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# ATTACHMENTS

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## DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE MEETING

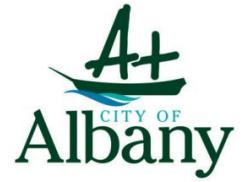
15 May 2024

6.00pm

City of Albany Council Chambers

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City of Albany  
**Policy**

# Trading in Public Places

Document Approval			
Document Development Officer: Dylan Ashboth		Document Owner: Paul Camins	
Senior Planning Officer		Executive Director Infrastructure, Development and Environment	
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5.0	MPBS	Additions for clarification in brackets Section B and E	27 /07/2020
6.0	Senior Planning Officer	XXXX	XXXX



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## Objectives

1. To protect the amenity and function of the City's public places and maintain priority use for community members.

To provide direction to City staff in the processing of applications for trading in public places, in accordance with the City of Albany's *Activities on Thoroughfares and Public Places and Trading Local Law 2011* and/or *Local Government Property Local Law 2011*.

2. Encourage traders to operate in locations which support the activation of underutilised public places and enhancement of community activity.
3. Ensure traders operate in a manner that compliments existing 'bricks and mortar' businesses and does not threaten the vibrancy of the Albany Central Business District (CBD) and retail centre.
4. To provide a clear set of controls for operators to trade under.

## Policy Scope

### Inclusions:

5. This policy applies to all public land within the City of Albany and all businesses and individuals seeking to use public land to operate a business or for financial gain.

### Exclusions:

6. This Policy does not apply privately owned land.

## Policy Statement

### Provisions applicable to all traders on public places

7. The City will consider the interests of the community above the interests of the individual for all applications to trade on public places under the management of the City of Albany.
8. In order for the City to consider any proposal to trade on public places to be in the interest of the community, the proposed use of public place must:
  - a) Enhance the experience of the public place.
  - b) Be consistent with long term city goals and/or objectives.
  - c) Not impact community enjoyment of the public place.
  - d) Not disrupt the operation of, or cause nuisance to, the public place.
  - e) Not impact on the existing or desired amenity of the public place.
  - f) Not impact on the intended use of the land.
  - g) Not compromise public safety.
  - h) Not compromise traffic flow, carparking or landscaping.
  - i) Not conflict with, or prejudice permanent businesses or other normal city functions in the immediate vicinity.
9. Given the wide variety of private uses that can be proposed on public places, the City reserves the right to identify additional matters not listed under provision 9 above. Where additional matters are identified, the applicant will be provided with an opportunity to address these, prior final determination of the permit application.
10. The City of Albany reserves the right to absolute discretion to grant or refuse an application for the use of public places, in the community interest.

*Advice: Any refusal to use public places should not be taken as precluding you from operating the proposed commercial venture, rather the commercial venture is unable to be supported within a public place.*

11. Traders must ensure that the trading location is kept clean and tidy at all times. The permit holder is responsible for the disposal of all litter associated with the provision of the goods or services and the cleaning of the permit location.

*Advice: No waste or litter shall be disposed of into the City of Albany rubbish bins. Traders must provide adequately sized bins for patrons' and business use and remove all rubbish from the approved location at the end of trade.*

12. Wastewater, solid waste, litter or any other pollutant must not be placed or discharged on to the site or allowed to enter the stormwater drainage system.

*Advice: Mobile food vehicles must have a holding tank for wastewater.*

13. Traders shall depart from a trading location upon the direction of any person or body, authorised to carry out any works in the street, thoroughfare, local government property or public place in which the trader is situated.

14. Traders shall not have any claim for compensation or damages as a result of any disruption to business or loss incurred due to an event, market, parade, thoroughfare works or any other contingency.

*Advice: The City is under no obligation to relocate the trader should operations be impacted by the circumstances listed under provisions 14 and 15 above.*

15. Traders shall not obstruct, cover, remove, relocate or modify trees or landscaping, public art, benches, bins, bus shelters, footpaths, roads or other City owned infrastructure.

16. Trading shall only take place in a suitable area with the City of Albany permission and where it does not cause a safety or nuisance concern or impact the existing or desired amenity of a place.

17. Traders may use public carparking areas subject to compliance with all relevant provisions of this Policy provided local carparking requirements (car parking numbers, appropriate vehicle manoeuvrability, vehicle access/egress etc.) are not impacted.

18. To ensure public safety, trading must be conducted in areas that are serviced by adequate lighting, should trading be proposed during hours of darkness.

*Advice: No person shall install or cause or permit the installation of outdoor lighting otherwise than in accordance with the requirements of Australian Standard AS 4282 - 2019 Control of the Obtrusive Effects of Outdoor Lighting.*

19. Advertising signs are restricted to the location from which the business is conducted. No permanent signage will be permitted in a public place.

20. Associated fixtures such as tables and chairs may be provided on site at the discretion of the City of Albany.

Advice:

- Fixtures are to be of a temporary nature and removed from the site at the end of trade;
- Fixtures must not obstruct pedestrian flow or vehicular traffic.

21. To apply for permission to operate as a trader within the City, the following documentation will be required:

- A completed Permit Application form, including proposed payment details;
- A cover letter introducing the proposal and summarising the following details:
  - Proposed location (unless applying as an itinerant trader)
  - Details of goods/services sold
  - Expected hours of operation
  - Statement against the relevant provisions of this Policy (including how the application is consistent with community interest)
- A Management Plan detailing the following information:
  - Details as to how amenity of the public place/s will be maintained
  - Details as to how the potential for public nuisance will be minimised.
  - Details on waste generation and method for ensuring location/s remains clean, tidy and free of litter
  - Details on the provision of power, water, gas or other servicing requirements.
  - Any other information deemed relevant by the City of Albany (Applicants are advised to discuss information requirements with the City of Albany as early as possible).
- Details of the vehicle and trailer (if relevant) to be used in the proposed operation, as well as a site plan detailing where the vehicle/trailer will be stored when not in operation.

*Advice: Please note the vehicle and trailer must be stored entirely within property boundaries (verge parking not permitted) and shall ensure sufficient on-site parking bays for any existing use of the site (as required under LPS1 or the R-Codes). If this is not possible at your residence, alternative parking locations should be explored.*

- Photographs and/or elevations of the trading vehicle depicting the external appearance of the vehicle (if relevant)
- A copy of current public liability insurance to the value of \$10 million; and
- If food is sold, a current copy of your *Food Act 2008* Certificate of Registration (noting the vehicles internal fit out must comply with the requirements of the *Food Regulations 2009*, applicable ASNZ Food Standards Codes and the City of Albany Health Local Laws) is required.

#### Approved Events and Markets:

22. Subject to approval from event holders:

- If your food business (registered food business and as a stall holder) is based within the City of Albany, no food stall approval is required to trade at an event or market.
- If your business is located outside of the City of Albany an Application for a Temporary Food Stall Approval will be required (unless proof of appropriate registration in another local government area is provided).

#### Approved Fixed Locations:

23. The City of Albany has identified fixed trading locations where trading may be permitted only by the approved trader in accordance with their licence (refer to Annexure A).

24. Traders may also put forward an application to trade at a location not currently listed as a fixed location within Annexure A. The City will assess any location put forward in this manner against the objectives of this policy and the purpose of the Reserve before granting approval.

*Advice:*

- *This process may require amendments to this Policy and/or determination at an Ordinary Council Meeting. Traders likely to experience time pressures are therefore encouraged to commence this process as soon as possible or apply for an existing fixed location.*
- *The City may make a determination as to whether a trading permit can be issued to the operator under the provisions of this policy before progressing with an application for a new fixed location.*

25. A fixed location trader licence may be issued for a maximum of two years, however a shorter term may be issued at the City's discretion (particularly for inexperienced operators).

26. A fixed trading location becomes available for reallocation if the trader ceases trading for a period of six months or advises that they wish to cease trading.

27. Unoccupied fixed locations remain available until a licence has been issued to a suitable operator in accordance with provision 32 below.

28. Annual fixed location trading fees will be set each year by Council through the budget process and fees may differ depending on the location/desirability of the site (as shown in Annexure A). The desirability rating is based on the proximity to the CBD, attractiveness of the locality and/or potential for passing trade.

*Advice: Please contact the City of Albany Planning Department should you wish to discuss fees payable for individual sites.*

29. City reserves the right to refuse an application for a fixed location licence should the application not successfully demonstrate compliance with any or all of the above criteria, even if the proposed site is currently unoccupied.

30. Approval of a fixed location permit does not grant the permit holder exclusive rights to the permit area.

#### Approved Fixed Locations (Food):

31. Fixed location trader licences will be determined at the discretion of the City, on their individual merit and against the following criteria:

- How will the operation benefit the community (i.e. authenticity, quality, unique culinary experience and celebrating local produce);
- How will the operation enhance the experience of, and be relevant to the purpose of the public place;
- Experience of the trader (e.g. food van or restaurant that is currently operating);
- Relevant qualifications (e.g. barista certificate, qualified chef or baker etc)
- Possession of a well-designed and well-maintained vehicle that is aesthetically pleasing and complies with the City's environmental health requirements.
- Historic use of a specific location by the trader and existing patronage by the community.
- Appropriateness of Management Plan provided by the trader.
- Knowledge of food safety principles.
- Marketing plan and social media presence.

*Advice: The City will place a particularly high emphasis on benefits to the community in accordance with dot points one above. Given the prominence of the locations on offer, high quality, unique and/or authentic cuisine will be favoured. Operators proposing more standard fast food or café fare, may not be deemed suitable for certain locations.*

#### Approved Fixed Locations (Non Food):

32. There is currently one non-food location, other than leased areas which is located within the Middleton Beach carpark (refer Annexure B).

33. The fixed location non-food trader licences will be determined at the discretion of the City, on individual merit and against the following criteria:
- How will the operation benefit the community (i.e. to what extent will the operation address a particular need)
  - How will the operation enhance the experience of, and be relevant to the purpose of the public place
  - Impact on other similar business in the vicinity (are other operators offering similar goods/services nearby)
  - Experience of the trader (e.g. previous experience in similar operations);
  - Possession of a well-designed and well-maintained vehicle that is aesthetically pleasing and complies with the City's environmental health requirements (if relevant).
  - Historic use of a specific location by the trader and existing patronage by the community.
  - Appropriateness of Management Plan provided by the street trader.
  - Marketing plan and social media presence.

#### Non-Food Operators - General:

34. Aside from the approved fixed location listed above, applications for non-food fixed or itinerant traders (particularly retail and personal services) will generally not be supported by the City of Albany on a public place.
35. Notwithstanding the above, exceptional non-food offerings which can demonstrate they achieve the relevant criteria of this policy may be supported, at the discretion of the City.

*Advice: Please note that a resolution of Council may be required in these circumstances.*

#### Itinerant Traders

36. Traders may apply for a Permit to sell to the public by traveling from place to place throughout the City in accordance with this Policy.
37. Traders operating under this arrangement are precluded from selling within the Albany Central Business District (CBD), as indicated within Annexure C – Albany CBD: Itinerant Traders Exclusion Zone.
38. Trading is permitted in areas outside of the Albany CBD provided that:
- It occurs a minimum of 200 metres away from any shop or other permit holder, offering a similar product for sale (except when the Trader has been invited onto a property by the property owner/occupier and is participating in an approved event such as a weekend market or sporting event); and
  - It occurs a minimum of 200 metres away from a school between the hours of 7.00am and 9.00am and 2:30pm and 4.00pm during school days; and
  - Traders move on when all customers at a particular location have been serviced; or
  - If parked in a safe location within a public car parking area/space (complying with local parking restrictions) traders move on within the following maximum daily time limits:
    - 2 hours - more than 2km away from the CBD
    - 4 hours - more than 10km away from the CBD
39. Itinerant coffee vendors are permitted to temporarily locate on private property and sell goods in accordance clause 39 above (excluding final dot point – refers to public land) provided landowner approval has first been obtained.
40. The City may limit the number of itinerant food trader permits issued, if it is determined the operation of itinerant food vendors is causing undesired impacts to local amenity, the operation of existing bricks and mortar businesses, or any other issue considered relevant by the City.

## Stallholders

41. Approval for stalls, other than stalls which are part of an approved market or extend the service area of an existing business onto the adjacent footpath, will be restricted to community associations only.
42. A stallholder proposing to operate a food stall, which will offer for sale to the public potentially hazardous food (e.g. sausage sizzles) is required to submit an application for approval (unless proof of appropriate registration is provided) to the City's Environmental Health team.
43. All food products that are not for immediate consumption must be labelled in accordance with the relevant food regulations.
44. Community associations will not be required to pay permit fees.

## Alfresco-Dining

45. Operators of alfresco-dining areas are required to hold a permit under the provisions of the *Activities on Thoroughfares and Public Places and Trading Local Law*, where they are referred to as outdoor eating facilities.
46. Applications may only be submitted by proprietors of existing food premises who wish to extend their service area onto the adjacent footpath (generally) in front of their premises.
47. A proprietor granted approval to operate an alfresco dining area is required to indemnify the City in writing against any action taken against the City by a person injured or suffering loss due to the presence of the alfresco-dining area.
48. The boundaries of an approved alfresco-dining area are to be marked and maintained by the registered proprietor. Markers can be purchased from the City.
49. Tactile directional tiles, removable railings or planter boxes may be required by the City, at the business proprietor's expense, to provide delineation to a dining area for the visually impaired.
50. Tables and chairs used in the alfresco-dining area should be designed for commercial outdoor use. Please note domestic furniture will not be permitted.
51. All patrons and furniture must remain within the delineated boundaries of the alfresco-dining area. It is the responsibility of the permit holder to ensure this requirements is complied with at all times.

*Advice: Patron behaviour in the alfresco area should be regularly monitored and controlled (if required).*

52. Tables and chairs used in the alfresco-dining area must be located no closer than 600 millimetres from the adjacent kerb to allow passengers to alight from vehicles.
53. A minimum 1800mm unobstructed thoroughfare must be maintained for pedestrians at all times.
54. Tables, chairs and other furniture associated with the alfresco dining facility should generally be removable and stored inside the premises following the close of business. More permanent furniture can be explored subject to a development application and building permit (if required).
55. Operators must provide table service to patrons within an approved alfresco-dining area at all times.
56. No advertising signs, other than the logo or name of the outlet, will be permitted in an alfresco-dining area.
57. The City of Albany reserves the right to withdraw the alfresco dining permit at any time and for any reason, including non-compliance with the above requirements or permit conditions.

*Advice: The applicant is encouraged to explore whether the additional seating capacity resulting from the alfresco-dining area will necessitate upgrades to existing sanitary facilities before proceeding with an alfresco-dining application.*



## Market Operators

58. Operators of markets on public land are required to hold a permit under the provisions of the Activities on Thoroughfares and Public Places and Trading Local Law.

*Advice: For a market on private land, development approval under the City of Albany Local Planning Scheme No.2 is required.*

59. Individual stalls, other than stalls selling food, are covered by the market operator's licence - individual licencing fees will not be charged.

60. Stallholders proposing to operate a food stall, which will offer for sale to the public potentially hazardous food (e.g. sausage sizzles) are required to be registered/hold registration under the provisions of the Food Act 2008.

61. All food products that are not for immediate consumption must be labelled in accordance with the relevant health regulations.

## **Legislative and Strategic Context**

The City of Albany *Activities on Thoroughfares and Public Places and Trading Local Law 2011* and the *Local Government Property Local Law 2011* require street traders to obtain a licence for trading on public places.

This policy aims to provide direction and guidance for City officers assessing applications and to ensure equity for all commercial outlets.

## **Review Position and Date**

This policy was adopted on 15 September 2009. This policy should be reviewed every two years, or earlier if required.

## **Associated Documents**

Strategies, procedures, references, guidelines or other documents that have a bearing on this policy and that may be useful reference material for users of this policy:

- *Food Act 2008*
- *Food Regulations 2009*
- Australia New Zealand Food Standards Code
- *Activities on Thoroughfares and Public Places and Trading Local Law 2011*
- *Local Government Property Local Law 2011*
- *Environmental Protection (Noise) Regulations 1997*
- National Competition Policy: *Noting Australia's National Reform Agenda is the successor program to the National Competition Policy*. Clause 7 of the Competition Principles Agreement extended elements of the National Competition Policy reform agenda to local government.



## Definitions

**Approved Location** means a location from which vendors can trade with City approval.

**Approved Event** means a City of Albany event or an event that has been approved under the City of Albany's event approval process.

**Community Association** means an organisation which can demonstrate that its objectives are charitable, benevolent, religious, cultural, educational, recreational or sporting.

**Food Stall** means a stall from which any perishable or potentially hazardous food, other than fruit or vegetables, is sold or offered for sale, unless approved by the City of Albany.

**Food Van** means any vehicle, caravan, trailer or other similar mobile structure selling or offering for sale any food and or drink (excluding alcoholic beverages).

**Itinerant Food Vendor** means a form of Street Trader who sells food from a vehicle parked temporarily on the road to customers who stop them or come to them while they are so parked.

**Market** means premises used for the display and sale of goods from stalls, food vans or similar by independent vendors.

