

AGENDA

DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE MEETING

Wednesday 10 April 2019

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.

TERMS OF REFERENCE

(1) **Functions:** The Committee is responsible for:

Development Services:

The delivery of the “*Liveable Environmental Objectives*” contained in the City of Albany Strategic Plan:

- Advocate, plan and build connected, liveable communities.
- Create a community that supports people of all ages and backgrounds.
- Create vibrant neighbourhoods which are safe yet retain our local character and heritage.

Infrastructure Services:

The delivery of the “*Clean and Green Objectives*” contained in the City of Albany Strategic Plan:

- To protect and enhance our pristine natural environment.
- To promote environmental sustainability.
- To promote our region as clean and green.

(2) **It will achieve this by:**

- (a) Developing policies and strategies;
- (b) Establishing ways to measure progress;
- (c) Receiving progress reports;
- (d) Considering officer advice;
- (e) Debating topical issues;
- (f) Providing advice on effective ways to engage and report progress to the Community; and
- (g) Making recommendations to Council.

(3) **Membership:** Open to all elected members.

(4) **Meeting Schedule:** Monthly

(5) **Meeting Location:** Council Chambers

(6) **Executive Officers:** Executive Director Infrastructure and Environment, Executive Director Development Services

(7) **Delegated Authority:** None

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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 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Mayor D Wellington

Councillors:

Member	P Terry
Member	J Shanhun (Chair)
Member	S Smith
Member	A Moir
Member	B Hollingworth
Member	R Hammond
Member	E Doughty
Member	R Sutton (Deputy Chair)
Member	R Stephens
Member	A Goode JP
Member	T Sleeman
Member	G Stocks

Staff:

Chief Executive Officer	A Sharpe
Executive Director Development Services	P Camins
Acting Executive Director Infrastructure and Environment	M Richardson
Meeting Secretary	Jenny Cobbold
Waste Sustainability Officer	Julie Passmore

Apologies:

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6. PUBLIC QUESTION TIME

7. PETITIONS AND DEPUTATIONS

8. CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

THAT the minutes of the Development and Infrastructure Services Committee meeting held on 13 March 2019, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

9. PRESENTATIONS

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

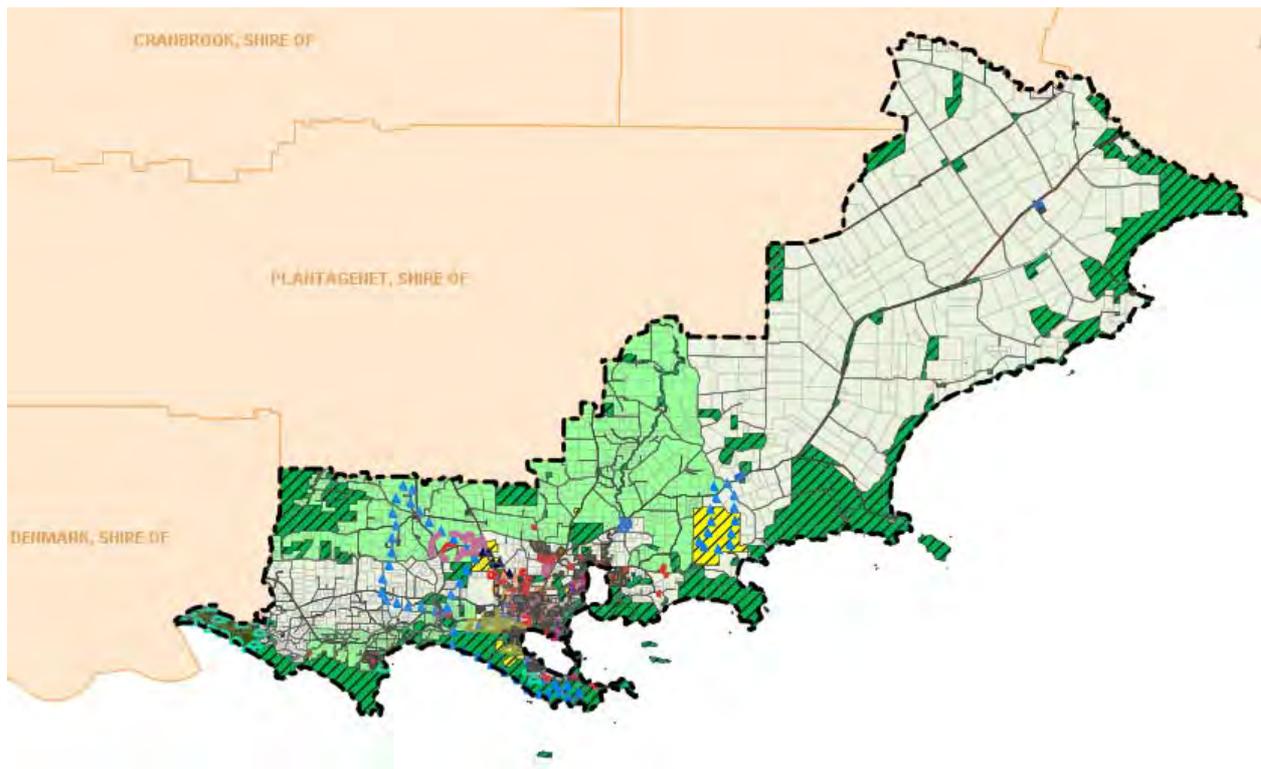
DIS155: REVIEW OF THE ALBANY LOCAL PLANNING STRATEGY 2010

