



Planning & Development Services

City of Albany

LOCAL PLANNING SCHEME 1 Policy Manual

Version Control

Control Version	Status	Comment
3rd Draft (December 2010)	Adopted for Advertising (includes modifications adopted by Council).	Adopted for advertising purposes at Council's OCM of 20/12/2010 – Item 1.6.
Final Draft (April 2011)	Final Draft	To be considered for final adoption at Council's April 2011 meeting.
Adoption	Final Version	Final version includes changes identified in Council resolution
Adoption of Policies: 2K – Holiday Homes; & 7P – Frenchman Bay Tourist Development Site	Final Version	Includes modifications identified in Council resolution
Updated to include adopted policies, ODP's and Structure Plans	Final Version	As per Council resolutions
Updated to include adopted policies – variations to Ancillary Accommodation; Temporary Accommodation; Holiday Homes; and Relocated Dwellings	OCM 17/12/2013 PD018	Final version as adopted by Council resolution
Updated to align with new Local Planning Scheme 1 NP1118249_1	OCM - August 2014	<ul style="list-style-type: none"> • Text modifications to align with new Local Planning Scheme 1 (eg. delete reference to previous schemes). • The following Policies deleted; <ul style="list-style-type: none"> ○ Alfresco Dining Policy; ○ Chalets Policy; ○ Grouped Dwellings on Rural Land Policy; ○ Airport Buffer policy; ○ Albany Speedway – Atwell Park Policy; ○ Marbellup Brooke Water resource Protection Area Policy; ○ Timewell Road Waste Water Treatment Plant Policy; ○ Albany Port Buffer Policy.
Updated to include adopted policies.	OCM – 23/09/2014	<ul style="list-style-type: none"> • Holiday Accommodation policy to replace Holiday Homes policy; and • New policy – Residential Building

TABLE OF CONTENTS

INTRODUCTION	5
GENERAL DEVELOPMENT	7
<i>NON-HABITABLE STRUCTURES</i>	<i>8</i>
<i>SIGNS</i>	<i>12</i>
<i>ANCILLARY ACCOMMODATION</i>	<i>21</i>
<i>BED AND BREAKFAST ACCOMMODATION</i>	<i>22</i>
<i>SIGNIFICANT TOURIST ACCOMMODATION SITES</i>	<i>23</i>
<i>TEMPORARY ACCOMMODATION</i>	<i>44</i>
<i>HERITAGE PROTECTION</i>	<i>45</i>
<i>PUBLIC PARKLAND</i>	<i>47</i>
<i>DOMESTIC WIND TURBINES</i>	<i>62</i>
<i>HOLIDAY ACCOMMODATION</i>	<i>64</i>
<i>RESIDENTIAL BUILDING</i>	<i>68</i>
RESIDENTIAL DEVELOPMENT	71
<i>VARIATIONS TO THE RESIDENTIAL DESIGN CODES</i>	<i>72</i>
<i>RELOCATED DWELLINGS</i>	<i>73</i>
<i>CONSULTING ROOMS, PUBLIC WORSHIP & CHILD CARE CENTRES</i>	<i>74</i>
COMMERCIAL AND INDUSTRIAL DEVELOPMENT	75
<i>PUBLIC ART</i>	<i>76</i>
<i>BUILDING FACADES IN INDUSTRIAL ZONES</i>	<i>77</i>
GENERAL AGRICULTURE, PRIORITY AGRICULTURE AND ENVIRONMENT	78
<i>WORKERS ACCOMMODATION (SEASONAL)</i>	<i>79</i>
<i>EXTRACTIVE INDUSTRIES AND MINING</i>	<i>80</i>

DEVELOPMENT IN FLOOD PRONE AREAS..... 85

AGRICULTURAL PROTECTION AND SUBDIVISION 87

SPECIAL DEVELOPMENT CONTROL AREAS (RESIDENTIAL) 91

BARRY COURT 92

RESIDENTIAL DEVELOPMENT ON STEEP SITES..... 98

ALBANY HISTORIC TOWN DESIGN POLICY 100

DETAILED AREA PLANS 109

Detailed Area Plan 1 - Lot 2 South Coast Highway 113

Detailed Area Plan 2 - Lot 2 Mason Road/Lower King Road, Lange 117

Detailed Area Plan 3 - Lot 94 & 95 The Esplanade 119

Detailed Area Plan 4 – Oyster Harbour Village Centre 120

Detailed Area Plan 5 – Lots 42 and 47 Lower King Rd 123

Detailed Area Plan 6 - Lot 247 Cull Road, South Lockyer 129

Detailed Area Plan 7 – Jeffcott St 133

Detailed Area Plan 8 - Lot 10 and 322 Galle Street ,Yakamia 137

Detailed Area Plan 9 - Lots 32 & 37 Silver Street, McKail 138

Detailed Area Plan 10 - Lot 14 Spencer Street 141

SLOPING LAND..... 149

REFLECTIVE ROOFS – GOODE BEACH..... 152

THE OUTLOOK ESTATE – BAYONET HEAD 154

MASONIC HALL DESIGN GUIDELINES..... 158

THOMAS STREET DESIGN GUIDELINES 162

MELVILLE DRIVE VIEW CORRIDOR..... 166

WOODRISE ESTATE DESIGN GUIDELINES 167

LOT 100 GREY STREET EAST 174

PINES ESTATE SETBACKS 187

FRENCHMAN BAY ROAD RESIDENTIAL AND TOURIST RESIDENTIAL AREA 188

LAKE SEPPINGS DRIVE/LOFTIE & WRIGHT STREET..... 191

MODIFICATIONS TO SUBDIVISION GUIDE PLANS 195

Special Area No. 1C (Cape Riche) 195

Special Rural Area No. 9	198
Special Residential Area No. 11 (Lots 201 and 202 Pony Club Road)	200
Special Residential Area No. 8.....	202
Special Residential Area No. 11 (Lots 104, 105 and 106 Willyung Road)	204
Norwood Road, Lower king – Subdivision Guide Plan.....	206
<i>SOUTH LOCKYER STRUCTURE PLAN</i>	<i>209</i>
<i>LITTLE GROVE STRUCTURE PLAN.....</i>	<i>213</i>
<i>STRUCTURE PLAN – MCKAIL – BOUNDARY, LE GRANDE AND FLEMINGTON.....</i>	<i>219</i>
<i>OUTLINE DEVELOPMENT PLAN - BIG GROVE</i>	<i>221</i>
<i>OUTLINE DEVELOPMENT PLAN - CATALINA.....</i>	<i>231</i>
<i>KALGAN RURAL VILLAGE STRUCTURE PLAN</i>	<i>234</i>
<i>BAYONET HEAD INTERIM OUTLINE DEVELOPMENT PLAN.....</i>	<i>243</i>
<i>BROOKS GARDEN OUTLINE DEVELOPMENT PLAN</i>	<i>244</i>
<i>LOTS 1, 2 & 3 SOUTH COAST HIGHWAY, MCKAIL STRUCTURE PLAN</i>	<i>246</i>
<i>OUTLINE DEVELOPMENT PLAN – MORGAN PLACE</i>	<i>247</i>
<i>CONCEPTUAL DISTRICT STRUCTURE PLAN.....</i>	<i>249</i>

SPECIAL DEVELOPMENT CONTROL AREAS (NON-RESIDENTIAL)	251
--	------------

<i>BARKER ROAD INDUSTRIAL AREA.....</i>	<i>252</i>
<i>RICHARD STREET LIGHT INDUSTRIAL AREA.....</i>	<i>254</i>
<i>DOWN ROAD TIMBER PROCESSING PRECINCT</i>	<i>256</i>
<i>ALBANY TOWN CENTRE</i>	<i>258</i>
<i>ALBANY WATERFRONT.....</i>	<i>272</i>
<i>CENTENNIAL PARK REDEVELOPMENT AREA</i>	<i>273</i>
<i>NEIGHBOURHOOD CENTRES.....</i>	<i>275</i>
<i>MIDDLETON BEACH TOURIST PRECINCT</i>	<i>278</i>
<i>WOOLSTORES REDEVELOPMENT SITE</i>	<i>282</i>
<i>EMU POINT AND BIG GROVE VILLAGE CENTRES.....</i>	<i>286</i>
<i>FRENCHMAN BAY TOURIST DEVELOPMENT SITE.....</i>	<i>288</i>

APPENDIX 1:	292
APPENDIX 2:	290

INTRODUCTION

Background

In order to achieve the objectives of the City of Albany Local Planning Scheme 1, the Council has adopted the policies within this policy manual. The policies relate to parts or all of the municipality and relate to one or more of the aspects of the control of development.

Whilst a local planning policy does not bind the Council in decision-making, Council shall take account of the policy and the objective which the policy was designed to achieve before making a decision and shall have due regard to the policy.

These policies should also be read in conjunction with the City of Albany Local Planning Scheme 1 and the City of Albany Local Planning Strategy. The Scheme controls and regulates development, whilst the strategy provides a comprehensive review of the issues affecting development within the City of Albany and sets out appropriate strategic direction for future growth and management of the City.

State Planning Framework

Western Australian Planning Commission (WAPC) Statement of Planning Policy No. 1 is an amalgamation of all planning policies, strategies and guidelines of the State that provide direction on the form and method of growth and development. The WAPC and the City of Albany must have “due regard” to the provisions that form part of the State Planning Framework in preparing town planning schemes and making decisions on planning matters.

The WAPC encourages planning to be undertaken in accordance with the State Planning Strategy, the Lower Great Southern Strategy and various policies including the following (not a comprehensive list):

- SPP 2.5 (Agriculture and Rural land Use Planning);
- SPP 2 (Environment and Natural Resource Policy);
- SPP 2.9 (Water Resources);
- DC 3.4 (subdivision of rural land);
- SPP 4.1 (Industrial Buffer policy); and
- Liveable Neighbourhoods.

Policy Manual Objective

The following policy provisions apply in addition to the Scheme provisions contained within the City of Albany Local Planning Scheme 1 and are not intended to replace those provisions. The policy

has been prepared to guide landowners, architects, developers and staff in preparing and assessing development proposals.

Exclusions

This policy document does not include the following additional policies, adopted by Council.

- Stirling Terrace Design Guidelines (a full copy of this detailed policy document is available at the North Road Administration Building or on the City's website).
- Albany Waterfront Structure and Precinct Plans. (a full copy of this detailed policy document is available at the Library or North Road Administration Building or on the website).
- Catalina Central Planning Framework (a full copy of this detailed policy document is available at the North Road Administration Building or on the City's website).
- The Station, Western and Mount Lockyer Precinct Guidelines (a full copy of this detailed policy document is available at the North Road Administration Building or on the City's website).

GENERAL DEVELOPMENT

NON-HABITABLE STRUCTURES

(i.e. Outbuildings, Sheds, Gazeboes, Carports, Sea-containers, Shade houses)

1. Objective

1. To achieve a balance between providing for various legitimate storage needs of residents whilst minimising any adverse impacts non-habitable structures may have on the locality.

2. Scope

1. Non-habitable structures include structures that are not attached to a dwelling and commonly known as outbuildings, sheds, gazeboes, carports, sea containers and shade houses.
2. Garden structures (i.e. structures without a solid roof - pergolas with shade cloth and arbours) are considered exempt from the provisions of the policy.
3. This policy applies to non-habitable structures on lots designated for 'Residential', 'Tourist Residential', 'Future Urban', 'Special Residential', 'Special Rural', 'Rural Village', Yakamia Creek, 'General Agriculture and Priority Agriculture' (<4ha) and 'Conservation' purposes. This Policy does not apply to non-habitable structures on lots designated 'General Agriculture and Priority Agriculture' (>4ha), 'Industrial' or 'Commercial'.
4. Setbacks for non-habitable structures in the 'Residential', 'Tourist Residential', and 'Future Urban' zones are to conform to the Table 1, 2a or 2b of the Residential Design Codes WA. Setbacks for non-habitable structures in the 'General Agriculture and Priority Agriculture', 'Conservation', 'Special Rural', 'Special Residential' and 'Rural Village' zones are to comply with the provisions listed in the scheme applicable to each area. Where requirements are not clearly defined, compliance shall be in accordance with the objective of this policy.
5. One non-habitable structure with a floor area of 10m² or less and under 2.4m in height (i.e. small garden shed) is considered exempt from the provisions of the policy (i.e. does not accrue towards maximum floor area permitted). A second non-habitable structure with a floor area of 10m² or less and under 2.4m in height is to be assessed in accordance with the Non-habitable Structure Policy.

3. Definitions

“Reflective Materials” includes factory applied finishes such as zincalume, galvabond and light colorbond colours such as white, off-white and surfmist.

“Height” is the height of the non-habitable structure as measured vertically from the natural ground level to the highest point of the building above that point, as stipulated in the Residential Design Codes of Western Australia, and not the measurement taken above the proposed finished floor level of the non-habitable structure.

“Maximum Floor Area” the combined total floor area of all existing and proposed non-habitable structures on a lot.

4. Policy Provisions

1. Subject to provision 2 (below), non-habitable structures do not require planning approval.
2. Except as otherwise provided, the following development requires planning approval:
 - a) Development of a sea container;
 - i. A sea container shall not be considered unless:
 - Plans indicate re-development measures to make more visually appealing. This can be done by painting and/or re-cladding to a colour and design similar to surrounding development; and
 - neighbours comments have been considered.

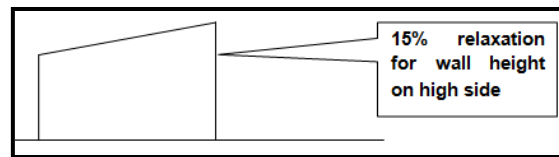
Screening by planting trees or shrubs or by any other methods shall be considered to reduce the visual impact of the sea container.

- b) Development of a non habitable structure on a vacant lot that is zoned Residential, Tourist Residential, Future Urban, Residential Development or Special Residential shall not be considered unless:
 - A Building Permit for a dwelling has been issued by the City; and
 - neighbours comments have been considered.

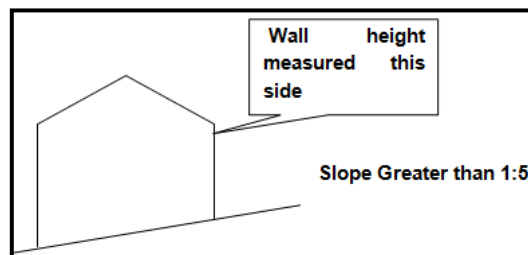
Screening by planting trees or shrubs or by any other methods may be required to reduce the visual impact of the non-habitable structure on the vacant lot.

- c) Where development varies from the following policy requirements.
 - i. Except as provided below, the size of a non-habitable structure shall comply with the provisions in Table 1.

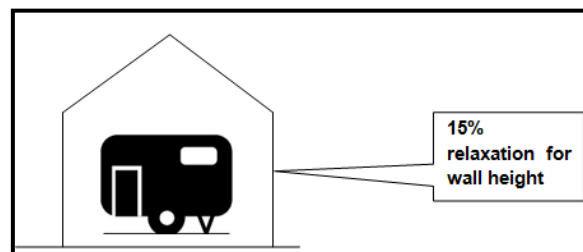
- For mono-pitched (skillion) roofed non-habitable structures (not ridged roofs), a relaxation of the height of the wall (on high side - up to 15%) may be supported; or



- where the land upon which the non-habitable structure is to be erected has a slope greater than 1 in 5, the height of the wall shall be measured on the wall that is located at the higher point of the site where the land has not been subject to cut and/or fill; or



- where in order to accommodate larger boats, caravans or motor-homes, the applicant is to demonstrate proof of ownership of such vehicle/vessel and a relaxation of the height of the wall (up to 15%) may be supported on Residential / Tourist Residential / Future Urban / Zone lots that are less than 4000m²; or



- A discretionary allowance of an extra 5m² over the maximum permitted floor area may be considered in cases where the stated maximum floor area allowed is unworkable due to the dimensions of a standard design.
- ii. Non-habitable structures shall be located away from the primary or secondary street areas (i.e. to the rear of the lot).
 - iii. Non-habitable structures that exceed 60m² in floor area shall be constructed out of non-reflective materials.

TABLE 1: NON-HABITABLE STRUCTURE SPECIFICATIONS

Zoning	Max. Wall Height	Max. Ridge Height	Max. Floor Area (combined floor area of all non-habitable structures on lot)
Residential / Tourist Residential / Future Urban / Zone (Lots < 450m ²)	2.4 metres	3 metres	<60m ² in area or 10% in aggregate of the site area, whichever is the lesser
Residential / Tourist Residential / Future Urban / Zone (Lots 450m ² - 600m ²)	3 metres	4.2 metres	<60m ² in area or 10% in aggregate of the site area, whichever is the lesser
Residential / Tourist Residential / Future Urban / Zone (Lots >600m ² and <1000m ²)	3 metres	4.2 metres	100m ²
Residential / Tourist Residential / Future Urban / Zone (Lots 1000m ² – 2000m ²)	3 metres	4.2 metres	120m ²
Residential / Tourist Residential / Future Urban / Zone (Lots >2000m ² and <4000m ²)	3 metres	4.5 metres	150m ²
Residential / Tourist Residential / Future Urban / Zone (Lots 4000m ² and greater)	3.5 metres	4.5 metres	170m ²
Yakamia Creek Zone (Lots < and = 3000m ²).	3.5 metres	4.5 metres	120m ²
Yakamia Creek Zone (Lots > 3000m ²).	3.5 metres	4.5 metres	150m ²
Special Residential Zone (Lots < and = 4000m ²)	4.2 metres	4.8 metres	150m ²
Special Residential (Lots > 4000m ²)	4.2 metres	4.8 metres	170m ²
Rural Residential Zone (Lots < 2ha)	4.2 metres	4.8 metres	200m ²
Rural Residential Zone (Lots 2ha to 4ha)	4.2 metres	4.8 metres	220m ²
Rural Residential Zone (Lots > 4ha and < 6ha)	4.2 metres	4.8 metres	240m ²
Rural Residential Zone (Lots 6ha and greater)	4.2 metres	4.8 metres	300m ²
Rural Village Zone (Lots < 4000m ²)	3 metres	4.5 metres	150m ²
Rural Village Zone (Lots 4000m ² - 1ha)	4.2 metres	4.8 metres	170m ²
Rural Village Zone (Lots > 1ha)	4.2 metres	4.8 metres	220m ²
Rural Small Holding Zone (Lots < 1ha)	4.2 metres	4.8 metres	220m ²
Rural Small Holding Zone (Lots 1 - 4ha)	4.2 metres	4.8 metres	240m ²
Rural Small Holding Zone (Lots > 4ha)	4.2 metres	4.8 metres	300m ²
General Agriculture and Priority Agriculture Zone (Lots < 2ha)	4.2 metres	4.8 metres	200m ²
General Agriculture and Priority Agriculture Zone (Lots 2ha to 3.99ha)	4.2 metres	4.8 metres	220m ²
Conservation Zone (Lots < 2ha)	3.5 metres	4.8 metres	170m ²
Conservation Zone (Lots 2ha and greater)	4.2 metres	4.8 metres	220m ²

Note: Prior to considering an application for a non-habitable structure that proposes a variation to this policy, it is recommended that the Council first consider varying the policy. In order to do so, the Council will need to seek comment from the public and the Western Australian Planning Commission. Alternatively, it is recommended that such an application be refused.

SIGNS

Objective:

- 1) **To ensure that signs are appropriate for their location;**
- 2) **To minimise the proliferation of signs;**
- 3) **To ensure that signs do not adversely impact on traffic circulation and management, or pedestrian safety;**
- 4) **To protect the amenity of residential areas, townscape areas and areas of environmental significance;**
- 5) **To protect the significance of heritage places or buildings;**
- 6) **To ensure that signs are constructed with quality materials;**
- 7) **To ensure signs are generally erected on land where the advertised business, sale of goods or service is being carried out;**
- 8) **To ensure that signs are maintained to a high standard.**

Definitions

An advertisement is to be classified according to the following categories:

“Development sign” – an advertisement displayed on a lot advertising units or lots for sale that complies with one of the following criteria:

- 1) The lot has been approved by the Department of Planning for subdivision into 10 lots or more.
- 2) The lot has been approved via planning scheme consent for residential development and involves 25 units or more.

“Display Home sign” – means an advertisement sign which is displayed on a lot advertising a building company and inviting members of the public to inspect their dwelling on display.

“Election notice” – means a notice declaring a forthcoming election of public interest and/or calling for nominations of such election or a notice declaring the results of any such election.

“Fly posting” – means advertising by means of posters placed on fences, walls, trees, rocks and any like places, or things without authority, and “fly-post” has a like meaning.

“Horizontal sign” – an advertisement attached to a building with its largest dimension horizontal.

“Illuminated sign” – an advertisement that is so arranged as to be capable of being lighted either from within or without the advertisement by artificial light provided, or mainly provided, for that purpose.

“Information panel” – a panel used for displaying a posted or painted advertisement.

“Institutional sign” – an advertisement displayed on any land or building used as a surgery, clinic, hospital, rest home, home for the aged, or other place of a similar nature.

“Monolith Sign” - means an advertisement sign which is not attached to a building or any other structure and with it's largest dimension being vertical. Such a sign may consist of a number of modules and is generally uniform in shape from ground level to the top of the sign.

“Other advertisement” – an advertisement, which is not described by any other category of advertisement referred to in this Policy.

“Projection sign” – an advertisement that is made by projection of artificial light on a structure.

“Property transaction sign” – an advertisement indicating that the premises on which it is displayed are for sale or for lease or are to be auctioned.

“Pylon sign” – an advertisement supported by one or more piers and which is not attached to a building and includes a detached sign framework supported on one or more piers to which sign infills may be added.

“Roof sign” – an advertisement displayed on the roof of a building.

“General Agriculture and Priority Agriculture producer’s sign” – an advertisement displayed on land used for horticultural purposes and which advertises products produced or manufactured upon the land and includes the property owner’s or occupier’s name.

“Semaphore sign” – A sign, which is at right angles to the adjacent street and which projects more than 300mm from the face of a building.

“Sign infill” – a panel, which can be fitted into a pylon sign framework.

“Third Party Sign” – a sign on any building or site or premises where the services or goods so advertised are not available to the public within that building or site.

“Tower sign” – an advertisement displayed on a mast, tower, chimneystack or similar structure.

“Verandah sign” – an advertisement above, on or under a verandah, cantilever awning, cantilever verandah and balcony whether over a public thoroughfare or private land.

“Vertical sign” – an advertisement attached to a building with its largest dimension vertical.

“Wall sign” – a sign affixed to an exposed sidewall of a building at right angles to the street.

Policy Statement

In addition to the specifications contained in Table 1, the specifications and requirements for each category of advertisement are stipulated below.

Development signs

A development sign is to be removed from the site within 2 years of the grant of planning approval for the sign or when all of the lots or units, by number, in the subdivision/development have been sold, whichever is the sooner.

A development sign located within an existing residential area and directly opposite established houses is to be reduced in size to a maximum area of 12m. Where the sign is located internally of a new subdivisional area, or is located on land used for commercial purposes a maximum area of 18m² applies.

Illuminated Signs

An illuminated sign shall -

- 1) have any boxing or casing in which it is enclosed constructed of combustible material;
- 2) not have a light of such intensity or colour as to cause annoyance to the general public or to owners and patrons of adjacent land;
- 3) not comprise flashing, intermittent or running lights.
- 4) have a minimum clearance of 2.75 metres from finished ground level.
- 5) not be located in a heritage precinct, if stipulated by a more specific planning policy, where illuminated signage is prohibited.

Information panel

A wall panel should comprise a framework surround with a lockable transparent cover behind which separate notices may be pinned affixed or painted.

Monolith sign

All monolith signs shall have infills, either translucent or opaque, filling the complete width and height of the sign. The monolith sign on a lot with multiple tenancies should be designed to allow all tenants to advertise in compliance with this Policy, and should not incorporate 'brand' advertising.

Projection sign

An application for approval for a projection sign should not be approved if, upon the sign being projected onto a structure, exceeds the specifications stated in Columns 2 & 3 of Table 1.

Property transaction sign

- 1) A property transaction sign advertising an auction shall, if approved –
 - a) not be erected more than 28 days before the proposed date of the auction;
 - b) be removed no later than 14 days after the auction, subject property has been sold, or at the direction of the local government whichever is the sooner; and
 - c) where such a sign is erected on land having a frontage to a road that is a main road within the meaning of the *Main Roads Act 1982*, consists of letters not less than 150 mm in height.
- 2) A property transaction sign advertising grouped dwellings/commercial or industrial units in a building erected, or to be erected, are, or will be available for letting or for purchase shall, if approved –
 - a) not be erected before the issue of a planning scheme consent for any such building; and
 - b) not be erected or maintained for a period exceeding three months following completion of any such building, without the prior approval of the local government.
- 3) Any property transaction sign of any description shall be erected on the land to which it relates and not elsewhere.

Pylon sign

The pylon sign on a lot with multiple tenancies should be designed to allow all tenants to advertise in compliance with this Policy, and should not incorporate 'brand' advertising.

Roof sign

A roof sign shall –

- 1) not extend laterally beyond the external wall of the structure or building on which it is erected or displayed.
- 2) only be permitted where it can be demonstrated that, having regard to the character of the area in which they are to be situated, they do not adversely affect it's amenities or those of other areas.

- 3) not protrude above the highest ridge of the roof line.

General Agriculture and Priority Agriculture Producer's sign

A General Agriculture and Priority Agriculture producer's sign should not advertise anything other than the sale of produce grown on the land on which the sign is erected.

Semaphore sign

- 1) A semaphore sign should be fixed –
 - a) at right angles to the wall or structure to which it is to be attached; and
 - b) over or adjacent to the entrance to a building.
- 2) No more than one semaphore sign should be fixed over or adjacent to any one entrance to a building.

Tower Sign

A tower sign shall not extend laterally beyond the structure on which it is placed.

Verandah sign – verandah fascia

A verandah sign fixed to the outer or fascia of a verandah shall not project beyond the outer frame or surround of the fascia.

Verandah sign – under verandah

An under verandah sign should be fixed at right-angles to the front wall of the building to which it is to be affixed, except at the corner of a building at a thoroughfare intersection, where the sign may be placed at an angle with the wall so as to be visible from both thoroughfares.

Vertical sign

A vertical sign where placed on a corner of a building at a thoroughfare intersection, may be placed at an angle with the wall so as to be visible from both thoroughfares.

Wall signs

Wall signs should not –

- 1) be displayed on the front façade of a building;
- 2) be closer than 1 metre from the front façade of the building to which it is attached.
- 3) In aggregate cover more than 25% of the wall's area up to a maximum of 15m².

General Policy Provisions

Overall Signage

No more than four (4) signs shall be located on each building, or in the case of a multi-tenanted building no more than three (3) signs per tenancy up to an overall maximum of twelve (12) signs, inclusive of signage attached to a building's roof, verandah or other architectural feature (does not include pylon signs or any other sign not attached to building).

Within the Residential zone no signage up to 0.2m² shall be permitted for approved home based businesses, and signs no greater than 1m² shall apply to approved consulting rooms, day care centres, medical centres or holiday accommodation units located in this zone.

Acceptable deviation

Council may exercise its discretion to approve a deviation from the specific standards subject to the applicant demonstrating that the likely affect of the location, height, bulk, scale, orientation and appearance of the advertisement will not:

- 1) conflict with or detrimentally affect the amenity of the locality;
- 2) interfere with traffic safety.

Signs Not Permitted

The following signs shall not be permitted, where:

- 1) it would detract from the aesthetic environment of a park or other land used by the public for recreation;
- 2) in the case of an internally illuminated advertisement, its display would cause glare or dazzle or would otherwise distract the driver of a vehicle;
- 3) in the case of an externally illuminated advertisement, the light would not be directed solely onto the device and its structural surround and the light source be so shielded that glare would not occur or extend beyond the advertisement and cause the driver of any vehicle to be distracted;
- 4) it would be likely to interfere with, or cause risk or danger to traffic on a thoroughfare by virtue of the fact that it:
 - a) may be mistaken or confused with, or obstruct or reduce the effectiveness of any traffic control device;
 - b) would invite traffic to turn and would be sited so close to the turning point that there would not be reasonable time for a driver of a vehicle to signal and turn safely;
 - c) would invite traffic to move contrary to any traffic control device;
 - d) would invite traffic to turn where there is fast moving traffic and no turning lane;
 - e) may obscure the vision of a person driving a vehicle;
- 5) in the case of an illuminated advertisement, it may confuse with or mistaken for the stop or tail light of a vehicle or vehicles;
- 6) it significantly obstructs or obscures the view of a river, the sea or any other natural feature of beauty; or
- 7) any sign which, in the opinion of Council is objectionable, dangerous or offensive
- 8) any sign painted the roof of any building;
- 9) any sign is sited within a road reserve during normal business hours (except signage approved in accordance with Council's Activities in Thoroughfares and Public Places and Trading Local Law).
- 10) any sign is located in the centre of any roundabout;
- 11) it is Fly Posting;
- 12) it is Third Party Signage, notwithstanding the placement of a such a sign in a public place where the advertisement in the absolute discretion of Council, is for the benefit or credit of the municipality.
- 13) it would detrimentally affect the amenity of the area.
- 14) it would detrimentally affect the significance and aesthetics of a Heritage Area or a place on the Heritage List.

Contents of Signage

A sign shall generally not contain any information other than:-

- 1) The name of any occupiers;
- 2) Details of the business name or business carried-out on the land;
- 3) Telephone or contact details;
- 4) Details of the goods sold or services provided;
- 5) The trademark or logo of the business or products for sale;

Exempted Signage

The following signage is exempt from gaining Planning Scheme Consent:

- 1) a sign erected or maintained in accordance with an Act;
- 2) a property disposal sign not exceeding the specifications in Table 1 erected on private property or immediately adjacent to the front boundary, where it is not possible to erect it on private property;
- 3) a plate not exceeding 0.6m² in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;
- 4) a sign used solely for the direction and control of people, animals or vehicles or to indicate the name or street number of a premises, if the area of the sign does not exceed 0.2m²;
- 5) an advertisement affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
- 6) a sign displaying solely the name and occupation of any occupier of business premises painted on a wall of those premises;;
- 7) a sign within a building:
- 8) a sign not larger than 0.7m x 0.9m on an advertising pillar or panel approved by or with the consent of the local government for the purpose of displaying public notices for information (also includes parking signs on private property where Council has consented to patrolling the car park);
- 9) a building name sign on any building, where it is of a single line of letters not exceeding 600mm in height, fixed to the facade of the building;
- 10) newspaper or magazine posters, provided they are displayed against the outside wall of the business premises from which the newspapers or magazines are sold so as to cause no obstruction to pedestrian traffic;
- 11) a General Agriculture and Priority Agriculture producer's sign less than 2m² in area, which is the only sign on the lot on which it is erected;
- 12) a sign erected by the local government, or with the approval of the local government, on land under the care, control and management of the local government;
- 13) a sign erected and maintained on street furniture, bus shelters or seats in accordance with the terms and conditions of a contract between the local government and the company responsible for those signs;
- 14) a maximum of 4 garage sale signs, each not greater than 0.25m², advertising the sale of second hand domestic goods in domestic quantities, not being part of a business, trade or profession and only being displayed on the day of the sale and on no more than 2 occasions for the same lot in each 6 month period;
- 15) a sign erected by the local government for the purpose of:
- 16) encouraging participation in voting (but not in favour of any candidate, political party, group or thing) at a local government election, provided that the signs are erected no more than 28 days prior to the
 - a) election; or
 - b) advertising a planning proposal; or
 - c) indicating the name and location of a polling place for an election.
 - d) an election sign which is:
 - e) erected on private property with the approval of the owner of that property, where such approval has been obtained prior to the erection of a election sign;
 - f) not in excess of 0.75m² in area per property, except a corner property which may display one sign facing each thoroughfare of the corner;
 - g) erected not more than 28 days prior to the date of the election to which it relates;
 - h) erected in accordance with the restriction provisions of clause14;
 - i) removed within 7 days of the date of the election.
- 17) a sign permanently affixed or painted on a vehicle to identify a company, business, service or product supplied or sold by that company.

- 18) Except for a roof sign, tower sign, projection sign, development sign (opposite an established residential area only) or hoarding, all other signs which comply with Table 1 of this Policy and are not excluded under the Signs Not Permitted section of this Policy.

TABLE 1: SIGNS SPECIFICATIONS

Advertisement	Max height of device (m) – sign face only	Max width of device (m) – sign face only	Max area of sign face (sqm)	Min distance to bottom of sign (m)	Max height above NGL (m)	Max projection from building (m)	Min Setbacks to front boundary (m)	Setbacks to side boundary (m)	Other Requirements
Development sign									
Established Areas	4.0	4.0	12.0		4.0		1.0	5.0	<ul style="list-style-type: none"> Only (1) development sign per lot.
New Estates	4.0	6.0	18.0		5.0		1.0	5.0	<ul style="list-style-type: none"> Only (1) development sign per lot.
Display Home sign	4.0	2.0	8.0		4.0		1.0	2.0	<ul style="list-style-type: none"> Only 1 sign per display home. A display home sign is to be approved for a period not exceeding 12 months.
Horizontal sign	<ul style="list-style-type: none"> 1.2m where sign up to 7.5m from ground level. 1.6m where over 7.5m from ground level. 	Shall not extend beyond either end of wall, except in the case of land in Central Area Zone the sign shall not be within 600mm of either end of the wall.	12.0			0.6			<ul style="list-style-type: none"> Only one (1) horizontal sign per building façade (does not include second horizontal sign on veranda fascia). In the case of a stand-alone shopping centre development a maximum of six (6) horizontal signs are permitted. A company's logo/symbol (non-word) as part of a horizontal sign can extend to 2.0 metres where the sign is up to 7.5 metres from ground level and 2.5 metres where over 7.5 metres from ground level.
Information panel	1.8	3.0	4.0	1.2	5.0				
Institutional sign	1.2	2.0	2.4		4.0		1.0	1.5	
Monolith Sign	6.0	3.0	15.0		6.0		0.5	1.0	<ul style="list-style-type: none"> Only 1 monolith/pylon sign per lot.
Projection sign	10.0	10.0	50.0		12.0				<ul style="list-style-type: none"> Only 1 projection sign per lot.
Property transaction signs									
Dwellings	1.8	1.5	2.0		2.0				<ul style="list-style-type: none"> No more than two (2) property transaction signs in total are to be permitted on each lot.
Multiple Dwellings / Commercial / Industrial	2.2	1.5	3.0		3.0				

TABLE 1: SIGNS SPECIFICATIONS

Advertisement	Max height of device (m) – sign face only	Max width of device (m) – sign face only	Max area of sign face (sqm)	Min distance to bottom of sign (m)	Max height above NGL (m)	Max projection from building (m)	Min Setbacks to front boundary (m)	Setbacks to side boundary (m)	Other Requirements
Pylon sign	4.0	3.0	10.0	2.75 (*)	6.0	0.9 into public place	0.5 to post/s	1.0	<ul style="list-style-type: none"> • Only 1 pylon /monolith sign per lot. • (*) Min. distance to bottom of sign can be reduced if sign located wholly within landscaped area.
Roof sign	2.5		4.5	4.0				1.0	
General Agriculture and Priority Agriculture producer's sign	2.0	1.5	2.5		3.0		1.0	1.0	
Semaphore sign	1.8	1.0	1.5	2.75	5.0	1.0		1.0	
Tower sign	20% of structure's height	Width of structure.		3.0		0.8			
Verandah signs									
On or Above Facia	0.8	2.5	3.0		5.0				
Under Verandah	0.6	2.4	0.75	2.4					
Vertical sign	2.0	Shall not be within 1800mm of either end of wall to which it is attached.	4.0	2.5		0.6		0.9	<ul style="list-style-type: none"> • The sign should not project by more than 1200mm above top of wall to which it is attached and a second vertical sign may be only approved where a 6m separation between vertical signs can be achieved.
Wall sign	3.0	7.0	15.0	1.5					

ANCILLARY ACCOMMODATION

Objective:

To accommodate housing demand, whilst minimising any adverse impacts on neighbours.

Definition

“Ancillary Accommodation” means self contained dwelling on the same lot as a single house, which may be attached to, integrated with or detached from the Single House (as per Residential Design Codes).

Policy Provisions

1. Ancillary accommodation is not permitted unless planning consent to it is granted by the City.
2. Ancillary accommodation may be considered in the following zones:
 - a. Residential;
 - b. Tourist Residential;
 - c. Central Area;
 - d. Yakamia Creek;
 - e. General Agriculture and Priority Agriculture;
 - f. Future Urban;
 - g. Rural Residential;
 - h. Special Residential;
 - i. Conservation; and
 - j. Rural village.
3. A maximum of one (1) ancillary accommodation unit may be considered per Single House.
4. Ancillary accommodation is to be located either alongside or to the rear of the existing residence.
5. A maximum internal floor area of 70m² (not inclusive of a garage or carport) for an ancillary accommodation unit applies.
6. The unit shall be connected to the same effluent disposal system as the main dwelling. Where the applicant proves this to be physically impossible, Council may support a second effluent disposal system.
7. One additional car space is to be provided in addition to the two spaces required for the main dwelling.
8. The lot is to be greater than 450m².
9. The finish, materials and colours used in construction of the ancillary accommodation shall be visually sympathetic to that of the main dwelling.

BED AND BREAKFAST ACCOMMODATION

Objectives:

- 1) **To promote the orderly and proper development of land by making suitable provisions to guide applicants who wish to establish Bed and Breakfast accommodation from their homes;**
- 2) **To secure the amenity, health and convenience of both visitors and surrounding residents through appropriate development requirements; and**
- 3) **To ensure that the Bed and Breakfast accommodation is incidental to the predominant use of the property in order to maintain the amenity of the immediate area.**

Definitions

“Bed and Breakfast Accommodation” means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast.

Policy Statement

Bed and Breakfast Accommodation should occupy a maximum of two bedrooms of a dwelling house and be made available for short-stay accommodation for a maximum of six guests at any one time and will only be approved on a lot where it can be demonstrated that:

- 1) The proposal is consistent with surrounding land use activities and can demonstrate general support from adjoining landowners;
- 2) The owner/manager of the Bed and Breakfast accommodation will reside on-site;
- 3) The proposal provides additional on-site car parking bays at the ratio of 1 bay per bedroom and shall not interfere with vehicular access; and
- 4) Access/egress to the site and car parking shall not adversely impact on with local vehicular or pedestrian traffic.

SIGNIFICANT TOURIST ACCOMMODATION SITES

Objectives:

The overall objectives of this Policy are:

- 1) **To retain existing and facilitate new tourism developments that are sympathetic to community and environmental considerations.**
- 2) **To provide for the sustainable growth of tourism by identifying and retaining sites for the future development of a range of tourist accommodation and attractions to meet the projected demand;**
- 3) **Promote the development of sustainable tourist accommodation.**
- 4) **To protect identified tourism locations or sites from the encroachment of uncomplimentary or conflicting land uses.**

Background

The City of Albany adopted its Tourist Accommodation Planning Strategy in July 2010. The City of Albany 'Tourist Accommodation Planning Strategy (the Strategy)' will act as the strategic planning document to provide direction to Council and the development/tourism industry on tourism development issues.

The Strategy was prepared in accordance with the Western Australian Planning Commission's Planning Bulletin 83, and sought to classify a series of existing and proposed tourist development sites within the City as either 'Local Strategic', 'Prime' or 'Suitable'. Based on the classification and the individual characteristics of each site a zoning recommendation was made to inform Council's Local Planning Scheme No. 1.

This policy aims to guide and coordinate sustainable tourist development from a land use planning perspective within the City of Albany in recognition of the important role that tourism plays in economic, social and environmental terms.

Scope

A total of 32 tourist accommodation sites were identified within the Strategy. Table 1 below identifies the sites and their particular site classification.

Table 1 – Tourist Development Sites

No	Site	Land Details	Site Classification
1	Esplanade Hotel	Lots 16 & 17 Flinders Parade, Middleton Beach	LOCAL STRATEGIC
2	Albany Waterfront	Lot 3 Toll Place, Albany	LOCAL STRATEGIC
3	Camp Quaranup	Reserve 30360 Quaranup Road, Frenchman Bay	PRIME
4	Middleton Beach Cara. Park	Lot 1340 Flinders Parade, Middleton Beach	LOCAL STRATEGIC
5	Frederickstown Motel	Lot 40 Frederick Street, Albany	PRIME
6	Barry Court	Lots 29 - 32 & 150 Barry Court, Collingwood Park	PRIME
7	Dog Rock Motel	Lot 66 Middleton Road, Albany	PRIME

No	Site	Land Details	Site Classification
8	<i>Fmr Woolstores Precinct</i>	Lots 895, 1104 & 1209 Woolstores Road, Mount Elphinstone	<i>PRIME</i>
9	<i>Frenchman Bay Cara. Park</i>	Lots 1 & 2 Frenchman Bay Road, Frenchman Bay	<i>LOCAL STRATEGIC</i>
10	<i>Albany Golf Course Reserve</i>	Lot 1386 & Reserve 41267 Golf Links Road, Seppings	<i>LOCAL STRATEGIC</i>
11	<i>Cape Riche</i>	Lot 380 Sandalwood Road, Cape Riche	<i>SUITABLE</i>
12	<i>Nanarup-Wellstead coast</i>	Private lots to the east of Nanarup	<i>SUITABLE</i>
13	<i>Cheynes Beach</i>	Lot 7774 Bald Island Road, Cheynes Beach	<i>PRIME</i>
14	<i>Big Grove / Panorama Caravan Park</i>	Lot 18 & Others, Panorama Road, Big Grove	<i>SUITABLE</i>
15	<i>Cosy Corner / Torbay</i>	Various Lots and Reserves, Cosy Corner Road, Torbay	<i>SUITABLE</i>
16	<i>Emu Beach Chalets</i>	Reserves 35165 Medcalf Parade, Emu Beach	<i>PRIME</i>
17	<i>Emu Beach Motel</i>	Reserve 35378 Medcalf Parade, Emu Beach	<i>PRIME</i>
18	<i>Havana Villas</i>	Reserve 35164 Firth Street, Emu Beach	<i>PRIME</i>
19	<i>Rose Gardens Beachside Holiday Park</i>	Reserve 22698 Mermaid Avenue, Emu Point	<i>PRIME</i>
20	<i>Albany Emu Beach Holiday Park</i>	Reserve 22698 Medcalf Parade, Emu Point	<i>PRIME</i>
21	<i>Albany Highway Motel Precinct</i>	Various Lots, Albany Highway, Orana, Centennial Park and Mt Melville	<i>PRIME</i>
22	<i>Albany Holiday Village</i>	Lot 4 Albany Highway, Warrenup	<i>SUITABLE</i>
23	<i>Albany Gardens Holiday Resort</i>	Lot 18 Wellington Road, Centennial Park	<i>SUITABLE</i>
24	<i>Kalgan River Caravan Park</i>	Lot 31 Nanarup Road, Kalgan	<i>SUITABLE</i>
25	<i>King River Caravan Park</i>	Lot 4 Chester Pass Road, Willyung	<i>SUITABLE</i>
26	<i>Albany Happy Days Caravan Park</i>	Lot 21 Millbrook Road, King River	<i>SUITABLE</i>
27	<i>Former Spinning Mill Site</i>	Lots 74, 207 & 208 Mills Street, Lots 76 – 78 Festing Street and Lots 79, 221 & 220 Melville Street, Albany	<i>PRIME</i>
28	<i>Albany City Holden Site</i>	Lots 7 & 200 Earl Street, Albany	<i>SUITABLE</i>
29	<i>Centennial Park Precinct</i>	Various Lots, Centennial Park	<i>SUITABLE</i>
30	<i>Central Business District Precinct</i>	Various Lots, Albany	<i>SUITABLE</i>
31	<i>Middleton Beach Precinct</i>	Various Lots, Middleton Beach	<i>SUITABLE</i>
32	<i>Goode Beach</i>	Lot 660 La Perouse Road, Goode Beach	<i>SUITABLE</i>

Appendix 1 identifies the spatial extent of each site, and specific policy statements relevant to the site and where, if applicable, the location of permanent residential development and/or the location of permanent occupants (primarily relevant to caravan parks).

Appendix 2 shows the location of the sites within or adjacent to the main population centre of Albany.

Definitions

“Caravan Park” shall have the same meaning as given the term in the Caravan and Camping Grounds Act 1995.

“Chalet” means an individual self-contained unit usually comprising cooking facilities, ensuite, living area and one or more bedrooms designed to accommodate short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three months in any 12-month period.

“Eco-tourist facility” means a form of tourist accommodation that is designed, constructed, operated and of a scale so as not to destroy the natural resources and qualities that attract tourists to the location. The development should utilise sustainable power, have a low energy demand through incorporation of passive solar design, provide for low water consumption, ecologically sensitive waste processing and disposal with no pollutant product.

“Farm stay” means a residential building, bed and breakfast, chalet or similar accommodation unit used to accommodate short-stay guests on a farm or rural property and where occupation by any person is limited to a maximum of three months in any 12-month period.

“Guesthouse” means integrated premises for short-stay guests comprising serviced accommodation units and on-site tourism facilities such as reception, centralised dining, and management, and where occupation by any person is limited to a maximum of three months in any 12-month period.

“Local Strategic Tourism Locations or Sites” are locations or sites that are high value, accessible, unique sites that are primary contributors to the tourism market positioning of Albany.

“Lodge” - see “guesthouse”.

“Permanent Residential Development” – means a building, or a group of buildings other than a caretakers dwelling, designed and occupied for the accommodation of any person for a period greater than 3 months within any 12-month period, and typically is described as a ‘Single House’, ‘Grouped Dwellings’ or ‘Multiple Dwellings’ as per the Residential Design Codes.

“Permanents” are sites where a tenant resides in a caravan, park home or other form of structure for a period greater than three months in a calendar year and the occupation is subject to the Residential Parks (Long Stay Tenants) Act 2006.

“Prime Tourism Locations or Sites” are locations or sites that support and contribute substantially to the overall tourism capacity of Albany and need a high order of protection from alternate land uses.

“Tourist resort” means integrated, purpose-built luxury or experiential premises for short-stay guests comprising accommodation units and on-site tourism facilities such as reception, restaurant and leisure facilities like swimming pool, gymnasium, tennis courts, and where occupation by any person is limited to a maximum of three months in any 12-month period.

“Serviced apartment” means a complex where all units or apartments provide for self-contained accommodation for short-stay guests, where integrated reception and recreation facilities may be provided, and where occupation by any person is limited to a maximum of three months in any 12-month period;

“Short-Stay Accommodation” and “Tourism Development” mean a building, or group of buildings forming a complex, designed for the accommodation of short-stay guests and which provides on-site facilities for the convenience of guests and for management of the development, where occupation by any person is limited to a maximum of three months in any 12-month period and excludes those uses more specifically defined elsewhere.

“Suitable Tourism Locations or Sites” are sites that provide lower order tourism products to meet current demands or they are capable of providing future tourism product, provided site constraints can be addressed or overcome. Suitable Tourism Sites have the potential to be altered over time as urban development pressures increase or the current site infrastructure reaches the end of its service life and financial re-investment is required.

Policy Statement

Permanent Residential Development

The following tables (Tables 2 to 4) in addition to the policy statements within Appendix 1 identify the extent of permanent residential development that can be accommodated on each tourist development site.

Unless otherwise stated in Appendix 1 or Tables of this Policy, no permanent residential development, or permanents in the case of Caravan Parks, are permitted on sites designated as ‘Local Strategic’.

Other than for Caravan Parks, or Local Strategic Sites, where a specific percentage or area for permanent residential development has not been indicated and is not precluded under Tables 2, 3 or 4 the maximum percentage of permanent residential shall be restricted to 25%.

Where stated in this Policy, Council supports the utilisation (through subdivision including strata title subdivision) of a percentage of the site for residential purposes (no occupancy restriction) subject to:

- 1) There being no anticipated land use/ planning conflict between the residential use and the adjacent and nearby land uses and zones including the tourism activity on the balance of the lot.
- 2) All units in the development should be designed primarily for tourist occupation, form part of an integrated complex and should be compliant with the Residential Design Codes, apart from the estimation of density, or the Caravan and Camping Act but not the detailed development standards.
- 3) The Residential component should comply with the nominated Residential Design Codes.
- 4) The development within the site shall be designed to physically separate the tourism from the residential uses.
- 5) The management of the tourism development shall ensure that any impacts on the residential use are minimised.
- 6) The purchaser of a residential unit shall agree to the adjacent tourism use and acknowledge and accept that on-going use.
- 7) The tourism component shall be completed to Council’s satisfaction prior to the residential lots and/or development being completed and released for sale (with the exception of Site 6, in particular the western portion of Lot 150).
- 8) The tourism development shall be located on the highest valued tourist land (e.g. where views are available or where direct frontage onto a beach or foreshore reserve area is available).
- 9) The tourism values of the site are not to be compromised by non-tourism development (i.e. residential) on the site.
- 10) The development of the site, where residential occupation is proposed, is to yield the optimal social and economic benefit to the Albany community.

Table 2 – Permanent Residential Development – Local Strategic Sites

Site No.	Site	Recommended Tourist Development	Permanent Residential Component Recommended
1	Former Esplanade Hotel	Hotel	Refer Appendix 1.
2	Albany Waterfront Project	Hotel / Serviced Apartments	Nil
4	Middleton Beach Holiday Park	Caravan Park	Nil
9	Former Frenchman Bay Caravan Park	Hotel / Tourist Resort	Nil
10	Former Albany Golf Club House Site	Serviced Apartments	Nil

Table 3 – Permanent Residential Development – Prime Sites

Site No.	Site	Recommended Development	Permanent Residential Component / Permanents Recommended
3	Camp Quararup	Cultural Tourism	Nil
5	Frederickstown Motel	Hotel / Serviced Apartments	N/A
6	Barry Court	Hotel / Serviced Apartments	Nil, except the western portion of Lot 150 as per SAT decision (refer Appendix 1)
7	Dog Rock Motel	Hotel	Nil
8	Former Woolstores Precinct	Hotel / Tourist Resort / Residential	Part of a mixed use development - subject to future planning (As per Plan Appendix 1)
13	Cheyne Beach Caravan Park	Caravan Park	Limited (As Per Plan – Appendix 1)
16	Emu Beach Chalets	Serviced Apartments	Nil
17	Emu Beach Motel	Motel	Nil
18	Havana Villas	Caravan Park	Nil
19	Rose Gardens Beachside Holiday Park	Caravan Park	Limited (As Per Plan – Appendix 1)
20	Emu Beach Holiday Park	Caravan Park	Limited (As Per Plan – Appendix 1)
21	Albany Highway Motel Precinct	Motel	Nil
27	Former Spinning Mill Site	Hotel / Serviced Apartments	Not Specified

Table 4 – Permanent Residential Development – Suitable Sites

Site No.	Site	Recommended Development	Permanent Residential Component / Permanents Recommended
11	Cape Riche	Caravan Park	Nil
12	Nanarup Coastline	Hotel / Tourist Resort	N/A
14	Panorama Caravan Park	Hotel / Tourist Resort	Limited (As per Plan – Appendix 1)
15	Cosy Corner Precinct	Caravan Park / Tourist Resort	N/A
22	Albany Holiday Village	Caravan Park	Limited (As per Plan – Appendix 1)
23	Albany Gardens Holiday Resort	Caravan Park	Limited (As per Plan – Appendix 1)
24	Kalgan River Chalets & Caravan Park	Caravan Park	No restrictions on permanents except that a tourism component needs to be maintained (See Plan

Site No.	Site	Recommended Development	Permanent Residential Component / Permanents Recommended – Appendix 1)
25	King River Palms Caravan Park	Caravan Park	Limited (As per Plan – Appendix 1)
26	Albany Happy Days Caravan Park	Caravan Park	Limited (As per Plan – Appendix 1)
28	Albany City Holden Site	Hotel / Serviced Apartments	N/A
29	Centennial Park Precinct	Hotel / Serviced Apartments	N/A
30	Central Business District	Hotel	N/A
31	Middleton Beach Precinct	Short Stay Accommodation	N/A
32	Lot 660 La Perouse, Goode Beach	Boutique Chalet / Eco-Tourist Facility	Nil, other than a Single House which is a permitted use.

Permanent Occupants within Caravan Parks

In considering an application for an increase in permanent occupants in those areas identified in Appendix 1, the following conditions of approval will be imposed by Council:

- 1) The proprietor will be required to prepare a master plan showing the reasonable long term development of the site, the anticipated improvements required to existing facilities and the relationship of the current development to that master plan;
- 2) The permanents will be separated from the short stay sites and have separate facilities (including, where possible, a separate entrance);
- 3) A tourism benefit will be required to be provided on-site as part of the development of the permanent accommodation. Commitments will be required to upgrade ablution facilities for short stay sites, to provide additional services (camper's kitchen, recreational facilities, swimming pool, etc) for short stays, at a level that is proportional to the level of development being undertaken; and
- 4) A mechanism will be submitted and agreed to allow for the incorporation of the permanents and for the development of a cash flow to undertake site improvements and an understanding created that additional stages of development would be approved until those site improvements are in place.

Development Control – Tourist Sites

In addition to the relevant development requirements stipulated in the Scheme, the following policies provide specific guidance on built form requirements for:

- Site 1 (Esplanade Hotel) – Policy Middleton Beach;
- Site 8 (Frenchman Bay) – Policy titled Frenchman Bay Tourist Development Site;
- Site 29 (Centennial Park Precinct) –Centennial Park Redevelopment Area;
- Site 31 (Middleton Beach Precinct) – Policy Middleton Beach.

In relation to Site 2 (the Albany Waterfront), Council's Policy entitled *Albany Waterfront Precinct Plan* provides specific guidance on built form requirements.

Structure Planning

At Appendix 1 is an evaluation of a number of sites that currently exist or are known to be under consideration for future subdivision or development. The development of those sites will be subject to a range of financial, environmental and zoning considerations and the projected shortage of bed nights can potentially be met if those developments are achieved and the appropriate tourism opportunities are realized. As new suburbs emerge on the urban fringe, it is

unlikely the developers will provide for the “next generation” of motel and other tourism sites, given the uncertainty associated with the sale of those sites and the lower return that tourism sites produce, relative to residential and commercial land uses. Therefore within precincts that contain a site acknowledged within this Policy and will be subject to detailed structure planning, recognition that a tourism component is to be provided as part of the final structure plan.

APPENDIX 1

Legend to Mapping within Appendix 1

The following legend has been applied to all maps contained within the flowing Appendix:



Site boundary



Potential area available for “Permanents” (applies primarily to Caravan Park Sites)

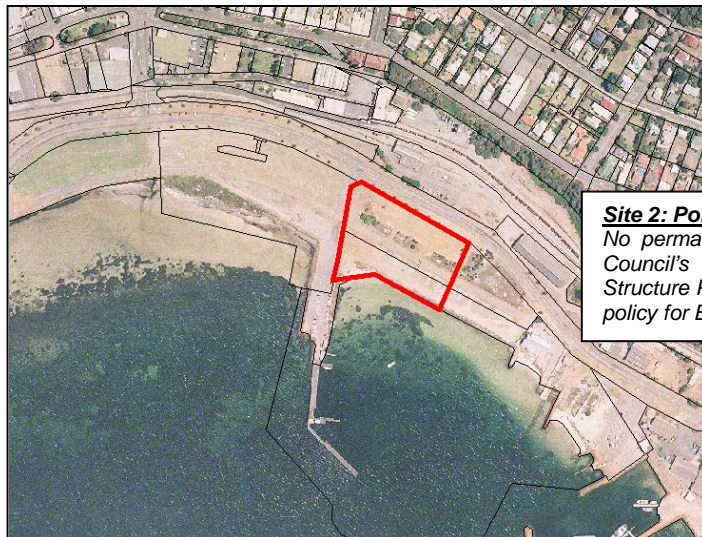
1 Esplanade Hotel Site (Flinders Parade)



Site 1: Policy Statement:

Area where permanent residential development is permitted as of right is identified in blue above (ie. 65% tourist accommodation and 35% permanent residential).

2 Albany Waterfront Project (Princess Royal Drive)



Site 2: Policy Statement:

No permanent residential permitted under Council's Policy Albany Waterfront Structure Plan and Precinct Plans – refer to policy for Built Form requirements.

3 Camp Quaranup (Reserve 30360, Quaranup Road)



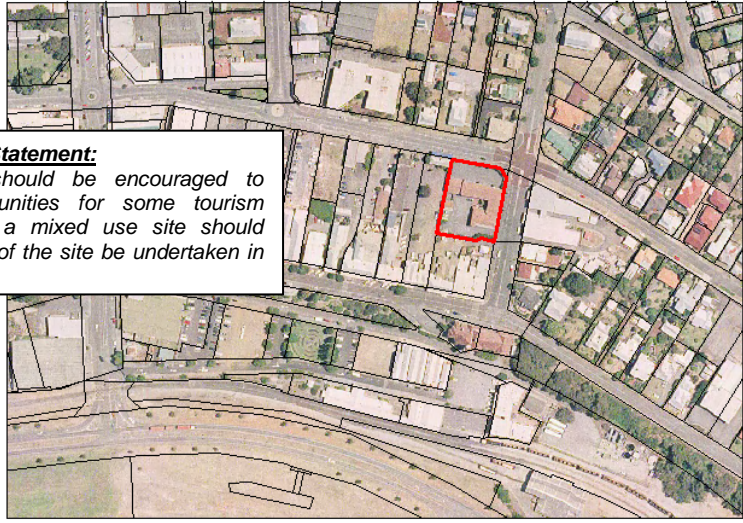
Site 3: Policy Statement:
No change in zoning recommended and attempts to freehold the Reserve be opposed, as the retention of the site by the Crown will remove opportunities for the land to be converted to a non-tourism land use and allow ongoing management that restores, protects and promotes it's cultural values.

4 Middleton Beach Caravan Park



Site 4: Policy Statement:
No permanent residential development or permanents supported. Existing designated caravan bays should be retained wherever possible and not be replaced with park homes or onsite vans.

5 Frederickstown Motel



Site 5: Policy Statement:
The owners should be encouraged to explore opportunities for some tourism product within a mixed use site should redevelopment of the site be undertaken in the future.

6 Barry Court



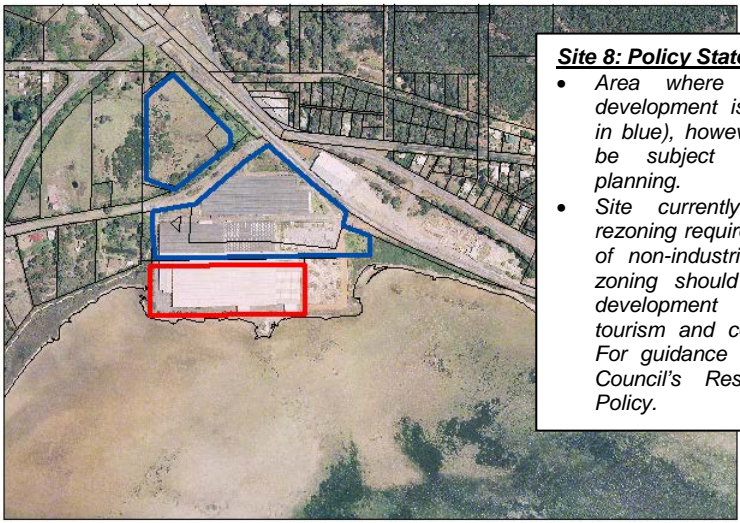
Site 6: Policy Statement:
No permanent residential development supported, except in that portion identified in blue (corresponding to creation of 6 small strata lots as per the decision of the State Administrative Tribunal).

7 Dog Rock Motel



Site 7: Policy Statement:
No permanent residential development supported.

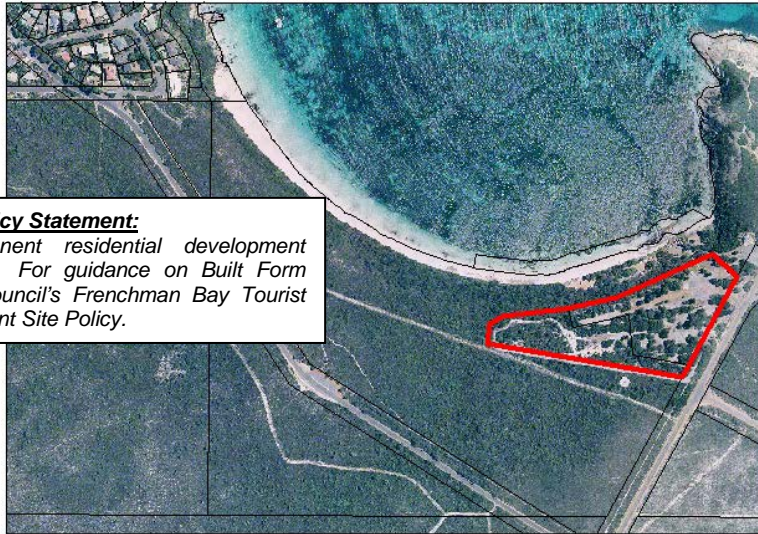
8 Former Woolstores Precinct



Site 8: Policy Statement:

- Area where permanent residential development is appropriate (identified in blue), however the exact extent will be subject to detailed structure planning.
- Site currently zoned 'Industry' – rezoning required prior to consideration of non-industrial development. New zoning should deliver a mixed use development comprising residential, tourism and commercial components. For guidance on Built Form refer to Council's Residential Design Code Policy.