**Potentially Hazardous Food** means all prepared or cooked food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, crustaceans, molluscs, gravy, cooked rice and pasta or ingredients capable of supporting the growth of infectious or toxigenic micro-organisms.

**Public Place** includes:

- (a) any thoroughfare or place which the public are allowed to use whether or not the thoroughfare is on private property; and
- (b) local government property; but does not include premises on private property from which trading is lawfully conducted under a written law.

**Snack** means a small amount of food eaten between meals.

**Stall** means a movable or temporarily fixed structure, stand or table in, on or from which goods or services are sold, hired or offered for sale or hire.

**Stallholder** means a person in charge of a stall.

**Trader** means a businesses or individual seeking to use public land to operate a business or for financial gain.

**Trader's Permit** means a person who sells food, goods and/or services from a vehicle parked temporarily on the road/public place while they are parked.

**Trading in Public Places** refers to long-term or periodic occupation of City controlled land for the purposes of either selling or displaying goods or providing services to customers.

## Annexures:

- **Annexure A: Fixed Trading Locations**
- **Annexure B: Fixed Trading Locations – Goods and/or Services (other than food)**
- **Annexure C: Albany CBD – Itinerant Traders Exclusion Zone**

Annexure A: Fixed Trading Locations

MIDDLETON BEACH	
Trading Term	2 Years
Desirability	A
Special Conditions	<ol style="list-style-type: none"><li>1. Traders will not be permitted in this location during any community event approved by the City.</li><li>2. Traders to provide own power, gas and water supply unless alternative arrangements agreed to by the City of Albany.</li><li>3. Trading limited to between 7.00am and 6.00pm.</li><li>4. Traders limited to the service of ice creams, confectionery, snacks and drinks.</li><li>5. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li></ol>



## CENTENNIAL PARK

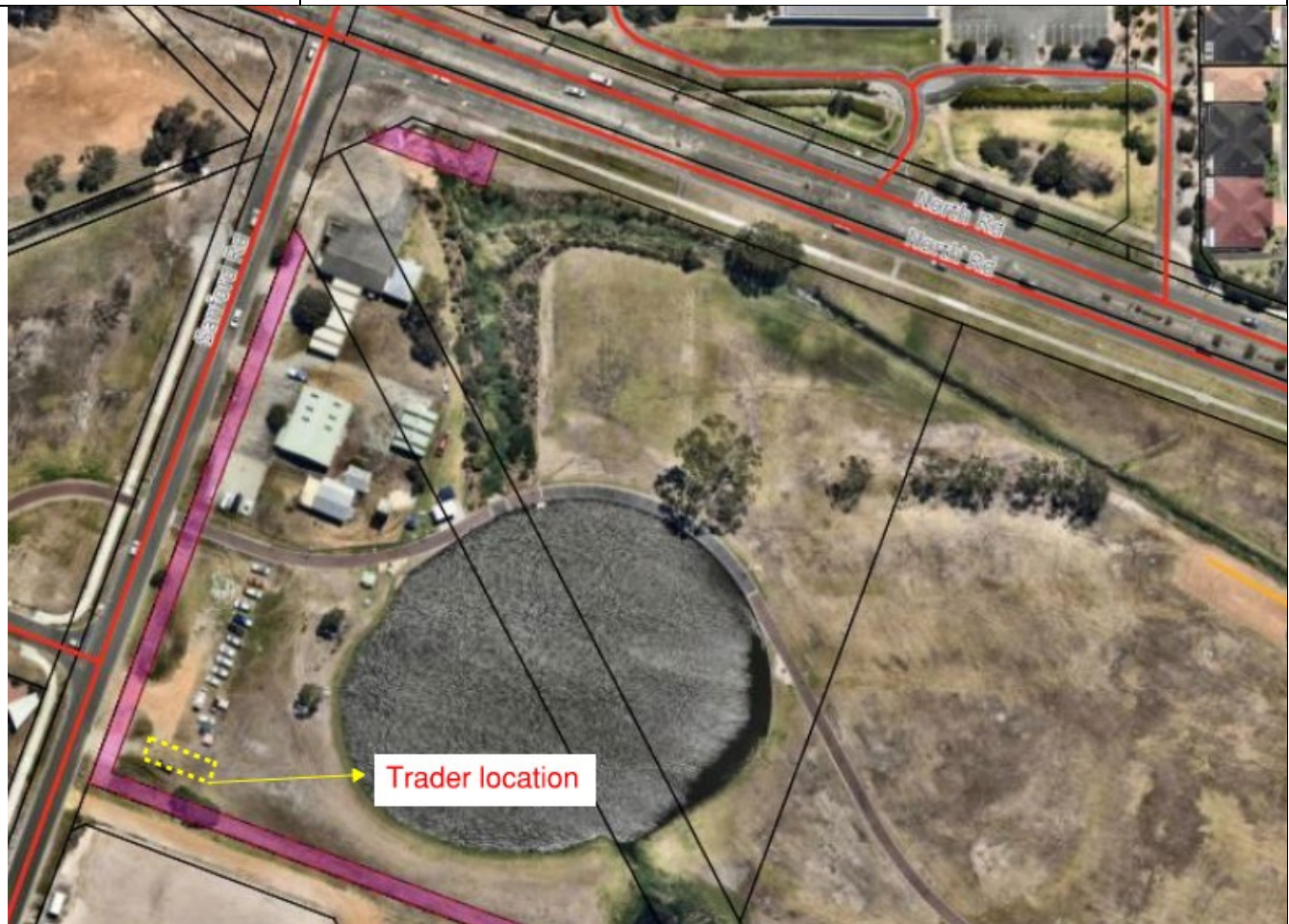
Trading Term	2 Years
Desirability	A
Special Conditions	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 6.00pm</li><li>4. Traders limited to the service of ice creams, confectionery, snacks and drinks.</li><li>5. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li></ol>





## SANFORD ROAD

Trading Term	2 Years
Desirability	A
Special Conditions	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 6.00pm</li><li>4. Traders limited to the service of ice creams, confectionery, snacks and drinks.</li><li>5. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li></ol>



## LOWER KING

<b>Trading Term</b>	<b>2 Years</b>
<b>Desirability</b>	<b>A</b>
<b>Special Conditions</b>	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 8.00pm</li><li>4. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>5. Vehicle circulation space should not be obstructed.</li><li>6. Trader to ensure no more than 1.5 bays are occupied by the trader and associated/incidental materials at all times.</li><li>7. Trading term may be limited to 3 months initially to trial the fixed location.</li></ol>





## 'SURFERS' BEACH MIDDLETON

Trading Term	2 Years
Desirability	A
Special Conditions	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Trading limited to between 7.00am and 6.00pm.</li><li>3. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>4. Trader accepts risk of stray golf balls from adjacent golf course.</li><li>5. Trader responsible for ensuring gate remains closed outside of operating hours.</li><li>6. No towing vehicles (if relevant) permitted to park in this location.</li><li>7. Trader shall ensure adjacent footpath remains unobstructed at all times (includes customers queuing or eating and towing vehicles).</li></ol>





## FOUNDATION PARK

Trading Term	2 Years
Desirability	A
Special Conditions	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Trading limited to between 7.00am and 8.00pm</li><li>3. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>4. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li></ol>





## LAKE WEERLARA PARK

Trading Term	2 Years
Desirability	B
Special Conditions	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Trading limited to between 7.00am and 8.00pm.</li><li>3. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>4. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>5. Trader shall ensure adjacent footpath remains unobstructed at all times (includes customers queuing or eating and towing vehicles).</li></ol>





## FORTS CARPARK

<b>Trading Term</b>	<b>2 Years</b>
<b>Desirability</b>	<b>B</b>
<b>Special Conditions</b>	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 6.00pm</li><li>4. Traders limited to the service of ice creams, confectionery, snacks and drinks.</li><li>5. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>6. Trading term may be limited to 3 months initially to trial the fixed location.</li></ol>





## LAKESIDE PARK

Trading Term	2 Years
Desirability	B
Special Conditions	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 8.00pm</li><li>4. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>5. Trading term may be limited to 3 months initially to trial the fixed location.</li></ol>





## CHIPANA DRIVE PUBLIC CARPARK

Trading Term	2 Years
Desirability	B
Special Conditions	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 6.00pm</li><li>4. Trader to park outside of area demarcated for vehicle and boat manoeuvring.</li><li>5. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>6. Trading term may be limited to 3 months initially to trial the fixed location.</li></ol>





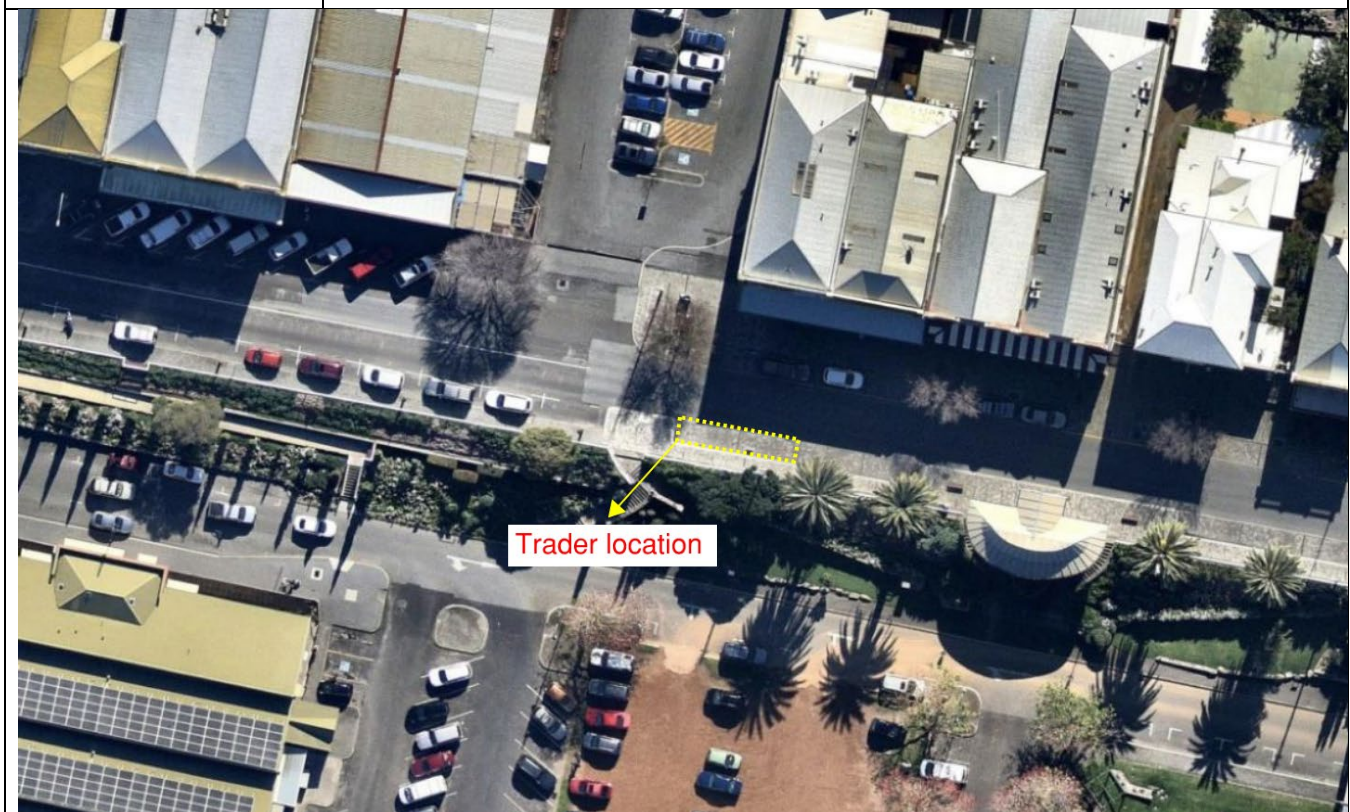
## LOWER KING ROAD

<b>Trading Term</b>	<b>2 Years</b>
<b>Desirability</b>	<b>B</b>
<b>Special Conditions</b>	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 8.00pm</li><li>4. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>5. Trading term may be limited to 3 months initially to trial the fixed location.</li></ol>



## STIRLING TERRACE EAST

Trading Term	2 Years
Desirability	C
Special Conditions	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Trading limited to between 10pm and 3am on Friday and Saturday nights (inc. Sunday morning).</li><li>3. Trader to ensure queuing occurs on footpath and not on road.</li><li>4. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>5. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>6. Trading term may be limited to 3 months initially to trial the fixed location.</li></ol>





MIRA MAR	
Trading Term	2 Years
Desirability	C
Special Conditions	<p>7. Traders to provide own power, gas and water supply.</p> <p>8. Trading limited to between 7.00am and 6.00pm.</p> <p>9. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</p> <p>10. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</p> <p>11. Trading term may be limited to 3 months initially to trial the fixed location.</p>



<b>SANDPATCH</b>	
<b>Trading Term</b>	<b>2 Years</b>
<b>Desirability</b>	<b>C</b>
<b>Special Conditions</b>	<p>12. Traders to provide own power, gas and water supply.</p> <p>13. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</p> <p>14. Trading limited to between 7.00am and 6.00pm</p> <p>15. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</p>





## NANARUP BEACH

<b>Trading Term</b>	<b>2 Years</b>
<b>Desirability</b>	<b>C</b>
<b>Special Conditions</b>	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 6.00pm</li><li>4. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li></ol>





## GOODE BEACH

<b>Trading Term</b>	<b>2 Years</b>
<b>Desirability</b>	<b>C</b>
<b>Special Conditions</b>	<ol style="list-style-type: none"><li>1. Traders to provide own power, gas and water supply.</li><li>2. Traders to provide three bins (general waste, recycling and FOGO) for collection and storage of waste generated by their business.</li><li>3. Trading limited to between 7.00am and 6.00pm</li><li>4. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li><li>5. Access track to the south is to remain unobstructed at all times.</li></ol>



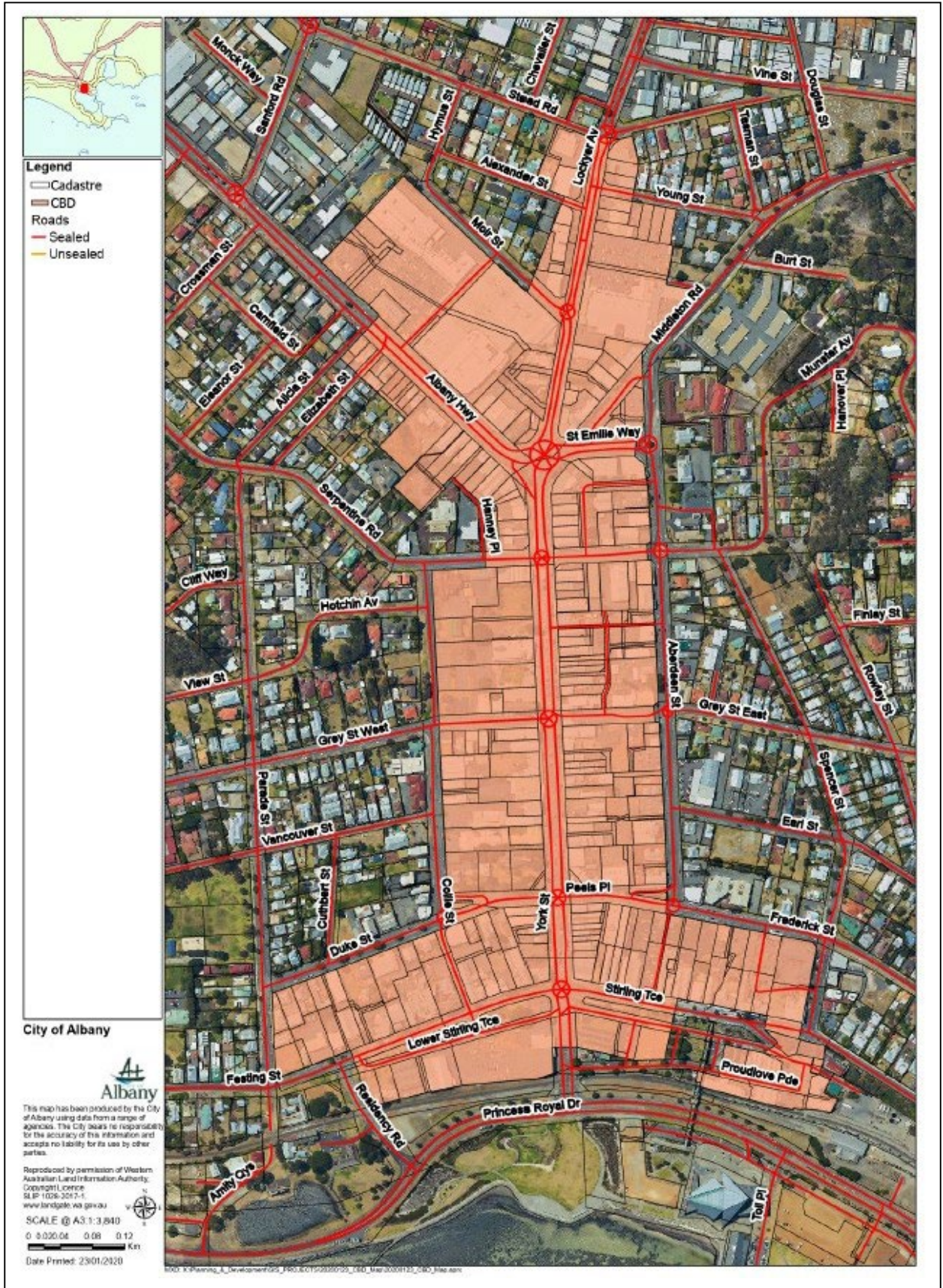
Annexure B: Fixed Trading Locations – Goods and/or Services (other than food)

