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# AGENDA

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**Ordinary Meeting of Council**

**Tuesday 24 March 2015**

6.00pm

City of Albany Council Chambers

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

**VISION**

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

**VALUES**

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

**Focused: on community outcomes**

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

**United: by working and learning together**

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

**Accountable: for our actions**

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

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

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

ORDINARY COUNCIL MEETING  
AGENDA –24/03/2015

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**1. DECLARATION OF OPENING**

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

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

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

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

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

**Mayor**

Mayor D Wellington

**Councillors:**

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

V Calleja JP  
G Stocks  
J Price  
B Hollingworth  
S Bowles  
N Williams  
G Gregson  
A Goode JP  
R Sutton

**Staff:**

Chief Executive Officer  
Deputy Chief Executive Officer  
Executive Director Planning and  
Development Services  
Executive Director Community  
Services  
Executive Director Works and  
Services

G Foster  
G Adams  
D Putland  
C Woods  
M Thomson

Meeting Secretary

J Williamson

**Apologies:**

Frederickstown Ward  
Yakamia Ward  
Breaksea Ward

C Dowling (Leave of Absence)  
A Hortin JP (Leave of Absence)  
R Hammond (Leave of Absence)

ORDINARY COUNCIL MEETING  
AGENDA –24/03/2015

**4. DISCLOSURES OF INTEREST**

<b>Name</b>	<b>Committee/Report Item Number</b>	<b>Nature of Interest</b>

**5. REPORTS OF MEMBERS**

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

**7. PUBLIC QUESTION TIME**

**8. APPLICATIONS FOR LEAVE OF ABSENCE**

**9. PETITIONS AND DEPUTATIONS**

**10. CONFIRMATION OF MINUTES**

**DRAFT MOTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT the minutes of the Ordinary Council Meeting held on 24 February 2015, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**11. PRESENTATIONS Nil.**

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

**ED021: REVIEW OF CITY OF ALBANY ECONOMIC DEVELOPMENT STRATEGY 2013-2017**

**Report Prepared by** : General Manager Business & Economic Development (D Lee)  
**Responsible Officer** : General Manager Business & Economic Development (D Lee)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** Smart prosperous and growing
  - b. **Strategic Objective:**
    - 1.1 To foster education, training and employment opportunities that support economic development.
    - 1.2 To strengthen our region's economic base
    - 1.3 To develop and promote Albany as a unique and sought-after visitor destination
  - c. **Strategic Initiative:**
    - 1.1.1 Advocate for and support initiatives that lead to education sector and employment growth.
    - 1.2.1 Revitalise and promote the central City area
    - 1.2.2 Strengthen our economy by supporting business innovation and diversity
    - 1.3.1 Encourage, support and deliver significant events that promote our region
    - 1.3.2 Promote the Albany region as a sought after and iconic tourism destination

**In Brief:**

- The City of Albany's Economic Development Strategy was adopted by Council on 4 October 2013.
- The term of this Strategy is from 2013-2017. A mid-term review is timely and appropriate.

**RECOMMENDATION**

**ED021: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council NOTE that the Chief Executive Officer:**

- (1) Has initiated an internal REVIEW of the City of Albany Economic Development Strategy 2013 – 2017; and
- (2) Will REPORT the findings and recommendations to the Economic Development Committee within three months.

**ED021: COMMITTEE RECOMMENDATION**

MOVED: COUNCILLOR BOWLES

SECONDED: COUNCILLOR CALLEJA

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9-0

**ED021: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council NOTE that the Chief Executive Officer:

- (1) Has initiated an internal REVIEW of the City of Albany Economic Development Strategy 2013 – 2017; and
- (2) Will REPORT the findings and recommendations to the Economic Development Committee within three months.

**BACKGROUND**

2. The term of the City of Albany Economic Development Strategy 2013-2017 is five years.
3. Since adoption of the Strategy a number of external and internal changes have occurred that influence the Strategy, its derivative initiatives and means of implementation.
4. It is timely and appropriate for the Strategy to be reviewed to assess its fit with the City's present economic direction and to inform development of a succeeding strategy.

**DISCUSSION**

5. The pursuit of economic growth through implementation of an economic development strategy has recently gained higher precedence within the City with the creation of a new business and economic development portfolio and the creation of a General Manager with responsibilities for this area of activity.
6. Conduct of a review will interrogate and validate the suitability of the existing Strategy and / or provide recommendations for its modification to reflect changes in the internal and external environment.
7. The review will inform development of the Economic Development Strategy for the succeeding five year period.

**GOVERNMENT & PUBLIC CONSULTATION**

8. In conducting this review of the Economic Development Strategy 2013-2017, the General Manager Business and Economic Development will consult with key internal and external stakeholders including – but not limited to – Great Southern Development Commission, Regional Development Australia, Albany Chamber of Commerce and Industry and Tourism Western Australia.
9. No Statutory requirement exists to give public notice or invite comment.

**STATUTORY IMPLICATIONS**

10. There are no statutory implications relating to this item.
11. Voting requirement for this item is **SIMPLE MAJORITY**

**POLICY IMPLICATIONS**

12. There are no policy implications relating to this item.



**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>Organisational Operations A non timely review by the appointed officer may result in missed opportunities that have presented post the formulation and adoption of the strategy.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Refer to Economic Development Committee for further review and representation to Council</i>

**FINANCIAL IMPLICATIONS**

14. No specifically attributable financial implications arise through the conduct of this review.

**LEGAL IMPLICATIONS**

15. Nil

**ENVIRONMENTAL CONSIDERATIONS**

16. Nil

**ALTERNATE OPTIONS**

17. Council may elect to halt the review and adhere to the current City of Albany Economic Development Strategy 2013-2017.
18. Council may elect to direct appointment of an external consultant to conduct a review.

**SUMMARY CONCLUSION**

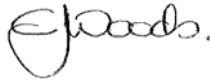
19. The term of the City of Albany Economic Development Strategy 2013-2017 was five years.
20. The Strategy is at mid-point in its implementation and a review is timely.
21. The position of General Manager Business and Economic Development is new and it is appropriate that the review is conducted in association with the creation of this position.
22. Conduct of the review will interrogate and validate the appropriateness of the existing strategy and / or provide recommendations for its modification to reflect changes in the internal and external environment.
23. The review will inform development of the economic development strategy for the succeeding five year period.

<b>Consulted References</b>	:	City of Albany Strategic and Community Plan 2023 and Corporate Business Plan 2014-2018.
<b>File Number (Name of Ward)</b>	:	ED.PLA.4 (All Wards)
<b>Previous Reference</b>	:	OCM 26/11/2013 Report ED005

**CS018: COMMUNITY SPORTING AND RECREATION FACILITIES FUND -  
2014/2015 SMALL GRANT ROUND APPLICATIONS**

**Attachments** : Albany Rifle Club Assessment Sheet  
**Report Prepared by** : Manager Recreation Services (S. Stevens)  
**Responsible Officer(s):** : Executive Director Community Services  
(C Woods)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

The Centennial Park Sporting Precinct Master Plan and Concepts relates to the following [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):

- a. **Key Theme:** 4. A Sense of Community
- b. **Strategic Objective:** 4.2 To create interesting places, spaces and events that reflect our community's identity, diversity and heritage
- c. **Strategic Initiative:** 4.2.1 Sport & Recreation Infrastructure

**In Brief:**

- To seek Council endorsement of the priority ranking for the submitted Community Sport and Recreation Facility Fund (CSRFF) small grant funding round.
- Seek Council's support to provide funding assistance to the Albany Rifle Club upon a successful CSRFF small grant application.

**RECOMMENDATION**

**CS018: COMMITTEE RECOMMENDATION 1**

**That Council RANK the CSRFF application in the following order for the CSRFF February 2015 Funding Round:**

- 1. Albany Rifle Club – Kitchen Renovation - Small Grant (ranked one of one)**

**CS018: COMMITTEE RECOMMENDATION 1**

**MOVED: COUNCILLOR HOLLINGWORTH**  
**SECONDED: COUNCILLOR WILLIAMS**

**THAT the Responsible Officer Recommendation 1 be ADOPTED.**

**CARRIED 5 - 0**

**CS018: RESPONSIBLE OFFICER RECOMMENDATION 1**

That Council RANK the CSRFF application in the following order for the CSRFF February 2015 Funding Round:

1. Albany Rifle Club – Kitchen Renovation - Small Grant (ranked one of one)

**CS018: COMMITTEE RECOMMENDATION 2**

**That Council APPROVE a total of \$8,745.85 (exc GST) from the 14/15 budget to the Albany Rifle Club, community sporting project as the Councils one third commitment upon successful CSRFF application.**

**CS018: COMMITTEE RECOMMENDATION 2**

MOVED: COUNCILLOR HORTIN

SECONDED: COUNCILLOR HOLLINGWORTH

THAT the Responsible Officer Recommendation 2 be ADOPTED.

CARRIED 5 -0

**CS018: RESPONSIBLE OFFICER RECOMMENDATION 2**

That Council APPROVE a total of \$8,745.85 (exc GST) from the 14/15 budget to the Albany Rifle Club, community sporting project as the Councils one third commitment upon successful CSRFF application.

**BACKGROUND**

1. The Community Sport and Recreation Facilities Fund (CSRFF) administered by the Department of Sport and Recreation (DSR) has three rounds of available funds including two small grant funding rounds per year and an annual/forward planning funding round.
2. The CSRFF program is a \$20 million program. All three rounds are often oversubscribed and clubs may need to reapply on a number of occasions to be successful.
3. The Small Grants Round targets community sport projects where the financial value of the total project is from \$5,000 up to \$200,000 and is delivered within a 12 month period.
4. Applicants must be either a local government authority or a not-for-profit sport or community organisation incorporated under the WA Associations Incorporation Act 1987.
5. Clubs must demonstrate equitable access to the public on a short term and casual basis.
6. The land on which the facility is to be developed must be one of the following:
  - Crown reserve
  - Land owned by a public authority
  - Municipal property
  - Land held for public purposes by trustees under a valid lease, title or trust deed that adequately protects the interests of the public.

7. Applicants must liaise with their Local Government regarding planning and building approvals pertinent to their project.
8. The Local Government has an opportunity to assess all relevant applications and to rank applications in priority order for the municipality.
9. Whilst there is no obligation for Local Government to contribute to the community sporting projects local government is viewed as a key funding partner in supporting improved community sporting amenities
10. The Department of Sport and Recreation application form calls for applications to be initially submitted to the Local Government within which the project proposal is located.
11. An element of the assessment process involves Council consideration and priority ranking of applications received. The applications are then submitted to the Department of Sport and Recreation on behalf of the applicants prior to March 30 2015.
12. Once the assessment process from Local Government Authorities are complete all applications received from Western Australian organisations are assessed by the relevant State Sporting Association and the Department of Sport and Recreation CSRFF Committee against a number of criteria, with the final decision on funding being at the discretion of the Minister for Sport and Recreation.

## **DISCUSSION**

13. The grant guidelines require Council to provide a ranking for the projects.
14. The Department of Sport and Recreation provides guidance for Local Government Authorities to assess each submission. This assessment uses the following criteria and a project rating of satisfactory/unsatisfactory or not relevant:
  - Project justification
  - Planned approach
  - Community input
  - Management planning
  - Access and opportunity
  - Design
  - Financial viability
  - Coordination
  - Potential to increase physical activity
  - Sustainability

with overall project rating, being:

- Well planned and needed by municipality
- Well planned and needed by applicant
- Needed by municipality, more planning required
- Needed by applicant, more planning required
- Idea has merit, more planning work needed
- Not recommended.

15. Applications have been ranked on the strength of the applications, participation numbers, ability to increase physical activity and potential impact as well as consultation with the Department of Sport and Recreation and the applicant.
16. The following additional information is provided about the projects and funding application:

**Albany Rifle Club – Kitchen Refurbishment**

- The funding application is a small grants application to refurbish the club house kitchen,
- Located on Frenchman Bay Road the Albany Rifle Club is the only rifle club in Albany. The club has a membership of approx 30 members.
- The club amenities are well maintained by their strong group of volunteers. The facilities were established in 1982 and are over 30 years old. The kitchen has simply reached the end of its life and now requires renovation.
- With the closure of the Swanbourne Range in Perth the state body (WA Rifle Association) is seeking to relocate the annual State Queens Prize Target Rifle Shooting competition. The renovation of the kitchen will support the club to bid and host state and national rifle events.

17. The below ranking recommendation has been provided based on the applicant meeting the required criteria and its overall project ranking:

<b>RANK</b>	<b>ORGANISATION</b>	<b>PROJECT DETAIL</b>	<b>OVERALL PROJECT RATING</b>
1	Albany Rifle Club	Kitchen Refurbishment	Well planned and needed by applicant.

18. A completed Project Assessment Sheet for the application is attached:

- Albany Rifle Club - Kitchen Refurbishment

**GOVERNMENT & PUBLIC CONSULTATION**

19. The Department of Sport and Recreation’s Regional Manager for the Great Southern has been consulted with by the applicant and the City of Albany.
20. The City of Albany conducted a site visit (22/1/2015) and provided advice on the council processes and support with the grant applications.

**STATUTORY IMPLICATIONS**

21. While there is no statutory requirement, Council has the opportunity to provide a recommendation that ranks applications in priority order for the City of Albany.
22. It should be noted that the Department of Sport and Recreation will make the final decision on funding allocation.

**POLICY IMPLICATIONS**

23. The Recreation Planning Strategy adopted in 2008 has been applied in ranking the submissions.

**RISK IDENTIFICATION & MITIGATION**

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation &amp; Community Property.</b> Failure to secure required funding may result in the condition of the amenities deteriorating to an unsafe condition.	Possible	Moderate	Medium	Support the funding application, or work with City officers to source other funding streams.
<b>Reputation &amp; Financial.</b> Failure to upgrade facilities may result in missed economic and social opportunities that result from attracting and hosting state shooting events.	Possible	Major	High	Support the funding application, or work with City officers to source other funding streams.

**FINANCIAL IMPLICATIONS**

24. The City allocated a total of \$75,000 Capital Seed Funding for Sporting Clubs in the 14/15 financial year to assist in the development and maintenance of community sporting infrastructure as determined through the CSRFF funding process.
25. The City has a reserve Capital Seed Fund for Sporting Clubs that had \$60,000 unspent at the end of 13/14 to be expended in future financial years. Total of 13/14 and 14/15 is \$135,000.
26. The Capital Seed Reserve Fund has been established to assist with leveraging State Government funds for sporting clubs. Funds from unsuccessful grant applications are returned to the Capital Seed Reserve Fund to be reused for other grant applications.
27. The City has allocated \$94,858.66 to date.
28. The projected total cost for the project is \$26,237.57. The club has requested a total of \$8,745.85 from Council. A balance of \$31,395.49 will remain following this allocation. The following table provides budget detail of the application received.

Organisation	Project detail	Total project cost (ex GST)	Applicant contribution (ex GST) [inc voluntary component]	CSRFF Grant (ex GST)	Proposed Other state or federal funding (ex GST)	Proposed Council contribution (ex GST)
Albany Rifle Club	Kitchen Refurbishment	\$26,237.57	\$8,745.85	\$8,745.85	Nil	\$8,745.85

**LEGAL IMPLICATIONS**

29. N/A

**ENVIRONMENTAL CONSIDERATIONS**

30. There are no environmental impacts associated with the Albany Rifle Club Project.

**ALTERNATE OPTIONS**

31. Council can change the priority order of the responsible officers recommended ranking for the project.

32. Council can choose not to provide funding assistance.

**SUMMARY CONCLUSION**

33. The Department of Sport and Recreation provides local government with an opportunity to assess received applications and to rank applications in priority order for the municipality.

34. The Albany Rifle Club Project satisfactorily meets the criteria provided by the Department of Sport and Recreation. This project's rating is considered well planned and needed by the applicant. Ranked one of one.

35. The Department of Sport and Recreation requires a response from the City of Albany on the priority ranking order by 30 March 2015.

<b>Consulted References</b>	:	CS010 (OCM 25/03/14
<b>File Number (Name of Ward)</b>	:	(All Wards)
<b>Previous Reference</b>	:	Nil

## **AMENDED OFFICER RECOMMENDATION**

**ITEM NUMBER: CS018**  
**ITEM TITLE: COMMUNITY SPORTING AND RECREATION FACILITIES FUND-2014-15**  
**SMALL GRANT ROUND APPLICATIONS.**

### **CS018: AMENDED RESPONSIBLE OFFICER RECOMMENDATION 1**

**THAT Council RANK the CSRFF applications in the following order for the CSRFF February 2015 Funding Round:**

- 1. Albany Rifle Club-Kitchen Renovation-Small Grant (ranked one of two); and**
- 2. Albany Swim Club-Diving Block Upgrade-Small Grant (ranked two of two).**

### **CS018: AMENDED RESPONSIBLE OFFICER RECOMMENDATION 2**

**THAT Council:**

- 1. APPROVE a total of \$8,745.85 (ex GST) from the 14-15 budget to the Albany Rifle Club community sporting project as Council's one third commitment upon successful CSRFF application.**
- 2. APPROVE a total of \$8,468.70 (ex GST) from the 14-15 budget to the Albany Swim Club community sporting project as Council's one third commitment upon successful CSRFF application.**

#### **Officers Reason (Manager Recreation Services S Stevens):**

City staff presented a report to the Community Services Committee meeting held on 3 March 2015. Only one application was originally received for consideration for CSRFF funding, and the Responsible Officer Recommendation reflected this in ranking that application one of one.

City staff have subsequently received on 3 March 2015, a request from the Department of Sport and Recreation to consider a late CSRFF application from the Albany Swim Club to replace and upgrade the dive blocks at the Albany Leisure and Aquatic Centre (ALAC). The following additional information is provided about the project and funding application:

#### **Albany Swim Club – Diving Block Upgrade**

- The funding application is a small grants application to replace and upgrade the dive blocks (8) with Legacy Launch Platforms (8).
- The dive blocks that are currently in place at ALAC are permanently fixed to the floor and can only be used under the supervision of a qualified supervisor. Currently the dive blocks have "no diving" signs placed on them to prevent unsupervised access; however this does not physically prevent patrons from using them. The Legacy Launch Platforms are removable and will eliminate a safety hazard when not in use by the clubs.
- The platforms are suitable for use in State sanctioned swim meets and assist with preparation of swimmers for both state and national competition.
- Total project cost is \$25,406.11
- The Albany Swim Club is contributing a third of the project costs and is seeking a one third contribution from the City of Albany (\$8,468.70).
- The project is well planned and will provide competitors with up to date equipment..
- The City and the Albany Swim Club have consulted with the Department of Sport and Recreation and the Great Southern Manager has indicated that the project meets the criteria and would be supported at a regional level.



