burrell (1999) to facilitate, guide and coordinate the urban development of Yakamia. More recently, the Allerding Burgess (2004) draft structure plan;
- A Yakamia Creek Flood Study report published by Water and Rivers Commission (2001) to help provide an understanding of the hydrological behaviour of the creek;
- Coffey Environmental Report of wetlands and waterways (2008);
- The City of Albany rezoning documentation for Lot 4743 North Road from 'Future Urban' to 'Residential R20' and 'Parks and Recreation' (The EPA undertook preliminary assessment under Section 48(1) of the *Environmental Protection Act 1986*);
- A vegetation assessment for Lot 4743 North Road (Coffey Environments 2008);
- An opportunistic flora survey for Lots 79 and 80 Bond Street (Alan Tingay and Associates 1996);
- An opportunistic flora and vegetation survey (2000) to supplement 1996 survey for lots 79 and 80 Bond Street (ATA Environmental 2000);
- A flora survey for Location 4743 Yakamia (Sandiford 2005)
- Flora and fauna surveys for the previous Yakamia Structure Plan area (ATA Environmental 2005);
- An Environmental Opportunities Constraints Plan (Aurora Environmental 2013). This report reviews previous environmental reports and develops a consolidated environmental constraints plan; and
- A Water Management Strategy and Arterial Drainage Plan (Essential Environmental 2014).

## 2.3 Site Conditions/Constraints

### 1. Land Use

The Yakamia/Lange area is currently a mix of urban and rural land uses including; rural residential, some small scale horticulture and grazing.

Much of the area is cleared although pockets of vegetation remain, particularly within and fringing a flood plain in the lower catchment and foreshores in upper catchments. The urban uses are on the fringe and are mixed between residential, industrial and commercial. There is a large neighbourhood (Big W, fuel depot and Harvey Norman) shopping complex in the vicinity of the structure plan area (Corner of Catalina and Chester Pass Roads).

Due to the close proximity of the structure plan area to the activity centre at Chester Pass Rd, the predominant land use expected for the area is residential. The density of residential is expected to vary depending on constraints (i.e. high density adjacent to the existing activity centre and low density adjacent to foreshore areas (fire risk) and on steep slopes).

**Land Use Recommendations**

1. *It is recommended that the structure plan:*

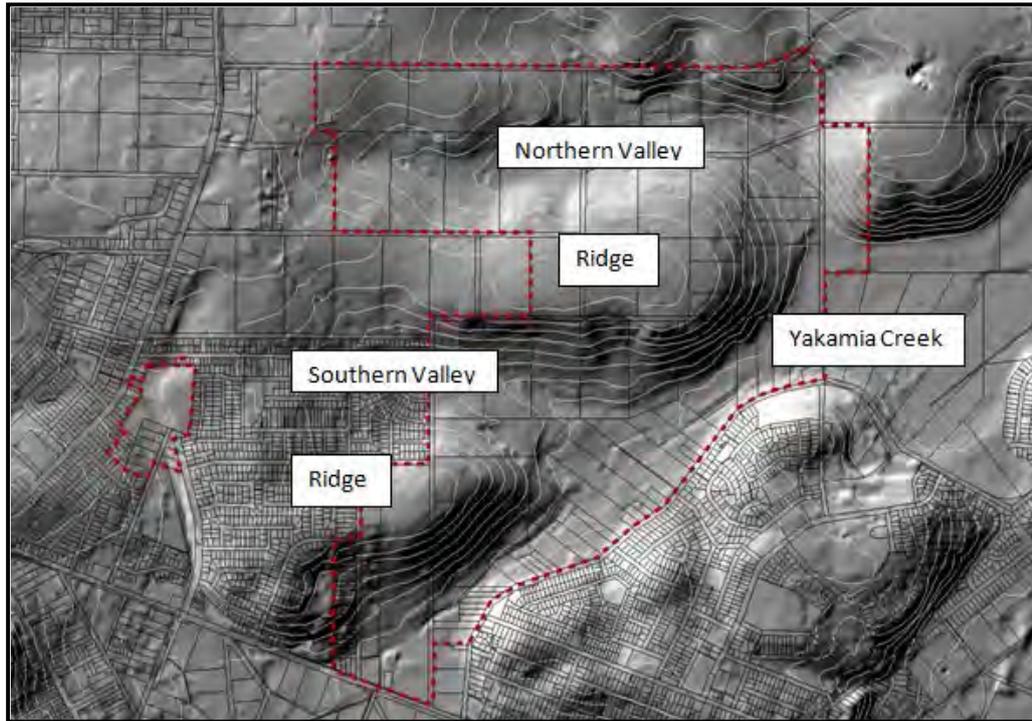
- *Supports higher densities adjacent to the commercial area at Chester Pass Rd;*
- *Supports lower density for steep gradient areas and for areas adjacent to arterial drains or areas subject to flooding and fire risk areas;*
- *Supports special uses (eg offices and medical clinic) adjacent to North Rd;*
- *Ensures no private development or uses in foreshore areas;*
- *Ensures a suitable setback between development and sensitive areas (vegetated, foreshores, rivers, wetlands etc);*
- *Considers development in relation to visual integrity (eg. discourage development that dominates the landscape, discourage development along areas of entry to the City);*
- *Ensures the protection of the natural resources such as water, soil and vegetation (i.e. encourage revegetation to stabilize and neutralise soil conditions);*
- *Utilizes existing infrastructure (roads, sewer, water, drainage);*
- *Considers fire risk;*
- *Maintain the integrity/function of the CBD (discourage development that will take this away);*
- *Provides safe access;*
- *Provides pedestrian access;*
- *Ensures orientation of lot for solar access (orientate lots east west);*
- *Ensures a minimum contribution of 10% of the gross subdivisional area for public parkland;*
- *Ensure surveillance measures.*

**2. Landform**

The structure plan area is characterised by undulating topography. There are two major valleys sloping east-west towards the Yakamia Creek, which floods during extended periods of rain. The northern most valley has a gentle gradient, is majority cleared and developed with some dams. The southern valley has steeper sides and is mostly vegetated. There are two ridges located between the valleys; they both have an aspect towards the south and are partly vegetated.

## Plan 11 (Landform Plan)

(source: COA)



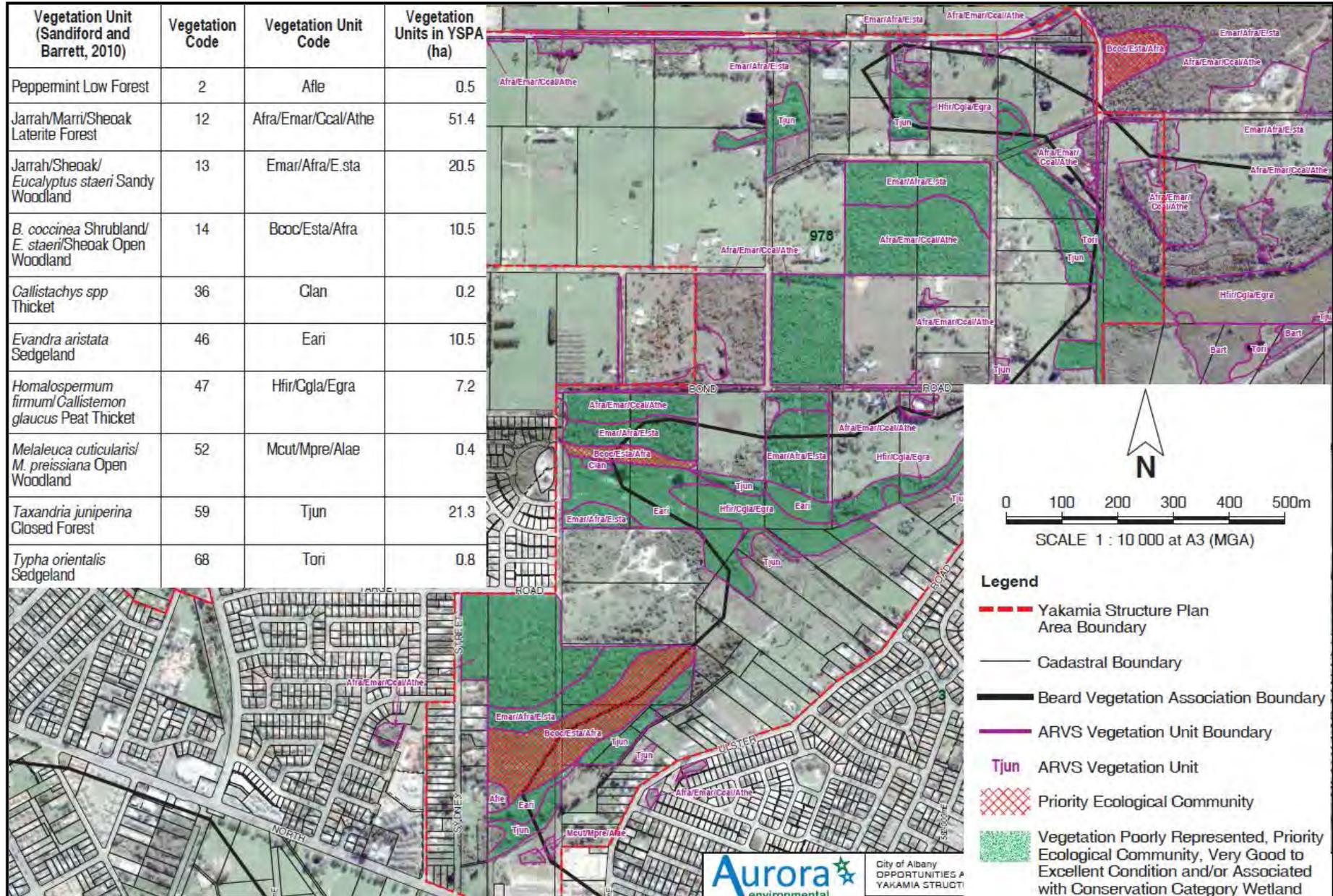
### **Landform Recommendations**

1. *The following provisions need to be included:*
  - *Roads should be located to follow the contour of the land where possible;*
  - *High retaining walls should be avoided on steep sites. Where retaining is necessary, this should be done within the dwelling walls or stepped and landscaped.*
2. *The structure plan designates development away from the valley floors where flooding may occur and where riparian vegetation exists.*
3. *The structure plan designates a lower density of development on the steeper slopes.*

### **3. Biodiversity**

The 'Albany Regional Vegetation Survey' (2010); the 'Flora Survey for the Yakamia Structure Plan Area' (2006); the 'Fauna Survey for the Yakamia Structure Plan Area' (2006); and the 'Environmental Opportunities Constraints Report' (2013) together provide an assessment of the extent, rarity, diversity and reservation status of flora and fauna within and around the structure plan area (the following plan illustrates remnant vegetation).

**Plan 12 Vegetation**  
(source: COA)



The 'Albany Regional Vegetation Survey' (2010) assessed and mapped the following vegetation units for the Yakamia locality:

Banksia Coccinea Shrubland/Eucalyptus Staeri/Sheoak Open Woodland;



Callistachys spp Thicket



Evandra Aristata Sedgeland Peat Thicket



Homalospermum Firmum/Callistemon Glaucus



Jarrah/Marri/Sheoak Laterite Forest



Jarrah/Sheoak/E.Staeri Sandy Woodland



Melaleuca Cuticularis/M. Preissiana Open Woodland



Peppermint Low Forest



Taxandria Juniperina Closed Forest



Typha Orientalis Sedgeland



Of the species identified for the Yakamia locality:

- **Banksia coccinea Shrubland/Eucalyptus staeri/Sheoak Open Woodland** has been identified as a Priority 1 Ecological Community (possibly threatened) and therefore is worthy of protection. There are two areas where these communities exist. These areas are illustrated on the Environmental Opportunities and Constraints Map (cross hatch – orange).

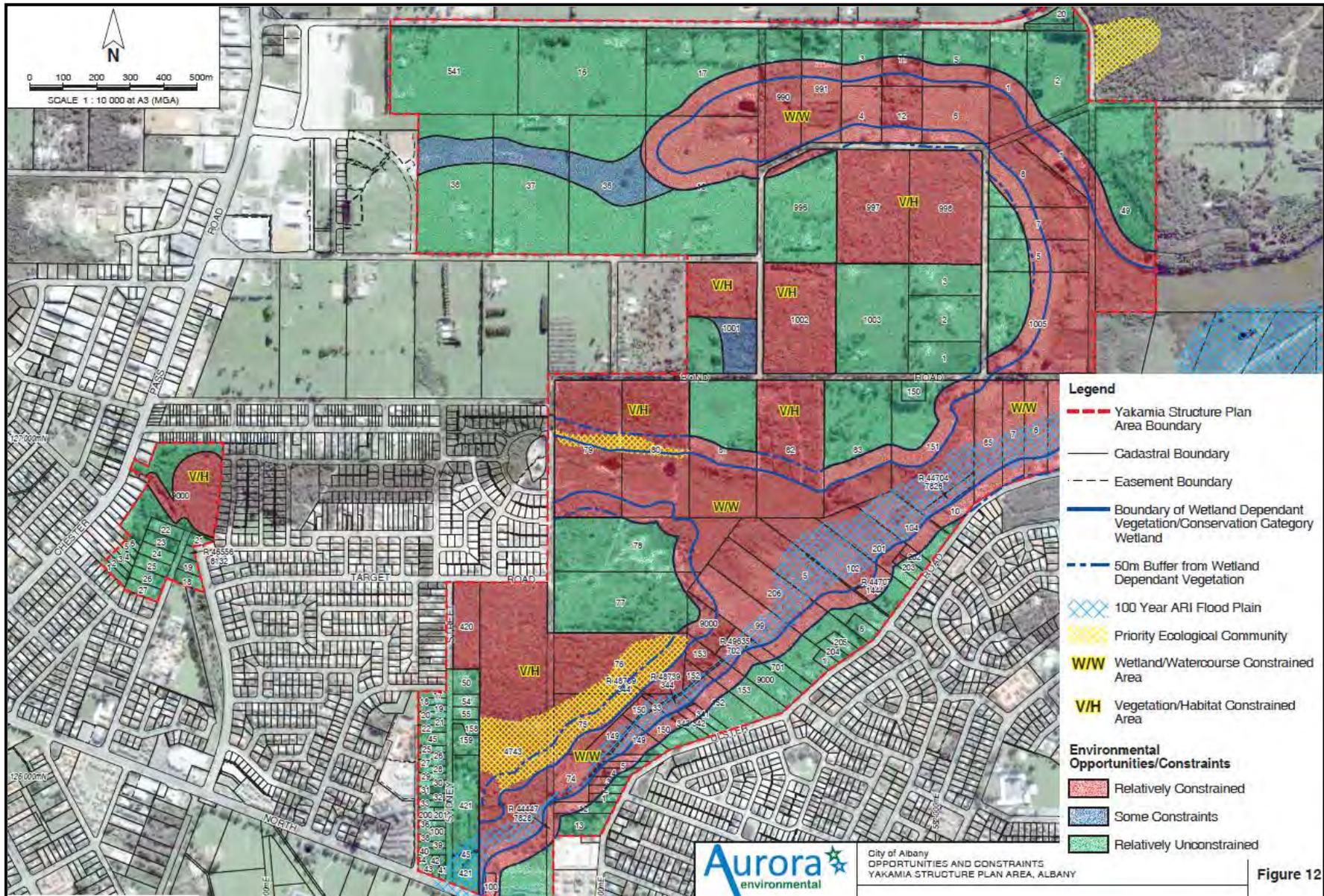


- Remnant **Jarrah/Marri/Sheoak** and **Jarrah/Sheoak/E.Staeri** vegetation exists throughout the area. While all naturally vegetated areas have environmental and amenity values, the EPA is primarily concerned with the protection of regionally significant natural areas.

The EPA has developed criteria for the identification of regionally significant natural areas which can be used across Western Australia. The criteria are (EPA, 2003, 2006, 2008):

- adequate representation of the range of ecological communities
  - areas with a high diversity of landforms, flora and /or fauna species or communities
  - areas containing rare or threatened species or communities maintaining ecological processes or natural systems
  - areas of scientific or evolutionary importance, and
  - areas of wetland, streamline and estuarine fringing vegetation and coastal vegetation.
- No threatened flora has been identified in the structure plan area.
  - Carnaby's Black-Cockatoo (white tail) and Western Ringtail Possum are likely to be found at different times throughout the locality. Carnaby's Black-Cockatoo (white tail) are listed as endangered and Western Ringtail Possum are listed as threatened under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

**Plan 13 Summary of Opportunities and Constraints Plan.**  
 (source: Aurora Environmental)



**Biodiversity Recommendations**

The following is recommended:

1. Enforce the development of a foreshore management plan(s) in anticipation of rehabilitating foreshores;
2. Identify Priority Ecological Community and vegetation in excellent condition that's large enough to sustain habitats as being suitable for protection;
3. Identify the need to refer applications involving the clearing of vegetation to the Office of the Environmental Protection Authority and the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC);

**4. Soils**

The Yakamia catchment is steep and has relatively thin layers of sand and sedimentary rocks overtopping granite. This geology, coupled with high rainfall distributed throughout the year means that there is limited water retention capacity within the catchment and results in almost continual base flow within drains and watercourses. While this presents challenges for retention of nutrients it may provide opportunities for stormwater harvesting and can deliver watercourses that offer high amenity and environmental assets.

The subject locality comprises of three different soil characteristics being:

- Dc unit - Gravelly yellow duplex soils;
- S7 unit - Deep leached sands; and
- S7f unit - Humus podzols.

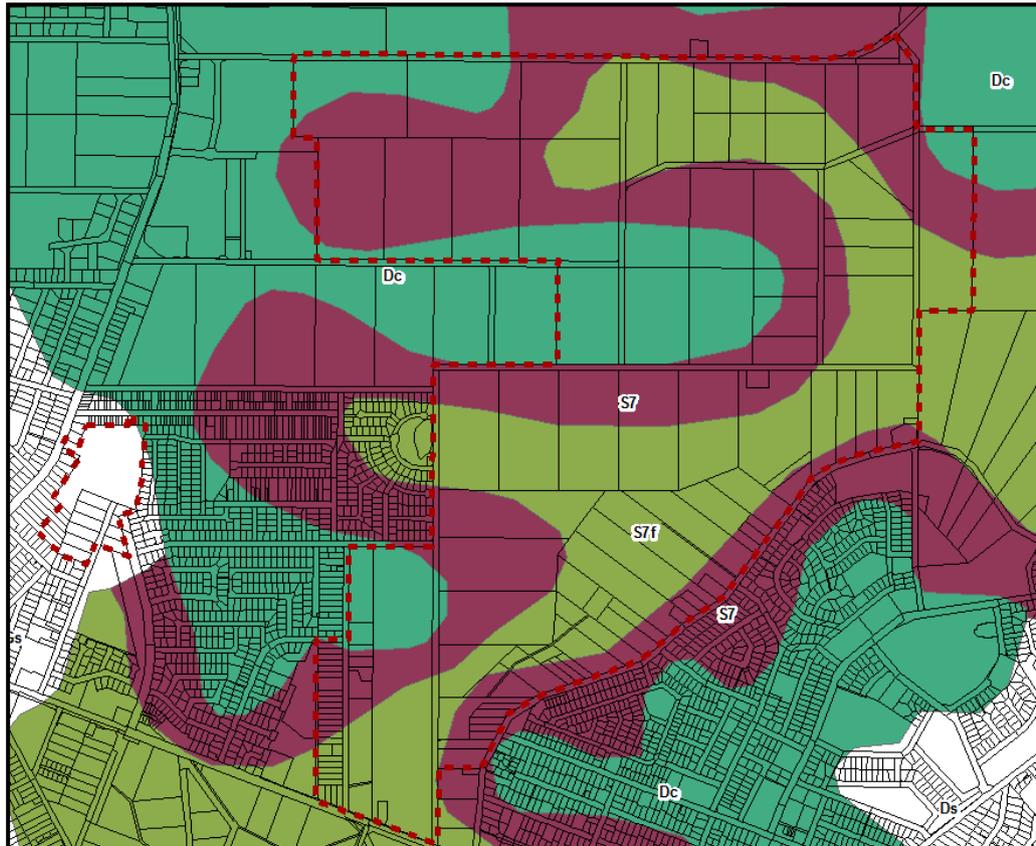
The Dc unit forms the ridges between the valleys and is made up of gravelly yellow duplex soils and some lateritic boulders. The flood risk for these areas is 'low' and the foundation soundness is 'fair' (source: *Environmental Report 1992 – AGC Woodward-Clyde Pty Ltd*).

The S7 unit forms the valleys and is made up of deep leached sands. The flood risk for these areas is 'Medium' and the foundation soundness is 'Good' (source: *Environmental Report 1992 – AGC Woodward-Clyde Pty Ltd*).

The S7f unit can be described as being humus podzols. The flood risk for these areas is 'Medium to High' and the foundation soundness is 'Good' (source: *Environmental Report 1992 – AGC Woodward-Clyde Pty Ltd*).

**Plan 14 (Soil Association Mapping)**

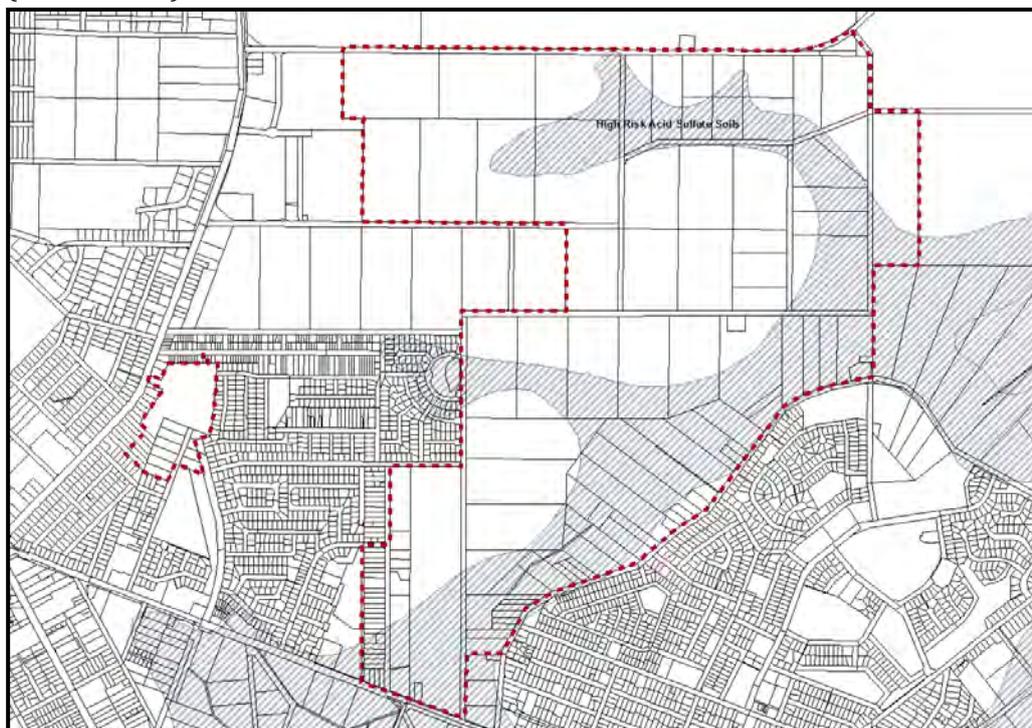
(source: COA)



Geographical mapping indicates a 'high risk' of acid sulfate soils in the valley areas.

**Plan 15 (Acid Sulfate Soils)**

(source: COA)



### **Soil Recommendations**

1. *The following provisions need to be included:*
  - *For the areas indicated as acid sulphate, prior to subdivision and development, an acid sulphate soil management plan needs to be written and implemented.*
  - *Development should be located in accordance with a Water Management Strategy.*

## **5. Groundwater and Surface Water**

Groundwater in the Yakamia area comprises a sedimentary aquifer with intergranular porosity, which is part of an extensive regional groundwater resource (Government of Western Australia, 2007a). There is some evidence that perched water tables develop within the area during the winter months and the groundwater discharges into Yakamia Creek via the perched winter groundwater tables (Government of Western Australia, 2007b).

Surface drainage of the Structure Plan area is determined by two east-west ridges. The valleys adjacent to the ridges drain to the Yakamia Creek, which in turn drains into Oyster Harbour.

Because a large part of the developed and developing catchment is steep, the run-off generated within overland flow paths, drains and watercourses is fast moving and can represent a hazard. It is important to consider the accessibility and depth of high velocity flows in planning and designing drainage infrastructure.

A significant impact of high velocity flows is that overland flow paths, drains and watercourses are susceptible to erosion. Where erosion occurs, large amounts of sediment can be generated and subsequently deposited in downstream parts of the catchment causing blockages and environmental impacts. It is necessary to design drainage infrastructure to withstand high velocity flows where they occur to minimise erosion and generation of sediment. It is also important to consider placement of sediment control structures and/or systems in critical locations through the catchment.

Oyster Harbour is known to be susceptible to high nutrient loads from its contributing catchments. The use of sediment control structures and/or systems will help to reduce nutrient and other pollutant loads to Oyster Harbour. Consideration should also be given to other structural and non-structural water sensitive urban design strategies to both reduce applied and discharged nutrient and other pollutant loads in the catchment.

During 2011 a stormwater snapshot was conducted in the Albany Harbours Catchment by the Department of Water. Eleven sites were sampled with eight sites on the Yakamia creek (YAK001-YAK1). Overall the nutrients exceeded the recommended trigger value on most occasions. Heavy metals including aluminium, Copper, Iron and Zinc were detected at various sites. Pathogens exceeding recommended guideline values were also detected. Land-uses within the catchment areas and adjacent to flood-ways and drains are clearly impacting on the quality of water being distributed to our harbours.

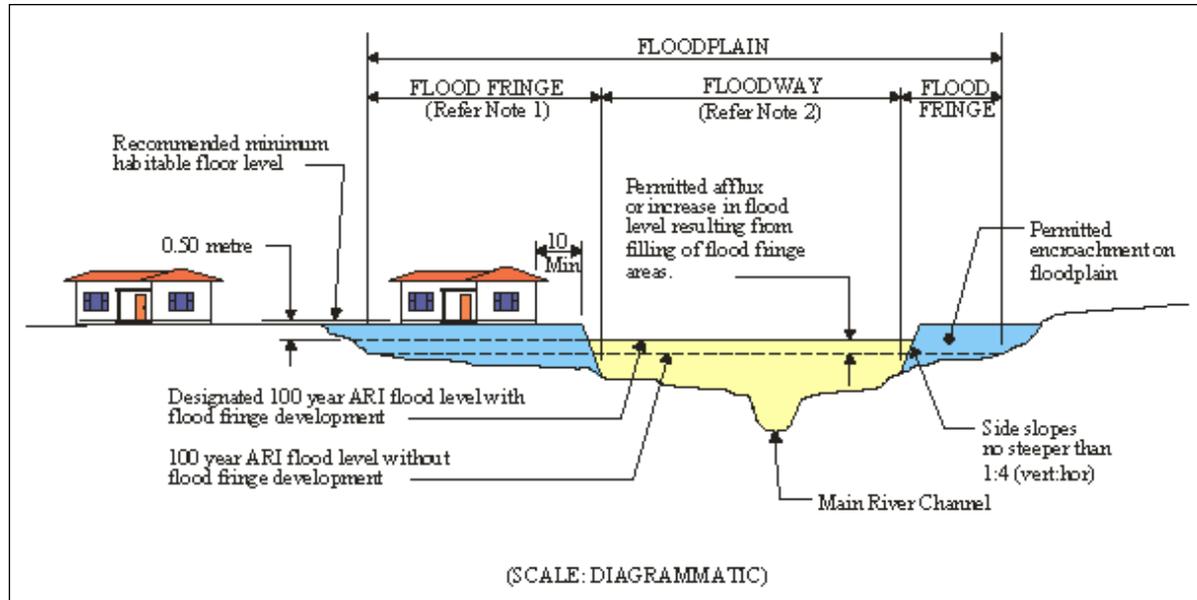
The Department of Water, in carrying out its role in floodplain management, provides advice and recommends guidelines for development on floodplains with the object of minimising flood risk and damage. The Department of Water uses the following guiding principles to ensure proposed development in flood prone areas is acceptable with regard to major flooding:

- proposed development has adequate flood protection from a 100 year ARI flood; and
- proposed development does not detrimentally impact on the existing 100 year ARI flooding regime of the general area.

The Department of Water's recommended floodplain development strategy includes the following provisions which are graphically represented by the figure below.

### Plan 16 Floodplain Development Plan

(source: DOW)



#### Department of Water's provisions:

1. Proposed development (ie, filling, building, etc) that is located within the flood fringe is considered acceptable with respect to major flooding. However, a minimum habitable floor level of 0.5 metre above the adjacent 100 year ARI flood level is recommended to ensure adequate flood protection.
2. Proposed development (ie, filling, building, etc) that is located within the floodway and is considered obstructive to major flows is not acceptable as it would increase flood level upstream. No new dwellings are acceptable within the floodway.
3. A failure to properly adhere to these recommendations will result in a greater exposure to risks of flood damage. This advice is related to major flooding only and other planning issues, such as environmental and ecological considerations, may also need to be addressed.

