



ATTACHMENTS

Development and Infrastructure Services Committee

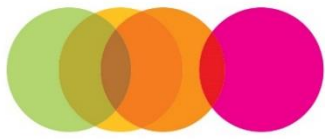
15 March 2017

6.00pm

City of Albany Council Chambers

TABLE OF CONTENTS

Attachment	Report No.	Description	Page No.
B	DIS	Development and Infrastructure Services Committee	
	DIS009	Consideration of Adoption of Local Planning Scheme Amendment – Lot 1000 Lockheed Road, Lange	1
	DIS010	Recommendation of Adoption of Local Structure Plan No. 5-Lot 6 Henry Street, Lots 271, 5498, 1 and 2 Chester Pass Road, Lot 4925 Terry Road and Lot 521 Mercer Road	22
	DIS011	Industry – Extractive (Silica Sand), Lot 102 Mindjup Road, Palmdale	34
	DIS012	Industry – Extractive (Gravel), 45720 South Coast Highway, Kalgan	41
	DIS013	Natural Reserves Strategy and Action Plan 2016-2022	53
	DIS014	Waste Local Law 2017	81
	DIS015	Planning and Building Reports February 2017	115



Harley Dykstra

PLANNING & SURVEY SOLUTIONS

Amendment No. 25

Lot 1000 (No.11) Lockheed Road, Lange

City of Albany Local Planning Scheme No.1

Prepared by Harley Dykstra Pty Ltd

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
CITY OF ALBANY

LOCAL PLANNING SCHEME NO.1

AMENDMENT NO. 25

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

1. Rezoning a 2.7785ha portion of Lot 1000 (No.16) Lockheed Road, Lange from 'General Agriculture' zone to 'Residential' zone with an applicable density coding of R25; and
2. Amending the Scheme Map accordingly;

The Amendment is basic under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- The amendment to the scheme map is consistent with the Catalina Structure Plan that has been approved under the scheme for the land to which the amendment relates

Dated this _____ day of _____ 20____ .

CHIEF EXECUTIVE OFFICER

DOCUMENT CONTROL

Control Version	DATE	Status	Distribution	Comment
A	20.10.16	Draft	Internal	Draft for QA
B	31.10.16	Final	City of Albany	For lodgement
C				
D				

Prepared by: DC
 Reviewed by: LB
 Date: 31.10.2016
 Job No & Name: 21042 Lot 1000 Lockheed Rd, Lange
 Version: B

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This document has been exclusively drafted. No express or implied warranties are made by the Consultant regarding the research findings and data contained in this report. All of the information details included in this report are based upon the existent land area conditions and research provided and obtained at the time the Consultant conducted its analysis.

Please note that the information in this report may not be directly applicable towards another client. The Consultant warns against adapting this report's strategies/contents to another land area which has not been researched and analysed by the Consultant. Otherwise, the Consultant accepts no liability whatsoever for a third party's use of, or reliance upon, this specific document.

CONTENTS

DOCUMENT CONTROL.....	i
DISCLAIMER.....	i
CONTENTS	ii
1.0 INTRODUCTION & PROPOSAL	1
2.0 CONTEXT ANALYSIS	2
2.1 Site Description	2
2.1.1 Location and Description	2
2.2 Land Use.....	8
2.2.1 Existing Land Use	8
2.2.2 Surrounding Land Use and Zonings	8
2.3 Community Consultation	8
2.4 Environmental.....	11
2.4.1 Topography.....	11
2.5 Infrastructure.....	11
2.5.1 Access.....	11
2.5.2 Services	11
3.0 PLANNING CONTEXT.....	12
3.1 State and Regional Planning.....	12
3.1.1 State Planning Policy No.1 – State Planning Framework Policy	12
3.1.2 State Planning Policy No.3 – Urban Growth and Settlement.....	12
3.1.3 Development Control Policy No.2.4 School Sites.....	12
3.2 Local Planning.....	13
3.2.1 Albany Local Planning Strategy	13
3.2.2 City of Albany Local Planning Scheme No.1.....	14
3.2.3 City of Albany Local Planning Policy – Outline Development Plan - Catalina	15
4.0 REZONING PROPOSAL AND JUSTIFICATION	16
4.1 Development Concept.....	16
4.2 Scheme Map Modifications	17
5.0 CONCLUSION	17
APPENDIX A.....	1
APPENDIX B.....	1

MINISTER FOR PLANNING

PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

LOCAL AUTHORITY: CITY OF ALBANY

DESCRIPTION OF TOWN

PLANNING SCHEME: LOCAL PLANNING SCHEME NO.1

TYPE OF SCHEME: DISTRICT PLANNING SCHEME

NO. OF AMENDMENT: AMENDMENT NO. 25

REZONING A 2.7785 HA SOUTHERN PORTION OF LOT 1000 (NO.11) LOCKHEED ROAD, LANGE TO 'RESIDENTIAL' ZONE WITH A DENSITY CODING OF R25, AND AMENDING THE SCHEME MAP ACCORDINGLY.

1.0 INTRODUCTION & PROPOSAL

This amendment proposes to amend the City of Albany Local Planning Scheme No. 1 (LPS 1) by rezoning a 2.7785 Ha southern portion of Lot 1000 Lockheed Road, Lange (the 'subject site') from 'General Agriculture' zone to 'Residential' zone, and retaining a 4 Ha northern portion of the subject site as 'General Agriculture' zone.

The following key objectives are applicable to the Amendment:

- Providing well located future urban lots appropriately located adjacent existing residential land;
- Providing for a future primary school site to be located on the 4 Ha portion of the site zoned General Agriculture;
- To bring the Scheme and zoning into conformity with the adopted Catalina Outline Development Plan and Albany Local Planning Strategy;
- Finalising future land uses in this locality; and
- Respecting the landform and providing future subdivision and development opportunities that consider the site's strategic objective.

A key outcome of this Scheme Amendment is to allow for the subject site to be subdivided into two separate lots in accordance with the proposed zonings (and proposed land uses). This will provide the landowner, Department of Education and the City of Albany with increased certainty of the provision of a future primary school site and residential development.

2.0 CONTEXT ANALYSIS

2.1 Site Description

The particulars of the landholding and ownership details are contained in **Table 1** below. A copy of the Certificate of Title and Deposited Plan are included at **Appendix A**.

Landowner:	Robin Ray Green			
<i>Lot No.</i>	<i>Vol/Folio</i>	<i>Plan/Diagram</i>	<i>Area</i>	<i>Road Name/No.</i>
Lot 11	1731/269	DP230628	6.7785ha	Lockheed Road

Table 1: Subject site and Landowner details

2.1.1 Location and Description

The subject site comprises of Lot 1000 (No.11) Lockheed Road, Lange, which has an area of 6.7785ha. The subject site is 6km from the Albany CBD, via Catalina Road, Chester Pass Road and Albany Highway.

For a location plan, refer to **Figure 2**.



Figure 2: Location Plan (subject site shaded in red)

[Source: Harley Dykstra]

2.2 Land Use

2.2.1 Existing Land Use

The subject site is currently used as a lifestyle property. The site accommodates two dwellings and associated outbuildings. The Site Plan at **Appendix B** provides an aerial photograph of the subject site.

2.2.2 Surrounding Land Use and Zonings

Figure 3 below shows the current zoning of the subject site and surrounding area.

Land abutting the eastern boundary and to the north is zoned General Agriculture, and included within the Yakamia Structure Plan area, which identifies these properties for residential and conservation land uses.

To the west and south of the subject site, land is zoned Future Urban. Land to the west is included in the Catalina Outline Development Plan, and identified for residential land use. Land to the south is included within the Yakamia Structure Plan, and also identified for residential land use.

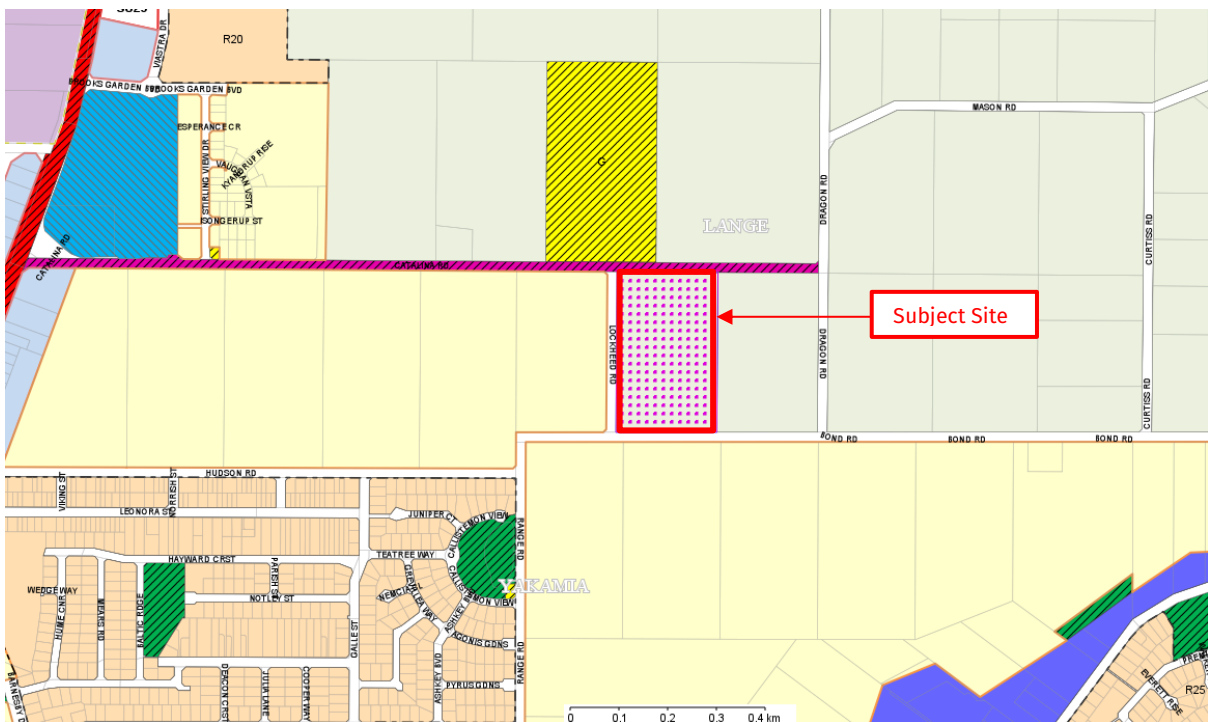


Figure 3: Land zoning (subject site highlighted in red)

[Source: City of Albany]

2.3 Community Consultation

In accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*, this Basic Amendment is not required to be advertised for public submissions unless directed by the Minister or an authorised person.

2.4 Environmental

2.4.1 Topography

The subject site consists of generally flat farmland. The dominant features of the subject site are:

- A central ridgeline running from east to west with relatively gentle gradients;
- A gentle south facing slope overlooking the City of Albany; and
- A gentle north facing slope overlooking agricultural farmland.

2.5 Infrastructure

2.5.1 Access

Existing access to the site is from Lockheed Road, which will continue to provide future access to the site.

2.5.2 Services

Sewer and Water

The Water Corporation have advised the subject land is outside the Water Corporation's water and wastewater operating licence areas, and as such neither a reticulated water supply or sewer are currently available to service the land. The existing dwellings located on lot 1000 provide potable water through a combination of rain water harvesting and bore. The site also accommodates onsite effluent disposal.

Future development of residential dwellings and a primary school will require to be serviced with a reticulated water supply and sewer connection.

Power

The subject site is currently serviced by an overhead power supply which is located to the south western boundary of the site fronting Bond Road.

Telecommunications

The subject site is currently connected to telecommunications and will retain this connection as a result of future subdivision and development.

3.0 PLANNING CONTEXT

3.1 State and Regional Planning

Applicable State Planning Policies are SPP1 – “State Planning Framework Policy (variation No.2), and SPP3 “Urban Growth and Settlement”. The applicable Development Control Policy (DCP) is DCP 2.4 School Sites.

3.1.1 State Planning Policy No.1 – State Planning Framework Policy

The purpose of SPP1 is to bring together the State and Regional policies that apply to land use and development in Western Australia and to establish the general principles for land use planning and development in WA. SPP1 states “*the primary aim of planning is to provide for the sustainable use and development of land*”. Furthermore, it qualifies this through identifying and expanding upon the five key principles that further define this statement; environment, community, economy, infrastructure and regional development.

This Amendment meets the objectives of SPP1, as evidenced by the following:

- The Amendment complies with ALPS and the Catalina Outline Development Plan;
- The Amendment seeks to allow for the future development of the subject site in its existing location which is not environmentally sensitive;
- It provides for continued population growth, especially in terms of housing and education;
- It will allow for more efficient use of future infrastructure and services in the locality; and
- The proposal will have minimal ability to generate land use conflicts, given the majority of adjoining land uses are for future urban purposes.

3.1.2 State Planning Policy No.3 – Urban Growth and Settlement

The purpose of SPP3 includes: “*To promote a sustainable and well planned pattern of settlement across the State, with sufficient land provided for a wide variety of housing, employment, recreation facilities and open space.*”

This Amendment achieves the principles and intent of this policy, as the proposal seeks to facilitate a future mix of urban land uses which will capitalise on future open space and other benefits of the locality.

3.1.3 Development Control Policy No.2.4 School Sites

The purpose of DCP2.4 is to provide guidelines for the provision of school sites and other education facilities related to community needs. It also indicates school site requirements, specifies criteria for selecting new sites and establishes guidelines for their design and location in new subdivisions. The policy notes the desirable size for a government primary school is 4 hectares.

Applicable to this Amendment is Section 3.4 of DCP2.4, which is outlined below:

- 3.4.1 *The physical condition of the selected land is particularly important. There is a need to ensure that the area to be occupied by buildings is level, in order to produce a satisfactory relationship between buildings and any adjoining hard-surfaced play areas. Second, there is a need to provide level, grassed, recreation areas for organised sports and games.*
- 3.4.2 *For these and general economic reasons, land for school sites should generally be level, although gently sloping sites may be acceptable. Sites with extreme topographical features involving extensive on-site earthworks and/or importation of fill, or sites containing rock outcrops or land liable to inundation are not acceptable unless such area is additional to the minimum area required.*
- 3.4.3 *Public utilities such as drainage sumps, compensating basins, high tension transmission lines and transformer pads for underground power are not acceptable within the land area requirement for school sites. Other easements and reserves for public utilities such as sewerage and drainage mains and underground pumping stations should be included in the land area requirement of school sites only where these can be demonstrated to be safe and useable.*
- 3.4.4 *Consistent with other considerations such as topography and accessibility, all school sites should be regular in shape and preferably rectangular. In no instance should the length of the site exceed twice the width. Acute boundary angles with the consequent unusable spaces are not acceptable.*
- 3.4.5 *All appropriate services should be made available to the school site, especially to that part selected for the construction of buildings.*

A 4 Ha portion of the site will retain General Agriculture zoning. Under the City of Albany Local Planning Scheme No. 1, an Education Establishment is an “A” class land use in this zone, meaning that the Local Government is able to exercise its discretion by granting planning approval after giving special notice and public advertising.

Accordingly, the requirements of *Development Control Policy 2.4 – School Sites* have been addressed in this Amendment.

3.2 Local Planning

Applicable Local Planning considerations are:

City of Albany Local Planning Strategy (ALPS), Local Planning Scheme No. 1 (LPS 1) and the Outline Development Plan – Catalina.

3.2.1 Albany Local Planning Strategy

The Albany Local Planning Strategy (ALPS) sets out the long term planning direction for the City of Albany and has regard to all relevant State and Regional planning policies.

The subject site and surrounding area is identified as *Future Urban* in map 9B of ALPS. Rezoning the southern 2.7785 Ha portion of the site to Residential will bring the Scheme and zoning of the site into conformity with ALPS.

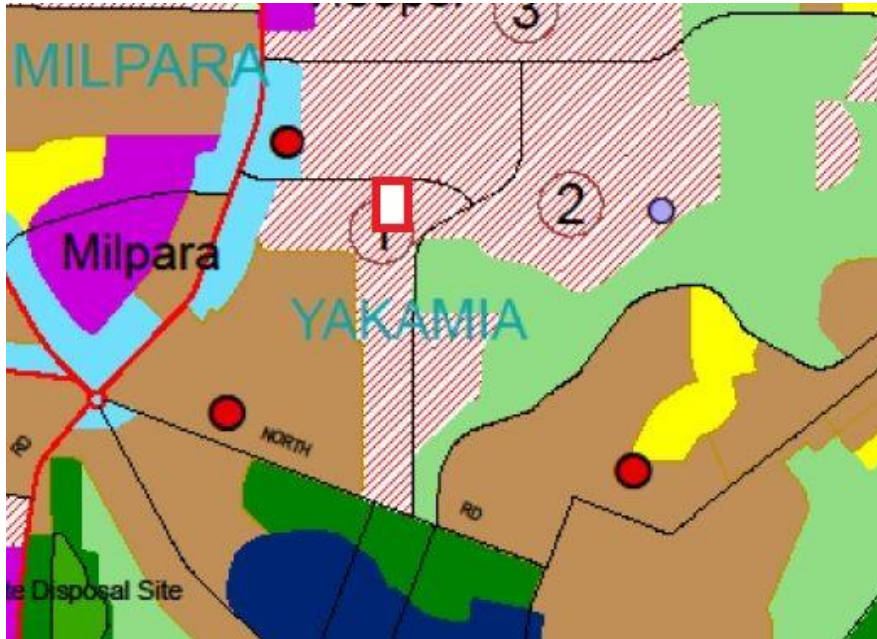


Figure 4: Excerpts from Map 9B of ALPS, showing the current classification of the subject site (outlined in red), identified as Future Urban (priority area 1). [Source: ALPS]

Strategic Planning objectives of ALPS applicable to the subject site include:

- *Facilitate and manage sustainable growth for the urban area in the City of Albany;*
- *Support the consolidation of serviced urban areas and facilitate staged fully urban frontal development;*
- *Support urban infill development based on compatibility of land uses and infrastructure capacity; and*
- *Protect future fully serviced urban areas from appropriate land uses, subdivision and development.*

This Amendment is consistent with the objectives of the Strategy.

3.2.2 City of Albany Local Planning Scheme No.1

The City of Albany Local Planning Scheme No. 1 (LPS 1) divides the Local Government district into zones to identify areas for particular uses and identifies land reserved for public purposes. The Scheme controls the types of uses and development allowed in different zones, and sets out the requirements for planning approval and enforcement of the Scheme provisions.

Clause 1.6 of LPS 1 outlines the aims of the scheme, including the following:

- (a) *Implement the findings of the Albany Local Planning Strategy (ALPS) within the City;*

(e) Define by zoning and reservation the future land use and types of development permitted on land to assist in guiding decisions of investors, public authorities, residents and business people;

(k) Provide for increased population growth within the City by establishing controls for the co-ordinated planning and development of land to be used for residential purposes allowing for complementary uses to provide a range of services to meet the needs of the local residents;

(m) Respond to the changing needs of the City through the provision of social, administrative and land use initiatives which support the retention and growth of rural townsites, the urban population and advance sustainable land use practices; and

(o) Promote opportunities for new and value-added industries and businesses, particularly those industrial and business activities that create synergies with existing activities.”

Rezoning the southern portion of the subject site to ‘Residential’ with an applicable density code of ‘R25’ is consistent with the intent and objectives of the Scheme, as evidenced by the following:

- The Amendment will allow for the site to be subdivided into two separate land parcels for separate future land uses in accordance with the approved Catalina Outline Development Plan;
- The subject site is included within the approved Catalina Outline Development Plan, which guides land uses, infrastructure and service provisions over multiple landholdings within the ODP area (outlined in more detail below); and
- This proposal will provide increased certainty to the Department of Education, City of Albany and the Landowner for the future development of a primary school site and residential development.

3.2.3 City of Albany Local Planning Policy – Outline Development Plan - Catalina

The City of Albany Local Planning Policy: *Outline Development Plan – Catalina* guides the future development provisions and settlement pattern applicable to the OPD area. The subject site is included within the ODP area and is identified to accommodate a future primary school and residential development.

Figure 5 below is an excerpt of the Catalina ODP showing the future uses for the subject site and surrounding landholdings.

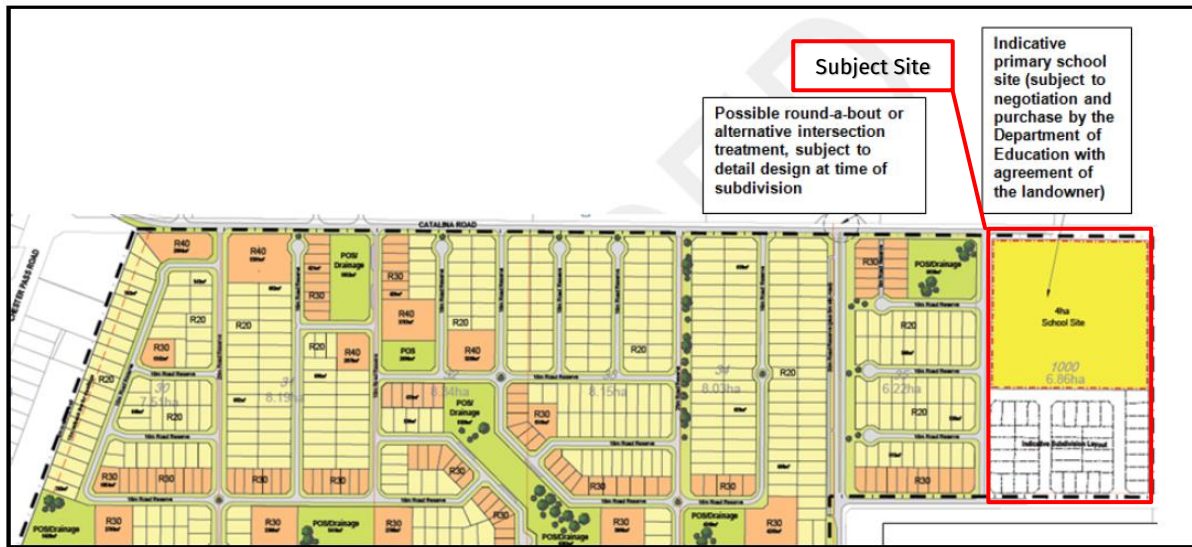


Figure 5: Excerpt of the Catalina ODP (subject site highlighted in red) [Source: City of Albany]

The Policy notes:

- Lot 9000 is currently zoned 'Rural' and is to be rezoned in its entirety to Future Urban by the City as part of the review of its Draft Local Planning Scheme No. 1; and
- Interim subdivision to separate the school site from the parent lot in accordance with the ODP being permitted.

Although the policy notes that subdivision of the site to separate the school site from the parent lot in accordance with the ODP is permitted, the Western Australian Planning Commission advised a 2.7785 Ha portion of the site would need to be rezoned from General Agriculture to Future Urban prior to a subdivision application being considered for approval.

Consultation with City of Albany Senior Planning Officers confirmed that Council would consider rezoning the southern portion of the site to the residential zone with an applicable density coding of R25.

Rezoning the southern 2.7785Ha portion of the site from General Agriculture to Residential will bring the Scheme and zoning of the site into conformity with the adopted Catalina Outline Development Plan.

4.0 REZONING PROPOSAL AND JUSTIFICATION

4.1 Development Concept

As outlined earlier, the aim of this Amendment is to facilitate Residential zoning to the southern portion of the site, which reflect the City of Albany's strategic direction. The Amendment seeks to provide certainty for future land uses on the site, and an opportunity to subdivide Lot 1000 into two separate land parcels in accordance with these land uses. Future development and subdivision on

the subject site will be subject to the necessary approvals from the City of Albany and Western Australian Planning Commission.

This proposal has sound planning grounds, as justified by the following:

- The subject site is identified for *Future Urban* land use by the Albany Local Planning Strategy (ALPS);
- The subject site is identified for a future primary school and residential land use within the adopted Catalina Outline Development Plan;
- The rezoning will allow the landowner to subdivide the land into two separate lots, with two different land uses, without compromising the future intended development; and
- The proposal will provide certainty to the Landowner, Department of Education and City of Albany for the provision of residential development and a future government primary school site to service the locality.

4.2 Scheme Map Modifications

In order to facilitate this Amendment it is necessary to modify the City of Albany Local Planning Scheme No. 1 Map to identify the southern portion (2.7785 Ha) of the site as Residential zone.

5.0 CONCLUSION

Amendment No. 25 to City of Albany Local Planning Scheme No.1 seeks to rezone a 2.7785 Ha southern portion of the subject site from *General Agriculture* zone to *Residential* zone with a density coding of R25 and amend the Scheme Map accordingly.

This Amendment achieves the following objectives:

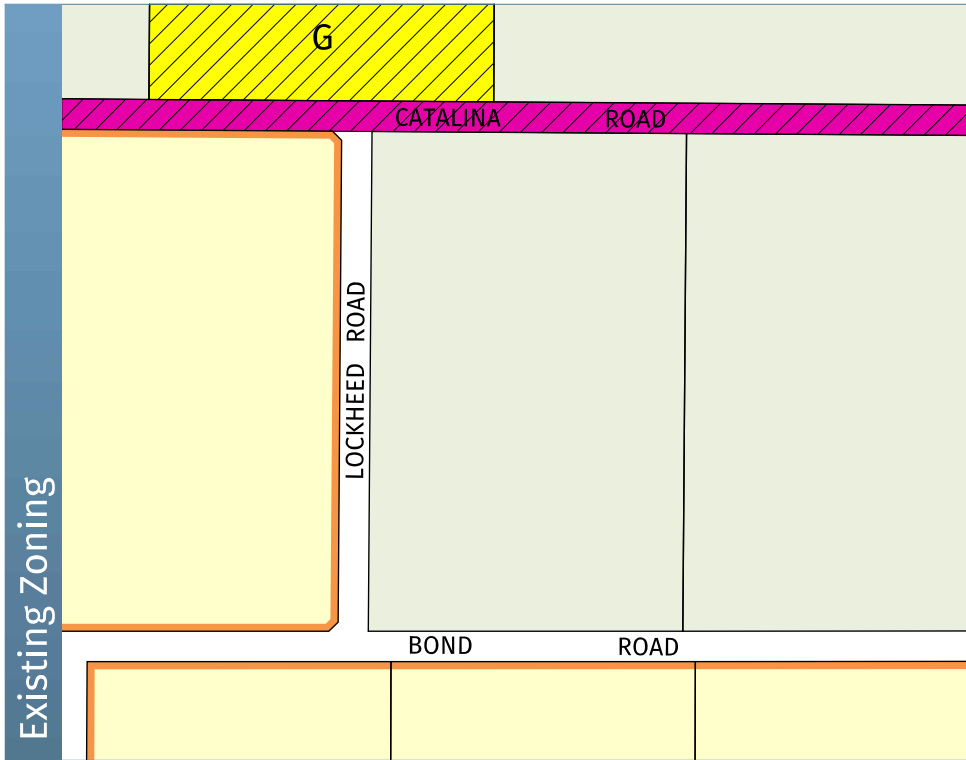
- Providing future provision for a strategically located primary school in an area that will not impact on the future expansion of the Albany urban area;
- Providing for the subject site to be subdivided into two separate lots, with separate land uses;
- Logically completing future urban development in this locality;
- Bringing the Scheme map into conformity with the adopted Catalina Outline Development Plan and ALPS;
- Providing for suitable land uses which complement their surrounding context; and
- Providing increased certainty to the Landowner, Department of Education and residents to the location of a future primary school.

Endorsement of the Amendment is therefore respectfully requested.




CITY OF ALBANY

Local Planning Scheme No. 1



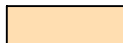
Amendment No. 25




LOCAL SCHEME RESERVES

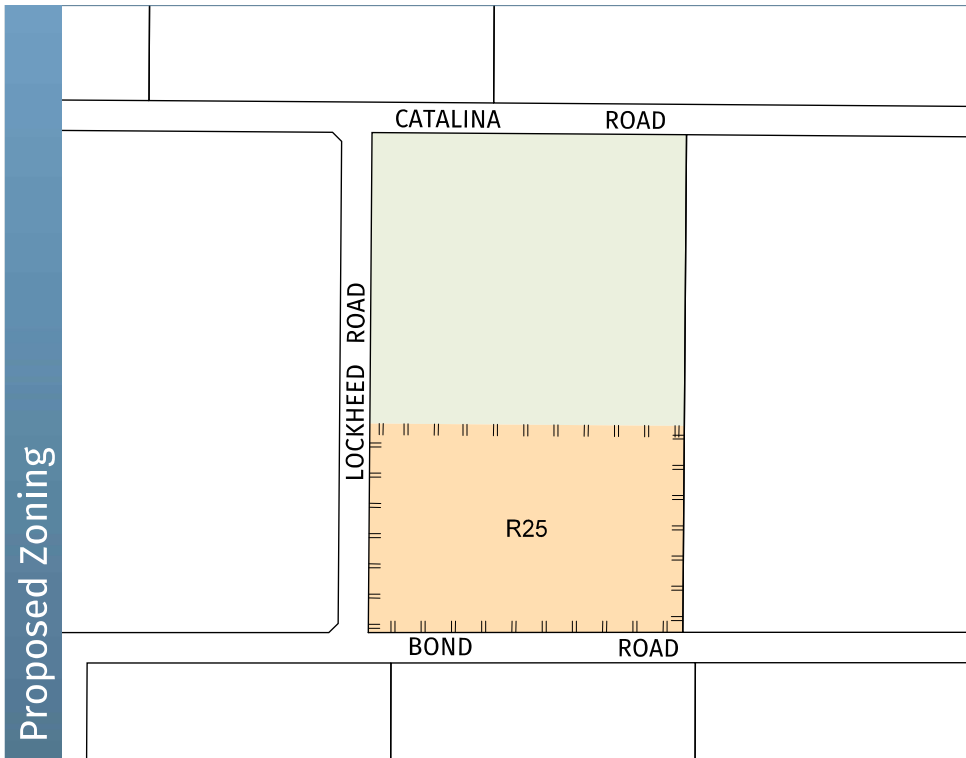
-  Local Road
-  Priority Road
-  Public Use : Government

ZONES

-  General Agriculture
-  Future Urban
-  Residential

OTHER

-  R25 R Codes



PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME NO.1

AMENDMENT No. 25

The City of Albany under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Rezoning a 2.7785ha portion of Lot 1000 (No.16) Lockheed Road, Lange from 'General Agriculture' zone to 'Residential' zone with an applicable density coding of R25; and
2. Amending the Scheme Map accordingly;

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME NO.1

AMENDMENT No. 25

ADOPTION:

Adopted by resolution of the Council of the City of Albany at the meeting of the Council held on the _____ day of _____ 201__:

Mayor

Chief Executive Officer

FINAL APPROVAL:

Adopted for final approval by resolution of the City of Albany at the meeting of the Council held on the _____ day of _____ 201__ and the Common Seal of the municipality was pursuant to that resolution hereunto affixed in the presence of:

Mayor

Chief Executive Officer

RECOMMENDED / SUBMITTED FOR FINAL APPROVAL:

Delegated under s.16 of the PD Act 2005

Date

FINAL APPROVAL GRANTED:

Minister for Planning

Date

APPENDIX A

CERTIFICATE OF TITLE

WESTERN



AUSTRALIA

REGISTER NUMBER 1000/DP230628	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

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

VOLUME
1731

FOLIO
269

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

REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 1000 ON DEPOSITED PLAN 230628

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

ROBIN RAY GREEN OF 11 LOCKHEED ROAD, ALBANY

(T F612373) REGISTERED 13 JULY 1994

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

- *L250839 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 8.3.2010.