<b>MIDDLETON BEACH</b>	
<b>Trading Term</b>	2 Years
<b>Desirability</b>	A
<b>Special Conditions</b>	<ol style="list-style-type: none"> <li>1. Trading limited to between 7.00am and 6.00pm.</li> <li>2. No storage of vans, vehicles or associated trading infrastructure is permitted in this location outside of operating hours.</li> <li>3. Trader to ensure no more than 1.5 bays are occupied by the trader and associated/incidental materials at all times.</li> <li>4. Trader shall ensure adjacent footpath remains unobstructed at all times (includes customers queuing or eating and towing vehicles).</li> </ol>

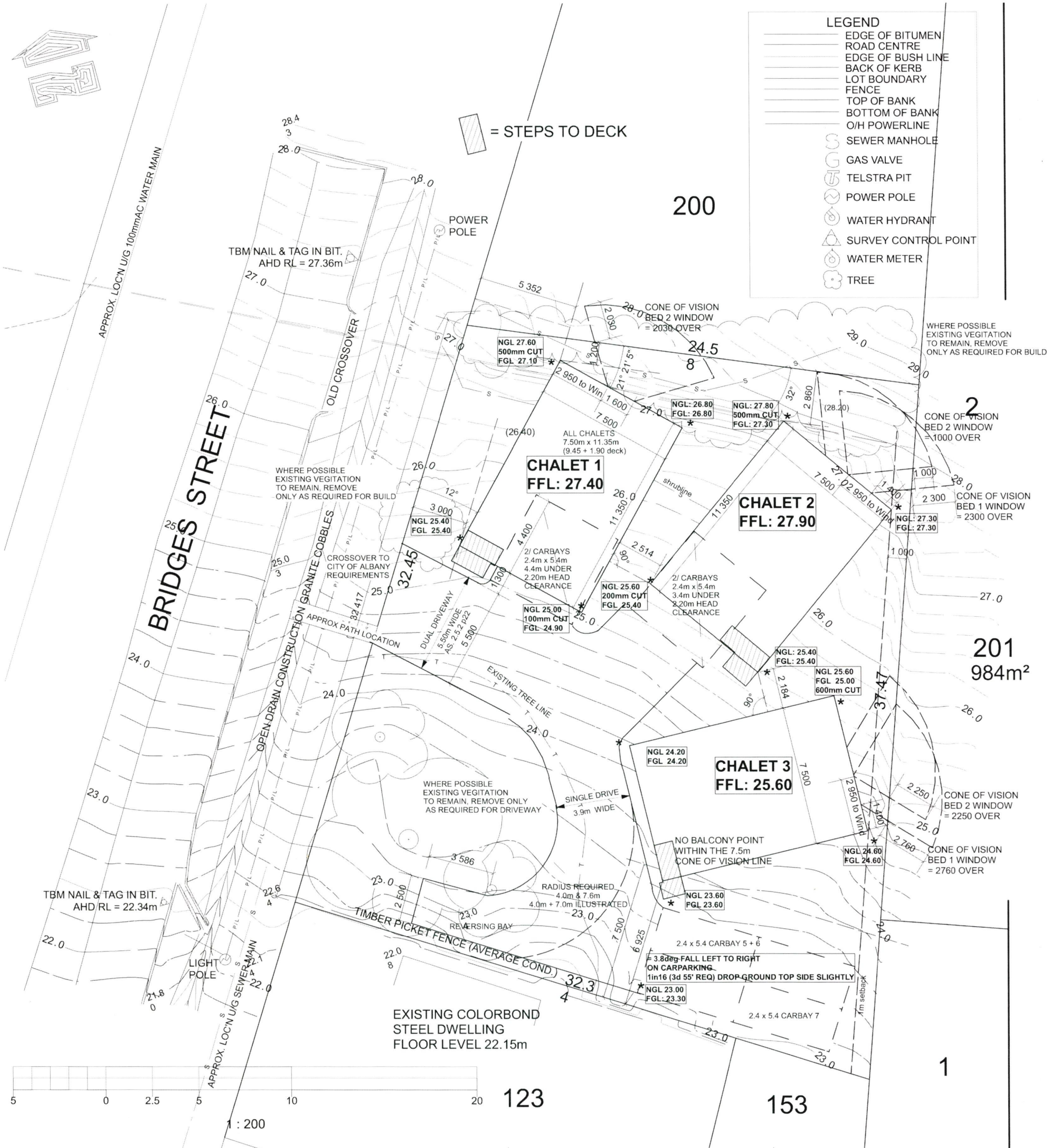




Annexure C: Albany CBD – Itinerant Traders Exclusion Zone







ISSUE	DATE	REVISION	BY	CHKD
A	5/11/15	ORIGINAL ISSUE	MA	MA

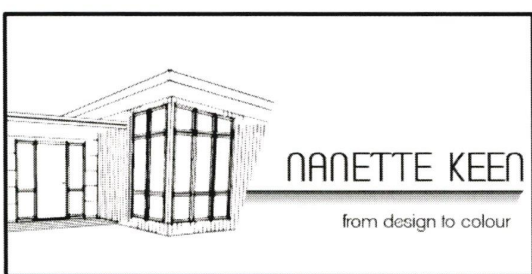
DISCLAIMER  
 35 DEGREES SOUTH HAS TAKEN DUE CARE IN THE PREPARATION OF THIS DRAWING, BUT ACCEPTS NO RESPONSIBILITY FOR ANY INACCURACY OF THE HIGH WATER MARK POSITION OR THE CADASTRAL INFORMATION, NOR INAPPROPRIATE USE OF THIS INFORMATION. THE CADASTRAL AND HIGH WATER MARK LOCATION ARE OBTAINED FROM LANDGATE'S DIGITAL CADASTRAL DATABASE NO RESPONSIBILITY CAN BE ACCEPTED FOR ANY DAMAGE CAUSED TO ANY UNDERGROUND SERVICE OR ANY LOSS OR INJURY SO SUFFERED IF INQUIRY AND VERIFICATION HAVE NOT BEEN COMPLETED IN

HEIGHT DATUM : AHD  
 COORDINATE SYSTEM : ALB'94

**35 DEGREES SOUTH**  
 LAND AND SEA SURVEYING  
 ARGYLE BUILDING  
 46 STIRLING TERRACE  
 ALBANY WA 6330  
 Email: marka@35degreesouth.com.au  
**LOT 201 BRIDGES ST, ALBANY**

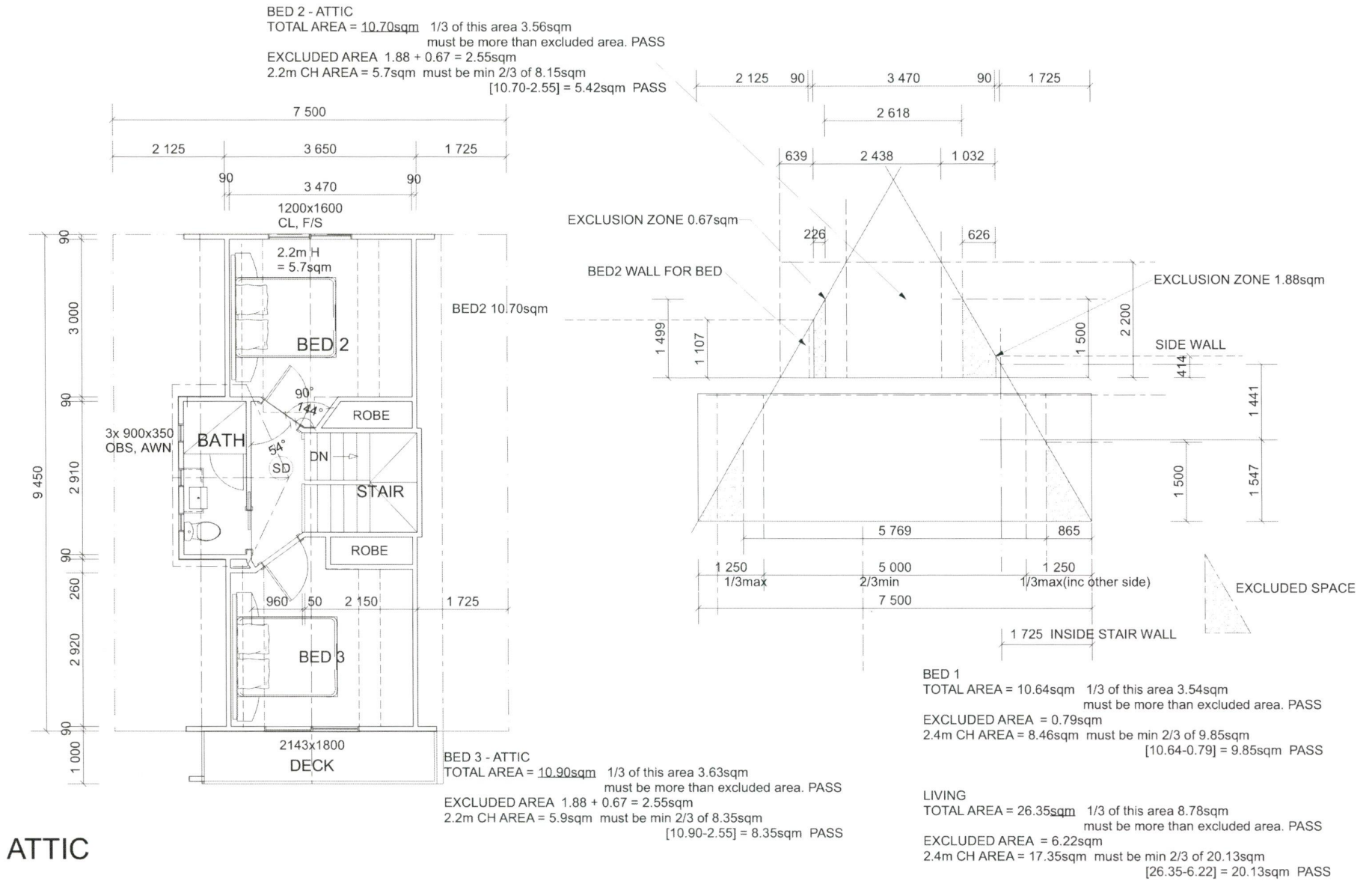
COPYRIGHT OF this drawing is the property of 35 Degrees South it must not be reproduced or altered without the prior written consent of the owner

**NOTES**  
 Only above ground features have been located. Areas & dimensions are subject to final survey. Sewer information is as supplied by the Water Corporation of W.A. and has not been surveyed on site except where shown.  
 SOIL - sand  
 VEGETATION - overgrown site  
 KERB - non mountable (poor condition)

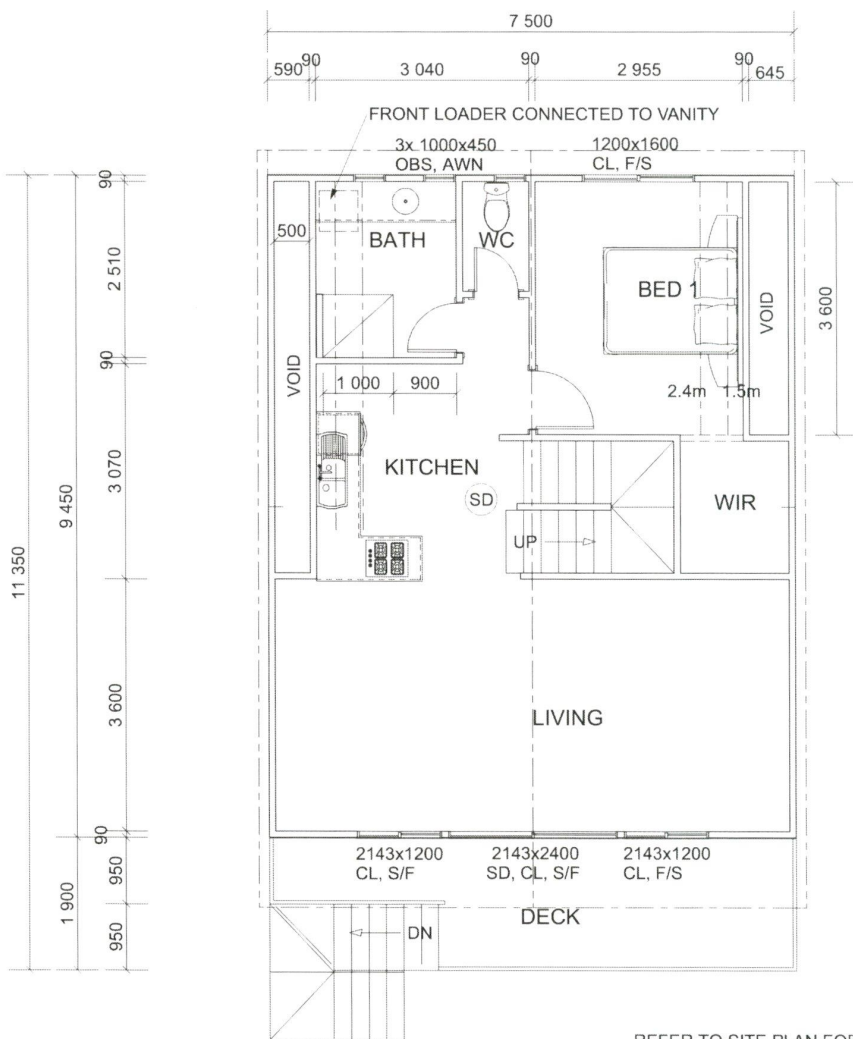


DEVELOPMENT APPLICATION		SITE PLAN - Existing Contour Line SCALE 1:200		SET ONE
Proposed Development for: KDS BUILDING SERVICES CLIENT: J McLEAN & A GALANTE ADDRESS: LOT201 BRIDGES ST ALBANY WA 6330	Date: 18 DEC 23 Contents: SITE PLAN Copyright - Design by builder	Amendments: 20 DEC 23 Sheet: 1 OF 7 Pdf File: 8_McLean DA	0428 416 592 PO Box 526, Albany, 6331 tnkeen@bigpond.com ABN. 51 937 862 400	





ATTIC



MAIN FLOOR

NOTES

- TIMBER FRAMED FLOORS
- LOWER FLOOR U'SIDE JOIST @ 2430 AFL = CEILING HEIGHT
- LINED RAKED CEILINGS ELESWHERE
- 60deg MAIN ROOF, 35deg DORMER ROOF
- COLORBOND MONUMENT - ROOF COVER, GUTTER & WINDOW FRAMES
- COLORBOND DUNE - FASCIA & PAINTED GABLE WALL CLADDING
- TIMBER PANELING TO UNDERSIDE SIDE OF ROOF TO DECK
- STUMPS UNDER FLOOR 90x90 STEEL
- STUMPS TO LOWER DECK nom 300dia BUSHPOLES

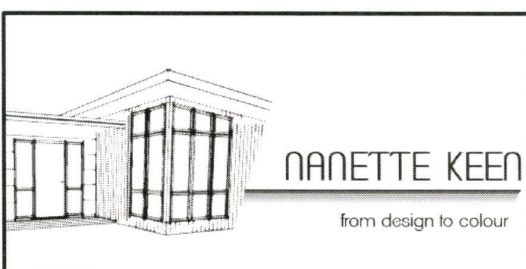
AREA

MAIN FLOOR	65.15sqm
ATTIC	34.47sqm
<b>TOTAL HOUSE AREA</b>	<b>99.62sqm</b>
(EXCLUDES VOID AREAS TO MAIN FLOOR)	
MAIN DECK	11.97 sqm
UPPER DECK	4.60 sqm
<b>TOTAL DECK AREA</b>	<b>16.57 sqm</b>
<b>TOTAL AREA</b>	<b>116.19 sqm</b>

