AGENDA

Ordinary Meeting of Council

Tuesday 24 November 2026

6.00pm

Council Chambers

NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday 24 November 2026 in the Council Chambers, 102 North Road, Yakamia commencing at 6.00pm.



Andrew Sharpe
CHIEF EXECUTIVE OFFICER

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1. DECLARATION OF OPENING

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LANDOWNERS, PLAYING OF THE NATIONAL ANTHEM

"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 past, present and emerging"

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor	G Stocks
Councillors:	
Councillor	P Terry Deputy Mayor
Councillor	L MacLaren
Councillor	M Lionetti
Councillor	I Clarke APM
Councillor	R Sutton
Councillor	R Stephens
Councillor	C McKinley
Staff:	
Chief Executive Officer	A Sharpe
Executive Director Community Services	N Watson
Executive Director Corporate and Commercial Services	M Gilfellon
A/Executive Director Infrastructure and Environment	D Lawrence
A/Executive Director Development Services	J van der Mescht
Manager Governance and Risk	A Asquith
Manager IT	A Catterall
Meeting Secretary	J Williamson
Apologies/Leave of Absence:	
Councillor	T Brough (Parental Leave)

4. DISCLOSURES OF INTEREST

Name	Report Item Number	Nature of Interest

5. REPORTS OF MEMBERS

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

7. PUBLIC QUESTION TIME

Conduct of Persons at Meetings: Members of the public attending meetings must be respectful of the Presiding Member, Council and City Officers to ensure the meeting runs efficiently.

Prevention of Disturbance:

- Members of the public are admitted to meetings with the understanding that no expressions of dissent, approval, conversations or other interruptions will take place during proceedings.
- Attendees must:
  - Refrain from interrupting the meeting through approval, dissent or conversation.
  - Conduct themselves appropriately and follow directions if asked to leave.
  - Avoid obstructing access to the meeting or causing disturbances.

Public Question Time. In accordance with clause 4.2 (Procedures for public question time) and clause 8.3 (Where this local law does not apply or is silent) of the *City of Albany Standing Orders Local Law 2014 (as amended):*

- Public Question Time is limited to 30 minutes, extendable at the discretion of the Presiding Member.
- The Presiding Member may decline to respond to a question if:
  - The same or a similar question was asked at a previous meeting.
  - The question or statement is offensive, unlawful or defamatory. The Presiding Member may request that it be rephrased to ensure that it is appropriate.

Contents of Minutes As per the *Local Government (Administration) Regulations 1996,* regulation 11:

- The minutes of the meeting will include a summary of questions raised during Public Question Time and a summary of any responses provided.

Documents Tabled at Meetings. Documents tabled during Public Question Time or Reports of Members will not be included in the minutes. The minutes will note who tabled the document and will provide a document reference number.

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 Tuesday 27 October 2026 as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

11. PRESENTATIONS

12. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

OAAC011: MONTHLY FINANCIAL REPORT – SEPTEMBER 2026

Proponent / Owner	**:**	City of Albany
Attachments	**:**	Monthly Financial Report – September 2026
Report Prepared By	**:**	Manager Finance
Authorising Officer:	**:**	Executive Director Corporate & Commercial Services

COUNCIL PLAN ALIGNMENT

- **Pillar:** Leadership.
- **Outcome:** A well-governed city with visionary leadership and strong trusted partnerships, that uses resources wisely to meet local needs.
- **Strategic Priority:** Deliver optimised asset and financial management with planned capital improvements.

IN BRIEF

- Under the Local Government Financial Management Regulations, a local government is to prepare monthly a statement of financial activity and statement of financial position that is presented to Council.
- The City of Albany's Monthly Financial Report (inclusive of the statement of financial activity and the statement of financial position) for the period ending 30 September 2026 has been prepared and is attached.
- In addition, the City provides Council with a monthly investment summary to ensure the investment portfolio complies with the City's Investment of Surplus Funds Policy.

RECOMMENDATION

OAAC011: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Monthly Financial Report for the period ending 30 September 2026 be RECEIVED.

OAAC011: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR LIONETTI
SECONDED: COUNCILLOR SUTTON

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 7-0

OAAC011: AUTHORISING OFFICER RECOMMENDATION

THAT the Monthly Financial Report for the period ending 30 September 2026 be RECEIVED.

DISCUSSION

1. To fulfil statutory reporting obligations, the Monthly Financial Report prepared provides a snapshot of the City's year to date financial performance. The report provides the:
   (a) Statement of Financial Activity by nature classifications (satisfying Regulation 34 of the *Local Government (Financial Management) Regulations 1996*);
   (b) Statement of Financial Position (satisfying Regulation 35 of the *Local Government (Financial Management) Regulations 1996*);
   (c) Basis of Preparation;
   (d) Explanation of material variances to year-to-date budget;
   (e) Net Current Asset & Funding Position;
   (f) Investment Portfolio Snapshot;
   (g) Receivables; and
   (h) Capital Acquisitions.
2. Additionally, each year a local government is to adopt a percentage or value to be used in the Statement of Financial Activity for reporting material variances. Under Council item CCS812, Council approved that a variance between actual and budget-to-date of greater than $100,000 is a material variance for reporting purposes in the Statement of Financial Activity for 2026/2027.
3. The Statement of Financial Activity and Statement of Financial Position may be subject to year-end adjustments and have not been audited.
4. It is noted 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."

GOVERNMENT & PUBLIC CONSULTATION

5. Nil

STATUTORY IMPLICATIONS

6. The *Local Government (Financial Management) Regulations 1996* stipulate that each month Local Governments are required to prepare and report a Financial Activity Statement (reg 34) and a Financial Position Statement (reg 35).
7. Each of these statements are to be presented at an ordinary meeting of the council within two months after the end of the relevant month, as well as recorded in the minutes of the meeting at which it is presented.

POLICY IMPLICATIONS

8. The City's 2026/27 Annual Budget provides a set of parameters that guides the City's financial practices.
9. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

FINANCIAL IMPLICATIONS

10. Expenditure for the period ending 30 September 2026 has been incurred in accordance with the 2026/27 budget parameters.
11. Details of any budget variation more than $100,000 (year to date) is outlined in the Statement of Financial Activity. There are no other known events, which may result in a material non-recoverable financial loss or financial loss arising from an uninsured event.

LEGAL IMPLICATIONS

12. Nil.

ENVIRONMENTAL CONSIDERATIONS

13. Nil.

ALTERNATE OPTIONS

14. Nil.

CONCLUSION

15. The Authorising Officer's recommendation be adopted. It is requested that any questions regarding this report are submitted to the Executive Director Corporate & Commercial Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

Consulted References	:	*Local Government (Financial Management) Regulations 1996*
File Number	:	FM.FIR.7

OAAC012: LIST OF ACCOUNTS PAID – SEPTEMBER 2026

Business Entity Name	**:**	City of Albany
Attachments	**:**	List of Accounts Paid – September 2026
Report Prepared By	**:**	Manager Finance
Authorising Officer:	**:**	Executive Director Corporate and Commercial Services

COUNCIL PLAN ALIGNMENT

- **Pillar:** Leadership
- **Outcome**: A well-governed city with visionary leadership and strong trusted partnerships, that uses resources wisely to meet local needs.
- **Strategic Priority**: Deliver optimised asset and financial management with planned capital improvements.

IN BRIEF

- 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.

RECOMMENDATION

OAAC012: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 30 September 2026 totalling $10,177,631.16 be RECEIVED.

OAAC012: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR CLARKE
SECONDED: COUNCILLOR SUTTON

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 7-0

OAAC012: AUTHORISING OFFICER RECOMMENDATION

THAT the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 30 September 2026 totalling $10,177,631.16 be RECEIVED.

DISCUSSION

1. The table below summarises the payments drawn from the City's Municipal and Trust funds for the period ending 30 September 2026. Please refer to the Attachment to this report.

Fund	Transaction Type	Amount ($)	%
Municipal	Electronic Funds Transfer	$7,079,863.58	69.6
Municipal	Payroll	$3,020,187.23	29.6
Municipal	Other (BPay, Direct Debit, International)	$27,440.91	0.3
Municipal	Credit Cards	$50,139.39	0.5
Trust	N/A	$0.00	0.0
TOTAL		**$10,177,631.16**	**100.0%**

2. Included within the Electronic Funds Transfers from the City's Municipal account are Purchasing Card transactions, required to be reported under Regulation 13(A), totalling: $7,910.99.

3. The table below summaries the total outstanding creditors as at 30 September 2026.

Aged Creditors	Amount ($)
Current	$2,509,407.33
30 Days	$826,823.29
60 Days	$49,345.63
90 Days	$3,793.14
TOTAL	**$3,389,3693.39**

GOVERNMENT & PUBLIC CONSULTATION

4. Nil

STATUTORY IMPLICATIONS

5. Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996 provides that payment can 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.

6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.

7. 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.

8. As part of the Local Government Regulations Amendment Regulations 2023 (SL2023/106), additional reporting is now required by Local Governments. Regulation 13(A), a new regulation, requires Local Governments to report on payments by employees via purchasing cards.

POLICY IMPLICATIONS

9. Expenditure for the period to 30 September 2026 has been incurred in accordance with the 2026/2027 budget parameters.

FINANCIAL IMPLICATIONS

10. Expenditure for the period to 30 September 2026 has been incurred in accordance with the 2026/2027 budget parameters.

LEGAL IMPLICATIONS

11. Nil

ENVIRONMENTAL CONSIDERATIONS

12. Nil

ALTERNATE OPTIONS

13. Nil

CONCLUSION

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

15. It is requested that any questions on specific payments are submitted to the Executive Director Corporate Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

Consulted References	:	*Local Government (Financial Management) Regulations 1996*
File Number	:	FM.FIR.2

OAAC013: DELEGATED AUTHORITY REPORTS – 16 SEPTEMBER 2026 TO 15 OCTOBER 2026

Proponent / Owner	**:**	City of Albany
Attachments	**:**	Executed Document and Common Seal Report
Report Prepared By	**:**	PA to Mayor and Councillors
Authorising Officer:	**:**	Chief Executive Officer

COUNCIL PLAN ALIGNMENT

- **Pillar**: Leadership
- **Outcome**: A well-governed city with visionary leadership and strong trusted partnerships, that uses resources wisely to meet local needs
- **Strategic Priority**: Lead as a community-focused, values-led council.

RECOMMENDATION

OAAC013: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Delegated Authority Reports 16 September 2026 to 15 October 2026 be RECEIVED.

OAAC013: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: MAYOR STOCKS

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 7-0

OAAC013: AUTHORISING OFFICER RECOMMENDATION

THAT the Delegated Authority reports 16 September 2026 to 15 October 2026 be RECEIVED.

BACKGROUND

1. In compliance with Section 9.49A of the *Local Government Act 1995* the attached report applies to the use of the Common Seal and the signing of documents under Council's Delegated Authority:

   - **Delegation: LG1.18** – Sign Documents on Behalf of the City of Albany (Authority to Executive Deeds & Agreements and apply the Common Seal)
   - **Delegation: LG4.06**– Provide Donations, Sponsorship, Subsidies & Authority to Apply for Grant Funding (Including the provision of sponsorship through the waiver of fees & charges)
   - **Delegation: LG5.05** – Award Contracts (Supply of Equipment, Goods, Materials & Services)

OAAC014: COMMUNICATIONS & ENGAGEMENT STRATEGY PROGRESS REPORT

Proponent / Owner	:	City of Albany
Attachments	:	City of Albany Communications & Engagement Strategy 2024-2027 Progress Report (2026 Quarter Three) City of Albany Engagement Register (2026 Quarter Three)
Report Prepared By	:	Community Development Coordinator
Authorising Officer:	:	Executive Director Community Services

COUNCIL PLAN ALIGNMENT

- **Pillar:** Leadership
- **Outcome:** A well-governed city with visionary leaderships and strong partnerships, that uses resources wisely to meet local needs.
- **Strategic Priority:** Enable a well-informed and engaged community

In Brief:

- Note the City of Albany Communications & Engagement Strategy Quarter Three 2026 progress report.

RECOMMENDATION

OAAC014: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the City of Albany Communications & Engagement Strategy progress report for Quarter Three 2026 and its endorsement by the Communications & Engagement Advisory Group be NOTED.

OAAC014: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR MACLAREN
SECONDED: COUNCILLOR CLARKE

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 7-0

OAAC014: AUTHORISING OFFICER RECOMMENDATION

THAT the City of Albany Communications & Engagement Strategy progress report for Quarter Three 2026 and its endorsement by the Communications & Engagement Advisory Group be NOTED.

BACKGROUND

1. Council adopted the revised Communications & Engagement Strategy at the June 2025 OCM. The Strategy sets a clear direction for communication and engagement activities by the City. An Action Plan underpins the Strategy.
2. A Communications and Engagement Advisory Group comprising community representatives, Elected Members, and City officers oversees the Strategy implementation and annual action plan. The Advisory Group meets quarterly to review and endorse the progress report.

DISCUSSION

Progress Report

3. The Communications and Engagement Advisory Group endorsed the progress report for 2026 Quarter Three at its meeting on Monday, 19 October 2026.
4. The Advisory Group also noted the Engagement Register Report.
5. A revised action plan was endorsed by the Advisory Group at their meeting on Monday 20 April, and submitted with the Progress Report and Engagement Register for noting at the May 2026 OCM.
6. The revised action plan for 2026-2027 includes 29 actions, with 7 actions complete, 22 in progress or on track. The action plan is revised annually in consultation with the Advisory Group. The new action plan includes a number of new and revised actions and actions that have been carried over.
7. The group also provided feedback on two Communications & Engagement projects for staff to consider in their planning.

GOVERNMENT & PUBLIC CONSULTATION

8. The revised Strategy was developed using existing data collected as part of the reviews for the Corporate Strategic Plan, Age Friendly Albany Plan, Youth Friendly Albany Plan and the Access and Inclusion Plan.
9. The revised Strategy was also developed in collaboration with the City's Communications and Advisory Group, who worked closely with staff on the drafting of the Strategy and Action Plan.
10. The progress report has been reviewed and supported by the Advisory Group, which includes members representing the community.

STATUTORY IMPLICATIONS

11. Nil

POLICY IMPLICATIONS

12. This item aligns with the Council's adopted policy position: Community Engagement Policy.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational: Community engagement expectations are not met due to budget, viability, funding agreements, safety, or legislative constraints.	*Likely*	*Moderate*	*High*	*Clearly define and communicate to community instances where project engagement is constrained by non-negotiable factors.*
Reputational: Communications or engagement activity is ad-hoc, untimely, inaccurate, or untargeted.	*Unlikely*	*Major*	*Low*	*Follow best practice engagement framework and provide timely, informative, and accurate communications to the community through effective channels as outlined in the Communications & Engagement Strategy.*
Financial Management: Some aspirations of the Strategy may not be fully realised due to budget funding, or resource constraints.	*Possible*	*Moderate*	*Medium*	*Prioritise budget allocation where necessary and explore all options to achieve objectives.*

FINANCIAL IMPLICATIONS

14. Nil.

LEGAL IMPLICATIONS

15. Nil.

ENVIRONMENTAL CONSIDERATIONS

16. Nil.

ALTERNATE OPTIONS

17. Nil.

CONCLUSION

18. The Communications & Engagement Strategy is overseen by an Advisory Group comprising the community, Elected Members and City staff representatives.
19. Community representation on the Advisory Group ensures that community needs and priorities remain central to implementing the Communications and Engagement Strategy.
20. Regular progress reports of achievements against the Strategy are endorsed by the Advisory Group and submitted to Council for information. The progress report against the Strategy's Action Plan for 2026 Quarter Three is submitted to Council for noting.

Consulted References	:	City of Albany Communication and Engagement Strategy 2024-2027 Council Policy – Community Engagement
File Number	:	CR.MEE.52
Previous Reference	:	OCM 25 August 2026 CCS817

OAAC015: COUNCIL PLAN QUARTERLY PROGRESS REPORT (JULY TO SEPTEMBER 2026-27)

Attachments	**:**	Council Plan Quarterly Progress Report (July-September 2026-27).
Report Prepared By	**:**	Business Planning and Performance Officer
Authorising Officer:	**:**	Manager Finance Executive Director Corporate and Commercial Services

COUNCIL PLAN ALIGNMENT

- **Pillar**: Leadership
- **Outcome**: A well-governed city with visionary leadership and strong trusted partnerships, that uses resources wisely to meet local needs.
- **Strategic Priority**: Lead as a community-focused, values-led council.

In Brief:

- The City of Albany Council Plan 2026-2036 is the City's key strategic document.
- The *Council Plan Quarterly Progress Report (July-September 2026-27)* provides an update on the progress of each Council Plan action for the July to September 2026 quarter.
- Included within the Report are updates on the Chief Executive Officer's Key Performance Indicators (CEO KPIs) for the 2026-27 financial year.

RECOMMENDATION

OAAC015: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Council Plan Quarterly Progress (July to September 2026-27 be NOTED.