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

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

STATEMENTS:

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

SKETCH OF LAND: 1731-269 (1000/DP230628).
PREVIOUS TITLE: 349-23.
PROPERTY STREET ADDRESS: 11 LOCKHEED RD, LANGE.
LOCAL GOVERNMENT AREA: CITY OF ALBANY.

- NOTE 1: A000001A LAND PARCEL IDENTIFIER OF PLANTAGENET LOCATION 1000 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 1000 ON DEPOSITED PLAN 230628 ON 31-JUL-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
- NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.
- NOTE 3: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING L250839

APPENDIX B

SITE PLAN



CATALINA ROAD

ROAD

1000
6.8568ha

35

LOCKHEED

1001

BOND ROAD

SITE PLAN

Lot 1000 Lockheed Road,
LANGE

Plan No. | 21042-02A
 Date | 21/10/16
 Drawn | BdR
 Checked | DC
 Revision | A

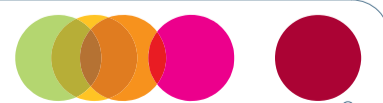
ALBANY OFFICE:
 116 Serpentine Road,
 ALBANY WA 6330
 T: 08 9841 7333 F: 08 9841 3643
 E: albany@harleydykstra.com.au
 W: www.harleydykstra.com.au
 Offices also at Bunbury,
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NOTE: This plan has been prepared for planning purposes. Areas, Contours and Dimensions shown are subject to survey



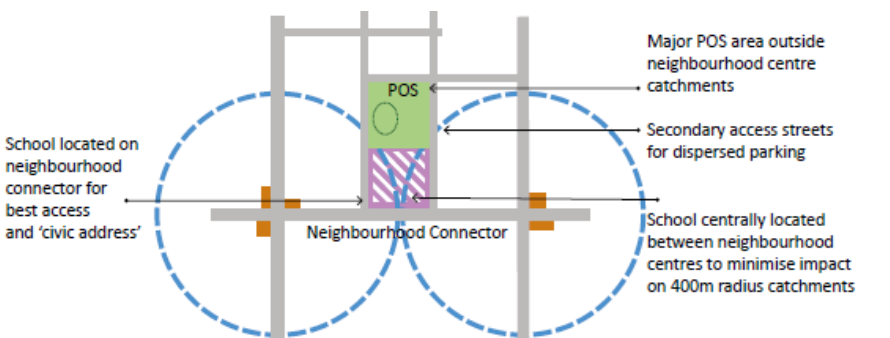
Harley Dykstra

PLANNING & SURVEY SOLUTIONS

Schedule on Submissions				
No.	Address	Copy/Summary of Submissions	City of Albany Comments on submissions	Proposed modifications to address issues raised in the submissions
1.	Water Corporation	<p>The structure plan area is remote from existing wastewater conveyance infrastructure and that significant upgrades may be required to increase the capacity of water supply and distribution infrastructure. Likely to be upgrades required to the capacity of the existing wastewater conveyance infrastructure downstream of the development area. The structure plan area is best described as non-frontal or pioneer, meaning provision of new major works to enable the development to proceed are currently unplanned or un-programmed.</p> <p>The proponent has noted that Water Corporation could consider pre-funding by the developer of major infrastructure such as wastewater pump stations and wastewater mains in the 5 year Capital Investment Programme (CIP). However, this has not been considered in the current 5 year CIP. The developer would need to provide a business case for inclusion in the CIP.</p> <p>A range of factors are considered in the CIP including but not limited to, population growth rates and demand for services, location and capacity of existing infrastructure, asset renewals and regulatory requirements. Generally major infrastructure and renewals occur in a planned and orderly manner with priority given to frontal development and renewals to support infill.</p> <p>While the proponent has alluded in the second paragraph of section 3.8.1 of the structure plan report that Water Corporation will deal with multiple developers in the structure plan area, this is generally not the case. When major works such as pump stations are required, Water Corporation policy is to deal with a single developer or entity. Where the costs for major works are to be shared between developers within and outside of the structure plan area, Water Corporation policy is still to deal with one developer or entity. How this is organised and funded is up to the developers in the structure plan area.</p>	<p>The following issues were raised by the Water Corporation:</p> <ol style="list-style-type: none"> 1. Likely to be <u>infrastructure upgrades</u> required to increase water capacity and for the conveyancing of wastewater. 2. <u>Prefunding of infrastructure</u> has not been considered as part of Water Corporations Capital Investment programme. 3. The <u>Staging of Infrastructure Development</u> is to occur in a planned and orderly manner with priority given to frontal development and renewals to support infill. When major works such as pump stations are required, Water Corporation policy is to deal with a single developer or entity. <p>1. <u>Infrastructure Upgrades</u> Wood and Grieve Engineers have stated in their 'Infrastructure and servicing report' undertaken for the Walmsley Structure Plan, that:</p> <p>Reticulated Water</p> <ul style="list-style-type: none"> • <i>The development is frontal to the existing water supply system and extension of this network will be required. There is an existing 200m dia. AC distribution main in Chester Pass Road. The Water Corporation have advised that capacity exists in the network, and no significant offsite works will be required for development to proceed on a stage by stage basis. Once subdivision proceeds further discussions on timing and development rates will need to be confirmed with the Water Corporation.</i> <p>Waste Water</p> <ul style="list-style-type: none"> • <i>Future sewer planning has been completed recently. The Water Corporation has advised that this area is to be serviced by two proposed Type 40 Wastewater Pumping Stations (WWPS) for the Northern two catchments.</i> • <i>The first of these is to be located on Terry Road adjacent to the existing low point at the "creek". The second is located in the most North East corner of Lot 5498.</i> • <i>The third catchment to the South has an additional proposed Type 90 WWPS on Mason Road.</i> • <i>All three of these WWPS discharge eventually to Albany Highway on the corner of Le Grande Avenue (see attached Wastewater Management Plan – Appendix 1).</i> <p>2. <u>Prefunding of Infrastructure</u> Wood and Grieve Engineers have stated in their 'Infrastructure and servicing report' undertaken for the Walmsley Structure Plan, that:</p> <ul style="list-style-type: none"> • <i>Whilst infrastructure is ultimately funded by the Water Corporation under provision of headworks, prefunding of these works may occur to enable subdivision to proceed prior to when these items can be provided by the Corporation.</i> 	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from the Water Corporation:</p> <ol style="list-style-type: none"> 1. Include the following text within the structure plan at section 3.8.1, to clarify procedures for the staging of infrastructure: <p><i>The structure plan area will require new major infrastructure works, including the development of sewer pumping stations and the upgrading of existing infrastructure.</i></p> <p><i>Discussions amongst key agencies and individual landholders can be carried out upon application of a Customer Constructed Works Agreement, when subdivision approvals are available. The costs associated with the development of infrastructure can be shared with other lots or developers if they combine resources.</i></p> <p><i>All subdivision and development is to be connected to the Ministers sewerage and water schemes. The staging of infrastructure development or temporary or interim solutions may vary depending on location and timing of development.</i></p>

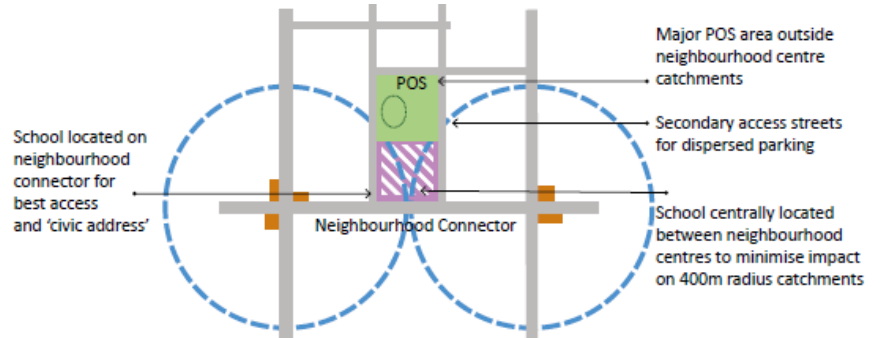
			<p>3. Staging of Infrastructure Development Wood and Grieve Engineers have stated in their 'Infrastructure and servicing report' undertaken for the Walmsley Structure Plan, that:</p> <ul style="list-style-type: none"> • <i>Staging of infrastructure development or temporary or interim solutions vary significantly depending on location, size and timing. The costs associated can be shared with other lots or developers if they combine resources. Refund of these costs is dependent on a number of conditions; however it can be as early as 12 months after completion of the works. These discussions would be carried out upon application of the Customer Constructed Works Agreement (CCWA), later in the process when subdivision approvals are available.</i> 	
2.	Department of Water	<p>The subject site is a low risk site with regard to water resource management. Groundwater does not constrain development on the site, nor are there any wetlands. Degraded waterways which drain to the King River presents an opportunity to improve the condition of water quality and riparian habitat through the incorporation of these drainage lines into POS.</p> <p>The local water management strategy (LWMS) developed to accompany the structure plan is a well prepared document that follows the DoW guidelines and provides all the information required for assessment.</p> <p>The DoW is supportive of the principles and objectives of the stormwater management strategy which is consistent with DoW policy. As development proceeds, more detailed information and design will be required through urban water management plans.</p>	<p>The Department of Water has not raised any issues in relation to the proposed structure plan and accompanying Local Water Management Strategy.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from the Department of Water:</p> <ol style="list-style-type: none"> 1. No modifications proposed.
3.	Department of Parks and Wildlife (DPaW)	<p>The proposed structure plan involves minimal impacts upon native vegetation and is therefore consistent with the Environmental Protection Authority (EPA) and the City of Albany preference for further expansion of residential areas in and around Albany to be located on already cleared land.</p> <p>The department considers that the LSP is aligned with our previous comments on Amendment No. 298 through the identification of Public Open Space (POS) that incorporates areas of remnant vegetation.</p> <p>The LSP depicts an area of POS on Lot 521 for the purpose of school and playing area that directly intersects with the strip of remnant vegetation that has been mapped as ARVS Unit 12 Jarrah / Marri / Sheoak Laterite Forest with condition mapped as modified. The mapping for this vegetation was likely completed by desktop and therefore the vegetation should be assessed in the field as part of any future Local Planning Scheme amendment to change the zoning from Agricultural to Residential.</p>	<p>The structure plan recommends the clearing of some vegetation on Lot 521, to accommodate an area for District Open Space.</p> <p>The Department of Parks and Wildlife (DPaW) has recommended the retention of vegetation to support habitat and landscape connectivity.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from the Department of Parks and Wildlife:</p> <ol style="list-style-type: none"> 1. Modify the structure plan boundary so that Lot 521 is not being considered for structure planning; and 2. Modify the structure plan and appendices by deleting recommendations for Lot 521 Mercer Road, including the recommendation to clear vegetation to accommodate open space at Lot 521.

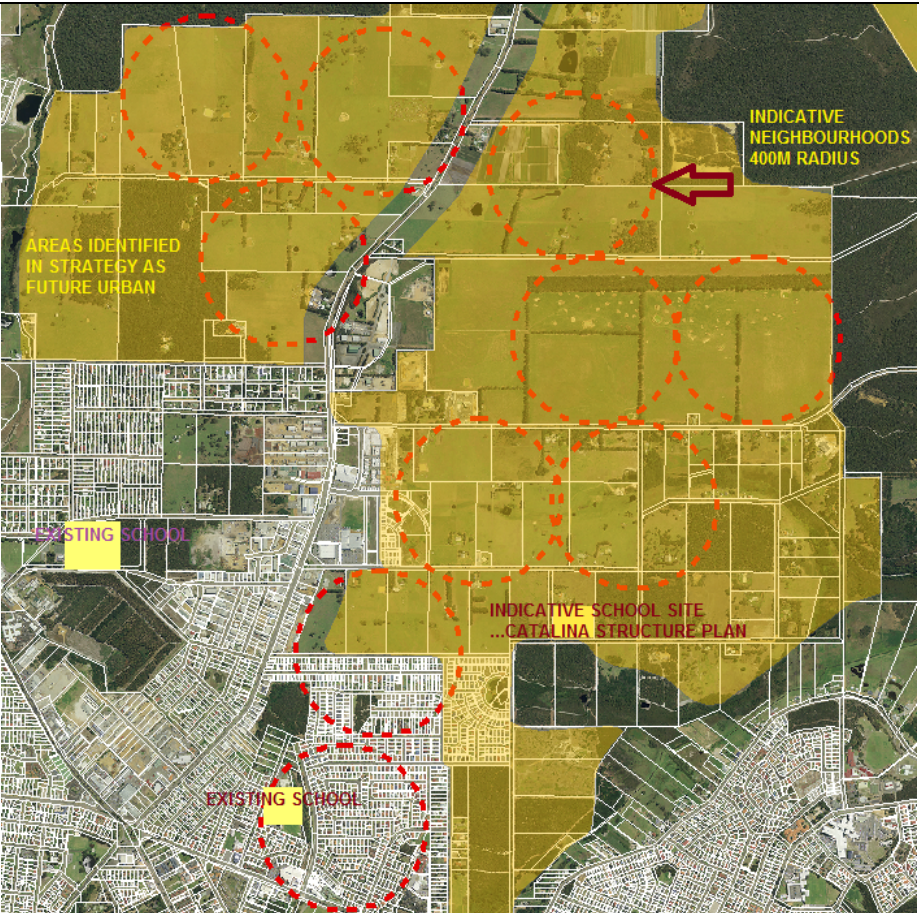
		The vegetation in this strip will support roosting Black Cockatoo species that are listed as threatened under the State Wildlife Conservation Act 1950 and Federal Environmental Protection and Biodiversity Conservation Act 1999. Parks and Wildlife encourage the retention of as much of the strip of vegetation as possible on Lot 512 to support roosting habitat and landscape connectivity in the form of stepping stones.		
4.	Main Roads Western Australia	<p>The Warrenup/Walmsley Local Structure Plan under item 3.4 Movement Networks, sub item 3.4.1 Transport Assessment Key Issues and Outcomes details <i>Provision for Chester Pass Road to be widened by 10 metres on either side.</i> In reference to this key issue and outcome:</p> <ul style="list-style-type: none"> As Main Roads WA is not intending to purchase this land at this time, it appears the purchase of the demarcated land is a non-resolved item. Does this land then amalgamate into the Chester Pass Road road reserve? Prior to any possible amalgamation, who manages these 10m wide parcels of land? Prior to any possible amalgamation, who maintains these 10m wide parcels of land? The existing Chester Pass Road, road reserve is approximately 30m in width, is additional land available to achieve the 52.6m in total? Are utility providers required to install all services within the proposed 10m wide parcels of land? 	<p>Main Roads WA raised questions pertaining to proposed ceding of a 10m road reserve either side of Chester Pass Road.</p> <p>The 10m strip of land is proposed to be ceded at the subdivision stage of development.</p> <p>It is proposed that services maybe developed within the Chester Pass road reserve.</p> <p>It is recommended that future design planning of Chester Pass Road is undertaken by MRWA to confirm exact road design and width requirements.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from Main Roads Western Australia:</p> <p>1. Include the following text at section 3.41. of the structure plan:</p> <p><i>A 10m strip of land, either side of Chester Pass Road, is to be set aside/ceded at the subdivision stage of development.</i></p>
5.	Public Transport Authority WA PO Box 8125, Perth Business Centre, WA, 6000	It should be noted that in order for Trans Albany services to be able to use the Neighbourhood Connector Roads, the Public Transport Authority will require a minimum 3.2m carriageway along these roads, increased to 3.5m if non parallel parking is proposed along the carriageway.	The Public Transport Authority requested a minimum 3.2m carriageway along Neighbourhood Connector roads.	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from the Public Transport Authority:</p> <p>1. Include the following text at section 3.4.1 of the structure plan:</p> <p><i>Neighbourhood Connector Roads are to be designed to accommodate the Public Transport Authority's minimum requirements.</i></p>
6.	Department of Agriculture and Food, WA	To ensure agricultural operations are not restricted by urban or rural-residential development and to reduce the potential of future land use conflict, DAFWA recommends that minimum setbacks and / or buffers are established for the land area north of Terry Road. However, while guidelines prepared by the Environmental Protection Authority (EPA) set out minimum separation distances for a range of agricultural activities (see: www.epa.wa.gov.au/docs/1840_GS3.pdf) there is opportunity for the City of Albany to take a	<p>The Department of Agriculture and Food, WA requested larger buffers at the northern structure plan boundary fronting the existing strawberry farm.</p> <p>The structure plan currently employs measures to ensure separation between residential development and rural activities as follows:</p> <ul style="list-style-type: none"> Large 1000m² and 2000m² lots are proposed adjacent to the strawberry farm to enable development to be setback from shared boundaries; and 	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received by the Department of Agriculture and Food, WA:</p> <p>1. Include the following text at section 3.3 of the structure plan;</p> <p><i>Residential subdivision and/or development proposed adjacent to the strawberry farm,</i></p>

		<p>planning lead and consider implementing wider / larger buffers at the boundary between future urban and existing rural.</p>	<ul style="list-style-type: none"> • Areas of Public Open Space is proposed between proposed development areas and the strawberry farm. <p>Recommend including notification on property title advising that the lot (lots located adjacent to strawberry farm) is located near horticulture use and may be affected by transport and operational noise, dust and odours.</p>	<p>which is located to the north of Lots 5498 and 4925, is to:</p> <ul style="list-style-type: none"> • Include a notification on title advising that the lot is located near horticulture land use and may be affected by transport and operational noise, odours and/or dust.
<p>7.</p>	<p>Department of Education</p>	<p>The proposed neighbourhood road that the school site is located on has a significant bend at the school/POS junction and will limit visibility and on street parking.</p> <p>Future road access around school currently shows only one street frontage. Is it anticipated that further access roads will be provided to the south and east of the site? The Department would require at least three street frontages.</p> <p>The primary school site is irregular in shape and the Department prefers a more regular profile i.e. a rectangular site. Further discussion on the orientation of the site is welcomed. The shared public open space abutting the primary school site requires clarification on the accessibility to and from the school site.</p> <p>The Department would welcome the opportunity to discuss these matters at a convenient time in the future. Please contact Stephen Muldoon on 9264 4183 or stephen.muldoon @education.wa.edu.au to discuss.</p>	<p>The Department of Education is concerned about the proposed irregular shape of the school site proposed at Lot 521 and the safety of children due to the proposed location of school site on a bend of a proposed neighbourhood connector.</p> <p>The exact location of a school can be considered when detailed Structure Planning is undertaken for Lot 521.</p> <p>As recommended by the WAPC Liveable Neighbourhoods:</p> <ul style="list-style-type: none"> • primary schools generally service a catchment comprising two to three neighbourhoods (refer to pg 27 Liveable Neighbourhoods); and • Schools should be located on neighbourhood connector for best access and 'civic address'.  <p>The Lot 521 is strategically earmarked (Local Planning Strategy) for 'Future Urban' and has capacity for 2 neighbourhoods.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from the Department of Education:</p> <ol style="list-style-type: none"> 1. Modify the structure plan by deleting any recommendations for Lot 521, including the designation of school and district open space site.

8.	Department of Aboriginal Affairs	<p>There are no sites under the <i>Aboriginal Heritage Act, 1972</i> (AHA) as currently mapped on the Register of Aboriginal Sites (the Register) within the LSP area. There are also no reports held at the Department of Aboriginal Sites (DAA) of specific heritage surveys conducted within the LSP area. There may be Sites present to which the AHA applies that are yet to be recorded and are therefore not in DAA files, and these Sites are still afforded protection under the AHA.</p>	<p>The Department of Aboriginal Affairs did not raise any issues pertaining to the proposed structure plan.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from the Department of Aboriginal Affairs:</p> <p>1. No modification proposed.</p>
9.	Environmental Protection Authority	<p>I believe it will be beneficial to discuss the above and invite you to contact me at your earliest convenience.</p>	<p>The Environmental Protection Authority did not raise any issues pertaining to the proposed structure plan.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from the Environmental Protection Authority:</p> <p>1. No modification proposed.</p>
10.	Telstra	<p>At present, Telstra Corporation Limited has no objection.</p> <p>The Federal Government has deemed developers are now responsible for telecommunications infrastructure on all developments, i.e. conduits, pits and the cost of the cable installation by Telstra or other carrier.</p> <p>The owner/developer will have to submit an application before construction is due to start to Telstra (less than</p>	<p>Telstra did not raise any issues pertaining to the proposed structure plan.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from Telstra:</p> <p>1. No modification proposed.</p>

		100 lots or living units) or NBN Co. (for greater than 100 lots or living units in a 3 year period).		
11.		<p>Light and general industry land for lease is limited, making development difficult in this sector.</p> <p>We support the proposed extension of the industrial area surrounding Ardess Estate to ensure a long term supply of industrial land within a reasonable proximity to other commercial areas and good accessibility to the CBD and rural land.</p>	<p>Merrifield Real Estate requested that, the structure plan indicate areas for industrial land use, at Lot 521, as an extension to the existing Ardess Industrial estate.</p> <p>The City of Albany is currently (2017) undertaking strategic planning to identify suitable future industrial areas. The land east of the existing Ardess Estate is being assessed as a component of the strategic review.</p> <p>Detailed structure planning of Lot 521 may be undertaken at a later stage, subject to compliance with a strategic plan adopted by the City of Albany.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from Merrifield Real Estate:</p> <p>1. Modify the structure plan by deleting any reference to Lot 521.</p>
12.		<p>Specifically our objections are:</p> <ul style="list-style-type: none"> • No provision of suitable buffer zones. • Proximity of urban development to a pre-existing industrial estate. • No provision for existing road crossover onto Terry Rd to align with proposed road realignment. • Any proposed new industrial development should be co-located with existing industrial land and existing City of Albany site. 	<p>Submission on behalf of Lot 10 expressed concern in relation to:</p> <ul style="list-style-type: none"> • Suitable buffers to industrial development; • Access from Ardess Industrial Estate to Terry Road; • Opportunity for new industrial development. <p><u>Buffers/Proximity of urban development to a pre-existing industrial estate.</u> A buffer area is the area within which sensitive uses are either restricted or prohibited. In the case of industries of a light/service nature and technology parks, the impacts can usually be <u>retained on-site</u> within industrial area boundaries...refer to SPP4.1 (cl.1.1)</p> <p>The Ardess industrial estate is zoned 'Light Industry'. The estate has been established to accommodate light industrial type activities.</p> <p>Maybe appropriate to include notification on property title, for lots being subdivided or developed and located north of the industrial estate.</p> <p><u>Crossover from Lot 10 (Ardess Estate) onto Terry Rd</u> The City's <i>Local Planning Scheme No.1</i> currently does not support access from the Ardess Estate onto Terry Road. The City's <i>Local Planning Scheme No.1</i> requires a single access between Chester Pass Road and the Ardess Estate...refer to Schedule 11 (IA1), cl.4.1:</p> <p><i>4.1 Access to the estate will be via a single entry road onto Chester Pass Road.</i></p> <p><u>New industrial development</u> The City of Albany is undertaking strategic planning to identify suitable future industrial areas. The land east of the existing Ardess Estate is being assessed as a component of the strategic review.</p> <p>Where a private developer as the proponent of an industrial estate, incorporates an off-site buffer area over privately owned land to satisfy environmental criteria, and it is not possible to apply compatible use zones, then appropriate economic mechanisms shall be considered by the proponent to satisfy the Western Australian Planning Commission requirements for the buffer area. There are a</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from Lot 10 Ardess Estate:</p> <p>1. Include the following text at section 3.3:</p> <p><i>Residential subdivision and/or development proposed adjacent to Terry Road and directly north of land designated for industrial uses is to:</i></p> <ul style="list-style-type: none"> • <i>Include a notification on title advising that the lot is located near industrial use and may be affected by transport and operational noise, odours and/or dust.</i>

			<p>number of economic mechanisms that can be applied by the developer to secure and consolidate buffer areas. These measures vary from outright purchase, land swaps, acquiring interests or rights to restrict the development or use of land, and in extreme cases the relocation of industry or infrastructure.</p>	
<p>13.</p>		<p>Objections in relation to:</p> <ul style="list-style-type: none"> • Suitability of the district park site. • School site - why should it be on our property in an area with prime views. If this eventuates adequate compensation should be paid. • Lack of identifying fenced off healthy remnant native vegetation that has been fenced off since the block was cleared in the 1960's. 	<p>Submission on behalf of Lot 521 expressed concern in relation to:</p> <ul style="list-style-type: none"> • Proposed school and district open space; and • Proposal to clear vegetation to accommodate open space. <p><u>School and open space designations</u></p> <p>Lot 521 was included in the structure plan to indicate 'planning context' with Lots 5498 and 4925 and the extent to which the plan provides for the coordination of key transport and other infrastructure.</p> <p>The structure plan may proceed independent of school and open space designations over Lot 521 for the following reason:</p> <p>1. As recommended by the WAPC Liveable Neighbourhoods:</p> <ul style="list-style-type: none"> • primary schools and major areas of open space generally service a catchment comprising two to three neighbourhoods (refer to pg 27 Liveable Neighbourhoods). The Lot 521 is strategically earmarked (Local Planning Strategy) for 'Future Urban' and has capacity for 2 neighbourhoods. 	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from Lot 521 Mercer Road:</p> <p>1. Modify the structure plan boundary by not including Lot 521 and delete recommendations made for Lot 521.</p>

			 <p><u>Native Vegetation</u> Detailed structure planning of Lot 521 and flora and fauna assessments for Lot 521 may determine the suitability of protecting or clearing remnant vegetation. Alternatively, clearing exemptions may apply under the current zone and land use in accordance with the <i>Environmental Protection Act 1986</i>.</p>	
14.		<p><u>Industrial Noise and Residential Development</u> The draft Structure Plan as currently proposed, with Residential R20-40 development abutting the northern boundary of the Ardess Industrial Estate, is expected to impact operations of approved development or future development in the Ardess Industrial Estate. It is suggested that future nearby development to the north should take account of the Ardess Industrial Estate...such as... a solid 'acoustic' wall at least 1.8 metres in height along with notifications on the titles advising that the lot is located near industrial uses and may be affected by transport and operational noise.</p> <p><u>Commercial Development</u> The Indicative Masterplan (Figure 3) proposes to further extend ribbon commercial development along Chester Pass Road through longer term mixed use/commercial development. It is suggested that extending ribbon commercial development along Chester Pass Road is inconsistent with the objectives and intent of the <i>Albany Local Planning Strategy, Albany Activity Centres</i></p>	<p>Submission on behalf of Lots 10 and 521 expressed concern in relation to:</p> <ul style="list-style-type: none"> • Suitable buffers to industrial development; • Proposed commercial development on the west side of Chester Pass Road; • Ecological corridor; • Open space; • School; and • Road alignments. <p><u>Residential development adjacent to Industrial development</u> Recommend including notification on title to account for noise associated with industrial activities to the south of Terry Road.</p> <p><u>Commercial development along Chester Pass Road (west side)</u> State Planning Policy 4.2 – Activity Centres for Perth and Peel, states: <i>Activity centre structure plans and developments should be consistent with the centre's classification in the hierarchy.</i></p>	<p>It is recommended that the Council agree to make the following recommendations to the Commission, pertaining to comments received on behalf of Lots 10 and 521 (Edge Planning):</p> <p>1. Modify the structure plan as follows:</p> <p>a) include the following text at section 3.3:</p> <p><i>Residential subdivision and/or development proposed adjacent to Terry Road and directly north of land designated for industrial uses is to:</i></p> <ul style="list-style-type: none"> • <i>Include a notification on title advising that the lot is located near industrial use and may be affected by transport and operational noise, odours and/or dust.</i> <p>b) Delete the proposal to support commercial development on the west side of Chester Pass Road.</p>

Planning Strategy and State Planning Policy 4.2 (while noting its direct applicability to Perth and Peel).

Ecological Corridor

An ecological corridor will provide an effective buffer between the Ardess Industrial Estate and residential or non-residential uses to the north.

Open Space

The large Parks and Recreation area (district park) shown on Lot 521 is not centrally located to future residential development on Lot 521.

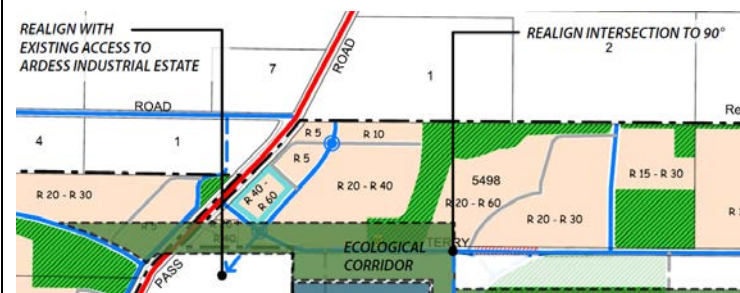
School

Prefer that the school site is not located on Lot 521. Instead, explore locating the school site in an alternative location. Alternative locations include:

- near the proposed local centre to enhance accessibility to future students living west of Chester Pass Road and to enhance the viability of the local centre through; or
- approximately 250 metres to the north of the school site shown on the draft Structure Plan (commencing on the northern side of the existing native vegetation/ecological corridor on Lot 521). The alternative location could be shared between Lot 521 and Lot 5298 if Terry Road is partially realigned.

Road Alignments

- Modify Terry Road alignment with ecological corridor.
- Modify Terry Road/Range Road Intersection to T-junction.
- Remove the north-south neighbourhood connector road through Ardess Industrial Estate as shown on Figure 3.
- Align the existing access between Ardess Industrial Estate and Terry Road.



The responsible authority should not support activity centre structure plans or development proposals that are likely to undermine the established and planned activity centre hierarchy.

The City's 'Activity Centres Planning Strategy' has not recommended commercial activity on the west side of Chester Pass Road and north of Henry Street. Prior to supporting commercial development as a component of structure planning, a review of the City's strategic framework needs to be undertaken.

Ecological Corridor

The Ardess industrial estate is zoned 'Light Industry'. The estate has been established to accommodate light industrial type activities. In the case of industries of a light/service nature and technology parks, the impacts can usually be retained on-site within industrial area boundaries...refer to SPP4.1 (cl.1.1). An ecological corridor established to restrict residential development is therefore not necessary.

Open Space

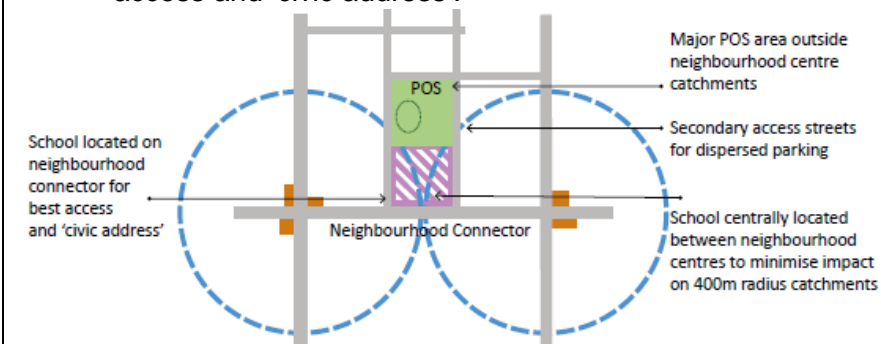
Structure planning of Lot 521 at a later stage may well determine suitable location, size and function of open space. The City of Albany Public Parkland Policy states:

- a) Ensure POS is large enough, located within walking distance (400m) and has a variety of facilities (e.g. informal and formal) to attract people of all ages and aspirations.