#### Water Recommendations

1. The structure plan is to make reference to the Water Management Strategy and Arterial Drainage Plan developed for the Yakamia Catchment.
2. The structure plan is to indicate foreshores and flood-ways and include the following provisions:
  - Proposed development (ie, filling, building, etc) that is located within the flood fringe is considered acceptable with respect to major flooding. However, a minimum habitable floor level of 0.5 metre above the adjacent 100 year ARI flood level is recommended to ensure adequate flood protection.
  - Proposed development (ie, filling, building, etc) that is located within the floodway and is considered obstructive to major flows is not acceptable as it would increase flood level upstream. With the exception of the flood area indicated on the western side of Range Rd, no new dwellings are acceptable within the floodway.
  - The structure plan supports development (special uses) within the floodway at the western side of Range Rd subject to appropriate flood management works.
3. The structure plan needs to locate sediment control structures and/or systems in critical locations through the catchment.
4. The following provisions need to be included:

- *Direct drainage from any future subdivision areas into the creek system is not to occur;*
  - *Nutrient and flood mitigation measures (detention or infiltration swales, filter strips, and nutrient stripping features) to be incorporated for primary treatment of stormwater before discharge;*
  - *Design drainage infrastructure to withstand high velocity flows where they occur to minimise erosion and generation of sediment.*
  - *Urban and foreshore water management planning is required prior to supporting subdivision;*
  - *Suitable management is required to minimise the extent and spread of weed infestations;*
  - *The use of Alternative Effluent Treatment systems where deep sewer is not capable of being developed;*
  - *Maintain overland flow paths;*
  - *Enforce the development of rainwater tanks to help harvest potable water and attenuate stormwater;*
  - *A monitoring program will be required to gather information and monitor post-development impacts. The program should include monitoring of the following:*
    - *Water quality of the creek system;*
    - *Groundwater in the local vicinity where possible;*
    - *Changes in vegetation within the creeks, flood plains and buffers;*
    - *Rehabilitation success.*
5. *Development of land in the Barnseby Drive precinct should facilitate reconstruction of Yakamia Drain to the western side of Beauford Road and provide a defined floodway for safe passage of flows.*
6. *Proposed future intersections at Barnseby Drive / Chester Pass Road and Range Road /North Road will need to be designed to facilitate safe passage of major flood events.*

## **6. Bushfire Hazard**

Vegetated areas exist in pockets on the ridges and in strips adjacent to some valley/foreshore areas.

The Western Australian Planning Commission and Fire and Emergency Services Authority of Western Australia endorsed the 'Planning for Bush Fire Protection Guidelines (edition 2)' in May 2010 to outline a range of matters that need to be addressed at various stages of the planning process. In March 2010, the 'Australian Standard 3959-2009: Construction of buildings in bushfire-prone areas (AS3959-2009)' was approved nationally to ensure that new buildings in bush fire prone areas are built to standards that improve their performance when subject to burning debris, radiant heat and flame contact.

The City developed a *Bushfire Hazard Mitigation Strategy, June 2014*. The fire strategy has been prepared to facilitate the integration of specified bush fire management measures into local government planning, development and land management processes on the basis of the current bush fire hazards and risk levels assessed across the municipality.

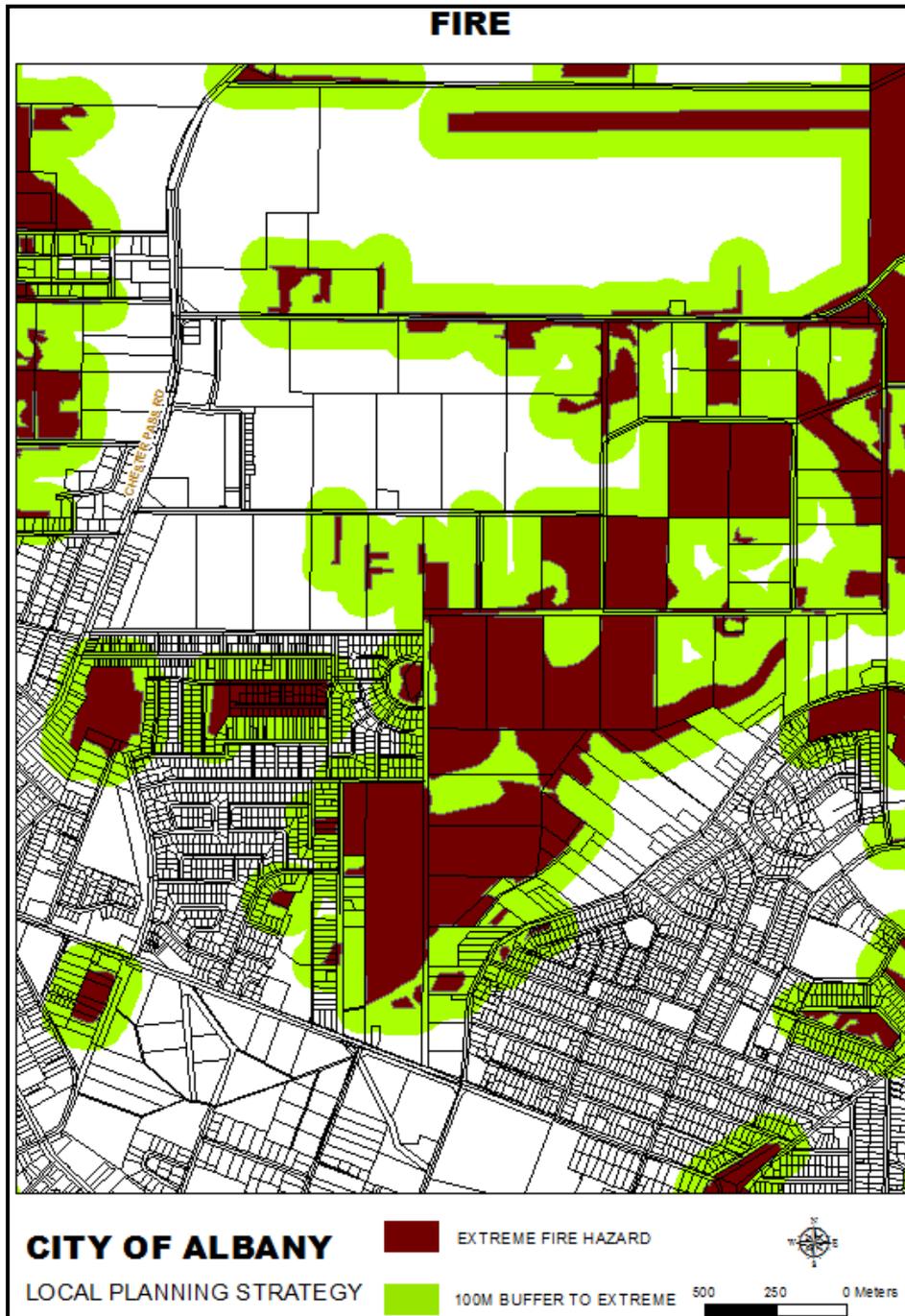
The CoA BFHMS classifies bush fire prone areas throughout the CoA. The City's *Local Planning Scheme 1* requires all land use and development proposals to incorporate appropriate fire protection requirements by:

- *Implementing Western Australian Planning Commission Bushfire Protection policies;*
- *Implementing the City's Bushfire Hazard Mitigation Strategy;*

- *The provision of adequate fire fighting water supply and equipment;*
- *the provision of fire access tracks; and*
- *incorporation of construction standards for buildings including those in AS 3959 – Construction of Buildings in Bushfire Prone Areas.*

**Plan 17 Fire Mapping**

(Source: COA)



**Bushfire Recommendations**

1. *A provision needs to be included to ensure that development adjacent to fire risk areas is designed, constructed and maintained to mitigate loss of property and life.*

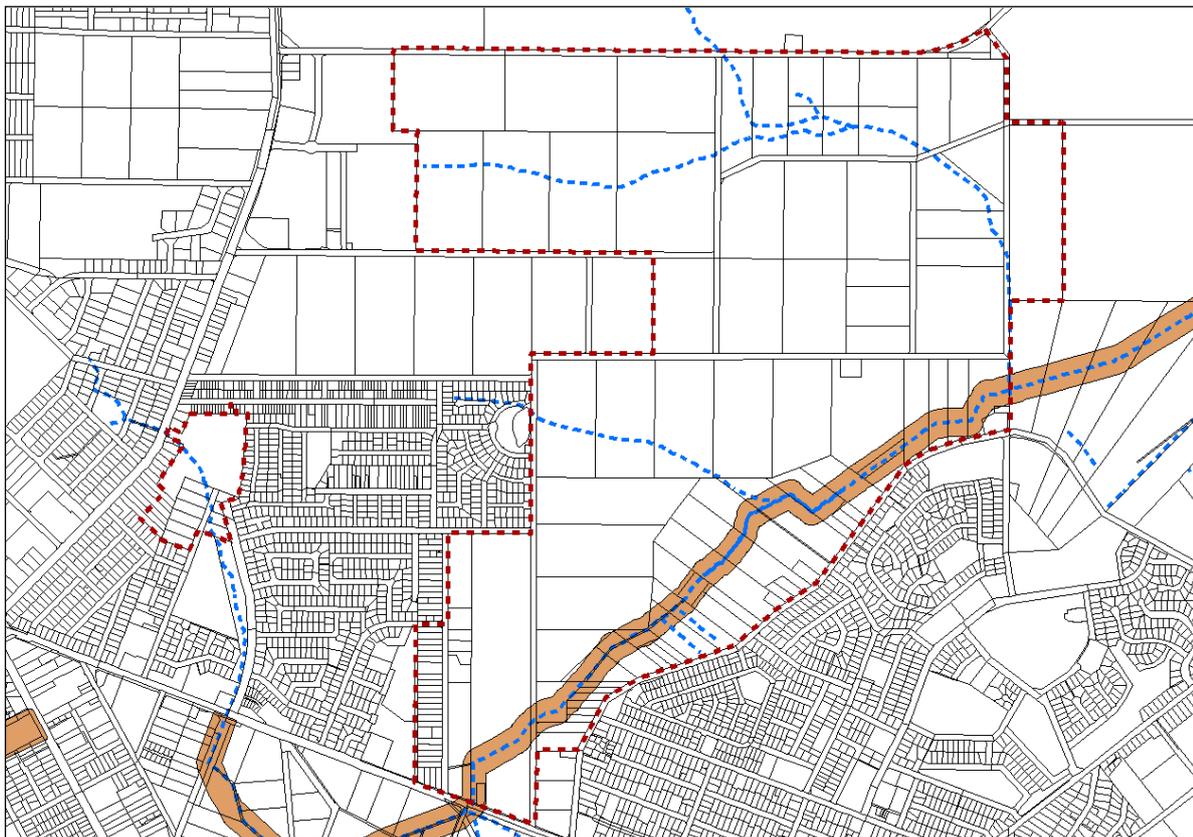
## 7. Heritage

An Aboriginal heritage survey was undertaken for the Yakamia Structure Plan area by Brad Goode and Associates in (2007). A search of archival records indicated that no Aboriginal heritage sites (archaeological or ethnographic) had been previously recorded within the Structure Plan area (*Goode and Associates, 2007*).

During the 2007 assessment, consultation was undertaken with ten members of the Aboriginal Heritage Reference Group Aboriginal Corporation (AHRGAC). The members identified Yakamia Creek as a place of importance for the gathering of resources, travel and association with spiritual beliefs in the *Marchant* (water snake). As a result, the group recommended that that Yakamia Creek be registered with the Department of Indigenous Affairs (DIA) as a site under Section 5(b) of the '*Aboriginal Heritage Act 1972*'. The Group requested that provisions be made so that Yakamia Creek has a buffer zone (30m) where no urban development takes place and that the creek line be rehabilitated with local native plant species.

### Plan 18 (Aboriginal Heritage Sites)

(source: COA)



#### **Heritage Recommendations**

1. *The structure plan needs to identify a minimum 30m setback/buffer area to the Yakamaia Creek.*
2. *The structure plan needs to highlight a need for referral to the DIA prior to supporting any development within the 30m setback area.*

## 8. Transport

There are existing sealed and gravel roads constructed within the structure plan area, which provide access to the existing rural/residential landholdings.

Major developed roads either within or bordering the structure plan area include Catalina Road, Mercer Road, Barnesby Drive, North Road and Chester Pass Road.

Traffic on these roads feed to and from the Chester Pass Roundabout. Safety and congestion concerns have been raised as a result of the existing and estimated future volume of traffic feeding to and from the roundabout.

The City of Albany in partnership with the Department of Planning and Main Roads WA indicated existing major roads (highlighted in red on the following plan) and potential future roads (highlighted in blue on the following plan) within and around Albany's urban area. North Road, Mercer Road, Catalina Road, Barnesby Drive, Chester Pass Road and Range Road (Future Rd) were all identified as roads in the Yakamia/Lange areas, capable of acting as major distributors. All of these roads will need some attention (i.e. road widening, extensions, intersection treatments) in order to support additional traffic, the result of new residential growth.

### Plan 19 Existing and Potential Future Major Roads

(Source: COA)

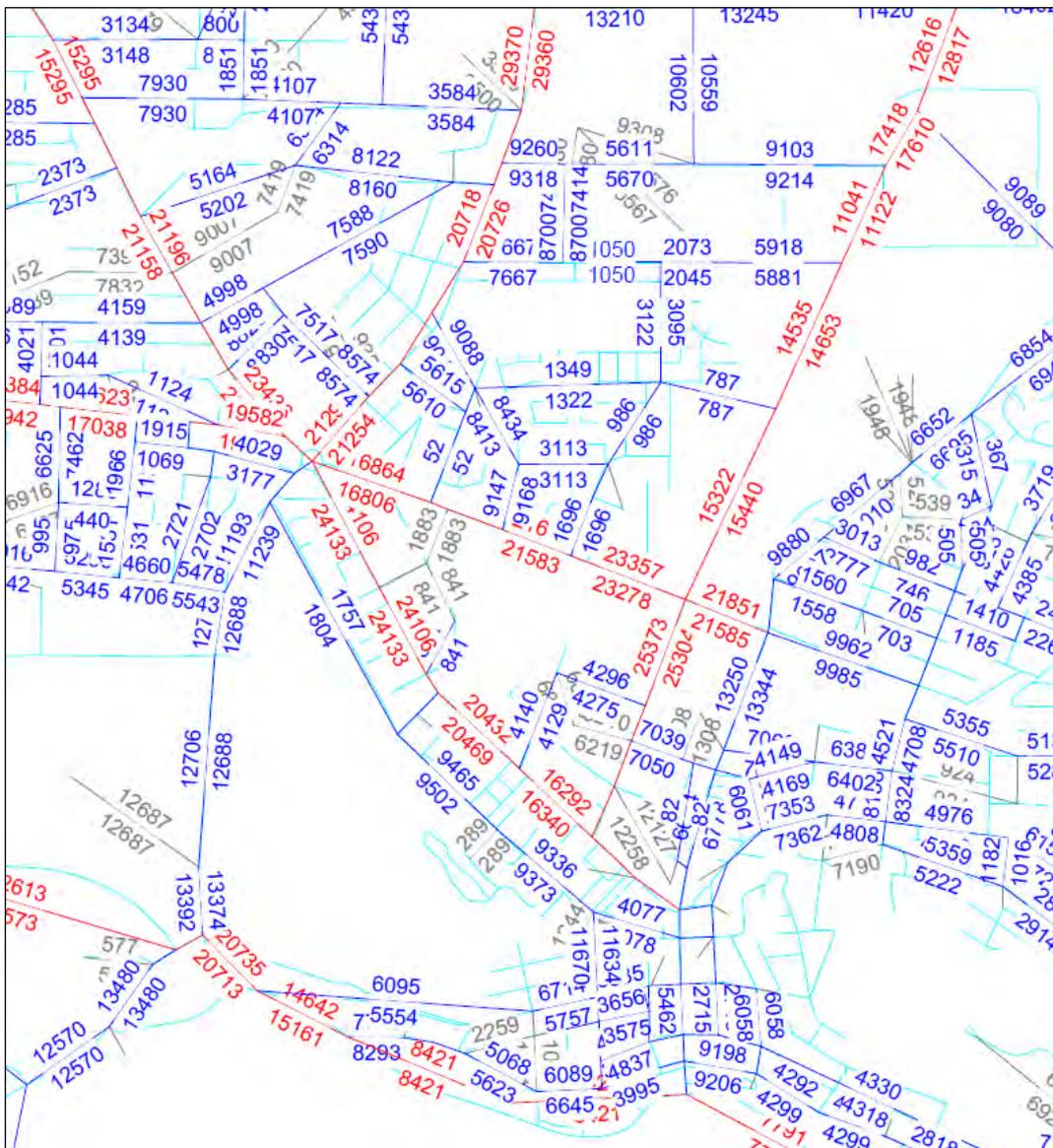


If Albany is developed to its full potential in accordance with outcomes considered by the Albany Local Planning Strategy, the following vehicle movements are estimated:

- Approximately 80,000 vehicles are expected at the Chester Pass Road roundabout (refer to following plan), a substantial increase from the current approximate 55,000vpd;
- Approximately 15,000 vehicles are expected to use an indicative Range Rd (north/south link); and
- Approximately 9000 vehicles are expected to use Barnesby Drive if connected through to Chester Pass Road.  
(refer to following plan)

**Plan 20 Department of Planning Estimated – Built out Scenario – Transport**

(Source: DOP)



### Range Road

The development of a new north south link called Range Rd will help to relieve traffic congestion at the Chester Pass Roundabout. Treatments may be necessary at various intersections along major roads.

Preliminary design drawings for Range Rd and intersection treatments at Range Rd and North Rd have been undertaken as seen in plan below:

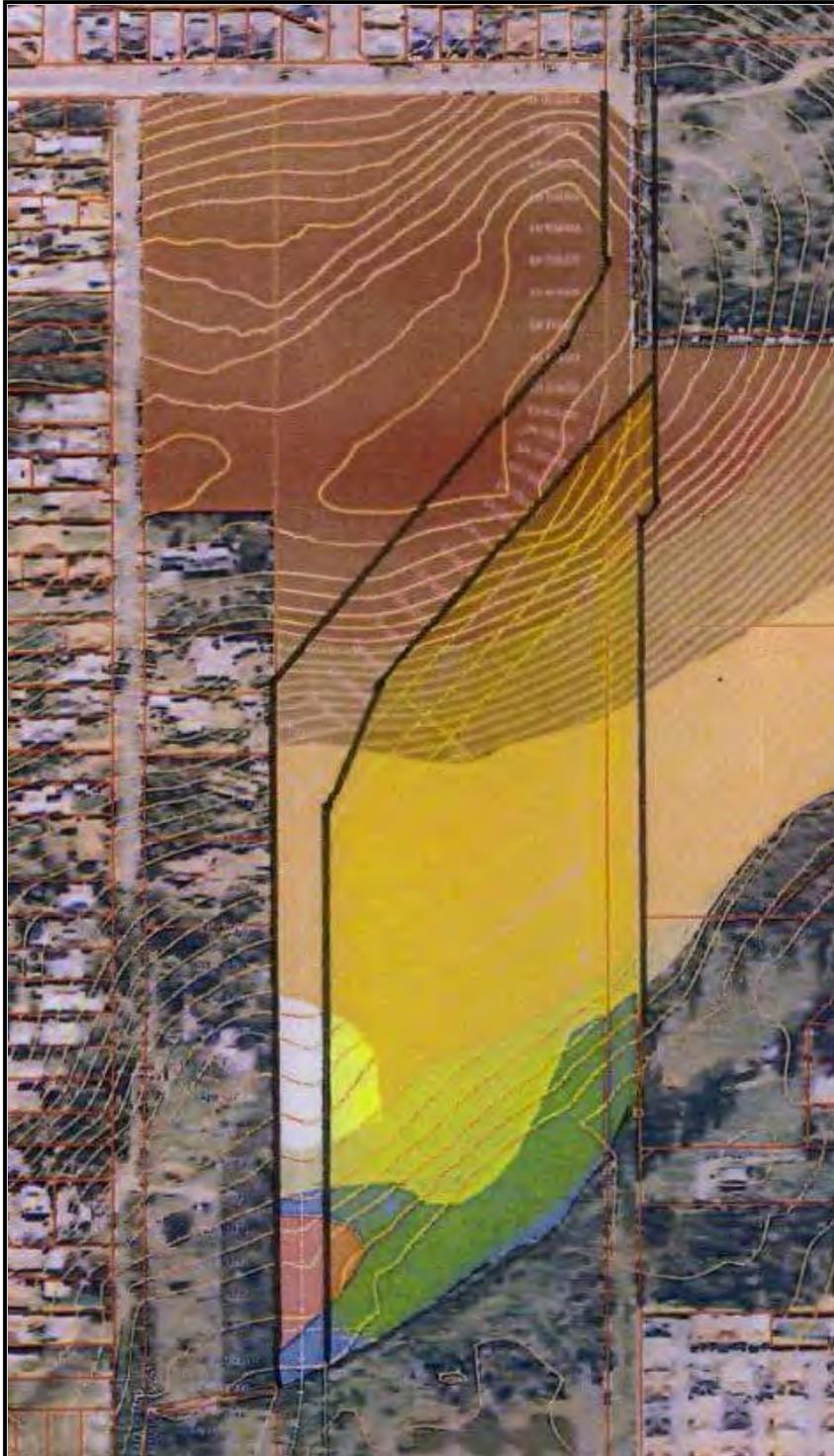
### Plan 21 Range Rd to North Rd - Intersection Design

(source: COA)

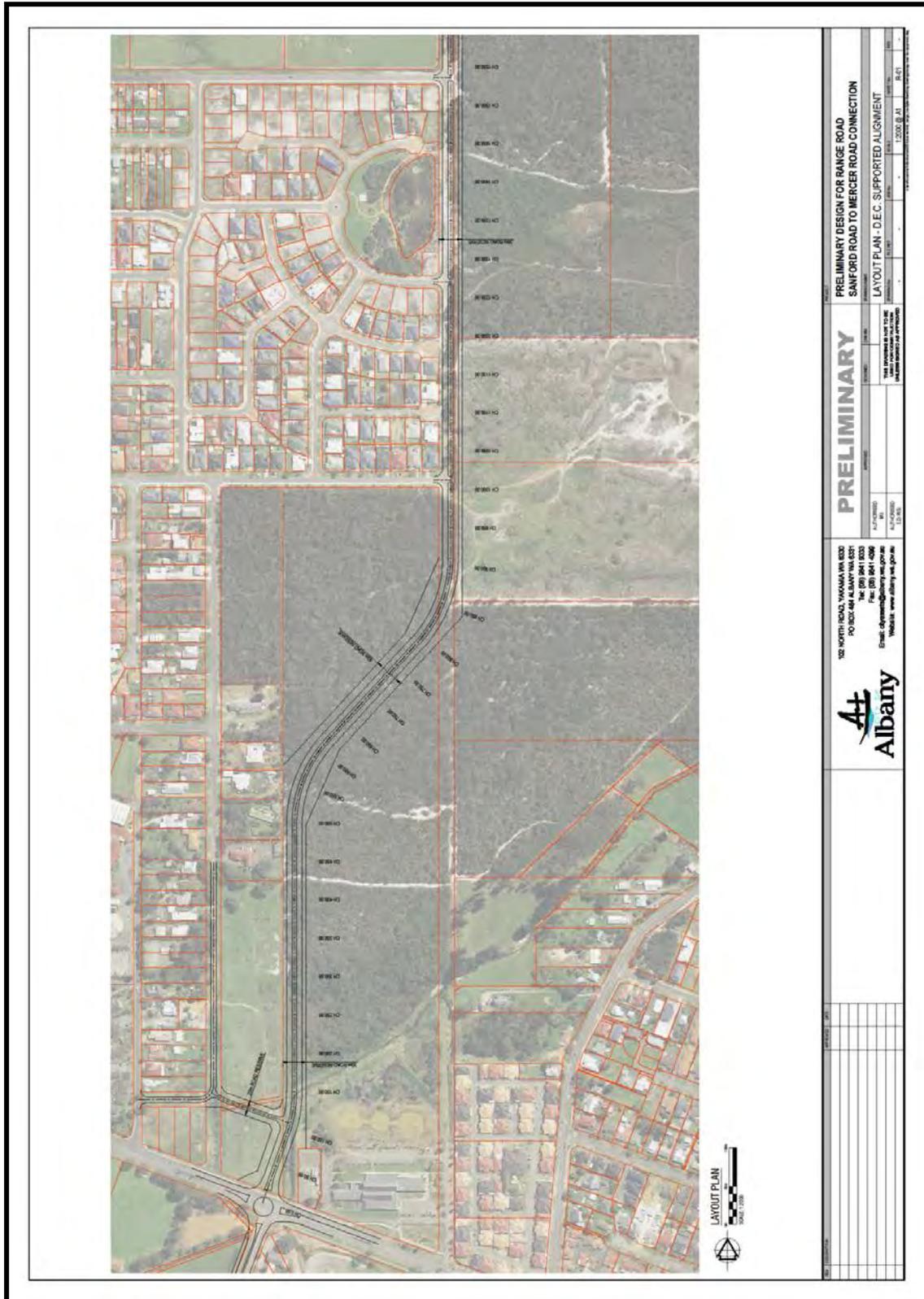


The Department of Environment and Conservation has supported in principle the following road alignment for Range Rd through Lot 4743 North Rd.

**Plan 22 - DEC Preferred Location for Range Rd**  
(Source: COA)



**Plan 23 Design Layout for Range Rd**  
 (Source: COA)



A structure plan with the Range Rd alignment has been endorsed for the land between Hudson and Catalina Rd's.

## Plan 24 Catalina Structure Plan

(Source: COA)



The Yakamia/Lange structure plan aligns Range Rd taking into consideration:

- The DOP futuristic model;
- The DEC preferred route;
- What has been endorsed for the area between Hudson and Catalina Roads;
- The constraints the result of the Western Power Lot to the north of Catalina Road; and
- Linkage to the north of Mercer Road.

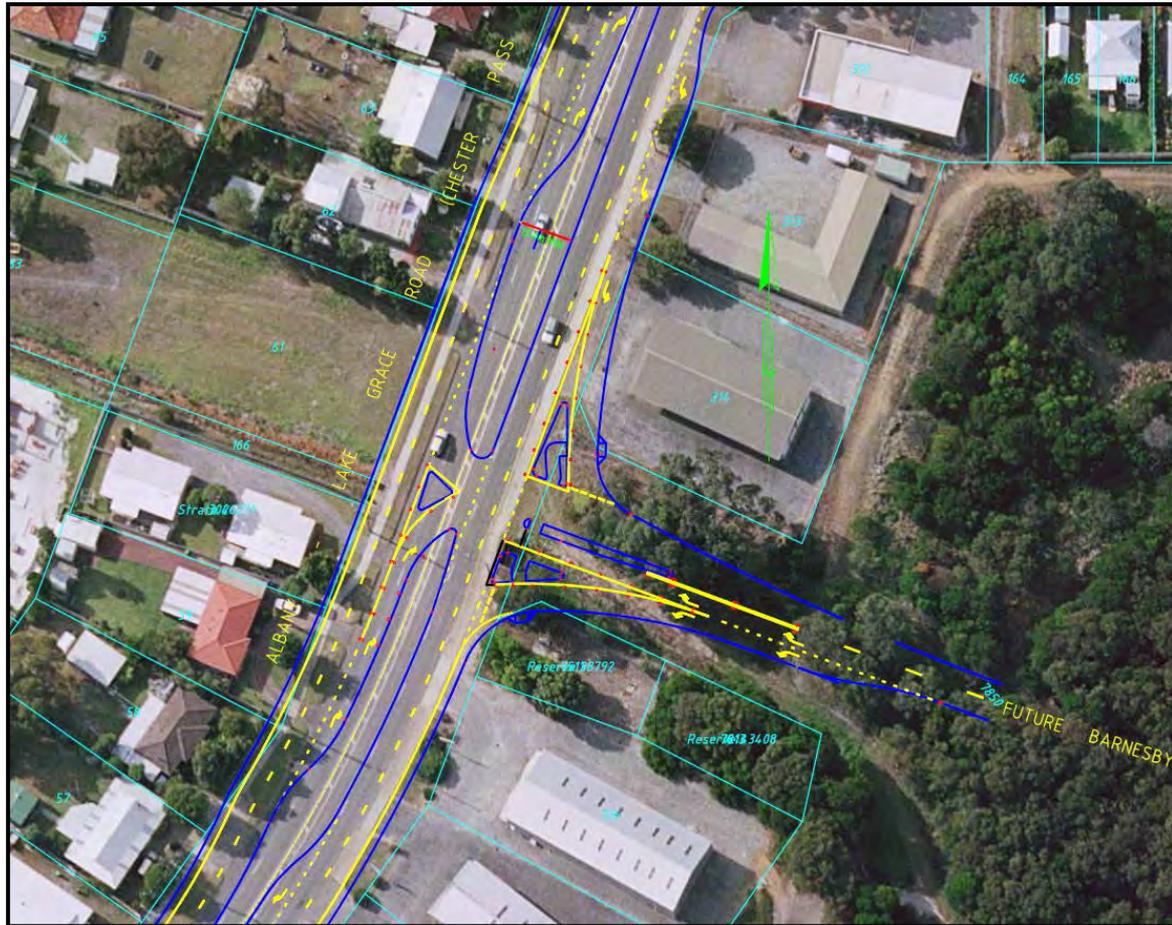
### Barnesby Drive

The connection of Barnesby Drive through to Chester Pass Rd will in addition to the Range Rd connection take pressure off the main Chester Pass Rd roundabout. The connection of Barnesby Drive directly onto Chester Pass Rd is not without difficulty given the intersection location at the bottom of a crest curve on a Restricted Access Vehicle route.

Access on and off Barnesby Drive will need to be restricted to left in and left out only. A preliminary design drawing for intersection treatments at Barnesby Drive and Chester Pass Rd has been undertaken as seen in plan below:

## Plan 25 Chester Pass Rd and Barnesby Drive – Intersection Design

(source: COA)



### **Transport Recommendations**

As a means to safely distribute vehicles the result of future development, the following is recommended:

1. The structure plan indicates a new 4 lane north/south link road (Range Rd) between Mercer Rd and North Rd;
2. The Structure plan indicates a need for the development of a section of Barnesby Drive linking through to Chester Pass Rd;
3. The structure plan indicates a need for intersection treatments at:
  - Range Rd and Mercer Rd;
  - Range Rd and Catalina Rd;
  - Range Rd and North Rd; and
  - Barnesby Drive and Chester Pass Rd.
4. The structure plan indicates a need for the upgrading of the following Rd's:
  - Mercer Rd; and
  - Catalina Rd.
5. The structure plan indicates suitable road alignments to cater for surveillance to public parklands and to act as hazard separations for areas of fire risk.

## 9. Utilities

Deep sewer, electricity and gas mains are all developed in the vicinity of the structure plan areas.

### Western Power

Western Power own Lot 36 Catalina Rd, which is situated within the structure plan area. Western Power plan to develop (2030) this lot in the future (15-20 years) as a substation. A flat, sandy and dry area of 1.5ha (120m x 120m) with proximity to roads is required to support the development of the substation.

