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# AGENDA

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**Ordinary Meeting of Council**

**Tuesday 24 November 2015**

6.00pm

City of Albany Council Chambers

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

**VISION**

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

**VALUES**

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

**Focused: on community outcomes**

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

**United: by working and learning together**

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

**Accountable: for our actions**

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

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

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

**NOTICE OF AN ORDINARY COUNCIL MEETING**

Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday 24 November 2015 in the Council Chambers, 102 North Road, Yakamia commencing at 6.00pm.



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Andrew Sharpe  
**CHIEF EXECUTIVE OFFICER**

ORDINARY COUNCIL MEETING  
AGENDA 24/11/2015

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**1. DECLARATION OF OPENING**

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

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

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

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

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

**Mayor**

**D Wellington**

**Councillors:**

Breaksea Ward  
Breaksea Ward  
Frederickstown Ward  
Kalgan Ward  
Kalgan Ward  
Vancouver Ward  
Vancouver Ward  
West Ward  
West Ward  
Yakamia Ward  
Yakamia Ward

R Hammond  
P Terry  
G Stocks  
J Price  
B Hollingworth  
J Shanahun  
N Mulcahy  
A Goode JP  
S Smith  
A Moir  
R Sutton

**Staff:**

Chief Executive Officer  
Executive Director Corporate Services  
Executive Director Planning and  
Development  
Executive Director Economic  
Development and Commercial Services  
Executive Director Works and  
Services

A Sharpe  
D Olde  
D Putland  
C Woods  
M Thomson

Meeting Secretary

J Williamson

**Apologies:**

Frederickstown Ward  
Executive Director Community Services

C Dowling (Leave of Absence)  
A Cousins (Apology)

**4. DISCLOSURES OF INTEREST**

<b>Name</b>	<b>Committee/Report Item Number</b>	<b>Nature of Interest</b>
Councillor Terry	ED025	<b>Impartiality.</b> Councillor Terry is the Vice President of the Albany Cycle Club. The Albany Cycle Club may have some involvement in the running of the tour of Margaret River, which is an Assessment Panel Recommendation for Regional Events Sponsorship.

**5. REPORTS OF MEMBERS**

**6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil.**

**7. PUBLIC QUESTION TIME**

**8. APPLICATIONS FOR LEAVE OF ABSENCE**

**9. PETITIONS AND DEPUTATIONS Nil.**

**10. CONFIRMATION OF MINUTES**

**DRAFT MOTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the minutes of the Ordinary Council Meeting held on 27 October 2015, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**11. PRESENTATIONS Nil.**

**12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS Nil.**

**ED025: REGIONAL EVENTS SPONSORSHIP - 2016 PROGRAM**

**Proponent** : City of Albany  
**Report Prepared By** : Acting Executive Director Community Services (A Cousins)  
**Responsible Officer(s)** : Acting Executive Director Community Services (A Cousins)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This strategy directly relates to the following elements from the Community Strategic Plan – Albany 2023 and the Corporate Business Plan 2014-2018.
  - a. **Key Theme: 1.** Smart Prosperous and Growing.
  - b. **Strategic Objective: 1.2** To strengthen our region's economic base.  
**Strategic Objective 1.3** To develop and promote Albany as a unique and sought after destination.
  - c. **Strategic Initiative 1.2.2.** Economic Diversity  
**Strategic Initiative 1.3.1.** Events Management  
**Strategic Initiative 1.3.2.** Tourism Destination

**In Brief:**

- Endorsement of Regional Event Sponsorship Assessment Panel recommendations.

**RECOMMENDATIONS**

**ED025:COMMITTEE RECOMMENDATION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

1. THAT Council ENDORSE the Regional Event Sponsorship Assessment Panel recommendations as outlined in Paragraph 16 – Table 2 of this report.
2. THAT Council NOTE that post-event Acquittals and Project Reports will be tabled for review by the Economic Development Committee.

ED025: COMMITTEE RECOMMENDATION

MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9 -0

ED025: RESPONSIBLE OFFICER RECOMMENDATION

1. THAT Council ENDORSE the Regional Event Sponsorship Assessment Panel recommendations as outlined in Paragraph 16 – Table 2 of this report.
2. THAT Council NOTE that post-event Acquittals and Project Reports will be tabled for review by the Economic Development Committee.

**BACKGROUND**

2. The Regional Event Sponsorship program is part of the Council's *Community Funding and Event Sponsorship* Policy adopted at the May 2013 Ordinary Council Meeting.
3. The objective of the Policy is to provide an equitable and accessible framework for the provision of Community Funding and Event Sponsorship that aligns with Council's strategic objectives.
4. The program stream within the Policy that is the subject of this report and recommendations are:
  - Regional Event Sponsorship.
5. A summary of this program is outlined below in Table 1.

Table 1:		
Program	Objective	Detail
<b>Regional Event Sponsorship</b>	<ul style="list-style-type: none"> <li>• To enhance tourism activity in the region.</li> <li>• Significant positive economic, social and community benefits.</li> <li>• To raise the profile of Albany.</li> </ul>	<ul style="list-style-type: none"> <li>• Support for high-profile regional events that attract intrastate, interstate and international visitors to Albany and that demonstrate significant positive economic, social and community benefits.</li> </ul>

6. The City of Albany's Regional Events Sponsorship program is designed to attract and support the staging of Regional Events that are Regional economic drivers for the Albany destination.
7. A Regional Special Event is defined as possessing the capability to attract significant numbers of visitors from outside the region and is more than just a local festival; it must possess substantial drawing power.

## **DISCUSSION**

### *Program Overview*

8. The Regional Events Sponsorship Program 2016 objectives include:
  - Generate additional tourism income by increasing visitor expenditure in the Albany region (economic impact).
  - Involve and inspire the local community (social benefits).
  - Attract media coverage that will help to raise the profile of Albany as a visitor destination (media impact).
9. The Regional Event Sponsorship program is a competitive funding application process. The sponsorship criteria and application processes follow a similar format to the State Government's Regional Events Scheme Program administered by Tourism Western Australia. Applicants are encouraged to also apply for Tourism Western Australia RES funding.
10. Events must be held between 1 January 2016 and 31 December 2016. Applications for Regional Events Sponsorship were open between August 2015 and September 2015.

### *Assessment*

11. Applicants for the Regional Events Sponsorship were asked to discuss their proposals with the relevant contact officers before applying. This assisted applicants to shape their proposed activities to the funding and event sponsorship criteria, and gave guidance to applicants who did not meet the eligibility criteria.
12. Applications were evaluated by City officers using an event assessment methodology developed to measure an event's potential impact across economic value, job creation, destination promotion, strategic fit with City objectives, social and community benefits. A panel of three Councillors from Council's Economic Development Committee (EDC) used these scores to then assess and make final recommendations.
13. The assessment tool scored each event across seven variables based on the written applications submitted with a total maximum score of 70 points. The assessment tool used inputs as supplied by each applicant via the written submissions. These inputs have been assumed correct for the purposes of assessment. Each applicant will be required to provide evidence post event to substantiate the respective claims and this will influence future funding applications.
14. A total of seven (7) applications for Regional Events Sponsorship were received for funding requests totalling \$102,000 with \$65,000 available for allocation.
15. The panel recommended supporting five (5) of the seven (7) applications.