School Site

As recommended by the WAPC Liveable Neighbourhoods:

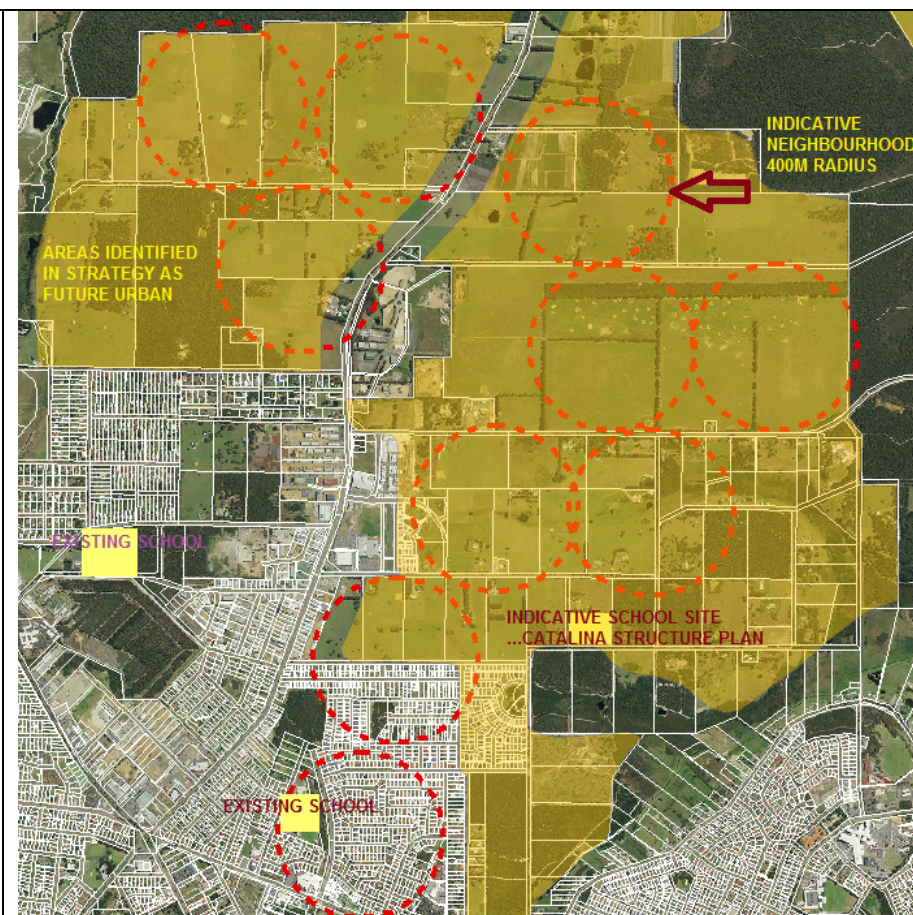
- primary schools generally service a catchment comprising two to three neighbourhoods (refer to pg 27 Liveable Neighbourhoods); and
- Schools should be located on neighbourhood connector for best access and 'civic address'.



The Lot 521 is strategically earmarked (Local Planning Strategy) for 'Future Urban' and has capacity for 2 neighbourhoods.

- c) modify the structure plan boundary by not including Lot 521;
- d) modify the structure plan by deleting any recommendations for Lots 10 and 521;
- e) modify the north-south neighbourhood connector, shown on the east side of the proposed Local Centre, to align with the existing Ardess Industrial Estate road alignment;
- f) Include the following text at section 3.4.1:

- Terry Road and intersections to Chester Pass Road being designed and developed to safely accommodate vehicles generated by development of Lots 5498 and 4925 and vehicles expected from fringing areas.
- For egress in relation to bushfire protection measures - two different vehicular access routes, both of which connect to the public road network, being developed to provide safe access and egress to two different destinations and be available to residents/the public at all times and under all weather.
- Development of Lots 5498 and 4925 may not occur whereby the above provisions cannot be achieved.



Road Alignments

The existing Terry Road intersection with Chester Pass Road is at an angle and with short sight distances. By realigning Terry Road, a 90° T-intersection and satisfactory sight distances can be achieved. The realignment of Terry Road also improves access and functionality of the proposed local centre.

The Ardess Industrial Estate has requested that a north-south neighbourhood connector road, shown on the proposed structure plan passing through the Ardess Industrial Estate, be aligned with the existing access between the Ardess Industrial Estate and Terry Road. The City recommends that the structure plan be modified to align the proposed north-south neighbourhood connector with the Ardess Industrial Estate road alignment.

The structure plan includes Lot 521, however the assessment undertaken for Lot 521 is brief and not to the standard required by the *Planning and Development Regulations 2015*, cl.16, as follows:

- (1) A structure plan must...set out the following information —
- (i) the key attributes and constraints of the area covered by the plan including the natural environment, landform and the topography of the area;
 - (ii) the planning context for the area covered by the plan and the neighbourhood and region within which the area is located;
 - (iii) any major land uses, zoning or reserves proposed by the plan;

			<p><i>(iv) estimates of the future number of lots in the area covered by the plan and the extent to which the plan provides for dwellings, retail floor space or other land uses;</i> <i>(v) the population impacts that are expected to result from the implementation of the plan;</i> <i>(vi) the extent to which the plan provides for the coordination of key transport and other infrastructure;</i> <i>(vii) the proposed staging of the subdivision or development covered by the plan.</i></p> <p>Lot 521 was included in the structure plan to indicate 'planning context' with Lots 5498 and 4925 and the extent to which the plan provides for the coordination of key transport and other infrastructure. The intent was not to indicate in any detail, proposed land uses and the number of lots.</p> <p>There is merit in further detailed planning for Lot 521 occurring under the current structure plan, however this will result in a substantial amount of additional time, work and consent from landholders of Lot 521.</p> <p>The structure plan may proceed independent of structure planning for Lot 521, subject to complying with the following criteria:</p> <ul style="list-style-type: none"> • Terry Road and intersections to Chester Pass Road being designed and developed to safely accommodate vehicles generated by development of Lots 5498 and 4925 and vehicles expected from fringing areas. • For egress in relation to bushfire protection measures - two different vehicular access routes, both of which connect to the public road network, being developed to provide safe access and egress to two different destinations and be available to residents/the public at all times and under all weather. • Development of Lots 5498 and 4925 may not occur whereby the above provisions cannot be achieved. 	
15.		<p>In the proposal there are only two Neighbourhood Arterial roads entering/exiting the whole subdivision onto Henry St Milpara., one of which is located directly adjacent our property as stated above.</p> <p>Given the fact that Henry St is already a very busy road with local traffic it is also used as a thoroughfare between Chesterpass Rd and Albany Hwy. We feel that with the added volume of traffic entering/exiting this subdivision onto Henry St at this point will have a huge impact on our ability to enter/ exit our driveway in a safe manner.</p> <p>The high volume of vehicle lights at night will impact on our quality of life by shinning directly into our home.</p> <p>Would it be possible for the developers/planners to realign this Neighbourhood Arterial road to enter/exit</p>	<p>Maybe possible to realign Neighbourhood Arterial road to align with Mary Street subject to appropriate intersection treatments.</p>	<p>It is recommended that the Council agree to make the following recommendation to the Commission, pertaining to comments received from 17 Henry Street:</p> <p>1. Modify structure plan by realigning the Neighbourhood Arterial road to align with Mary Street.</p>

		<p>onto Henry St at the same point where Mary St, if Mary St was extended from Woolahara St to Henry St, at the present time this is vacant land between Lot 5 or 17 Henry St and Lot 6 or 25 Henry St.</p>		
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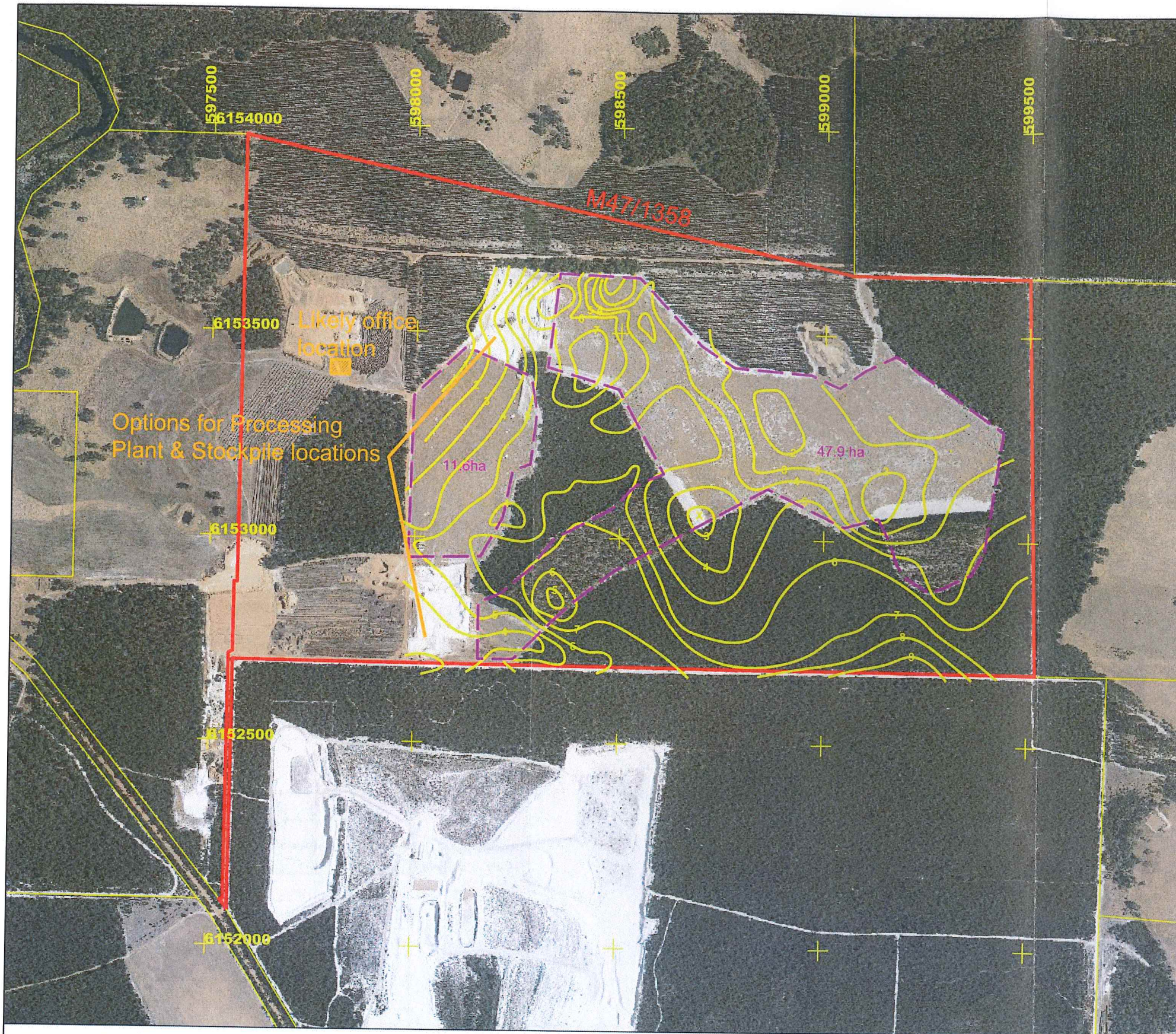
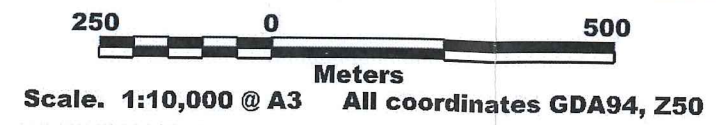


Figure 2. Silica Sand Resource areas. Applied for tenement (M70/1358) shown in red, Land proposed for open cut mining outlined in purple dash. Silica sand resource depths (below natural ground level) shown in yellow at 1.0m intervals. See text for further details on stockpiles, processing plant and other infrastructure information.



CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

Industry – Mining (Silica Sand)

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Summary of concern raised. The number of properties this concern represents is indicated in brackets at the end of the summarised concern.	Officer Comment
1	<p>Safety of road users due to the increase in vehicle movements combined with the existing road conditions, as detailed below:(6 submissions)</p> <p>a) <u>Condition of Palmdale and Mindijup Roads</u></p> <ul style="list-style-type: none"> • Requests that Palmdale and Mindijup Road are widened, sealed, marked with centre lines and appropriate signage installed, with a maximum speed limit imposed across the subject route. • Requests that vegetation is pruned to establish better sightlines. • Lack of signage warning of road trains, particularly at the intersections of Fishtrack, Moirs and James Road. • Blind bend just before the intersection of Palmdale Road and Moirs Road and the absence of a filter lane. • Concern for drivers turning right into Moirs Road when travelling in a northerly direction. Insufficient stopping distances at this point would result in an accident and should this concern not be addressed and an accident occurs, legal action against the City will be taken. <p>b) <u>Increased traffic</u></p> <ul style="list-style-type: none"> • Concerns with the increased number of heavy vehicle movements, being 23 return trips per day, in addition to the existing current mix of Silica Sand Mine trucks, log trucks, lime trucks, agricultural traffic, service vehicles, mulch vehicles, horse floats, tourist vehicles, grain trucks, private vehicles and school bus. <p>c) <u>Palmdale Road and South Coast Highway intersection</u></p> <ul style="list-style-type: none"> • Concerns regarding the intersection of Palmdale Road and South Coast Highway 	<p>a) Staff inspected the both Palmdale and Mindijup Road and have recommended that the following condition be applied which will mitigate concerns in relation to road width, condition, sightlines and intersections:</p> <p><i>‘Mindijup and Palmdale Roads are to be widened to a 7 metre seal with 9 metre formation from the site to South Coast Highway. They are to be constructed and drained at the full cost to the Developer, to the specifications and satisfaction of the City of Albany.’</i></p> <p>The City of Albany will investigate opportunities to improve signage and line marking.</p> <p>Officers recommend that a standard condition requiring the proponent to rectify any damage to any road as a result of the operation within the City of Albany should be applied.</p> <p>b) The proposed vehicles are classed as ‘as of right vehicles’ and the City does not have the statutory authority to restrict these.</p> <p>c) The proposal was referred to Main Roads WA who have provided the following advice;</p> <p><i>‘As the proposal will necessitate the extension of the existing TAV7 network to service the mining operations Main Roads recommends that the sealed extension of Mindijup Road be built to a</i></p>

Industry – Mining (Silica Sand)

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Summary of concern raised. The number of properties this concern represents is indicated in brackets at the end of the summarised concern.	Officer Comment
	<p>due to poor visibility combined with the speed of the oncoming traffic (110km/h) when looking eastward.</p> <p>d) <u>Signage</u></p> <ul style="list-style-type: none"> • Requests that signs be erected on terminating roads. • Requests that a stop sign should be installed at the Mindijup and Palmdale Road intersection and vegetation removal and clearing at this junction to provide better sightlines. • Requests that a Give Way sign should be installed at the junction of South Coast Hwy and Palmdale Road. 	<p><i>minimum width of 7m seal with 9m formation. Main Roads has applied for funding to undertake intersection improvement works for the Palmdale Road and South Coast Highway intersection in the 2017/2018 financial year. The current extent of proposed works is for a left turn pocket from South Coast Highway to Palmdale Road, sight distance improvement works and widening of the Palmdale Road intersection fishtails.'</i></p> <p>d) The City of Albany will investigate opportunities to improve signage and line marking.</p>
2	<p>a) <u>Requests an upgrade of Mindijup and Palmdale Road: (5 submissions)</u></p> <ul style="list-style-type: none"> • Wear and tear on Palmdale and Mindijup Road and maintenance burden on ratepayers due to increased heavy vehicle traffic volume. • Requests that the City of Albany secures a co-contribution from the proponent in relation to the works and maintenance. 	<p>a) Staff inspected the both Palmdale and Mindijup Road and have recommended that the following condition be applied:</p> <p><i>'Mindijup and Palmdale Roads are to be widened to a 7 metre seal with 9 metre formation from the site to South Coast Highway. They are to be constructed and drained at the full cost to the Developer, to the specifications and satisfaction of the City of Albany.'</i></p>
3	<p>a) <u>School Bus Route: (4 submissions)</u></p> <ul style="list-style-type: none"> • Safety concerns with the school bus route, particularly the sightlines and stopping distances at the Moirs and Palmdale Road intersection where one of the school bus pickup and drop off points are. • Requests that an upgrade, including a pull in bay, at the Moirs and Palmdale Road intersection to improve visibility and to prevent accidents at the junction, given the line of sight and minimum safe stoppage distances. 	<p>a) Should the proposal be supported, staff recommend the following condition is applied;</p> <p><i>The applicant shall liaise with school bus operator to establish a traffic schedule to avoid potential conflict with school bus operations. No truck movements shall be undertaken during the times that the school bus services the area, being between 8.10am – 8.23am and 3.30pm – 3.45pm unless otherwise</i></p>

Industry – Mining (Silica Sand)

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Summary of concern raised. The number of properties this concern represents is indicated in brackets at the end of the summarised concern.	Officer Comment
	<ul style="list-style-type: none"> • Requests that the City of Albany place a curfew on truck movements while the school bus is running (8.10am to 8.23am and 3.30pm-3.45pm). 	<p><i>agreed in writing by the City of Albany.</i></p>
4	<p>a) Concerns that there will be non-adherence to prescribed speed limits, conditions and curfews associated with the proposed industry due to the speed and positioning of existing trucks already using Palmdale Road. (2 submissions)</p> <ul style="list-style-type: none"> • One submission requested an 80km/h speed limit be imposed • One submission requested a 70km/h speed limit be imposed. 	<p>a) RAV 7 ‘C-trains’ are vehicles which are permitted to travel on this network, however are subject to adhering to the designated road rules and speed limits.</p>
5	<p>a) Noise and volume of traffic due to proposed 24/7 operation. (4 submissions)</p> <p>b) Proximity of some dwellings to proposed route. (3 submissions)</p> <p>c) Enjoyment of fresh air, peace and quiet and space will be affected. (1 submission)</p> <p>d) The applicant should consider constructing earth banks between dwellings located close to the road and the road to act as a sound barrier. (1 submission)</p> <p>e) Requests that the City of Albany place a curfew on truck movements from 6.00am to 6.00pm. (1 submission)</p> <p>f) Requests that RAV7 C-train movements are spread between 5.00am and 6.00am and 3.30pm and 8.30pm to limit the interactions between passenger and heavy vehicles. (2 submissions)</p> <p>g) A curfew is observed on all public holidays (1)</p>	<p>a) Due to the buffers, officers believe that the operations onsite can be undertaken 24/7 with minimal impact on adjoining properties, however officers recommend that the truck movements be limited to between the hours of 6am and 6pm.</p> <p>b) Three concerns were raised in regards to the proximity of dwellings to Palmdale Road. These submissions represented two dwellings. These two dwellings have an approximate setback of 40m and 70m from Palmdale Road. Staff believe by restricting the traffic movements to between 6am and 6pm, these concerns will be mitigated.</p>
6	<p>a) <u>South Coast Highway and infrastructure.</u></p> <ul style="list-style-type: none"> • Concerns that there will be a bank up of traffic on South Coast Highway heading into Albany due to it being a tourist route combined with the increase in heavy traffic 	<p>a) The proposal was referred to Main Roads WA who have provided the following advice;</p> <p><i>‘As the proposal will necessitate the extension of</i></p>

Industry – Mining (Silica Sand)

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Summary of concern raised. The number of properties this concern represents is indicated in brackets at the end of the summarised concern.	Officer Comment
	<p>and the lack of passing opportunities. Passing lanes on South Coast Highway should be considered. (2)</p> <ul style="list-style-type: none"> • Concerns regarding the extra pressure the traffic movements will put on the Upper Kalgan Bridge (1) • Concerns that the North Road roundabout will not be able to cope with the additional truck movements. (1) 	<p><i>the existing TAV7 network to service the mining operations Main Roads recommends that the sealed extension of Mindijup Road be built to a minimum width of 7m seal with 9m formation. Main Roads has applied for funding to undertake intersection improvement works for the Palmdale Road and South Coast Highway intersection in the 2017/2018 financial year. The current extent of proposed works is for a left turn pocket from South Coast Highway to Palmdale Road, sight distance improvement works and widening of the Palmdale Road intersection fishtails.'</i></p>
7	<p>Appreciated the economic value that this proposed business would bring to the City of Albany in terms of employment and flow on for businesses, however would appreciate that they try to minimise the impact that their business would have upon other rural activities that take place in this location (farming, vineyards). (1)</p>	<p>Noted</p>
8	<p>Concerns raised that an increase in heavy vehicle movements may impede any future business developments for the existing winery. (1)</p>	<p>Due to the limited lifespan and distance from the existing winery, officers do not believe that there is any reason why the proposed use will impact any future business developments for the established winery</p>
9	<p>Department of Water –</p> <ul style="list-style-type: none"> • Baseline data should be established to guide the mining operations to ensure protection of the groundwater. • A surface water management plan should be prepared demonstrating the measures that will be taken to prevent any run-off from the excavated areas. • More detail should be provided on how the site will be rehabilitated. Site should be 	<p>This advice will form a planning condition should the proposal be supported.</p>

Industry – Mining (Silica Sand)

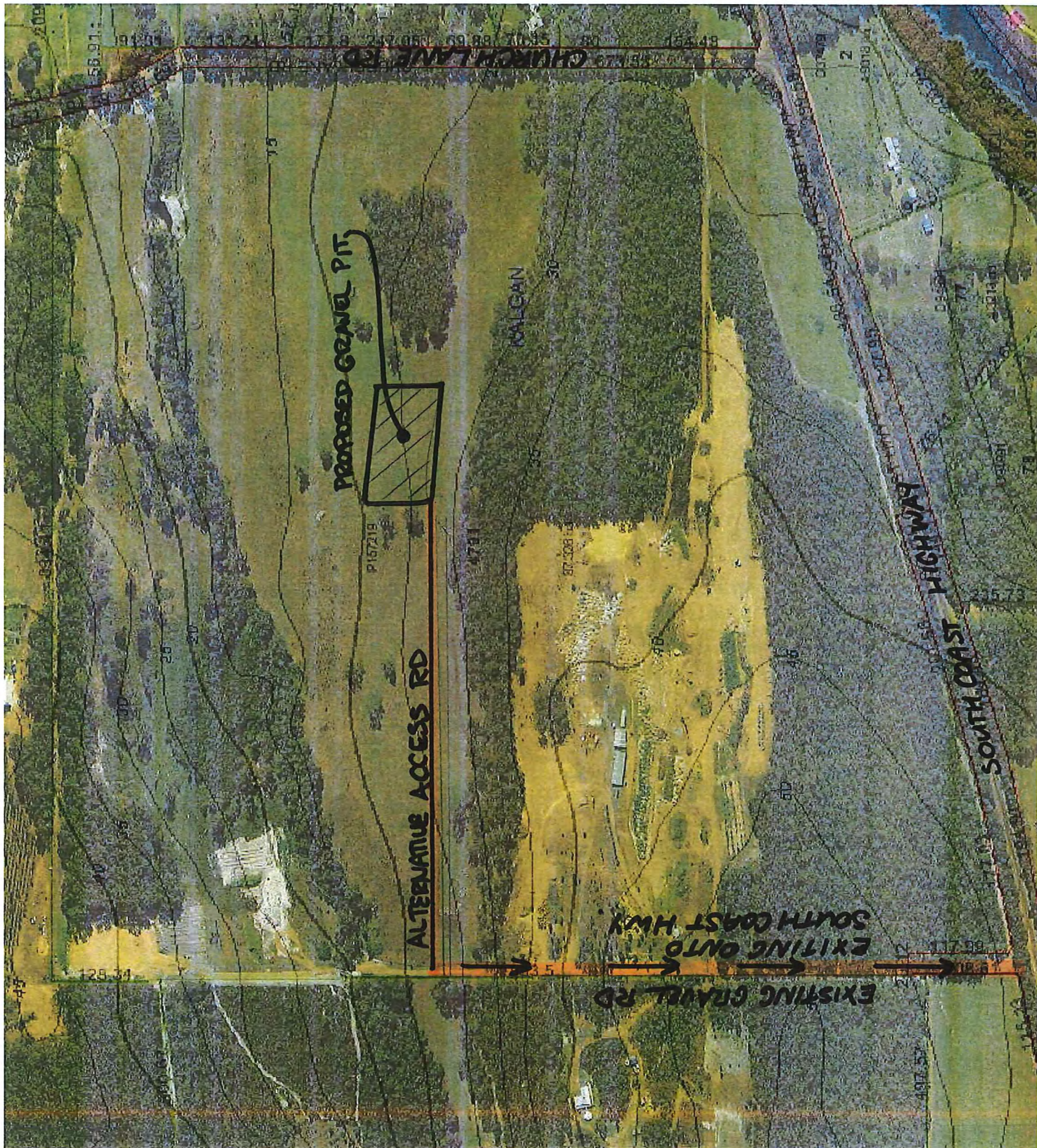
SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Summary of concern raised. The number of properties this concern represents is indicated in brackets at the end of the summarised concern.	Officer Comment
	recontoured to provide a stable site and avoid ponding of surface water or steep slopes.	
10	<p>Main Roads:</p> <ul style="list-style-type: none"> • Recommends that the sealed extension of Mindijup Road be built to a minimum width of 7m seal with 9m formation. • Main Roads has applied for funding to undertake intersection improvement works for the Palmdale Road and South Coast Highway intersection in the 2017/2018 financial year. The current extent of proposed works is for a left turn pocket from South Coast Highway to Palmdale Road, sight distance improvement works and widening of the Palmdale Road intersection fishtails. 	This advice will form a planning condition should the proposal be supported.
11	<p>Department of Agriculture and Food:</p> <ul style="list-style-type: none"> • Recommends that extensions to the existing sand pit will require notification sent to the Office of the Commissioner for Soil and Land Conservation. 	Noted
12	<p>Department of Parks and Wildlife (South Coast Region):</p> <ul style="list-style-type: none"> • No comments on the proposal as it is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework. 	Nil
13	<p>Department of Mines and Petroleum:</p> <ul style="list-style-type: none"> • Subject lot does not include rights to minerals. • The proponent is unable to secure the grant of his mining lease as it is second in time to another mining tenement. 	Noted
14	<p>Department of Environment Regulation</p> <ul style="list-style-type: none"> • Advised that the applicant will need to lodge an application for a works approval 	It is the applicant's obligation to obtain any permits or approvals from the Department of Environment Regulation as required.

Industry – Mining (Silica Sand)

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Summary of concern raised. The number of properties this concern represents is indicated in brackets at the end of the summarised concern.	Officer Comment



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CITY OF ALBANY LOCAL PLANNING SCHEME 1
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Department of Environment Regulation The Atrium, 168 St Georges Terrace PERTH WA 6820	No comment on this matter in reference to regulatory responsibilities under the Environmental Protection Act 1986 and the Contaminated Sites Act 2003.	Nil	The submission is noted.
2	Department of Water PO Box 525 ALBANY WA 6331	No objections – however the Department of Water requests the preparation and implementation of a surface water management plan to control surface water run-off from the pit site.	Nil.	Should the proposal be supported, staff recommend the following condition be applied: <ul style="list-style-type: none"> a) A surface water management plan shall be prepared and implemented to the satisfaction of the Department of Water. b) The pit shall be suitably drained. No direct discharge shall occur from the pit into a watercourse without the prior approval of the Department of Water.
3		<p><u>Objections based on the following:</u></p> <p>a) <u>Noise, Dust and Proximity – impact on heath:</u></p> <p>Mine site located 369m away from the dwelling. Concerns with the proximity and dust, noise (screening/crushing)</p>	a) The Extractive Industry and Mining Policy requires that buffer distances are to be in accordance with the setbacks outlined within the Environmental Protection Authority requirements. The Environmental Protection Authority's <i>Separation Distances between Industrial and Sensitive Land Uses</i> guidelines do not set out	Should the proposal be supported, staff recommend the following condition be applied: <ul style="list-style-type: none"> a) Access shall be in accordance with the plan hereby approved. No access is permitted via Churchlane Road, unless otherwise agreed in writing by the City

CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p><i>'Dust and Noise for the firebreaks last year was cruel on our 7 year old son due to suffering Leukaemia. Noise is very disturbing for him and dust is dangerous as it poses a threat to his weakened immunity system. It will possibly increase the number of times he is hospitalised.'</i></p> <p>No vegetation to hide the pit, block dust, sound or vibration.</p> <p>Moved to this area for peace and quiet</p> <p>Prior to purchasing this lot they were advised by Council that the existing extractive industry was close to finishing.</p> <p>b) <u>Adjacent to Kalgan Rural Village Zone:</u></p> <p>Mine site located opposite Kalgan Rural Village. The peaceful lifestyle will be destroyed. Proposal is not in keeping with the council objectives for the Kalgan Rural Village which outlines objectives: Environmental sustainability Landscape values Protection of rural village Avoiding adverse impact on the village Encouraging a strong sense of community Self buffering of land use</p>	<p>a specific buffer for this type of extraction and therefore the proposal was referred to the Department of Environment Regulation who have advised that they have no comments on the proposal. It should be noted that a separate licence through DER is required to be obtained for screening and crushing plants and therefore a full assessment will be undertaken by DER at this time.</p> <p>The <i>Extractive Industry and Mining Policy</i> and <i>Local Planning Scheme No. 1</i> states 200 meters should be achieved between the extraction area and dwellings not on the subject property. The closest dwelling is 369 metres away from the nominated extraction area, and is therefore compliant with the <i>Extractive Industry and Mining Policy</i>.</p> <p>A water truck is available when dust suppression is required.</p> <p>The pit area to the east and south is screened by a significant amount of remnant vegetation. In addition to this, topsoil will create earth bunds screening the pit from Churchlane Road.</p> <p>The proposed operation times would be 7.30am to 4.30pm</p>	<p>of Albany.</p> <p>b) Operation of the extraction areas shall be restricted to the hours of 7.30am – 4.30pm Monday to Friday, unless otherwise agreed in writing by the City of Albany.</p> <p>c) The operation of the extraction areas shall be contained within the area nominated on the stamped, approved plans.</p>

CITY OF ALBANY LOCAL PLANNING SCHEME 1 REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>c) <u>Proposed use of Churchlane Road:</u></p> <p>Concerns with the location of the driveway and use of Churchlane Road for the following reasons:</p> <ul style="list-style-type: none"> • introduction of heavy machinery • bus stop location • dangerous road with limited vision • no marked speed limit. • Use of Churchlane Road will impact adjoining landowners in terms of noise and dust <p>d) <u>Safety concerns:</u></p> <p>Children have been woken at 2am due to noise due to men breaking into one of the dozers onsite and letting it run unmanned. It was pointed towards our dwelling.</p> <p>e) <u>Advertising:</u></p> <p>Advertising received prior to Christmas which was fortuitous for the applicant due to many people being away on vacation.</p> <p>f) <u>Existing pit area:</u></p> <p>No rehabilitation of existing mine site so far.</p>	<p>(Monday to Friday), which is less than the permitted operation times for Extractive Industries.</p> <p>b) An extractive industry is a common use on Priority Agriculture zoned land. There has been an existing extractive industry on the site predating 1999. Under the Local Planning Scheme No. 1, this use can be considered within this zone.</p> <p>c) The applicant has since agreed to change the access route and use the existing route, entering and exiting on South Coast Highway.</p> <p>d) The applicant has confirmed that they had one break in during 2016, however this was not associated with the operation of the pit and they do not operate outside of the permitted hours.</p> <p>e) Under provision 9.4.3 of Local Planning Scheme 1, the proposal was required to be advertised for a period of 21 days. Taking the holiday period into consideration, the proposal was advertised for a period of 32 days.</p> <p>f) The existing pit area is currently in the process of being rehabilitated and returned to pasture.</p>	

CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		They should not be permitted to have another open until the existing site is fully rehabilitated.		
4		<p><u>Objects for the following reasons:</u></p> <p>a) <u>Dust, Noise</u></p>	<p>a) A water truck is available when dust suppression is required.</p> <p>The Extractive Industry and Mining Policy requires that buffer distances are to be in accordance with the setbacks outlined within the Environmental Protection Authority requirements. The Environmental Protection Authority's <i>Separation Distances between Industrial and Sensitive Land Uses</i> guidelines do not set out a specific buffer for this type of extraction and therefore the proposal was referred to the Department of Environment Regulation who have advised that they have no comments on the proposal. It should be noted that a separate licence through DER is required to be obtained for screening and crushing plants and therefore a full assessment will be undertaken by DER at this time.</p> <p>The Extractive Industry and Mining Policy and Local Planning Scheme No. 1 states 200 meters should be achieved between the extraction area and dwellings not on the</p>	<p>Should the proposal be supported, staff recommend the following condition be applied:</p> <p>a) Access shall be in accordance with the plan hereby approved. No access is permitted via Churchlane Road, unless otherwise agreed in writing by the City of Albany.</p> <p>b) Operation of the extraction areas shall be restricted to the hours of 7.30am – 4.30pm Monday to Friday, unless otherwise agreed in writing by the City of Albany.</p> <p>c) The operation of the extraction areas shall be contained within the area nominated on the stamped, approved plans.</p>

CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			<p>subject property. The closest dwelling is 369 metres away from the nominated extraction area, and is therefore compliant with the <i>Extractive Industry and Mining Policy</i>.</p>	
5		<p><u>Objects for the following reasons:</u></p> <p>a) <u>Proposed access:</u></p> <p>Concerns with dust and safety with the proposed use of Churchlane Road</p> <p>Safety concerns with extra traffic on South Coast Highway</p> <p>b) <u>Adjacent to Kalgan Rural Village Zone:</u></p> <p>The proposed pit is opposite the Kalgan Rural Village zone and it is not compatible with the objectives which are trying to be achieved.</p> <p>c) <u>Noise, Dust and Proximity – impact on health:</u></p> <p>Dust and noise generated from the operations including screening and crushing could present serious health issues.</p> <p>d) <u>Rehabilitation of existing pit:</u></p>	<p>a) The applicant has since agreed to change the access route and use the existing route, entering and exiting on South Coast Highway. This will be conditioned.</p> <p>The proposed vehicles are classed as ‘as of right vehicles’ and the City does not have the statutory authority to restrict the movement of these on South Coast Highway.</p> <p>b) An extractive industry is a common use on Priority Agriculture zoned land. There has been an existing extractive industry on the site predating 1999. Under the Local Planning Scheme No. 1, this use can be considered within this zone.</p>	<p>Should the proposal be supported, staff recommend the following condition be applied:</p> <p>a) Access shall be in accordance with the plan hereby approved. No access is permitted via Churchlane Road, unless otherwise agreed in writing by the City of Albany.</p> <p>b) Operation of the extraction areas shall be restricted to the hours of 7.30am – 4.30pm Monday to Friday, unless otherwise agreed in writing by the City of Albany.</p> <p>c) The operation of the extraction areas shall be contained within the area nominated on the stamped, approved plans.</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS**

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>The existing pit has not been rehabilitated.</p> <p>e) <u>Compliance:</u></p> <p>How will the council respond to the many complaints that will be forthcoming and the subsequent monitoring involved if this proposal is permitted to go ahead?</p>	<p>c) A water truck is available when dust suppression is required.</p> <p>The Extractive Industry and Mining Policy requires that buffer distances are to be in accordance with the setbacks outlined within the Environmental Protection Authority requirements. The Environmental Protection Authority's <i>Separation Distances between Industrial and Sensitive Land Uses</i> guidelines do not set out a specific buffer for this type of extraction and therefore the proposal was referred to the Department of Environment Regulation who have advised that they have no comments on the proposal. It should be noted that a separate licence through DER is required to be obtained for screening and crushing plants and</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS**

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			<p>therefore a full assessment will be undertaken by DER at this time.</p> <p>The Extractive Industry and Mining Policy and Local Planning Scheme No. 1 states 200 meters should be achieved between the extraction area and dwellings not on the subject property. The closest dwelling is 369 metres away from the nominated extraction area, and is therefore compliant with the <i>Extractive Industry and Mining Policy</i>.</p> <p>The pit area to the east and south is screened by remnant vegetation. In addition to this, topsoil will create earth bunds screening the pit from Churchlane Road.</p> <p>The proposed operation times would be 7.30am to 4.30pm (Monday to Friday), which is less than the permitted</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS**

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			<p>operation times for Extractive Industries.</p> <p>d) The existing extractive pit area has been exhausted and is currently in the process of being rehabilitated. The rehabilitation will be inspected as part of the annual inspections.</p> <p>e) Extractive Industries are subject to annual inspections and bonds.</p>	
6		<p><u>Strongly objects for the following reasons:</u></p> <p>a) <u>Previous concerns raised:</u></p> <p>Made a complaint over the noise, extension of existing pit, proximity of works to Churchlane Road, visual eyesore, operation outside of normal hours and vegetation being cut down on 27/09/2016.</p> <p>b) <u>Landfill used contains tiny bits of plastic</u></p> <p>c) <u>Use not compatible with the adjacent Kalgan Village zone</u></p>	<p>a) This concern was raised with the landowner at the time and they stated that the subject works were in relation to constructing firebreaks, fencing, internal road construction and rehabilitation of existing pit. Staff visited the site on the same day and were satisfied that the works involved were not in relation to the extractive industry and were in fact in relation to firebreaks, access ways and fencing. It should be noted that internal access ways, firebreaks and fencing do not require development approval.</p>	The submission is noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS**

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			<p>In addition to this, the applicant also confirmed that they had a break in on one occasion where machines were started, however this was not in relation to the extractive industry.</p> <p>They do not operate outside of the permitted hours.</p> <p>b) Although there was evidence of small bits of black building plastic within the rubble onsite, it was in staff's opinion during a site visit on 15 February 2017 that the amount was negligible.</p> <p>c) An extractive industry is a common use on Priority Agriculture zoned land. There has been an existing extractive industry on the site predating 1999. Under the Local Planning Scheme no. 1, this use can be considered within this zone.</p>	
7		Does not object to the extraction provided that it does not impact on her existing tourist accommodation operated at 112 Churchlane Road.	a) The applicant has since agreed to change the access route and use the existing route, entering and exiting on South Coast Highway.	Should the proposal be supported, staff recommend the following condition be applied: a) Access shall be in accordance with the plan hereby approved. No access

CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>a) <u>Objects to the use of Churchlane Road</u></p> <p>Strongly objects to the access point being located on Churchlane Road for the following reasons:</p> <ul style="list-style-type: none"> • Forms part of the Kalgan Rural Village zone which is to encourage tourism uses. • Guest often walk along Churchlane Road. • Churchlane Road is narrow and windy with an unrestricted speed limit • School bus on Churchlane Road • Limited sightlines • They should use the existing haul track which exits directly onto South Coast Highway. 		<p>is permitted via Churchlane Road, unless otherwise agreed in writing by the City of Albany.</p>
8		<p>Strongly objects to the proposal:</p> <p>a) <u>Discrepancies within application:</u></p> <p>Proposed pit is 1.7ha in area</p> <p>Will encroach on the existing vegetation</p> <p>Topography of the drainage is incorrect. The land slopes towards the existing creek to the north of the lot. Run-off will include diesel and other chemical spills and will impact the Kalgan River</p>	<p>d) The applicant is proposing an area of approximately 2ha, however only 1ha will be open at any one time.</p> <p>The applicant does not propose to clear any vegetation. If the applicant requires to clear vegetation, they will require the approval from the DER.</p> <p>The proposal was referred to the Department of Water due to the proximity to the Kalgan</p>	<p>Should the proposal be supported, staff recommend the following condition be applied:</p> <p>a) Access shall be in accordance with the plan hereby approved. No access is permitted via Churchlane Road, unless otherwise agreed in writing by the City of Albany.</p> <p>b) Operation of the extraction areas shall be restricted to the hours of 7.30am –</p>

CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>The applicant states that the proposed pit is 400m from any residence. This is incorrect and the closest dwelling is 369m.</p> <p>b) <u>Noise, Dust – impact on heath:</u></p> <p>Concerns with noise generated from crusher and screener</p> <p>The noise levels predicted are taken from machinery in isolation and therefore will be noisier when used in conjunction</p> <p>c) <u>Rehabilitation:</u></p> <p>Concerns that the rehabilitation will not be undertaken as the existing pit has not been rehabilitated. Full rehabilitation of the existing pit should be achieved before a new pit opened.</p> <p>Concerns that the proposed pit area will not be backfilled and it will remain as a 2 metre deep unfilled bed.</p> <p>Concerns that once this resource has been exhausted that another pit will be opened.</p> <p>d) <u>Dust concerns</u></p> <p>Concerns that the prevailing wind will be contaminated with dust from the pit area and truck movements. This will affect the rainwater quality.</p>	<p>River. Advice was received and it will be conditioned to mitigate concerns in relation to the Kalgan River.</p> <p>e) The existing extractive pit is currently in the process of being rehabilitated.</p> <p>As part of rehabilitation of the proposed pit, the sides will be required to be battered prior to being returned to pasture.</p> <p>Any further areas proposed for extraction will be subject to a new development application.</p> <p>f) A water truck is available when dust suppression is required.</p> <p>The Extractive Industry and Mining Policy requires that buffer distances are to be in accordance with the setbacks outlined within the Environmental Protection Authority requirements. The Environmental Protection Authority's <i>Separation Distances between Industrial and Sensitive Land Uses</i> guidelines do not set out a specific buffer for this type of extraction and therefore the proposal was referred to the</p>	<p>4.30pm Monday to Friday, unless otherwise agreed in writing by the City of Albany.</p> <p>c) The operation of the extraction areas shall be contained within the area nominated on the stamped, approved plans.</p>

CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>Dust contamination is a health hazard for residents and livestock. It could result in breathing difficulties and lung disease.</p> <p>e) <u>Financial</u></p> <p>Allowing commercial mining operation would be contrary to the declared intent of the Kalgan Village plan and will impact the upon the value of surrounding properties.</p> <p>Commercial mining has no viable entitlement in a residential neighbourhood.</p>	<p>Department of Environment Regulation who have advised that they have no comments on the proposal. It should be noted that a separate licence through DER is required to be obtained for screening and crushing plants and therefore a full assessment will be undertaken by DER at this time.</p> <p>The Extractive Industry and Mining Policy and Local Planning Scheme No. 1 states 200 meters should be achieved between the extraction area and dwellings not on the subject property. The closest dwelling is 369 metres away from the nominated extraction area, and is therefore compliant with the <i>Extractive Industry and Mining Policy</i>.</p> <p>g) The subject site is zoned Priority Agriculture and an Extractive Industry is a common use.</p> <p>Property value is not a valid material planning consideration.</p>	
9		<p>Objects for the following reasons:</p> <p>a) <u>Churchlane Road</u></p> <p>Concerns with Churchlane Road being used to access the site as it will be further degraded, is poorly</p>	<p>a) The applicant has since agreed to change the access route and use the existing route, entering and exiting on South Coast Highway.</p>	<p>Should the proposal be supported, staff recommend the following condition be applied:</p> <p>a) Access shall be in accordance with the plan hereby approved. No access is permitted via Churchlane</p>

CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>maintained, pose health risks, threaten the Kalgan’s fragile natural environment, is dusty, access is close to a crest and blind corner.</p> <p>b) <u>Rehabilitation:</u></p> <p>The existing pit has not been rehabilitated and the site was left denuded.</p> <p>c) <u>Noise and dust pollution.</u></p> <p>Although permissible in this zone, it is no longer appropriate in this area.</p> <p>The Kalgan Rural Village zone was intended to create a quiet, peaceful lifestyle and help revitalise the local community.</p>	<p>b) The existing extractive pit is currently in the process of being rehabilitated.</p> <p>c) A water truck is available when dust suppression is required.</p> <p>The Extractive Industry and Mining Policy requires that buffer distances are to be in accordance with the setbacks outlined within the Environmental Protection Authority requirements. The Environmental Protection Authority’s <i>Separation Distances between Industrial and Sensitive Land Uses</i> guidelines do not set out a specific buffer for this type of extraction and therefore the proposal was referred to the Department of Environment Regulation who have advised that they have no comments on the proposal. It should be noted that a separate licence through DER is required to be obtained for screening and crushing plants and therefore a full assessment will be undertaken by DER at this time.</p>	<p>Road, unless otherwise agreed in writing by the City of Albany.</p> <p>b) Operation of the extraction areas shall be restricted to the hours of 7.30am – 4.30pm Monday to Friday, unless otherwise agreed in writing by the City of Albany.</p> <p>c) The operation of the extraction areas shall be contained within the area nominated on the stamped, approved plans.</p>

CITY OF ALBANY LOCAL PLANNING SCHEME 1 REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			<p>The Extractive Industry and Mining Policy and Local Planning Scheme No. 1 states 200 meters should be achieved between the extraction area and dwellings not on the subject property. The closest dwelling is 369 metres away from the nominated extraction area, and is therefore compliant with the <i>Extractive Industry and Mining Policy</i>.</p>	
10		<p>Objects for the following reasons:</p> <p>a) <u>Churchlane Road:</u></p> <p>Proposed entrance is immediately opposite their entrance. Requests that the entrance is directly off South Coast Highway.</p> <p>b) <u>Dust and Noise:</u></p> <p>Increased traffic will result in increased dust and noise.</p>	<p>a) The applicant has since agreed to change the access route and use the existing route, entering and exiting on South Coast Highway.</p> <p>b) A water truck is available when dust suppression is required.</p> <p>The Extractive Industry and Mining Policy requires that buffer distances are to be in accordance with the setbacks outlined within the Environmental Protection Authority requirements. The Environmental Protection Authority's <i>Separation Distances between Industrial and Sensitive Land Uses</i> guidelines do not set out a specific buffer for this type of</p>	<p>Should the proposal be supported, staff recommend the following condition be applied:</p> <p>a) Access shall be in accordance with the plan hereby approved. No access is permitted via Churchlane Road, unless otherwise agreed in writing by the City of Albany.</p> <p>b) Operation of the extraction areas shall be restricted to the hours of 7.30am – 4.30pm Monday to Friday, unless otherwise agreed in writing by the City of Albany.</p> <p>c) The operation of the extraction areas shall be</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
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			<p>extraction and therefore the proposal was referred to the Department of Environment Regulation who have advised that they have no comments on the proposal. It should be noted that a separate licence through DER is required to be obtained for screening and crushing plants and therefore a full assessment will be undertaken by DER at this time.</p> <p>The Extractive Industry and Mining Policy and Local Planning Scheme No. 1 states 200 meters should be achieved between the extraction area and dwellings not on the subject property. The closest dwelling is 369 metres away from the nominated extraction area, and is therefore compliant with the <i>Extractive Industry and Mining Policy</i>.</p>	<p>contained within the area nominated on the stamped, approved plans.</p>
11	<p>Joint submission representing seven properties.</p>	<p>Raises the following concerns:</p> <p>a) <u>Noise, dust, vibration:</u></p> <p>Concerns with noise, dust and vibration and the general disruption of to health, safety and lifestyle.</p>	<p>a) All concerns are previously addressed above.</p>	<p>Should the proposal be supported, staff recommend the following condition be applied:</p> <p>a) Access shall be in accordance with the plan hereby approved. No access is permitted via Churchlane Road, unless otherwise</p>

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		<p>The noise and vibration from screening and crushing machines has not been taken into consideration.</p> <p>Machinery has been heard late at night and during the early hours of the morning.</p> <p>The proposed pit is not shielded by any vegetation which will result in increased dust.</p> <p>b) <u>Clearing:</u></p> <p>Proposed area does not include the area required to stockpile material, access tracks, or hardstand area. Concerns the vegetation will be cleared to accommodate these needs.</p> <p>c) <u>Life of pit:</u></p> <p>Concerns that the pit will be extended after 5 years.</p> <p>d) <u>Adjacent to Kalgan Rural Village Zone:</u></p> <p>Not consistent with the Kalgan Rural Village Redevelopment Plan.</p>		<p>agreed in writing by the City of Albany.</p> <p>b) Operation of the extraction areas shall be restricted to the hours of 7.30am – 4.30pm Monday to Friday, unless otherwise agreed in writing by the City of Albany.</p> <p>c) The operation of the extraction areas shall be contained within the area nominated on the stamped, approved plans.</p>

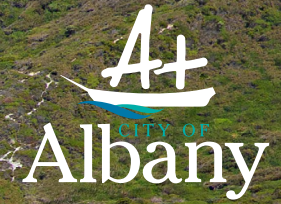
**CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
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No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>e) <u>Access and Churchlane Road:</u></p> <p>Proposed access point is unsafe (blind bend) and will be disruptive on the residents.</p> <p>The proposed number of truck movements will increase danger for pedestrians, children on bikes and is a school bus route.</p> <p>Churchlane Road intersection is dangerous due to the blind corner.</p> <p>The proposed use of Churchlane Road will result in increased dust levels and damage to the road.</p> <p>Requests that access is achieved via the existing access track entering directly onto South Coast Highway.</p> <p>f) <u>Drainage concerns:</u></p> <p>Disruption of water flow and quality of water in the creek that runs through the lot is a major concern as this creek feeds into the Kalgan River.</p> <p>g) <u>Proximity:</u></p> <p>The closest occupied dwelling is 369m</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME 1REPORT ITEM DIS012 REFERS
EXTRACTIVE INDUSTRY – 45720 South Coast Highway, Kalgan
SCHEDULE OF SUBMISSIONS**

No.	Name/Address Submitter	of Summary of Submission	Officer Comment	Staff Recommendation
		<p data-bbox="607 331 860 363">h) <u>Rehabilitation:</u></p> <p data-bbox="656 400 1137 464">The existing pit has not been rehabilitated.</p>		

NATURAL RESERVES Strategy & Action Plan 2017 – 2021



Vision

To protect and enhance the City's world-class natural reserves today and into the future.

Contents

- 3 Message from the Mayor
- 4 Introduction
- 5 Key Focus Areas
- 6 Background
- 6 Why do we need it?
- 7 The City's Role
- 9 Guiding Principles of Natural Reserves Management
- 10 Challenges and Opportunities
- 12 Resourcing
- 13 Actions Tables
- 27 Associated Documents

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Banksia image p4 courtesy Discovery Bay



Message From The Mayor



The Natural Reserves Strategy is a key strategic document that outlines how the City of Albany and the broader community can improve management of natural reserves across the City by developing an agreed framework and actions that address a wide range of issues impacting natural reserves.

I have lived in Albany most of my life, and along with many of you, I have visited our natural reserves and enjoyed the quality and beauty of the environment with family and friends. We live in one of the most biodiverse hotspots in the world, and our City is known to support one of the highest proportions of flora and fauna species in the State. As a City we have focused on continuing to preserve the 450 reserves in our care that spans 11,500 hectares within the municipality.

Five focus areas - sustainable management; environmental biodiversity; community safety and assets; cultural heritage values; and recreation services and facilities - bring together priorities supporting the City's Community Strategic Plan objective to be 'Clean, Green and Sustainable'.

I urge you to support the City's Natural Reserves Strategy and action plan so that the City of Albany is enabled to support the community's deep love of natural areas and their desire to ensure they are both protected and accessible for everyone's enjoyment.

Albany's natural reserves have been and will continue to be a pristine sanctuary in Western Australia and contribute to making our City a unique place to live, work and visit.

Dennis Wellington
Mayor

Introduction

The City of Albany's Natural Reserves Strategy and Action Plan is a five year strategic plan which provides the necessary framework to manage the 450 reserves under the Council's stewardship. The Plan identifies key strategies and actions to provide access for the community and protection of the environmental values of the natural reserves with the long-term goal of enhancing the overall conditions of the reserves. These strategies and actions reflect environmental best practice, are financially sustainable and balance biodiversity conservation and user needs.

This Plan is an integral part of the City assets management process and is important to informing the Community Strategic Plan, Albany 2021 and a range of other related plans.



5 Key Focus Areas

The strategy covers five key focus areas with Objectives and Strategies developed to address each area.



Background

The City of Albany Natural Reserves are significant assets for biodiversity, scenic beauty, local and visitor enjoyment, research, education and health.

There are over 11,500 hectares of natural reserves that range from small isolated parcels of land to large connected parcels of land, particularly along the coastal strips. A number of these larger reserves have been actively managed under individual management plans in the past, whilst the smaller reserves have not had this level of active management.

In 2010 the City, as a part of corporate planning for reserves, developed an Asset Management Plan for Natural Reserves which provided guidance for the care and maintenance of natural bush reserves. This asset plan outlines the key principles, common management issues and service levels for reserve asset management. It also ranks each reserve in order of priority for management based on a mix of environmental, social/cultural and economic values. These rankings help guide the level of investment that is required in each reserve. The next step in this process was the development of a strategic action plan for natural reserves.

In its 2015-16 budget, the City of Albany allocated funding to develop a Natural Reserves Strategic Plan, to further promote and guide future works in natural reserves. Extensive community consultation for this plan took place in early 2016. Importantly, the development of this plan included a review of all existing individual management plans and any outstanding operational actions from them.

Why do we need it?

This strategy sits as part of the integrated planning and reporting framework for the Council and provides an overview of the community's aspirations into the future regarding managing the Council's natural reserve assets. The strategy directly relates to the 'Clean, Green and Sustainable' key focus area from the Strategic Community Plan – Albany 2021.

Key Focus Area

2. Clean, Green and Sustainable

Community Priority

2.1 To protect and enhance our natural environment

Proposed Strategies

- By preserving our parks, gardens and reserves for the benefit of future generations;
- By managing factors which impact our coastline, such as erosion and development; and
- By protecting and enhancing the health of our catchments and waterways.

The aspirations expressed as part of the Strategic Community Plan highlight the community's deep love of natural areas and their desire to ensure they are both protected and accessible for enjoyment.

“Our community loves the City’s natural assets, coastline and green spaces within our municipality. Our parks and natural reserves represent great aesthetic, functional and environmental value for our community.

This should be protected, maintained and, where practical, enhanced. There is a strong desire for our natural assets to feature prominently in nature-based tourism opportunities, and to promote Albany as a sustainable city.”

City of Albany Community Strategic Plan 2021 (2013)

The City's Role

Under the Land Administration Act 1997 the care, control and management of a crown reserve can be vested to a Local Government. This process is known as a vesting (or management) order, and whilst it does not convey total land ownership, it does require the Local Government in which the land is vested to be responsible for the land’s ongoing management. This is the case for the majority of the City’s 450 natural reserves.

The unique natural environment of Albany is part of Australia’s only global biodiversity hot-spot. The many coastal cliffs and beaches are recognised as some of the most spectacular scenic coastal locations in Australia and provide a range of popular recreational opportunities. For these reasons, the natural reserves are highly valued by the City and its residents, and significant resources are devoted to maintaining and protecting these assets. It is therefore important to have a set of guiding principles to manage these areas to ensure that they are protected for future generations.

Guiding Principles of Natural Reserve Management

These principles are consistent with the Western Australian Environmental Protection Act 1986.

1

Consistent:

Recognising that a significant body of quality work has been undertaken in managing natural reserves across the City of Albany over the past decade; plans and actions shall seek to align to and build on existing strategies, management plans, policies and/or guidelines.

2

Conserve and Protect:

High biodiversity values of reserves shall be identified and protected using the best available information to enhance ecological function and connectivity.

3

Cultural and Heritage:

Plans and actions shall be sensitive to local cultural and heritage values.

4

In Partnership:

A whole of landscape approach, working together where appropriate with other land managers, key agencies and Local Governments, will be taken to assist the integration of planning and effective actions across natural areas.

5

Precautionary principle:

Where there are threats of serious or irreversible damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. Decisions should be guided by careful evaluation and risk based assessment.

6

Community Engagement:

The City recognises the importance of local knowledge and community pride in its natural assets, and will engage with the local community in developing plans and actions that align to these key strategic values.

7

Resilient:

Natural reserves are public places, available for all to enjoy - plans and actions shall contribute to the reserves capacity to cope with potential increased use and shall be adaptive to address current and future biodiversity (and other) threats.

8

Recreation and Tourism:

Plans and actions shall enhance the capacity of natural reserves to enable manageable growth to continue in recreation and tourism (including events and cultural tourism).

9

Sustainable:

Plans and actions shall be affordable, well developed, carefully staged and manageable into the long term.

10

Safe and Accessible:

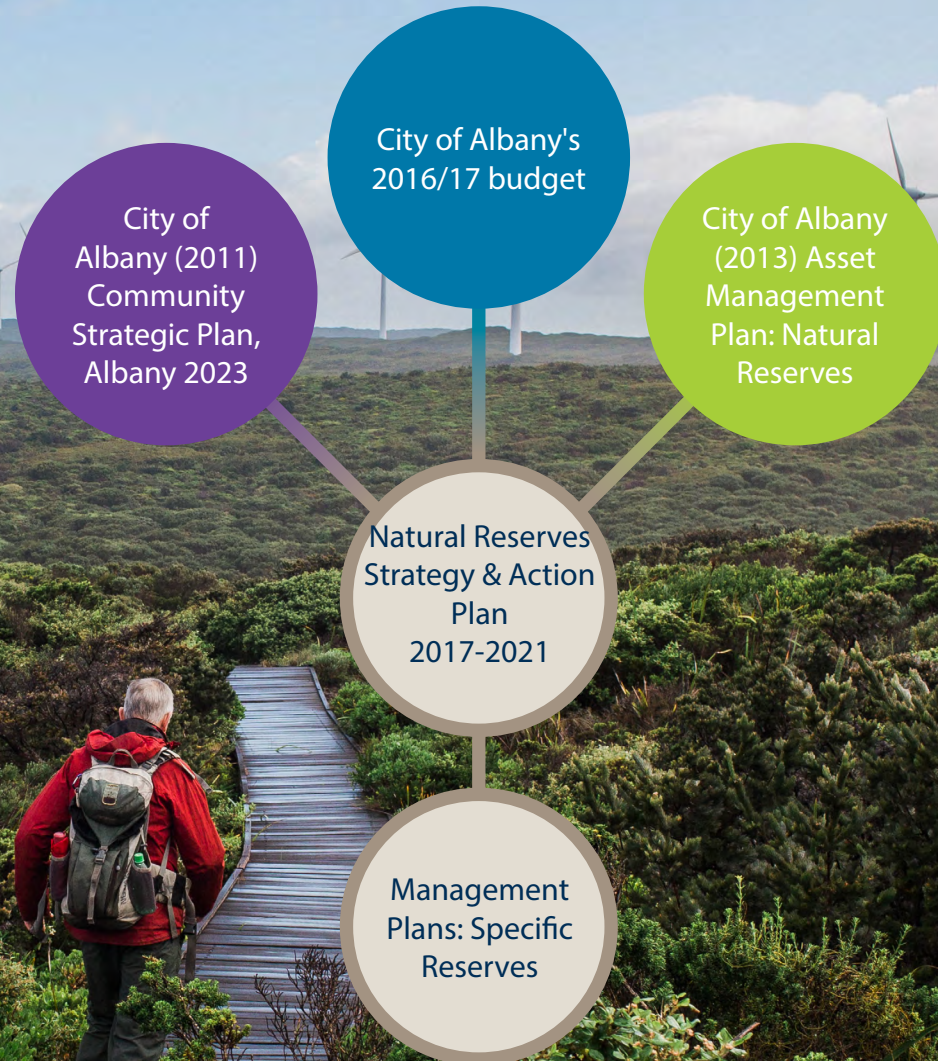
Access to reserves will be managed without discrimination where feasible, considering a range of potential and current users; plans and actions shall have visitor safety as a priority.

The City of Albany will adhere to all statutory obligations, international agreements and local strategies and frameworks when guiding reserve management and conservation decisions.

The Biodiversity Prioritisation Framework is particularly useful in helping to identify biodiversity values, level of threat and feasibility to act for the south coast region. The City will invest in natural areas across environmental, social and economic values that are:

- High priority;
- Important; and
- Feasible.

An extended list of associated documents that underpin this Plan is appended, central documents are shown.



Challenges and Opportunities

Community were consulted during the preparation of this plan and highlighted a number of key issues of concern in natural reserves. These included:

- threatening processes that degrade biodiversity and recreational experience (including weeds, dieback, fire etc.);
- protection of cultural heritage;
- maintaining access while controlling damage and potential conflict between user groups;
- increasing visitor pressure particularly on coastal reserves;
- directional and interpretive signage to improve safety and enhance appreciation and experience;
- resourcing to provide and maintain facilities appropriate to usage levels and location;
- adequate regulation and resourcing to ensure reserves are both fit for purpose and regulated to protect purpose; and
- cross tenure landscape management.

The level of community motivation and willingness to provide assistance with planning and on-ground work such as weed and rubbish management is influenced by the value a community places on a reserve. Businesses have also indicated interest in being engaged in support of local reserves. The City places a high level of importance on responding positively to the interests and concerns of the community and working with them to achieve best management.

Environmental Biodiversity

Challenge	Opportunity
Impacts from increasing human use (e.g. domestic & feral animals, dieback, weeds, erosion, vandalism)	Prevent unauthorised or inappropriate activities. Assess level of impact and mitigation. Rehabilitation and revegetation. Involve and educate community.
Climate change	Monitor, review and evaluation data on condition of reserves. Encourage resilience of natural systems and adaptation to possible impacts.
Protection of significant biodiversity values	Identify, prioritise and protect biodiversity values. Reduce threats. Plan for connectivity outcomes.
Unauthorised clearing/encroachment/edge effect	Community education in regards to the legal framework (Acts & Legislation). Appropriate enforcement of legislation.

Community Safety and Access

Challenge	Opportunity
Plan fire prevention and management	Fuel reduction plans and community safety plans in place. Cross agency approach. Consider environmental and community assets in reserves.
Timely management of risks and hazards	Assess risks and act to manage them. Ensure sufficient reserve and infrastructure maintenance budget allocation.
Emergency response capability	Appropriate access and protocols in place.
Adequate and current signage	Signage plan. Standardize signage. Maintain signage.

Recreational Services and Facilities

Challenge	Opportunity
Potential conflicting user group needs	Management plans for each user group including regulations relating to the activity, signage, infrastructure needs, safety etc.
Budget limitations for implementing the Strategy	Seek funding opportunities. Prioritise budgeting.
Providing recreation facilities while protecting environment	Match facilities to user numbers and needs. Educate users to appreciate and protect reserves. Consider impacts on scenic vistas.
Understanding recreational users to ensure facilities are managed sustainably	Survey user groups as part of review process.

Cultural Heritage Values

Challenge	Opportunity
Identifying and protecting known and unknown sites	Involvement of Noongar and other groups. Have appropriate registers of Noongar and settler heritage sites and features.
Building opportunities to visit and understand sites in a respectful and sustainable way	Interpretative signage and other interactive knowledge/education programs and resources.

Sustainable Management

Challenge	Opportunity
Working together on natural area management with other agencies and stakeholders across boundaries	Working group concept, partnerships with other key agencies. Support active community, businesses and NRM groups. Ensure consistent management across boundaries to protect common value and share resourcing for management. Prioritising where to focus resources for best natural area outcomes and highest demand Support regional projects with natural area management focus.
Management of currently unmanaged reserves e.g. Road reserves, UCL	Prioritising areas in terms of biodiversity value. Partner with other key agencies and local governments and community groups.
Appropriate reserve tenure and leasing	Assess tenure of reserves to ensure appropriate for biodiversity and community values, and current and future use. Amalgamate where appropriate. Lease conditions to include management needs, values and purpose. (e.g. booking system, fees, camp hosts, dedicated ranger resources, consistent rules and signage. Incorporate private camping options.)