**CSF147: FINANCIAL ACTIVITY STATEMENT – JANUARY 2015**

**Proponent** : City of Albany  
**Attachments** : Financial Activity Statement  
**Report Prepared by** : Financial Accountant (S Beech)  
**Responsible Officer** : Deputy Chief Executive Officer (G Adams)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF147: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council RECEIVE the Financial Activity Statement for the period ending 31 January 2015.**

CSF147: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR PRICE  
SECONDED: COUNCILLOR CALLEJA

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

CSF147: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the Financial Activity Statement for the period ending 31 January 2015.

**BACKGROUND**

1. The Statement of Financial Activity for the period ending 31 January 2015 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

**DISCUSSION**

3. In accordance with section 34(1) of the *Local Government (Financial Management) Regulations 1996*, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.
6. These financial statements are still subject to further yearend adjustments and have not been audited by the appointed auditor.

*“Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The ‘errors’ may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect.”*

### STATUTORY IMPLICATIONS

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

### POLICY IMPLICATIONS

8. The City’s 2014/15 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 31 January 2015 has been incurred in accordance with the 2014/15 proposed budget parameters. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

<b>File Number (Name of Ward)</b>	:	FM.FIR.2 - All Wards
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**CSF148: LIST OF ACCOUNTS FOR PAYMENT – FEBRUARY 2015**

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

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF148: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**That Council received the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 February 2015 totalling \$4,159,137.11.**

**CSF148: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR GREGSON**  
**SECONDED: COUNCILLOR CALLEJA**

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

**CARRIED 8-0**

**CSF148: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR GREGSON**  
**SECONDED: COUNCILLOR CALLEJA**

**That Council received the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 February 2015 totalling \$4,159,137.11.**

**CARRIED 8-0**

**BACKGROUND**

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

**DISCUSSION**

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

**Municipal Fund**

Trust	\$0.00
Credit Cards	\$12,718.29
Payroll	\$1,143,136.36
Cheques	\$76,333.46
Electronic Funds Transfer	\$2,926,949.00
<b>TOTAL</b>	<b><u>\$4,159,137.11</u></b>

3. As at 15 February 2015, the total outstanding creditors, stands at \$306,299.08 and made up as follows:

Current	\$288,349.50
30 Days	\$20,191.68
60 Days	\$0.00
90 Days	-\$2,242.10
<b>TOTAL</b>	<b><u>\$306,299.08</u></b>

Cancelled cheques: Nil

**STATUTORY IMPLICATIONS**

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

**POLICY IMPLICATIONS**

7. Expenditure for the period to 15 February 2015 has been incurred in accordance with the 2014/2015 budget parameters.

**FINANCIAL IMPLICATIONS**

8. Expenditure for the period to 15 February 2015 has been incurred in accordance with the 2014/2015 budget parameters.

**SUMMARY CONCLUSION**


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

<b>File Number (Name of Ward)</b>	:	FM.FIR.2 - All Wards
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**CSF149: DELEGATED AUTHORITY REPORTS – DECEMBER 2014 AND  
JANUARY 2015**

**Proponent** : City of Albany  
**Attachments** : Executed Document and Common Seal Report  
**Report Prepared by** : Personal Assistant to the DCEO (H Bell)  
**Responsible Officer** : Chief Executive Officer (G Foster)

**Responsible Officer's Signature:**



**RECOMMENDATION**

**CSF149: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

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

CSF149: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR HOLLINGWORTH

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

CARRIED 8-0

CSF149: RESPONSIBLE OFFICER RECOMMENDATION

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

**CFS150: ADOPTION OF THE BUDGET REVIEW FOR THE PERIOD  
ENDING 31 JANUARY 2015**

**Proponent** : City of Albany  
**Attachments** : Budget Review for the period ending 31 January 2015  
**Report Prepared by** : Business Analyst/Management Accountant (D Harrison)  
**Responsible Officer** : Executive Director Corporate Services (G Adams)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 5. Civic Leadership.
  - b. **Strategic Objective:** 5.1. To establish and maintain sound business and governance structures.
  - c. **Strategic Initiative:** 5.1.3 Integrated Planning Framework.

**In Brief:**

2. Local governments are required to conduct a budget review between 1 January and 31 March each financial year which is a requirement covered by regulation 33A of the *Local Government (Financial Management) Regulations 1996*. The Department recommends a review of the budget early in the financial year to amend carry forward projects from forecast to actual.
3. This review is for the period ending 31 January 2015. Budget adjustments thereafter of an urgent nature will be brought to a Council Meeting as an item to be discussed when required and actioned outside of this review.

**RECOMMENDATION**

**CSF150: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ADOPT the Budget Review for the period ending 31 January 2015.**

CSF150: RESPONSIBLE OFFICER RECOMMENDATION

MOVED: COUNCILLOR GREGSON  
SECONDED: COUNCILLOR PRICE

THAT Council ADOPT the Responsible Officer Recommendation.

CARRIED 8-0

CSF150: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ADOPT the Budget Review for the period ending 31 January 2015.

**BACKGROUND**

4. Council adopted the 2014/2015 Budget on 22 July 2014 (total budget of \$107.4M comprising \$46.5M capital works, \$1.5M debt reduction and \$59.4M in operating expenditure)
5. This Budget Review identifies expenditure of \$2,955,840 for general works, variations and new projects. Funding of \$2,949,388 inclusive of reduction in expenditures, adjustment of grant funding, additional revenue, reserve funding and increase in opening funds has been identified in this review to maintain a surplus budget.
6. This budget review shows the 2014 -15 budget in a surplus position of \$130,877.
7. Executives, managers and officers with budget responsibility were consulted in the preparation of the Budget Review.
8. A copy of the Budget Review for the period ending 31 January 2015 is attached.

**GOVERNMENT & PUBLIC CONSULTATION**

9. Nil.

**STATUTORY IMPLICATIONS**

10. Under the *Local Government Act 1995*, Section 6.8, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
  - a. is incurred in a financial year before the adoption of the annual budget by the local government
  - b. is authorized in advance by a resolution (absolute majority required) or;
  - c. is authorized in advance by the mayor in an emergency.

**POLICY IMPLICATIONS**

11. Nil.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Operations. Budget review is not adopted.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>The existing Annual Budget would apply and proposed amendments would not apply.  City Officers address areas of concern and represent for adoption.</i>

**FINANCIAL IMPLICATIONS**

**BUDGET REVIEW FOR THE PERIOD ENDING 31 JANUARY 2015**

This Review Maintains Council's Budget in a Surplus Position

<b>GENERAL WORKS/VARIATIONS. (Additional Funds Required)</b>		\$ (2,955,840)
<b>FUNDED BY</b>		
- Reduction in Expenditure	1,097,269	
- Adjustment in Grant/Contributions Funding	1,405,880	
- Adjustment in Revenue	656,687	
- Restricted Cash Adjustments	<u>(247,920)</u>	<u>2,911,916</u>
<b>Balance</b>		<u><u>(43,924)</u></u>
- Adjustment to opening funds from forecast to actual 30 June 2014 (Being adjustments at the conclusion of the annual Audit)	37,472	
- Current 14/15 Budgeted closing funds	137,326	
- Amended 14/15 Budgeted closing funds		<u><u>130,877</u></u>

**LEGAL IMPLICATIONS**

13. Nil

**ENVIRONMENTAL CONSIDERATIONS**

14. Nil.

**ALTERNATE OPTIONS**

15. Adopt the Budget Review for the period ending 31 January 2015 with amendments (as specified by Council)

**SUMMARY CONCLUSION**

16. That Council adopt the Budget Review for the period ending 31 January 2015.

<b>Consulted References</b>	:	Adopted Budget 2014/15 <a href="#">Local Government Act 1995</a>
<b>File Number (Name of Ward)</b>	:	FM.BUG.2
<b>Previous Reference</b>	:	Annual Budget – Ordinary Council Meeting 22 <sup>nd</sup> July 2014



**CSF151: COMMUNITY ENGAGEMENT**

**Attachments** : Proposed Community Engagement Council Policy  
**Report Prepared by** : Stakeholder Relations Manager (J Gray)  
**Responsible Officer** : Chief Executive Officer (G Foster)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 5 Civic Leadership
  - b. **Strategic Objectives:**
    - 5.1. To establish and maintain sound business and governance structures
    - 5.3. To engage effectively with our community.
  - c. **Strategic Initiatives:**
    - 5.1.2. Develop informed and transparent decision making processes that meet our legal obligations.
    - 5.3.1. Develop structures and processes that engage the community.
    - 5.3.2. Improve community engagement processes and platforms.

**In Brief:**

- Review and endorse proposed Council Policy.

**RECOMMENDATION**

**CSF151: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council, pursuant to Clause 2.7(2)(b) of the *Local Government Act 1995*, RESOLVES to ADOPT the Community Engagement policy.**

CSF151: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BOWLES  
SECONDED: COUNCILLOR PRICE

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

**CSF151: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council, pursuant to Clause 2.7(2)(b) of the *Local Government Act 1995*, RESOLVES to ADOPT the Community Engagement policy.

**BACKGROUND**

2. Council's adopted Strategic Community Plan direct City Officer's to develop structures and processes that engage the community.
3. This proposed Council Policy is prepared to support the following operational guidelines:
  - a. City of Albany, Community Engagement Communications Staff Toolkit (IG13118676);
  - b. How to engage with residents before your event guide (NG1542481); and
  - c. City of Albany Community Engagement Community Engagement Project Template.

**DISCUSSION**

4. It is requested that Council make a policy position to ensure the following guideline and subordinate processes are adhered to:

**Council Policy – Community Engagement**

Summary of policy statements:

- Council is committed to processes and technique that facilitate effective community engagement.
- Effective community engagement directly supports good governance, informed leadership, and delivers better decisions making, to guide the city's priorities into the future.

**GOVERNMENT & PUBLIC CONSULTATION**

5. This Policy has been endorsed by Executive Management Team on 27 January 2014 for consideration of Council.
6. Public will have the opportunity to provide feedback once published in the Committee and Council agenda.

**STATUTORY IMPLICATIONS**

7. Clause 2.7 of the *Local Government Act 1995* outlines the role of Council, which specifically includes determining the local government's policies (Clause 2.7(2)(b)).

**POLICY IMPLICATIONS**

8. This report proposes a new Council policy to support operational guidelines and processes.

**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i><b>Reputation.</b> Community engagement is not followed this may cause community dissatisfaction.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Council establish a policy that mandates Community Engagement Processes.</i>
<i><b>Operational.</b> Council policy position is not adopted.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Policy is referred back to Committee to address areas of concern.</i>

**FINANCIAL IMPLICATIONS**

10. There are no financial implications to the acceptance of this policy.

**LEGAL IMPLICATIONS**

11. This item has been prepared in close consultation with relevant legislation, ensuring all requirements are considered and documented.

**ENVIRONMENTAL CONSIDERATIONS**

12. There are no direct environmental considerations associated with this item.

**ALTERNATE OPTIONS**

13. Council may adopt, amend or not adopt this proposed policy position.

**SUMMARY CONCLUSION**

14. As this policy position affirms the City of Albany’s commitment to community engagement it is recommended that the proposed policy position is adopted.

<b>Consulted References</b>	:	<i>Local Government Act 1995 City of Albany Community Strategic Plan 2023</i>
<b>File Number (Name of Ward)</b>	:	<i>(All Wards) CM.STD.7, CM.PLA.13</i>
<b>Previous Reference</b>	:	<i>SCM 25/06/2013 Report Item 6.1</i>

**CSF152: C14038 TELEPHONE SYSTEM AND SERVICES UPGRADE FOR CITY OF ALBANY**

**Proponent** : City of Albany  
**Attachments** : C14038 Telephone System and Services for the City of Albany, Tender Evaluation v1.00 (**CONFIDENTIAL ATTACHMENT**)  
C14038 Evaluation Methodology CoA v1.01  
**Report Prepared by** : Information Manager (C Hannan)  
**Responsible Officer** : Deputy CEO (G Adams)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 5. Civic Leadership
  - b. **Strategic Objective:** 5.1 To establish and maintain sound business and governance structures
  - c. **Strategic Initiative:** 5.1.2 Improved ICT Practices.

**In Brief:**

- Enabling the replacement of redundant Telephone System and Services, including new contact centre capability;
- Replacement and standardisation of telephone handsets; and
- New Video Conferencing Facility in the 2015/16 Financial Year (optional).

**RECOMMENDATION**

**CSF152: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ACCEPT the tender response from NEC Australia and AWARD the contract for Telephone System and Services Upgrade for the City of Albany subject to final contract negotiations.**

CSF152: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR GREGSON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

CSF152: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ACCEPT the tender response from NEC Australia and AWARD the contract for Telephone System and Services Upgrade for the City of Albany subject to final contract negotiations.

## **BACKGROUND**

2. The City was an early adopter of telephony technologies (Telstra CustomNet Spectrum – installed in 1988), however, the system has not been upgraded or enhanced and requires urgent replacement.
3. The existing telephone system is obsolete (end of life, in danger of losing technical support), is generally not meeting users' needs or maximising staff productivity and does not represent Value for Money.
4. In October 2013 the City contracted Peter Farr and Associates to undertake a telecommunications review. The final report was received in May 2014 recommending that the City develop a technical specification and go to tender for proposals to upgrade telephone system and services at the City.
5. The technical specification detailed the following requirements:
  - a. Telephone System and Services incorporating contact centre capabilities.
  - b. New IP telephony handsets.
  - c. New Video Conferencing Facility in the 2015/16 Financial Year.
6. The C14038 Telephone System and Services Upgrade for the City of Albany tender closed on Thursday the 18<sup>th</sup> of September 2014.
7. Tender responses were evaluated by Peter Farr & Associates and the City (Information Manager, IT Administrator and Application Support Officer) and was finalised in February 2015.

## **DISCUSSION**

8. It is imperative that the existing telephone system be upgraded as a matter of priority to mitigate risks associated with relying on end of life technology for corporate communications across all City sites.
9. The additional Contact Centre service will enable the City to improve customer service and assist with streamlining the internal handling of phone communications.
10. The upgrade of telephone handsets is essential to support Voice over IP capability provided by the new telephony system.
11. Video conferencing capability was identified as a required service during the Telecommunications review and it is intended to implement the service once the telephone system and contact centre has been completed.

## **GOVERNMENT & PUBLIC CONSULTATION**

12. N/A.

## **STATUTORY IMPLICATIONS**

13. N/A.

## **POLICY IMPLICATIONS**

14. Various internal policies and procures will be developed or reviewed and reissued through the implementation process.

**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<b>Business Interruption</b> <i>If not replaced current system will result in business interruption.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Endorse recommendation to allow replacement telephone system and services – remove end-of-life technology.</i>
<b>Organisation Operations</b> <i>Cannot operate efficiently due to poor communications systems.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Monitor telephone system and services during implementation and provide alternative means of communications where required.</i>
<b>Reputation</b> <i>Cannot meet customer expectations due to poor communications systems.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Endorse recommendation to allow replacement telephone system and services – remove end-of-life technology.</i>

**FINANCIAL IMPLICATIONS**

16. \$575, 402 over six years if contract extensions granted.
17. The telephone system changeover is cost neutral to the City over the six year contract period due to operating cost savings which supports to purchase given the tangible operational and customer service improvements.
18. The original budget for the telephone system and services tender was \$225,000. The Budgeted amount for 2014/15 is \$329,920 which is dependent on final contract negotiations.

**LEGAL IMPLICATIONS**

19. N/A.

**ENVIRONMENTAL CONSIDERATIONS**

20. N/A.

**ALTERNATE OPTIONS**

21. Design an in-house service that would need to be supported by City of Albany Staff. There are considerable risks associated with this approach due to expert resource availability and existing workloads.

**SUMMARY CONCLUSION**

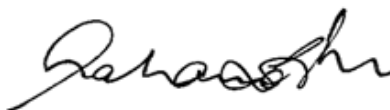
22. The existing telephone system and services are redundant and need to be replaced as a priority.
23. The City of Albany has undertaken a comprehensive due diligence process to identify replacement services.
24. The tender evaluation team is confident that the proposed NEC services are the best value for money option available to the City and will meet the City’s telephone system and services requirements for at least the next six years.

<b>Consulted References</b>	:	City Procedure: Tenders & Quotations Evaluation Procedure
<b>File Number (Name of Ward)</b>	:	N/A
<b>Previous Reference</b>	:	Nil

## CSF153: WARDS AND REPRESENTATION REVIEW

<b>Proponent</b>	:	City of Albany
<b>Attachments</b>	:	Officer's Report – Wards & Representation Review 2014 (draftv0.4), which includes: <ul style="list-style-type: none"><li>• Attachment A – Review of Wards &amp; Representation Discussion Paper 2014</li><li>• Attachment B – Copies of Media Coverage (Public Notices, Advertisements, Articles, Social Media Posts)</li><li>• Attachment C – Summary of Public Submission Report (including redacted submissions)</li><li>• Attachment D – Assessment of Alternate Submissions</li></ul>
<b>Report Prepared by</b>	:	Manager Governance & Risk Management (S Jamieson) Chief Executive Officer (G Foster)
<b>Responsible Officer</b>	:	Chief Executive Officer (G Foster)

Responsible Officer's Signature:



### STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 5 Civic Leadership
  - b. **Strategic Objectives:**
    - 5.1. To establish and maintain sound business and governance structures
    - 5.3. To engage effectively with our community.
  - c. **Strategic Initiatives:**
    - 5.1.2. Develop informed and transparent decision making processes that meet our legal obligations.
    - 5.3.1. Develop structures and processes that engage the community.