Western Power advised that:

*“Scope exists for the proposed major north-south link road to be incorporated into Western Power land. Agreement to this is dependent upon most suitable site for substation being protected, also that there are suitable developer contribution arrangements to be established in relation to its reservation and development.”*

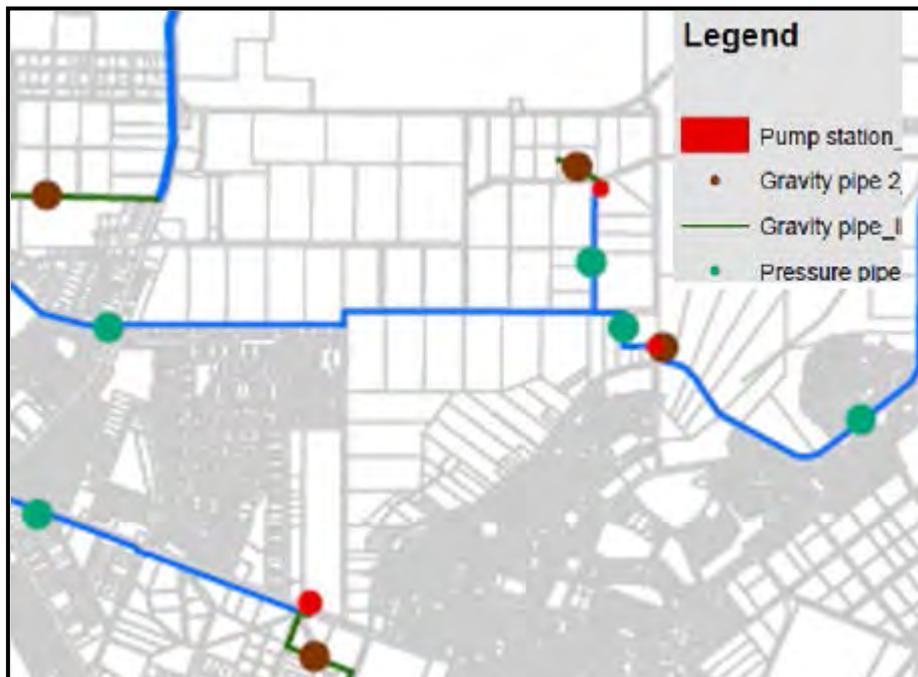
### Water Corporation

The Water Corporation has provided a plan illustrating the location and type of possible future infrastructure. The plan illustrates a pressure pipe running east/west along Hudson Rd and north/south adjacent to Chester Pass Rd.

The Water Corporation advised that sewer is not available to the areas located between the Yakamia Creek and Ulster Road.

### Plan 26 Water Corporation – Strategic Infrastructure Development

(source: Water Corporation)



**Utility Recommendations**

1. *It is recommended that the structure plan recognises proposals within the Western Power lot and plans development accordingly. Measures need to be established to ensure an interface with adjoining development and to mitigate safety, visual, nuisance and security impacts. For the substation, a provisions needs to be included to identify a 100m visual screening to adjoining sensitive land uses.*
2. *Road connections should be coordinated throughout the area to allow for future transmission lines.*

## 3. Statutory Section

### 3.1 Introduction

The structure plan outlines various land uses and reserves applicable within the structure plan area.

**In the event of there being any variations or conflict between the provisions, standards or requirements of this structure plan, then the provisions, standards or requirements of the Scheme shall prevail. This is the case for areas that are currently zoned 'General Agriculture'.**

**Prior to enacting standards of the structure plan that contradict standards of the scheme, amendments will need to be made to the scheme. For example, the 'General Agriculture' zone will need to be changed in the scheme to 'Future Urban' to reflect recommendations of the structure plan.**

### 3.2 Structure Plan Area

The structure plan area has been established taking into consideration recommendations made by a Water Management Strategy for the catchment area and in the City's Local Planning Strategy (ALPS). The ALPS recommends that areas south of Mercer Road should be considered for urban development in the short to medium term. The structure plan encompasses two different areas:

**Area 1:**

- Adjacent to Barnesby Drive; and

**Area 2:**

Bound by the following:

- Northern Boundary – Mercer Rd;
- Western Boundary – Chester Pass Rd and existing residential development;
- Eastern Boundary – Areas designated in the Albany Local Planning Strategy Map 9b as being suitable for 'Regional Reserve'; and
- Southern Boundary – North Rd and Ulster Rd.

### 3.3 Land Use and Subdivision Requirements

#### 1. Objectives

- a) Development and subdivision is to occur in accordance with the following objectives:
1. Facilitate an urban form that provides for housing and associated infrastructure which is responsive to the character of the site and the locality, as depicted on the Plan;
  2. Provide safe and convenient vehicle and pedestrian access to the activity centres at Chester Pass Road and the Central Business District;
  3. Provide a stormwater system that minimises risk to public health and amenity, protects the built environment from flooding and water logging and that enhances the quality of water flowing to the Oyster Harbour;
  4. Maintain vegetation where possible within road reserves, areas of public open space and foreshore areas and protect vegetation in excellent condition and where possibly threatened species exist;
  5. Provide a range of public open spaces catering for recreational, sporting and nature use by the local community.

#### 2. Land Use Permissibility

- a) The structure plan identifies different areas to accommodate different uses or to achieve specific purposes. For example, areas delineated as 'Residential' are intended for urban development at the nominated density, areas delineated as 'Foreshore' are intended for recreation, drainage management and fauna habitat and areas delineated as 'Environment Protection and Biodiversity Conservation' are intended for flora and fauna habitat and visual amenity.
- b) Ultimately the different areas will be zoned or reserved in accordance with the *Local Planning Scheme 1* to reflect the land use or purpose. For example, an area delineated as 'Residential' will be zoned 'Residential' and areas delineated as 'Foreshore' or 'Environment Protection and Biodiversity Conservation' will be reserved as 'Parks and Recreation'.
- c) Proposals to develop an area that is delineated as 'Environment Protection and Biodiversity Conservation' will require referral to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) to determine a level of assessment under the EPBC Act.
- d) The Office of the Environmental Protection Authority has supported in principle development of some areas that are vegetated. The structure plan has indicated development potential for these areas subject to referral to the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) to determine a level of assessment under the EPBC Act.
- e) The structure plan has illustrated the potential for a single house for some areas that are vegetated as of right in accordance with the *Local Planning Scheme 1*.

#### 3. Local Development Plans

- a) Local Development Plans (detailed area plans) are to be prepared prior to any subdivision and/or development of properties with a density >R25.

#### 4. Design

- a) The design of development and/or subdivision is to be considerate of the Western Australian Planning Commission Liveable Neighbourhoods document (i.e. lot layout, conservation category wetlands, POS).

#### 5. Management Plans

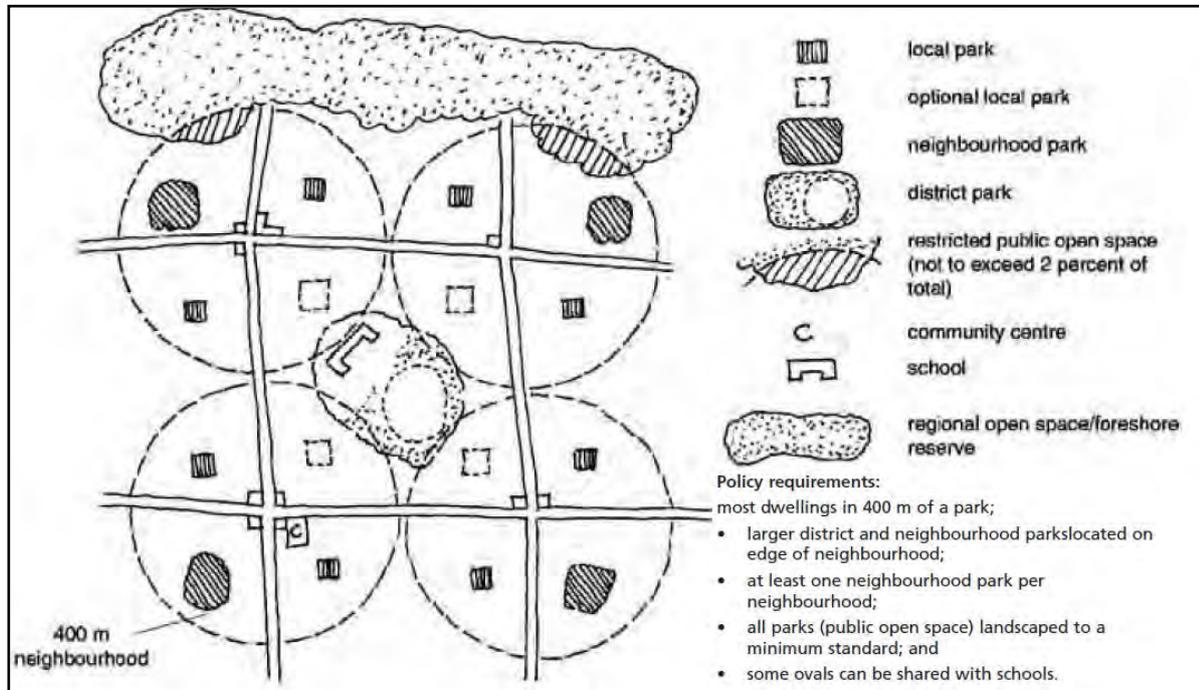
- a) The City may request that the following management plans are developed and implemented to accompany the subdivision or the development of more than one dwelling or lot:
- Foreshore management plan(s);
  - Acid sulphate soil management plan;
  - Urban water management plan;
  - Fire management plan;
  - Weed Management plan(s);
  - Monitoring Management plan(s);
  - Traffic Management plans; and
  - Contribution Plans.

#### 6. Public Parkland

- a) The main objective for the provision of POS is to:
- ensure POS is large enough, located within walking distance (400m) and has a variety of facilities (eg. informal and formal) to attract people of all ages and aspirations.
- b) A minimum contribution of 10% of a gross subdivisional area must be given up free of cost by the developer/subdivider as land for public parkland and/or as cash to be used to develop public parkland and associated facilities.
- c) Where on advice of the Local Government, sufficient open space is provided in the locality, an open space contribution will not generally be required for a lot with the potential to subdivide 5 lots or less.
- d) Subdivision or development applications giving up land for POS that is in excess of 10% of the gross subdivisional area of the Lot are to be financially reimbursed at the time of subdivision or development.
- e) A foreshore is to be provided free of cost where subdivision abuts a watercourse, such as a river or creek, or a body of water such as a lake, or the coast in accordance with State Planning Policy 2.6 State Coastal Planning Policy and State Planning Policy 2.9 Water Resources. A foreshore is to be given up in addition to the 10% POS contribution.
- f) The WAPC will be guided by the local government to ensure that active and passive recreation needs of future residents will be adequately catered for before it will agree to the inclusion of natural or cultural areas in the 10% POS contribution.
- g) At the time of subdivision, the developer is to provide an open space schedule detailing the amount, distribution and staging of the delivery of open space.
- Location
- h) Public parkland is to be located:

- central to neighbourhood;
- within 400m of dwelling(s);
- to take advantage of natural features (foreshore, beach, creek, vegetation);
- in accordance with the structure plan; and
- in accordance with the following WAPC Model.

**Plan 27 - WAPC POS Model**



i) The following characteristics are to be considered when analysing if appropriate spaces and facilities are available or proposed within walking distance (400m) or within a locality:

- Encourage the development of larger rather than smaller spaces to provide a combination of functions - drainage, active, passive and conservation, and to make more attractive/user friendly to community.
- Careful thought needs to be given towards cost of maintaining parks. The developer should maintain a park for the first few years. Drainage, vegetation and infrastructure should be developed with a view to minimise maintenance cost.
- Informal and formal recreation developed adjacent to foreshores is highly valued.
- Paths adjacent to foreshores are highly valued and currently lacking. Paths should be designed as a circuit.
- Native vegetation is a valuable component for informal recreation.
- Parks should be developed with play equipment that educates kids about nature.
- Important to consider safety associated with persons (kids) and roads adjacent to parks.
- Parks need to have flat areas for recreating.
- The provision of POS and facilities should align with the City of Albany:
  - a. Asset Management Policy and Strategy; and
  - b. Bike strategy.
- Consider creating a theme for each park.
- The following facilities are highly valued: Barbeque; Shelter; Reticulated grass; Quiet places; Seating; Toilets; Drinking water; Paths, bush walk trails and multi use

trails (eg. mountain bikes); Open space; Parking; Child play equipment; Shade; and Waste disposal facilities and dog poo bags.

- The demographics of a locality should be considered when determining the design of POS (eg. old age persons prefer informal recreation).
- Need to feel safe (surveillance) walking within a POS area.
- POS should be located adjacent to other high use facilities such as cafe, shops or a school.
- POS needs to cater for the need to walk a dog.
- Consider designing parks to accommodate events (eg. develop with amphitheatre).
- Consider developing Yakamia Creek (through to Oyster Harbour) as a future Regional recreational facility.
- Areas of bushland (eg. vegetation areas proposed for conservation) and drainage management areas that have little or no recreational value are not to be ceded to the City of Albany as POS.
- POS should be provided as a priority over cash in lieu.
- Where cash in lieu is provided, the following use of the cash should apply (listed in priority of order):
  - To purchase land for POS;
  - To develop informal and formal recreation facilities within POS;
  - To compensate developers contributing in excess of the 10%;
  - To develop recreation facilities within foreshore areas;
  - To purchase and/or develop areas for community recreation (eg. library);

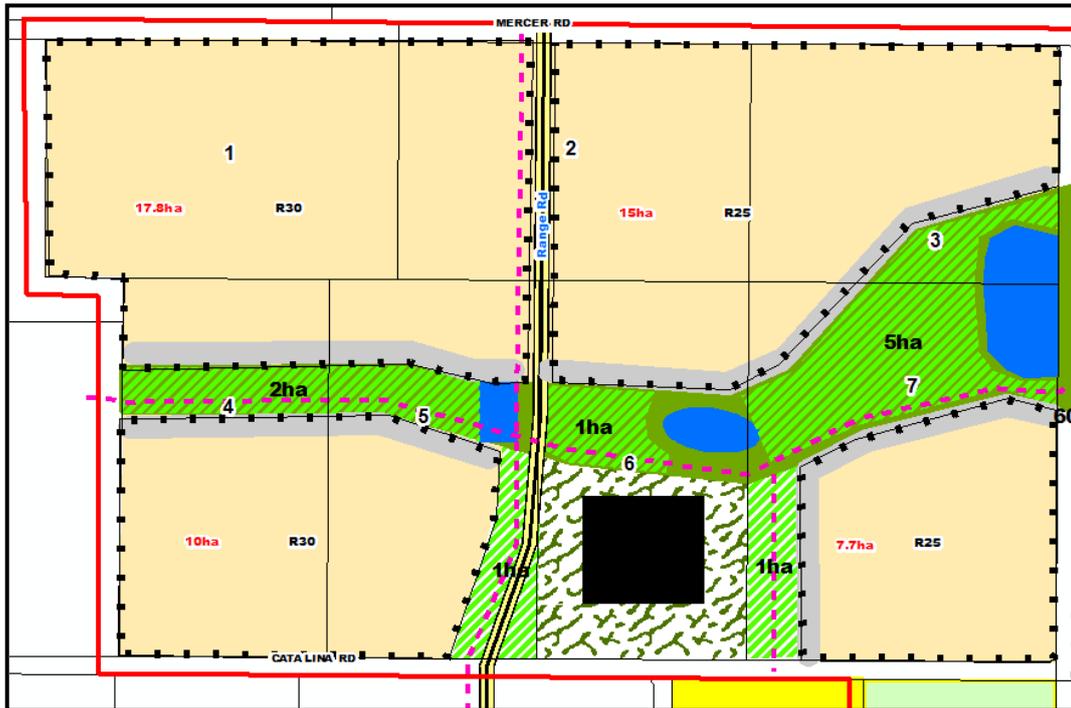
#### Precincts

- j) Public open space is to be provided generally in accordance with the structure plan and the following provisions relating to specific precincts.

#### **Precinct 1 (17.8ha, 15ha, 10ha and 7.7ha)**

1. For this precinct, the plan proposes to utilise the foreshore area for formal (sporting) and informal (passive) recreational use. The foreshore is central to the precinct, reasonably flat and capable of being developed as a large recreational space facilitating a combination of activities. The foreshore areas are given up free of cost and in addition to any POS contributions.
2. For this precinct, the plan also proposes the development of parkland adjacent to a proposed electricity transfer station. The purpose is to provide a buffer (100m) between residential development and a proposed electricity transfer station.
3. Subdivision and development within this precinct is to be given up as follows:
  - Areas 1, 2, 3, 4 and 6 are to provide a cash contribution based on 10% of a gross subdivisible area;
  - Areas 5 and 7 are to cede approximately 1ha each to provide a 100m buffer between residential development and a proposed electricity transfer station.
4. Financial contributions are to be used to develop formal (sporting) and informal (passive) activities (eg. Paths, landscaping, play equipment) within the foreshore areas, within the parks located adjacent to a proposed electricity transfer station and to reimburse any landholders (areas 5 and 7) giving up more than a 10% land contribution.

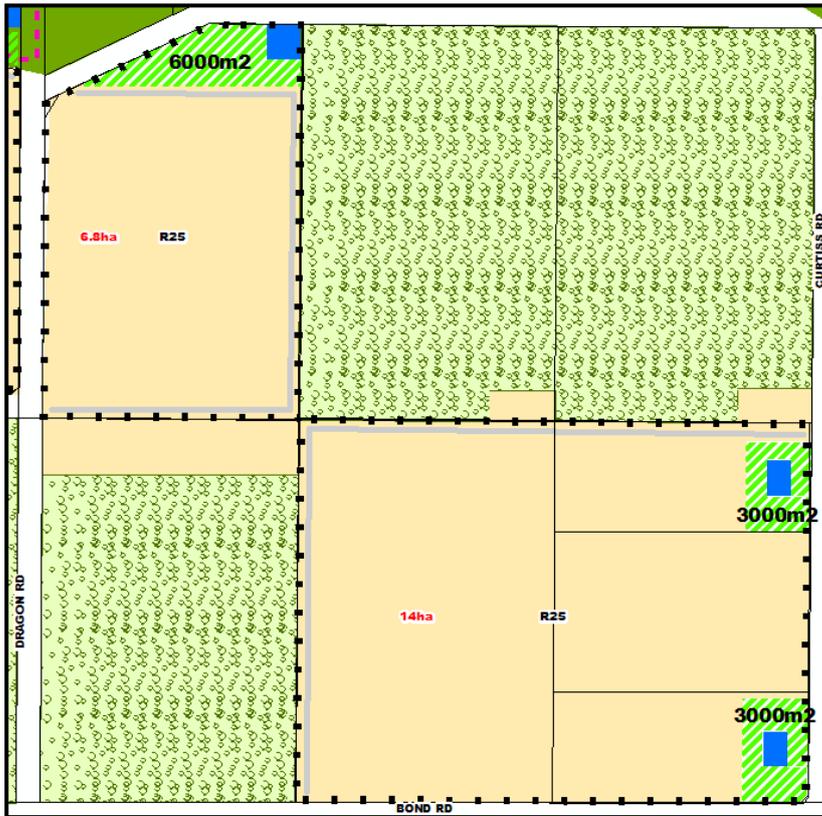
**Plan 28 – Precinct 1**  
**(Gross area approx = 50ha)**  
 (Source: COA)



**Precinct 2 (6.8ha and 14ha)**

5. For this precinct, the plan proposes the development of three parks (3 x neighbourhood Parks) in strategic locations that support drainage management. The total area of which amount to approximately 1.2ha. The land in these areas is reasonably flat and adjacent to a foreshore or prime access routes.
6. Subdivision and development within this precinct is to be given up as follows:
  - Areas 2 and 4 are to provide a cash contribution based on 10% of a gross subdivisible area;
  - Areas 1, 3 and 5 are to cede areas as indicated in the following plan for sporting and passive use.
7. Financial contributions are to be used to develop facilities within the parks (eg. Paths, landscaping, play equipment) and to reimburse any landholders (areas 3 and 5) giving up more than a 10% land contribution.

**Plan 29 – Precinct 2**  
**(Gross area approx = 20ha)**  
 (Source: COA)

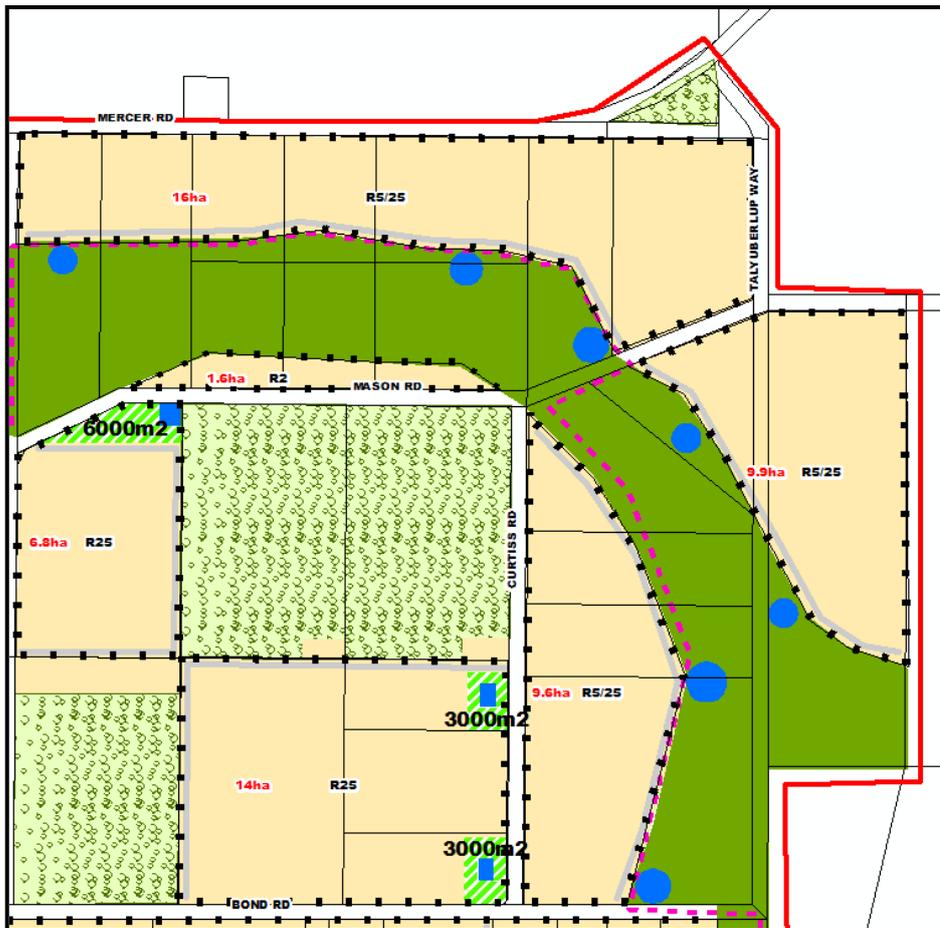


**Precinct 3 (16ha, 10ha and 10ha)**

8. For this precinct, the land is constrained by steep slopes. Development is expected to be of a low density. Parkland to accommodate sporting type activities is not expected as a result of low density or suitable as a result of the gradients.
9. For this precinct, the plan proposes the use of a pedestrian links developed within the foreshore to provide passive recreation and to provide access to spaces nearby for sporting recreation.
10. Subdivision and development proposed within this precinct is to provide cash contributions to construct paths as shown on the following plan.

**Plan 30 – Precinct 3**

(Source: COA)

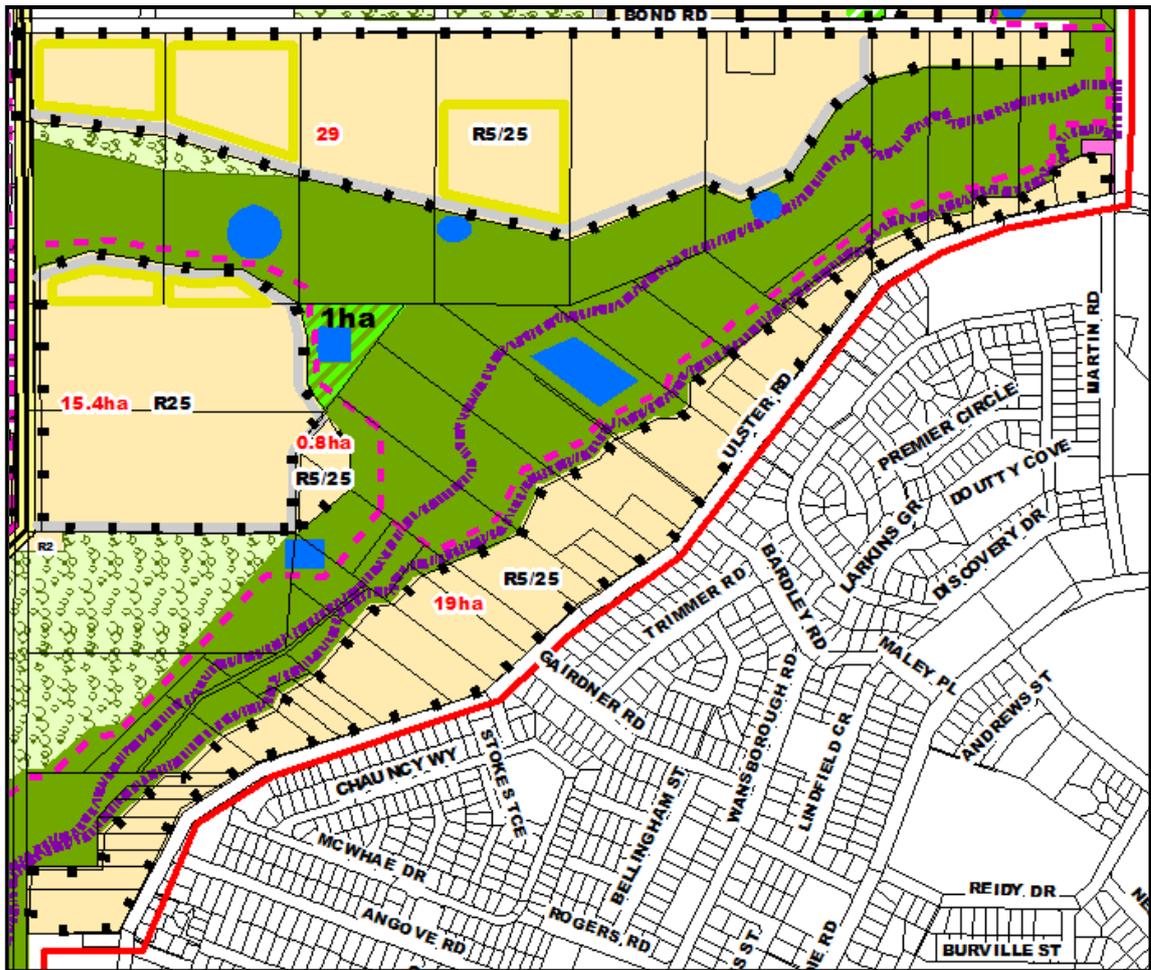


**Precinct 4 (29ha and 19ha)**

11. For this precinct, the land is constrained by steep slopes. Development is expected to be of a low – medium density. Parkland to accommodate sporting type activities is not expected as a result the density or suitable as a result of the steep gradients.
12. For this precinct, the plan proposes the use of a pedestrian link developed within the foreshore to provide passive recreation and to provide access to spaces nearby for sporting recreation.
13. Subdivision and development proposed within this precinct is to provide a cash contribution to construct paths as shown on the following plan.

**Plan 31 – Precinct 4**

(Source: COA)

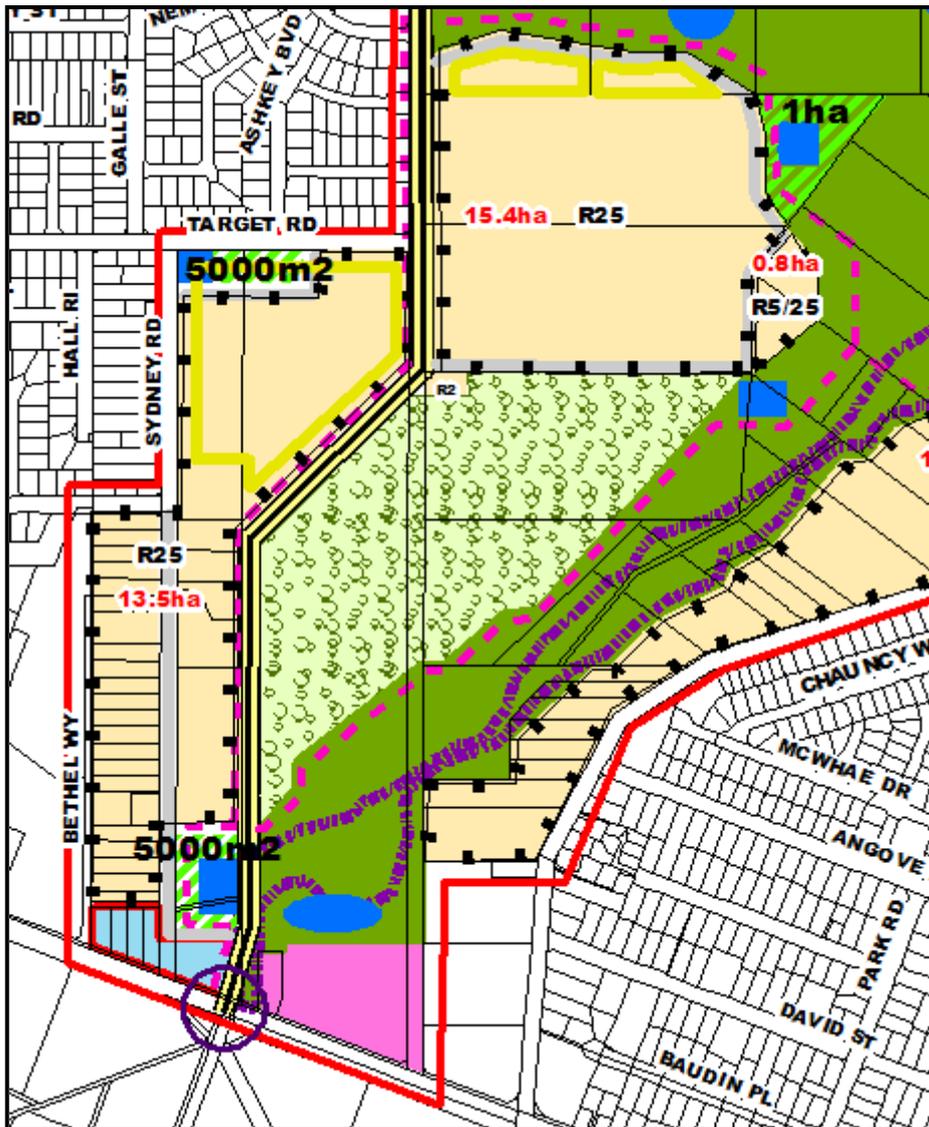


**Precinct 5 (13.5ha and 15.4ha)**

14. For this precinct, the plan proposes the development of three parks (3 x neighbourhood Parks) in strategic locations that support drainage management. The parkland identified in these areas is reasonably flat and adjacent to a foreshore or prime access routes.
15. Subdivision and development within this precinct is to be given up as follows:
  - Areas 1 and 2 are to provide a cash contribution based on 10% of a gross subdivisible area. Financial contributions are to be used to develop facilities within the park identified in the foreshore, which is to be given up free of cost;
  - Areas 3, 4 and 5 are to cede land as indicated in the following plan for sporting and passive use.
16. For lots with the potential to subdivide more than 5 lots, a financial contribution is to be provided based on 10% of the gross subdivisible area. The contribution is to be used to develop facilities within the parks (eg. Paths, landscaping, play equipment) and to reimburse any landholders giving up more than a 10% land contribution.