9 Former Frenchman Bay Caravan Park site



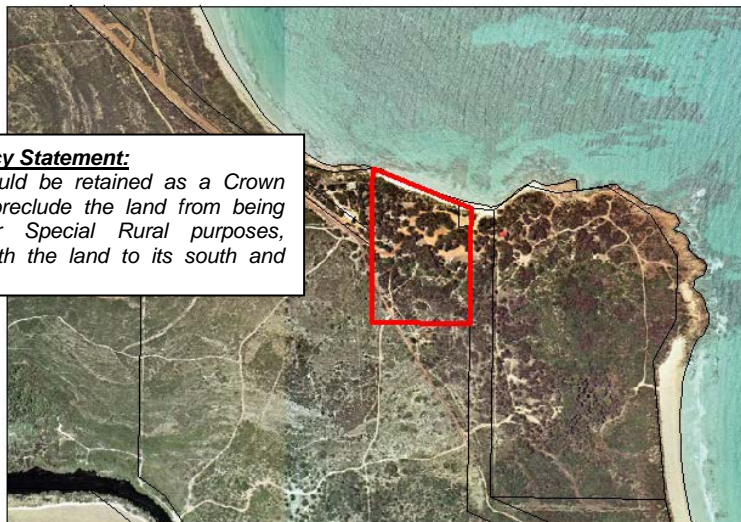
Site 9: Policy Statement:
No permanent residential development supported. For guidance on Built Form refer to Council's Frenchman Bay Tourist Development Site Policy.

10 Southern Site – Albany Golf Course Reserve



Site 10: Policy Statement:
No permanent residential development supported.

11 Cape Riche

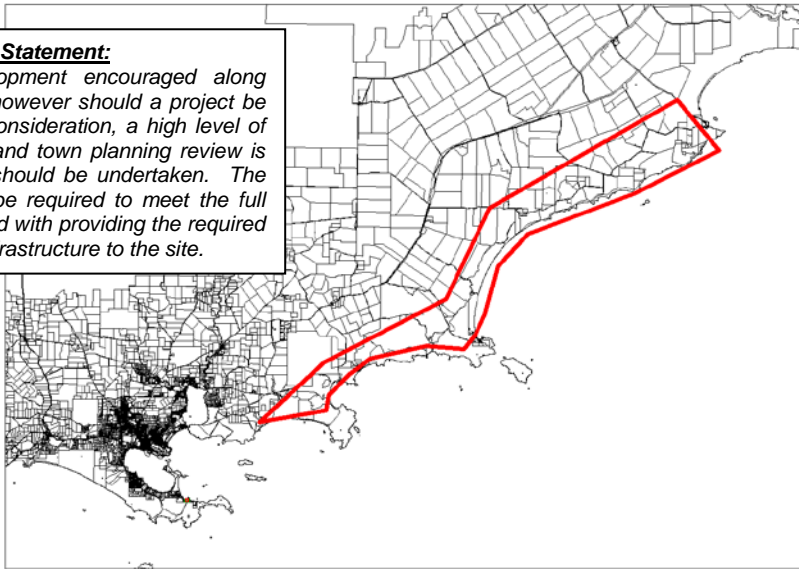


Site 11: Policy Statement:
The site should be retained as a Crown Reserve to preclude the land from being exploited for Special Rural purposes, consistent with the land to its south and west

12 Nanarup Coastline

Site 12: Policy Statement:

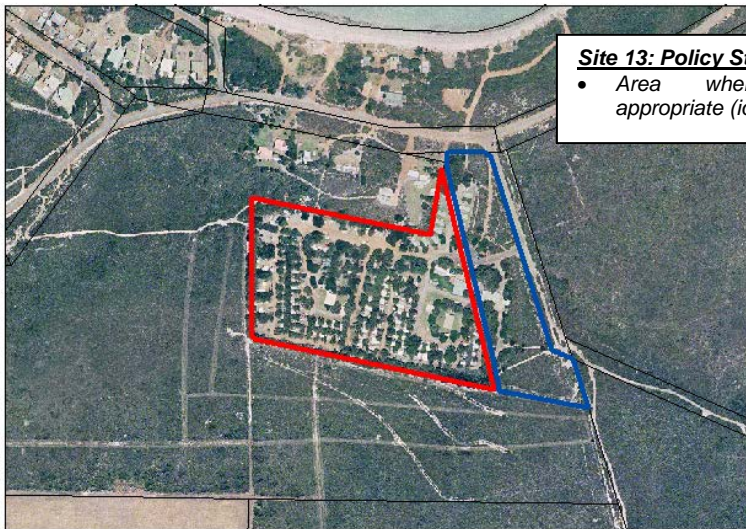
Tourism development encouraged along this coastline, however should a project be submitted for consideration, a high level of environmental and town planning review is expected and should be undertaken. The developer will be required to meet the full costs associated with providing the required services and infrastructure to the site.



13 Cheynes Beach Caravan Park

Site 13: Policy Statement:

- Area where permanents are appropriate (identified in blue).



14 Panorama Caravan Park

Site 14: Policy Statement:

- Area where permanents are appropriate (identified in blue).



15 Cosy Corner Precinct

Site 15: Policy Statement:

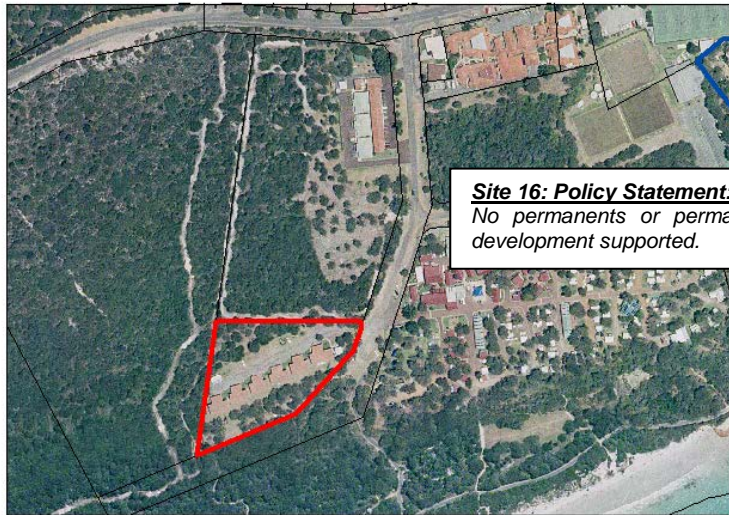
Cosy Corner East should be retained as a Crown Reserve to preclude the land from being removed from longer term community ownership. Development of larger tourism based projects in the locality should be encouraged but the form and scale of the development needs to be carefully planned and community support obtained through the rezoning process.



16 Emu Point Chalets

Site 16: Policy Statement:

No permanents or permanent residential development supported.



17 Emu Point Motel

Site 17: Policy Statement:

No permanents or permanent residential development supported.

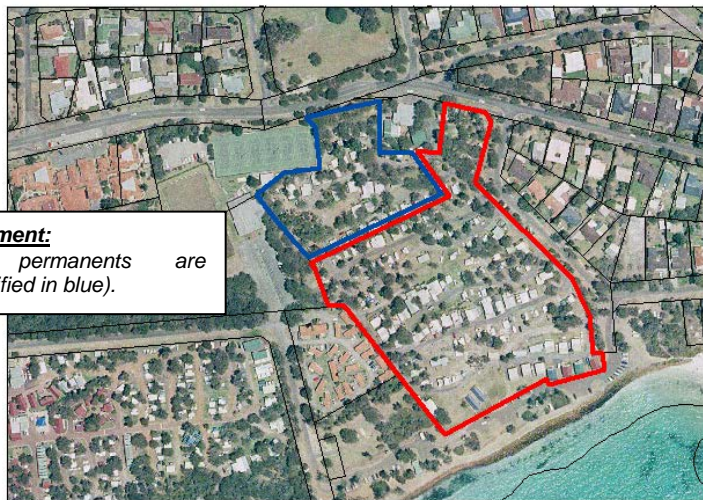


18 Havana Villas



Site 18: Policy Statement:
No permanents or permanent residential development supported.

19 Rose Gardens Beachside Caravan Park



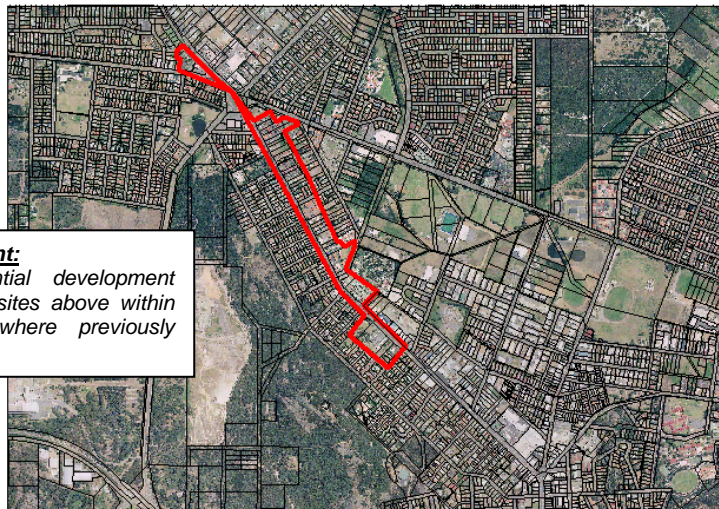
Site 19: Policy Statement:
• Area where permanents are appropriate (identified in blue).

20 Albany's Emu Beach Caravan Park



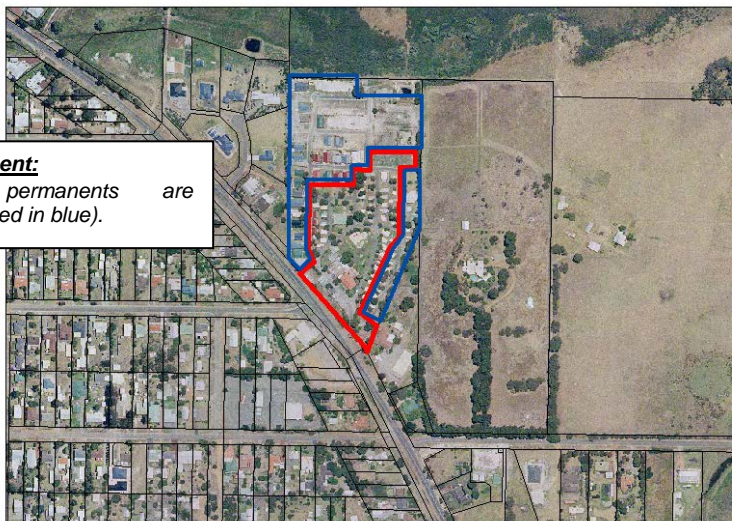
Site 20: Policy Statement:
• Area where permanents are appropriate (identified in blue).

21 Albany Highway Motel Precinct
(Applies specifically to Comfort Inn, Banksia Gardens Resort, Amity Motor Inn, Metro Inn, Ace Motor Inn, Country Manor and Motel Le Grande)



Site 21: Policy Statement:
No permanent residential development supported on identified sites above within the precinct, except where previously approved.

22 Albany Holiday Village



Site 22: Policy Statement:
• Area where permanents are appropriate (identified in blue).

23 Albany Gardens Holiday Resort



Site 23: Policy Statement:
• Area where permanents are appropriate (identified in blue).

24 Kalgan River Chalets and Caravan Park



Site 24: Policy Statement:
 No restrictions of permanents.

25 King River Palms Caravan Park



Site 25: Policy Statement:

- Area where permanents are appropriate (identified in blue).

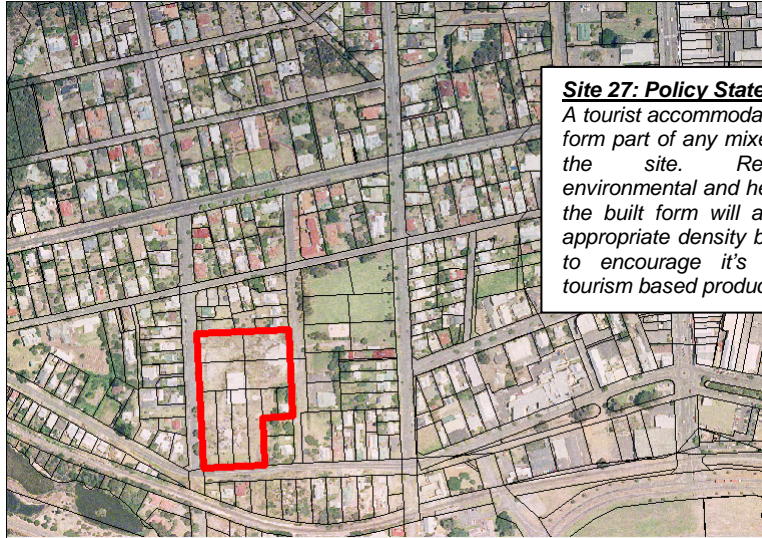
26 Albany Happy Days Caravan Park



Site 26: Policy Statement:

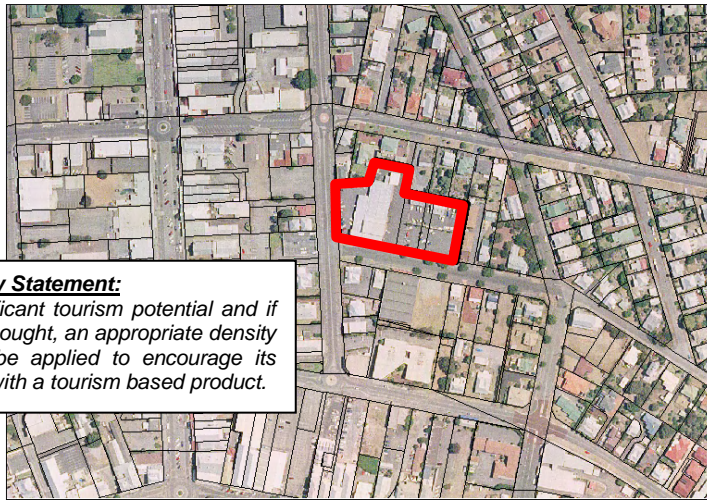
- Area where permanents are appropriate (identified in blue).

27 Former Spinning Mills Site



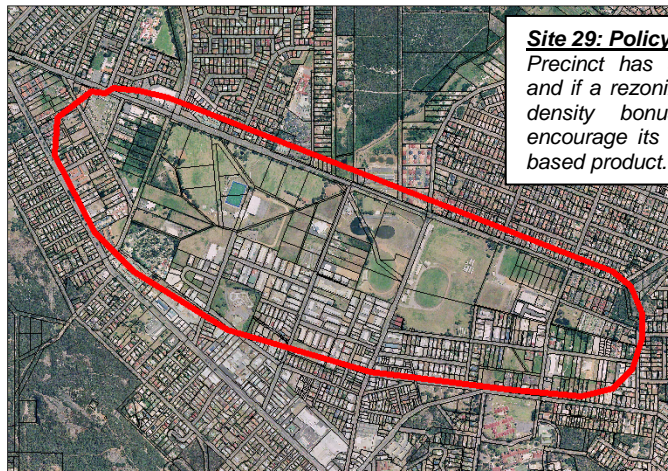
Site 27: Policy Statement:
A tourist accommodation component should form part of any mixed use development of the site. Reconciling potential environmental and heritage constraints with the built form will also be essential. An appropriate density bonus could be applied to encourage it's development with a tourism based product.

28 Albany City Holden Site



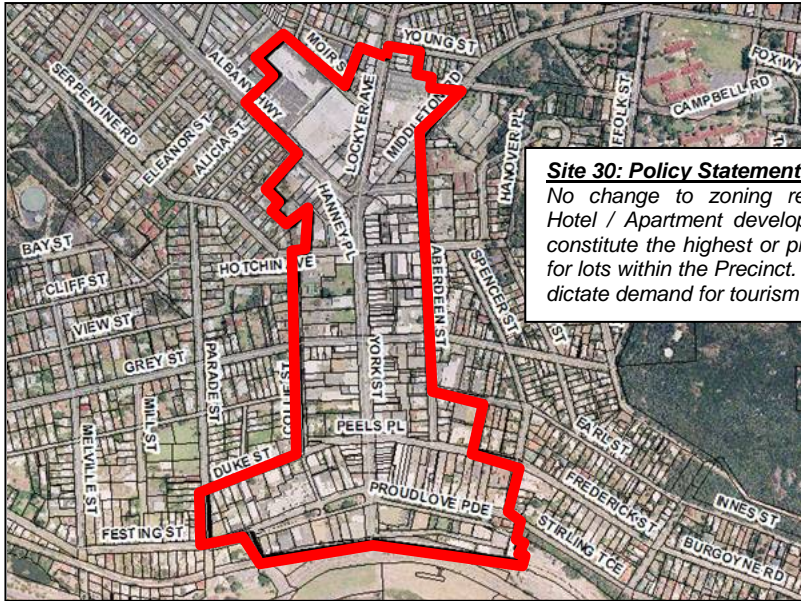
Site 28: Policy Statement:
Site has significant tourism potential and if a rezoning is sought, an appropriate density bonus could be applied to encourage its development with a tourism based product.

29 Centennial Park Precinct



Site 29: Policy Statement:
Precinct has significant tourism potential and if a rezoning is sought, an appropriate density bonus could be applied to encourage its development with a tourism based product.

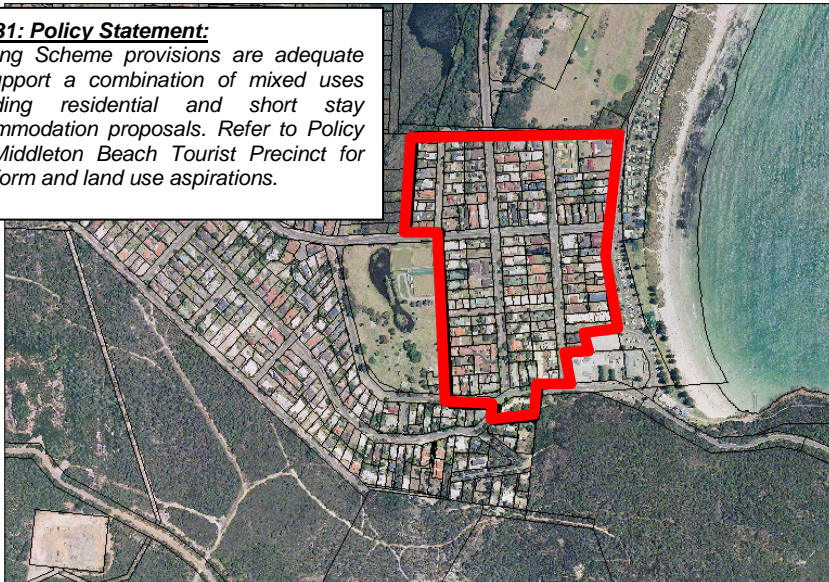
30 Central Business District



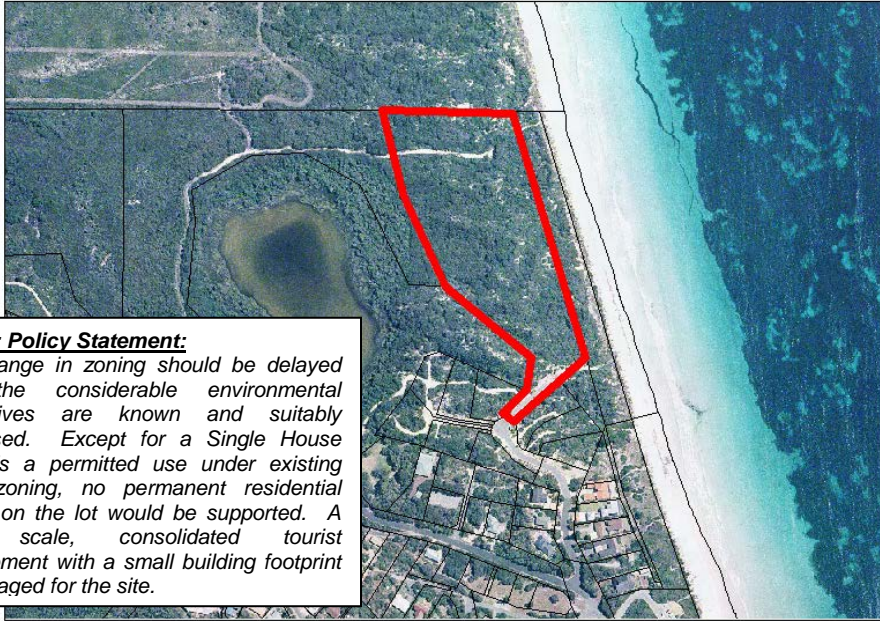
Site 30: Policy Statement:
 No change to zoning recommended as Hotel / Apartment development would not constitute the highest or preferred land use for lots within the Precinct. Market forces to dictate demand for tourism product.

31 Middleton Beach Precinct

Site 31: Policy Statement:
 Existing Scheme provisions are adequate to support a combination of mixed uses including residential and short stay accommodation proposals. Refer to Policy 7M Middleton Beach Tourist Precinct for built form and land use aspirations.



32 Lot 660 La Perouse Road, Goode Beach

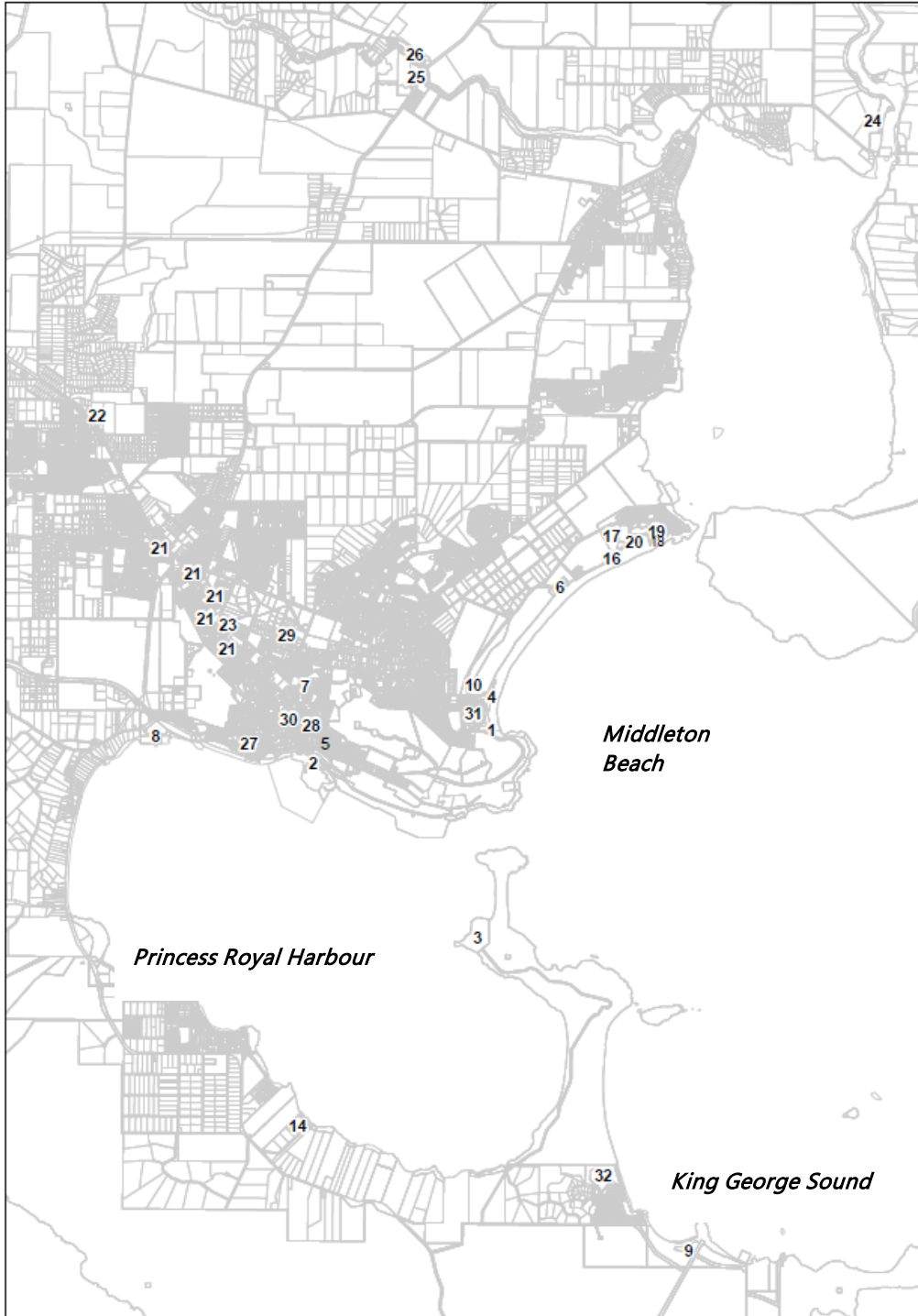


Site 32: Policy Statement:

Any change in zoning should be delayed until the considerable environmental imperatives are known and suitably addressed. Except for a Single House which is a permitted use under existing Rural zoning, no permanent residential activity on the lot would be supported. A small scale, consolidated tourist development with a small building footprint is envisaged for the site.

APPENDIX 2

Location of Tourist Development Sites



Definitions

“Caravan Park” shall have the same meaning as given the term in the Caravan and Camping Grounds Act 1995.

“Chalet” means an individual self-contained unit usually comprising cooking facilities, ensuite, living area and one or more bedrooms designed to accommodate short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three months in any 12-month period.

“Eco-tourist facility” means a form of tourist accommodation that is designed, constructed, operated and of a scale so as not to destroy the natural resources and qualities that attract tourists to the location. The development should utilise sustainable power, have a low energy demand through incorporation of passive solar design, provide for low water consumption, ecologically sensitive waste processing and disposal with no pollutant product.

“Farm stay” means a residential building, bed and breakfast, chalet or similar accommodation unit used to accommodate short-stay guests on a farm or rural property and where occupation by any person is limited to a maximum of three months in any 12-month period.

“Guesthouse” means integrated premises for short-stay guests comprising serviced accommodation units and on-site tourism facilities such as reception, centralised dining, and management, and where occupation by any person is limited to a maximum of three months in any 12-month period.

“Lodge” - see “guesthouse”.

“Permanent Residential Development” – means a building, or a group of buildings other than a caretakers dwelling, designed and occupied for the accommodation of any person for a period greater than 3 months within any 12-month period, and typically is described as a ‘Single House’, ‘Grouped Dwellings’ or ‘Multiple Dwellings’ as per the Residential Design Codes.

“Tourist resort” means integrated, purpose-built luxury or experiential premises for short-stay guests comprising accommodation units and on-site tourism facilities such as reception, restaurant and leisure facilities like swimming pool, gymnasium, tennis courts, and where occupation by any person is limited to a maximum of three months in any 12-month period.

“Serviced apartment” means a complex where all units or apartments provide for self-contained accommodation for short-stay guests, where integrated reception and recreation facilities may be provided, and where occupation by any person is limited to a maximum of three months in any 12-month period;

TEMPORARY ACCOMMODATION

Objective:

To provide guidelines for landowners seeking to live on their property whilst constructing their permanent dwelling.

Definition

'Temporary Caravan Accommodation' refers to owners of land living for a limited time period, within a caravan at their property where their dwelling is being constructed.

Policy Provisions

1. Temporary Caravan Accommodation is not permitted unless Planning Consent to it is granted by the City.
2. Temporary Caravan Accommodation may be considered for properties greater than 4000m² in area and zoned:
 - a. General Agriculture and Priority Agriculture;
 - b. Rural Residential;
 - c. Special Residential;
 - d. Conservation; or
 - e. Rural Small Holding.
3. The applicant must hold a current building permit for the construction of a dwelling on the property prior to the approval being considered.
4. Temporary Caravan Accommodation is limited to a period of one (1) year.
5. Temporary Caravan Accommodation will only be permitted in a caravan and not an outbuilding and the following additional conditions apply:
 - a. The caravan must remain in a condition that readily permits its removal from the site at all times;
 - b. Sleeping and cooking activities must be confined to the caravan;
 - c. Toilet, bathroom and laundry facilities must be provided to the minimum health standards required by the Building Code of Australia and the Health Act. These facilities may be in a shed constructed on-site and alongside which the caravan is parked; and
 - d. All facilities must be inspected before occupation of the temporary accommodation.
6. All ablution facilities must be connected to an on-site sewage treatment and effluent disposal system approved by the City.
7. Council reserves the right to revoke an approval notice for Temporary Caravan Accommodation if it is at any time dissatisfied with the rate of progress of the dwelling, with the amenity of the site or the general terms of the approval not being complied with.
8. Neighbouring properties are to be invited to make comment on a proposal for temporary accommodation. Any opposing comments are to be referred to the Council for deliberation.
9. During the construction of a dwelling, temporary fencing is to be erected around the building site.

HERITAGE PROTECTION

Objectives:

- 1) ***To ensure that development does not adversely affect the significance of heritage places.***
- 2) ***To conserve and protect places of heritage and cultural significance.***
- 3) ***To preserve and where possible rehabilitate development that portrays the early settlement periods.***
- 4) ***To provide incentives to encourage the conservation of heritage buildings and the maintenance and adaptive reuse of existing buildings which contribute to the urban character of a locality.***

Definitions

“Heritage” - Buildings, structures or places having aesthetic, historic, scientific or social value for past, present or future generations.

“Heritage Listed Building” - Buildings that are listed within Council’s Municipal Heritage Inventory, Local Planning Scheme 1 or on the State Heritage Inventory.

Policy Provisions

A general presumption should apply in favour of retaining buildings that make a positive contribution to the significance of the area.

Development adjoining properties of Heritage and cultural Significance

The design of new buildings on sites adjacent to heritage listed buildings and culturally significant sites shall respect the built character of the heritage building in terms of scale, form, materials and external finishes.

Alterations and additions to buildings should not detract from the significance of the place and should be compatible with the siting, scale, architectural style and form, materials and external finishes of the place.

Where conservation would be facilitated by a change of use, sympathetic adaptation of the place will be supported.

Demolition of Heritage Buildings

Approval for demolition will require the prior approval of an acceptable redevelopment proposal.

Demolition of places having heritage significance should be avoided whenever possible and any proposed demolition will require clear justification to be provided by the applicant, via the submission of a heritage impact statement.

Consideration of any proposed demolition will be based on the significance of the place, and the feasibility of restoring or adapting it, the possible incorporation of all or parts of the structure into a new development, and any potential incentives that can be provided to facilitate its retention, or relevant policy.

Relaxation of Scheme or Policy provisions

Where existing buildings are deemed by the Council to either have cultural heritage significance or make a contribution to the urban character of the locality the Council may, where practicable, seek the conservation or adaptation of such buildings in whole, or in part, by granting relaxations to development requirements under the provisions of its Local Planning Scheme 1.

Considerations in assessing Proposals Affecting Heritage Places

In assessing proposals affecting places of heritage significance Council shall require the submission of a Heritage Impact Statement (HIS) in accordance with the Heritage Council's publication "Heritage Impact Statements – A Guide" and shall broadly address:

- 1) How the proposed works affect the significance of the place or area.
- 2) What measures (if any) are proposed to ameliorate any adverse impacts.
- 3) Will the proposal result in any heritage conservation benefits that might offset any adverse impacts.
- 4) The level of heritage significance of the place.
- 5) The structural condition of the place.
- 6) Whether the place is capable of adaptation to a new use which will facilitate its retention and conservation.
- 7) The impacts of any relaxations of scheme or policy provisions on the amenity of adjoining properties and the locality.

PUBLIC PARKLAND

1. SCOPE

- 1.1** This Policy is to be used to provide guidance to the City of Albany and developers when looking at new structure plans and subdivisions.
- 1.2** The following factors are to be considered:
 - a) WAPC POS Policy requirements;
 - b) Community values (demand characteristics); and
 - c) Supply characteristics of POS in Albany.
- 1.3** This policy is not intended to include areas that have little or no recreational value such as conservation areas (remnant vegetation) and unusable foreshores (flood prone areas).
- 1.4** The provisions of this policy apply when considering subdivisions and structure plans:
 - a) On land zoned 'Residential', 'Tourist Residential' or 'Future Urban' in Local Planning Scheme 1 (not applicable to land zoned 'Special Residential' or land in 'Rural Villages'); and
 - b) That have the potential to create more than 2 lots.

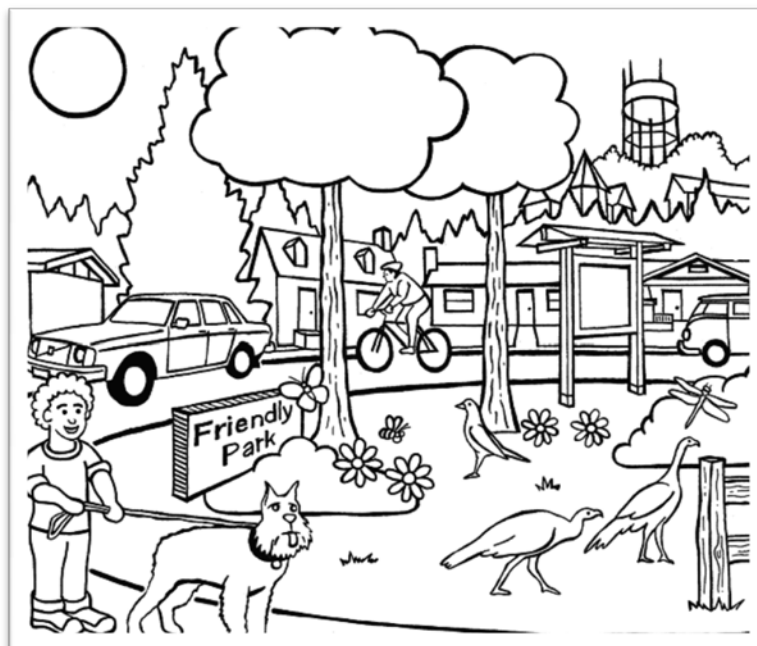
2. DEFINITIONS

- 2.1** Public Parkland: areas that can be used by a wide range of people living or working in urban areas and that contribute significantly to quality of life. Does not include school recreational facilities or recreation facilities that are not freely accessible (eg bowling club and golf course). May include land (not cash) for community purposes (e.g. meeting hall, library, kindergarten). Public parkland is broken down to include the following: 'Public Open Space', 'Regional Space' and 'Foreshore Space'.
- 2.2** Public Open Space (POS): public parkland contributed free of cost by the owner through the subdivision process (local park, neighbourhood park, district park, community purpose site-community centre, meeting hall). POS may also include 'Restricted Use' areas' (remnant vegetation) where these areas can be demonstrated to provide a high level of public amenity, are appropriately located and are usable for informal recreation.
- 2.3** Regional Space: area (min 20ha) identified for acquisition for major playing fields, which cannot be dealt with as either foreshore space or as part of the subdividers 10% POS contribution.
- 2.4** Foreshore Space: land adjacent to a stream, river, lake or coast. Foreshore reserves are not included in the 10% POS contribution requirement.
- 2.5** Informal Recreation: spaces that provide a setting for play and physical activity, relaxing and social interaction.

- 2.6 Formal Recreation: spaces that provide a setting for formal structured sporting activities.
- 2.7 Local Park: small (up to 3000m²) spaces to allow pedestrian connectivity and a sense of place.
- 2.8 Neighbourhood Park: space of at least 5000m² serving the neighbourhood (700 dwellings). As a minimum, these areas provide informal recreation.
- 2.9 District Park: space of at least 2ha in area serving the district (2,800 dwellings). As a minimum, these spaces provide informal and formal recreation.
- 2.10 Swales: A low tract of land developed for the storage and transfer of stormwater.

3. POLICY OBJECTIVES

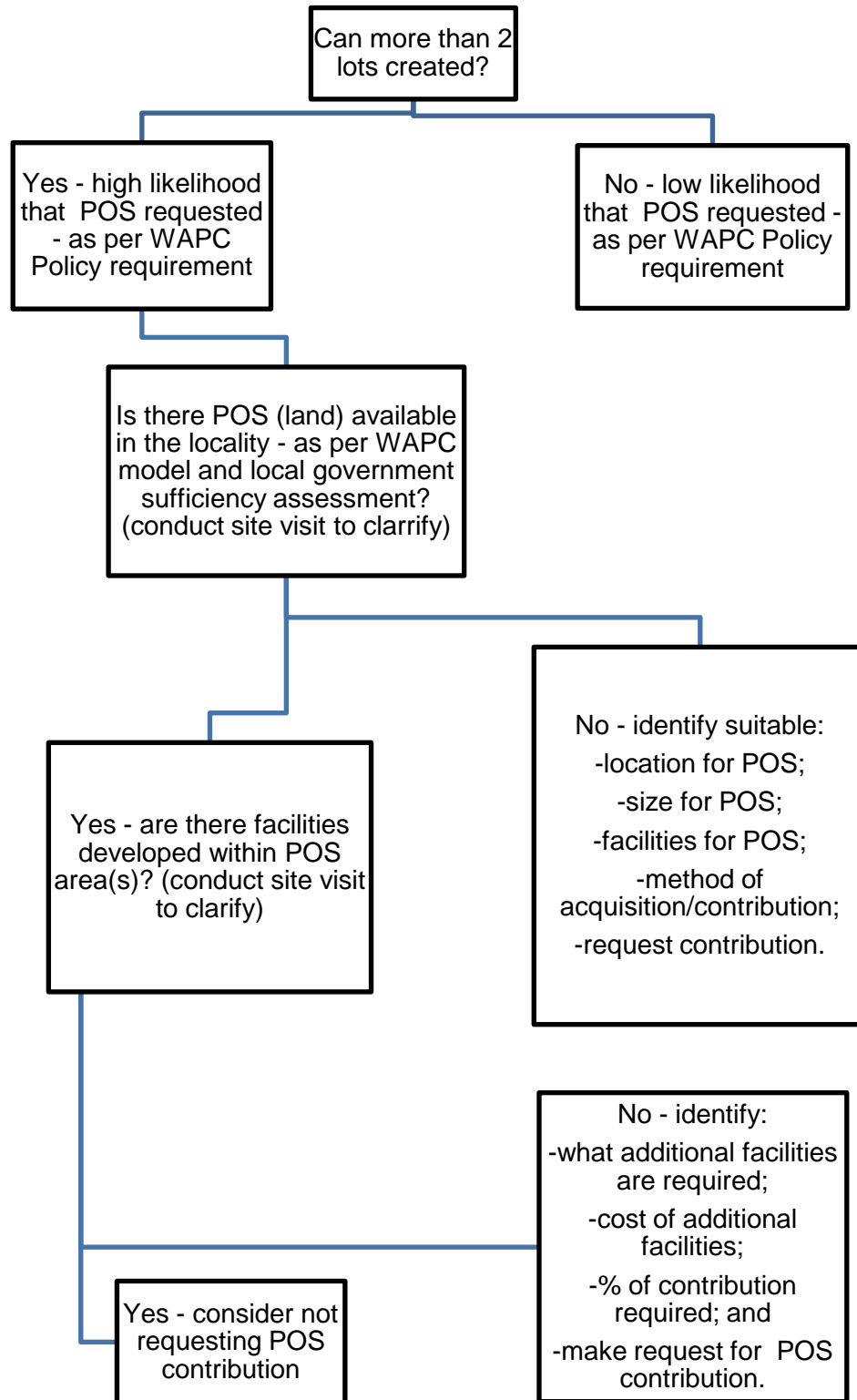
- 3.1 This Policy has been developed to inform the community and to guide developers and planners on the appropriate type, location and amount of Public Parkland. Key objectives are to:
 - a) Ensure POS is large enough, located within walking distance (400m) and has a variety of facilities (e.g. informal and formal) to attract people of all ages and aspirations;
 - b) Identify demand characteristics for recreation in Albany; and
 - c) Identify where public parkland is and should (in principle) be located within Albany.



4. METHODOLOGY

4.1 When planning or assessing a subdivision or structure plan, consider the following steps for determining POS contribution requirements:

Table 1 Planning and Assessment Methodology



5. WESTERN AUSTRALIAN PLANNING COMMISSION POLICY

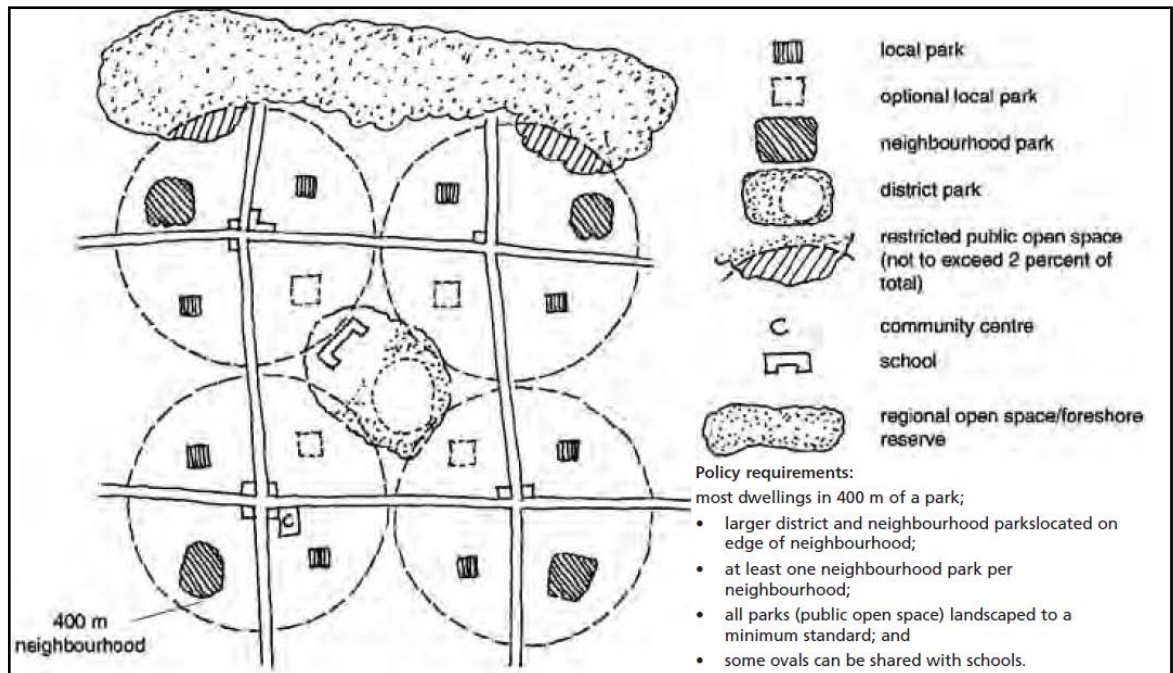
5.1 The Western Australian Planning Commission (WAPC) governs the subdivision process and therefore determines with the support of the local government where and what should be developed for Public Parkland. The WAPC has a number of guiding principles and policies including Policy No DC 2.3 Public Open Space in Residential Areas, Planning Bulletin No.21 Cash-in-Lieu of POS and Liveable Neighbourhoods. Key considerations of the WAPC include:

- a) A minimum contribution of 10% of the gross subdivisible area must be given up free of cost by the subdivider for POS.
- b) The commission will not normally require an open space contribution for 5 lots or less where the proposal is within a locality where the commission, on the advice of the local government, following an assessment of the locality, has concluded that there is sufficient open space in that locality.
- c) *The Planning and Development Act 2005* states at s.153 (2):

"The Commission is not to impose a requirement...in respect of a plan of subdivision that creates less than 3 lots."
- d) A foreshore is to be provided free of cost where subdivision abuts a watercourse, such as a river or creek, or a body of water such as a lake, or the coast in accordance with State Planning Policy 2.6 State Coastal Planning Policy and State Planning Policy 2.9 Water Resources. A foreshore is to be generally given up in addition to the 10% POS contribution.
- e) The WAPC will be guided by the local government that active and passive recreation needs of future residents will be adequately catered for before it will agree to the inclusion of natural or cultural areas in the 10% POS contribution.
- f) All cash in lieu received by the local government should be recorded in a register and applied:
 - a. For the purchase of land for parks in the locality in which the land included in the plan of subdivision is situated;
 - b. In repaying any loans raised by the local government for the purchase of any such land; or
 - c. With the approval of the Minister for Planning, for the development of parks.
- g) An open space schedule must be provided detailing the amount, distribution (refer to WAPC Model) and staging of the delivery of open space.

h) POS should be provided in keeping with the following WAPC Model:

Figure 1 WAPC Model



6. LOCAL GOVERNMENT SUFFICIENCY ASSESSMENT OF POS FOR ALBANY

Demand

6.1 A community workshop and survey undertaken for Albany (2014) indicated the following demand characteristics in-terms of POS. The characteristics are to be considered when analysing if appropriate spaces and facilities are available within walking distance (400m) or within a locality:

Type

- a) POS should be provided as a priority over cash in lieu.
- b) Where cash in lieu is provided, the following use of the cash should apply (listed in priority of order):
 - a. To purchase land for POS;
 - b. To develop informal and formal recreation facilities within POS;
 - c. To compensate developers contributing in excess of the 10%;
 - d. To develop recreation facilities within foreshore areas;
 - e. To purchase areas for community recreation (e.g. library).

Size

- c) Encourage the development of larger rather than smaller spaces to provide a combination of functions - drainage, active, passive and conservation, and to make more attractive/user friendly to community.
- d) Consider developing Yakamia Creek (through to Oyster Harbour) as a future Regional facility.

Location

- e) POS should be located adjacent to other high use facilities such as cafe, shops or a school.
- f) POS should be located adjacent to foreshores.

Maintenance

- g) Careful thought needs to be given towards cost of maintaining parks. The developer should maintain a park for the first few years. Drainage, vegetation and infrastructure should be developed with a view to minimise maintenance cost.

Foreshore Areas

- h) Informal and formal recreation developed adjacent to foreshores is highly valued. Where a foreshore is located within walking distance, consider taking cash in lieu contribution and developing POS facilities within the foreshore.
- i) Paths adjacent to foreshores (Yakamia Creek and Princess Royal Harbour) are highly valued and currently lacking. Paths should be designed as a circuit.

Vegetation

- j) Native vegetation is a valuable component for informal recreation.
- k) Areas of bushland that have little or no recreational value (conservation status) should not be ceded to the City of Albany as POS.

Drainage

- l) Drainage management measures (e.g. Compensating basins) should be designed, developed and landscaped such that the public is able to use the open space for safe, passive and/or active recreation and amenity is not impaired. Where drainage is being accommodated within parkland, it should be developed as follows:
 - a. Swales are not subject to any permanent inundation (i.e. only inundated in a storm event of greater than 1 in 10) and does not present a safety hazard;
 - b. The area of the swale is contoured, unfenced grassed/landscaped and is created as a fully functional play/recreation area;
 - c. Any permanent water body is integrated with an overflow dry basin system which is capable of being used as public open space; and
 - d. In accordance with Liveable Neighbourhoods and Water Sensitive Urban Design – best practice principles.

Design/Facilities

- a) Parks should be developed with a variety of play equipment suitable for all age groups that provide interactive and imaginative components.
- b) Important to consider safety associated with persons (kids) and roads adjacent to parks. Need to feel safe (surveillance) walking within a POS area.
- c) Parks need to have flat areas for recreating.
- d) Consider supporting the use of a park with community gardens. As long as the park can be used by a wide range of people living or working in urban areas and that contribute significantly to quality of life.
- e) Linear parks are useful in connecting persons to high activity nodes such as schools and commercial areas.
- f) The provision of POS and facilities should align with the City of Albany:
 - a. Asset Management Policy and Strategy; and
 - b. Bike strategy.
- g) Consider creating a theme for each park.
- h) The following facilities are highly valued:
 - a. Barbeque;
 - b. Shelter;
 - c. Reticulated grass;
 - d. Quiet places;
 - e. Seating;
 - f. Toilets;
 - g. Drinking water;
 - h. Paths, bush walk trails and multi use trails (e.g. mountain bikes);
 - i. Open space;
 - j. Parking;
 - k. Child play equipment;
 - l. Shade;
 - m. Waste disposal facilities and dog poo bags.
- i) The following parks were nominated as being important for the following reasons:
 - a. Foreshore areas including the Kalgan and King Rivers (walking, pick-nick and fishing), Yakamia Creek (walking), Rushy Point (Little Grove-walking and bird watching), and Oyster Harbour;
 - b. Regional Parks including Centennial Park, Mount Clarence, Mount Melville and Mount Adelaide (walking around board walk-Ellen Cove, mountain-biking, walking dogs and viewing);
 - c. Mills Park (Little Grove-new facilities), Foundation Park (Albany – dog training), Coorinda Park (Albany-cliff walking), Eyre Park (Mira Mar-large space with range of facilities), Callistemon Park (Yakamia-for

walking dog and nature), Willera Park (Lockyer-offers a range of facilities); Middleton Beach and Emu Point Parks (adjacent to beach).

- j) The demographics of a locality should be considered when determining the design of POS (e.g. old age persons prefer informal recreation).
- k) POS should to cater for the need to walk a dog.
- l) Consider designing parks to accommodate events (e.g. develop with amphitheatre).

Supply

- 6.2** A review of existing Public Parkland within Albany was undertaken and is illustrated in the following Maps 1 - 6.
- 6.3** When designing or assessing structure plan and subdivision applications for Albany, officers and developers are to use the WAPC Model (refer to figure 1), the demand characteristics and the Maps 1-6, which illustrate the location and category of POS, to determine:
 - 1. If there are enough parks of different categories within one (1) neighbourhood and within four (4) neighbourhoods;
 - 2. If the parks are appropriately located (e.g. adjacent to foreshore, school or high density area and within 400m of dwellings); and
 - 3. If the parks have necessary facilities to serve the category/purpose of park (for purpose of category – refer to 6.4).
- 6.4** Facilities should be developed as per demand characteristics identified in section 6.1 and the following principles listed under the different categories:
 - 1. Local Parks act as:
 - a) Resting places;
 - b) Child play areas;
 - c) Links to other areas;
 - d) A sense of place.
 - 2. Neighbourhood Parks act as:
 - a) Informal play areas; and
 - b) Passive use.
 - 3. District Parks act as
 - a) Informal play areas; and
 - b) Formal playing fields.
- 6.5** Regional Parks and Foreshores areas are to be contributed in addition to the 10% POS contribution.