OAAC015: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR CLARKE
SECONDED: COUNCILLOR MACLAREN

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 7-0

OAAC015: AUTHORISING OFFICER RECOMMENDATION

THAT the Council Plan Quarterly Progress (July to September 2026-27 be NOTED.

BACKGROUND

1. The *Local Government Act 1995 (5.56)* requires all Local Governments to plan for the future through an Integrated Planning and Reporting framework.
2. The City of Albany Council Plan 2026-2036 (the Council Plan) integrates the Strategic Community Plan 2036 (the 10-year community vision) and the Corporate Business Plan 2026-2030 (the 4-year plan for delivery of actions).
3. The Council Plan represents the City's overarching strategic planning document to guide decision-making, resource allocation and service delivery.
4. The Council Plan was adopted by Council in June 2026.

DISCUSSION

5. The attached *Council Plan Quarterly Progress Report (July–September 2026–27)* (the Report) provides an update on the progress of each Council Plan action for Q1.
6. The Report assigns a status to each action and includes commentary outlining progress during the reporting period.
7. Actions that also relate to a Chief Executive Officer Key Performance Indicator (CEO KPI) are identified in the Report.
8. The inclusion of commentary for each action represents a significant enhancement to the City's reporting approach and is intended to strengthen transparency and accountability.
9. The Report shows that most actions (84%, n=53) are progressing as planned. A smaller number of actions are progressing with challenges (3%, n=2) or are not yet due to start (13%, n=8). No actions are currently recorded as not progressing or completed.

GOVERNMENT & PUBLIC CONSULTATION

10. No consultation has been required to prepare this report. However significant community consultation was undertaken during the development of the Council Plan.

STATUTORY IMPLICATIONS

11. The *Local Government Act 1995 (5.56)* requires all Local Governments to plan for the future through an Integrated Planning and Reporting framework.
12. The Council Plan supports the City's obligations under the Integrated Planning and Reporting Framework, including regulation 19DA of the Local Government (Administration) Regulations 1996, which requires the preparation, annual review, and integration of the Corporate Business Plan with the Strategic Community Plan.
13. The report does not constitute the adoption or modification of the Corporate Business Plan under regulation 19DA(6) and does not require an absolute majority decision.
14. There are no statutory impediments to Council noting the report.

POLICY IMPLICATIONS

15. Nil

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation: *Failure to note the Report may result in a loss of trust and confidence from the community*	*Unlikely*	*Moderate*	*Medium*	*Further engagement with Council to address any concerns and present a revised Report to a future meeting.*
Opportunity: *Significantly enhanced transparency through reporting of progress towards Council Plan actions.*				

FINANCIAL IMPLICATIONS

17. Nil

LEGAL IMPLICATIONS

18. Nil

ENVIRONMENTAL CONSIDERATIONS

19. Nil

ALTERNATE OPTIONS

20. Council may choose not to note the Report.

CONCLUSION

21. It is recommended that the Council Plan Quarterly Progress Report (July-September 2026-27) be noted.

Consulted References	:	• *Local Government Act 1995, s5.56* • *Local Government (Administration) Regulations 1996, Reg. 19D* • *IPR Framework and Guidelines 2019*
File Number	:	CM.STD.1
Previous Reference	:	OCM 30/6/2026 Resolution CCS802

OAAC016: TENDERS AWARDED QUARTERLY REPORT (JULY TO SEPTEMBER 2026-27)

Business Entity Name	**:**	City of Albany
Attachments	**:**	Tenders Awarded – July to September 2026
Report Prepared By	**:**	Manager Finance
Authorising Officer:	**:**	Executive Director Corporate and Commercial Services

COUNCIL PLAN ALIGNMENT

- **Pillar**: Leadership
- **Outcome**: A well-governed city with visionary leadership and strong trusted partnerships, that uses resources wisely to meet local needs.
- **Strategic Priority**: Deliver optimised asset and financial management with planned capital improvements.

IN BRIEF

- This report provides Council with a summary of tenders awarded during July to September 2026, including those endorsed by Council where the contract value exceeded $1.0 million.
- The report is presented for information and transparency purposes.
- Further information relating to City of Albany Tenders can be found on the City's website at: https://www.albany.wa.gov.au/council/working-with-the-city/quotes-tenders/tender-register.aspx

RECOMMENDATION

OAAC016: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Tenders Awarded Report – July to September 2026 be RECEIVED.

OAAC016: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR LIONETTI

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 7-0

OAAC016: AUTHORISING OFFICER RECOMMENDATION

THAT the Tenders Awarded Report – July to September 2026 be RECEIVED.

BACKGROUND

1. The City undertakes tender processes in accordance with the Local Government Act 1995, the Local Government (Functions and General) Regulations 1996, and the City's Purchasing and Buy Local Policies.
2. Tenders with a total contract value exceeding $1.0 million are required to be endorsed by Council, while other tenders may be awarded under delegated authority.
3. In accordance with good governance and transparency principles, a consolidated report of all tenders awarded during the period is presented to Council for noting, inclusive of both delegated and Council-endorsed tender awards.

DISCUSSION

4. All tenders listed in this report have been awarded following a competitive procurement process and assessed against the advertised evaluation criteria, including price and qualitative considerations.
5. Where applicable, tenders were endorsed by Council prior to award due to their value exceeding $1.0 million. All other tenders were awarded under delegated authority in accordance with legislative and policy requirements.
6. The City's Buy Local Policy was applied during the quantitative evaluation of tenders, with consideration given to opportunities to support local businesses where this aligned with value-for-money and probity principles.
7. No further decision is required by Council in relation to the tenders included in this report.

GOVERNMENT CONSULTATION

8. Nil

PUBLIC CONSULTATION

9. In accordance with legislative requirements, tenders included in this report were publicly advertised as required under the Local Government (Functions and General) Regulations 1996.
10. No additional public consultation was undertaken or required.

STATUTORY IMPLICATIONS

11. The tender processes and awards outlined in this report comply with:
    a) Local Government Act 1995; and
    b) Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

12. The tenders were awarded in accordance with the City's Purchasing Policy, Buy Local Policy, and delegated authority framework where applicable.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation Risk: Perceived lack of transparency in procurement activities.	*Possible*	*Minor*	*Medium*	*Regular reporting of tender awards to Council to support transparency, accountability, and good governance.*

FINANCIAL IMPLICATIONS

14. The financial commitments associated with the awarded tenders have been accommodated within existing, Council-approved budgets.

LEGAL IMPLICATIONS

15. Nil

ENVIRONMENTAL CONSIDERATIONS

16. Nil

ALTERNATE OPTIONS

17. Council may choose not to receive the report; however, this would not affect the validity of tenders already awarded in accordance with legislative and delegated authority requirements.

CONCLUSION

18. This report is presented to Council for information, providing transparency regarding tenders awarded during the reporting period.

19. It is recommended that Council receive the report as presented.

Consulted References	:	Local Government Act 1995; Local Government (Functions and General) Regulations 1996
File Number	:	CM.TEN.7
Previous Reference	:	CCS810: OCM 28/07/2026

OAAC017: 2026/27 CAPITAL SEED FUNDING – APPLICATIONS

Proponent / Owner	**:**	Albany City Kart Club; Albany Equestrian Centre; Gomm Park Croquet Club
Attachments	**:**	Correspondence for Applications; Policy 1.16 - Community Sport and Recreation Facilities Small Grant Funding Policy
Report Prepared By	**:**	Manager Recreation Services
Authorising Officer:	**:**	Executive Director Community Services

COUNCIL PLAN ALIGNMENT

- **Pillar:** Community
- **Outcome:** An inclusive and safe community where people can feel proud of their heritage and can reach their potential.
- **Strategic Priority:** Support healthy and active lifesty**les.**

In Brief:

- The State Government's CSRFF program which traditionally provides funding opportunities to community sporting groups and associations is currently in hiatus.
- The City of Albany has received three applications for Capital Seed Funding, which is usually allocated to CSRFF applications.
- Officers are seeking Council approval for these projects to be assessed and funded under the Council's Community Sports & Recreation Facilities Small Grant Funding Policy (Policy 1.16).

RECOMMENDATION

OAAC017: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council APPROVE a total of $143,627.50 (exc. GST) from the 2026/27 Budget as the Councils commitment towards the following applications;

a) Albany City Kart Club ($100,000), Albany Equestrian Centre ($7,627.50) and Gomm Park Croquet Club Inc ($36,000)
b) This funding will be allocated under the Community Sport and Recreation Facilities Fund Small Grant Policy, noting that applicants have demonstrated that the projects will be completed and acquitted using funding from other sources; and
c) The funding amount does not exceed a total of $143,627.50 (exc. GST)

OAAC017: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR CLARKE
SECONDED: COUNCILLOR SUTTON

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 7-0

OAAC017: AUTHORISING OFFICER RECOMMENDATION

THAT Council APPROVE a total of $143,627.50 (exc. GST) from the 2026/27 Budget as the Councils commitment towards the following applications;

a) Albany City Kart Club ($100,000), Albany Equestrian Centre ($7,627.50) and Gomm Park Croquet Club Inc ($36,000)
b) This funding will be allocated under the Community Sport and Recreation Facilities Fund Small Grant Policy, noting that applicants have demonstrated that the projects will be completed and acquitted using funding from other sources; and
c) The funding amount does not exceed a total of $143,627.50 (exc. GST)

BACKGROUND

1. The City of Albany's Community Sports & Recreation Facilities Funding (CSRFF) Small Grant Funding Policy (Policy 1.16) provides a framework for the equitable and sustainable allocation of municipal funding towards community sport and recreation facility projects that deliver benefits to the Albany community.

2. Council has approved an annual budget allocation known as the Capital Seed Fund to support eligible community organisations seeking funding through the Department of Creative Industries, Tourism and Sport's Community Sport and Recreation Facilities Fund (CSRFF).

3. Under the Policy, the City's contribution to a CSRFF-eligible project will not exceed 33% of the total project cost (excluding GST), up to a maximum contribution of $600,000.

4. For the 2026/27 financial year, Council has allocated $150,000 to the Capital Seed Fund.

5. The State Government's CSRFF program traditionally provides three funding opportunities each year through the Small Grant Funding Round (Summer), Annual and Forward Planning Funding Round, and Small Grant Funding Round (Winter).

6. No CSRFF funding rounds have been made available since February 2025, preventing community sporting and recreation organisations from accessing the State funding pathway ordinarily required under the Policy.

7. The City has subsequently received funding requests from three community organisations seeking support for facility improvement projects. Each project has been assessed by officers and determined to be eligible under normal CSRFF funding criteria and would have been suitable for submission as a CSRFF application had a funding round been available.

8. Policy Statement (I) of the Community Sports & Recreation Facilities Funding Policy provides that:

   "If an applicant is unsuccessful for CSRFF funding, Council may still consider making its approved contribution to an applicant's project, subject to:

   - *The applicant making at least two (2) attempts to leverage CSRFF funding; and/or*
   - *The applicant demonstrates it can source the remaining project funding."*

DISCUSSION

9. This report seeks Council approval to utilise Policy Statement I to provide Capital Seed Fund contributions to the three identified community projects, despite the applicants being unable to satisfy the usual CSRFF funding pathway.

10. All three projects have demonstrated capacity to fund the remaining two-thirds of the project cost.

Albany City Kart Club (ACKC)

11. The capital seed funding request is for $100,000 to construct a dedicated first aid facility, disabled (universal) access and compliant ablution block (including UAT) at the existing clubrooms.
12. The existing facilities are outdated and non-accessible. This project will upgrade the current ablution facilities and construct a new first-aid facility, a critical safety requirement for Karting Australia compliance.
13. ACKC has 99 current members ranging from 7 to 87 years old. The club holds 11 local club days as well as the annual state-based event, the Southern Sprint, which attracts up to 350 people.
14. The total cost of this project is $315,898.98. The ACKC has demonstrated that they can fund the other two thirds through State Government Funding Agreement ($100,000) and ACKC contribution of cash and in-kind ($115,898.98).
15. This project is well planned and needed by the applicant. The project will be managed by the ACKC.

Albany Equestrian Centre (AEC)

16. The Capital Seed Funding request is for $7,627.50 to deliver three infrastructure requirements: 1. Replacement of boundary safety fencing, 2. Installation of a fixed multi-ability mounting block, and 3. Installation of indoor arena mirrors.
17. This project addresses critical safety, accessibility, and sport development gaps at the AEC.
18. The AEC is a regional equestrian hub supporting over 350 members across five affiliated clubs being Albany Pony Club, Albany Adult Riding Club, Southern District Dressage Club, Albany Horsemen's Association, and the Albany Natural Trail Riders.
19. The total cost of this project is $22,882.50. The applicant has demonstrated that they can fund two thirds of the cost via their own cash contribution.
20. This project is well planned and needed by the applicant. The project will be managed by the AEC.

Gomm Park Croquet Club Inc and Lower King Community Association

21. The Capital Seed Funding request is for $36,000 to deliver lighting for two croquet courts and retrofit 2 existing tennis courts into four dedicated pickleball courts at the Gomm Park Recreation Ground.
22. No lighting currently exists at Gomm Park. The new lighting will provide safer access for existing members when temperatures are too high for daytime play, better access for working-age players and their families and increase opportunities for Corporate Croquet/Pickleball.
23. The total cost of this project is $115,374. The applicant has demonstrated that they can fund two thirds of the cost via their own cash contribution and funding commitments.
24. This project is well planned and needed by the applicant. The project will be managed by the applicant.

GOVERNMENT & PUBLIC CONSULTATION

25. Not Applicable.

STATUTORY IMPLICATIONS

26. Not Applicable

POLICY IMPLICATIONS

27. The Community Sports and Recreation Facilities Small Grant Funding Policy has been applied in the assessment and recommendations.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation & Community Property *Failure to secure required funding may result in the condition of the amenities deteriorating to an unsafe condition.*	*Possible*	*Minor*	*Medium*	*Council may choose to support the funding application, or work with City officers and the Club to source alternate funding streams.*
People Health & Safety *Failure to secure required funding may result in the condition of the amenities deteriorating to an unsafe condition.*	*Possible*	*Moderate*	*Medium*	*Council may choose to support the funding application, or work with City officers to source other funding streams.*
Reputation & Financial *Failure to distribute the Council's Financial Support in an equitable and sustainable manner may result in community dissatisfaction or projects not going ahead.*	*Possible*	*Moderate*	*Medium*	*Council may choose to support the officer's recommendation, or work with City officers to deliver an equitable allocation of funding*

FINANCIAL IMPLICATIONS

29. The City allocated a total of $150,000.00 Capital Seed Funding for Sporting Clubs in the 2026/27 financial year to assist in the development and maintenance of community sporting infrastructure as determined through the CSRFF funding process.

30. The Capital Seed Reserve Fund has been established to assist with leveraging State Government funds for sporting clubs. Funds are allocated according to the City's Community Sports and Recreation Facilities Small Grant Funding Policy and if allocations are not drawn down within the prescribed period, they are returned to the Capital Seed Reserve Fund to be reused for other grant applications.

31. The total projected costs of the projects in the current applications is $454,155.48

32. The clubs have requested a total of $143,627.50 from the City of Albany.

33. The City has no outstanding capital seed commitments from previous rounds, meaning the full $150,000 in the 2026/27 budget is available to be allocated to eligible projects.

34. The following table provides the project budget detail and requests for financial support from each of the applications received:

Project	Total project cost (ex GST)	Applicant contribution (ex GST)	Other Funding (ex GST)	Request for Council Financial Support (ex GST)
Albany City Kart Club	$315,898.98	$115,898.98	$100,000.00	$100,000.00
Albany Equestrian Centre	$22,882.50	$15,255.00	N/A	$7,627.50
Gomm Park Croquet Club Inc and Lower King Community Association	$115,374.00	$41,374.00	$38,000.00	$36,000.00
TOTAL	$454,155.48	$175,527.98	$138,000.00	$143,627.50

LEGAL IMPLICATIONS

35. Nil.

ENVIRONMENTAL CONSIDERATIONS

36. Nil.

ALTERNATE OPTIONS

37. Council may choose not to provide funding assistance to these projects.

38. Council may choose to provide more or less funding assistance to these projects.

CONCLUSION

39. Supporting community sporting clubs through the Capital Seed Fund contributes to the development and improvement of sporting infrastructure, enhancing safety, accessibility and participation opportunities across Albany.

40. The State's CSRFF program is currently under review and there is no timeline as to when the fund will reopen for applications, placing additional pressure on community sporting clubs to maintain and upgrade facilities.

41. Providing financial assistance to these projects supports the City's vision and Council Plan priority of supporting healthy and active lifestyles and is consistent with the objectives of the City's Community Sport and Recreation Facilities Small Grant Funding Policy (Policy 1.16).

42. The applications have been assessed against the policy, with each applicant demonstrating the capacity to secure the remaining project funding. The recommended contributions are within the approved $150,000 Capital Seed Fund allocation for 2026/27.

43. It is recommended that Council approve the Capital Seed Funding allocations to support the delivery of the three identified community sporting infrastructure projects.