REFER TO SITE PLAN FOR PARKING ALLOCATIONS  
 UNDERCROFT TO CHALET 1 & 2, CHALET 3 OPEN TO SIDE

TYPICAL FLOOR PLAN - ALL CHALETS

NOTE: EXTERNAL STAIRCASE DIFFERS EACH CHALET. REFER TO SITE PLAN & ELEVATIONS  
 SCALE 1:100

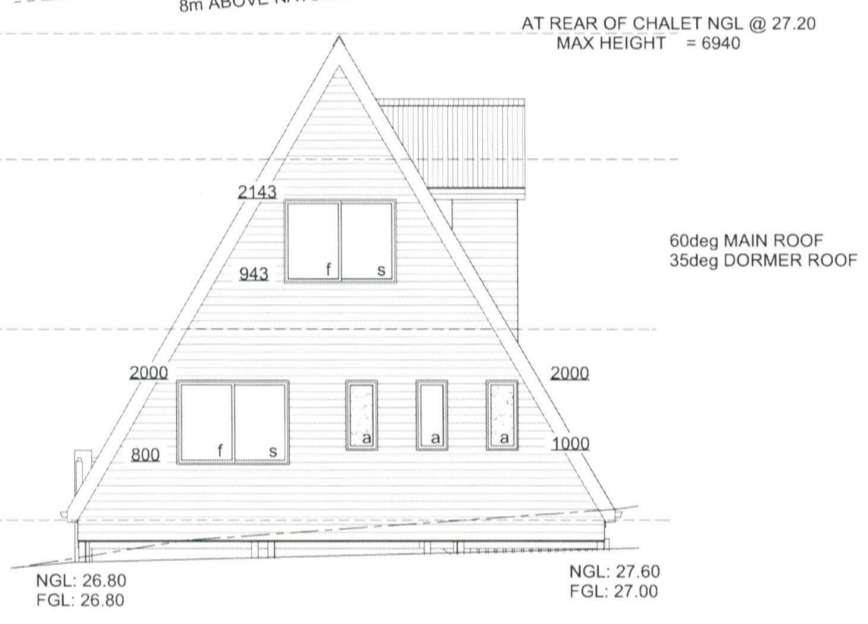
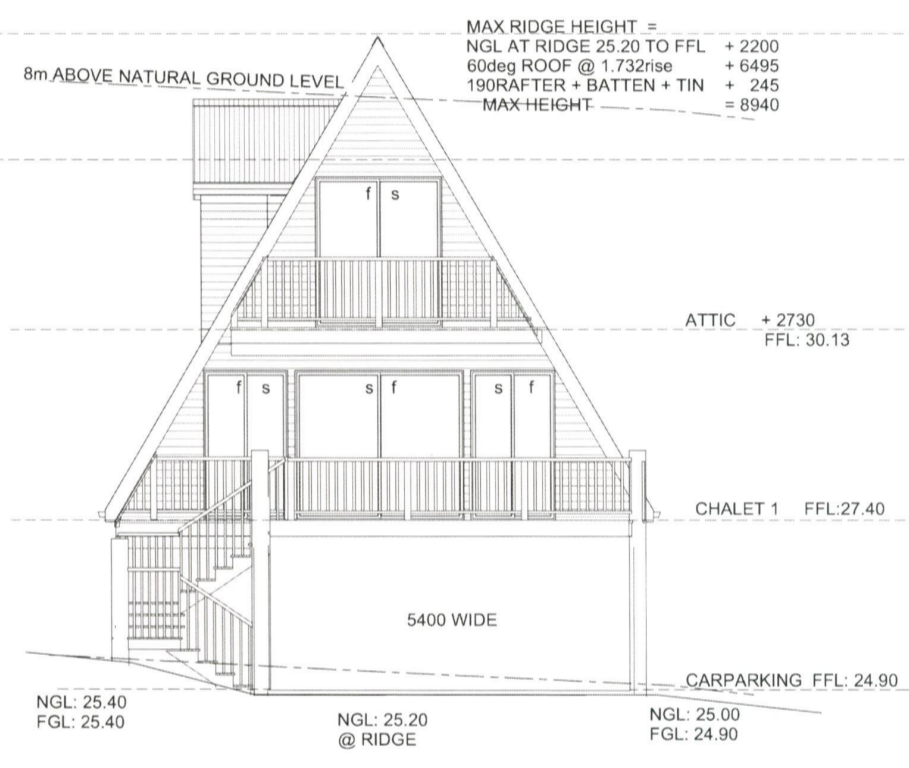
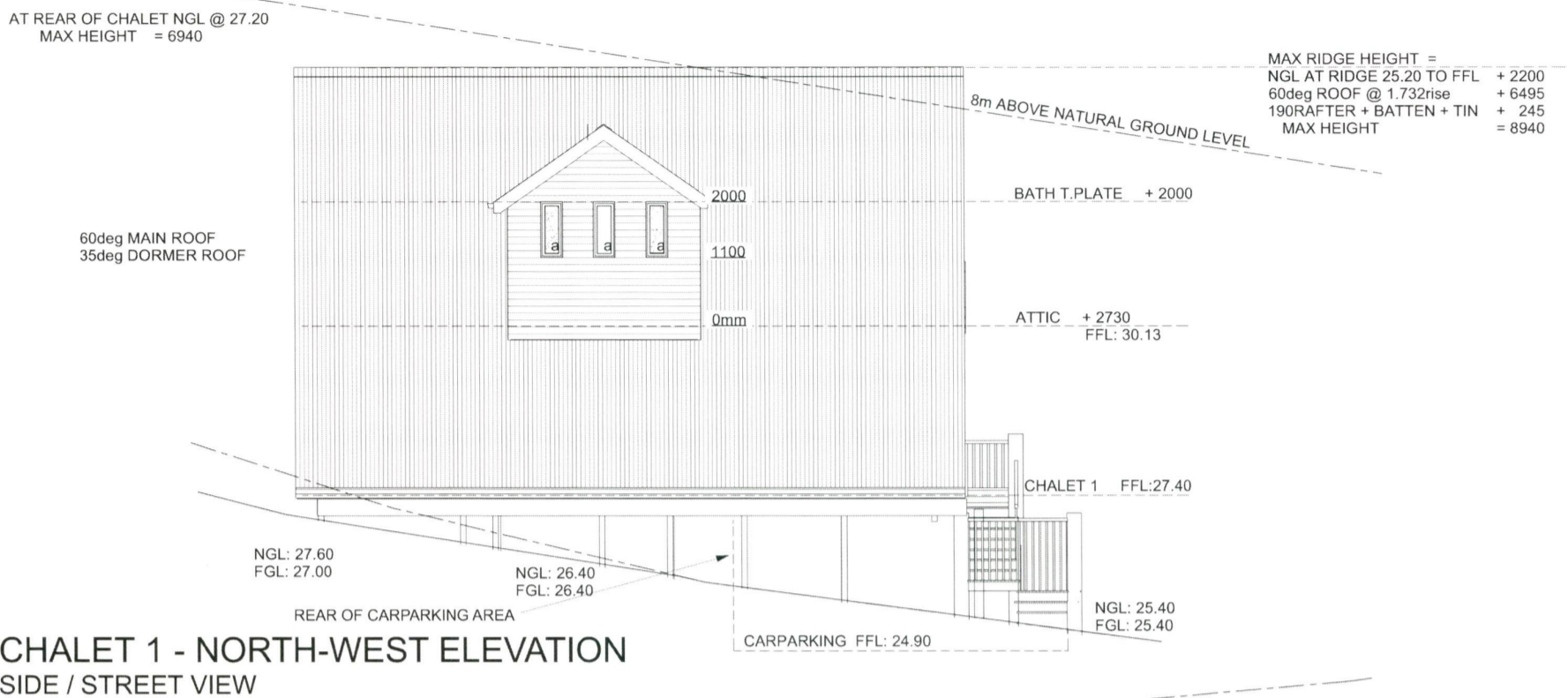


DEVELOPMENT APPLICATION

SET ONE

Proposed Development for: KDS BUILDING SERVICES CLIENT: J McLEAN & A GALANTE ADDRESS: LOT201 BRIDGES ST ALBANY WA 6330	Date: 18 DEC 23	Amendments: 20 DEC 23	0428 416 592 PO Box 526, Albany, 6331 tnkeen@bigpond.com  ABN. 51 937 862 400
	Contents: FLOOR PLAN	Sheet: 3 OF 7	
	Copyright - Design by builder	Pdf File: 8_McLean DA	



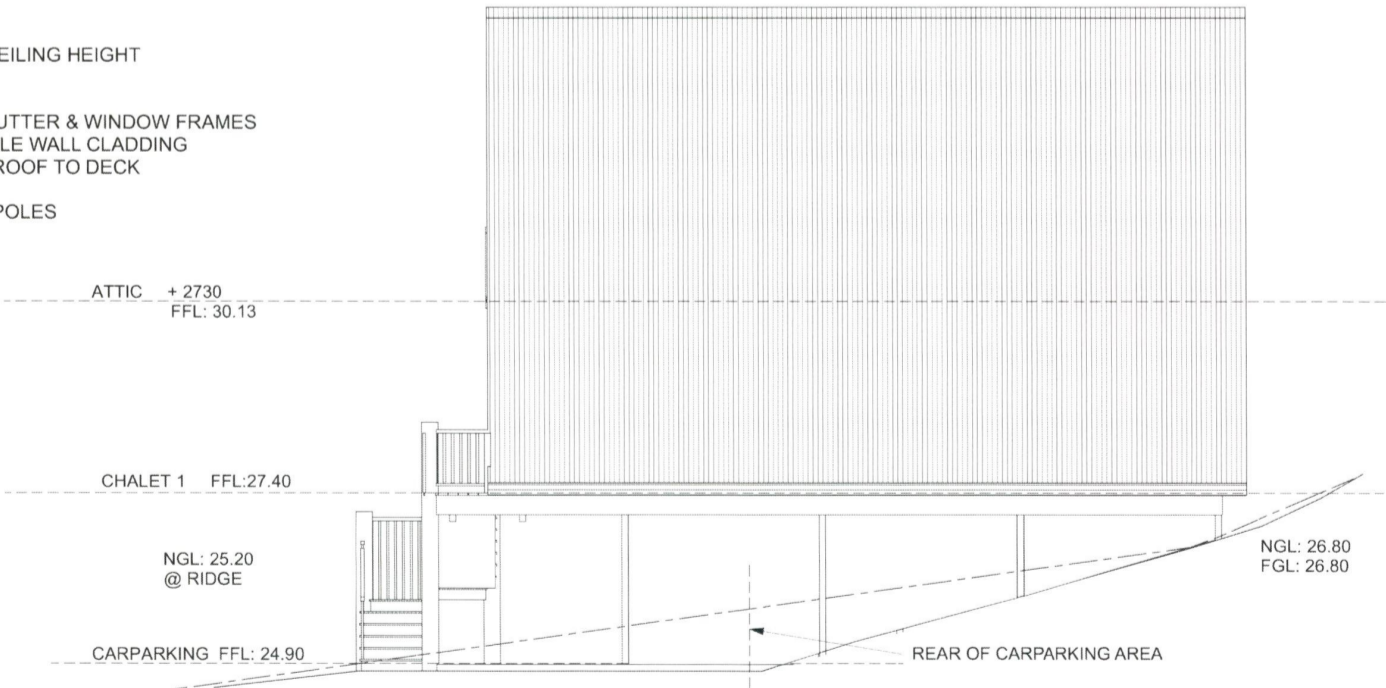


CHALET 1 - SOUTH-WEST ELEVATION FRONT VIEW

CHALET 1 - SOUTH-EAST ELEVATION REAR VIEW

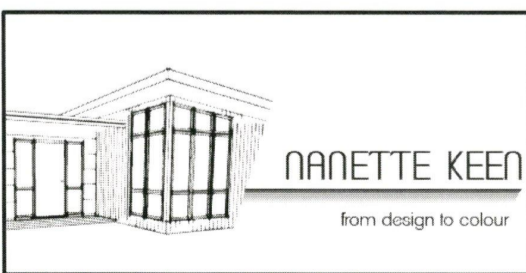
NOTES

- TIMBER FRAMED FLOORS
- LOWER FLOOR U'SIDE JOIST @ 2430 AFL = CEILING HEIGHT
- LINED RAKED CEILINGS ELESWHERE
- 60deg MAIN ROOF, 35deg DORMER ROOF
- COLORBOND MONUMENT - ROOF COVER, GUTTER & WINDOW FRAMES
- COLORBOND DUNE - FASCIA & PAINTED GABLE WALL CLADDING
- TIMBER PANELING TO UNDERSIDE SIDE OF ROOF TO DECK
- STUMPS UNDER FLOOR 90x90 STEEL
- STUMPS TO LOWER DECK nom 300dia BUSHPOLES



SCALE 1:100

CHALET 1 - SOUTH-EAST ELEVATION SIDE VIEW

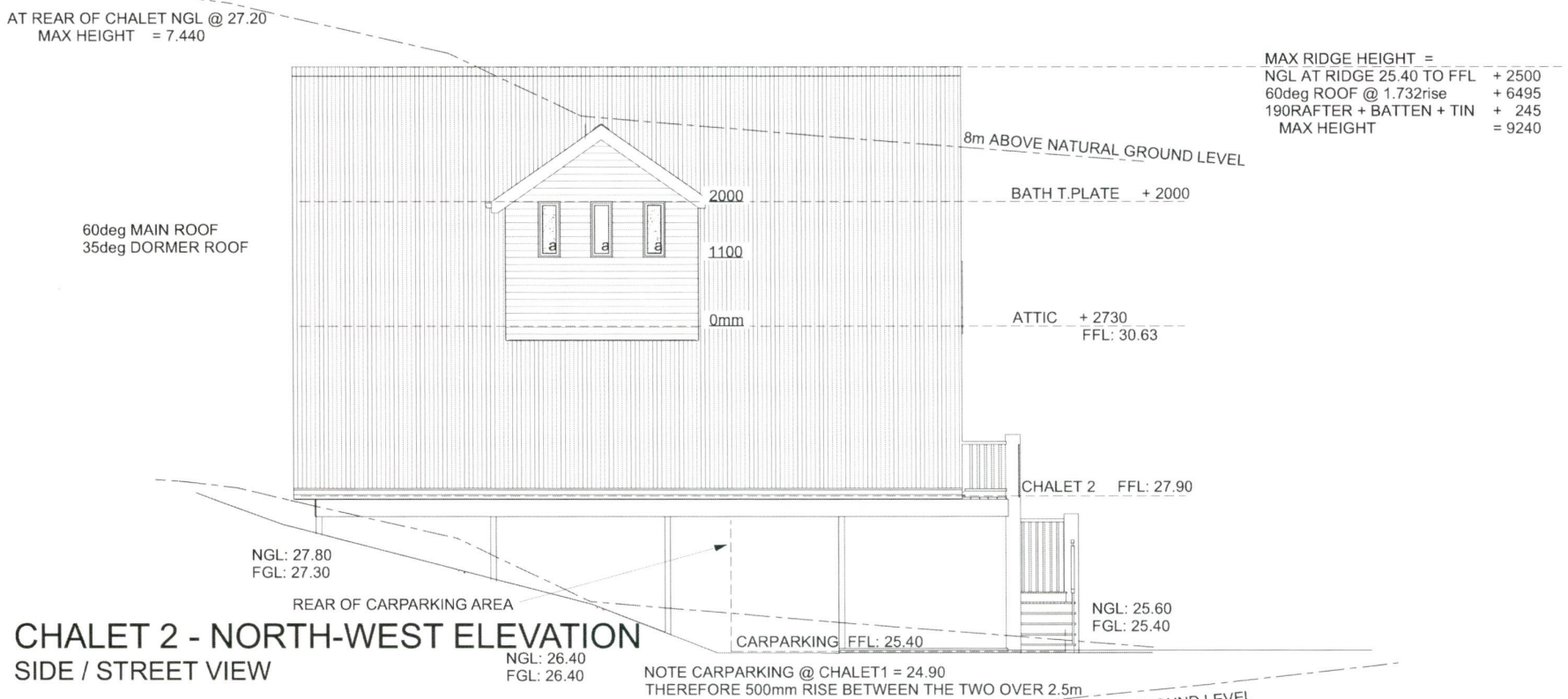


DEVELOPMENT APPLICATION

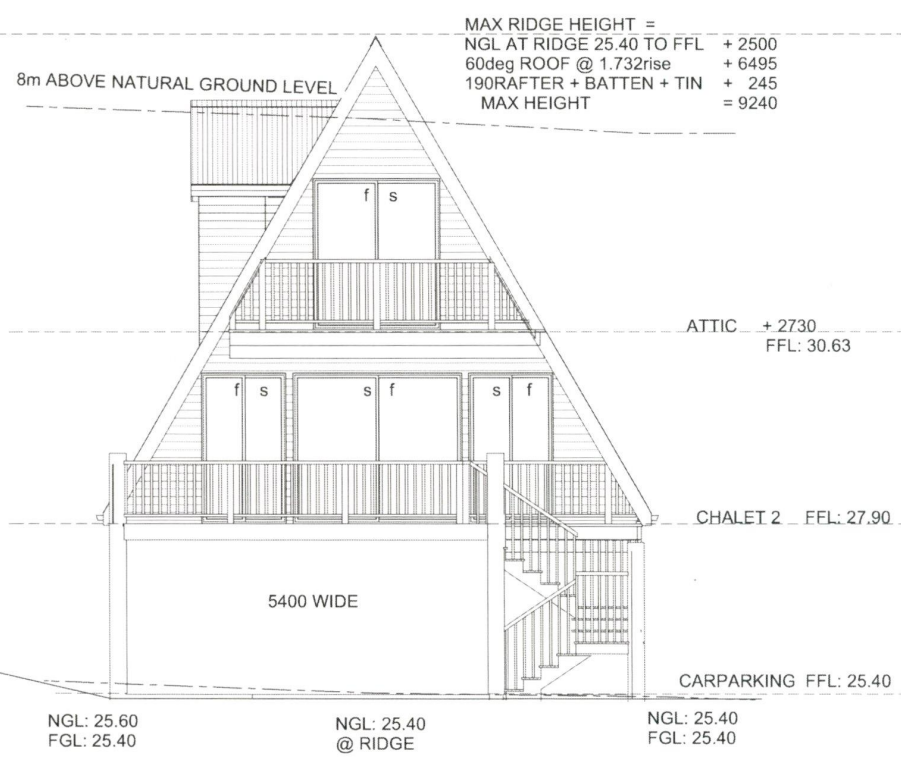
Proposed Development for: KDS BUILDING SERVICES CLIENT: J McLEAN & A GALANTE ADDRESS: LOT201 BRIDGES ST ALBANY WA 6330	Date: 18 DEC 23	Amendments: 20 DEC 23	0428 416 592 PO Box 526, Albany, 6331 tnkeen@bigpond.com ABN. 51 937 862 400
	Contents: CHALET 1 ELEVATIONS	Sheet: 4 OF 7	
	Copyright - Design by builder	Pdf File: 8_McLean DA	