Resourcing

The value of the City's natural reserves assets has been estimated at approximately \$3.3million (City of Albany 2013). It is important that infrastructure investment is sustainable in the long term with maintenance of all new infrastructure soundly budgeted into ongoing asset maintenance budget projections. This plan may be subject to legislative or policy changes over time that may require reassessment of priorities.

The City has a process of budgeting across a number of time-frames with 10 year, 5 year and annual plans for capital works.

The key to strategic planning and prioritising on-ground actions is the development of SMART objectives.

Outcomes from this plan will be delivered using existing officer time and are subject to project budget allocations. External funding opportunities for major projects of regional significance may be sought to support implementation of selected projects.














City of Albany Natural Reserves Strategy & Action Plan - Actions Table

PRIORITY LEGEND

-  High/Short Term
-  Medium
-  Ongoing









1.0 Environmental Biodiversity

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
Strategic Goal 1.1 To preserve and increase the ecological values of our natural reserves					
1.1.1 Audit existing City of Albany natural reserve management plans to determine what has been achieved, what is outstanding and the final status of plans.	 Identify outstanding actions within existing plans and have them programmed for implementation within the 10yr budget.			The existing management plans have been completed.	City Reserves
1.1.2 Identify priority reserves using the Reserves Attribute Assessment Process, including important wildlife corridors and shorebird habitat, and increase their protection if required.	 Continue to assess reserves using the Reserve Attribute Form to determine priority reserves that will be focused on.			All reserves have been assessed for environmental values and operational plans are developed for priority reserves.	City Reserves
1.1.3 Minimise the impacts of works on the environment.	<ul style="list-style-type: none">  Review and update the Environmental Code of Conduct document to ensure practices are up to date.  Assess all new projects under the Environmental Impact Assessment procedure.  Where vegetation needs to be cleared as part of a project, encourage off-set rehabilitation areas. 	 Regular training of CoA staff and contractors on the Environmental Code of Conduct document.		<p>Environmental Code of Conduct document is up to date with best management practices.</p> <p>All staff and contractors conduct works in line with Environmental Code of Conduct document.</p> <p>All new works on City land are managed to reduce negative environmental impacts.</p> <p>Negative impacts on the environment as a result of new works is minimised.</p>	City Reserves

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
1.1.4 To increase community education on the values of bushland and how they can contribute to the preservation of these areas.		 Develop and publish a good neighbour brochure for neighbouring properties of natural bushland reserves.	 Install interpretative signage in high use natural areas.	More visitors are informed about environmental values of high use reserves.	City Reserves Communications & events Team
Strategic Goal 1.2 To partner with stakeholders to deliver on biodiversity conservation and the health of local waterways					
1.2.1 Provide input into new subdivision development proposals regarding the management of existing and new foreshore reserves and other POS.			 Develop guideline sheets for developers.	Improved foreshore and other POS management plans.	City Reserves Planning
1.2.2 Support regional catchment groups and State NRM programs, and participate in on-ground activities.	 Support projects that are involved with conservation works in reserves that involve youth training programs (eg Green Army)			Regional groups and programs are continued.	City Reserves
1.2.3 Work closely with DPaW on undertaking 'Conservation burns' to enhance specific conservation values.			 Develop an internal procedure to undertake 'conservation burns'.	Conservation and biodiversity values in reserves are maintained through specific prescribed burning processes.	City Reserves Ranger & Emergency Services External parties (DPaW, DFES, VBFB).
Strategic Goal 1.3 To reduce the impact of invasive species on the natural environment (including ferals & dieback)					

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
1.3.1 Review and implement the Environmental Weeds Strategy for lands managed by the City of Albany.		<ul style="list-style-type: none"> Promote existing weed brochures/ pamphlets. 	<ul style="list-style-type: none"> Update the Environmental Weed Strategy, including reviewing the priority work areas. Develop a Pest Plant Local law. 	<p>Environmental Weed Strategy is updated and weeds are successfully managed in priority reserve/areas.</p> <p>Weed information is widely distributed to the community.</p> <p>A Pest Plant Local law is developed and adopted by Council.</p>	<p>City Reserves Bushcare Team Rangers</p>
1.3.2 Support and assist in developing regional weed and invasive species management programs.	<ul style="list-style-type: none"> Staff continue to attend SCNRM Biodiversity Reference Group meetings. Support feral animal control in particular areas, if part of a regional or larger program, if feasible. 		<ul style="list-style-type: none"> Review and update the Animal Local Law to support management control actions regarding feral animals. 	<p>Regional plan of attack against invasive weeds.</p> <p>Increased feral animal control in important regions.</p> <p>An updated Animal Local Law that includes feral animal control efforts.</p>	<p>City Reserves Ranger & Emergency Services Governance & Risk</p>
1.3.3 Implement management actions to reduce the spread of dieback in high conservation value reserves.	<ul style="list-style-type: none"> Undertake dieback surveys by qualified dieback interpreters, as required, to locate dieback protectable areas and develop appropriate hygiene plans. 	<ul style="list-style-type: none"> Install educational signage regarding the spread of dieback. 		<p>Dieback is not avoidably introduced to dieback-free or dieback protectable areas.</p> <p>Public is better educated about the importance of dieback hygiene when visiting reserves.</p>	<p>City Reserves</p>









2.0 Community Safety

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
Strategic Goal 2.1 To effectively manage fire risk within City of Albany natural reserves					
2.1.1 Develop and Implement Fuel Management Plans and continue to manage fire risk according to reserve priority.			<ul style="list-style-type: none">  Develop fuel management plans for priority CoA managed natural reserves.  Implementation of fuel management plans for priority reserves against timelines.  Determine a procedure to appropriately manage unmade road reserves in urban environments specifically for fuel load management, including burning. 	<p>Fuel management plans developed for priority reserves.</p> <p>Approved fuel management plans are implemented.</p> <p>Procedure for fuel management within unmade road reserves is developed and made available to community.</p>	<p>City Reserves</p> <p>Ranger & Emergency Services</p>
2.1.2 To support local volunteer bushfire brigade activities.	<ul style="list-style-type: none">  Provide support to local volunteer bushfire brigades to implement reserve fire management plans as required. 			<p>Volunteer Bushfire Brigades feel well supported by the City.</p>	<p>Ranger & Emergency Services</p> <p>City Reserves</p> <p>Volunteers</p>
2.1.3 Increase knowledge and understanding of CoA fire management programs and fire safety within community.	<ul style="list-style-type: none">  Liaise with Brigades on minimising impact on the environment during wildfire events. 	<ul style="list-style-type: none">  Attend local Emergency Management Committee meetings and support education activities. 		<p>Brigades are better educated to ensure wildfire events are managed to minimise environmental damage.</p> <p>Public better understands the annual CoA fire management program.</p>	<p>Ranger & Emergency Services</p> <p>City Reserves</p> <p>Volunteers</p>
2.1.4 Undertake post wildfire remediation works.	<ul style="list-style-type: none">  Remediate areas impacted as a result of wildfire events. 		<ul style="list-style-type: none">  Develop a procedure for reporting and mapping all wildfire events. 	<p>All wildfire events are reported and mapped.</p> <p>Areas affected by wildfire events are remediated.</p>	<p>City Reserves</p> <p>Bushcare Team</p> <p>Ranger & Emergency Services</p>



Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
Strategic Goal 2.2 To provide safe access to City of Albany natural reserves					
2.2.1 Undertake annual maintenance of fire access tracks on reserves.	<ul style="list-style-type: none"> ✔ Fire access tracks continue to be maintained and improved annually as required. 			Fire access tracks are maintained to a safe standard.	City Reserves
2.2.2 Undertake safety audits of recreational facilities and access points regularly.	<ul style="list-style-type: none"> ❗ Complete the outstanding recommendations from the 2015 CoA visitor risk assessment. * Update CoA asset visitor risk audit every five years. * Support and assist in the implementation of the Albany Coastal Rock Fishing Safety Committee initiatives. 	<ul style="list-style-type: none"> ✔ Support communication education programs resulting from the Albany Coastal Rock Fishing Safety Committee with a key focus on minority populations. 		<p>Improved visitor experiences within reserves.</p> <p>Reserve infrastructure is kept to a safe standard for visitors.</p> <p>Decrease in rock fishing incidents and reported improved safe behavior.</p>	<p>Recreation Services</p> <p>City Reserves</p> <p>Ranger & Emergency Services</p> <p>Volunteers</p>
Strategic Goal 2.3 To have an educated and well informed community supporting emergency management					

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
2.3.1 Develop and implement a communication plan to educate the community on safety, responsible conduct and compliance.	<ul style="list-style-type: none"> ✔ Encourage user groups to use the customer service system to assist with monitoring activities of others in reserves. 	<ul style="list-style-type: none"> * Develop community education resources and programs to promote visitor safety and conduct in reserves. * Make materials available at the visitors centre regarding responsible conduct in reserves. 		<p>Better understanding by community about responsible conduct in reserves.</p> <p>Positive feedback received from the community on reserve management.</p>	<p>City Reserves</p> <p>Ranger & Emergency Services</p> <p>Communications & Events Team</p>
2.3.2 Reduce the level of visitor conflict and management/safety issues in recreational reserves.			<ul style="list-style-type: none"> ✔ Develop a strategic working group to address and improve safe recreational reserve behaviours. ✔ Implement the visitor safety strategies from the Albany Trails Hub Strategy. 	<p>A reduction in the number of reports received regarding user conflict in reserves.</p>	<p>Recreation Services</p> <p>City Reserves</p> <p>Recreational Groups & Volunteers</p>

3.0 Recreational Services & Facilities

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
Strategic Goal 3.1 To provide recreational facilities that minimise impact on the natural environment					
3.1.1 Identify priority reserves against usage patterns and ability to sustain increased levels of visitation as part of the reserves attribute assessment process.			 Gather appropriate data on specific high use reserves (ie reserve usage surveys, traffic counters).	Local residents are engaged to assist with monitoring activities within reserves.	City Reserves Recreation Services
3.1.2 Develop a Reserves Works/ Design Manual.			 Develop an in-house standard design manual for reserve infrastructure.	Consistency of infrastructure within reserves which results in reduced maintenance costs.	City Reserves City Engineering
3.1.3 Maintain an inventory of recreational infrastructure within natural reserves and undertake regular assessment and replacement.	 Review the 2010 Natural Reserves Asset Management Plan.		 Implement actions from the reviewed Natural Reserves Asset Management Plan.	Updated Natural Reserves Asset Management Plan. Infrastructure within reserves will be consistent and of a high standard.	City Engineering City Reserves
3.1.4 Identify suitable reserves for community groups to lease for recreational activities, with minimal impact on the environment.	 Support additional and new leases to be developed on previously cleared or degraded areas and/or co-location of facilities.  Develop leases with conditions associated with the management of any bushland within the lease area.  Regularly inspect lease areas to ensure compliance with environmental conditions.			Minimise environmental impact as a result of new leases Remnant bushland within leases areas are better protected. Minimise environmental impacts as a result of leases.	Corporate Services / Leasing City Reserves Recreation Services
3.1.5 Ensure compliance officers/ rangers presence in 'hotspots' to ensure sustainable recreational activities in reserves.			 Develop a business case for increased resourcing for dedicated reserve compliance officer.	Reserve compliance is resourced by additional resources.	City Reserves Rangers

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
3.2.1 Develop a working group to review relevant City of Albany Local laws to clearly define what activities are permissible.	<p>❗ Review all CoA Local Laws in relation to reserve management.</p>			Clear schedule of regulatory actions based on simple and consistent rules.	City Reserves Ranger & Emergency Services Compliance & Risk
3.2.2 Support existing and approved management plans.	<p>✳️ Upgrade trails and signs at Lake Seppings.</p> <p>✳️ Implement outstanding actions regarding track management for existing approved plans.</p>		<p>✳️ Assist with implementing the actions as per the Trails Hub Strategy plan.</p>	<p>People report positive experiences using our trails.</p> <p>Fewer unapproved and unnecessary tracks within reserves.</p> <p>Key priority recreational trails are completed.</p>	City Reserves Recreation Services Recreational Groups & Volunteers
3.2.3 Support local, regional and state recreational programs and events.	<p>🔄 Provide input into planning stages of events to advise on minimising environmental harm.</p>			Positive event outcomes with supportive community feedback and minimal environmental harm.	Communications & Events Team Corporate Services City Reserves
3.2.4 Support actions from the Boating Facilities Study.			<p>✳️ Implement outstanding actions relating to boating from the 2015 Black Swan Point Management Plan and the 2015 Cheyne Beach Improvement Plan.</p>	Key boating facilities are upgraded.	City Reserves
3.2.5 Improve high visitor use access nodes on natural reserves.			<p>❗ Upgrade Bluff Rock Reserve with formal car park and rehabilitation of degraded areas as per the Mounts Management Plan.</p> <p>✳️ Upgrade facilities at Mutton Bird reserve as per the 2016 feasibility study.</p>	Visitors report positive experiences when visiting our reserves.	City Reserves








Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
Strategic Goal 3.3 To provide affordable nature based camping opportunities within key reserves					
3.3.1 Undertake a whole of CoA camping feasibility study.	 Develop and implement a CoA camp host program annually.	 Promote CoA camping facilities through various media.	 Complete a camping feasibility study which will encompass expansion options to meet projected growth estimates.	Visitors are reporting positive nature based camping experiences in the CoA. Campers are no longer camping in undesignated areas. Campsites are used to full capacity during peak times.	City Reserves Communications & Events Team









4.0 Cultural Heritage Values

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
Strategic Goal 4.1 Involve Aboriginal community members in decisions					
4.1.1 Engage Aboriginal community members in reserve planning.	<ul style="list-style-type: none"> Refer all reserves projects through the CoA Noongar Consultative Committee. 			Noongar heritage values are protected.	City Reserves Corporate Services
4.1.2 Engage Aboriginal community members in the management of natural reserves.	<ul style="list-style-type: none"> Employ Indigenous staff and contractors where possible. Use Noongar youth training programs to undertake reserve management activities where possible. 			<p>Members of the Noongar community feel included in the process of reserve management.</p> <p>Noongar members are actively involved in reserve management.</p>	City Reserves
Strategic Goal 4.2 To identify and protect City of Albany heritage values and to ensure that the City complies with all relevant heritage legislation					
4.2.1 Identify and protect heritage values on City of Albany natural reserves.	<ul style="list-style-type: none"> Support projects that identify and enhance heritage sites. Undertake heritage impact assessments on all proposed works within reserves and adapt on-ground works as required. 			<p>Places of heritage values are recognised and protected on CoA reserves.</p> <p>New works do not result in disturbing heritage values.</p>	City Reserves
4.2.2 Develop and implement concept plans for key heritage sites.	<ul style="list-style-type: none"> Develop and implement a heritage concept plan for Albany Fish Ponds reserve. 		<ul style="list-style-type: none"> Develop and implement a heritage concept plan for Mt Melville/Kardarup. Develop and implement a heritage concept plan for Point Possession reserve. 	Key heritage sites are protected and celebrated.	City Reserves Planning
Strategic Goal 4.3 To promote heritage through education and awareness					

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
4.3.1 Engage with the Noongar community to promote cultural heritage in reserves.	<ul style="list-style-type: none"> ❖ Include dual naming on signs for reserves where a name is recognised and supported by the Noongar community. ❖ Include Noongar heritage information on reserve interpretative signage as appropriate. ❖ Consult with relevant groups to identify key historical sites within reserves. 			<p>Cultural heritage is recognised and promoted in reserves.</p> <p>Increased awareness and appreciation of Noongar culture.</p> <p>An up to date register of key historical sites within CoA reserves.</p>	<p>City Reserves</p> <p>Corporate Services</p>
4.3.2 Engage with relevant groups regarding the promotion of European history in reserves.	<ul style="list-style-type: none"> ❖ Include European heritage information on reserve interpretative signage as appropriate. 			<p>Increased awareness and appreciation of European heritage.</p>	<p>City Reserves</p>

5.0 Sustainable Management

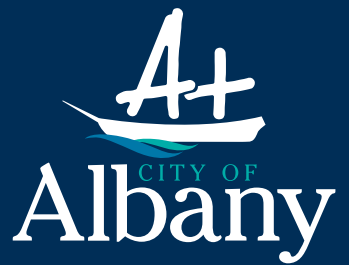
Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
Strategic Goal 5.1 To improve the resilience of our natural environment to change.					
5.1.1 Support ongoing investigation and research on natural reserve management through internal and external programs.	<ul style="list-style-type: none">  Support and encourage local projects that investigate the impacts of fire on local flora and fauna.  Monitor impacts of development using adaptive management principles. 		<ul style="list-style-type: none">  Repeat the Lowlands fauna survey to monitor change in the environment.  Undertake baseline flora and fauna surveys between Sand Patch and Torbay. 	<p>The most up to date information is used to assist in the management of natural reserves.</p> <p>Environmental baseline data is available for key reserves.</p> <p>A better understanding of how fire impacts flora and fauna.</p> <p>Improved developments that result in minimal environmental impacts.</p>	City Reserves Tertiary Education Organisations Community
5.1.2 Revegetate degraded areas within reserves, with particular attention to high use and vulnerable areas such as coastal zones.	<ul style="list-style-type: none">  Priority areas are identified annually and revegetation planned. 			Priority areas are successfully revegetated.	City Reserves
Strategic Goal 5.2 To align natural reserve management with industry best practices and standards					
5.2.1 Engage with industry natural resource management leaders and State agencies on reserve management activities.	<ul style="list-style-type: none">  Attend regionally focused partnership meetings.  Liaise with relevant agencies and non-for-profit groups to bring collaboration and consistency in natural resource management across all tenures. 			<p>Collaboration and consistency in natural resource management across all tenures.</p> <p>Consistent management across all land tenures.</p>	City Reserves

Objective	Actions			Outcomes	Responsibility
	Existing Practices	Community Education	New Initiatives		
5.2.2 Implement projects to help refine best practice techniques for the Albany region.			 Trial new and innovative management activities and techniques within reserves as appropriate.	The City is continuing to evolve and develop best available reserve management options.	City Reserves
5.2.3 Staff to attend professional development opportunities.	 Staff attend professional development opportunities once a year.			Staff are kept up to date on new and innovative techniques and information in relation to natural resource management.	City Reserves
Strategic Goal 5.3 To engage and consult stakeholders on natural reserve management					
5.3.1 Foster local community involvement in the planning and management of reserves.	 Staff continue to support and attend Bushcarers Group meetings.	 Promote and co-ordinate community busy bees on reserves (including community planting days).	 Support the formation of new community groups to address specific issues and/or reserve locations.	Improved partnerships with local community groups. Bushcarers Group continues to grow and succeed. Local community groups feel included and encouraged to get involved in environmental management in their local reserves.	City Reserves
5.3.2 Support partnership programs with regional groups.	 Continue representation on key regional groups (i.e. South Coast Management Group, SCNRM Biodiversity Reference Group, DPaW dieback and rare flora working group).  Continue to coordinate nature based camping alliance with neighbouring LG's and DPaW.			Collaboration and consistency in natural resource management across all tenures. Consistent nature based camping rules across Shire boundaries in the Great Southern Region.	City Reserves External Parties
5.3.3 Value community groups including progress associations as stakeholders in management	 Staff attend relevant community group meetings at least annually.			Improved partnerships with local community groups.	City Reserves



Associated Documents

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7. City of Albany (2005) Reserves Planning Framework. Prepared by City of Albany Parks and Reserves Planner. City of Albany.
8. City of Albany (2006) City Mounts Management Plan. City of Albany.
9. City of Albany (2006) Environmental Code of Conduct (Guidelines for Works on Council Controlled Land). City of Albany.
10. City of Albany (2010) Albany Local Planning Strategy. City of Albany.
11. City of Albany (2011) Community Strategic Plan, Albany 2023. City of Albany.
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13. City of Albany (2014) Access and Inclusion Plan 2012-2017. City of Albany.
14. City of Albany (2014) Carbon Footprint Reduction Strategy. City of Albany.
15. City of Albany (2014) Connected Communities 2014-2018, City of Albany.
16. City of Albany (2015) Black Swan Point Management Plan 2015-2025, City of Albany.
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18. City of Albany (2015) Community Perceptions. City of Albany.
19. City of Albany (2016) Trails Hub Strategy 2015-2025 Vol.1 – 5 (Draft), City of Albany.
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24. Neville, S. (2015) Biodiversity Prioritisation Framework for the South Coast NRM region. Ecotones & Associates.
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27. Sandiford, E.M., Barrett S. (2010) Albany Regional Vegetation Survey: Extent, Type and Status. A project funded by the Western Australian Planning Commission (EnviroPlanning "Integrating NRM into Land Use Planning" and State NRM Program), South Coast Natural Resource Management Inc. and City of Albany for Department of Environment and Conservation. Unpublished report. Department of Environment and Conservation, Western Australia. www.dpaw.wa.gov.au/parks/management-plans/draft-plans-open-for-public-comment/460-albany-coast-draft-management-plan-2016
28. State Heritage Register <http://stateheritage.wa.gov.au/state-heritage-register>
29. Tourism Western Australia (2010) Australia's South West: Tourism Development Priorities 2010-2015. Perth, Western Australia.
30. Turner, K. (2015), Coastal Usage and Values Survey 2015 SCNRM/University of Western Australia.



City of Albany
102 North Road Yakamia
PO Box 484, Albany, WA 6331
Tel: (08) 6820 3000
Fax: (08) 9841 4099
www.albany.wa.gov.au

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Adoption Date:
Adoption Reference:

WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
LOCAL GOVERNMENT ACT 1995

CITY OF ALBANY

WASTE LOCAL LAW 2017

REPORT ITEM DIS 014 REFERS
WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
LOCAL GOVERNMENT ACT 1995

CITY OF ALBANY

WASTE LOCAL LAW 2017

CONTENTS

PART 1—PRELIMINARY

- 1.1 Short title
- 1.2 Commencement
- 1.3 Application
- 1.4 Repeal
- 1.5 Meaning of terms used in this local law
- 1.6 Local public notice of determinations
- 1.7 Rates, fees and charges
- 1.8 Power to provide waste services

PART 2—LOCAL GOVERNMENT WASTE

- 2.1 Local government may supply receptacles
- 2.2 Deposit of waste in receptacles
- 2.3 General waste receptacles
- 2.4 Recycling waste receptacles
- 2.5 Organic waste receptacles
- 2.6 Direction to place or remove a receptacle
- 2.7 Duties of owner or occupier
- 2.8 Exemption
- 2.9 Damaging or removing receptacles
- 2.10 Verge collections

PART 3—GENERAL DUTIES

- 3.1 Duties of an owner or occupier
- 3.2 Removal of waste from premises
- 3.3 Receptacles and containers for public use
- 3.4 Unauthorised deposit of waste

PART 4—OPERATION OF WASTE FACILITIES

- 4.1 Operation of this Part
- 4.2 Hours of operation
- 4.3 Signs and directions
- 4.4 Fees and charges
- 4.5 Depositing waste
- 4.6 Prohibited activities

PART 5—ENFORCEMENT

- 5.1 Offences and general penalty
- 5.2 Other costs and expenses
- 5.3 Prescribed offences
- 5.4 Form of notices

SCHEDULE 1—MEANING OF ‘NON-COLLECTIBLE WASTE’

SCHEDULE 2—PRESCRIBED OFFENCES

**WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
LOCAL GOVERNMENT ACT 1995**

CITY OF ALBANY

WASTE LOCAL LAW 2017

Under the powers conferred on it by the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995* and under all other enabling powers, the Council of the City of Albany resolved on [.....] to make the following local law.

PART 1—PRELIMINARY

1.1 Short title

This is the *City of Albany Waste Local Law 2017*.

1.2 Commencement

This local law commences 14 days after the day on which it is published in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

Part 4 of the *City of Albany Health Local Laws 2001*, published in the *Government Gazette* on 17 April 2002, is repealed.

1.5 Meaning of terms used in this local law

(1) In this local law—

authorised person means a person appointed by the local government under section 9.10 of the LG Act to perform any of the functions of an authorised person under this local law;

bulk waste means domestic household items, such as furniture, timber products, stoves and refrigerators with doors removed, e-waste and electronic items, steel and metal items;

carriageway has the meaning given to it in the *Road Traffic Code 2000* and means the paved or made portion of a thoroughfare, whether sealed or unsealed, used or intended for use by vehicles;

collectable waste means local government waste that is not—

- (a) liquid refuse;
- (b) liquid waste; or
- (c) non-collectable waste;

collectable waste receptacle means a receptacle for the deposit and collection of collectable waste that is—

- (a) a recycling waste receptacle;
- (b) a general waste receptacle; or
- (c) an organic waste receptacle;

collection, when used in relation to a receptacle, means the collection and removal of collectable waste from the receptacle by the local government or its contractor;

collection day means the day determined by the local government for the collection of collectable waste in the district or a part of the district;

collection time means the time on the collection day determined by the local government for the collection of collectable waste in the district or a part of the district;

commencement date means the date on which this local law commences operation under clause 1.2;

costs of the local government include administrative costs;

commercial purpose means for the purpose of this local law to remove bulk waste placed on the road verge to sell for profit.

Council means the council of the local government;

cycleway means a path, lane or way which is specifically designed and/or designated for bicycle use;

district means the district of the local government;

footpath has the meaning given to it in the Road Traffic Code 2000. For the purpose of this local law a footpath is defined as a pavement intended for pedestrians (including wheelchair users) separate from the road or street carriageway, and either located within or outside a road reserve;

green waste means vegetative material as approved by the local government.

general waste receptacle means a receptacle for the deposit and collection of collectable waste that is not recycling waste;

LG Act means the *Local Government Act 1995*;

LG Regulations means the *Local Government (Functions and General) Regulations 1996*;

liquid refuse includes all washings from windows and vehicles, overflow, bleed off, condensate and drainage from air conditioning equipment including cooling towers and evaporative coolers and other liquid used for cooling purposes and swimming pool discharges;

liquid waste means bathroom, kitchen, scullery and laundry wastes, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage;

local government means City of Albany;

local government waste has the same meaning as in the WARR Act;

nuisance means—

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference.

non-collectable waste has the meaning set out in Schedule 1;

occupier in relation to premises, means any or all of the following—

- (a) a person by whom or on whose behalf the premises are actually occupied; or
- (b) a person having the management or control of the premises;

organic waste means waste that decomposes readily, such as garden waste or food waste;

organic waste receptacle means a receptacle for the deposit and collection of organic waste;

owner has the same meaning as in the LG Act;

prescribed area means the prescribed area that is defined in writing and approved by the local government;

public place includes a place to which the public ordinarily have access, whether or not by payment of a fee;

receptacle, means a receptacle—

- (a) which has been approved by the local government; and
- (b) the waste from which is collected and removed from the premises by the local government or its contractor;

recycling waste receptacle means a receptacle for the deposit and collection of recycling waste;

recycling waste means—

- (a) paper and cardboard;
- (b) plastic containers comprised of:

- (i) polyethylene terephthalate (PET);
- (ii) high density polyethylene (HDPE);
- (iii) polyvinyl chloride (PVC);
- (iv) low density polyethylene (LDPE);
- (v) polypropylene (PP); or
- (vi) other plastics;
- (c) glass containers;
- (d) steel containers;
- (e) aluminium containers;
- (f) liquid paper board; and
- (g) any other waste determined by the local government to be recycling waste;

refuse includes any rubbish, filth, dirt, ashes, vegetation, garden refuse, waste material, waste food, sludge, offensive matter, cinders, wood or metal shavings and sawdust but does not include liquid waste or liquid refuse;

right of way means a portion of land that is—

- (a) shown and marked ‘Right of Way’ or ‘R.O.W’’, or coloured or marked in any other way to signify that the portion of land is a right of way, on any plan or diagram deposited with the Registrar of Titles that is subject to the provisions of section 167A of the *Transfer of Land Act 1893*;
- (b) shown on a diagram or plan of survey relating to a subdivision that is created as a right of way and vested in the Crown under section 152 of the *Planning and Development Act 2005*; or
- (c) shown and marked as a right of way on a map or plan deposited with the Registrar of Titles and transferred to the Crown under the *Transfer of Land Act 1893*, but does not include –
 - (i) private driveway; or
 - (ii) a right of way created by easement between two parties;

schedule means a Schedule to this local law;

specified means specified by the local government or an authorised person, as the case may be;

street alignment means the boundary between the land comprising a street and the land that abuts the street;

vector of disease means an arthropod or rodent that transmits, by biological or mechanical means, an infectious agent from a source or reservoir to a person, and includes fleas, bedbugs, crab lice, body lice and head lice.

vehicle includes every conveyance not being a train, vessel or aircraft, and every object capable of being propelled or drawn on wheels by any means, and, where the context permits, an animal being driven or ridden;

WARR Act means the *Waste Avoidance and Resource Recovery Act 2007*;

WARR Regulations means the *Waste Avoidance and Resource Recovery Regulations 2008*;

waste has the same meaning as in the WARR Act;

waste facility means a waste facility, as defined in the WARR Act, that is operated by the local government; and

waste service has the same meaning as in the WARR Act.

- (2) Where, in this local law, a duty or liability is imposed on an owner or occupier, or on an owner and occupier, the duty or liability is taken to be imposed jointly and severally on each of the owners or occupiers.

1.6 Local public notice of determinations

Where, under this local law, the local government has a power to determine a matter –

- (a) local public notice, under section 1.7 of the LG Act, must be given of the matter determined;
- (b) the determination becomes effective only after local public notice has been given;
- (c) the determination remains in force for the period of one year after the date that local public notice has been given under paragraph (a);

- (d) after the period referred to in paragraph (c), the determination continues in force only if, and for so long as, it is the subject of local public notice, given annually, under section 1.7 of the LG Act; and
- (e) the determination must be recorded in a publicly accessible register of determinations that must be maintained by the local government.

1.7 Rates, fees and charges

The local government’s powers to impose rates, fees and charges in relation to waste services are set out in sections 66 to 68 of the WARR Act and section 6.16 and 6.17 of the LG Act.

1.8 Power to provide waste services

The local government’s power to provide, or enter into a contract for the provision of, waste services is dealt with in section 50 of the WARR Act.

PART 2—LOCAL GOVERNMENT WASTE

2.1 Local government may supply receptacles

- (1) The local government may supply, for the use of each premises that are, or are capable of being, occupied or used for residential purposes, one or more receptacles for the collection and removal, from those premises, of collectable waste.
- (2) The owner of premises for which a receptacle has been supplied by the local government must ensure that the fee or charge (if any) imposed by the local government in relation to the receptacle is paid to the local government.

2.2 Deposit of waste in receptacles

- (1) An owner or occupier of premises must not deposit or permit to be deposited in a receptacle any non-collectable waste.
- (2) A person must not deposit waste in a receptacle belonging to other premises without the consent of the owner or occupier of those premises.

2.3 General waste receptacles

- (1) An owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle—
 - (a) where the receptacle has a capacity of 240 litres—more than 70 kilograms of collectable waste; or
 - (b) where the receptacle has any other capacity—more than the weight determined by the local
- (2) Where the local government supplies recycling waste receptacles, an owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle any recycling waste.
- (3) Where the local government supplies organic waste receptacles, an owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle any organic waste.

2.4 Recycling waste receptacles

An owner or occupier of premises must not deposit or permit to be deposited in a recycling waste receptacle—

- (a) anything other than the particular type of recycling waste for which that receptacle was provided by the local government for those premises;
- (b) where the receptacle has a capacity of 240 litres— more than 70 kilograms of recycling waste; or
- (c) where the receptacle has any other capacity—more than the weight determined by the local government.