**Plan 32 – Precinct 5**

(Source: COA)

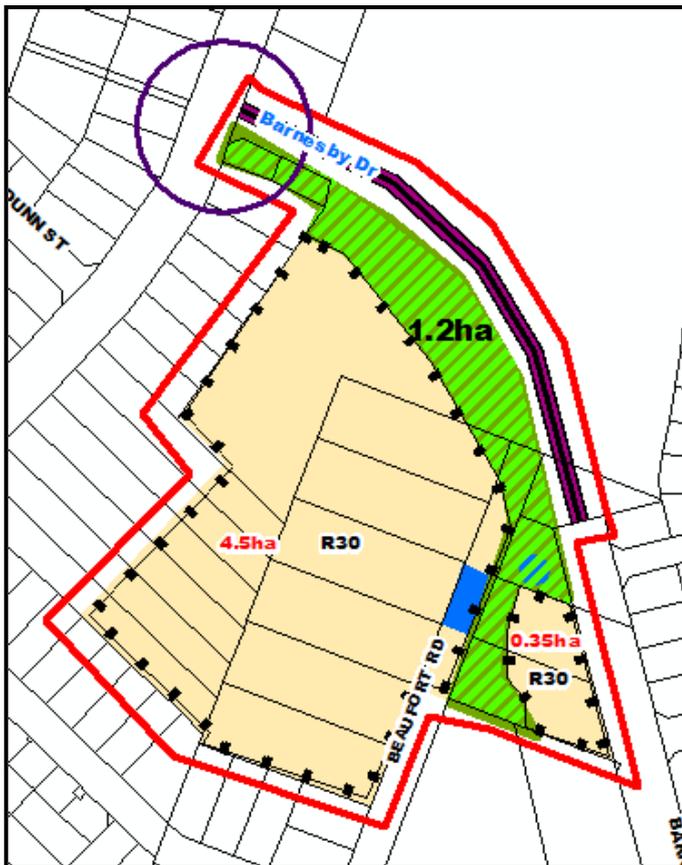


**Precinct 6 (4.5ha and 0.35ha)**

17. For this precinct, the plan proposes to utilise the foreshore area for informal (passive) recreational use. The foreshore areas are given up free of cost and in addition to any POS contributions.
18. For lots with the potential to subdivide more than 5 lots, a financial contribution is to be provided based on 10% of the gross subdivisible area. The contribution is to be used to develop recreational facilities (path) within the foreshore.

**Plan 33 – Precinct 6**

(Source: COA)

**7. Retaining Walls**

- a) High (>1m) retaining walls should be avoided where possible and in particular where they are exposed to public view (i.e. adjacent to roads and areas of POS).
- b) Where retaining (>1m) is necessary, this should be done within the dwelling walls or stepped and landscaped.

**8. Drainage**

- a) Water management is to occur in accordance with recommendations made in the Yakamia/Lange Water Management Strategy and Arterial Drainage Plan. Recommendations include the development of stormwater basins in specified locations to accommodate development in identified precincts.
- b) As a means to manage nutrient inputs; design and development is required to retain the post development hydrology as close as possible to the pre-development hydrology.
- c) Drainage should be designed to accommodate one in five year average recurrence interval (ARI).
- d) Nutrient and flood mitigation measures such as detention or infiltration swales, filter strips and nutrient stripping features are to be incorporated for primary treatment of stormwater before discharge into creeks. These areas are to be landscaped. Avoid locating drainage management infrastructure in wet boggy areas.

- e) Drainage management measures are to be designed such that maintenance is kept to a minimum.
- f) Direct drainage from any future subdivision areas into the creek system is not to occur.
- g) Design drainage infrastructure to withstand high velocity flows where they occur to minimise erosion and generation of sediment.
- h) At the time of subdivision, the first developer in a drainage catchment area shall undertake an urban water management plan in accordance with the Yakamia Water Management Strategy. This plan shall incorporate a contribution plan for drainage infrastructure common to the catchment to the satisfaction of the City and DOW.
- i) Where disturbance to vegetation protection areas occurs during construction, rehabilitation is to occur.
- j) Suitable management is required to minimise the extent and spread of weed infestations.
- k) Alternative Effluent Treatment units being developed in areas where deep sewer is not capable of being developed.
- l) Water tanks being developed at lots adjacent to foreshores to attenuate stormwater and to store potable water.
- m) A monitoring program will be required to gather information and monitor post-development impacts. The program should include monitoring of the following:
  - a) Water quality of the creek system;
  - b) Groundwater in the local vicinity where possible;
  - c) Changes in vegetation within the creeks, flood plains and buffers; and
  - d) Rehabilitation success.
- n) The arterial drain (open drain) running adjacent to the new section of Barnesby Drive is to be re-aligned and re-developed to avoid flooding of the residential lots. This is to be done in accordance with Better Urban Water Management Principles.
- o) Proposed future intersections at Barnseby Drive / Chester Pass Road and Range Road /North Road will need to be designed to facilitate safe passage of major flood events.

**9. Vehicle and Pedestrian Infrastructure**

- a) Traffic Impact Assessments being undertaken to the satisfaction of the City prior to supporting subdivisions and developments that have the potential to substantially (eg. 44 vehicles/day) increase the amount of vehicles to a local area.
- b) Road alignments (Range Rd and Barnesby Dr) are to be located in accordance with the structure plan. Variations to the locations may occur where local circumstances dictate in order to protect existing vegetation, provide a better traffic management outcome, refine lot orientations, increase public access to public open space and foreshore areas, etc.
- c) Properties adjoining an unconstructed road are to provide a contribution to the satisfaction of the City. The City generally requires a contribution for the cost of

- constructing half the width of the road for the section of lot fronting the unconstructed road.
- d) At the time of subdivision or development of a property where Range Road or Barnesby Drive dissect, a 30m road reserve is to be ceded to the Crown and a two lane sealed road constructed to the satisfaction of the City. Considering these roads will benefit users outside of the structure plan area, the City will seek alternative funds for the development of these roads to their full potential (4 lanes).
- e) The section of Range Rd dissecting City owned land is to be developed with contributions obtained from the sale of the section of land that's owned by the City and located just north of Range Rd.
- f) At the time of development or subdivision, per lot contribution (for all lots located in structure plan areas) is to be made for intersection treatments proposed at locations illustrated on the structure plan. The method for contribution is as follows:
- o Cost of treatments, divided by lot potential in structure plan area equals cost per lot. A cost schedule of necessary infrastructure is to be developed and updated annually.
  - o Mercer/Range Rd intersection ~ \$300,000;
  - o Catalina/Range Rd intersection ~ \$700,000;
  - o North/Range Rd intersection \$1million;
  - o Total - \$2million
- \$2000, 000 divided by 2700dwellings (198ha x 14dw/ha) = \$740/dwelling entitlement.
- g) The Barnesby/Chester Pass Rd intersection (approximate value - \$1.5million) is to be funded by Main Roads WA and the City of Albany.
- h) Road alignments submitted as part of a subdivision or development application are to be located such that they follow the contour of the land, where possible and consider vegetation protection and fire risk reduction measures.
- i) 2.5m Dual Use paths are to be constructed along strategic routes by lot owners as a condition of subdivision or development to the satisfaction of the City.
- j) Crossovers to Range Rd and Barnesby Drive are to be restricted. All access must be via internal subdivisional road(s).
- k) The section of land fronting Mercer Rd has in places - poor line of site due to the alignment of the road. Access via developments to Mercer Rd needs to be minimised and strategically located to maintain safe movement.
- l) An east west road link is to be developed at the time of development or subdivision between Bethel Way, Sydney St and Range Rd. The following indicative road plan has been provided as an example:

### Plan 34 Properties adjacent to Sydney St - Indicative Road Design

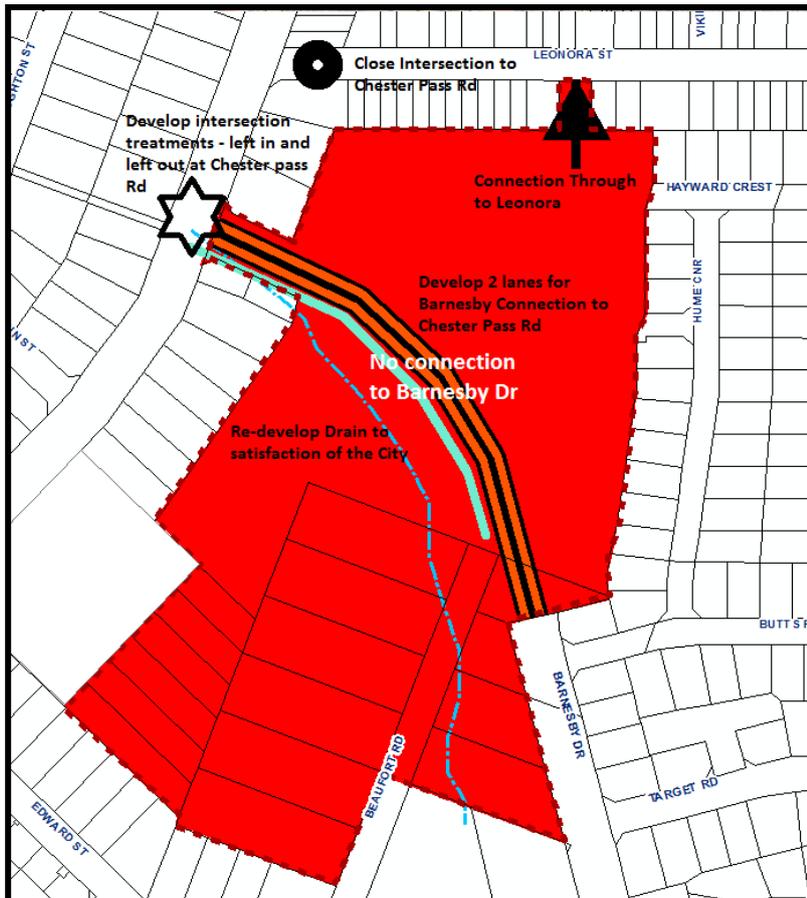
(source: COA)



- m) As a condition of subdivision/development, lots adjacent to Sydney Street are to be designed to incorporate access on to Sydney St.
- n) As a condition of subdivision/development, lots fronting Sydney St are to:
  - provide a financial contribution to the satisfaction of the City for the upgrading/development of Sydney St; or
  - Develop Sydney St to the satisfaction of the City.
- o) Crossovers to Sydney Street are to be shared as a means to limit crossovers onto Sydney St.
- p) As a condition of subdivision/development, Lot 9000 Beaufort Rd is required to:
  1. Develop Barnesby Drive through to Chester Pass Rd (2 lane Rd); and
  2. Relocate and develop the arterial drain to the satisfaction of the City.

**Plan 35 Area 1 - treatments**

(source: COA)



**10. Setbacks**

- a) A 7.5m clearance between the boundary of the commercial lots in the vicinity of Barnesby Drive and residential development is to be achieved.

**11. Sewer, Water, Electricity and Telecommunications Infrastructure**

- a) All future development and subdivision within the structure plan area is to be connected to reticulated water, sewer, electricity, gas and telecommunications.

**12. Geotechnical Investigation and Acid Sulphate Soils Management**

- a) A Geotechnical Survey will be required for subdivision or development proposals to determine acidity, contamination and building capability. Areas defined as having acidity present will need to demonstrate adequate management and treatment measures during the subdivision or development phases.

**13. Aboriginal Heritage**

- a) At the time of subdivision or development, a minimum 30m setback/buffer area to the Yakamaia Creek is to be reserved for the purpose of Aboriginal Heritage Protection.

## 14. Residential Density

- a) Development and subdivision is to be in accordance with the density depicted on the structure plan map.

### **Residential – R2 (min 5000m<sup>2</sup>/Lot)**

There is one area coded R2. This area is isolated and potentially too costly to connect to deep sewer. This area is also low lying and on the fringe of a foreshore. Intensification of this area may require landfill, which may inherently affect water flow and quality. Alternative Effluent Treatment Systems developed to the satisfaction of the State Health department and the City of Albany may be necessary for any additional development in this area.

### **Residential - R5/25**

Development of these areas is constrained by high costs due to steep topographies and separation distances to deep sewer infrastructure as forecast by the Water Corporation.

The structure plan is proposing to support subdivision and development within these areas at a density of either R5 or R25. Development at the R5 density will not require connection to deep sewer.

### **Residential – R25 (350m<sup>2</sup>) Areas**

These areas should be developed at an R25 density.

### **Residential – R30 (300m<sup>2</sup>) Areas**

These areas are unconstrained and within close distance to commercial nodes. These areas should be developed at an R30 density.

## 15. Special Use Area

- a) The following special uses may be supported within this area:
- Medical Clinic;
  - Offices;
  - Residential R30;
  - Aged Persons Village (R50); and/or
  - Holiday Accommodation (R50).
- b) As a means to limit access to North Rd, an east west road link is to be developed at the time of development or subdivision between Bethal Way, Sydney St and Range Rd.
- c) Flood and drainage management measures being implemented to the satisfaction of the City.

## 16. Easements – access to reserves

- a) An easement or road reserve may need to be provided as part of a development to enable access to Conservation Category Wetlands, arterial drains or floodways.

## 17. Steep Topographies

- a) Development is to be undertaken such that earthworks and retaining is minimised. This can be done by stepping a building with the contour of the land.

**18. WAPC Residential Design Codes**

- a) Development and subdivision is to be in accordance with the Residential Design Codes.

**19. WAPC Liveable Neighbourhoods**

- a) Development and subdivision is to be in accordance with the WAPC Liveable Neighbourhoods Document.

**20. Buffer to Western Power Substation**

- a) Development proposed adjacent to the proposed Western Power Substation is to achieve a separation distance to the satisfaction of the City (100m).
- b) Development of electrical infrastructure is to be located central to the western power lot boundaries. Vegetation capable of screening electrical infrastructure is to be developed surrounding.

**21. Foreshore Areas.**

- a) Areas designated as 'foreshore' are to be ceded to the Crown for its intended purpose (eg. drainage reserve or recreation) at the time of subdivision or development, free of cost and without payment of compensation by the Crown.
- a) No development will be permitted in the 'foreshore' areas other than for conservation, recreation or stormwater management.
- b) Rehabilitation of these areas is to occur as a condition of subdivision and development in accordance with a foreshore management plan.
- c) Habitable development (ie, filling, building, etc) proposed adjacent to a foreshore area is to have a minimum floor level of 0.5 metre above the adjacent 100 year ARI flood level.

**22. Environment Protection and Biodiversity Conservation Areas**

- a) At the time of subdivision or development, areas designated for Environment Protection and Biodiversity Conservation are to be protected without payment of compensation by the Crown. The protected areas are to be kept in private ownership and protected via a conservation notice on title.
- b) A 'Single House' may be developed (as of right – Local Planning Scheme 1) on a per Lot basis to the satisfaction of the City.
- c) The following areas noted on the structure plan require a protection notice:
  - Portion of Lot 4743 south of the proposed link road and adjoining property's east of Range Road (Lots 75 and 76);
  - Vegetation on Lots 997, 998, 1001 and 1002 north of Bond Road.
- d) Fencing and fire break development of these areas is not permitted as this will diminish the purpose which is to protect the vegetation. Bollards may be permitted to demarcate lot boundaries.

**23. Monitoring**

- a) A monitoring program will be required to gather baseline information and monitor post-development impacts. The program should include monitoring for a period of two years of the following:
- Water quality of the creek system.
  - Groundwater in the local vicinity where possible.
  - Changes in vegetation within the creeks, flood plains and buffers.
  - Rehabilitation success.

**24. Public Use**

- a) Public use areas are to be dealt with in accordance with corresponding provisions within the relevant scheme.

**Area designated as Western Power Substation**

Within the Western Power Lot 36 Catalina Rd, support subdivision and development in accordance with the structure plan, which designates portions for:

- Range Rd;
  - 'Public Use' reserve (western power substation); and
  - Residential R30.
- b) Landscaping to occur in the buffer area to the substation to the satisfaction of the City of Albany.

**25. Fire Risk**

- a) A detailed Fire Management Plan shall be prepared for any subdivision and development in areas within 100m of vegetation.
- b) Development shall accord with an approved Fire Management Plan in accordance with FESA/WAPC Planning for Bush Fire Protection Edition 2, and any City of Albany Fire Management requirements.
- c) Development abutting areas within which remnant vegetation is to be retained shall provide an adequate (20m) Building Protection Zone (which may include road reserve, foot or dual use path and setback area) and appropriate dwelling construction standard in accordance with AS 3959-2009.

**3.4 Structure Plan**  
(source: COA)



CERTIFIED THAT THIS STRUCTURE PLAN  
WAS ADOPTED BY RESOLUTION OF THE  
WESTERN AUSTRALIAN PLANNING COMMISSION ON

..... Date

Signed for and on behalf of the Western Australian Planning Commission

.....

an officer of the Commission duly authorised by the Commission pursuant to  
section 16 of the *Planning and Development Act 2005* for that purpose, in the  
presence of:

..... Witness

..... Date

And by  
RESOLUTION OF THE COUNCIL OF THE CITY of Albany ON

..... Date

And  
PURSUANT TO THE COUNCIL'S RESOLUTION HEREUNTO AFFIXED IN THE  
PRESENCE OF:

.....  
Mayor, City of Albany

.....  
Chief Executive Officer, City of Albany

..... Date

This Structure Plan is prepared under the provisions of the  
City of Albany Town Planning Schemes 1A and 3

<b>Document Approval</b>			
<b>Document Development Officer:</b>		<b>Document Owner:</b> <i>(Member of EMT)</i>	
Manager Planning Services		Executive Director Planning and Development Services	
<b>Document Control</b>			
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<b>Document Revision History</b>			
<b>Version</b>	<b>Author</b>	<b>Version Description</b>	<b>Date Completed</b>
1.0	Planning Services	To Executive Directors @ City of Albany, Department of Planning and Office of the Environmental Protection Authority for informal comment	09 July 2013
		To Office of the Environmental Protection Authority for informal comment	March 2014
		To landholders for 'Question Period'	Sept/Oct 2014
		Council support for advertising	

		Advertising	
		Final City of Albany adoption	
		WAPC endorsement	



Government of **Western Australia**  
Office of the **Environmental Protection Authority**  
**Strategic Policy and Planning Division**

City of Albany Records  
ICR14149666  
AMD153;LP:PLA.1  
11 SEP 2014  
EDPD



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

ach:  
x:  
il:  
x+Vol:

Your Ref: AMD153, LP.PLA.1/LT1488106  
Our Ref: ER06-2013-0077  
Enquiries: Liesl Rohl, 6145 0858  
Email: [liesl.rohl@epa.wa.gov.au](mailto:liesl.rohl@epa.wa.gov.au)

ATTENTION: Dale Putland

Dear Mr Foster

### **YAKAMIA / LANGE STRUCTURE PLAN - LOTS 997, 998, 1001 and 1002**

I refer to my previous letter, dated 7 July 2014, and the meeting onsite with planning officers from the City of Albany, on 1 August 2014, regarding the *Yakamia/Lange Structure Plan* (structure plan).

The purpose of the site meeting was to discuss potential land use options regarding the bushland on Lots 997, 998, 1001 and 1002 that may meet the Environmental Protection Authority's (EPA) environmental objectives so that the structure plan can be finalised. The Office of the Environmental Protection Authority (OEPA) strongly supports the City of Albany's intention to retain a consolidated portion of bushland on these lots for conservation purposes in accordance with the EPA's *Bulletin No 20 Protection of naturally vegetated areas through planning and development*. It is acknowledged that the Department of Parks and Wildlife is not considering these lots for inclusion into the conservation estate.

The main land use option discussed on site with the City of Albany officers, proposed that Lots 997, 998, 1001 and 1002 be subdivided into four equal sized rural lots (approximately 7ha) with a building envelope (5000m<sup>2</sup>) on the boundary of the each lot adjacent to existing cleared land. The City of Albany officers proposed that each of the 7ha lots would become conservation lots to be managed by the land owner through conservation covenants and scheme provisions.

This option acknowledges that under the current 'General Agriculture' zoning in the *City of Albany Town Planning Scheme No 1* (TPS 1) a single dwelling is permitted on each rural lot.

**OEPA advice**

The OEPA is of the view that the subdivision of Lots 1001 and 1002 into 7ha lots can meet the EPA's environmental objectives subject to the proposed lots being managed for conservation purposes.

The OEPA recommends that provisions should include in TPS No 1 in relation to Lots 1001 and 1002 limiting fencing and firebreaks in the conservation areas.

The OEPA does not support further subdivision of Lots 997 and 998 as the bushland is described as being in 'Very Good' to 'Excellent Condition' (Keighery, 1994), is in close proximity to other areas of native vegetation and contains habitat for Black Cockatoos.

The OEPA is of the view that development on Lots 997 and 998 should be restricted to one dwelling per lot as currently permitted under TPS No 1. Building envelopes should be located on the edges of the lots adjacent to the road to reduce fragmentation and impacts on the bushland.

The OEPA notes that the proposed 5000m<sup>2</sup> building include building protection zones. Permitted buildings would need to be constructed to Australian Standard 3959. I recommend that you discuss this aspect with the DoP and Department of Fire and Emergency Services to ensure that this is acceptable from a bushfire risk perspective.

I trust this information is of assistance. Should you have any enquiries please contact Liesl Rohl on 6145 0858.

Yours sincerely



**Darren Foster**  
DIRECTOR

2 September 2014

cc: Department of Parks and Wildlife – Albany  
Department of Planning- Albany

**PD061: CITY OF ALBANY STRATEGIC BUSH FIRE PLAN 2014-2019**

**Attachments** : Strategic Bushfire Plan 2000 – 2005  
Strategic Bush Fire Plan 2014 – 2019  
Register of Delegates

**Report Prepared by** : Manager EM/Rangers (Tony Ward)

**Responsible Officer** : Executive Director Planning & Development  
Services (Dale Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:

**a. Key Theme:**

- 2 – Clean, Green and Sustainable
- 3 – A Connected Built Environment
- 5 – Civic Leadership

**b. Strategic Objective:**

- i. **2.1.1** - Deliver effective fire practices that reduce risk
- ii. **3.2** - To develop community amenities and programs that support people of all ages
- iii. **3.2.1** - Plan for and monitor community safety and security
- iv. **5.2** - To provide strong accountable leadership supported by a skilled & professional workforce.
- v. **5.2.1** – Provide positive leadership that delivers community outcomes.
- vi. **5.1** – To establish and maintain sound business and governance structures.

**c. Strategic Initiative:**

Council committees provide meaningful input into the delivery of our Community Strategic Plan. The proposed Strategic Bush Fire Plan 2014 – 2019 aligns with key theme 2. *Clean, Green & Sustainable* by providing clear purpose and direction in the effective delivery of fire mitigation strategies that reduce fire risk and improve awareness.

The proposed Strategy also provides community assurance by outlining strategies to highlight fire mitigation in line with key theme 3 – A Connected Built Environment.

The Strategy further enhances community security and meets expectations by clearly defining Volunteer Bush Fire Brigade leadership requirements in line with key theme 5 – Civic Leadership.

**In Brief:**

Council is requested to:

2. Rescind the current Council strategy and adopt the new strategy.
3. Note the expansion of membership of the Bush Fire Advisory Committee (BFAC).
4. Note the appointment of the Chief Bush Fire Control Officer (CBFCO) and Deputy Chief Bush Fire Control Officer (DCBFACO) under delegated authority.
5. Appoint four elected members, one being designated as Chair, to the standing membership of the BFAC.

**RECOMMENDATION**

**PD061: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR GREGSON  
SECONDED: COUNCILLOR WILLIAMS**

**THAT Council:**

- (1) RESCIND the Strategic Bushfire Plan 2000 – 2005 and,**
- (2) ADOPT and ENDORSE the new Strategic Bush Fire Plan 2014 – 2019.**
- (3) NOTE the expansion of membership of the Bush Fire Advisory Committee.**
- (4) APPOINT four elected members, one being designated as Chair, to the standing membership of the BFAC.**

**Chair** .....

**Deputy Chair** .....

**Councillor** .....

**Councillor** .....

- (5) NOTE the appointment of the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer under delegated authority.**

**CARRIED: 7-0**

PD061: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- (1) RESCIND the Strategic Bushfire Plan 2000 – 2005 and,
- (2) ADOPT and ENDORSE the new Strategic Bush Fire Plan 2014 – 2019.
- (3) NOTE the expansion of membership of the Bush Fire Advisory Committee.
- (4) APPOINT four elected members, one being designated as Chair, to the standing membership of the BFAC.

Chair .....

Deputy Chair .....

Councillor .....

Councillor .....

- (5) NOTE the appointment of the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer under delegated authority.

**BACKGROUND**

6. The City of Albany was recognised as bushfire prone by the Office of Bushfire Risk Management (OBRM) in July 2014.
7. The previous Strategic Bushfire Plan was formally adopted on 5<sup>th</sup> June 2001. The Plan was adopted on the recommendation of the Bush Fire Management Committee standing at the time and focused on brigade structure, support and resourcing.
8. The Plan was based on Best Practice at the time.
9. The Plan included funding proposals to support brigade infrastructure and resourcing, all of which were administered and financed by the City of Albany.
10. The Emergency Services Levy (ESL) was established by State Government in 2003 to support emergency services such as the State Emergency Service and volunteer fire and rescue services. The ESL provides a source of funding for new equipment (under an ongoing replacement program), infrastructure and training to the volunteer fire and rescue services. As a result of ESL, the services of the volunteer bushfire brigades have dramatically improved in rural areas, including City of Albany.
11. The *Emergency Management Act 2005* was proclaimed on 27 Sep 2005. This legislation was introduced as ‘*An Act to provide prompt and coordinated organisation of emergency management in the State, and for related purposes*’. Prior to this Act, arrangements varied from district to district.
12. A fatal incident at Black Cat Creek occurred on 12<sup>th</sup> October 2012 which prompted a full internal review of operating and administrative procedures. At the same time a Major Incident Review occurred, resulting in a number of improvement notices being issued by Worksafe WA.

13. The establishment of the Bushfire Advisory Committee (BFAC) was adopted by Council at the Ordinary Council Meeting on 29<sup>th</sup> October 2013 (Item 16.1) with the following membership:

- Councillor Williams
- Councillor Gregson
- Councillor Price

And Community Representatives:

- Chief Bush Fire Control Officer
- Deputy Bush Fire Control Officer (North East Sector)
- Deputy Bush Fire Control Officer (South West Sector)
- Senior Fire Control Officer (North East Sector)
- Senior Fire Control Officer (South West Sector)
- Chair of the Bush Fire Advisory Group

The Committee terms of reference noted that :*\*The Chair may invite persons other than those listed above to be members of the Committee; however this will have to be endorsed and appointed by Council.*

14. On 24<sup>th</sup> June 2014, Council delegated the following authority to staff:

- a. **Function:** Authority to: (2) Appoint Fire Control Officers & define areas of responsibility (includes the authority to appoint Fire Control Officers, the Chief Bush Fire Control Officer and Deputy Bush Fire Control Officers in accordance with section 48 of the Bush Fires Act 1954).

**Designated/Authorised Officers:**

- Chief Executive Officers (All)

**Legislation:** Bush Fires Act 1954 - Section 38 (1)

(See attachment with full delegation powers)

## DISCUSSION

15. The Conditions that existed during the previous strategy have changed and the previous Strategy is now superseded.
16. Current emergency management provisions at state level are based upon Westplan's principles of Prevention, Preparedness, Response and Recovery (PPRR).
17. The City recognises increased awareness of bushfire threat as a result of the Black Cat Creek incident on 12<sup>th</sup> October 2012. The findings of the subsequent inquiry included a need for greater interaction between the City of Albany and state fire management departments. This has extended to sharing training and operational opportunities for Volunteer Brigades with the aim of building greater resilience into the community.
18. The strategy informed by independent review (Morrison Report).
19. The new strategy focuses on the principles of Prevention, Preparedness, Response and Recover and outlines a strong relationship between volunteer bushfire brigades, City of Albany, state agencies (DFES and DPaW) and the community.
20. The strategy incorporates the Bush Fire Advisory Committee (BFAC) with an expanded membership that now includes an additional elected member and

representation from state government agencies associated with fire management. The Terms of Reference have been revised to reflect this.