SET ONE

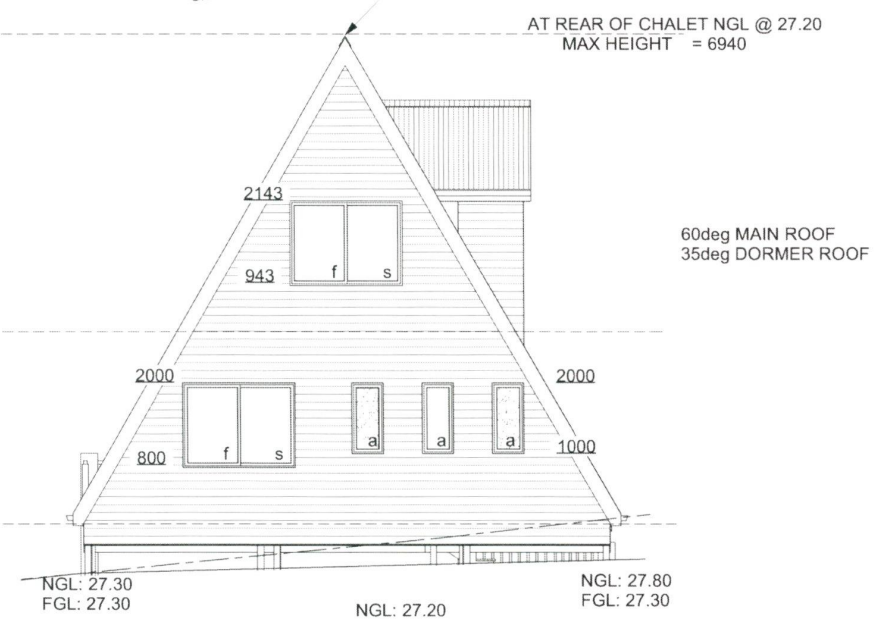




**CHALET 2 - NORTH-WEST ELEVATION**  
SIDE / STREET VIEW



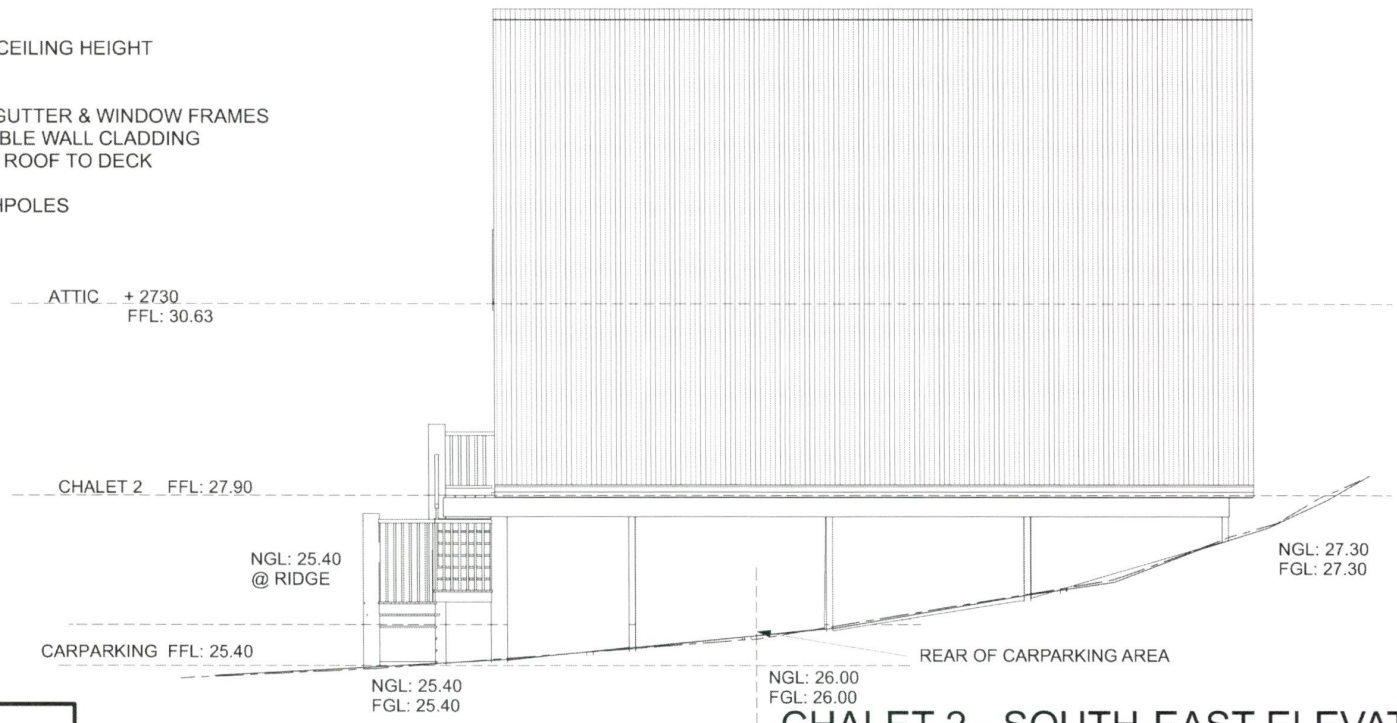
**CHALET 2 - SOUTH-WEST ELEVATION**  
FRONT VIEW



**CHALET 2 - SOUTH-EAST ELEVATION**  
REAR VIEW

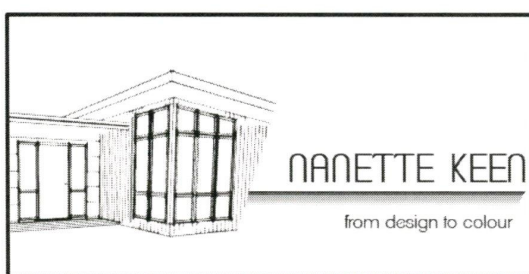
**NOTES**

- TIMBER FRAMED FLOORS
- LOWER FLOOR U'SIDE JOIST @ 2430 AFL = CEILING HEIGHT
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- 60deg MAIN ROOF, 35deg DORMER ROOF
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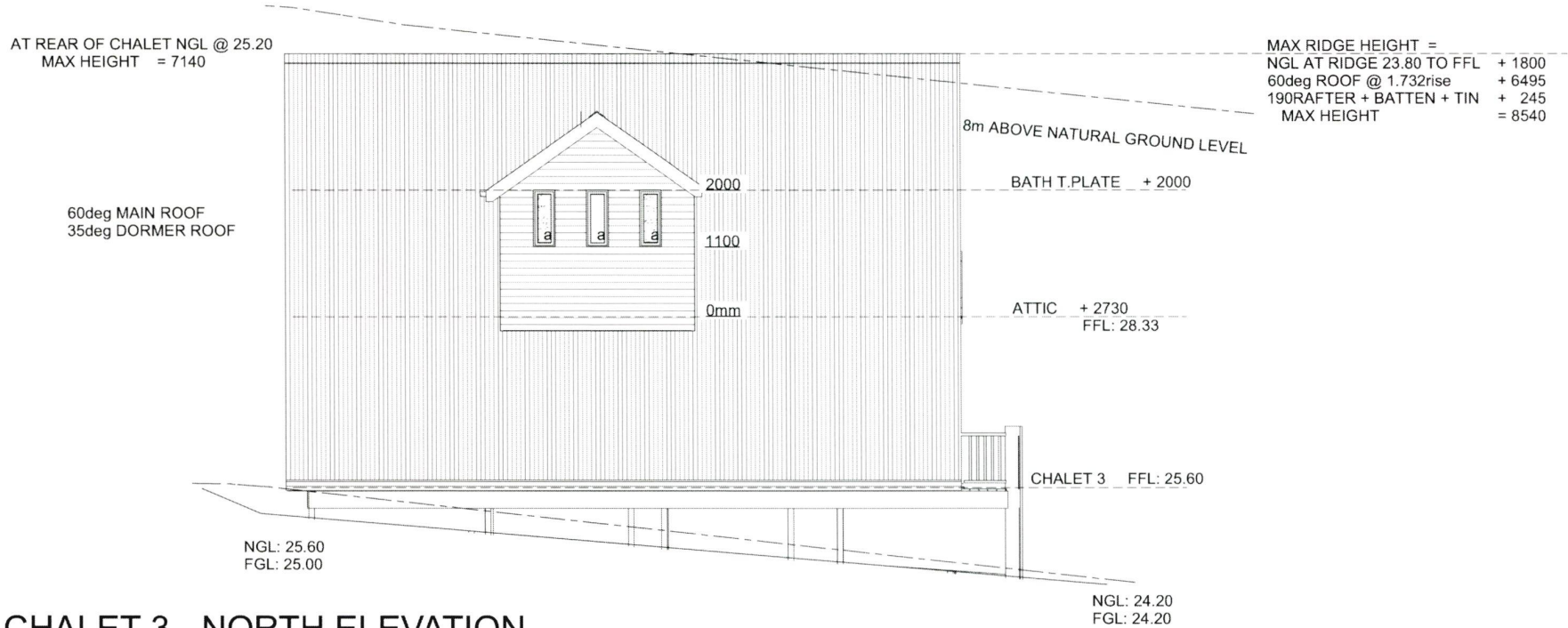
SCALE 1:100

**CHALET 2 - SOUTH-EAST ELEVATION**  
SIDE VIEW



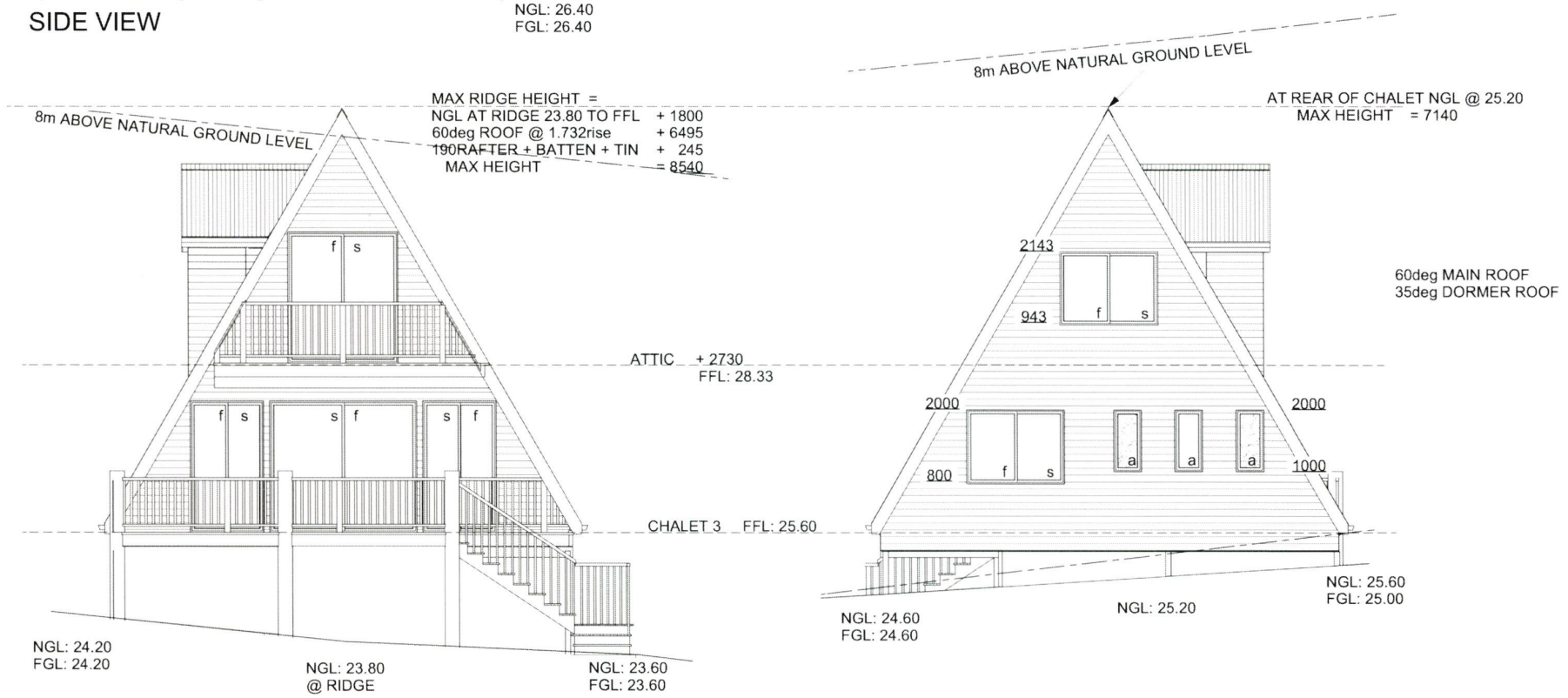
<b>DEVELOPMENT APPLICATION</b>		<b>SET ONE</b>	
Proposed Development for: KDS BUILDING SERVICES	Date: 18 DEC 23	Amendments: 20 DEC 23	0428 416 592 PO Box 526, Albany, 6331 tnkeen@bigpond.com ABN. 51 937 862 400
CLIENT: J McLEAN & A GALANTE	Contents: CHALET 2 ELEVATIONS	Sheet: 5 OF 7	
ADDRESS: LOT201 BRIDGES ST ALBANY WA 6330	Copyright - Design by builder	Pdf File: 8_McLean DA	





**CHALET 3 - NORTH ELEVATION**  
SIDE VIEW

NGL: 26.40  
FGL: 26.40

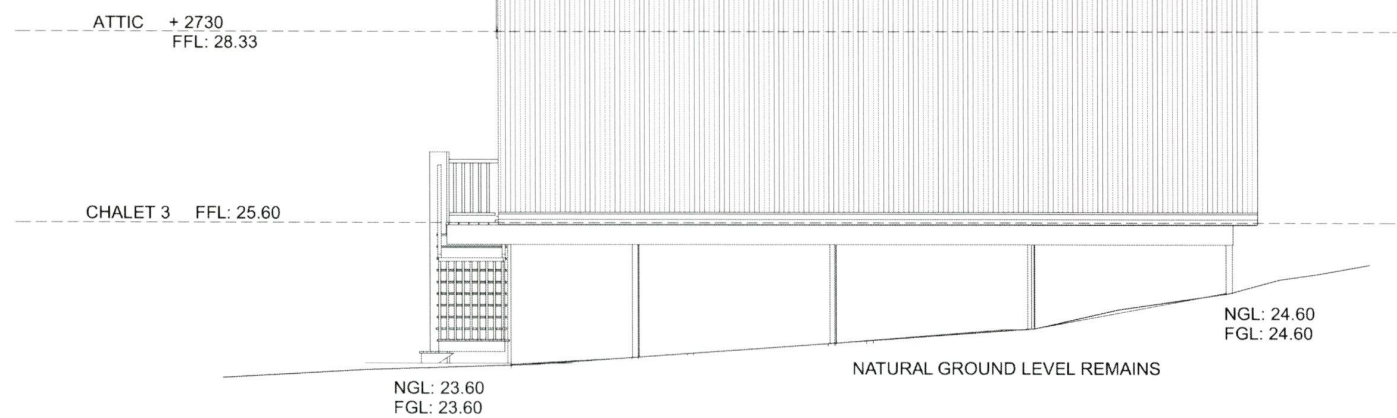


**CHALET 3 - WEST ELEVATION**  
FRONT VIEW

**CHALET 3 - EAST ELEVATION**  
REAR VIEW

**NOTES**

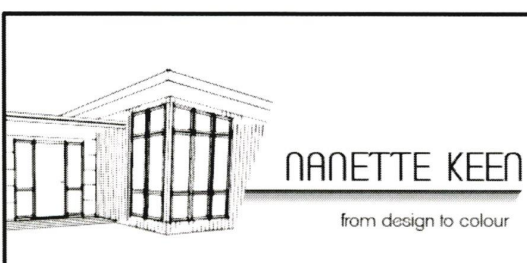
- TIMBER FRAMED FLOORS
- LOWER FLOOR U'SIDE JOIST @ 2430 AFL = CEILING HEIGHT
- LINED RAKED CEILINGS ELSEWHERE
- 60deg MAIN ROOF, 35deg DORMER ROOF
- COLORBOND MONUMENT - ROOF COVER, GUTTER & WINDOW FRAMES
- COLORBOND DUNE - FASCIA & PAINTED GABLE WALL CLADDING
- TIMBER PANELING TO UNDERSIDE SIDE OF ROOF TO DECK
- STUMPS UNDER FLOOR 90x90 STEEL
- STUMPS TO LOWER DECK nom 300dia BUSHPOLES