2.5 Organic waste receptacles

An owner or occupier of premises must not deposit or permit to be deposited in an organic waste receptacle—

- (a) anything other than the particular type of organic waste for which that receptacle was provided by the local government for those premises;
- (b) where the receptacle has a capacity of 240 litres - more than 70 kilograms of organic waste; or
- (c) where the receptacle has any other capacity - more than the weight determined by the local government.

2.6 Direction to place or remove a receptacle

- (1) The local government or an authorised person may give a written direction to an owner or occupier of specified premises—
 - (a) to place a receptacle in respect of those premises for collection; or
 - (b) to remove a receptacle in respect of those premises after collection.
- (2) The direction under subclause (1) may specify when the placement or removal is to occur, or where the receptacle is to be placed, or both.
- (3) An owner or occupier of premises must comply with a direction given under this clause.

2.7 Duties of owner or occupier

- (1) For the purpose of this clause, a 'reasonable period' means on the evening prior to collection day or on collection day.
- (2) An owner or occupier of premises must—
 - (a) except for a reasonable period before and after collection time, keep each receptacle in a storage space or area that is behind the street alignment;
 - (b) if a receptacle requires to be emptied of waste, take reasonable steps to place a receptacle for collection on the verge adjoining the premises, or other area as determined by the local government, ensure that, within a reasonable period before collection time, each receptacle is—
 - (i) within 1 metre of the carriageway;
 - (ii) does not unduly obstruct any footpath, cycle way, right-of-way or carriageway; and
 - (iii) facing squarely to the edge of and opening towards the carriageway, or in such other position as is approved in writing by the local government or an authorised person;
 - (c) take reasonable steps to ensure that an adequate number of receptacles are provided and used for those premises and that each is kept in good condition and repair; and
 - (d) in the case of a receptacle that is supplied by the local government, if the receptacle is lost, stolen, damaged or defective, notify the local government, as soon as practicable, after the event.

2.8 Exemption

- (1) An owner or occupier of premises may apply in writing to the local government for an exemption from compliance with the requirements of clause 2.7 (2) (a) or (b).
- (2) The local government or an authorised person may grant, with or without conditions, or refuse an application for exemption from compliance under this clause.
- (3) An exemption granted under this clause must state—
 - (a) the premises to which the exemption applies;
 - (b) the period during which the exemption applies; and
 - (c) any conditions imposed by the local government or the authorised person.
- (4) An exemption granted under this clause ceases to apply—
 - (a) if the local government decides, on reasonable grounds, that there has been a failure to comply with a condition of the exemption; and
 - (b) from the date that the local government informs the owner or occupier of its decision under clause 2.8(4)(a).

2.9 Damaging or removing receptacles

- (1) A person must not—
 - (a) damage or destroy a receptacle;
 - (b) interfere or tamper with, or remove, a receptacle placed for collection pursuant to clauses 2.6 or 2.7(b); or
 - (c) except as permitted by this local law or as authorised by the local government or an authorised person, remove a receptacle from any premises to which it was delivered by the local government or its contractor.
- (2) Clause 2.9(1)(a) and (c) does not apply to the person who owns the receptacle.
- (3) Clause 2.9(1)(b) does not apply to—
 - (a) the person who owns the receptacle; or
 - (b) the owner or occupier of the premises on which the receptacle is kept.
- (4) Clause 2.9(1) does not apply to the local government or a contractor in the course of undertaking waste services for the local government.

2.10 Verge collections

- (1) Where the local government has advertised a verge waste collection (such as a green waste, or a bulk waste, verge collection) a person, unless with and in accordance with the approval of the local government or an authorised person—
 - (a) must deposit waste only during the period of time, and in accordance with other terms and conditions, as advertised by the local government in relation to that verge waste collection; and
 - (b) must otherwise comply with those terms and conditions.
- (2) Where waste has been deposited on a verge for a verge waste collection, a person must not remove any of that waste for a commercial purpose but may remove it for any other purpose.
- (3) Except where waste is lawfully removed from a verge under this clause, a person must not disassemble or tamper with any waste deposited on a verge for a verge waste collection so as to increase the risk of harm to any person.
- (4) Clause 2.10 (2) does not apply to the local government or a person engaged or contracted by the local government in relation to the verge waste collection.

PART 3—GENERAL DUTIES

3.1 Duties of an owner or occupier

An owner or occupier of premises must—

- (a) take reasonable steps to ensure that a sufficient number of waste receptacles are provided to contain all waste which accumulates or may accumulate in or from the premises;
- (b) ensure that each waste receptacle is kept in good condition and repair;
- (c) take all reasonable steps to—
 - (i) prevent fly breeding and keep each receptacle free of flies, maggots, cockroaches, rodents and other vectors of disease;
 - (ii) prevent the emission of offensive or noxious odours from each waste receptacle; and
 - (iii) ensure that each waste receptacle does not cause a nuisance to an occupier of adjoining premises; and
- (d) whenever directed to do so by the local government or an authorised person, thoroughly clean, disinfect, deodorise and apply a residual insecticide to each waste receptacle.

3.2 Removal of waste from premises

- (1) A person must not remove any waste from premises unless that person is—
 - (a) the owner or occupier of the premises;
 - (b) authorised to do so by the owner or occupier of the premises; or
 - (c) authorised in writing to do so by the local government or an authorised person.

- (2) A person must not remove any waste from a receptacle without the approval of—
- (a) the local government or an authorised person; or
 - (b) the owner or occupier of the premises at which the receptacle is ordinarily kept.

3.3 Receptacles and containers for public use

A person must not, without the approval of the local government or an authorised person—

- (a) deposit household, commercial or other waste from any premises on or into; or
- (b) remove any waste from,

a receptacle provided for the use of the general public in a public place.

3.4 Unauthorised deposit of waste

Except as permitted under this local law, a person must not deposit any waste on any thoroughfare or on any other land.

PART 4—OPERATION OF WASTE FACILITIES

4.1 Operation of this Part

This Part applies to a person who enters a waste facility.

4.2 Hours of operation

The local government may from time to time determine the hours of operation of a waste facility.

4.3 Signs and directions

- (1) The local government or an authorised person may regulate the use of a waste facility—
 - (a) by means of a sign; or
 - (b) by giving a direction to a person within a waste facility.
- (2) A person within a waste facility must comply with a sign or direction under subclause (1).
- (3) The local government or an authorised person may direct a person who commits, or is reasonably suspected by the local government or the authorised person of having committed, an offence under this clause to leave the waste facility immediately.
- (4) A person must comply with a direction under subclause (3).

4.4 Fees and charges

- (1) Unless subclause (3) applies, a person must, on or before entering a waste facility or on demand by the local government or an authorised person, pay the fee or charge as assessed by an authorised person.
- (2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.
- (3) Subclause (1) does not apply—
 - (a) to a person who disposes of waste in accordance with the terms of—
 - (i) a credit arrangement with the local government; or
 - (ii) any other arrangement with the local government to pay the fee or charge at a different time or in a different manner; and
 - (b) to the deposit of waste owned by the local government, or in the possession of an employee on behalf of the local government.

4.5 Depositing waste

- (1) A person must not deposit waste at a waste facility other than—
 - (a) at a location determined by a sign and in accordance with the sign; and
 - (b) in accordance with the direction of an authorised person.
- (2) The local government may determine the classification of any waste that may be deposited at a waste facility.

4.6 Prohibited activities

- (1) Unless authorised by the local government, a person must not—
 - (a) remove any waste or any other thing from a waste facility;
 - (b) deposit at a waste facility that is a landfill site any waste that is toxic, poisonous or hazardous, or the depositing of which is regulated or prohibited by any written law;
 - (c) light a fire in a waste facility;
 - (d) remove, damage or otherwise interfere with any flora in a waste facility;
 - (e) remove, injure or otherwise interfere with any fauna in a waste facility; or
 - (f) damage, deface or destroy any building, equipment, plant or property within a waste facility.
- (2) A person must not act in an abusive or threatening manner towards any person using, or engaged in the management or operation of, a waste facility.

PART 5— ENFORCEMENT

5.1 Offences and general penalty

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law a person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to a further penalty not exceeding \$500 in respect of each day or part of a day during which the offence has continued.

5.2 Other costs and expenses

- (1) A person who is convicted of an offence under this local law is to be liable, in addition to any penalty imposed under clause 5.1, to pay to the local government the costs and expenses incurred by the local government in taking remedial action such as—
 - (a) removing and lawfully disposing of toxic, hazardous or poisonous waste; or
 - (b) making good any damage caused to a waste facility.
- (2) The costs and expenses incurred by the local government are to be recoverable, as a debt due to the local government, in a court of competent civil jurisdiction.

5.3 Prescribed offences

- (1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the LG Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 2.

5.4 Form of notices

- (1) Where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the LG Act is that of Form 1 in Schedule 1 of the LG Regulations;
- (2) The form of the infringement notice given under section 9.16 of the LG Act is that of Form 2 in Schedule 1 of the LG Regulations; and
- (3) The form of the infringement withdrawal notice given under section 9.20 of the LG Act is that of Form 3 in Schedule 1 of the LG Regulations.

SCHEDULE 1—MEANING OF ‘NON-COLLECTIBLE WASTE’

[Clause 1.5]

non-collectable waste means –

- (a) hot or burning material;
- (b) household hazardous waste, including paint, acids, alkalis, fire extinguishers, solvents, pesticides, oils, gas cylinders, batteries, chemicals and heavy metals;
- (c) any other hazardous material, such as radioactive waste;

- (d) any explosive material, such as flares or ammunition;
- (e) electrical and electronic equipment;
- (f) hospital, medical, veterinary, laboratory or pathological substances;
- (g) construction or demolition waste;
- (h) sewage;
- (i) ‘controlled waste’ for the purposes of the Environmental Protection (Controlled Waste) Regulations 2004;
- (j) any object that is greater in length, width, or breadth than the corresponding dimension of the receptacle or that will not allow the lid of the receptacle to be tightly closed;
- (k) waste that is or is likely to become offensive or a nuisance, or give off an offensive or noxious odour, or to attract flies or cause fly breeding unless it is first wrapped in non-absorbent or impervious material or placed in a sealed impervious and leak-proof container; and
- (l) any other waste determined by the local government to be non-collectable waste.

SCHEDULE 2—PRESCRIBED OFFENCES

[Clause 5.3]

Item No.	Clause No.	Description	Modified Penalty
1	2.1(2)	Failing to pay fee or charge	\$350
2	2.2(1)	Depositing non-collectable waste in a receptacle	\$350
3	2.2(2)	Depositing waste in another receptacle without consent	\$350
4	2.3(1)	Exceeding weight capacity of a general waste receptacle	\$350
5	2.3(2) and (3)	Depositing unauthorised waste in a general waste receptacle	\$350
6	2.4(a)	Depositing unauthorised waste in a recycling waste receptacle	\$350
7	2.4(b) and (c)	Exceeding weight capacity of a recycling waste receptacle	\$250
8	2.5(a)	Depositing unauthorized waste in an organic waste receptacle	\$350
9	2.5(b) and (c)	Exceeding weight capacity of an organic waste receptacle	\$350
10	2.6(3)	Failing to comply with a direction concerning placement or removal of a receptacle	\$250
11	2.7(2)(a)	Failing to keep a receptacle in the required location	\$250
12	2.7(2)(b)	Failing to place a receptacle for collection in a lawful position	\$250
13	2.7(2)(c)	Failing to provide a sufficient number of receptacles	\$250
14	2.7(2)(d)	Failing to notify of a lost, stolen, damaged or defective receptacle	\$50
15	2.9(1)(a)	Damaging or destroying a receptacle	\$400

REPORT ITEM DIS 014 REFERS

Item No.	Clause No.	Description	Modified Penalty
16	2.9(1)(b)	Interfering or tampering with, or removing, a receptacle	\$400
17	2.9(1)(c)	Removing a receptacle from premises	\$400
18	2.10(1) and (2)	Failing to comply with a term or condition of verge waste collection	\$400
19	2.10(2)	Removing waste for commercial purposes	\$350
20	2.10(3)	Disassembling or leaving in disarray waste deposited for collection	\$250
21	3.1(a)	Failing to provide a sufficient number of receptacles	\$250
22	3.1(b)	Failing to keep a waste receptacle clean and in a good condition and repair	\$250
23	3.1(c)(i)	Failing to prevent fly breeding and vectors of disease in a receptacle	\$350
24	3.1(c)(ii)	Failing to prevent the emission of offensive odours from a receptacle	\$350
25	3.1(c)(iii)	Allowing a receptacle to cause a nuisance	\$350
26	3.1(d)	Failing to comply with a direction to clean, disinfect or deodorise a waste receptacle	\$300
27	3.2(1)	Unauthorised removal of waste from premises	\$250
28	3.2(2)	Removing waste from a waste receptacle without approval	\$250
29	3.3(a)	Depositing unauthorised waste into waste receptacle provided for use of the general public	\$350
30	3.3(b)	Removing waste from waste receptacle provided for use of the general public	\$350
31	4.3(2)	Failing to comply with a sign or direction	\$500
32	4.3(4)	Failing to comply with a direction to leave	\$500
33	4.4(1)	Disposing waste without payment of fee or charge	\$500
34	4.5(1)	Depositing waste contrary to sign or direction	\$500
35	4.6(1)(a)	Removing waste without authority	\$250
36	4.6(1)(b)	Depositing toxic, poisonous or hazardous waste	\$500
37	4.6(1)(c)	Lighting a fire	\$300
38	4.6(1)(d)	Removing, damaging or interfering with any flora	\$300
39	4.6(1)(e)	Removing, injuring or interfering any fauna without approval	\$300
40	4.6(1)(f)	Damaging, defacing or destroying any building, equipment, plant or property within a waste facility	\$500

Item No.	Clause No.	Description	Modified Penalty
41	4.6(2)	Acting in an abusive or threatening manner	\$300

Dated this: day of 2017.

The Common Seal of the)
 City of Albany was affixed)
 by the authority of the)
 resolution of Council)
 in the presence of:)

.....)
 Dennis Wellington, Mayor)
)
 Andrew Sharpe, Chief Executive Officer)

Consented to -

.....
 Jason Banks, Director General

Department of Environment Regulation

Dated this

RECOMMENDATIONS FROM THE DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES	OFFICER COMMENT / ACTION TAKEN
<p style="text-align: center;">City of Albany Waste Local Law 2016</p> <p>1. Waste local laws</p> <p>The Department notes that the City's local law appears to be based on the new model prepared by WALGA and the Department of Environment Regulation. The Joint Standing Committee on Delegated Legislation has made a preliminary analysis of the model (including on specific clauses) and provided their general approval for the content. However, the Committee noted in its 77th Report that:</p> <p>...its general approval of the proposed template should not be taken as meaning that the Committee could not still recommend disallowance of a waste local law drafted in accordance with the final template.</p> <p>Although the City has amended certain parts of the model in preparing its proposed waste local law the City should be prepared for the possibility that the Committee may still raise concerns with the local law. It is suggested that the City consult the Committee's 77th Report for an idea of what kind of issues the Committee will investigate. A link to the Report is as follows:</p> <p>http://www.parliament.wa.gov.au/Parliament/commit.nsf/(Report+Lookup+by+Com+ID)/EF5B8A2CE285F6E248257D9D000B4947/\$file/dg.wll.141127.rpf.077.pdf</p>	Agreed. Actioned.
<p>2. Page numbers</p> <p>It is suggested that page numbers are removed as the page numbers may not remain accurate after the local law has been published in the Government Gazette.</p> <p>The City can still retain the page numbers in the public version of the local law (in hard copy or electronic format) if it wishes to do so.</p>	Agreed. Page numbers removed.
<p>3. Date of local law</p> <p>It is suggested that the date of the local law is amended to 2016 to reflect the year in which it will be gazetted. If this amendment is made, the citation title in clause 1.1 should also be amended accordingly.</p>	Agreed. Note: Local Law is now amended to reflect the year 2017.
<p>4. Contents page</p> <p>It is suggested that the contents page is updated due to the deletion of certain clauses in Part 2 of the local law. The City should ensure that the contents page accurately reflects the clauses in the local law.</p>	Agreed. Amended.
<p>5. Clause 1.5 – Meaning of terms</p> <p>a) It is suggested that the following terms which are used throughout the local law should be defined:</p> <ul style="list-style-type: none"> • “carriageway”; • “footpath”; • “cycle way”; • “right-of-way”; • “bulk waste”; • “green waste”; • “commercial purpose”; • “vectors of disease”; • “liquid refuse”. 	Agreed. Definitions defined.
<p>b) It is also suggested that the term “nuisance” is defined as this term is vague and may be subject to interpretation. An example of a definition used by local governments in local laws is as follows:</p> <p>nuisance means –</p> <ol style="list-style-type: none"> (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law; (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or (c) interference which causes material damage to land or other property on the land affected by the interference. 	Agreed. Definition included.

RECOMMENDATIONS FROM THE DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES	OFFICER COMMENT / ACTION TAKEN
<p>6. Prosecution of property owners for conduct of third parties</p> <p>A number of clauses in the local law appear to hold the property owner responsible for offences committed by other people, even when the offence was committed without the owner’s knowledge or permission.</p> <p>The City may wish to consider changing these requirements so the property owner must “take all reasonable steps” to ensure the receptacle is used in compliance with the law.</p>	<p>Agreed. Amended.</p>
<p>7. Clause 2.6(a) – Duties of owner or occupier</p> <p>Clause 2.6 provides that receptacles must be kept behind the street alignment except for a ‘reasonable period’ before and after collection time.</p> <p>As the paragraph is currently written, it may be interpreted to provide that removing the receptacle from storage on collection days is mandatory. The City may wish to redraft this or provide that a receptacle only needs to be placed for collection if it contains rubbish during collection time.</p> <p>Further, the term ‘reasonable period’ could be interpreted in a variety of ways and this may lead to misunderstandings over what the local law requires. It is suggested that the City clarifies the meaning of this term to ensure it is understood in the manner in which it is intended.</p>	<p>Agreed. Amended. Note: Clause is now numbered 2.7.</p>
<p>8. Schedules</p> <p>In line with best drafting practices, it is suggested that the heading of the Schedules are followed with a bracketed reference to the relevant clause in the local law. For example: --- Schedule 1 – Meaning of ‘non-collectable waste’ [Clause 1.5]</p>	<p>Agreed. Amended.</p>
<p>9. Schedule 1 – Meaning of ‘non-collectable’ waste</p> <p>Under clause 1.5, ‘non-collectable’ waste has the meaning set out in Schedule 1. Paragraph (l) in Schedule 1 provides that the City can ‘determine’ other waste as ‘non-collectable waste’.</p> <p>The Delegated Legislation Committee has traditionally objected to the use of determination devices except for simple administrative matters. Although clause 1.6 provides for local public notice of determinations which may satisfy the Committee, there is no guarantee this will be the case.</p> <p>It is suggested that the City review paragraph (l) of Schedule 1 and consider whether the preceding paragraphs already provide enough restrictions to suit the City’s requirements.</p>	<p>Agreed. Reviewed and amended.</p> <p>Note: Consistent with other Waste Local Laws.</p>
<p>10. Common seal</p> <p>The City should include an area for the common seal and relevant signatures at the end of the local law after the Schedules.</p>	<p>Agreed. Amended.</p>
<p>11. Written approval of other Departments</p> <p>The Department is aware that this local law is being made under the Waste Avoidance and Resource Recovery Act 2007 as well as the Local Government Act 1995.</p> <p>At the end of the local law, it is suggested that a space be inserted for the CEO of the Department of Environment Regulation to provide their written approval in accordance with the WARR Act.</p> <p>Since the local law repeals certain parts of the City’s health local law, there is a possibility that the creation of the local law also requires the use of the heads of power provided to the City under the Health Act 1911.</p> <p>The City should consult the Department of Health for further information in that regard. If the Health Department confirms their authority is required, the City should make the following additional changes:</p> <ul style="list-style-type: none"> • References to the Health Act should be included in the title area and enabling provision; and • At the end of the local law, a space should be inserted for the Executive Director of Public Health to provide their written approval in accordance with the Health Act. 	<p>Agreed, consultation will be conducted.</p> <p>Note: Consistent with other Waste Local Laws.</p>

RECOMMENDATIONS FROM THE DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES	OFFICER COMMENT / ACTION TAKEN
<p>12. Minor edits</p> <p>The following minor edits are suggested:</p> <p>(a) Clause 1.1 – Citation title should be in italics.</p> <p>(b) Clause 1.4 – Citation title should be in italics.</p> <p>(c) Clause 1.5 – In the definition of “organic waste receptacle” delete space before semi-colon at the end of sentence.</p> <p>(d) Clauses 2.2(2) and (3) – replace “an” with “An”.</p> <p>(e) Clause 2.6(b):</p> <ul style="list-style-type: none"> • Delete “is” after “each receptacle”. • In paragraph (i) insert “is” before within. • In paragraph (ii) delete “so that it”. • In paragraph (ii) insert “is” before “facing”. <p>(f) Schedule 2:</p> <ul style="list-style-type: none"> • In the description of item 36 (clause 4.6(1)(d)), insert “,damaging” after “Removing”. • In the description of item 37 (clause 4.6(1)(e), replace “interfering” with “Removing, injuring or interfering. • The City should ensure that the descriptions of all modified penalties in the table accurately reflect the offence in the relevant clause. • The City should also ensure that all references and cross references in the local law are accurate. <p>The City should also ensure that all references and cross references in the local law are accurate.</p>	<p>Noted, Agreed and clauses amended.</p> <p>Note: Clause 2.6 now numbered 2.7.</p>
<p>Minister’s Directions pursuant to section 3.12(7) of the Local Government Act 1995</p> <p>Please note: Once the City has published a local law in the Government Gazette, the City must comply with the requirements of the Minister’s Local Laws Explanatory Memoranda Directions 2010. The City must, within 10 working days of the Gazettal publication date, forward the signed Explanatory Memoranda material to the Committee at the current address...</p>	<p>Noted.</p>

PROPOSED LOCAL LAW	RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES & DEPARTMENT OF ENVIRONMENTAL REGULATION	OFFICER COMMENT / ACTION TAKEN
<p>WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007 LOCAL GOVERNMENT ACT 1995</p> <p>City of Albany</p> <p>WASTE LOCAL LAW 2017</p> <p>Under the powers conferred on it by the <i>Waste Avoidance and Resource Recovery Act 2007</i> and the <i>Local Government Act 1995</i> and under all other enabling powers, the Council of the City of Albany resolved on [.....] to make the following local law.</p> <p>PART 1 – PRELIMINARY</p> <p>1.1 Short title This is the <i>City of Albany Waste Local Law 2017</i>.</p> <p>1.2 Commencement This local law commences 14 days after the day on which it is published in the <i>Government Gazette</i>.</p> <p>1.3 Application This local law applies throughout the district.</p>		<p>Consistent with model WALGA local law.</p>
<p>1.4 Repeal Part 4 of the City of Albany Health Local Laws 2001, published in the <i>Government Gazette</i> on 17 April 2002, is repealed.</p>		<p>Consistent with model WALGA local law.</p>
<p>1.5 Meaning of terms used in this local law (1) In this local law—</p>		<p>Consistent with model WALGA local law.</p>
<p><i>authorised person</i> means a person appointed by the local government under section 9.10 of the LG Act to perform any of the functions of an authorised person under this local law;</p>		<p>Consistent with model WALGA local law.</p>
<p><i>bulk waste</i> means domestic household items, such as furniture, timber products, stoves and refrigerators with doors removed, e-waste and electronic items, steel and metal items;</p>	<p>DLGC suggested that the term be defined:</p>	<p>Agreed, clause included.</p> <p><i>bulk waste</i> means domestic household items, such as furniture, timber products, stoves and refrigerators with doors removed, e-waste and electronic items, steel and metal items;</p> <p>Note: Consistent with other Waste Local Laws.</p>
<p>“<i>carriageway</i>” has the meaning given to it in the <i>Road Traffic Code 2000</i> and means the paved or made portion of a thoroughfare, whether sealed or unsealed, used or intended for use by vehicles;</p>	<p>DLGC suggested that the term be defined.</p>	<p>Agreed, clause included.</p> <p>“<i>carriageway</i>” has the meaning given to it in the <i>Road Traffic Code 2000</i> and means the paved or made portion of a thoroughfare, whether sealed or unsealed, used or intended for use by vehicles;</p> <p>Note: Consistent with the City of Albany Activities on Thoroughfares and Public Places and Trading Local Law 2011.</p>

PROPOSED LOCAL LAW	RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES & DEPARTMENT OF ENVIRONMENTAL REGULATION	OFFICER COMMENT / ACTION TAKEN
<p>collectable waste means local government waste that is not—</p> <ul style="list-style-type: none"> (a) liquid refuse; (b) liquid waste; or (c) non-collectable waste; 		Consistent with model WALGA local law.
<p>collectable waste receptacle means a receptacle for the deposit and collection of collectable waste that is—</p> <ul style="list-style-type: none"> (a) a recycling waste receptacle; (b) a general waste receptacle; or (c) an organic waste receptacle; 		Consistent with model WALGA local law.
<p>collection, when used in relation to a receptacle, means the collection and removal of collectable waste from the receptacle by the local government or its contractor;</p>		Consistent with model WALGA local law.
<p>collection day means the day determined by the local government for the collection of collectable waste in the district or a part of the district;</p>		Consistent with model WALGA local law.
<p>collection time means the time on the collection day determined by the local government for the collection of collectable waste in the district or a part of the district;</p>		<p>Amended, clause included.</p> <p>collection time means the time on the collection day determined by the local government for the collection of collectable waste in the district or a part of the district;</p> <p>Note: Manager Governance & Risk, recommended inclusion to ensure consistency with WALGA local law.</p>
<p>commencement date means the date on which this local law commences operation under clause 1.2;</p>		Note: Amended, clause reference corrected.
<p>costs of the local government include administrative costs;</p>		Consistent with model WALGA local law.
<p>commercial purpose means for the purpose of this local law to remove bulk waste placed on the road verge to sell for profit.</p>	<p>DLGC suggested that the term be defined.</p>	<p>Agreed, clause included.</p> <p>commercial purpose means for the purpose of this local law to remove bulk waste placed on the road verge to sell for profit.</p> <p>Note: City of Albany suggested definition.</p> <p>or</p> <p>commercial purpose means the carriage of persons or property for any fare, fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit.</p> <p>Note: Consistent with Town of Cambridge Waste Local Law.</p>

PROPOSED LOCAL LAW	RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES & DEPARTMENT OF ENVIRONMENTAL REGULATION	OFFICER COMMENT / ACTION TAKEN
<i>Council</i> means the council of the local government;		Consistent with model WALGA local law.
<i>cycleway</i> means a path, lane or way which is specifically designed and/or designated for bicycle use;	DLGC suggested that the term be defined.	Amended, clause included. <i>cycleway</i> means a path, lane or way which is specifically designed and/or designated for bicycle use; Note: Consistent with Town of Cambridge Waste Local Law 2016.
<i>district</i> means the district of the local government;		Consistent with model WALGA local law.
<i>footpath</i> has the meaning given to it in the Road Traffic Code 2000. For the purpose of this local law a footpath is defined as a pavement intended for pedestrians (including wheelchair users) separate from the road or street carriageway, and either located within or outside a road reserve.	DLGC suggested that the term be defined.	Agreed, clause included. <i>footpath</i> has the meaning given to it in the Road Traffic Code 2000. For the purpose of this local law a footpath is defined as a pavement intended for pedestrians (including wheelchair users) separate from the road or street carriageway, and either located within or outside a road reserve. Note: Consistent with the City of Albany Activities on Thoroughfares and Public Places and Trading Local Law 2011.
<i>Green waste</i> means vegetative material as approved by the local government.	DLGC suggested that the term be defined.	Agreed, clause included. <i>Green waste</i> means vegetative material as approved by the local government. Note: City of Albany suggested definition.
<i>general waste receptacle</i> means a receptacle for the deposit and collection of collectable waste that is not recycling waste;		Consistent with model WALGA local law.
<i>LG Act</i> means the <i>Local Government Act 1995</i> ;		Consistent with model WALGA local law.
<i>LG Regulations</i> means the <i>Local Government (Functions and General) Regulations 1996</i> ;		Consistent with model WALGA local law.
<i>liquid refuse</i> includes all washings from windows and vehicles, overflow, bleed off, condensate and drainage from air conditioning equipment including cooling towers and evaporative coolers and other liquid used for cooling purposes and swimming pool discharges;	DLGC suggested that the term be defined.	Agreed, clause included. <i>liquid refuse</i> includes all washings from windows and vehicles, overflow, bleed off, condensate and drainage from air conditioning equipment including cooling towers and evaporative coolers and other liquid used for cooling purposes and swimming pool discharges; Note: Consistent with Health Local Laws.

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<i>liquid waste</i> means bathroom, kitchen, scullery and laundry wastes, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage.	DLGC suggested that the term be defined.	Agreed, clause included. <i>liquid waste</i> means bathroom, kitchen, scullery and laundry wastes, all washings from animal and poultry pens and any other domestic or trade wastes that are discharged by means of a drain to a receptacle for drainage. Note: Consistent with Health Local Laws.
<i>local government</i> means City of Albany;		Consistent with model WALGA local law.
<i>local government waste</i> has the same meaning as in the WARR Act;		Consistent with model WALGA local law.
<i>nuisance</i> means – (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law; (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or (c) interference which causes material damage to land or other property on the land affected by the interference.	DLGC suggested that the term be defined. Feedback: It is also suggested that the term “nuisance” is defined as this term is vague and may be subject to interpretation. An example of a definition used by local governments in local laws is as follows: <i>nuisance</i> means – (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law; (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or (c) interference which causes material damage to land or other property on the land affected by the interference.	Agreed, clause included. <i>nuisance</i> means – (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law; (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or (c) interference which causes material damage to land or other property on the land affected by the interference. Note: Definition based on example suggested by DLGC.
<i>non-collectable waste</i> has the meaning set out in Schedule 1;		Consistent with model WALGA local law.
<i>occupier</i> in relation to premises, means any or all of the following— (a) a person by whom or on whose behalf the premises are actually occupied; or (b) a person having the management or control of the premises;		Consistent with model WALGA local law.
<i>organic waste</i> means waste that decomposes readily, such as garden waste or food waste;		Consistent with model WALGA local law.
<i>organic waste receptacle</i> means a receptacle for the deposit and collection of organic waste;		Consistent with model WALGA local law.
<i>owner</i> has the same meaning as in the LG Act;		Consistent with model WALGA local law.

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<i>prescribed area</i> means the prescribed area that is defined in writing and approved by the local government.		Amended, clause included. <i>prescribed area</i> means the prescribed area that is defined in writing and approved by the local government. Notes: (1) City of Albany suggested definition. (2) Council can make modifications to the prescribed waste collection areas through Council determination in accordance with clause 1.6.
<i>public place</i> includes a place to which the public ordinarily have access, whether or not by payment of a fee;		Consistent with model WALGA local law.
<i>receptacle</i> , means a receptacle— (a) which has been approved by the local government; and (b) the waste from which is collected and removed from the premises by the local government or its contractor;		Consistent with model WALGA local law.
<i>recycling waste receptacle</i> means a receptacle for the deposit and collection of recycling waste;		Consistent with model WALGA local law.
<i>recycling waste</i> means— (a) paper and cardboard; (b) plastic containers comprised of: (i) polyethylene terephthalate (PET); (ii) high density polyethylene (HDPE); (iii) polyvinyl chloride (PVC); (iv) low density polyethylene (LDPE); (v) polypropylene (PP); or (vi) other plastics; (c) glass containers; (d) steel containers; (e) aluminium containers; (f) liquid paper board; and (g) any other waste determined by the local government to be recycling waste;		Amended to include additional descriptions consistent with the City of Busselton Waste Local Law 2016. Consistent with model WALGA local law.
<i>refuse</i> includes any rubbish, filth, dirt, ashes, vegetation, garden refuse, waste material, waste food, sludge, offensive matter, cinders, wood or metal shavings and sawdust but does not include liquid waste or liquid refuse;	DLGC suggested that the term be defined.	Agreed, clause included. <i>refuse</i> includes any rubbish, filth, dirt, ashes, vegetation, garden refuse, waste material, waste food, sludge, offensive matter, cinders, wood or metal shavings and sawdust but does not include liquid waste or liquid refuse; Note: Consistent with Health Local Laws.