#### In Brief:

- Council is required to consider all submission it receives and record them in the minutes.
- If Council proposes to maintain the status quo then reasons of this must be included in the resolution.
- If the Council decides to make a change, then the resolution of Council must propose the making of orders under the *Local Government Act 1995* (the Act).

## **RECOMMENDATION**

### **CSF153: RESPONSIBLE OFFICER RECOMMENDATION**

#### **VOTING REQUIREMENT: ABSOLUTE MAJORITY**

- 1. In accordance with Schedule 2.2 (9) of the *Local Government Act 1995* (the Act), it is recommended to the Local Government Advisory Board that:
  - **The current number of elected representatives be reduced over time;**
  - **Existing ward boundaries be modified to accommodate the required elector to councillor ratio (as per the modified Option 6 - Ward Map).****
- 2. The local government undertake a further review of wards and representation in two years time.**
- 3. That no change be made to the manner in which The Mayor is elected, leaving it to the will of electors of the City at large.**

## **BACKGROUND**

2. Local governments that have a ward system are required to review their ward boundaries and representation every so often to ensure that no more than eight years elapse between successive reviews.
3. The last review of ward boundaries was undertaken in 2006 resulted in a reduction of councillors from 14 to 12 and wards from 7 to 6.
4. At its 9 June 2014 meeting, the Local Government Advisory Board (the Board) resolved to request that the City of Albany complete an eight year review of its wards and representation in accordance with clause 6(1) of Schedule 2.2 of the *Local Government Act 1995* (the Act).
5. Currently the City of Albany has twelve (12) councillors elected from six (6) wards and a popularly elected Mayor.
6. On 24 November 2014, Council endorsed the ward options, detailed in the discussion paper, for consideration by the community. (*refer to Officer's Report at attached*).
7. Statutory advertising commenced on 4 December 2014 with public submission accepted up until 6 March 2015.
8. At the close of the submission period, 248 submissions had been received.
9. Of those submissions two were from representative organisations (South Coast Progress Association & Frenchman Bay Association).



**DISCUSSION**

10. It is recommended that Council review the assessment made against each public submission and assessment criteria, as detailed in the Officer’s Report attached.

**Summary of Public Submissions**

A total of 248 submissions were received.

<b>Current Ward Suburb Groupings</b>	<b>No. of Submissions Received</b>
Breaksea Ward	11
Frederickstown Ward	22
Kalgan Ward	69
Vancouver Ward	19
West Ward	106
Yakamia Ward	15
Suburb name not given	6
<b>Total</b>	<b>248</b>

**Response to Question (a) Number of Councillors:**

<b>Current Ward Suburb Groupings</b>	<b>Representation. Number of Councillors:</b>		
	<b>Decrease</b>	<b>Increase</b>	<b>Status Quo</b>
Breaksea Ward	1	1	9
Frederickstown Ward	7	0	15
Kalgan Ward	7	5	57
Vancouver Ward	1	1	17
West Ward	4	11	91
Yakamia Ward	3	1	11
Suburb name not given	2	0	4
<b>Sub-totals</b>	24	20	204
<b>Total</b>	<b>248</b>		

**Response to Question (b) Representation designated by:**

<b>Current Ward Suburb Groupings</b>	<b>Representation designated by:</b>	
	<b>No Wards</b>	<b>Wards</b>
Breaksea Ward	3	8
Frederickstown Ward	13	9
Kalgan Ward	8	61
Vancouver Ward	2	17
West Ward	5	101
Yakamia Ward	7	8
Suburb name not given	1	4
<b>Sub-totals</b>	<b>40</b>	<b>208</b>
<b>Total</b>	<b>248</b>	

**Response to Question (c). If you have chosen Ward Representation, please select one of the following options:**

Current Ward Suburb Groupings	No. of Wards				
	Option 2	Option 3	Option 4	Option 5	Option 6
Breaksea Ward					8
Frederickstown Ward					9
Kalgan Ward		2	1	5	53
Vancouver Ward				5	12
West Ward	1	1	3	3	93
Yakamia Ward			1	1	6
Suburb name not given		1			3
<b>Sub-totals</b>	1	4	5	14	184
<b>Total</b>	<b>208</b>				

**Response to Question (d). Election of Mayor:**

Current Ward Suburb Groupings	How the mayor is elected	
	By the district	By the council
Breaksea Ward	8	3
Frederickstown Ward	15	7
Kalgan Ward	25	44
Vancouver Ward	15	4
West Ward	51	55
Yakamia Ward	12	3
Suburb name not given	3	3
<b>Sub-totals</b>	<b>129</b>	<b>119</b>
<b>Total</b>	<b>248</b>	

11. Further information is detailed in the Officer's Report attached.

**Reaching a decision**

12. If Council proposes to maintain the status quo then reasons for this must be included in the resolution.
13. If Council proposes to maintain the current ward system and number of elected representatives (Option 6), an updated Option 6 map is attached for Council consideration.
14. This updated map meets the Local Government Advisory Boards (LGAB) expectation to have the Councillor to Elector ratios within plus or minus 10 % for each ward and the request from the South Coast Progress Association to retain the suburbs of Robinson and Mount Elphinstone in the Vancouver Ward.
15. If Council propose to abolish the exiting ward structure and have no wards Council must resolve by an absolute majority (carried by a vote of 7) to recommend to the LGAB to make an order under the Act.
16. If Council proposes to change how the position of Mayor is elected, Council must resolve by a special majority (carried by a vote of 10).

### Effect of decision

17. If Council proposes to make a change to the number of wards or number of Councillors, current serving elected members have the right to complete their current full term.
18. Should Council propose any changes to be implemented in time for the 2015 ordinary local government elections, the required documentation will need to be submitted to the LGAB by 31 March 2015. This will allow adequate time to complete the various statutory requirements.

### GOVERNMENT & PUBLIC CONSULTATION

19. Noting the submission period is to be not less than 6 weeks, the festive season, and to facilitate maximum engagement, the submission period was held open for 13 weeks. (Opened on 4 December 2014 and closed on 6 March 2015).
20. 248 submissions were received, which represented about 1 % of the number of electors of the City of Albany. Previous ward reviews in 2006 and 2011 garnered 45 and 33 responses respectively.
21. Government consultation was conducted throughout the ward review process. The Manager Governance & Risk Management contacted the LGAB on 17 March 2015 to seek clarification. Council is advised:
  - a. The City Officer's role is to ensure ward boundary options provide the municipality with balanced elector to representative ratios.
  - b. If Council wishes to have ward boundaries that do not provide balanced representation, a justification must be communicated to the LGAB as part of the minutes.
  - c. The Responsible Officer's Recommendation does not have to be moved.
  - d. It is important that the Council acknowledges the submissions submitted by the Community in reaching a decision.
22. Details of the public consultation process are detailed in the Officer's Report attached.
23. Public will have the opportunity to provide additional feedback once published in the Committee and Council agenda.

### STATUTORY IMPLICATIONS

24. Schedule 2.2 of the *Local Government Act 1995* (the Act), clause 6 provides that a review of Ward Boundaries and the number of councillors of each ward shall be undertaken at least once every eight years.
25. Schedule 2.2, of the Act, clause 9 provides that on completing a review, the local government is to make a report in writing to the Advisory Board and may propose\* to the Board the making of an order under section 2.2(1), 2.3(3) or 2.18(3) it thinks fit. Voting requirement: \* **Absolute Majority**.

- Section 2.2 of the Act, Districts may be divided into wards:
  - (1) *The Governor, on the recommendation of the Minister, may make an order —*
    - (a) *dividing a district into wards; or*
    - (b) *creating new wards in a district that is already divided into wards; or*
    - (c) *changing the boundaries of a ward; or*
    - (d) *abolishing any or all of the wards into which a district is divided; or*
    - (e) *as to a combination of any of those matters.*

- Section 2.3 of the Act, Names of districts and wards:
  - (3) *If a local government proposes under Schedule 2.2 that an order be made changing the name of the district or a ward, the Minister may recommend to the Governor that the order be made, and the Governor may make the order accordingly.*
  
- Section 2.12 of the Act, Electors may propose change of method of filling the office of mayor:
  - (1) *A proposal to change the method of filling the office of mayor or president used by a local government to the other method mentioned in section 2.11(1)(a) or (b) may be made to the local government by electors of the district who —*
    - (a) *are at least 250 in number; or*
    - (b) *are at least 10% of the total number of electors of the district.*
  - (2) *The proposal is to comply with any regulations about such proposals.*
  - (3) *If the proposal is to change the method of filling the office of mayor or president from the election by the council method to the election by the electors method, consideration is to be given to the proposal by such means as the council thinks fit after which a motion to change the method of filling the office of mayor or president is to be put to the council for decision under section 2.11(2).*
  
- Section 2.13, of the Act, When new method takes effect:
  - (1) *A decision under section 2.11(2) to change to the election by electors method has effect in relation to the filling of the office of mayor or president at the next ordinary elections of the local government held after the decision is made and from then on until a change under section 2.11(4) to the election by the council method takes effect.*
  - (2) *A change under section 2.11(4) to the election by the council method has effect in relation to the filling of the office of mayor or president at the first meeting of the council after the ordinary elections of the local government in the year in which the term of office of the incumbent mayor or president ends and from then on until a decision under section 2.11(2) to change to the election by electors method takes effect.*
  - (3) *A decision under section 2.11(2) has no effect if it is made during, and a decision under section 2.12A(2) has no effect unless a poll resulting from it is held before, the period beginning on the 80th day before, and ending on, the ordinary election day in the year in which the term of office of the incumbent mayor or president ends.*
  
- Section 2.18. Fixing and changing the number of councillors:
  - (3) *The Governor, on the recommendation of the Minister, may make an order —*
    - (a) *changing the number of offices of councillor on a council; or*
    - (b) *specifying or changing the number of offices of councillor for a ward; or*
    - (c) *as to a combination of those matters.*

## POLICY IMPLICATIONS

26. There are no policy implications related to this report.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Reputation.</b> Community submissions are not considered may cause community dissatisfaction.	Possible	Moderate	Medium	All submissions have been submitted for review and consideration.
<b>Reputation &amp; Operational.</b> A decision is not made prior to the 31 March 2015, may not allow any change to take effect at the next ordinary local government elections.	Unlikely	Minor	Low	Additional workshops are undertaken to ensure a recommendation can be made to the Minister.  Changes are requested to be implemented at a later time.  Effectively communicate the rationale to the Community.

**FINANCIAL IMPLICATIONS**

28. There are no financial implications of finalising the review process is minimal as it has been accommodated from existing budgeted funds and existing staff resources.

29. The following estimates for the conduct of an election are based on the following assumptions:

- a. Number of electors in district 25,500 (estimated)
- b. Non statutory advertising costs not included.
- c. Cost estimates do not include staff resources.

**Financial implication of a Ward System Ordinary Election**

Ward Structure	Councillor Vacancies	Mayor Vacancy	Estimate \$
6 Wards	6	1	88,000

**Financial implication of a No Ward System Ordinary Election**

Ward Structure	Councillor Vacancies	Mayor Vacancy	Estimate \$
District (No Wards)	12	1	\$90,000

30. **Extraordinary Elections:** There is the case in which vacant offices can remain unfilled.

31. This is dealt with under section 4.17(3) of the Act. If a councillor’s office becomes vacant Council may, with the approval of the Electoral Commissioner, allow\* the vacancy to remain unfilled, if at least 80 % of the number of offices of councillor for the ward are still filled. \* **Absolute Majority**.

32. In the case of no wards, this is calculated at 80% of the total number of councillors.

**LEGAL IMPLICATIONS**

33. There are no legal implications related to this report.

**ENVIRONMENTAL CONSIDERATIONS**

34. There are no direct environmental considerations associated with this item.

**ALTERNATE OPTIONS**

35. Options are detailed in the discussion section of the report.

**SUMMARY CONCLUSION**

36. Based on the submission from the Community, it is recommended that Council resolve to:

- a. Maintain the current number of elected representatives;
- b. Maintain the current number of wards; and
- c. Modify the existing ward boundaries to accommodate the required elector to councillor ratio (as per the modified Option 6 map, on page 8, attachment D of the Officer’s Report, attached).

37. How the Mayor is elected is a separate issue and may be dealt with at any time.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1995</i></li> <li>• DLGC Guideline: Review of Wards and Representation for local governments with a wards system and local governments without a ward system. <i>Source: <a href="http://www.dlgc.wa.gov.au">www.dlgc.wa.gov.au</a></i></li> </ul>
<b>File Number (Name of Ward)</b>	:	GO.BOU.1 (All Wards)
<b>Previous Reference</b>	:	OCM 25/11/2014 Report Item CSF131 OCM 26/11/2013 Report Item CSF041

**WS064: WATERWISE COUNCIL PARTICIPATION**

**Proponent** : City of Albany  
**Attachments** : Memorandum of Understanding (MOU)  
**Report Prepared by** : Assets Officer (M Holt)  
**Responsible Officer** : Executive Director Works & Services (M Thomson)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 2.Clean, Green & Sustainable
  - b. **Strategic Objective:** 2.2. To maintain and renew city assets in sustainable manner
  - c. **Strategic Initiative:** 2.2.3. Carbon Footprint

**In Brief:**

- Consideration is sought to support a Memorandum of Understanding (MOU) between the Water Corporation, Department of Water and City of Albany for the WaterWise Councils Program.
- The purpose of the MOU is to continue a partnership between the agencies to achieve improved water use efficiency.
- In accordance with the City of Albany Carbon Footprint Reduction Strategy, this extends to the development of a water management plan for City assets.

**RECOMMENDATION**

**WS064: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ENDORSE the commitment to the WaterWise Councils Program by entering into a Memorandum of Understanding (MOU) with the Water Corporation and Department of Water.**

WS064: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HOLLINGWORTH  
SECONDED: COUNCILLOR GREGSON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 5-0

WS064: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ENDORSE the commitment to the WaterWise Councils Program by entering into a Memorandum of Understanding (MOU) with the Water Corporation and Department of Water.

## **BACKGROUND**

2. In August 2014, Council adopted the Carbon Footprint Reduction Strategy and Action Plan.
3. As part of the Carbon Footprint Reduction Strategy (CFRS) Council made a commitment to improve water use efficiency and establish a water management plan.

## **DISCUSSION**

4. Water is essential for life and we face growing pressures on our water resources from population growth and the effects of climate change.
5. To assist in the reduction of water use by the City, it is important that a water management plan is developed that will provide direction for potential water reduction, financial savings and improved efficiency and conservation.
6. In 2008 the City became part of the International Council for Local Environmental Initiatives (ICLEI) Oceania program until it ceased in 2010. The ICLEI program required extensive human resources to complete the generic milestones to achieve WaterWise status.
7. The Water Corporation and the Department of Water with the support of ICLEI have developed a WaterWise Council Program. The aim of the program is to build a cooperative working relationship between local government and other agencies to improve water use efficiency.
8. This program requires considerably less resources.
9. By joining the WaterWise Councils Program the City will be able to establish a better understanding of the City's water use, explore the opportunities for potential water and financial savings through improved efficiency and extensive access to WaterWise material and training.
10. At the completion of the program the City will be endorsed as a WaterWise Council.
11. The MOU would be current for a period of three years from the date of signing.

## **GOVERNMENT & PUBLIC CONSULTATION**

12. Consultation with Government agencies and the community will occur as the need arises through participation in the program.

## **STATUTORY IMPLICATIONS**

13. Not applicable

## **POLICY IMPLICATIONS**

14. The Council Environmental Policy states the City of Albany is committed to ensuring that appropriate responses are undertaken to mitigate potential climate change impacts.



**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<b>Environment.</b> <i>Inefficient use of water in City facilities having a negative impact on aquifer capacity and local water supplies.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>City engages with other agencies to develop joint strategies to improve water use efficiency through participation in the WaterWise Councils Program.</i>
<b>Financial.</b> <i>Over use of water resulting in higher costs.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Through participation in the WaterWise Program, develop cost efficient means of using water.</i>
<b>Organisational Operations.</b> <i>MOU not signed and City does not participate in WaterWise Councils Program.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>City continues to utilise best practise, where resources and in house expertise allows.</i>

**FINANCIAL IMPLICATIONS**

16. The WaterWise Council Program Assessments recommendations will require analysis to prioritise future budget considerations.

**LEGAL IMPLICATIONS**

17. Not Applicable

**ENVIRONMENTAL CONSIDERATIONS**

18. The efficient use of water contributes to the overall sustainability of local scheme water supplies and aquifers.

**ALTERNATE OPTIONS**

19. Council may decline to participate in the WaterWise Councils Program with the Water Corporation.

**SUMMARY CONCLUSION**

20. The WaterWise Councils Program will enable the City to develop a water management strategy, accurately measure its water use and manage water consumption efficiently and in a sustainable manner.

<b>Consulted References</b>	:	Council Policy - Environmental
<b>File Number (Name of Ward)</b>	:	EM.EDU.2 (All Wards)
<b>Previous Reference</b>	:	OCM 20/10/09 Report Item 15.1.1, OCM 15/06/10 Report Item 15.3.1, OCM 17/08/10 Report Item 3.6 and 3.7, OCM 16/11/10 Report Item 3.7

## **WS065: CHEYNE BEACH IMPROVEMENT PLAN**

<b>Land Description</b>	: Cheyne Beach
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Attachments</b>	: Cheyne Beach Improvement Plan Maps
<b>Supplementary Information &amp; Councillor Workstation:</b>	: Nil
<b>Report Prepared by</b>	: Reserves Officer (A Tucker)
<b>Responsible Officer</b>	: Executive Director Works & Services (M Thomson)

**Responsible Officer's Signature:**



### **STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 2. Clean, Green and Sustainable
  - b. **Strategic Objective:** 2.2 To maintain and renew city assets in a sustainable manner
  - c. **Strategic Initiative:** 2.2.1 Deliver effective asset planning and delivery programs

#### **In Brief:**

- The Cheyne Beach Improvement Plan project was initiated to provide strategic guidance for enhancements and improvements to Reserves 878 and 41252.
- The plan will ensure a holistic and coordinated approach for future works.
- Council consideration and approval is sought for the improvement plan for Cheyne Beach.