### *Panel Recommendations*

16. A summary of applications recommended for funding is outlined in Table 2.

**Table 2: Regional Events Sponsorship – Assessment Panel Recommendations**

	<b>Event</b>	<b>Event Type</b>	<b>Panel Comments</b>	<b>Amount Requested</b>	<b>Panel Recommendation</b>
1	<b>Albany Mountain Bike Club:</b> <i>Albany Urban Dual Slalom and Kids Albany Urban Challenge</i>	<b><u>Extreme Sports Event:</u></b> <b>Mountain biking</b> Mountain bike event. Revision of Urban Down Hill.	High quality event. Fully supported.	\$20,000	\$20,000
2	<b>Cycling Events:</b> <i>Tour of Margaret River</i>	<b><u>Sports Event:</u></b> <b>Road Cycling.</b> Pro-Am Team Cycling Event.	Supported subject to submission of Event Plan and Sponsorship benefits package. Future support contingent on a name change referencing Albany.	\$20,000	\$20,000
3	<b>Albany Speedway Club:</b> <i>World Series Sprintcars</i>	<b><u>Motorsport Event</u></b> National speedway event.	Supported contingent on a sponsorship benefits package articulating City naming rights allocation.	\$20,000	\$15,000
4.	<b>ArtsSouth WA:</b> <i>Southern Art and Craft Trail</i>	<b><u>Arts/Culture Event</u></b> Art and Craft trail across Great Southern.	Supported. Feedback to applicant that request was for more than the naming rights sponsor. City officers to advise organisation of events management and sponsorship capacity training opportunities.	\$12,000	\$5,000
5.	<b>Adventurethon Australia:</b> <i>Adventurethon Albany</i>	<b><u>Extreme Sports Event</u></b> Multisport Adventure Race.	Supported noting \$5,000 in-kind support could include the City marquee. Organiser is also required to advise what strategies are in place to double participation numbers.	\$20,000	\$5,000 cash \$5,000 in-kind
6.	<b>Corporate Sports Australia:</b> <i>Albany City to Surf for Activ</i>	<b><u>Community Sport Event</u></b> Community fun run event.	Attracts predominantly local people. Media exposure is focused state-wide.	\$20,000	0
7.	<b>Albany &amp; Denmark Hinterland Orienteering Club:</b> <i>Discover Albany Trail Run</i>	<b><u>Community Sport Event</u></b> Trail running event.	New Event. No compelling case demonstrating economic or social impact. Encourage application to Community Funding.	\$10,000	0
			<b>Totals</b>	<b>\$102,000</b>	<b>\$65,000</b>

## GOVERNMENT & PUBLIC CONSULTATION

17. Not applicable.

## STATUTORY IMPLICATIONS

18. Nil.

## POLICY IMPLICATIONS

19. *The Community Funding and Event Sponsorship (2013)* policy applies, in particular the clauses relating to Regional Event Sponsorship.

20. Approval of Regional Events Sponsorship funding recommendations is required by Council.

21. Regional Event Sponsorship is a key program of the City of Albany Major and Regional Events Strategy 2014-17 endorsed by Council at the October 2014 Ordinary Council Meeting.

## RISK IDENTIFICATION & MITIGATION

22. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b><u>Reputation</u></b> Council do not endorse any funding recommendations resulting negative feedback from the community or applicants.	Unlikely	Minor	Low	Rigorous application and assessment processes ensure Council have confidence in funding recommendations.
<b><u>Reputation</u></b> Negative feedback from applicants declined for funding	Possible	Minor	Medium	The assessment process includes clear reasons for applicants declined. Feedback will be offered to unsuccessful applicants.

## FINANCIAL IMPLICATIONS

23. Council has endorsed the *Community Funding and Event Sponsorship (2013)* policy which includes an allocation of \$65,000.00 for Regional Events Sponsorship in 2015/16.

24. Management and oversight of funding and event sponsorship is undertaken using existing staff resources within the Community Services Directorate, within existing allocated budgets.

## LEGAL IMPLICATIONS

25. Nil.

## ENVIRONMENTAL CONSIDERATIONS

26. Nil.

**ALTERNATE OPTIONS**

27. Council could make alternative recommendations for funding including substitute dollar amounts for recommended applicants. The assessment process utilised a scoring system combined with a three panel review (comprising Councillors from the EDC) that formed the final recommendations.

**SUMMARY CONCLUSION**

28. The events recommended for funding support are considered consistent with the objectives of the Regional Events Sponsorship program.

29. The process for Regional Event Sponsorship Application Assessment is considered transparent and equitable.

30. It is therefore recommended that the Responsible Officers recommendation be adopted.

<b>Consulted References</b>	:	Council Policy Community Funding and Event Sponsorship (2013) City of Albany Major and Regional Events Strategy 2014-17
<b>File Number (Name of Ward)</b>	:	Not applicable.
<b>Previous Reference</b>	:	Nil.

**ED026: ALBANY HERITAGE PARK – QUARTERLY REPORT**

**Proponent** : City of Albany  
**Attachments** : Albany Heritage Park – Quarterly Report  
**Report Prepared By** : Executive Director Economic Development and Commercial Services (C Woods)  
**Responsible Officer(s)** : Executive Director Economic Development and Commercial Services (C Woods)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This strategy directly relates to the following elements from the Community Strategic Plan – Albany 2023 and the Corporate Business Plan 2014-2018.
  - a. **Key Theme: 1.** Smart Prosperous and Growing.
  - b. **Strategic Objective: 1.2** To strengthen our region's economic base.  
**Strategic Objective 1.3** To develop and promote Albany as a unique and sought after destination.
  - c. **Strategic Initiative 1.2.2.** Economic Diversity  
**Strategic Initiative 1.3.2.** Tourism Destination

**In Brief:**

2. To provide Council with quarterly statistical and financial updates on the National Anzac Centre and Albany Heritage Park.

**RECOMMENDATIONS**

**ED026: COMMITTEE RECOMMENDATION**

**THAT Council NOTE the Albany Heritage Park Quarterly Report July to September 2015.**

ED026: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR STOCKS

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9 - 0

**ED026: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council NOTE the Albany Heritage Park Quarterly Report July to September 2015.

**BACKGROUND**

3. The National Anzac Centre is the City of Albany's most significant tourism asset.
4. The National Anzac Centre is a \$10.6 million dollar investment from the Federal and State Government with an additional \$1.5 million invested by Wesfarmers for the construction of the Convoy Walk and Lookout.
5. The City of Albany manages the asset and understands the importance of generating economic outcomes for the region using the National Anzac Centre and the Albany Heritage Park assets to encourage both increased visitation and extended stays to the region.
6. Key stakeholders will also receive this quarterly report in an effort to further develop the relationships and as recognition of their significant investment and commitment to the City of Albany.
7. The City will in the new calendar year establish an independent steering committee to assist in the further development of both the NAC and AHP to ensure the assets continue to evolve and attract both local repeat visitation and visitors from outside the region.
8. Council has budgeted a subsidy of @ \$250,000 annually for the operations of NAC and the AHP and has established a reserve on the understanding that any surplus funds will be reinvested and be used to leverage additional grant funding to improve the asset.

**DISCUSSION**

9. This report is the first attempt to formalise reporting of the NAC and AHP to the Economic Development Committee and as such feedback from the committee will further refine the template.

**GOVERNMENT & PUBLIC CONSULTATION**

10. Not Applicable.

**STATUTORY IMPLICATIONS**

11. Not Applicable

**POLICY IMPLICATIONS**

12. Not Applicable.

**RISK IDENTIFICATION & MITIGATION**

13. Nil

**FINANCIAL IMPLICATIONS**

14. .Nil

**LEGAL IMPLICATIONS**

15. Nil

**ENVIRONMENTAL CONSIDERATIONS**

16. Nil.

**ALTERNATE OPTIONS**

17. Nil.

**SUMMARY CONCLUSION**

18. The performance of the NAC and AHP year to date is well above budget and expectations.

19. City staff will continue to market and develop the site to ensure it achieves the economic outcomes for the City and region.

<b>Consulted References</b>	:	Nil.
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	Nil.

**ED027: CREATIVE INDUSTRIES REPORT AND FUTURE USE OF WESTRAIL BARRACKS BUILDING**

<b>Land Description</b>	: Westrail Barracks Building, 40-46 Frederick St Albany, Western Australia
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Attachments</b>	: Creative Industries – Analysis and Potential Strategic Directions for the City of Albany (April 2014) Creative Albany Report (October 2015) Creative Albany Report Infographic
<b>Report Prepared by</b>	: Manager Tourism Development Services (M Bird)
<b>Responsible Officer</b>	: Executive Director Economic Development and Commercial Services (C Woods)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Themes:**
    1. Smart Prosperous and Growing
  - b. **Strategic Objectives:**
    - 1.2 To strengthen our region's economic base.
  - c. **Strategic Initiatives:**
    - 1.2.1 CBD revitalisation.
    - 1.2.2 Economic Diversity

**In Brief:**

- Creative Industries has been identified as an industry sector offering potential for economic development focus.
- The City of Albany supported Creative Albany to undertake an audit of the creative sector in Albany and the Great Southern region.
- The Westrail Barracks Building could be utilised as an incubator business development model for the creative industries sector.