SCALE 1:100

**CHALET 3 - SOUTH ELEVATION**  
SIDE VIEW

SET ONE



**DEVELOPMENT APPLICATION**

Proposed Development for:  
KDS BUILDING SERVICES  
CLIENT: J McLEAN & A GALANTE  
ADDRESS: LOT201 BRIDGES ST  
ALBANY WA 6330

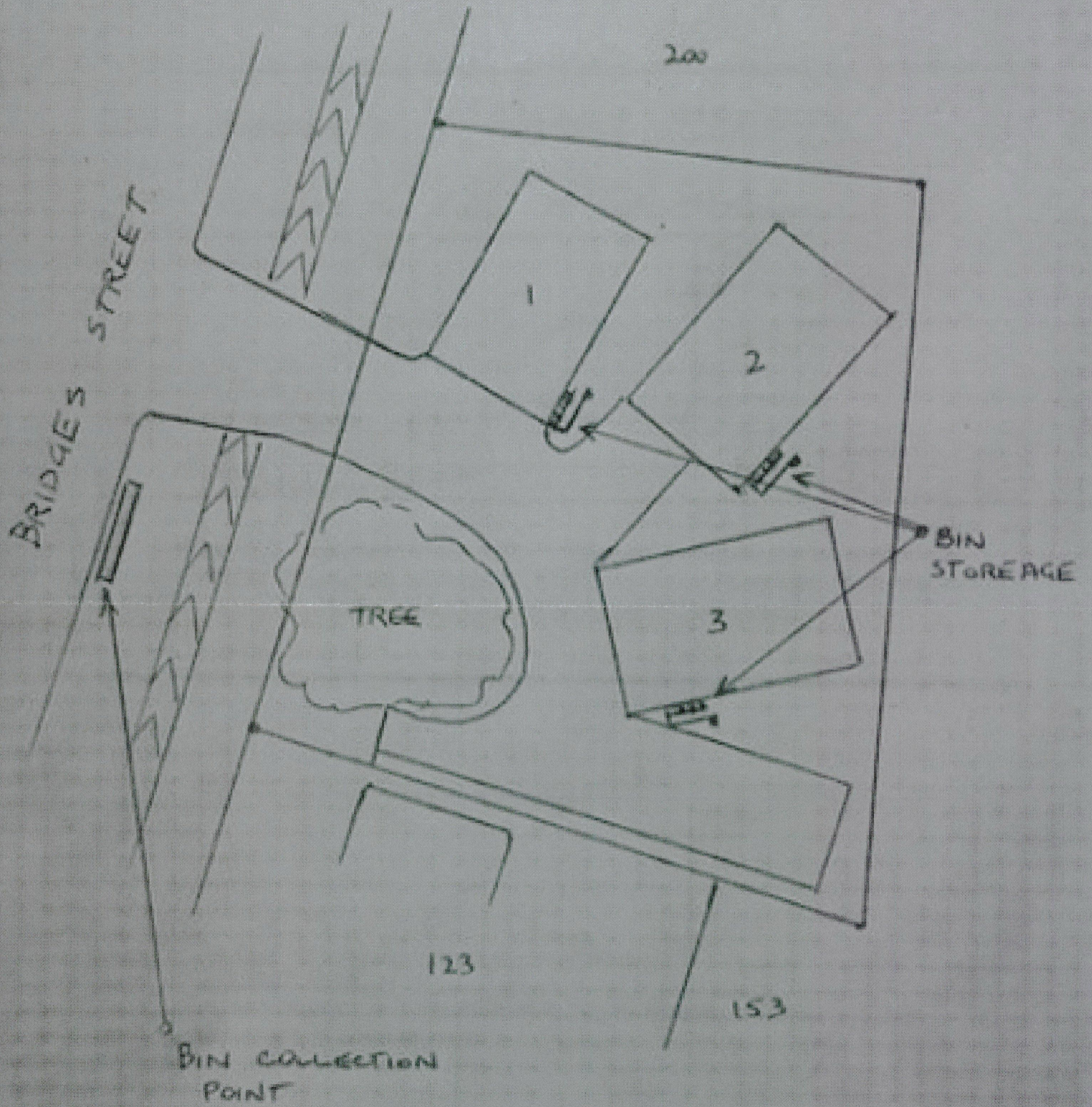
Date: 18 DEC 23  
Contents: CHALET 3 ELEVATIONS  
Copyright - Design by builder

Amendments: 20 DEC 23  
Sheet: 6 OF 7  
Pdf File: 8\_McLean DA

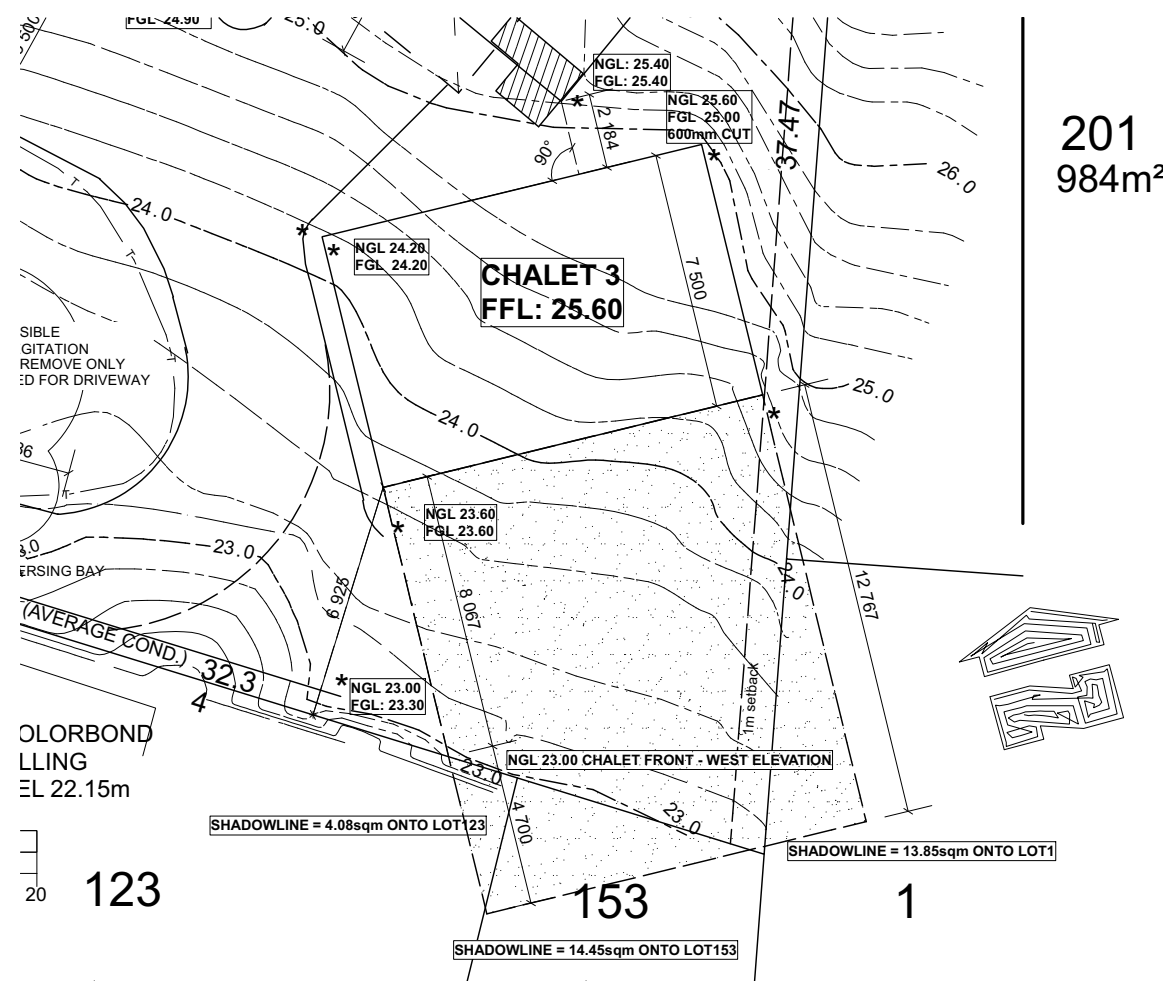
0428 416 592  
PO Box 526, Albany, 6331  
tnkeen@bigpond.com  
ABN. 51 937 862 400



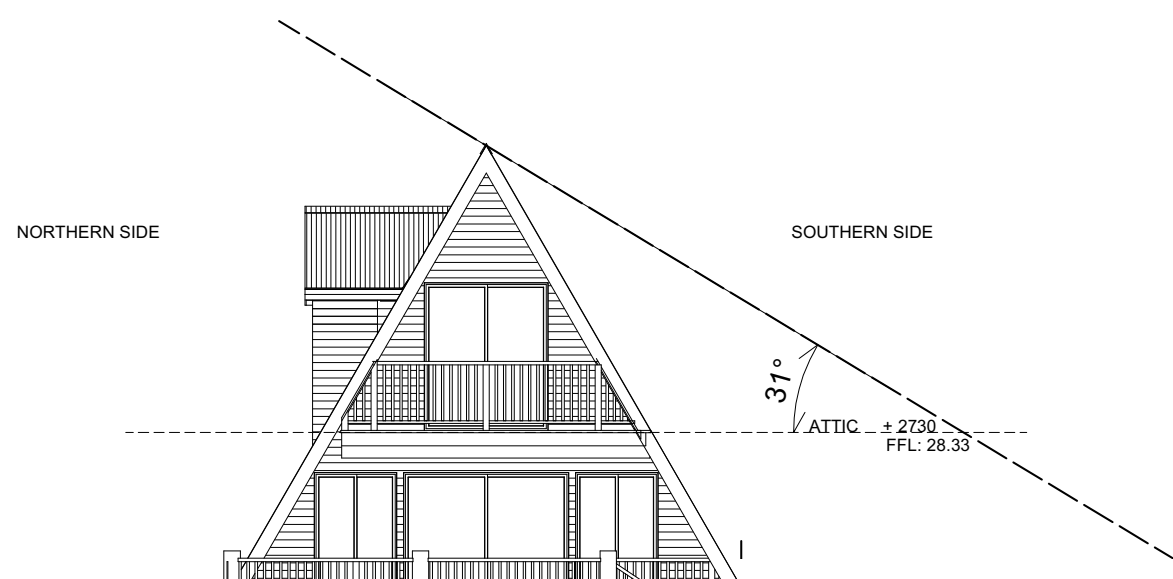
LOT 201 / b BRIDGES STREET, ALBANY  
WASTE MANAGEMENT SITE PLAN.







**CHALET 3 - OVERSHADOW PLAN**  
 SCALE 1:200  
 OVERSHADOW FROM NORTH - MIDDAY 21JUNE  
 VERTICAL SUN ANGLE @ 31deg

























**PLANNING APPLICATION**  
**SHORT TERM ACCOMMODATION CHALETS**  
**6 BRIDGES ST, ALBANY**

We are proposing the construction of three short-term accommodation chalets which shall be leased predominantly to visiting families who wish to experience our unique cubby style accommodation along with our established multi-level hidden treehouse overlooking the picturesque Princess Royal Harbour in central Albany.

Each chalet is designed to reflect the playful and inviting nature of the established treehouse by providing guests with compact 'A' frame, cubby-style accommodation which compliments the nature of the intended stay. Each chalet also overlooks the treehouse within the established tree and the scenic harbour views beyond.

In addition to the simple charm and whimsical nature of the accommodation, the ideally situated location of the development will allow guests to walk from the leafy central street to the CBD along with its multiple café's, pubs and restaurants.

**CHALET DESIGN:**

Extensive attempts have been made to design the chalets in such way that they provide the charm and playfulness that will compliment the existing treehouse, whilst taking note of the design guidelines outlined within the Albany Historic Town Design Policy.

Each chalet is designed to sit gently on the site with minimal earthworks and no retaining walls. The chalets are constructed at ground level at the rear and utilize the natural slope of the site to allow undercroft parking at the front.

The design of the chalets are also designed to be extremely energy efficient in both heating and cooling. The chalet design employs many tiny house principles which promote the efficient use of space and building materials. These 99 sqm chalets will house a family that would otherwise live in an average modern Perth home measuring 232 sqm.

The chalets are also designed to emphasise the heritage style dormer windows which project forward and face the street frontage. These dormer windows are the primary architectural feature being highlighted in a heritage off-white colour against the subdued dark grey colour of the main wall/roof. These dormer windows are also built with a roof pitch of 35 degrees which falls within the preferred pitch range of 25 – 40 degrees as noted within the Historic Town Planning Policy. Dormer windows are also found on numerous heritage homes within the specific heritage areas of Albany as noted in the CoA policy.

The remaining wall/roof pitch which sits behind the dormer roof is built at 60 degrees which is required to make the 'A' frame design workable within the compact 77 sqm ground footprint of each chalet. It is worth noting that in architectural terms the walls of an 'A' frame designed building are also the roof (one in the same structure).

Considering the specific requirements provided within the Heritage Planning Guidelines we note that our property does not immediately adjoin a heritage building, in fact the only building that our property adjoins on Bridges St does not comply with the general heritage requirements as it has a near flat skillion roof with an approximate pitch of 9 degrees and an attached front decking setback of less than 1m from the street frontage.

Due to the height requirements of the 'A' frame chalet design there has been considerable effort placed on minimizing the overall ridge heights without substantial cutting and retaining of the site which is not preferred within the heritage area. With this in mind we have managed to limit the rear height of the chalets ranging from 6940mm to 7440mm and the front height of the chalets range from 8540mm to 9240mm, the overall average ridge height for the three chalets being 7930mm. It is important to note that unlike a conventional roofline, the highest part of any 'A' frame design is also where it has its least bulk.

It is also worth noting that chalet 1 is the only chalet that can be clearly seen from the street view as the remaining two chalets are obscured by chalet 1 and the established trees.

#### **SITE DESIGN:**

The design of the overall site is primarily based around the large established tree which houses the multi-storey treehouse. Given the sprawling nature of this established tree we have taken advantage of its comprehensive screening ability to obscure two out of three chalets from the street, as well as the majority of the carparking area. This substantial screening is obvious when viewing the 3D street elevations attached to this application.

As the layout of both the chalets and the carparking area were dictated by the tree this has resulted in a sweeping curved configuration rather than a 'gun barrel' style layout which is also discouraged under the Historic Town Planning Policy.

Much care and consultation with the CoA planning department has also taken place to develop a vehicle access and parking plan which includes one crossover bridging the heritage stone lined drain running along Bridges Street.

Most on-site parking has been located under the chalets (2 out of 3 chalets), and two additional visitors bays are located behind the large treehouse tree. The majority of the carpark area is substantially hidden from street view and is constructed primarily with the slope of the site without the use of any substantial retaining.

Communal open space has been allocated in and around the large tree which houses the treehouse. Within the treehouse there is a sizeable first level deck with built-in timber seating and table. This deck is accessed via an easy use ramp behind the lockable gates.

The setback of the closest chalet to Bridges St (averaging 4.1m) is approximately in line with established homes on the same side the street, landscape screening within this setback will be planted as per the attached site plan.

It is also worth noting that in 'optimal development' terms this site would be best utilized by removing the large tree in order to fit three much larger townhouses which would gain even better harbour views. According to the previous owners of this lot (in the same family for 87 years), we managed to secure this site in favour of other developers due to our plan to retain the large tree and develop gently. This greener and lighter outcome can only benefit the streetscape of this charming part of Albany.

#### **TOURISM ASSET FOR ALBANY:**

With a steady increase in interest of family-based tourism along with nature play activities for children, we believe that our proposed development will draw families from far and wide.

The prime central location of our site is also a favorable feature that families will greatly appreciate as they are able to walk and ride to the centre of Albany only 300-400m away.

Within the CBD tourists can enjoy café's, restaurants, pubs, shops, galleries, historic buildings, gardens and the tourist information centre.

Incredible nature walk trails on Mt Clarence are also less than 250m away along with access to the beautiful Princess Royal Harbour only 500m away. The scenic boardwalk path which leads to the iconic Middleton Beach can be accessed 450m away.

We believe the charm of our hidden and enchanted treehouse combined with the warm and welcoming nature of our proposed cubby style chalets will offer unique and lasting childhood memories of Albany. These kind of family experiences are then shared through enthusiastic word-of-mouth and through personal social media posts which all add to the building of tourism in our awesome sea side city.