### **RECOMMENDATION**

**WS065: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT:IMPLE MAJORITY**

**THAT Council APPROVE the Cheyne Beach Improvement Plan for Reserves 878 and 41252.**

WS065: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GREGSON  
SECONDED: COUNCILLOR DOWLING

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 5-0

WS065: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council APPROVE the Cheyne Beach Improvement Plan for Reserves 878 and 41252.

**BACKGROUND**

2. Cheyne Beach town site and coastal day use area is a popular tourist location to the east of Albany and is utilised by a mix of tourists and locals alike.
3. Numerous adhoc infrastructure upgrades have occurred in the Cheyne Beach area over time but to date there has not been a plan which has looked at the whole area and assessed what is needed for the population.
4. Upgrades to Cheyne Beach day use areas are recommended for action in 2016-2018 (staged) in the Reserves 10 year plan.
5. Current works being undertaken by the City Reserves team at Cheyne Beach include weed control within the town site and maintenance of the 4WD track across the headland. These projects are funded by South Coast Natural Resource Management.
6. Council consideration and approval is sought for the Cheyne Beach Improvement Plan which will guide future development and improvements.

**DISCUSSION**

7. The improvement plan has been developed with internal staff, agency and community input.
8. The improvement plan has proposed improvements which include more BBQ's and bins in the day use area, as well as interpretative signage. Safe pedestrian access between the private caravan park and the beach is also a major priority.
9. The additional facilities are those considered as highly valued within public parklands and would encourage many to stay and enjoy the space for longer
10. As well as including new infrastructure, some remediation works in the plan are aimed towards protecting the natural environment (such as blocking of tracks and vehicle access).
11. The table below represents the common themes extracted from the total schedule of submissions. This summary represents both verbal and written submissions recorded at the drop in sessions as well as through formal submissions.

Management Issue	Number of submissions	Comments
More bins	9	More bins throughout the day use areas are included in the plan.
Better pedestrian access (along Kybra Rd and from Caravan Park	8	Agreed, a great idea. Indicative location has been included in the plan but final location will need to be determined in conjunction with DPaW.
Speed reduction along Kybra Rd and Cheyne Rd	7	Current road speed data informs us that the majority of people are travelling on or under the posted speed limits. Perceptions in local community may need addressing through a separate awareness campaign and further trimming of roadside vegetation under maintenance.
Improve boat trailer parking area	5	Outside of scope of current project, but will be reviewed as a separate project.

<b>Management Issue</b>	<b>Number of submissions</b>	<b>Comments</b>
More public toilets and more frequent cleaning in peak periods	5	Current schedule of cleaning will be reviewed internally and changed through variation in contract if necessary. Current toilet locations will be reviewed at time of renewal (particularly the one opposite Bald Island Rd). Further feasibility studies will be conducted to determine if there is a need for further toilets.
Information bay for tourists with interpretative signage	4	An indicative location for an information bay sign has been included in the plan. The final location and interpretation for the signage will require further consultation with community and agencies.
Weed control (in particular Sydney Golden Wattle)	4	This is currently happening as a part of a separate SCNRM funded project.
More BBQ's	3	More BBQ's within the new day use area included as part of the plan.
Better compliance signage (particularly on the beach)	3	A signage review will be conducted next financial year, which will include best location.
More frequent Ranger patrols	3	Will be referred to Ranger team for action.
Controlled burns	3	In the recent Strategen report the risk to Cheyne Beach was calculated as low, therefore it is deemed as no urgent burn is required. However, as part of reserve maintenance, reserves will widen the existing fire access track below the lease houses.
Retain existing BBQ at boat launch area	3	Current BBQ is at end of life and needs renewing but will be replaced in the same location.
Barriers to prevent vehicle access to lawned areas	3	This did exist originally, but have been vandalised. They will be replaced under the maintenance budget.
More public car parking	2	Some parking is included in the plan, but exact location will require further feasibility assessment.
Location signs for public toilets	2	Great idea. Can be included in the information bay.
Close illegal tracks to beach from Kybra Rd	2	This is included in the plan.
DoT boating signage	2	Outside of scope of current project.
Improve visibility along Kybra Rd	2	Has been referred onto natural reserves maintenance team to assess and action.
Changes to dog exercises areas	2	Needs to be looked at further in conjunction with Rangers.
Designated swimming areas/pontoon	2	Has not been included in the plan as it requires further feasibility assessment with DoT.

12. Many members of the community commented on the current boat launching facilities. Whilst this is outside the scope of the current plan, it is important to highlight that the community would like to see improvements to the boat launching area, car parking and signage.
13. The City will consider, outside the scope of this project, further funding opportunities to improve the amenity of the boat launching facilities through the Recreational Boating Facilities Scheme (RBFS), depending on resources.
14. Having an adopted improvement plan for the area will enable external funding opportunities to be explored by City staff.

**GOVERNMENT & PUBLIC CONSULTATION**

15. Prior to the draft being developed there was the opportunity for internal staff, key stakeholders and the community to provide input.
16. An internal workshop was held on 18 September 2014, which was well attended with 14 staff and Councillors participating.
17. A community open day was held on a Saturday 4 October 2014 at Cheyne Beach.
18. Public comment period was undertaken between 18 September and 27 October 2014 (39 days). A total of 17 submissions were received.
19. SCNRM and DPaW were invited to be involved and collaborate in the community consultation.
20. Local Noongar groups were invited to be involved in the community consultation sessions but to date no correspondence has been received. Earlier consultations and approvals for currently funded works had occurred with the local Noongar groups and this will continue with each phase of further works.
21. As works progress and construction details are completed during implementation, the City will continue to inform all stakeholders.

**STATUTORY IMPLICATIONS**

22. No statutory implications

**POLICY IMPLICATIONS**

23. No policy implications

**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<b>Community.</b> Infrastructure not providing for the needs of the community.	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Develop an improvement plan which considers community needs.</i>
<b>Finance.</b> Funding opportunities missed due to lack of planning.	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Adopt an improvement plan.</i>

**FINANCIAL IMPLICATIONS**

- 25. Overall project staging will be subject to annual budget considerations and external funding opportunities.
- 26. Funding opportunities will be explored using the approved plan as a basis enabling professional and costed funding submissions to be made. These matters will be referred to Council for further consideration in due course.
- 27. Ongoing costs for maintenance of any new infrastructure will be the responsibility of the City of Albany and will be funded through the Reserves Maintenance budget.

**LEGAL IMPLICATIONS**

- 28. There are no legal implications relevant to this item. All actions will be consistent with legislative requirements.

**ENVIRONMENTAL CONSIDERATIONS**

- 29. All on ground works will be referred to the City Reserves Planning Staff prior to commencement to ensure all appropriate approvals and permits are in place and there are no environmental issues.

**ALTERNATE OPTIONS**

- 30. Council may choose not to approve the Cheyne Beach Improvement Plan. The plan can then be reviewed and referred back to Council for further consideration.

**SUMMARY CONCLUSION**

- 31. The Cheyne Beach Improvement Plan aims to provide strategic direction with respect to future renewal and upgrades within the Cheyne Beach town site area.
- 32. It is recommended that the plan be approved to guide a co-ordinated approach to future upgrade and improvement works.

<b>Consulted References</b>	:	Nil
<b>File Number (Name of Ward)</b>	:	CR.COC.28
<b>Previous Reference</b>	:	Nil

**WS066 : FIVE YEAR PROGRAM – GREAT SOUTHERN REGIONAL ROAD GROUP**

<b>Land Description</b>	: Road Reserve – various locations
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Attachments</b>	: Revised 5yr GSRRG Funding Application Program
<b>Report Prepared by</b>	: Co-ordinator, Assets and Finance (S Pepper)
<b>Responsible Officer</b>	: Executive Director Works and Services (M Thomson)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023:
  - a. **Key Theme:** 2. Clean, Green and Sustainable
  - b. **Strategic Objective:** 2.2. To maintain and renew city assets in a sustainable manner.
  - c. **Strategic Initiative:** By scheduling maintenance, servicing and renewal in a timely manner that maximises the life and performance of infrastructure.

and Corporate Business Plan 2014-2018:

- a. **Key Theme:** 2. Clean, Green and Sustainable
- b. **Strategic Objective:** 2.2. To maintain and renew city assets in a sustainable manner.
- c. **Strategic Initiative:** 2.2.2. Project Reporting.
- d. **Strategic Outcome:** Improved project control and decision making. Improved information resulting in elected members and community being engaged and informed.

**In Brief:**

- The 5 year Great Southern Regional Road Group (GSRRG) Funding Application Program is reviewed annually.
- Both state and federal funding is involved and is administered through the Great Southern Regional Road Group (GSRRG).
- Approval is sought to make annual applications for funding these proposed works.

**RECOMMENDATION**

**WS066: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council:**

- (1) NOTE the Revised 5 Year Great Southern Regional Road Group Funding Application Program as tabled; and**
- (2) APPROVE annual applications for funding in support of the proposed works in accordance with the program.**

**WS066: COMMITTEE RECOMMENDATION**

**MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR HOLLINGWORTH**

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

**CARRIED 5-0**

**WS066: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council:**

- (1) NOTE the Revised 5 Year Great Southern Regional Road Group Funding Application Program as tabled; and**
- (2) APPROVE annual applications for funding in support of the proposed works in accordance with the program.**

**BACKGROUND**

2. Main Roads WA, in cooperation with Local Government, develops and manages the road network to meet the needs of the community. The State provides road funds for a number of programs administered by the State Road Funds to Local Government Advisory Committee. The Great Southern Regional Road Group (GSRRG) coordinates an annual application process to determine the distribution of these funds. Currently there are four sources of road funding available through this process.
3. Identified Roads of Regional Significance (Roads 2030) are eligible for Road Project Grants. State funding is spread across 10 WA Regional Road Groups and is based on a percentage (27%) of the vehicle licence fee revenue which varies from year to year.
4. Funding provides two thirds (67%) of total project costs with the other third coming from Council's own resources. The GSRRG has also enacted a cap of 20% which limits the amount that any one Council can receive from the funding pool each year.
5. The GSRRG Policy and Procedure Guideline and Project Prioritisation Guidelines govern the assessment of projects put forward for funding. Projects are scored and then ranked into four broad categories – preservation, concluding, continuing, and new projects.



6. State Black Spot Program funds are also allocated to individual Regional Road Groups for distribution. The GSRRG also processes the National Black Spot Program which sources federal funding for complying projects.
7. State Program funding covers two thirds (67%) and the National Program covers all (100%) of total project costs. For the national program crash criteria is required to demonstrate a benefit cost ratio (BCR) of over 2 to comply. For the state program either a BCR or a road safety audit are required to comply.
8. The Great Southern Technical Working Group members each assess the applications and rank them on being the most appropriate and cost effective.
9. Commodity Routes Supplementary Funding (CRSF) is provided for roads which are not Roads of Regional Significance (Roads 2030) but where there is a significant high priority transport task associated with the transport of a commodity.
10. \$2.5m is provided state wide and distributed according to project ranking with no regional constraints. CRSF funding provides two thirds (67%) of total project costs and is limited to a maximum of \$250,000 per submitted project.

## **DISCUSSION**

11. State funding provides a reliable and consistent source of income for maintaining and improving the City's road network. In the current financial year (2014/15) the City of Albany has been allocated \$1.905m for its road network. This is made up of:
  - a. RRG Road Projects - \$1,345k;
  - b. State Black Spot Projects - \$190k; and
  - c. CRSF Projects - \$370k (approved carryover for Pfeiffer Rd works).
12. Funding applications for the 2015/16 financial year have already been submitted (end of July 2014) and combined are likely to total \$1.517m as can be seen detailed in the attached program.
13. With the preparation and annual review of the Long Term Financial and Asset Management Plans a 10 year Forward Capital Works Program has been prepared identifying projects and allocating grant funding and the City's own resources in successive financial years. This information has been collated to provide to Council a listing of proposed projects over the next five years.
14. The projects identified have been recommended as complying with application requirements and assessed as likely to receive funding. However, there is no guarantee that funding will be secured for these projects.
15. RRG Road Projects are the most likely to secure funding as the scoring system more heavily weights traffic volumes and the City is well placed in this regard compared with other Local Government areas in the Great Southern. However, the ranking system of placing new projects last can mean that new projects that score well can still miss out on funding.
16. Because of this some projects have been spread across financial years to allow for limited funding being available in the initial year but for funding to be secured in the following year to complete the project.
17. The State Black Spot funding allocation for the Great Southern has been dramatically reduced in the last couple of years (based on accident statistics) and now equates to approximately \$368k. This funding is aimed at low cost - high benefit safety improvements, for which the City has been reasonably successful in recent years. Each year the City reassesses possible projects and has road safety audits conducted on those short listed as being suitable. With new projects being identified and considered, applications can vary from year to year.

18. Commodity Routes Supplementary Funding is dependent on Heavy Vehicle traffic volumes and freight tonnages and with limited information the City is unable to make forward projections beyond 2016/17 at this time. As the projected freight tonnages for 2015 are low and would not attract funding, the City has not submitted an application.

**GOVERNMENT & PUBLIC CONSULTATION**

19. As part of the Integrated Planning Framework process the City conducted a program of consultation with the community.

**STATUTORY IMPLICATIONS**

20. Under section 3.18 of the *Local Government Act 1995*, the City of Albany is to satisfy itself that the services and facilities it provides are managed effectively and efficiently.

**POLICY IMPLICATIONS**

21. This document complies with the Council adopted Asset Management Policy, Strategy and Plan – Roads along with the Long Term Financial Plan.
22. The annual application (document) complies with the rules and guidelines governing the Great Southern Regional Road Group allocations for road funding and therefore no additional government consultation has been conducted.
23. This document also complies with the Asset Management Plan – Roads which was adopted at a Special Council Meeting on 25 June 2013 and therefore has been subject to consultation with the community and elected members.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Finance.</b> Failure to make funding application would result in the City of Albany missing out on a state funding contribution to the road renewal programme.	Possible	Moderate	Medium	Forward planning through adoption of 5 year program and allocation of City staff resources to make submissions.
<b>Organisational Operation.</b> Funding application is unsuccessful resulting in the project either being deferred or funded entirely.	Likely	Moderate	High	City maintains network within its resources and directs resources to areas of highest need.

**FINANCIAL IMPLICATIONS**

25. The original costs associated with this item were included in the Long Term Financial Plan 2014 - 2023 adopted at a Special Council Meeting on 25 June 2013. The projected costs are subject to annual revision dependent on the success of funding applications.

**LEGAL IMPLICATIONS**

26. Not applicable.

**ENVIRONMENTAL CONSIDERATIONS**

27. The City of Albany recognises the value of its natural environment and the importance of protecting and managing natural values for future generations. As part of this commitment any construction works identified in this document will be undertaken in accordance with the Environmental Code of Conduct adopted by Council in 2006.

**ALTERNATE OPTIONS**

28. There are no alternatives associated with this item.

**SUMMARY CONCLUSION**

29. The approval of the revised 5 Year Forward Capital Works Program will provide the City with a strategic direction for the management of its road assets over the next five year period.

<b>Consulted References</b>	:	Nil
<b>File Number (Name of Ward)</b>	:	GS.PRG.22; GS.PRG.23.
<b>Previous Reference</b>	:	OCM 25/02/14 Item WS026

**WS067: ALBANY REGIONAL HOSPITAL PARKING SCHEME**

**Land Description** : Albany Regional Hospital Precinct  
**Owner** : City of Albany  
**Attachments** : Parking Scheme  
**Report Prepared by** : Co-ordinator, Assets and Finance (S Pepper)  
**Responsible Officer** : Executive Director Works and Services (M Thomson)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 3. A connected built environment.
  - b. **Strategic Objective:** 3.1. To advocate, plan and build friendly and connected communities.
  - c. **Strategic Initiative:** 3.1.1 Improve connectedness and traffic flows

**In Brief:**

- In principal support for a Parking Scheme including installation of no-standing signs, line marking and a 4 hour limit parking area in the Albany Regional Hospital precinct as per the attached plan.
- Public consultation to be undertaken on the proposed Parking Scheme and then referred back to Council for consideration.

**RECOMMENDATION**

**WS067: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council:**

- (1) APPROVE, in principal, the proposed Parking Scheme for the Albany Regional Hospital precinct, and**
- (2) RESOLVE to action a public consultation period prior to a further item being presented to Council for consideration.**

WS067: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HOLLINGWORTH  
SECONDED: COUNCILLOR DOWLING

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 5-0

**WS067: RESPONSIBLE OFFICER RECOMMENDATION**

THAT Council:

- (1) APPROVE, in principal, the proposed Parking Scheme for the Albany Regional Hospital precinct, and
- (2) RESOLVE to action a public consultation period prior to a further item being presented to Council for consideration.

**BACKGROUND**

2. With the completion of the Albany Regional Hospital extension, ongoing complaints have been received relating to vehicles obstructing sightlines for normal traffic and road verge parking.
3. Normal domestic waste collections have been impeded by parked vehicles associated with the hospital.
4. The indiscriminate parking of vehicles obstructs sightlines for normal traffic and traffic accessing and exiting residences
5. Pedestrians, at times, are forced to walk onto the road carriage way.

**DISCUSSION**

6. The City of Albany in a working group lead by the Albany Regional Hospital which is working towards alleviating parking issues around the Campus. This working group is represented by both staff and neighbouring residents and the proposals presenting in this report are supported by the group.
7. The proposed Parking Scheme would provide a no standing zone on the roads surrounding the Hospital, commencing from Diprose Cres, along Warden Ave and including Hardie Rd. This amendment would also include Andrews St and Warden Pl, as these streets are affected by the current parking congestion.
8. The Hospital has agreed in principal to a suggested 4 hour limit to its car park to help manage the parking congestion, as some members of the public and Hospital staff are using the area for all day parking.
9. To ensure the restricted parking on the selected Hospital parking area is enforceable by the City, a formal agreement would be required as it is private property. The City's Rangers would then be able to police the Albany Regional Hospital precinct.
10. It is noted that the onsite parking at the Hospital is not adequate and that the implementation of this scheme may affect patients and visitors. This is being addressed by the working group in conjunction with this proposal.