**RECOMMENDATION**

**ED027: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council:**

- (1) NOTE the Creative Albany Report.**
- (2) ENDORSE City Officers to continue to work with Key Stakeholders to develop a business model which would activate the Westrail Barracks Building as an Economic Development Incubator.**
- (3) That City Officers REPORT back to the Economic Development Committee with recommendations with regard to the future use and management options for the Westrail Barracks Building.**

**ED027: COMMITTEE RECOMMENDATION**

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

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 9 - 0**

**ED027: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council:**

- (1) NOTE the Creative Albany Report.**
- (2) ENDORSE City Officers to continue to work with Key Stakeholders to develop a business model which would activate the Westrail Barracks Building as an Economic Development Incubator.**
- (3) That City Officers REPORT back to the Economic Development Committee with recommendations with regard to the future use and management options for the Westrail Barracks Building.**

## BACKGROUND

2. A strategic objective of the City of Albany Economic Development Strategy (2013-2017) is to strengthen and diversify Albany's economic base.
3. Creative Industries has been identified as an industry sector offering existing advantages for the Albany region and offers significant potential for enhancement.
4. In 2014 the City contracted the preparation of a scoping study titled "*Creative Industries – Analysis and Potential Strategic Directions for the City of Albany (SC Lennon & Associates, April 2014)*" (the Lennon Report). The report defined creative industries and attempted to quantify its impact using secondary Australian Bureau of Statistics (ABS) data plus one on one consultation with local stakeholders. The Lennon Report highlighted a number of key issues and potential opportunities for future actions in order to enhance the City's creative economy and add to its economic diversity. One idea for future action was to prepare a Local Creative Industries Survey. Copy of Lennon Report in attachments.
5. As a result of the Lennon Report the City of Albany then partnered with local community group Creative Albany and co-funded the preparation of the "*Create Southern Great Southern Report – an audit of the creative sector in Albany and the Great Southern region of Western Australia (October 2015)*" (the Creative Albany Report). Copy of report in attachments.
6. The Creative Albany Report is a well researched and written report that provides a broad picture of the economic impact of the sector, identifies creative workers who may not have been captured in the ABS data of the Lennon Report, and identifies the issues and trends of local individuals and businesses currently working in the creative economy.
7. The Creative Albany Report identified a number of opportunities including establishing a creative physical hub(s) to; "*reduce professional isolation and allow face to face networking; provide facilities for creatives visiting from remote areas and infrastructure for local users; and present a visible showcase of creative activity in the Great Southern.*"
8. The City of Albany owns the Westrail Barracks/Co-operative Store Building (the Building) located on the corner of Frederick and Spencer Streets, Albany. The Building has exceptional heritage significance at a local, state and national level. A Conservation Plan for the building was prepared in March 2007 and a Project Management Plan for stabilisation and restoration was prepared in July 2013. A Lotterywest grant was secured to assist with the restoration of the building along with City of Albany funding. The Conservation and Restoration plans both noted the importance that the building be made usable again.
9. The original Building served as a community facility leased to the Albany Historical Society as a storage facility until the lease expired in December 2013. The City has been undertaking restoration works since this time and again has the potential to be a well used community building that should be frequented and admired by the local community.
10. The restoration of the Building is now entering the final stages of works and is now at "lock-up" and the future use of the facility can now be determined.

## DISCUSSION

11. The City has identified the attraction and establishment of creative industries as a key economic development focus area, particularly when combined with creating a learning centre of excellence for creative industries services and production.
12. There are six recognised sectors within the Creative Economy as represented in Figure 1 below.

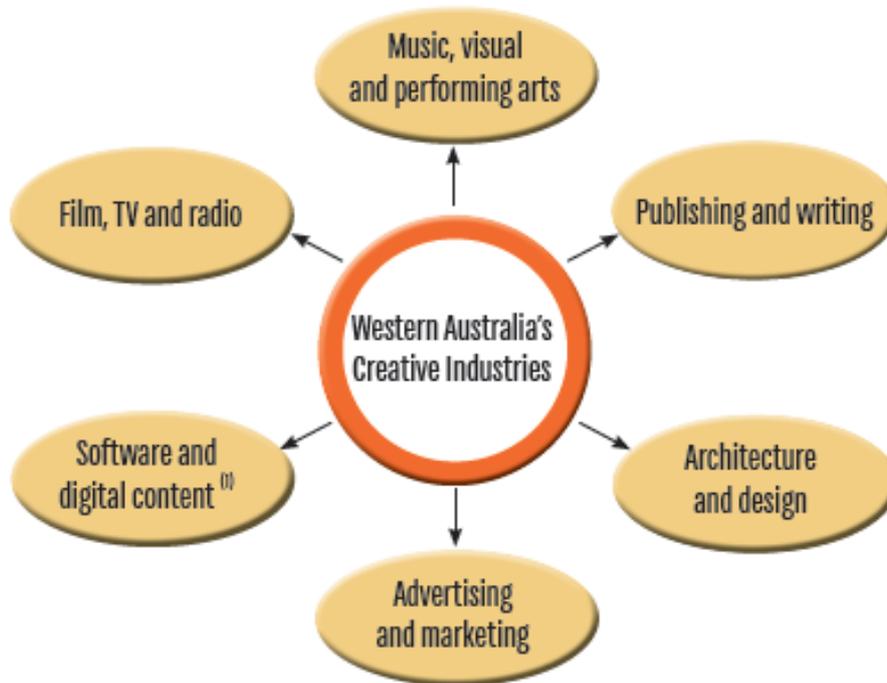


Figure 1 – The Six Creative Sectors (Lennon 2013)

13. The City has supported the preparation of the Lennon and Creative Albany reports. These reports found an Albany sector which;
  - a. *“Is unusually rich in Cultural production activity – a key element of liveability.*
  - b. *Is well represented and active in the creative specialties of Music, performing and visual arts, Publishing and writing, and Architecture & design.*
  - c. *Is actively working beyond the boundaries of the Great Southern region to supplement the local market and employment opportunities.*
  - d. *Is characterised by a significant unrecognised resource of ‘emergent’ creative workers.*
  - e. *Has formed a creative cluster in the lower Great Southern with Albany acting as the support centre for the creative sector in the Region as a whole.*
  - f. *Is making a significant contribution to the Region’s economy through employment and the flow-on effects of creative activity.”*
14. Creative Albany will present their report findings to the City of Albany Economic Development Committee independently.
15. The Creative Industry sector has opportunity for growth within the region. The Creative Albany Report found the creative sector workforce grew by 14% between 2006 and 2011 in the Great southern region compared to the average growth for all occupations of 4.8%.
16. Both the Lennon and Creative Albany Reports identified the need and opportunity for the creation of a Creative Industries incubation space/facility. The City’s restoration of the Westrail Barracks/Co-operative Store will potentially enable this building to be used for this purpose.
17. The current zoning and permitted uses allows for the building as a creative industries incubator by a community based group. The only condition is that the entire building needs to be leased by the City to the one entity.

18. City of Albany officers have had preliminary discussions with Creative Albany and the Great Southern Business Centre collaboratively with regard to using the renovated Westrail Barracks/Co-operative Store building as a business incubator facility for emerging Creative individuals and businesses such as, but not limited to, web based technologies.
19. Further work is required to develop a business model which would activate the Westrail Barracks Building as an Economic Development Incubator. This paper requests Council support to further investigate this proposal and to present a more detailed business case for consideration based on the above proposed use.

### GOVERNMENT & PUBLIC CONSULTATION

20. Both internal and external stakeholders were consulted during the preparation of the Lennon and Creative Albany reports. Both reports detail the level of consultation undertaken.
21. Preliminary discussions with Creative Albany and the Great Southern Business Centre have been undertaken regarding the future use of the Westrail Barracks/Co-operative Store building.