Land Description	: City of Albany
Attachments	: 1. Draft Albany Local Planning Strategy 2. Schedule of Submissions
Report Prepared by	: Senior Planning Officer – Strategic Planning (C Simpson)
Responsible Officers:	: Executive Director Development Services (P Camins)

STRATEGIC IMPLICATIONS

1. Council is required to exercise its quasi-judicial function in this matter.
2. The proposed Local Planning Strategy sets the strategic direction for settlement growth, informs future review and amendments to the City's *Local Planning Scheme No. 1* and all other decisions in relation to land use and development over the next ten years to fifteen years.
3. The *Albany Community Strategic Plan – Albany 2030* establishes a community priority to develop and implement a contemporary Local Planning Strategy that reflects our identity and supports economic growth (Objective 5.1).

Maps and Diagrams



In Brief:

- Under the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), a local government must prepare a local planning strategy for its local planning scheme.
- The draft Local Planning Strategy sets the strategic direction for settlement growth, informs amendments to the City's Local Planning Scheme, decisions in relation to land use and development over the next ten to fifteen years.
- The current *Albany Local Planning Strategy 2010* was adopted by Council on 15 June 2010 and was endorsed by the Western Australian Planning Commission (WAPC) later in the same year.
- The City of Albany undertook a review of *Albany Local Planning Strategy 2010*. At the October 2017 Ordinary Council Meeting, it was resolved to provide a copy of the draft Strategy to the WAPC for certification for the purpose of proceeding to advertise the draft Strategy.
- Following certification, the draft Strategy was advertised for a three month period. The submissions received have been assessed, and where appropriate, recommendations made to modify the draft Strategy to address the matters raised in the submissions.
- Council is asked to support the draft Local Planning Strategy subject to the proposed modifications and resolve to submit the draft Strategy to the WAPC for the endorsement.
- The WAPC may request the City to make modifications to the draft Local Planning Strategy prior to endorsement.

RECOMMENDATION

DIS155: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council, in pursuance to Clause 14 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to submit a copy of the advertised local planning strategy, the schedule of submissions received and the proposed modifications to the Western Australia Planning Commission for endorsement.

BACKGROUND

1. The WAPC certified the draft Strategy for advertising on 18 June, 2018.
2. The draft Strategy was advertised for a three month period, with a total of 73 submissions received.
3. Submissions were received from State Government Agencies, service providers, planning consultants and land owners. They are broadly categorised as follows:
 - State government agencies and service providers;
 - Submissions in relation to specific lot/s;
 - Topic specific submissions;
 - General matters; and
 - City of Albany proposed modifications.
4. Council is requested to support the draft Local Planning Strategy subject to the proposed modifications and resolve to submit the draft Strategy to WAPC for the endorsement.