Figure 2 Public Parkland - Overview

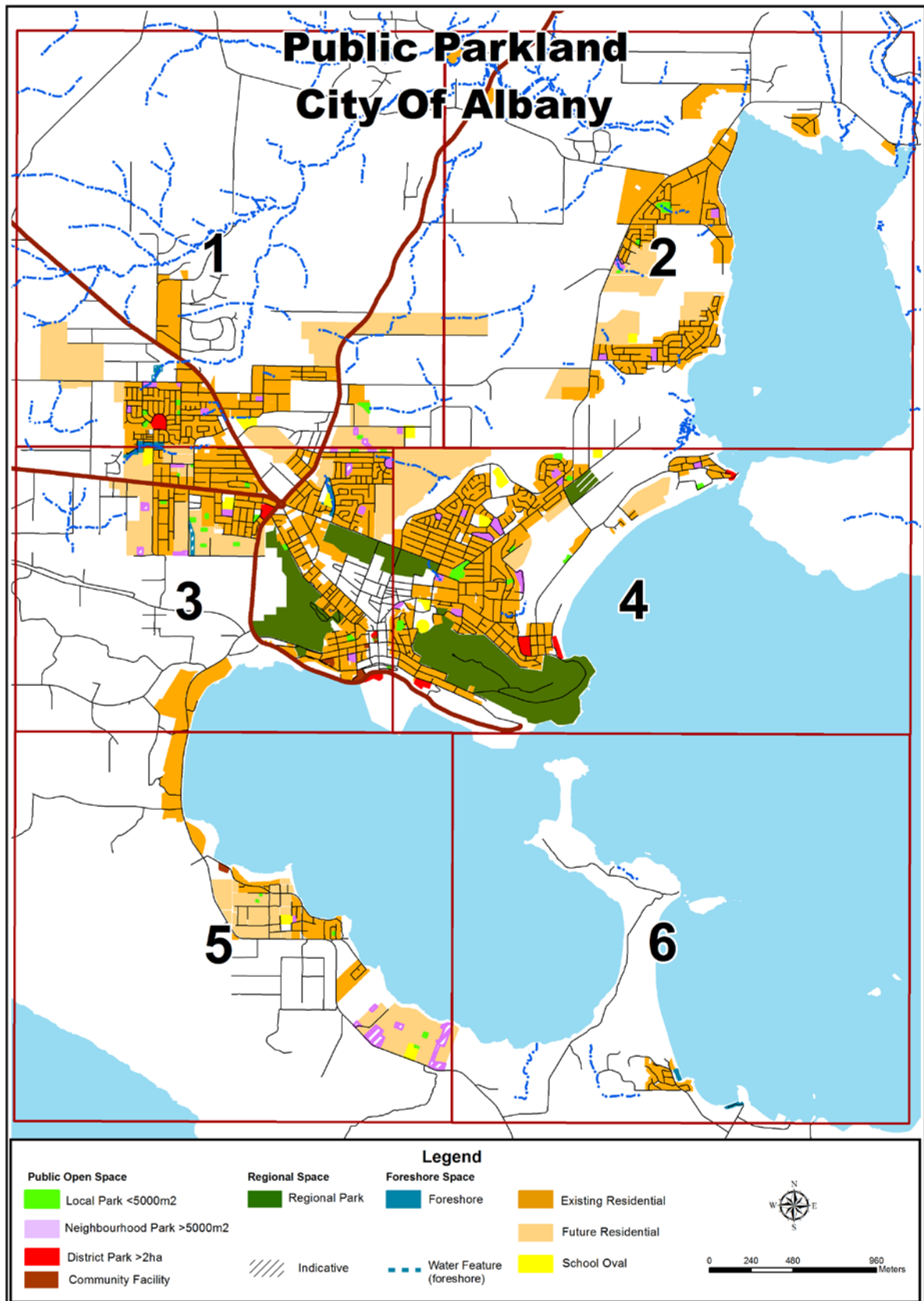


Figure 3 Public Parkland – Map 1

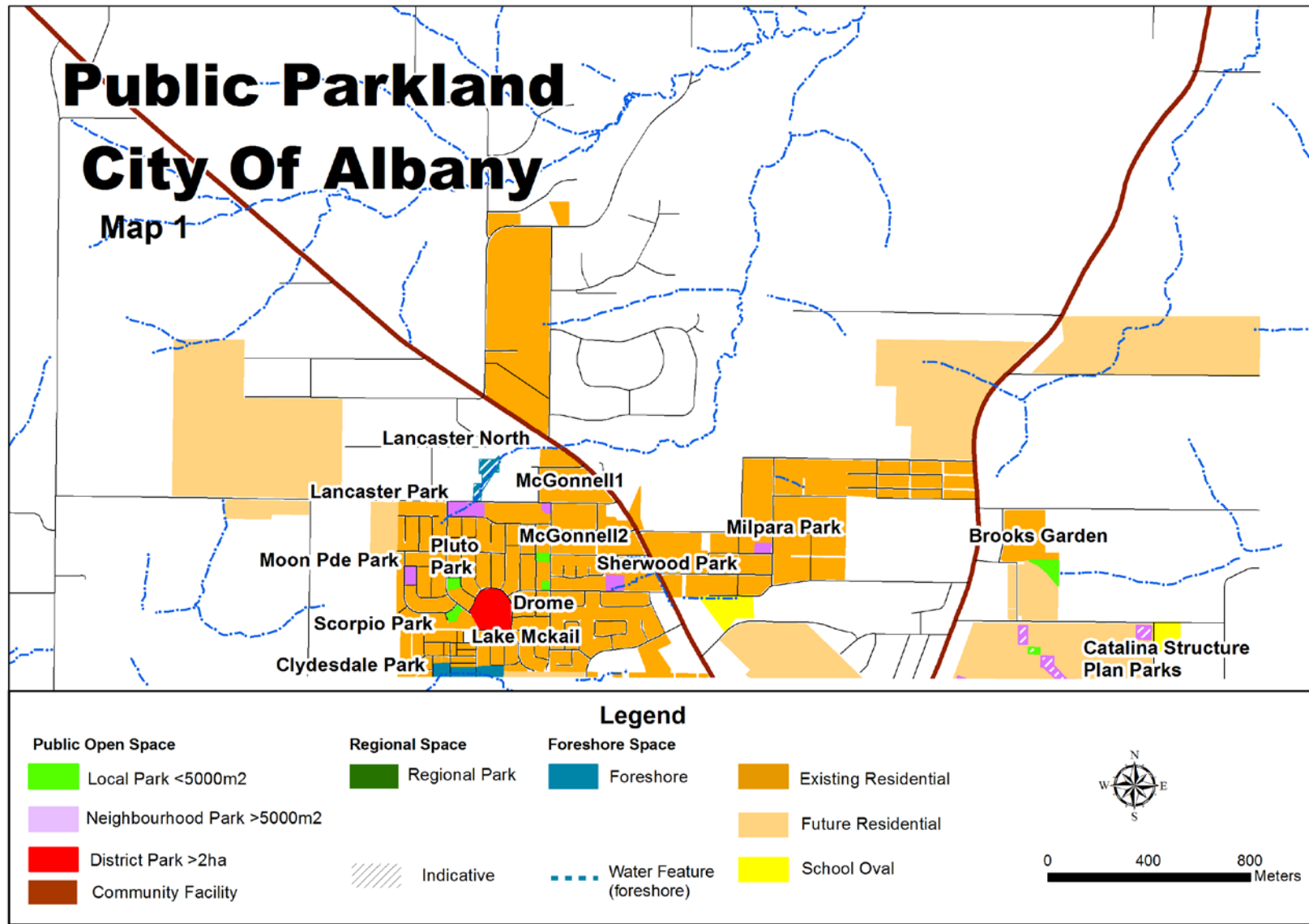


Figure 4 Public Parkland – Map 2

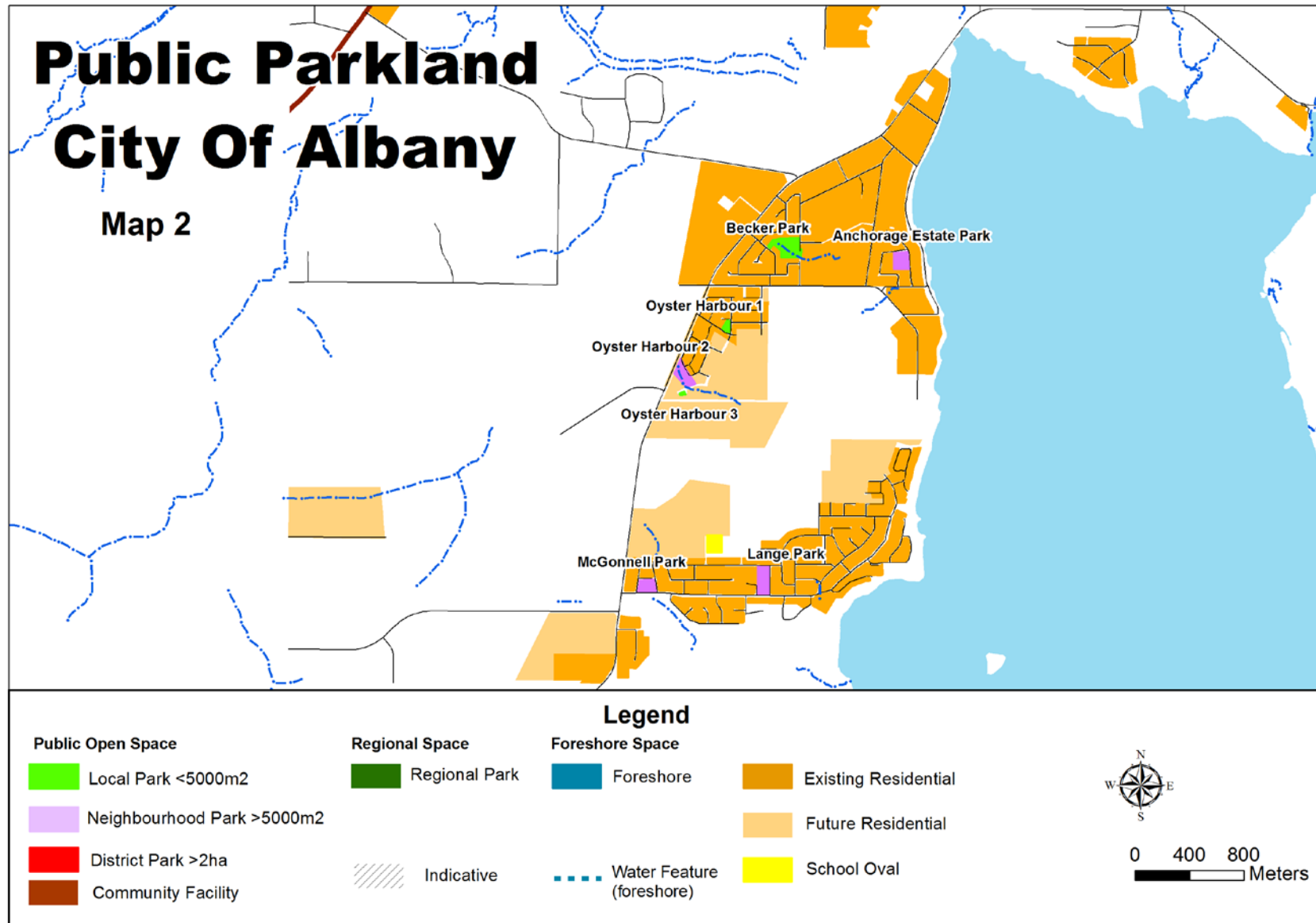


Figure 5 Public Parkland – Map 3

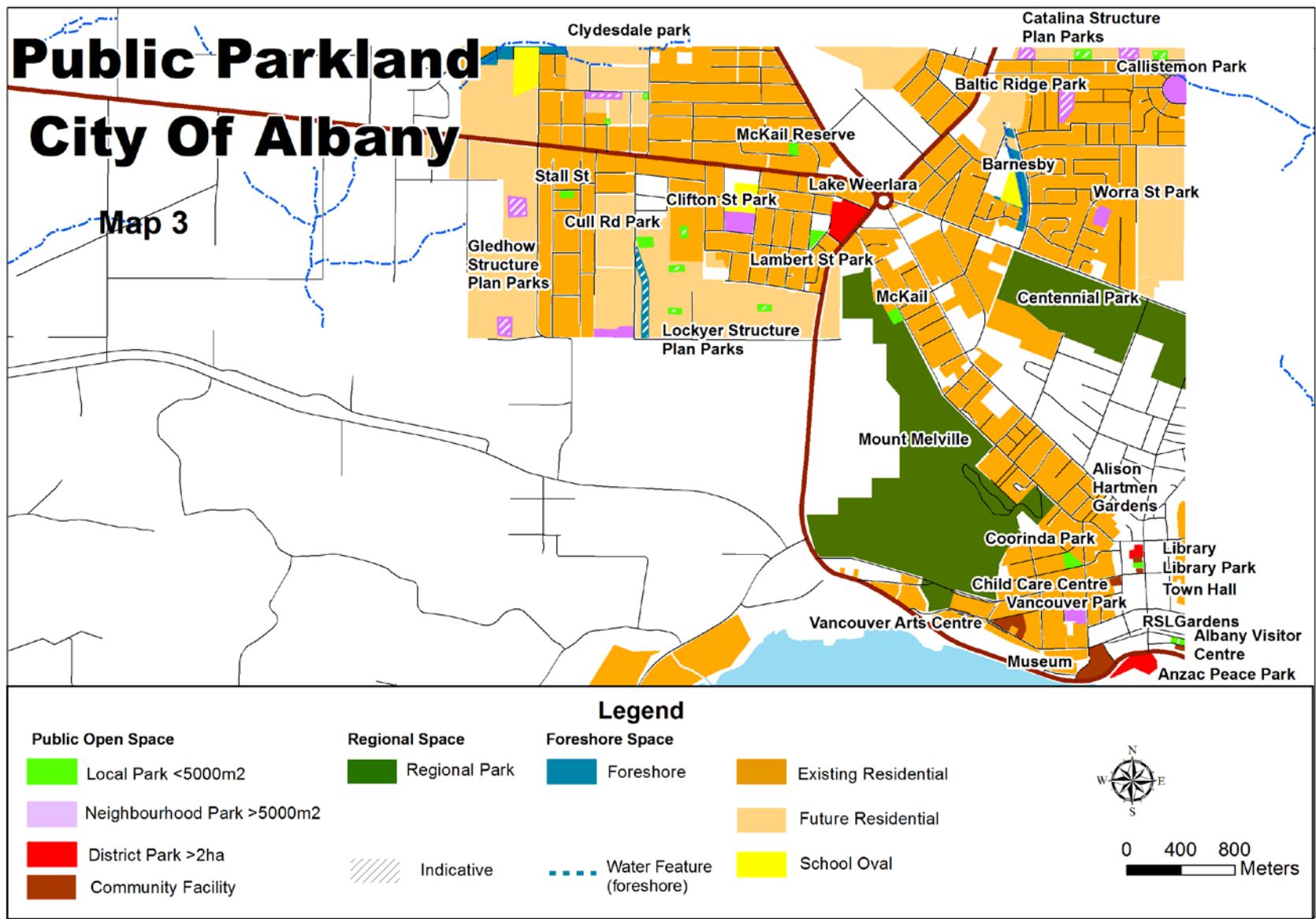


Figure 6 Public Parkland – Map 4

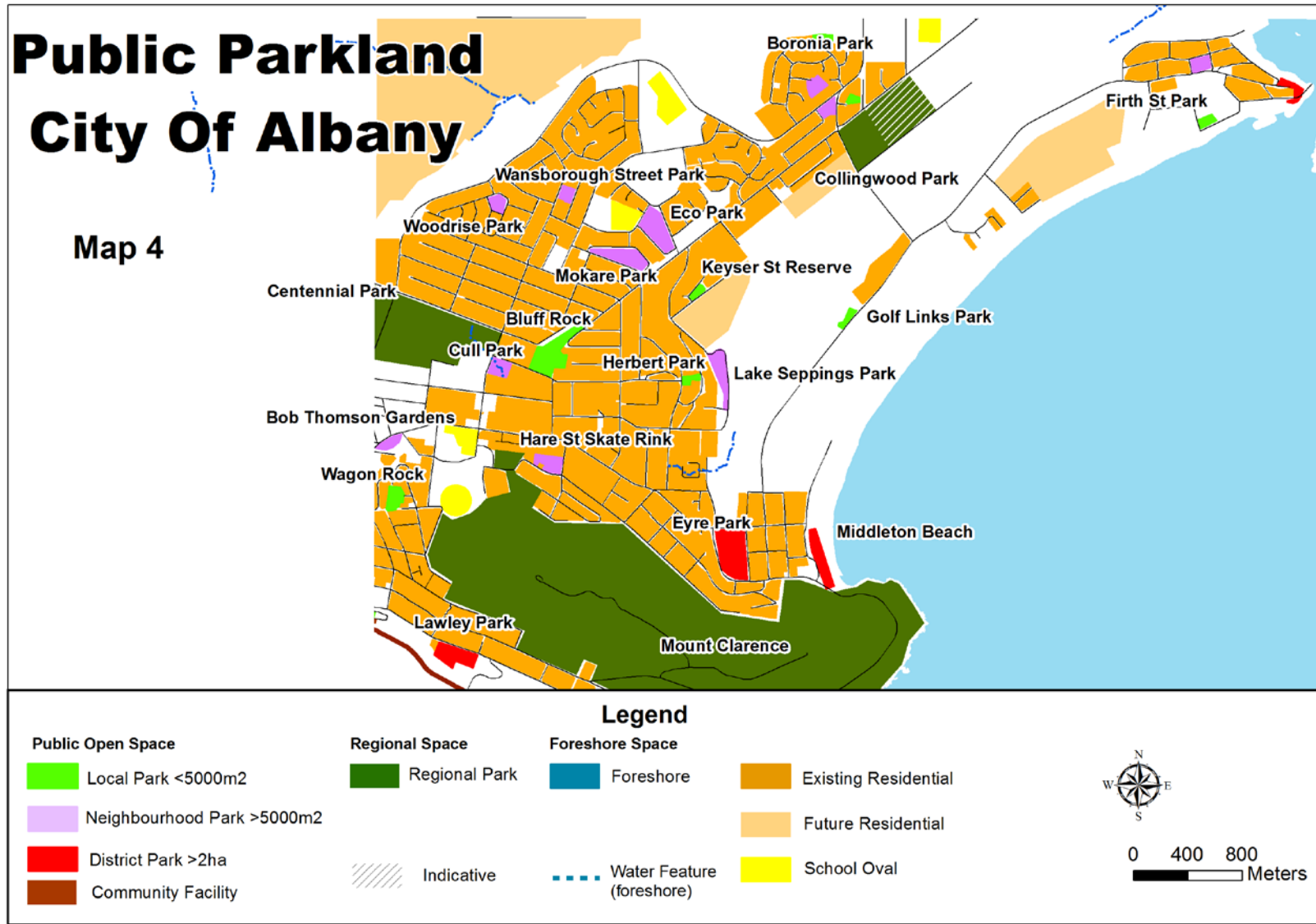


Figure 7 Public Parkland – Map 5

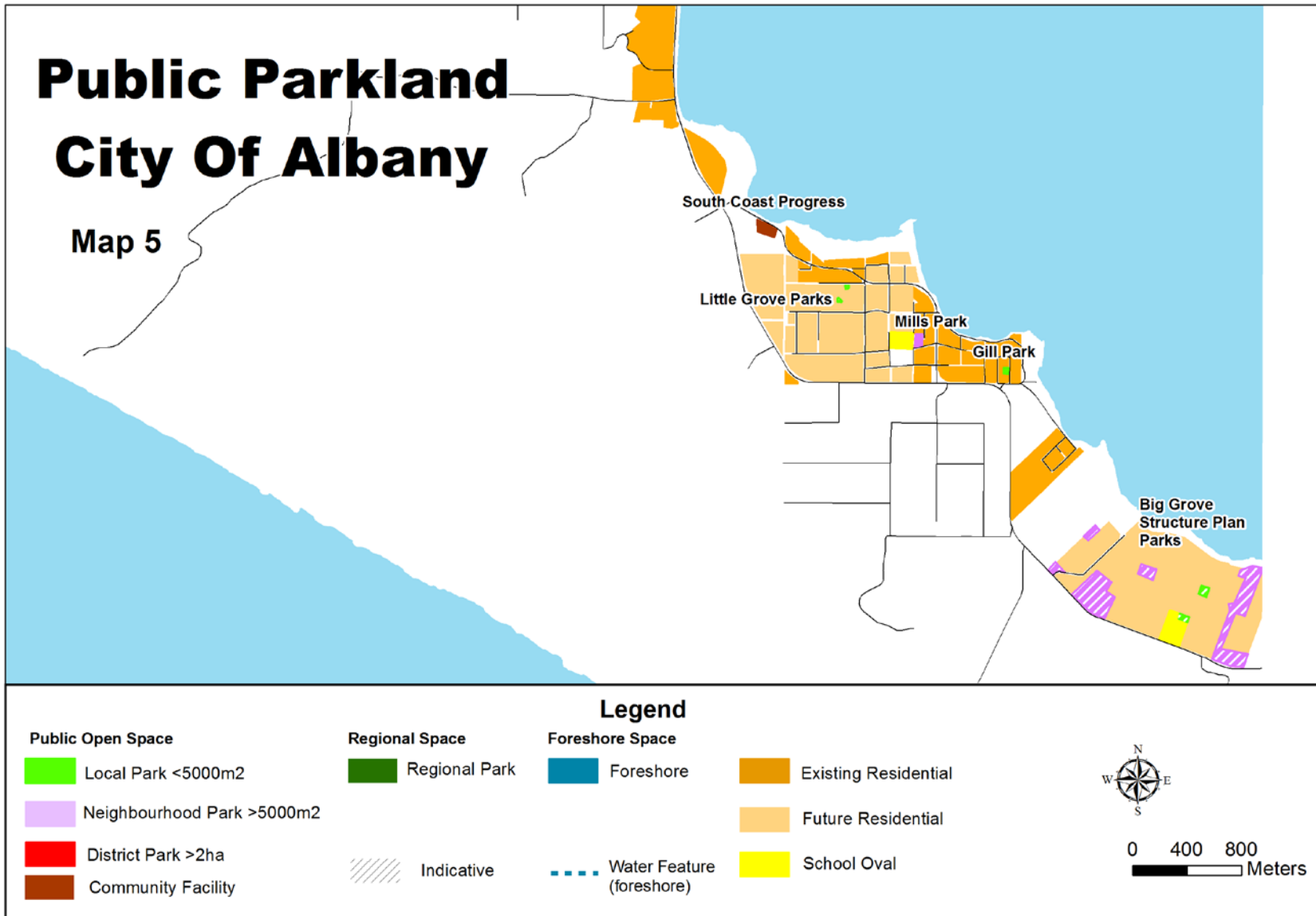
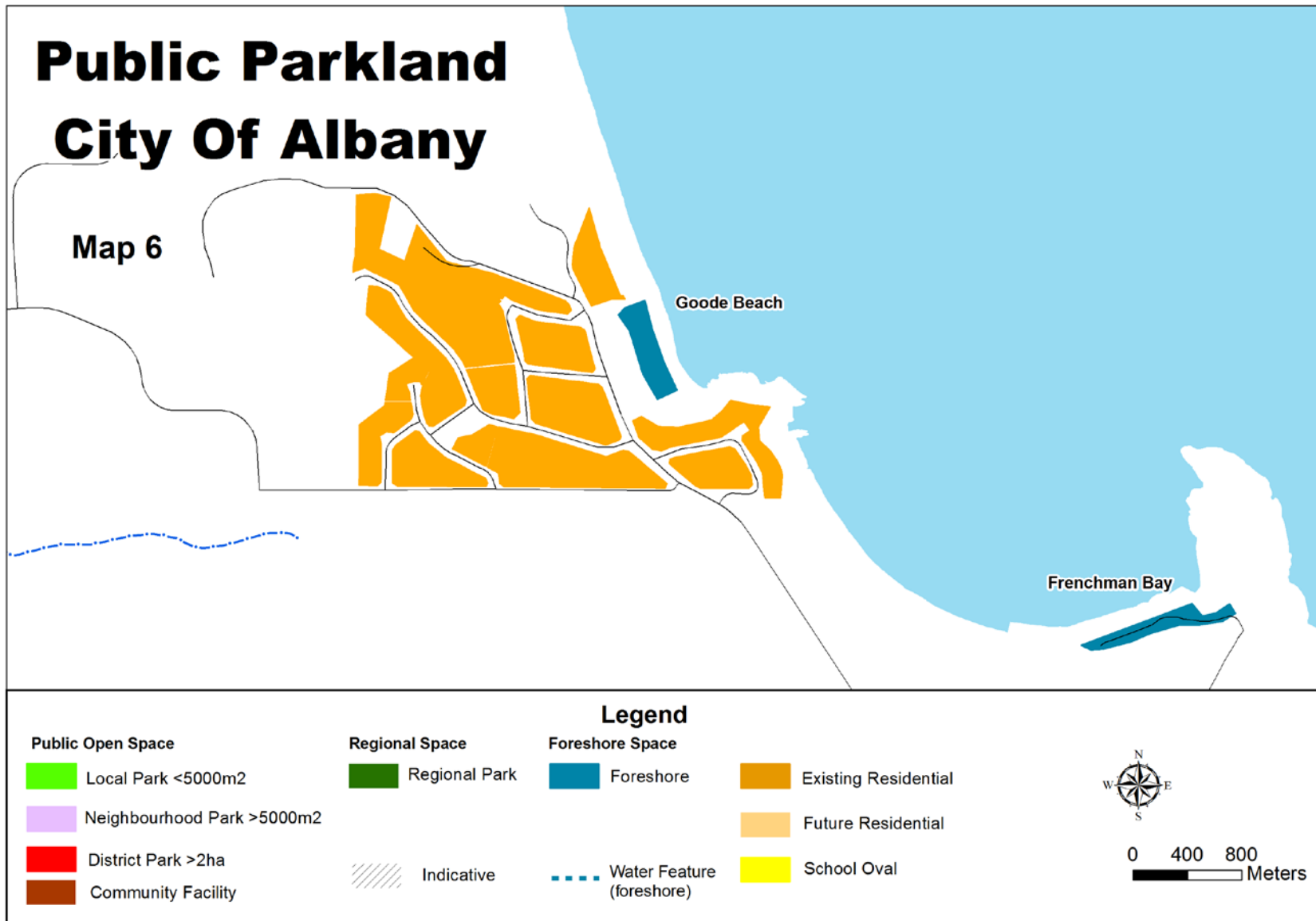


Figure 8 Public Parkland – Map 6



DOMESTIC WIND TURBINES

Objectives:

- 1) To encourage installation of domestic wind turbines for residential developments.**
- 2) To ensure that streetscape and local amenity values of the local area are not adversely affected through unacceptable visual or acoustic impacts from the operation of wind turbines.**
- 3) To introduce standards for the siting and development of renewable energy systems.**

Definitions

“Domestic Wind Turbine” - shall mean any wind energy system that is used to generate electricity for domestic energy consumption.

Scope

This policy applies to all land within the Residential, Tourist Residential, Special Residential, Special Rural, General Agriculture and Priority Agriculture, Industrial, Conservation and Yakamia Creek zones in the area subject to Local Planning Scheme 1.

Policy Statement

Acceptable Development

Proposals that meet the acceptable criteria within Table 1 will not require planning scheme consent to be issued, as they are deemed acceptable, however a building licence will be required to be submitted.

Requirement for Planning Scheme Consent

Proposals that do not meet all the acceptable development provisions as set out in Table 1 will require planning scheme consent before the system is installed, and will be referred to adjoining properties as per the consultation requirements of the Planning Processes Guidelines.

Information and Justification to be provided

Where an application for Planning Scheme Consent is required the following information/justification will be required to be submitted:

- 1) Site plan showing all boundaries, proposed position and setbacks of the turbine, lot number, dimensions, contours, north point and street names.
- 2) Details of all buildings on any adjoining properties.
- 3) Details of the turbine including purpose for the system, capacities/volumes, information on noise and visual impacts on adjoining properties and public roads, streetscape etc.
- 4) Except in General Agriculture and Priority Agriculture and conservation zones a photomontage image being provided providing a visual perspective of the turbine from the streetscape.

Compliance with Environmental Protection (Noise) Regulations 1997

Proponents must ensure that the installation, maintenance and operation of the turbine effectively minimises any impacts, particularly visual and/or noise generation and does not exceed the prescribed limits in the *Environmental Protection (Noise) Regulations* or other relevant legislation. If in the opinion of Council, the system or its use is causing nuisance or annoyance to neighbours or owner/occupiers of the land in the vicinity of the approved use, Council may under its planning scheme controls require the turbine to be modified to remove the nuisance or annoyance.

TABLE 1 – ACCEPTABLE DEVELOPMENT CRITERIA

Size, Siting and Amenity	Total Height	Noise	Setbacks
<ul style="list-style-type: none"> • Is a domestic wind energy system. • Is not located between front of building and street or is within the approved building envelope. • The turbine is fitted with an automatic and/or manual braking system or over speed protection device. • The generator, blades and tower structure shall be made of non-reflective materials or coloured, toned or painted to reduce reflection into adjoining properties. • Electrical components and wiring shall not be visible from adjoining properties or public road etc. • Any system that connects to the electricity or water supply shall comply with the requirements of the relevant government agency. • In the General Agriculture and Priority Agriculture Zone, has a capacity of 5kW or less. 	<p><u>Pole or Tower Mounted:</u></p> <ul style="list-style-type: none"> • 6m (maximum) in Residential and Tourist Residential zones; • 9m (maximum) in Special Residential Zones; • 12m (maximum) in Special General Agriculture and Priority Agriculture and Conservation Zones and General Agriculture and Priority Agriculture lots under 2 hectares. • 15m (maximum) on General Agriculture and Priority Agriculture lots over 2 hectares. <p><u>Roof Mounted:</u> 2m above roof (maximum).</p>	<p>Comply with <i>Environmental Protection (Noise) Regulations 1997</i>. (Note: In the event of Council receiving neighbourhood noise complaints, the applicant will be responsible for providing evidence from a suitably qualified acoustic consultant to prove the system's compliance with the EP Noise Regulations).</p>	<p><u>Pole or Tower Mounted:</u> To be setback from side and rear boundaries equal to the total height of the system as a minimum, and must be within allocated building envelope where applicable.</p> <p><u>Roof Mounted:</u> To be setback a minimum of 7.5m from any major opening of any building.</p>

HOLIDAY ACCOMMODATION

Policy Statement

1. This Policy has been adopted in accordance with Part 2 of *Local Planning Scheme 1*.
2. Local Government is to have due regard to the provisions of this Policy and the objectives which the Policy is designed to achieve before making its determination.

Objective

3. To encourage good quality, well managed holiday accommodation for use by short-term visitors generally in locations that will enhance the tourism experience while minimising potential impacts on adjoining residents.

Scope

4. This Policy applies to applications for Holiday Accommodation.

Definition

5. Holiday Accommodation: means any land and/or building providing accommodation and recreation facilities for guests/tourists on a short-term commercial basis and may include a shop or dining area incidental to the function providing limited services to patrons (Source: *Local Planning Scheme 1*).
6. Short Stay: means that no person is to stay more than three months in any 12 month period.

Note: *Holiday Accommodation is not the same as 'Bed and Breakfast'.*

Bed and breakfast/farmstay means a dwelling, used by a resident of the dwelling, to provide accommodation for no more than six guests away from their normal place of residence on a short-term commercial basis within the dwelling and may include the provision of meals.

Strategic Context

7. This Policy relates directly to the following element of the *Community Strategic Plan "Albany 2023"*: *to advocate, plan and build friendly and connected communities.*

Legislative Context

Zoning/Location

8. 'Holiday Accommodation' is not permitted in the 'Residential', 'Caravan and Camping', 'Regional Centre', 'Rural Small Holding' and 'Rural Village' zones unless the Local Government has exercised its discretion by granting planning approval.
9. 'Holiday Accommodation' is not permitted in the 'Yakamia Creek', 'General Agriculture' and 'Priority Agriculture' zones unless the Local Government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4 of the *Local Planning Scheme 1*.
10. 'Holiday Accommodation' is permitted in the 'Tourist Residential' and 'Hotel/Motel' zones providing the use complies with requirements of the Scheme.

Policy Provisions

Referral to Council

11. Where a neighbour objects to a proposal for Holiday Accommodation, the application is to be referred to the Council for deliberation and considered in view of the following:

- a. The proximity of the holiday accommodation to key tourism attractions such as the beach or town centre/activity centre (typically a 5 minute walk – 400m); and/or
- b. Location within a street(s) which facilitates safe, efficient and pleasant walking, cycling and driving; and/or
- c. Location compatible with Figure A (refer to attachment - the areas illustrated are within close proximity to the town centre and popular swimming beaches); and
- d. A management plan designed to facilitate community concerns.

Management Plan

12. On application for Holiday Accommodation, a Management Plan shall be submitted to address matters including:

- a. Effective on-going management;
 - i. The responsibility for appropriate on-going management rests with the proponent to ensure that visitors are responsible and do not create inappropriate impacts (including noise) to adjoining/nearby properties. Suitable on-going management can be more difficult if owners live a considerable distance from the application site. Accordingly, as part of the planning application, the local government will require the proponent to outline how the site will be managed, especially if the owners do not live nearby.
- b. The amenity of adjoining/nearby land uses;
 - ii. managing noise impacts of visitors;
 - iii. the submission of a code of conduct for guests which shall, amongst others, list what is considered acceptable and unacceptable behavior;
 - iv. outlining how the premises will be managed on a day-to-day basis (including how keys are easily available for late entry, providing onsite assistance and confirming arrangements for cleaning/waste management);
 - v. relevant site specific matters including fire management/emergency response plans for visitors and managing risks for visitors; and
 - vi. the handling of complaints (it is expected that the tenant be contacted by phone immediately and the proponent or their representative visit the property, preferably within 12 hours).

Amount of Persons Residing

13. The amount of guests residing within holiday accommodation is to comply with the following standards:

- a. 4 square metres per person in each bedroom utilising beds;
- b. 2.5 square metres per person in each bedroom utilising bunks; and
- c. Maximum of 12 persons within a 'Single House' at any time.

Note: Where more than 12 guests are proposed, the premise is classified under the

Health Act 1911 as a “lodging house” and will require further approval (from Environmental Health). A planning application for a lodging house shall be treated as a “use not listed” under the provisions of the Town Planning Scheme.

Period of Stay

14. The maximum stay for any one person within a building approved for holiday accommodation is 3 months within any 12 month period.

Register

15. Operators must provide and maintain a register of all people who utilise the holiday accommodation during the year to Council’s satisfaction.

Car Parking

16. At a minimum, 2 on-site car parking bays are to be provided per 6 guests (4 car-parks/12 guests).

17. Tandem parking may be permitted for a maximum of one vehicle behind another vehicle.

18. All car parking is to be contained on-site and no verge area should be used for car parking.

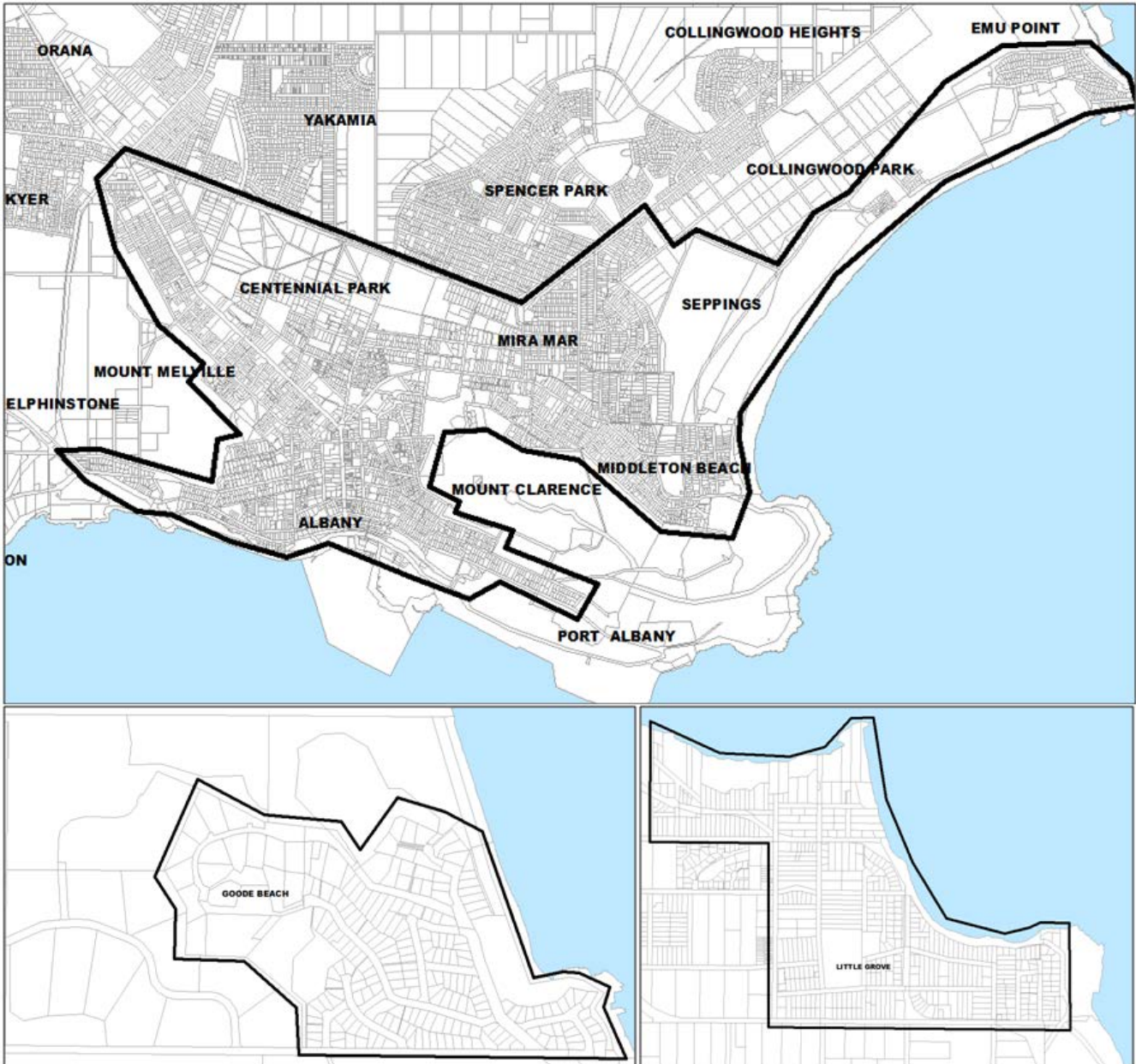
19. It is common for holiday makers to have a boat, trailer, caravan etc. and there should be additional space allocated for such. All vehicle access (including crossovers) and car parking areas are to be sealed and drained to the approval of the local government.

Note: A new proprietor wishing to continue the use of the site for holiday accommodation will need to provide an updated management plan.

Except as otherwise provided in the Scheme, a ‘Single House’ does not require planning approval of the Local Government.

Reverting holiday accommodation back to permanent accommodation (‘Single House’) does not require the approval of the Local Government.

Figure A – Preferred Areas for Holiday Accommodation



RESIDENTIAL BUILDING

Policy Statement

1. This Policy has been adopted in accordance with Part 2 of Local Planning Scheme 1.
2. Local Government is to have due regard to the provisions of this Policy and the objectives which the Policy is designed to achieve before making its determination.

Objective

3. This Policy is intended to regulate the use and development of 'Residential Building's' as a means to minimize the potential impacts from the development on the character of the immediate neighbourhood.

Scope

4. This Policy applies to 'Residential Buildings' as defined in the WAPC Residential Design Codes (R Codes), and that are intended, adapted or designed to be used for the purpose of being occupied temporarily by two or more persons, or permanently by seven or more persons, who do not comprise a single family.
5. This Policy does not apply to buildings that are defined in the R Codes as a Single House or to housing used for holiday or short stay accommodation. (eg. Bed and Breakfast and Holiday Accommodation).

Definitions

6. A 'Residential Building' is defined in the Residential Design Codes as:

"a building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:

- a. *Temporarily by two or more persons; or*
- b. *Permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school."*

7. Temporarily means: *period of continuous stay is limited to 6 months.*
8. Permanently means: *period of continuous stay is greater than 6 months.*
9. Manager means: *an appropriately authorized person(s) who is responsible for supervising and motivating the building tenants, and has the authority and responsibility to make decisions regarding the operation and management of the building and its occupants.*

Note: For the purpose of this policy, an application for permanent accommodation (greater than 6 months), for no more than six persons who do not comprise a family, falls under the use class 'Single House' and therefore does not relate to this policy.

Residential Design Code definition for Single House:

"A building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family."

Strategic Context

10. This Policy relates directly to the following element of the *Community Strategic Plan “Albany 2023”*: *to advocate, plan and build friendly and connected communities.*

Legislative Context

Zoning/Location

11. A ‘Residential Building’ is not permitted in the ‘Residential’, Tourist Residential’ and ‘Regional Centre’ zones unless the Local Government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4 of the Local Planning Scheme 1.

(i) Legislation	(ii) Policies
(iii) <i>Housing Act 1980</i>	(iv) <i>The Affordable Housing Strategy: 2010-2020 Opening Doors to Affordable Housing</i>
(v) <i>Disability Services Act 1993</i>	(vi) <i>Department of Housing: Eligibility Policy</i>
(vii) <i>Mental Health Act 1996</i>	(viii) <i>Department of Housing: Rental Policy</i>
(ix) <i>Residential Tenancies Act 1987</i>	(x) <i>Department of Housing: Building Program Policy</i>

Policy Provisions

12. While considering an application for a Residential Building, the City may give consideration to the application subject to the application meeting the following conditions:

Residential Building being used temporarily

- a) A Residential Building intended to be used for a temporary period is to employ a live in manager. The live in manager is not be absent from the Residential Building, unless he or she leaves a reputable person in charge thereof.

Advice

The Residential Building, being used temporarily is to comply with design requirements consistent with a Class 1B defined under the Building Act and Regulations, including requirements to cater for people with disabilities and hardwired smoke alarms.

Residential Building being used temporarily or permanently

- b) A manager is to be appointed to have the care and management of the Residential Building and tenants and is to:
 - i. Obtain a written agreement from tenants to the terms of tenancy, in particular non disruptive behavior standards in accordance with the Residential Tenancies Act 1987;
 - ii. keep a register of lodgers to be kept in the building and open to inspection at any

- time on demand by any member of the Police Service or by an officer from the City of Albany;
- iii. give notice of termination to a tenant upon the ground that the tenant has breached a term of the agreement and the breach has not been remedied in accordance with the Residential Tenancies Act 1987;
- iv. regularly educate members of a Residential Building of rules and regulations to abide by;
- v. ensure that repairs/maintenance of the building, furnishings, and equipment is completed in a timely manner; and
- vi.

Advice

The City's Environmental Health Officers and Planning Compliance Officers will undertake routine inspections of registered 'Residential Buildings' to ensure compliance with Health Regulations, City of Albany Health Local Laws 2001, and any relevant planning conditions.

- c) The tenants of a 'Residential Building' shall not prejudicially affect the amenity of the neighbourhood through and for example by the creation of excessive noise, vibration or antisocial behaviour. .
- d) The design of a 'Residential Building', incidental developments (carport) and areas of open space is to be developed and maintained so as not to detract from the character of the local area.
- e) One (1) car-parking space is to be provided for every two beds of a Residential Building.
- f) The City may require additional improvements to be made to the Building to mitigate its impact on amenity to the surrounding neighborhood, including: modifications to design; painting; landscaping; buffers to surrounding uses; constructing new fencing; rendering walls; re-roofing; and crime prevention measures (e.g. Lighting and permeable fencing)
- g) Details to be included in an application for a 'Residential Building' include:
 - i. Site and floor plan;
 - ii. The number of bedrooms and beds proposed to be used;
 - iii. Details for onsite car-parking;
 - iv. Nominate period of stay (temporary or permanent)
 - v. A management plan detailing:
 - a. The name, address and contact details of the owner and manager of the Residential Building;
 - b. Terms of tenancy and including behavior standards (refer to Residential Tenancies Act 1 1987).

RESIDENTIAL DEVELOPMENT

VARIATIONS TO THE RESIDENTIAL DESIGN CODES

Objective:

To ensure the local topography and built character of a street or suburb is protected by varying an inappropriate element of the Residential Design Codes.

Policy Statement

The specific variations that apply to the Residential Design Codes are set out in the following Table 1 (Variations to Residential Design Codes).

Table 1 – Variations to Residential Design Codes

Design Code	Variation
Part 6 – Design Principles Setback of garages and carports	Additional Deemed-to-comply requirements Carports setback 3.0m from primary street and 1.5m from a secondary street.
Part 6 – Design Principles Excavation or fill	Additional Deemed-to-comply requirements Retaining walls on the side or rear lot boundaries that adjoin reserved land, not exceeding 1.0m in height from natural ground level. Where land is included within Schedule 1 of the Sloping Land Policy (Element D) the extent of cut and fill is to be in accordance with that Policy. Additional Design Principles Retaining walls that will not detrimentally affect the character and/or amenity of the streetscape or when viewed from reserve areas. Where adjacent to reserved lands walls that do not facilitate a decrease in the direct visual surveillance of a public area.
Part 6 – Design Principles Outbuildings	See Policy – Non Habitable structures (Element A).

RELOCATED DWELLINGS

Objective:

To ensure that relocated (second hand) dwellings are constructed in keeping with the character of existing dwellings in the street.

Definition

“Relocated Dwelling” means a dwelling which has been previously constructed on a building site whether within the district or elsewhere whether occupied or not.

Policy Provisions

1. Relocated dwelling is not permitted unless planning consent to it is granted by the City.
2. Relocated dwelling(s) may be considered in the following zones:
 - a. Residential;
 - b. Tourist Residential;
 - c. Central Area;
 - d. Yakamia Creek;
 - e. General Agriculture and Priority Agriculture;
 - f. Future Urban;
 - g. Special Rural;
 - h. Special Residential;
 - i. Conservation;
 - j. Rural village;
 - k. General Industry; and
 - l. Light Industry.
3. Planning consent shall be obtained before the dwelling can be relocated onto any property. Any application shall be accompanied by:
 - a. relevant application fee;
 - b. photographs of the front, rear and side of the dwelling;
 - c. a proposed site/location plan;
 - d. floor plan; and
 - e. redevelopment details (eg. building materials to be used – wall cladding).
4. The application/owner is to provide a bond/bank guarantee as surety for the completion of the relocated dwelling to a standard of presentation acceptable to Council. This shall be a minimum of \$10,000. Council will release the bond/bank guarantee in full upon being satisfied that the building is completed to a suitable standard.
5. All works required to be undertaken to the relocated dwelling by the terms and conditions of the City’s planning and building approvals must be completed within twenty four (24) months of the dwelling being placed on the new site.
6. Removal of asbestos materials from dwellings is to be carried out prior to relocating the dwelling (refer to Health (Asbestos) Regulations 1992).
7. The external surfaces of the dwelling shall be re-clad in materials similar to existing dwellings in the neighbourhood. Where existing dwellings are brick developed, the City may support a combination of materials inclusive of brick (eg. brick and/or timber/gyprock horizontal cladding and/or custom orb or trimdeck cladding).

CONSULTING ROOMS, PUBLIC WORSHIP & CHILD CARE CENTRES

Objective:

To ensure consulting rooms, places of public worship and child care centres are compatible with the existing scale and character of the surrounding residential area and do not affect the amenity of the area through increased traffic movements generated by the use.

Policy Statement

Where Consulting Rooms / Places of Public Worship (churches) and Child Care Centres are proposed in the Residential Zone the following shall apply:

- 1) the bulk, scale and appearance of the development shall be in keeping with the existing residential character of the area;
- 2) the building shall be setback in accordance with the prevailing setback of buildings in the locality.
- 3) car parking areas are to be positioned behind the building.
- 4) the road servicing the development shall be a local distributor road that is capable of supporting the additional traffic generated by the development.
- 5) preference shall be given to development which is located on a corner lot to allow for improved traffic distribution, provide a buffer to surrounding residences and to reduce the impact on the streetscape.

COMMERCIAL AND INDUSTRIAL DEVELOPMENT

PUBLIC ART

Objective:

To develop and promote community identity within the City of Albany by requiring commissioned public art works as part of private development projects within the City of Albany.

Policy Statement

Private developments involving commercial, non-residential and or mixed residential/commercial developments over the value of \$1,500,000 are required to allocate 1% of the estimated total project cost for the development of public artwork which reflect or enhance local cultural identity.

BUILDING FACADES IN INDUSTRIAL ZONES

Objective:

To ensure the industrial building facade facing a public street is constructed to a high standard to improve the overall amenity of industrial areas within the district.

Policy Statement

The front facades of any new building or a refurbished building in all industrial zones throughout the City shall be designed to enhance the visual appearance of the building from the street. A combination of building materials is encouraged, however the use of metal sheeting on the front façade should not be the substantial material used.

GENERAL
AGRICULTURE,
PRIORITY
AGRICULTURE
AND
ENVIRONMENT

WORKERS ACCOMMODATION (SEASONAL)

Objective:

To provide opportunities for transient employees to live and work on General Agriculture and Priority Agriculture zoned properties during seasonal harvest / production when labour demands are at their highest.

Policy Statement

- 1) Workers accommodation will only be approved on a property zoned 'General Agriculture or Priority Agriculture', and be located no less than 5 kilometres from the City Centre (Town Hall).
- 2) Workers accommodation should only be approved where it can be demonstrated that the land uses on the land warrant additional labour and shall only be occupied for the harvest period of the crop on the land.
- 3) Workers accommodation should be clustered near the primary residence or other farm buildings on the land to minimise the impacts on adjoining properties and to enable the sharing of infrastructure.

EXTRACTIVE INDUSTRIES AND MINING

Objective:

To protect mineral resources from encroaching developments and support extractive industries and mining operations that do not detract from the environment or adjacent uses.

Background

In March 2009 the City of Albany Extractive Industries Local Law was published in the Government Gazette.

The purpose of the Local Law is to provide guidance for those developers who wish to extract various materials, predominantly gravel, sand and limestone, from below the surface of the land. It sets out what information should be submitted, and how Council should process such applications.

Throughout the advertising of the Local Law, comments were received from small-time developers who questioned the validity of Council's requirements (which included drainage plans, acoustic testing and surveyors certification) given the amount of material extracted. They wanted Council to recognise the difference between a minor extraction and a quarry, which may be in operation for several years.

Council's Works and Services Department were also anticipating administrative delays with the Local Law, particularly when it came time to extract gravel to create or maintain local roads.

Policy Statement

This Policy seeks to classify extractive industry applications into three (3) distinct classes, whereby Council's application requirements would differ according to class.

Extractive Industry Classification

In order to determine what level of information is required for an extractive industry application, a three class rating system has been developed ranging from Class 1 (small scale) to Class 3 (commercial). As stipulated in Table 1 below, a Class 3 extractive industry would require more information than a Class 1, as the potential impacts of the development are likely to be more profound. The criteria for each of the three classes are detailed below, along with common examples pertinent to each Class.

Class 1 – An application can be given a Class 1 rating where the following applies:

- The size of the extraction site is less than or equal to 7500m² or 0.75 hectares
- Maximum depth of excavation does not exceed 1.5 metres

Examples of a Class 1 Extractive Industry would include the short term extraction of gravel or sand for localised construction purpose such as the maintenance of gravel roads, and the construction of dwellings and driveways.

Class 2 – An application can be given a Class 2 rating where the following applies:

- The size of the extraction site is between 0.75 hectares and three (3) hectares
- Maximum depth of excavation does not exceed 3 metres

Example of a Class 2 Extractive Industry would include the regular extraction of sand, gravel or limestone to supply the local market, predominantly for the local building industry. Many of the medium to large building companies have exclusive use of such extraction pits (either owned or leased), in order to construct driveways, and provide clean fill to housing sites across the Albany Region.

Class 3 – An application is given a Class 3 rating where the following applies:

- All others which are greater than three (3) hectares in size or 3 metres in depth

Example of a Class 3 Extractive Industry would include the full time extraction of sand, gravel or limestone for the purposes of supplying the local, state and international markets. A classic example would be a large lime quarry, which is likely to excavate to a depth in excess of 10-15 metres, and be open for several years depending on the level of resource.

General Development Requirements

Notwithstanding the specific requirements as detailed within Table One, the following general requirements shall apply to all extractive industry proposals:

- 1) No excavation is to occur within 200 metres of a residence not located on the subject property;
- 2) Buffers in accordance with EPA requirements to be accommodated within the boundaries of the subject property;
- 3) The proposed pit is to be setback a minimum of 30 metres from any public road;
- 4) No excavation is to occur within 50 metres of a water course or body;
- 5) The clearing of remnant vegetation to access basic raw materials is discouraged, however where vegetation is affected as part of the proposal Council will consider the advice from the Department of Environment and Conservation;
- 6) Any extractive industry should not be located within visually obvious locations (locations obvious from major roads, townsites and tourist nodes);
- 7) Class 1 and 2 industries are to provide a written statement verifying that they have complied with all conditions of their planning scheme consent at the time of annual renewal. Class 2 industries may be asked to comply with the Local Law requirements applying to Class 3 operations in regards to annual renewal requirements; at the time of licence approval where the type or size of operation dictates a higher level of monitoring is required.
- 8) New development shall be sited and designed to ensure that known reserves of basic raw materials and minerals shown on the following plans are not unreasonably precluded from future extraction.

Information applicable to each Class

The following Table (Table 1) dictates what information is required for each extractive industry class. Before applying this table, the application should be classed as a Class 1, 2 or 3 application as outlined above.

Table 1: Extractive Industries – Requirements

Information Required with Application	Class 1	Class 2	Class 3
(A) Three (3) copies of site plan to a scale between 1:500 and 1:2000 showing:			
i) The existing and proposed land contours based on the Australian Height Datum and plotted at 1m contour intervals.	D	√	√
ii) Description of Land which the extractive	√	√	√

Information Required with Application	Class 1	Class 2	Class 3
industry site is to be located.			
iii) The external surface dimensions of the land.	√	√	√
iv) The location and depth of the existing and proposed excavation of the land.	√	√	√
v) The location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land.	√	√	√
vi) The location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land.	√	√	√
vii) The location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land.	√	√	√
viii) The location of all existing dams, watercourses, drains or sumps on or adjacent to the land.	D (only in vicinity of extraction site)	√	√
ix) The location and description of existing and proposed fences, gates and warning signs around the land.	D	D (only in vicinity of major road)	√
x) The location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere.	D	√	√
(B) Three (3) copies of a works and excavation program containing:			
i) The nature and estimated duration of the proposed extraction for which the licence is applied.	√	√	√
ii) The stages and the timing of the stages in which it is proposed to carry out the extraction.	X	(Only if extraction site is greater than 2 hectares)	√
iii) Details of the methods to be employed in the proposed excavation and a description of any on-site processing works.	√	√	√
iv) Details of the depth and extent of the existing and proposed excavation of the site.	√	√	√
v) An estimate of the depth of and the description of the nature and quantity of the overburden to be removed.	√	√	√
vi) A description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled.	√	√	√
vii) A description of the means of access to the excavation site and the types of thoroughfares to be constructed.	D	√	√
viii) Details of the proposed number and size of trucks entering and leaving the site each day and	D	√	√

Information Required with Application	Class 1	Class 2	Class 3
the route or routes to be taken by those vehicles.			
ix) A description of any proposed buildings, treatment plant, tanks and other improvements.	(only in vicinity of extraction site)	√	√
x) Details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained.	D	√	√
xi) A description of the measures to be taken to minimise dust nuisance, erosion, watercourse siltation and dangers to the general public.	√	√	√
xii) A description of the measures to be taken to comply with the Environmental Protection Noise Regulations 1997.	X	(Applicable where a residence is within 300m of extraction site)	√
xiii) A description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land.	D	(applicable where remnant vegetation and water-courses are found on the property)	√
xiv) Details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation.	(Applicable if remnant vegetation will be affected by the proposed excavation site)	√	√
xv) A description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas.	√	√	√
(C) Three (3) copies of a rehabilitation and decommissioning program indicating:			
The objectives of the program, having due regard to the nature of the surrounding area and proposed end-use of the excavation site.	√	√	√
Whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations.	√	√	√
How each face is to be made safe and batters sloped.	D	√	√
xvi) The method by which topsoil is to be replaced and revegetated.	√	√	√
xvii) The number and type of trees and shrubs to be planted and other landscaping features to be developed.	(only applicable where remnant vegetation has been cleared)	√	√
xviii) How rehabilitated areas are to be maintained.	√	√	√
xix) The program for the removal of buildings,	X	√	√

Information Required with Application	Class 1	Class 2	Class 3
plant, waste and final site cleanup			
(D) Evidence of Datum Peg / Surveyors Certificate			
i) Evidence that a datum peg has been established on the land related to a point approved by the local government on the surface of a constructed public thoroughfare or such other land in the vicinity.	(only if access onto public thoroughfare is from a major road, or where sight distances may be compromised)	√	√
ii) A certificate from a licenced surveyor certifying the correctness of: (a) the approved excavation site plan; (b) the datum peg and related point referred to in D(i); and (c) pegs to mark external boundary of extraction area.	X	D (when pit area is in excess of 2 hectares)	√
iii) Copies of all land use planning approvals required under any planning legislation.	√	√	√
iv) The consent in writing to the application from the owner of the excavation site.	√	√	√
v) Evidence that a notice of clearing has been given to the Commissioner of Soil and Land Conservation if that is required under regulation 4 of the Soil and Land Conservation Regulations 1992.	X	(only if clearing of vegetation required)	(only if clearing of vegetation required)
vi) The licence application fee specified by the local government from time to time.	√	√	√

Table 1

Information required when applying for an Extractive Industry Licence – (Class 1 – 3)

Key – ‘X’ = not required, ‘√’ = required, & ‘D’ = subject to detail.

DEVELOPMENT IN FLOOD PRONE AREAS

Objective:

To ensure development adjacent to water bodies and land prone to flooding is appropriately located and positioned at an established finished floor level to reduce the potential for property damage.

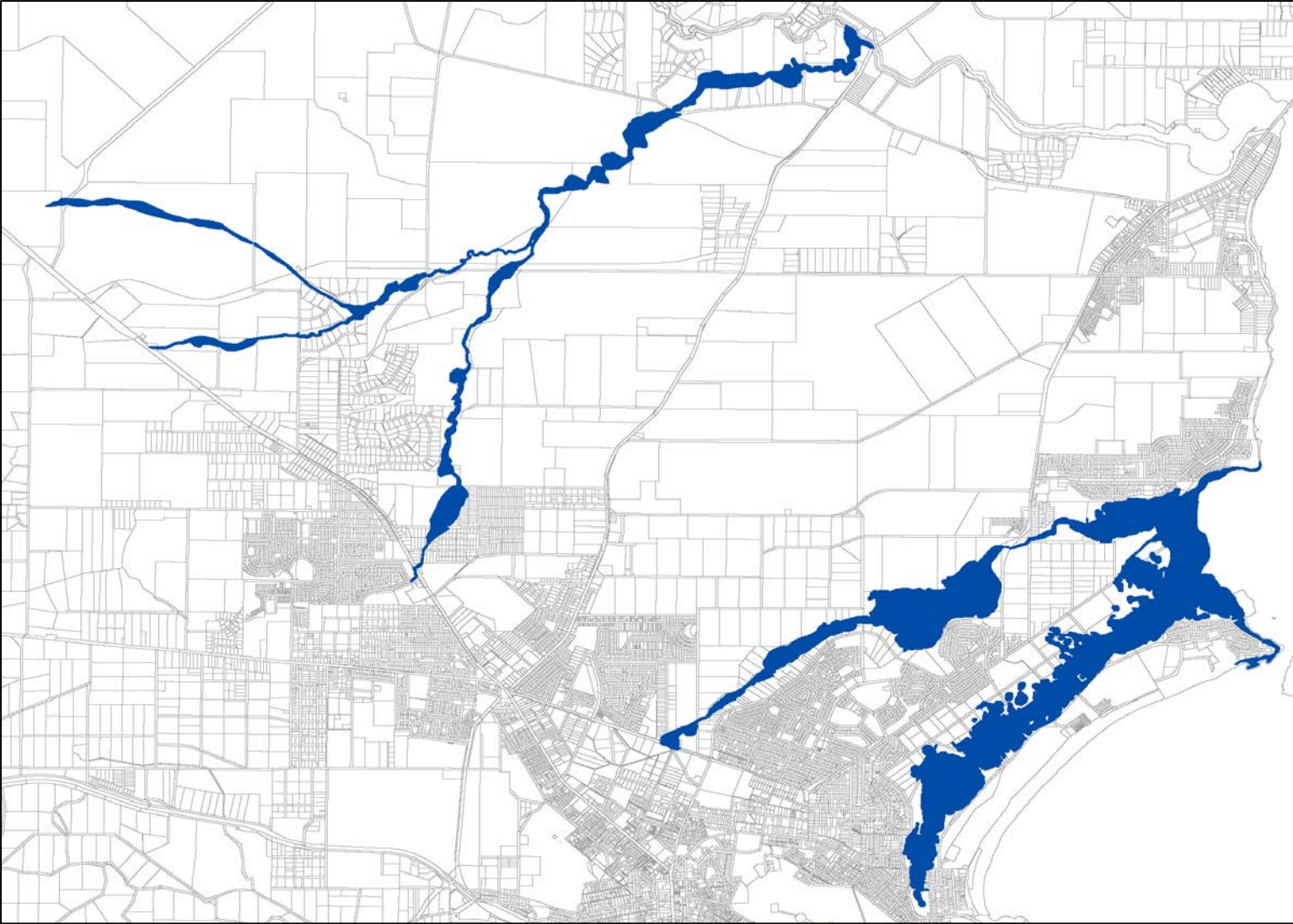
Policy Statement

In areas subject to periodic inundation or flooding, all development shall be undertaken to:

- 1) prevent disruption to the natural drainage system or the modification of the flood levels that would be experienced within the drainage system;
- 2) limit the potential for damage to buildings caused by flooding and/or inundation by ensuring minimum height levels for the building and its immediate environs are achieved; and
- 3) maintain the natural ecological and drainage function of the area to store and convey stormwater and floodwater within the watercourse, drainage system or floodplain.
- 4) in the case of those areas affected by flood plains as identified on the attached map, development shall be located outside of these areas at the recommended finished floor levels specified below.

In the case of land adjacent to the following areas, all habitable buildings to be constructed with a minimum finished floor level height as designated below:

- 1) Princess Royal Harbour and Oyster Harbour – 3.02m AHD
- 2) Lake Seppings - 2.68m AHD;
- 3) Yakamia Creek - 0.5m above the designated flood level shown adjacent to the site in the Water and Rivers Commission/Aquaterra Floodplain Management, Yakamia Creek Flood Study (Plans 15264-3-1 to 15264-3-3) or any replacement study;
- 4) Willyung Creek - 0.5m above the designated flood level shown adjacent to the site in the Department of Water/GHD Willyung Creek Flood Study or any replacement study;
- 5) Lake Powell - 1.88m AHD;
- 6) Lake Manurup – 1.08m AHD;
- 7) Torbay Inlet – 2.28m AHD;
- 8) Wilson Inlet - 2.88m AHD; and
 - a) the subsoil adjacent to the proposed development to be effectively drained; and/or
 - b) the surface of the ground beneath the building to be regraded or filled and provided with adequate drainage outlets to prevent the accumulation of water beneath the building; and/or
 - c) the surface of the ground beneath the building to be covered with an approved damp-resistant material (moisture barrier).



AGRICULTURAL PROTECTION AND SUBDIVISION

Objective:

To protect existing and potential agricultural production from unjustified urban development and to promote the sustainable use of land and water resources in order to maximise the long term future of agriculture.

Background

Agriculture is the main land use and major employment industry in the study area and the prosperity of the City is dependent on the prosperity of agriculture. Although some of the factors influencing the viability of agriculture (e.g. world trade prices) are outside the scope of this strategy, others are not.

Urban development may reduce the availability of prime agricultural land and the subdivision of General Agriculture and Priority Agriculture areas may reduce the viability of agricultural enterprises in a number of ways. Non-sustainable agricultural methods themselves can also be responsible for reducing the value of agricultural land. All of these factors can be influenced by land use controls and management.

Policy Statement

Impact of Land Uses on Agriculture

All non-agricultural land use proposals will be assessed in terms of their potential impact on or conflict with;

- 1) existing agricultural land uses and management practices including potential expansion of those uses; and
- 2) likely development of adjoining land by 'P' uses.

Treatment of Land Uses Proposals in Agricultural Areas

- 1) Where a non-agricultural land use proposal would cause unacceptable adverse impacts on or conflicts with agricultural land uses, the proposal will not be supported; and
- 2) Where a non-agricultural land use proposal would affect land within an agricultural area but would not cause unacceptable conflicts with agricultural land uses, the proposal may be supported by Council, subject to conditions which would minimise the potential for land use conflicts (eg: setbacks from agricultural uses and limits on the scale of development).

Criteria for Support for Subdivision of General Agriculture and Priority Agriculture Land

Council may support the subdivision of General Agriculture and Priority Agriculture land where at least one of the following can be satisfied:

- 1) The subdivision is within a rural residential or environmental protection zone and appropriate land use provisions are in place;
- 2) The subdivision is for farm consolidation purposes and complies with policy statement F2.4;
- 3) The purpose of the subdivision is to excise an existing approved intensive agricultural enterprise where it can be shown that the enterprise has been operating in a sustainable and economically viable manner for at least two years, or in the case of orchards or vineyards, which take some years to become productive, they should have been planted

and are still growing after two years since planting and policy statement F2.5 is complied with; and

- 4) The purpose of the subdivision is to excise an approved tourist or industrial development, or for other uses which would be ancillary to the legitimate General Agriculture and Priority Agriculture use of land, and policy statement is complied with.

Subdivision for Farm Consolidation & Broad-acre Farming

Council may support the subdivision of General Agriculture and Priority Agriculture land for farm consolidation purposes where the subdivided portions are simultaneously amalgamated with an adjoining location/lot and no additional lots are created. The remaining lot/s should be consistent with the prevailing lot size in the vicinity and be suitable for broad scale agricultural purposes.

Subdivision for Intensive Agricultural Purposes

Council may support the subdivision of General Agriculture and Priority Agriculture land for existing intensive agricultural enterprises on the basis of a comprehensive submission demonstrating that all the following requirements are satisfied:

- 1) A report has been agreed which demonstrates the following:
 - a) There is a low risk of soil salinity build-up;
 - b) There is a low susceptibility to water logging;
 - c) Favourable soil acidity or alkalinity;
 - d) Suitable plant rooting and cultivation conditions;
 - e) A low potential to contribute to eutrophication of water bodies;
 - f) It can satisfy all relevant "Codes of Practice" and Environmental Planning documents and utilises best management practices; and
 - g) A Nutrient and Irrigation Management Plan has been agreed.
- 2) The proposed new lot contains a minimum of 15ha of land with a high capability rating for annual or perennial horticultural production including the existing use.
- 3) The proponent demonstrates that each new lot has the capacity to capture and store a sufficient quantity of high quality water for that level of agricultural production and that DEWCP is prepared to agree that the capture of that water is within limits of the sustainable yield for that sub-catchment.
- 4) The total lot area is sufficient for the 15ha minimum of high capability land, plus the water capture and storage area, plus an area for the dwelling and other farm infrastructure and buildings with sufficient setback from adjoining properties so as to not restrict potential agricultural productivity on those properties, plus the retention of any remnant vegetation that should be protected from clearing.
- 5) The enterprise would be unlikely to cause land use conflict or other unreasonable impacts on adjoining land uses or residents.
- 6) That the remaining parcel of the General Agriculture and Priority Agriculture lot (i.e. the balance of the original lot) is of sufficient area to be consistent with lot sizes in the surrounding General Agriculture and Priority Agriculture area and will not constitute a de facto residential development or where the remaining portion comprises remnant vegetation it should be consistent with the Policy for Conservation Lots Clause 3.3 in DC 3.4.
- 7) That all resulting lots are capable of being both profitable and sustainable for the proposed use; and
- 8) If the use ceases the land is suitable for other permitted uses.

Subdivision for Tourist, Industrial and General Agriculture and Priority Agriculture Related Development

Council may support subdivision of General Agriculture and Priority Agriculture land for tourist, industrial or General Agriculture and Priority Agriculture related development where:

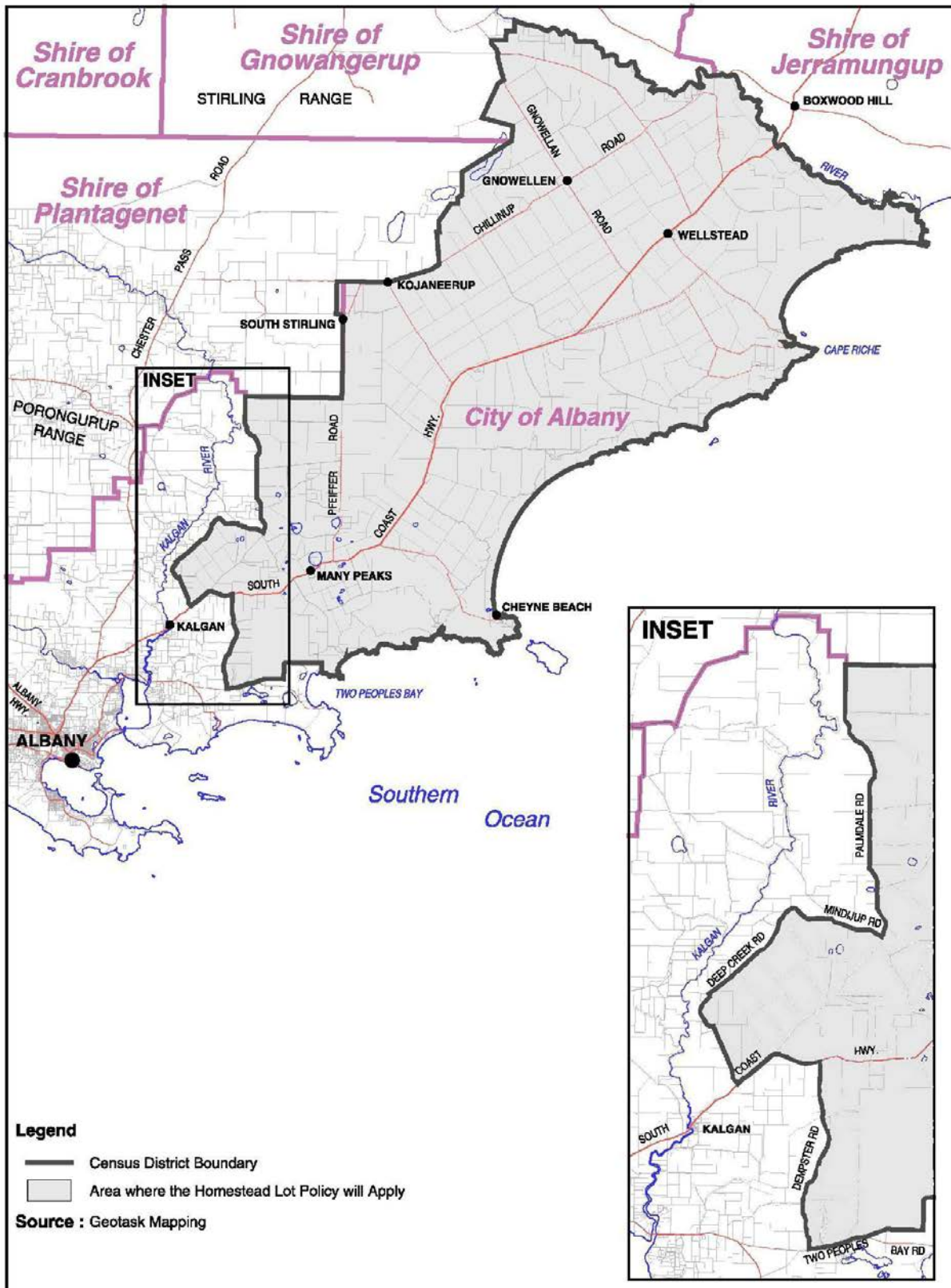
- 1) The development is not a small scale tourism uses or a bed and breakfast establishment, it has been approved, it does not require rezoning and has been substantially developed; or
- 2) The development is an existing, approved development which has been rezoned; or


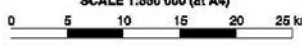

- 3) For a proposed development which is required to be rezoned before it is approved, subdivision would be supported subject to final approval being agreed to the amendment by the Minister for Planning and Infrastructure.