Consulted References	:	Community Sport and Recreation Facilities Small Grant Funding Policy (Policy 1.16)
File Number	:	CM.STD.1
Previous Reference	:	N/A

OAAC018: INITIATION TO ADOPT AMENDMENT NO. 10 TO CITY OF ALBANY LOCAL PLANNING SCHEME NO. 2 FOR ADVERTISING

Land Description	**:**	Restricted Use 7 (RU7): • Portion of Lot 9001 Plan 54723 Down Road West, Drome • Lots 102 & 103 Plan 416536 Down Road West, Drome Special Control Area 2 (SCA2) – former Marbellup Brook Catchment Area • Various land parcels within Marbelup, Drome, Redmond, Green Valley, Elleker and Torbay
Proponent **Owner**	**:**	Proponent - TBB Planning on behalf of Development WA Restricted Use 7 (RU7) rezoning landowners: • Lot 9001 – Western Australian Land Authority (DevelopmentWA) • Lot 102 - Plantation Energy Albany Pty Ltd • Lot 103 - Planet Ag Pty Ltd
Attachments	**:**	1. Scheme Amendment Report – TBB (August 2026) 2. Aerial Map - Amendment 10 (Whole Area) 3. Aerial Map – Amendment 10 (RU7) 4. LPS2 Scheme Map – Existing Zoning (Whole Area) 5. LPS2 Scheme Map – Existing Zoning (RU7)
Report Prepared By	**:**	Strategic Planning Officer
Authorising Officer:	**:**	Executive Director Development Services

COUNCIL PLAN ALIGNMENT

- **Pillar:** Infrastructure
- **Outcome:** A vibrant city with attractive and connected spaces, supported by forward thinking and responsible planning and development.
- **Strategic Priority:** Provide the core and critical infrastructure to enable responsible and sustainable growth.

Spelling Note: Marbelup vs. Marbellup

Two spellings, Marbelup and Marbellup, occur in historical and statutory records. Marbelup (with one "l") is used as the contemporary spelling for the area and for Marbelup Brook.

The spelling Marbellup (with two "l"s) is retained where it occurs in official planning-scheme and statutory references, particularly in relation to the Marbellup Brook Catchment Area. Accordingly, references to the catchment, planning provisions, maps, schedules or other statutory instruments are reproduced using the spelling Marbellup where that is the spelling used in the relevant source.

Maps and Diagrams:

Figures 1 and 2 illustrates the land the subject of the scheme amendment proposal.

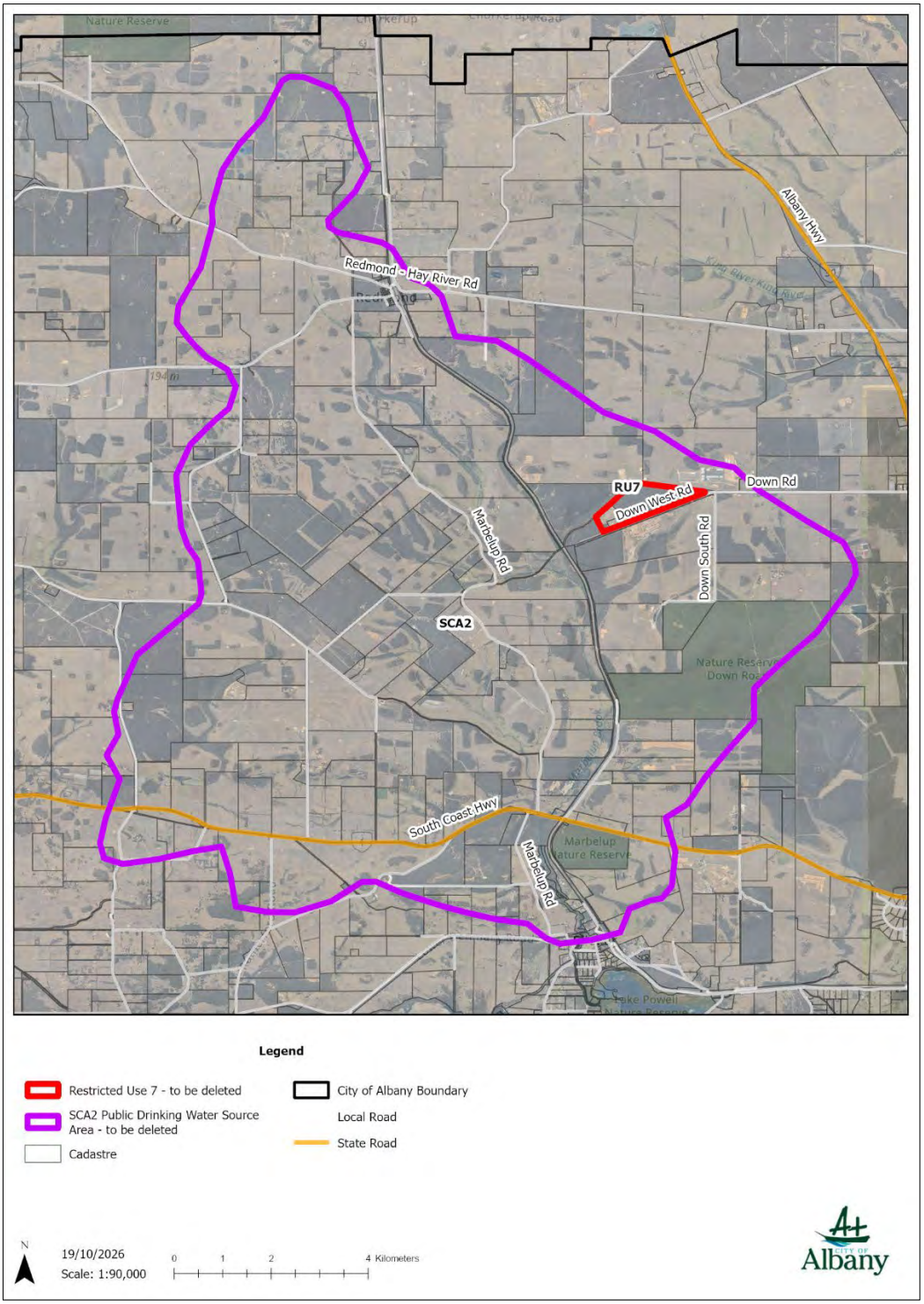


Figure 1: Aerial map showing the land associated with the former Marbellup Brook Catchment Area (existing LPS2 SCA2) and existing LPS2 RU7 Restricted Use zoning designations affected by Amendment No. 10

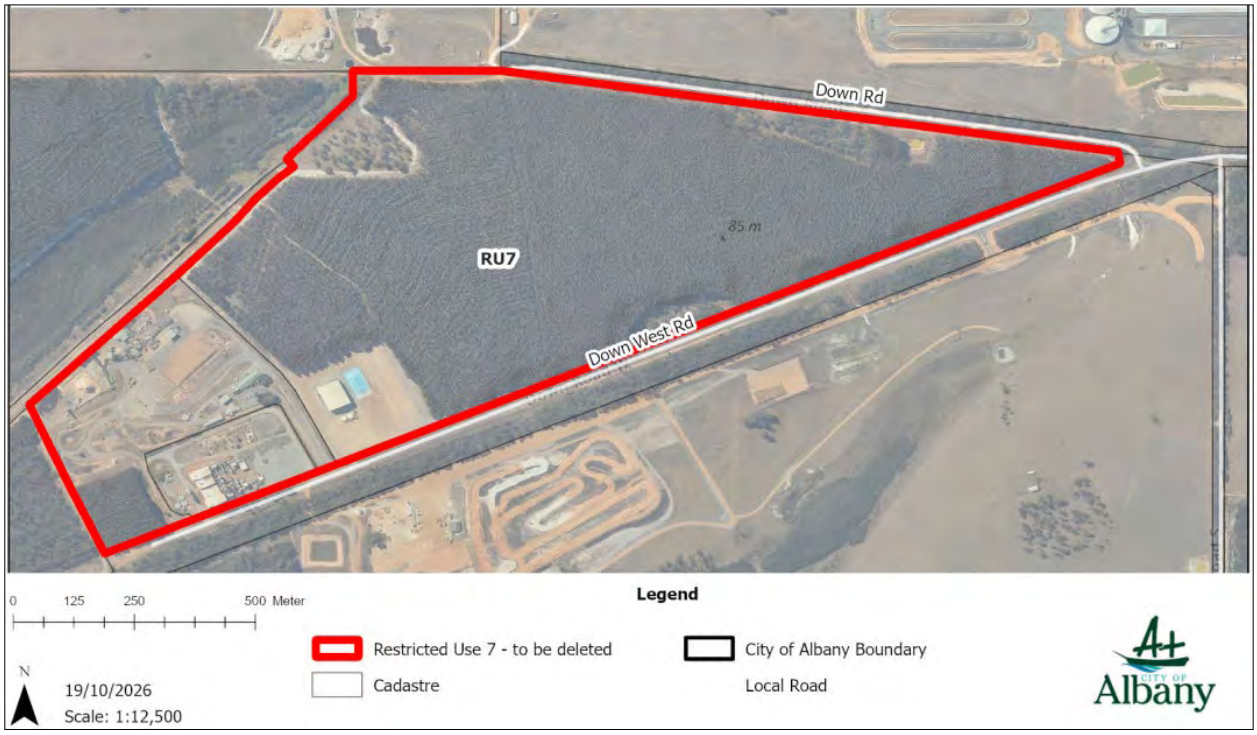


Figure 2: Aerial map inset showing the land associated with the existing LPS2 RU7 Restricted Use zoning designation affected by Amendment No. 10

In Brief:

- The City has received a request to amend LPS2 to remove planning controls that are no longer necessary following the abolition of the Marbellup Brook Catchment Area as a public drinking water source.
- AMD10 proposes to remove the former Marbellup Brook Catchment Area designation under Special Control Area 2 (SCA2), and Restricted Use 7 (RU7), from the LPS2 Scheme Text and Map.
- The proposal and supporting documentation provided are considered sufficient in their current form to progress to public advertising for comment and formal consultation with state agencies.
- Council is therefore requested to adopt the proposed amendment and seek approval to advertise.

RECOMMENDATION

OAAC018: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

That Council:

1. **Pursuant to section 75 of the *Planning and Development Act 2005* and regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to ADOPT Scheme Amendment No. 10 by amending the *City of Albany Local Planning Scheme No. 2* as follows:**
   a) **Modify the Scheme Text by:**
      i) **Amending Schedule 3, Table 10 (Restricted use provisions) to delete 'RU7' under the 'No.' column and all corresponding text in that row.**
      ii) **Amending Schedule 8, Table 18 (Special control areas in Scheme area - Special Control Area 2 – Public Drinking Water Source Areas) under Additional uses column to:**
         - **delete text '(a) Marbellup Brook Catchment Area' from clause (1); and**
         - **renumber remaining subclauses accordingly.**
   b) **Modify the Scheme Map by:**
      i) **Deleting reference to restricted use area 'RU7'.**
      ii) **Removing the Marbellup Brook Catchment Area designation associated with Special Control Area 2 - Public Drinking Water Source Areas.**
2. **Pursuant to regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES that the amendment is 'standard' in accordance with regulation 34 (a), (b), (e), (f) and (g) of the *Planning and Development (Local Planning Schemes) Regulations 2015, as the amendment:***
   - ***is consistent with the applicable zone objectives in the scheme.***
   - ***consistent with a local planning strategy for the scheme endorsed by the Commission.***
   - ***would have minimal impact on land in the scheme area that is not the subject of the amendment.***
   - ***does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.***
   - ***is not a complex or basic amendment.***
3. **REFERS Scheme Amendment No. 10 to the Environmental Protection Authority, pursuant to section 81 of the *Planning and Development Act 2005*, by giving to the EPA written notice of this resolution and such written information to enable the EPA to comply with section 48A of the *Environmental Protection Act 1986.***
4. **Pursuant to regulation 46A of the *Planning and Development (Local Planning Schemes) 2015*, AUTHORISES the Chief Executive Officer to forward a copy of the amendment to the Western Australian Planning Commission to seek approval from the Minister to advertise the proposed standard amendment in accordance with section 83A of the *Planning and Development Act 2005.***
5. **Pursuant to regulation 46C of the *Planning and Development (Local Planning Schemes) Regulations 2015,* DELEGATE the Chief Executive Officer to:**

a) Undertake any modifications to Scheme Amendment No. 10 as required by the Minister, in accordance with section 83A (2)(b) of the *Planning and Development Act 2005*;

b) Undertake any further referrals of modified Scheme Amendment No. 10 to the EPA, if required, in accordance with sections 83A(3), 81 and 82 of the *Planning and Development Act 2005*; and

c) Resubmit the modified amendment to the Minister for approval, in accordance with section 83A (1) of the *Planning and Development Act 2005* if required.

6. In accordance with the requirements of regulation 47 (1) and (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015,* DELEGATE the Chief Executive Officer to ADVERTISE Scheme Amendment No. 10 to Local Planning Scheme No. 2, as soon as reasonably practicable after the Minister grants approval in accordance with section 83A(2)(a) of the *Planning and Development Act 2005*.

OAAC018: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR CLARKE

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED 7-0

OAAC018: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

That Council:

1. Pursuant to section 75 of the *Planning and Development Act 2005* and regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to ADOPT Scheme Amendment No. 10 by amending the *City of Albany Local Planning Scheme No. 2* as follows:

   a) Modify the Scheme Text by:

   i. Amending Schedule 3, Table 10 (Restricted use provisions) to delete 'RU7' under the 'No.' column and all corresponding text in that row.

   ii. Amending Schedule 8, Table 18 (Special control areas in Scheme area - Special Control Area 2 – Public Drinking Water Source Areas) under Additional uses column to:

   - delete text '(a) Marbellup Brook Catchment Area' from clause (1); and
   - renumber remaining subclauses accordingly.

   b) Modify the Scheme Map by:

   i. Deleting reference to restricted use area 'RU7'.

   ii. Removing the Marbellup Brook Catchment Area designation associated with Special Control Area 2 - Public Drinking Water Source Areas.

2. Pursuant to regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES that the amendment is 'standard' in accordance with

regulation 34 (a), (b), (e), (f) and (g) of the *Planning and Development (Local Planning Schemes) Regulations 2015, as the amendment:*

- *is consistent with the applicable zone objectives in the scheme.*
- *consistent with a local planning strategy for the scheme endorsed by the Commission.*
- *would have minimal impact on land in the scheme area that is not the subject of the amendment.*
- *does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.*
- *is not a complex or basic amendment.*

3. REFERS Scheme Amendment No. 10 to the Environmental Protection Authority, pursuant to section 81 of the *Planning and Development Act 2005*, by giving to the EPA written notice of this resolution and such written information to enable the EPA to comply with section 48A of the *Environmental Protection Act 1986.*
4. Pursuant to regulation 46A of the *Planning and Development (Local Planning Schemes) 2015*, AUTHORISES the Chief Executive Officer to forward a copy of the amendment to the Western Australian Planning Commission to seek approval from the Minister to advertise the proposed standard amendment in accordance with section 83A of the *Planning and Development Act 2005.*
5. Pursuant to regulation 46C of the *Planning and Development (Local Planning Schemes) Regulations 2015,* DELEGATE the Chief Executive Officer to:
   a) Undertake any modifications to Scheme Amendment No. 10 as required by the Minister, in accordance with section 83A (2)(b) of the *Planning and Development Act 2005*;
   b) Undertake any further referrals of modified Scheme Amendment No. 10 to the EPA, if required, in accordance with sections 83A(3), 81 and 82 of the *Planning and Development Act 2005*; and
   c) Resubmit the modified amendment to the Minister for approval, in accordance with section 83A (1) of the *Planning and Development Act 2005* if required.
6. In accordance with the requirements of regulation 47 (1) and (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015,* DELEGATE the Chief Executive Officer to ADVERTISE Scheme Amendment No. 10 to Local Planning Scheme No. 2, as soon as reasonably practicable after the Minister grants approval in accordance with section 83A(2)(a) of the *Planning and Development Act 2005*.

BACKGROUND

1. The Marbellup Brook Catchment Area was established as a potential public drinking water source, with land use and development controls introduced to protect the catchment from potential risks to drinking water quality.
2. The catchment was subsequently identified under Special Control Area 2 – Public Drinking Water Source Areas in LPS2.
3. TBB Planning, on behalf of the Western Australian Land Authority (DevelopmentWA), has submitted a request to amend LPS2 following the abolition of the Marbellup Brook Catchment Area. DevelopmentWA is the owner of Lot 9001 Down Road, Drome.
4. The eastern portion of Lot 9001 Down Road, Drome falls within the Mirambeena Strategic Industrial Area (Mirambeena SIA).
5. Under LPS2, the relevant part of the lot is zoned 'General Industry' and is also affected by Special Control Area 8 – Down Road West Special Control Area Buffer (SCA8), which limits sensitive uses that may be impacted by industrial uses in the General Industry zone north of Down Road West.
6. In addition to SCA8, parts of Lot 9001 are affected by SCA2 and RU7. RU7 also applies to Lots 102 and 103 (referenced under RU7 provisions using former land description of Lots 94 and 100) Down Road West, Drome, and limits permissible land uses to Industry – Light as a discretionary use and Office as an incidental use, with all other land uses prohibited.
7. These restrictions reflect the former drinking water source protection requirements applying to the Marbellup Brook Catchment Area.
8. On 19 May 2026, the State Government published the *Country Areas Water Supply (Marbellup Brook Catchment Area) Abolition Order 2026* in Government Gazette No. 53. The Order abolished the Marbellup Brook Catchment Area, with the relevant abolition provisions commencing on 20 May 2026. A copy of the Government Gazette is included in Appendix B of the attached Scheme Amendment Report.
9. AMD10 proposes to remove the Marbellup Brook Catchment Area designation under SCA2 and delete RU7 from the LPS2 Scheme Text and Map, following the abolition of the catchment. The proposed amendment would retain the underlying zoning and other applicable planning controls, including SCA8.