DISCUSSION

5. The review process of the current Local Planning Strategy was undertaken with the following inputs;

- The preparation of background papers in conjunction with Working Groups consisting of relevant staff and State agencies;
 - Specialist reports on key strategic matters; and
 - Stakeholder consultation throughout the strategy preparation.
6. The background papers undertook investigation into five subjects, namely: population, settlement and housing; the economy & employment lands; community; environment; and infrastructure and services.
 7. Working Groups were established to guide the preparation and identification of key planning implications for each of these topic areas. The Working Groups consisted of relevant State government agencies and staff and met twice during the preparation stage. All papers identified key planning implications to be addressed by the draft Strategy.
 8. The specialist reports prepared are as follows:
 - *Review of Albany Activity Centres Planning Strategy (2015)*;
 - *Industrial Ecology Mapping and Industry Attraction Strategy (2015)*;
 - *Industrial Land Strategy (2017)*; and
 - *Albany Regional Hot Spots Land Supply Update (2015)*.
 9. In consideration of the above, a draft Strategy was prepared. At the October 2017 Ordinary Council Meeting, it was resolved to provide a copy of the draft Strategy to the WAPC for certification.
 10. After the WAPC certified the draft Strategy, it was advertised for a 3 month period, with a total of 73 submissions received.
 11. The submissions received from State government agencies and service providers predominately raise matters in relation to;
 - Policies and the processes that govern their operations and application to the draft Strategy;
 - Corrections and additional/improved information that relates to their areas of operation; and
 - Suggested additional and/or improved actions.
 12. In most instances, the proposed modifications by State government agencies and service providers were supported.
 13. The submissions received in relation to specific lot/s predominantly raise concern in regards to the designation of the land (the subject of the submission) under the draft Strategy. In some instances the submission questions that Albany has an oversupply of land for future urban growth and submit that future urban or rural living are the appropriate designation on the grounds that the subject land;
 - Was designated for this purpose under *Albany Local Planning Strategy 2010*;
 - Represents infill or rounding off of the urban area;
 - Represents a logically urban growth boundary;
 - Provides road connectivity and improved accessibility;
 - Supports activity centres and/or community facilities;
 - Does not impact on agricultural land; and
 - Addresses land use conflicts.
 14. Many of the above submissions do not accord with the objectives of the draft Strategy, which is to contain urban development and rural living within the existing supply of land zoned and planned for settlement growth and to promote urban consolidation by making better use of existing zoned land and infrastructure through urban renewal, infill residential

and rural living development. These submissions were therefore not supported and are addressed specifically in the attached table of submissions.

15. Various matters are raised by topic specific submissions, including matters such as;
 - Implementation of the recommendations of the Coastal Hazard Risk Management and Adaptation Plan of Emu Point and Middleton Beach;
 - Improvement of tertiary education in the City;
 - Landscape protection of Mounts within Albany;
 - Actions identified in relation to activity centres;
 - Ongoing protection of the Albany Port;
 - Strategic tourism outcomes;
 - Tourism development at Goode Beach;
 - Urban development in Big Grove; and
 - Consideration of the proposed Great Southern Motor Sports Park in the Mirambeena Strategic Industrial area.
16. Matters raised by 'general' submissions provides general feedback and observations, or provides comments across the different sections of the draft Local Planning Strategy.
17. The modifications proposed by planning staff are editorial, improving content, providing additional information, improving readability and updating text. In some instances the modification required by the WAPC prior to certification to advertise, was not discussed or agreed to by the City or resulted in disjointed text that the City wish to see corrected.
18. In summary of the submissions received, there were no significant or contentious issues raised. Submissions which raised potentially contentious issues were resolved through modifications proposed.