**GOVERNMENT & PUBLIC CONSULTATION**

11. Should Council agree, in principal, to the proposed Parking Scheme, public consultation will be undertaken to seek the necessary feedback about any parking amendments.
12. Discussions with the Albany Regional Hospital have been fruitful, with the suggested parking arrangements being supported. The Hospital is to review its staff parking arrangements to maximise usage on their land.

**STATUTORY IMPLICATIONS**

13. Clause 1.8 of the City’s Parking and Parking Facilities Amendment Local Law 2012 stipulates inter alia:
- a. *“The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle, any class of vehicles or any class of drivers in any part of the parking region but must do so consistently with the provisions of this Local Law.”*

**POLICY IMPLICATIONS**

14. There is no specific Council policy position, as verges are dealt with under *Activities on Thoroughfares and Public Places Local Law 2011* and *Verge Development Guidelines* have been developed to administer verge development.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<u>Community, People Health and Safety.</u> <i>Indiscriminate parking on roads and verges.</i>	<i>Almost Certain</i>	<i>Moderate</i>	<i>High</i>	<i>Council Rangers continue to respond and provide limited enforcement. City staff continue to work with the Albany Regional Hospital to encourage the provision of improved onsite parking.</i>

**FINANCIAL IMPLICATIONS**

16. Costs for installation of signage and line marking will be funded within the current 2014-15 budget, with the signage placed on the City’s register for capital maintenance and replacement.
17. Any fines resulting from enforcement would be retained by the City.

**LEGAL IMPLICATIONS**

18. The new scheme must be implemented in accordance with the City of Albany *Parking and Parking Facilities Amendment Local Law 2012*.
19. Once adopted by Council, public notice must be given prior to enforcement of new or amended parking limitations.
20. A legal agreement will be required to be entered into with the Hospital, to enable the City to police the Hospital car park.

**ENVIRONMENTAL CONSIDERATIONS**

21. Nil.

**ALTERNATE OPTIONS**

22. Council may resolve not to support the in principal proposal for an Albany Regional Hospital Parking Scheme, and the current parking arrangements will remain.

**SUMMARY CONCLUSION**

23. In principal support for the Albany Regional Hospital Parking Scheme Parking Scheme will allow staff to undertake a public consultation program to validate the proposed parking amendments. A subsequent report will be submitted to Council detailing the results of the consultation and any recommendations to address the parking concerns at the Hospital.

<b>Consulted References</b>	:	Local Government Act 1995 Local Government (Functions and General) Regulations 1996 Access & Inclusion Plan 2012-2017 Parking & Parking Facilities Amendment Local Law 2012
<b>File Number (Name of Ward)</b>	:	CU.PRA.68 (Spencer Park)
<b>Previous Reference</b>	:	N/a

**WS068: ALBANY CITY CENTRE: ALBANY CENTRAL BUSINESS DISTRICT (CBD) REVISED PARKING SCHEME PLAN**

**Proponent** : Albany City Centre (Central Business District)  
**Owner** : City of Albany  
**Attachments** : Updated Albany Central Business District (CBD) Parking Scheme Plan  
**Report Prepared by** : Co-ordinator Assets and Finance (S Pepper)  
**Responsible Officer(s)** : Executive Director Works and Services (M Thomson)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
  - a. **Key Theme:** 3. A connected built environment.
  - b. **Strategic Objective:** 3.1. To advocate, plan and build friendly and connected communities.
  - c. **Strategic Initiative:** 3.1.2. Parking and Traffic Modelling:

**In Brief:**

- Council approval to adopt the revised CBD Parking Scheme Plan.

**RECOMMENDATION**

**WS068: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**THAT Council:**

- (1) **ADOPT** the revised CBD Parking Scheme Plan, subject to an assessment of the adequate provision of ACROD bays;
- (2) **AMEND** Delegation (2014:025), titled: Infrastructure: Parking, Traffic Management, Local Bus Shelters and Seats to allow parking time limitations to be increased and decreased under delegated authority.



**WS068: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR DOWLING**

**SECONDED: COUNCILLOR HOLLINGWORTH**

**THAT Council:**

- (1) ADOPT the revised CBD Parking Scheme Plan, subject to an assessment of the adequate provision of ACROD bays;
- (2) AMEND Delegation (2014:025), titled: Infrastructure: Parking, Traffic Management, Local Bus Shelters and Seats to allow parking time limitations to be increased and decreased under delegated authority.

**CARRIED 5-0**

**WS068: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council:**

- (1) ADOPT the revised CBD Parking Scheme Plan.
- (2) AMEND Delegation (2014:025), titled: Infrastructure: Parking, Traffic Management, Local Bus Shelters and Seats to allow parking time limitations to be increased and decreased under delegated authority.

**BACKGROUND**

2. At the Ordinary Meeting of Council in December 2014, the City of Albany agreed to the advertising of the revised CBD Parking Scheme Plan, and if no negative submissions are received, adopt the advertised CBD Parking Scheme.

**DISCUSSION**

3. The proposed amendments to the CBD Parking Strategy were advertised and included the following minor changes:
  - a. Consolidating Parking Limits where practicable to reduce confusion and quantity of signage;
  - b. Update of parking plans in areas where capital projects have altered the layouts.
  - c. Reducing and consolidating some 15 minute bays.
4. The public feedback has been summarised and commented upon accordingly -
  - a. Parking limit from 1 hour to 2 hours on Serpentine Road, west of York Street has been amended. This area has no parking limits enforced historically and as such there are no predicted negative effects.
  - b. Taxi, Bus and Loading bay parking outside the Plaza has been flagged as inadequate and disorganised. Following consultation with all effected stakeholders this has been amended in order to operate more efficiently.

5. Currently Council has delegated authority to approve amendments to the Parking Scheme. However, the authority is limited by a condition that states: “*Parking time limitation can only be increased under delegated authority*”.
6. To ensure the Parking Scheme is responsive to Community feedback and to mitigate potential parking issues in a timely manner it is requested that Council consider amending the delegation that pertains to parking.

**GOVERNMENT & PUBLIC CONSULTATION**

7. The revised scheme has been advertised in the local newspaper with the changes highlighted in order to provide the required public notice.

**STATUTORY IMPLICATIONS**

8. The City may introduce parking schemes by resolution of Council under the City of Albany Parking and Parking Facilities Amendment Local Law 2012.
9. In accordance with section 5.45(1)(b) of the *Local Government Act 1995*, all decisions by Council to amend or revoke a delegation is to be made by absolute majority.
10. Voting requirement: **ABSOLUTE MAJORITY**

**POLICY IMPLICATIONS**

11. Following the adoption of the amended CBD Parking Scheme, minor amendments can be approved under delegated authority, however changes which involve the reduction of a parking limit, or relocation of parking limits need to be referred to Council.
12. However, if the recommended changes to the Parking delegation is supported, minor changes to the parking scheme will not be referred to Council for approval and the delegation registered will be amended accordingly.
13. Public notice will still be given prior to enforcement of new or amended parking limitations.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Community.</b> <i>Ineffective parking restrictions may impact negatively on the public wishing to undertake business or are employed in the CBD.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Modify and review parking limits to provide for better parking efficiency in line with business and community feedback.</i>

**FINANCIAL IMPLICATIONS**

15. The recommended amendments will necessitate the changeover of some parking limit signs.
16. The costs are negligible and will be funded through the road maintenance budget.

**LEGAL IMPLICATIONS**

17. Any parking scheme amendments must be implemented in accordance with the *City of Albany Parking and Parking Facilities Amendment Local Law 2012*.
18. Once adopted by Council, public notice must be given prior to enforcement of new or amended parking limitations.

**ENVIRONMENTAL CONSIDERATIONS**

19. Nil

**ALTERNATE OPTIONS**

20. The City can elect to maintain the status quo in respect to parking limits and the proposed amendment to the delegation that pertains to the Parking Scheme.

**SUMMARY CONCLUSION**

21. In order to enforce changes to parking restrictions, Council needs to consider:
  - a. Adopting the scheme plan amendments;
  - b. Amend the current delegations.
22. It is recommended that the Responsible Officer's Recommendation be adopted.

<b>Consulted References</b>	:	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i> Access & Inclusion Plan 2012-2017 City of Albany Parking and Parking Facilities Amendment Local Law 2012
<b>File Number (Name of Ward)</b>	:	CU.PRA.5 (Vancouver Ward)
<b>Previous Reference</b>	:	OCM 16/04/13 Report item 5.1; OCM 27/08/13 Report item WS004; OCM 16/12/14 Report item WS058; OCM 24/06/2014 Report item CSF094 (Delegations)

**PD072: DEVELOPMENT APPLICATION – TELECOMMUNICATIONS  
INFRASTRUCTURE –LOT 29, 64 BARRASS RD, LITTLE GROVE**

**Land Description** : Lot 29, 64 Barrass Road, Little Grove WA 6330  
**Proponent** : Daly International  
**Owner** : C and M Slynn  
**Business Entity Name** : Nil  
**Attachments** : Area Plan  
Schedule of Submissions  
**Supplementary Information & Councillor Workstation:** : Letters of submission from the public  
**Report Prepared by** : Senior Planning Officer (A Bott)  
**Responsible Officer** : Director Development Services (D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter.
2. This is a statutory planning matter that is assessed against the Local Planning Scheme No.1 (LPS1) and any relevant planning policies. As such there are no strategic implications. Notwithstanding this, the most relevant strategic document is the Albany Local Planning Strategy (ALPS).
3. The item relates to the following Strategic Objective of the Albany Local Planning Strategy (ALPS):

**6.4.4 Telecommunications:** *“To encourage the extension and maintenance of high quality telecommunications for the whole Albany district”*

**In Brief:**

- Council is asked to consider a proposal for Telecommunications Infrastructure at Lot 29, 64 Barrass Rd, Little Grove WA 6330.
- The proposal has been advertised to the public, with 17 letters of representation received. 16 of these submissions have objected to the proposal. The objections are discussed later in the report
- Staff recommend that Council approve the proposal subject to conditions.

## RECOMMENDATION

### **PD072: RESPONSIBLE OFFICER RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council resolves to ISSUE a Notice of Planning Scheme Consent for Telecommunication Infrastructure at 64 Barrass Road, Little Grove; subject to the following conditions:**

- (1) Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the City of Albany, all development shall occur in accordance with the stamped, approved plans.**
- (2) A construction management plan shall be submitted for approval in writing and implemented to the satisfaction of the City of Albany.**
- (3) Stormwater from the lot shall be managed to the satisfaction of the City of Albany.**
- (4) Lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.**
- (5) Prior to commencement of development a schedule of materials and colours to be used on the structures hereby approved shall be submitted for approval by the City of Albany.**

## BACKGROUND

4. The City has received an application for Planning Scheme Consent for Telecommunication Infrastructure at Lot 29, 64 Barrass Rd, Little Grove WA 6330.
5. The subject site is located approximately 5.5km SSW of the Albany CBD.
6. The subject site is 1.84Ha in area and is zoned Rural Residential No.42 under (LPS1). The site is currently developed with a single dwelling and associated outbuilding.
7. The top of the proposed monopole tower telecommunications will be 45m above natural ground level.
8. The proposed Telecommunication Infrastructure is a component of the National Broadband Network's (NBN) wireless network.
9. Telecommunication Infrastructure is a use listed within LPS1, but is not specifically identified as a permissible use for this zone through Schedule 14 of LPS1. Although not listed for the zone, it is also not prohibited. As such, Telecommunication Infrastructure is considered as an 'A' use, meaning the use is not permitted unless the Local Government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4.
10. During the advertising period a total of 17 submissions were received. 16 objected or raised concerns regarding the proposal.
11. The proposal has been assessed against LPS1 and State Planning Policy 5.2 – Telecommunications Infrastructure.
12. When determining telecommunications infrastructure, it is necessary to assess the impact on amenity against the overall public benefit of the infrastructure.

13. It is acknowledged that the proposal will detract from view scapes from a number of properties within the area.
14. The applicant has stated that the proposed telecommunications infrastructure will service at least 190 dwellings within the immediate area.
15. Taking into consideration the nature of public submissions against the significant public benefit of the proposal, it is recommended that the application be approved.

## DISCUSSION

16. The proposal consists of one 45m high monopole. The monopole services one parabolic antenna (located at 38m) and two panel antennas (located at 45m). In addition to the monopole, it is proposed to install two outdoor equipment cabinets within a fenced area of 96m<sup>2</sup>.
17. The proposed infrastructure and compound are proposed to be located in the south east corner of lot 29, setback a minimum of 3.5m of from Barrass Rd.
18. The proposal was initially scheduled to be advertised for a 21 day period with an advertisement appearing in the public notices section of a local paper on 16 October, 2014. Concerns were raised regarding the timeframe to make a submission. The closing date for submissions was consequently extended until 6 December, 2014. The issues raised are covered and addressed in the following section of the report.
19. A number of submissions make reference to the community consultation undertaken by the applicants prior to lodging a Planning Scheme Consent with the City of Albany.
20. The matters raised in the submissions will be discussed in further detail below. In brief, amenity was the main concern raised consistently throughout the submissions, particularly the perceived impact on views of significance and the natural amenity of the area.
21. When assessing impacts on amenity, it is necessary to determine the level of existing amenity within the immediate area and secondly, within wider the locality.
22. The assessment of landscape this report has been undertaken in reference with the Western Australian Planning Commission's *Visual Landscape Planning in Western Australia – a manual for assessment, siting and design*.
23. The existing amenity for Barrass Rd can be classified as a vegetated Rural Residential street directly adjoining the Torndirrup National Park to the east. The overall locality to the south of the subject site is primarily defined by vegetated Rural Residential properties provided with views towards the Harbour and National park. General residential properties are located approximately 450m to the north, across Frenchman Bay Road.
24. The notion of relocating the proposed infrastructure to an alternative location within the area was a consistent comment throughout the consultation process. As a response to these comments, the City of Albany contacted the applicant and enquired if there was scope to review other locations. The applicant advised that a number of sites were reviewed as part of the pre application process. However, they wish to proceed with the site selected.

25. The potential for detrimental health effects from the proposed tower was also regularly raised. It is necessary to note that the City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz*. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.
26. Decreased property values were raised during the consultation process. Property values are not within the matters to be considered under LPS1 and therefore are not a valid planning consideration.

### GOVERNMENT & PUBLIC CONSULTATION

27. The proposal was advertised to residents within a 750m radius of the site from 16 October, 2014 to 6 December 2014. A notice was also placed in the local newspaper in accordance with clause 9.4 of LPS1.
28. A total of 17 public submissions were received following the initial advertising period. 1 was in support and 16 objected to the application, below is a summary of those submissions:
  - a. The proposal will detrimentally affect the amenity of the area;
  - b. The proposal will detrimentally affect views of significance within the area;
  - c. Property values will be negatively affected;
  - d. Detrimental health affects;
  - e. Insufficient public consultation was undertaken by the NBN Co;
  - f. The content of the submissions is summarised in more detail in the attached schedule of submissions, with officers providing responses to the matters raised.

### STATUTORY IMPLICATIONS

29. The subject land is zoned Rural Residential under the City of Albany Local Planning Scheme No. 1 (LPS1).
30. Telecommunications Infrastructure is classified as an 'A' use under City of Albany Local Planning Scheme No. 1.
31. The proposal has been assessed against the objectives of the Rural Residential area under Clause 4.2.17 of LPS1.
32. The proposal has been assessed against the following relevant matters to be considered under clause 10.2 of LPS1:
  - (b) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
  - (c) *Any approved statement of planning policy of the Western Australian Planning Commission;*
  - (i) *The compatibility of a use or development with its setting;*
  - (n) *The preservation of the amenity of the locality;*

- (o) *The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (x) *The potential loss of any community service or benefit resulting from the planning approval;*

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

### **POLICY IMPLICATIONS**

34. The proposal has been assessed against the Western Australian Planning Commission's *State Planning Policy 5.2 - Telecommunications Infrastructure* (SPP 5.2). SPP 5.2 provides guiding principles for the assessment of telecommunication infrastructure.
35. The SPP 5.2 provides guiding principles for the location, siting and design of telecommunications infrastructure.
36. Comment in reference to the guiding principles for the location, siting and design of telecommunications infrastructure are as follows:

**There should be a co-ordinated approach to the planning and development of telecommunications infrastructure, although changes in the location and demand for services require a flexible approach.**

The option of reassessing other suitable sites was consistently raised during the consultation process. The applicant was made aware of this notion after the consultation period had ended. The applicant advised the City that the subject site was the location which was determined to be best suited and this would not be reviewed.

**Telecommunications infrastructure should be strategically planned and co-ordinated, similar to planning for other essential infrastructure such as transport networks and energy supply.**

The proposal forms a component of the National Broadband Network. Telecommunications infrastructure is identified within the Albany Local Planning Strategy.

**Telecommunications facilities should be located and designed to meet the communication needs of the community.**

The application proposes to provide wireless internet coverage to service at least 190 dwellings within the Little Grove area. The applicant has stated that they have selected the site based on technical parameters and the necessary land access agreement being in obtained.

**Telecommunications facilities should be designed and sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts on prominent landscape features, general views in the locality and individual significant views.**

Given the height of the proposed tower, there will be detrimental impacts on views of significance from nearby properties. It is also pertinent to note that a National Park is



located immediately to west of the proposed site. As discussed earlier, the existing level of amenity is defined by the secluded and vegetated nature of the area. The applicant has advised that there was no scope to co-locate the proposed infrastructure on an existing tower.

**Telecommunications facilities should be designed and sited to minimise adverse impacts on areas of natural conservation value and places of heritage significance or where declared rare flora are located.**

The site located immediately adjacent to a National park. The application proposes to remove a vegetation to establish a cleared area for the telecommunication infrastructure. The site does not contain any registered places of heritage significance.

**Telecommunications facilities should be designed and sited with specific consideration of water catchment protection requirements and the need to minimise land degradation.**

The proposal will not detrimentally affect groundwater. The proposed removal of vegetation would be required to be appropriately managed to avoid erosion.

**Telecommunications facilities should be designed and sited to minimise adverse impacts on the visual character and amenity of residential areas.**

The applicant has proposed a monopole rather than a lattice style tower as it is less obtrusive. It is also proposed to leave the infrastructure unpainted in a grey colour. Notwithstanding these measures, there will be an impact on the amenity of the area, primarily on views from properties to the south.

