

ALTERNATE MOTION BY COUNCILLOR THOMSON

ITEM NUMBER: DIS268

ITEM TITLE: LOCAL PLANNING SCHEME AMENDMENT NO.38-LOTS 33, 35, 37 & 121
COCKBURN ROAD AND LOTS 100 & 102 PRIOR STREET, CENTENNIAL PARK

DATE & TIME RECEIVED: Tuesday 17 August 2021 at 5.10pm

DIS268: ALTERNATE MOTION BY COUNCILLOR THOMSON

VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council:

1) Pursuant to section 75 of the *Planning and Development Act 2005* and Part 5, r.35 and r.47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to ADOPT Standard Amendment No. 38 to City of Albany Local Planning Scheme No. 1, by:

- a) Adding objectives for the Mixed Use zone to clause 3.2.24.
- b) Adding provisions applicable to the Mixed Use zone to clause 4.5.20.
- c) Adding clause 4.6.2(g) for variation to R-Codes.
- d) Amending Table 2 – Zoning Table by adding a new column and symbols of permissibility for the Mixed Use zone.
- e) Adding Mixed Use zone to the Scheme Map legend.
- f) Rezoning Lots 33, 35, 37 and 121 Cockburn Road and Lots 100 and 122 Prior Street, Centennial Park from 'Light Industry' to 'Mixed Use' and allocating an R-Code density of R60 in accordance with the Scheme Amendment Map.

The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a) An amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
 - b) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
 - c) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
- 2) Refer the amendment to the Environmental Protection Authority to determine if formal environmental assessment is required.
- 3) ADVERTISE the amendment in accordance with Part 5, r.47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Councillor Reason:

This alternative motion looks complex, but is in fact very simple. It is the polar opposite of what the City's officers have recommended.

As somebody with postgraduate qualifications in urban planning, I have great respect for the City's planners and what they set out to achieve. However, in declining to initiate a scheme amendment that was applied for back in May, the officer recommendation risks sending the wrong economic signal to the real estate and development industries, which as we emerge from COVID-19 need to know that Albany is open for business.

State and Federal housing incentives and pandemic-induced migration trends that favour regional (particularly coastal) locations have precipitated a property boom in Albany after many years of stagnation. At the same time, Mayor Wellington has publicly expressed a desire to see Albany reach 50,000 population within the next decade. Albany's position as a nature tourism and farming centre that recently ratified a climate change action declaration will be threatened if most of that growth occurs as sprawl at the urban fringe. To quote the City's Local Planning Strategy 2019:

"... Albany ... is a sprawling city, characterised by low density residential development in the form of detached single family homes on large lots. It is composed of numerous car-dependent communities owing to the proliferation of single-use development ... As a result, the places where people live, work, shop and recreate are far from one another to the extent that public transport, walking and cycling are largely impractical ... There are a number of environmental, economic and social costs associated with urban sprawl in Albany. Valuable agricultural land is consumed for housing and areas of remnant vegetation cleared, leading to a loss of biodiversity ..."

The strategy elaborates: *"... better use of existing infrastructure and land ... will be achieved through building on the existing strengths of the regional centre and other activity centres ... Consolidation will also be achieved by undertaking urban renewal initiatives in Spencer Park and Centennial Park and by identifying residential infill opportunities that will offer a variety of housing types."*

The proposed scheme amendment fulfils those strategic aspirations, a fact acknowledged in the officers' report, which says: *"the proposed rezoning of the subject lots aligns in-principle with directions of the Planning Strategy, which identifies the precinct where the subject lots are located and the broader Centennial Park area for urban renewal, due to its proximity to the activity centre"*.

Further, the 2032 Strategic Community Plan recommended for approval at the August 24 Ordinary Meeting of Council (OCM) has as one objective: *"a compact city with diverse land, housing and development opportunities"*. The first action under that objective is to *"advocate for the State Government, private sector and non-government organisations to help meet demand for diverse housing needs, including affordable housing, social housing, short-stay accommodation, crisis accommodation, and tourist accommodation"*. The plan also says the City will *"facilitate affordable retirement accommodation in close proximity to activity centres and the CBD"*.

Again, the proposed scheme amendment fulfils all those aspirations, especially in relation to retirement accommodation close to the CBD.

A final point – concerning red tape; The Albany 2030 Community Strategic Plan (in effect until Council adopts the 2032 Strategic Community Plan as recommended in the agenda to the August 24 OCM) says the Albany community *“is keen to see a reduction in red tape when it comes to planning and building applications and a can-do attitude while meeting our regulatory obligations”*.

Given that the proponents first discussed their proposed scheme amendment with City planners in April 2021, and lodged their application in May, it is difficult to conceive of the proposal to not initiate the scheme amendment as anything but red tape.

The concern with red tape is heightened because the proposed moratorium on scheme amendments recommended at DIS271 is not scheduled to be considered until after DIS268 at the August 24 OCM. In effect, what the officer recommendation at DIS268 represents is a retrospective moratorium on the proponents' scheme amendment application before the merit of a moratorium on scheme amendments in general has been fully considered by Council. Such retrospective application of City power is neither good public administration nor good customer service.

At a time when accommodation is scarce and the building industry overheated, the City's planning process must not act, or be seen by the community to act, as a bottleneck to sustainable development.

For the above reasons, I offer the alternative recommendation for the positive consideration of Council in the interests of advancing Albany as a place where anything is possible.

Officer Comment (Executive Director Infrastructure, Development and Environment):

The initiation of Scheme Amendment 38 at this time does not align with orderly and proper planning principles for the following reasons:

- The proposed rezoning relates to a small portion of land with a new zone (Mixed Use) not currently in LPS1.
- Although the provisions of the proposed Mixed Use zone proposed by the applicant are in accordance with the model provisions of the Planning Regulations, orderly and proper planning principles warrants that the introduction of a new zone to LPS1 should involve detailed consideration where the zone should be appropriately applied across the whole municipality (in alignment with ALPS) and also the identification of land uses appropriate to the broader zone (not just specific to this site). This process is already happening through the preparation of draft LPS2.
- The preparation of draft LPS2 provides the most appropriate process to consider the introduction of a new zone in the broader context, along with other new zones under the model provisions. The LPS2 process will provide greater opportunity for community input and involvement in implementing ALPS, and more considered strategic and community based outcomes.
- As previously mentioned in DIS268, initiating the scheme amendment at a similar time to staff progressing LPS2 will impact on available resourcing dedicated to delivery of LPS2 as a priority project (Strategic Community Plan, ALPS, Planning Regulations requirements etc.).