Homestead Lots

- 1) Homestead lots will only be supported within the area identified on Figure 4 below.
- 2) Homestead lots will only be supported where it includes an existing habitable dwelling, constructed prior to the adoption of this policy.
- 3) The new lot may include sheds and other infrastructure, together with the dwelling.
- 4) The dwelling should be connected to power and the telecommunications network.
- 5) The lot should have access to a water supply for fire fighting and land management purposes although rainwater tanks will be sufficient for domestic purposes requiring a potable water supply.
- 6) Subdivision of Homestead Lots to comply with *FESA Planning for Fire (2010)* and *FESA/CALM Guidelines for Plantation Fire Protection (2001)*.
- 7) The lot should have frontage to a constructed public road.
- 8) The minimum lot size is 5 hectares and maximum lot size is 10 hectares unless the proponent can demonstrate the lot:
 - a) will be retained for agricultural production or conservation purposes; and
 - b) has suitable characteristics (soil, water, topography, etc) for the proposed use.
- 9) The lot shall provide the following setbacks:
 - a) 50 metres from any building/structure to the nearest trees in the plantation and these areas are to be maintained in a low fuel state.
 - b) 15 metres from any building/structure where there is no plantation.
- 10) The balance of the parent lot should be a minimum of 40 hectares in area after the subdivision of the Homestead Lot, or be amalgamated with an adjacent lot at the time of subdivision.
- 11) The subdivision shall have an access road with a minimum width of 5 metres.
- 12) The subdivision must have a minimum cleared area 6 metres wide on each side of the access road and these areas are to be maintained in a low fuel state.
- 13) Where a tree plantation has been, or is to be, established the developer of the tree plantation must establish a Good Neighbour Agreement between the two parties.

Although the policy is proposed to deal with farm amalgamation and tree plantations, it is not considered essential to prove this and therefore should not be a pre-requisite to justify a homestead lot in the agreed area if all other criteria can be satisfied.




 SCALE 1:550 000 (at A4)
 

AREA OF HOMESTEAD LOT POLICY
HOMESTEAD LOT POLICY
CITY OF ALBANY
FIGURE 4

P:\3 - GIS\arcgis\work\1363 albury\0023-04\1363-ho-004.apr

SPECIAL
DEVELOPMENT
CONTROL AREAS
(RESIDENTIAL)

BARRY COURT

Objective:

To ensure that residences and short-stay accommodation at Lot 150 Barry Court, Collingwood Park respects and blend harmoniously with existing development and enable all residents and tourists to maximise their enjoyment of the natural coastal setting through appropriate house design.

Relationship to Other Planning Instruments

These Design Guidelines are to be read in conjunction with the following planning instruments with relevant provisions of these instruments applied as appropriate to the subject land:

- City of Albany Local Planning Scheme 1
- City of Albany Local Laws and Policies
- Residential Design Codes of Western Australia (R-Codes)

Where a provision of this Policy is inconsistent with the Residential Design Codes of Western Australia (R-Codes), this Policy will prevail to the extent of the inconsistency to the satisfaction of the City of Albany.

Scope

These Design Guidelines apply to the short stay accommodation and permanent residential development on Lot 150 Barry Court, Collingwood Park.

Policy Statement

The specific Design Guideline requirements for short stay accommodation and permanent residential development on Lot 150 Barry Court, Collingwood Park are outlined in the provisions below. Development in accordance with these Design Guidelines is deemed to comply. However, alternative designs may be considered subject to demonstration that any proposed development is in keeping with the objectives and intent of the Design Guidelines and subject to Council approval.

Approval process

Short-Stay Accommodation and Permanent Residential Component

1. Applications for Planning Consent are to be assessed by the City of Albany in accordance with these Design Guidelines; and
2. Short-stay Accommodation is to be developed to a minimum standard of 'R50' and Permanent Residential is to be constructed to a maximum standard of 'R30' in accordance with the R-Codes.
3. Where strata-titling of Short stay-Accommodation is proposed:
 - (i) Units are to be constructed and completed to the satisfaction of the City of Albany prior to final approval of the strata plan; and
 - (ii) A Management Statement requiring management of the units by a common facility manager is to be incorporated into the strata by-laws.

Building Setbacks

Short-Stay Accommodation Component

1. Buildings are required to be setback at least 5m from the common property driveway, except where the setback is considered a side setback;
2. Carports are to be accessible from the common property driveway and are to be setback at least 1m from the common property driveway;

3. A porch, verandah, balcony or equivalent is permitted to have a nil setback to a public road reserve, but must be setback at least 1.5m from the common property driveway;
4. Side setbacks are permitted to be nil (wall on boundary) for up to 90% of the boundary length; and
5. Corner Lots Barry Court and Barry Court/Dillon close within the short-stay accommodation component are land mark sites and all design on these lots will be subject to Council approval.

Permanent Residential Component

1. All building setbacks are to be in accordance with the R-Codes.

Streetscape

Short-Stay Accommodation Component

1. Primary elevations shall be designed to provide surveillance over the public realm;
2. Fencing heights and designs to be in accordance with the Design Guideline requirements including the following:
 - Fences, except for those screening clothes drying areas, are not permitted in the setback area from the common property driveway;
 - Side and rear fences to common boundaries (behind the building line) - Maximum 1800mm high and either solid or visually permeable; and
 - Front and side fences adjoining the public realm - Generally a maximum of 900mm high and visually permeable providing view through the fence (in excess of 50% open). Where outdoor living areas are provided adjacent to the public realm, 30% of the adjacent boundary fence may be 1.5m high with 25% open.
3. Garages/garage doors are not permitted. Carports must be maintained in an open state.
4. Verandahs and awnings are to be in accordance with the requirements of the R-Codes.
5. Bin Storage areas are to be fully screened from view from public spaces in accordance with the requirements of the R-Codes.

Permanent Residential Component

1. Primary elevations shall be designed to provide surveillance over the public realm;
2. Garages and Carports are to be located within the nominated envelopes as shown on the Development Plan; and
3. All other requirements are to be as per R-Codes specifications.

Built Form

Short-Stay Accommodation and Permanent Residential Component

1. Short-Stay Accommodation units with more than two (2) bedrooms are to be dual keyed to provide for separate letting;
2. Buildings must be designed to complement the existing character and colours of Albany. Documentary and physical evidence should be submitted as part of any application to justify the proposal;
3. Buildings must be designed to respond to Albany's climate and take advantage of the climatic benefits that the region offers;
4. Buildings must be orientated to north to maximise solar access to living space;
5. One main living space is to be situated on the north side of the building with a major northern opening preferably opening to an outdoor living space or balcony;
6. The house and outbuildings should be orientated to take advantage of cross ventilation through the summer, but provide shelter from strong winter winds associated with storms and passing cold fronts;
7. Buildings must be sealed to comply with the Building Codes of Australia;
8. Roofs must be designed to minimise their visual impact. This includes pitched roofs having the principal ridge running in a generally north south direction and ensuring that Skillion roofs

are designed with a fall to the south to limit overshadowing of the neighbours to the south; and

9. Tiled roofs are not permitted within the Short-Stay Accommodation Component. Tiled roofs are permitted within the Permanent Residential Component.

Height and Bulk

Short-Stay Accommodation Component

1. Wall height is to be a maximum height of 7m, measured from the NGL;
2. Roof height is to be a maximum of 9m measured from the NGL;
3. Buildings are to have a maximum plot ratio of 1.1;
4. Building form and massing should be used to encourage cross ventilation, provide summer shade and permit winter sun access;
5. Careful design of form and materials must be used to break up the perceived bulk of buildings;
6. Consideration should be given to the form and mass of adjacent properties when designing new dwellings; and
7. The use of landscaping should be considered to help soften walls and rooflines.

Permanent Residential Component

1. Wall and roof height is to be in accordance with Category B of Table 3 of the R-Codes;
2. Building bulk and scale is to be in accordance with the R-Codes;
3. Building form and massing should be used to encourage cross ventilation, provide summer shade and permit winter sun access;
4. Careful design of form and materials must be used to break up the perceived bulk of buildings;
5. Consideration should be given to the form and mass of adjacent properties when designing new dwellings; and
6. The use of landscaping should be considered to help soften walls and rooflines.

Materials and Colours

Short-Stay Accommodation and Permanent Residential Component

1. The choice of materials for external walls must be selected from a range of materials that complements the existing palette of Albany materials. External materials should preferably be selected from the following locally identifiable materials:
 - Painted weatherboards/fibre cement/timber cladding;
 - Rendered masonry or tilt-up concrete; or
 - Face brick.
2. A colour scheme must complement the existing colours and materials used in Barry Court and Dillon Close, Collingwood Park;
3. Roofs shall be finished with tiles or Colorbond and shall have a BCA Colour Absorptance Figure between 0.40 – 0.62. Zincalume roofing is not permitted; and
4. The colour of the garage doors should match or complement the dwelling.

Privacy and Outdoor Living Spaces

Short-Stay Accommodation Component

1. Major openings and private balconies are to be positioned to minimise overlooking of adjacent properties living space; and
2. An outdoor living space is to be provided for each dwelling and is to be a minimum of 16m² in area, with a minimum dimension of 2.9m, with a direct connection to at least one main living space.

Permanent Residential Component

1. Major openings and private balconies are to be positioned to minimise overlooking of adjacent properties living space; and
2. An outdoor living space is to be provided for each dwelling and is to be a minimum of 16m² in area, with a minimum dimension of 3m, with a direct connection to at least one main living space.

Landscaping

Short-Stay Accommodation and Permanent Residential Component

1. A landscape plan must be submitted with Development Plans to the City and be approved by the City for each lot;
2. Gardens must be designed to respond to Albany's climate, take advantage of climate benefits (such as solar gain in winter) and follow good environmental principles such as low water use and weed control;
3. Materials and finishes must reflect the landscape qualities of the site;
4. Plants from the City of Albany's unsuitable species list must not be used (refer to approved Landscaping Plan); and
5. Gardens should not impact negatively on neighbours by preventing them from taking advantage of solar passive design by over shadowing.

Access and Parking

Short-Stay Accommodation and Permanent Residential Component

1. Short-stay accommodation units are to have a maximum driveway width of 6m, with permanent residential units to have a maximum driveway width of 9m, or 40% of the common property driveway frontage, whichever is the lesser.
2. Short-stay accommodation units are to provide visitor parking in accordance with the requirements of the R-Codes.

Staging and Development

Short-Stay Accommodation

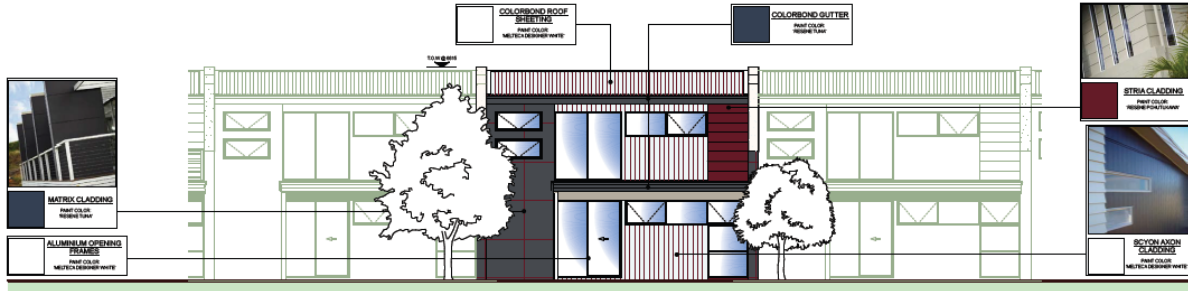
1. Should common facilities be provided these are to be constructed in the first stage.



TOTAL BUILDING AREAS		
LOCATION	AREA (m ²)	PERIM (m)
SITE AREA		
TOTAL SITE AREA	6,103.82	
TOTAL LANDSCAPE AREA	1,989.85	
GROUND FLOOR LEVEL		
GROUND FLOOR LIVING	1,391.49	
GARAGE	576.99	
COURTYARD	316.35	
PORCH	36.34	
STORE	82.80	
TOTAL GROUND FLOOR	2,405.97	
FIRST FLOOR LEVEL		
FIRST FLOOR LIVING	1,558.35	
BALCONY 1	259.38	
TOTAL FIRST FLOOR	1,817.73	
TOTAL LIVING	2,949.84	
TOTAL AREA	4223.70	

BUILDING AREAS (TYPE A)		
LOCATION	AREA (m ²)	PERIM (m)
CARPORT		
CARPORT	30.95	
PORCH	2.14	
GROUND FLOOR	77.06	
STORE	4.68	
UPPER FLOOR	84.28	
BALCONY	22	
TOTAL AREA	221.02	

BUILDING AREAS (TYPE B)		
LOCATION	AREA (m ²)	PERIM (m)
CARPORT		
CARPORT	33.25	
PORCH	2.12	
STORE	4.50	
GROUND FLOOR	77.55	
UPPER FLOOR	88.87	
BALCONY	6.82	
TOTAL AREA	213.11	



FRONT (TYPE B - INDICATIVE ONLY)
Scale 1:100

N



REAR (TYPE B - INDICATIVE ONLY)
Scale 1:100

S



STREETSCAPE ELEVATION TYPE 'B' - INDICATIVE ONLY
Scale 1:100

E00

RESIDENTIAL DEVELOPMENT ON STEEP SITES

Objective:

To identify alternative height measurements for certain residential areas that have steep slopes and where additional building height would be appropriate in the context of the existing streetscape.

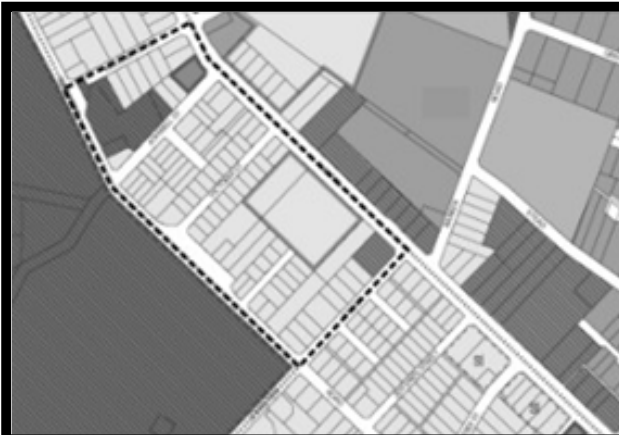
Background

Where residential dwellings or buildings are being developed on steep sites the Council may consider minor relaxations to the height provisions of the Residential Design Codes subject to the parameters set out below:

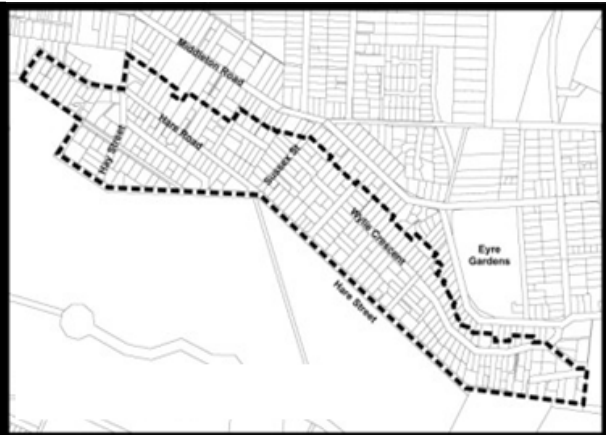
Scope

The policy applies to those areas identified in the following areas:

Mt Melville



Mt Clarence



Mira Mar

Policy Statement

Building heights in residential areas shall generally be two storeys as set out in Category B of Table 3 of the Residential Design Codes measured from the datum levels set out below.

Height Datums for Single Houses

Where the slope drops away from street the height datum shall be established at centre of the street boundary.

Where slope rises away from street height datum shall generally be established in the centre of the block. However for the front five metres of the building footprint facing the street a maximum datum height of 2.5 metres at the front of the building shall apply.

Height Datums for Grouped Dwellings and Multiple Dwellings

Height datums for any residence facing a street shall be as set out above for single houses.

Height datum for residences which do not face a street shall to be established at centre of the footprint of each dwelling.

Height datum for buildings comprising multiple dwellings which do not face the street shall be established at the centre of the footprint of the building where the building is parallel to the street boundary. Where the building runs at right angles to the street the height datums will be measured at the centre line of each dwelling.

Undercrofts

Garages and storage (non habitable spaces) may be located in an undercroft level subject to the height constraints set out above.

Where any residence *or* residential building faces directly onto a street and undercroft provides shall be fully screened.

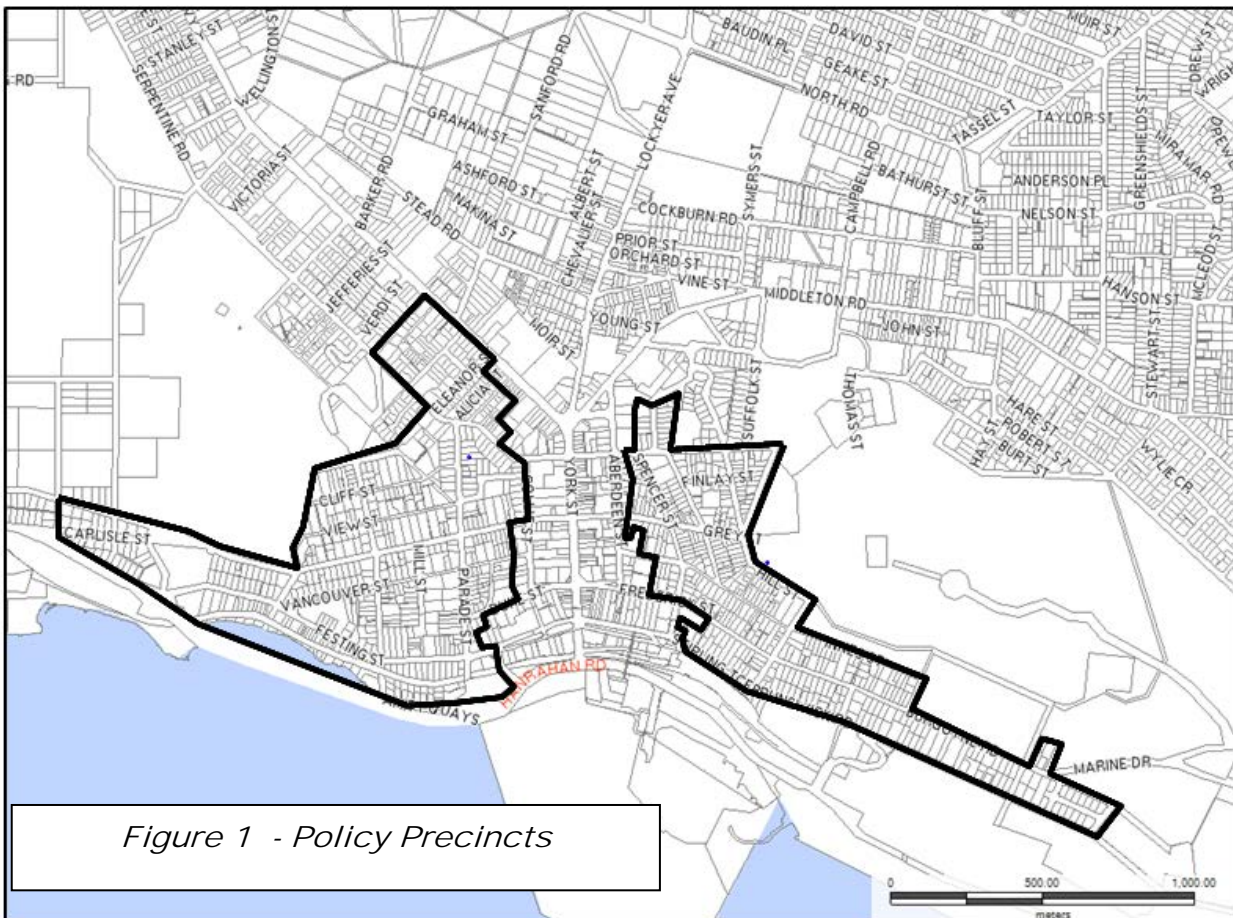
ALBANY HISTORIC TOWN DESIGN POLICY

Objectives:

- 1) ensure that new residential development compliments the townscape character and residential streetscapes of central Albany.**
- 2) ensure that new residences are articulated to break down their perceived bulk relative to the character and scale of adjoining buildings.**
- 3) retain the character of open streetscapes and landscaped breaks between buildings.**
- 4) ensure that new development responds sympathetically to the natural topography and local climatic conditions.**
- 5) ensure that alterations and additions are sympathetic to existing dwellings.**
- 6) encourage a diversity of housing stock to meet changing community needs.**

Scope

This policy applies to all land contained within the Residential Precinct as detailed in Figure 1 below.



Policy Statement

Townscape Context

New residential development 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.

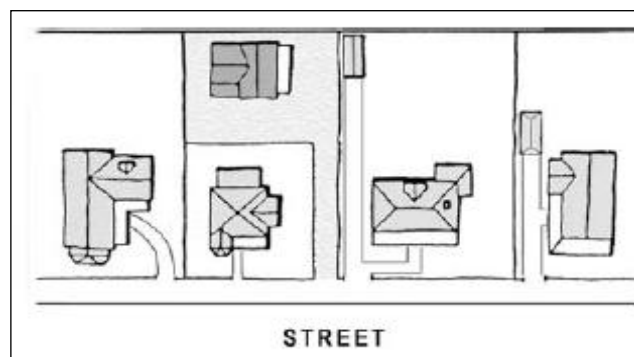
Roof Forms and Pitch

- 1) Roofs shall be articulated to ensure that the scale of individual roof elements is comparable with the scale of existing roofs in the locality.
- 2) Gabled or hipped roofs are encouraged wherever possible and their pitch shall be between 25 and 40 degrees.
- 3) Flat/Skillion roofs with a pitch of less than 12.5 degrees are not supported unless the roof is hidden behind parapets, is a rear skillion not visible from the street or the roof represents a secondary roof element.
- 4) Curvilinear roofs that are simple in design (ie. not in wave pattern) may be considered.
- 5) Notwithstanding the above, where development is adjoining a lot that contains a heritage listed building the roofs pitch, scale and form shall be consistent with such building/s.

Subdivision Pattern

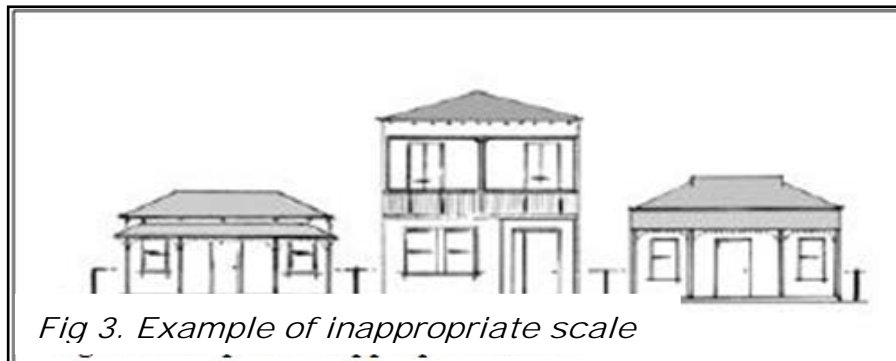
- 1) In areas where the traditional subdivision pattern contributes to the character of the streetscape new development should respond to this pattern.
- 2) Should subdivision be proposed a minimum frontage of 16 metres shall be maintained and wherever possible battle-axe leg subdivision which seeks to maintain the frontage of the lot facing the street and provide opportunities for infill development behind existing dwellings should be encouraged as per Figure 2 below.

Figure 2 - Preferred subdivision layout



Bulk and Scale

- 1) New residences to be articulated to break down their perceived bulk and establish a scale appropriate to existing residences in the locality when seen from the street.
- 2) New residences shall not visually dominate, compete with or be incompatible with the form and scale of existing buildings in the street (an example of inappropriate scale is shown in Figure 3 below).
- 3) In addition to (b) above where development is adjoining a lot that contains a heritage listed building, the development should harmonise with the heritage building in relation to its basic shape, scale and mass, street presentation and alignment, roof pitch and materials, vertical door and window elements and wall finishes.
- 4) Extensions shall not significantly increase the form, size or height of a building when viewed from the street (refer 'Built Form' 'Additions and Alterations' for detailed requirements).



Building Orientation

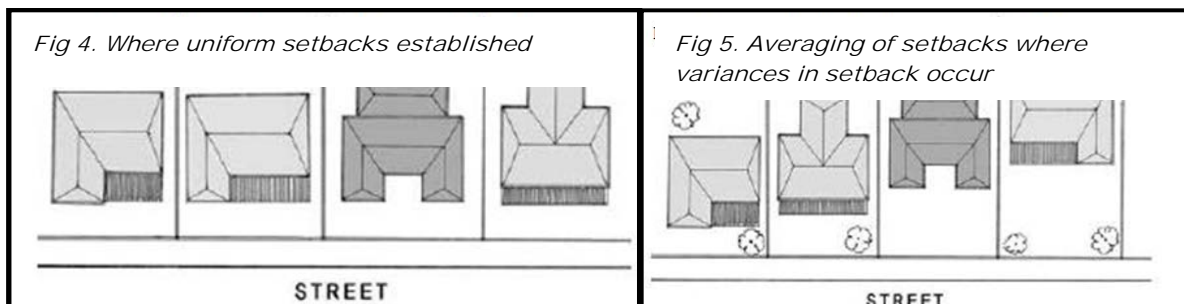
Building orientation shall be consistent with the existing street pattern.

Open Streetscapes

- 1) Buildings are required to interact with the public domain and blank walls, heavy planting, screen walls, or garages and carports in the front setback area are to be avoided. Uncovered parking bays with access off existing driveway can be considered so long as additional crossover is not proposed.
- 2) The property boundary shall be clearly demarcated by a fence or planting and the entrance shall be visible from the street.

Street Setbacks

- 1) Applications are to be accompanied with an examination of existing street setbacks (examination shall include the predominant setbacks found within the street).
- 2) Where there are existing uniform front setbacks for adjacent residences and/or the street, this setback should be retained as shown in Figure 4.
- 3) Where the existing setbacks are staggered or vary there is more flexibility in siting the infill building. It should generally be placed within the range of existing setbacks (using the average street setback of the adjoining residences) as shown in Figure 5, up to a maximum setback of 7.5 metres.
- 4) All garages and carports shall be located at least 1 metre behind the front wall of a dwelling and wherever possible at the rear of the dwelling. This requirement may be relaxed where the topography makes compliance impractical and/or the established streetscape would not be detrimentally affected by such a relaxation.



Front Fences

- 1) If front fences are required, low masonry or open picket fences of up to 1000mm high are preferred. Front fences above 750mm from natural ground level shall be visually permeable (minimum 75% open) and masonry piers shall be limited to a maximum height of 1800mm above natural ground level.
- 2) Fibre cement and metal sheeting shall not be acceptable materials for front fences.

- 3) Examples of suitable fencing treatments / styles, particularly where dwellings are heritage buildings can be found in the City's guidelines on 'Modifying Period Buildings in Albany'.

Side Setbacks

- 1) Side setbacks shall be determined as per the Residential Design Codes except that an absolute minimum side setback of 1.0 metre shall apply. No parapet walls will be permitted.
- 2) When considering applications for the relaxation of side setback requirements for two storey residences under the provisions of the Residential Design Codes the Council shall encourage consistent setbacks on both ground and first floor to achieve clear breaks between adjoining residences.

Topography

New residences shall respond sympathetically to the topography and cutting and filling, particularly in locations visible from the street, shall be kept to a minimum.

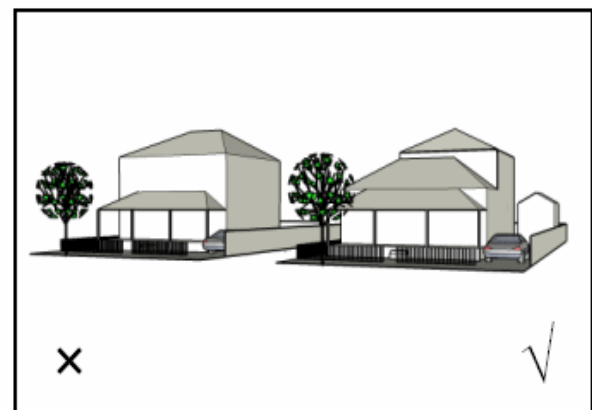
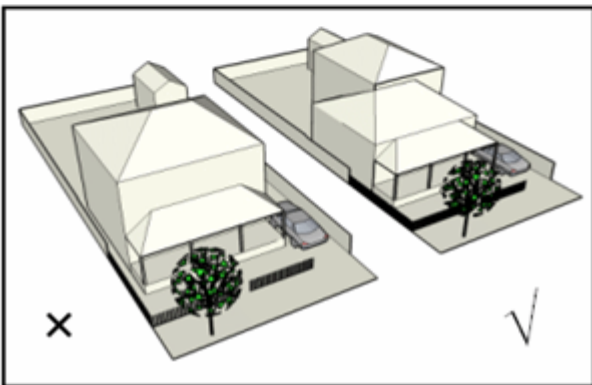
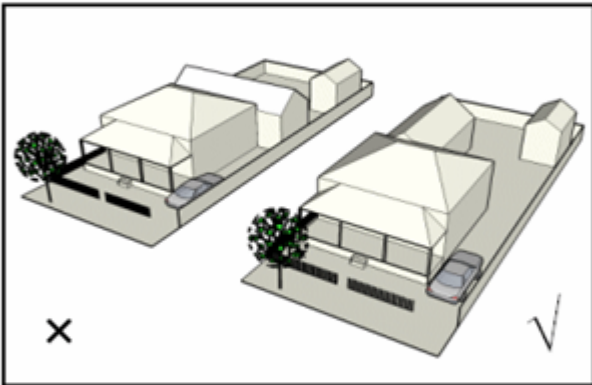
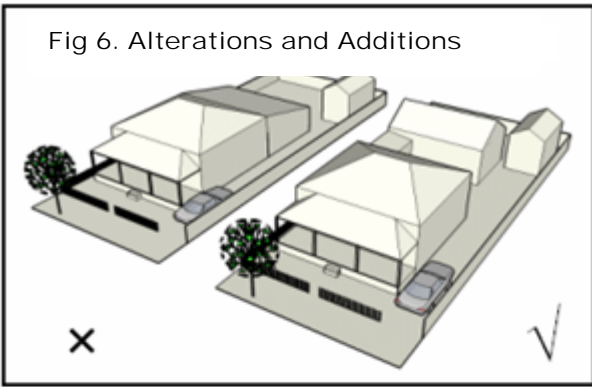
Retaining walls

- 1) Retaining walls within the front setback area are to be stepped if they are more than 1.5 metres high to reduce their visual impact.
- 2) Where the slope of a site requires a floor level to be higher than the ground level, walls (or timber slatting) should be taken down to ground level (to retain the building within its footprint rather than at side boundaries). Building up on sand pads to deal with the topography will not be supported.

Building Form

Strong emphasis will be placed on promoting high quality design which is sensitive to the scale and character of its context.

Fig 6. Alterations and Additions



B2.13 Additions and Alterations

All additions and alterations are required to comply with the following requirements:

- 1) Additions to existing residences should be sympathetic to the character and integrity of the original residence in terms of scale, and form. Additions should generally not attempt to reproduce historic styles but represent a contemporary solution which is considerate of the existing building (see the City's guidelines on 'Modifying period buildings in Albany').
- 2) Two storey extensions to single storey residences shall be located towards the rear (beyond the existing ridge line) where impacts on both the streetscape and the existing structure can be minimised and a streetscape plan is supplied.
- 3) In the upgrading of 'fibro' and weatherboard houses brick cladding or veneering will not be supported as the results are generally not aesthetically acceptable.

Ground Floor Levels

- 1) The datum of the ground floor slab (level) shall be consistent in height with adjoining buildings on the same side of the street.
- 2) Where adjoining buildings have differing ground floor levels due to slope across the frontage of a lot ('cross fall') an average of their floor level heights should be applied to the development to promote a 'cascade' effect along the street.

Number of Building Storeys

Building heights in residential areas shall be measured from natural ground level (as defined in the Residential Design Codes) as per the following:

ACCEPTABLE CRITERIA

Heights to eaves	Heights to concealed roof	Height to gable
5 metres	6.5 metres	8 metres

PERFORMANCE CRITERIA

Council may consider building heights in excess of that stipulated above only where the following is achieved:

- 1) The street facade of the building is articulated, whereby two storey development does not represent as a continuous solid external facade;
- 2) A streetscape plan being submitted, using accurate photomontage images, 3D modelling or detailed elevations showing the bulk and scale of the development in context with the form of adjacent buildings within the street (the plan should include at least two dwellings either side of the subject property);
- 3) The proponent can justify that the development complies with provisions dealing with 'Bulk and Scale' and 'Additions and Alterations' of this Policy in addition to meeting the performance criteria (6.7.1 – P1) of the Residential Design Codes; and
- 4) The proposal has been referred to adjacent properties for comment in accordance with Council's Planning Processes Guidelines.

Height Datum for Grouped and Multiple Dwellings

Height datum for any residence or building comprising multiple dwellings shall be as set out for single houses.

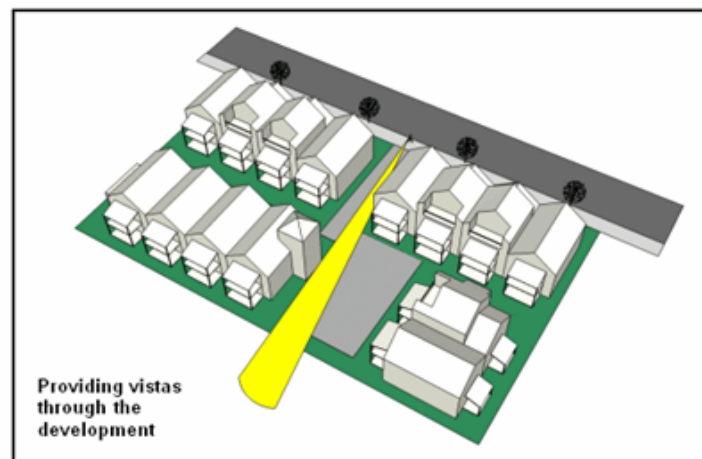
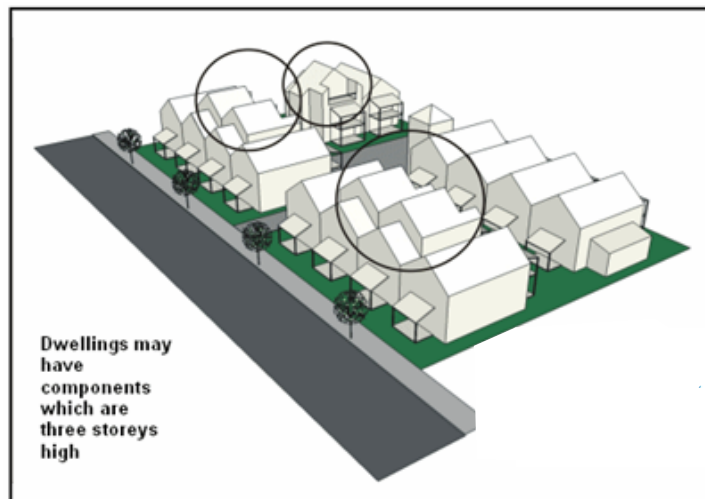
Undercrofts

- 1) Garages and storage (non habitable spaces) may be located in an undercroft level, subject to the height constraints set out above.
- 2) Where any residence or residential building faces directly onto a street and an undercroft is visible it shall be fully screened.

Larger Residential Sites

- 1) On sites larger than 2500 sq m a maximum of 40% of grouped dwellings may have components which are three storeys high subject to the area of the third floor level shall be less than 50 sq m inclusive of any terrace or balcony.
- 2) On sites larger than 2500 sq m 40% of the total footprint of the buildings comprising multiple dwellings may have a third storey subject to the third floor shall be setback from the lower floors on any elevation facing the public domain.
- 3) To qualify for the additional height both grouped and multiple dwellings shall fulfill the following performance criteria:
 - a) The third floor components shall be set back 10 metres from any boundary.

- b) The built form of the development shall be articulated to break up the bulk and scale of the development.
- c) Heights for the three storey components shall comply with Category C of Table 3 of the Residential Design Codes.
- d) An unimpeded vista through the development to the Sound, Mt Melville or Mt Clarence shall be provided for pedestrians on the footpath.



Multiple Dwellings - Dwelling Mix

- 1) The Council will actively encourage a mix of dwelling types within Multiple Dwellings. In order to provide an incentive for such a dwelling mix the Council may consider relaxation of the following provisions:
 - a) Site coverage to a maximum of 10%.
 - b) Plot ratio relaxations to a maximum of 10%.
 - c) Setbacks.
- 2) This consideration will require the provision of both a mix of type (no of bedrooms) and variation in size or configuration of dwellings and be subject to ensuring that the amenity of adjacent existing residential development is not adversely affected by any such relaxations.

Communal Open Space within Multiple Dwellings

- 1) Communal open space(s) should generally be contained within the development to provide easy access and some level of privacy from the public domain for residents.
- 2) Concession with respect to total open space may be considered subject to the following performance criteria:

- a) The overall provision shall not be below 85% of the standard required in the Residential Design Codes.
- b) Communal open space will be consolidated into usable parcels
- c) Communal open space will be sited to maximize its functionality in terms of ease of access, solar penetration and the protection of the privacy of particularly ground floor dwellings surrounding it.
- d) A high quality landscaped area will be provided.
- e) Private balconies of not less than 16 sq m (with a minimum dimension of 4m) shall be provided.

Solar Access and Visual Privacy

The interaction between multiple dwellings (particularly solar access and visual privacy) will need to be actively addressed.

Access and Car Parking within Multiple Dwellings

- 1) Vehicular access should be designed to minimise the impact on streetscapes and shall comply with 'Access and Parking Requirements' of the Residential Design Codes.
- 2) The provisions of the Residential Design Codes may be relaxed where the topography makes compliance impractical and the amenity of the locality would not be compromised by such a relaxation.
- 3) In multiple dwelling developments:
 - a) The alignment of access ways will be varied to avoid the 'gun barrel' effect.
 - b) Parking areas shall be located well within developments.
 - c) Parking areas with more than four bays shall be broken up with trees, buildings, or different surface treatments.

Heritage Places and Precincts

- 1) For sites identified as a heritage place, that adjoin heritage places or are within a heritage precinct the objectives are:
 - a) To conserve and protect places of cultural significance within the policy area.
 - b) To ensure that development does not adversely affect the significance of heritage places.
 - c) Provide incentives to encourage the conservation of heritage buildings and the maintenance and adaptive reuse of existing buildings which contribute to the urban character of the locality.
- 2) Refer to Council's Heritage Protection Policy (Policy 21) in relation to demolition, adoption and the relaxation of policy and scheme standards affecting heritage places.

Energy Efficiency

Building design should seek to reduce energy consumption by:

- 1) Siting buildings along north-south/east-west axis to maximise solar access and control.
- 2) Providing thermal insulation of walls and roofs.
- 3) Ensuring good cross ventilation.
- 4) Utilising solar hot water heating.

Water Usage

Building design should seek to reduce water usage by:

- 1) Using water wise fittings.
- 2) Utilising 'AAAA' appliances.
- 3) Specifying smaller rather than larger sinks, baths and basins.
- 4) Locating hot water systems to minimise pipe runs.
- 5) Insulation of hot water pipes.
- 6) The use of appropriate plant species, soil improvement and automated irrigation systems.

7) Retaining stormwater on site.

Amenity

Building design should seek to ensure a high standard of amenity by ensuring that new developments are:

- 1) Legible: The organization and layout of developments should be easily understood, movement systems should assist in spatial orientation, there should be clear distinctions between public, semi-private and private spaces and developments should provide ease of access for all age groups and degrees of mobility;
- 2) Functional: Developments should be organizationally and environmentally functional and should provide useable outdoor space, efficiently laid out indoor space and service areas, access to sunlight (preferably north facing orientation for living spaces and east facing orientation for bedrooms), good natural ventilation, and visual privacy; and
- 3) Robust: Appropriate room dimensions and configurations to maximize flexibility of use, and materials which minimize building maintenance.

Wind Protection

The design of new buildings should address local wind patterns and provide shelter from prevailing winds particularly around entries and in outdoor spaces.

Acoustic Privacy

Construction materials and techniques used should enhance acoustical privacy between buildings, and the placement and insulation of air conditioning units shall prevent noise impacts on adjoining properties

Overshadowing

The effect of any new development will be considered in terms of the potential overshadowing within the development, and on existing buildings, and outdoor spaces, on neighbouring properties. For any development which could overshadow adjacent properties the applicant may be required to provide shadow diagrams showing the effect of the proposal on such properties.

DETAILED AREA PLANS

Objective:

To ensure that development on small, rear loaded or unusual lot configurations are designed in a manner that creates a high level of amenity and passive surveillance.

Scope

- 1) This policy applies to those lots identified in Schedule 1, which have been created as part of a subdivision process and a Detailed Area Plan has been required as condition of the approval issued by the Western Australian Planning Commission or any lot for which Council has determined a Detailed Area Plan is required.
- 2) The provisions of this policy apply in addition to any other provisions contained within the City of Albany Local Planning Scheme 1, the Residential Design Codes (R-Codes) and the Building Code of Australia.
- 3) Landowners or development proponents seeking to vary the requirements of this policy or the relevant Detailed Area Plan must demonstrate how the policy objectives are to be achieved as part of any application for development.
- 4) This policy includes general development and design criteria for the following lot types:
 - a) Cottage/R30 lots/Rear laneway lots;
 - b) Lots adjoining areas of public open space; and
 - c) Corner lots.

Policy Statement

Cottage/R30 Lots/Rear Laneway Lots

The detailed design of rear laneways shall be considered during the subdivision process, with the laneways being designed and constructed in accordance with the following design criteria:

- 1) Laneways shall have a minimum width of 6.0m;
- 2) Corner truncations to the street shall be provided with a minimum of 2.0m x 2.0m;
- 3) Laneways shall be through roads with no 'dead-ends', the length shall be kept to a minimum and designed to allow for good visibility from one end of the laneway to the other;
- 4) Laneways shall allow for two-way traffic;
- 5) Laneways shall be designed to include good street lighting from lighting poles, with bollard lighting not considered acceptable. The design shall ensure that light spill into residential lots is minimised;
- 6) On street car parking shall be provided along the primary street for use by visitors to the dwellings. Appropriate line making shall be provided to indicate there is no parking within the laneway.

Vehicle Access and Garages

The following criteria shall be applied for those lots with rear laneways subject to this policy, in addition to those required by the R-Codes:

- 1) All vehicle and garage access shall be taken from the laneway; and
- 2) Where located on a corner, garages shall be located at the furthest point from the intersection of the street and laneway and shall be designated on Detailed Area Plans;
- 3) Development over a garage is required to ensure personal and property safety within the laneways as follows:
- 4) Identification of lots at both ends of lanes and at the junction of laneways where provision for rear studio units is required;
- 5) Ensuring that these studio units are designed for independent occupation, have good sized windows overlooking the lane and have an independent entry from the street or lane;
- 6) Development above a garage is encouraged, as follows

- a) Examples of development may include a studio apartment, ancillary accommodation or an area to be used for the purpose of a suitable home occupation.
- b) Development over a garage will not be included in any calculation of the developments site coverage.
- c) Any balcony over the garage can be used in the calculation of the sites courtyard area.

Dwelling Design

Dwellings should be designed to address all street frontages and laneways through appropriate window treatments and shall consider the following:

- 1) Large areas of blank wall on areas with frontage to or visible from the street or laneway shall not be permitted;
- 2) Where a two-storey dwelling is proposed, at least one habitable room window on the upper floor shall address the rear laneway
- 3) Windows and openings shall be required to address secondary streets

Setbacks

Rear

Garages shall have a 1.0m minimum and a 1.5m maximum setback from the rear laneway and may be permitted with a nil setback to the side boundary in the location designated on the Detailed Area Plan.

Development above a garage should be setback a minimum of 1.0m from the laneway

The remainder of the dwelling should be setback to provide a variation to the building line with a minimum setback of 2.0m from the laneway

Front

Dwellings should have a 2.0m minimum setback (averaged at 3m) from the primary street with open sided porches permitted to have a 1.5m minimum setback. No averaging is required for open side porches.

Sides

Boundary walls are permitted for two thirds of the length of the southern or western boundary, in addition to a nil setback for the garage or as otherwise specified on a Detailed Area Plan. A nil setback to the side will not be permitted for a secondary street.

The relevant provision of the R-Codes shall apply to northern and eastern boundaries

Secondary Street

Dwellings on corner lots shall have a 1.5m minimum setback from the secondary street and be designed to address the street

Lots Adjoining Public Open Space (Subdivision Guidelines)

Subdivision layouts should be designed so that areas of public open space are fronted along all boundaries by streets, with lots orientated to overlook areas of public open space. Whilst not desirable, the City acknowledges that there may be situations where lots directly abut areas of public open space. In these instances, the following should occur:

- 1) The boundary between the lots and the public open space should be clearly demarcated; and
- 2) As a minimum, a 600mm difference should be provided between the ground level of the open space and the finished ground level of abutting lots unless exceptional circumstances occur. In this instance individual Detail Area Plans can modify this design criteria; and
- 3) The difference in ground levels provides increased privacy and security for those living on the abutting properties and provides for surveillance of the open space from the properties.

Passive Surveillance

The following design criteria shall be applied for those lots that abut an area of public open space subject to this policy, in addition to those required by the R-Codes or any outlined in the Detailed Area Plans:

- 1) Principle habitable spaces of each dwelling should be located to ensure that views of adjoining open space are available;
- 2) At least one habitable room window, with a minimum size of two square metres, shall address the open space
- 3) Where a two-storey dwelling is proposed, at least one habitable room window on the upper floor shall address the open space, in addition to a window at ground floor level
- 4) Carports and Garage may not abut the public open space in order to encourage an active interface

Fencing

A minimum of 75% of the length of the fencing provided along the common boundary with the public open space shall be visually permeable above 1.2m to a maximum height of 1.8m.

Windows or active habitable rooms should be located to address the visually permeable portion of the fence.

Corrugated fibre cement sheeting is not permitted

Corner Lots

The following criteria shall be applied for those corner lots subject to this policy, in addition to those required by the R-Codes or any outlined in the Detailed Area Plans:

- 1) No entirely blank walls shall be permitted for any storey that addresses a street;
- 2) At least one habitable room (major opening) window shall address the area of permeable fencing fronting the secondary street;
- 3) Where a two storey dwelling is proposed, at least one habitable room window on the upper floor shall address the street frontages, in addition to the window on the ground floor level;

Development Standards

Dwellings shall address both street frontages through respective elevation treatments and design. This shall be achieved using the following criteria:

- 1) No entirely blank walls shall be permitted for any storey that addresses a street;
- 2) A minimum of 50% of the length of the fencing provided along the boundary with the secondary shall be visually permeable above 1.2m to a maximum height of 1.8m.
- 3) At least one habitable room (major opening) window shall address the area of permeable fencing fronting the secondary street;
- 4) Where a two storey dwelling is proposed, at least one habitable room window on the upper floor shall address the street frontages, in addition to the window on the ground floor level;

Crossovers and Garage/Carport Location

Crossovers and driveways may be permitted from either road frontage, but shall be located at the furthest point from the intersection of the two streets.

Variations

It is recognised that individual lots will have site specific characteristics which will require further variation of the provisions of the R-Codes. This is particularly evident with regard to street and side setbacks, the location of building envelopes, vehicular access, the provision of front fencing and retaining walls. In such instances a more specific Detailed Area Plan can be prepared and included as part of Schedule 1.

All land identified in Schedule 2 shall comply with the general provisions of this Policy only.

Where a Detailed Area Plan is included as part of Schedule 1, the provisions identified in that Plan shall take precedence over the General Provisions of this Policy and the Residential Design Codes. Where the Detailed Area Plan is silent on an issue, the general provisions of this Policy and then the Residential Design Codes shall provide direction in that instance.

Schedule 1

No	Locality	Lots
1	McKail	Lot 2 South Coast Highway
2	Lower King	Lot 2 Mason Road/Lower King Road, Lange
3	Lower King	Lot 94 & 95 The Esplanade
4	Lower King	Oyster Harbour Village Centre
5	Lower King	Lots 42 and 47 Lower King Road, Bayonet Head
6	Lockyer	Lot 247 Cull Road, South Lockyer
7	Little Grove	Lot 4 Jeffcott Street, Little Grove
8	Yakamia	Lot 10 and 322 Galle Street ,Yakamia
9	Mckail	Lots 32 & 37 Silver Street, McKail
10	Albany	Stirling Street

Detailed Area Plan 1 - Lot 2 South Coast Highway

Design Elements

The following matters apply, where required in the design and construction of a residence or outbuilding on lots identified within the boundary of this Detailed Area Plan (DAP):

1. All dwellings must include construction of a double garage or carport;
2. Unless otherwise approved by the City of Albany, all dwellings, garages and carports shall be constructed within the nominated building envelopes;
3. Alternative building envelope and garage/carport locations may be approved by the City of Albany where considered appropriate, having regard for improved streetscape outcomes, improved sustainability outcomes and pedestrian/traffic safety matters;
4. Where variations are sought, the proponent must provide adequate information for the City of Albany to assess the appropriateness of the variations against the matters listed above;
5. At least one major opening shall be installed on all northern elevations to maximize access to the northern sun;
6. Dwellings constructed on the 4 pack lots (lots 405 and 406) contiguous with the pedestrian access way shall have at least one (1) major opening overlooking the pedestrian access way to ensure passive surveillance and activation;
7. Two storey development is permitted on all lots except for that area south of the demarcation line shown on Lots 240-252 to ensure access to winter sun for private open space.
8. The R30 grouped housing site (Lot 407) shall be designed so that it provides for passive surveillance opportunities of the adjoining laneway eg. Visually permeable fencing and suitable openings in the building elevation that provide for 'Eyes on Street';
9. Single residential dwellings on corner lots are encouraged to incorporate and independently occupied studio above the garage to assist in providing surveillance of the laneway.

R Coding

The Residential Density Code which applies to the land is R30 for the grouped site and 4 pack lots (Lots 405-406) and R30/40 or R30/40/50 (with intergenerational housing) for all other lots in the DAP area.

R Code Variations

The city of Albany, Residential Design Codes and associated Residential Development Guidelines for the City of Albany are varied as shown on this Detailed Area Plan. The requirements of the City of Albany Scheme, R-Codes and Guidelines shall be satisfied in all other matters.

Setbacks

Setbacks for the construction of improvements upon the land will not be other than in accordance with the following:

For Lots 201-210, 211-216 & 227-239:

Primary Street / P.O.S: 2.0 metre minimum and maximum dwelling setback.

For Lots 217-226, 240-252, 253-258 & 399-404:

Primary Street / P.O.S: 3.0 Metre minimum and maximum dwelling setback.

For Lots 201-210, 211-216, 227-239, 240-252 & 407:

Rear / Laneway: 2.0 metre minimum dwelling setback.
2.0 Metre minimum garage / carport setback.
2.5 metre maximum garage / carport setback.

For Lots 253-258 & 399-404:

Rear / Laneway: 1.0 metre minimum dwelling setback.
500 millimetre minimum garage / carport setback.
1.0 metre maximum garage / carport setback.

Site Coverage

All construction on the land will ensure that at least 40% of the site comprises Open Space.

Driveways

The maximum width of any crossover shall be 5 metres.

Outbuildings and Studios

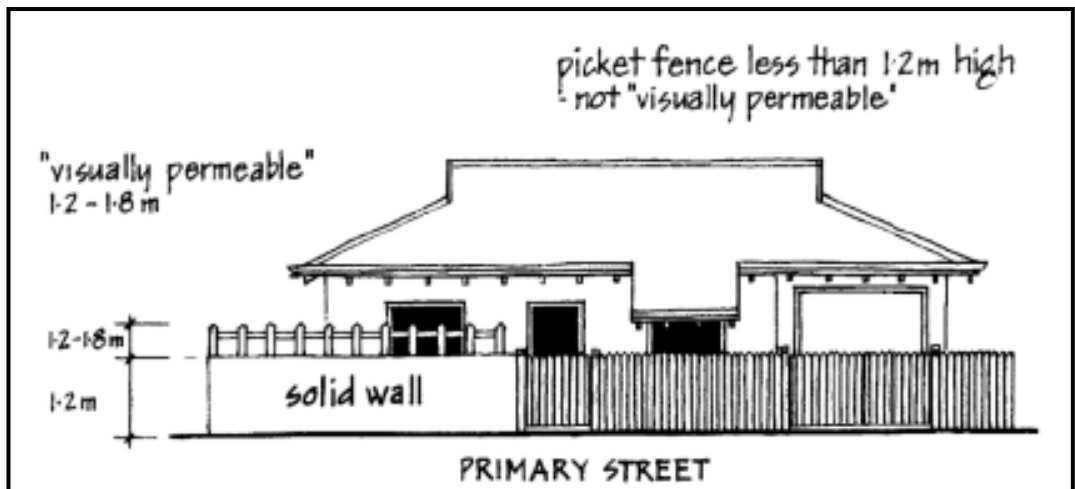
Outbuildings and Studios may be 2 storeys in accordance with Table 3 of clause 3.7.1 of R Codes to ensure activation and passive surveillance of laneways.

Estate Fencing

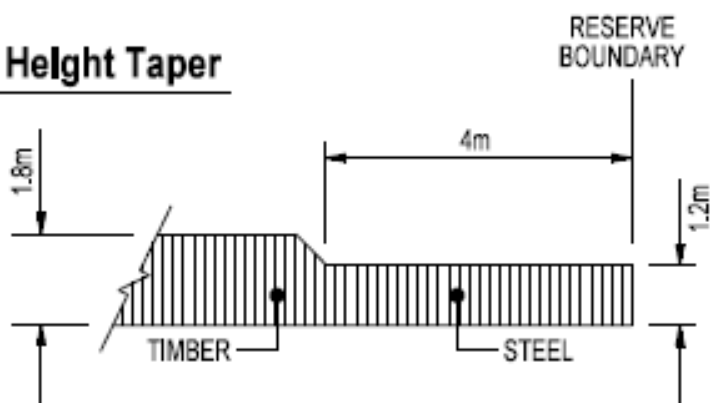
Where provided by the Vendor, estate fencing is not to be removed or altered in any way.

All side fencing forward of the building line are to match open style permeable front fencing at the expense of the purchaser.

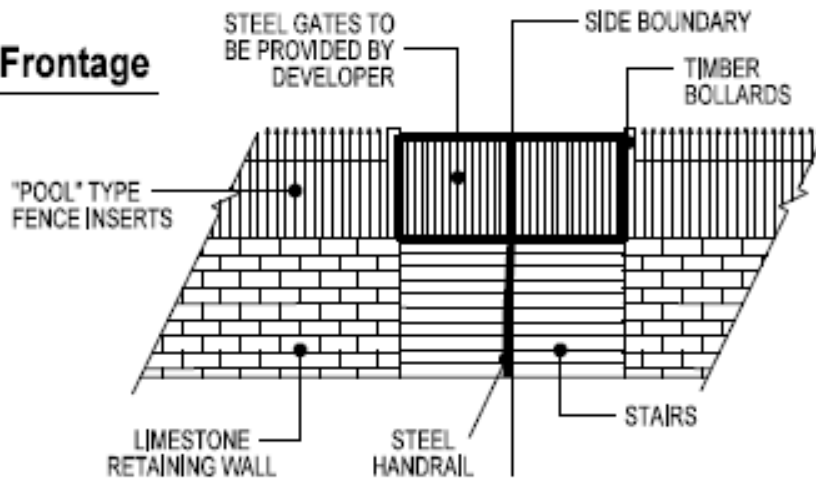
Boundary fencing on secondary street frontages from the front setback to the building line to match that installed by the developer along public open space boundary or primary street boundary (see "Side Fence Height Taper" and "Reserve Frontage" diagrams). Fencing along public open space boundary will be installed by the vendor.

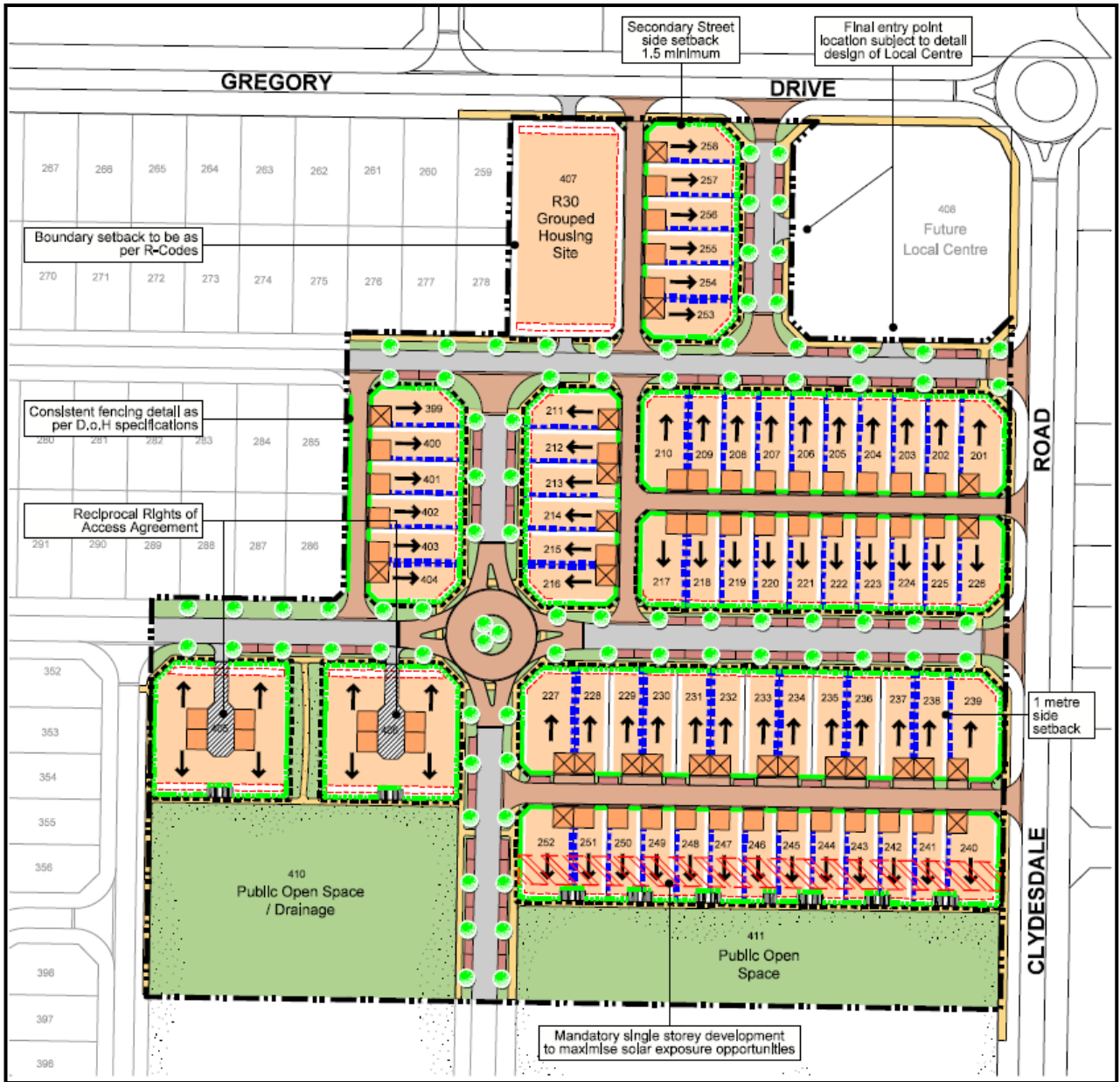


Side Fence Height Taper



Reserve Frontage





LEGEND			
	D.A.P. Boundary		Nominated minimum / maximum residential front setback to the primary subdivision road or Public Open Space (Refer setbacks variation schedule for details)
	No Vehicle Access		Nominated minimum 1.5m and average 2.5m residential front setback to the primary subdivision road or Public Open Space
	Estate Fencing: Permeable, Non-Permeable		Preferred Garage or Carport Location
	Nominated Residential Zero Metre Side Setback		Designated Garage or Carport Location
	Building Envelope		Indicative Tree Planting
	Building Orientation		Driveway Crossover
	Visitor Car Parking		Footpath / Dual-use Path
			Pedestrian Access via a Stairway
			Mandatory single storey development to maximise solar exposure opportunities

Detailed Area Plan 2 - Lot 2 Mason Road/Lower King Road, Lange

Lots 65- 68

- A minimum 7m setback for Lower King Road
- The outdoor living area for the dwelling closest to the 7m setback area abutting Lower King Road shall address Lower King Road.
- All other setbacks shall be in accordance with the Residential Design Codes
- No direct vehicular access shall be permitted to Lower King Road.
- No cleaning of remnant vegetation outside the building envelopes unless approved by Council.