**Telecommunications cables should be placed underground, unless it is impractical to do so and there would be no significant effect on visual amenity or, in the case of regional areas, it can be demonstrated that there are long-term benefits to the community that outweigh the visual impact.**

The subject area has not been identified as being feasible for cable connection as part of the NBN rollout.

**Telecommunications cables that are installed overhead with other infrastructure such as electricity cables should be removed and placed underground when it can be demonstrated and agreed by the carrier that it is technically feasible and practical to do so.**

This guiding principle is not applicable in this situation.

**Unless it is impractical to do so telecommunications towers should be located within commercial, business, industrial and rural areas and areas outside identified conservation areas.**

The general area is zoned Rural Residential. There are no business, industrial or rural zoned land within the operating area of the telecommunications infrastructure.

**The design and siting of telecommunications towers and ancillary facilities should be integrated with existing buildings and structures, unless it is impractical to do so, in which case they should be sited and designed so as to minimise any adverse impact on the amenity of the surrounding area.**

In this situation there are no existing buildings or telecommunication infrastructure to utilise. As mentioned previously, while measures have been taken to reduce visual impact, there will still be a level of impact on the existing amenity of the area.

**Co-location of telecommunications facilities should generally be sought, unless such an arrangement would detract from local amenities or where operation of the facilities would be significantly compromised as a result.**

There are no existing facilities which would allow co location to occur while still meeting the operational requirements for the infrastructure.

**Measures such as surface mounting, concealment, colour co-ordination, camouflage and landscaping to screen at least the base of towers and ancillary structures, and to draw attention away from the tower, should be used, where appropriate, to minimise the visual impact of telecommunications facilities.**

The applicant has proposed leaving the monopole unpainted in an effort to reduce visual impact. A landscaping condition can potentially be applied to mitigate street level amenity.

**Design and operation of a telecommunications facility should accord with the licensing requirements of the Australian Communications Authority, with physical isolation and control of public access to emission hazard zones and use of minimum power levels consistent with quality services.**

As stated earlier, the City is not the responsibly authority in applying the abovementioned requirements. If approved these details are subject to separate licensing requirements.

**Construction of a telecommunications facility (including access to a facility) should be undertaken so as to minimise adverse effects on the natural environment and the amenity of users or occupiers of adjacent property, and ensure compliance with relevant health and safety standards.**

Any development would be subject to a construction management plan which would be required to address and mitigate potential amenity impacts i.e. (dust, noise, traffic).

37. The City of Albany Rural Planning Strategy provides policy in respect to visual resource protection. It is necessary to note that the Rural Planning strategy is dated 1996. Many of the provisions are now addressed in greater detail in SPP 5.2. Notwithstanding this, the following provisions are applicable:

**Siting**

- *Do not detract from significant views;*
- *Are not located on ridge tops;*
- *Are preferably not located on slopes greater than 1 in 10;*
- *Are sympathetic to existing landscape elements.*

38. In response to the above, the proposal will impact the views from private properties to the south. As mentioned previously it is necessary to consider the overall public benefit of the proposal against the any amenity impact. The proposal is not located on a ridge top and the slope on the site is not greater than 1 in 10. The applicant has proposed to leave the monopole unpainted in order to reduce the visual impact of the proposal.

**Clearing of native Vegetation**

- *Clearing of native vegetation for buildings, infrastructure and essential firebreaks shall be confined to the absolute minimum necessary for open space and garden areas, infrastructure installation and fire protection.*

39. The proposal does propose minimum clearing to facilitate the infrastructure. Unlike a dwelling which is subject to bushfire clearing requirements, the proposal does not require fuel load reduction round the facility.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Community.</b> Approving the proposed use could allow additional infrastructure to be attached to the tower without requiring City of Albany approval.	Likely	Moderate	Medium	Consult with telecommunications providers when queried on the site and advise of community concerns regarding additional infrastructure.
<b>Community.</b> If not approved the NBN may not build a tower in the area.	Likely	Moderate	Medium	Lobby the NBN to seek an alternative site in the area.

**FINANCIAL IMPLICATIONS**

41. There are no financial implications related to the item.

**LEGAL IMPLICATIONS**

42. The proponent has the right to seek a review of the Council’s decision, including any conditions attached to an approval. The City of Albany may be required to defend the decision at a State Administrative Tribunal hearing.

**ENVIRONMENTAL CONSIDERATIONS**

- 43. The property is well vegetated. The site adjoining the Torndirrup National park.
- 44. The site is within a protected drinking water area.
- 45. There are no additional environmental controls on the property other than those contained within LPS1. It is the applicants responsibility to ensure all obligations under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* are fulfilled.

**ALTERNATE OPTIONS**

- 46. Council has the following alternate option in relation to this item:  
*“THAT Council resolves to ISSUE a Notice of REFUSAL of Planning Scheme Consent for Telecommunication Infrastructure at 64 Barrass Road, Little Grove.”*

**SUMMARY CONCLUSION**

- 47. The proposal has been assessed against LPS1 and the State policy relating to telecommunications infrastructure.
- 48. In determining the application it is necessary to consider the impact on amenity against the long term benefit of a secured high speed broadband service.
- 49. It is recommended the application be approved subject to conditions.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>1. Local Planning Scheme No. 1</li> <li>2. Albany Local Planning Strategy 2010</li> <li>3. WA Planning Commission (WAPC) State Planning Policy 5.2</li> <li>4. Visual Landscape Planning in Western Australia – a manual for assessment, siting and design</li> </ul>
<b>File Number (Name of Ward)</b>	:	A49420 (Vancouver Ward)
<b>Previous Reference</b>	:	Nil.

**PD073: DEVELOPMENT APPLICATION – TELECOMMUNICATIONS  
INFRASTRUCTURE –LOT 105, 241 ROBINSON RD, ROBINSON**

**Land Description** : Lot 105, 241 Robinson Road, Robinson WA 6330  
**Proponent** : Daly International  
**Owner** : Algean PTY LTD  
**Business Entity Name** : NIL  
**Attachments** : Area Plan  
Schedule of Submissions  
**Supplementary Information & Councillor Workstation:** : Letters of submission from the public  
**Report Prepared by** : Senior Planning Officer (A Bott)  
**Responsible Officer** : Director Development Services (D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

1. Council is required to exercise its quasi-judicial function in this matter.
2. This is a statutory planning matter that is assessed against the Local Planning Scheme No.1 (LPS1) and any relevant planning policies. As such there are no strategic implications. Notwithstanding this, the most relevant strategic document is the Albany Local Planning Strategy (ALPS).
3. The item relates to the following Strategic Objective of the Albany Local Planning Strategy (ALPS):

**6.4.4 Telecommunications:** *“To encourage the extension and maintenance of high quality telecommunications for the whole Albany district”*

**In Brief:**

- Council is asked to consider a proposal for Telecommunications Infrastructure at Lot 105, 241 Robinson Road, Robinson WA 6330.
- The proposal has been advertised to the public, with 7 letters of representation received. All of the submissions objected to the proposal. A petition containing 89 signatures against the proposal was also received. The objections are discussed later in the report
- Staff recommend that Council approve the proposal subject to conditions.

**RECOMMENDATION**

**PD073: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council resolves to ISSUE a Notice of Planning Scheme Refusal for Telecommunication Infrastructure at 241 Robinson Road, Robinson; subject to the following conditions:**

- (1) Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the City of Albany, all development shall occur in accordance with the stamped, approved plans.**
- (2) A construction management plan shall be submitted for approval in writing and implemented to the satisfaction of the City of Albany.**
- (3) Stormwater from the lot shall be managed to the satisfaction of the City of Albany.**
- (4) Lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.**
- (5) Prior to commencement of development a schedule of materials and colours to be used on the structures hereby approved shall be submitted for approval by the City of Albany.**

**PD073: COMMITTEE RECOMMENDATION**

**MOVED COUNCILLOR WILLIAMS  
SECONDED COUNCILLOR SUTTON**

**THAT Council resolves to ISSUE a Notice of Planning Scheme Refusal for Telecommunication Infrastructure at 241 Robinson Road, Robinson; subject to the following conditions:**

- (1) Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the City of Albany, all development shall occur in accordance with the stamped, approved plans.**
- (2) A construction management plan shall be submitted for approval in writing and implemented to the satisfaction of the City of Albany.**
- (3) Stormwater from the lot shall be managed to the satisfaction of the City of Albany.**
- (4) Lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.**
- (5) Prior to commencement of development a schedule of materials and colours to be used on the structures hereby approved shall be submitted for approval by the City of Albany.**

**CARRIED 6-2**

**Record of Vote**

Against the Motion: Councillors Gregson and Goode

PD073: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council resolves to ISSUE a Notice of Planning Scheme Consent for Telecommunication Infrastructure at 241 Robinson Road, Robinson; subject to the following conditions:

- (1) Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the City of Albany, all development shall occur in accordance with the stamped, approved plans.
- (2) A construction management plan shall be submitted for approval in writing and implemented to the satisfaction of the City of Albany.
- (3) Stormwater from the lot shall be managed to the satisfaction of the City of Albany.
- (4) Lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.
- (5) Prior to commencement of development a schedule of materials and colours to be used on the structures hereby approved shall be submitted for approval by the City of Albany.

**BACKGROUND**

4. The City has received an application for Planning Scheme Consent for Telecommunication Infrastructure at Lot 105, 241 Robinson Rd, Robinson WA 6330.
5. The subject site is located approximately 4.7km West of the Albany CBD
6. The subject site is 6.16Ha in area and is zoned Rural Residential No.29 under (LPS1). The site is currently developed with a single dwelling and associated outbuilding.
7. The top of the proposed monopole tower telecommunications will be 40m above natural ground level.
8. The proposed Telecommunication Infrastructure is a component of the National Broadband Network's (NBN) wireless network.
9. Telecommunication Infrastructure is a use listed within LPS1, but is not specifically identified as a permissible use for this zone through Schedule 14 of LPS1. Although not listed for the zone, it is also not prohibited. As such, Telecommunication Infrastructure is considered as an 'A' use, meaning the use is not permitted unless the Local Government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4.
10. During the advertising period a total of 7 submissions were received. All objected or raised concerns regarding the proposal. A petition against the proposal was also lodged. The petition contains 89 signatures.
11. The proposal has been assessed against LPS1 and *State Planning Policy 5.2 – Telecommunications Infrastructure*.
12. When determining telecommunications infrastructure, it is necessary to assess the impact on amenity against the overall public benefit of the infrastructure.
13. It is acknowledged that the proposal will detract from view scapes from a number of properties within the area.

14. Taking into consideration the nature of public submissions against the significant public benefit of the proposal, it is recommended that the application be approved.

## DISCUSSION

15. The proposal consists of one 40m high monopole. The monopole services two parabolic antennas (located at 37m) and three panel antennas. In addition to the monopole, it is proposed to install two outdoor equipment cabinets within a fenced area of 96m<sup>2</sup>.
16. The proposed infrastructure and compound are proposed to be located centrally on lot 105, setback 125m from Robinson Rd, 96m from the western boundary and 88m to the western boundary.
17. The proposal was initially scheduled to be advertised for a 21 day period with an advertisement appearing in the public notices section of a local paper on 16 October, 2014. Concerns were raised regarding the timeframe to make a submission. The closing date for submissions was consequently extended until 6 December, 2014. The issues raised are covered and addressed in the following section of the report.
18. A number of submissions make reference to the community consultation undertaken by the applicant prior to lodging a Planning Scheme Consent with the City of Albany.
19. The matters raised in the submissions will be discussed in further detail below. In brief, amenity was the main concern raised consistently throughout the submissions, particularly the perceived impact on views of significance and the natural amenity of the area.
20. When assessing impacts on amenity, it is necessary to determine the level of existing amenity within the immediate area and secondly, within wider the locality.
21. The assessment of landscape this report has been undertaken in reference with the Western Australian Planning Commission's *Visual Landscape Planning in Western Australia – a manual for assessment, siting and design*.
22. The existing amenity for Robinson Rd can be classified as typical Rural Residential area defined by sections open paddock and a thick vegetation belt on the south side of Robinson Rd. The overall locality to the south of the subject site is primarily defined by relatively cleared smaller sized Rural Residential properties. The locality to the north is defined by larger cleared rural small holding lots. Overall it can be considered an area of Rural amenity.
23. The notion of relocating the proposed infrastructure to an alternative location within the area was a consistent comment throughout the consultation process. As a response to these comments, the City of Albany contacted the applicant and enquired if there was scope to review other locations. The applicant advised that a number of sites were reviewed as part of the pre application process. However, they wish to proceed with the site selected.
24. The potential for detrimental health effects from the proposed tower was also regularly raised. It is necessary to note that the City is not a regulatory body in respect to electromagnetic energy (EME). The Federally established Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) enforce the *Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz*. The EME report submitted by the applicant states that the maximum calculated EME level from the site will be 0.028% of the maximum public exposure level.
25. Decreased property values were raised during the consultation process. Property values are not within the matters to be considered under LPS1 and therefore are not a valid planning consideration.



## GOVERNMENT & PUBLIC CONSULTATION

26. The proposal was advertised to residents within a 1km radius of the site from 16 October, 2014 to 6 December 2014. A notice was also placed in the local newspaper in accordance with clause 9.4 of LPS1.
27. A total of 7 public submissions were received following the initial advertising period. 7 objected to the application. A petition objecting to the proposal was also submitted. The petition contains 89 signatures. below is a summary of those submissions:
- The proposal will detrimentally affect the amenity of the area;
  - Proposal conflicts with historical status;
  - Detrimental to tourism values;
  - The proposal will detrimentally affect views of significance within the area;
  - Property values will be negatively affected;
  - Detrimental health affects;
  - Insufficient public consultation was undertaken by the NBN Co;
28. The content of the submissions is summarised in more detail in the attached schedule of submissions, with officers providing responses to the matters raised.

## STATUTORY IMPLICATIONS

29. The subject land is zoned Rural Residential under the City of Albany Local Planning Scheme No. 1 (LPS1).
30. Telecommunications Infrastructure is classified as an 'A' use under City of Albany Local Planning Scheme No. 1.
31. The proposal has been assessed against the objectives of the Rural Residential area under Clause 4.2.17 of LPS1.
32. The proposal has been assessed against the following relevant matters to be considered under clause 10.2 of LPS1:
- (b) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;*
  - (c) Any approved statement of planning policy of the Western Australian Planning Commission;*
  - (i) The compatibility of a use or development with its setting;*
  - (n) The preservation of the amenity of the locality;*
  - (o) The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
  - (x) The potential loss of any community service or benefit resulting from the planning approval;*

33. Voting requirements for this item is **SIMPLE MAJORITY**.

### **POLICY IMPLICATIONS**

34. The proposal has been assessed against the Western Australian Planning Commission's *State Planning Policy 5.2 - Telecommunications Infrastructure* (SPP 5.2). SPP 5.2 provides guiding principles for the assessment of telecommunication infrastructure.
35. The SPP 5.2 provides guiding principles for the location, siting and design of telecommunications infrastructure.

Comment in reference to the guiding principles for the location, siting and design of telecommunications infrastructure are as follows;

***There should be a co-ordinated approach to the planning and development of telecommunications infrastructure, although changes in the location and demand for services require a flexible approach.***

The option of reassessing other suitable sites was raised during the consultation process. The applicant was made aware of this notion after the consultation period had ended. The applicant advised the City that the subject site was the location which was determined to be best suited and this would not be reviewed.

***Telecommunications infrastructure should be strategically planned and co-ordinated, similar to planning for other essential infrastructure such as transport networks and energy supply.***

The proposal forms a component of the National Broadband Network. Telecommunications infrastructure is identified within the Albany Local Planning Strategy.

***Telecommunications facilities should be located and designed to meet the communication needs of the community.***

The application proposes to provide wireless internet coverage Robinson area. Over recent years there have been a number of new rural residential subdivisions within the area which have increased demand for broadband services. The applicant has stated that they have selected the site based on technical parameters and the necessary land access agreement being in obtained.

***Telecommunications facilities should be designed and sited to minimise any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts on prominent landscape features, general views in the locality and individual significant views.***

Given the height of the proposed tower, the tower will be able to be seen from nearby properties and Robinson Rd. The applicant has provided a photo merge which shows that the large setback from the Robinson Rd screens the lower half of the tower. As discussed earlier, the existing level of amenity is defined by the rural nature of the area.

***Telecommunications facilities should be designed and sited to minimise adverse impacts on areas of natural conservation value and places of heritage significance or where declared rare flora are located.***

The application proposes to remove a vegetation to establish a cleared area for the telecommunication infrastructure. It is proposed to utilise an existing firebreak. The site does not contain any registered places of heritage significance.

***Telecommunications facilities should be designed and sited with specific consideration of water catchment protection requirements and the need to minimise land degradation.***

The proposal is located within a water protection area within LPS1. Given the nature of the proposal it will not detrimentally affect groundwater. The proposed removal of vegetation would be required to be appropriately managed to avoid erosion.

***Telecommunications facilities should be designed and sited to minimise adverse impacts on the visual character and amenity of residential areas.***

The applicant has proposed a monopole rather than a lattice style tower as it is less obtrusive. It is also proposed to leave the infrastructure unpainted in a grey colour. Notwithstanding these measures, there will be an impact on the amenity of the area, primarily on views from surrounding properties and from Robinson Rd.

***Telecommunications cables should be placed underground, unless it is impractical to do so and there would be no significant effect on visual amenity or, in the case of regional areas, it can be demonstrated that there are long-term benefits to the community that outweigh the visual impact.***

The subject area has not been identified as being feasible for cable connection as part of the NBN rollout.

***Telecommunications cables that are installed overhead with other infrastructure such as electricity cables should be removed and placed underground when it can be demonstrated and agreed by the carrier that it is technically feasible and practical to do so.***

This guiding principle is not applicable in this situation.

***Unless it is impractical to do so telecommunications towers should be located within commercial, business, industrial and rural areas and areas outside identified conservation areas.***

The general area is zoned Rural Residential and Rural Small Holding. There are no business, industrial or rural zoned land within the operating area of the telecommunications infrastructure.