**Holiday Accommodation Management Plan**  
**6 Bridges St, Albany**

Contents:

1. LOCATION
2. PROPERTY MANAGEMENT
3. TERMS AND CONDITIONS OF OCCUPANCY
  - 3.1 Definitions
  - 3.2 Acceptance
  - 3.3 Payment
  - 3.4 Cancellation variation
  - 3.5 Minimum night's stay policy
  - 3.6 Security Bond
  - 3.7 Unavailability
  - 3.8 Linen, Towels & Servicing
  - 3.9 General Conditions
  
4. CODE OF CONDUCT FOR GUESTS AND VISITORS
  - 4.1 General requirements
  - 4.2 Number of guests
  - 4.3 Noise and Residential amenity
  - 4.4 Visitors
  - 4.5 Gatherings or functions
  - 4.6 Parking
  - 4.7 Garbage and recycling
  - 4.8 Security
  - 4.9 Smoking
  - 4.10 Pets
  - 4.11 Damages and breakages
  - 4.12 On departure arrangements
  - 4.13 Compliance
  - 4.14 Complaints handling
  
5. EMERGENCY RESPONSE PLAN
  - A) Emergency Contact
  - B) Medical Emergency
  - C) Fire Emergency
  
6. USE OF THE TREEHOUSE



## 1. LOCATION

The property known as 6 Bridges St, Albany is located within the area identified as the “Preferred Area for Holiday Accommodation” as noted under the City of Albany town planning guidelines.

The central location of this accommodation is ideally suited for holiday makers and tourists as it is within walking distance to the following local features;

- Town Centre & CBD
- Historic Precinct
- Café’s, Restaurants & Pubs
- Central Shopping Precinct
- Port, Harbour and Anzac Peace Park
- Albany Entertainment Centre
- National Anzac Centre
- Tourist Information Centre

The property is situated in a central Albany street that facilitates safe, efficient and pleasant walking, cycling or driving and the walk trails on Mt Clarence and Mt Adelaide are within easy walking distance from the property.

## 2. PROPERTY MANAGEMENT

The property is managed by Amy Galante who resides at 14 Miramar Rd, Mira Mar. Ms Galante previously owned and managed a 3 bed 2 bath CoA registered holiday residence within the City of Albany for a period of 2 years from 2018 to 2020 without any issue or complaint and held a ‘Super Host’ rating on the AirBnb leasing platform.

The manager will at all times maintain a register of all people who utilize the holiday accommodation during the year and ensure that the maximum stay for any one person within the holiday accommodation is 3 months within any 12 month period.

Arrangements will be made with each guest for access to the accommodation via a coded entry lock on each chalet.



### 3. TERMS AND CONDITIONS OF OCCUPANCY

#### 3.1 Definitions

- “Booking” means the period for which a guest has paid to stay at the property
- “Property” means chalet and all its fixtures, fittings and equipment
- “ Management” means the owners and managers of the property
- “Guests” means the person who stays overnight in the property during the booking
- “Visitor” means a person a guest permits to visit the property during the booking
- “Infant” means baby under 12 months of age

#### 3.2 Acceptance

- a) payment of the deposit constitutes acceptance of the terms and conditions.
- b) Check-in time is not before 2pm on the arrival date and check-out time is not later than 10am on departure date.
- c) Late departure is subject to prior arrangement and availability, and extra charges may apply.
- d) Guests must notify management of expected arrival time and a mobile contact number at least 10 days before arrival.
- e) Check-in/check-out and key collection/return procedure will be notified.

#### 3.3 Payment

- a) A non-refundable deposit will be taken from the guests credit card of the time of making the booking.
- b) payment in full must be received no later than 30 days prior to arrival (non-refundable).
- c) Payment of the amount due must be received in Australian dollars net of any bank or other transaction charges.
- d) Please ensure payments are made within the specified time limits or the booking will be cancelled automatically without notice or liability to you.
- e) We accept payment by the following methods: Visa, Mastercard, or direct deposit into our bank account
- f) Our bank details will be listed on your invoice should you prefer to pay via bank transfer



### 3.4 Cancellation or variation

In the event of a change or cancellation of a booking, management should be contacted immediately.

- A variation of the booking which reduces the number of nights stay will be treated as a cancellation of the booking with respect to those nights
- A variation of the booking which reduces the number of guests will be treated as a cancellation of the booking with respect to those guests
- An administration charge of \$50 will be charged for any variation or cancellation.

Deposit and final payments are non-refundable in the event of a cancellation. Refunds (if applicable) will be made through the chosen payment method at the time of booking. If management is able to re-let the property for the period cancelled a further refund may be made less administration charges, commissions and expenses.

### 3.5 Minimum night's stay policy

We have a minimum nights stay policy of 2 nights. No refund will be made for a variation to the extent that it breaches our minimum nights stay policy

### 3.6 Security bond

A bond payment is required one week prior to your arrival, this will be debited from your credit card. It will be refunded once the property has been inspected and deemed to be left in a similar state to your arrival. We agree to ensure this occurs within 7 working days of your departure.

Any damage, loss or expense incurred by management as a result of your breach of these terms and conditions will be charged against the bond. Should the bond be insufficient to cover these costs we reserve the right to charge your supplied credit card. Examples of this include but are not limited to any breakage, damage or excess cleaning requirements, extra guests beyond those declared, excessive noise, party, smoking indoors.



### 3.7 Unavailability

If the property becomes unavailable for your occupancy due to unforeseen circumstances (eg . fire, storm, damage etc) management will inform you immediately and any monies paid will be refunded in full.

### 3.8 Linen, Towels, Servicing

Linen, pillows, blankets and towels are supplied. Upon departure linen must be left where supplied in the bedrooms or bathrooms. Additional linen may be hired by contacting management. Beach towels are not included.

The property is not serviced but cleaning and linen changes can be arranged upon request at an additional charge.

### 3.9 General Conditions

- a) Guests must comply with all applicable House Rules and all instructions from management concerning occupancy, property, health, safety and quiet enjoyment of the property and our neighbours.
- b) Guests are responsible for damage, breakages, theft and loss of the property and any part of it during their stay. You must notify management immediately and management may recover from you repair or replacement cost of such loss
- c) Only the guests nominated and agreed in the booking may stay in the property overnight. If any other guests stay extra charges will apply or the agreement may be terminated without refund
- d) Primary broker/guest must be 25+ years of age
- e) Disturbance to our neighbours, including excessive noise is prohibited and may result in termination and eviction without refund and extra charges may be made for security and other expenses
- f) Before departure, all food must be removed from fridges, all rubbish put in the appropriate council rubbish bins provided, and crockery and cutlery washed and packed away. The property must be left in a clean and tidy condition.
- g) Extra cleaning charges may be incurred for the cleaning of dirty dishes, washing machine, dishwasher, emptying the fridge, removal of excessive rubbish etc. Should the cleaning fee be more than the usual cost for cleaning the property, the additional costs will be deducted from the security bond
- h) All furniture and furnishings must be left in the position they were in when you arrived.



- i) The property should be vacated on time and secured. All windows and doors are to be locked. All keys must be returned to management or as otherwise directed.
- j) You are responsible for the safe keeping and replacement of all accommodation keys. Duplicate keys will be provided at an additional charge of \$25.
- k) Smoking is not permitted on the premises

## 4. CODE OF CONDUCT FOR GUESTS AND VISITORS

### 4.1 General Requirements

- a) Guests and visitors must comply with all House Rules, by-laws and instructions from management during their stay; and
- b) Guests must notify the manager of any disputes or complaints from neighbours as soon as it is practicable

### 4.2 Number of Guests

A maximum of 6 people may occupy a chalet at any time.

### 4.3 Noise and Residential Amenity

- a) Guests and visitors must not create noise which is deemed offensive to occupiers of neighbouring properties, especially during arrival and departure at any time throughout the occupancy.
- b) Offensive noise is prohibited and may result in termination of permission to occupy the property, eviction, loss of rental sum paid and extra charges for security and other expenses which may be deducted from the security deposit or bond under the terms and conditions
- c) Guests must not engage in anti-social behaviour and must minimize their impact upon the residential amenity of neighbours including when using the treehouse.

#### 4.4 Visitors

- a) Guests are responsible for ensuring the limits set on visitor numbers is complied with at all times, and
- b) Guests are responsible for ensuring visitors comply with this Code of Conduct.

#### 4.5 Gatherings or Functions

- a) The property is not a “party house” and any such activities, including parties and functions are strictly prohibited.
- b) Any use of the property must not conflict with the residential amenity.

#### 4.6 Parking

Guests and visitors are to comply with parking regulations and requirements set out below and show consideration to neighbours and other vehicles.

- a) No verge area should be used for car parking
- b) A double car bay is available for each chalet
- c) Additional two bays are available on site for guest bays
- d) A vacant bay is available for turn around purposes in order that vehicles may leave the site in forward gear.

#### 4.7 Garbage and Recycling

Guests and visitors are to dispose of garbage and recycling in accordance with the practice set out below, in the allocated bins and excess rubbish must not be left in public or common areas. Garbage and recycling arrangements at the property are as follows:

- a) Please follow the City of Albany guidelines regarding recycling and waste.
- b) Management will ensure that the correct bins are put out for collection on the correct days.
- c) A separate waste management plan has also been developed and is attached to this management plan.



#### 4.8 Security

Whenever guests are absent from the property, all windows must be closed and doors locked to maintain security and prevent rain and water damage.

#### 4.9 Smoking

Smoking is not permitted on the property.

#### 4.10 Pets

Pets are not permitted on the property.

#### 4.11 Damages and breakages

Damages and breakages must immediately be reported to the manager.

#### 4.12 On departure arrangements

Arrangements for keys, security, rubbish etc.. can be found in the welcome package in each chalet or by contacting the duty manager.

#### 4.13 Compliance

- a) Breach of these house rules is a breach of the Terms and Conditions of occupancy.
- b) Management reserves the right to terminate permission to occupy and to evict from the property, Guests or visitors who refuse to follow these House Rules or who cause a nuisance.

## 4.14 Complaints handling

Guests have an obligation to report any incidents promptly as follows;

- a) Guests with formal complaints should in the first instance approach management.
- b) If the complaint cannot be resolved amicably and immediately, the complaint will be recorded in writing. This record will indicate:
  - (i) Date and time received;
  - (ii) Name and designation (e.g. Guest, neighbour, council, police etc) of complainant;
  - (iii) Contact details of complainant
  - (iv) Nature of complaint
  - (v) Action taken (by whom and when); and
  - (vi) Outcome and/or further action required (e.g. community consultation, meet with council, meet with local police, review management systems or issue resolved).

Failure to follow this procedure may hinder the ability of management to rectify the complaint and reduce or extinguish any claim you have.

We recommend all guests purchase travel insurance since management are not responsible for any injuries, illness or accidents that may occur whilst staying at the property.

## 5. EMERGENCY RESPONSE PLAN

- a) Emergency Contact:  
In the event of an emergency relating to the property please phone;  
Amy Galante: 0423 112 342
- b) Medical emergency  
If a medical emergency is reported dial 000 and request an ambulance. Provide the following information:  
  
Number and location of victim(s)  
Nature of injury or illness  
Hazards involved  
Nearest entrance
- c) Fire Emergency



- (i) If a fire is reported, immediately warn fellow occupants then dial 000 to alert the fire department. Provide the following information:

Street address

Nature of fire

Fire location on or near the site

Location of fire alarm, which chalet, (ground or first level)

Name of person reporting the fire

Telephone number for return call

- (ii) Evacuate building occupants to exits away from the fire
- (iii) Meet Fire Department Incident Commander (IC). Inform the IC if everyone has been accounted for and if there are any injuries. Provide an update on the nature

## 6. USE OF TREEHOUSE

- A) The treehouse shall be for the use of occupants of the chalets only.
- B) The treehouse shall only be used between 8am and 7pm Mon – Sat.
- C) The treehouse shall only be used on Sundays between 10am and 6pm.
- D) The treehouse shall remain locked when not in use, a key will be located within each chalet and shall be returned to it's location each time after use.
- E) The use of the treehouse is a privilege and not a right and the use of the treehouse may be revoked by management at any time if occupants fail to abide by the hours of use or are found to have participated in any anti-social behaviour.

# Waste Management Plan

## Lot 201/6 Bridges street Albany

### INTRODUCTION

Short term accommodation development at 6 Bridges street, Albany comprising of three holiday chalet units as depicted on attached site plan.

This plan is developed in conjunction with the City of Albany Multiple Dwelling Waste Management Plan guidelines.

### WASTE GENERATION

It is anticipated that the following waste generation rates will be applied to each chalet:

Estimated waste generation:	General Waste capacity 140L	Co-mingled Recycling capacity 240L	FOGO capacity 240L
Chalet 1	60 litres/week	100 litres/week	60 litres/week
Chalet 2	60 litres/week	100 litres/week	60 litres/week
Chalet 3	60 litres/week	100 litres/week	60 litres/week

### WASTE MANAGEMENT SYSTEM

#### Storage Internal

Internal bin storage capacity has been allocated within kitchen cupboards.

Portable bins will be provided to guests for waste transportation to outside bins.

#### Bin Storage area

External bin storage areas are noted on the attached plan, and measure 3.6sqm.

Each storage area is screened from general view with 1.5m high fence screening. The location has been selected in order to have close proximity to the entry door of each chalet, whilst being screened out of general view.



All chalets shall have three external bins each as follows;

-1 x general waste 140L

-1 x Recycling 240L

-1 x FOGO 240L

#### Collection

As per City of Albany collection day and frequency. Management will place the bins on the verge as per the attached site plan. Bins are easily transported/maneuvered from their storage location to the collection location via sealed paths and driveways.

#### Bulky Waste Management

Management shall be responsible for the removal of illegally dumped bulky waste.

#### Education

Management will install thorough educational signage on each internal and external bin as to its appropriate use/correct materials.

#### Auditing/Monitoring

Management will monitor the collection of bins by the waste contractor/local government.

### **DESIGN CONSIDERATIONS**

#### Noise

Management is not anticipating excessive noise from rubbish collection to be an issue as we are a small-scale residential model, however management will monitor any noise complaints.

#### Odor

Management is not anticipating excessive odor to be an issue as we are a small-scale residential model, however management will monitor any odor complaints.

Vermin

The local government supplied waste bins are anticipated to be sufficient to deter vermin infiltration.

Hygiene, Health & Safety

The external waste storage areas have a paved floor surface which can be readily washed or swept by management as required.



**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1**

**Holiday Accommodation – 6 Bridges Street, Albany - P2230514**

**SCHEDULE OF SUBMISSIONS AND MODIFICATIONS**

*Note: This is a broad summary of the submissions only.*

Summary of submission.	Applicant Comment
<p style="text-align: center;"> <b><u>9 submissions representing surrounding landowners and members of the wider community</u></b>  <b><u>5 submissions supportive of the proposal</u></b>  <b><u>1 submission supportive of the use however objects to the design.</u></b>  <b><u>3 objections in relation to the design</u></b> </p>	
<p><b><u>Submission 1</u></b></p> <p><b><u>Supportive of land use and density proposed, however concerned that the design does not meet the Albany Historic Town Design</u></b></p> <p><i>Although I support the holiday accommodation use and the density proposed, I am concerned with the design of the units. It is unfortunate that, while the proponent has gone to the trouble of employing a local architect, it appears that they were either unaware of the Albany Historic Town Design Policy or have chosen to ignore it.</i></p> <p><i>The A-Frame design in particular, appears to be completely unsympathetic to the criteria listed under “Roof Forms and Pitch”. Roofs are required to be articulated to ensure that the scale is comparable with existing roofs in the locality. Gabled or hipped roofs are encouraged with a pitch of between 25 to 40 degrees, wherever possible.</i></p>	<p>We were definitely aware of the Albany Historic Town Design Policy and attempted to embrace it as a design challenge to see how we could set the A-Frame component back and project the heritage styled dormer windows forward towards the street and allow them to be the dominant street feature.</p> <p>The dormer windows were selected to be featured in an off-white heritage colour to deliberately stand out from the background of the darker wall/roof behind. The roof pitch of the dormer windows were also deliberately selected to fall within the historic guidelines of 25 to 40 degrees, hence our specified pitch of 35 degrees.</p> <p>It is also worth noting that both dormer roofs and A-Frame roofs are gable roof designs which are recommended under the heritage policy.</p> <p>As noted within our application we have sighted dormer windows in numerous examples within the noted heritage precinct, one as close as 50m away on Burgoyne Rd. Burgoyne Rd also has numerous examples of ultra modern homes built in the past 5 years that make our chalets look like ‘heritage style cubby houses’ in comparison. We have sighted several of these modern homes with near flat roofs located within 100-150m of our site in a far more prominent location, these numerous examples oppose the heritage policy far greater than our proposal.</p>