Lots 45-46 and 55-60

Fencing

- A minimum of 75% of the length of the fencing provided along the common boundary with the public open space/drainage reserve shall be of 1.8m brick piers with open metal picket infill above a 1.2m high portion of face brick clad wall.
- The maximum height of the fence shall be 1.8m. Windows or active habitable rooms should be located in the visual permeable portion of the fence.

Setbacks

- A minimum 1.5m setback for all boundaries abutting public open space or drainage reserves.
- All other setbacks to be in accordance with the requirements of the R Codes.

Outdoor Living Areas

- The outdoor living areas required under clause 3.4.2 of the Residential Design Codes are encouraged in locations along boundaries abutting the public open space/drainage reserve.

Variations

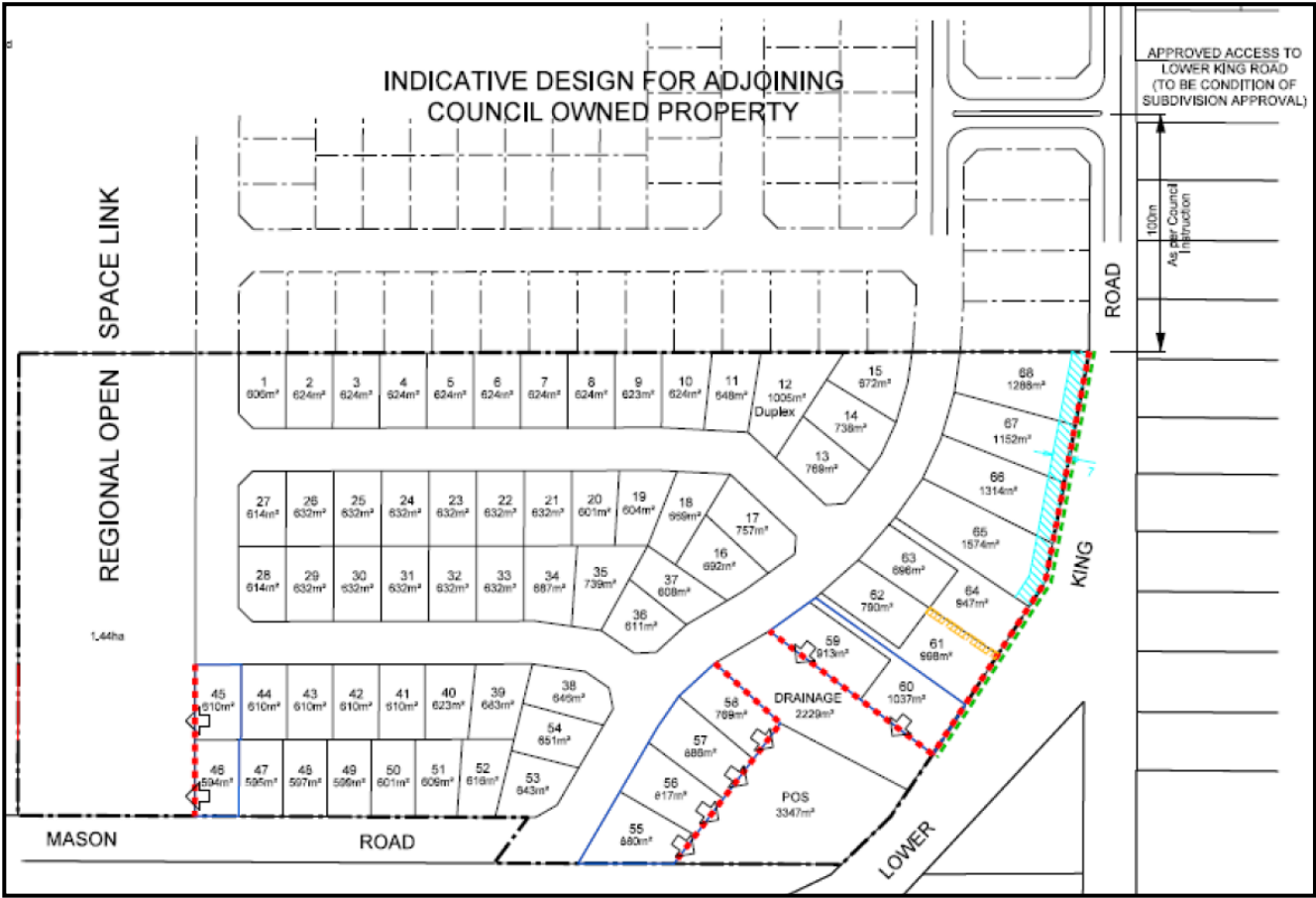
Variation to the DAP can be approved by the City of Albany following consultation with adjoining owners.

Additional Requirements – Landscaping-Landform

Lots 46-53 and Lots 55-68

- Retaining walls shall not be permitted on lot boundaries unless approved by the Local Government.
- Building footprints shall be located and designed to minimize disturbance to the existing landform.
- Remnant vegetation shall be retained on site where practical for Lots 55-68

Council shall require the houses on lots 1-15, 67, 68, 27, 28, 44-53, 55-60 to be constructed to Australian standard AS 3959.



Detailed Area Plan 3 - Lot 94 & 95 The Esplanade



Detailed Area Plan 4 – Oyster Harbour Village Centre

INTRODUCTION: This Detailed Area Plan (DAP) applies to the Oyster Harbour Local Centre shown on the Bayonet Head Outline Development Plan.

It responds to the City of Albany's Detailed Area Plan Policy and seeks to facilitate its aims and objectives to the extent that these are applicable. It is to be read in conjunction with the Oyster Harbour Village Centre Design Guidelines.

The following provisions apply in supplement and, in some cases, in variance to the 'Acceptable Development' provisions of the R-Codes and the Planning Scheme. Development which complies with the provisions of the DAP is deemed 'Acceptable' and is not subject to consultation requirements which may otherwise apply under the Codes for that element.

PROVISIONS

Land Use

Land use permissibility shall be as per the "Local Shopping" zone with the exception that Single House, Grouped Dwelling and Multiple Dwellings shall be 'A'. Child Care Centre (unlisted in the Scheme) shall be 'P'.

The maximum retail floorspace permitted in the Centre shall be in accordance with the City's Activity Centres Strategy and the Oyster Harbour Centre design Guidelines to be adopted as Policy by Council.

The whole site is coded R60 in accordance with the Approved Interim Outline Development Plan.

Setbacks and Building Envelope

Buildings shall orient to and address the street or public open space they abut, and shall provide surveillance of all such spaces through the location of doors and windows. Surveillance of parking areas shall also be provided.

Buildings shall comply with the setbacks nominated on the DAP and shall generally be contained within the notional lot boundaries.

A maximum building height of 2 storeys (plus roof space) shall apply except at 'Landmark Element' locations where a maximum building height of 3 storeys (plus roof space) shall apply.

All building footprints shown are notional only.

Vehicular & Pedestrian Access

Vehicular access points and cross easements are indicative only and shall be subject to detailed design and approval.

Any development shall also be required to demonstrate how access and easement provisions facilitate implementation of the plan and coordinated access for abutting sites.

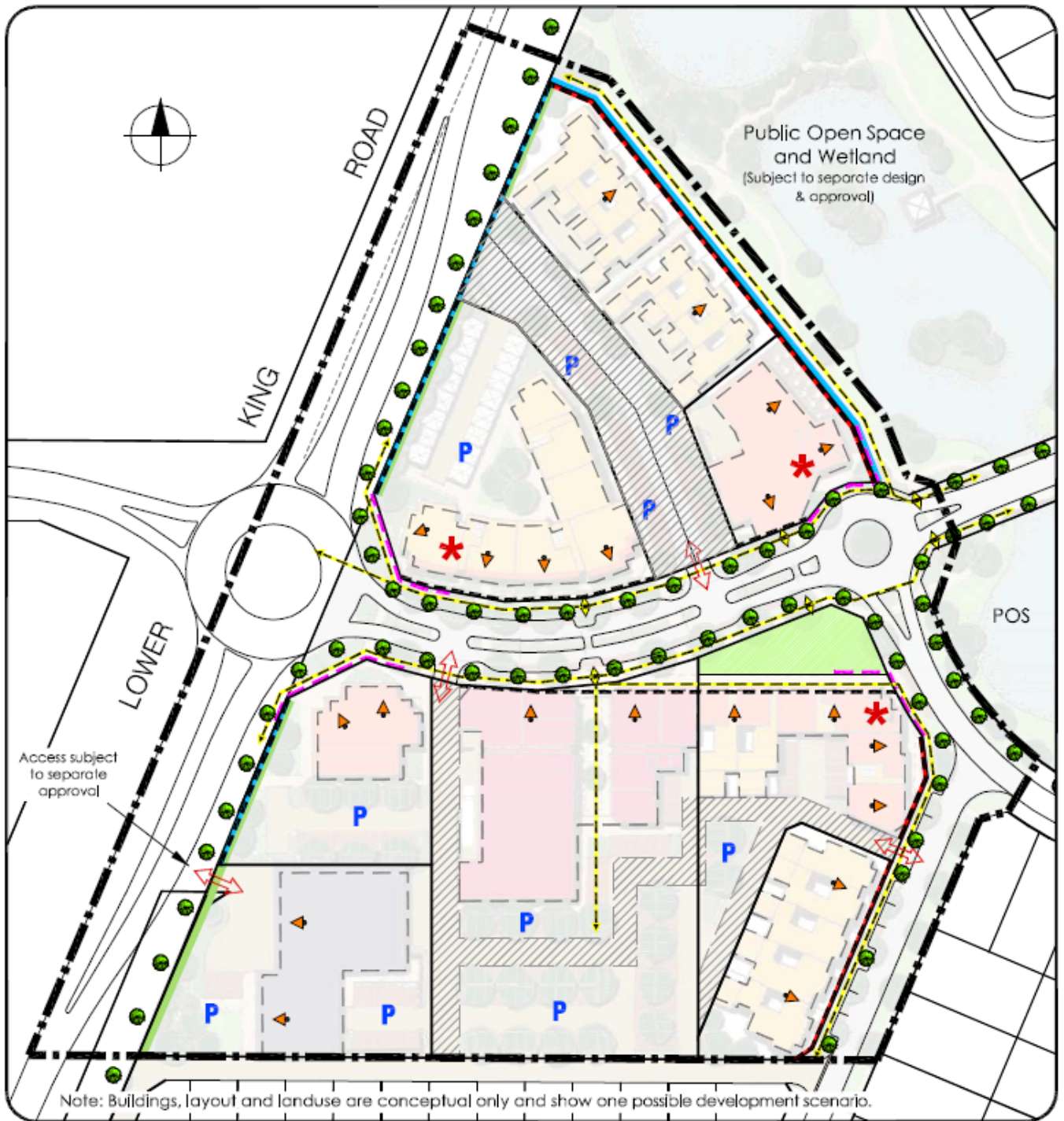
Pedestrian access shall generally be provided in accordance with the DAP. Exact location and design shall be subject to detailed design and approval. External pedestrian access shall be provided to all buildings and tenancies from the street.

Built Form & Services

Buildings fronting the street, Public Open Space or Optional Green Space and built within 1.5m of this boundary shall provide a canopy or verandah of a minimum depth of 2.5m along that frontage.

Service areas, bin enclosures, storage areas and drying courts are screened from view from the adjacent street.

Landmark features may include towers, additional storey heights, raised parapet features, projecting wall planes, projecting roof elements, double height fenestration or other architectural elements to mark the corner.



Legend

	DAP Boundary		Primary Building Orientation Surveillance Required		Preferred Access Point		Landmark Element
	Notional Lot Boundary		Mandatory Nil Setback to street or green space where provided. Requires surveillance, primary access, articulated, continuous facade, overlooking footpath.		Designated Crossing Points		Indicative street trees locations (Subject to detailed design)
	Notional Building Footprint		Nil - 4m Setback to street or green space where provided. Requires surveillance, primary access, articulated, continuous facade, overlooking footpath.		Landscaping Required		Indicative street parking (Subject to detailed design)
	Notional Cross Easement		Secondary Street Setback; minimum 3m no blank wall. Requires surveillance, articulation required, senses to be screened.		Elevation 0.5-1.5m required above park Open style estate fencing only - not to be shared without approval of the Council.		
	Preferred Parking Location		Pedestrian connection		Optional Green Space		
			Building to address corner				

Detailed Area Plan 5 – Lots 42 and 47 Lower King Rd

INTRODUCTION: This detailed Area Plan applies to Cottage (R30) lots and those abutting Public Open Space.

It responds to the City of Albany's Detailed Area Plan Policy and seeks to facilitate its aims and objectives.

The residential Density Code which applies to the lots is R30.

The following provisions apply in supplement or, in some cases, in variance to the 'Acceptable Development' provisions of the Residential Design Codes (R-Codes). Development which complies with the provisions of the DAP is deemed 'Acceptable' and is not subject to consultation requirements which may otherwise apply under the Codes for that aspect.

PROVISIONS

Dwelling Design

- Dwelling design shall address all street frontages (including secondary street frontages) through the location of windows and doors.
- Large areas of blank wall facing streets (primary or secondary) are not permitted.
- Where two-storey dwellings are proposed, at least one major opening to a habitable room on the upper floor shall address the laneway to provide surveillance.
- The location of studio units and rooms above or beside rear garages is encouraged to provide surveillance of the laneway. Where provided, these must provide surveillance of the laneway from at least one major opening to a habitable room. Developments incorporating this element are subject to a reduced Open Space requirement of 25%.

Setbacks

Laneways

- Garage: Minimum / Maximum 1m.
- Other buildings abutting the laneway must be setback a minimum of 1m from the laneway.
- Laneway fencing to be consistent with garage setback Minimum / Maximum 1m.

Dwelling

- Front Setback: Minimum: 2m to dwelling; (1.5m to open sided porch or verandah), average (excluding open sided porch or verandah) 4m.
- Side Setback: In accordance with R-Codes, though walls on boundaries are to be located on nominated nil setback boundary shown. Consideration will be given to double-storey walls on boundaries abutting a nominated nil setback boundary on the adjoining lot based on the Performance Criteria of the R-Codes, though these should generally not exceed 12m in length and 6.5m in height.

Secondary Street & Green Space Setback

- Minimum 1.5m unless a front setback in which case, as above.

Lots abutting Public Open Space / Green Space












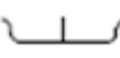
- Retaining and Estate fencing is to be provided by the developer along all lot frontages to public open space / green space. It is to be a uniform design, 75% open style and may not be altered without the approval of the Council.
- Dwellings abutting public open space / green space must provide surveillance of the space through the location of direct view from a major opening (Minimum 2m²) to a habitable room. Where a two storey

dwelling is proposed, surveillance from at least one habitable room on the upper floor is required, in addition to the ground floor level.

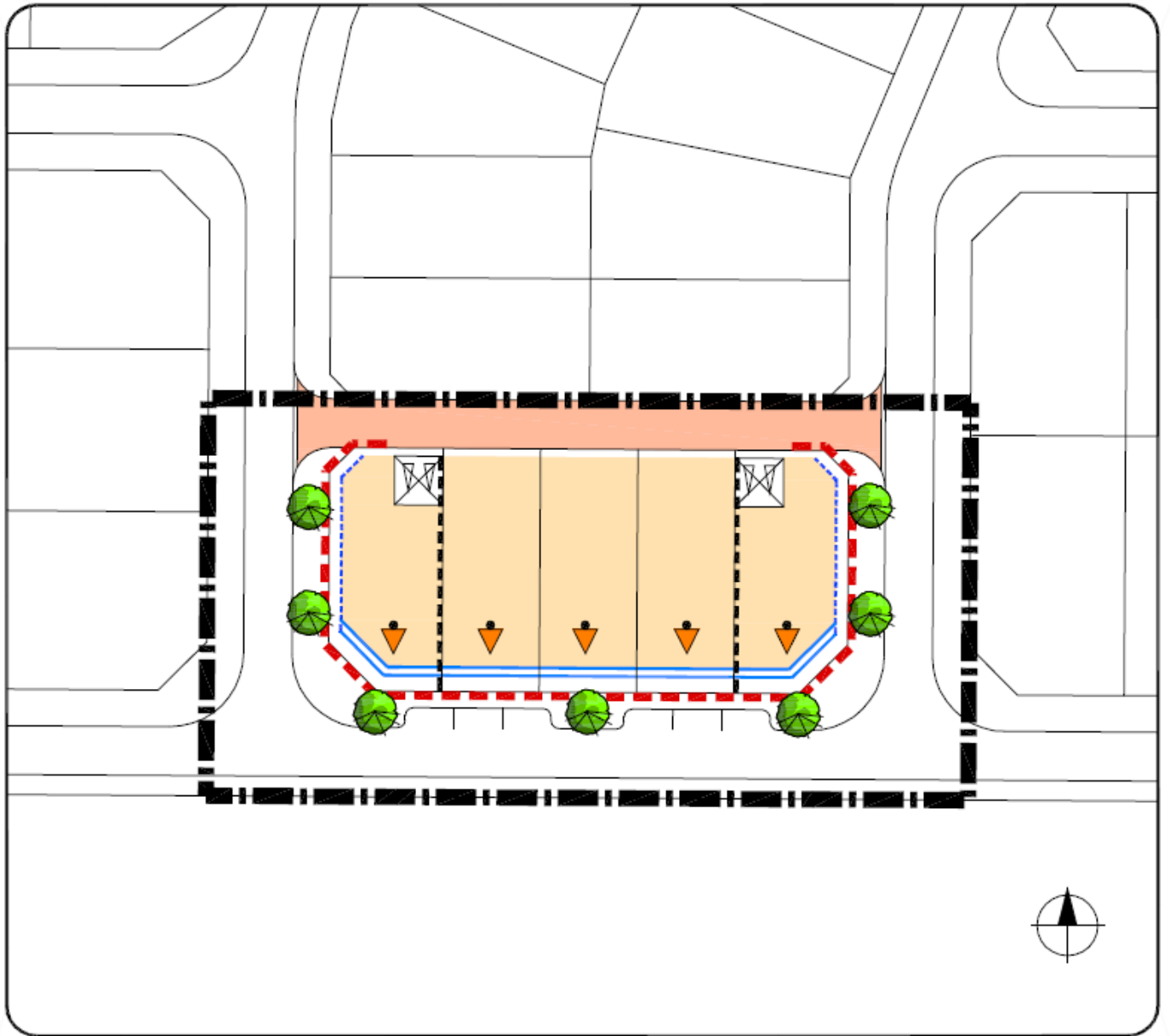
Corner Lots

- A minimum of 50% of the side boundary is to be unfenced, or visually permeable above 1.2m to a maximum of 1.8m.

Legend

	DAP Boundary
	R30
	Green Space
	Nominated Nil Setback Boundary
	No Vehicular Access
	Nominated Primary Street Setback minimum 2m, average 4m, Visually Permeable fencing only.
	Nominated Secondary Street Setback minimum 1.5m. 50% boundary fencing to be visually permeable above 1.2m.
	Visually Permeable Estate Fencing May not be altered without Council approval. Surveillance required, no blank walls permitted.
	Designated Garage Location Min. / Max. 1m
	Nominated Building Orientation
	Indicative street trees locations (Subject to detailed design)
	Indicative street parking (Subject to detailed design)

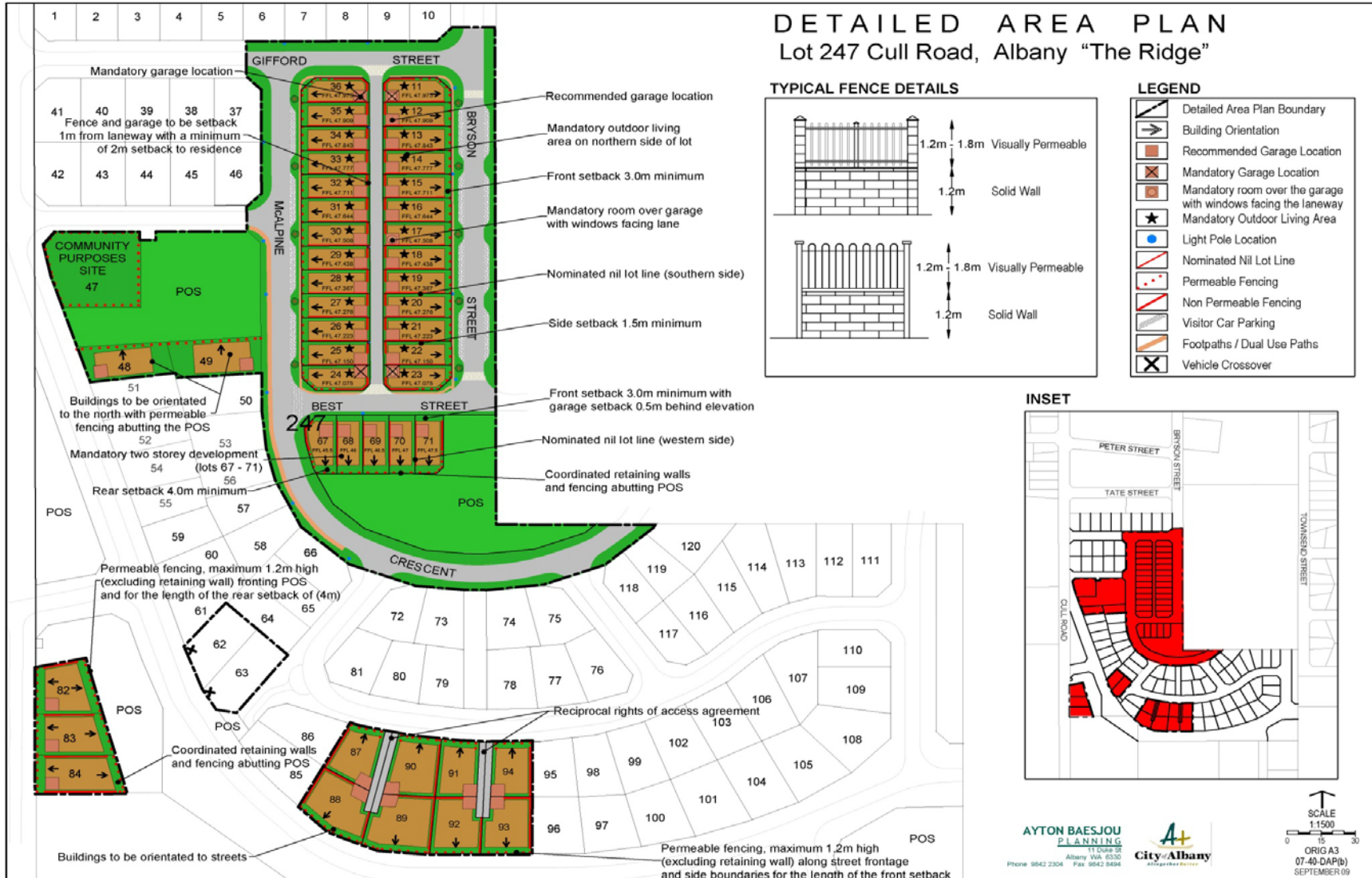








Detailed Area Plan 6 - Lot 247 Cull Road, South Lockyer



1. COTTAGE LOTS 11 – 36 (R30 SINGLE DWELLINGS)

- Room over garage: lots 11, 17 & 23 shall include a room over the garage with windows facing the rear lane to provide passive surveillance of this area.
- Private outdoor living area: This area shall be located at a mandatory northern location of the lot to receive winter sun.
- Nominated Nil Lot Line: The nominated nil lot line is on the southern boundary, with the exception of Lots 23 & 24 where a 1.5 metre side setback shall apply.
- Overshadowing: Notwithstanding the R Codes, development on the lot shall be designed so that its shadow cast at midday, 2 June onto the adjoining property's outdoor living area, does not exceed 50% (ie. 12m² of the R Codes minimum requirement).
- Rear laneway setback: The garage and fencing shall be setback a minimum of one metre in order to facilitate access to the garages, rubbish removal and surveillance. The residential dwelling shall have a minimum 2 metre rear setback.
- Garage doors are to be designed so that they do not protrude into the rear laneway.
- Front Fencing: Any front fencing facing the primary street including any corner truncation, and for 2 metres minimum along any second street for a corner lot, shall be 1.2 metres maximum height (excluding any retaining wall on which the fence is constructed). The fence shall be constructed of materials and colours to complement the dwelling and public reserve, with preference given to pillar and rail fencing (colorbond metals, corrugated fibre cement, brushwood and timber lap fences are not permitted).
- Side Fencing: For corner lots (Lots 11, 23, 24 & 36) side fencing shall be a 1.8 metre maximum height commencing from the 2 metre minimum from the corner lot's front truncation. Materials and colours of the fencing shall complement the dwelling and public reserve and corrugated fibre cement, brushwood and timber lap fencing are not permitted.
- Rear Lane Fencing: Rear lane fencing shall be 1.8 metres maximum in height with preference given to BlueScope Steel Neetascreen Plus (or similar) in Colorbond 'Sandbank'. The steel latic top section allows for opportunities for passive surveillance of the rear lane.

2. POS COTTAGE LOTS 67 – 71 (R30 SINGLE DWELLINGS)

- Lots 67 to 71 are cottage lots adjacent to Public Open Space where two-storey development is mandatory with vehicular and pedestrian access from the street.
- The front setback shall be setback 3 metres minimum from the street and the garage shall be setback 0.5 metres behind the elevation. Verandahs, porches and balconies can be used to reduce the visual impact of the garages on the street.
- The rear setback shall be 4 metres.
- The elevation facing the park shall have at least one habitable room and major opening with verandah, pergola or balcony.
- The developer will provide permeable fencing, a maximum of 1.2 metres in height (excluding any retaining wall on which it is built) where it directly abuts POS. The fencing shall consist of pier and

railing construction with the piers being of the same material as the retaining wall. Non permeable fencing of a compatible construction and colour shall be permitted along a portion of the side boundary as shown on the Detailed Area Plan.

3. PACK LOTS 87 TO 94 (R20 SINGLE RESIDENTIAL)

- Lots 87 to 94 are greentitle lots in a 'four-pack' layout. A centrally located access leg provides a reciprocal right-of-way vehicular access to each lot.
- Vehicular access to the garage shall be from the internal access leg. Access is not permitted from the front street.
- Permeable fencing a maximum of 1.2 metres in height (excluding any retaining wall on which it may be built) shall be provided along the street frontage and along the side boundary for the distance of the front setback (4 metres).

4. COMMUNITY PURPOSES SITE LOT 47

Lot 47 is designated as a site for a 'Community Purposes Site'.

The design for the building on the shall ensure:

- I. a built form that is in a landscaped setting;
- II. a built form where the elevations are consistent in design quality;
- III. a visible public entry and sheltering porch or verandah feature;
- IV. openings and 'active' habitable rooms face the streets and park (any service area, such as bin stores, shall be in the least visually obtrusive location and fully screened from public view);
- V. publicly accessible areas on the lot (such as entries and any car parking) shall be well lit for use after dark, and any possible 'hiding' areas shall be avoided (such as dark building recesses and dense shrubs/hedges);
- VI. signage shall be integral to the development and simple in design.

5. LOTS 62 & 63 – DRIVEWAY ACCESS

- Driveways on lots 62 & 63 Mueller Street to be located adjacent to the western boundary to maximise sight distance.

6. LOTS 82 – 84 ABUTTING POS (R20 SINGLE RESIDENTIAL)

- Lots 82 – 84 back onto POS and require co-ordinated retaining walls and permeable fencing.
- The elevation facing the POS shall have at least one habitable room and major opening with verandah, pergola or balcony.

ENHANCING BUILDING PERFORMANCE

Development should be designed to minimise heating and cooling costs; improve upon energy efficiency and reduce water consumption. Listed below are recommended items for inclusion in the design of a dwelling to ensure enhanced environmental performance.

- Living areas and the private outdoor living area should be located, where possible, to face north and receive winter sun.
- Openings should be appropriate sizes and shaded to reduce solar heat gain in summer and admit solar gain in winter.
- At least one bathroom should include an openable window to the outside.
- Openings should be located to allow breezes to cross ventilate and passively cool the dwelling and reduce reliance on mechanical cooling.
- The dwelling's living and sleeping areas should be capable of being closed from each other to allow for any localised heating and cooling.
- A gas hob should be specified.
- Water efficient fixtures (for example taps and shower heads) should achieve a minimum 3 star rating.
- Electrical appliances (such as fridges and washing machines) should achieve a high star energy rating.
- A rainwater tank should be installed to use stormwater, such as from the roof. The tank shall be designed as an integral feature of the dwelling and be screened from public view or buried.
- A solar hot water system should be installed to receive sufficient solar gain.

Where the solar panels are publicly visible, a split system is required with the storage tank located elsewhere. As far as practicable, the solar panels shall integrate with the roof, be frameless and mounted flush with the roof. All solar collectors, tanks (where permitted) and associated mounting equipment shall be colour co-ordinated with the roof to minimise adverse visual impacts.

Detailed Area Plan 7 – Jeffcott St

Aims

The primary aims of the DAP are to:

1. Minimise the removal of the natural topography and vegetation;
2. Ensure adequate surveillance of public spaces;
3. Provide a quality streetscape that is reminiscent of the Little Grove character of maintaining vegetation and the open feel;
4. Encourage the incorporation of sustainable features into dwelling design; and
5. Create an attractive community with a high quality of lifestyle.

Statutory Compliance

1. The City of Albany has adopted this DAP in accordance with the Local Planning Scheme and it should be read in conjunction with the Scheme Text and Planning Policies, Little Grove Structure Plan and the Residential Design Codes.

R- Coding

1. The Residential Density Code which applies to these lots is R20.

R- Code Variations

The Town Planning Scheme and R-Codes are varied in the following manner:

1. The requirements of the R-Codes are varied as shown in the notations on this DAP and in the Design Elements below;
2. The requirements of the R-Codes and Town Planning Scheme shall be satisfied in all other matters.

Design Elements

Front setbacks and Streetscape (Wilson Street)

1. In order to maintain a consistent streetscape, allow the efficient use of the lots and to encourage the location of courtyards with a northern aspect, dwellings shall have a 3.0m minimum setback from Wilson Street (no averaging).

Side Setbacks (Jeffcott Street)

1. Most of the lots located adjacent to Jeffcotte Street are orientated to an internal road, Right of Way of Battle axe leg; therefore Jeffcott Street shall be treated as a secondary street. Dwellings shall have a minimum 1.5m setback from Jeffcott Street (no averaging).

Outdoor Living Areas

1. Where ever possible, courtyards should be located with a northerly aspect.

Access

1. Shared crossovers identified on the Detailed Area Plan are to be provided by the developer to the satisfaction of the CoA.
2. Direct vehicular access to Jeffcotte Street and Wilson Sreet is prohibited unless via an existing crossover provided by the developer.
3. A shared crossover provided as part of the subdivision is to be the sole vehicular access to that property.

Passive Surveillance

In order to achieve the principle of passive surveillance – corner lots, lots adjoining POS and those lots overlooking the centrally located Pedestrian Access Way shall provide at least one habitable room window, with minimum size of two square metres that addresses the applicable feature.

Corner Lots

1. Due to their prominence in the neighbourhood, and requirements to maintain passive surveillance of streets, those dwellings situated on a corner lot shall be designed to address both streets.
2. No entirely blank walls shall be permitted for any storey that addresses a street and/or laneway.

Lots adjoining POS

1. Courtyards are encouraged adjacent to POS to increase activity along the POS edge.

Estate fencing











1. Fencing on boundaries facing POS will be provided by the developer and shall not be altered or replaced by the landowner. This fencing will be designed and constructed in accordance with the two types of fences denoted on the DAP as follows:
2. Type 1 fencing; Front fences along Wilson Street to be a maximum of 900mm high.
3. Type 2 Fencing; A minimum of 50% of the length of the fencing provided along the boundary shall be visually permeable to a maximum height of 1.2m. In the case of a corner lot. The permeable portion of fencing shall be located toward the corner.
4. Type 3 Fencing; A minimum of 75% of the length of the fencing provided along the common boundary with the POS shall be visually permeable above 1.2m to a maximum height of 1.8m.

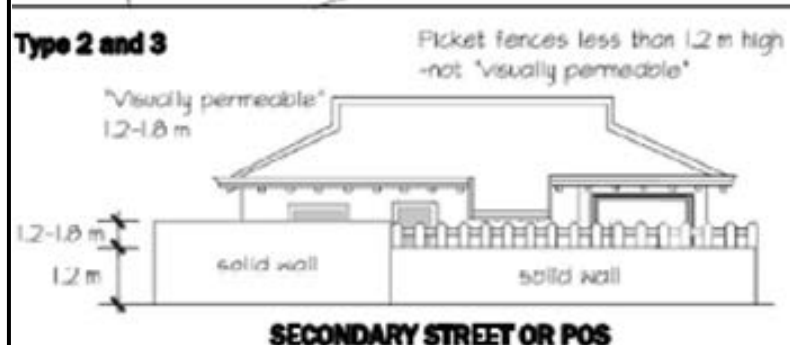
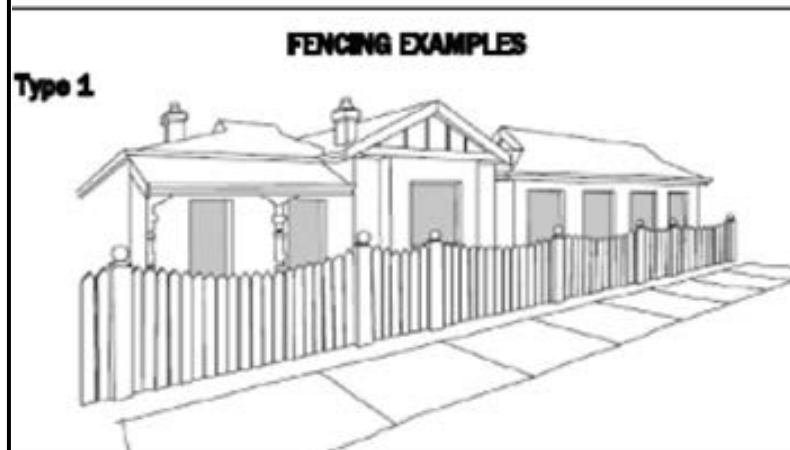
Rainwater Tanks

1. Each lot is to have a minimum 5,000 litre water tank to be plumbed into the dwelling for house-hold use. The rainwater tank is to direct any overflow to a 1.5m X 1.5m soak-well to take excess stormwater.

Conservation Area

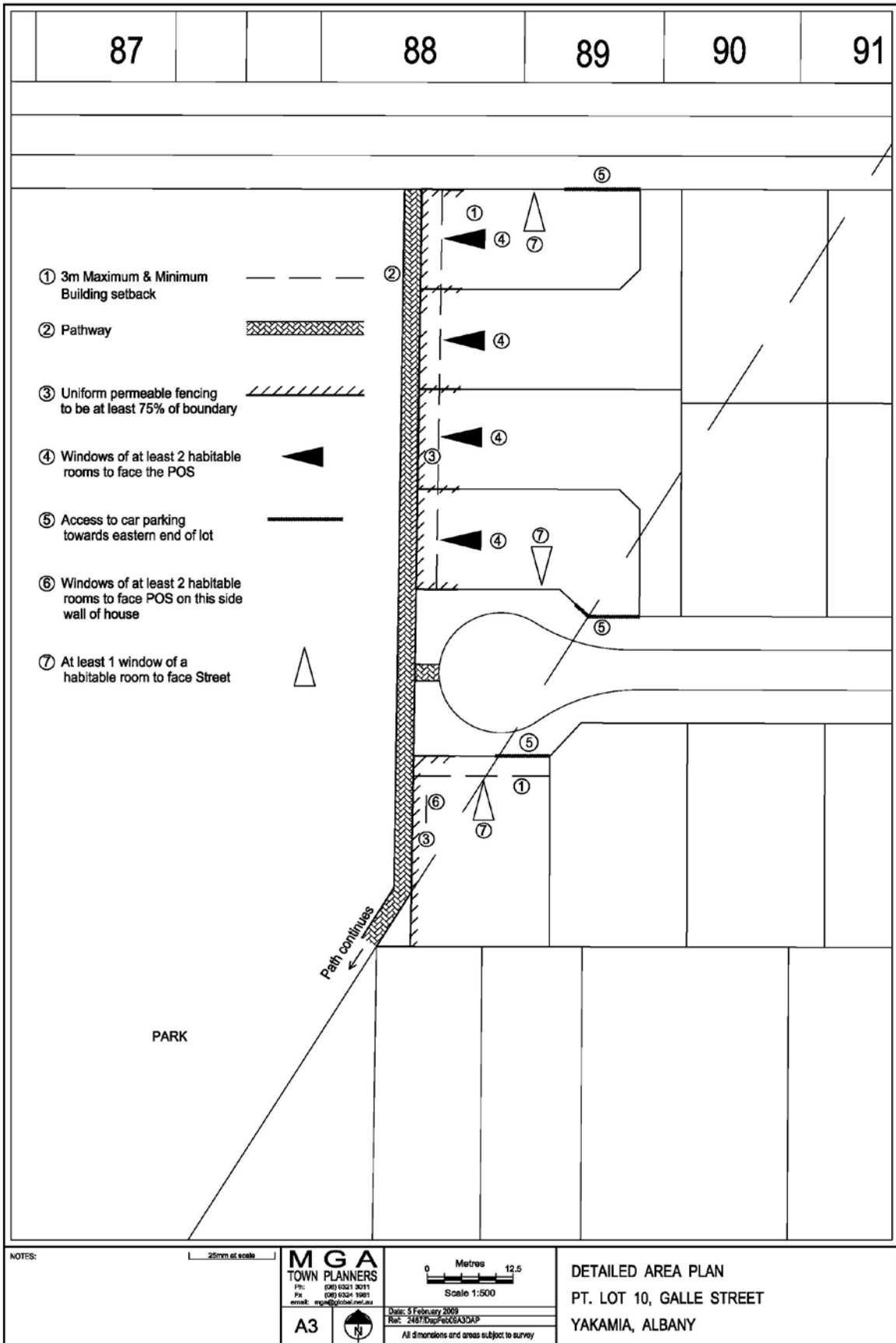
1. No additional clearing is to occur within the designated conservation area noted on the detailed area plan.

LEGEND	
	Lots with Existing Dwellings
	Fence Type 1
	Fence Type 2
	Fence Type 3
	Public Open Space
	Conservation Area
	Passive Surveillance
	Shared Crossover
	Development Exclusion Area
	Preferred Outdoor Living Area Location (non-specific)





Detailed Area Plan 8 - Lot 10 and 322 Galle Street ,Yakamia



Detailed Area Plan 9 - Lots 32 & 37 Silver Street, McKail

The Residential Density Code which applies to Lot 35 Le Grande Avenue is R30. The Residential Density Code applying to all other lots is R20. The R-Code variations and Design Elements in this DAP are only applicable to those lots to which the R20 density Code applies.

R-Code Variations

The Town Planning Scheme and R-Codes are varied in the following manner:

1. The requirements of the R-Codes are varied as shown in the notations on this DAP.
2. The requirements of the R-Codes and Town Planning Scheme shall be satisfied in all other matters.
3. The requirements to consult with adjoining or other owners to achieve a variation of the R-Codes, is not required where the variation is in accordance with notations on this DAP.

Design Elements

1. The dwellings (including patios and gazebos) and garages must be constructed within the nominated building envelope.
2. An alternative garage location to that shown on the plan may be approved by the Manager of Planning subject to its design meeting solar orientation and streetscape objectives as well as statutory requirements.

Front Setbacks and Streetscape

1. Dwellings shall have a 3.0m min setback from the primary street – no averaging
2. Open sided porches are permitted to have a 1.5m minimum setback from the primary street.
3. Garages are to be located behind or level with the front wall of the dwelling to ensure that the dwelling is the dominant feature of the streetscape.

Site Coverage

All construction on individual lots will ensure that 40% of the site comprises Open Sp[ace as defined by the R-Codes.

Outdoor Living Areas

Where ever possible courtyards should be located with a northerly aspect.

Corner lots

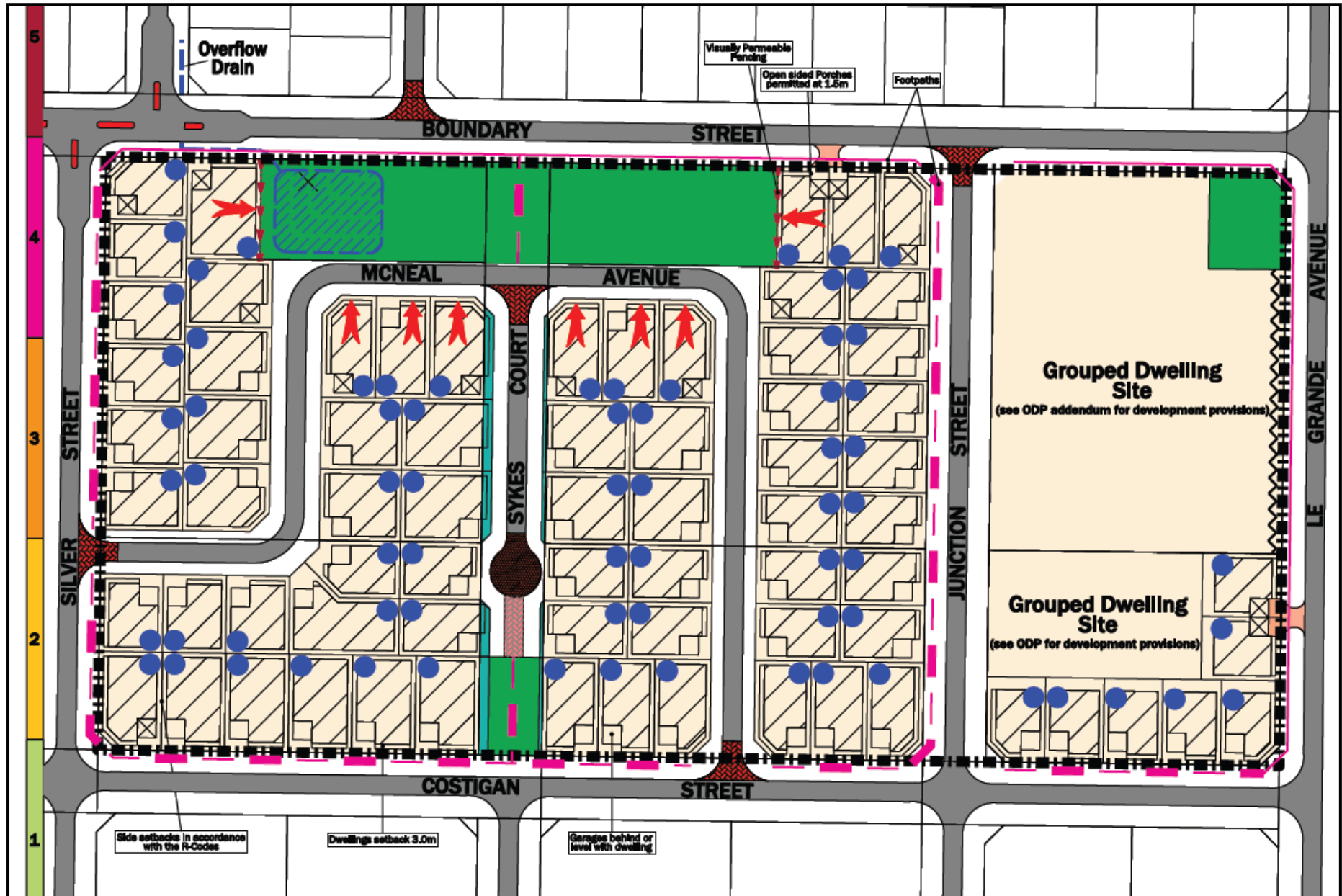
1. Due to the prominence in the neighbourhood, and requirements to maintain passive surveillance of streets those dwellings situated on a corner lot shall be designed to address both streets.
2. At least one habitable room window (ideally to a living room), shall be provided within the front half of the wall fronting the secondary street per storey.
3. A minimum of 50% of the length of the fencing provided along the boundary with the secondary street shall be visually permeable above 1.2m to a max height of 1.8m.

Lots adjoining POS

1. In order to achieve the principle of passive surveillance of POS areas at least one habitable room window with a min size of two square metres, shall address the POS for lots marked on the DAP.
2. Balconies and verandahs are encouraged to the front and rear of dwellings to provide for surveillance of the primary street and POS, whilst maintaining a reasonable level of privacy between dwellings.
3. Visually permeable fencing will be required for those lot boundaries abutting POS areas as further described in Council's DAP Policy.

Design Elements that can be applied mandatorily through conditions and/or development guidelines (sustainable features).

- Install water sensitive features such as under-eave rainwater tanks.
- Utilise front verandas porches;
- Install onsite drainage as the first step toward slowing stormwater down and allowing it to infiltrate into the earth.
- Use of energy efficient glazing and other building elements.
- Living areas with good solar access to the north.
- Install energy efficient fixtures such as hot water systems and rated appliances.



Objective:

To ensure development of Lot 14 Spencer Street, Albany is sympathetic to the built form of the former Activ Building (Building 1), Thrift Shop (Building 2), Cheyne Cottage and surrounding heritage properties and maintains existing view corridors from Frederick Street through the use of appropriate controls addressing building height, bulk, location, form, colour and materials.

A1 Relationship to Other Planning Instruments

This Policy is to be read in conjunction with the following planning instruments with relevant provisions of these instruments applied as appropriate to development of Lot 14:

- Central Albany Urban Design Policy
- Residential Design Codes of Western Australia

Where a provision of this Policy is inconsistent with a provision of the abovementioned planning instruments, this Policy will prevail to the extent of the inconsistency.

A2 Policy Statement

The specific policy requirements for development of Lot 14 are outlined in the provisions below.

A2.1 Development Guide Plan and Staging and Land Tenure Plan

A2.1.1 The Development Guide Plan and Staging and Land Tenure Plan for Lot 14 Spencer Street, Albany and adopted by the City of Albany forms part of this Policy.

A2.1.2 In order to meet the requirements of this Policy, development is to be in accordance with the Development Guide Plan and Staging and Land Tenure Plan.

A2.2 Building Setbacks

A2.2.1 The building setbacks to be used for new development on the site are shown on the Development Guide Plan.

A2.2.2 Street and driveway setbacks shown on the Development Guide Plan are fixed and not subject to reduction.

A2.2.3 Side and rear setbacks shown on the Development Guide Plan are the minimum permitted. Greater setbacks than provided on the Development Guide Plan are permissible, except in relation to nil setbacks.

A2.2.4 In order to maximise solar access, ventilation, streetscape and privacy buildings are to be built on the boundary where shown.

A2.2.5 All balconies, roofed patios and decks raised above 0.5m from the courtyard ground level are to be located within the building envelope shown on the Development Guide Plan.

A2.3 Streetscape

A2.3.1 The facade of any building fronting Spencer Street is to be designed to complement the appearance of the existing Buildings 1 and 2 in a manner consistent with "recognised heritage conservation guidelines and principles". The facade is to be built on the property line with the parapet wall height varied to accommodate the slope as shown by the existing buildings (see Figure 1).

- A2.3.2 Dwellings fronting Frederick Street (Lots C1 – C4 as depicted on the Development Guide Plan) are to be single storey in height at the street frontage (northern boundary) and be complementary to the bulk and character of the adjoining dwelling to the east.
- A2.3.3 All buildings are to have living areas (indoor or outdoor) overlooking the street and internal driveways.
- A2.3.4 Fencing along the Frederick Street boundary is to be of uniform construction, visually permeable (see through) and a maximum 0.9m above footpath height in front of any dwelling and 1.8m above footpath height elsewhere.
- A2.3.5 All garages and on-site parking areas are to be accessed from the internal driveway. No garages or carports are permitted on the Frederick Street frontage.
- A2.3.6 Buildings fronting Frederick or Spencer Street are to provide direct pedestrian access from the street elevation.
- A2.3.7 A view corridor looking across Norman House to the Penny Post and Existing Oak Tree on Lot 1 is to be maintained as shown on the Development Guide Plan.
- A2.3.8 Garages / carports are to be located as shown on the Development Guide Plan.
- A2.3.9 Garage doors are to be of uniform colour and materials for each group of buildings to ensure a consistent facade. Where carports are to be used, this must be done for each of the dwellings within the group.
- A2.3.10 Non-residential uses are to have direct frontage to Spencer Street with windows looking out onto the street.
- A2.3.11 The existing facades of Building 1 (Figure 2) are to remain unaltered with the exception of the removal of the later and intrusive verandah and window additions. Any restoration of the building (i.e. replacement of the verandah or windows, repainting, etc) should be authentic, based on documentary and physical evidence.
- A2.4 Built Form
- A2.4.1 Colours and materials are to be complementary to the existing Buildings 1 and 2 and should be based on documentary and physical evidence. The full range of external materials, including masonry, iron, timber weatherboard and cement cladding will be considered. Development should be sympathetic in form, size, bulk and setback to surrounding properties.
- A2.4.2 Use of unpainted or non-rendered face brick is not permitted.
- A2.4.3 Roof pitch is to be less than 10°, for all new buildings with the exception of houses fronting Frederick Street where a 25° roof pitch is permitted to complement surrounding roof styles.
- A2.4.4 Use of unpainted 'Zincalume' or light-coloured 'Colorbond' custom-orb roofing is required for all buildings, except housing fronting Frederick Street.
- A2.4.5 Roofing tiles are not permitted, except on the houses fronting Frederick Street, where natural-coloured terracotta clay tiles may be used as a substitute to custom-orb roofing to complement the adjoining residence to the east.

- A2.4.6 The facade of Building 2 is permitted to be rationalised, such that only the windowed section of the facade, as well as the original timber trusses and south facing skylight windows, are retained. The remainder of the facade fronting Spencer Street is to incorporate design elements of Building 2 in order to provide visual cues back to the retained structure.
- A2.4.7 The design of any building fronting Spencer Street will be subject to assessment and comment by the City's Heritage Advisor prior to issue of any development approval.
- A2.4.8 Except for Lots A and B1, Upper floors are to extend 0.5m in front of the garage building line in order to provide an element of articulation to the frontages of the dwellings facing the internal driveway.

A2.5 Height and Bulk

- A2.5.1 Finished floor and ground levels are not to exceed the maxima shown on the Development Guide Plan without Council approval.
- A2.5.2 When considering varying the maximum finished level of a building from that shown on the Development Guide Plan, the Council is to ensure the following matters are appropriately addressed prior to granting approval to the varied finished level:
- Impact on the amenity of adjoining dwellings within the complex and adjoining the site.
 - Ensuring the increased finished levels do not detract from the scale and bulk of the overall development.
 - Impact on the view corridor from Frederick Street.
 - Need to ensure appropriate operation of drainage and sewer.
 - Need for retaining walls and the impact on adjoining properties.
 - Impact on solar access to adjoining dwellings, overlooking and overshadowing.
 - Impact on the preservation and amenity of Cheyne Cottage.
- A2.5.3 Building height will be generally in accordance with Category B of Table 3 of the *Residential Design Codes*, except as otherwise varied by this Policy. 'Natural ground level' will be considered the FFL for the lower floor of each building as depicted on the Development Guide Plan, or as varied under clause A2.5.2.
- A2.5.4 Notwithstanding clause A2.5.3, the maximum building height for dwellings fronting Frederick Street will be in accordance with Category A of Table 3 of the *Residential Design Codes* with 'natural ground level' being the FFL for the upper floor as shown on the Development Guide Plan. The purpose of this clause is to ensure a single storey scale and bulk for these buildings when viewed from Frederick Street, whilst allowing for use of the existing fall of the site to establish an undercroft area under the FFL of the upper floor.
- A2.5.5 Upper floor balconies on Lots C1-C4 are to be un-roofed within 4m of the southern strata boundary of these lots to protect the solar access of Lots D1-D3 and to provide adequate light and ventilation.
- A2.5.6 Courtyards are to remain un-roofed to within 4m of the southern boundary on Lots B2-B4 and D1-D3 to protect the solar access of properties to the south and to provide adequate light and ventilation.

A2.6 Privacy and Outdoor Living Areas

- A2.6.1 Second storey windows on dwellings that face another dwelling are to be designed so that the two sets of windows are offset and do not directly face one-another.

- A2.6.2 Balconies are to be screened to 1.7m above the finished level of the balcony where adjoining another balcony or as otherwise shown on the Development Guide Plan.
- A2.6.3 Each dwelling is to be provided with a courtyard / outdoor living area as depicted on the Development Guide Plan. In the case of Lots C1 – C4, this is to be located as a balcony area on the southern side of the dwelling as depicted on the Development Guide Plan.
- A2.6.4 Each dwelling is to be provided with a clothes drying area screened from the view of the street or internal driveway. In the case of Lots B1 and C1-C4, installation of a clothes dryer will be accepted in lieu of a outdoor clothes drying area.
- A2.6.5 With the exception of Lot B1, each dwelling is to incorporate a minimum 4m² lockable storage room directly accessible from the garage / carport with a minimum internal dimension of 1.5m.

A2.7 Landscaping

- A2.7.1 Landscaping in common property areas are to be established and maintained by the Strata Company at all times.
- A2.7.2 Trees selected at maturity are not to exceed the height of the Frederick Street footpath at the view point marked on the Development Guide Plan (10m RL).
- A2.7.3 Use of deciduous trees to provide shade in summer and light / heat in winter is recommended for the common property areas.
- A2.7.4 Boundary fencing (except for street fencing) is to be of a uniform colour and a maximum of 1.8m high.

A2.8 Access and Car Parking

- A2.8.1 Driveways are to be constructed in a uniform material as depicted on the Development Guide Plan and located within Common Property.
- A2.8.2 The existing Right of Carriageway easement to Cheyne Cottage is to be modified to follow the new driveway route with the existing access point into the Cheyne Cottage site to remain.
- A2.8.3 The main driveway will be subject to a Right of Carriageway easement to the benefit of Lot A (office use) to ensure access in perpetuity.
- A2.8.4 Each dwelling is to have two (2) car parking spaces contained in either a carport or garage as shown on the Development Guide Plan.
- A2.8.5 A minimum of two (2) visitor parking spaces are to be provided within the common property and located separately from parking spaces associated with the office use. These spaces are to be marked for residential visitor use only.
- A2.8.6 A minimum of eight (8) on-site parking spaces for the office use on Lot A are to be provided as shown on the Development Guide Plan. It is noted that the minimum required parking spaces for the office of ten (10) spaces has been offset by the ability to provide two (2) on-street spaces immediately in front of the site.
- A2.8.7 A minimum of three (3) on-site parking spaces for the office /studio on Lot B1 are to be provided as shown on the Development Guide Plan. It is noted that the minimum required parking spaces for the office and single bedroom studio of six (6) spaces has been offset by the ability to provide three (3) on-street spaces immediately in front of the site.

A2.9 Non-residential uses

- A2.9.1 Lot A as depicted on the Development Guide Plan is to be used for office accommodation or other non-residential use approved by the Council. Car parking has been provided on the Development Guide Plan for a maximum of 300m² gross floor area (GFA). Any increase in GFA will require the provision of additional car parking to the satisfaction of Council.
- A2.9.2 Lot B1 as depicted on the Development Guide Plan is to be used for office accommodation or other non-residential use approved by the Council on the ground floor. A single bedroom studio residence can be incorporated into the upper floor. Development of the upper floor must take into account the existing heritage elements of the building including two internal trusses, south facing windows and the need to let light in through these windows. Development of the upper storey is to minimise impact on the streetscape and must be setback appropriately from the Spencer Street frontage. Car parking has been provided on the Development Guide Plan for a maximum of 150m² gross floor area (GFA) of office space and a single studio residence. Any increase in GFA will require the provision of additional car parking to the satisfaction of Council.

A2.10 Servicing

- A2.10.1 Provision is to be made for centralised letter boxes at the entrance to the main driveway from Spencer Street.
- A2.10.2 Rubbish collection is to occur via standard domestic 'wheelie bins' placed on Spencer Street or by alternative arrangement with the agreement of Council. Bins are to be stored at each unit outside of pick up days.
- A2.10.3 Provision is to be made for centralised electricity meters for the residential units. This is to be located within Common Property at the entrance to the main driveway from Spencer Street.
- A2.10.4 A 1.5m wide service easement is to be provided along the southern boundary of Lots B1 – B4 to provide access for drainage and sewerage services.
- A2.10.5 Stormwater drainage is to be managed on site and released into the surrounding drainage system in accordance with Better Urban Water Management Guidelines, as approved by the Council.

A3 Figures

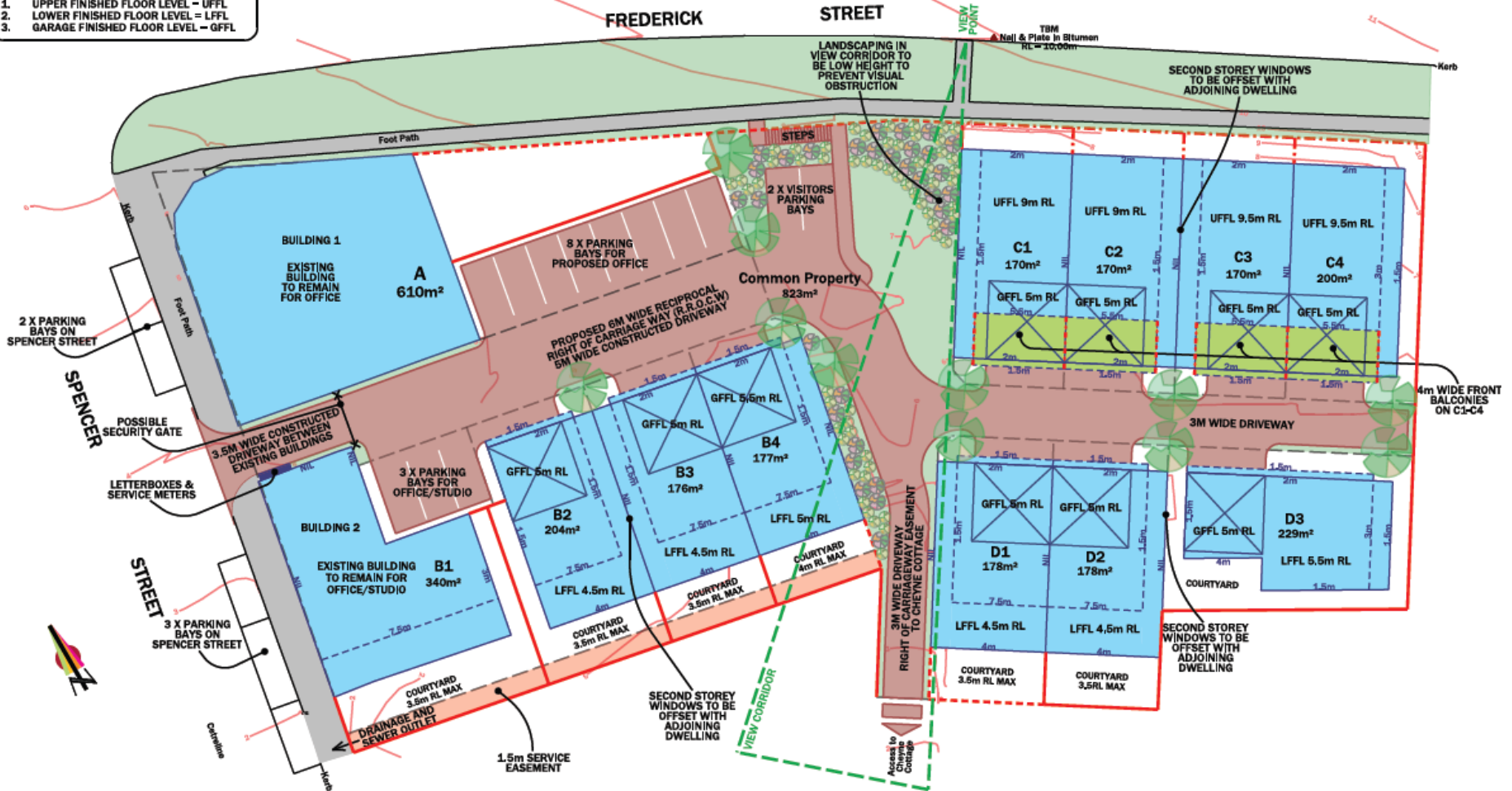
Figure 1



Figure 2



- NOTES:
 1. UPPER FINISHED FLOOR LEVEL - UFFL
 2. LOWER FINISHED FLOOR LEVEL - LFFL
 3. GARAGE FINISHED FLOOR LEVEL - GFFL



Development Guide Plan

LOT 14
SPENCER STREET
ALBANY

LEGEND

- Lot Boundaries
- Maximum 1.8m High Open Fence
- Maximum 1.8m High Closed Fence
- Maximum 0.9m High Open Fence
- Privacy Screening
- First Storey Setback
- Second Storey Setback (If varied from first storey)
- Compulsory Balcony Courtyard
- Building Envelope
- Designated Garage Location

This Detailed Area Plan has been adopted by Council and signed by the Manager of Planning for the City of Albany

Chief Executive Officer: _____ Date: _____

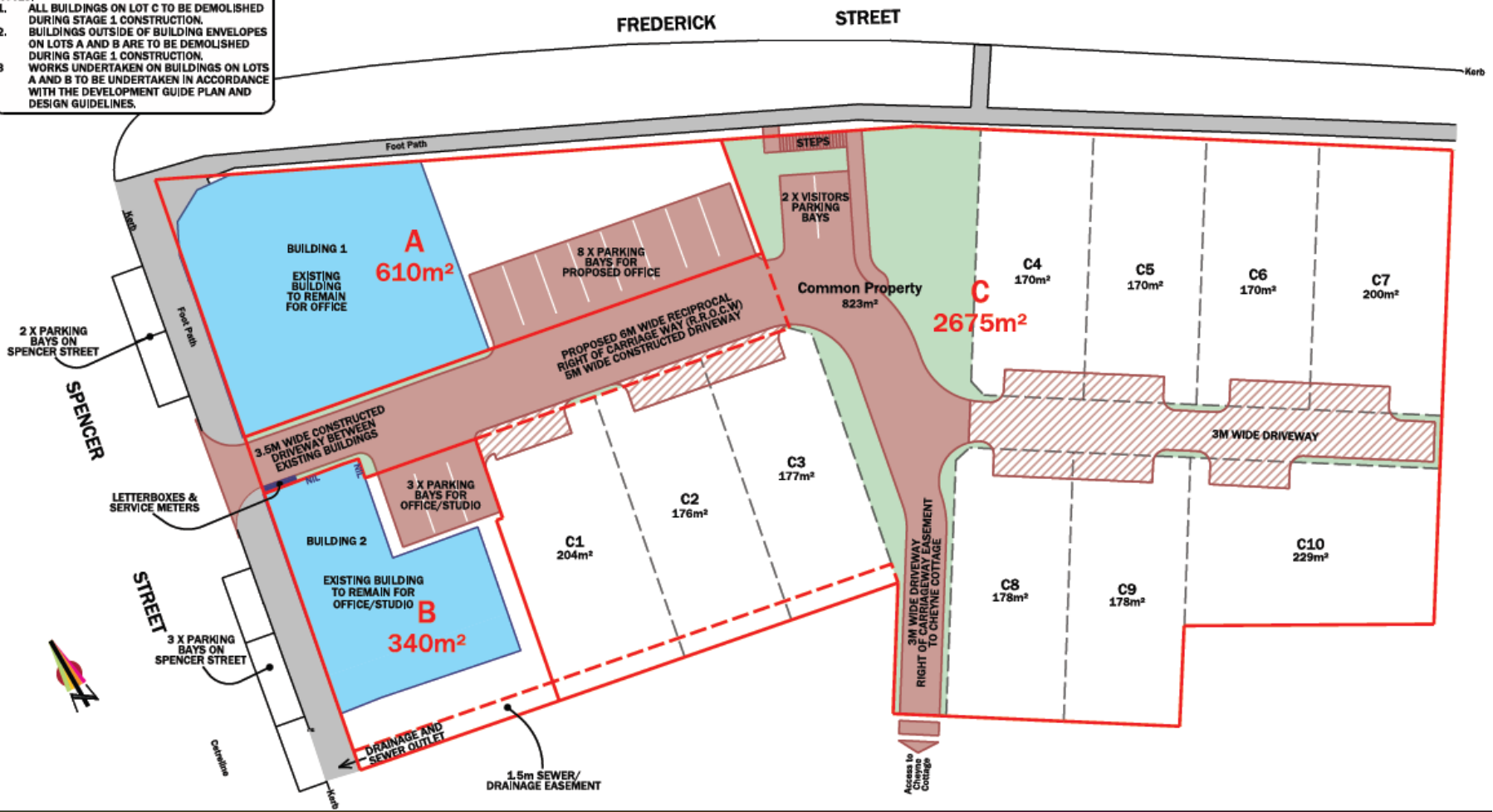
SCALE AT A3 1:100

0 1 2 3 4 5
ALL DISTANCES ARE IN METRES

copyright
 This document is and shall remain the property of HARLEY GLOBAL. This document may only be used for the purposes for which it was commissioned and in accordance with the terms of engagement for its commissioning. Reproduction, distribution, sale or other use without the prior written consent of HARLEY GLOBAL is prohibited.
 This plan has been prepared for planning purposes. Fees, conditions and specifications shown are subject to survey.