DISCUSSION

10. AMD10 proposes to remove the Marbellup Brook Catchment Area designation under SCA2 and delete RU7 from LPS2, following the abolition of the catchment as a public drinking water source.
11. The former catchment encompasses land to the north-west of Albany, including the Mirambeena SIA and surrounding rural land. The existing zoning and relevant planning controls are identified in Figures 3 and 4 below.
12. The amendment does not propose to change the underlying zoning of any land. It seeks to remove the planning controls associated with the former drinking water source designation, while retaining other applicable scheme provisions.

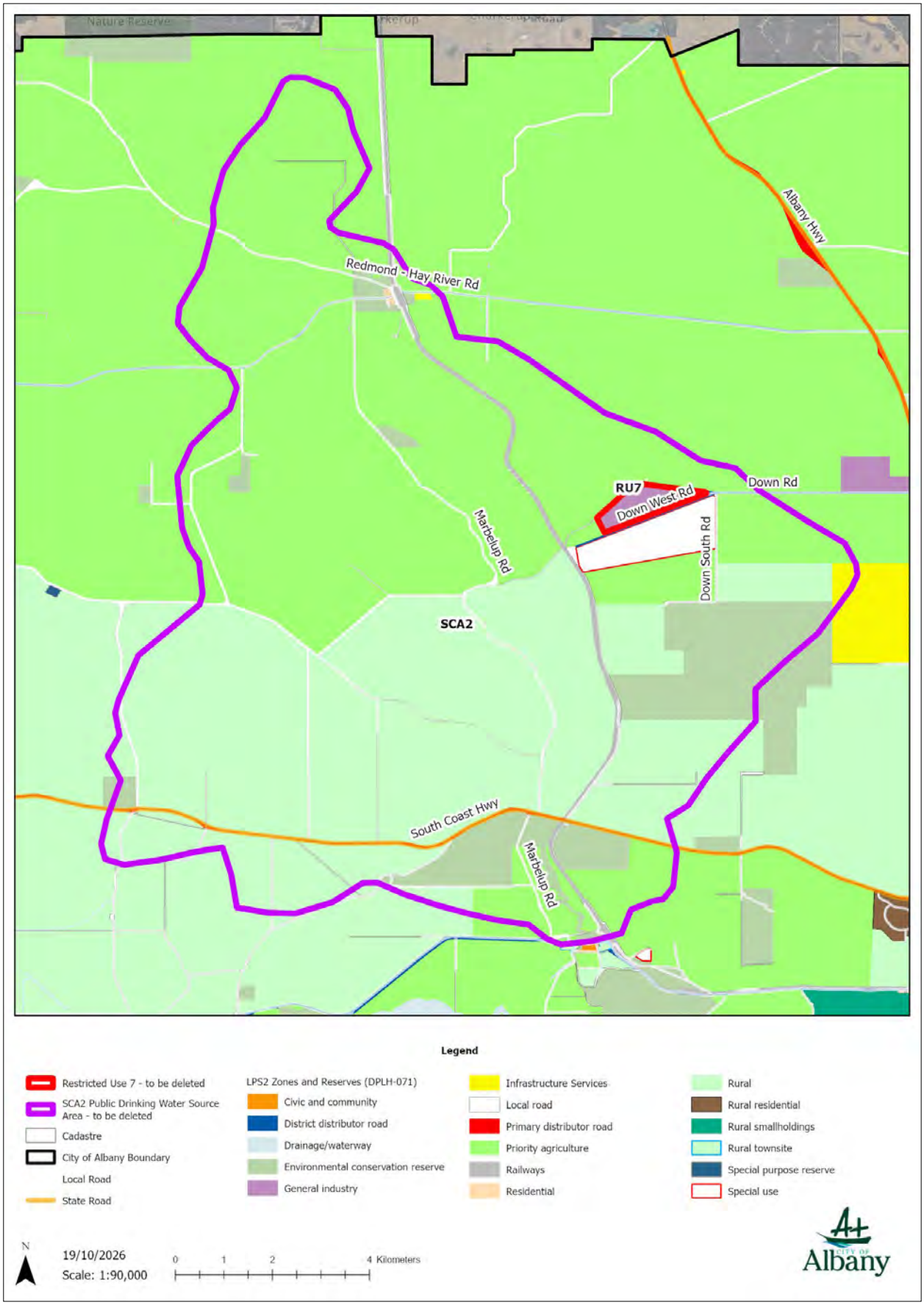


Figure 3: LPS2 Scheme Map showing the existing zoning designations – specifically SCA2 Marbellup Brook Catchment Area and RU7 Restricted Use affected by Amendment No. 10

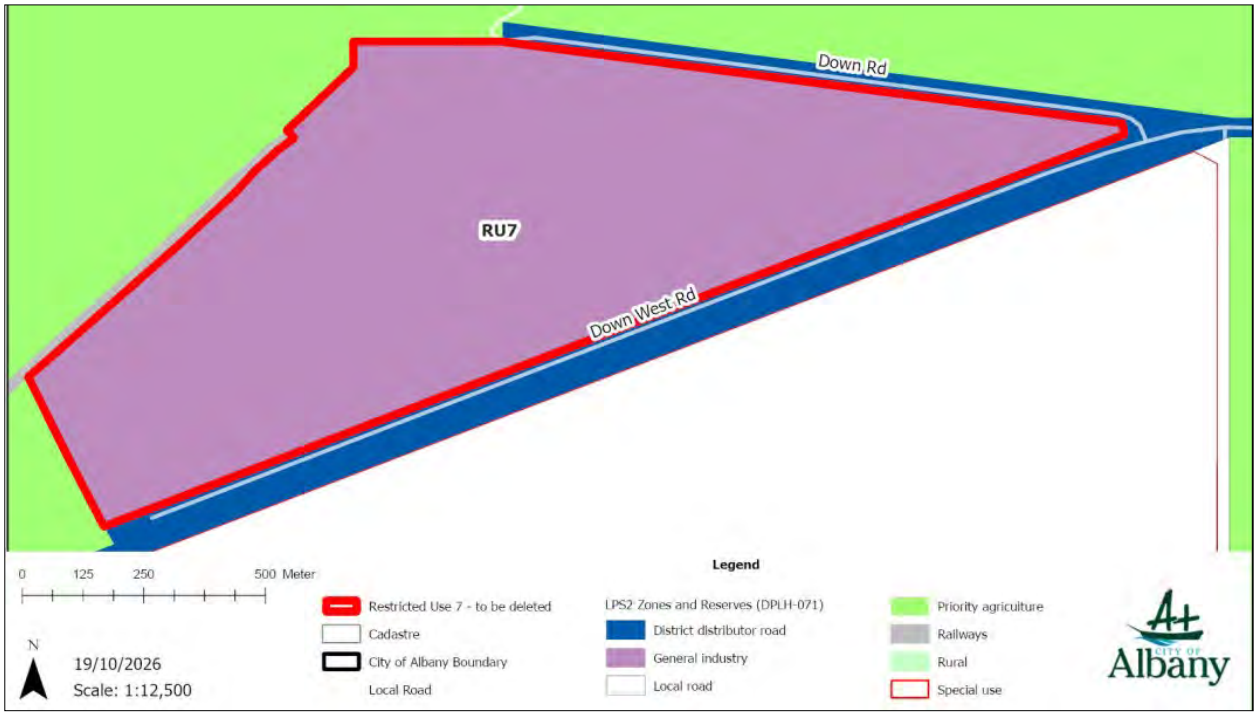


Figure 4: LPS2 Scheme Map showing the existing zoning designations – specifically RU7 Restricted Use affected by Amendment No. 10

Restricted Use 7 (RU7)

13. RU7 applies to a smaller area of land within the Mirambeena SIA, as identified in the map above. It limits permissible land uses to Industry – Light as a discretionary ('D') use and Office as an incidental ('I') use, with all other land uses prohibited. RU7 also contains additional development and environmental requirements.

14. These restrictions limit the range of industrial uses that may otherwise be considered under the existing General Industry zoning. As RU7 reflects the former public drinking water source protection requirements, its removal is considered appropriate following the abolition of the Marbellup Brook Catchment Area.

15. Removing RU7 would allow future land use and development proposals to be considered in accordance with the General Industry zoning and other applicable provisions of LPS2. This would support the intended industrial function of the Mirambeena SIA without establishing new industrial zoning or granting approval for any particular development.

16. Future proposals would remain subject to the applicable planning and environmental requirements, including those relating to landscaping, effluent disposal, waste and stormwater management, vehicle access and loading, and potential noise, dust and odour impacts. Other relevant planning controls, including SCA8, would also continue to apply.

Special Control Area 2

17. SCA2 applies to public drinking water source areas identified under LPS2 and provides additional land use and development controls intended to protect drinking water resources from potential contamination.

18. The amendment proposes to remove only the Marbellup Brook Catchment Area designation, following its statutory abolition. The purpose, objectives and additional provisions of SCA2 would remain unchanged for the remaining public drinking water source areas identified under LPS2.

19. The proposed amendment is considered an appropriate response to the abolition of the Marbellup Brook Catchment Area and would enable the existing planning controls to better reflect the current statutory and strategic planning framework.

20. The proposal is considered suitable to progress through the scheme amendment process, including public advertising and consultation with relevant State Government agencies.

GOVERNMENT & PUBLIC CONSULTATION

21. Preliminary consultation has been undertaken by the proponent with relevant government agencies, including the Department of Water and Environmental Regulation (DWER) in conjunction with the City of Albany, prior to submitting the proposed amendment.

22. DWER indicated its in principle support for the proposed scope of the amendment, which seeks to reflect the abolition of the Marbellup Brook Catchment Area.

23. DWER also advised that relevant government agencies and stakeholders had been consulted as part of the separate process to abolish the catchment, with no objections received from those who responded.

24. Formal public advertising of AMD10 has not yet been undertaken.

25. Should Council resolve to adopt the proposed amendment and seek approval to advertise, the amendment will be referred to the Environmental Protection Authority (EPA) and progressed through the statutory approval process before advertising in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (Planning Regulations).

26. Subject to the Minister for Planning granting approval to advertise, the proposed amendment will be advertised for public comment and referred to relevant government agencies in accordance with the statutory requirements.

27. Any submissions received will be considered and reported to Council before the amendment progresses for final determination.

STATUTORY IMPLICATIONS

28. The proposed amendment is subject to the provisions of the *Planning and Development Act 2005* (Planning Act) and the Planning Regulations.

29. AMD10 is considered a standard amendment under r. 34 of the Planning Regulations, as it:

    - is consistent with the objectives of the existing General Industry zoning;
    - is consistent with the Albany Local Planning Strategy;
    - would have minimal impact on land outside the area affected by the amendment;
    - is not expected to result in significant environmental, social, economic or governance impacts; and
    - does not constitute a basic or complex amendment.

30. Under r. 35 and 46A of the Planning Regulations, Council may resolve to adopt the proposed amendment and seek approval to advertise it, subject to any modifications Council considers necessary, or resolve not to proceed with the amendment.

31. Should Council resolve to progress the amendment, it will be referred to the EPA in accordance with s. 81 of the Planning Act and submitted through the Western Australian Planning Commission for the Minister for Planning's consideration under section 83A of the Planning Act.

32. If the Minister approves the proposed amendment for advertising, the City will undertake advertising and consultation in accordance with r. 47 of the Planning Regulations. Any modifications required by the Minister will be addressed in accordance with the applicable statutory provisions.

POLICY IMPLICATIONS

33. The amendment does not propose any changes to existing State or local planning policies. Relevant planning policies and other applicable statutory requirements would continue to be considered when assessing future subdivision, land use and development proposals for land affected by AMD10.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation – The proposed amendment may not receive approval to advertise or may require modifications following State Government consideration.	*Unlikely*	*Moderate*	*Medium*	*The amendment has been prepared in response to the statutory abolition of the catchment and is supported by relevant planning justification. Any modifications or further information required through the State approval process will be considered and addressed as appropriate.*
Opportunity: *State approval process: Opportunity to obtain further guidance from the WAPC and relevant State Government agencies.*				
Reputation – The proposed amendment may attract objections or concerns from community members or government agencies during consultation.	*Unlikely*	*Moderate*	*Medium*	*Undertake statutory advertising and consultation with relevant agencies and affected stakeholders. Consider submissions received and address relevant planning matters before progressing the amendment for final determination.*
Opportunity: *Public consultation: Opportunity to identify and address relevant planning considerations through community and agency feedback.*				

FINANCIAL IMPLICATIONS

35. The proposed amendment will involve administrative costs associated with its processing and advertising.

36. This amendment will address changes required to LPS2 following the abolition of the Water Source Protection Area.

37. Although the amendment has been initiated by DevelopmentWA, it responds to a change in circumstances that affects the ongoing currency and administration of the City's Local Planning Scheme.

38. The City would ordinarily be responsible for undertaking such amendments as part of its ongoing scheme maintenance.

39. DevelopmentWA has covered the cost of preparing the amendment documentation, and it is therefore considered appropriate for the City to meet the associated statutory processing fees as part of its ongoing responsibility for maintaining LPS2.

LEGAL IMPLICATIONS

40. The proposed scheme amendment is subject to the statutory requirements of the Planning Act and the Planning Regulations, as outlined under Statutory Implications. No additional legal implications have been identified at this stage.

ENVIRONMENTAL CONSIDERATIONS

41. The proposed amendment seeks to remove planning controls associated with the former Marbellup Brook Catchment Area, following its abolition as a public drinking water source. The amendment does not propose any physical development or works.

42. Future land use and development proposals will remain subject to relevant environmental and water management requirements, including those relating to stormwater, wastewater and effluent disposal, impacts on surface water and groundwater, and bushfire risk where applicable.

43. Relevant environmental matters will be considered through subsequent planning and other statutory approval processes, having regard to the nature, scale and potential impacts of individual proposals.

ALTERNATE OPTIONS

44. Council may consider alternate options in relation to this item, including:

    a. Resolving to adopt the proposed amendment subject to modifications or the provision of additional information, prior to progressing the amendment for approval to advertise; or

    b. Resolving not to adopt the proposed amendment.

CONCLUSION

45. AMD10 seeks to remove planning controls associated with the former Marbellup Brook Catchment Area, following its statutory abolition in May 2026.

46. The amendment is considered an appropriate planning response to the abolition of the catchment, while retaining the underlying zoning and other applicable planning controls.

47. Council is therefore requested to adopt the proposed amendment and seek approval to advertise.

Consulted References	:	• *City of Albany Council Plan* • *Albany Local Planning Strategy 2019* • *City of Albany Local Planning Scheme No. 2* • *Planning and Development Act 2005* • *Environmental Protection Act 1986* • *Planning and Development (Local Planning Schemes) Regulations 2015* • *State Planning Policy 3.0 – Urban Growth and Settlement* • *Country Areas Water Supply (Marbellup Brook Catchment Area) Abolition Order 2026 – Government Gazette No. 53, 19 May 2026* • *State Planning Policy 2.9 – Planning for Water*
File Number	:	AMD10
Previous Reference	:	N/A

OAAC019: DRAFT LOCAL PLANNING POLICY 1.12 LOCAL DESIGN REVIEW

Land Description	**:**	City of Albany
Proponent / Owner	**:**	City of Albany
Business Entity Name	**:**	City of Albany
Attachments	**:**	Draft Local Planning Policy 1.12 Local Design Review
Councillor Workstation and Supplementary Information	**:**	Schedule of Submissions and Officer Response Copy of LPP1.12 Local Design Review with tracked changes
Report Prepared By	**:**	Senior Planning Officer
Authorising Officer:	**:**	Executive Director Development Services

COUNCIL PLAN ALIGNMENT

- **Pillar:** Infrastructure
- **Outcomes:** A vibrant city with attractive and connected spaces, supported by forward thinking and responsible planning and development.
- **Strategic Priority:** Strengthen safe, prepared and liveable urban and rural communities.

In Brief:

- Draft *Local Planning Policy 1.12 Local Design Review* (LPP1.12) was advertised for public comment in August and September 2026, in accordance with Council's resolution at its meeting in July 2026 (refer report item DIS477).
- Two submissions were received on draft LPP1.12 during the advertising period.
- Staff recommend Council resolve to adopt final draft LPP1.12, with modifications (refer Attachment 1).