### STATUTORY IMPLICATIONS

22. Recommendations within the report will comply with all statutory requirements.

### POLICY IMPLICATIONS

23. All recommendations within the report will comply with all existing Council Policies.

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputational and Strategic.</b> The City has been an active supporter of the creative industry sector via the preparation of recent reports. Lack of action to support implementation of report recommendations may reflect badly on the City's economic development initiatives.	Possible	Moderate	Medium	Note the Creative Albany report and support implementation of the recommendations where appropriate.
<b>Financial and Reputational.</b> A new use for the Westrail building is not identified.	Possible	<ul style="list-style-type: none"> <li>• Minor</li> </ul>	Low	Council to endorse the further investigation of the use of the Building as a creative industries business incubator.

### FINANCIAL IMPLICATIONS

25. Full financial implications are not yet known. City of Albany officers to report back to the Economic Development Committee with business model recommendations with regard the future use and management options for the Westrail Barracks Building including financial implications.

### LEGAL IMPLICATIONS

26. Nil.

### ENVIRONMENTAL CONSIDERATIONS

27. Nil

**ALTERNATE OPTIONS**

28. The Council will continue to explore other uses and will request Expressions of Interest for use of the building.

**SUMMARY CONCLUSION**

29. The City of Albany has identified the attraction and support of creative industries as a key economic development focus area. The City is investigating how to best leverage its unique sense of place to attract these type of enterprises and to establish Albany as a hub of creative industries for the Great Southern region.
30. Investigation of the Westrail Barracks/Co-operative Store building for the establishment of a Creative Industries hub/business incubator should be further investigated.

<b>Consulted References</b>	:	Creative Industries – Analysis and Potential Strategic Directions for the City of Albany (April 2014) Creative Albany Report (October 2015) Creative Albany Report Infographic Albany Co-operative Society Building (Fmr) Conservation Plan (March 2007) Project Management Plan – Stabilisation and Restoration of Former Westrail Barracks/P&O Co-operative Store (July 2013)
<b>File Number (Name of Ward)</b>	:	All Wards
<b>Previous Reference</b>	:	Nil

**PD103: PREPARATION OF 'CHEYNE BEACH' LOCAL PLANNING POLICY**

**Land Description** : Portion of Reserve 878, Lots 1-29 Baxteri Road and Lots 2,3 and 7-22 Cheyne Road, Cheynes  
**Proponent** : City of Albany  
**Owner** : Crown  
**Attachments** : Draft 'Cheyne Beach' Local Planning Policy  
**Appendices** : Nil  
**Report Prepared By** : Planning Officer (C McMurtrie)  
**Responsible Officer(s)** : Executive Director Planning & Development (D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter.
2. When exercising its discretion in relation to planning matters, the pertinent strategic document is the *Albany Local Planning Strategy*.
3. This proposal is broadly consistent with the strategic directions set in the *Albany Local Planning Strategy*.

**Maps and Diagrams:**



**In Brief:**

- Council is requested to consider the preparation of a 'Cheyne Beach' local planning policy to guide the development of leaseholds on Crown Reserve 878, Lots 1-29 Baxteri Road and Lots 2,3 and 7-22 Cheyne Road, Cheynes.

- The main objectives of the local planning policy will be to protect the established character of the area and to restrict land uses in line with leasing arrangements.
- City Staff are supportive of the preparation of a 'Cheyne Beach' local planning policy, as it will ensure a consistent approach to planning within the settlement and will give lessees greater certainty as to what type of development will be permitted on their leasehold.
- It is requested that Council resolves to prepare a 'Cheyne Beach' local planning policy.

**RECOMMENDATION**

**PD103: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council, in pursuance of Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to prepare a 'Cheyne Beach' local planning policy, which shall address:**

- (a) The established character of the Cheyne Beach settlement;
- (b) The need for development approval on leasehold land;
- (c) Permitted land uses within the various leasehold precincts within the settlement;
- (d) Development standards for leaseholds, including, but not limited to:
  - Fire management requirements;
  - Water supply;
  - Effluent disposal – (All new or replacement systems shall be an Alternative Treatment Unit (ATU) to the satisfaction of the City of Albany)
  - Roofing materials;
  - Building heights;
  - Access and parking;
  - Stormwater management;
  - Non-habitable structures;
  - Fencing; and
- (e) Advice for developers.

ITEM PD103: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STOCKS

SECONDED: COUNCILLOR HOLLINGWORTH

THAT Council, in pursuance of Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to:

1. Prepare a 'Cheyne Beach' local planning policy, which shall address:

- (a) The established character of the Cheyne Beach settlement;
- (b) The need for development approval on leasehold land;
- (c) Permitted land uses within the various leasehold precincts within the settlement;
- (d) Development standards for leaseholds, including, but not limited to:
  - Fire management requirements;
  - Water supply;
  - Effluent disposal – (All new or replacement systems shall be an Alternative Treatment Unit (ATU) to the satisfaction of the City of Albany)
  - Roofing materials;
  - Building heights;
  - Access and parking;
  - Stormwater management;
  - Non-habitable structures;
  - Fencing; and
- (e) Advice for developers.

CARRIED 6-0

PD103: AMENDMENT BY COUNCILLOR STOCKS

MOVED: COUNCILLOR STOCKS

SECONDED: COUNCILLOR HOLLINGWORTH

THAT the Responsible Officers Recommendation is adopted with an additional requirement under Effluent disposal:

2. Effluent disposal ( All new or replacement systems shall be an Alternative Treatment Unit ( ATU ) to the satisfaction of the City of Albany )

CARRIED 6-0

*Councillor Stocks proposed a minor amendment to the Responsible Officer Recommendation.*

PD103: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council, in pursuance of Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to:

1. Prepare a 'Cheyne Beach' local planning policy, which shall address:
  - (a) The established character of the Cheyne Beach settlement;
  - (b) The need for development approval on leasehold land;
  - (c) Permitted land uses within the various leasehold precincts within the settlement;
  - (d) Development standards for leaseholds, including, but not limited to:
    - Fire management requirements;
    - Water supply;
    - Effluent disposal;
    - Roofing materials;
    - Building heights;
    - Access and parking;
    - Stormwater management;
    - Non-habitable structures;
    - Fencing; and
  - (e) Advice for developers.

**BACKGROUND**

4. Crown Reserve 878 is under management order H359478 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of 'Recreation, Camping, Holiday Accommodation, Accommodation Associated with the Fishing Industry and Fire Station' for any term not exceeding 21 years, subject to the consent of the Minister for Lands.
5. The reserve currently hosts 29 leases for holiday accommodation, seven leases for accommodation associated with the fishing industry and one fishing licence. While the Cheyne Beach Caravan Park was originally part of the reserve, it has now been excised and is freehold land.
6. A standard *Cheyne Beach Holiday Accommodation Lease Agreement* was developed by the City to replace the 29 holiday accommodation leases that are due to expire on 31 December 2015. Council approved renewal of those leases utilising the standard *Cheyne Beach Holiday Accommodation Lease Agreement* on 25 August 2015. A standard lease agreement for accommodation associated with the fishing industry is currently under development.
7. The City of Albany *Local Planning Policy Manual* was originally adopted by Council on 14 December 2010 and collated all of the City's local planning policies in one document for ease of use. The policies deal with various planning and development matters within the Local Planning Scheme area and assist the local government in making decisions under the Scheme. Following its initial adoption, the *Local Planning Policy Manual* underwent a number of revisions, including a comprehensive update to align with *Local Planning Scheme No. 1* on 27 May 2014, which included a change of title to *Local Planning Scheme No. 1 Policy Manual*.
8. Reserve 878 is located approximately 50km west-north-west of Albany town centre and has an area of approximately 115 hectares. The Reserve is surrounded by approximately 3,500 hectares of National Park, which is managed by the Department of Parks and Wildlife. The 29 holiday accommodation leaseholds are located on Baxteri Road. There are 11 leaseholds located on the inland (south-western) side of the road, while the remaining leaseholds are located on the seaward (north-eastern) side. The leaseholds are generally rectangular in

shape and range from 825m<sup>2</sup> to 1202m<sup>2</sup> in area. The seven leaseholds for accommodation associated with the fishing industry are located on Cheyne Road, with a large leasehold of 7918m<sup>2</sup> on the seaward side and the remainder on the inland (south) side of the road, adjacent to the caravan park. These leaseholds are roughly square in shape, some with battleaxe access legs, and range from 1826m<sup>2</sup> to 2187m<sup>2</sup> in area.