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Summary of submission.	Applicant Comment
<p><b><u>Submission 2 concern regarding the design, height, property value, views of significance</u></b></p> <p><i>The roof pitch exceeds the maximum 40-degree roof pitch (a 60-degree roof pitch is proposed) which will result in significant building scale and a detrimental impact on the character and amenity of the surrounding area.</i></p> <p><i>The bulk and scale resulting from the increase in the buiding height specified in the Historic Town Design Policy is inconsistent and incompatible with the estqablshed streetscape. The inappropriate scale will dominate and compete with the exisitng buildings in the street. Stong emphasis will be placed on promotioing high quality design which is sensitive to the scale and charater of its content.</i></p> <p><i>The surrounding streetscape consists of single-story dwelings with hipped / pitched roofs the build form of the proposed development with a maximum building height of 9.24 and featuring gabled roofs does to respond sensitively to the scale and character of its surrounding.</i></p> <p><i>The proposed development does not satisfy the design principles of 5.1.6 of the R-Codes. The proposed development will have an adverse impact on the amenity of adjoining properties and the streetscape due to its excessive height and incompatibility with its context. The</i></p>	<p><i>Whilst the roof pitch of the A-frame component of the roof design exceeds the recommended range of 25-40 degrees, the roof pitch of the dormer window component sits well within this range at 35 degrees.</i></p> <p><i>The reason why we emphasise this point is that the dormer windows (a noted heritage design feature) were designed to deliberately face the street and project forward as an architectural feature. This is further reinforced by the selection of heritage off-white as a feature colour to contrast with the darker roof/wall sitting behind it.</i></p> <p><i>In terms of consistency of design with surrounding homes;</i></p> <p><i>Unfortunately it is not accurate to say... ‘ the surrounding streetscape consists of single-storey dwellings with hipped / pitched roofs ‘...</i></p> <p><i>There are two double storey homes within 30m of our site (one on cnr of Bridges St/Stirling Tce, the other backing onto our lot and fronting onto Stirling Tce. There is also a 3 storey home only two doors away (25m east) on Burgoyne Rd which towers over our proposal at 10.4m high plus a 2.5m high retaining wall which totals 12.9m above natural ground level. The house immediately next door to our site has neither a hipped or pitched roof as it is a near flat 9 degree skillion roof.</i></p> <p><i>It is worth noting that both dormer window roofs and A-Frame roofs are deemed to be gable roof designs which are encouraged under the historic guidelines.</i></p> <p><i>Further to the streetscape issue, we believe that the coloured and scaled images provided within our proposal show the screening nature of the large established trees on site which result in the chalets being largely hidden rather than</i></p>



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<b>Summary of submission.</b>	<b>Applicant Comment</b>
<p><i>excessive building height will reduce the access to the Princess Royal Harbour which is considered a view of significance.</i></p> <p><i>This interference with the view will significantly devalue our block value and enjoyment of being part of the Historic Precinct.</i></p>	<p><i>‘competing with surrounding homes’. Only one chalet is clearly seen and the projecting dormer window is the dominant feature facing the street.</i></p> <p><i>In relation to the claim that there will be significant interference with the view of the adjoining lot to the north. One quick look at this lot will tell you that this is not the case due to two major factors.</i></p> <ol style="list-style-type: none"> <li><i>1. The existing trees on our lot are actually higher than our proposed chalets and cover half the depth of our lot which already blocks this part of the northern lot’s harbour view.</i></li> <li><i>2. The clearest harbour view from this northern lot is actually straight down Bridges St which will remain unchanged.</i></li> </ol> <p><i>(note: we are confident in these comments because we have walked on this lot to contemplate buying it recently as it is currently on the market).</i></p>

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Summary of submission.	Applicant Comment
<p><b><u>Submission 3 – concerns regarding the design and land use</u></b></p> <p><i>The inappropriate A-frame design proposed for 6 Bridges has in no way considered the Historic Town Design Policy that applies to the area and is completely out of character in terms of design, building character and scale.</i></p>	<p>To say that we have... ‘ In no way considered the historic design policy’... seems somewhat harsh considering that we have referenced it twice within our proposal and spoken at length about our deliberate design feature of the heritage style dormer windows facing towards the street.</p> <p>These windows were designed to be a prominent roof design feature painted in heritage off-white in order to stand out against the dark grey of the remaining roofline. The 35 degree roof pitch of this projecting roof feature was also chosen to sit within the 25 – 40 degree range recommended by the heritage guidelines.</p>



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<b>Summary of submission.</b>	<b>Applicant Comment</b>
<p><i>Additionally, the area is zoned Residential not Holiday Accommodation and this land use is not appropriate in this location given the predominate existing residential land use in the area.</i></p> <p><i>I encourage the City in consideration of this proposal to ensure that it consistently applies its policies and planning guidelines to maintain the character and peaceful enjoyment of residential areas and avoid the encroachment of businesses into residential areas that threaten the historic precincts that remain intact.</i></p>	<p><i>We are advised by the City of Albany that this area is recommended and authorised as a short term accommodation area under their current planning guidelines.</i></p> <p><i>It is worth noting that another short-stay accommodation property already operates within Bridges St and has done for some years without issue or complaint, this is despite this property having insufficient on-site parking which results in the owners regularly parking on the street. This is not an issue with our proposal as we have demonstrated that all parking will be located on site and almost entirely out of view (under chalets or behind the established trees).</i></p>
<p><b><u>Submission 4 – concerns regarding the design and height</u></b></p> <p><i>From reading and digesting the scale and design of the proposal, we can see that it does not blend with the surrounding properties which are within the Heritage Residential Precinct.</i></p> <p><i>“A” framed chalets do not relate to any buildings here in the area and because of the size and bulk of their form they will stand out as a blight on the panorama up the hill.</i></p> <p><i>Having identified some of the policy parameters in relation to any development within the “Heritage Residential Precinct” from the “Albany Historic Town Design Policy” document, we have highlighted them in <i>red</i>, to show what we feel are not in keeping with policy guidelines.</i></p>	<p><i>If there had been no attempt to incorporate heritage inspired features to the roof design we could possibly understand the comment...“chalets do not relate to any buildings here in the area”...</i></p> <p><i>We have deliberately featured the dormer windows as a projected part of the roofline which faces the street. This feature has been further highlighted by having them painted in a heritage off-white colour to ensure that they stand out against the dark coloured roof/wall of the chalets. These dormer window roofs were designed specifically with a roof pitch of 35 degrees which falls within the heritage scope of 25 – 40 degrees. A home with a dormer window is located 50m away on Burgoyne Rd.</i></p> <p><i>In terms of the...”size and bulk of their form which will stand out as a blight”... There is a three storey house only two doors away fronting onto Burgoyne Rd which towers above our proposal and the neighbours in question. This home measures 10.4m high plus has been elevated with an additional 2.5m high retaining wall to a total of 12.9m</i></p>

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Summary of submission.	Applicant Comment
<p><i>Of concern to us directly, is the height of the buildings which clearly show that Chalet 3 which will be 9.240 metres above ground level at the roof pitch maximum height. 8 metres is the criteria of maximum height of any development.</i></p> <p><i>The roof colourbond colour choice as stated in the proposal is “Monument” classic finish which essentially is not “Dark Grey”, it’s black and 72sq. metres of blank flat black wall/roof facing our entertaining area is a hot, hostile colour which we feel is inappropriate to say the least. Why have the designers not considered a friendly environmental colour of “pale eucalypt” which would soften the effect of a large block wall/roof and let it blend in with the green of Mt. Clarence in the background.</i></p> <p><i>There has been no indication as to where the retaining wall will be going, which will be needed to support a car parking bay. It will most definitely be needed as the ground drops away significantly in the last 2 metres next to the fence.</i></p> <p><i>As the entire block, lot 201, slopes toward the back r/h side by 5 metres, what control measure will be in place for storm water off the site. There is an open storm water gutter running down Bridges St, which seriously floods on days of medium to heavy rainfall in winter,</i></p>	<p>high. This same home looks directly into all lower neighbour’s yards for some distance including our site.</p> <p>In comparison chalet 3 has a proposed maximum height of 8.54m (not 9.24m as claimed), that is the height of the highest point of the highest chalet being number 2 in the middle of the site and furthest from any neighbour.</p> <p>We would like it noted that in relation to chalet 3 (of particular concern to this resident) that this is the only chalet to not have undercroft parking in order to reduce the height of the chalet. This chalet is also deliberately oriented side-on to the lower properties in order to reduce privacy concerns, despite the best harbour views being in this direction.</p> <p>Chalet 3 is also the furthest placed chalet from any neighbour’s boundary and as such (under planning rules), could have had substantial windows placed in the southern side to capture harbour views but, again, we decided against this option in order to provide additional privacy for the southern neighbour who had previously given much support for our treehouse proposal.</p> <p>The selection of the colour monument was chosen because dark grey/near black is proven as the best colour to not reflect, (absorb) light, and also blend with the shadows of most landscapes. Hence the use of this colour in recent years with pool fencing, high security school fencing etc... yes pale eucalypt used to be the ‘go-to colour’ for these purposes but very dark grey seems to work even better as no landscape is simply just green, especially a treed landscape with light and dark shadowing.</p> <p>Retaining wall details will be shown in full as required for building approval however we have designed the carparking area to slope down with the site rather than being</p>



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<b>Summary of submission.</b>	<b>Applicant Comment</b>
<p><i>and added water collected off lot 201 will only exacerbate the problem more.</i></p> <p><b>Overshadowing:</b> <i>we would also request a shadow appraisal diagram of the effect on our back yard which has lawn, vegetable garden and fruit trees, which we believe will go into total shadow by midday in the height of the winter sun pathway. As it is we do not get winter sun over Mt Clarence until after 9 am in the morning now and with the roof height of chalet 3, at 9 metres, it would only bring on the afternoon shadow even earlier in the day, reducing our ability to grown our own fruit and vegetables as we have for the last 28 years.</i></p> <p><b>Overview of neighbours:</b> <i>when standing on the landing of the stairs up at Chalet 3, it will be possible to look directly into the back doors and yards of Lot 153, lot 123 and 4 Bridges Street also. The landing is 2 metres above ground level which is higher than any of the adjacent fence heights. Is this acceptable in the scope of planning neighbour privacy?</i></p>	<p><i>obsessed with being dead level. As a result of this we are expecting that the southern retaining will be approximately 500mm high as is indicated on our provided site plans.</i></p> <p><i>Naturally a stormwater management plan will also be provided at the time of building approval and would need to be approved by the CoA.</i></p> <p><i>The issue of overshadowing is an important one and as such we have attempted to position chalet 3 as far away from the southern boundary as possible. It is worth noting that under existing planning rules an 8m high building would be allowed to be built only 1m from this boundary. We believe that a chalet that has it's highest point some 11.25m away at it's closest point and at it's highest point of 8.54m (not 9.24 as quoted) is quite a reasonable outcome given the nature of the development.</i></p> <p><i>Regarding the overview of neighbours, we refer to the above comments including the existing 3 storey house measuring 12.9m high with three sitting areas overlooking all lower neighbours.</i></p>
<p><b><u>Submission 5 supportive</u></b></p> <p><i>After running accommodation in Albany for over 10 years I can say there is a shortage of quality accommodation in the area. Most people like myself have stopped running our places.</i></p>	

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Summary of submission.	Applicant Comment
<p><i>I'd just like to say please pass this project I can't see any reason why you would reject it.</i></p>	
<p><b><u>Submission 6 – supportive</u></b></p> <p><i>In our opinion, the proposed 3 dwellings are well thought out, detailed, environmentally friendly, ideally located for holiday accommodation, and will only enhance what is on offer in Albany.</i></p>	
<p><b><u>Submission 7 - supportive</u></b></p> <p><i>I recently saw the proposal for the new holiday accommodation proposed for 6 Bridges Street, Albany. I felt very impressed by this proposal's creative family oriented design, which would be one of kind for Albany, offering an enhance family experience with a strong connection to the nature of the block. I like that the design is cleverly designed to provide a bush feel setting and will retain much of the space on the block and not be overly built out. Clearly, much thought has been put into this project by its owners/ developers, and is very sensitive to the local area and its heritage needs. It's lovely to see such thought and care put into a development that highlights the old historical trees and uniquely crafted tree house that underpin the inspiration for this development, a unique opportunity that can't easily</i></p>	



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<b>Summary of submission.</b>	<b>Applicant Comment</b>
<p><i>be found on other blocks. How rare to have owners care enough to do this. Their intent to keep a balance between the development, nature and needs of the local area are well considered. Undoubtedly, most other developers would be intent to simply build the site to its fullest potential with little regard to the amazing trees on the block.</i></p> <p><i>I believe this unique holiday accommodation would offer the lucky families that stayed there an enhanced nature play experience with access to the incredibly built tree house. I can see this being a very successful development, that could be a real asset to Albany and become a much loved place for families to stay and enjoy Albany.</i></p> <p><i>How fortunate that owners of this block are willing to bring such imagination and inspiration to this development, which is soft on the ground, sensitive to the areas heritage needs, caring of the natural assets present and impacts on the environment. There has been much thought put into reducing the impacts upon neighbours and making access easy by keeping the whole development largely low profile. How lucky for the neighbours, as most developers would not be so thoughtful.</i></p> <p><i>I do hope this development goes ahead and know many people who would strongly support such a development. Clearly, there was great support for the existing tree house and it goes without saying, there was much community disbelief and upset when that venture was</i></p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1**

**Holiday Accommodation – 6 Bridges Street, Albany - P2230514**

**SCHEDULE OF SUBMISSIONS AND MODIFICATIONS**

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<b>Summary of submission.</b>	<b>Applicant Comment</b>
<p><i>restricted. However, this new holiday accommodation can at last pay respect to the tree house and has integrated that natural element into its design for families to enjoy.</i></p> <p><i>Hopefully, this council has foresight to support such innovation and allow families to enjoy the benefits of such a welcoming and nurturing space. I look forward to seeing the final development and letting families know about this amazing new family and nature friendly accommodation in down town Albany!</i></p>	
<p><b><u>Submission 8 – Supportive</u></b></p> <p><i>I would like to congratulate the developers. This sounds like just what Albany needs. A sensitive plan on so many levels. I have stayed many times in accommodation facilities along Stirling Terrace that while comfortable are certainly old and unappealing. The design allows for a unique experience and is bound to be sought after and recommended.</i></p>	
<p><b><u>Submission 9 – Supportive</u></b></p> <p><i>This project looks exciting and give visitors a truly unique experience in the heart of Albany.</i></p>	



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<b>Summary of submission.</b>	<b>Applicant Comment</b>
<i>Full support!</i>	

## CITY OF ALBANY HERITAGE ADVISORY SERVICE

<b>Place</b>	6 Bridges Street, Albany
<b>Issue/Proposal</b>	Development Application (Single House)
<b>Reference</b>	EF24304797 - A156891 - Holiday Accommodation - Treehouse Village 6 Bridges St P2230514 A156891
<b>Attention</b>	Jessica Anderson
<b>Date</b>	15 March 2024
<b>Heritage Listings and Status</b>	No heritage listings Located within the Historic Town Design Policy area

**Background**

This heritage advice is to consider the impacts of this proposed development in the context of Albany Historic Town Design Policy (the Policy) and the other heritage places within the Policy area in close proximity, mainly being 14 and 16 Bridges Street.

**Comments****Specific Heritage issues:**

The proposed development is situated on the upper most northern boundary of the eastern precinct of the Policy area and is situated away from the majority of buildings within both precincts that are included on the City's Heritage List and/or the Register of Heritage Places.

The proposed units will unlikely pose physical or other adverse impacts on 14 and 16 Bridges Street, both of which are include in the City's Local Heritage Survey.

The crossover from the street to the property over the stone drain will need to be constructed in a way that acknowledges the heritage significance of these drains located throughout the town centre and in such a way that will have no adverse impact on the historic form, fabric and function of this drain.

**Related heritage issues:**

As a new development, the Policy states as an overall aim that it should respond to the scale and mass of surrounding development and should be articulated to ensure unsympathetic contrasts of scale are avoided when viewed from a distance. Although the design and aesthetic of the proposed units are very different to the existing surrounding built form in the immediate area – and the Policy area more generally - and will be visible from various points within the precinct areas, they would unlikely adversely or negatively disrupt the townscape character to an unacceptable level nor present as unsympathetic. Based on the drawings provided by the proponent, most of the bulk of the roof form of Unit 1 will be evident from the Bridges Street elevation, but not so much from the vista looking up from Burgoyne Rd and also Brunswick Rd therefore should not overwhelm the heritage buildings that fall within the sightlines of this development. Looking towards the development from the foreshore area, glimpses of the units will likely be visible but being three separate units each with a slightly different orientation on the Lot, and set amongst mature trees, any perceived negative impact would be minimal.

The development could be said to respond to several of the objectives and other requirements of the Policy:

- They provide a diversity of housing stock into the historic town
- They will be clearly recognised as new elements



## CITY OF ALBANY HERITAGE ADVISORY SERVICE

- Being designed as separate accommodation units and with slight variations in orientation on the Lot, disperses their bulk and form across the Lot, as does the tapering roof form
- The development maintains a sense of an open streetscape and landscaped breaks
- The roofs are essentially a gable form and do allow some articulation with the inclusion of the dormer windows.
- The development responds to the topography of Bridges Street specifically but also the historic town area more broadly.

**Exclusions**

These comments are provided as advice only in relation to heritage matters and do not address any variations to the Policy in terms of building height and roof pitch or other areas of the Policy not covered in the above comments that the proponent might be seeking and whether such variations would be acceptable/negotiable.

Kind regards



**HELEN MUNT**