RECOMMENDATION

OAAC019: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council ADOPT Local Planning Policy 1.12 Local Design Review, pursuant to Schedule 2, Part 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

OAAC019: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR MACLAREN
SECONDED: COUNCILLLOR CLARKE

THAT the Authorising Officer Recommendation be ADOPTED.

CARRIED7-0

OAAC019: AUTHORISING OFFICER RECOMMENDATION

THAT Council ADOPT Local Planning Policy 1.12 Local Design Review, pursuant to Schedule 2, Part 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

BACKGROUND

1. The draft LPP1.12 seeks to facilitate early Design Review of significant development proposals to support high-quality design outcomes and the efficient assessment of development applications within the City of Albany.
2. Draft LPP1.12 was endorsed for advertising by Council at its July 2026 Ordinary Council Meeting.
3. Refer to previous report item DIS477 for further information and background regarding the draft policy.

DISCUSSION

4. Draft LPP1.12 was advertised for public comment between 28 August 2026 and 18 September 2026 via notice in a local newspaper and publication on the City's website. At Elected members request, a direct email was also sent to local Architects and Designers.
5. Two (2) submissions were received during the advertising period, one from a member of the general public and another from a local designer.
6. The submissions did not object to the draft LPP1.12; however, they raised questions regarding the administration and operation of the Panel and suggested a number of amendments to the policy.
7. Refer to the Councillor Workstation for the Schedule of Submissions and officer responses, together with the original submissions received on draft LPP1.12.
8. The following modifications have been made to draft LPP1.12 following the consultation process, including:
    - Under Policy Intent:
        - Delete existing point 4 - considered duplicative.
        - Update existing point 3 – correction of minor administrative discrepancy. Existing point 3 should be read as two separate points – second sentence in point 3 beginning with "To maximise the benefits…" separated from point 3 to new point 4.
        - Insert new clause 5 that states: "The establishment and operation of the DRP will generally be guided by the principles set out in the *WAPC Local Government Design Review Manual*." This has been included to address concerns raised regarding the process for establishing and operating the Panel.
        - Insert new definition "views of significance" to assist with the interpretation and application of clause 11(b).
9. It is recommended that Council adopt draft LPP1.12 subject to the above modifications.

GOVERNMENT & PUBLIC CONSULTATION

10. The draft policy was advertised in accordance with Schedule 2, Part 2, clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Planning Regulations), for a period of 21 days.

Details of advertising as follows:

Type of Engagement	Method of Engagement	Engagement Dates	Participation (Number)	Statutory Consultation
Consult	Direct Email to Local Architects and Designers	28/08/2026 – 18/09/2026	Two (2)	No
Consult	Public comment – City website	28/08/2026 – 18/09/2026		Yes
Consult	Public comment – City offices	28/08/2026 – 18/09/2026		No

STRATEGIC IMPLICATIONS

11. The *Albany Local Planning Strategy 2019* outlines the long-term vision for land use and development outcomes throughout the municipality.

STATUTORY IMPLICATIONS

12. Voting requirement for this item is **Simple Majority.**

13. In accordance with the Planning Regulations, adoption of a local planning policy requires resolution of Council following completion of the advertising period.

14. Should Council resolve to adopt LPP1.12, a notice must be published in accordance with clause 87 of the Planning Regulations that advises of the adoption of LPP1.12.

POLICY IMPLICATIONS

15. There are no additional policy implications arising from the adoption of draft LPP1.12.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputational: *Not progressing draft LPP1.12 may have a negatively impact the quality of design outcomes for prominent developments within the City and may result in the City falling behind broader State practice in relation to design quality and design review.*	*Possible*	*Moderate*	*Medium*	*Progress draft LPP1.12 for adoption to establish a clear and consistent framework for design review of significant development proposals, enabling the City to appropriately influence design quality and built form outcomes. The policy can be reviewed periodically to ensure it remains consistent with State planning policy and contemporary design review practice.*
Opportunity: Promote high-quality design outcomes for significant development proposals through access to independent specialist design review.				

FINANCIAL IMPLICATIONS

17. There are no additional financial implications arising from the adoption of draft LPP1.12 as Local Design Review services are intended to operate on a cost-recovery basis.

LEGAL IMPLICATIONS

18. There are no legal implications arising from the adoption of LPP1.12.

ENVIRONMENTAL CONSIDERATIONS

19. There are no direct environmental implications arising from the adoption of LPP1.12.

ALTERNATE OPTIONS

20. Council has the following alternate options available under the Planning Regulations:

- Adopt LPP1.12 subject to modifications; or
- Not adopt LPP1.12.

CONCLUSION

21. Based on the above, staff recommend that Council resolve to adopt *Local Planning Policy 1.12 – Local Design Review*, subject to the modifications outlined in this report.

Consulted References	:	1. *City of Albany Local Planning Scheme No. 2* 2. *Planning and Development (Local Planning Schemes) Regulations 2015* 3. *Planning and Development Regulations 2009* 4. *State Planning Policy 7.0 – Design of the Built Environment* 5. *WAPC Local Government Design Review Manual*
Previous Reference	:	DIS477 – Local Design Review

OAAC020: LOCAL LAW REVIEW 2026

Proponent / Owner	**:**	City of Albany
Attachments	**:**	Public Consultation Schedule & Plan
Report Prepared By	**:**	Principal Strategic Projects, Risk & Governance Specialist
Authorising Officers:	**:**	Chief Executive Officer Executive Director Corporate & Commercial Services

COUNCIL PLAN ALIGNMENT

- **Pillar:** Leadership.
- **Outcome:** A well-governed city with visionary leadership and strong trusted partnerships, that uses resources wisely to meet local needs.
- **Alignment:** The review supports statutory compliance, transparent decision-making and community participation in keeping the City's local law regulatory framework current and accessible.

IN BRIEF

Council is asked to commence public consultation—not amend, repeal or replace a local law. Under the proposed refresh approach, any amendment, minor or major, would prompt preparation of a complete updated law for republication through the applicable statutory process, avoiding further amendment instruments layered onto older text. The legal pathway, including amendment or repeal and replacement, will be confirmed for each law before presentation to Council.

- Council completed its previous local law review in 2018.
- Officers compared the City's website texts with relevant Government Gazette publications to verify published texts and publication history—not current legal validity, commencement dates, previous review coverage or statutory review deadlines.
- The Local Government Act 1995 now applies a 15-year review framework, including transitional provisions.
- The 2018 review records will be matched to each continuing law to establish whether and when it was reviewed under section 3.16.
- Laws made after the 2018 review will be assessed against their own commencement and review history.
- The City will seek public comment on its current substantive local laws.
- Preliminary pathways include retaining laws unchanged, refreshing and republishing, consolidation or remaking.
- These consultation pathways do not predetermine Council's final decision.
- After consultation, Council will receive a review report addressing each law.
- Any resulting amendment, repeal, replacement or new law will follow the applicable statutory process.

RECOMMENDATION

OAAC020: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council:

1. **NOTES that officers have verified the City's published local laws and their publication history by comparing the versions published on the City's website with the relevant Government Gazette publications.**
2. **NOTES that officers will match the City's 2018 review records to each continuing local law and determine the applicable review period under section 3.16 of the Local Government Act 1995 and the relevant transitional provisions.**
3. **ENDORSES public consultation on the current substantive local laws identified in Attachment: Public Consultation Schedule & Plan.**
4. **ENDORSES the preliminary consultation pathways in the Attachment, noting that:**
   (a) **the pathways are preliminary and may change following consultation and further legislative and operational review;**
   (b) **existing local laws remain in effect while the review proceeds, unless otherwise affected by law; and**
   (c) **this report does not determine whether a local law will ultimately remain unchanged, be amended or be repealed.**
5. **REQUESTS the Chief Executive Officer to:**
   a. **give the required public notice and make each local law available for comment;**
   b. **invite submissions before a closing day specified in the local public notice, being a day not less than six weeks after the notice is given;**
   c. **arrange for submissions to be considered and the review report to be prepared; and**
   d. **return the review report to Council for determination in accordance with section 3.16 of the Local Government Act 1995.**
6. **NOTES that any subsequent amendment, repeal, replacement or new local law will be progressed through the applicable statutory process.**

BACKGROUND

1. Council commenced its previous local law review on 27 February 2018 (AR034) and considered the consultation results and review report on 25 September 2018 (CCS087).
2. The 2018 records provide evidence of that review. Officers will match those records to each continuing local law to establish the relevant review history.
3. Officers have verified the published texts and publication history by comparing the City's website versions of its local laws with relevant Government Gazette publications.
4. The Local Government Act 1995 now provides a 15-year periodic review framework. Section 3.16 measures the period from commencement of the local law or the last determination under section 3.16(4), as applicable.
5. Transitional provisions apply to certain existing local laws. Officers will apply those provisions and the evidence from the 2018 review when confirming the applicable review period for each law.
6. Local laws made after the 2018 review will be assessed according to their own commencement and review history.

DISCUSSION

What is being reviewed?

7. The City's current substantive local laws regulate a range of local matters, including activities in public places, animals, dogs, bush fire brigades, extractive industries, fencing, health, local government property, parking, sand drift, signs, waste and meeting procedures.
8. The review will consider whether each law remains necessary, appropriate, practical and consistent with current State legislation.

What is Council being asked to decide now?

9. Council is being asked to commence public consultation.
10. Council is not being asked through this report to amend, repeal or replace a local law.
11. Consultation will explain in plain language:
    (a) what each local law regulates;
    (b) the City's preliminary proposed pathway;
    (c) the main issues identified for review; and
    (d) how the community can comment.

What are the preliminary pathways?

12. The preliminary consultation pathways below describe possible implementation approaches. They do not replace the statutory determination whether each local law should be repealed, be amended or remain unchanged:
    (a) **Retain unchanged:** no amendment or repeal is identified after review.
    (b) **Consolidate**: bring a principal law and its amendment together into a clearer and more accessible form. The final legal pathway will be confirmed for the law before it is presented to Council.
    (c) **Refresh and republish** where an amendment is identified, whether minor or major, prepare a complete updated local law for republication. The final legal pathway, including amendment or repeal and replacement, will be confirmed for each law before it is presented to Council.

13. The pathways are preliminary. Public submissions, additional operational review and further consideration of applicable State legislation may change the recommended outcome.
14. Current State legislation will be checked when final recommendations are developed. Proposed reforms may inform the review but will not be treated as law unless they have commenced.

PRIORITY REVIEW AREAS

15. Matters requiring particular attention during the detailed review include:
    (a) public-health regulation;
    (b) dog and cat regulation;
    (c) meeting procedures;
    (d) thoroughfare, signage and property controls;
    (e) planning-related provisions; and
    (f) emergency-services legislation.
16. Review work will be prioritised according to statutory requirements and legal and operational risk.
17. The detailed publication, commencement, amendment, repeal and review history of each instrument will be maintained in Verified Local Law Register, rather than reproduced in this report.
18. That is especially important because the legislation distinguishes publication from commencement.
19. Section 3.14 generally provides that a local law comes into operation on the 14th day after Gazette publication unless the law specifies a later date. Section 3.16 uses commencement, rather than simply Gazette publication, when establishing the review period.

RELATED DETERMINATIONS

20. The following operational determinations will also be reviewed alongside the related local laws:
    (a) Local Government Property Local Law 2011 - Determination - Stidwell Bridle Trail - Designated Horse and Authorised Vehicle Use Only;
    (b) Local Government Property Local Law 2011 - Determination - Vehicles on Beaches;
    (c) Parking and Parking Facilities Local Law, Airport Parking Determination;
    (d) Parking and Parking Facilities Local Law, Electric Vehicle Charging Determination;
    (e) Waste Local Law 2017 Determination 1, Verge Collection for Commercial Purpose; and
    (f) Waste Local Law 2017 Determination 2, Kerbside Bin Lid Colour Coding.
21. These instruments support the operation of the relevant local laws and will be considered separately from the statutory review of the substantive local laws.

POTENTIAL ADDITIONAL CAT REGULATION

22. Consultation will also seek community views on whether additional local regulation relating to cats is necessary and appropriate.

23. Consultation does not mean that a new cat local law has been proposed or approved.

24. Before recommending additional regulation, officers will consider:

    (a) demonstrated local need;

    (b) existing regulatory arrangements;

    (c) available alternatives;

    (d) proportionality;

    (e) practicality and enforceability; and

    (f) the statutory powers available at the time.

25. Proposed State legislative changes will not be relied upon as law unless they have commenced.

26. Any proposal for a new local law would be presented separately to Council.

GOVERNMENT AND PUBLIC CONSULTATION

27. Before issuing public notice, officers will confirm the consultation scope against the Verified Local Law Register and check each law's commencement, previous review evidence and applicable transitional treatment. Before finalising the consultation timetable, they will identify and escalate any unresolved legal-status or review-deadline issue.

28. The City's current substantive local laws will be made available for public comment.

29. Consultation material will explain each law's purpose, preliminary pathway and key review issues in plain language.

30. Residents, businesses, community organisations, service users and relevant government and sector stakeholders will be invited to comment.

31. Section 3.16 requires the local public notice to allow at least six weeks for submissions.

32. After consultation, submissions will be considered and the review report will be submitted to Council.

STATUTORY IMPLICATIONS

33. Section 3.16 of the Local Government Act 1995 requires a local government to periodically review its local laws to determine whether each law should be repealed, amended or remain unchanged.

34. The legislation says the review process includes:

    (a) local public notice;

    (b) a submission period of at least six weeks;

    (c) consideration of submissions;

    (d) preparation of a review report;

    (e) submission of that report to Council; and

    (f) a determination whether the local law should be repealed, amended or remain unchanged.

35. A determination under section 3.16(4) requires an absolute majority.

36. Section 3.16 also provides that, if the required determination is not made within the applicable 15-year period, the local law is repealed at the end of that period.

37. Transitional provisions will be applied when establishing the relevant review period for existing local laws.

38. Section 3.16 is also listed among the statutory requirements prescribed for compliance audit purposes under regulation 13 of the Local Government (Audit) Regulations 1996.

39. This report commences the consultation stage. It does not itself amend or repeal a local law.

POLICY IMPLICATIONS

40. No Council policy is adopted or amended through this report.

41. Any consequential changes to policies, delegations, procedures or administrative arrangements will be considered separately where required.

RISK IDENTIFICATION & MITIGATION

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Compliance and Legal – Incorrect statutory review period or transitional treatment.	*Unlikely*	*Major*	*Medium*	*Match commencement and previous review evidence against section 3.16 and applicable transition provisions and maintain the Verified Local Law Register.*
Reputation – Consultation is perceived as predetermining Council's decision.	*Possible*	*Major*	*High*	*Clearly describe all pathways as preliminary and invite view on whether laws should remain unchanged, be amended or be repealed.*
Compliance and Legal – State legislative change affects a proposed pathway.	*Possible*	*Major*	*High*	*Check legislation in force when preparing final recommendations and again before any subsequent law-making process.*
Compliance and Legal Supporting historical evidence is incomplete or inconsistent.	*Unlikely*	*Moderate*	*Medium*	*Maintain a traceable evidence register recording Gazette publication, commencement, amendments, repeals and previous review evidence.*
Opportunity: The review provides and opportunity to modernise and simplify the City's regulatory framework, remove unnecessary duplication, improve administration and make local laws easier for the community to understand.				

REVIEW PRIORITIES

42. Review activity will be prioritised according to statutory requirements and legal and operational risk.

43. Priority areas include:

    (a) **First, statutory review requirements**: Confirm the applicable section 3.16 period and transitional treatment for each principal local law.

    (b) **Second, legislative change**: Address local laws most affected by changes to State legislation or regulatory frameworks.

    (c) **Third, operational improvement**: Review provisions where implementation experience indicates that clarification, simplification or consolidation may be beneficial.

    (d) **Ongoing**: **Monitor** relevant State reforms while progressing work required under legislation already in force.

44. Proposed reforms may guide sequencing but will not override an applicable statutory review requirement.

FINANCIAL IMPLICATIONS

45. The review requires officer resources and may involve costs for public notice, community engagement, legal assessment, drafting, publication and implementation.

46. Expenditure will be managed through approved budget and procurement processes.

LEGAL IMPLICATIONS

47. This report does not amend, repeal or replace any local law.

48. Applicable statutory review dates and transitional arrangements will be confirmed from commencement and previous review evidence.

49. Any proposed amendment, repeal, replacement or new local law will proceed through the applicable statutory process.

ENVIRONMENTAL CONSIDERATIONS

50. Commencing the review has no direct environmental impact.

51. Relevant environmental considerations arising from individual proposed changes will be assessed when those proposals are developed.

ALTERNATE OPTIONS

52. Council may amend the proposed consultation pathways or determine priorities for the review.

53. Any staging or deferral should take account of applicable statutory review requirements.

CONCLUSION

54. Following Council's 2018 review, officers have verified the City's published local laws and publication history against relevant Government Gazette publications.

55. The next stage is to match previous review evidence to each continuing law, establish applicable statutory review periods and seek community feedback.

56. Consultation will test whether each law remains necessary, appropriate and practical and should remain unchanged, be amended or be repealed.