9. The subject land and the surrounding National Park are covered by the 'Parks and Recreation' local scheme reserve. Lot 7774 Bald Island Road, which is freehold land and contains the caravan park, lies to the south of the leaseholds for accommodation associated with the fishing industry and is zoned 'Caravan and Camping'. A further freehold land parcel of 40 hectares lies to the south of Reserve 878 and is zoned 'General Agriculture'.

## DISCUSSION

10. *Local Planning Scheme No. 1* does not prescribe development standards for local scheme reserves. Therefore, it is deemed necessary to prepare a 'Cheyne Beach' local planning policy, which will supplement *Local Planning Scheme No. 1* by establishing a set of standards that will guide development of the leaseholds within the settlement.
11. The development standards will maintain the established character of the settlement. The key character elements that have been identified are as follows:
  - Small rectangular single storey dwellings and sheds clad in either cement sheeting, weatherboard, corrugated steel or a mix of these materials and located centrally on each leasehold;
  - Low pitched skillion, or medium pitched gabled, corrugated steel roofs;
  - Limited use of fencing; and
  - Lawn areas with native species intermittently planted.
12. City Staff have prepared a draft local planning policy that seeks to maintain this character by:
  - Maintaining the current 5 metre maximum building height, as measured from the natural ground level (single storey development);
  - Limiting development to existing leaseholds;
  - Prescribing setbacks to maintain the established pattern of development; and
  - Minimising the development of fencing.
13. Ensuring that the established character of the settlement is maintained will protect the amenity of the area. In particular, the open layout of the settlement and the outlook toward the ocean will be preserved.
14. The draft local planning policy divides the settlement into three distinct precincts. Precinct 1 covers the holiday accommodation leaseholds, Precinct 2 covers the leaseholds for accommodation associated with the fishing industry, while Precinct 3 lies within the foreshore area.
15. It is proposed to restrict the use of land within Precinct 1 to that of 'Holiday Accommodation', as defined in clause 10.3(a) of the *Cheyne Beach Holiday Accommodation Lease Agreement*, rather than as defined in *Local Planning Scheme No. 1*. The key difference between these definitions is that the Lease Agreements do not place a restriction on the length of stay, whereas *Local Planning Scheme No. 1* restricts occupancy to no more than three months in any calendar year by the same person or persons. However, the lease agreements do

contain a condition that leaseholds are not to be used as a person's primary place of residence.

16. It is not proposed to set land use controls for Precinct 2 at this time, as the leasing arrangements for the precinct are still under development. However, it is proposed to include a statement that the purpose of Precinct 2 is to provide accommodation associated with the fishing industry, and the City will retain the discretion to approve accommodation units and any associated storage buildings on these leaseholds. Processing and retail or wholesale activities will be prohibited in the precinct. It is expected that the leasing arrangements for Precinct 2 will include a condition requiring the removal of all buildings and structures from a leasehold upon expiration or termination of a lease, and that the land will be returned to its original condition. On this basis, it is proposed to include a recommendation that any accommodation units and non-habitable structures within Precinct 2 are transportable or are of a temporary nature.
17. It is proposed to include a prohibition on new development within Precinct 3, on account of its location within the foreshore area and subsequent vulnerability to coastal erosion and sea level rise.
18. The *Lower Great Southern Strategy*, published in 2007, identified Cheyne Beach as an existing rural village and suggested that it may have expansion potential. This was examined in more detail in the subsequent *Albany Local Planning Strategy* and it was found that the settlement had potential for expansion. It has since been determined that the locality is not suited to permanent habitation, though its continued use as a holiday and fishing settlement can be considered as being broadly consistent with the direction set by the *Albany Local Planning Strategy*.
19. The preparation of a 'Cheyne Beach' local planning policy will ensure a consistent approach to planning within the settlement and will give lessees greater certainty as to what type of development will be permitted on their leasehold.

#### GOVERNMENT & PUBLIC CONSULTATION

20. The *Planning and Development (Local Planning Schemes) Regulations 2015* require that a local government must pass a resolution to prepare a local planning policy, prior to the proposal being advertised for public comment. Consequently, no formal consultation has been undertaken at this stage. An early draft of the policy was released to the lessees for informal comment; however, no feedback has been received by the City.

#### STATUTORY IMPLICATIONS

21. Schedule 2, clause 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows a local government to prepare a local planning policy. Schedule 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for making a local planning policy.
22. Voting requirement for this item is **SIMPLE MAJORITY**.

#### POLICY IMPLICATIONS

23. The draft 'Cheyne Beach' local planning policy does not support any new development in Precinct 3, which is currently impacted by coastal processes including erosion and tidal flooding. This requirement is consistent with *State Planning Policy 2.6 – State Coastal Planning*, which recommends that a vertical sea level rise of 0.9 metres be adopted when considering the setback distance and elevation to allow for the impact of coastal processes over a 100 year planning timeframe (2010 to 2110).

#### RISK IDENTIFICATION & MITIGATION

24. The following indicates the risk to the City in making a decision to support or not support the Policy:

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Community, Organisational Operations and Reputation</b></p> <p>The proposal may attract objections from lessees, members of the public or public authorities.</p>	Possible	Minor	Medium	Widely consulting with all parties who may be affected and all relevant public authorities should mitigate any risk in this regard. If necessary, further information can be requested from the proponent as part of the amendment process.

### FINANCIAL IMPLICATIONS

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

### LEGAL IMPLICATIONS

26. There are no legal implications directly relating to this item.

### ENVIRONMENTAL CONSIDERATIONS

27. The City's Co-ordinator of Environmental Health has confirmed that the conventional effluent disposal systems that have been installed to service existing short-term accommodation units are capable of managing effluent accumulating from longer-term occupation.
28. It is proposed to include advice within the local planning policy pertaining to the management of weeds, the clearing of vegetation and the keeping of pets. Weeds are to be eradicated, clearing requires approval from the Department of Environment Regulation and the keeping of livestock, animals and domestic pets, is not permitted.

### ALTERNATE OPTIONS

29. Council has the following alternate options in relation to this item, which are:
- To prepare a 'Cheyne Beach' local planning policy to address matters in addition to, or in lieu of those contained within the Officer's recommendation; or
  - Not to prepare a 'Cheyne Beach' local planning policy.

### SUMMARY CONCLUSION

30. *Local Planning Scheme No. 1* does not prescribe development standards for local scheme reserves. A 'Cheyne Beach' local planning policy will supplement *Local Planning Scheme No. 1* by establishing a set of standards that will guide development of the leaseholds within the settlement. The development standards set within the draft local planning policy are designed to maintain the established character of the Cheyne Beach settlement, which will in turn preserve the amenity of the area.
31. The preparation of a 'Cheyne Beach' local planning policy will ensure a consistent approach to planning within the settlement and will give lessees greater certainty as to what type of development will be permitted on their leasehold.
32. On this basis, it is recommended that Council resolves to prepare a 'Cheyne Beach' local planning policy.