***The design and siting of telecommunications towers and ancillary facilities should be integrated with existing buildings and structures, unless it is impractical to do so, in which case they should be sited and designed so as to minimise any adverse impact on the amenity of the surrounding area.***

In this situation there are no existing buildings or telecommunication infrastructure to utilise. As mentioned previously, while measures have been taken to reduce visual impact, there will still be a level of impact on the existing amenity of the area.

***Co-location of telecommunications facilities should generally be sought, unless such an arrangement would detract from local amenities or where operation of the facilities would be significantly compromised as a result.***

There are no existing facilities which would allow co location to occur while still meeting the operational requirements for the infrastructure.

***Measures such as surface mounting, concealment, colour co-ordination, camouflage and landscaping to screen at least the base of towers and ancillary structures, and to draw attention away from the tower, should be used, where appropriate, to minimise the visual impact of telecommunications facilities.***

The applicant has proposed leaving the monopole unpainted in an effort to reduce visual impact. The proposed tower is well setback from Robinson Rd and other boundaries. The setback serves to screen the lower section of the tower from adjoining properties and Robinson Rd

***Design and operation of a telecommunications facility should accord with the licensing requirements of the Australian Communications Authority, with physical isolation and control of public access to emission hazard zones and use of minimum power levels consistent with quality services.***

As stated earlier, the City is not the responsibly authority in applying the abovementioned requirements. If approved these details are subject to separate licensing requirements.

***Construction of a telecommunications facility (including access to a facility) should be undertaken so as to minimise adverse effects on the natural environment and the amenity of users or occupiers of adjacent property, and ensure compliance with relevant health and safety standards.***

Any development would be subject to a construction management plan which would be required to address and mitigate potential amenity impacts i.e. (dust, noise, traffic).

36. The City of Albany Rural Planning Strategy provides policy in respect to visual resource protection. It is necessary to note that the Rural Planning strategy is dated 1996. Many of the provisions are now addressed in greater detail in SPP 5.2. Notwithstanding this, the following provisions are applicable;

**Siting**

- *Do not detract from significant views;*
- *Are not located on ridge tops;*
- *Are preferably not located on slopes greater than 1 in 10;*
- *Are sympathetic to existing landscape elements.*

37. In response to the above, the proposal will impact the views from private properties in the surrounding area. As mentioned previously it is necessary to consider the overall public benefit of the proposal against the any amenity impact. The proposal is not located on a ridge top and the slope on the site is not greater than 1 in 10. The applicant has proposed to leave the monopole unpainted in order to reduce the visual impact of the proposal.

**Clearing of native Vegetation**

- *Clearing of native vegetation for buildings, infrastructure and essential firebreaks shall be confined to the absolute minimum necessary for open space and garden areas, infrastructure installation and fire protection.*

38. The proposal does propose minimum clearing to facilitate the infrastructure. Unlike a dwelling which is subject to bushfire clearing requirements, the proposal does not require fuel load reduction round the facility.

**RISK IDENTIFICATION & MITIGATION**

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

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<b>Community.</b> <i>Approving the proposed use could allow additional infrastructure to be attached to the tower without requiring City of Albany approval.</i>	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Consult with telecommunications providers when queried on the site and advise of community concerns regarding additional infrastructure.</i>
<b>Community.</b> <i>If not approved the NBN may not build a tower in the area.</i>	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Lobby the NBN to seek an alternative site in the area.</i>

**FINANCIAL IMPLICATIONS**

40. There are no financial implications related to the item.

**LEGAL IMPLICATIONS**

41. The proponent has the right to seek a review of the Council’s decision, including any conditions attached to an approval. The City of Albany may be required to defend the decision at a State Administrative Tribunal hearing.

**ENVIRONMENTAL CONSIDERATIONS**

42. The property is approximately 80% vegetated. The vegetation forms a 200m wide belt from racecourse rd to Robinson rd.

43. The site is classified as a protected drinking water area.

44. There are no additional environmental controls on the property other than those contained within LPS1. It is the applicants responsibility to ensure all obligations under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* are fulfilled.

**ALTERNATE OPTIONS**

45. Council has the following alternate option in relation to this item:

THAT Council resolves to ISSUE a Notice of REFUSAL of Planning Scheme Consent for Telecommunication Infrastructure at 241 Robinson Road, Robinson.

**SUMMARY CONCLUSION**

- 46. The proposal has been assessed against LPS1 and the State policy relating to telecommunications infrastructure.
- 47. In determining the application it is necessary to consider the impact on amenity against the long term benefit of a secured high speed broadband service.
- 48. It is recommended the application be approved subject to conditions.

<b>Consulted References</b>	:	<ul style="list-style-type: none"> <li>1. Local Planning Scheme No. 1</li> <li>2. Albany Local Planning Strategy 2010</li> <li>3. WA Planning Commission (WAPC) State Planning Policy 5.2</li> <li>4. Visual Landscape Planning in Western Australia – a manual for assessment, siting and design</li> </ul>
<b>File Number (Name of Ward)</b>	:	A42985 (Vancouver Ward)
<b>Previous Reference</b>	:	

**PD075: CONSIDERATION OF LOCAL DEVELOPMENT PLAN – LOT 1  
AND 2 FRENCHMAN BAY ROAD, FRENCHMAN BAY, 6330**

**Land Description** : Lot 1 and 2 Frenchman Bay Road, Frenchman Bay  
6330

**Proponent** : Harley Dykstra

**Owners** : MTK Ventures Pty Ltd

**Business Entity Name** : MTK Ventures Pty Ltd

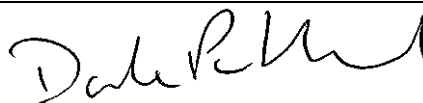
**Attachments** : 1. Location plan  
2. Site Plan  
3. Local Development Plan No. 1 report

**Supplementary Information & Councillor Workstation:** : Nil

**Report Prepared by** : Senior Planning Officer (Alex Bott)

**Responsible Officer** : Executive Director Planning and Development  
Services (D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

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

**In Brief:**

- A request has been submitted for Council to initiate advertising a Local development Plan for Lot 1 and 2 Frenchman Bay to facilitate the development of a mixed use tourist development.
- The proposal seeks to vary the *Significant Tourist Sites Policy* by allowing a permanent stay component for future development (20 Holiday Units, 10 Permanent).
- The Local Development Plan also proposes to vary provisions of Special Use 13 (SU13) relating to the requirement for development to be connected to reticulated water and sewer.
- Staff recommend that Council adopt the Local Development Plan for advertising on the basis it facilitates the orderly planning and development of the site to achieve a tourism outcome.

**RECOMMENDATION**

**PD075: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council ADOPTS the draft Local Development Plan for Lots 1 and 2 Frenchman Bay Road, Frenchman Bay for the purpose of public advertising.**

PD075: COMMITTEE RECOMMENDATION

MOVED COUNCILLOR GOODE  
SECONDED COUNCILLOR GREGSON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-0

PD075: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ADOPTS the draft Local Development Plan for Lots 1 and 2 Frenchman Bay Road, Frenchman Bay for the purpose of public advertising.

**BACKGROUND**

4. Local Planning Scheme No. 1 was gazetted on 28 April 2014 and consists of the Scheme Text and the Scheme Maps. The Scheme divides the Local Government district into zones to identify areas for particular uses and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones. There are particular controls included for heritage and special control areas. The Scheme Text also sets out the requirements for planning approval, enforcement of the Scheme provisions and non-conforming uses.
5. The two lots have been identified as a significant tourist site within the City of Albany planning framework. Consequently, a Local Development Plan is required prior to development.
6. The site was previously used as a caravan park but has remained undeveloped for a number of years.
7. A previous development application on the site was considerably larger (107 units) than what is currently proposed and resulted in significant community concerns. Council resolved to refuse the previous application at the 19 May, 2009 OCM. The current LPS1 controls relating to the site were introduced as a response the previous application in order to mitigate concerns raised and identified site constraints. Notwithstanding the requested variations, the application meets the introduced requirements.
8. Local Development Plan No.1 (LDP1) has been prepared to facilitate the development of Lot 1 and 2 Frenchman Bay Road as a tourist site.



9. The LDP1 proposes to allow for the following land uses:
  - Twenty (20) two storey holiday units;
  - Ten (10) two storey permanent residential units;
  - A caretakers dwelling incorporating a kiosk, restaurant and reception;
  - Centrally landscaped area with playground and bbq facilities;
  - Boat parking compound;
  - Path network to whalers beach.
  
10. The applicant has requested a number of variations to the planning framework relating to the site. The variations have been requested on the grounds that it would be economically unviable to develop the site. The proposed variations are as follows;
  - A permanent residential component of 10 units;
  - Varying provisions of Special Use 13 (SU13) relating to the requirement for development to be connected to reticulated water and sewer;
  - Increasing the number of unsewered units from 25 to 30.

## **DISCUSSION**

11. The subject lots are zoned Special Use site 13 under Local Planning Scheme No.1.
12. The subject site is located at the eastern termination of Frenchman Bay Rd, approximately 600m east from Goode beach and 10km south east of the Albany CBD.
13. SU13 currently allows the following land uses subject to consistency with an endorsed Local development Plan;
  - Caravan Park
  - Caretakers Dwelling
  - Holiday Accommodation
  - Shop
  - Restaurant
14. The applicant has requested variations to allow a permanent residential component and to remove the requirement for development to be connected to reticulated sewer/water. The request has been made on the basis that it is economically unviable to develop the site with these requirements.
15. Officers are supportive of the variations requested as the development of the site will ensure a tourism outcome for an identified significant site, while also providing economic benefits to the greater area. The proposed variations are discussed in detail below.

### **Permanent Residential**

16. The planning framework for the site states that no permanent residential is supported on the site.
17. The applicant has proposed that 10 of the 30 units be available for permanent residential living.

18. In recent years the inclusion of a permanent stay component in tourist developments has been seen by Tourism WA as a method of achieving an overall on site tourism outcome by allowing non peak occupancy rates to be offset by the guaranteed income of permanent living.
19. In order to prevent only the residential component of the proposal being developed, staff would recommended a condition at the development stage only allowing one residential unit to be developed per every two tourist units developed. This provision could potentially be varied subject to alternative tourism outcomes being achieved on site to the satisfaction of the City of Albany.

**Connection to reticulated water and sewer**

20. SU13 requires that all development be connected to reticulated water supplied by a licenced water provider. The applicant has stated that it is financially unviable to connect to the site, with the nearest reticulated pipe being 1.3km away. In addition to the pipe extension, there would also likely be system upgrade costs.
21. The previous caravan park on the site operated with a treated bore water supply. It would be a requirement of any future development to demonstrate that on site water can be provided through treated bore water and tanks. It would be a development requirement for the applicant to obtain the for relevant Government approvals for groundwater usage. If adopted for advertising, the proposal will be referred to Department of Water and Watercorp for comment.
22. SU13 requires that all development be connected to reticulated sewer. The LDP proposes to vary this provision by allowing future development to be serviced by on site effluent disposal.
23. The applicant has requested to vary this provision due to the significant costs involved with connecting the site.
24. It would be a requirement of future development to demonstrate that effluent can be appropriately discharged on site. If adopted for advertising, the proposal will be referred to Department of Health to comment on the matter.
25. If Department of Health is supportive of onsite effluent disposal, officers would recommend the system be designed as such that it can be readily connected to reticulated sewer if available in the future.

**Number of unsewered units**

26. The draft *Country Sewerage Policy* makes provision for remote or isolated development sites. A site falls within this classification if the land is remote from existing or proposed urban land or unlikely to be connected to sewerage in the foreseeable future.
27. As per the draft *Country Sewerage Policy*, proposals within remote or isolated locations may be supported subject to the following
  - the development being a maximum density of R10 and no more than 25 lots or dwelling units in total;
  - the overall objectives of the policy not being compromised; and
  - the statutory authority being satisfied, after considering the advice of consultative authorities, that the intended wastewater disposal arrangements are acceptable.

28. The applicant has proposed 30 units on the site. The 30 units have been proposed on the basis of a 70% occupancy rate for tourist accommodation within the Albany area. The applicant has stated that the 20 holiday accommodation units at 70% occupancy results in the equivalent effluent load of 14 residential units. The 14 equivalent residential units in conjunction with the proposed 10 residential units and caretakers residence results in 25 equivalent residential units.
29. If adopted for advertising, the proposal will be referred to Department of Health to comment on the matter.

### GOVERNMENT & PUBLIC CONSULTATION

30. Should Council adopt the draft LDP1 for the purpose of public advertising, it will be referred to all relevant Government agencies for assessment and comment.
31. Given the previous community concerns relating to the site, if Council adopts LDP1 for advertising, officers recommend that a site meeting and additional community consultation be undertaken.

### STATUTORY IMPLICATIONS

32. Clause 5.9.1.7 of *Local Planning Scheme No.1* sets out the process for preparing a Local Development Plan.
33. Voting requirement for this item is **SIMPLE MAJORITY**

### POLICY IMPLICATIONS

34. The Significant Tourist Sites and Frenchman Bay Tourist Development Site policies are applicable to the proposal.
35. The Significant Tourist Sites policy classifies the site as a local strategic tourist development site.
36. The Significant Tourist Sites Policy states the following:  
*“No permanent residential development supported. For guidance on Built Form refer to Council’s Frenchman Bay Tourist Development Site Policy”.*
37. As mentioned previously, LDP1 proposes to vary the provision relating to permanent residential development.
38. The proponent has made the following statements in support of a permanent residential component to the development:
  - A permanent residential component would ensure there is occupancy year round. This will assist in providing security, maintenance and vibrancy year round.
  - Strata title management plans can be developed to ensure that no additional units can be converted to permanent stay.
  - A tourist development comprising of 100% tourist accommodation would not be financially viable.
39. Strata management plans can be developed to appropriately cater for the tourist and permanent residential components of a tourist site.
40. *Frenchman Bay Tourist Development Site* policy also applies to the site. The policy provides additional detail in respect to land uses and built form.

41. In terms of built form, the applicant has stated an intention for two storey development. The *Frenchman Bay Tourist Development Site* policy allows two storey development to be considered within the areas proposed by the applicant. Any future development on the site will be subject to a development application.
42. The LDP is compliant with provisions of the *Frenchman Bay Tourist Development Site* policy in respect to setbacks from the high water mark and Vancouver Springs. As mentioned previously, if adopted for advertising, the proposal will be referred to the relevant Government agencies for further comments regarding environmental setbacks.
43. A number of provisions within the Frenchman Bay Tourist Development Site policy relating to built form are not applicable at this stage and would be assessed as part of a development application.

### RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Organisational Operations and Reputation.</b> <i>Difficulty enforcing conditions regarding the number of permanent stay units</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Ensuring management statements are strictly worded with notifications on titles to advise purchasers of length of stay limitations.</i>
<b>Reputation.</b> <i>Objections from members of the public that the location will be lost as a significant tourist site.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Widely consulting with the Community, clearly communicating the overall tourism outcomes of the proposal.</i>
<b>Community, Organisational Operations and Reputation</b> <i>The proposal may attract objections from members of the public or other Government agencies.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Widely consulting with all parties who may be affected and all government agencies should mitigate any risk in this regard. If necessary, further information can be requested from the proponent as part of the amendment process.</i>

### FINANCIAL IMPLICATIONS

45. Nil

### LEGAL IMPLICATIONS

46. Nil.

### ENVIRONMENTAL CONSIDERATIONS

47. Environmental considerations have been identified and addressed through a number of controls within LPS1 and the *Significant Tourist Sites* and *Frenchman Bay Tourist Development Site* policies.
48. SU13 states that all development on the land is to be setback 75 metres from the horizontal setback datum. The proposal is compliant with the required setback. A greater setback may be recommended by the relevant public authority. If the LDP is initiated for advertising, government agencies will have the opportunity for comment on the suitability of the setback.

49. The provisions of SU13 also state that development on the land is to be setback a minimum of 65 metres from the western boundary (which setback corresponds with the catchment associated with the Vancouver Springs). The LDP proposes the minimum setback which is compliant.
50. The consideration of on-site effluent disposal would be required to address any on site environmental constraints, including the nearby Vancouver Springs.

**ALTERNATE OPTIONS**

51. Council has the following alternate option in relation to this item, which are:
- Adopt the draft Local Development Plan for the purpose of public advertising, subject to modification; or
  - Not adopt the draft Local Development Plan for the purpose of public advertising.

**SUMMARY CONCLUSION**

52. It is recommended that Council adopt the draft Local Development Plan No.1 for the purpose of public advertising on the basis that it presents a valuable opportunity to develop tourism in the locality and facilitate further economic opportunities.

<b>Consulted References</b>	:	<ol style="list-style-type: none"> <li>1. Planning and Development Act 2015</li> <li>2. Local Planning Scheme No. 1</li> <li>3. Albany Local Planning Strategy 2010</li> <li>4. City of Albany Strategic Community Plan 2023</li> <li>5. City of Corporate Business Plan 2013-2017</li> <li>6. City of Albany <i>Significant Tourist Sites</i> Policy</li> <li>7. City of Albany <i>Frenchman Bay Tourist Development</i> Site Policy</li> <li>8. Draft <i>Country Sewerage Policy</i></li> </ol>
<b>File Number (Name of Ward)</b>	:	LDP1 (Vancouver Ward)
<b>Previous Reference</b>	:	OCM 19 May 2009 – item number 11.1.1

**PD076: CONSIDERATION OF SCHEME AMENDMENT – LOT 103  
COCKBURN ROAD AND LOT 104 CAMPBELL RD, MIRA MAR**

**Land Description** : Lot 103 Cockburn Road and Lot 104 Campbell Road  
Mira Mar

**Proponent** : Edge Planning and Property

**Owners** : R Stockdale and L Stockdale (Lot 103)

**Business Entity Name** : T and O Management PTY LTD (Lot 104)

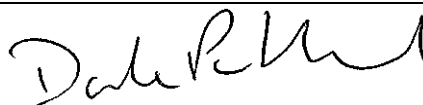
**Attachments** : 1. Location plan  
2. Site Plan  
3. Local Planning Scheme Amendment No. 8 report  
4. Scheme Amendment Context Map

**Supplementary Information & Councillor Workstation:** : Nil

**Report Prepared by** : Senior Planning Officer (Alex Bott)

**Responsible Officer** : Executive Director Planning and Development  
Services (D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

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

**In Brief:**

- A request has been submitted for Council to initiate a Local Planning Scheme Amendment to rezone Lot 104 Campbell Rd from "Residential" with "Additional Use 17 - Medical Centre" to "Regional Centre Mixed Business" and Lot 103 Cockburn Road, Mira Mar from "Residential R30" to "Regional Centre Mixed Business".
- Staff support the rezoning on the basis of the proximity of the both lots to the regional centre and the current commercial use of both properties.