57. Council will receive the review report after consultation and consideration of submissions.

Consulted References	:	• City of Albany adopted Council Plan. • Local Government Act 1995, sections 3.5, 3.12 and 3.16 and Schedule 9.3 clause 65. • Local Government (Audit) Regulations 1996. • Cat Act 2011 and Cat Regulations 2012. • Verified Local Law Register. • Local-Law-Discussion-Paper-2018 and associated Council resolutions. • Current substantive local laws, related determinations and relevant Gazette and State Government sources. • Western Australian Legislation — Government Gazettes (accessed 3 November 2026).
File Number	:	CM.STD.7

OAAC021: PLANNING AND BUILDING REPORTS OCTOBER 2026

Proponent / Owner	**:**	City of Albany
Attachments	**:**	Planning and Building Reports October 2026
Report Prepared By	**:**	Information Officer – Development Services
Authorising Officer:	**:**	Manager Development Services

RECOMMENDATION

OAAC021: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the Planning and Building Reports for October 2026 be RECEIVED.

OAAC022: MCALPINE RISE MAJOR LAND TRANSACTION BUSINESS PLAN

Land Description	**:**	Lot 9002 Mueller Street, Lockyer, on Deposited Plan 406898, Certificate of Title Volume 2899 Folio 200, owned by the City of Albany. The approved subdivision also includes adjoining Lot 150 Townsend Street, Lockyer, owned by Uniting Church Homes / Juniper.
Proponent / Owner	**:**	City of Albany
Business Entity Name	**:**	McAlpine Rise Subdivision and Sale Proposal
Attachments	**:**	Schedule of Submissions
Report Prepared By	**:**	Executive Director Corporate & Commercial Services
Authorising Officer:	**:**	Executive Director Corporate & Commercial Services

COUNCIL PLAN ALIGNMENT

- **Pillar**: Infrastructure.
- **Outcome**: A vibrant city with attractive and connected spaces, supported by forward thinking and responsible planning and development.
- **Strategic Priority**: Enable sufficient land supply and diversity of housing options.
- **Initiative**: 3.1.2.a McAlpine Rise Development.

In Brief:

- Council is requested to consider the public submissions received and decide to proceed with the McAlpine Rise Major Land Transaction.
- Public submissions were invited for a period of six weeks.
- Three submissions were received, two in favour of the proposal and one against the proposal.
- The primary feedback from the submissions was around the planning of the development, which is covered by a separate process.

RECOMMENDATION

OAAC022: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council:

1. **CONSIDER the submissions received from the public; and**
2. **DECIDE to proceed with the major land transaction as proposed.**

BACKGROUND

1. The McAlpine Rise Subdivision and Sale Proposal relates to City-owned land at Lot 9002 Mueller Street, Lockyer, and adjoining land at Lot 150 Townsend Street, Lockyer, owned by Uniting Church Homes / Juniper.
2. The proposal is based on Western Australian Planning Commission (WAPC) Application 203222, approved on 16 July 2026, with a correction letter dated 22 July 2026. Freehold Subdivision Plan No. 24728-03, Revision G, dated 26 May 2026, provides the current subdivision layout basis for 107 residential lots, including a grouped housing site, public open space, public access ways, road reserves and balance Lot 9003.
3. The WAPC decision advice confirms the application was conditionally approved and that, once the conditions of approval are fulfilled, the WAPC is prepared to endorse a deposited plan. The approval is valid for four years, with the deposited plan required to be submitted by close of business on 16 July 2030.
4. The proposal will enable the construction of roads, drainage, public open space, public access ways and associated infrastructure necessary to support residential development, satisfy subdivision conditions, create residential lots and support the future disposal of City lots.
5. Freehold Subdivision Plan No. 24728-03, Revision G, identifies an average lot size of 504m², a minimum lot size of 358m² and a maximum lot size of 7,300m².
6. The purpose of this report is to present to Council for consideration of the public submissions received and to make a determination on whether to proceed with the proposed major land transaction.

DISCUSSION

7. There were three submissions received during the submission period. Two submissions were supportive of the major land transaction and one submission was against the major land transaction.
8. Two submissions gave details of how they believed the planning of the subdivision could be improved.
9. The process of advertising the major land transaction, as required by the Local Government Act 1995, does not provide a limit on what is outside the scope of submissions. Therefore, all feedback received can be considered by Council.
10. There is a separate planning process though where the planning matters raised can be better dealt with. In discussion with city officers, it was recognised that the matters raised are legitimate planning concerns.
11. The development site does create a series of trade-offs that had to be considered in developing the subdivision plan. The site was considered difficult and it is believed that taking into account all considerations, the best overall planning outcome was achieved.
12. Taking into account the number of submissions and issues raised, officers believe that there is no reason why the major land transaction should not proceed or should be modified.

GOVERNMENT & PUBLIC CONSULTATION

13. Public consultation was undertaken in accordance with section 3.59 of the *Local Government Act 1995*. The City gave state-wide and local public notice of the proposed major land transaction and invited written submissions for a period of six weeks.

14. Three submissions were received from the public over the submission period.

STATUTORY IMPLICATIONS

15. Section 3.59 of the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* guide the statutory process for the proposed major land transaction.

16. Consistent with those requirements, the City has prepared the attached McAlpine Rise Major Land Transaction Business Plan, which includes an assessment of the proposal, its expected financial effect, its effect on local government facilities and services, the City's ability to manage the transaction, and other relevant matters required by the legislation.

17. Voting requirement: **Absolute Majority.**

POLICY IMPLICATIONS

18. Nil

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Legal & Compliance: Compliance with Section 3.59 process.	*Unlikely*	*Major*	*Medium*	*Progress the business plan, notice and submissions as detailed in the Recommendation, Consultation and Statutory Implications sections of this report.*
Financial: Project cost or market variation.	*Possible*	*Moderate*	*Medium*	*Monitor budget, grant funding, Water Corporation estimate and sales assumptions as detailed in the Discussion and Financial Implications sections of this report.*
Financial & Operational: Delay in conditions, servicing and delivery.	*Possible*	*Moderate*	*Medium*	*Track WAPC conditions, servicing agreements and delivery milestones as detailed in the Background, Discussion and Financial Implications sections of this report.*
Environmental: Environmental or bushfire requirements not implemented.	*Unlikely*	*Moderate*	*Medium*	*Implement WAPC approval conditions as noted in the Environmental Considerations and Background sections of this report.*
Community: Community concern or process misunderstanding.	*Possible*	*Minor*	*Medium*	*Use clear public notice and report submissions back to Council as detailed in the Authorising Officer Recommendation and Government & Public Consultation sections of this report.*

FINANCIAL IMPLICATIONS

20. The McAlpine Rise Major Land Transaction Business Plan identifies a project budget of $14,217,570 (excluding GST), supported by equivalent Australian Government Housing Support Program funding.
21. The Business Plan estimates future sale proceeds of $16,600,000 from the disposal of City lots, noting that financial outcomes will be considered further before any final decision is made to proceed with the transaction
22. The Water Corporation Land Development Agreement for WAPC 203222 includes an estimated fee of $662,278.20 including GST for servicing and subdivision clearance requirements relating to water supply, wastewater, drainage and related fees.
23. This estimate is based on 83 proposed lots and will be confirmed through the Water Corporation clearance process.

LEGAL IMPLICATIONS

24. Nil

ENVIRONMENTAL CONSIDERATIONS

25. Environmental considerations were addressed as part of WAPC Application 203222, which was approved on 16 July 2026.
26. Any environmental conditions or requirements arising from that approval will continue to be managed through the subdivision implementation process.
27. This approach is consistent with the City of Albany Council Plan 2026–2036, which recognises the need to balance growth, housing, services and infrastructure with protection of the natural environment, guided by sound evidence and long-term impacts.

ALTERNATE OPTIONS

28. Council may choose not to proceed with the McAlpine Rise Major Land Transaction.

CONCLUSION

29. The McAlpine Rise Major Land Transaction Business Plan has been prepared to support Council and community consideration of the proposed subdivision and sale of residential lots from City-owned land at McAlpine Rise.
30. The Business Plan has been advertised to the community for a period of six weeks and Council can now consider the submissions from the community. This will meet the statutory obligations of Council.

Consulted References	:	*Local Government Act 1995* *Local Government (Functions and General) Regulations 1996*
File Number	:	GS.APC.977
Previous Reference	:	Report Item CCS824 OCM 22/09/2026

OAAC023: CIVIL CONSTRUCTION OF MCALPINE RISE SUB-DIVISION

Proponent / Owner	:	City of Albany.
Business Entity Name	:	City of Albany.
Attachments	:	Commercial in Confidence - Confidential Briefing Note under separate cover
Report Prepared By	:	Project Manager - Infrastructure
Authorising Officer:	:	Executive Director Corporate and Commercial Services

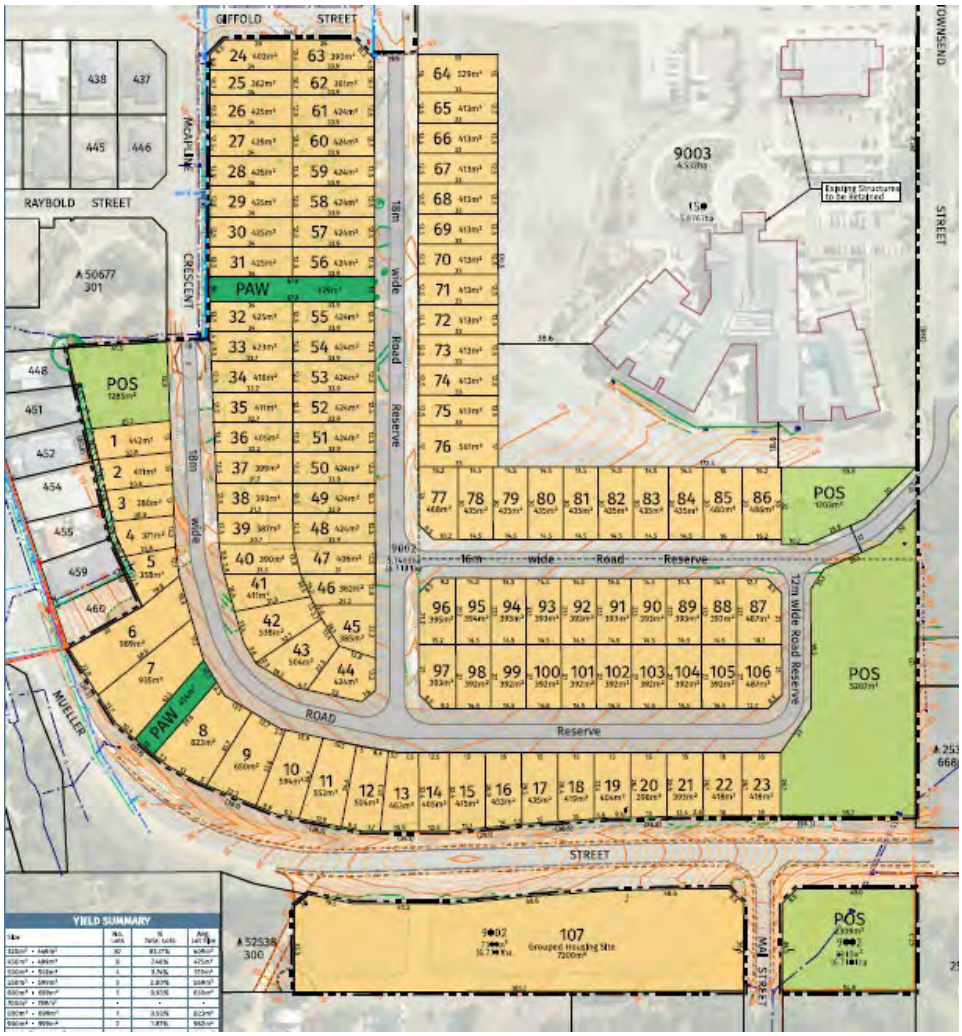
CONFIDENTIAL ATTACHMENT

It is recommended that if discussion is required in regards to details contained within the Confidential Attachment, that the matters are discussed behind closed doors, in accordance with section 5.23(2)(c) & (e)(ii) of the Local Government Act 1995, being: a contract which may be entered into and information that has commercial value.

COUNCIL PLAN ALIGNMENT

- **Pillar**: Infrastructure
- **Outcome**: A vibrant city with attractive and connected spaces, supported by forward thinking and responsible planning and development.
- **Objectives**: 3.1.2a McAlpine Rise Development (The City is developing 6.7 hectares of city-owned land in Lockyer to supply approx. 86 lots for affordable housing
- **Strategic Priority**: Enable sufficient land supply and diversity of housing options.

Maps and Diagrams:



In Brief:

- Four (4) compliant tenders were received for Contract C26029. Following a competitive tender process, Council approval is sought to award the civil construction contract for the McAlpine Rise subdivision.
- Tenderer C achieved the highest evaluation ranking and is recommended for award.
- Construction is anticipated to take approximately 44 weeks. The commencement date and detailed construction programme remain subject to agreement with the preferred contractor.

RECOMMENDATION

OAAC023: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council AWARD Contract C26029 – CIVIL CONSTRUCTION OF MCALPINE RISE SUB-DIVISION to the tenderer recommended by the evaluation panel, as detailed in the Confidential Briefing Note attached to this report.

BACKGROUND

1. The City has secured $14,217,570 (excl. GST) under the Australian Government Housing Support Program – Community Enabling Infrastructure Stream to deliver enabling infrastructure for affordable residential lots at McAlpine Rise.
2. The subdivision responds to sustained demand for affordable, serviced residential land in the Great Southern region and supports the City's Strategic Community Plan objective to plan a compact city with diverse housing options.
3. The proposed work involves constructing all civil subdivision infrastructure in accordance with the finalised Issued-for-Construction drawings (the Contract Drawings), Technical Specifications and Schedule of Quantities.
4. The scope of work comprises, but is not limited to, the following:

Discipline	Indicative Works
Site preparation & clearing	Site establishment, erosion and sediment control, retention/protection of nominated trees per the Tree Management Plan, disposal of contaminated/weed-affected topsoil and mulch, dust suppression.
Bulk & detailed earthworks	Cut to fill and cut to spoil, subgrade preparation, placement and compaction of engineered fill to achieve required lot site classifications, proof compaction and QA testing.
Retaining walls	Supply and install segmental/precast retaining walls to heights of 0.6m to approximately 3.5m, including footings, drainage and backfill, in accordance with certified structural drawings.
Roads, kerbing & paths	Subgrade, pavement construction, kerbing, primer seal and asphalt wearing course, footpaths and shared paths, line-marking and signage, and adjacent road tie-ins.
Stormwater drainage	Piped drainage network, pits, WSUD elements and basins, connection to existing Stage 1A drainage, and overland flow management.
Sewer reticulation	Gravity sewer reticulation, manholes and property connections to Water Corporation standards, including connection to the existing network.
Water reticulation	Water main reticulation, valves, hydrants and property connections to Water Corporation standards.
Underground power & lighting	Underground power reticulation and public/street lighting to Western Power UDS Manual and AS/NZS 1158 standards, including Dark Sky compliant luminaires.
Telecommunications (NBN)	Installation of NBN pit and pipe (conduit) infrastructure and associated property connections.
Landscape	Installation of all landscaping components outlined in the Contract Drawings provided in the tender, including POS works
Service crossings (Juniper)	Installation of service crossings to the Lot 150 (Juniper/Uniting Church Homes) frontage lots as directed, to avoid future road excavation

5. Design and specification brief documentation was prepared by the City of Albany for the request for tender RFT, with specialist landscape and electrical design input.
6. The tender was open from 31st August 2026 to 28th October 2026.

DISCUSSION

7. A total of eight (8) tender documents were issued by the City of Albany with ten (10) addenda.

8. Four (4) complete tender documents were submitted on or before the stipulated closing date and time.

9. The tender was evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender. The criteria are tabled below:

Qualitative Criteria	Weighting (%)
Cost	20%
Environmental, Social, and Governance (ESG)	5%
Relevant Experience	15%
Key Personnel Skills and Experience	20%
Demonstrated Understanding	20%
Tenderer's Resources	20%
Total	100%

10. The following table summarises the tenderers and their weighted scores:

Tenderer	Total Score	Rank
Tenderer A	587.51	2
Tenderer B	523.77	3
Tenderer C	753.39	1
Tenderer D	355.33	4

11. Tenderer C qualified for consideration under the City's Buy Local Policy (Regional Price Preference).

12. Tenderer C achieved the highest overall evaluation ranking. Tenderer C achieved the highest weighted score of 753.39.

13. The evaluation panel recommends award to Tenderer C, having regard to price, relevant experience, available local resources and demonstrated capacity. The confidential briefing provides the detailed evaluation and delivery risk assessment.

GOVERNMENT & PUBLIC CONSULTATION

14. A request for tenders was published in The West Australian and The Extra on Tuesday, 3rd September 2026 and the duration of the tender ran to the 28th October 2026 via the City's tender portal.