<b>Consulted References</b>	<p>:</p> <ol style="list-style-type: none"> <li>1. <i>Local Planning Scheme No. 1</i></li> <li>2. <i>Albany Local Planning Strategy 2010</i></li> <li>3. <i>City of Albany Strategic Community Plan 2023</i></li> <li>4. <i>City of Corporate Business Plan 2013-2017</i></li> <li>5. <i>Lower Great Southern Strategy</i></li> <li>6. Western Australian Planning Commission <i>State Planning Policy 1 – State Planning Framework Policy (Variation No. 2)</i></li> <li>7. Western Australian Planning Commission <i>State Planning Policy 2.6 – State Coastal Planning</i></li> <li>8. Western Australian Planning Commission and Fire Emergency Services Authority <i>Planning for Bush Fire Protection Guidelines, Edition 2</i></li> <li>9. <i>Cheyne Beach Holiday Accommodation Lease Agreement</i></li> </ol>
<b>File Number (Name of Ward)</b>	<p>:</p> <p>A174625 (Kalgan Ward)</p>
<b>Previous Reference</b>	<p>:</p> <p>OCM – 17/07/2001 – Item 11.3.2          OCM – 18/09/2001 – Item 11.3.2          OCM – 16/08/2005 – Item 11.1.1          OCM – 19/10/2010 – Item 2.7          OCM – 25/08/2015 – Item CSF189</p>

**PD104: INDUSTRY – EXTRACTIVE (GRAVEL AND SAND), LOT 110, 105  
BON ACCORD ROAD, KING RIVER**

**Land Description** : Lot 110, 105 Bon Accord Road, King River.  
**Proponent** : Palmer Earthmoving  
**Owner** : David Palmer  
**Business Entity Name** : Palmer Earthmoving Australia Pty Ltd  
**Directors** : David Palmer  
**Attachments** : 1. Area Plan  
2. Schedule of Submissions  
3. Proposed Extractive Area Map  
**Supplementary Information & Councillor Workstation:** : Copy of submissions  
**Report Prepared by** : Senior Planning Officer (A Bott)  
**Responsible Officer** : Executive Director Planning & Development (D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter.
2. When exercising its discretion in relation to planning matters, the pertinent strategic document is the *Albany Local Planning Strategy*.
3. The proposal is consistent with the strategic directions identified in the *Albany Local Planning Strategy*.

**Maps and Diagrams:**



**In Brief:**

- Council is asked to consider an application for development approval for an Industry – Extractive (Gravel and Sand), which would extend the existing extractive industry operations on Lot 110, 105 Bon Accord Road, King River.
- The application was advertised for public comment and referred to surrounding residents.
- Fourteen letters of objection have been received from nearby residents. The objections primary relate to concerns over traffic, amenity impacts and environmental impacts.
- Due to the objections, the application is being referred to Council for determination.
- Staff recommend that Council approve the proposed development, subject to conditions, which are considered to mitigate the concerns raised through the public advertising process.

**RECOMMENDATION**

**PD104: COMMITTEE RECOMMENDATION**

**THAT Item PD104 be deferred in order for the Planning and Development Committee Members to conduct a site visit. Following the site visit the report will be presented to the December 2015 Planning and Development Committee for consideration.**

PD104: COMMITTEE RECOMMENDATION

MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR HOLLINGWORTH

THAT Item PD104 be deferred in order for the Planning and Development Committee Members to conduct a site visit. Following the site visit the report will be presented to the December 2015 Planning and Development Committee for consideration.

CARRIED 6-0

**Councillor's Reason:** By conducting a site visit, Councillors will be able to assess the issues raised in the context of the site.

PD104: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council resolves to ISSUE a notice of determination granting development approval with conditions for Industry – Extractive (Gravel and Sand) at Lot 110, 105 Bon Accord Road, King River.

Conditions:

- (1) Unless varied by written agreement with the City of Albany, all development shall occur in accordance with the stamped, approved plans dated XX XXXX 2015.
- (2) The operation of the extraction areas shall be contained within the area nominated on the stamped, approved plans dated XX XXXX 2015.
- (3) A revised plan shall be submitted for approval in writing by the City of Albany, identifying a 30 metre setback from all boundaries.
- (4) Weed management measures shall be incorporated into the Rehabilitation Management Plan, to the satisfaction of the City of Albany.
- (5) All Management Plans shall be implemented to the satisfaction of the City of Albany.
- (6) Operation of the extraction areas shall be restricted to the hours of 7.00am – 6.00pm Monday to Friday, 8.00am – 5.00pm Saturday, with no operation permitted on Sundays or Public Holidays.
- (7) Only one hectare of the extraction area identified on the stamped, approved plans dated XX XXXX 2015 shall be opened at any one time.
- (8) Top soil to a depth of 150mm, unless otherwise approved by the Director Works and Services, shall be removed from the extraction areas and stored on-site for use in later rehabilitation works.
- (9) A minimum of 150mm of top soil shall be left above any hard surface (i.e. clay/gravel) unless a lesser amount is approved by the Director Works and Services.
- (10) A refundable bond/bank guarantee of \$1550.00 per hectare shall be lodged with the City of Albany for remediation work if required.
- (11) The site shall be suitably rehabilitated and re-contoured on a per hectare basis, including re-battering of banks and reseeding and stabilising of former extraction areas.
- (12) Surface water management shall be undertaken to ensure that extraction areas are suitably drained, with no direct discharge from the extraction area to any watercourse, without the prior approval of the Department of Water.
- (13) No remnant vegetation shall be removed as part of this extraction operation, without the prior approval of the Department of Environment Regulation.
- (14) Details of screen planting between the extraction areas and Chester Pass Road, Bon Accord Road and the surrounding lots shall be submitted for approval in writing by, and implemented to the satisfaction of the City of Albany.
- (15) No blasting of material is permitted as part of extraction operations, unless a separate written approval has been obtained from the City of Albany.
- (16) The developer shall liaise with school bus operators to establish a traffic schedule to avoid potential conflict with school bus operations, to the satisfaction of the City of Albany.
- (17) The developer shall be responsible for the repair of any undue damage to Bon Accord Road caused by the extraction operations.

**BACKGROUND**

4. *Local Planning Scheme No. 1* was gazetted on 28 April 2014 and consists of the Scheme Text and the Scheme Maps. The Scheme divides the Local Government district into zones to identify areas for particular uses and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones. There are particular controls included for heritage and special control areas. The Scheme Text also sets out the requirements for planning approval, enforcement of the Scheme provisions and non-conforming uses.
5. The proponent has previously held a Planning Scheme Consent for an extractive industry (gravel) on the subject lot. This Planning Scheme Consent was issued on 21 September

2004; however, in 2010 the proponent chose not to renew their annual Extractive Industry License.

6. The approval was subsequently renewed and extended following approval by Council at its Ordinary Meeting on 24 June 2014.
7. The subject lot lies to the northern side of Bon Accord Road, approximately 11km north-east of the Albany City centre. The lot has an area of approximately 28.6 hectares and is zoned 'General Agriculture' under City of Albany *Local Planning Scheme No. 1*.
8. A 'Rural Residential' area lies to the south-east and the large lot to the west is currently zoned for 'Rural Residential' lots; however, this lot is yet to be subdivided in accordance with the approved Subdivision Guide Plan.
9. The application was advertised for public comment for a period of 21 days. Nearby landowners were directly notified by letter, a site notice was placed on site and an advertisement was published in a local newspaper. A total of fourteen submissions were received, all of which raise objections to the proposal.
10. Council is now requested to consider the submissions received during the public advertising period and determine whether to grant development approval.

## DISCUSSION

11. The subject lot is currently under pasture, with an area utilised for extractive industry purposes.
12. The proponents have provided the following (summarised) outline of how the proposed expansion of the extractive industry will operate:
  - The topsoil will be stripped by a bulldozer to a depth of approximately 100-150 millimetres and stockpiled along the edge of the extraction areas to create a bund that will screen the extraction area from sight. This topsoil re-laid once extraction is complete.
  - The total area open at any time would not exceed one hectare.
  - It is proposed to progressively rehabilitate the site back to the original pasture, upon completion of the extraction operations.
13. The proponents have submitted Dieback, Drainage, Rehabilitation and Noise Management Plans in support of the application.
14. The application is generally consistent with the City of Albany *Extractive Industry and Mining* local planning policy. Compliance with the policy is discussed in paragraph 48 below.
15. A total of fourteen submissions were received from members of the public during the advertising period, all of which objected to the proposal.
16. The objections relate primarily to the potential impacts on amenity, environment, and traffic from the proposed operations.
17. The main concerns raised and the proposed mitigation measures will be addressed via the headings below.