11B Serpentine Road, Albany WA 65320
 Phone: 08 9841 7333 Fax: 08 9841 3643

- NOTES:**
1. ALL BUILDINGS ON LOT C TO BE DEMOLISHED DURING STAGE 1 CONSTRUCTION. BUILDINGS OUTSIDE OF BUILDING ENVELOPES ON LOTS A AND B ARE TO BE DEMOLISHED DURING STAGE 1 CONSTRUCTION.
 2. WORKS UNDERTAKEN ON BUILDINGS ON LOTS A AND B TO BE UNDERTAKEN IN ACCORDANCE WITH THE DEVELOPMENT GUIDE PLAN AND DESIGN GUIDELINES.



Staging and Land Tenure Plan

LOT 14
SPENCER STREET
ALBANY

LEGEND

- Stage 1 Green Title Lots
- Stage 1 Easements
- Stage 2 Survey/Built Strata Lots
- Stage 1 Driveway
- Stage 2 Driveway
- Landscaping
- Building Envelope for Lots A & B (Building Envelopes for Lot C as per Development Guide Plan)

This Staging and Land Tenure Plan has been adopted by Council and signed by the Chief Executive Officer for the City of Albany

Chief Executive Officer _____ Date _____

SCALE AS SHOWN

0 5 10 15

ALL DISTANCES ARE IN METRES

copyright
This document is and shall remain the property of HARVEY GLEASON. The document may only be used for the purposes for which it was prepared. No liability is accepted for the use of this document in any other context or for any loss or damage, whether direct or indirect, arising from its use.
NOTE: This plan has been prepared for planning purposes. Areas, contours and dimensions shown are subject to survey.
Drawn: SDP 27-05-11 Checked: SJR 27-05-11

116 Serpentine Road, Albany WA 6170
Ph: 08 9841 7313 Fax: 08 9841 3643
www.harleygleason.com.au

SLOPING LAND

Objectives:

- 1) ***Encourage a philosophy that discourages the recontouring of land as being the preferred method of undertaking the development of sloping sites.***
- 2) ***Restrict excessive cutting and filling of steeply sloping land and encourage house design sympathetic (split level) to the natural topography.***
- 3) ***Reduce neighbour conflict by encouraging a reduction in the level of cutting and filling on development sites and the size of the retaining walls that need to be constructed along the common property boundary(s).***
- 4) ***Promote development that is sensitive to the natural topography and character of Albany.***
- 5) ***Promote housing designs which complement the slope of the land to reduce the building's bulk and visual impact.***

Definitions

“Height Bonus” - Height permitted (1.5m) over and above category “B” of the Residential Design Codes.

“Neighbouring Property Boundary” - A boundary that is common to two freehold lots that are shown on a Diagram of Survey and does not include a common boundary to a reserve vested in the Crown or to a road reservation.

Scope

The provisions of this policy apply to those lots identified in Schedule 1 below which have been created as part of a subdivision process and have a slope greater than 1:10.

Policy Statement

General Requirements

Landowners or development proponents seeking to vary the requirements of this policy must demonstrate how the Policy Objectives are to be achieved as part of any application to development contrary to this policy

Retaining on Property Boundaries

The maximum height of a retaining wall on a neighbouring property boundary is to be no higher than 2.0m, with a maximum change in the height of the natural ground level being limited to 1.0m (refer to Figs 1 and 2).

Retaining Within the Confines of the Lot

Retaining within 4.0m of a neighbouring property boundary and the street frontage(s), is to be no higher than 2.0m, with a maximum change in the height of the natural ground level being limited to 1.0m (refer to Fig 1).

Beyond 4.0m of the boundaries, retaining is to be no higher than 3.0m, with a maximum change in the height of the natural ground level being limited to 1.5m (refer to Figs 1 and 5)

Where retaining is undertaken for the purpose of constructing a building, the external walls of the building should be designed as retaining walls and therefore contain the soil created by the cutting and filling (refer to figs 3 and 4).

Minor retaining within the lot is acceptable to provide for discrete garden areas, open spaces and to accommodate vehicle movements within the site.

Screening

Where limitations on cutting and filling produce a building located on a podium, the exposed underside of the building is to be screened utilising materials that compliment the remainder of the building (refer to fig 3) and demonstrate connectivity of the building to the site.

Neighbours

Where the retaining wall on a neighbouring property boundary is greater than 0.5m in height and/or does not meet the acceptable criteria for side setbacks as per the Residential Design Codes, the applicant is to provide (on application) evidence of consultation with their neighbour and documentation demonstrating that the proposed retaining wall meets the current and future building objectives of both landowners. Where no agreement is obtained, Council will determine the proposal in accordance with the Performance Criteria specified in Part 2.5 of the Residential Design Codes.

Height Bonus

Where a house design meets the requirements of the policy, the maximum building heights identified in the Residential Design Codes (Category B) may be increased by 1.5 metres as follows:

Top of External Wall (roof above)	7.5 metres
Top of External Wall (concealed roof)	8.5 metres
Top of pitched roof	10.5 metres

Figures

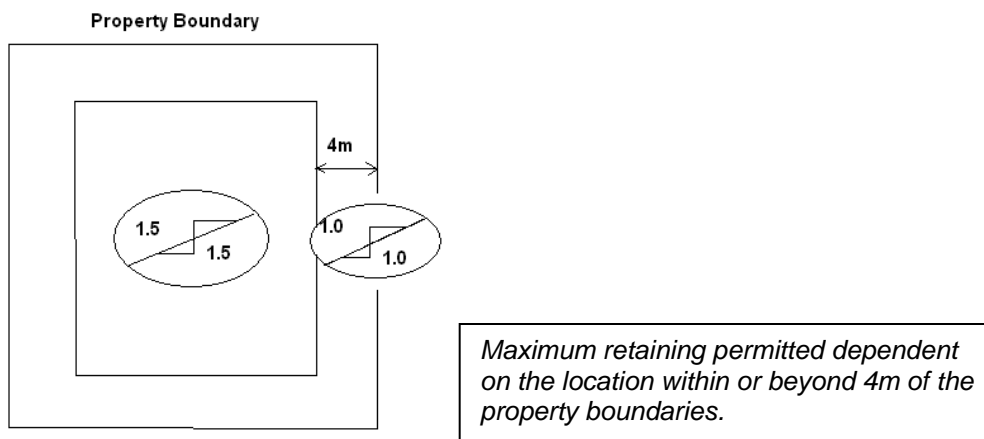
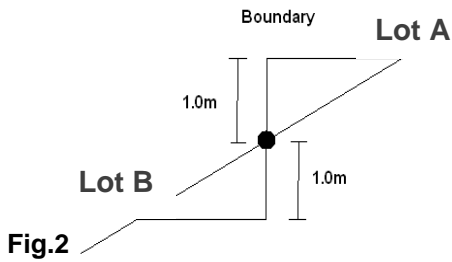
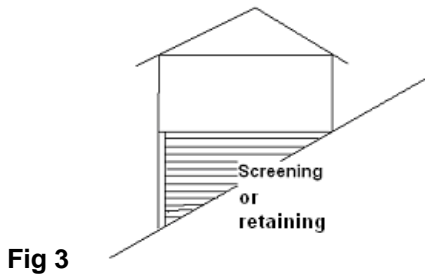


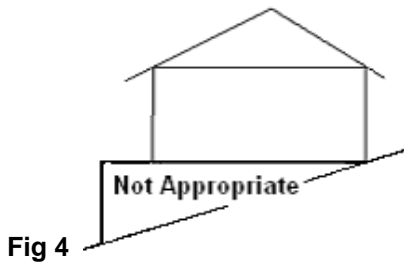
Fig.1



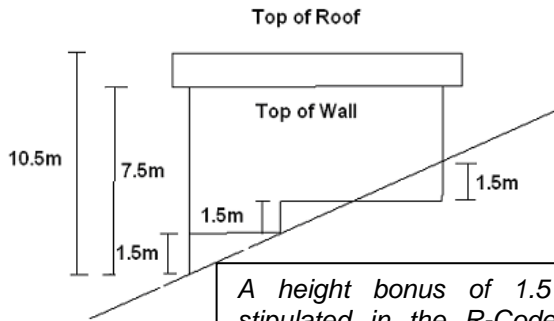
Maximum retaining permitted (either side of the natural ground level) at the boundary subject to neighbours comment.



Retaining wall and/or screening to be utilised as part of the building construction.



It is not appropriate to extend retaining beyond the confines of the building envelope



A height bonus of 1.5 metres above that stipulated in the R-Codes may be permitted where a house design compliments the objectives of this policy

Schedule 1 - Sloping Land Policy Schedule

1. Bayonet Head - Proposed Lots 478-484 Berliner Street, 489-501 Culley Road, 506-515 White Place and 518-519 cnr. Tipping Road and Paul Terry Drive (as per WAPC subdivision #124643).
2. Spencer Park - Proposed Lots at Lot 103 Ulster Road (as per WAPC subdivision #243-07)

REFLECTIVE ROOFS – GOODE BEACH

Objectives:

- 1) **To preserve the amenity of urban areas from the potential visual detraction and nuisance of highly reflective roof materials within the locality of Goode Beach.**
- 2) **To preserve the visual amenity and General Agriculture and Priority Agriculture / scenic character of areas of landscape value from the potential visual detraction of highly reflective roof materials within the locality of Goode Beach.**
- 3) **To ensure that highly reflective roof materials are used only where an assessment has been undertaken in relation to the potential visual detraction and nuisance arising from sunlight reflection and glare.**
- 4) **To acknowledge the thermal energy efficiency of highly reflective roof materials, however only permit use of such materials where the relative visual impact can be mitigated.**

Definitions

“Low reflective building material” means any building material that has a solar reflectance value of 50% or less.

“Highly reflective building material” means any building material that has a solar reflectance value greater than 50%

“Solar reflectance value” represents the percentage of the total solar radiative energy falling onto a surface that is re-radiated. For the purpose of this policy the values are those provided by BHP Steel Ltd that are shown in Appendix 1 and which have been adopted by Council

Policy Statement

- 1) This policy shall apply to the “Residential” and “Special Residential” areas within the locality of Goode Beach as defined by the map attached (Plan 1).
- 2) The use of highly reflective roof materials will not be supported in the areas to which this policy applies, however may be permitted (subject to submission of a formal development application) only where it is demonstrated by the applicant that the particular proposal satisfies all of the assessment criteria relevant to the specific areas below:
 - a) The owners of those adjoining / surrounding lots that circumscribe the subject lot do not object to the use of the reflective roof material. (Where the comments of adjoining / surrounding landowners are not provided by the applicant, Council shall refer the application to such persons for a minimum period of 14 days. Any objections must be based on valid amenity grounds and supported by written explanation).
 - b) The reflective roof material will not be overlooked from existing or future dwellings on adjoining land.
 - c) The reflective roof material will not be visually prominent from a main road or public place.
 - d) The reflective roof material will not create nuisance or hazard.
 - e) There is sufficient vegetation to screen the reflective material, so that it is obscured from view and will not be inconsistent with the above assessment criteria.
- 3) Council may use its discretion to permit the use of highly reflective roof materials on buildings where there is a need to maintain the architectural integrity of existing buildings that incorporate such materials.

Application Requirements

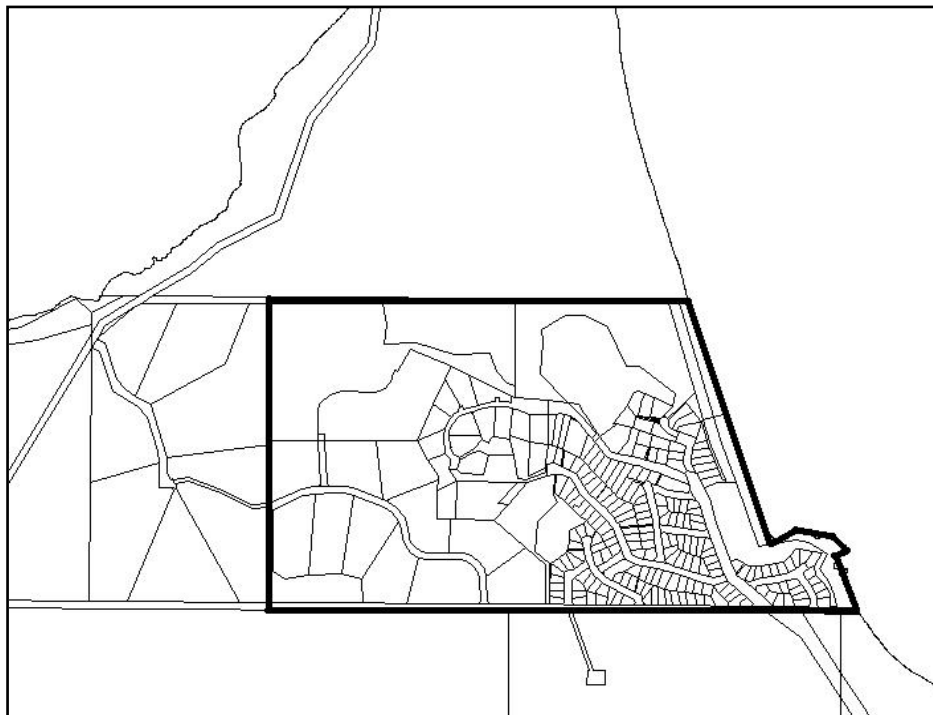
- 1) Applicants seeking to use highly reflective roof materials should support their application with a site plan, photographs from within the site and local view-scapes, architectural details and any other information necessary to address assessment criteria outlined in this policy.
- 2) Applicants should note that it is their responsibility to justify use of highly reflective roof materials in the circumstances of their particular case. Failure to submit supporting information may lead to automatic refusal of the application

Solar Reflectance Values

The table below was supplied by the makers of BHP Steel Ltd in 1989 and is reproduced by Council as a guide to the reflective values of materials and colours.

COLOUR	CONDITION	SOLAR REFLECTANCE VALUE
ZINCALUME®	New	76%
Surf Mist COLORBOND®	New	65%
ZINCALUME®	Weathered 1.5 years in a General	61%
Surf Mist COLORBOND®	Agriculture and Priority Agriculture site	59%
Gull Grey COLORBOND®	Weathered 1.5 years in a mild marine	41%
Classic Cream COLORBOND®	site	29%
Mist Green COLORBOND®	New	22%
Decramastic Tiles	New	12%
	New	
	Weathered	

PLAN 1 - POLICY AREA



THE OUTLOOK ESTATE – BAYONET HEAD

Objective:

The objective of this Policy is to assist land owners, designers and architects to prepare building plans that maximise the potential of the lots, particularly the views of Oyster Harbour, integrating the design of the overall development to complement the natural features of the site and protecting the rights and privacy of neighbours.

Scope

Unless otherwise required by this Policy, site and building requirements shall be in accordance with the provisions of the Residential Design Codes of WA and Council's normal development requirements.

This Policy only applies to Lots 563 to 580 and should be read in conjunction with the Restrictive Covenant over these lots.

Policy Statement

Development Requirements

Front Setback

'The Outlook' Road Reserve

- 1) Lots 563 to 567 Minimum setback of 6 metres with Council having the ability to vary this requirement based on site location, site topography, vegetation and lot shape (irregularity).
- 2) Lots 568 to 580 Minimum setback of 2 metres.

Carpports and Garages

Carparks and garages shall not dominate the streetscape. To prevent this, garages and carports shall be setback behind the main face of the dwelling. Attached garages and carports to be setback at least 0.5 metres behind the main face of the dwelling and shall not exceed 50 percent of the frontage of the building line.

Separate garages and carports to be in accordance with the Residential Design Codes.

Houses on lots 563 – 567 should consider parking under the house if elevated. Houses on lots 568 – 580 could have retaining walls to support carports and garages, or where levels allow, provide parking under the house.

The design and materials for carports and garages should be the same as/or complement the house.

Rear Setbacks

Lots 563 – 567 - Dwellings to be setback in accordance with the Design Codes.

Lots 568 – 580 - Dwellings to be setback a minimum of 6 metres. In addition the area between the rear boundary of lots 568 – 580 and the 6 metre setback is a 'non-development area' to protect the amenity and service infrastructure.

Side Setbacks

- 1) Side setbacks to be in accordance with the Residential Design Codes, although Council may allow dwellings to be setback a minimum of 1 metre from side boundaries for side walls without major openings and a minimum of 1.5 metres for walls with major openings. Neighbours' comments are to be sought for any variation to side setbacks.
- 2) Pergolas, screens or sunblinds may have nil setbacks where the Building Code of Australia (BCA) and City of Albany.

Building Height

The height of dwellings within the Policy Area to take into account:

- 1) Access to significant views;
- 2) Adequate direct sun to buildings and associated spaces;
- 3) Adequate daylight to habitable rooms and major openings; and
- 4) Protecting the amenity, including the views, of adjoining properties.

The following outlines the Maximum Building Heights:

Lots 563 – 567 Maximum Building Heights	
Top of external wall (roof above)	6m
Top of external wall (concealed roof)	7m
Top of pitched roof	9m

Lots 568 – 580 Maximum Building Heights	
Top of external wall (roof above)	9m
Top of external wall (concealed roof)	10m
Top of pitched roof	12m

All roof pitches to be up to 25 degrees

Access

- 1) All access to Lots 563 to 580 to be from 'The Outlook' Road Reserve. No access to Lots 568 to 580 is permitted from the strategic firebreak.
- 2) Only one cross-over to be permitted per lot and to be designed and constructed to City of Albany standards.

Car parking

Each residence is required to provide two off-street car parking bays on a safe, preferably flat surface to City of Albany standards.

Landscaping / Revegetation and Fire Protection

- 1) The retention of remnant vegetation is important for the management of water quality, erosion control, provision of wildlife habitat and visual amenity. It is therefore appropriate that clearing of remnant vegetation be avoided wherever possible.
- 2) No clearing shall occur except for:
 - a) Clearing to comply with the requirements of the Bush Fires Act 1954 (as amended);
 - b) Clearing which may reasonably be required to construct an approved building and associated outbuildings;
 - c) Clearing of trees that are dead, diseased or dangerous;

- d) Clearing to gain vehicular access to an approved dwelling or any other;
- e) Clearing which may be approved by Council; and
- f) Clearing required to establish a low fuel buffer.

Additional tree planting may be required as a condition of Council's development approval for various reasons including to stabilise the slope or protect the privacy of neighbours.

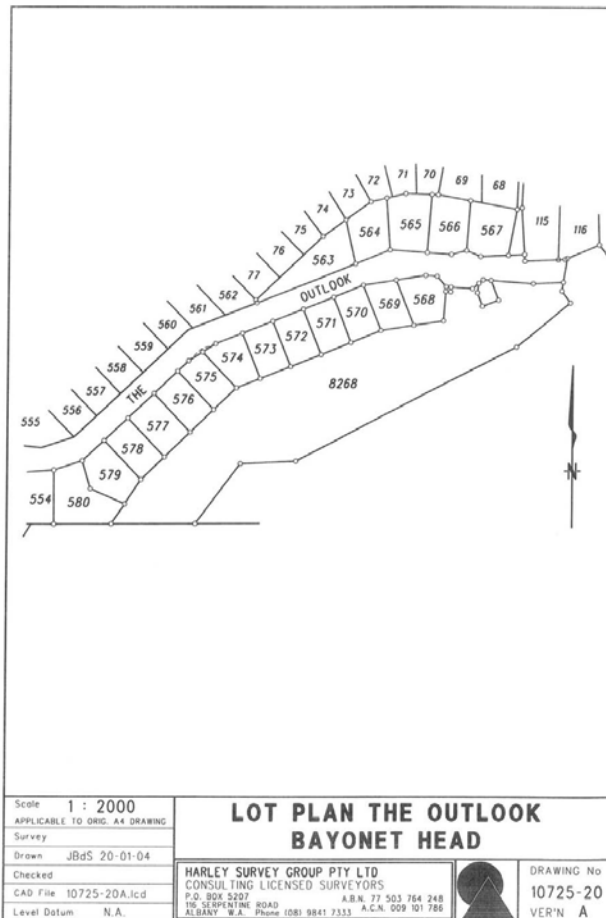
The retention of Peppermint Trees (*Agonis flexuosa*, *A. juniperina*) should be encouraged within lots as these species are recognized as fire retardant plants.

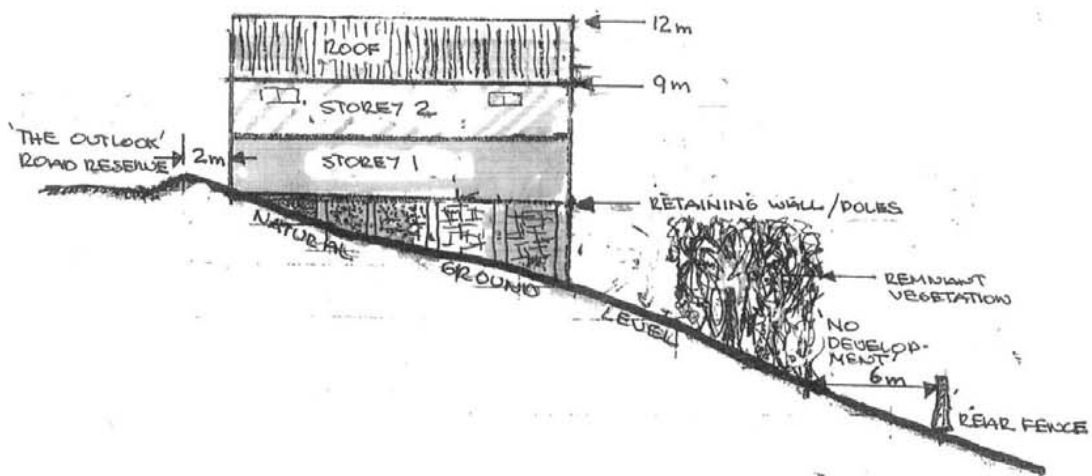
Replanting within the subdivision should encourage the use of other native fire resistant species such as *Acacia saligna*, *Allocasuarina fraseriana* and *Angicostanthus* sp. In addition, landscape plantings of introduced plants such as plane trees, poplars, elms and citrus trees will reduce the fuel loading at the site.


Variations to Policy

In considering an application for planning consent, Council may, having regard to justifications in accordance with the Residential Design Codes performance criteria, vary any part of this Policy, apart from the front and rear setbacks for Lots 568 to 580, and approve the application unconditionally or subject to such conditions as the Council thinks fit.

Refer to Attachment for a diagrammatic explanation of setbacks, height requirements, vegetation protection and non-development areas for lots 568 to 580.





Scale	DIAGRAMMATIC	TYPICAL CROSS SECTION FOR LOTS 568 TO 580 THE OUTLOOK BAYONET HEAD	
APPLICABLE TO ORIG. A4 DRAWING			
Survey		HARLEY SURVEY GROUP PTY LTD CONSULTING LICENSED SURVEYORS <small>P.O. BOX 5307 116 SERPENTINE ROAD ALBANY WA. Phone (08) 9841 7333</small>	
Drawn	JBdS 20-01-04		
CAD File	JOBNOXXX_01		
Checked			
Level Datum	N.A.		
			DRAWING No 10725-21 VERN A
		<small>ABN 77 503 764 248 A.C.N. 009 101 768</small>	

MASONIC HALL DESIGN GUIDELINES

Objective:

The main objective of this policy is to ensure that future development upon Lots 26, 27 and 28 is sympathetic to the built form of the historic Masonic Hall, through the use of appropriate controls addressing building height, bulk and scale, window orientation, roof pitch, colours and materials.

Background

In 1903 the Masonic Hall was built on the south-western slopes of Mt Clarence, and up until recently has served as the headquarters for the Freemasons in Albany. The hall is located on Lot 21 Spencer Street, Albany, which is currently 2266m² in size.

In 2002, the land was rezoned from 'Clubs and Institutions' to 'Special Site' to facilitate the adaptive re-use of the Masonic Hall for commercial or high density residential uses subject to parking requirements, as specified in the Local Planning Scheme 1, being achieved.

A conservation plan has been prepared for the site to assist in the conservation of the existing building and identify the heritage importance of the site.

An approval for subdivision has been granted by the Western Australian Planning Commission, under its reference 126619, to subdivide the land into four lots (being Lots 25, 26, 27 & 28). The Masonic Hall will be retained on proposed Lot 25.

The Western Australian Planning Commission, required the following condition to be met prior to subdivision clearance being granted:

Preparation of design guidelines for the site in accordance with the conditions of Special Site No. 34 and the recommendations of the adopted Conservation Plan for the site. The design guidelines are to include, but will not be limited to the following:

- 1) Horizontal and vertical building envelopes/definition of appropriate bulk and scale;
- 2) Design Elements, materials and finishes sympathetic to the Masonic Hall;
- 3) Vehicle access/egress, on-site movement and parking to accommodate residential use to R60 and adaptive re-use of the Masonic Hall for commercial purposes permissible under the conditions of Special Site No. 34.
- 4) Streetscape, particularly of Spencer Street and the relationship of development on Lot C (Lot 26) to the Masonic Hall.

The final adoption of the design guidelines will satisfy Condition 7 of WAPC approval 126619.

Policy Statement

Subdivision Requirements

Further subdivision/strata of the lots will only be considered where the built form has been established in accordance with this policy.

Development Requirements

Front Setbacks

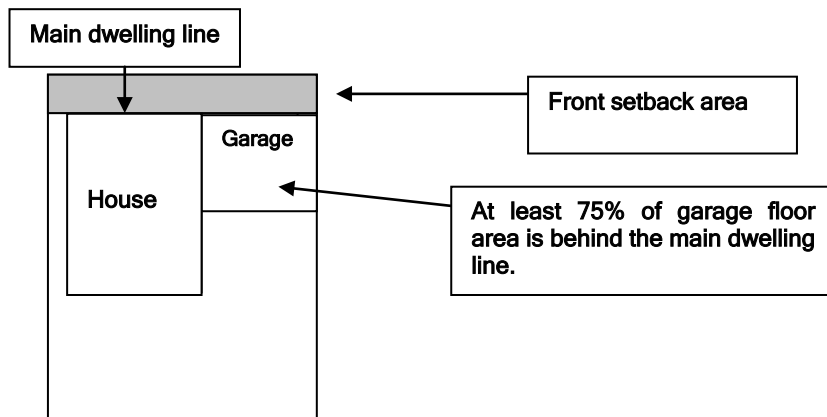
Lots 27 & 28

The front setback on Earl Street shall be a minimum of 2 metres, which shall not be averaged for the purposes of the Residential Design Codes. At least 75% of the floor area of all garages or carports is to be setback behind the main building line of the dwelling as illustrated in Figure 1 (below).

Lot 26

The front setback on Spencer Street shall be a minimum of 4 metres, which shall not be averaged for the purposes of the Residential Design Codes. At least 75% of the floor area of all garages or carports is to be setback behind the main building line of the dwelling.

Figure 1 – Front Setbacks & Garages



Side and Rear Setbacks

With the exception of the western boundary of Lot 27, where a minimum setback of 1.5 metres shall apply, all side and rear setbacks shall be in accordance with the Residential Design Codes WA.

Roof pitch and materials

The roof pitch shall be in the range of 26 to 40 degrees, and shall be of metal construction, being preferably either galvanised, zincalume or grey colorbond. No curved roofs shall be permitted.

External wall materials

The external walls shall be primarily constructed of rendered brick consistent with the finish of the Masonic Hall, however the use of metal, face brickwork and weatherboard can be used in combination for architectural detailing purposes.

The colours of the external walls shall not be excessively dark so as to detract from the Masonic Hall.

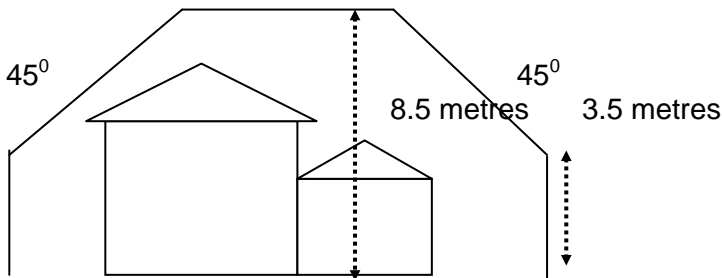
Building Height

All buildings shall be located within a vertical building envelope. This building envelope is illustrated in Figure 2 (below) and determined by:

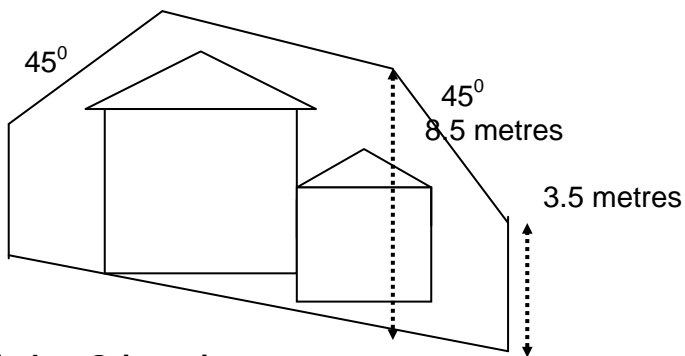
- At a height of 3.5 metres above natural ground level, a line is drawn at 45 degrees to a height of 8.5 metres.
- Notwithstanding this requirement the height of the building on Lot 26 shall not be higher than 40.0m AHD.

- This area does not include front or side setbacks as specified in this policy.

Figure 2 – Building Height
Building Envelope on Flat Site



Building Envelope on Sloping Site



Window Orientation

All windows shall have a greater vertical rather than horizontal element, and should large glazed areas be proposed the area is to be divided into sections to reinforce the vertical element.

Crossovers and Access

Individual crossovers for all lots provided that each crossover is no greater than 4 metres in width.

Attachment 1 indicates how any future commercial activity will be serviced in relation to car parking and access based on a 90 degree parking bay alignment. The removal of the skillion to the east and south walls, which has been addressed in the Conservation Plan, would be required to ensure the parking area would comply with the Australian Standards for off-street parking.

Fencing and Retaining Walls

Due to the topography of the site, retaining walls will need to be constructed for some lots. Such retaining walls shall be constructed in materials of stone, brick or concrete and shall not exceed 2 metres in height.

Front fencing heights are to be in accordance with the Residential Design Codes, with fencing styles to be in accordance with the Albany Design Guidelines.

Any front fencing on top of a retaining wall shall not exceed 1.2m in height and should be open in nature with wooden or steel pickets.

Aerials

Radio and TV aerials, other than domestic receivers shall not be permitted. Satellite dishes exceeding 600mm in diameter are not permitted.

Figure 1: Masonic Hall Guidelines Plan



THOMAS STREET DESIGN GUIDELINES

Objectives:

- 1) To ensure the location and design of all new development, in terms of building height, bulk, roof shapes, materials, colours and details, is compatible with the existing character and amenity of "Old Surrey" and its environs.**
- 2) To retain the quiet secluded character of Thomas Street by protecting existing trees and vegetation, both within the road reserve and on the subject land.**

Background

"Old Surrey" is a two storey residential dwelling located on a 7563m² lot on the northern slopes abutting the Mt Clarence Parks and Recreation Reserve. It represents one of the oldest privately owned houses in WA and together with the surrounding gardens and trees, is considered an important part of Albany's heritage.

Subdivision approval to create up to five lots has been granted by the WA Planning Commission subject to the preparation of a guide plan to protect the heritage value of the site. The purpose of these design guidelines is to comply with this requirement.

As a basis for preparing the design guidelines, this section describes the essential elements of the site that contributes to its heritage value.

"Old Surrey" is one of the oldest privately occupied houses in WA and is associated with James Newell, a time served convict. The original two storey cottage was added to in the 1950's and 1980's and retains a simple charm that is enhanced by its landscaped setting.

The original cottage was constructed of bluestone with the additions being predominantly of ironstone with some brick and timber cladding. All the exterior walls have been painted white and the roof consists of grey tiles.

The house is almost completely screened from Thomas Street with only the driveway, a timber sign and the croquet lawn and pavilion being visible. The heavily treed gardens and secluded location of the residence is an integral part of the character of the property.

The property effectively comprises four parts:

- 1) the house and environs which incorporate the main driveway, brick paved areas and terraced gardens;
- 2) the croquet lawn, which is located adjacent to Thomas Street and includes a small weatherboard pavilion and barbecue area. A drainage line separates this site from the house;
- 3) the area to the south of the house which abuts the Mt Clarence reserve, is dominated by rock outcrops, remnant vegetation and a ravine which separates it from the croquet lawn; and
- 4) a large grassed area to the north of the house which is referred to as "the orchard" and is divided by a seasonal drainage line.

Policy Statement

Density

Notwithstanding the R20 Density Code which is applicable to the site, only one dwelling shall be constructed on Lots 1, 2, 3 & 4 as identified on the plan of subdivision. Two dwellings may be constructed on Lot 5 provided the proponent can demonstrate to Council's satisfaction that the majority of mature trees on the lot can be retained.

Retention of Vegetation

Prior to development proceeding on site, the landowner shall submit a plan identifying all existing trees and vegetation on the lot and shall obtain Council approval for removal of any trees or vegetation.

Within the "Old Surrey" environs no development shall be permitted which would result in the removal of existing trees or changes to the terracing and gardens, unless approval has been granted by Council.

Council may require supplementary tree planting and landscaping to be provided as a condition of development approval.

Building Design

New development on lots 1, 2, 3 and 4 should be designed by an architect with experience in heritage design to ensure the character and amenity of the site and locality is retained. This is considered particularly critical in regard to Lot 4.

Development on Lots 1, 2 & 4 shall comply with Council's "Urban Design & Streetscape Guidelines for Infill Development in Albany". In particular, proposed buildings should:

- 1) reflect the building of housing from the 1890's as described in the Town of Albany Design Guidelines.
- 2) have external walls of either masonry, rendered brickwork, traditional weatherboard or such combination as is compatible with the character of the nominated building period.

Outbuildings shall be designed and constructed of materials to ensure they are compatible with the character of the main residence.

Notwithstanding the "R" Codes, any additional development on Lot 4 shall be restricted to the building envelope as indicated on the plan of subdivision.

On Lot 5, development proposals should minimise disturbance to the environment. Building finishes should be restricted to non reflective materials and colours that blend in with the native vegetation. Buildings constructed above rock outcrops will be considered provided the area below the finished floor level of the house is filled with materials compatible with the external cladding of the residence

Access

A joint driveway will be built to Lots 1 & 2, in the position shown on the plan of subdivision, concurrently with the subdivision of the land and no additional accessways shall be constructed to these lots.

Only one driveway crossover shall be permitted for all other lots.

Driveways should be constructed either of traffiicable brick paving or sealed with a washed gravel finish

Fencing

Solid fencing shall not be permitted with preference given to open pickets, cast iron fencing or hedges as per the fencing guidelines in the Town of Albany Design Guidelines

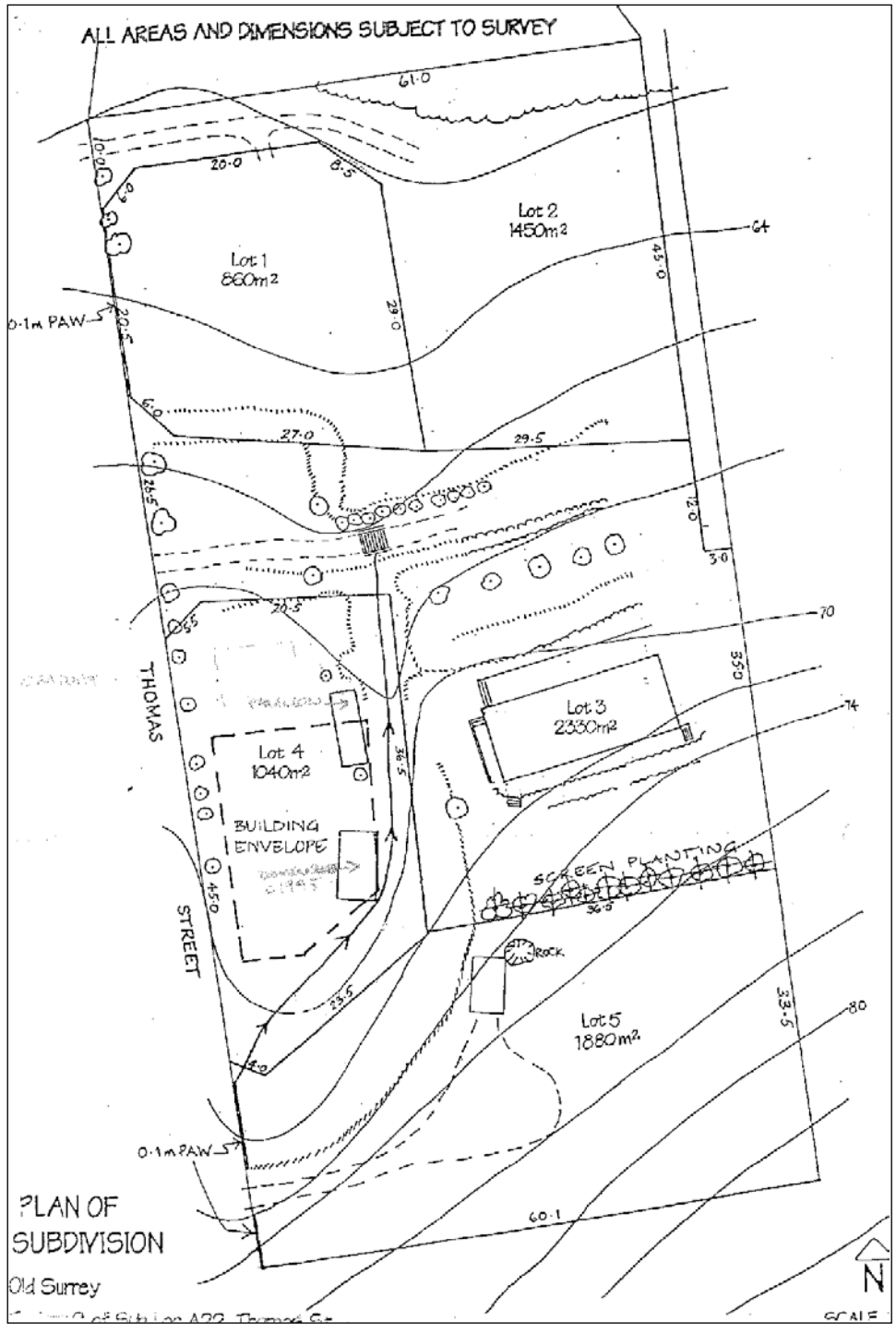
Services / Aerials

All services within the lot, such as power and telecommunication lines shall be placed underground

Radio and TV aerials, other than domestic receivers, shall not be permitted. Satellite dishes should also not be permitted

Drainage Lines

All development, including fencing, should be set back to Council's satisfaction from the existing natural drainage lines located within the lots.



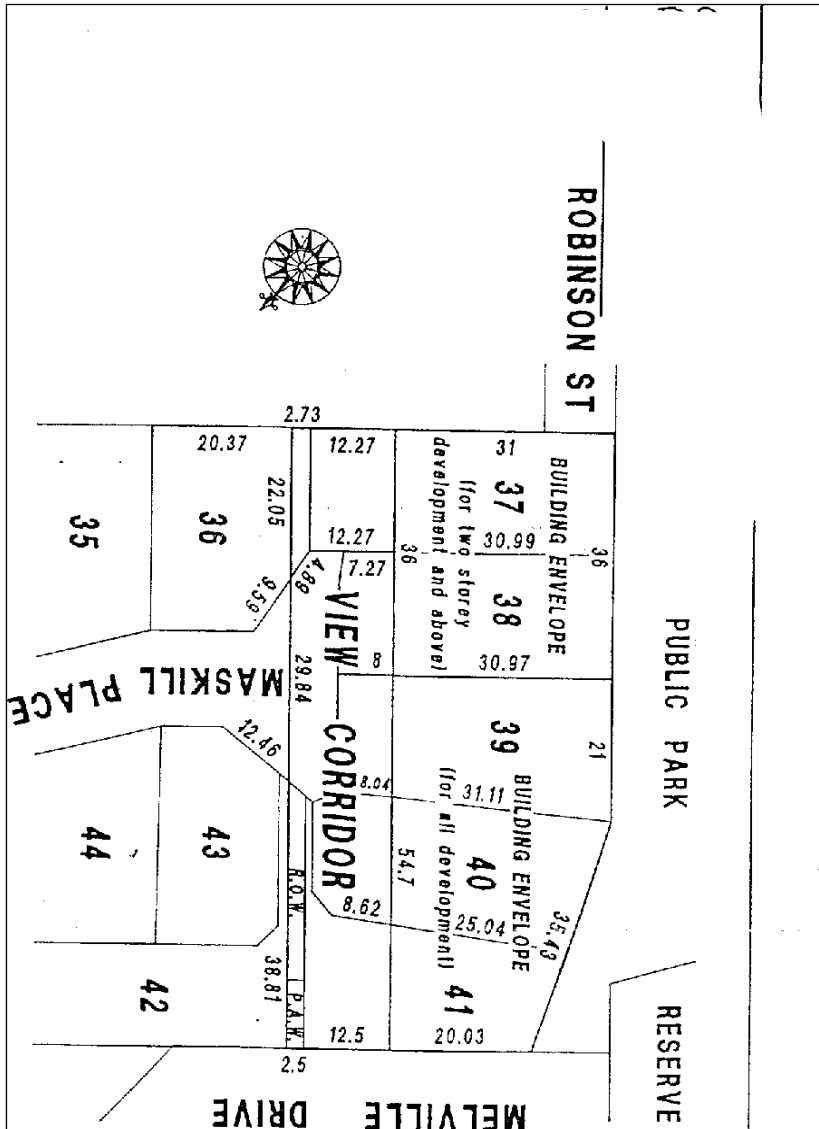
MELVILLE DRIVE VIEW CORRIDOR

Objective:

To protect the view from Melville Drive to the Port of Albany and ensure development on Sub Location 122 does not detract from the view.

Policy Statement

- 1) Any structures constructed upon Lots 39,40 & 41 Maskill Place shall be located within the building envelopes as shown in the Figure below.
- 2) Outside of the building envelope the landowner shall not place any site improvement, inclusive of landscaping, upon the Lot which exceeds 1.2 metres in height.
- 3) Council may require development in excess of 4.5 metres in height above natural ground level on lots 37 & 38 Maskill Place to be located within building envelopes as shown in Figure below.
- 4) Structures below 4.5 metres in height will be assessed in accordance with the normal requirements of the Residential Planning Codes and Council policies.



WOODRISE ESTATE DESIGN GUIDELINES

Objectives:

The purpose of this Policy is to establish and apply the design guidelines to assist owners, designers and architects in the preparation of building plans and lot layouts that maximise the potential of the lots, without unduly encroaching on the rights and privacy of neighbours.

Scope

Unless otherwise required by these Design Guidelines and associated restrictive covenant, site and building requirements shall be in accordance with the Residential Design Codes and Council's normal development requirements. Refer Figure 1 for policy area.

Policy Statement

Setbacks

Front (Except Ulster Road)

- Minimum of 3 metres with an average of 4.5 metres.
- Second storey shall be setback a minimum of 4,5 metres with an average of 6 metres.
- Carports and garages shall be a minimum of 3 metres, provided it is attached and integrated with the dwelling.

Front (Ulster Road)

- Minimum of 4.5 metres average of 6 metres.
- Carports and garages shall be a minimum of 4.5 metres provided it is attached and integrated with the dwelling.

Secondary Street

Minimum of 1.5 metres.

Rear

Minimum of 4.5 metres with an average of 6 metres.

Side

As per the requirements of the Residential Planning Codes.

Zero Setbacks

Where considered appropriate for reasons including:

- 1) Better solar orientation of the house;
- 2) Rear setbacks abutting side boundaries of neighbours lots;
- 3) Irregular shaped lots;
- 4) Topographical constraints; and

5) Servicing Constraints.

The Council may allow zero lot line setbacks. Zero lot lines are only permissible onto a side or rear boundary, other than a street boundary, providing that the length of any wall of a building abutting a side boundary does not exceed 66% of the length of that boundary and is no higher than 3.5 metres. However, the location of services (sewer, water and drainage) must be taken into account based on standard setback requirements. The use of a zero setback shall be limited to the eastern boundary only in the case of lots having a general north to south orientation, and the southern boundary only in the case of lots having a general east to west orientation. Carports and garages on adjoining lots may have a common zero side setback

Building Height

The heights of dwellings within the Woodrise Estate need to take into account:

- 1) Flat or sloping sites;
- 2) Access to significant views;
- 3) Adequate direct sun to buildings and associated spaces;
- 4) Adequate daylight to habitable rooms and major openings;
- 5) Protecting the amenity, including the views, of adjoining properties;
- 6) Division of neighbours, both visual and acoustic; and
- 7) Minimal interference with natural site levels.

For Lots 590 to 655 Council will consider height relaxations, by adding a 1.5 metre height bonus above the normal Category 3 Standard under the Residential Design Codes for more innovative design solutions, especially those that minimise the requirement for extensive cut and fill. This includes freestanding-skirted metal or timber framed homes and designs where brick/stone build up act as a retaining mechanism within the building footprint. However, in this situation any further retaining walls above 500mm outside the footprint that substantially alter the natural site levels will not be supported. Dwellings on all other lots will need to comply with the normal Category B Standard under the Residential Design Codes.

Lot Development

General

These Guidelines encourage the location and design of dwellings and associated structures on lots in a manner that complements natural site levels and having regard to topographical constraints and the size and shape of lots

Housing development should follow the natural contours of the land to enhance the surrounding residential amenity.

Flat Blocks

The retention of the natural site levels is preferred, however in recognition of the topography of the site and standard housing designs cut and fill, including retaining walls may need to be incorporated into residential lots (mainly on slopes less than 10%), to provide a flat surface for house construction

Treatment of Steeper Blocks (Lots 590 to 655)

Blocks greater than a 10% slope, namely Lots 590 to 655, generally require more innovative design solutions that retain the natural topography and enhance the streetscape, such as incorporating retaining within the house footprint and free standing housing to minimise the amount of cut and fill required, The principle of minimising the extent of cut and fill also applies to the location of the driveway, garage/carport and outbuildings on the lots.

An additional requirement is that the height differential between two adjoining property final lot levels i.e. prior to development, should not exceed two meters.

Cut, Fill And Retaining Walls

If cut and fill is to be part of the dwelling design solution, excavation below natural level is preferred where soils, topographical constraints (e.g. rock near surface) permit, as it is not as visually obtrusive as filling above natural level

Retaining walls should not exceed 2 metres in height and be constructed in materials such as limestone, brick, rock or concrete and be of a high standard finish to complement the site and streetscape.

All retaining walls require a Building Licence regardless of the height of the wall.

All retaining walls require a Building Licence regardless of the height of the wall

Prior to Council giving planning scheme consent to construct retaining walls greater than 500mm the following information/justification will be required:

- 1) Consideration of the retaining requirements of the neighbouring properties with a view towards cooperation between neighbours to promote a standard treatment and reduce retaining costs for landowners;
- 2) Appropriate set backs from any internal services (sewer, water and drainage);
- 3) Management of surface wafer run-off;
- 4) Design and materials of the retaining wall;
- 5) The structural adequacy of the retaining wall if greater than 3 m in height;
- 6) Crossover and driveway location and their grades,
- 7) Finish sand pad level.
- 8) Elevations of the retaining wall, indicating proposed heights at critical points; and
- 9) Achieving a balance between filling and cutting for the house pad to
- 10) control retaining wall heights and limit filling to closer retain the natural topography of the land.

Fencing

All side and rear fencing should not exceed 1.8 metres in height, however where fencing is installed on top of a retaining wall greater than 1.5 metres, such fencing should not exceed 1.5 metres above the retaining wall.

Other than for privacy screening to small courtyards, that are an integrated part of a dwelling design, no fencing shall be permitted between the dwelling and the street frontage except in situations where the front fence borders a retaining wall over 190mm in height, In this case the height of the fence should be no greater than 900mm.

In the case of corner lots, fencing to the secondary street is permitted along the Boundary.

Commercial Vehicles/Boats Etc

All commercial vehicles including caravans, boats, etc shall not be parked or stored on a property unless contained within a carport/garage, or stored behind the front building line with screening to a height of 1.8 metres in accordance with the fencing requirements.

Crossovers onto Ulster Road

In wanting to reduce the number of crossovers onto Ulster Road, shared crossovers will be required as shown in the attached plan.

Drainage

As all residential lots will be provided with house connection pits capable of serving the lowest point on the block, all lots shall contain their own drainage

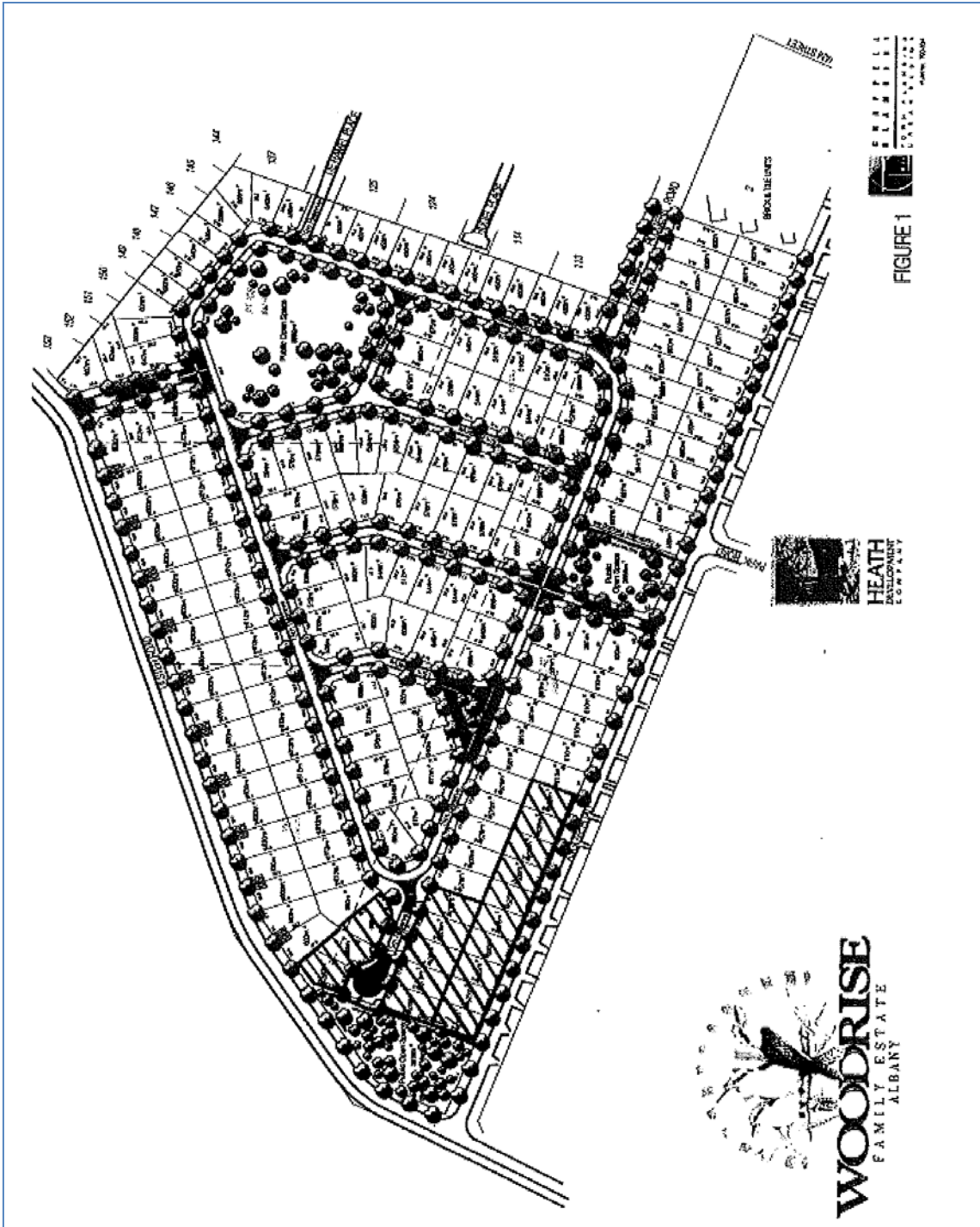
Consultation

Land owners, architects, designers and builders should consult with the city's planning and building departments for information, advice and feedback on residential development proposals, especially those on difficult sites, prior to submitting formal applications for planning consent or building approval

Bonus Building Heights For Lots 590 to 657

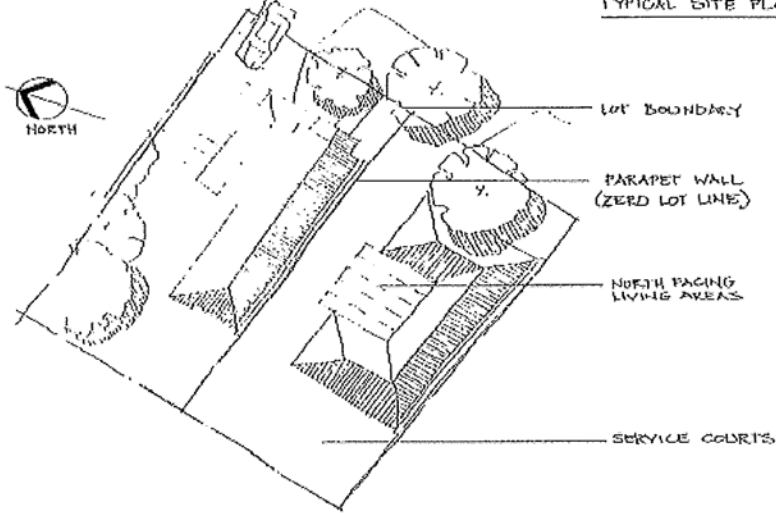
(On Slopes Greater Than 10%)

The height bonus will only be permitted if the house design complements natural site levels. This includes freestanding housing with skirting to cover any exposed lower structure or brick 1 stone build up housing, including split levels, within the dwelling footprint.



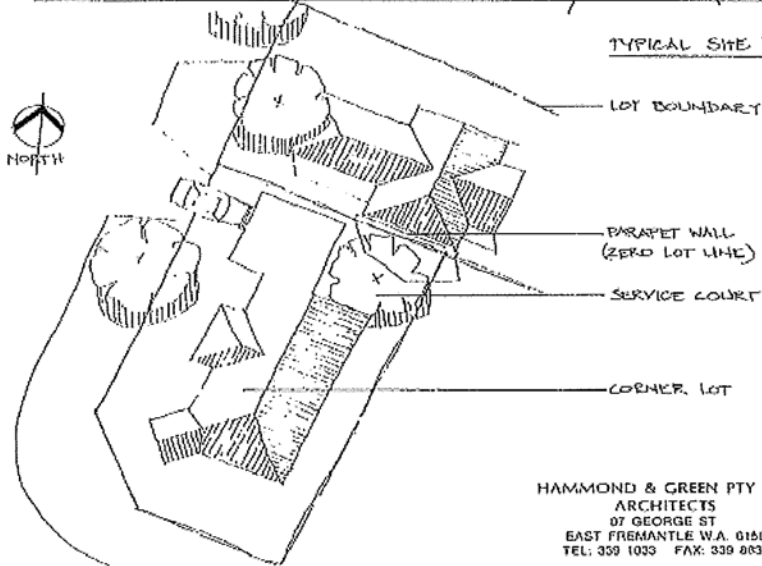
SOLAR ORIENTATION :

TYPICAL SITE PLAN

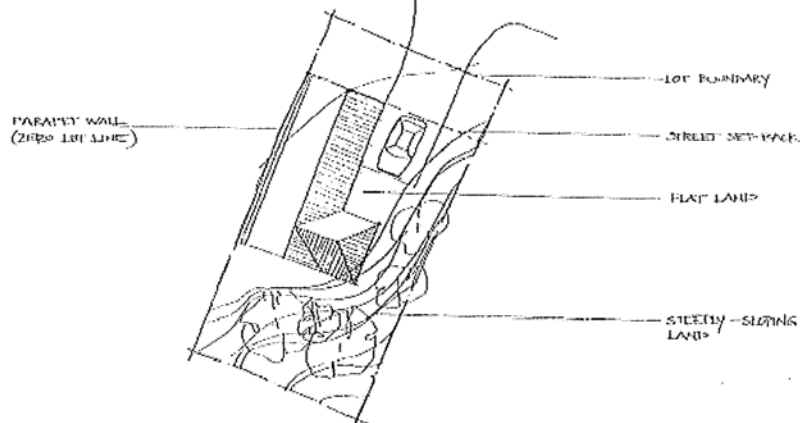


REAR SETBACK ABUTTING SIDE BOUNDARY OF NEIGHBOUR

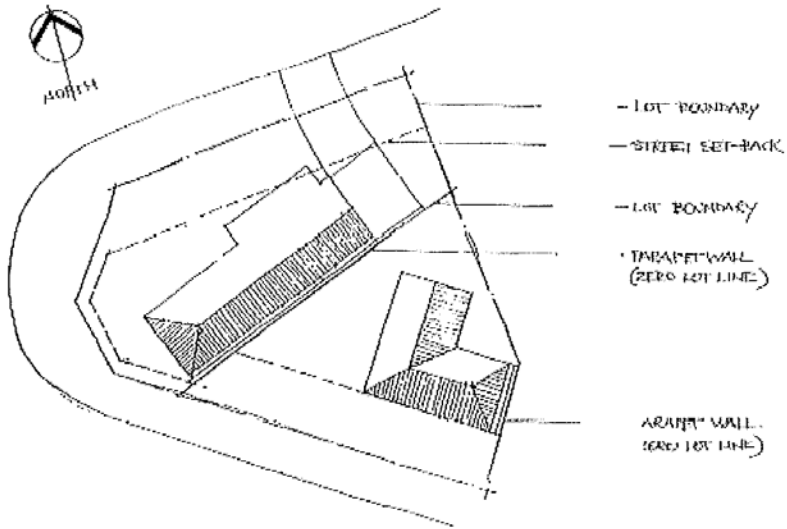
TYPICAL SITE PLAN



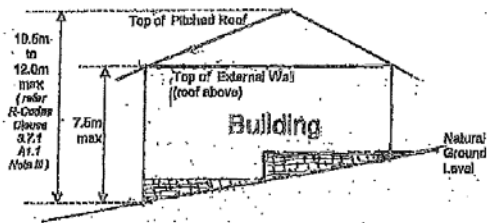
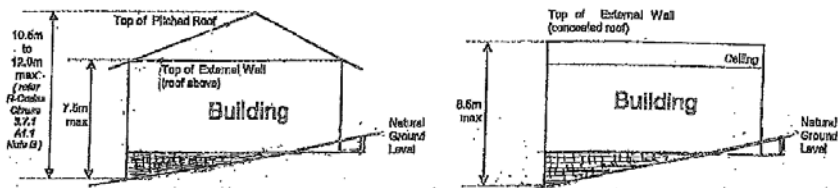
TOPOGRAPHICAL CONSTRAINTS :



IRREGULAR SHAPED LOTS:



**BONUS BUILDING HEIGHTS FOR LOTS 590 TO 657
(On Slopes Greater than 10%)**



LOT 100 GREY STREET EAST

Objective:

- 1) Provide a set of guidelines for the proposed 4 Lots that adhere with the intent of the Albany Historic Town Design Policy.**
- 2) Provide certainty to anyone wanting to develop any of the sites.**
- 3) Are appropriate for these particular sites.**
- 4) Facilitates development of the sites to ensure the current streetscape is complemented.**
- 5) Facilitates development that does not dominate adjacent buildings.**
- 6) Facilitates development that contributes positively to the Rowley St and Grey St East community.**
- 7) Allows development with minimal impact on the existing Rowley St granite boundary retaining wall.**

Background

The existing site is a 1429m² Lot on the north east corner of Rowley Street and Grey Street East. An existing house on the southern corner of the site is not on the Municipal Inventory. The site however is within the residential area covered by the Albany Historic Town Design Policy. Refer Attachments 3 for site information and survey.