STATUTORY IMPLICATIONS

15. Regulation 11 of the Local Government (Functions and General) Regulations 1996 (Regulations) requires Council to publicly tender if the contract is, or is expected to be, more, or worth more than $250,000.

16. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.

17. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision.

18. Voting Requirement: **Simple Majority.**

POLICY IMPLICATIONS

19. Council's Purchasing Policy (Tenders & Quotes) and Buy Local Policy (Regional Price Preference) are applicable to this item.

20. The value of this tender is more than $15,369,671.73 and therefore Council approval is required as this exceeds the CEO's delegation

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Service delivery Interruption *Adverse weather or unforeseen ground conditions.*	*Possible*	*Major*	*High*	*Supplier will maintain and coordinate the construction programme and updates / changes are captured as a part of the contract administration process under AS4000:2025.*
Legal and compliance *Disputes and variations arise during works due to changes to site or unforeseen circumstances.*	*Unlikely*	*Moderate*	*Medium*	*Contract is delivered under AS4000:2025 which is a recognised industry standard contract in Australian civil earthworks and construction. This handles variations and disputes via the Superintendent and an established process.*
Legal and compliance *The preferred tenderer has a schedule that runs through winter, leaving high risk of delays due to wet weather*	*Possible*	*Moderate*	*Medium*	*The City will request the contractor to revise the program prior to possession of site. Potential for staging, or re-work the program to avoid weather sensitive tasks such as road construction during winter.*
Community *Increased activity in the area causes disruptions and delays to general public*	*Possible*	*Moderate*	*Medium*	*Communications are to be issued to residents in the area by the contractor 2 weeks prior to commencing works. Contractor to have appropriate noise, sediment erosion and dust management plans submitted prior to commencing works.*
Finance *Non-compliance with contract or business failure*	*Unlikely*	*Moderate*	*Medium*	*The City has completed a financial viability assessment of the nominated contractor.* *AS4000:2025 also allows for force majeure with termination clauses available to protect both the City and the contractor.* *The specifications allow for non-conformances to be captured and documented within the contract.*

FINANCIAL IMPLICATIONS

22. The value of this tender is more than $1,000,000.00 ex GST and therefore approval is referred to Council for consideration.

23. More detailed information regarding the financial implications is contained in the Confidential Briefing Note.

24. Funding for this project has been received from the Federal Government and the Western Australian State Government. Municipal funds are allocated in the 2026-2027 budget.

LEGAL IMPLICATIONS

25. Award of this contract engages the City into a contract with Tenderer C under AS4000:2025 and all its requirements

26. Stantec Australia Pty Ltd is the nominated Superintendent and will administer the contract, supported by the City's project management arrangements.

ENVIRONMENTAL CONSIDERATIONS

27. Construction-related environmental considerations include erosion and sediment control, dust, vegetation protection and stormwater management. These requirements will be managed through the contract specifications and contractor management plans.

ALTERNATE OPTIONS

28. Council may elect to:

    a. accept the recommended tender; or

    b. Not approve any tender.

CONCLUSION

29. Four compliant tenders were assessed through the City's procurement process. Tenderer C achieved the highest ranking and represents the evaluation panel's preferred value-for-money outcome.

30. Award is recommended subject to finalisation of the construction programme, with the existing Superintendent and City project management arrangements providing contract oversight. Any additional overall project funding will be considered separately.

Consulted References	• *Local Government (Functions and General) Regulations 1996* • *Council Policy – Purchasing* • *Council Policy – Buy Local (Regional Price Preference)*
File Number	C26029
Previous Reference	N/A

OAAC023: ALBANY REGIONAL AIRPORT UPGRADE – GOVERNANCE FRAMEWORK FOR CONTRACT VARIATIONS

Land Description	**:**	Albany Regional Airport.
Business Entity Name	**:**	City of Albany
Report Prepared By	**:**	Project Manager - Infrastructure
Authorising Officer:	**:**	Executive Director Corporate and Commercial Services

COUNCIL PLAN ALIGNMENT

- **Pillar**: Economic
- **Outcome**: A thriving, diverse, and innovative regional economy that creates a diversity of opportunities.
- **Strategic Priority**: 4.1.1.a Airport Enhancement Project
- **Action**: *This project will deliver Stage 1 enhancements to major airport infrastructure including runway, taxiways and aprons.*

IN BRIEF:

- To seek Council approval for a project specific governance and reporting framework for the Albany Regional Airport Upgrade project.
- To enable timely approval of contract variations arising from unforeseen construction conditions during project delivery.
- To acknowledge that the Chief Executive Officer currently holds delegated authority under the City's Register of Delegations to approve contract variations and establish project specific governance arrangements for the exercise of that authority.
- To require that contract variations associated with the Albany Regional Airport Upgrade:
  - remain within the approved project budget and contingency allocation;
  - do not materially alter the approved scope, objectives or intended project outcomes;
  - remain consistent with applicable contractual, funding and regulatory requirements; and
  - are reported to Council through regular project update reports.
- To require any contract variation exceeding a cumulative value of 10% of the original contract value or cumulative contract variations resulting in total expenses greater than the approved project budget, be referred to Council for consideration and determination.

RECOMMENDATION

OAAC023: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT Council:

1. **NOTE that the Chief Executive Officer currently holds delegated authority under Delegation 'LG5.05 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options' to approve contract variations.**
2. **ENDORSE a project-specific governance and reporting framework for the Albany Regional Airport Upgrade whereby:**
   a) **contract variations approved under Delegation LG5.05 are to remain within the approved project budget and contingency allocation;**
   b) **contract variations are not to materially alter the approved project scope, objectives or intended outcomes;**
   c) **contract variations remain consistent with applicable contractual, regulatory and funding requirements;**
   d) **all approved contract variations are reported to Council through regular project progress reporting; and**
   e) **any contract variation exceeding 10% of the original contract value be referred to Council for consideration and determination prior to approval.**
   f) **any cumulative contract variations resulting in total expenses greater than the approved project budget**
3. **REQUIRE regular project reports to include:**
   a) **details of approved contract variations;**
   b) **cumulative contract variation values;**
   c) **remaining project contingency; and**
   d) **forecast project completion costs.**

BACKGROUND

1. The City of Albany is progressing the Albany Regional Airport Upgrade, a major infrastructure project involving the renewal and upgrade of critical airport infrastructure.
2. Due to the project's scale and complexity, unforeseen site conditions and latent defects may be identified during construction, potentially requiring contract variations.
3. The Chief Executive Officer currently exercises delegated authority in accordance with Council's adopted Register of Delegations.
4. Given the scale, complexity and strategic importance of the Airport Upgrade, Council is requested to endorse a project-specific governance framework to guide the exercise of delegated authority in relation to contract variations arising from the project.
5. Given the strategic significance, value and complexity of the Albany Regional Airport Upgrade, Council may consider it appropriate to establish project-specific governance, reporting and referral requirements in relation to the exercise of that delegated authority.
6. This report seeks Council's consideration of those governance arrangements.

DISCUSSION

7. The Albany Regional Airport Upgrade is a significant infrastructure project involving complex airside construction works and the delivery of critical airport infrastructure. Given the scale and complexity of the project, there is potential for unforeseen site conditions, latent defects, regulatory requirements and operational constraints to arise during construction that may necessitate contract variations.

8. These matters often require timely consideration to avoid disruption to construction activities and project delivery.

9. Under the City's current governance arrangements, the Chief Executive Officer may approve contract variations under delegated authority.

10. However, given the scale, complexity and strategic significance of the Albany Regional Airport Upgrade, Council may consider it appropriate to establish a project-specific governance framework that provides additional oversight of significant contract variations associated with the project.

11. The Chief Executive Officer currently holds delegated authority under Delegation LG5.05 to vary contracts. The proposed framework does not amend or expand that delegated authority. Rather, it establishes governance, reporting and referral expectations specific to the Albany Regional Airport Upgrade.

12. Whilst contract variations may involve considerable expenditure, they generally relate to the administration and delivery of an existing contract and do not necessarily constitute a separate procurement activity requiring a new public tender process.

13. Given the scale of the Albany Regional Airport Upgrade, contract variations may individually or cumulatively exceed financial thresholds that would ordinarily require Council approval if the expenditure were being considered as a separate procurement.

14. For this reason, Council may consider it appropriate to establish a project-specific governance threshold requiring referral of significant variations back to Council.

15. The proposed framework seeks to balance efficient project delivery with sound governance and financial accountability.

16. Variations approved under the framework must:

    a) remain within the approved project budget and contingency allocation;
    b) not materially alter the approved project scope, objectives or intended outcomes;
    c) remain consistent with contractual, regulatory and funding requirements; and
    d) be reported to Council through regular project progress reporting.

17. For the purposes of this framework, a material change includes any variation that significantly alters approved project scope, operational capability, asset performance standards, regulatory compliance obligations, approved project objectives or intended project outcomes.

18. The framework does not authorise an increase to the approved project budget and all approved variations must be accommodated within existing approved funding allocations.

19. Any contract variation, or cumulative contract variations, exceeding the nominated threshold will be referred to Council for consideration and determination.

20. The proposed framework is considered appropriate having regard to the scale, complexity and risk profile of the Airport Upgrade and is consistent with the City's commitment to prudent governance, effective project delivery and responsible financial management.

GOVERNMENT & PUBLIC CONSULTATION

21. N/A

STATUTORY IMPLICATIONS

22. The Chief Executive Officer currently holds delegated authority under Delegation LG5.05 of the City's Register of Delegations to approve contract variations.

23. The recommendation does not create a new delegation, expand an existing delegation, or amend Delegation LG5.05.

24. Rather, it establishes a project-specific governance and reporting framework through which Council may monitor the exercise of existing delegated authority and require significant variations exceeding a nominated threshold to be referred to Council for consideration and determination.

POLICY IMPLICATIONS

25. The recommendation aligns with the City's delegation framework and corporate governance principles by providing a controlled mechanism for the approval of contract variations while maintaining Council oversight through defined authority limits and reporting requirements.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Business Operation, Reputation & Financial. ***Risk:*** *Delays in approving contract variations may impact construction progress, increase project costs, result in contractor claims, and affect delivery of the Albany Regional Airport Upgrade*	*Likely*	*Major*	*High*	*Implement a project-specific governance and reporting framework for the Albany Regional Airport Upgrade, including defined referral thresholds and regular reporting to Council on the exercise of delegated authority.*
Opportunity: *The proposed framework will support timely decision-making, reduce project delivery risks, improve contract administration efficiency, and maintain appropriate governance and accountability throughout delivery of the Albany Regional Airport Upgrade*				

FINANCIAL IMPLICATIONS

27. The proposed governance framework does not increase the approved project budget for the Albany Regional Airport Upgrade. Any contract variations approved under the framework must be accommodated within the approved project budget and contingency allocation.

28. The framework is intended to facilitate timely decision-making during project delivery and reduce the risk of delays, cost escalation and contractor claims associated with seeking Council approval for urgent variation requests.

29. Regular project reports to Council will include details of:

    a) approved contract variations;
    b) cumulative variation values;
    c) remaining contingency allocation; and
    d) forecast final project cost.

30. Should a contract variation, or cumulative contract variations, exceed the approved threshold, or require additional project funding, a separate report will be presented to Council for consideration.

LEGAL IMPLICATIONS

31. Any authority exercised under the framework must be exercised in accordance with the Local Government Act 1995, the City's Register of Delegations, applicable contractual obligations, funding agreements and relevant regulatory requirements.

32. No other significant legal implications have been identified.

ENVIRONMENTAL CONSIDERATIONS

33. No direct environmental implications have been identified. The recommendation relates to governance arrangements and does not alter the approved scope or environmental obligations of the Albany Regional Airport Upgrade.

ALTERNATE OPTIONS

34. Endorse the proposed project specific governance and reporting framework for the Albany Regional Airport Upgrade.

35. Endorse the proposed project-specific governance and reporting framework with amended referral thresholds or reporting requirements.

36. Decline the proposed governance framework and continue to rely on existing delegated authority arrangements under Delegation LG5.05.

CONCLUSION

37. The Chief Executive Officer already holds delegated authority to approve contract variations under Delegation LG5.05.

38. The purpose of the proposed framework is not to establish additional delegated authority, but to implement project-specific governance, reporting and oversight arrangements appropriate to the scale, complexity and strategic significance of the Albany Regional Airport Upgrade.

39. The framework will support timely project delivery while maintaining transparency, financial accountability and Council oversight of significant contractual and financial decisions.

40. Importantly, the framework does not authorise an increase to the approved project budget and preserves Council's oversight of any significant changes to project scope, objectives, risk profile or expenditure.

41. Adoption of the recommendation will support effective project delivery while maintaining prudent governance, financial accountability, and appropriate Council oversight throughout the delivery of the Albany Regional Airport Upgrade.

Consulted References	:	Register of Delegations
File Number	:	PU 241968
Previous Reference	:	OCM 01/07/2025 Resolution AR178

LEMC044: RECEIVE THE MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 20 AUGUST 2026

Attachments	**:**	Confirmed Minutes of the LEMC Meeting held 20 August 2026
Report Prepared By	**:**	PA to Executive Director Corporate and Commercial Services
Authorising Officer:	**:**	Executive Director Corporate and Commercial Services

COUNCIL PLAN ALIGNMENT

- **Pillar:** Leadership.
- **Outcome:** A well-governed city with visionary leadership and strong trusted partnerships, that uses resources wisely to meet local needs.

In Brief:

- Receive the confirmed minutes of the Local Emergency Management Committee meeting held on 20 August 2026.

RECOMMENDATION

LEMC044: AUTHORISING OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the confirmed minutes of the Local Emergency Management Committee meeting held on 20 August 2026 be RECEIVED.

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

NOTICE OF MOTION BY COUNCILLOR LIONETTI
Date and Time Received: Thursday 05 November 2026 at 7.23am

15.1: NOTICE OF MOTION BY COUNCILLOR LIONETTI

THAT Council request the Chief Executive Officer to:

1. **Conduct an urgent review into effectiveness of the current $250.00 modified penalty under the City of Albany [Fire Management Notice], specifically investigating whether the fine structure provides an adequate deterrent against wildfires risks.**
2. **Investigate the feasibility of implementing escalating or recurring daily penalties under the *Bush Fire Act 1954* for ongoing non-compliance following the issuance of an initial infringement notice.**
3. **Review and streamline operational policies regarding compulsory cost recovery, ensuring that when a landowner fails to comply with a Fire Management Notice, the City promptly exercises its powers to enter the land, complete the necessary firebreak work via contractors, and fully recovers all associated costs from the property owner in addition to the base penalty.**
4. **Report back to Council, with the findings of this review and a recommended action plan no later than the March 2027 Ordinary Council Meeting.**

Councillor Reason:

This motion responds to direct urgent feedback from our Local Volunteer Bush Fire Brigades.

Identified that a growing number of landholders are openly stating that they prefer to absorb the flat $250.00 fine as a financial shortcut rather than doing the physical work to clear their firebreaks.

Treating a critical safety regulation as a “Cost of doing business” puts lives at risk.

A single unmaintained property creates a massive gap in the containment lines, threatening surrounding neighbours and placing an unjustifiable danger on our frontline volunteer firefighters.

A flat $250.00 fine is clearly failing to act as a deterrent.

The average person needs to understand that if they choose to ignore their safety obligations.

The City will immediately step in, hire contractors to get the firebreak done, and force the landowner to pay the entire bill on top of the fine.

We must shift our framework to ensure swift, aggressive cost recovery and escalating, penalties to protect life, property and the volunteers who safeguard Albany.

Officer Comment:

The key legislative consideration is that the $250 modified penalty should not be confused with the maximum penalty available under the *Bush Fires Act 1954 (WA)*. Section 33 provides the City with broader enforcement powers, including prosecution, entry onto non-compliant properties and recovery of the costs of carrying out outstanding fire mitigation works.

There is also an important distinction between the City's power to recover costs and an obligation to exercise that power in every case. The Act provides a discretionary power, rather than an automatic requirement.

Background and legislative framework

The City of Albany issues an annual Fire Management Notice pursuant to section 33(1) of the *Bush Fires Act 1954 (WA)* (the Act). The Notice establishes minimum fire prevention and mitigation requirements for landowners and occupiers within the municipality.

The requirements are legally enforceable and are intended to reduce the risk of bushfires, protect life and property, and provide for the safety of the community and emergency services personnel. Section 33(3) of the Act provides that an owner or occupier who fails or neglects to comply with a requirement of a notice issued under section 33(1) commits an offence, attracting a maximum penalty of $5,000.

The City currently identifies the potential penalty for non-compliance with its Fire Management Notice as up to $5,000 per offence. The $250 modified penalty referenced in the Notice of Motion is therefore an infringement-level enforcement amount, rather than the maximum penalty available under the legislation.

The Act also provides additional enforcement mechanisms:

- **Section 33(4):** Where an owner or occupier fails to comply within the specified timeframe, the local government may direct its Bush Fire Control Officer or another officer to enter the property and undertake the outstanding works. Contractors, machinery and other resources may be engaged for this purpose.
- **Section 33(5):** The City may determine the costs and expenses incurred in undertaking the works and recover those costs as a debt from the owner or occupier.
- **Section 33(8):** An amount recoverable under section 33 may remain a debt associated with the land and may be recovered in the same manner as unpaid rates.