## RECOMMENDATION

**PD076: COMMITTEE RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council, in pursuance of Section 75 of the Planning and Development Act 2005 and Regulation 25(1)(c) of the Town Planning Regulations 1967, resolves to initiate Amendment No. 8 to City of Albany Local Planning Scheme No. 1 for the purposes of:**

- (1) Rezoning Lot 103 Cockburn Road, Mira Mar from “Residential R30” to “Regional Centre Mixed Business”;**
- (2) Rezoning Lot 104 Campbell Rd from “Residential” with “Additional Use 17 - Medical Centre” to “Regional Centre Mixed Business”; and**
- (3) Amending the Scheme Maps accordingly.**

**PD076: COMMITTEE RECOMMENDATION**

**MOVED COUNCILLOR GREGSON**  
**SECONDED COUNCILLOR HOLLINGWORTH**

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

**CARRIED 8-0**

**PD076: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council, in pursuance of Section 75 of the Planning and Development Act 2005 and Regulation 25(1)(c) of the Town Planning Regulations 1967, resolves to initiate Amendment No. 8 to City of Albany Local Planning Scheme No. 1 for the purposes of:**

- (1) Rezoning Lot 103 Cockburn Road, Mira Mar from “Residential R30” to “Regional Centre Mixed Business”;**
- (2) Rezoning Lot 104 Campbell Rd from “Residential” with “Additional Use 17 - Medical Centre” to “Regional Centre Mixed Business”; and**
- (3) Amending the Scheme Maps accordingly.**

## BACKGROUND

4. Local Planning Scheme No.1 was gazetted on 28 April 2014 and consists of the Scheme Text and the Scheme Maps. The Scheme divides the Local Government district into zones to identify areas for particular uses and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones. There are particular controls included for heritage and special control areas. The Scheme Text also sets out the requirements for planning approval, enforcement of the Scheme provisions and non-conforming uses.

5. Amendment No. 8 has been prepared to seek the rezoning of Lot 103 Cockburn Road, Mira Mar from "Residential R30" to "Regional Centre Mixed Business" and Lot 104 Campbell Rd from "Residential" with "Additional Use 17 - Medical Centre" to "Regional Centre Mixed Business".
6. Lots 103 and 104 are 2060m<sup>2</sup> and 1712m<sup>2</sup> in size and located approximately 1 Kilometre from the Albany town centre.
7. The subject lot is surrounded by Residential zoned land to the north and east and "Regional Centre Mixed Business" zoned land to the south and west.
8. The amendment document states that:

*"The purpose of this report and associated plans is to explain the proposal and set out the planning merits of rezoning lot 103 Cockburn Road and Lot 104 Campbell Road to "Regional Centre Mixed Business".*

## DISCUSSION

9. The proposed zoning is consistent with land to the south and west. Commercial land uses currently operate on the northwest and southeast corner of Campbell Rd and Cockburn Rd.
10. The proposal is supported on the grounds that it is a natural extension of the mixed business land uses of the area and represents an opportunity for community and economic development.
11. The ALPS designates both sites as City Centre. The proposal is consistent with this designation.
12. Lot 104 is currently used as a medical centre. Lot 103 has been previously used and designed for commercial purposes.
13. Lots 103 and 104 are both fully serviced by reticulated water/sewer, telephone and power.
14. In terms of the retail hierarchy, the Regional Centre Mixed Business zoning does not allow for retail style shops. The zoning only allows for the retail of bulky goods that cannot be reasonably sold in a shopping centre e.g. whitegoods.
15. Both properties are large enough to facilitate commercial development while also being able to meet development requirements such as parking and landscaping.
16. Campbell Road is briefly mentioned within the City of Albany *Activity Centres Planning Strategy*. The strategy states that the recommendation for the area as an activity centre would not be appropriate within the useful life of the document.

## GOVERNMENT & PUBLIC CONSULTATION

17. The Town Planning Regulations 1967 require that a Local Planning Scheme amendment is initiated by a resolution of Council and that the consent of the Environmental Protection Authority and the Department of Planning is obtained, prior to the proposal being advertised for public comment. Consequently, no consultation has been undertaken at this stage.



**STATUTORY IMPLICATIONS**

- 18. Scheme amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*.
- 19. Section 75 of the *Planning and Development Act 2005* allows a local government authority to amend its Local Planning Scheme with the approval of the Minister for Planning. Council resolution is sought for the initiation of a local planning scheme amendment.
- 20. Regulation 25 of the *Town Planning Regulations 1967* sets out the process for amending the LPS.
- 21. Voting requirement for this item is **SIMPLE MAJORITY**

**POLICY IMPLICATIONS**

- 22. Nil

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Organisational Operations and Reputation.</b> <i>The proposal may not be accepted by the Western Australian Planning Commission or the Minister for Planning.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>If not supported by the WAPC or Minister, the amendment will not be progressed and the City will advise the proponent that they may submit a modified proposal.</i>
<b>Community, Organisational Operations and Reputation.</b> <i>The proposal may attract objections from members of the public or other Government agencies.</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Widely consulting with all parties who may be affected and all government agencies should mitigate any risk in this regard. If necessary, further information can be requested from the proponent as part of the amendment process.</i>

**FINANCIAL IMPLICATIONS**

- 24. Nil

**LEGAL IMPLICATIONS**

- 25. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

- 26. Both lots are currently developed. Rezoning the properties will result in no additional environmental considerations.

**ALTERNATE OPTIONS**

27. Council has the following alternate option in relation to this item, which are:

- To initiate the scheme amendment with modifications; or
- Resolve not to initiate the scheme amendment.

**SUMMARY CONCLUSION**

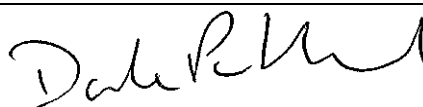
28. It is recommended that Council initiate Local Planning Scheme Amendment No. 8 on the basis that the proposal is consistent the existing on site commercial uses and also the surrounding zoning within the locality.

<b>Consulted References</b>	:	<ol style="list-style-type: none"> <li>1. Planning and Development Act 2015</li> <li>2. Local Planning Scheme No. 1</li> <li>3. Albany Local Planning Strategy 2010</li> <li>4. City of Albany Strategic Community Plan 2023</li> <li>5. City of Corporate Business Plan 2013-2017</li> <li>6. City of Albany</li> </ol>
<b>File Number (Name of Ward)</b>	:	LAMD8 (Fredrickstown Ward)
<b>Previous Reference</b>	:	Nil

**PD077: CONSIDERATION OF SCHEME AMENDMENT – LOTS 312  
AND 1315 COCKBURN ROAD, MIRA MAR**

**Land Description** : Lots 312 and 1315 Cockburn Road, Mira Mar  
**Proponent** : Edge Planning & Property.  
**Owner** : Three of a Kind Pty Ltd  
**Business Entity Name** : Three of a Kind Pty Ltd  
**Attachments** : 1. Map  
: 2. Albany Local Planning Strategy excerpts  
: 3. Local Planning Scheme Amendment No. 11 report  
**Supplementary Information & Councillor Workstation:** : NIL  
**Report Prepared by** : Planning Officer (C McMurtrie)  
**Responsible Officer** : Executive Director Planning and Development Services  
(D Putland)

**Responsible Officer's Signature:**



**STRATEGIC IMPLICATIONS**

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

**In Brief:**

- A request has been submitted for Council to initiate a Local Planning Scheme Amendment to rezone Lots 312 and 1325 Cockburn Road, Mira Mar from the Residential zone to the Special Use zone; amend Schedule 4 – Special Use Zones to incorporate provisions relating to Lots 312 and 1315 Cockburn Road, Mira Mar; and amend the Scheme Maps accordingly.
- City planning staff support the proposal, as it is a natural extension of an existing mixed use precinct that will bring community benefit and potential for economic development, and it is consistent with the current strategic direction set within the ALPS.

**RECOMMENDATION**

**PD077: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**THAT Council in pursuance of Section 75 of the Planning and Development Act 2005, amend the Local Planning Scheme by:**

- (1) Rezoning Lot 312 and Lot 1315 Cockburn Road, Mira Mar from the Residential zone to the Special Use zone;**
- (2) Amending Schedule 4 – Special Use Zones to incorporate provisions relating to Lots 312 and 1315 Cockburn Road, Mira Mar; and**
- (3) Amending the Scheme Maps accordingly.**

**PD077: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON  
SECONDED: COUNCILLOR GREGSON**

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

**CARRIED 8-0**

**PD077: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT Council in pursuance of Section 75 of the Planning and Development Act 2005, amend the Local Planning Scheme by:**

- (1) Rezoning Lot 312 and Lot 1315 Cockburn Road, Mira Mar from the Residential zone to the Special Use zone;**
- (2) Amending Schedule 4 – Special Use Zones to incorporate provisions relating to Lots 312 and 1315 Cockburn Road, Mira Mar; and**
- (3) Amending the Scheme Maps accordingly.**

**BACKGROUND**

4. Local Planning Scheme No. 1 (LPS 1) was gazetted on 28 April 2014 and consists of the Scheme Text and the Scheme Maps. The Scheme divides the Local Government district into zones to identify areas for particular uses and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones. There are particular controls included for heritage and special control areas. The Scheme Text also sets out the requirements for planning approval, enforcement of the Scheme provisions and non-conforming uses.

5. Amendment No. 11 has been prepared to seek the rezoning of Lots 312 and 1325 Cockburn Road, Mira Mar from the Residential zone to the Special Use zone to create a health precinct that will also facilitate a number of complimentary and ancillary land uses. This would be achieved by inserting a new set of land use and development provisions into Schedule 4 of LPS 1.
6. The subject lots are located approximately 890m north-east of Albany town centre and have an area of approximately 1.2ha. The land is relatively flat, with only a very slight fall to the north, toward Cockburn Road.
7. The land to the west of the subject lots is zoned Residential with the R30 density code and is occupied by a unit development. An unconstructed road reserve bounds the southern extent of the subject lots, while the land beyond is also zoned Residential with the R30 density code and has been developed with a mixture of units and single houses. A 'notch' in the north-east corner of Lot 1315 is occupied by Lot 4 Cockburn Road, which is also zoned Residential with the R30 density code and occupied by a unit development. The remainder of the land to the east and to the north of the subject lots is zoned Regional Centre Mixed Business and supports a range of commercial and light industrial land uses.
8. The amendment document states that:

*"The site's proximity to the Albany city centre, Albany Regional Hospital and other facilities (outlined in Figure 1) and that is adjacent to commercial development (Figure 2) highlight its suitability for the proposed health precinct use.*

*The expected health related uses include a day or general hospital, medical centre, health practitioner offices and complementary uses such as a pharmacy and a café.*

*It is envisaged that there would be a component of residential development which borders existing residential units in the western portion of the site. The residential uses may include providing short-stay accommodation for visiting health specialists, nurses and others along with the provision of accommodation for palliative/respice care".*

## DISCUSSION

9. The City's planning Staff support the rezoning of Lots 312 and 1315 Cockburn Road, Mira Mar from the Residential zone to the Special Use zone, in order to facilitate the establishment of a health precinct incorporating complimentary and ancillary land uses, as it is a natural extension of the mixed use precinct around the intersection of Cockburn and Campbell Roads. The location of private healthcare facilities in close proximity to the city centre and well-established residential areas will bring both community benefit and an opportunity for economic development.
10. The proposal is also considered to be consistent with the current strategic direction set by the ALPS, which identifies the site as part of the 'City Centre' area and states that Albany should remain the commercial centre of the Lower Great Southern. The ALPS indicates support for a mix of businesses within the city centre to diversify the local economy and provide jobs. It further indicates support for the development of health care facilities within or near major centres to cater to community needs.
11. The size, topography and location of the subject lots mean that they are well suited to the development of a health precinct. They form one of the few large, relatively level gap sites close to the city centre and they are also in close proximity to a number of residential areas and less than 2km from Albany Health Campus.

**GOVERNMENT & PUBLIC CONSULTATION**

12. The Town Planning Regulations 1967 require that a Local Planning Scheme amendment is initiated by a resolution of Council and that the consent of the Environmental Protection Authority and the Department of Planning is obtained, prior to the proposal being advertised for public comment. Consequently, no consultation has been undertaken at this stage.

**STATUTORY IMPLICATIONS**

13. Scheme amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*.
14. Section 75 of the Planning and Development Act 2005 allows a local government authority to amend its local planning scheme with the approval of the Minister for Planning. Council resolution is sought for the initiation of a local planning scheme amendment.
15. *Regulation 25* of the *Town Planning Regulations 1967* sets out the process for amending the LPS.
16. Voting requirement for this item is **SIMPLE MAJORITY**

**POLICY IMPLICATIONS**

17. There are no policy implications relating to this item.

**RISK IDENTIFICATION & MITIGATION**

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<b>Organisational Operations and Reputation.</b> <i>The proposal may not be accepted by the Western Australian Planning Commission or the Minister for Planning.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>If not supported by the WAPC or Minister, the amendment will not be progressed and the City will advise the proponent that they may submit a modified proposal.</i>
<b>Community, Organisational Operations and Reputation.</b> <i>The proposal may attract objections from members of the public or other Government agencies.</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Widely consulting with all parties who may be affected and all government agencies should mitigate any risk in this regard. If necessary, further information can be requested from the proponent as part of the amendment process.</i>

**FINANCIAL IMPLICATIONS**

19. Nil.

**LEGAL IMPLICATIONS**

20. Nil.

**ENVIRONMENTAL CONSIDERATIONS**

21. The subject lots are cleared of native vegetation and covered in kikuyu grass. Three open drainage ditches run across the subject lots; the first across Lot 312, approximately 5m inside the western lot boundary in a northerly direction; the second across Lot 312, approximately 40m from the western lot boundary and also in a northerly direction; and the third across Lot 1315 from a point approximately 19m from the eastern lot boundary in a north-westerly direction. All three drainage lines converge at a point approximately 3.5m from the northern boundary and 24m from the western boundary of Lot 312. They are then piped under Cockburn Road and into the district stormwater drainage system. A Local Water Management Strategy has been prepared for the subject lots to determine the most appropriate method of stormwater attenuation and disposal.

**ALTERNATE OPTIONS**

22. Council has the following alternate options in relation to this item, which are:
- To resolve to initiate the scheme amendment with modifications; or
  - Resolve not to initiate the scheme amendment.

**SUMMARY CONCLUSION**

23. It is recommended that Council initiate Local Planning Scheme Amendment No. 4, as it is a natural extension of an existing mixed use precinct that will bring community benefit and potential for economic development, and it is consistent with the current strategic direction set within the ALPS.

<b>Consulted References</b>	:	1. Local Planning Scheme No. 1 2. Albany Local Planning Strategy 2010 3. City of Albany Strategic Community Plan 2023 4. City of Corporate Business Plan 2013-2017 5. WA Planning Commission (WAPC) Statement of Planning Policy 1 (SPP 1).
<b>File Number (Name of Ward)</b>	:	LAMD11 (Frederickstown Ward)
<b>Previous Reference</b>	:	NIL

**PD078: PLANNING AND BUILDING REPORTS FEBRUARY 2015**

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

**Responsible Officer's Signature:**



**RECOMMENDATION**

**PD078: RESPONSIBLE OFFICER RECOMMENDATION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

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



14. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**
15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.**

**15.1: NOTICE OF MOTION BY COUNCILLOR PRICE**

**15.1: NOTICE OF MOTION BY COUNCILLOR PRICE**

**THAT the City review Section 4 of the *Code of Conduct (Conduct of Council Members, Committee Members, Volunteers and Staff)* to include provision for respecting and valuing diversity of gender, race and religion.**

**Councillor's Reason:**

We live in a diverse community and this diversity is reflected in our Council and City.

Our *Code of Conduct* makes general reference to behavioural standards which may be broadly interpreted and applied, however, the Code does not include specific reference to discriminatory behaviour.

Respecting and valuing diversity is standard practice in all Australian workplaces and has also been adopted by some Western Australian local governments with diverse communities.

**Officer's Comment (CEO):**

Supported.

**15.2: NOTICE OF MOTION BY COUNCILLOR PRICE**

**15.2: NOTICE OF MOTION BY COUNCILLOR PRICE**

- (a) With consideration to the Future of Visitor Centres in WA: Final Report (August 2014) commissioned by Tourism WA, the CEO initiate a performance review of the Albany Visitor Centre, including operational and financial performance; and**
- (b) Within 14 days the CEO provides Terms of Reference for the review for consideration by Council prior to commencement.**

**Councillor's Reason:**

An objective of the study commissioned by Tourism WA was for form sound recommendations to the WA visitor network on new models and transition strategies for individual centres.

The Albany Visitor Centre is amongst some WA centres facing operating challenges in a changing and dynamic tourism marketplace. It currently runs at an operating loss.

A performance review will help to inform Council decision making processes in relation to economic development and particularly tourism development as the Visitor Centre forms an important part of the City's tourism policy and budget matrix.

**Referenced Report:**

<http://www.tourism.wa.gov.au/Publications%20Library/Research%20and%20reports/The%20future%20of%20visitor%20centres%20in%20WA%20-%20full%20report.pdf>

**Officer's Comment (CEO):**

The Notice of Motion calls for a review without making any judgements, and all Council operations should occasionally be subject to the same. Mr Dean Lee has the experience and knowledge to undertake the investigation.

As such, it is supported.

**16. REPORTS OF CITY OFFICERS Nil**

**17. MEETING CLOSED TO PUBLIC.**

CSF154: RENAMING OF LESSER HALL-CONFIDENTIAL

**18. CLOSURE.**