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<p><i>right of way</i> means a portion of land that is –</p> <ul style="list-style-type: none"> (a) shown and marked ‘Right of Way’ or ‘R.O.W’”, or coloured or marked in any other way to signify that the portion of land is a right of way, on any plan or diagram deposited with the Registrar of Titles that is subject to the provisions of section 167A of the Transfer of Land Act 1893; (b) shown on a diagram or plan of survey relating to a subdivision that is created as a right of way and vested in the Crown under section 152 of the Planning and Development Act 2005; or (c) shown and marked as a right of way on a map or plan deposited with the Registrar of Titles and transferred to the Crown under the Transfer of Land Act 1893, but does not include – <ul style="list-style-type: none"> (i) private driveway; or (ii) a right of way created by easement between two parties; 	<p>DLGC suggested that the term be defined.</p>	<p>Agreed, clause included.</p> <p><i>right of way</i> means a portion of land that is –</p> <ul style="list-style-type: none"> (d) shown and marked ‘Right of Way’ or ‘R.O.W’”, or coloured or marked in any other way to signify that the portion of land is a right of way, on any plan or diagram deposited with the Registrar of Titles that is subject to the provisions of section 167A of the Transfer of Land Act 1893; (e) shown on a diagram or plan of survey relating to a subdivision that is created as a right of way and vested in the Crown under section 152 of the Planning and Development Act 2005; or (f) shown and marked as a right of way on a map or plan deposited with the Registrar of Titles and transferred to the Crown under the Transfer of Land Act 1893, but does not include – <ul style="list-style-type: none"> (iii) private driveway; or (iv) a right of way created by easement between two parties; <p>Note: Consistent with the Town of Cambridge Waste Local Law 2016.</p>
<p><i>schedule</i> means a Schedule to this local law;</p>		<p>Amended, clause included.</p> <p><i>schedule</i> means a Schedule to this local law;</p> <p>Note: Consistent with the Town of Cambridge Waste Local Law 2016 and the feedback they received from the DLGC.</p>
<p><i>specified</i> means specified by the local government or an authorised person, as the case may be;</p>		<p>Consistent with model WALGA local law.</p>
<p><i>street alignment</i> means the boundary between the land comprising a street and the land that abuts the street;</p>		<p>Consistent with model WALGA local law.</p>
<p><i>vector of disease</i> means an arthropod or rodent that transmits, by biological or mechanical means, an infectious agent from a source or reservoir to a person, and includes fleas, bedbugs, crab lice, body lice and head lice.</p>	<p>DLGC suggested that the term be defined.</p>	<p>Agreed, clause included.</p> <p><i>vector of disease</i> means an arthropod or rodent that transmits, by biological or mechanical means, an infectious agent from a source or reservoir to a person, and includes fleas, bedbugs, crab lice, body lice and head lice.</p> <p>Note: Consistent with Health Local Laws.</p>
<p><i>vehicle</i> includes every conveyance not being a train, vessel or aircraft, and every object capable of being propelled or drawn on wheels by any means, and, where the context permits, an animal being driven or ridden;</p>		<p>Amended, clause include:</p> <p><i>vehicle</i> includes every conveyance not being a train, vessel or aircraft, and every object capable of being propelled or drawn on wheels by any means, and, where the context permits, an animal being driven or ridden;</p> <p>Notes:</p>

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		(1) Consistent with the Town of Cambridge Waste Local Law 2016; and (2) The feedback they received from the DLGC.
<i>WARR Act</i> means the <i>Waste Avoidance and Resource Recovery Act 2007</i> ;		Consistent with model WALGA local law.
<i>WARR Regulations</i> means the <i>Waste Avoidance and Resource Recovery Regulations 2008</i> ;		Consistent with model WALGA local law.
<i>waste</i> has the same meaning as in the WARR Act;		Consistent with model WALGA local law.
<i>waste facility</i> means a waste facility, as defined in the WARR Act, that is operated by the local government; and		Consistent with model WALGA local law.
<i>waste service</i> has the same meaning as in the WARR Act.		Consistent with model WALGA local law.
(2) Where, in this local law, a duty or liability is imposed on an owner or occupier, or on an owner and occupier, the duty or liability is taken to be imposed jointly and severally on each of the owners or occupiers.		Consistent with model WALGA local law.
<p>1.6 Local public notice of determinations Where, under this local law, the local government has a power to determine a matter –</p> <ul style="list-style-type: none"> (a) local public notice, under section 1.7 of the LG Act, must be given of the matter determined; (b) the determination becomes effective only after local public notice has been given; (c) the determination remains in force for the period of one year after the date that local public notice has been given under paragraph (a); (d) after the period referred to in paragraph (c), the determination continues in force only if, and for so long as, it is the subject of local public notice, given annually, under section 1.7 of the LG Act; and (e) the determination must be recorded in a publicly accessible register of determinations that must be maintained by the local government. 		Consistent with model WALGA local law.
<p>1.7 Rates, fees and charges The local government’s powers to impose rates, fees and charges in relation to waste services are set out in sections 66 to 68 of the WARR Act and section 6.16 and 6.17 of the LG Act.</p>		Consistent with model WALGA local law.
<p>1.8 Power to provide waste services The local government’s power to provide, or enter into a contract for the provision of, waste services is dealt with in section 50 of the WARR Act.</p>		Consistent with model WALGA local law.

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PART 2 – LOCAL GOVERNMENT WASTE		Consistent with model WALGA local law.
<p>2.1 Local government may supply receptacles</p> <p>(1) The local government may supply, for the use of each premises that are, or are capable of being, occupied or used for residential purposes, one or more receptacles for the collection and removal, from those premises, of collectable waste.</p> <p>(2) The owner of premises for which a receptacle has been supplied by the local government must ensure that the fee or charge (if any) imposed by the local government in relation to the receptacle is paid to the local government.</p>	<p>DER raised concern with this clause, being: Deposit of waste in receptacles – this clause has not been amended to reflect the deletion of clause 2.1 “Supply of receptacles” from the template local law, and is unclear.</p>	<p>Agreed, clause amended.</p> <p>Notes:</p> <p>(1) Clause 2.1 renumbered to Clause 2.2. (2) Consistent with City of Busselton Waste Local Law 2016. (3) Amended to address DER concern.</p>
<p>2.2 Deposit of waste in receptacles</p> <p>(1) An owner or occupier of premises must not deposit or permit to be deposited in a receptacle any non-collectable waste.</p> <p>(2) A person must not deposit waste in a receptacle belonging to other premises without the consent of the owner or occupier of those premises.</p>		<p>Note: Consistent with other Waste Local Laws.</p>
<p>2.3 General waste receptacles</p> <p>(1) An owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle—</p> <p>(a) where the receptacle has a capacity of 240 litres—more than 70 kilograms of collectable waste; or</p> <p>(b) where the receptacle has any other capacity—more than the weight determined by the local government.</p> <p>(2) Where the local government supplies recycling waste receptacles, an owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle any recycling waste.</p> <p>(3) Where the local government supplies organic waste receptacles, an owner or occupier of premises must not deposit or permit to be deposited in a general waste receptacle any organic waste.</p>	<p>DLGC Feedback:</p> <p>A number of clauses in the local law appear to hold the property owner responsible for offences committed by other people, even when the offence was committed without the owner’s knowledge or permission.</p> <p>The City may wish to consider changing these requirements so the property owner must ‘take all reasonable steps’ to ensure the receptacle is used in compliance with the law.</p>	<p>Amended.</p> <p>Note: Consistent with Town of Cambridge Waste Local Law 2016 and City of Busselton Waste Local Law 2016.</p>

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<p>2.4 Recycling waste receptacles An owner or occupier of premises must not deposit or permit to be deposited in a recycling waste receptacle—</p> <ul style="list-style-type: none"> (a) anything other than the particular type of recycling waste for which that receptacle was provided by the local government for those premises; (b) where the receptacle has a capacity of 240 litres— more than 70 kilograms of recycling waste; or (c) where the receptacle has any other capacity—more than the weight determined by the local government. 		<p>Consistent with WALGA Model Local Law.</p>
<p>2.5 Organic waste receptacles An owner or occupier of premises must not deposit or permit to be deposited in an organic waste receptacle—</p> <ul style="list-style-type: none"> (a) anything other than the particular type of organic waste for which that receptacle was provided by the local government for those premises; (b) where the receptacle has a capacity of 240 litres - more than 70 kilograms of organic waste; or (c) where the receptacle has any other capacity - more than the weight determined by the local government. 		<p>Consistent with WALGA Model Local Law.</p>
<p>2.6 Direction to place or remove a receptacle</p> <ul style="list-style-type: none"> (1) The local government or an authorised person may give a written direction to an owner or occupier of specified premises — <ul style="list-style-type: none"> (a) to place a receptacle in respect of those premises for collection; or (b) to remove a receptacle in respect of those premises after collection. (2) The direction under subclause (1) may specify when the placement or removal is to occur, or where the receptacle is to be placed, or both. (3) An owner or occupier of premises must comply with a direction given under this clause. 		<p>Consistent with WALGA Model Local Law.</p>
<p>2.7 Duties of owner or occupier</p> <ul style="list-style-type: none"> (1) For the purpose of this clause, a ‘reasonable period’ means on the evening prior to collection day or on collection day. (2) An owner or occupier of premises must— <ul style="list-style-type: none"> (a) except for a reasonable period before and after collection time, keep each receptacle in a storage space or area that is behind the street alignment; (b) if a receptacle requires to be emptied of waste, take reasonable steps to place a receptacle for collection on the verge adjoining the premises, or other area as determined by the local government, ensure that, within a reasonable period before collection time, each receptacle is— <ul style="list-style-type: none"> (i) within 1 metre of the carriageway; 	<p>DLGC feedback: Clause 2.6(a) – Duties of owner or occupier Clause 2.6 provides that receptacles must be kept behind the street alignment except for a ‘reasonable period’ before and after collection time.</p> <p>As the paragraph is currently written, it may be interpreted to provide that removing the receptacle from storage on collection days is mandatory.</p> <p>The City may wish to redraft this or provide that a receptacle only needs to be placed for collection if it contains rubbish during collection time.</p> <p>Further, the term ‘reasonable period’ could be interpreted in a variety of ways and this may lead to misunderstandings over what the local law requires. It is suggested</p>	<p>Agreed, amended accordingly.</p> <p>Notes:</p> <ul style="list-style-type: none"> (1) Numbering amended. (2) Consistent with WALGA Model Local Law. (3) To address DER concern, amended to be consistent with City of Busselton Waste Local Law 2016. (4) Consistent with the Town of Cambridge Waste Local Law 2016, to address the definition of ‘reasonable period’, inserted: <p><i>“(1) For the purpose of this clause, a ‘reasonable period’ means on the evening prior to collection day or on collection day.”</i></p>

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<p>(ii) does not unduly obstruct any footpath, cycle way, right-of-way or carriageway; and (iii) facing squarely to the edge of and opening towards the carriageway, or in such other position as is approved in writing by the local government or an authorised person; (c) take reasonable steps to ensure that an adequate number of receptacles are provided and used for those premises and that each is kept in good condition and repair; and (d) in the case of a receptacle that is supplied by the local government, if the receptacle is lost, stolen, damaged or defective, notify the local government, as soon as practicable, after the event.</p>	<p>that the City clarifies the meaning of this term to ensure it is understood in the manner in which it is intended.</p> <p>DER raised concern with this clause, being: 2.7(c) Duties of owner or occupier – it is not clear how an owner or occupier would seek approval for receptacles in order to meet the requirement to ‘take reasonable steps to ensure that the premises are provided with an adequate number of receptacles’.</p>	<p><i>and</i></p> <p><i>“(2)(b) if a receptacle requires to be emptied of waste...”</i></p>
<p>2.8 Exemption (1) An owner or occupier of premises may apply in writing to the local government for an exemption from compliance with the requirements of clause 2.7(2) (a) or (b). (2) The local government or an authorised person may grant, with or without conditions, or refuse an application for exemption from compliance under this clause. (3) An exemption granted under this clause must state— (a) the premises to which the exemption applies; (b) the period during which the exemption applies; and (c) any conditions imposed by the local government or the authorised person. (4) An exemption granted under this clause ceases to apply – (a) if the local government decides, on reasonable grounds, that there has been a failure to comply with a condition of the exemption; and (b) from the date that the local government informs the owner or occupier of its decision under clause 2.8(4)(a).</p>		<p>Consistent with WALGA Model Local Law.</p>
<p>2.9 Damaging or removing receptacles (1) A person must not— (a) damage or destroy a receptacle; (b) interfere or tamper with, or remove, a receptacle placed for collection pursuant to clauses 2.6 or 2.7(b); or (c) except as permitted by this local law or as authorised by the local government or an authorised person, remove a receptacle from any premises to which it was delivered by the local government or its contractor. (2) Clause 2.9(1)(a) and (c) does not apply to the person who owns the receptacle. (3) Clause 2.9(1)(b) does not apply to— (a) the person who owns the receptacle; or (b) the owner or occupier of the premises on which the receptacle is kept. (4) Clause 2.9(1) does not apply to the local government or a contractor in the course of undertaking waste services for the local government.</p>	<p>DLGC Feedback:</p> <p>A number of clauses in the local law appear to hold the property owner responsible for offences committed by other people, even when the offence was committed without the owner’s knowledge or permission.</p> <p>The City may wish to consider changing these requirements so the property owner must ‘take all reasonable steps’ to ensure the receptacle is used in compliance with the law.</p>	<p>Agree, amended to address DLGC feedback.</p> <p>Note: Consistent with City of Busselton Waste Local Law 2016.</p>

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<p>2.10 Verge collections</p> <p>(1) Where the local government has advertised a verge waste collection (such as a green waste, or a bulk waste, verge collection) a person, unless with and in accordance with the approval of the local government or an authorised person—</p> <p>(a) must deposit waste only during the period of time, and in accordance with other terms and conditions, as advertised by the local government in relation to that verge waste collection; and</p> <p>(b) must otherwise comply with those terms and conditions.</p> <p>(2) Where waste has been deposited on a verge for a verge waste collection, a person must not remove any of that waste for a commercial purpose but may remove it for any other purpose.</p> <p>(3) Except where waste is lawfully removed from a verge under this clause, a person must not disassemble or tamper with any waste deposited on a verge for a verge waste collection so as to increase the risk of harm to any person.</p> <p>(4) Clause 2.10 (2) does not apply to the local government or a person engaged or contracted by the local government in relation to the verge waste collection.</p>		<p>Notes:</p> <p>(1) Consistent with WALGA Model Local Law.</p> <p>(2) The term “Commercial Purpose” has been defined.</p>
<p>PART 3 – GENERAL DUTIES</p>		

PROPOSED LOCAL LAW	RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES & DEPARTMENT OF ENVIRONMENTAL REGULATION	OFFICER COMMENT / ACTION TAKEN
<p>3.1 Duties of an owner or occupier An owner or occupier of premises must—</p> <ul style="list-style-type: none"> (a) take reasonable steps to ensure that a sufficient number of waste receptacles are provided to contain all waste which accumulates or may accumulate in or from the premises; (b) ensure that each waste receptacle is kept in good condition and repair; (c) take all reasonable steps to— <ul style="list-style-type: none"> (i) prevent fly breeding and keep each receptacle free of flies, maggots, cockroaches, rodents and other vectors of disease; (ii) prevent the emission of offensive or noxious odours from each waste receptacle ; and (iii) ensure that each waste receptacle does not cause a nuisance to an occupier of adjoining premises; and (d) whenever directed to do so by the local government or an authorised person, thoroughly clean, disinfect, deodorise and apply a residual insecticide to each waste receptacle. 	<p>DER concern:</p> <p>Maintenance of receptacles – these subclauses are likely to be beyond power in that they purport to apply to the maintenance of waste receptacles not provided by the local government.</p> <p>Provision of receptacles – the comments for ‘duties of the owner or occupier’ apply equally to this subclause, being: it is not clear how an owner or occupier would seek approval for receptacles in order to meet the requirement to ‘take reasonable steps to ensure that the premises are provided with an adequate number of receptacles’.</p>	<p>Agree, amended to address DER concerns.</p> <p>Note: Consistent with the City of Busselton Waste Local Law 2016.</p>
<p>3.2 Removal of waste from premises</p> <ul style="list-style-type: none"> (1) A person must not remove any waste from premises unless that person is— <ul style="list-style-type: none"> (a) the owner or occupier of the premises; (b) authorised to do so by the owner or occupier of the premises; or (c) authorised in writing to do so by the local government or an authorised person. (2) A person must not remove any waste from a receptacle without the approval of— <ul style="list-style-type: none"> (a) the local government or an authorised person; or (b) the owner or occupier of the premises at which the receptacle is ordinarily kept. 		<p>Consistent with WALGA Model Local Law.</p>
<p>3.3 Receptacles and containers for public use A person must not, without the approval of the local government or an authorised person—</p> <ul style="list-style-type: none"> (a) deposit household, commercial or other waste from any premises on or into; or (b) remove any waste from, <p>a receptacle provided for the use of the general public in a public place.</p>		<p>Consistent with WALGA Model Local Law.</p>
PART 4 – OPERATION OF WASTE FACILITIES		
<p>4.1 Operation of this Part This Part applies to a person who enters a waste facility.</p>		<p>Consistent with WALGA Model Local Law.</p>
<p>4.2 Hours of operation The local government may from time to time determine the hours of operation of a waste facility.</p>		<p>Consistent with WALGA Model Local Law.</p>

PROPOSED LOCAL LAW	RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES & DEPARTMENT OF ENVIRONMENTAL REGULATION	OFFICER COMMENT / ACTION TAKEN
<p>4.3 Signs and directions</p> <p>(1) The local government or an authorised person may regulate the use of a waste facility—</p> <p>(a) by means of a sign; or</p> <p>(b) by giving a direction to a person within a waste facility.</p> <p>(2) A person within a waste facility must comply with a sign or direction under subclause (1).</p> <p>(3) The local government or an authorised person may direct a person who commits, or is reasonably suspected by the local government or the authorised person of having committed, an offence under this clause to leave the waste facility immediately.</p> <p>(4) A person must comply with a direction under subclause (3).</p>		<p>Consistent with WALGA Model Local Law.</p>
<p>4.4 Fees and charges</p> <p>(1) Unless subclause (3) applies, a person must, on or before entering a waste facility or on demand by the local government or an authorised person, pay the fee or charge as assessed by an authorised person.</p> <p>(2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.</p> <p>(3) Subclause (1) does not apply—</p> <p>(a) to a person who disposes of waste in accordance with the terms of—</p> <p>(i) a credit arrangement with the local government; or</p> <p>(ii) any other arrangement with the local government to pay the fee or charge at a different time or in a different manner; and</p> <p>(b) to the deposit of waste owned by the local government, or in the possession of an employee on behalf of the local government.</p>		<p>Consistent with WALGA Model Local Law.</p>
<p>4.5 Depositing waste</p> <p>(1) A person must not deposit waste at a waste facility other than—</p> <p>(a) at a location determined by a sign and in accordance with the sign; and</p> <p>(b) in accordance with the direction of an authorised person.</p> <p>(2) The local government may determine the classification of any waste that may be deposited at a waste facility.</p>		<p>Consistent with WALGA Model Local Law.</p>

PROPOSED LOCAL LAW	RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES & DEPARTMENT OF ENVIRONMENTAL REGULATION	OFFICER COMMENT / ACTION TAKEN
<p>4.6 Prohibited activities</p> <p>(1) Unless authorised by the local government, a person must not—</p> <ul style="list-style-type: none"> (a) remove any waste or any other thing from a waste facility; (b) deposit at a waste facility that is a landfill site any waste that is toxic, poisonous or hazardous, or the depositing of which is regulated or prohibited by any written law; (c) light a fire in a waste facility; (d) remove, damage or otherwise interfere with any flora in a waste facility; (e) remove, injure or otherwise interfere with any fauna in a waste facility; or (f) damage, deface or destroy any building, equipment, plant or property within a waste facility. <p>(2) A person must not act in an abusive or threatening manner towards any person using, or engaged in the management or operation of, a waste facility.</p>		<p>Consistent with WALGA Model Local Law.</p>
PART 5 – ENFORCEMENT		
<p>5.1 Offences and general penalty</p> <p>(1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law a person is prohibited from doing, commits an offence.</p> <p>(2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to a further penalty not exceeding \$500 in respect of each day or part of a day during which the offence has continued.</p>		<p>Consistent with WALGA Model Local Law.</p>
<p>5.2 Other costs and expenses</p> <p>(1) A person who is convicted of an offence under this local law is to be liable, in addition to any penalty imposed under clause 5.1, to pay to the local government the costs and expenses incurred by the local government in taking remedial action such as—</p> <ul style="list-style-type: none"> (a) removing and lawfully disposing of toxic, hazardous or poisonous waste; or (b) making good any damage caused to a waste facility. <p>(2) The costs and expenses incurred by the local government are to be recoverable, as a debt due to the local government, in a court of competent civil jurisdiction.</p>		<p>Consistent with WALGA Model Local Law.</p>
<p>5.3 Prescribed offences</p> <p>(1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the LG Act.</p> <p>(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 2.</p>		<p>Consistent with WALGA Model Local Law.</p>

PROPOSED LOCAL LAW	RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES & DEPARTMENT OF ENVIRONMENTAL REGULATION	OFFICER COMMENT / ACTION TAKEN
<p>5.4 Form of notices</p> <p>(1) Where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the LG Act is that of Form 1 in Schedule 1 of the LG Regulations;</p> <p>(2) The form of the infringement notice given under section 9.16 of the LG Act is that of Form 2 in Schedule 1 of the LG Regulations; and</p> <p>(3) The form of the infringement withdrawal notice given under section 9.20 of the LG Act is that of Form 3 in Schedule 1 of the LG Regulations.</p>		<p>Consistent with WALGA Model Local Law.</p>
<p>SCHEDULE 1 – MEANING OF ‘NON-COLLECTIBLE WASTE’ [Clause 1.5]</p>	<p>See DLGC feedback above.</p>	<p>Consistent with WALGA Model Local Law.</p>
<p><i>non-collectable waste</i> means –</p> <ul style="list-style-type: none"> (a) hot or burning material; (b) household hazardous waste, including paint, acids, alkalis, fire extinguishers, solvents, pesticides, oils, gas cylinders, batteries, chemicals and heavy metals; (c) any other hazardous material, such as radioactive waste; (d) any explosive material, such as flares or ammunition; (e) electrical and electronic equipment; (f) hospital, medical, veterinary, laboratory or pathological substances; (g) construction or demolition waste; (h) sewage; (i) ‘controlled waste’ for the purposes of the <i>Environmental Protection (Controlled Waste) Regulations 2004</i>; (j) any object that is greater in length, width, or breadth than the corresponding dimension of the receptacle or that will not allow the lid of the receptacle to be tightly closed; (k) waste that is or is likely to become offensive or a nuisance, or give off an offensive or noxious odour, or to attract flies or cause fly breeding unless it is first wrapped in non-absorbent or impervious material or placed in a sealed impervious and leak-proof container; and (l) any other waste determined by the local government to be non-collectable waste. 	<p>DLGC Feedback: Under clause 1.5, ‘non-collectable’ waste has the meaning set out in Schedule 1.</p> <p>Paragraph (l) in Schedule 1 provides that the City can ‘determine’ other waste as ‘non-collectable waste’.</p> <p>The Delegated Legislation Committee has traditionally objected to the use of determination devices except for simple administrative matters. Although clause 1.6 provides for local public notice of determinations which may satisfy the Committee, there is no guarantee this will be the case.</p> <p>It is suggested that the City review paragraph (l) of Schedule 1 and consider whether the preceding paragraphs already provide enough restrictions to suit the City’s requirements.</p>	<p>Noted. Not Amended.</p> <p>Notes:</p> <ul style="list-style-type: none"> (1) Consistent with WALGA Model Local Law. (2) Consistent with other local laws. (3) The City of Albany collects non-frangible metal.

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PROPOSED LOCAL LAW				RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES & DEPARTMENT OF ENVIRONMENT REGULATION	OFFICER COMMENT / ACTION TAKEN
SCHEDULE 2 – PRESCRIBED OFFENCES					
Item No.	Clause No.	Description	Modified Penalty		
1	2.1(2)	Failing to pay fee or charge	\$350		Penalties consistent with other local laws.
2	2.2(1)	Depositing non-collectable waste in a receptacle	\$350		Penalties consistent with other local laws.
3	2.2(2)	Depositing waste in another receptacle without consent	\$350		Penalties consistent with other local laws.
4	2.3(1)	Exceeding weight capacity of a general waste receptacle	\$350		Penalties consistent with other local laws.
5	2.3(2) and (3)	Depositing unauthorised waste in a general waste receptacle	\$350		Penalties consistent with other local laws.
6	2.4(a)	Depositing unauthorised waste in a recycling waste receptacle	\$350		Penalties consistent with other local laws.
7	2.4(b) and (c)	Exceeding weight capacity of a recycling waste receptacle	\$250		Penalties consistent with other local laws.
8	2.5(a)	Depositing unauthorized waste in an organic waste receptacle	\$350		Penalties consistent with other local laws.
9	2.5(b) and (c)	Exceeding weight capacity of an organic waste receptacle	\$350		Penalties consistent with other local laws.
10	2.6(3)	Failing to comply with a direction concerning placement or removal of a receptacle	\$250		Penalties consistent with other local laws.
11	2.7(2)(a)	Failing to keep a receptacle in the required location	\$250		Clause numbering amended. Penalties consistent with other local laws.
12	2.7(2)(b)	Failing to place a receptacle for collection in a lawful position	\$250		Clause numbering amended. Penalties consistent with other local laws.
13	2.7(2)(c)	Failing to provide a sufficient number of receptacles	\$250		Clause numbering amended. Penalties consistent with other local laws.
14	2.7(2)(d)	Failing to notify of a lost, stolen, damaged or defective receptacle	\$50		Clause numbering amended. Penalties consistent with other local laws.
15	2.9(1)(a)	Damaging or destroying a receptacle	\$400		Penalties consistent with other local laws.
16	2.9(1)(b)	Interfering or tampering with, or removing, a receptacle	\$400		Penalties consistent with other local laws.
17	2.9(1)(c)	Removing a receptacle from premises	\$400		Penalties consistent with other local laws.
18	2.10(1) and (2)	Failing to comply with a term or condition of verge waste collection	\$400		Penalties consistent with other local laws.
19	2.10(2)	Removing waste for commercial purposes	\$350		Penalties consistent with other local laws.

PROPOSED LOCAL LAW				RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT AND COMMUNITIES & DEPARTMENT OF ENVIRONMENT REGULATION	OFFICER COMMENT / ACTION TAKEN
SCHEDULE 2 – PRESCRIBED OFFENCES					
Item No.	Clause No.	Description	Modified Penalty		
20	2.10(3)	Disassembling or leaving in disarray waste deposited for collection	\$250		Penalties consistent with other local laws.
21	3.1(a)	Failing to provide a sufficient number of receptacles	\$250		Penalties consistent with other local laws.
22	3.1(b)	Failing to keep a waste receptacle clean and in a good condition and repair	\$250		Penalties consistent with other local laws.
23	3.1(c)(i)	Failing to prevent fly breeding and vectors of disease in a receptacle	\$350		Penalties consistent with other local laws.
24	3.1(c)(ii)	Failing to prevent the emission of offensive odours from a receptacle	\$350		Penalties consistent with other local laws.
25	3.1(c)(iii)	Allowing a receptacle to cause a nuisance	\$350		Penalties consistent with other local laws.
26	3.1(d)	Failing to comply with a direction to clean, disinfect or deodorise a waste receptacle	\$300		Penalties consistent with other local laws.
27	3.2(1)	Unauthorised removal of waste from premises	\$250		Penalties consistent with other local laws.
28	3.2(2)	Removing waste from a waste receptacle without approval	\$250		Penalties consistent with other local laws.
29	3.3(a)	Depositing unauthorised waste into waste receptacle provided for use of the general public	\$350		Penalties consistent with other local laws.
30	3.3(b)	Removing waste from waste receptacle provided for use of the general public	\$350		Penalties consistent with other local laws.
31	4.3(2)	Failing to comply with a sign or direction	\$500		Penalties consistent with other local laws.
32	4.3(4)	Failing to comply with a direction to leave	\$500		Penalties consistent with other local laws.
33	4.4(1)	Disposing waste without payment of fee or charge	\$500		Penalties consistent with other local laws.
34	4.5(1)	Depositing waste contrary to sign or direction	\$500		Penalties consistent with other local laws.
35	4.6(1)(a)	Removing waste without authority	\$250		Penalties consistent with other local laws.
36	4.6(1)(b)	Depositing toxic, poisonous or hazardous waste	\$500		Penalties consistent with other local laws.
37	4.6(1)(c)	Lighting a fire	\$300		Penalties consistent with other local laws.
38	4.6(1)(d)	Removing, damaging or interfering with any flora	\$300		Penalties consistent with other local laws.
39	4.6(1)(e)	Removing, injuring or interfering any fauna without approval	\$300		Description amended. Penalties consistent with other local laws.
40	4.6(1)(f)	Damaging, defacing or destroying any building, equipment, plant or property within a waste facility	\$500		Penalties consistent with other local laws.
41	4.6(2)	Acting in an abusive or threatening manner	\$300		Penalties consistent with other local laws.


PROPOSED LOCAL LAW	RECOMMENDATIONS AND FEEDBACK RECEIVED FROM THE DEPARTMENT OF LOCAL GOVERNMENT & COMMUNITIES & DEPARTMENT OF ENVIRONMENTAL REGULATION	OFFICER COMMENT / ACTION TAKEN
<p>Dated this: day of 2017.</p> <p>The Common Seal of the) City of Albany was affixed) by the authority of the) resolution of Council) in the presence of:)</p> <p>..... Dennis Wellington, Mayor Andrew Sharpe, Chief Executive Officer</p> <p>Consented to -</p> <p>..... Jason Banks, Director General</p> <p>Department of Environment Regulation</p> <p>Dated this</p>		<p>Consistent with other Waste Local Laws.</p>

CITY OF ALBANY

REPORT

To : His Worship the Mayor and Councillors
From : Technical Support Officer - Planning
Subject : Development Application Approvals – February
2017
Date : 1 March 2017

1. The attached report shows Development Application Approvals issued under delegation by a planning officer for the month of February 2017.
2. Within this period 48 Development applications were determined, of these;
 - 46 Development applications were approved under delegated authority;
 - 1 Development application was cancelled; and
 - 1 Development applications were withdrawn.