### Traffic

18. A number of submissions have raised concerns regarding the anticipated number of truck movements and the use of Bon Accord Road as a haulage route.
19. The proponents have stated that the estimated number of truck movements would be eight per day. They have also stated that this figure represents the average number of truck

movements per day over the previous 12 months, based on recorded data. In terms of vehicle numbers, it is often that case with extractive industries that vehicle movements are seasonal and vary according to construction demand.

20. The proposal states that the majority of vehicles movements would travel towards Chester Pass Road. Chester Pass Road is a designated Priority Heavy Freight Route under the Main Roads WA road hierarchy and is used daily by heavy vehicles, up to and including 36.5 metre long road trains. Bon Accord Road may be used by the proponents as a haulage route if a client requires a product to be delivered to Lower King or one of the surrounding localities.
21. A number of submissions have requested that the City of Albany apply a planning condition to any approval to prohibit trucks from using Bon Accord Road to travel east towards the Lower King and Kalgan localities.
22. In terms of restricting the use of Bon Accord Road, the City of Albany does not have the statutory authority to control the direction of vehicles which are classified as 'as of right' vehicles by Main Roads WA. An 'as of right' vehicle is defined as any vehicle that is not a Restricted Access Vehicle. Rigid trucks and semi-trailers are not classed as Restricted Access Vehicles and do not require any permits or exemptions from regulatory requirements.
23. If the proponent intends to use vehicles in excess of 'as of right' specifications they will be obligated to apply for permission from the City of Albany and Main Roads WA.
24. The potential for conflict between trucks and school buses was also raised as a concern. In order to mitigate the issue, it is common practice to apply a condition requiring extractive industry operators to liaise with school bus operators to commence a dialogue and establish a schedule to avoid potential conflict.
25. Officers recommend that a standard condition requiring the proponent to rectify any damage to Bon Accord road should also be applied.

#### Amenity

26. Impact on amenity is a concern consistently raised in the submissions. Concerns primarily relate to noise generated from the proposed development and impacts on visual amenity.
27. With regard to noise issues, the proponents have submitted a Noise Management Plan. The Plan contains a number of provisions to control noise impacts, including;
  - Use of topsoil on the perimeter of the pit area to act as a noise attenuation bund;
  - A noise complaint system will be established, whereby any complaints relating to noise will be reported to the site manager. Details of the site manager will be erected at the site gate; and
  - A commitment to respond to noise control instructions issued by the City of Albany.
28. It should also be noted that the nearest dwelling is located 500 metres from the extraction area and any operations would be subject to ongoing compliance with the *Environmental Protection (Noise) Regulations 1997*.
29. It is recommended that the implementation and ongoing compliance with the Noise Management Plan be applied as a condition of approval.
30. In terms visual amenity, the staging and rehabilitation of areas will serve to reduce the overall visual impact of the proposed works. Extractive industries are subject to an annual licence renewal inspection to ensure that rehabilitation work is correctly carried out.

31. Further to the above, the closest section of the proposed extraction area would be approximately 180 metres from Chester Pass Road. In terms of visual impact, it should be noted that a number of rural industries have been developed adjacent to the preceding section of Chester Pass Road.
32. There is also a 180 metre section of screening vegetation which runs north along Chester Pass Road from the intersection with Bon Accord Road. The scattered vegetation on the lot boundary adjoining Bon Accord Road will also reduce the visual impact from public vantage points.
33. It is recommended that a planning condition is applied to require the implementation of screen planting along sections of Bon Accord road that do not have existing vegetation.
34. Further planning conditions would be applied in accordance with the *Extractive Industry and Mining* local planning policy to ensure ongoing compliance with the required setback distances from boundaries and watercourses (30 metres and 50 metres respectively).
35. In terms of amenity, concerns were also raised over potential dust issues.
36. In response to these concerns, the proponents have submitted a Dust and Particle Management Plan. The plan incorporates a number of dust mitigation measures, including;
  - Limiting stockpiles to anticipated output for the following days;
  - Locating stockpiles away from prominent ridges or seasonal prevailing winds and limiting their heights no more than three metres;
  - Crushing equipment and conveyors will utilise spray bars as required;
  - Timing of earthworks will coincide with low wind conditions; and
  - A dust complaint system will be established, any complaints will be forwarded to the site manager. Site manager details will be displayed on the gate.
37. It is recommended that the implementation and compliance with the Dust Management Plan is applied as a condition of approval.
38. It is considered that the Dust Management Plan, in conjunction with the distance to nearby dwellings, will mitigate any potential amenity issues resulting from dust.

#### Environment

39. Concerns regarding environmental impacts were raised consistently in the submissions.
40. A number of concerns were raised in relation to water runoff from the extraction area and the detrimental impacts that this could have on waterways.
41. The Department of Water was consulted and has advised the City that standard water control conditions are applicable to the proposal, which includes surface water management being undertaken by the developer.
42. The proponents have also submitted a Drainage Management Plan. While it is likely that surface water collecting in the excavation area will soak into the ground in-situ, it is also advised that cut off drains are installed as required, to guide any run off into the existing approved dams on the lot.
43. The proponents have indicated an intention to remove sections of vegetation, in order to extract the underlying material, and will be required to apply for a clearing permit from the Department of Environment Regulation if they wish to pursue this course of action.

44. Approval of an extractive industry by the City of Albany does not grant approval to clear the vegetation identified on the plan for removal. The Department of Environment Regulation does not generally consider applications for clearing permits until local government has made a determination on the development proposal.
45. A number of submissions raised concerns regarding weed management on the lot. In order to specifically manage this issue through the rehabilitation process, it is recommended a condition is applied requiring the inclusion of weed management measures within the Rehabilitation Management Plan.
46. The proponents have submitted a Dieback Management Plan in order to reduce the risk of Dieback Disease being spread. Among other controls, the plan states that equipment will be washed down upon entering/exiting the site and that the trucks carrying material from the site will be covered to ensure there is no spillage. It is recommended that implementation of, and compliance with, the Dieback Management Plan is required as a condition of approval.

### GOVERNMENT & PUBLIC CONSULTATION

47. The proposal was advertised for public comment for a period of 21 days, in accordance with clause 9.4 – *Advertising of Applications of Local Planning Scheme No. 1*. A sign was placed on site, an advert was published in a local newspaper and surrounding landowners were directly notified in writing.
48. A total of fourteen submissions were received during the advertising period. All fourteen submissions objected to the proposal. Staff comments and recommendations are provided in the attached schedule, while the broad issues are discussed in paragraphs 13 – 43 above.

### STATUTORY IMPLICATIONS

49. Extractive Industry is classified as an 'A' use within the 'General Agriculture' zone under *Local Planning Scheme No. 1*, meaning that the use is not permitted, unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4 of the Scheme.
50. Voting requirement is a **Simple Majority**.

### POLICY IMPLICATIONS

51. The primary assessment criteria for the application are set out in the City of Albany *Extractive Industry and Mining* local planning policy.
  - a. The proposal is classified as a class 2 extractive industry under the policy. Class 2 extractive industries have site extraction areas of between 0.75 and 3 hectares with a maximum depth of 3 metres.
  - b. The 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 *Separation Distances between Industrial and Sensitive Land Uses* guidelines set out a buffer of between 300-500 metres for these activities. Although this buffer is not contained within the lot boundaries, the closest dwelling is over 500 metres from both of the nominated extraction areas, and is therefore compliant with the intent of the *Separation Distances between Industrial and Sensitive Land Uses* guidelines.
  - c. A condition will be recommended in accordance with the policy which requires pits to be located 30 metres from any public road.
  - d. The proposed pit area complies with the requirement of being set back a minimum of 50 metres from a watercourse or body.

## RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p><b>Organisational Operations and Reputation</b> The proposed use could give rise to unacceptable detrimental impacts on the amenity of the area.</p>	Possible	Moderate	Medium	Mitigation of impacts to be achieved through adoption and enforcement of conditions.