GOVERNMENT & PUBLIC CONSULTATION

19. The public advertising of draft Local Planning Strategy commenced on 23 July and concluded on 26 October 2018. Public Notices were placed in the Albany Advertiser and the Weekender. In addition to this, two information sessions were held at the Albany Library on August 2 and August 3. Appointments were also available during the advertising period.
20. Presentations were also made to key State Government Agencies and discussions were held with the relevant City of Albany departments to obtain feedback on the draft Strategy.
21. To support the advertising period, a frequently asked question sheet was made available to the community in conjunction with a pamphlet detailing the process of preparing the draft Strategy, key findings, key strategic directions and the local planning strategy maps.
22. A total of 73 submissions were received. The submission details, planning officer comments and recommended actions/modifications are contained in the attached schedule of submissions.

STATUTORY IMPLICATIONS

- 23. The Albany Local Planning Strategy is prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 24. Clause 14 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires that the local government review their local planning strategy having regards to any submissions made. The local government may support the local planning strategy without modifications or support the local planning strategy with modifications to address issues raised in submissions.
- 25. Clause 14 also requires that following the review of the local planning strategy, the local government must submit to the Commission a copy of the advertised strategy, a schedule of submissions received and particulars of any modifications proposed by the local government.
- 26. The regulations also provide that a local planning strategy may be revoked by a subsequent local planning strategy that is prepared in accordance with the Regulation that expressly revokes the current local planning strategy. Albany Local Planning Strategy 2010 will therefore be revoked when the draft Local Planning Strategy is endorsed by the Commission.
- 27. Voting requirement is a **SIMPLE MAJORITY**.

POLICY IMPLICATIONS

- 28. The draft Local Planning Strategy sets the strategic direction for settlement growth, informs future review and amendments to the City's *Local Planning Scheme No. 1* and guides all other decisions in relation to land use and development over the next ten to fifteen years.

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<p>Community: There is a risk that by not establishing clear guidelines urban growth will continue to be unsustainable and lack key infrastructure services.</p>	Likely	Moderate	High	Mitigation of impacts by the proposed strategy being endorsed.
<p>Reputation: The proposal may attract objections from members of the public.</p>	Possible	Minor	Medium	Widely consulting with parties who may be affected and authorities should mitigate any risk in this regard
<p>Environment: If greater protection of biodiversity is not given, decline of species likely.</p>	Almost Certain	Minor	High	Preparation of best practice and a contemporary strategy. Mitigation of impacts by adoption of Strategy.
<p>Opportunity: The draft Strategy will set a clear direction for future land use and correct issues faced by the City of Albany.</p>				

FINANCIAL IMPLICATIONS

30. Public advertising of the draft Albany Local Planning Strategy was undertaken in accordance with the allocated budget.

LEGAL IMPLICATIONS

31. There are no legal implications related to report.

ENVIRONMENTAL CONSIDERATIONS

32. The strategic directions set out under the draft Albany Local Planning Strategy requires the protection of vegetation and biodiversity, rivers, estuaries, wetlands and coastal areas.

ALTERNATE OPTIONS

33. Council may consider alternate options in relation to these items, such as:
- To resolve to require additional modifications to the draft Local Planning Strategy prior to providing Western Australian Planning Commission with a copy for endorsement.

CONCLUSION

34. The draft Local Planning Strategy has now completed the advertising process.
35. Planning staff have reviewed the draft Local Planning Strategy having regard for the submissions received and have accordingly recommended modifications. These modifications address matters raised by the submissions and improve the overall content of the draft Strategy.
36. It is recommended that Council, in pursuance to the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to submit a copy of the advertised local planning strategy, the schedule of submissions received and proposed modifications to the Western Australia Planning Commission for endorsement.

Consulted References	:	1. <i>Planning and Development Act 2005</i> 2. <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> 3. Albany Local Planning Strategy 2010 4. Local Planning Scheme No.1 5. City of Albany Strategic Community Plan 2023 6. City of Albany Corporate Business Plan 2014-2018
File Number (Name of Ward)	:	LP.PLA.16 (All Wards)
Previous Reference	:	OCM 15/06/2010 DS Item 13.2.8 OCM 31/10.2017 DIS052

- 11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12. MEETING CLOSED TO THE PUBLIC**
- 13. CLOSURE**