21. The strategy outlines BFAC as an important committee of the Council that makes recommendations on operational funding requirements and policy direction for bushfires. The strategy also defines Terms of Reference for the Bush Fire Advisory Group (BFAG) and clearly outlines the reporting and hierarchical structures.
22. The strategy includes clear position descriptions for senior brigade positions developed after combined consultation between volunteer brigade members, Department of Fire and Emergency Services, and the City's Emergency Management team. The positions incorporate a higher level of training and experience than previously defined and will be supported by the City's commitment to continuous improvement through training opportunities. The strategy sets clear position descriptions and objectives of senior volunteer brigade positions including the CBFCO, the DCBFCO, and senior Fire Control Officers.
23. The appointment of Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer under redefined position descriptions provides clear direction and leadership to volunteer members whilst providing community assurance that brigade operations are conducted in a safe and effective manner.
24. After reviewing nominations received at the Bush Fire Advisory Group meeting held on 14<sup>th</sup> April 2014, the Chief Executive Officer appointed under delegated authority the following positions:
  - Chief Bush Fire Control Officer: Derek Jones, South Coast Volunteer Bush Fire Brigade
  - Deputy Chief Bush Fire Control Officer: Darren Prior, South Coast Volunteer Bush Fire Brigade
25. The strategy commits to strong partnerships between the community, volunteer brigades and the City of Albany in fire prevention and suppression activities.
26. The strategy outlines Council's commitment to support the financial resourcing of volunteer brigades by the administration of funding received through the Local Government Grants Scheme. Funding secured under this scheme ensures operational readiness of DFES supplied buildings and appliances, personal protective equipment and communications equipment.

The strategy also commits Council to actively pursue the continuous improvement of fire mitigation and suppression. This is achievable by proactive participation in DFES's Resource to Risk Program, a strategy that identifies resource needs for a changing community.

## **GOVERNMENT & PUBLIC CONSULTATION**

27. Department of Parks and Wildlife (DPaW), Department of Fire and Emergency Services (DFES) and The State Emergency Management Committee (SEMC) were consulted in regards to this report.
28. Senior Brigade Management has been consulted and actively engaged in the review of previous and proposed position descriptions for brigades, and Terms of Reference, for the new strategy.

## **STATUTORY IMPLICATIONS**

29. A local Government's ability to appoint members to a Bush Fire Advisory Committee is empowered under Section 67 (1) of the Bush Fires Act 1954. (See attachment)

30. The appointment of Bush Fire Control Officers by local government is empowered under Section 38 (1) of the Bush Fires Act 1954. (See attachment)

31. Voting requirements for this item is **ABSOLUTE MAJORITY**

### POLICY IMPLICATIONS

32. Referred to in Section 1 ‘in brief’. Adoption of this strategy will require the previous Strategic Bushfire Plan 2000 – 2005 to be rescinded.

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation</b> <i>Failure to rescind previous strategy and adopt the new, will mean that Council is guided by outdated information, putting the Community at risk and causing substantial public embarrassment</i>	<i>Likely</i>	<i>Major</i>	<i>High</i>	<i>Recommendation that Council adopt new strategy to align bushfire principals of Prevention, Preparedness, Response and Recovery to state strategies adopted at state level.</i>

### FINANCIAL IMPLICATIONS

34. There may be some additional administration costs associated with review of existing support plans to re-align with direction of the new strategy.

35. Additional funding for supporting planning may be pursued through the State Emergency Management Committee (SEMC) AWARE Program which aims to enhance Western Australia’s emergency management arrangements by building emergency management capacity and community resilience.

### LEGAL IMPLICATIONS

36. NIL

### ENVIRONMENTAL CONSIDERATIONS

37. NIL

### ALTERNATE OPTIONS

38. Council may choose to amend an element of the Strategy; however it is recommended that the Strategy is adopted and minor issues are referred to council committee for review.

### SUMMARY CONCLUSION

39. It is recommended that Council rescind the superseded strategy and adopt the new strategy.

40. That four councillors are appointed to the BFAC, with one designated as Chair.

41. That Council note the appointments of the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.

<b>Consulted References</b>	:	<ul style="list-style-type: none"><li>• Bush Fires Act 1954</li><li>• Strategic Bushfire Plan 2000 – 2005</li><li>• DFES, Great Southern region</li><li>• DPaW, Great southern region</li><li>• City of Albany, Volunteer Bush Fire service</li></ul>
<b>File Number (Name of Ward)</b>	:	
<b>Previous Reference</b>	:	SER042

CITY OF ALBANY  
STRATEGIC BUSHFIRE PLAN  
2000 – 2005

ENDORSEMENT

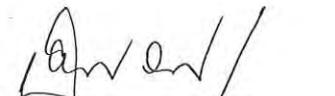
This Strategic Bushfire Plan for the City of Albany was formally adopted by the Council of the City of Albany at it's meeting held on 5<sup>th</sup> June, 2001 following endorsement by the Bushfire Management Committee of the City of Albany at it's meeting held on 9<sup>th</sup> May, 2001.

  
K. JOHNSON  
CHIEF BUSHFIRE  
CONTROL OFFICER

  
C. BUTCHER  
BUSHFIRE ADVISORY  
COMMITTEE CHAIRMAN

  
CR D. WOLFE  
BUSHFIRE MANAGEMENT  
COMMITTEE CHAIRMAN

  
A. GOODE JP  
MAYOR

  
A. HAMMOND  
CHIEF EXECUTIVE OFFICER

Dated this 13<sup>th</sup> day of SEPTEMBER 2001.

OFFICIAL SIGNING OF STRATEGIC BUSHFIRE PLAN 2000-2005



Ken Johnson, Cr Des Wolfe, Mayor Alison Goode JP, Charlie Butcher, Andrew Hammond

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## INTRODUCTION

The City of Albany covers an area of approximately 4,800 square kilometres and is located in the Great Southern Region and on the south coast of Western Australia. The City's hinterland contains spectacular coastal and rural scenery, diverse agricultural areas, large areas of national parks and coastal reserves and a variety of urban and semi-rural living areas.

In its strategic plan, "Albany 2020 - Charting Our Course", the City of Albany has stated as its vision "The superbly located rural City of Albany will be a safe, caring community in harmony with its natural environment, historic past, prosperous hinterland and unique sense of place". Fire is a constant threat to the well-being of the community, to the environment and to the region's economy. The City has therefore listed as one of its major ports of call "The continual development of Council services and facilities to meet the needs of all stakeholders".

The City has provided approximately \$3 million for fire protection over the last five (5) years. In the last two (2) years alone, funding has been allocated as follows:

➤ Equipment Purchase	\$515,000.00
➤ Fire Suppression	\$24,000.00
➤ Fire Prevention	\$223,400.00
➤ Brigade Maintenance	\$230,000.00

In 1995, the former Shire of Albany prepared a Strategic Bushfire Plan which provided a five (5) year capital replacement program for vehicles used by volunteer bushfire brigades. That Plan has led to a major upgrade of the vehicles and equipment available to VBFB's. The challenges facing the City, over the next five (5) years are however more complex. In particular, the number of volunteers are declining, equipment prices are rising, competition for limited funding is intensifying, the capacity for wild fire has increased and more administrative requirements are being imposed upon both the VBFB's and Council.

The following strategy seeks to provide a framework for strategic bushfire management for five (5) years and beyond. The Strategy sets out financial management of the service, puts in place opportunities for both brigade rationalisation and change management and it consolidates all operating procedures into a single document.

Without clear strategic direction, the future of the VBFB's would be subject to political intervention and competition for funding. The safety of Albany's community requires that bushfire management and funding be more securely defined.

## GLOSSARY OF ABBREVIATIONS

BFS	Bush Fire Service of Western Australia
CALM	Department of Conservation and Land Management
CBFCO	Chief Bush Fire Control Officer
DCBFCO	Deputy Chief Bush Fire Control Officer
DFCO	Deputy Fire Control Officer
DOLA	Department of Land Administration
EDDS	Executive Director of Development Services
FCO	Fire Control Officer
FESA	Fire and Emergency Services Authority of Western Australia
FRS	Fire and Rescue Service of Western Australia
FPO	Fire Prevention Officer
MRWA	Main Roads Western Australia
MIS	Manager of Inspection Services
SES	State Emergency Service (also WASES)
VBFB	Volunteer Bush Fire Brigade
VCL	Vacant Crown Land
WASES	West Australian State Emergency Service

## **PART 1 - RESPONSIBILITIES**

### **1.1 CITY OF ALBANY'S STATEMENT OF COMMITMENT**

The City of Albany recognises its responsibility and duty of care, as provided by the Bush Fires Act 1954, to provide for and achieve an acceptable minimum standard of fire protection throughout the district of the City of Albany.

Further, the City of Albany accepts its obligations to provide the necessary funding and resources to adequately equip and maintain the VBFB's established in accordance with this Strategic Bushfire Plan.

To maintain the service provided to the community by VBFB members and to protect the value of fire fighting equipment provided by brigades and private owners, the City of Albany will provide for both the safety of VBFB personnel and their equipment and will at all times keep current the appropriate policies of insurance for brigade members and equipment in accordance with the Bush Fires Act.

To maximise the effectiveness of the bushfire organisation, the City of Albany will ensure it maintains and enhances the cooperation and liaison which is necessary between the City, the Volunteer Bushfire Brigades, the Fire and Emergency Services Authority of WA and the Department of Conservation and Land Management.

To advocate on behalf of VBFB's and to improve the fire service, the City of Albany will make provision for training, funding and equipment as documented in this Strategic Plan.

### **1.2 VOLUNTEER BUSHFIRE BRIGADES STATEMENT OF COMMITMENT:**

The volunteer bushfire brigades commit themselves to providing a minimum standard of fire protection for the community of the City of Albany and to ensuring their obligations under the Bush Fires Act 1954, are met.

Volunteer brigade members will maintain a state of vigilance and preparedness commensurate with their status within the bushfire organisation. They will conduct themselves in a manner that will enhance the image of their brigade, the bushfire organisation and the City of Albany as a whole, so as not to bring disrepute to any concerned parties.

VBFB's will provide statesmen/women from within their ranks to fill key roles, care for equipment and seek training.

### **1.3 FIRE & EMERGENCY SERVICES AUTHORITY- ROLE & RESPONSIBILITIES**

FESA was established as a statutory government authority on 1<sup>st</sup> January 1999, following recommendations made by the Emergency Services Taskforce appointed by the State Government in 1997.

FESA has four key operational divisions. These are the WA State Emergency Service, Fire Services of WA (incorporating the Fire & Rescue Service and Bush Fire Service), Emergency Management Services of WA, Sea Search and Rescue and Unexploded Ordnance Services. In addition, there are two divisions providing a range of support services across the organisation including Human Services and Business Services.

### 1.3.1 Fire Service Functions (FRS & BFS)

The Fire Services Division is committed to delivering a range of community education programs including summer and winter fire safety preparedness, caring for seniors, schools education and smoke alarm initiatives.

### 1.3.2 Fire & Rescue Service

The FRS is responsible for fire suppression within the gazetted FRS district and will also provide assistance, (where practicable), outside the gazetted FRS district. The FRS is also responsible for dealing with emergencies such as hazardous material incidences, road and other types of rescues. The FRS in Albany currently is comprised of 20 career staff and 20 volunteer firefighters.

### 1.3.3 Bush Fire Services

The BFS is responsible for the administration of the Bush Fires Act in WA and provides training and advisory services in prevention and suppression of fires to Local Governments and volunteer fire fighters in the region.

The Bush Fire Service District Fire Operations Centre will:

- on request from any agency and as the situation demands, activate the District Fire Co-ordination Centre,
- co-ordinate Local Governments involved with the incident, and
- provide up-to-date weather reports to the Incident Controller.

### 1.3.4 West Australian State Emergency Service

On request from the Bush Fires Service District Fire Co-ordinations Centre, the SES will:

- provide communication resources for operation use on the fire ground,
- source other equipment required to support fire operations,
- provide Regional SES Headquarters as an additional co-ordination centre when required,
- provide non combative support to the fire organisation, at a Forward Control Facility or at the Bush Fire Service District Co-ordination Centre, and
- source and distribute catering requirements to fire combatants as required on a cost re-coup basis.

## PART 2 - THE VOLUNTEER BUSHFIRE ORGANISATION

### 2.1 MISSION STATEMENTS:

#### 2.1.1 Mission Statement- City of Albany 2020

As trustees for Albany's future on behalf of our diverse communities, your Council will be a customer driven organisation committed to service and on-going communication in order to evaluate and respond to changing community needs and expectations. We will:

- Provide decisive leadership.
- Advocate strongly to maximise opportunities offered by external influences and to minimise any adverse impacts.
- Establish and encourage a culture of innovation and enterprise.
- Responsibly manage Council's services and assets.
- Promote the development of dynamic, diverse and sustainable rural and urban communities.
- Promote a positive attitude towards the sustainable management and use of all resources
- Encourage a diverse range of industry, business and investment throughout our region.
- Advocate and provide for strong sound and accessible infrastructure.

#### 2.1.2 Mission Statement- Bushfires

To protect life, property and the environment by providing a service for the prevention, control and suppression of fire within the district of the City of Albany.

### 2.2 THE VOLUNTEER BUSHFIRE BRIGADES

There are currently 16 brigades established to protect the 48.04 million hectares of the City of Albany. These are (in alphabetical order):

BRIGADE	TYPE	AREA OF CROWN LAND
Bornholm	Rural/Urban	3,780 ha
Elleker	Rural/Urban	2,087 ha
Gnowellen	Rural	2,567 ha
Green Range	Rural	3,339 ha
Highway	Rural/Airport	825 ha
Kalgan	Rural/Urban	8,158 ha
King River	Rural/Urban	2,996 ha
Kojaneerup	Rural	2,508 ha
Manypeaks	Rural/Urban	1,509 ha
Napier	Rural	306 ha
Redmond	Rural/Urban	587 ha
South Coast	Rural/Urban	7,021 ha
South Stirlings	Rural	52 ha
Torbay	Rural/Urban	236 ha
Wellstead	Rural/Urban	24,599 ha
Youngs Siding	Rural/Urban	922ha
		<b>Total 61,492 ha</b>

FESA recommends in its publication "Planning for Fire" that housing (urban and rural) should be located within 20 minutes travel time of an authorised fire fighting appliance.

The location of each brigade fire shed is shown in Figure 1, together with the area that those brigades can cover with 20 minute response time. This is based upon a 5 minute call out and 15 minute travel distance at an average of 80 km/hr. It is recognised that travel distance may be slightly less in some areas due to speed restrictions in built up areas etc.

Figure 1 also shows the brigade area that each brigade is responsible for. Some brigades cover large land areas with a limited number of landowners whilst others are smaller and more urban in nature.

Over previous years, the region of the City of Albany has realised and responded to needs and changes in its requirements for provision of bushfire services and equipment. This has seen a vast increase in bushfire services and spending through the provision of vehicles, equipment, administration and resources. Volunteer Bushfire Brigades have also responded through increased coordination, equipment, training and states of readiness etc. Brigades have also recognised the need to respond to changes through sharing of resources and have rationalised resources through amalgamation such as the West Redmond & Redmond brigades, North Napier & Napier brigades, Upper & Lower Kalgan brigades and Drome & East Chorkerup brigades.

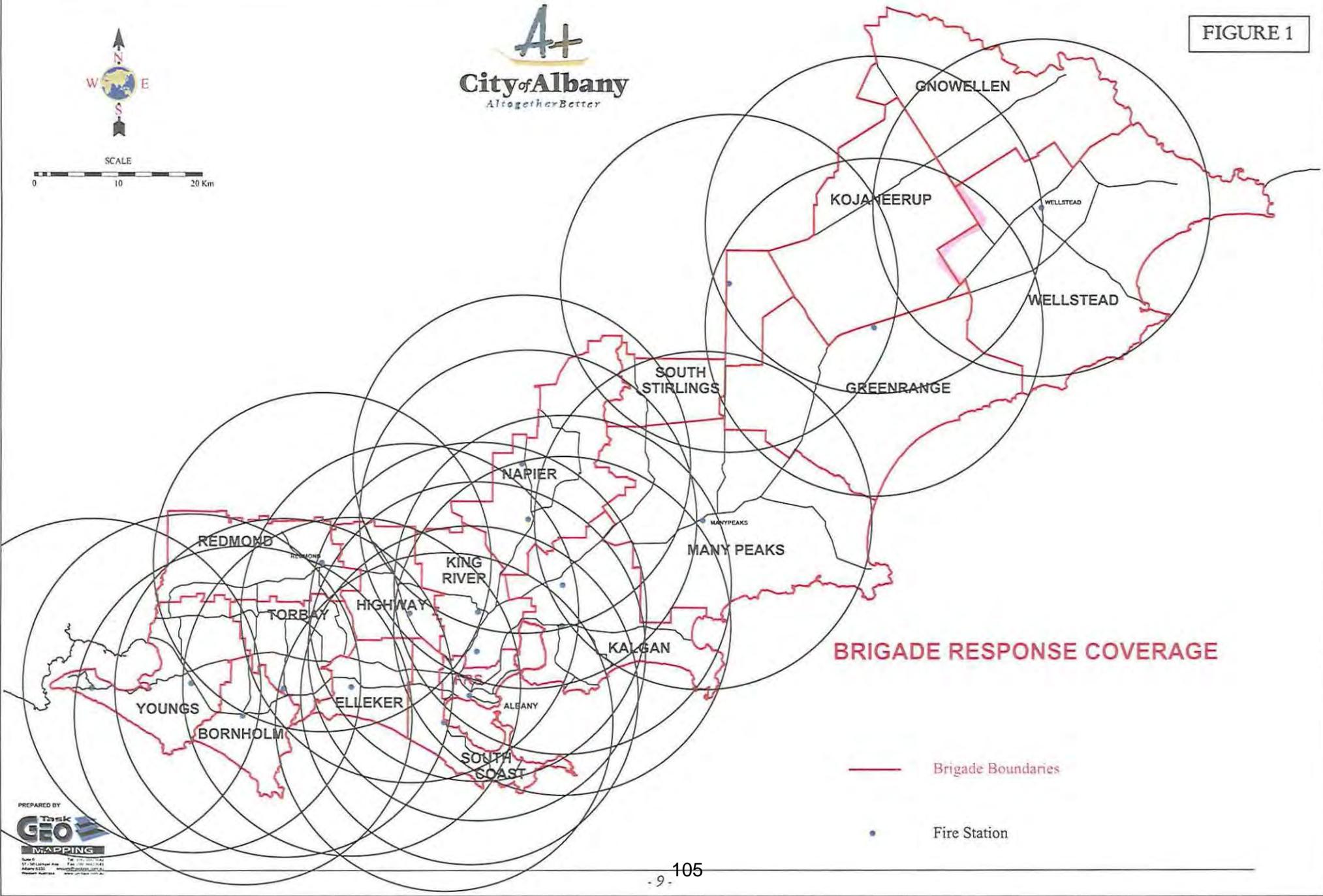
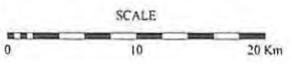
Future rationalisation, as recommended by the Bushfire Advisory and Management Committees, will be required by both the City and Brigades to ensure that regional infrastructure improves with the limited resources available.

Collectively there will be 34 appliances on the maintenance program owned and operated by the VBFB's and the City of Albany at the end of this financial year. The type and distribution of those appliances is detailed in Appendix 1. The replacement value of the fire sheds and appliances at 30<sup>th</sup> June 2000 was:

Sheds	\$0.203 mil
Contents	\$0.113 mil
Appliances	\$1.204 mil
<b>Total</b>	<b>\$1.520 mil</b>



FIGURE 1



## 2.3 BRIGADE STRUCTURE – OFFICE BEARERS:

### 2.3.1 Election of Office Bearers

Each brigade convenes an annual general meeting of members from within their brigade area for the purpose of electing the following operation and administrative positions.

### 2.3.2 Command Officers

**2.3.2.1 Fire Control Officers:** Each brigade provides one FCO who is the officer in charge of the brigade. Fire Control Officers:

- Are responsible for carrying out inspections and the issuing of permits within their brigade area.
- During incidents within the FCO's appointed area, take control, set up Incident Control procedures and assume the role of Incident Controller, or appoint another member to take this responsibility.
- Establish and maintain effective communications and liaison both with the CBFCO, Brigade personnel and Emergency Services, to ensure prompt response and recovery at all incidents within the Brigade area.
- Coordinate and manage the resources of the Brigade.
- Ensure that senior brigade officers are delegated tasks, have taken control of designated functions and that firefighters are coordinated in their approach to fighting the fire in accordance with the overall plan to combat the fire.
- Ensure that all tasks undertaken are carried out in the safest possible manner and inexperienced members are teamed with experienced brigade members.
- Ensure Fire Incident Reports are completed and Fire Incident Investigation procedures are implemented if necessary.
- Ensure that active firefighters are trained and fully conversant with their brigade firefighting equipment.

The City of Albany requires the FCO to have a current police clearance due to the substantial powers that the Bush Fires Act 1954 allows. Powers of FCO's include but are not limited to:

- Power of entry onto land - Section 14;
- Power to vary prohibited burning times under a delegation of local government - Section 17(7), (8) & (10);
- Power to issue permit to burn during restricted burning times - Sections 18(6) & (7) & 23(2);
- Power to require production of permit to burn - Section 24B(1);
- Power to give directions to person lighting fire in open air Section 25;
- Power to clear firebreak on a failure to comply with a notice to do so - Section 33(4);
- Power to issue permit to burn Crown lands and entering on Crown lands - Section 34;
- Power to take such measures as appear necessary or expedient and practicable for carrying out normal brigade activities among other things - Section 34;
- Various Special Powers - Section 39;
- Powers on outbreak of fire - Section 39A

**2.3.2.2 DFCO/Captains:** Each brigade provides a DFCO/Captain who is responsible for assuming the role of the FCO in his/her absence.

**2.3.2.3** ***Lieutenants:*** Each brigade has a number of Lieutenants who make recommendations to the FCO with regard to fire control in their area of the brigade. Lieutenants may also fill the positions of Training Officer, Communications Officer, Equipment Officer and Fire Prevention Officer (FPO) within the brigade.

### 2.3.3 Brigade Members

**2.3.3.1** ***Brigade Members:*** Will be those active members of a brigade, other than the above office bearers, who provide the bulk of the volunteer bushfire service and the labour to prevent and suppress fires.

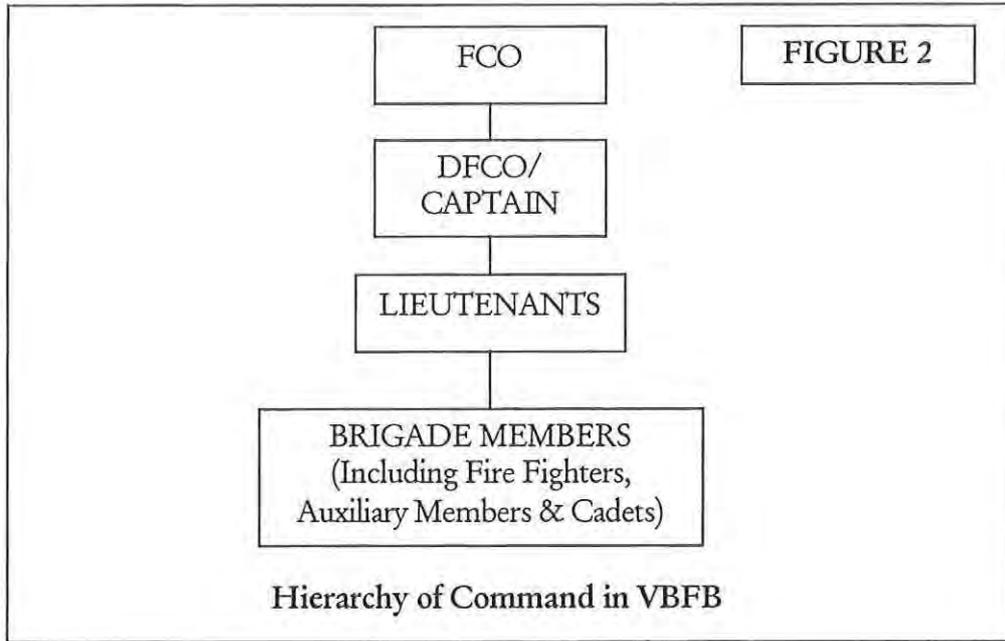
**2.3.3.2** ***Auxiliary Brigade Members:*** Are the members of a VBFB, other than the above members or office bearers, that have completed, and had accepted, an official brigade membership nomination form. An auxiliary member is involved in a support role only such as administration, communications, transportation, etc.



**2.3.3.3** ***Cadet Members:*** Cadet members are aged between 11 to 15 years inclusive and are the City's future volunteer fire fighters. They do not attend uncontrolled fire or other emergency incidents and are supervised when undertaking normal brigade activities as defined by paragraphs c, d, e, f and g of section 35A of the Bush Fires Act. Cadet members are ineligible to vote and are not assigned rank. Parental or guardian consent must be obtained prior to acceptance of a cadet member.

**NOTE:** No person may be nominated for, nor elected to any position within a brigade without first having completed an official brigade membership nomination form, a copy of which is included at Appendix 2.

The structure of each VBFB is set out in Figure 2.



**2.3.4 Management Committee**

Each brigade also has a Management Committee, which may include all or some of the following:

- President/Chairperson
  - Secretary
  - Treasurer
  - Equipment Officer
  - Communications Officer
  - Training Officer
  - Fire Prevention Officer
- } Administration Officer

Only registered brigade members may fill these positions.

**2.4 BRIGADE CONSTITUTIONS**

All brigades operate under their brigade constitution, adopted so as to meet the needs of the brigade and complying with the appropriate legislative requirements.

The constitution provides for the day to day operation of the brigade, including procedures at meetings, election of brigade officers, membership subscriptions, financial control, duties of officers, etc.

A sample constitution for a Volunteer Bushfire Brigade is contained in Appendix 3.

**2.5 BUSHFIRE BRIGADE/COUNCIL REPRESENTATION**

The current administrative arrangement to coordinate bushfire control in the City of Albany is the Volunteer Bushfire Association, Association Bushfire Advisory Committee and the Council's Bushfire Management Committee. Council provides secretarial and administrative support to the Association, Advisory and Management Committees.

Items raised from within the brigades will be brought to the attention of the Council's Bushfire Administration Officer for presentation to the Bushfire Association or the Advisory Committee, as appropriate. All resolutions from the Advisory Committee will be referred through Council's Bushfire Management Committee for consideration and a recommendation submitted for Council's consideration.

Representatives of the BFS, CALM and Tree Plantation Companies will be invited to attend all meetings of the Bushfire Association, the Bushfire Advisory Committee and the BFS and CALM will be invited to attend Council's Bushfire Management Committee, to act in an advisory capacity only.

### 2.5.1 Bushfire Association

The Volunteer Bushfire Association consists of registered volunteer bushfire brigade members who are eligible to individually propose motions and vote at the annual Bushfire Association meeting.

### 2.5.2 Bushfire Advisory Committee

The Advisory Committee makes recommendations to the Bushfire Management Committee on all motions received from VBFB's, CBFCO and DCBFCO. Two (2) authorised representatives from each brigade are empowered to propose motions, and vote on behalf of their brigade together with the CBFCO and DCBFCO.

### 2.5.3 Bushfire Management Committee

The Council's Bushfire Management Committee is formed and operated under the Council's standing orders and reports directly to Council. Membership of the Committee comprises:

- four City Councillors or appointed deputies (including the Chairman);
- the Chief Bushfire Control Officer, (or proxy);
- the Deputy Chief Bushfire Control Officer, (or proxy); and
- the Chairperson of the Bushfire Advisory Committee, (or deputy chairperson).

All matters to be brought to the attention of Council's Bushfire Management Committee will be the subject of written agenda items prepared by Council officers in accordance with Council protocols and standard meeting procedure.

## 2.6 STRUCTURE OF THE BUSHFIRE ORGANISATION

The Bush Fires Act requires that the City of Albany have a number of statutory positions for the Volunteer Bushfire Service. The City of Albany shall have a:

Chief Bushfire Control Officer,	}	(Not from same sector groups)
Deputy Chief Bushfire Control Officer,		
Senior Bushfire Control Officer (North East Sectors),		
Senior Bushfire Control Officer (South West Sectors),		
Fire Weather Officers,		
Fire Weather Recording Officers,		
Radio Schedule Officers.		

The Volunteer Bushfire Association receives one nomination for each of the above positions at its AGM from each Volunteer Bushfire Brigade and fills those positions by ballot. The appointees then become authorised officers under the Act upon ratification by Council.

Council will allocate staff resources at the City of Albany or subject to the City's operational requirements, engage contract services to provide the Volunteer Bush Fire Brigades with the following service.

Training Officer,  
Equipment Officer,  
Administration Officer,  
Communications Officer,  
Fire Prevention Officer.

Matters at an organisational level, specific to these positions, should be referred to these officers who will be responsible for reporting and providing advice to the Bushfire Association. Contact in the first instance should be through the Bushfire Administration Officer, Senior Ranger or Manager Inspection Services.

## 2.7 CHIEF BUSH FIRE CONTROL OFFICER

The responsibilities and duties of the CBFCO include, but are not limited to, those for an FCO and to:

- Provide leadership to volunteer bushfire brigades;
- Assist in monitoring bushfire brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year to the City;
- Liaise with the City of Albany concerning fire prevention and suppression matters generally and directions to be issued by the City to FCO's (including those who issue permits to burn) Volunteer Bushfire Brigades and Officers.
- Assist in ensuring that VBFB's are registered with the City of Albany and that lists of brigade members are maintained and notified to the City no later than 31<sup>st</sup> May in each year.

During Fire Incidents the CBFCO:

- Coordinates and supports VBFB's through provision and management of resources, with a priority of life and property.
- Establishes and maintains effective communication & liaison with brigade FCO's, Emergency Services & Statutory Authorities.
- Ensures Brigade FCO's have taken command and established Incident Control procedures.
- Ensures that meteorological and intelligence reports are provided as required.
- Assists the Incident Controller through advice on strategy, plans and tactics to combat the fire and reduce escalation of incidents.
- Ensure that Brigade FCO's complete Fire Incident Reports and initiate Fire Incident Investigation procedures if required.

## 2.8 DEPUTY CHIEF BUSH FIRE CONTROL OFFICER

The DCBFCO

- Assists the CBFCO through fulfilling the same functions of the CBFCO, in conjunction with the CBFCO, within the designated sector groups under his control.

- In the absence of the CBFCO, the DCBFCO assumes the role of the CBFCO throughout the City of Albany with the assistance of the SFCO's for each sector group.