## FINANCIAL IMPLICATIONS

53. All costs associated with the development will be borne by the proponent.
54. Should the proponents seek a review of the decision or conditions through the State Administrative Tribunal, the City could be liable for costs associated with defending the decision at a State Administrative Tribunal hearing.

## LEGAL IMPLICATIONS

55. Council is at liberty to use its discretion to approve or refuse the proposal. An applicant may apply for a review to the State Administrative Tribunal, in accordance with Section 252 of the *Planning and Development Act 2005*.
56. The proponent has the right to seek a review of the Council's decision, including any conditions attached to an approval. The City of Albany may be required to defend the decision at a State Administrative Tribunal hearing.

## ENVIRONMENTAL CONSIDERATIONS

57. The subject lot is under pasture and slopes downward from north to south. There is a large stand of trees in the western half of the lot and scattered vegetation across the southern extent of the lot, adjacent to Bon Accord Road. The existing extraction sites lie to the east of the large stand of trees. A seasonal creekline runs across the western extent of the lot, approximately 140 metres from the proposed extraction area.

## ALTERNATE OPTIONS

58. Council has the following alternate options in relation to this item, which are:
- To determine that the proposed use is unacceptable and to resolve to refuse the application; or
  - To alter, amend, remove or add conditions to the approval to address potential impacts from the development.

## SUMMARY CONCLUSION

59. The proposal is considered to be consistent with the objectives of the zone and the requirements of the City of Albany's *Extractive Industry and Mining* local planning policy. The matters raised in the public submissions received during the advertising period have also been broadly addressed by the proponent and can be mitigated through the application of appropriate planning conditions. On this basis, it is considered the proposal can be appropriately managed through ongoing conditions and the yearly licence renewal process.

60. It is therefore recommended that Council approve the proposed development, subject to the conditions provided.

<b>Consulted References</b>	:	<ol style="list-style-type: none"> <li>1. <i>Local Planning Scheme No. 1</i></li> <li>2. <i>Albany Local Planning Strategy 2010</i></li> <li>3. <i>City of Albany Extractive Industries and Mining local planning policy</i></li> <li>4. <i>Environmental Protection (Noise) Regulations 1997</i></li> <li>5. <i>Environmental Protection Authority Separation Distances between Industrial and Sensitive Land Uses</i></li> </ol>
<b>File Number (Name of Ward)</b>	:	A69488 (Kalgan Ward)
<b>Previous Reference</b>	:	OCM – 24/06/2014 – PD036

**PD105: PLANNING AND BUILDING REPORTS OCTOBER 2015**

**Proponent** : City of Albany  
**Attachment** : Planning and Building Reports October 2015  
**Report Prepared By** : Administration Officer-Planning (K Smith)  
Information Officer-Development Services (R Sutton)  
**Responsible Officer(s):** : Executive Director Planning & Development (D Putland)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**PD105: RESPONSIBLE OFFICER RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council NOTE the Planning and Building Reports for October 2015.**

**CSF203: FINANCIAL ACTIVITY STATEMENT – SEPTEMBER 2015**

**Attachment** : Financial Activity Statement  
**Responsible Officer** : Acting Executive Director Corporate Services (D Olde)

**Responsible Officer's Signature:**



**CSF203: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council RECEIVE the Financial Activity Statement for the period ending 30 September 2015.**

**CSF203: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR HOLLINGWORTH  
SECONDED: COUNCILLOR SMITH**

**THAT the Responsible Officer Recommendation be ADOPTED.**

**CARRIED 8-0**

**CSF203: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council RECEIVE the Financial Activity Statement for the period ending 30 September 2015.**

**BACKGROUND**

1. The Statement of Financial Activity for the period ending 30 September 2015 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

**DISCUSSION**

3. In accordance with section 34(1) of the *Local Government (Financial Management) Regulations 1996*, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.

6. These financial statements are still subject to further yearend adjustments and have not been audited by the appointed auditor.  
*“Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The ‘errors’ may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect.”*

### **STATUTORY IMPLICATIONS**

7. Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:
- I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –
    - a. annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
    - b. budget estimates to the end of the month to which the statement relates;
    - c. actual amounts of expenditure, revenue and income to the end of the month to which the statement relate
    - d. material variances between the comparable amounts referred to in paragraphs (b) and (c); and
    - e. the net current assets at the end of the month to which the statement relates.
  - II. Each statement of financial activity is to be accompanied by documents containing –
    - a. an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
    - b. an explanation of each of the material variances referred to in sub regulation (1)(d); and
    - c. such other supporting information as is considered relevant by the local government.
  - III. The information in a statement of financial activity may be shown –
    - a. according to nature and type classification;
    - b. by program; or
    - c. by business unit
  - IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –
    - a. presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
    - b. recorded in the minutes of the meeting at which it is presented.

### **FINANCIAL IMPLICATIONS**

8. Expenditure for the period ending 30 September 2015 has been incurred in accordance with the 2015/16 proposed budget parameters. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

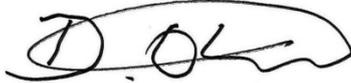
### **POLICY IMPLICATIONS**

9. The City’s 2015/16 Annual Budget provides a set of parameters that guides the City’s financial practices.
10. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

<b>File Number (Name of Ward)</b>	FM.FIR.2 - All Wards
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**CSF204: LIST OF ACCOUNTS FOR PAYMENT – OCTOBER 2015**

**Proponent** : City of Albany  
**Attachments** : List of Accounts for Payment  
**Report Prepared by** : Financial Accountant (S Beech)  
**Responsible Officer** : Executive Director Corporate Services (D Olde)

<b>Responsible Officer's Signature:</b>	
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**RECOMMENDATION**

**CSF204: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**That Council receive the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2015 totalling \$8,759,290.92.**

CSF204: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HAMMOND  
 SECONDED: COUNCILLOR HOLLINGWORTH

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

CSF204: RESPONSIBLE OFFICER RECOMMENDATION

That Council receive the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2015 totalling \$8,759,290.92.

**BACKGROUND**

1. Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal and trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

**DISCUSSION**

2. The table below summarises the payments drawn from the municipal fund for the period ending 15 October 2015. Please refer to the Attachment to this report.

<b>Municipal Fund</b>	
Trust	\$5,000.00
Credit Cards	\$27,550.96
Payroll	\$1,723,235.71
Cheques	\$3,044,297.59
Electronic Funds Transfer	\$3,959,206.66
<b>TOTAL</b>	<b><u>\$8,759,290.92</u></b>

3. As at 15 October 2015, the total outstanding creditors, stands at \$703,389.05 and made up as follows:-

Current	\$526,086.35
30 Days	\$179,365.21
60 Days	\$68.00
90 Days	-\$2,130.51

**TOTAL** **\$703,389.05**

Cancelled cheques: Nil

**STATUTORY IMPLICATIONS**

4. Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996*, provides that payment may only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.
5. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
6. Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.

**POLICY IMPLICATIONS**

7. Expenditure for the period to 15 October 2015 has been incurred in accordance with the 2015/2016 budget parameters.

**FINANCIAL IMPLICATIONS**

8. Expenditure for the period to 15 October 2015 has been incurred in accordance with the 2015/2016 budget parameters.

**SUMMARY CONCLUSION**

9. That list of accounts have been authorised for payment under delegated authority.

<b>File Number (Name of Ward)</b>	:	FM.FIR.2 - All Wards
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**CSF205: DELEGATED AUTHORITY REPORTS**

**Proponent** : City of Albany  
**Attachments** : Executed Document and Common Seal Report  
**Report Prepared by** : Personal Assistant to Executive Director Corporate Services  
(H Bell)  
**Responsible Officer** : Chief Executive Officer (A Sharpe)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF205: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council RECEIVE the Delegated Authority Reports up until 15 October 2015.**

CSF205: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HOLLINGWORTH  
SECONDED: COUNCILLOR TERRY

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

CSF205: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the Delegated Authority Reports up until 15 October 2015.

14. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**
15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
16. **REPORTS OF CITY OFFICERS**
17. **MEETING CLOSED TO PUBLIC**
18. **CLOSURE**