These provisions provide the City with mechanisms to address non-compliance beyond issuing an infringement notice.

Review of the current $250 modified penalty

The current modified penalty warrants examination to determine whether it provides an appropriate deterrent against non-compliance with the City's Fire Management Notice.

The review should consider the distinction between an infringement notice and prosecution under section 33(3) of the Act. The existence of a $250 modified penalty does not prevent the City from considering prosecution where the circumstances warrant it and the necessary evidentiary requirements can be satisfied.

A review should also take into consideration:

- The number of Fire Management Notice inspections undertaken annually.
- The number and nature of non-compliance matters identified.
- The number of infringement notices issued and the amount of penalties collected.
- The frequency of repeat non-compliance by individual landowners or occupiers.
- The number of matters escalated to prosecution.
- The extent to which enforcement action results in timely compliance.
- Comparisons with enforcement approaches and modified penalties adopted by other local governments.

The review should also consider whether the current infringement approach is achieving the intended fire prevention outcomes, rather than assessing effectiveness solely by reference to the amount of revenue collected.

2. Feasibility of escalating or recurring daily penalties

The $250 modified penalty is prescribed under item 21 of the First Schedule to the *Bush Fires (Infringements) Regulations 1978*, for an offence under section 33(3) of the Act. It is therefore a State-prescribed infringement amount, rather than a penalty independently determined by the City of Albany.

The review should distinguish between the City's ability to increase enforcement activity and its ability to change the prescribed penalty.

In particular:

- The City cannot independently increase the prescribed $250 modified penalty through an administrative policy or Council resolution.
- Any amendment to the prescribed infringement amount would require consideration by the State Government through the relevant legislative amendment process.
- Section 33 does not expressly establish an automatic daily continuing penalty for an ongoing failure to comply with a Fire Management Notice.
- Section 33(1) does, however, allow a local government to issue notices from time to time, subject to the statutory requirements.

Accordingly, the feasibility of escalating penalties or issuing further infringement notices for continuing non-compliance requires legal examination. In particular, the City should establish whether subsequent enforcement action would relate to a genuinely separate offence or simply duplicate enforcement for the original failure to comply.

The review should also consider whether repeat or persistent non-compliance should be referred for prosecution under section 59 of the Act, rather than relying exclusively on the modified penalty infringement process.

Officer Recommendation: Investigate the available escalation mechanisms, including prosecution, and seek clarification regarding any potential legislative amendments to the prescribed modified penalty.

3. Operational policies and compulsory cost recovery

Section 33(4) of the Act provides the City with the authority to enter private property and undertake outstanding fire mitigation works where an owner or occupier has failed to comply with a Fire Management Notice within the specified timeframe.

The City may engage contractors and utilise appropriate machinery and resources to complete the necessary works.

Section 33(5) provides for the recovery of costs and expenses incurred in undertaking those works. Importantly, these costs are recoverable separately from any infringement penalty or prosecution outcome.

Section 33(8) further provides for the recovery of outstanding amounts as a debt associated with the land.

The review should focus on whether existing delegations, procedures and operational arrangements are being applied consistently and effectively, rather than assuming that additional legislative powers are required.

It is recommended that the review examine:

1. The timeframes between identifying non-compliance, issuing infringement notices and undertaking follow-up inspections.
2. The criteria for determining when compulsory works should be undertaken by the City.
3. The availability of contractors and resources to undertake outstanding fire mitigation works.
4. The process for obtaining quotations, authorising works and recording expenditure.
5. The process for calculating, invoicing and recovering costs from property owners or occupiers.
6. The escalation of unpaid debts, including the application of section 33(8) where appropriate.
7. The circumstances in which prosecution should be considered in addition to cost recovery.

The review should also consider whether a formal operational procedure could establish consistent timeframes and decision-making criteria for compulsory works.

It is important, however, that compulsory entry and works are undertaken in accordance with the Act, the applicable delegations and appropriate procedural safeguards.

Officer recommendation: Support a review of the City's existing fire mitigation compliance and cost recovery procedures, with the objective of improving consistency, timeliness and accountability.

5. Reporting timeframe

It is considered reasonable for the Chief Executive Officer to undertake the proposed review and present the findings to Council by the March 2027 Ordinary Council Meeting.

The review should include an assessment of the legislative framework, current enforcement practices, operational resource requirements, financial implications and opportunities for improvement.

The report should provide Council with an action plan identifying recommended procedural changes, responsible officers, implementation timeframes and any matters requiring referral to the State Government.

Local law and policy considerations

The principal local instrument relevant to the City's bushfire management responsibilities is the *City of Albany Bush Fire Brigades Local Law 2020.*

This local law principally regulates the establishment, organisation, management and operation of bush fire brigades. It does not provide a separate mechanism for increasing the $250 modified penalty associated with non-compliance with a section 33 Fire Management Notice.

The City's principal operational instrument for property-level fire prevention is its annual Fire Management Notice, issued under section 33 of the Act.

The City's published Fire Management Notice identifies the statutory basis for the requirements and advises landowners that non-compliance may attract penalties of up to $5,000 per offence.

Consequently, any proposed changes should be considered within the existing statutory and delegation framework, with amendments to local laws or policies only where necessary.

Overall Officer Comment

The intent of the Notice of Motion is supported, particularly in relation to strengthening compliance with the City's Fire Management Notice and ensuring that landowners meet their statutory responsibilities for bushfire prevention.

The City already has legislative authority under the *Bush Fires Act 1954* to issue infringement notices, prosecute offences, undertake outstanding fire mitigation works on non-compliant properties and recover the associated costs.

However, the $250 modified penalty is prescribed by State legislation and cannot be independently increased by the City.

Similarly, the introduction of recurring daily penalties would require further legal examination and potentially State legislative amendment.

It is considered that the greatest immediate opportunity for improvement is to review the City's operational enforcement processes, particularly the timely escalation of repeat non-compliance, the use of prosecution where appropriate, and the consistent application of the City's powers to undertake outstanding fire mitigation works and recover associated costs.

The review should also identify opportunities to improve compliance monitoring, record keeping and reporting to Council, allowing the effectiveness of the City's enforcement activities to be measured.

It is therefore recommended that Council support the proposed review, with particular emphasis on operational improvements and the identification of any legislative changes requiring referral to the State Government.

NOTICE OF MOTION BY COUNCILLOR LIONETTI
Date and Time Received: Thursday 05 November 2026 at 11.39PM

15.2: NOTICE OF MOTION BY COUNCILLOR LIONETTI

THAT Council requests the Chief Executive Officer to prepare a report for the February 2027 Ordinary Council Meeting regarding the management, financial status, and strategic deployment of cash-in-lieu of parking/Payment in lieu of Parking (PILP) funds within the Albany CBD precinct, specifically providing:

1. **The exact financial balance of the City's dedicated Parking Reserve Fund (or equivalent holding account) as of 31 December 2026.**
2. **An itemized breakdown of all cash-in-lieu contributions collected from CBD commercial developments and shop owners over the last five (5) financial years.**
3. **A clear schedule of all public parking bays, transport infrastructure, or precinct upgrades delivered within the CBD using these specific reserve funds over the last five (5) financial years.**
4. **An update on the City's current compliance with the Planning and Development (Local Planning Schemes) Regulations 2015 Regarding its Payment in lieu of Parking Plan (PLPP), including the projected timeline and locations for spending any unallocated funds currently held in reserve.**

Councillor Reason:

1. Statutory Compliance
   Following the State Government's 2021 planning reforms, Local governments face stricter statutory oversight regarding how parking cash-in-lieu funds are held, planned for and spent. Council requires a formal visibility to ensure our local framework perfectly align with these modernized regulations.

2. Ratepayer, Worker and Business Confidence.
   Concerns have been raised within the local business community regarding the transparent delivery of parking infrastructure. The lack of designated, long-term parking opportunities for CBD retail and office staff forces employees into short term (2 hour) bays. This reduces parking availability for shoppers, damages retail footfall, and creates unnecessary compliance friction. Clear visibility on the City's unspent parking funds is essential to plan dedicated long term parking solutions for our CBD workforce.

3. Strategic Prudence
   With ongoing discussions surrounding CBD activation, traffic management and retail health, Council must understand exactly what financial resources are sitting in our parking reserves so we can make informed decisions on future infrastructure rollouts.

Officer Comment

A report can be prepared in response to the matter raised. However, the following information is relevant to the consideration of the City's current cash-in-lieu of parking arrangements.

1. Legislative and Planning Framework

Part 9A of the Planning and Development (Local Planning Schemes) Regulations 2015 does not apply to the City of Albany. Cash-in-lieu of parking is addressed separately under the provisions of the City's Local Planning Scheme No. 2 (LPS2).

The City is compliant with the application of the relevant provisions of LPS2.

2. Cash-in-Lieu Contributions

The City has not collected any cash-in-lieu parking contributions over the past five years.

3. Parking Reserve Fund

The City no longer maintains a dedicated Parking Reserve Fund. The City has the following relevant Reserve Funds:

- Parking, Bridges & Marine Infrastructure Reserve - balance as at 30 June 2026 is $1,496,605. (subject to audit results)
- Developer Contributions Reserve - balance as at 30 June 2026 is $747,031.(subject to audit results)

  Please note the figures quoted above have been sourced from various sources and do not necessarily represent cash-in-lieu payments.

A dedicated Parking Reserve Fund could be re-established if required, noting Council would need to endorse this (typically at budget time).

4. CBD Parking Projects

The following parking projects have been completed within the CBD over the past five years. However, no cash-in-lieu parking funds were used to finance these works (subject to Finance confirming the funding sources):

- Old Gaol Car Park
- Resurfacing of the 66 York Street car park
- Resurfacing of Lot 50, Peels Place (Toyworld)
- Resurfacing of Lot 67, Albany Highway (ANZ)

Conclusion

The City has continued to undertake parking infrastructure works within the CBD, although these works have not been funded through cash-in-lieu parking contributions. The existing planning framework under LPS2 provides the basis for the City's administration of cash-in-lieu parking arrangements.

NOTICE OF MOTION BY COUNCILLOR LIONETTI
Date and Time Received: Sunday 08 November 2026 at 5.46PM

15.3: NOTICE OF MOTION BY COUNCILLOR LIONETTI

THAT Council requests the Chief Executive Officer to:

1. **Investigate a Local Planning Scheme Amendment, to implement Mixed Use or Commercial zoning structures along Albany Highway (from York Street Roundabout outwards) And Chester Pass Road (from the large South Coast Highway/Hanrahan Road roundabout outwards).**
2. **Formulate planning mechanisms that restrict ground floor residential development, Facing these corridors, ensuring commercial building frontages serve as natural acoustic buffers.**
3. **Optimize the proposed models to eliminate the need for concrete acoustic walls, While maximising highly visible, accessible commercial floor space for small businesses looking to establish or expand in Albany.**
4. **Consult with Main Roads Western Australia, Regarding State Planning Policy 5.4 alignment and report back to Council within six months with recommended implementation pathways.**

Councillor Reason:

Allowing standard residential development directly adjacent to major freight corridors trigger strict acoustic policies, forcing the construction of massive concrete noise walls.

We are already seeing this planning conflict occur at the end of Lancaster Road, where concrete walls are being flagged against the new road infrastructure, If we do not act to change our broader strategy now. Albany's ironic entryways risk looking like Armadale Road in Perth-lined with sterile concrete walls as far as the eye can see.

A smarter planning approach is a Mixed-Use framework where commercial premises occupy the immediate road frontage.

This creates a natural, functional sound barrier that completely protects the residential neighbourhoods behind them without the need for ugly graffiti-prone concrete barriers.

Crucially, opening up these key frontages from our major roundabouts outwards provides an excellent pipeline of premium, high-visibility spaces for small businesses wanting to come to town or expand.

This motion protects our local streetscape, supports small business growth, and preserves the welcoming character of Albany's main gateway.

Officer Comment:

Existing zoning along the identified corridors

A substantial amount of land along Albany Highway and Chester Pass Road is already zoned to accommodate commercial and employment-generating development, including Mixed Use, Tourism, Commercial, Service Commercial, Neighbourhood Centre and Light Industry, with smaller pockets of residential zoning.

Accordingly, the existing planning framework already provides opportunities for the types of development envisaged by the motion, with no demonstrated deficiency warranting further changes.

Further expansion of commercial opportunities along these corridors also needs to be considered in the context of the City's strategic objective of protecting and strengthening Albany's CBD. Given the existing challenges associated with vacant commercial premises,

encouraging additional commercial development outside the CBD, without evidence of unmet demand, could further disperse commercial activity and undermine the vitality and viability of the City Centre.

Restricting ground-floor residential development

There is no demonstrated need or strategic justification for restricting ground-floor residential development along these corridors. No assessment has established unmet demand for additional commercial floor space that would justify mandatory commercial frontages.

Such requirements could undermine development feasibility, result in vacant or underutilised commercial premises and unnecessarily constrain residential development opportunities. This would be difficult to reconcile with the City's broader strategic objective of facilitating additional housing supply.

Acoustic and transport considerations

State Planning Policy 5.4 – Road and Rail Noise identifies commercial podium developments as one potential means of shielding residential development from transport noise. However, this does not necessarily eliminate the need for additional acoustic treatments, particularly for upper residential levels, balconies and outdoor living areas.

It is also noted that SPP 5.4 does not apply to the section of Albany Highway between the York Street roundabout and the major roundabout. Consequently, the policy does not provide a basis for introducing blanket acoustic-related planning requirements along this section of the corridor.

While commercial development may assist with noise attenuation, it cannot be assumed to provide an effective substitute for purpose-designed acoustic treatments. Any further commercial intensification would also need to consider access, intersection capacity, traffic generation and potential conflicts with the transport function of these roads.

There may be greater benefit in considering the broader freight function of these corridors, particularly given the completion of the Albany Ring Road and Main Roads WA's consideration of a new breakdown area.

Existing development and strategic merit

Much of the land along the identified corridors is already developed, limiting opportunities for significant new development. Furthermore, the extent of future residential development requiring substantial acoustic barriers has not been established.

The Lancaster Road example identified in the motion is acknowledged. However, Lancaster Road forms part of a designated commercial freight route and presents different transport and land-use considerations. It is therefore not considered an appropriate basis for establishing a broader planning issue that would warrant changes to the City's zoning framework.

The motion also relies on several assumptions about the relationship between commercial development, transport noise and land-use planning, without providing supporting strategic analysis or technical evidence. In particular, the suggestion that commercial frontages will provide an effective substitute for acoustic barriers oversimplifies the acoustic considerations associated with mixed-use development and does not adequately account for development feasibility or market demand.

While the objective of improving the appearance and presentation of Albany's major entry corridors is supported, this outcome does not necessarily require additional commercial zoning or restrictions on ground-floor residential development. A more appropriate approach may be to investigate a corridor-specific design framework or Local Planning Policy to guide the appearance and presentation of future development along these routes.

Such a framework could address building design and orientation, landscaping, setbacks, fencing, signage, screening of service areas and the treatment of prominent gateway sites. Importantly, it could also strengthen expectations around the implementation and ongoing maintenance of approved landscaping and screening requirements, supported by appropriate compliance monitoring and follow-up where developments do not accord with approved plans or conditions.

The City could also identify opportunities to improve existing streetscapes and public realm areas in collaboration with Main Roads WA and adjoining landowners. This would provide a more coordinated approach to improving the visual character of Albany's entry corridors while retaining flexibility in land use, supporting housing opportunities and avoiding unnecessary constraints on development feasibility.

On balance, the proposed approach is not considered to have sufficient strategic merit to warrant changes to the City's Local Planning Scheme. The motion does not demonstrate a shortfall in existing commercial zoning, unmet demand for additional commercial floor space or a deficiency in the existing planning framework that would justify the proposed intervention.

Main Roads WA would be an appropriate agency to consult regarding road infrastructure, freight movements and transport planning. The Department of Planning, Lands and Heritage would be the more appropriate agency to seek advice regarding SPP 5.4 and the broader planning implications.

Conclusion

Officers recommend that Council does not support the motion, as it has not demonstrated sufficient strategic merit to warrant changes to the City's Local Planning Scheme.

The existing planning framework already facilitates commercial and mixed-use development along the identified corridors. Introducing mandatory commercial frontages without evidence of market demand or a clear planning benefit could undermine commercial viability, further disperse commercial activity away from the CBD and unnecessarily constrain housing opportunities.

Notwithstanding this, there is merit in considering a more coordinated approach to improving the visual presentation of Albany's major entry corridors through appropriate design guidance, stronger implementation of landscaping requirements and improved compliance monitoring.

Officer Recommendation

That Council:

1. Does not support the Notice of Motion, on the basis that the proposed changes to the City's Local Planning Scheme and additional development controls have not demonstrated sufficient strategic merit or identified any deficiency in the existing planning framework that would warrant such intervention.

16. REPORTS OF CITY OFFICERS Nil

17. MEETING CLOSED TO PUBLIC

18. CLOSURE