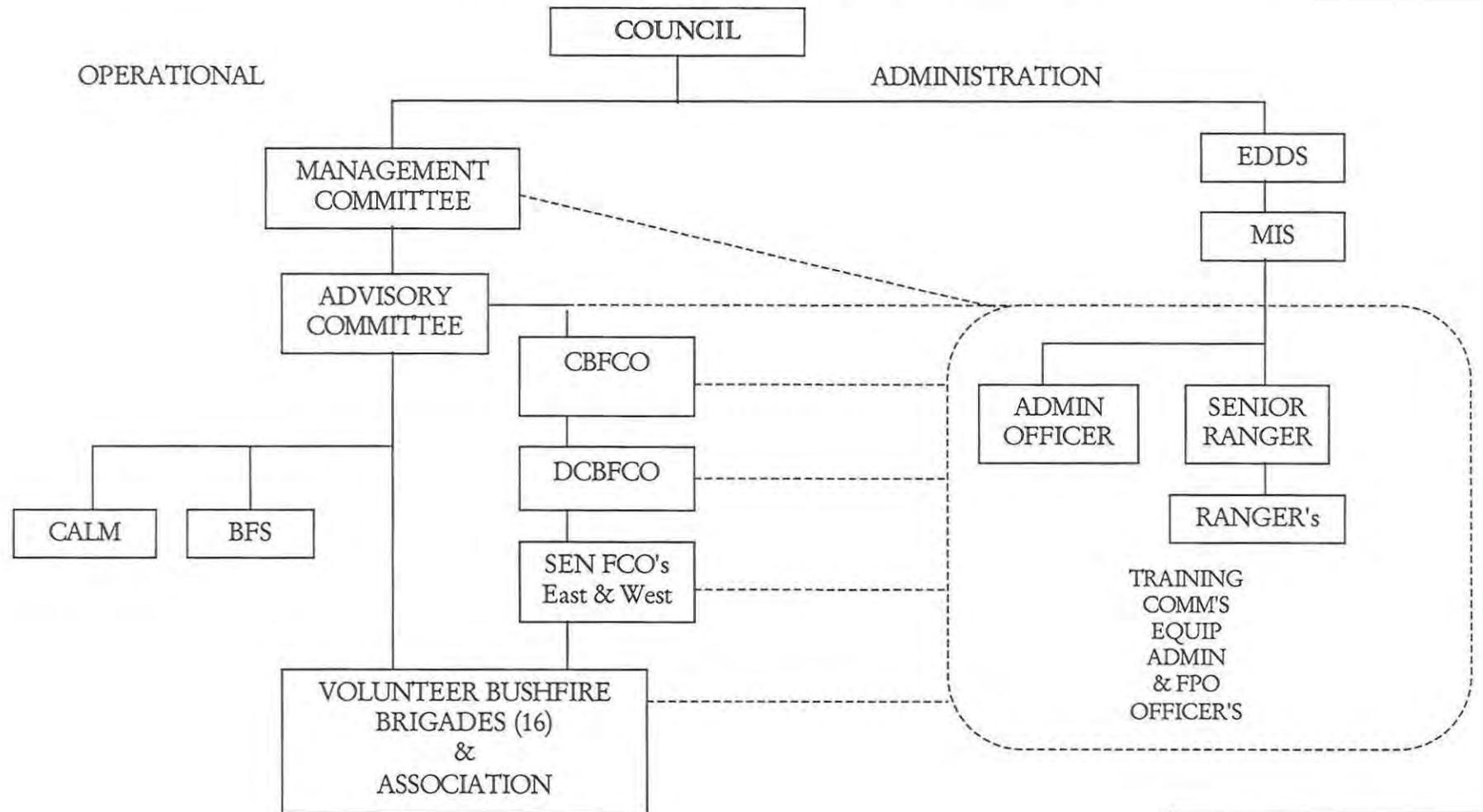
## 2.9 SENIOR FIRE CONTROL OFFICER'S

- The SFCO's are responsible for assisting the CBFCO and DCBFCO in their particular sector groups as directed.

The overall structure of the Volunteer Bushfire Brigades, operational and administrative, is outlined in Figure 3.

STRUCTURE OF THE BUSHFIRE ORGANISATION

FIGURE 3



- Broken lines show support function.
- Solid lines show chain of decision making & reporting responsibility.

## 2.10 POLICIES OF INSURANCE

The City of Albany, in recognition of its obligations under section 37 of the Bush Fire Act, provides for the safety and protection of bushfire brigade personnel and equipment by keeping in force and effect an insurance policy, which encompasses:

- Disability or injury of a volunteer brigade member;
- Loss or damage to any appliance, equipment or apparatus of a bushfire brigade;
- Loss or damage to any privately owned vehicle, appliance, equipment or apparatus instructed to assist in fire control; (currently \$200,000)

where such injury, loss or damage occurs under the direction of a Bushfire Control Officer or an officer or member of a bushfire brigade for the purposes of the Bushfires Act 1954, and occurs in the course of normal brigade activities, including travelling to or from the scene of a fire.

The City of Albany extends insurance coverage for that bushfire brigade property, buildings (on public land), and equipment listed on Council's insurance schedules.

Where a volunteer bushfire brigade assists a private property owner or occupier by carrying out a hazard reduction burn (not including property improvement) and does not charge a fee for service, council's insurance cover applies.

Insurance cover is not extended:

- Where a volunteer bushfire brigade member is injured undertaking activities for property improvement purposes;
- To vehicles and equipment that is not included on Council's plant list and not owned by Council when used for property improvement activities;
- To private contractors. (Private contractors should carry specific Bushfire Insurance in addition to their general 3<sup>rd</sup> party/public liability insurance prior to being utilised in a bushfire situation.)

Where volunteer bushfire brigades are requested by owners or occupiers to assist in carrying out hazard reduction burns for which the volunteer bushfire brigade charges a fee for service,\* or for property improvement, (whether or not remuneration is received), Council's insurance does not apply as the volunteer bushfire brigade will be deemed to be a contractor. Appropriate insurance coverage is required to be arranged by the volunteer bushfire brigade separate from Council's insurance when remuneration is to be received or the volunteer bushfire brigade is involved in property improvement.

\* Donations are not considered to be a fee for service for insurance purposes however the Australian Taxation Office rules that if a donation is given when a reciprocal service is expected, the donation is deemed to be a fee for service for which GST is payable if the brigade is registered for GST purposes.

## 2.11 BRIGADE OPERATING PROCEDURES

Each Brigade has been issued with Brigade Operating Procedures and those procedures set out safe operating practices for volunteer bushfire brigade members. A copy of the BOP is attached to this strategy at Appendix 4 and will be updated from time to time.

## 2.12 MEMBERSHIP

### 2.12.1 Existing Membership

All brigades are required to keep an up to date register of all current members and advise the Council Bushfire Administration Officer accordingly so that appropriate insurance coverage is available. Once accepted, a membership to a volunteer bushfire brigade is for life unless otherwise cancelled as a result of the member resigning, leaving the district, being dismissed, or dying.

The decline in the rural population and VBFB membership has resulted in a reduction from 20 brigades to the current 16 through amalgamation over the past decade. The City of Albany currently has approximately 680 volunteer bushfire brigade members on its records. This has declined from over 800 members on record over the past few years. The majority of these members on record have enrolled at some stage, indicating that they may be willing to attend and help at a fire if available and requested, however they are mostly untrained and unfamiliar with procedures and equipment. It is estimated that there are less than 160 members who could be considered active in that they have received formal training, are familiar with brigade equipment and procedures and have attended a fire over the past few years.

Volunteer bushfire brigades should encourage participation by all enrolled members of the brigade. Whilst it is acknowledged that some members are often not available, it should be recognised that some members may fall into an inactive status through not being contacted when a fire or other event occurs. Although this is a problem with no simple solution, it is easy to fall into the routine of only calling upon those members who are willing and available most often.

### 2.12.2 New Membership

All prospective volunteer bushfire brigade members are required to complete a formal membership application form (Appendix 2) prior to being considered for membership. Brigades maintain and provide to the City, at least once per year, an up to date register of all brigade members and provide the original copy of all new membership registration forms to the City.

Current membership requirements are:

**2.12.3 Firefighting Members** are required to be 16 years of age or over, should be in good health and have no known medical conditions which might endanger themselves or others or limit their capacity to fight fires.

**2.12.4 Auxiliary Members** are required to be 16 years of age or over and should only be used in a support role such as communications, administration or other support duties that they are considered capable of undertaking. Auxiliary members are not to be used in a fire fighting role or in any role that may be detrimental to theirs or others safety.

**2.12.5 Cadet Members** are aged between 11 to 15 years inclusive. They do not attend uncontrolled fires or other emergency incidents and are supervised when undertaking normal brigade activities as defined by paragraphs c, d, e, f and g of section 35A of the Bush Fires Act. Cadet members are ineligible to vote and are not assigned rank. Parental or guardian consent must be obtained prior to acceptance of a cadet member.

In recognition of the declining and ageing VBFB membership, the City of Albany will need to embark upon an ongoing publicity and public awareness campaign (involving media releases and newsletters, etc) to boost the volunteer bushfire brigades. Failure to do so will compromise the level of fire protection within the District in the future.

Bushfire brigades also need to take a pro-active role in raising the awareness of brigade activity, membership, fire prevention and fire suppression within the community by canvassing for new members. Participation and promotion at public displays, major events and at social events are important opportunities.

Where Tree Plantations exist within the brigade district, brigades should make contact with the relevant companies to encourage membership, interest and close participation in brigade activities and concerns. Brigades should also consider encouraging interaction through social activities.

### **2.13 HAZARD REDUCTION UNIT**

The past few years have seen an increase in the need for Hazard Reduction Burning due to an increase in arson and also the increase in the fuel loading in some locations. Evidence of the past couple of years highlights the need for better management of high-risk areas. The Hazard Reduction Unit is being established in addition to the existing Volunteer Bushfire Brigades. This Unit will provide support to the City Rangers with the hazard reduction program thereby releasing Rangers for other duties as required. The unit will not work in conflict with other Volunteer Bushfire Brigades or the Fire and Rescue Service of WA.

#### **2.13.1 Purpose of the Hazard Reduction Unit:**

The purpose of the Hazard Reduction Unit is to:

- Maintain a strong customer focus through establishing close contacts with members of the community who raise concerns over hazardous locations.
- Provide a resource with the capacity to reduce hazards within reserves vested in the City that are not covered by Volunteer Bushfire Brigades.
- Assist in the prioritisation of locations that have been confirmed as a fire risk.
- Provide value for money through monitoring and reduction of hazards and thereby reducing the economic costs that would be incurred through property damage as a result of a wildfire.
- Assist in the training of Volunteer Bushfire Brigade recruits or other Volunteer Bushfire Brigade members wanting more experience in fire situations in a non-threatening environment.
- Utilise the existing appliances stored at the City of Albany's Mercer Road Depot. This will further make available fire fighters to run the appliances and thereby provide members who are well conversed with the use of these appliances.

#### **2.13.2 Training:**

The Rangers already possess the appropriate skills and flexibility for this unit, and the unit will receive training through courses run by the Bush Fire Service.

#### **2.13.3 Membership:**

Membership is open to any person who is a member of a Volunteer Bushfire Brigade within the City of Albany.

#### **2.13.4 Roles and Responsibilities:**

Incident Controller: The Senior Ranger or his representative will be the incident controller and team leader for hazard reduction burns. He will undertake the same responsibilities already given to Fire Control Officers' under the Bush Fires Act and in accordance with the City of Albany guidelines.

Team Coordinator: The team coordinator will organise the number of personnel required for each team and liaise with other Brigades to determine experience needs. (ie maintain a list of current and new members who may be interested in getting additional experience.)

Program Coordinator: The Program Coordinator will liaise with the above officers and develop a program for hazard reduction burning and prioritise accordingly.

## **PART 3 - BUSHFIRE BRIGADE RESOURCES**

### **3.1 FIRE STATIONS**

Fire stations have been developed to house appliances used for fire prevention and suppression throughout the City of Albany. All new fire stations purchased and constructed are capable of housing and completely enclosing a minimum of two heavy-duty fire trucks and are fully lockable.

FESA have indicated that the funding of fire stations has a very low priority and will not even be considered unless Native Title claims have been resolved. The Lotteries Commission has granted funding for some, but not all applications to date. Future funding through FESA and Lotteries depends on priorities and availability in competition with other applicants. Competition for funds from these sources has increased over recent years. Another possible source of funding or materials for fire stations may be available from Tree Plantation Companies who have indicated that they may be willing to consider donations of sheds from plantation properties or contributions towards funding in accordance with the Community Based Plantation Fire Equipment Agreement Code of Practice.

When considering the construction of fire stations, issues such as the availability of suitable sites, vesting, native land title claims and ownership are taken into consideration. New fire stations should not be constructed on private property as this may lead to future complications such as sale of land, denial of access to the property and future restrictions of extensions or modifications etc. The City will normally fund at least 50% for new fire stations, provided the above considerations are taken into account.

There are a number of fire stations currently located on private and public land used in combination with other interests and purposes. These include the Airport fire station, the fire station located at Whale World, the Napier fire stations and Kojaneerup. At the present time there are special garaging arrangements in place for housing of fire appliances at Whale World and the fire stations on private properties in Napier and Kojaneerup VBFB areas. There currently are no town sites suitable for erection of fire stations within the Kojaneerup and Gnowellen VBFB districts. It is recognised however, that circumstances may change in the future necessitating modification of these conditions such as extending, relocating and/or erecting fire stations on public land specifically vested for the purpose.

The City will, in conjunction with relevant VBFB's, endeavour to source suitable fire station sites for both the Gnowellen and Kojaneerup brigade districts and commence construction of fire stations to house new fire appliances as they come on line.

Fire stations are located in those positions shown on Figure 1.

### **3.2 FIRE APPLIANCES:**

The City of Albany, in conjunction with FESA, will, in accordance with this Strategic Plan, embark on an ongoing fire appliance purchase, replacement and re-deployment program. While the number and type of appliances purchased is limited by Council's budget, and the availability of financial assistance, the program has been developed as per the following guidelines;

- Current assets will be replaced with consideration given to fuel type, condition, availability of parts, and age/kilometres travelled.
- No truck will be over 20 years of age at time of replacement.
- Second hand trucks purchased will be less than ten years old at time of purchase. If FESA funding is granted, new vehicles will be purchased.
- No Fast Attacks will be over 10 years of age at time of replacement and will be new when purchased.
- The size of Council's bushfire brigade fleet will not be increased beyond 34 appliances.
- The size of the City's bushfire brigade fleet will be re-evaluated, with the assistance of the brigades, upon the completion of the City's Fire Prevention Plan which will determine response capability.
- Strategic placement will be based upon foreseen fire risk, reported fires, manning margins and attendance limitations due to distance constraints etc.
- City owned equipment may be re-deployed within a brigade district or to the district of another brigade to ensure the maximum benefit to the bushfire brigade organisation as a whole.
- City owned equipment considered surplus to requirement may be sold or disposed of so as to maximise the cost effectiveness to the organisation, and to alleviate unnecessary maintenance costs etc.
- Consultation will take place with relevant brigades and concerned parties together with Bushfire Advisory and Management Committees prior to selling or re-deployment of equipment.
- Fire vehicles and appliances purchased for use on public roads must comply with Department of Transport regulations.
- Vehicles are not to be purchased by brigades with the intention of inclusion in the City's plant list for maintenance and/or registration purposes.
- All second hand vehicles are to be approved by the City's mechanic prior to purchase, to ensure all fire appliances and equipment do not pose undue threat of injury.
- Ex CALM and second hand heavy duty fire units purchased by the City for brigade use are to be brought up to a suitable standard as detailed in Appendix 5 as soon as practicable after purchase.
- New and replacement vehicles should be housed in a suitable lockable fire shed to prevent unnecessary deterioration due to exposure to the elements and to provide security.
- Upgrades to equipment (crew cabs, 900Litre fast attacks & extra fittings etc) may be funded by brigades in addition to standard equipment supplied by the City.
- When purchasing replacement vehicles, during the preceding year, consultation will take place with relevant brigades and the Advisory and Management Committees to determine the most suitable replacement vehicle.



In accordance with the Vehicle Purchase/Replacement Plan detailed at Appendix 6, it should take six years to achieve the replacement objective for trucks and ten years for fast attacks based upon an average annual expenditure of \$200,000. This will allow Council to own appliances, reduce maintenance costs and minimise potential for appliance failure and injury to VBFB members.

The above plan should ensure that brigades will only need to fund minor plant purchases and ancillary equipment.

The City and other agencies also have items of plant such as water tankers, fast fill pumps, extra fire units, loaders, dozers and graders etc, that are available and can be supplied on request through the CBFCO or City Officers. The high capital cost of these items and low usage rates makes it unviable to have these items within Council's BFB plant inventory. A list of available equipment/suppliers is contained in appendix 7. Requests for extra plant must be authorised by the CBFCO or City Officers. Cooperation from neighbouring brigades is also expected for supply of plant and manpower during a wildfire or controlled burn, depending on those brigades own risks and requirements.

### 3.3 COMMUNICATIONS & SUBSIDIARY EQUIPMENT

The City of Albany will maintain an effective VHF two-way radio communications system, which will act as the bushfire radio command network. To support this network, VHF repeater sites at Willyung Hill and Greenrange together with VHF radios at the City of Albany's offices and in the City's Incident Control Caravan will be maintained. VHF radios are supplied and maintained for CBFCO, DCBFCO, SFCO's East and West, brigade FCO's, DFCO's and VBFB fire vehicles contained in the City plant listing, (refer Appendix 1). The City will also make provision for annual refitting of the above radios in its annual budget when new office bearers are elected. In addition, pagers and chargers will be provided on request, for use by FCO's if required, and Weather Stations will be issued to designated Weather Recording Officers. At this stage council will not provide GPS systems for fire vehicles, however if FESA decide that GPS systems are necessary and are to be provided as standard equipment with new fire vehicles, Council may consider the purchase of GPS systems for existing fire vehicles.

### 3.4 SAFETY EQUIPMENT AND CLOTHING

All VBFB members should have, upon arrival at a fire scene, safety equipment kits consisting of:

- 1 pair Proban fire retardant overalls (yellow);
- 1 firefighters hard hat (white, rural);
- 1 pair plastic eye goggles; and
- 1 pair leather gloves.

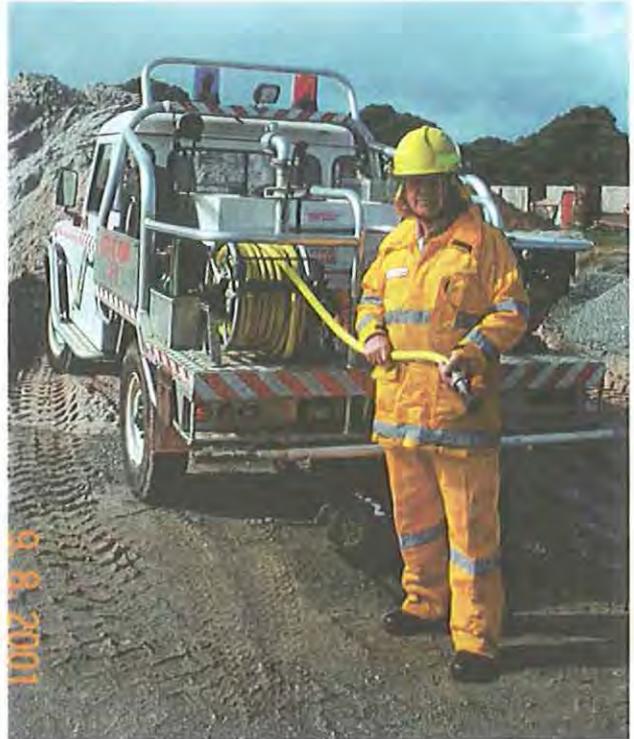
Firefighters will be encouraged to wear all safety equipment, however it is recognised that in some circumstances, the necessity for certain items may diminish. Brigade members are encouraged to not wear safety equipment for any purpose other than bushfire brigade activities. Requirements for non-brigade members are as specified in BOP B3.

Safety kits or parts thereof, and fire boots, will be provided to brigades at half cost under the existing grant subsidy scheme provided by FESA. A complete kit currently costs approximately \$73 at the subsidised rate. Fire boots cost approximately \$70 at the subsidised rate.

Fire boots are considered a personal item and do not form part of safety kits. They should not be utilised by multiple persons. Any person attending a fire or other brigade activity will be responsible for providing their own appropriate footwear, which should provide adequate protection from fire and associated hazards.

Every new fire tender will come complete with sufficient gloves and goggles to outfit the standard number of operators for that vehicle in accordance with FESA's stowage list, and must remain with the appliance when not in use.

Ownership of all equipment provided by the City, will remain with the City of Albany in conjunction with the bushfire brigade concerned. Persons issued with equipment who leave the district or who are no longer active within the brigade, will return that equipment to the brigade for issue to the appropriate officer.



### **3.5 MEALS FOR VOLUNTEER FIREFIGHTERS**

The City of Albany will, in its annual budget, set aside funds for catering purposes at fires. If the City is requested to supply meals, then the standard set out in Appendix 8 will be adhered to whenever possible. (Subject to availability, notification and timeframes etc). Alternatively, reasonable costs for self organised catering may be reimbursed to the relevant brigade or organisation. Firefighters should normally be at the scene of a wildfire for a minimum of 4 hours before a substantial meal will be provided unless normal meals are missed, the safety of fire fighters is at risk or other criteria dictate that a meal should be provided. All catering requests must be authorised by the CBFCO or Rangers prior to ordering.

Brigades have the option of self catering for volunteer firefighters or requesting other agencies for catering assistance. Other agencies may include the SES, and Salvation Army etc, or be sourced through the City of Albany. CALM has advised that their mobile kitchen is available on request for use by brigades at any wildfire. (This does not have to be a CALM fire). Fires belonging to other agencies, (ie- outside the City of Albany's volunteer bushfire brigade responsibility) such as CALM or FRS, should normally be catered for by that agency.

### **3.6 PROVISION OF CONSUMABLES**

The City of Albany will also provide fire-fighting foam, comprox and marking tape as required.

## PART 4 - TRAINING

The City of Albany in conjunction with the Bush Fire Service and Bushfire Brigades will implement an appropriate training program so as to ensure the bushfire organisation is trained to an adequate minimum standard.

### 4.1 BUSH FIRE SERVICE

To facilitate basic training, courses are conducted by the Bush Fire Service of FESA as per their training calendar. Further courses may be provided on request dependent upon demand. Firefighters course training modules include:

Module	Content	
1.	Safety and Survival (includes basic first aid)	} Bushfire } Awareness } Certificate
2.	Wildfire Behaviour	
3.	Wildfire Suppression	
4.	Communications	
5.	Organisation and Chain of Command	
6.	Map Reading	
7.	Driving	
8.	Hand Tools	
9.	Hydrants and Hoses	
10.	Introduction to Structural Fires	
11.	Fire Extinguishers	
12.	Ropes and Ladders	

Other courses or seminars available may include:

- A Fire Control Officers Course,
- B Incident Control Systems- Battle Board Course,
- C Incident Control Systems- Module 4.04,
- D Fire Weather

Chainsaw and advanced first aid training is not considered a necessity and is not normally provided.

**Fire Control Officers** - Aspirant FCO's are encouraged to participate in a FCO's course. FCO's are required to participate in the two-day "Fire Control Officer" training course, within six months of having been elected to that position.

**New Members** - every new member intending to participate in an active fire fighting capacity is required to undertake modules 1-3 of the Firefighters course prior to being exposed to the hazards of a wild fire situation.

**Existing Members** -existing active members that have not yet undertaken Modules 1-3 for the firefighters course, will be encouraged to complete these modules as soon as possible and then complete further modules as training opportunities become available.

All brigade members that have, or will be given responsibility for the operation of any brigade equipment or fire appliance are to undergo the appropriate "equipment familiarisation" training, including the use of two-way radios, to ensure correct operation. They will also be encouraged to participate in drills and hazard reduction burns when they take place to implement the training they receive. The City of Albany will use the quarterly "Firebreak" newsletter to advise brigade members of upcoming training opportunities.

**FIGURE 4**

OFFICER	MODULES							COURSES				EXERCISES
	1-3	4	5	6	7	8	9-12	A	B	C	D	
Senior City Ranger	X	X	X	X	O	X	X	X	X	X	O	O
City Rangers	X	O	O	X	O	O	X	X	X	O	O	O
Admin Officer (BF)	X	O	O	O	O	O	O	X	X	O	O	O
CBFCO	X	X	X	X	O	O	X	X	X	X	O	X
DBFCO	X	X	X	X	O	O	X	X	X	X	O	X
FCO	X	X	X	X	O	O	X	X	X	O	O	X
Active Firefighter	X	X	O	X	O	O	X	O	O	O	O	X
Auxiliary	X	O	O	O	O	O	O		O		O	O
Cadet	X	O	O	O		O	O		O		O	O

(X = Mandatory, O = Desirable)

**4.2 BRIGADES**

Brigades are encouraged to carry out regular exercises to ensure all active members are kept up to date with the use of brigade equipment, current practices and recommended procedures. Training sessions should be held bi-annually and be combined with brigade social activity to promote interest in the brigade. The bushfire organisation’s training officer and the brigade training officers will be responsible for coordination and making recommendations as to training at an organisational and brigade level. Such recommendations will take into account the relevancy and value of skills and experience that have been acquired in the field.

Brigades are encouraged to obtain details of and notify the relevant contact from plantation companies concerned as to exercises, equipment familiarisation, training and social events occurring, in order to foster cooperation and efficiency in the event of fires.



## PART 5 - PROPERTY FIRE RISK MANAGEMENT

### 5.1 CITY OF ALBANY - FIRE RISK AND HISTORY

The City of Albany covers an area of approximately 4800 square kilometres. It has approximately 160km of coastline and extends 30km inland from the state's southern coast.

The City has approximately 30,000 residents and its resident population is growing by approximately 1.5% per annum. That growth is primarily in the urban and urban fringe areas. The rural population has remained static at approximately 6000 persons.

The majority of the City's resident population live or work within 20 minutes response time of a City or FRS appliance. Nonetheless, the extent of vegetation coverage and the land form of the region put large percentages of those residents in high or extreme fire hazard areas as defined in "Planning for Fire"; Many urban, semi-rural and rural lots have slopes in excess of 15 degrees and/or vegetation cover greater than 30%.

According to FESA's statistics, the City of Albany recorded 45% of all fires in 1999/2000, within the Great Southern. As shown in Figure 5, brigades closest to the urban areas (South Coast, Elleker, City of Albany, King River and Kalgan) have been the most active over the last 5 years. Those to the east, where landholdings are in large acreages and the population is more sparsely distributed, have been less active.

Of the reported fires, 70% or more resulted from unknown causes (arson suspected in most cases) or the escape of a fire from a controlled burn. Brigade members and members of the public are encouraged to maintain vigilance to the threat of arson and wildfire. Arson remains a major problem for the VBFB's and the City of Albany is concerned that there has been reported cases and prosecution of arsonists from within the VBFB service. With the powers vested with FCO's under the Bush Fires Act, the City of Albany requires that those officers obtain State police clearances upon appointment to those positions. Clearances may be obtained at City expense by the individual or by the City with the individual's consent. If the clearance provides information which would in the view of Council make the person an unsuitable candidate to perform the duties, or exercise the powers provided to the position under the Act, or in accordance with the Strategic Plan, then Council may decline to appoint the person to the nominated office.

During the period from 1<sup>st</sup> July 1997 to 30<sup>th</sup> June 1999, 39% of fires were on private property, 36% on City reserves (including road verges) and 9% on VCL or CALM reserves. Fire prevention is an important defence against wild fire and CALM has a strategic fire prevention program in place within National Parks and State Forests. The City of Albany has yet to develop a Fire Prevention Strategy and it is only recently that funding for fire prevention on City reserves increased from \$20,000 per annum (1998) to \$45,000 (2000/01).

Included at Appendix 9 is a list of Council controlled reserves which require periodic controlled burning and/or the strategic installation of fire breaks. This list is currently incomplete but will be updated as time permits. With the increase in conservation concerns over recent years, there has been growing pressure from some of the populace not to burn bushland at all. While there are good reasons in some cases not to burn, an overall balance needs to be established and it should always be remembered that an overriding factor is consideration for the preservation of human life and the abatement of hazards that could threaten life and property. For many years prior to European settlement, aboriginal tribes lit bushfires that aided in the conservation of our native flora and fauna and in effect reduced the hazard to them. Hot fires resulting from high fuel

loadings can increase overall damage, whereas low fuel loadings resulting from burns of a managed frequency basis, normally result in cooler burns which by and large do not damage flora to the stage where it can not regenerate.

The City of Albany's Fire Prevention Officer commenced a more focussed fire prevention program in 2000 and the preparation of a comprehensive Fire Prevention Plan is a high priority for the City.

## 5.2 PUBLIC LAND

The City of Albany is responsible for the fire management of all land within the boundaries of the municipality, other than those that come under the control and management of agencies such as CALM or MRWA. The City of Albany is also responsible for all bushfire brigade activity in relation to the abatement of fire hazards on public lands. FESA manages VCL on behalf of DOLA.

The City is undertaking a reserve fire management program whereby issues such as fire hazards, fuel loadings, mosaic burning programs, firebreak construction and vehicle access are addressed in conjunction with conservation responsibilities such as erosion, weed control and preservation of native flora and fauna. The City will allocate a minimum of \$45,000 per year over the term of this strategic plan in an attempt to bring the City's reserves to an acceptable fire risk standard.

Volunteer Bushfire Brigades are responsible for assessing the extent of fire hazards on reserves within their brigade area and reporting those hazards, through the City of Albany to the appropriate authorities. Brigades are encouraged to assist the responsible authority, where requested and where practical, to abate those hazards by identifying strategic firebreak options and carrying out or assisting in controlled burns.

Brigades are encouraged to develop planned and safe programs for hazard reduction within their districts which include factors such as mosaic patch burning, the frequency of burning and seasonal aspects. The above factors need to take into consideration the priority of life and property protection together with issues such as environmental concerns and controlling and extinguishment of the fires. Permission from the City must be obtained prior to burning of public land.

Road verge hazard reduction burning shall only be carried out with Council and/or MRWA approval (as appropriate). The City is currently developing guidelines and criteria for burning permit applications for its road reserves. MRWA, under the Main Roads Act, is vested with responsibility for the control and management of highway and main road verges. Full particulars of the MRWA's responsibilities, practices and procedures are contained in the MRWA's "Control of Road Verge Burning on Highway and Main Road Reserves" document of July 1984, a copy of which forms Appendix 10 of this Strategy.