Zoe Sewell
Technical Support Officer – Planning

PLANNING SCHEME CONSENTS ISSUED UNDER DELEGATED AUTHORITY**Applications determined for February 2017**

Application Number	Application Date	Street Address	Locality	Description of Application	DeCancelledisision	Decision Date	Assessing Officer
P2170018	13/01/2017	Duke Street	Albany	Change of Use - Existing Office to Single House & Office	Delegate Approved	22/02/2017	Alex Bott
P2170051	2/02/2017	Parade Street	Albany	Development - New Facility & Amenities Block	Delegate Approved	17/02/2017	Taylor Gunn
P2170062	7/02/2017	York Street	Albany	Development - Sea Container (Temporary Storage)	Delegate Approved	13/02/2017	Taylor Gunn
P2170085	21/02/2017	Spencer Street	Albany	Single House - Alterations & Additions	Delegate Approved	27/02/2017	Alex Bott
P2170091	23/02/2017	Aberdeen Street	Albany	Club Premises - Additions (Reinstatement of Original Verandah/Balcony)	Delegate Approved	24/02/2017	Taylor Gunn
P2160599	22/11/2016	Rowley Street	Albany	Grouped Dwelling	Delegate Approved	8/02/2017	Alex Bott
P2160675	21/12/2016	Grey Street West	Albany	Single house - Additions (front deck; rear additions) - Design Codes Assessment	Delegate Approved	10/02/2017	Taylor Gunn
P2170036	24/01/2017	Ballindean Avenue	Bayonet Head	Display Home	Delegate Approved	3/02/2017	Jessica Anderson
P2170044	1/02/2017	Houghton Boulevard	Bayonet Head	Single House - Addition (Carport Extension) Design Codes Assessment	Delegate Approved	2/02/2017	Alex Bott
P2170056	3/02/2017	Ballindean Avenue	Bayonet Head	Development - Car Park for Display Homes	Delegate Approved	8/02/2017	Alex Bott
P2170088	23/02/2017	Drake Bend	Bayonet Head	Single House (Design Codes Assessment)	Delegate Approved	27/02/2017	Alex Bott
P2170034	24/01/2017	Prior Street	Centennial Park	Light Industry - Panel Beating/Spray Painting (Shed Additions)	Delegate Approved	1/02/2017	Alex Bott
P2170050	2/02/2017	Graham Street	Centennial Park	Community Purpose - Change of Use & Additions	Delegate Approved	17/02/2017	Alex Bott
P2160576	11/11/2016	Cheyne Road	Cheyne	Zoo - Additions (Feed Shed & Fencing)	Withdrawn	14/02/2017	Taylor Gunn
P2160648	7/12/2016	Barry Court	Collingwood Park	Single House - Policy variation	Delegate Approved	9/02/2017	Taylor Gunn
P2170017	13/01/2017	Mermaid Avenue	Emu Point	Holiday Accommodation	Delegate Approved	15/02/2017	Jessica Anderson

Application Number	Application Date	Street Address	Locality	Description of Application	DeCancelledisision	Decision Date	Assessing Officer
P2170059	6/02/2017	Bedwell Street	Emu Point	Single House - Additions (Bedroom/Living Room/Deck) Design Codes Assessment	Delegate Approved	23/02/2017	Taylor Gunn
P2170055	3/02/2017	Churchlane Road	Kalgan	Development - Cut & Fill in Excess of 600mm (Farm Dam x 2)	Delegate Approved	17/02/2017	Taylor Gunn
P2170032	24/01/2017	Kingswood Road	King River	Single House - Outbuilding (Design Codes Assessment)	Delegate Approved	1/02/2017	Alex Bott
P2170003	5/01/2017	Stewart House Hill	Kronkup	Development - Outbuilding (Storage) - Boundary Setback Variation	Delegate Approved	13/02/2017	Jessica Anderson
P2170065	7/02/2017	Bandicoot Drive	Lange	Single House - Retaining Walls Water Tanks (Design Codes Assessment)	Delegate Approved	24/02/2017	Jessica Anderson
P2170070	8/02/2017	Catalina Road	Lange	Single House	Delegate Approved	20/02/2017	Alex Bott
P2170000	3/01/2017	Chipana Drive	Little Grove	Holiday Accommodation	Delegate Approved	3/02/2017	Taylor Gunn
P2170042	30/01/2017	Blackswan Court	Little Grove	Single House - Additions (Garage)	Delegate Approved	3/02/2017	Jessica Anderson
P2160457	20/09/2016	Magpie Cove	Little Grove	Single House - Design Codes Assessment & Water Tank	Delegate Approved	4/02/2017	Taylor Gunn
P2160582	14/11/2016	Bay View Drive	Little Grove	Grouped Dwelling	Delegate Approved	21/02/2017	Alex Bott
P2170089	23/02/2017	Mueller Street	Lockyer	Single House - Front Fence (Overheight)	Delegate Approved	28/02/2017	Alex Bott
P2170035	24/01/2017	Nambucca Rise	Lower King	Single House Outbuilding & Water Tanks	Delegate Approved	1/02/2017	Alex Bott
P2170038	24/01/2017	Koonwarra Close	Lower King	Single House - Retaining Wall (Northern Side of Existing Shed)	Delegate Approved	2/02/2017	Alex Bott
P2170061	7/02/2017	Bushby Road	Lower King	Single House - Partial Demolition of Outbuilding	Delegate Approved	13/02/2017	Taylor Gunn
P2170014	11/01/2017	Dustan Way	McKail	Single House - Retaining Walls (Design Codes Assessment)	Delegate Approved	3/02/2017	Taylor Gunn
P2170043	1/02/2017	Dustan Way	McKail	Single House (Retaining Wall) Design Codes Assessment	Delegate Approved	8/02/2017	Alex Bott
P2170047	2/02/2017	Lancaster Road	McKail	Single House - Outbuilding	Delegate Approved	6/02/2017	Jessica Anderson
P2170049	2/02/2017	Beaudon Road	McKail	Single House Outbuilding & Water Tank	Delegate Approved	3/02/2017	Alex Bott
P2170054	3/02/2017	Celestial Drive	McKail	Single House - Parapet Wall (Design Code Assessment)	Delegate Approved	15/02/2017	Jessica Anderson

Application Number	Application Date	Street Address	Locality	Description of Application	DeCancelledisision	Decision Date	Assessing Officer
P2170060	6/02/2017	Orion Avenue	McKail	Single House - Outbuilding Extension (Design Codes Assessment)	Delegate Approved	8/02/2017	Alex Bott
P2170074	13/02/2017	Morgan Place	McKail	Single House - Outbuilding (Design Codes Assessment)	Delegate Approved	24/02/2017	Taylor Gunn
P2170015	12/01/2017	Grey Street West	Mount Melville	Holiday Accommodation	Delegate Approved	15/02/2017	Alex Bott
P2170005	5/01/2017	Moorialup Road	Napier	Bed and Breakfast	Delegate Approved	3/02/2017	Taylor Gunn
P2170027	20/01/2017	Eden Road	Nullaki	Development (Establish Building Envelope)	Delegate Approved	22/02/2017	Alex Bott
P2170039	25/01/2017	South Coast Highway	Orana	Single House - (Change of Use From Shop & Building Additions)	Delegate Approved	7/02/2017	Alex Bott
P2170020	16/01/2017	Harding Road	Robinson	Single House and Outbuilding (boundary setback variation)	Delegate Approved	20/02/2017	Alex Bott
P2160624	29/11/2016	Rycraft Drive	Spencer Park	Single House - Additions (Carport & Patio)	Delegate Approved	7/02/2017	Taylor Gunn
P2170037	24/01/2017	Negri Road	Willyung	Industry - Rural (service and storage of forestry equipment)	Delegate Approved	10/02/2017	Taylor Gunn
P2170045	1/02/2017	Bilaboya Place	Willyung	Single House - Outbuilding	Delegate Approved	3/02/2017	Taylor Gunn
P2170066	8/02/2017	Vokes Court	Willyung	Single House	Delegate Approved	28/02/2017	Taylor Gunn
P2170068	8/02/2017	Parker Brook Road	Willyung	Grouped Dwelling x 2 & Rainwater Tank	Delegate Approved	16/02/2017	Taylor Gunn
P2170069	8/02/2017	Parker Brook Road	Willyung	Double up made at cashiers for	Cancelled	8/02/2017	Planning

CITY OF ALBANY

REPORT

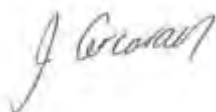
To : His Worship the Mayor and Councillors
From : Administration Officer - Development
Subject : Building Activity – February 2017
Date : 1 March 2017

1. In February 2017, eighty one (81) building permits were issued for building activity worth \$12,582,032, including three (3) demolition licences and one (1) sign licence.

It is brought to Council's attention that these figures included building licences: #161101 for Internal Services Upgrade to Gwen Hardie Lodge; estimated value: \$1,696,200.

#161102 for Internal Services Upgrade to Baptistcare Bethel Lodge; estimated value: \$3,338,500.

2. The two (2) attached graphs compare the current City activity with the past three (3) fiscal years. One compares the value of activity, while the other compares the number of dwelling units.
3. A breakdown of building activity into various categories is provided in the Building Construction Statistics form.
4. Attached are the details of the permits issued for February 2017, the eighth month of activity in the City of Albany for the financial year 2016/2017.



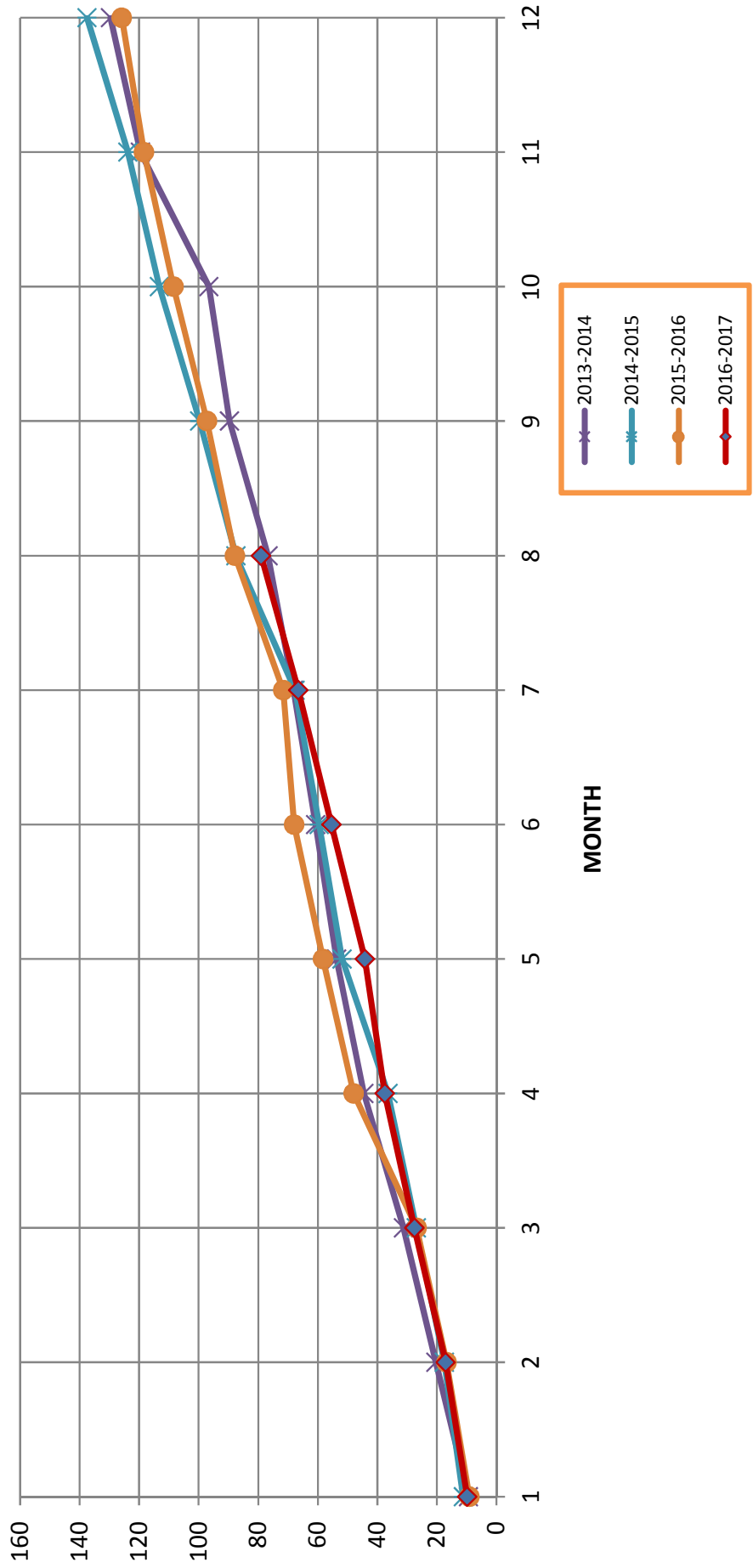
Jasmin Corcoran
Administration Officer – Development

CITY OF ALBANY

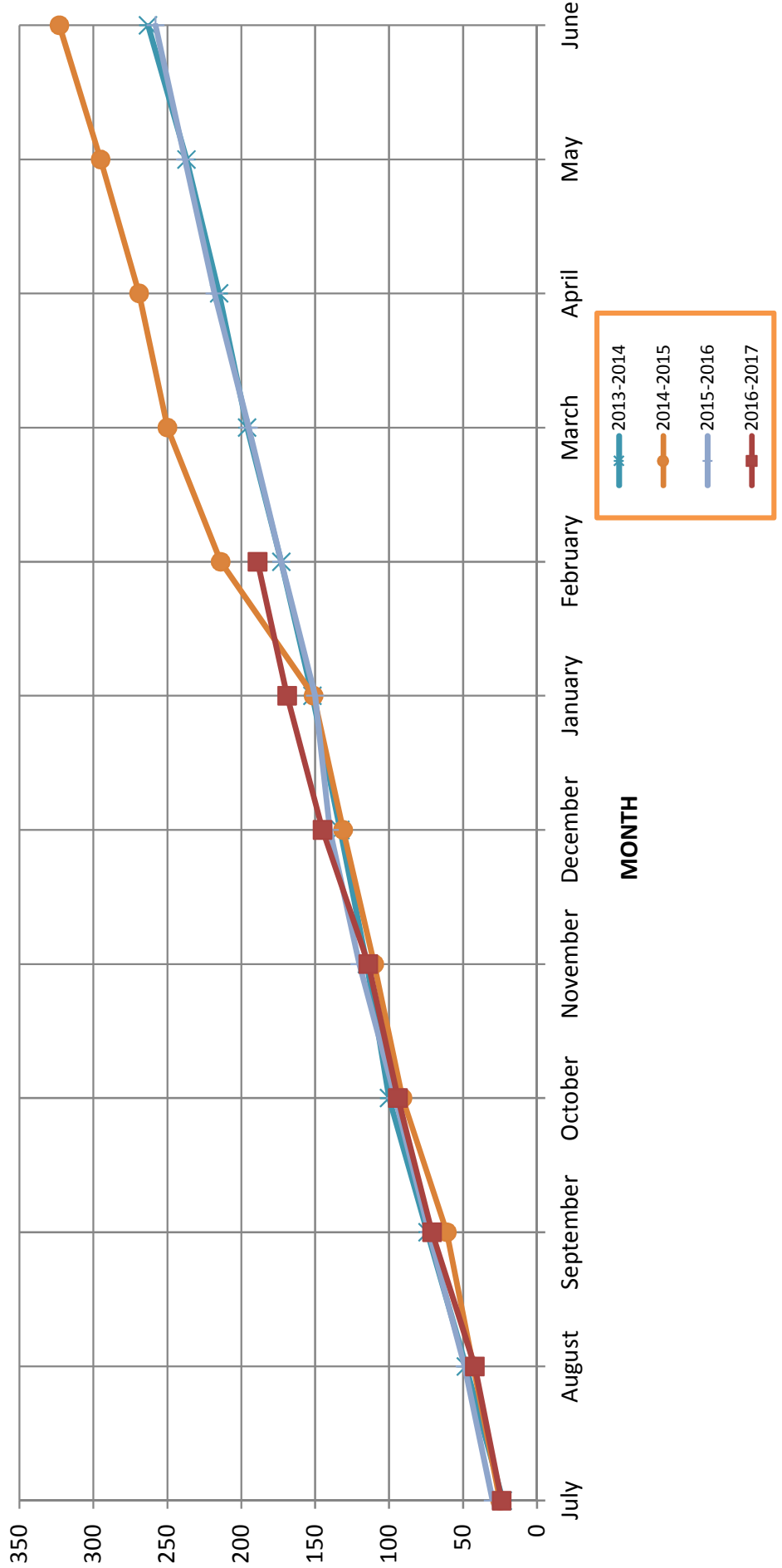
BUILDING CONSTRUCTION STATISTICS FOR 2016 - 2017

2016-2017	SINGLE DWELLING		GROUP DWELLING		TOTAL \$ VALUE	DOMESTIC/ OUTBUILDINGS		ADDITIONS/ DWELLINGS		HOTEL/ MOTEL		NEW COMMERCIAL		ADDITIONS/ COMMERCIAL		OTHER		TOTAL \$ VALUE
	No	\$ Value	No	\$ Value		No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	
JULY	22	5,099,241	2	303,900	24	274,840	17	368,250	0	0	2	3,206,764	4	418,265	9	117,085		9,788,345
AUGUST	17	4,427,348	1	35,000	18	380,839	28	1,725,271	0	0	0	0	4	141,793	10	608,920		7,319,171
SEPTEMBER	29	9,077,464	0	0	29	337,170	15	566,839	0	0	0	0	3	377,000	5	61,200		10,419,673
OCTOBER	23	7,369,345	0	0	23	562,909	23	1,134,368	0	0	3	62,326	6	595,067	11	133,466		9,857,481
NOVEMBER	17	4,376,370	3	439,375	20	320,925	26	832,790	0	0	0	0	2	68,500	13	703,670		6,741,630
DECEMBER	22	6,499,717	9	2,130,761	31	241,430	27	1,093,900	0	0	2	950,505	2	190,000	12	95,865		11,202,178
JANUARY	23	7,242,364	1	56,000	24	227,579	22	550,869	1	70,000	0	0	2	2,672,000	10	312,920		11,131,732
FEBRUARY	19	5,556,328	1	150,000	20	303,975	22	381,419	0	0	3	605,000	4	5,460,769	9	124,547		12,582,038
MARCH																		
APRIL																		
MAY																		
JUNE																		
TOTALS TO DATE	172	49,648,177	17	3,115,036	189	2,649,667	180	6,653,706	1	70,000	10	4,824,595	27	9,923,394	79	2,157,673		79,042,248

BUILDING ACTIVITY \$M Value



DWELLING UNITS



NUMBER OF UNITS

**BUILDING, SIGN & DEMOLITION LICENCES ISSUED UNDER DELEGATED
AUTHORITY**

Applications determined for February 2017

Application Number	Builder	Description of Application	Street Address	Suburb
161152	GREGORY LEEDER	AMENDMENT TO BP 160040 RESIDENTIAL	WITTENOOM STREET	MIDDLETON
161132	OWNER BUILDER	PATIO - UNCERTIFIED	MIDDLETON ROAD	BEACH MIRA MAR
161146	DOWNRITE	PARTIAL DEMOLITION - DEMOLITION	PEELS PLACE	ALBANY
161164	OWNER BUILDER	PATIO - UNCERTIFIED	NORWOOD ROAD	LOWER KING
161093	OWNER BUILDER	CARPORT - UNCERTIFIED	BOHEMIA ROAD	YAKAMIA
161134	OWNER BUILDER	ALTERATION/ADDITION TO EXISITING SHED - UNCERTIFIED	SATELLITE CLOSE	MCKAIL
161114	LOWER GREAT SOUTHERN HOCKEY ASSOCIATION	ALTERATION/ADDITION TO EXISITING HOCKEY CLUBROOMS VERANDAH -	BARKER ROAD	CENTENNIAL
161105	RISING SIGNS	MONOLITH SIGN - UNCERTIFIED	SANFORD ROAD	PARK CENTENNIAL
161111	OWNER BUILDER	PATIO - UNCERTIFIED	QUEEN STREET	PARK LITTLE GROVE
161115	PULS PATIOS	CARPORT EXTENSION - UNCERTIFIED	HOUGHTON BOULEVARD	BAYONET HEAD
161119	OWNER BUILDER	RELOCATION OF EXISTING DWELLING - DEMOLITION	WARRENUP PLACE	WARRENUP
161142	OWNER BUILDER	SHED - UNCERTIFIED	BANDICOOT DRIVE	LANGE
161143	OWNER BUILDER	SHED - UNCERTIFIED	CHIPANA DRIVE	LITTLE GROVE
161106	BUILDING APPROVAL CERTIFICATE	UNATHORISED WORKS - PATIO SHED EXTENSION & AWNING/ROOF COVE	COSTIGAN STREET	MCKAIL
161099	PULS PATIOS	PATIO - UNCERTIFIED	LOWER KING ROAD	COLLINGWOOD
161091	MATSON FABRICATIONS	SHED EXTENSION - UNCERTIFIED	PARMELIA WAY	HEIGHTS MCKAIL
161145	OWNER BUILDER	CARPORT	ORION AVENUE	MCKAIL
161116	BUILDING APPROVAL CERTIFICATE	UNAUTHORISED EXTENSION TO DECK & NEW LOCATION OF STAIRS - BU	ALBANY HIGHWAY	ORANA
161100	OWNER BUILDER	GARAGE - UNCERTIFIED	FALLWOOD PARADE	BAYONET HEAD
161097	MCB CONSTRUCTION PTY LTD	EXTENSION TO EXISITING PATIO - UNCERTIFIED	GREENWOOD DRIVE	WILLYUNG
161125	TRAVIS HORDYK	RE-PITCHING OF EXISTING CURVED ROOF TO 22.62 DEG HIPPED ROOF	COOGEE STREET	MILPARA
161128	OWNER BUILDER	PATIO - UNCERTIFIED	DROME ROAD	MCKAIL
161141	NEWMAN'S CONCRETE	RETAINING WALLS - UNCERTIFIED	KOONWARRA CLOSE	LOWER KING

REPORT ITEM DIS 015 REFERS

Application Number	Builder	Description of Application	Street Address	Suburb
161088	TURPS STEEL	LIMESTONE RETAINING	DANIELS CLOSE	LOWER KING
161108	FABRICATIONS MATSON	WALL - UNCERTIFIED SHED - UNCERTIFIED	KINGSWOOD ROAD	KING RIVER
161156	FABRICATIONS ALBANY ALLWAY	RE-ROOF EXISTING RESIDENCE - UNCERTIFIED	FLEMINGTON STREET	ORANA
161158	ROOFING PTY LTD FLEETWOOD PTY LTD	CARPORT ALFRESCO & VERANDAH - SITE 191 - UNCERTIFIED	ALISON PARADE	BAYONET HEAD
161149	WA BUILDING AND MAINTENANCE PTY LTD	RE- ROOF - UNCERTIFIED	PEELS PLACE	ALBANY
161090	NEWMAN'S CONCRETE	RETAINING WALL - UNCERTIFIED	BEDWELL STREET	EMU POINT
161110	OWNER BUILDER	3 BAY GARAGE/WORKSHOP - UNCERTIFIED	OLD ELLEKER ROAD	GLEDHOW
161135	RYDE BUILDING	SHED - UNCERTIFIED	CELESTIAL DRIVE	MCKAIL
161140	COMPANY PTY LTD DOWNRITE	FULL DEMOLITION OF EXISTING DWELLING	SOUTH COAST HIGHWAY	MANYPEAKS
161129	KOSTER'S OUTDOOR PTY LTD	PATIO X 2	RYCRAFT DRIVE	SPENCER PARK
161170	MCB CONSTRUCTION PTY LTD	SHED & VERANDAH - UNCERTIFIED	CENTAURUS TERRACE	MCKAIL
161139	OWNER BUILDER	SHED - UNCERTIFIED	BARFLEUR PLACE	MARBELUP
161174	KOSTER'S OUTDOOR PTY LTD	PATIO - UNCERTIFIED	FRANCIS STREET	LOWER KING
161131	OWNER BUILDER	PATIO & DECK - UNCERTIFIED	ALBANY HIGHWAY	CENTENNIAL PARK
161144	GREAT SOUTHERN SHEDS & STEEL	SHED - UNCERTIFIED	LANCASTER ROAD	MCKAIL
161107	DAVID ANDREW & ANN MARIE HOLLAND	PATIO EXTENSION - UNCERTIFIED	CHURCHLANE ROAD	KALGAN
161121	ELDRIDGE	RE-ROOF EXISTING	BOHEMIA ROAD	YAKAMIA
161109	ENTERPRISES PTY LTD TURPS STEEL FABRICATIONS	DWELLING - CERTIFIED SHED - UNCERTIFIED	DANIELS CLOSE	LOWER KING
161112	OWNER BUILDER	ALFRESCO AREA - UNCERTIFIED	WYLIE CRESCENT	MIDDLETON BEACH
161165	ORIGIN ENERGY	SOLAR PANELS INSTALLED ON ROOF - CERTIFIED	CHESTER PASS ROAD	MILPARA
161098	SERVICES LIMITED JACK TOWTON	SHED - UNCERTIFIED	BREWSTER ROAD	COLLINGWOOD HEIGHTS
161103	AUGUSTSON	FENCE FRONT & SIDE BOUNDARIES - UNCERTIFIED	WAKEFIELD CRESCENT	MIRA MAR
161085	ENTERPRISES PTY LTD KOSTER'S OUTDOOR PTY LTD	SHED - UNCERTIFIED	HOUGHTON BOULEVARD	BAYONET HEAD
161096	BUILDING APPROVAL CERTIFICATE	BUILDING APPROVAL CERTIFICATE - SECTION 51(3) - UNAUTHORISED	CHURCHLANE ROAD	KALGAN

REPORT ITEM DIS 015 REFERS

Application Number	Builder	Description of Application	Street Address	Suburb
161117	WREN (WA) PTY LTD	SHED - UNCERTIFIED	BILABOYA PLACE	WILLYUNG
141644	THOMAS ANDREW BENSON-LIDHOLM	NEW DWELLING 2 STOREY - UNCERTIFIED	WARRANGOO ROAD	BAYONET HEAD
161087	GARRY RAYMOND & JOANNE EATON	ANCILLARY ACCOMMODATION & GARAGE - UNCERTIFIED	HENTY ROAD	KALGAN
161154	JOHN MATTHEW AND DEIDRE LOUISE DEKKER	ALTERATIONS & ADDITIONS TO EXISTING DWELLING AND NEW	HARVEY ROAD	WARRENUP
161155	CLAUDIO CARLO & ROMEO GIANNI GLIOSCA	INDUSTRIAL WORKSHOP / WAREHOUSE - CERTIFIED	NEGRI ROAD	WILLYUNG
161126	RAYMOND ESKETT	TWO X NEW INDUSTRIAL SHEDS - CERTIFIED	NEWTON STREET	ROBINSON
161160	MCB CONSTRUCTION PTY LTD	STEEL FRAMED TOILET BUILDING WITH 2 X UAT'S STORAGE ROOM AND	PARADE STREET	ALBANY
161133	PLUNKETT HOMES (1903) PTY LTD	SINGLE STOREY DWELLING - UNCERTIFIED	HAYWARD CREST	YAKAMIA
161123	POCOCK BUILDING COMPANY PTY LTD	NEW DWELLING - UNCERTIFIED	BALLINDEAN AVENUE	BAYONET HEAD
161095	J & TW DEKKER PTY LTD	NEW SINGLE DETACHED DWELLING ONE-STOREY WITH ALFRESCO PORC	DUSTAN WAY	MCKAIL
161138	J & TW DEKKER PTY LTD	SINGLE STOREY DWELLING & SHED - UNCERTIFIED	GALLE STREET	YAKAMIA
161127	WREN (WA) PTY LTD	NEW DWELLING GARAGE AND ALFRESCO - UNCERTIFIED	CULLINAN TERRACE	BAYONET HEAD
161147	RYDE BUILDING COMPANY PTY LTD	TWO STOREY DWELLING AND SHED - UNCERTIFIED	MCKENZIE DRIVE	LOWER KING
161120	WA COUNTRY BUILDERS PTY LTD	SINGLE STOREY DWELLING & RETAINING WALLS - CERTIFIED	RADIATA DRIVE	MCKAIL
161136	RYDE BUILDING COMPANY PTY LTD	SINGLE STOREY HOUSE RAINWATER TANK AND SHED - UNCERTIFIED	BEAUDON ROAD	MCKAIL
161137	RYDE BUILDING COMPANY PTY LTD	SINGLE STOREY DWELLING - UNCERTIFIED	CENTAURUS TERRACE	MCKAIL
161159	FLEETWOOD PTY LTD	NEW PARK HOME - SITE 191 - UNCERTIFIED	ALISON PARADE	BAYONET HEAD
161069	PLUNKETT HOMES (1903) PTY LTD	NEW SINGLE DETACHED DWELLING ONE-STOREY WITH ALFRESCO VERA	CELESTIAL DRIVE	MCKAIL
161094	WA COUNTRY BUILDERS PTY LTD	NEW SINGLE DETACHED DWELLING ONE-STOREY WITH PORCH ALFRESC	BAGNALL PARKWAY	LANGE
161124	WA COUNTRY BUILDERS PTY LTD	NEW DWELLING - CERTIFIED	ASCANIUS PARADE	BAYONET HEAD
161122	SCHLAGER GROUP PTY LTD	NEW DWELLING & RETAINING WALLS - CERTIFIED	HOUGHTON BOULEVARD	BAYONET HEAD
161118	PRC BUILDING SERVICES PTY LTD	REMOVAL OF ASBESTOS ROOF AND WALL CLADDING RE-CLAD WITH	HANRAHAN ROAD	MOUNT ELPHINSTONE

REPORT ITEM DIS 015 REFERS

Application Number	Builder	Description of Application	Street Address	Suburb
161157	POCOCK BUILDING COMPANY PTY LTD	NEW DWELLING & WATER TANK - UNCERTIFIED	HARDING ROAD	ROBINSON
161017	NORTH 2 SOUTH EXECUTIVE HOMES PTY LTD	NEW SINGLE DETACHED DWELLING TWO-STOREY WITH COVERED AREA	MCLEOD STREET	MIRA MAR
161151	POCOCK BUILDING COMPANY PTY LTD	TWO STOREY DWELLING RETAINING WALLS & 2 X WATER TANKS	BANDICOOT DRIVE	LANGE
161101	BADGE CONSTRUCTIONS (WA) PTY LTD	INTERNAL SERVICES UPGRADE TO GWEN HARDIE LODGE -	MERMAID AVENUE	EMU POINT
161102	BADGE CONSTRUCTIONS (WA) PTY LTD	INTERNAL SERVICES UPGRADES TO BAPTISTCARE BETHEL LODGE RESID	BETHEL WAY	YAKAMIA
161089	OCCUPANCY PERMIT	OCCUPANCY PERMIT - SECTION 46 - HEARING CENTRE (CLASS 6) - C	ALBANY HIGHWAY	CENTENNIAL
161113	OCCUPANCY PERMIT	ORANA CINEMAS - OCCUPANCY PERMIT	ALBANY HIGHWAY	PARK ORANA
161130	TEMPORARY OCCUPANCY PERMIT	TEMPORARY OCCUPANCY PERMIT - CERTIFIED	LOCKYER AVENUE	CENTENNIAL
161148	ALBANY SCAFFOLD HIRE	SCAFFOLDING ON TOP OF VERANDAH/PROPS FROM FOOTPATH - UNCERTIFIED	STIRLING TERRACE	PARK ALBANY
161168	OCCUPANCY PERMIT	OCCUPANCY PERMIT - WESTRAIL BARRCKS COMMUNITY USE BUILDING -	FREDERICK STREET	ALBANY
161169	OCCUPANCY PERMIT	OCCUPANCY PERMIT - RURAL INDUSTRY STORAGE & PACKAGING SHED F	SOUTH COAST HIGHWAY	KING RIVER
161171	WAUTERS ENTERPRISES PTY LTD	SCAFFOLDING / DEPOSIT OF BUILDING MATERIAL ON STREET	STIRLING TERRACE	ALBANY