Subdivision approval (WAPC Ref 139254) has been granted to realign the northern boundary and to create a 4 Lot subdivision.

Policy Statement

Relationship to Albany Historic Town Design Policy

Except where amended by this policy, all development shall be in accordance with the Albany Historic Town Design Policy.

Scale and Mass of surrounding development

The existing house fronts Grey St East. The house and the adjoining two Grey St East houses have hipped roofs with a gable and verandah at the front. These three houses are built on a 1500mm to 1800mm plinth. There is a 3.3m (approx) pitching point above floor level. (Refer Attachment 5 – Grey Street East Street View). The adjoining Rowley St houses are also hipped or hipped and gabled houses with similar plinths and pitching points. (Refer Attachment 6 Rowley Street View).

Any development on the 4 Lots created on Lot 100 must be designed with hipped or hipped and gabled roofs to complement the scale and mass of the adjoining houses in Grey St East and Rowley St.

Roof Form and Pitch

The existing house and the adjoining houses in Grey St East and Rowley Street have hipped and gabled roofs that are generally between 25 and 40 degrees, therefore any roof that is visible from Grey Street East or Rowley Street must be designed to be hipped or hipped and gabled at a pitch between 25 and 40 degrees.

Streetscape

The existing houses in Grey Street East and Rowley Street present a consistent pattern with the houses presenting a strong traditional street front. Refer to Street Views - Attachments 5, 6 and 7 below.



GREY STREET EAST - STREET VIEW

VIEW 1

Attachment 5



ROWLEY STREET

VIEW 2

Attachment 6



LOT 100
ROWLEY STREET / GREY STREET EAST CORNER

VIEW 3



LOT 100
GREY STREET EAST - HARBOUR VIEW

VIEW 4

Attachment 7

Any development of new Lots B or C or redevelopment of existing house Lot A must maintain the pattern established by adjoining houses in Rowley and Grey Street East.

The development of Lot D is more flexible although it must meet the other requirements outlined in these guidelines.

Bulk and Scale

The existing adjacent houses are built on plinths that are 1.5m to 1.8m above the natural ground level at the front of the house, have pitched, hipped and gabled roofs, 3.0m to 3.3m pitching points above floor level and roofs that are 25 – 40 degrees. The adjacent houses generally have a hipped roof with 3.5m to 4.0m gabled front room and a front verandah across the balance of the front façade.

The development site is not adjacent to a heritage listed building.

Any development on Lots B and C or any redevelopment of Lot A should reflect the hipped roofs, articulate the concept of the gabled front room and the use of front verandahs. Any development of Lot D is more flexible in terms of where gables and verandahs are located but must reflect the hipped and gabled roofs.

New developments must meet the intent of these guidelines. Given that the development site is

not adjacent to a heritage listed building no guideline is appropriate. Extensions shall not significantly increase the form, size or height of a building when viewed from the street.

Building Orientation

The existing house on Lot 100 and the adjoining houses in Grey St East and Rowley St read strongly from the streets as hipped or hipped and gabled houses with verandahs. The front entry of the houses is generally from the street.

Any development of new Lots B or C or redevelopment of existing house Lot A must read with the front entry of the house from the street. The front entry to the development of Lot D is more flexible and can be to suit the development.

Open Streetscapes

The existing house is set back approximately 6.1m from the Grey Street East boundary. There is a retaining wall on the boundary with a garden bed between the boundary and the house. There is an open verandah across part of the front of the house. Adjacent houses have open picket fences along their front boundaries. There is a low granite retaining wall along Rowley Street.

Any development of new Lots B or C or redevelopment of existing house Lot A must read with the front entry of the house from the street. The front area should be landscaped. The low granite retaining wall on Rowley Street must be retained except where a new driveway is developed to service Lots C and D. Open picket fences along the boundary are acceptable provided the height, including any retaining walls, does not exceed 1.8m.

Street Setbacks

The existing House on Lot 100 is set back from Grey Street East by approximately 6.10m. The adjoining houses in Grey Street East are set back by a similar amount. The adjoining houses to Lot 100 on Rowley Street are set back approximately 2.58m.

Any development of new Lot C can have a setback from Rowley Street of 2.58m. Any development of new Lot B can have a setback from Rowley Street of 2.58m and 6.10m from Grey Street East. Any redevelopment of existing house Lot A can have a setback of 6.10m from Grey Street East.

Boundary setbacks along the North and East boundaries of Lot D are to be in accord with the Residential Design Codes. The south and west setbacks are to be in accord with the setbacks shown on Drawing A.04 – Attachment 8.

Front Fences

Lot 100 has a 800mm to 1000mm high granite retaining wall along the Rowley Street boundary and a 800mm to 1000mm brick retaining on the Grey Street boundary. Adjoining properties generally have an open picket fence or an 1800mm high open picket fence with a brick base and brick piers.

Any development must retain the existing granite retaining wall along the Rowley Street boundary except where a new access way is proposed. Open picket fences along the boundary are acceptable provided the height, including any retaining walls, does not exceed 1.8m.

Side Setbacks

The existing house and the houses on adjoining blocks are set back from the side boundaries.

Any development of new Lots B and C are to be in accord with the Albany Historic Town Design Policy except any development can abut the boundary of the access way to Lot D. If Lots B and C are developed as one integrated development, with the same floor levels, then a parapet wall on the boundary between the two Lots may be considered provided there is an articulation of the 2m zone between the two houses to ensure that the design of the two houses meet the other requirements of this policy.

Any redevelopment of Lot A will to be in accord with the Albany Historic Town Design Policy and development on Lot D will be in accord with the side setback provisions of the Residential Design Codes and in accord with the setbacks shown on Drawing A.04 – Attachment 8.

Topography

The Lot 100 site slopes approximately 6m from the north east corner of the site to the south west corner of the site. There is a further drop of 800mm to 1000mm from the top of the granite retaining wall along Rowley Street to the verge. The existing House has a floor level of 56.32. The house on the adjoining property in Rowley St has a floor level of 55.04.

Drawings A.01, A.02 and A.05 (Attachments 9,10 and 11) show, with a series of cross sections through the site, an analysis of the site. Proposed development guidelines for floor levels and possible cut and fill are outlined in Section K.14 Building Height. These guidelines indicate a sympathetic cut and fill outcome.

Retaining Walls

There is a granite retaining wall of 800mm to 1000mm high along Rowley Street.

The existing granite retaining wall along Rowley Street is to be retained except where it needs to be removed to provide an access way. With respect to retaining walls within the front setback any development on the 4 Lots created on Lot 100 is to be in accord with the Albany Historic Town Design Policy.

Floor Levels

The Lot 100 site slopes approximately 6m from the north east corner of the site to the south west corner of the site. There is a further drop of 800mm to 1000mm from the top of the granite retaining wall along Rowley Street to the verge. The existing House has a floor level of 56.32. The house on the adjoining property in Rowley St has a floor level of 55.04.

Any development of new Lots B or C or redevelopment of existing house Lot A must maintain the pattern established by adjoining houses in Rowley and Grey Street East. The development of Lot D is more flexible and can be to suit the constraints of the site and the other requirements of these guidelines.

Building Height

The existing house and the adjoining houses are generally built on a 1.5m to 1.8m high plinth with a 3.3m floor to eaves height and a hipped and pitched roof that rises approximately 2.25m above the eaves height. This gives an effective height of ground to ridge height of 7.35m.

These guidelines set maximum eaves and roof heights and are based on averaging the heights between the adjacent houses. Drawings A.01, A.02 and A.05 (Attachments 9, 10 and 11) indicate the various levels.

Any development of new Lot B must meet the other requirements of these guidelines and not have any point of the eaves higher than 59.19 or part of the roof higher than 61.44.

Any development of new Lot C must meet the other requirements of these guidelines and not have any point of the eaves higher than 58.77 or part of roof higher than 61.02.

Any re-development of new Lot A must meet the other requirements of these guidelines and not have any point of the eaves higher than 59.62 or part of roof higher than 61.87.

Any development of new Lot D must meet the other requirements of these guidelines and not have any point of the eaves higher than 63.40 or part of roof higher than 65.65.

If Lots B and C are developed as one development any development must meet the other requirements of these guidelines and not have any point of the eaves higher than 58.98 or part of roof higher than 61.23.

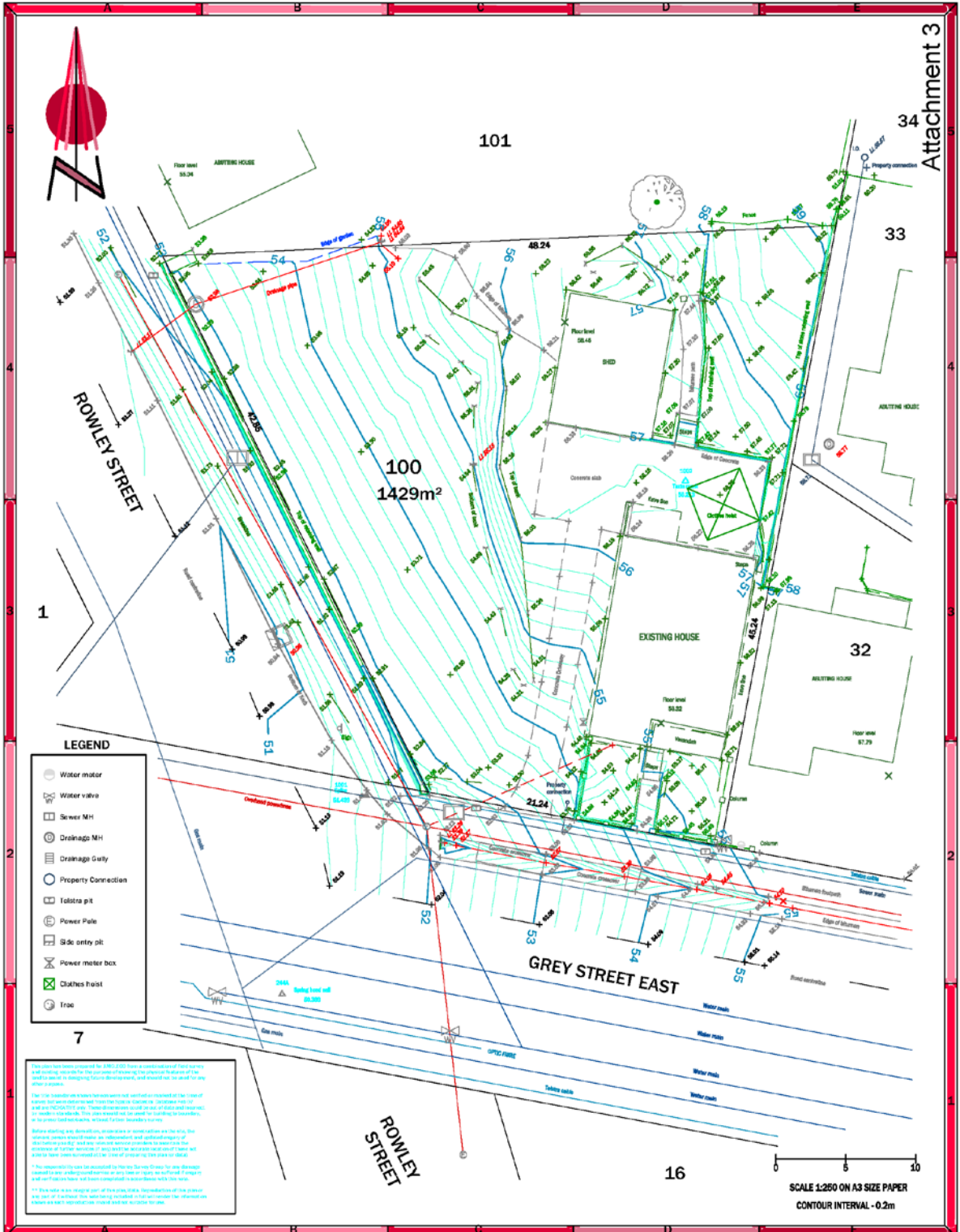
Other Variations to the AHTD Policy and the Residential Design Codes

Refer to Drawing A.05 (Attachment 11). This plan indicates the general footprints for any development.

To facilitate reasonable development of the Lots and to maintain privacy:

- 1) development of Lots B and C must be setback a minimum of 6.0m from the boundary with Lot D.
- 2) any redevelopment of Lot A must be set back a minimum of 7.0m from the boundary with Lot D.
- 3) any development of Lot D must be set back a minimum of 4.0m from the boundary with Lot B and C and 3.0m from the boundary with Lot A.

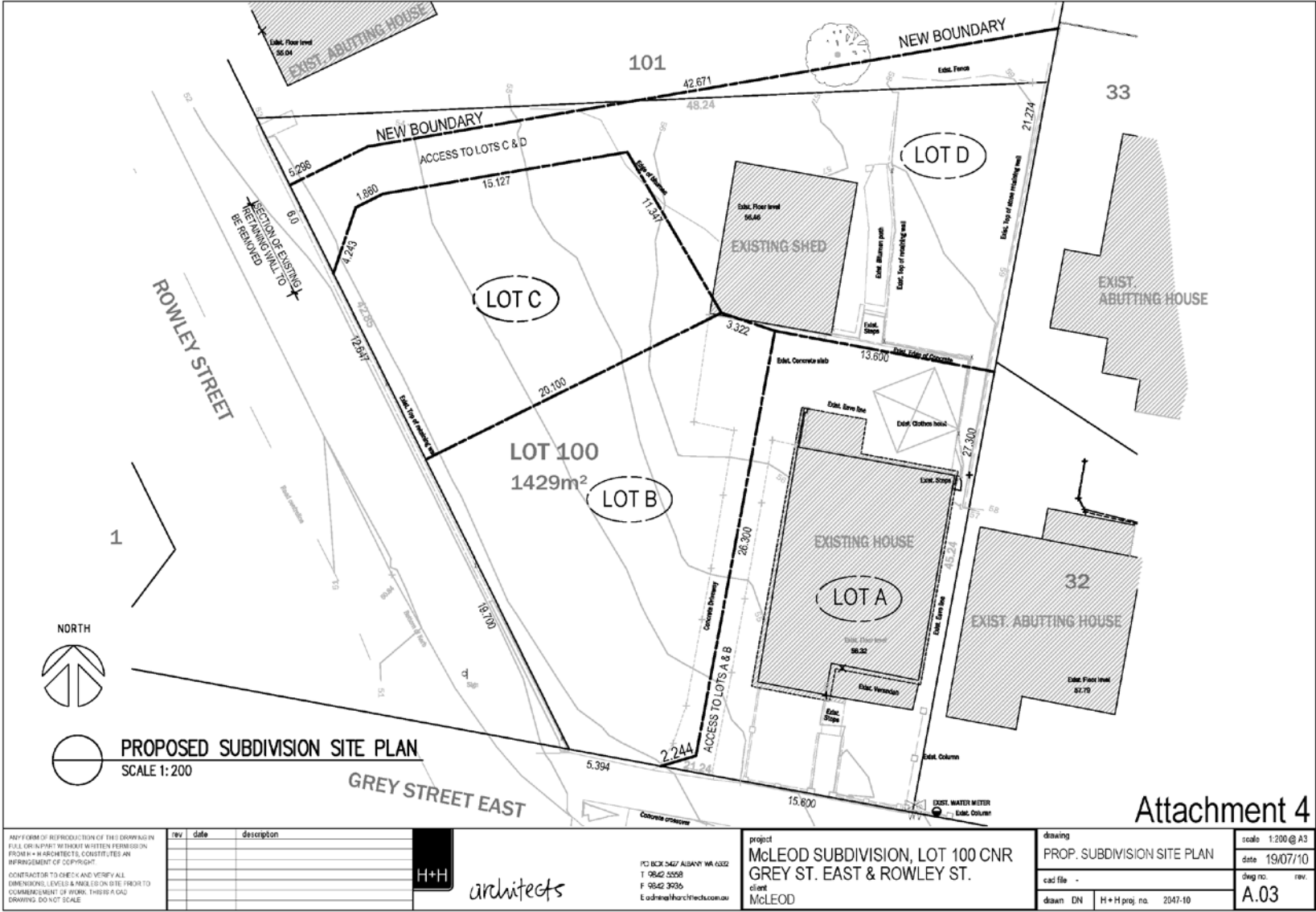
Access to Lots A and B may be from a shared driveway off Grey Street East located between Lots A and B or any other lawful driveway. Access to Lots C and D and the rear of the adjoining Lot 101 will be from a shared driveway off Rowley Street located on the North boundary of Lot 100 or any other lawful driveway.



- LEGEND**
- Water main
 - Water valve
 - Sewer MH
 - Drainage MH
 - Drainage Gully
 - Property Connection
 - Telstra pit
 - Power Pole
 - Side entry pit
 - Power meter box
 - Clothes hoist
 - Tree

note:
 This plan has been prepared for A3000 from a combination of field survey and existing records. It is the responsibility of the client to ensure that the plan is used for the purpose intended and that it is not used for any other purpose.
 The client is responsible for ensuring that the plan is used for the purpose intended and that it is not used for any other purpose.
 Before using any drawings, specifications or information on this site, the client should ensure that they are up to date and that they are not used for any other purpose.
 No responsibility is taken by Harley Survey Group for any damage caused to any person or property as a result of the use of this plan or any other drawing, specification or information on this site.
 If this plan is used for any other purpose, the client is responsible for any damage caused to any person or property as a result of the use of this plan or any other drawing, specification or information on this site.

<p>note: this drawing is the property of harley survey group. It may not be copied or altered without the consent of the owner.</p> <p>Harley Survey Group Pty Ltd 118 Serpentine Rd, ALBANY WA 6330 T. 9841 7333 F. 9841 3643 E. hsg@harleysurveygroup.com.au Also at Bunbury & Busselton</p>	<p>PLAN 1</p>	<p>Survey MUS 9-02-08</p>	<p>Code file 14384-01A.lcd</p>	<p>description FEATURE SURVEY LOT 100 ON PLAN 300027 10 GREY ST EAST, ALBANY</p>	
		<p>Drawn MUS 13-02-08</p>	<p>checked AJE 14-02-08</p>		
		<p>horiz datum ALB94</p>	<p>level datum AHD</p>	<p>client McLEOD</p>	<p>drawing no 14384-01A</p>
	<p>A Original drawing 13-02-08</p>	<p>scale at A3 all distances are in metres 1 : 250</p>			<p>Pyrmont House, Albany</p>
	<p>rev details date</p>				



Attachment 4

ANY FORM OF REPRODUCTION OF THIS DRAWING IN FULL OR IN PART WITHOUT WRITTEN PERMISSION FROM H+H ARCHITECTS CONSTITUTES AN INFRINGEMENT OF COPYRIGHT.
 CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS & MARKS ON SITE PRIOR TO COMMENCEMENT OF WORK. THEREAFTER, DRAWING DO NOT SCALE.

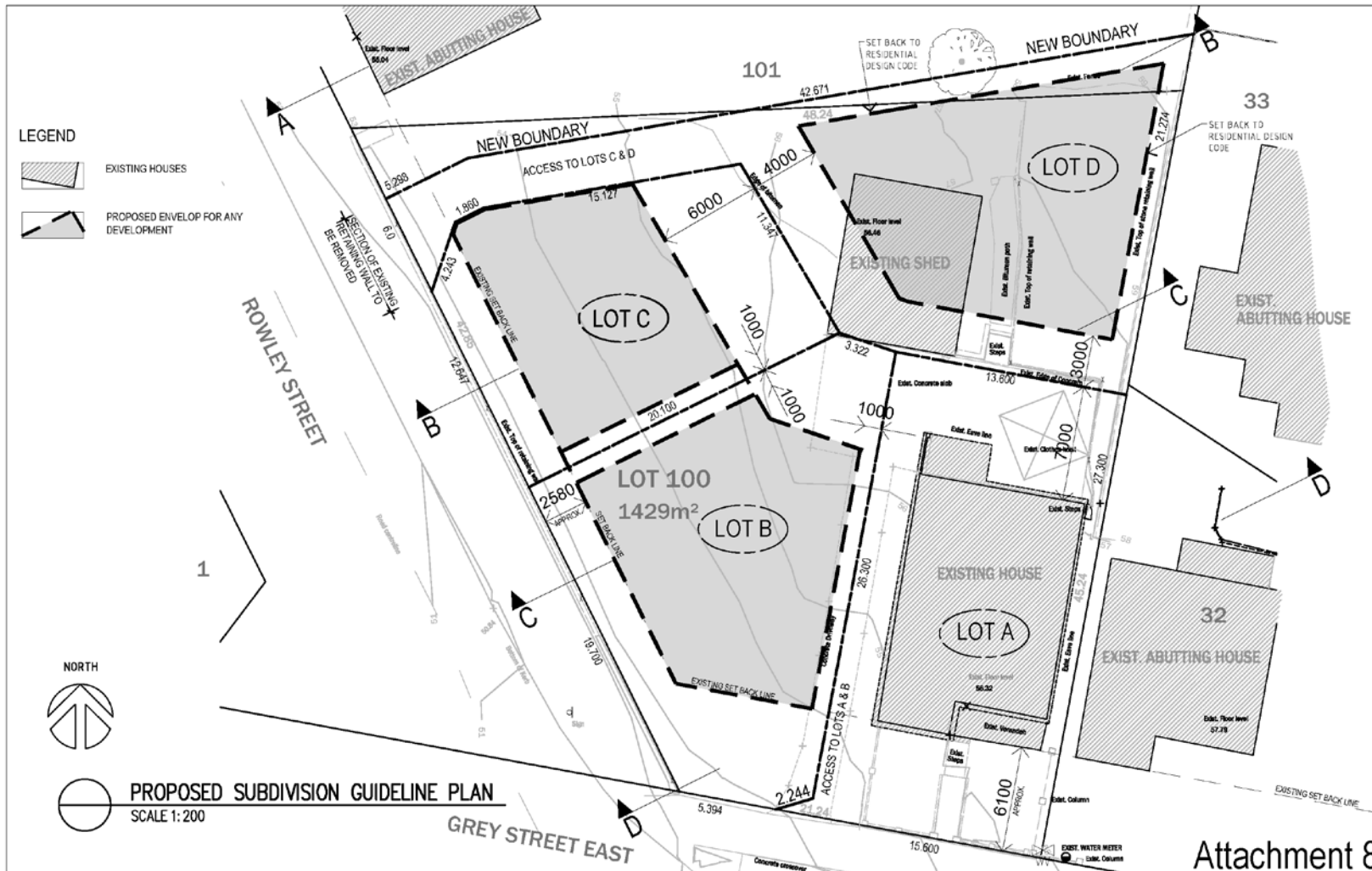
rev	date	description

H+H architects
 10 BCK 0467 ALBANY WA 6332
 T: 9842 5558
 F: 9842 3936
 E: admin@harchitects.com.au

project
**MCLEOD SUBDIVISION, LOT 100 CNR
 GREY ST. EAST & ROWLEY ST.**
 client
MCLEOD

drawing
PROP. SUBDIVISION SITE PLAN
 cad file -
 drawn DN H+H proj. no. 2047-10

scale 1:200 @ A3
 date 19/07/10
 sheet no. rev
A.03



LEGEND

EXISTING HOUSES

PROPOSED ENVELOP FOR ANY DEVELOPMENT



PROPOSED SUBDIVISION GUIDELINE PLAN
SCALE 1:200

Attachment 8

ANY FORM OF REPRODUCTION OF THIS DRAWING IN FULL OR IN PART WITHOUT WRITTEN PERMISSION FROM H+H ARCHITECTS CONSTITUTES AN INFRINGEMENT OF COPYRIGHT.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS & ANGLES ON SITE PRIOR TO COMMENCEMENT OF WORK. THIS IS A CAD DRAWING. DO NOT SCALE.

rev	date	description

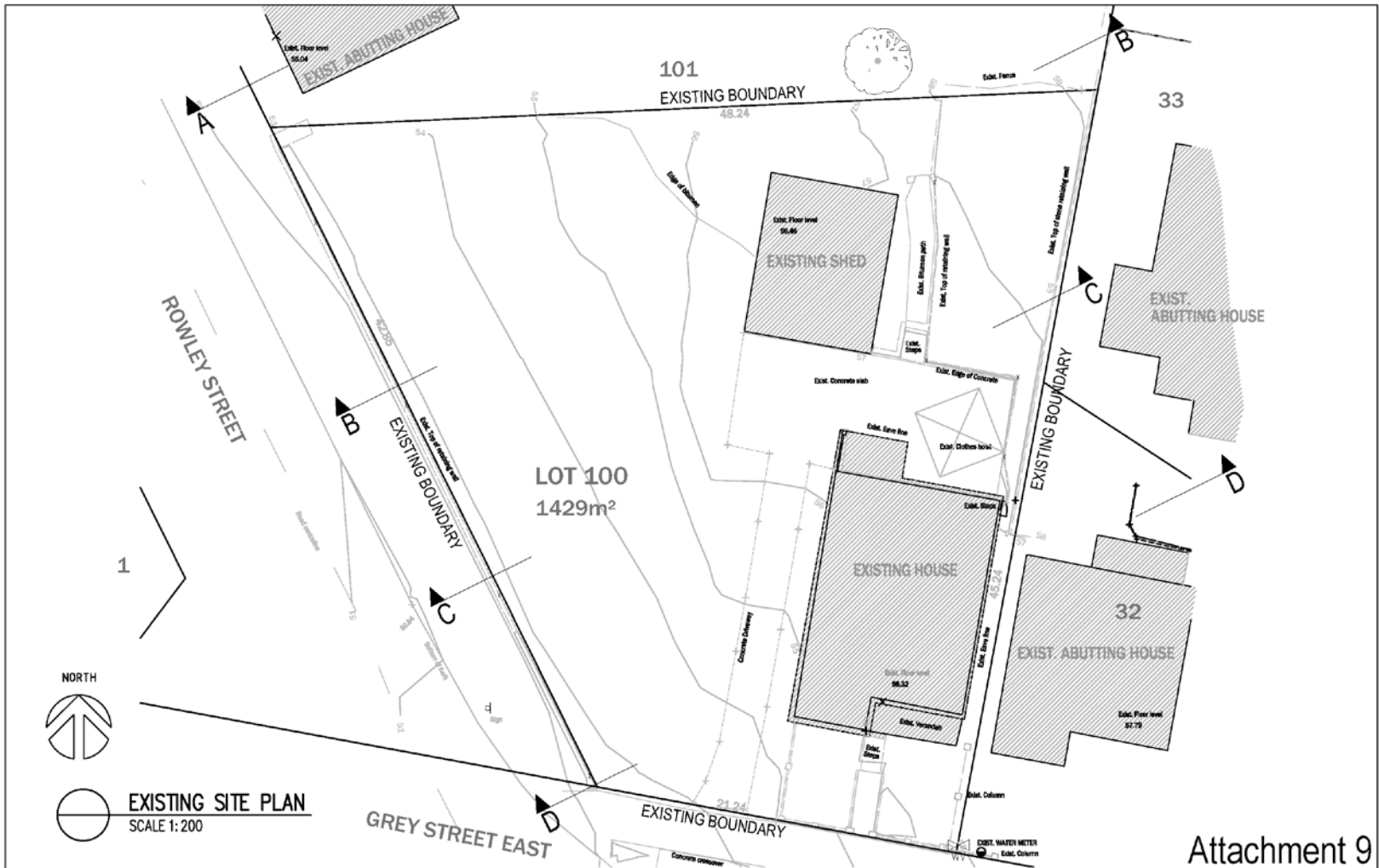
H+H architects

PO BOX 3427 AUSA RD WA 6002
T 9842 5598
F 9842 9735
E admin@h+harchitects.com.au

project
MCLEOD SUBDIVISION, LOT 100 CNR GREY ST. EAST & ROWLEY ST.
client
McLEOD

drawing
PROP. DEVELOPMENT FOOTPRINT
cad file -
drawn DN H+H proj. no. 2047-10

scale 1:200 @ A3
date 19/07/10
dag no. rev.
A.04



Attachment 9

ANY FORM OF REPRODUCTION OF THIS DRAWING IN FULL OR IN PART WITHOUT WRITTEN PERMISSION FROM H+H ARCHITECTS CONSTITUTES AN INFRINGEMENT OF COPYRIGHT.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS & ANGLES ON SITE PRIOR TO COMMENCEMENT OF WORK. THIS IS A CAD DRAWING, DO NOT SCALE.

rev	date	description

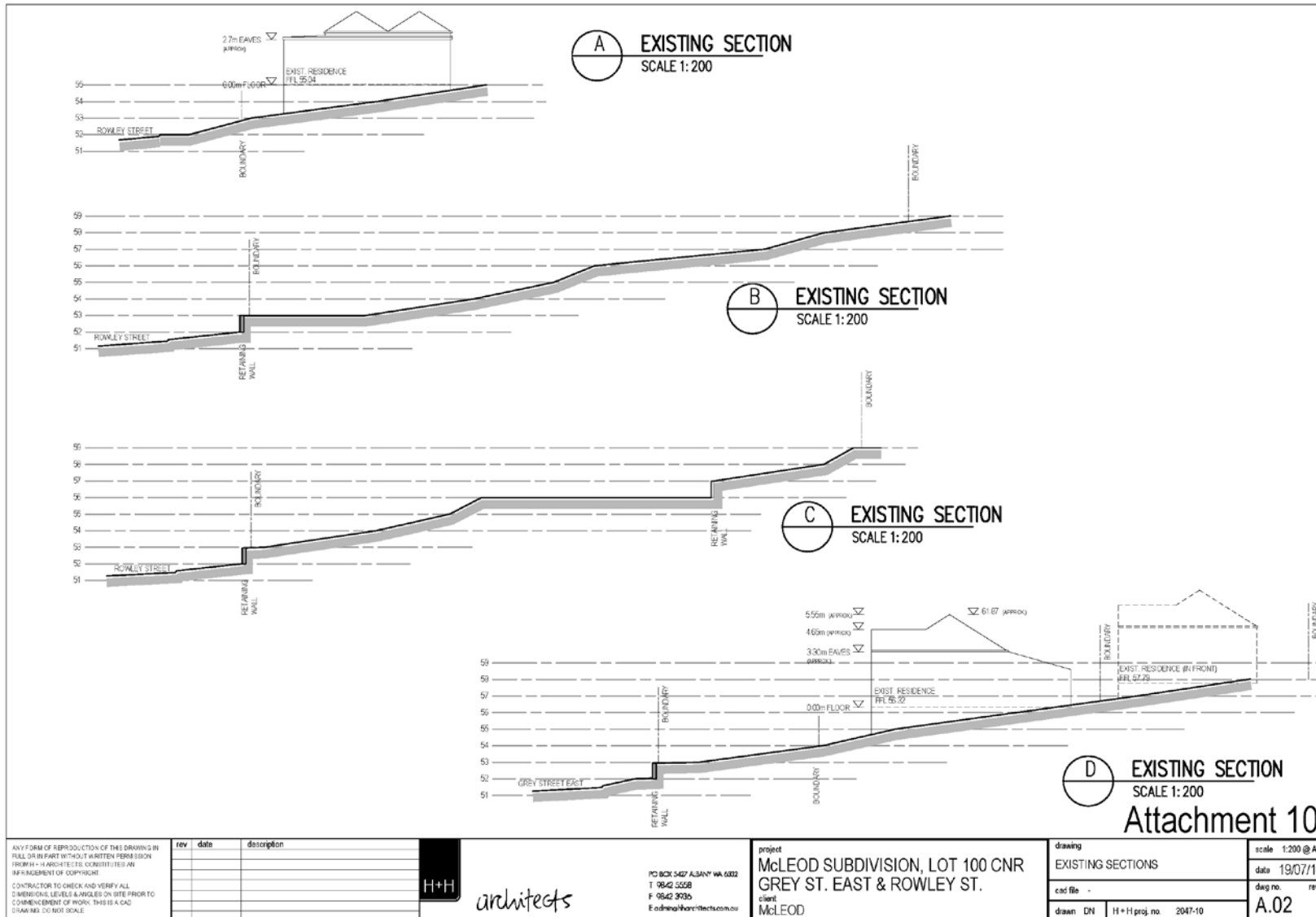


10 HEIK 367 ALBANY WA 6352
 T 9842 5508
 F 9842 9536
 E ed@h+harchitects.com.au

project
McLEOD SUBDIVISION, LOT 100 CNR GREY ST. EAST & ROWLEY ST.
 client
 McLEOD

drawing
 EXISTING SITE PLAN
 cad file -
 drawn DN H+H proj no. 2047-10

scale 1:200 @ A3
 date 19/07/10
 dwp no. rev
A.01



ANY FORM OF REPRODUCTION OF THIS DRAWING IN FULL OR IN PART WITHOUT WRITTEN PERMISSION FROM H+H ARCHITECTS CONSTITUTES AN INFRINGEMENT OF COPYRIGHT.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, LEVELS & ANGLES ON SITE PRIOR TO COMMENCEMENT OF WORK. THIS IS A CAD DRAWING. DO NOT SCALE.

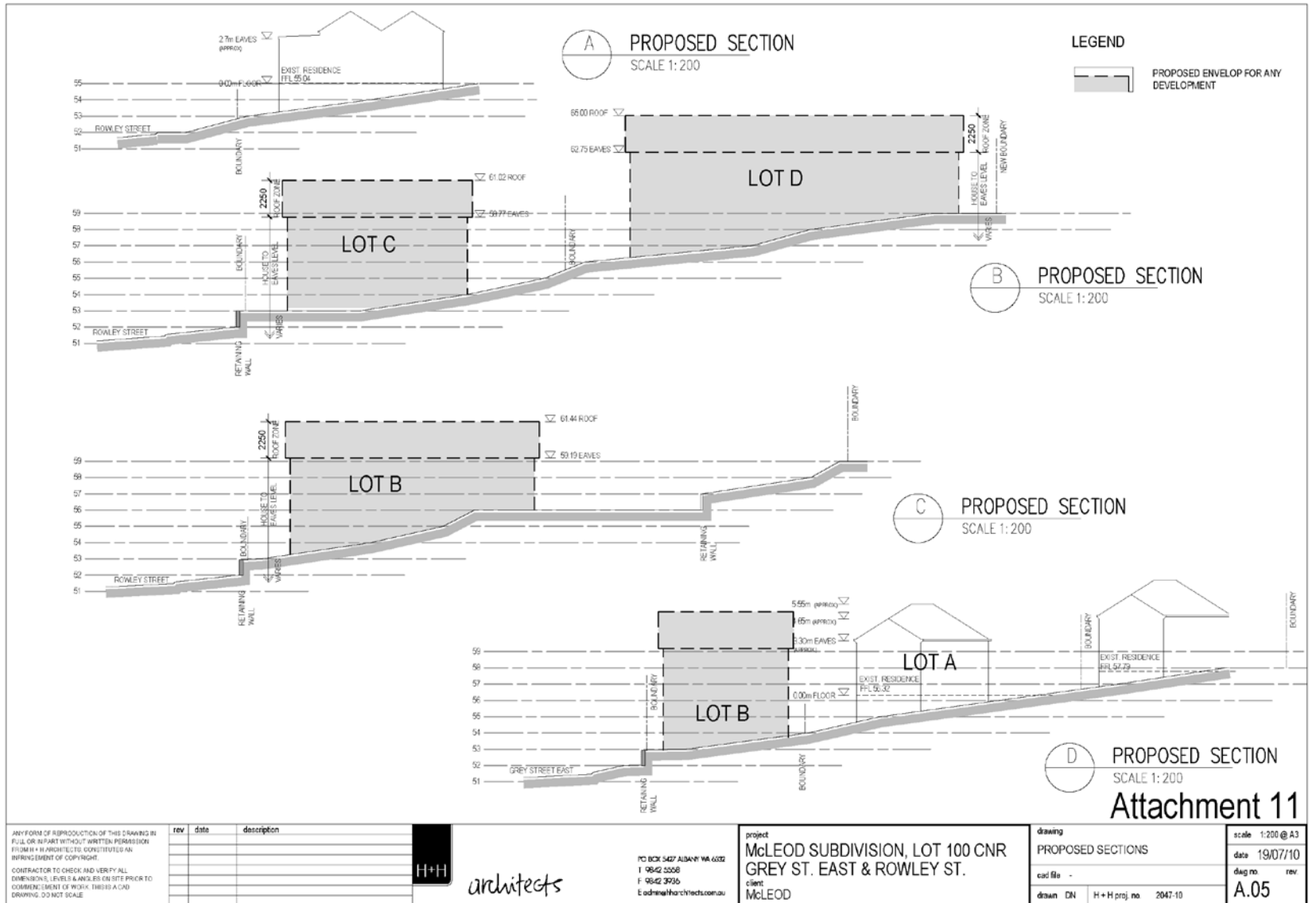
rev	date	description

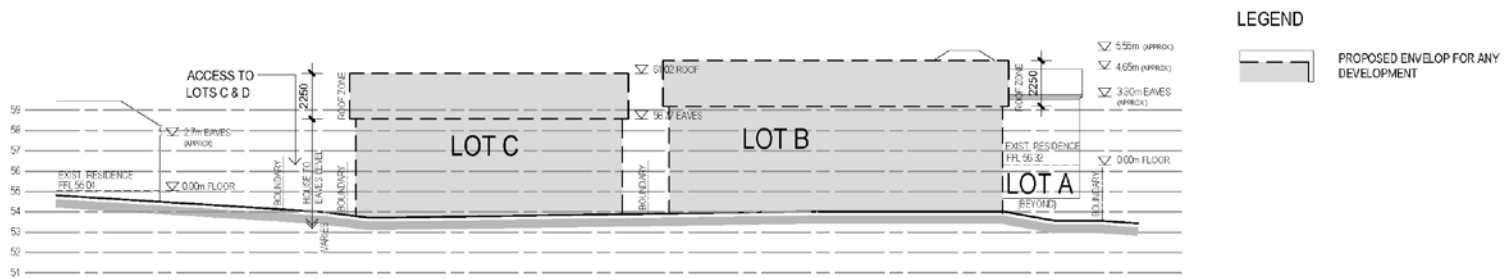


PO BOX 3427 A/3511 WA 6002
T 9842 3558
F 9842 3735
E odina@h+harchitects.com.au

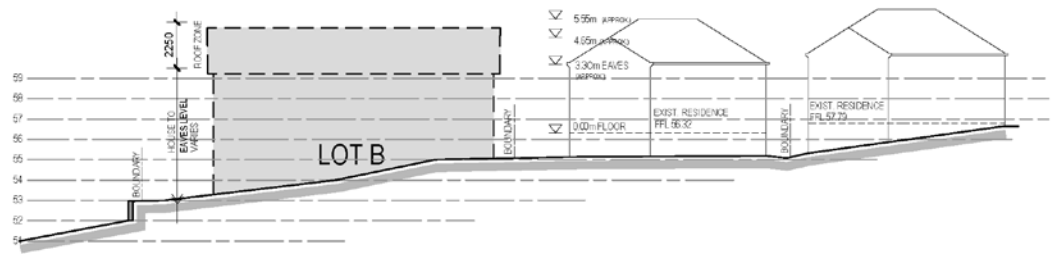
project
**McLEOD SUBDIVISION, LOT 100 CNR
GREY ST. EAST & ROWLEY ST.**
client
McLEOD

drawing	EXISTING SECTIONS	scale	1:200 @ A3
cat file	-	date	19/07/10
drawn	DN	aug no.	A.02
	H+H proj. no. 2047-10	rev.	





E PROPOSED SECTION
SCALE 1:200



F PROPOSED SECTION
SCALE 1:200

Attachment 12

ANY FORM OF REPRODUCTION OF THIS DRAWING IN FULL OR IN PART WITHOUT WRITTEN PERMISSION FROM H+H ARCHITECTS, CONSTITUTES AN INFRINGEMENT OF COPYRIGHT.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONAL LEVELS & ANGLES ON SITE PRIOR TO COMMENCEMENT OF WORK. THIS IS A CAD DRAWING. DO NOT SCALE.

rev	date	description

H+H architects

PO BOX 5427 ALBANY WA 6332
T 9842 5558
F 9842 5936
E admin@h+harchitects.com.au

project
McLEOD SUBDIVISION, LOT 100 CNR GREY ST. EAST & ROWLEY ST.
client
McLEOD

drawing	scale 1:200 @ A3
PROPOSED SECTIONS	date 19/07/10
cd file -	dag no. rev
drawn DN	H+H proj. no. 2047-10
A.05	

PINES ESTATE SETBACKS

Objective:

To provide guidance on the location and positioning of structures at the pines estate.

Policy Statement

The following setbacks shall apply to all dwellings and outbuildings in “the pines estates” South Coast Highway, McKail:

- 1) from south coast highway – 30m;
- 2) eastern boundary of zone – 15m;
- 3) front of lots – 12m (average);
- 4) second street – 5m;
- 5) side of lots – 1.5m on one side and 5m on other side; and
- 6) rear of lots – 5m.

FRENCHMAN BAY ROAD RESIDENTIAL AND TOURIST RESIDENTIAL AREA

Objective:

This Policy has been prepared to provide guidance on subdivision, sizes of outbuildings and positioning of future dwellings.

Definitions

“Structure Plan” – A framework for the future use and development of land within a designated area.

“Outbuilding” – Any class 10a building under the Building Code of Australia (1996) Volume 2, which is not substantially connected to a dwelling

“AHD” (Australian Height Datum) - is the datum (adopted by the National Mapping Council of Australia) to which all vertical control for mapping is to be referred.

Scope

The Policy Area has been divided into three (3) precinct areas, being Precincts A, B and C.

Precinct A contains a mixture of higher land above the 2.64 metre contour line (particularly west of Frenchman Bay Road and immediately north of Harding Road), and lower lying land that is not suitable for closer subdivision. As the pocket of higher land has limited constraints and could support closer subdivision a conceptual structure plan is needed to guide a legible subdivision pattern in this area.

Precinct B between Harding Road and Bramwell will allow limited subdivision so long as the resultant lot can accommodate a dwelling above the 2.64m AHD line, with a minimum floor level of 3.02m AHD.

Precinct C is low lying land which is not recommended for closer subdivision, however larger outbuilding sizes are recommended.

The Policy will specifically resolve the following issues:

- 1) Ensure that any new dwellings are constructed at a level where the dwelling is not prone to flooding or influenced by the high ground water table.
- 2) Allow increased outbuilding sizes in areas where there is limited potential for further subdivision.
- 3) Postponing subdivision in areas where subdivision is desirable, but only at such time that structure plans have been adopted and the appropriate infrastructure and services are implemented and/or available.

Policy Statement

General

Precinct A

Land Above 2.64m AHD

No subdivision proposals will be supported until such time as a conceptual local structure plan has been prepared for that area of land above 2.64m AHD to ensure that the subdivision pattern of the locality is undertaken in an orderly and efficient manner

Council will require that the resultant lots utilise alternative effluent disposal systems, such as approved amended soil and/or aerobic systems

Land Below 2.64m AHD

No subdivision proposals will be supported on the balance of Precinct A until infrastructure services are extended to the Precinct.

Precinct B

Within Precinct B each existing lot as of the 1st May 2006, can be considered for subdivision to create one additional lot.

The subdivision proposals will only be supported by Council where the proposed lot has the ability to accommodate a single dwelling and associated outbuildings in a building curtilage located above the 2.64m AHD line as shown on the attached map.

The subdivider will need to demonstrate that the proposed new lot will be able to comply with the Draft Country Sewerage Policy (as amended 2003), specifically in relation to minimum lot sizes and the required clearance between the water table and the effluent disposal systems.

Council shall require the use of alternative effluent disposal systems, such as approved amended soil and/or aerobic systems.

In order to accommodate a legible road network (should Precinct B be identified for closer subdivision in the future) where a lot is to be serviced by a battle-axe leg, the location and width of that leg shall be in accordance with the attached diagram.

Precinct C

No subdivision shall be supported within Precinct C.

Dwellings

Precinct A

With the exception of a single house, no additional dwellings are permitted until such time as a structure plan has been endorsed and subdivision has taken place

Precinct B

Within Precinct B new dwellings are to be located above the 2.64m AHD line at a minimum floor level of 3.02m AHD.

Precinct C

With the exception of a single house, no additional dwellings are permitted.

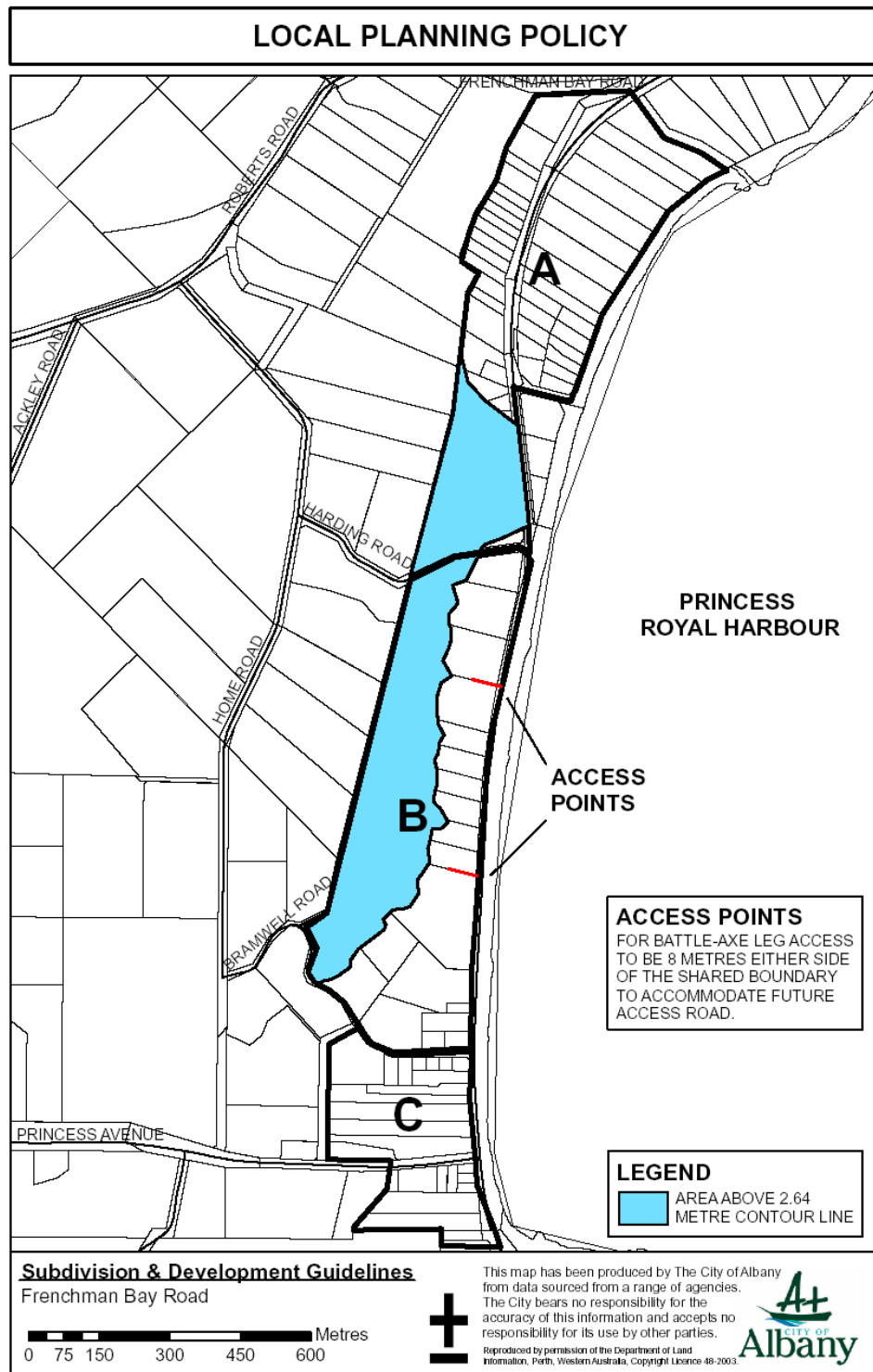
Outbuildings

Precinct A and B

Within Precinct A and B outbuildings will be permitted in accordance with the Residential Zone Requirements of Council's outbuilding Policy.

Precinct C

Within Precinct C, outbuildings can be constructed in accordance with the Special Residential Zone Requirements of Council's Outbuilding Policy.



LAKE SEPPINGS DRIVE/LOFTIE & WRIGHT STREET

Objective:

The objective of this policy is to assist land owners, designers and architects prepare building plans and lot layouts which maximise the potential of the lots, without unduly encroaching on the rights and privacy of neighbours, whilst creating a development of small lots at a medium density.

Background

The Lake Seppings Drive/Loftie Street and Wright Street residential area is located on the southeast side of Collingwood Road, Seppings and covers 5.4098 ha. When subdivided, the policy area will produce approximately 100 residential (R30) lots and approximately 5,400m² of Public Open Space.

The land abuts Park and Recreation reservations to the northeast, northwest (opposite side of Collingwood Road) and to the southeast (which includes Lake Seppings).

'Future Urban' zoned land is located to the south and 'Residential - R20' zoned land exists to the southwest, north and west.

When seeking to rezone the policy area, landowners highlighted the need to approach subdivision and development in a co-ordinated manner to maximise the benefit for future residents and create a strong sense of community.

Unless otherwise required by this policy, site and building requirements shall be in accordance with the provisions of the Residential Planning Codes of WA and Council's normal development requirements.

Policy Statement

Subdivision Requirements

There are a number of requirements that Council will request the Western Australian Planning Commission (WAPC) to impose upon a developer at the time of subdivision. These are:

- 1) The subdivision shall generally be in accordance with the Subdivision Concept Plan attached;
- 2) Lot sizes shall be in accordance with the R30 requirements of the Residential Planning Codes of Western Australia;
- 3) Submission of indicative house plans to demonstrate capacity to design houses upon the proposed lots to meet the design guidelines.
- 4) Landscaping of the Public Open Space and the community open spaces, including road verges;
- 5) Streetscape treatments being undertaken at the time of subdivision and to include drainage design to meet AMCORD performance criteria. Within the subject area the entrance roads shall have road reserves of 14 metres wide, with carriageways 6.0 metres wide. The internal road system shall have road reserves of 12 metres with 5.4 metre carriageways.

- 6) On-street parking shall be provided with additional parking bays near the Public Open Space. There shall also be traffic calming devices installed at time of subdivision, adjacent to the Public Open Space. On-street car parking is to be provided as shown on Concept Plan;
- 7) Access to the development from the local road network shall be restricted to Lake Seppings Drive / Loftie Street and Wright Street; and
- 8) A memorial may be requested to be placed on the titles of newly created lots outlining that area is prone to mosquitoes.

Development Requirements

Front Setbacks

Dwellings

Internal Lots (Lots not fronting Lake Seppings Drive/Loftie Street or Wright Street):

- Minimum of 2 metres with an average of 3 metres.

Lots fronting Wright Street:

- Minimum of 2 metres with an average of 4 metres.

Lots fronting Lake Seppings Drive / Loftie Street:

- Minimum of 4 metres with an average of 6 metres.

For Lots with dual road frontage, setbacks to a secondary street shall be:

Internal Lots-

- Minimum of 1 metre.

Lake Seppings Drive-

- Minimum of 2 metres.

Carports and Garages

Shall be setback a minimum of 0.5 metres behind the main face of the dwelling or in-line with main face where a verandah, portico etc projects forward of the main face.

Where more than one parking space is required, single carports/garages shall be setback a minimum of 5.5 metres.

Carports and garages shall not dominate the streetscape. To prevent this double garages/carports shall not be permitted to face the primary street.

Setbacks to carports/garages, where they face the secondary street, shall be not less than half the setback to the street of any existing adjacent dwelling that faces the secondary street, provided that the setback is not less than that of the associated dwelling.

Rear Setbacks

Dwellings shall be setback a minimum of 3 metres.

Side Setbacks

Setbacks to the side boundaries shall be:-

- Minimum of 1metre setback from side boundaries;
- Where setback is not less than 1metre fascias, gutters, downpipes, eaves up to 0.6 metres, masonry chimneys, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services may encroach beyond the building envelope (refer below);
- Pergolas, screens or sunblinds may have nil setbacks where Building Code of Australia (BCA) requirements can be met.

Zero Setbacks

Where considered appropriate for reasons including:

- better solar orientation of the house; and
- rear setbacks abutting side boundaries of neighbouring lots.

The Council may allow zero setbacks. This is subject to the walls built on side boundaries having:

- a maximum average height of 3 metres;
- a maximum height of 3.5 metres; and
- a maximum of 50% of the length of the adjoining side boundary.

Where two adjoining lots have zero setback boundary walls, they shall abut each other.

Lots adjoining the Public Open Space shall not be permitted to have zero setbacks to the Public Open Space.

Building Envelopes for Solar Access

All buildings shall be located within a 'building envelope'. This building envelope is illustrated in Figure 1 and 2 and determined by:

- At a height of 3.5 metres above natural ground level, a line is drawn at 45° to a height of 8.5 metres.
- This area does not include the front or rear setbacks.

Setbacks from Neighbouring Driveways

Walls of dwellings incorporating a habitable room are to be set back a minimum of 1.5 metres from neighbouring driveways. This may be reduced to 1 metre where there is an intervening fence 1.5 metres or greater, or where the windowsill is a minimum of 1.4 metres above the neighbouring driveway.

Private Open Space

Each lot shall have:-

- A minimum of 20% of the lot area set aside for private open space, this area shall have minimum width of 3 metres; AND
- There shall be a minimum area of 25m² with a minimum dimension of 4 metres and directly accessible from a living area of the dwelling with that area capable of being screened.

Other Requirements

Security

For those lots that adjoin the Public Open Spaces, the dwelling shall have at least one habitable room window with an outlook to the Public Open Space. These dwellings shall be oriented towards the Public Open Spaces.

Designing for Climate

All dwellings shall be sited and designed to maximise energy efficiency and solar access.

Streetscape

Carports, garages and screen walls shall not dominate the streetscape.

Fencing

Fencing shall accord with the following:-

- No fencing exceeding 600mm in height forward of the front setback (ie. 3 metres for internal lots); and

MODIFICATIONS TO SUBDIVISION GUIDE PLANS

Special Area No. 1C (Cape Riche)

Objectives:

To provide for rural residential subdivision and development in a manner that:

- 1) Minimises adverse impacts on and protects the natural resources of the site including the native flora and fauna and nearby water bodies;**
- 2) Is sympathetic to the picturesque landscape of the Cape Riche locality;**
- 3) Ensures adequate protection of life and property from bush fires; and**
- 4) Capitalises on the visual and other physical attributes of the site.**

Policy Statement

Subdivision

Subdivision of land within Special Rural Area 1C shall generally be in accordance with the attached Plan of Subdivision 6997-02A

Development

Single House and Associated Outbuildings are 'P' uses

The following uses are not permitted unless specific approval is granted by Council and advertising has occurred:

- 1) Home Occupation;
- 2) Cottage Industry;
- 3) Bed and Breakfast; and
- 4) Other incidental or non defined activities considered appropriate by Council that are consistent with the objectives of the zone.

All other uses not mentioned above are not permitted (X).

The keeping of stock is not permitted.

Within the Development Area of Plan of Subdivision 6997-02A building envelopes of a maximum of 3000m² are to be established. Building envelopes shall be setback a minimum of 15 metres from all roads and access ways and 10 metres from all other lot boundaries, with the exception of development existing prior to the adoption of this Policy

The location of all buildings envelopes is to be nominated by the landowner and approved by Council in consultation with the Department of Environment and Conservation to ensure that areas of rare flora and fauna are protected

All development including dwellings, effluent disposal systems, outbuildings and water storage shall be located inside the approved building envelope

Dwellings, outbuildings and water tanks shall be designed and constructed of materials that allow them to blend into the landscape of the site. Council will be particularly supportive of earth and

autumn tones. Council will not approve walls and roofs constructed of reflective materials such as, but not necessarily limited to unpainted 'Zincalume' and 'off-white' colours. Dwellings and all outbuildings shall not exceed 7.5 metres in height, to be measured from the natural ground level. No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. If fencing is utilised, it shall be of rural construction such as post and strand or 'Ringlock' (or similar) to the satisfaction of Council; and

Boundary fencing shall not be allowed outside of the approved Development Area. Where it is necessary to define a boundary within a vegetated area, bollards must be used.

No clearing of native vegetation shall occur except for:

- 1) Clearing to comply with the Bush Fires Act 1954 (as amended);
- 2) Limited clearing for fuel reduction to provide for the establishment of a Low Fuel Area.
- 3) Clearing to establish an approved building envelope;
- 4) Clearing to gain vehicular access to an approved dwelling; and
- 5) Any other clearing which may be permitted by Council.

Additional tree planting and revegetation may be required as a condition of development approval.

Each dwelling shall be provided with a water supply tank with a minimum capacity of 92,000 litres and adequate roof catchment to supply the tank

The following requirements shall be applied at the time of development approval:

- 1) Each property shall at all times store a minimum of 25,000 litres of water for fire fighting purposes in an area readily accessible to fire fighting appliances and each owner shall replenish water used by fire fighters at the owner's costs;
- 2) If the fire fighting supply forms part of the domestic supply the water outlet for domestic use shall have a take-off point above the bottom of the tank such that 25,000 litres of water always remains for structural fire fighting purposes; and
- 3) To enable standardisation of access to this supply, each private domestic vessel shall be fitted with a blanking cap and ball valve at the bottom of the tank. This coupling and valve shall be installed and maintained in a correct operating condition at all times at the property owners expense.

All residential development shall be connected to an on-site effluent disposal system designed and located to minimise nutrient export and/or release to waterways/body or groundwater approved for this purpose to the satisfaction of Council.

All residential development shall comply with Australia Standard 3959-1991 'Construction of Buildings in Bushfire Prone Areas.