### 5.3 PRIVATE PROPERTY

The City of Albany will when requested, make available to brigades on an annual basis a schedule of all property owners in the brigade's district. This can be provided by way of printout or computer disk.

Owners and occupiers of private property within the City of Albany are responsible for the installation of firebreaks and the abatement of fire hazards on their property, in accordance with Council's Firebreak Notice. (Appendix 11)

Non compliance with Council's Firebreak Notice is to be reported by brigade FCO's to Council's Senior Ranger who is responsible for issuing notices and/or infringements, as appropriate, under section 33 of the Bush Fires Act.

Where brigades are requested by owners or occupiers to assist in carrying out hazard reduction burns (for which the brigade charges a fee), or for property improvement (whether or not payment is received), the brigade is deemed to be a contractor and appropriate insurance coverage is required to be arranged. Council's insurance does not cover these scenarios.

Where a brigade assists a private property owner or occupier by carrying out a hazard reduction burn (not including property improvement) and does not charge a fee for service, Council's insurance cover applies. Donations from the landowner to a brigade are not considered to be a "fee for service" for insurance purposes.

### 5.4 PLANTATIONS

Owners and managers of tree plantations are responsible for compliance with the requirements of Council's Firebreak Notice and the policies and practices established by the Great Southern Plantations Fire Advisory Committee. Tree plantation companies are encouraged to actively participate in Bushfire Brigade meetings, drills and training. They are encouraged to familiarise themselves with brigade procedures and equipment and to foster good relations with brigades by interacting at social events, training sessions and promotional days.

### 5.5 FIREBREAKS AND FIREBREAK EXEMPTIONS

Section 33 of the Bush Fires Act 1954 provides Council with the authority to require the owner or occupier of land to either:

- (a) install firebreaks, or
- (b) abate a fire hazard.

Applications to vary Council's firebreak notice (firebreak exemption) may from time to time be approved by the Council provided that a minimum standard of fire protection, in accordance with the accepted criteria, is in place.

Applications for firebreak exemptions are to be completed on the current application form and forwarded to the relevant FCO prior to 23<sup>rd</sup> November in each year for inspection by the FCO (or his delegate). The FCO will then make a recommendation and forward the application to Council for approval. If an applicant fails to comply with the exemption requirements, Council's Senior Ranger should be notified for issue of an infringement as per section 33 of the Bush Fires Act.

### 5.6 *OPTIONAL PERIMETER FIREBREAKS – BRIGADE AREAS*

Approvals granted by Council for the installation of perimeter firebreaks as specified on the firebreak notice shall remain in effect in those areas.

Applications for optional perimeter firebreaks within brigade areas will be considered by Council and are to be received no later than 1<sup>st</sup> May in each year.

### 5.7 *EMERGENCY RESPONSE PLANS:*

The City of Albany Bushfire Emergency Response Plan is attached at Appendix 12. This document details the overall fire response to fires in the City of Albany. The purpose of the procedures detailed in this plan is to ensure a fast and efficient response from the City's VBFB's at a bushfire emergency. Specific operational instructions for the guidance of the City of Albany's Bushfire Brigades are contained in the City's Bushfire Operating Procedures (BOPs) at Appendix 4.

### 5.8 *REPORTING OF FIRES*

Fires are required to be reported to the City within 7 days of the occurrence of the fire in accordance with Section 43 of the Bush Fires Regulations.

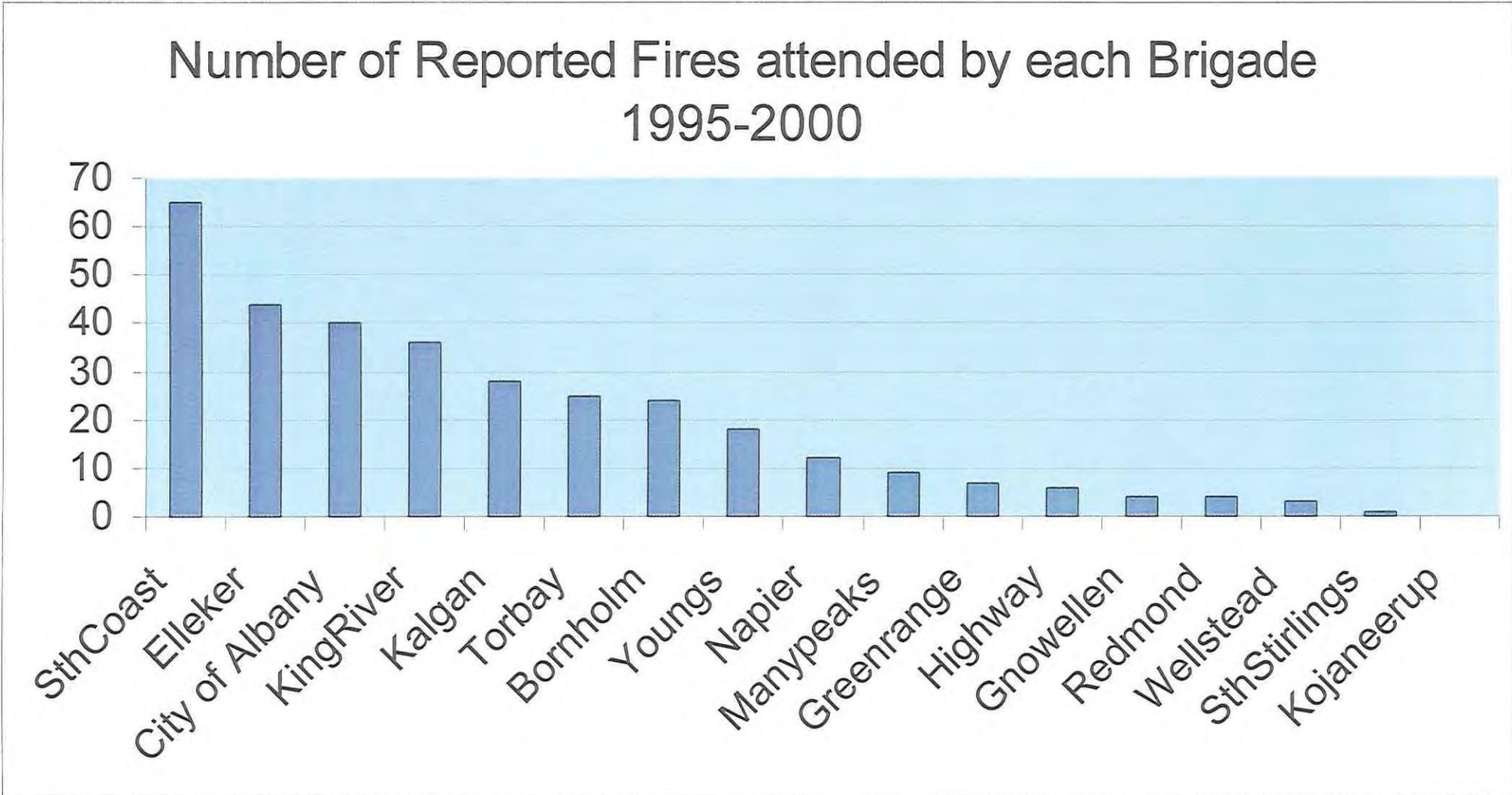
Details required are:

- (a) date of the fire,
- (b) cause or origin of the fire,
- (c) approximate area burned,
- (d) estimate of total loss,
- (e) time when the fire was noticed,
- (f) time when the fire was extinguished,
- (g) details of persons and equipment used to suppress the fire.

Apart from a legal requirement to report these details, justifying the purchase/replacement of equipment or funding of brigades will be influenced by fire history and attendance at fires.

The City of Albany is required to forward fire incident reports to the Bush Fire Service in June of each year in accordance with Bush Fires Regulations.

FIGURE 5



## **PART 6 - FUNDING**

### **6.1 CITY OF ALBANY**

With the assistance of other funding agencies, the City will be responsible for funding the capital costs (plant replacement) associated with the implementation of this Strategic Plan. Other costs associated with brigade activity, such as the purchase of fuels and oils, motor vehicle licenses, equipment maintenance and vehicle repair (based upon an approved maintenance schedule prepared by Council's Senior Mechanic), will also be borne by the City of Albany. Any purchase, repair or service that will incur a cost to the City of Albany will be required to be authorised by a Council Officer and a purchase order arranged by the relevant officer prior to incurring the cost.

The City of Albany will set aside each financial year, sufficient funds to purchase the equipment and vehicles detailed in the Equipment Purchase and Replacement Programs. \$8,000 per annum (adjusted for CPI & inflation) will be budgeted by Council to cover fuel/oil costs for the City's fire fleet. Those brigades in close proximity to the City Depot, (eg: King River, Kalgan, Elleker, Highway and South Coast) are encouraged to utilise the Depot refuelling facilities in place of private vendors, as the City obtains diesel and unleaded fuel at a significantly lower cost than that supplied by private vendors. Fuel savings should also be achieved by refuelling at the City Depot on regular appliance maintenance runs. Rangers are available to open bowsers at the depot after-hours in an emergency.

To minimise equipment purchase cost to the City, application will be made for the subsidised purchase of capital equipment through FESA's "Equipment Grants Scheme", the Lotteries Commission's "Volunteer Emergency Services Funding Program" and Tree Plantation Companies where applicable.

### **6.2 FIRE AND EMERGENCY SERVICES AUTHORITY OF W.A.**

FESA's "Equipment Grants Scheme" provides for the subsidised purchase of items of bushfire equipment including-

- protective clothing;
- fire appliances and stowage kits; and
- fire stations.

### **6.3 LOTTERIES COMMISSION OF W.A.**

Where Lotteries Commission funding becomes available under the Lotteries Commission "Volunteer Emergency Services Funding Program", applications from VBFB's for minor equipment are encouraged to be lodged through the Advisory Committee. It is expected any such funding will assist in the purchase of capital equipment that is not otherwise eligible for FESA funding. Consideration may be given by the City, on an annual basis, for limited contributions towards brigades lotteries funding applications. These applications, together with justification of requirement, will need to be submitted prior to March each year and Council will not support grant applications which jeopardise or are inconsistent with this strategy. Lotteries Commission grant applications for stowage equipment and minor capital purchases etc will be encouraged by the City of Albany, upon the recommendation of the Advisory and Management Committees

### **6.4 PLANTATIONS**

Donations of cash, equipment, land or kind from the owners or managers of tree plantations within the City of Albany will be considered by Council on their merits.



## 6.6 BRIGADES

Brigades will be responsible for funding utility costs and the administrative costs associated with their activities (eg. postage and supply of stationary (including paper for photocopying) etc). The City will support brigade administrative processes through the provision of photocopying facilities for reasonable but limited quantities, providing prior arrangement and suitable notice is given.

Brigades that require items of equipment, additional to that funded by the City, will be required to fund such purchases. Social costs are to be at brigades expense. Brigades will also be responsible for funding of insurance and all associated costs, where a landowner is charged for the provision of a service.

Brigades may refund the reasonable expenses of their elected officers, incurred in carrying out the duties of their positions.

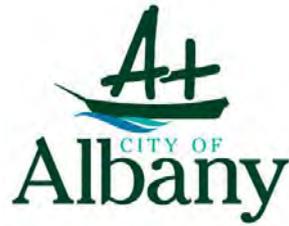
It is expected that brigades will raise funds by way of membership fees, donations, social activities and sponsorships (eg. rural traders, insurance company's etc). The City will commit to supply annual lists of ratepayers in each brigades district to allow for the soliciting of donations or annual subscriptions as required. These will be supplied in paper, floppy disk or label format.

## PART 7 - ACTION PLAN

The Strategic Bushfire Plan 2000-2005 incorporates many of the initiatives developed by the former Shire of Albany Bushfire Plan 1995-2000. The previous document however was principally developed to provide a strategic framework to upgrade appliances throughout the district.

This plan incorporates the following actions:

<u>ACTION</u>	<u>RESPONSIBILITY</u>
Fire Appliances (City of Albany plant)	City of Albany
Fire Appliances (Brigade plant)	Brigade
Fire Stations (Provision of New)	City of Albany
Fire Stations (Structural Maintenance for City Owned Stations)	City of Albany
Fire Stations/Operations Centres - Utility costs	Brigade
Insurance (Normal Brigade Activities)	City of Albany
Insurance (Property Improvement or Payment for Service)	Brigade or Landowner
Maintenance/Fuel/Oil costs for appliances allocated a City of Albany plant number	City of Albany
Maintenance/Fuel/Oil costs for Appliances not allocated a City of Albany plant number	Brigade
Upgrades for vehicle purchases (Crew Cabs/900L Fast Attacks)	Brigade
Radios (issued in accordance with this plan)	City of Albany
Additional Radios	Brigade
Pagers (issued in accordance with this plan)	City of Albany
Additional Pagers	Brigade
Additional Stowage Equipment	Brigade
Postage/Stationery	Brigade
Telephone costs/charges	Brigade
Weather Stations (Designated Weather Recording Officers)	City of Albany
Weather Stations (Additional)	Brigade
Fire Hydrant Maintenance (outside FRS gazetted area)	City of Albany
Fire Hydrant Maintenance (within FRS gazetted area)	FRS
Foam/Comprox/Marking Tape	City of Albany



# **Council Management Plan**

# **Strategic Bush Fire Plan 2014 - 2019**

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# 1 Definitions

<b>TERM</b>	<b>MEANING</b>
<b>AWARE Grant</b>	The AWARE program is a grant scheme designed to enhance WA's emergency management arrangements by building emergency management capacity. The AWARE program is administered by the SEMC Secretariat.
<b>EMERGENCY</b>	An event, actual or imminent, which endangers or threatens to endanger life, property or the environment, and which requires a significant and coordinated response. The term emergency is used on the understanding that it also includes and reference to the word disaster.
<b>EMERGENCY MANAGEMENT</b>	The management of the adverse effects of an emergency including: (a) Prevention – the mitigation or prevention of the probability of the occurrence of and the potential adverse effects of an emergency. (b) Preparedness – preparation for response to an emergency (c) Response – the combating of the effects of an emergency, provision of emergency assistance for casualties, reduction of further damage and help to speed recovery and (d) Recovery – the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial and economic wellbeing.
<b>HAZARD MANAGEMENT AGENCY (HMA)</b>	A public authority or other person, prescribed by regulations because of that agency's functions under any written law or because of its specialized knowledge, expertise and resources, to be responsible for the emergency management or an aspect of emergency management of a hazard for a part or the whole of the State.
<b>LIFELINES</b>	The public facilities and systems that provide basic life support services such as water, energy, sanitation, communications and transportation. Systems or networks that provide services on which the well-being of the community depends.

<b>ABBREVIATION</b>	<b>MEANING</b>
AIIMS	Australasian Inter-Agency Emergency Management System
BFAC	Bush Fire Advisory Committee
BFAG	Bush Fire Advisory Group
CBFCO	Chief Bush Fire Control Officer
DCBFCO	Deputy Chief Bush Fire Control Officer
DCPFS	Department of Child Protection and Family Services
DFES	Department of Fire and Emergency Services of Western Australia
DPaW	Department of Parks and Wildlife
IMT	Incident Management Team (under AIIMS)
LEMC	Local Emergency Management Committee
LGGS	Local Government Grants Scheme
SEMC	State Emergency Management Committee
SEMP	State Emergency Management Policy

## 2 Introduction

Bush fire activities within the City of Albany have previously been guided by the *City of Albany Strategic Bush Fire Plan (2001)* which was adopted in 2001 and expired in 2005. With increased awareness of the impact fire emergencies can have on the local community it is an opportune time for the City of Albany to review the way it currently manages all aspects of bush fire emergencies within the City of Albany.

The State Emergency Management Committee (SEMC) report, *Emergency Preparedness Report 2012*, identified a major fire in the southern part of the state and an extreme/severe cyclone in northern areas as being the two greatest risks faced in Western Australia.

The State Emergency Management Plan, *WESTPLAN – Fire*, identifies four key phases of bush fire risk management: prevention, preparedness, response and recovery. This Plan is structured to address the City of Albany's obligations in the first three areas of bush fire management. The City's obligations for recovery are documented in the *City of Albany Local Recovery Plan*.

In keeping with current and proven emergency management doctrine, and *SEMP 2.9 – Management of Risks*, the City of Albany will increase its focus on prevention and preparedness for fire emergencies while continuing to enhance performance in the response stage.

### 2.1 Objectives

This Bush Fire Strategic Plan aims to document the City of Albany's strategic plans in relation to prevention, preparedness and response to bush fire within the City of Albany and to affirm the City's commitment to the principles of *Westplan – Fire*.

### 2.2 Key Principles

The City of Albany commissioned a robust review into its relationship with volunteer and allied professional fire agencies and the local community in respect to fire management. The report titled *Independent Review into Improving Support to the Volunteer Bush Fire Brigades and overall Emergency Management*, authored by Chris Morrison, was presented to the City of Albany in September 2013.

The *Independent Review* recommended that the City adopt the following five key principles:

**Principle 1** – The City of Albany will create and support a culture of volunteer management and engagement.

**Principle 2** – The City of Albany recognises and supports its responsibilities for emergency management under the *Emergency Management Act 2005*.

**Principle 3** – The City of Albany supports WESTPLAN – Fire as the overarching strategy and approach to bush fire emergency management.

**Principle 4** – The City of Albany endorses the use of Australasian Inter-agency Incident Management Systems (AIIMS) as the sole approach to incident management.

**Principle 5** – The City of Albany recognises and supports emergency management training under DFES approved courses as standard but will add additional training to support community needs.

The Strategic Bush Fire Plan has been developed to encompass the above principles and also aims to address the implementation of the recommendations detailed in the Morrison *Independent Review*, especially with regards to safety. Therefore the following key principle has been added to this Plan:

**Principle 6** – The City of Albany recognises its obligations to the Bush Fire Brigades and volunteers and will ensure the highest level of safety is in place at all times on all fire ground.

**2.3 Bush Fire – a Year-round Focus**

Historically bush fire operations have focused on the response phase and have therefore been considered a ‘summer’ issue. The increased focus on prevention and preparedness in *WESTPLAN - Fire* promotes the benefit to be gained by a greater effort in bush fire risk mitigation and community preparedness.

The renewed focus does not detract from the importance of response activities: it highlights strategies to be implemented which have a significant and sustained benefit to the whole community.

-  - Prohibited Season – no burning permitted
-  - Restricted Season – permits to burn required
-  - Open Season – fires can be lit without a permit

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
SW Sector	Red	Red	Red	Orange	Green	Green	Green	Green	Green	Green	Orange	Red
NE Sector	Red	Red	Orange	Orange	Green	Green	Green	Green	Green	Orange	Red	Red
Prevention	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue
Preparation	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue	Blue
Response	Blue	Blue	Blue	Blue						Blue	Blue	Blue
Recovery	Blue	Blue	Blue	Blue							Blue	Blue

**2.4 Risk Assessment**

The City of Albany will conduct a Community Emergency Risk Assessment process, using risk management process ISO 31000 principles, to identify all hazards likely to impact on the City of Albany. The bush fire risk and treatment plans will be identified during this process and this Plan will be reviewed to address new or emerging bush fire risks.

A risk assessment project has been completed to identify City of Albany reserves where high fuel loading poses a fire risk. (Refer *Strategen Report*.) Risk management plans for the identified high-risk reserves will be developed and implemented.

**2.5 Associated Documents**

This Strategic Bush Fire Plan forms part of the City of Albany’s emergency management arrangements (as required under the *Emergency Management Act 2005*) and should be read in conjunction with related documents:

- Local Emergency Management Arrangements (under development)
- Local Recovery Plan (under development)

- Local Welfare Plan
- Brigade Operating Procedures (under development)
- Risk Register and Treatment Plans (to be developed following Community Emergency Risk Assessment project)

The City of Albany emergency management arrangements and plans will be regularly tested and reviewed.

## 2.6 Legislative and Strategic Context

The City of Albany has legal obligations for bush fire risk mitigation and management. These responsibilities are outlined in the following documents:

- Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas (AS 3959)
- Building Act 2011
- Building Code of Australia
- Bush Fires Act 1954
- Bush Fires Regulations 1954
- City of Albany Local Planning Scheme No 1 2014
- Conservation and Land Management Act 1984
- Emergency Management Act 2005
- Emergency Management Regulations 2006
- Environmental Protection Act 1986
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004
- Fire Brigades Act 1942
- Fire Brigades Regulations 1942
- Fire and Emergency Services Act 1998
- Occupational Safety and Health Act 1984
- Occupational Safety and Health Regulations 1996
- Planning and Development Act 2005
- State Emergency Management Plans
  - WESTPLAN – Fire
  - WESTPLAN – Recovery Coordination
- State Emergency Management Committee (SEMC)
  - 2.5 Emergency Management in Local Government Districts
  - 2.9 Management of Risk
  - 3.1 Emergency Management Exercises
- Western Australian Planning Commission (WAPC) Development Control Policy 3.7 Fire Planning and Planning for Bush Fire Protection (DC 3.7)
- Western Australian Planning Commission (WAPC) Planning for Bushfire Protection Guidelines edition 2 2010
- Western Australian Planning Commission (WAPC) State Planning Policy 2.5: Land Use Planning in Rural Areas (SPP 2.5)
- Western Australian Planning Commission (WAPC) State Planning Policy 3.4: Natural Hazards and Disasters (SPP 3.4)

### 3 Focus Area 1 - Prevention of Bush Fire

The City Of Albany has legislated responsibilities for bush fire prevention under the *Bush Fire Act 1954*. The targeted application of prevention strategies is the most cost effective method of effecting bush fire risk mitigation in the local community. For this reason special focus needs to be made in this area.

The City also recognises that bush fire prevention is a shared responsibility and will work with stakeholders to promote cooperation to achieve common bush fire prevention objectives.

#### 3.1 Community

Wide-ranging community participation in the Community Emergency Risk Assessment process will be encouraged to ensure a broad perspective of identified risks is achieved.

The City of Albany will develop a community fire prevention educational and awareness program for delivery to those people living in high fire risk areas. This strategy will utilise the expertise and experience of related and supporting agencies to reinforce key prevention messages. Any educational program developed will also consider the needs and requirements of visitors to the City of Albany.

Sections 28 and 33 of the *Bush Fire Act 1954* clearly identify property holders' statutory obligations to prepare for, prevent and manage fires on their land. The City of Albany will ensure that property holders are made aware of these responsibilities and will provide accurate and up to date information regarding fire-breaks and other fire mitigation measures.

The City of Albany, as the local government authority, has key responsibilities to ensure compliance with these requirements by rigorously undertaking fire-break inspections and, where necessary, imposing fines for non-compliance and taking action to enforce fire-break requirements.

#### 3.2 Volunteer Bush Fire Brigades

The City of Albany Volunteer Bush Fire Brigades:

1. Will work with the City of Albany to educate their local community about strategies land owners can employ to help mitigate the risk of fire on their land.
2. Play a role in assisting to identify bush fire hazards in their area and assist in the development of fire management plans for the areas considered most at risk.
3. Will assist in delivering arson prevention strategies to reduce arson in the local area with a subsequent reduction in fire threat to the local community.

#### 3.3 The City of Albany

The City of Albany is currently undertaking a review of the Albany Local Planning Strategy (ALPS) to clearly identify bush fire prone areas. On endorsement of the Strategy, the City will initiate a review of its local planning scheme (LPS1) and policies to ensure new buildings within the defined areas comply with applicable construction and development standards, and where practical, incentives and controls are introduced to increase protection of existing properties.

The City of Albany will:

1. Review its planning approval process to ensure this information and the City of Albany's position is well known to all land owners, developers and other agencies who have an interest in these areas.

2. Impose harvest and vehicle movement bans in accordance with Department of Fire and Emergency Services (DFES) guidelines across relevant sections of the City in order to reduce fire risks. The City will develop a process to ensure these bans are in place in a timely manner.

## **4 Focus Area 2 - Preparedness for Bush Fire**

### **4.1 Community**

The City of Albany will develop community education **preparedness** programs with special focus on those people living in identified high fire risk areas. These programs will utilise the expertise and experience of key local brigade personnel and supporting agencies aimed at ensuring the local community is as prepared as possible. Any educational program developed will also consider the needs and requirements of visitors to the City of Albany.

### **4.2 Volunteer Bush Fire Brigades**

City of Albany bush fire brigades will place increased emphasis on preparedness. Effective preparation of local brigades will minimise response time and reduce the risk of incidents escalating. This will be achieved through the development of pre-formed response plans and scaling-up processes aimed at improving response times and turn-outs.

Brigade preparations will be enhanced through targeted training programs to improve each brigade's capacity to respond to incidents with suitably skilled volunteers. A training audit will be conducted to determine the training requirements of each brigade.

The training programs will aim to ensure sufficient numbers of suitably trained and experienced fire fighters at every tier of every bush fire brigade including Incident Controller, Fire Control Officer, Deputy Fire Control Officer, Sector Commander, Crew Leader and Ground Controller.

The Brigade will use lessons learnt from post incident reviews as the basis for pre and post season briefings. The briefings will aim to create a culture of continuous improvement in overall operations.

As part of a pre-season preparation process, City of Albany Bush Fire Brigades will participate in scenario-based training exercises. These exercises aim to provide opportunities for individual brigades, brigade cells and/or the whole of the City of Albany to regularly test their response procedures to ensure skills are enhanced and best practice processes embedded in operations.

The exercises may include the following:

- Prescribed burning of City of Albany reserves
- LEMC exercises (desk top or field exercises)
- Joint agency exercises (for example DPaW prescribed burns)
- Exercises developed by the Emergency Management Training Officer

### **4.3 City of Albany**

The City of Albany will:

1. Actively engage with other fire agencies, including DPaW and DFES to develop opportunities for inter-agency scenario based training.
2. Develop a series of exercises to test preparedness for upcoming fire seasons.
3. In conjunction with brigades, conduct a training audit to determine brigade member training needs.
4. Develop and maintain a volunteer bush fire brigade members training data base.

5. Conduct pre-season testing of operation centres and facilities to ensure a high state of readiness.
6. Conduct a rigorous review of existing practices to ensure adequate and proper response procedures are in place. The review should include, but is not limited to; incident control, incident management teams (including pre-formed incident management teams based on fire danger rating) and call out procedures.
7. Conduct a review of public information and warning procedures (an area identified in *the Royal Commission into Black Saturday Bush Fires* as being of primary importance).
8. Review existing bulk rubbish collection arrangements to assist the community to be better prepared for each fire season.

## **5 Focus Area 3 - Response to Bush Fire**

The City of Albany is responsible for developing and implementing rapid, effective and complementary fire response arrangements for all land located outside of the gazetted fire district.

### **5.1 Community**

The City of Albany recognises the doctrine of shared responsibility regarding bush fires and that it is the community members' responsibility to prepare their home and families for bush fire and for individual families to prepare their bush fire survival plan.

The City will develop a community fire liaison/education program for delivery to the community, in particular those people living in high fire risk areas. This program will utilise the expertise and experience of related and supporting agencies to reinforce the key response message 'Prepare. Act. Survive'. A key component of this program will focus on educating the community about the importance of having a pre-determined action plan in place and the impact of actively defending their properties.

### **5.2 Volunteer Bush Fire Brigades**

Brigade response to bush fires will be carried out in accordance with the City of Albany's Brigade Operating Procedures (BOPs). The BOPs will be reviewed regularly to ensure they comply with industry 'best practice' and DFES operational doctrine.

Fire responses are based on the priorities of life, property, critical infrastructure and the environment. The fundamental priority remains the safety of personnel tasked with responding to an incident. Responses to fire at the local level will be overseen by the Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Senior Fire Control Officers and managed using AIIMS. In line with WESTPLAN – Fire an Incident Controller (IC) will be in place and clearly identified for each fire.

Brigades will implement a post incident review process after each incident attended with the aim of enhancing operations to maximise the benefit to the community. Information gained during this review process will be used as a basis for ongoing discussions and continuous process improvement across the brigade network.

### **5.3 City of Albany**

The City of Albany's response to bush fires will be carried out in accordance with the City of Albany's Brigade Operating Procedures (BOPs) and City of Albany Policies. This includes the City's responsibilities as a member of an IMT under AIIMS.

The City of Albany will implement further post incident review process for all significant incidents. The reviews will be appropriate to the size of the incident and aims to provide for

an incremental growth process for all Incident Controllers and others involved in the incident. The focus of these reviews will be educative and informing and aims to build response capacity into all brigades.

## **6 Resourcing the Strategic Bush Fire Plan**

### **6.1 Financial**

The City of Albany is committed to providing sufficient resources to meet the objectives and requirements of this Strategic Plan. Achieving the stated objectives will ensure there is a maximum level of fire prevention, preparedness and response for the Albany community. At the same time, bush fire volunteers are to be provided with a safe work environment where risks are reduced and/or effectively managed.

In addition to the City of Albany resources, continued effort will be made to secure sufficient and appropriate funding under the Local Government Grants Scheme (LGGS). The City will work closely with the brigades to ensure equitable distribution of LGGS funding based on need and an open and transparent system of reporting.

The DFES Resource to Risk assessment will be reviewed annually to ensure appliance numbers and types meet the identified and projected needs of the community.

The City of Albany will also explore funding opportunities through grants, such as the AWARE program which offers funding for prevention, preparedness and recovery activities.

### **6.2 Fire Stations**

The City of Albany will undertake a review of Brigade facilities (sheds and headquarters) to ensure they are sufficient to meet the needs of the local brigade and community and seek funding for required upgrades through the DFES Resource to Risk program.

### **6.3 Personnel Support**

The City of Albany has recently undertaken a review of existing staff roles and numbers to ensure all aspects of emergency management, including bush fire, is effectively managed and brigades are adequately supported. (Refer to the *Morrison Review*).

Declining brigade membership is a threat to bush fire management. The City of Albany will undertake targeted recruitment campaigns to help boost brigade membership aimed at reversing the general trend towards ageing membership in many local brigades.

Bush Fire Brigades also have a key role to play in this area by actively supporting recruitment activities at the local level and establishing inclusivity processes to increase the number of new recruits and retain membership.

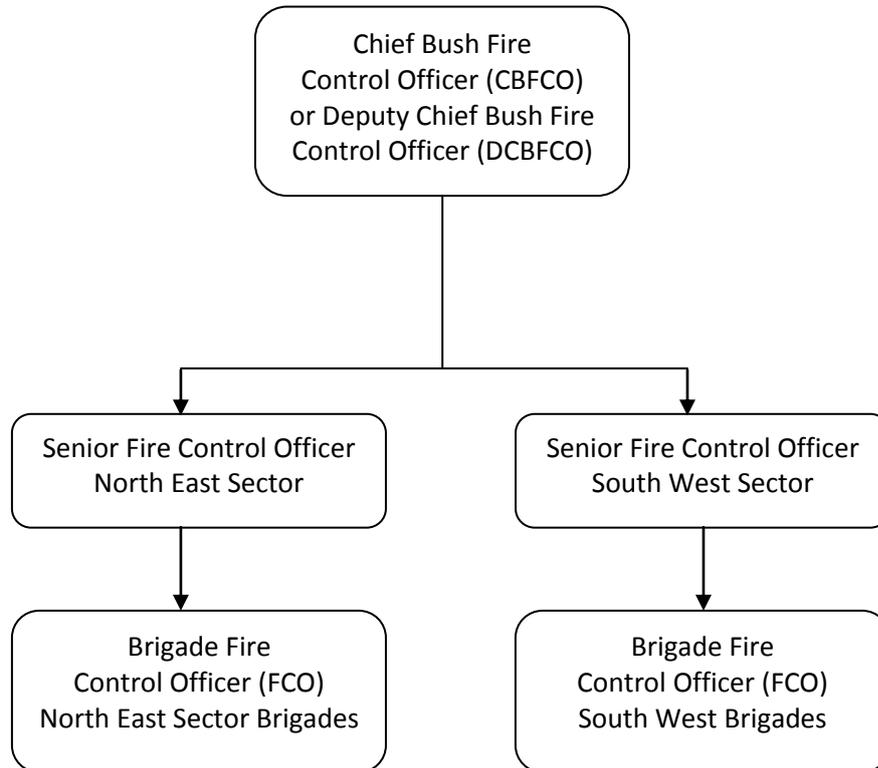
## **7 Governance of Volunteer Bush Fire Brigades**

### **7.1 Volunteer Bush Fire Brigades**

The City of Albany will work with Bush Fire brigades to develop a set of administrative guidelines which suit the needs of the brigades and are consistent with best practice for similar organisations across WA.

## 7.2 Brigade Structure

The City of Albany will take every reasonable step to recruit, select, appoint and induct properly qualified and experienced people into the key leadership roles required under the *Bush Fire Act (1954)*. These roles, at both brigade and City level, are critical to providing effective leadership to the brigades and will enable the City and its volunteer brigades to deliver an effective bush fire mitigation and response service.



## 7.3 Roles and Responsibilities

### 7.3.1 Chief Bush Fire Control Officer (CBFCO) / Deputy Chief Bush Fire Control Officer (DCBFCO)

The City of Albany has reviewed the position description for the role of Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer to ensure there is clear understanding of the roles and responsibilities of these key roles and a suitable selection/appointment process implemented.

*See Appendix 1 for CBFCO Position Description*

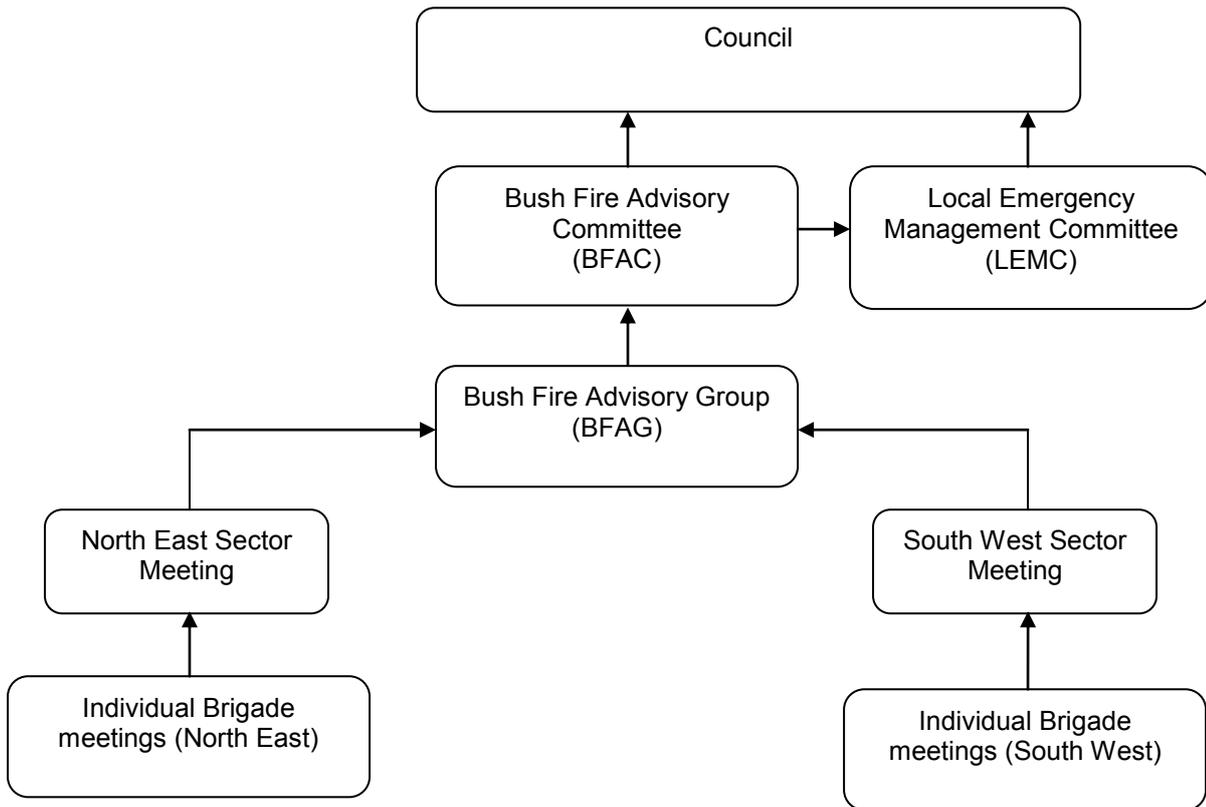
*See Appendix 2 for DCBFCO Position Description*

### 7.3.2 Senior Fire Control Officer (SFCO)

The City of Albany has reviewed the position description for the role of Senior Fire Control Officer to ensure there is clear understanding of the roles and responsibilities of this key role and a suitable selection/appointment process implemented.

*See Appendix 3 for SFCO Position Description*

## 7.4 Brigade Governance Structure



### 7.4.1 Bush Fire Advisory Group (BFAG)

The City of Albany has reviewed and developed revised Terms of Reference for the Bush Fire Advisory Group to guide its operations. The Terms of Reference will be made available to key personnel in each brigade and within the City of Albany.

*See Appendix 4 for BFAG Terms of Reference*

### 7.4.2 Bush Fire Advisory Committee (BFAC)

The City of Albany has reviewed the membership and role of the Bushfire Advisory Committee, and developed revised Terms of Reference for the Committee. The Terms of Reference will be available to key personnel in each brigade and within the City of Albany.

*See Appendix 5 for BFAC Terms of Reference*

## 7.5 Interagency Relationships

The City of Albany is committed to working closely with our allied professionals; Department of Fire and Emergency Services (DFES), Department of Parks and Wildlife (DPaW), Fire and Rescue Service (FRS), and neighbouring local governments.

These relationships will be enhanced through ongoing dialogue, sharing of information, membership on key groups or committees, joint exercises and if necessary, expertise and/or appliances.

The City of Albany has entered formal discussions with allied agencies with a view to developing Memoranda of Understanding.

## 8 Appendices

### 8.1 Appendix - CBFCO Position Description

#### **Chief Bush Fire Control Officer (CBFCO) Position Description**

**Position Objective:**

The CBFCO oversees the safe and effective operations of the Brigades with regards to the prevention, preparedness, response and recovery phases of bush fire.

The role of the Chief Bush Fire Control Officer is that of a leader, decision maker and manager of the City of Albany Volunteer Bush Fire Brigade: it is not that of a hands-on fire fighter.

**Key Responsibilities:**

**The key responsibilities of the Chief Bush Fire Control Officer include:**

1. Providing decisive leadership to the City of Albany Volunteer Bush Fire Brigades ('Brigades').
2. Ensuring the commitment to safety of personnel and the community is a priority at all incidents.
3. Taking steps to monitor and facilitate the training of Brigade members with the aim of ensuring that they are appropriately trained to safely and effectively undertake assigned tasks.
4. Fostering a Brigade culture in which ongoing training is valued and accepted as an integral aspect of being a Brigade member.
5. Identifying future Brigade leaders and mentoring their development.
6. Assisting Brigades to operate within the parameters defined through legislation, state emergency plans and the City of Albany's plans, strategies, policies and procedures.
7. Assisting the City of Albany to implement its local emergency arrangements and plans (pertaining to bush fire) throughout the district and advocating a strategic approach for the prevention, preparedness, response and recovery of bush fire incidents.
8. Providing input into the development of Brigade Operating Procedures and promoting the use of these Procedures by the Brigades.
9. Encouraging Brigades to be involved with the annual planning and budgeting process for Local Government Grants Scheme (LGGS) applications to ensure Brigades are adequately resourced.
10. Encouraging Brigades to provide annual acquittals for funds provided through the LGGS.
11. Establishing and maintaining effective internal communication and liaison across the City of Albany Brigades.
12. Fostering liaison between Brigade members, the City of Albany and the community and related emergency agencies and stake holders.
13. Representing the Brigades through committee membership including: LEMC, BFAC and DOAC.
14. Promoting Brigade involvement in developing community awareness of fire prevention and preparedness at a local brigade level.

15. Promoting the values of volunteer fire brigades to the community and within the brigades.

### **During Bush Fire Incidents**

It is recognized that the Incident Controller (IC) is responsible for the overall management and control of an incident. During bush fire incidents, the CBFCO has responsibilities to assist, guide and mentor the brigade members filling the role of IC. This does not mean the CBFCO assumes the role of IC, unless the nature of the incident necessitates the appointment of a better qualified IC.

Responsibilities include:

1. Providing leadership and direction to the Brigade members during bush fires including delegating tasks to DCBFCO, FCOs or Brigade members.
2. Facilitating the prompt response to bush fire incidents by Brigades by effectively managing Brigade resources.
3. Promoting AIIMS as the incident management system that will be used for the management of every incident attended by the Brigades.
4. Ensuring an Incident Controller is appointed and identified for all incidents.
5. Assisting the Incident Controller by providing advice on strategy, plans and tactics to combat the fire and reduce the escalation of incidents.
6. Where necessary assuming the role of Incident Controller.
7. Attending the operations centre, as and when appropriate, during incidents.
8. Identifying and continually monitoring and resource requirements at an incident, including the provision of food, medical aid and counseling services to ensure these needs are being met.
9. Ensuring meteorological and intelligence reports are provided as required.
10. Liaising with allied agencies.
11. Ensuring incident debriefing, as appropriate to the size of the incident, takes place in a timely manner.
12. Follow up with the Brigade FCO to encourage the completion of a Fire Incident Report and initiation of Fire Incident Investigation procedures if required.

### **Criteria of Chief Bush Fire Control Officer –**

#### **Skills and Attributes:**

- Demonstrated leadership skills
- Effective management skills
- Effective interpersonal skills
- Proactive attitude to relationship building
- Good written and verbal communication skills
- Experience in managing operations
- Ability to perform under stressful conditions

#### **Knowledge and Experience:**

- Current or recent previous experience as Fire Control Officer
- Working knowledge of the Bush Fire Act 1954
- Extensive knowledge of WESTPLAN - Fire 2013
- Experience in managing a volunteer organization or similar
- Have successfully completed training and gained qualifications in the following (or be willing to complete same prior to next bush fire season):
  - AIIMS 3
  - Level 1 Incident Controller
  - Chief Bush Fire Control Officer

## 8.2 Appendix 2 - DCBFCO Position Description

### Position Description

#### Deputy Chief Bush Fire Control Officer (DCBFCO)

##### Position Objective:

The DCBFCO is assists the Chief Bush Fire Control Officer (CBFCO) to oversee the safe and effective operations of the Brigades with regards to the prevention, preparedness, response and recovery phases of bush fire.

##### Key Responsibilities:

##### The key responsibilities of the DCBFCO include:

1. Provide support to the CBFCO and to assume the position of CBFCO in his or her absence
2. Under the direction of the CBFCO, provide leadership to the City of Albany Volunteer Bush Fire Brigades ('Brigades').
3. Ensuring the commitment to safety of personnel and the community is a priority at all incidents.
4. Assisting the CBFCO in taking steps to monitor and facilitate the training of Brigade members with the aim of ensuring that they are appropriately trained to safely and effectively undertake assigned tasks.
5. Assisting to foster a Brigade culture in which ongoing training is valued and accepted as an integral aspect of being a Brigade member.
6. Identifying future Brigade leaders and mentoring their development.
7. Assisting the CBFCO to ensure Brigades operate within the parameters defined through legislation, state emergency plans and the City of Albany's plans, strategies, policies and procedures.
8. In consultation with the CBFCO, provide input into the development of Brigade Operating Procedures and promoting the use of these Procedures by the Brigades.
9. Assisting in establishing and maintaining effective internal communication and liaison across the City of Albany Brigades.
10. Promoting Brigade involvement in developing community awareness of fire prevention and preparedness at a local brigade level.
11. Promoting the values of volunteer fire brigades to the community and within the brigades.

##### During Bush Fire Incidents

It is recognized that the Incident Controller (IC) is responsible for the overall management and control of an incident. During bush fire incidents, the DCBFCO has responsibilities to assist, guide and mentor the brigade members filling the role of IC. This does not mean the DCBFCO assumes the role of IC, unless the nature of the incident necessitates the appointment of a better qualified IC.

**Responsibilities include:**

1. Promoting AIIMS as the incident management system that will be used for the management of every incident attended by the Brigades.
2. In consultation with the CBFCO, assist the Incident Controller by providing advice on strategy, plans and tactics to combat the fire and reduce the escalation of incidents.
3. Where necessary assuming the role of Incident Controller.
4. Attending the operations centre, as and when appropriate, during incidents.
5. Assisting to identify and monitor resource requirements at an incident, including the provision of food, medical aid and counselling services.
6. Ensuring meteorological and intelligence reports are provided as required.
7. Liaising with allied agencies.
8. Assisting with incident debriefing, as appropriate to the size of the incident, takes place in a timely manner.

**Criteria of Deputy Chief Bush Fire Control Officer –****Skills and Attributes:**

- Effective management skills
- Effective interpersonal skills
- Good written and verbal communication skills
- Experience in managing operations
- Ability to perform under stressful conditions

**Knowledge and Experience:**

- Current or recent previous experience as Fire Control Officer
- Knowledge of the Bush Fire Act 1954
- Knowledge of Westplan Fire 2013
- Experience in managing a volunteer organization or similar
- Have successfully completed training and gained qualifications in the following (or be willing to complete same prior to next bush fire season):
  - AIIMS 3
  - Level 1 Incident Controller
  - Fire Control Officer course

### 8.3 Appendix 3 - SFCO Position Description

## SENIOR FIRE CONTROL OFFICER (SFCO)

#### Position Objective:

The Senior Fire Control Officer assists with the safe and effective operations of the Brigades with regards to the prevention, preparedness and response phases of bush fire. A SFCO is appointed for each Brigade Sector.

#### Key Responsibilities:

In conjunction with the CBFCO and DCBFCO the SFCO will;

- Working within the Sector's call-out procedures, facilitate the prompt response to bush fire incidents by Brigades by the effective dispatch of Brigade resources.
- Liaise with Comcen regarding incident names and numbers.
- Coordinate and manage the resources of the sector in response to fire incidents within the sector.
- Encourage Brigades to provide arrival messages and PAFTACS report (as per BOP requirements) and ensure an Incident Controller (IC) is identified for each incident.
- Promote AIIMS as the incident management system that will be used for the management of every incident attended by the Brigades.
- Assist the IC by providing advice on strategy, plans and tactics to combat the fire and reduce the escalation of incidents.
- Assist the IC to identify and monitor resource requirements at an incident.
- Assist the IC to ensure meteorological and intelligence reports are provided as required.
- Provide leadership and assistance to FCOs and brigades within the sector area with respect to fire prevention, preparation for fire and response to fire incidents in the sector.
- Assist with the preparedness of sector resources under the direction of the CBFCO.
- Assist with the establishment and maintenance of effective communications with and between the CBFCO, DCBFCO and brigade personnel.

## 8.4 Appendix 4 - BFAG Terms of Reference

### TERMS OF REFERENCE

## BUSH FIRE ADVISORY GROUP (CITY OF ALBANY OPERATIONAL WORKING GROUP)

**File reference:**

**Type:** City of Albany Operational Working Group

**Appointment reference:** Not applicable.

The Bush Fire Advisory Group (BFAG) operates as a subordinate operational working group to the Bush Fire Advisory Committee (BFAC).

The Group does not have any delegated authority from Council.

#### **BFAG Functions:**

The City of Albany covers an area of over 4,800km<sup>2</sup> and its Volunteer Bush Fire Brigades comprises 16 brigades. The BFAG is a brigade-wide forum that brings together all brigades on common ground for the discussion of operational issues.

The BFAG functions are as follows:

- Facilitates and fosters open communication and cooperation across City of Albany Volunteer Bush Fire Brigades.
- Provides a forum at which brigade-wide issues can be discussed and resolved.
- Formally reports to the BFAC on operational matters referred to BFAG.
- Communicates directives from Council to the brigades.
- Provide advice and input to the City of Albany on operational matters relating to bush fire prevention and mitigation, preparedness and response.
- Provides a forum for the City of Albany to present and disseminate information to brigades.
- Provides a forum for other agencies to provide reports on bush fire related issues.
- Reviews and provides advice on the City of Albany's local emergency management arrangements and plans pertaining to bush fire.
- Reviews and provides advice on the City of Albany's policies and procedures regarding bush fire prevention and mitigation, preparedness and response.
- Provides the nominations for CBFCO and DCBFCO that will be presented to BFAC who will seek Council endorsement
- Ratifies the nomination of FCOs elected by brigades.
- Supports and guides all brigades within the City of Albany and assisting brigades to fulfill their objectives.

#### **Membership:**

- Chair – elected from the group
- Chief Bush Fire Control Officer
- Deputy Bush Fire Control Officer

- Senior Fire Control Officer (North East Sector)
- Senior Fire Control Officer (South West Sector)
- Bush Fire Control Officers
- City of Albany Manager Rangers & Emergency Management
- City Emergency Management Administrator (admin support)

Other brigade members are welcome to attend BFAG meetings, with each brigade allocated two votes.

**Visitors:**

Visitors may be invited to present at meetings.

**Meeting Schedule:**

At least two BFAG meetings are to be held annually, with one pre-season and one post-season meeting. Meetings will be held on a week night, commencing at 7.30pm.

Special BFAG meetings may be called if and when required.

**Meeting Location:**

Meetings are to be held at the City of Albany's North Road offices,

**Reporting Guidelines:**

Reports should be provided in writing and verbal presentations should be kept to duration of no longer than 10 minutes (plus question time).

**Responsible Team:** Planning and Development.

The City Emergency Management Team supplies support services such as organizing meetings, preparing agendas, taking minutes and actions and preparing any papers to be presented to BAFC as requested by the Chair.

**Agenda:**

- The CBFCO, DCBFCO and the City of Albany can place items for discussion on the agenda.
- Agenda items should be discussed at sector level prior to the BFAG meeting and FCOs should represent their agreed brigade's view.
- Motions and discussions from sector meetings can be placed on the agenda through the brigade FCO or the sector DCBFCO.
- External agencies (e.g. DFES and DPaW) can request items to be placed on the agenda through the City of Albany.
- BFAG agenda items are to be received by the City of Albany one month prior to the meeting date.
- The City of Albany is to distribute the agenda to brigades at least two weeks prior to the meeting date.
- Urgent operational items can be raised at anytime outside BFAG.

**Recording of minutes:**

- Minutes and updates are created by City Emergency Management Team.

- Minutes are to be circulated to CBFCO and the Chair of BFAG for ratification within two weeks of the meeting.
- The minutes will be circulated to DBCFO, BFCOs, City Emergency Management Team and ED within two weeks of receiving ratification.
- Actions should be clear with date and owner.
- The Emergency Management Administration officer is responsible for ensuring that the minutes of meetings and associated information is filed on the City of Albany's records management system.

**Conflict of interest:**

Members are to declare if they have an interest in any matter for consideration by the BFAG.

## 8.5 Appendix 5 - BFAC Terms of Reference

### BUSH FIRE ADVISORY COMMITTEE

#### Terms of Reference

**File reference:**

**Type:** Standing Committee of Council

#### **Legislative Authority:**

Under the *Bush Fires Act 1954 (S 67)*, local governments may appoint such persons as it sees fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to:

- the preventing, controlling and extinguishing of bush fires;
- the planning and layout of fire breaks;
- prosecutions for breaches of the Bush Fire Act;
- the formation of bush fire brigades;
- the grouping thereof under brigade officers;
- the ensuring of cooperation and coordination of bush fire brigades in their efforts and activities; and
- any other matter relating to bush fire control.

Local government makes the rules for guidance of the committee.

The committee is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

#### **BFAC Functions:**

- To consider reports regarding operational matters received from Bush Fire Advisory Group (BFAG) and provide recommendations to Council as appropriate.
- To consider nominations for the position of Chief Bush Fire Control Officer and Deputy Chief Fire Control Officer and make recommendations as appropriate to the City of Albany's Chief Executive Officer (or delegate).
- Advise and assist the City of Albany in ensuring that local risk management plans pertaining to bush fire are established and maintained.
- Liaise with the Bush Fire Advisory Group, other emergency management agencies and other supporting agencies in the testing of local bush fire risk management plans.
- Support the City of Albany to ensure appropriate and timely training programs are developed and delivered to brigade members, including on-going scenario-based training.
- Advise the City of Albany on operational and administrative matters relating bush fire prevention, preparedness, response and recovery, as per relevant legislation and policies.
- Advise and assist the City of Albany in the development of bush fire community engagement and education programs.
- Facilitate and foster open communication and cooperation with other fire and emergency agencies and neighboring local governments.

#### **Membership**

- Two or three elected members (Chairperson)
- Chief Bush Fire Control Officer

- Chair of Bush Fire Advisory Group (BFAG)
- Department of Fire and Emergency Services (DFES) Representative
- Department of Parks and Wildlife (DPaW) Representative
- City of Albany Manager Rangers & Emergency Management (executive support – non- voting)
- City Emergency Management Administrator (administrative support – non-voting)

**Guests of Committee**

By invitation (non-voting) – e.g. CBFCOs of neighbouring local governments.

**Meeting Schedule**

Four meetings per year (pre and post fire season). Meetings to be scheduled to be held within four weeks of a BFAG meeting. Additional meetings may be scheduled as required.

**Meeting Location**

City of Albany Council Chambers.

**Executive Officer**

Executive Director Planning and Development Services

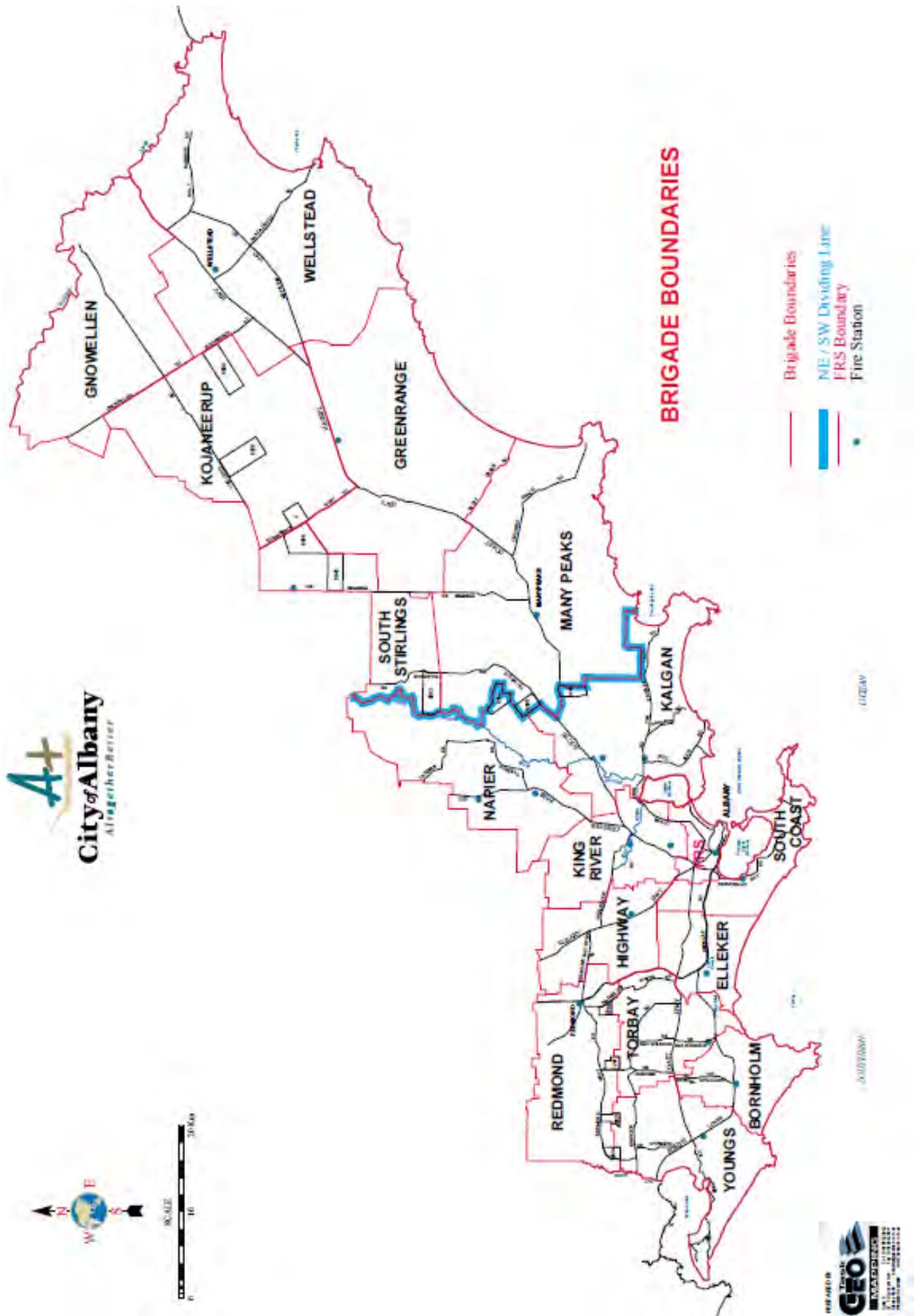
**Delegated Authority**

None

**Reporting Guidelines**

The committee is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

8.6 Appendix 6 - Brigade Boundaries



**Title:**

Ranger & Emergency Service: Administer the Bush Fires Act 1954.

**Function:****Authority to:**

- (1) Issue directions to Bush Fire Brigades (includes authority to issue direction regarding burning bush on, or at the margin of, streets, roads and ways under the care, control and management of the local government and give direction to Bush Fire Control Officers, appointed under the Bush Fires Act 1954).
- (2) Appoint Fire Control Officers & define areas of responsibility (includes the authority to appoint Fire Control Officers, the Chief Bush Fire Control Officer and Deputy Bush Fire Control Officers in accordance with section 48 of the Bush Fires Act 1954).
- (3) Approve Fire Hazard Reduction by Burning Applications (includes Authority to endorse applications submitted for hazard reduction by burning on any land in the district, at the request of the owner or occupier of the land).
- (4) Give Notice to Install Firebreaks Around Properties (includes Authority to take measures for preventing a bush fire, including requiring firebreaks (fire access tracks) around properties).
- (5) Prosecute and Serve Infringement Notices (Consider allegations and issue infringement notices committed against the Bush Fires Act 1954).
- (6) Vary Prohibited and Restricted Burning Times. (including Authority to Vary Prohibited Burning Times, in accordance with s17(7) and (8), of the Bush Fires Act 1954: shortening, extending, suspending or reimposing a period of prohibited burning times; or imposing a further period of prohibited burning times).

**Conditions:**

- (a) Issue direction to a registered Bush Fire Brigade: Having reasonably sought information prior to issuing directions and so satisfying themselves that direction is needed.
- (b) Prior to persons appointed as Rangers instigating proceedings in a Court of Competent jurisdiction the section Manager is to be consulted.
- (c) Appointed persons must be qualified in accordance with DFES prescribed qualifications.
- (d) The Chief Bush Fire Control Officer and Deputy Bush Fire Control Officers who shall be first, second in seniority of those officer, and subject thereto may determine the respective seniority of the other Bush Fire Control Officers appointed.
- (e) Appointments must be published in a newspaper circulating in the district and Government Gazette.
- (f) Approve Fire Hazard Reduction by Burning Applications: DFES and DEC must be consulted.
- (g) Give Notice to Install Firebreaks Around Properties: Prevention measure and fire breaks (fire access tracks) are to be in accordance with the City of Albany Fire Management Requirements Notice (Section 33 of the Bush Fires Act 1954).
- (h) Vary Prohibited and Restricted Burning Times: The Officer in charge of the regional offices of the Department of Environment and Conservation (DEC) and Department of Fire and Emergency Services (DFES) are to be consulted before the authority under this delegation is exercised.
- (i) A notice signed by the CEO is to be published in accordance with the Act for all variations.

**Designated/Authorised Officers:**

- Chief Executive Officer (All)
- Deputy Chief Executive Officer (All)
- Executive Director Planning & Development Services (All)
  - Manager Ranger & Emergency Services (All) (Not 2)
  - All Rangers (4)(5)
  - Chief Bush Fire Control Officer (1)
  - Deputy Chief Bush Fire Control Officer (1)

**Legislation:**

Bush Fires Act 1954, s17(7),(8),(10), and s18(5)(a), s33, s33(6), s38(1)(2)(a) (6) (c&ca), s38(d), s38(1), s38(2)(a), s38(4)(5)(a), s48, s59(3) & s59A(2)

14. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL - NIL**
15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN - NIL**
16. **REPORTS OF CITY OFFICERS - NIL**
17. **MEETING CLOSED TO PUBLIC - [6:01:14 PM](#)**
18. **CLOSURE – There being no more Business the Chair declared the meeting closed. [6:03:03 PM](#)**