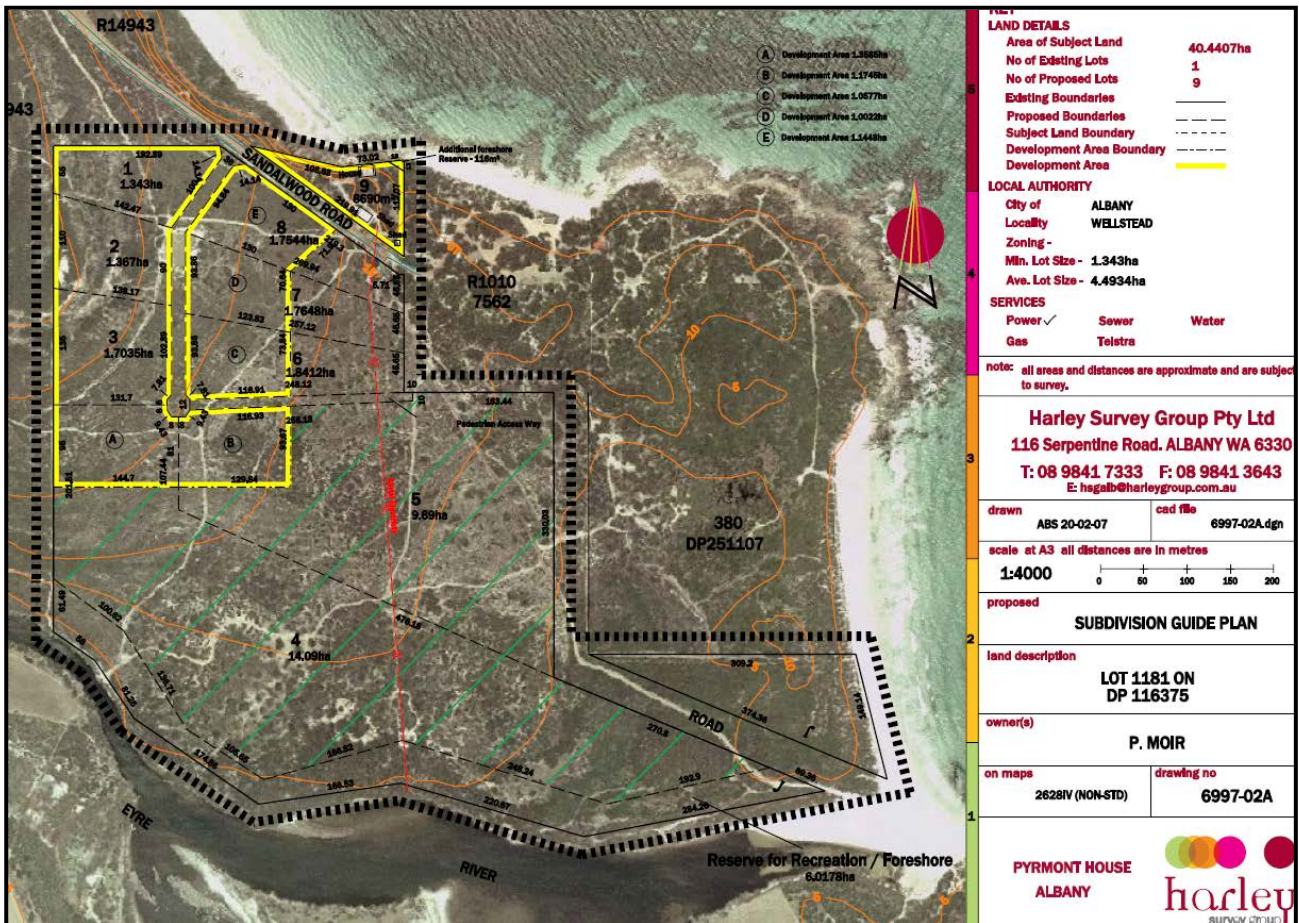
When submitting an Application for Planning Scheme Consent, the landowner shall include details on the species of plants to be used in a landscaping plan. This plan shall be prepared to the satisfaction of the Council. Species to be used in landscaping shall be endemic native species of the Cape Riche locality

A maximum area of 100m² of lawn/turf is permitted per lot.

Low Fuel Areas at least 20m wide shall be established and maintained around each building and shall be located wholly within the Development Area.

The Council may request the Commission to impose a condition at the time of subdivision for a contribution towards the provision of fire fighting facilities.

Provision shall be made to Council's satisfaction to ensure prospective purchasers of land within Special Rural Area No.1C are given a copy of these Special Provisions prior to entering into an agreement to acquire any property.



Objective:

This Local Planning Policy is intended to enforce a revised Subdivision Guide Plan for Lots 11, 300 and 1301 Nanarup Road/Gull Rock to accommodate a more efficient subdivision design.

Purpose of Policy

To adopt a new Subdivision Guide Plan for Lots 11, 300 and 1301 Nanarup Road/Gull Rock Road.

The Policy does not bind the Council in respect of any application or Planning Scheme Consent, but Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

Background

A Subdivision Guide Plan was adopted by Council as part of the rezoning of the site to Special Rural. The developer now wishes to amend that Subdivision Guide Plan and increase the number of lots from 62 to 71.

The road pattern and physical constraints of the site have not changed from the original Subdivision Guide Plan. Additional Public Open Space is being provided as part of new Subdivision Guide Plan.

The attached plan forms part of this policy.

Policy Statement

Subdivision and development of Special Rural Area 9 is to comply with the provisions adopted for the area under Scheme 3.

The following plan is to be used as the guide for development and subdivision.

ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY

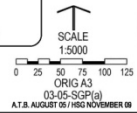


SUBDIVISION GUIDE PLAN

Lots 11, 30, 300, 1301 Nanarup Road / Gull Rock Road

This Subdivision Guide Plan has been adopted by Council and signed by the Chief Executive Officer for the City of Albany

C.E.O. Date.....



Special Residential Area No. 11 (Lots 201 and 202 Pony Club Road)

Objective:

This Local Planning Policy is intended to enforce a revised Subdivision GuidePlan for Lots 201 and 202 Pony Club Road, Willyung these lots are currently subject to the Subdivision Guide Plan of Special Residential Area 11

Scope

The adoption of this Policy revokes the previous Subdivision Guide Plan of Special Residential Area 11 relating to Lots 201 and 202 Pony Club Road, Willyung and replaces it with the attached plan. The previous plan still applies to the remainder of Special Residential Area 11.

The Special Provisions outlined in the Local Planning Scheme will continue to apply to the subject land.

Policy Statement

The attached Subdivision Guide Plan, being Drawing HSGRef14272-01J attached shall apply to Lots 201 and 202 Pony Club Road, Willyung, part of Special Residential Area 11.

The Special Provisions applying to Special Residential Area 11 are to continue to apply to Lots 201 and 202 Pony Club Road, Willyung.



Subdivision Guide Plan

LOTS 201 AND 202
PONY CLUB ROAD
WILLYUNG

This Subdivision Guide Plan has been adopted by Council and signed by the Chief Executive Officer for the City of Albany

Paul Richards
Chief Executive Officer Date: 2/6/09



Drawn: Add: 10/2008
Scale: 1:1000



118 Serpentine Road, ALBANY WA 6330
P: 08 9841 7333 F: 08 9841 3843
E: hrg@harleygroup.com.au

HSG Ref 142 (2-01)

Special Residential Area No. 8

Objectives:

Special Residential Area No 8 is to create a special residential living environment which preserves the landscape quality and visual amenity of the locality with particular attention given to:

- 1) The minimisation of erosion, soil and vegetation disturbance;***
- 2) Ensuring that buildings do not conflict with or detract from the landscape in terms of their design, location, scale, height or otherwise; and***
- 3) Minimising the impact of the development on the physical environment particularly in terms of foreshore management, bushfire control, on-site effluent disposal and other servicing requirements.***

Background

Lots 650 – 658 La Perouse Court, Goode Beach are included within Special Residential Area No 8. To protect the prominent ridge that runs across those lots the area available for building development needs to be controlled.

This Policy applies alternate building envelopes to those shown in the subdivision guide plan attached to Special Residential Area No 8.

Scope

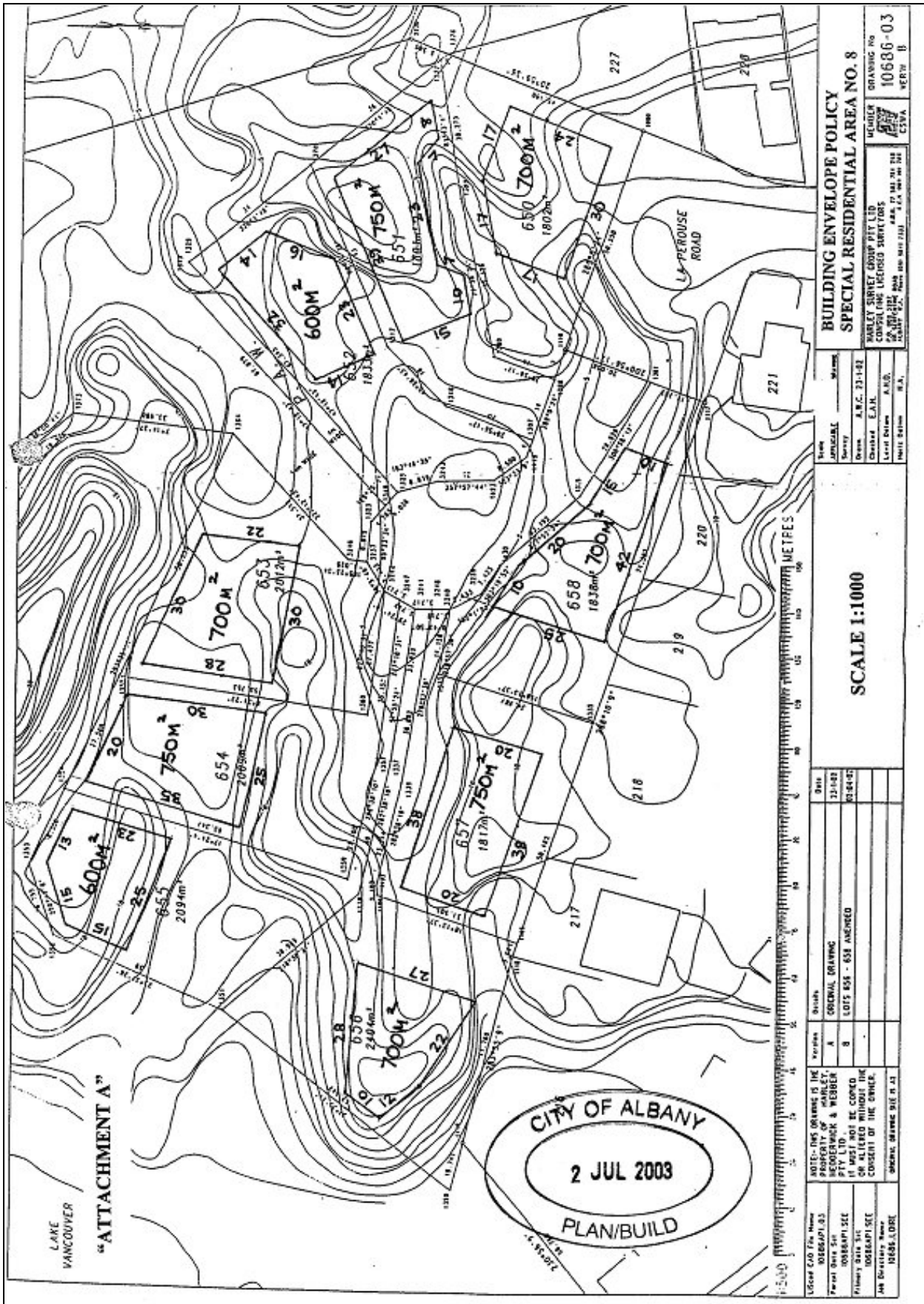
This policy is not intended to circumvent the zoning and development provisions of the scheme. The Policy seeks to provide additional information for Council, developers and the public to consider when dealing with development applications on Lots 650 – 658 La Perouse Court, Goode Beach.

Policy Statement

All buildings are to be located wholly within the designated building envelopes as shown on the attached plan (Refer to Attachment A).

Upon Lots 653 and 654 the following requirements are applicable:

- 1) Cut and fill of the site shall be kept to a minimum with preference to split level development so as to minimise disturbance through earthworks.
- 2) The development application shall include showing the proposed development in relation to the landscape on and off the site (particularly it's relationship with the ridge to the North).
- 3) The Landowner shall control storm water and drainage run-off from the ridges and buildings down into the gully in order to maintain the structural integrity of the dwelling.
- 4) Upon Lot 653, 654 and 655 the dwelling is to be constructed to Australian Standard 3959 – "Construction of Dwellings in Bushfire Prone Areas" and have installed an effective bush fire sprinkler system.



**BUILDING ENVELOPE POLICY
SPECIAL RESIDENTIAL AREA NO. 8**

MEMBER DRAWING NO
10686-03

MEMBER
CSVA

REVISION B

Drawn	Checked	Scale
January	March	1:1000
Barley	A.R.C. 73-1-02	
David	E.A.K.	
Local District	A.S.D.	
North Station	R.S.	

Project Name	Drawn	Date
ORIGINAL DRAWING		23-1-02
LOT 658 - 658 AMENDED		03-01-02

Version	Drawn	Date
A	ORIGINAL DRAWING	23-1-02
B	LOT 658 - 658 AMENDED	03-01-02

NOTE: THIS DRAWING IS THE PROPERTY OF HARLEY, SCHEIDT & WEBBER. IT MUST NOT BE COPIED OR ALIENED WITHOUT THE CONSENT OF THE OWNER.

GENERAL DRAWING SET N 23
10686-03

Special Residential Area No. 11 (Lots 104, 105 and 106 Willyung Road)

Objectives:

This Local Planning Policy is intended to enforce a revised Subdivision Guide Plan for Lots 104, 105 and 106 Willyung Road, Willyung these lots are currently subject to the Subdivision Guide Plan of Special Residential Area 11.

Scope

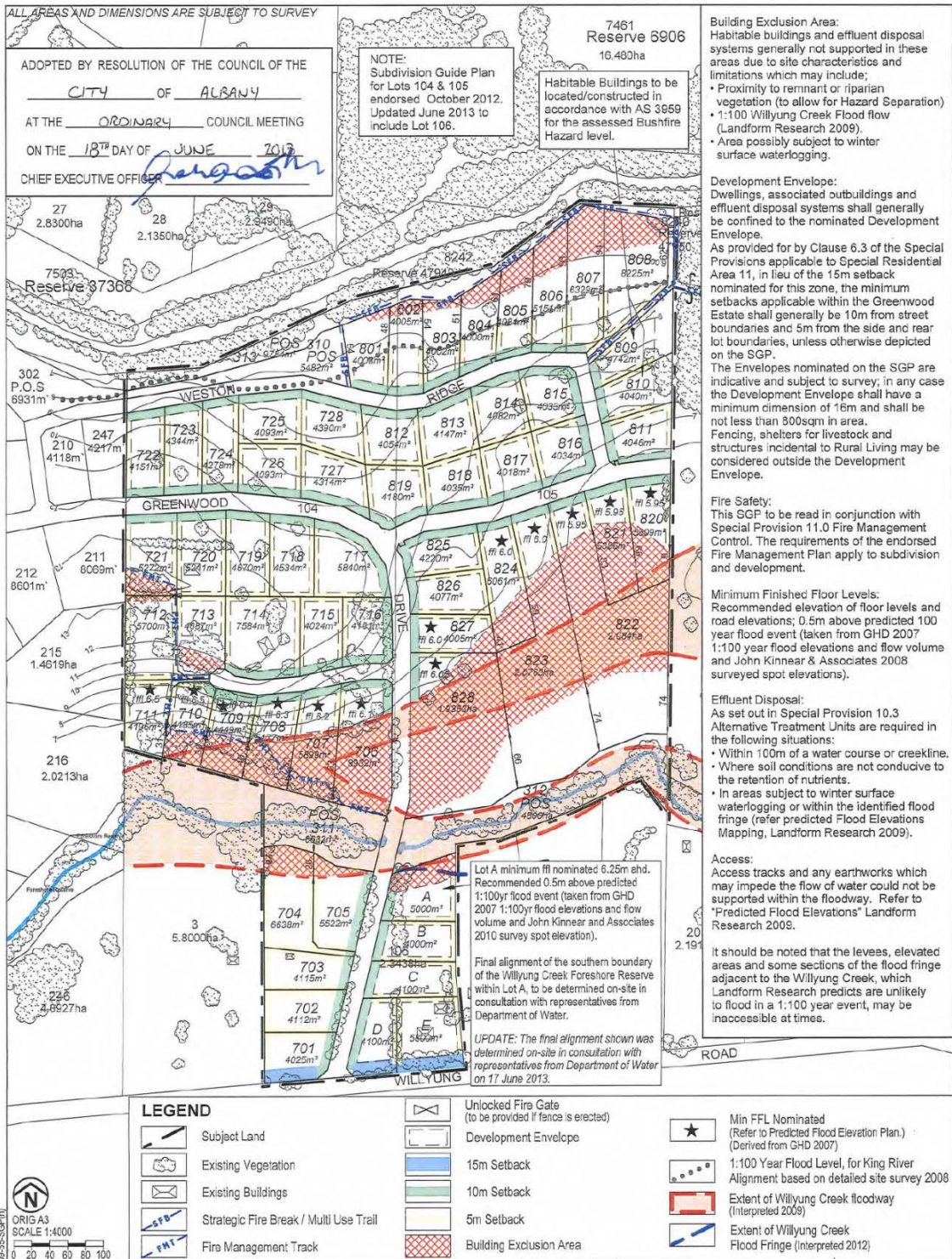
The adoption of this Policy revokes the previous Subdivision Guide Plan of Special Residential Area 11 relating to Lots 104, 105 and 106 Willyung Road, Willyung and replaces it with the attached plan. The previous plan still applies to the remainder of Special Residential Area 11.

Policy Statement

The attached Subdivision Guide Plan, being drawing 08-34-sgp(e) attached at Appendix A, shall apply to Lots 104 and 105 Willyung Road, Willyung, part of Special Residential Area 11.

The Special Provisions applying to Special Residential Area 11, outlined in Schedule IV are to continue to apply to lots 104, 105 and 106 Willyung Road, Willyung.

At the time of subdivision, the City of Albany will require a notification on the titles of all lots advising that the use of Alternative Treatment Units (ATU's) for effluent disposal may be required subject to the outcome of site-specific soil tests.



AYTON BAESJOU
 PLANNING
 11 Duke Street
 Albany WA 6330
 Ph 9842 2304 Fax 9842 8494

SUBDIVISION GUIDE PLAN
 Lots 104, 105 & 106 Wilyung Road
 Wilyung, City of Albany

1. Purpose of Policy

To adopt the amended Subdivision Guide Plan that relates to Lots 87 and 520 Norwood Road, Lower King (subject site) as a City of Albany Town Planning Scheme Policy to allow the plan to be reviewed by the public and receive Council endorsement.

This Policy has been made in accordance with Clause 6.9 of the City of Albany's Town Planning Scheme No. 3. The Policy does not bind the Council in respect of any application for Planning Scheme Consent, but Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve in making its determination.

2. Provisions

Council shall have due regard to the following provisions in the determination of Planning Scheme Consent:

1. Subdivision of the amended Subdivision Guide Plan area shall be generally in accordance with the special provisions of Special Residential Zone 18 pursuant to Schedule IV of the City of Albany's Town Planning Scheme No. 3.
2. The attached amended Subdivision Guide Plan (P6009-SK03) forms part of this Policy.

3. Objectives

Council shall have due regard to the following objectives in the determination of Planning Scheme Consent:

1. To allow for a range of lots sizes base on land capability and landscape design considerations;
2. To provide for the protection of the King River, creeklines and associated floodplains;
3. To integrate development with the landscape, protect remnant vegetation and revegetate areas in order to minimise visual impact.

4. Explanation of Amended Subdivision Guide Plan

The original Subdivision Guide Plan was adopted by Council in January 1999 as part of the rezoning of the site from 'Rural' to 'Special Residential' zone and 'Parks and Recreation' reserve.

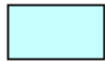
The amended Subdivision Guide Plan relates to an area of approximately 10 hectares of the north west corner of the original Subdivision Guide Plan. The original Subdivision Guide Plan shows a total of four (4) lots in this area (Lots 9, 10, 11 and 12). The amended Subdivision Guide plan creates a total of eleven (11) lots (Lots 1-11) in this area.

The amended Subdivision Guide Plan includes an artificial wetland and buffer of approximately 3.2 hectares in area for the purpose of public open space. The proposed public open space will operate as passive recreational and conservation uses for the purpose of the local community.

The internal road layout of the original Subdivision Guide Plan has not been modified. Lots 7, 8, 9, 10 and 11 of the amended Subdivision Guide Plan are accessed via the existing internal road and Lots 1-6 are to be accessed via the existing road reserve that abuts the western boundary of the subject site.

The amended Subdivision Guide Plan includes an adjustment to the north west boundary of the site. A total of 1471 square meters of land shown on the original Subdivision Guide Plan as being part of the subdivision has been transferred to the foreshore reserve for the purpose of visual amenity.

LEGEND



Wetland



Wetland Reserve



Vegetated Island



Sedimentation Basin



Building Envelopes



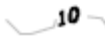
Proposed areas for re-vegetation



Strategic Fire Break



Pedestrian Green Spine



Contours



SOUTH LOCKYER STRUCTURE PLAN

Objective:

The objectives of the SLSP area have arisen from the opportunities and constraints analysis found within the South Lockyer Structure Plan. The objectives of the plan are to:

- 1) support development and subdivision that provides for housing within the environmental parameters and character of the site and locality;**
- 2) To support a range of commercial uses in a 'Mixed Use Site' as a means to provide employment opportunities and local community support services;**
- 3) To respond to the natural constraints including the steep topography, the natural vegetation and the waterways, wetlands and cleared seepage areas;**
- 4) To provide safe and convenient vehicle and pedestrian access;**
- 5) To provide a stormwater system that minimises risk to public health and amenity; protects the built environment from flooding and water logging; protects existing waterways and wetlands and is economically viable in the long term; and**
- 6) To provide incidental open space, readily accessible to all residents and recreational open space in large units suitable for active leisure pursuits.**

Scope

This policy applies to all that land identified in the South Lockyer Structure Plan identified in Figure 15 attached. Development provisions discussed within the Structure Plan have been listed within this Policy to give them statutory effect.

Policy Statement

General

At the time of subdivision and/or development Council may request the submission of a detailed area plan to be adopted under the Scheme, as a Local Planning Policy, to define the positioning of building envelopes, vegetation protection and rehabilitation areas, visual amenity protection areas, fencing, vehicle access points and private open space.

In addition to requirement above, Council may request the submission of a wider subdivision concept plan, which is to be referred to the landowners affected, to be satisfied that the proposed subdivision/development will not adversely affect the subdivision and development of adjacent land parcels.

Land Use

Council will not support the following discretionary uses within the existing Industry zone in the Structure Plan Area, as these are not compatible with adjacent residential land uses: Car wrecking; General Industry; Hazardous Industry; Port Facilities; Stockyards; and Transport Depot.

Council will initiate appropriate changes to the Local Planning Scheme 1 to allow for additional uses compatible with adjacent residential uses to be permissible within this identified 'Mixed Use' area.

The areas illustrated as 'Residential' on Figure 15 'Structure Plan', are to be developed for residential living purposes. Community services may be supported within these areas subject to complying with principles detailed in the Western Australian Liveable Neighbourhoods document.

The lots at Mai Street located within the 'Original Wetland' area are susceptible to water inundation. Prior to supporting development on the lots, Council will require management plans and the implementation thereof for acid sulphate soils and water inundation.

Density

Council will support areas being developed or subdivided into lot sizes in accordance with the residential densities shown on Figure 15. In areas where the R20 density is applicable, a 300m² minimum lot size will be supported subject to an average of one lot or dwelling unit per 500m² being met.

Variation to the R40 density may be supported by Council in the applicable areas shown on Figure 15. This support is subject to compliance with the objectives of this Structure Plan; incorporation of innovative design; and in accordance with relevant provisions of the Western Australian Planning Commission's 'Liveable Neighbourhoods' document.

Note: The minimum lot size of 300m² is considered large enough (depending of topography) to accommodate a residential dwelling, storage space, car parking, solar access and private open space.

Smaller lots (smaller than the min residential R20) at an average of 500m² helps to provide economic and environmental viability (eg the same amount (to R20 coding) of lots can potentially be developed in an area susceptible to environmental constraints).

Access

Direct vehicle access onto the 'Main Link' and Hanrahan Roads may be restricted at subdivision and development stages.

A dual use path is to be constructed on one side of the 'Main Link' road.

Cuming Road is to be closed at a future date once access can be obtained from the 'Main Link' road.

Drainage

Stormwater management systems shall be designed in accordance with the objectives, principles and delivery approach outlined in the *Stormwater Management Manual for Western Australia* and in consultation with the DoW.

An Urban Water Management Plan (UWMP) shall be submitted with all subdivision and/or development applications.

All UWMP's submitted with subdivision and/or development applications shall be consistent with any Local Water Management Strategy or overall Water Management Plan applicable to the study area. prior to designing the UWMP, developers shall consult with the Department of Water (DOW), City of Albany and other relevant stakeholders.

As a means to manage nutrient inputs; design and development is required to retain the post development hydrology as close as possible to the pre-development hydrology. Adequate field investigations shall be undertaken to determine the appropriate hydrologic regime for the site.

Runoff from constructed impervious areas (e.g. roofs and paved areas) is to be retained or detained on site through the use of tanks, soak wells, pervious paving, vegetated swales and/or native gardens.

The creation of artificial lakes or permanent open water bodies and the dewatering of potential acid sulphate soils will not be supported.

Earthworks

Geotechnical surveys are required (especially in acid sulphate areas) to determine the capability of urban development.

For areas sloping greater than 1:10, the following shall apply:

- 1) the maximum height of a retaining wall on or within 4.0m of a property boundary is to be no higher than 2.0m, with a maximum change in the height of the natural ground level being limited to 1.0m.
- 2) Beyond 4.0m of the boundaries, retaining is to be no higher than 3.0m, with a maximum change in the height of the natural ground level being limited to 1.5m.
- 3) Where retaining is undertaken for the purpose of constructing a building, the external walls of the building shall be designed as retaining walls and therefore contain the soil created by the cutting and filling.
- 4) Where a proposed retaining wall is to be constructed on the outer boundary of the subdivision area, and it abuts an existing developed land parcel, the subdivider shall consult with the adjoining landowner to ensure the amenity of the neighbour's property is not compromised, that any drainage issues are resolved prior to the construction of the retaining wall and any overlooking of the neighbouring property is adequately addressed.

Buildings

Where limitations on cutting and filling produce a building located on a podium, the exposed underside of the building is to be screened utilising materials that compliment the remainder of the building and demonstrate connectivity of the building to the site.

Buildings on lots that front onto areas of open space are to be orientated to address the open space as a means to facilitate surveillance of the POS.

Buffers

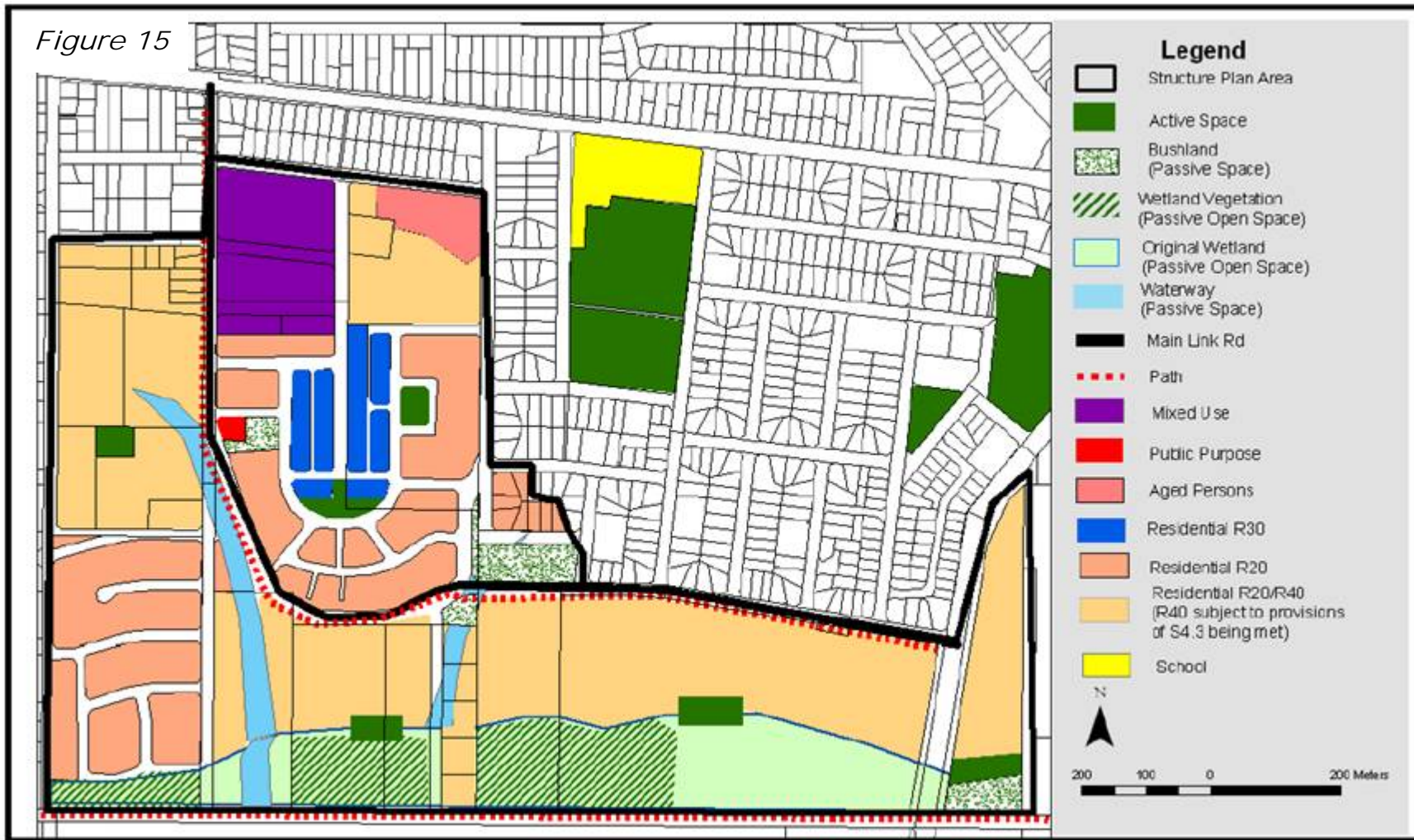
Appropriate measures (setbacks, brick wall or memorials on titles) are to be implemented at Lot 247 Cull Road to address any noise created by the industries located on Tate Street.

Appropriate setbacks are to be incorporated into subdivisional design and residential development adjacent to the 'Main Link' Road (Mueller and Cull Road).

Appropriate measures (setbacks, brick wall or memorials on titles) are to be implemented at Lot 236 Hanrahan Road to address any noise created by traffic on Hanrahan Road.

Appropriate measures are to be implemented in accordance with Environmental Protection Guidelines to address any discomfort that may occur as a result of the waste disposal site located east of Hanrahan Road.

Figure 15



LITTLE GROVE STRUCTURE PLAN

Objective:

The objectives of the plan have arisen from the opportunities and constraints analysis found within the Little Grove Structure Plan. The objectives of the plan are to:

- 1) Support development and subdivision that provides for housing within the environmental parameters and character of the site and locality;**
- 2) Protect existing vegetation, and promote revegetation, as a means of maintaining the character of the area and minimising impact on native flora and fauna values;**
- 3) Provide safe and convenient vehicle and pedestrian access;**
- 4) Provide a stormwater system that minimises risk to public health and amenity; protects the built environment from flooding and water logging; and is economically viable in the long term;**
- 5) Efficiently utilize and extend existing water and waste water infrastructure;**
- 6) Provide active open space central to the locality;**
- 7) Discourage the re-contouring of land and promote building and development outcomes that complement the natural features; and**
- 8) Mitigate the threat of bush fire to life, property and the environment within the plan area.**

Scope

This policy applies to all that land identified in the Little Grove Structure Plan identified in Figure 17 attached. Development provisions discussed within the Structure Plan have been listed within this Policy to give them statutory effect.

Policy Statement

General

At the time of subdivision and/or development Council may request the submission of a detailed area plan to be adopted under the Scheme, as a Local Planning Policy, to define the positioning of building envelopes, vegetation protection and rehabilitation areas, visual amenity protection areas, fencing, vehicle access points and private open space.

In addition to requirement as above, Council may request the submission of a wider subdivision concept plan, which is to be referred to the landowners affected, to be satisfied that the proposed subdivision/development will not adversely affect the subdivision and development of adjacent land parcels.

Applications for group dwellings are to be referred to the Water Corporation to assess the strategic planning of sewer infrastructure.

Reports for acid sulphate soils management, flood management and fire management need to accompany applications for development and subdivision within Precinct 3.

Landuse

The predominant land use throughout Precincts 1, 2 and 3 should be Single Houses.

Group Dwellings, Multiple Dwellings and small scale holiday accommodation proposals may also be considered having regard to their potential impacts on adjacent land uses and infrastructure in the locality.

Residential Development or Subdivision is not supported within Lot 8152, which is located within Precinct 3 and vested with the Water Corporation.

Development at Lot 3134 Frenchman Bay Road may only be supported in the area above the 5m contour line. Development of Lot 3134 is conditional on the following:

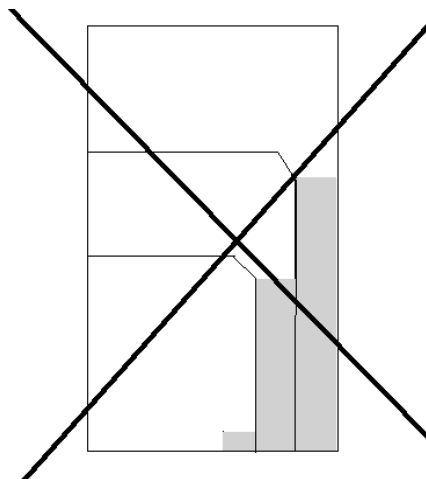
- 1) The balance of the lot (area below 5m contour) being ceded to the Crown free of cost for reservation;
- 2) The retention of ridge top vegetation as a visual backdrop to development;
- 3) Minimal impact on flora and fauna values;
- 4) Addressing fire safety;
- 5) Ensuring solar access for passive solar buildings; and
- 6) Providing surveillance to the adjacent oval area.

Development at Lot 2 Frenchman Bay Road is to be located within one building envelope of a size and in a location that retains vegetation adjacent to Frenchman Bay Road and Lot 8152.

Density

The density provisions as conferred by the Local Planning Scheme 1 are hereby varied such that the following density provisions apply:

- The Council will support land within Precincts 1 and 2 being subdivided into lot sizes not less than 300m² with a min average of 500m²;
- Land within Precincts 1 and 2 may be developed for residential purposes at a density of one dwelling per 500m²;
- To minimise the appearance of sealed areas, the Council will not support land being subdivided where the outcome will be or has the potential to result in more than two access legs or crossovers;



Access

The road network is to be safe in design and provide suitable connectivity north-south and east-west onto the existing road infrastructure.

The minor roads shown on the Structure Plan Map are conceptual only, with the final alignments and the extent of the connectivity between lots to be resolved as part of the final subdivision proves.

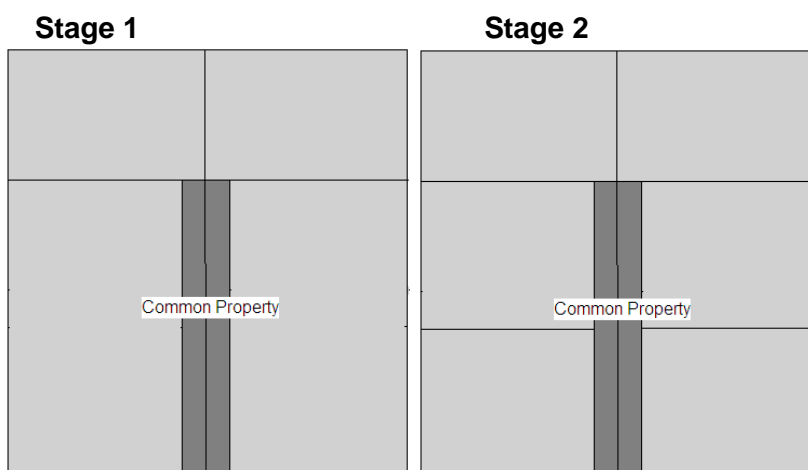
Battleaxe access legs are to be developed on the northern boundary of a lot where possible to help solar access to the lot.

In the cases where access legs are immediately adjacent to each other, a 3m width for each leg may be accepted.

Access arrangements involving more than 2 legs will not be accepted.

Common property access lots are favoured in order to minimise the number of access legs and crossovers onto the street.

Where an access leg adjoins a neighbouring property, consultation with the neighbour is encouraged as a means to provide common access.



Access onto Frenchman Bay Road (main distributor) is to be limited where possible.

Flora and Fauna

Vegetation which is within road reserves, within 5 metres of lot boundaries facing a road reserve, and on ridgelines is to be protected as part of a development or subdivision of the land. Mechanisms to ensure protection include dedication to the Crown as public open space, incorporation into Common Property in a strata titles subdivision, or via a Section 70A notice (record of factors affecting the use and enjoyment of land) on the title.

Where necessary revegetation in the road reserve verge or the land within 5 metres of the lot boundary may be required.

Clearing of road side vegetation shall be limited and is only supported as a means to access lots. Lots may be required to share crossovers and to locate building envelopes in cleared areas or areas with relatively sparse vegetation as a means to protect existing vegetation. Prior to the clearing of vegetation an applicant shall consult with the Department of Environmental and Conservation.

In future when the tea tree swamp on Lot 3134 is ceded as a reserve (and possibly combined with the adjacent Water Corporation Reserve to form an important conservation area) the LG will prepare a management plan to provide for strategic public access and public awareness and appreciation, and protection, of the area's flora and fauna values.

Drainage

Storm-water management systems shall be designed in accordance with the objectives, principles and delivery approach outlined in the *Storm-water Management Manual for Western Australia*.

Drainage management plans are required on application for development and subdivision.

Prior to design, developers shall consult with the Department of Water (DoW), local government authorities and other relevant stakeholders.

As a means to manage nutrient inputs, subdivision and development is required to retain the post development hydrology as close as possible to the pre-development hydrology. Adequate field investigations shall be undertaken to determine the appropriate hydrological regime for the site.

Runoff from constructed impervious areas (e.g. roofs and paved areas) is to be retained or detained on site through the use of tanks, soak wells, pervious paving, vegetated swales and/or native gardens.

The creation of artificial lakes or permanent open water bodies will not be supported when they involve the exposure of the groundwater.

Earthworks

The maximum height of a standalone retaining wall above natural ground level is to be no higher than 1.5m from natural ground level, except where the walls of a building are being used to retain material.

Where a proposed retaining wall is to be constructed on the outer boundary of a lot, and it abuts an existing developed land parcel, the proponent shall consult with the adjoining landowner to ensure the amenity of the neighbour's property is not compromised, that any drainage issues are resolved prior to the construction of the retaining wall, and any overlooking of the neighbouring property is adequately addressed.

Buildings

Buildings are to be developed within a building envelope allocated as part of an approved Detailed Area Plan or Planning Scheme Consent.

Where limitations on cutting and filling produce a building located on a podium, the exposed underside of the building is to be screened utilising materials that compliment the remainder of the building and demonstrate connectivity of the building to the site.

Development needs to be setback 6 metres from the front boundary of a lot and located off the dominant ridgelines, as depicted on the structure plan.

Fencing

Non visually permeable fencing is not supported within the front 6m of a lot/strata lot/building envelope boundary.

Fencing is generally not supported on the ridge lines or where it dissects significant stands of vegetation. The purpose being to protect the vegetation and to allow the movement of fauna.

Residential Design Codes

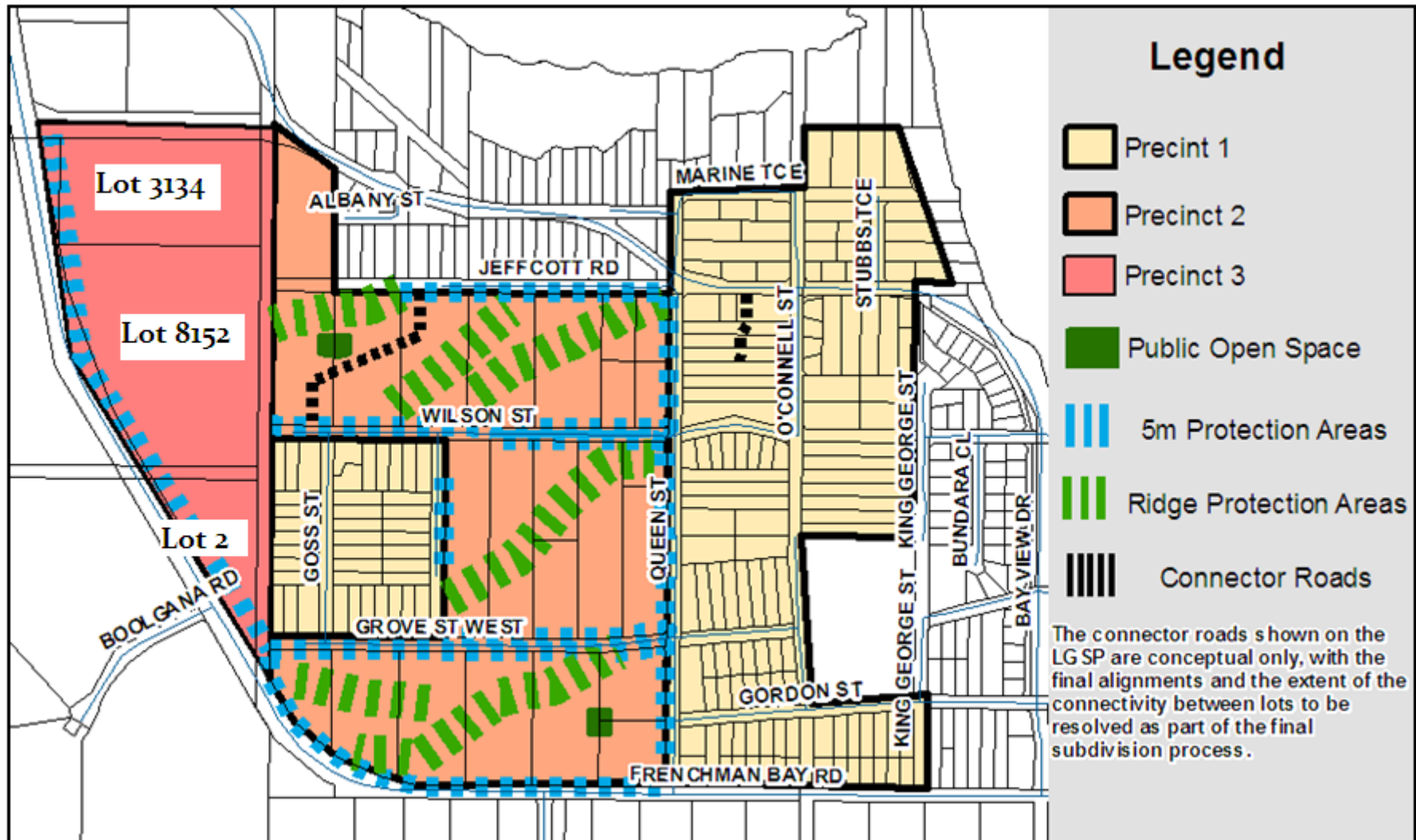
Unless stated otherwise in the plan, all development within the plan area shall comply with the adopted Residential Design Codes (2008) or any Act/order/document revoking or re-enacting the Residential Design Codes 2008.

Bushfire Protection

Building development and subdivisions in the area must comply with the requirements of 'Planning for Bush Fire Protection'.

The design of developments and subdivisions within the Structure Plan Area must consider the siting of buildings in relation to bush fire protection. Appropriate Hazard Separation Zones must be incorporated into the design of developments/subdivisions and all buildings must be surrounded by a Building Protection Zone. Where the desirable Hazard Separation Zone distance cannot be achieved, buildings must be constructed to the Australian Standard for the Construction of Buildings in Bushfire-Prone Areas (Australian Standard 3959). Buildings must not be constructed within 15m of an Extreme Bush Fire Hazard.

Figure 17



STRUCTURE PLAN – MCKAIL – BOUNDARY, LE GRANDE AND FLEMINGTON

Development and Subdivision

Development and Subdivision to be in accordance with the approved structure plan (No 14145-05F)

Drainage Contributions

Cost sharing measures, except those stated below, are to be as stated in the MLSP 99.

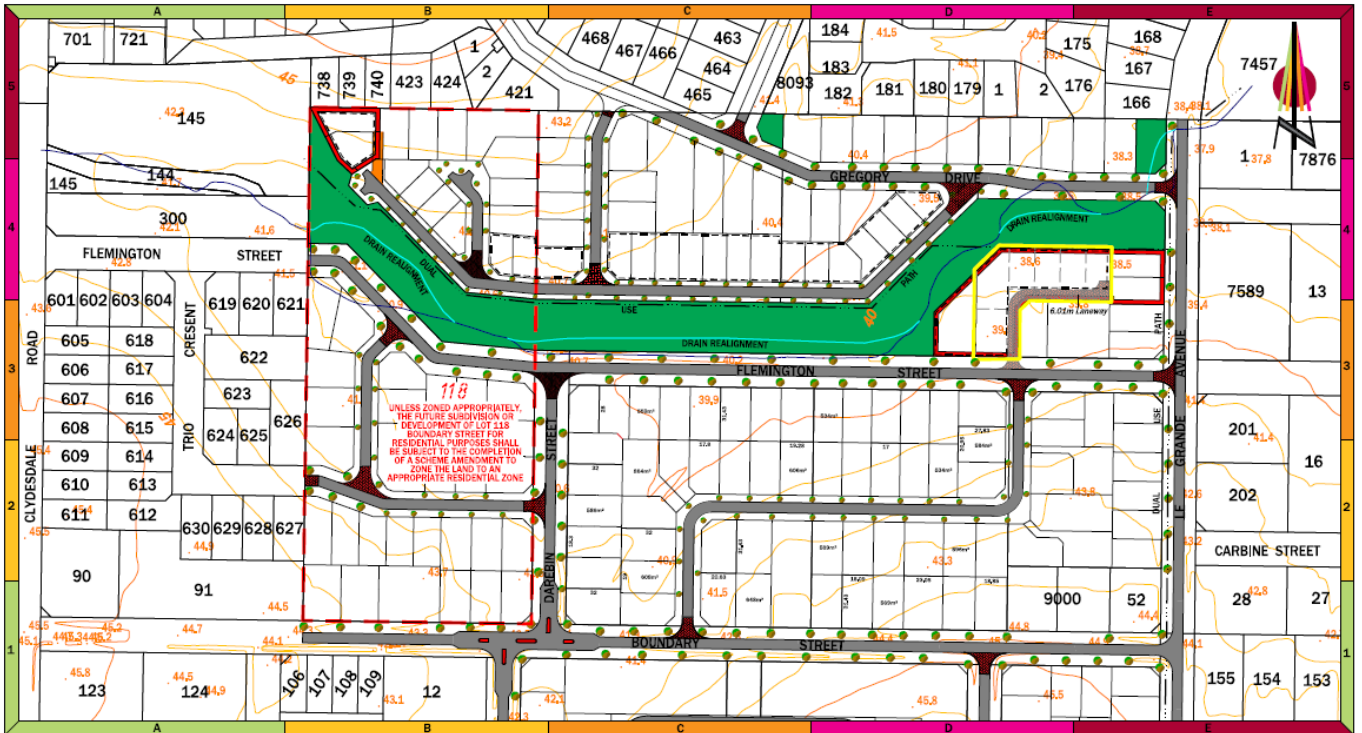
Each landowner shall contribute the following percentage to the enlargement of the proposed basin in Reserve 36517:

Drainage Basin Contributions	
Lot	Indicative cost
51	\$9,400
113	\$7,400
114	\$4,250
115	\$5,650
116	\$3,750
117	\$5,050
118	\$14,500
Total	\$50,000

Road and Footpath Networks

The following upgrades will be required for the various existing roads for the length of the development frontage:

- Le Grande Avenue – construction of the verge on the western side;
- Boundary Street – construction of piped drainage (with COA contribution), widening of basecourse, two coat sealing and kerbing the northern side, with a contribution to COA (of 50%) for the cost of asphaltting to a 7.4m wide standard.
- Recommend the construction of 5m to 7.4m wide (seal).for the length of the development frontage, provide:
 - 2.5m Dual Use paths – Western side of Le Grande Avenue, southern side of Boundary Street and through the linear park; and
 - 1.5m footpaths – eastern side of Darebin Street, northern side of Flemington Street, northern side of Gregory Drive, along various smaller internal roads as shown and through the PAW area.



note: this drawing is the property of harley global. It may not be copied or altered without the consent of the owner.

Harley Global
 116 Serpentine Road, ALBANY WA 6330
 T: 08 9841 7333 F: 08 9841 3643
 PO Box 6207 WA 6332
 E: hglobal@harleyglobal.com.au
 Also at Bunbury & Busselton

LEGEND	
	Medium Density - R30
	Detailed Area Plan
	Group Dwelling Site

survey	COMPILED	cad file	14145-05F.dgn
drawn	ABS 01/02/2010	checked	CP 01/02/2010
horiz datum	MGA94	level datum	AHD
scale at A3	all distances are in metres		
1 : 2000			

description	STRUCTURE PLAN FOR Lots 118, 114 and 113 Boundary Street Lot 51 Le Grande Avenue and Lots 115 - 117 Flemington Street, McKall	
client	BLACKWATTLE HOLDINGS PTY LTD	
drawing no	14145-05F	



OUTLINE DEVELOPMENT PLAN - BIG GROVE

1) **General Requirements**

The purpose of the Big Grove ODP is to guide and coordinate future land use, subdivision and development for land within the plan area, in accordance with the provisions of the City of Albany's Local Planning Scheme 1. The plan area also includes land currently zoned 'Motel' and 'General Agriculture and Priority Agriculture' and reserved for 'Public Purposes' and 'Parks and Recreation', with the ODP also providing guidance on preferred future land use, subdivision and development for these areas.

Land not zoned appropriately (development zone) may require rezoning prior to subdivision and development in accordance with the ODP.

Minor variations to the requirements of the ODP may be supported subject to complying with the ODP Objectives described in Section 2 below.

1.2 **Land Use**

Land use within the ODP area is regulated by Table 1 of the City of Albany Local Planning Scheme 1, which nominates the permissibility of specific land 'Use Classes' within the various zones. The Big Grove ODP provides guidance to the City of Albany in the exercising of discretion for the location and layout of land uses within the ODP area.

Residential density as nominated on the ODP plan shall be in accordance with the provisions of the R Codes except where varied by this ODP.

Where there is a discrepancy between the provisions of the Scheme and this ODP, the provisions of the Scheme shall apply.

1.3 **Subdivision**

Subdivision within the ODP area is to be consistent with the objectives provided in Section 2, and the ODP plan with regard to the design of movement networks, distribution of public open space areas, residential densities and lot configuration.

Residential density as nominated on the ODP plan shall be in accordance with the provisions of the R Codes except where varied by this ODP.

1.4 **Development**

Council shall be guided by the ODP and any Detailed Area Plans within the ODP area when giving consideration to development which requires Council approval for all land zoned or reserved within the plan area.

2) **Objectives**

- To facilitate an urban form that provides for housing and associated community facilities which is responsive to the character of the site and the locality, as depicted on the ODP Plan;
- To respond to the natural features of the land including the natural vegetation, foreshore and visual amenity;
- To provide safe and convenient vehicle and pedestrian access;

- To provide a stormwater system that minimises risk to public health and amenity, protects the built environment from flooding and water logging, protects existing waterways, wetland and foreshore and is economically viable in the long term;
- To maintain vegetation, where possible, within road reserves, public open space, foreshore areas, and individual lots; and
- To provide a range of public open spaces catering for both passive and active recreational use by the local community.

3) Residential

Land designated Low Density Residential or Medium Density Residential on the ODP Plan shall be used predominantly for residential housing purposes, consistent with City of Albany Town Planning Scheme objectives for the 'Development' zone. In relation to the R25 density coding, the ODP amends Table 1 of the R-Codes by increasing the minimum average site area from 350m² to 400m².

Land designated 'Residential' (with no density indicator) is included within the South Coast Water Source P2 Protection Area and is to be combined with a building area / lot outside the P2 area. No further subdivision of this land will be permitted. Future land uses in this area must also take into account the Department of Water's Water Quality Protection Guidelines and Codes of Practice. Minor modification to the road layout will be required to facilitate this outcome.

Where an existing house is located within the foreshore (or future foreshore) as shown on the ODP, that house may be subdivided from that lot onto a lot of not less than 1ha subject to the provisions of section 10.

4) Mixed Use

Land designated Mixed Use should be used predominantly for residential purposes, with 'Home Business' and 'Home Occupation' uses also permissible (as provided for in the 'Development' zone under the Scheme).

5) Rural Residential

Land designated rural residential is located within the South Coast Public Drinking Water Source Protection Area and as such no further subdivision of these lots will be supported. Future land uses are also required to be in accordance with the Department of Water's Water Quality Protection Guidelines and Codes of Practice.

6) Tourism

Land designated Tourism is currently used as a caravan park. Continuation of this tourism use is provided for in the ODP. Redevelopment of the site for tourist purposes is also provided for in the ODP subject to meeting other applicable provisions of the ODP particularly height limits, visual amenity, retention of existing vegetation, the provision of reticulated water and reticulated sewerage, etc.

7) Village Centre

The ODP nominates that land designated 'Village Centre' for convenience shopping and commercial uses, along with complementary residential uses, consistent with those permitted by the Scheme within the 'Development' zone.

Development within the Village Centre shall be restricted to 3 storeys in height, and shall be required to accord with a Detailed Area Plan approved for the site. Adaptable residential and commercial use of the ground floor area shall be provided for through a minimum requirement for a 3m floor to ceiling height and provision of disabled access through primary entrances.

8) Primary School

A site for a new primary school is identified on the ODP Plan.

The Primary School shall be subject to an Access and Parking Strategy which shall be provided to the satisfaction of Council and the WAPC (upon advice from the Department of Education) prior to creation of this lot. There is to be no direct access from the school site to Frenchman Bay Road.

9) Public Open Space

The ODP Plan shows the indicative locations for public open space (POS) within the plan area. POS is to be located generally in accordance with the outline development plan. Variations to the location of POS may be supported subject to complying with the objectives of the Plan and State and local government policy.

POS Schedules have also been prepared. Updated POS schedules shall be submitted at the time of subdivision detailing the existing POS and the land proposed for POS in the ODP area at the time of subdivision. The indicative locations for public open space as shown on the ODP plan may need to be modified consistent with updates of the POS schedule. Modifications to the POS schedules shall be considered minor by the WAPC and not require advertising of the ODP.

Where a lot is not required by the ODP to provide at least 10% of the area of the lot as POS, a minimum of 10% of the subdivisible area is to be provided as either land if requested by Council or cash in lieu of land. Any monetary contribution paid to Council shall be used for the purpose of purchase of land for POS or improvements to POS in the ODP area.

10) Foreshore Reserve

A foreshore reserve shall be provided along the length of Princess Royal Harbour as shown on the ODP plan.

Land designated as 'Future Foreshore' on the ODP plan includes either:

- a part of a lot which contains an existing dwelling which may be retained on a lot of not less than 1ha in area; or
- part of the land within the existing caravan park.

Further intensification of land uses within the Future Foreshore area is not supported. The land owner is required to enter into an agreement to this effect at the time of subdivision of an existing house on a retained lot. A notification on the title of the retained lot shall also be required, advising of its vulnerability to coastal processes over the next 100years, and that upon further subdivision or development of the land the future foreshore area as shown on the ODP shall be ceded to the Crown free of cost.

Land designated Future Foreshore shall be dedicated to the Crown as Foreshore Reserve free of cost at the time that the retained lot is further subdivided in accordance with the ODP.

Once the Future Foreshore area has been ceded to the Crown free of cost as a condition of subdivision or development approval, development within the Future Foreshore area shall be in accordance with the approved Big Grove ODP Foreshore Management Plan.

A conceptual Big Grove ODP Area Foreshore Management Plan has been prepared for the ODP area. Development within the Foreshore Reserve shall be in accordance with this Foreshore Management Plan and include (ultimately) a continuous Dual Use Path and specified activity nodes with associated infrastructure (bins, seats etc). Implementation of the Plan shall be either in stages in accordance with subdivision of the adjoining land or via a contribution towards the cost of providing such works. The road abutting the Foreshore Reserve shall be provided with on-street parking and access to the foreshore restricted by bollards and gates / chains to the specification of Council.

Any existing structures within the land ceded free of cost as Foreshore Reserve shall be removed or retained for public use, as agreed with Council. Any buildings proposed within the Foreshore Reserve shall be designed to the satisfaction of Council to ensure acceptable visual impact.

11) Remnant Vegetation

The ODP retains significant remnant vegetation within the foreshore reserve and public open space areas as shown on the ODP plan.

Following detailed assessment by the proponent and State Government agencies the value of remnant vegetation on Lots 7 and 109 could not be determined. The proponent shall undertake further consultation with the EPA to confirm the value of remnant vegetation and appropriate land use prior to any further subdivision and development within that area shown as 'Remnant Vegetation' on the ODP plan. Should the existing ODP design remain appropriate, no further modification to the ODP shall be required.

12) South Coast Water Reserve

The south-western corner of the OPD area is included in the South Coast Water Reserve. A Water Corporation production bore is located within this reserve.

Three existing houses are located within the water reserve, and are shown as rural residential lots on the ODP. Two areas of vacant land are shown as Residential within the reserve which shall be combined with a lot (including building envelope) outside the water reserve to create one single lot each. These lots shall not be further subdivided. The balance of the area within the water reserve is shown as public open space.

Due to the need to protect the integrity of the water reserve, no additional subdivision other than that mentioned above is to be created within the reserve area. Development within the reserve area shall be required to address the water quality management objectives specified in the '*Land Use Compatibility in Public Drinking Water Source Areas*' Water Quality Protection Note and any other applicable policy to the satisfaction of the Council upon the advice of the Department of Water.

13) Road Infrastructure

Road alignments are generally to be located in accordance with the ODP. Variations to the locations may occur where local circumstances dictate in order to protect existing vegetation, provide a better traffic management outcome, refine lot orientations, increase public access to public open space and foreshore areas, etc.

To the extent that the creation of any road shown on the ODP requires any easements or other interest in that land to be extinguished, the proponent must at its cost (including any compensation that may be payable) arrange for the interest to be extinguished.

Intersection treatments are required for the roads within the ODP area intersecting Frenchman Bay Road.

Access to the foreshore is to be maintained from Panorama Road. The road abutting the foreshore shall be provided with on-street parking and access to the foreshore restricted by bollards and gates / chains to the specification of Council.

A Shared Use Path is to be constructed along the foreshore either within the reserve (subject to compliance with the approved Foreshore Management Plan and detailed plans) and/or along parallel roads. The path is to be constructed at the earliest opportunity (with the option for interim alignment/temporary arrangement for staged development). Paths are to be constructed or a contribution paid towards their future construction by each lot owner as a condition of subdivision or development.

Upgrading of Frenchman Bay Road contiguous with the ODP area to be defined by the City of Albany based on impact of development, with costs shared by Big Grove proponents. A proportionate contribution to upgrading other parts of Frenchman Bay Road including intersection treatments in accordance with a Road Contribution Policy to be adopted by Council shall also be required.

Frenchman Bay Road and Hanrahan Road intersection upgrade requirements are to be further defined by the City of Albany in consultation with MRWA, with costs based on apportioned impact of development.

14) Sewer and Water Infrastructure

All future development and subdivision (except for the creation of retained lots to excise existing dwellings adjacent to the foreshore and South Coast Water Reserve Priority 2 Protection Area) within the ODP area is to be provided with reticulated water and reticulated sewerage infrastructure. Subdivision and development within the ODP area shall not be supported unless the proposal can provide reticulated water and sewerage services.

15) Electricity

All future subdivision and development within the plan area shall provide underground reticulated electricity.

16) Urban Water Management

A Local Water Management Strategy (2011) has been prepared and approved for the ODP area.

An Urban Water Management Plan (UWMP) shall be submitted with all subdivision and/or development applications in accordance with the objectives, principles and delivery approach outlined in the Stormwater Management Manual for Western Australia and the principles of the Big Grove Local Water Management Strategy. Prior to designing a UWMP, developers shall consult with the Department of Water (DOW), City of Albany and other relevant stakeholders.

As a means to manage nutrient inputs; design and development is required to retain the post development hydrology as close as possible to the pre-development hydrology. Adequate field investigations shall be undertaken to determine the appropriate hydrologic regime for the site.

Runoff from the constructed impervious areas (e.g. roofs and paved areas) is to be retained or detained on-site through the use of tanks, soak wells, pervious paving, vegetated swales and/or native gardens.

17) Fire Management

A conceptual Fire Management Strategy - Big Grove has been prepared for the ODP area.

A detailed Fire Management Plan shall be prepared for any subdivision and development in the ODP area. Development shall accord with an approved Fire Management Plan in accordance with FESA/WAPC Planning for Bush Fire Protection Edition 2, and the City of Albany Fire Management requirements, which shall accord with the provisions of the Fire Management Strategy for the area, namely:

- Development abutting POS areas within which remnant vegetation is to be retained (namely POS area A, B, C and M) shall provide an adequate (21m) Building Protection Zone (which may include road reserve, foot or dual use path and setback area) and appropriate dwelling construction standard in accordance with AS 3959-2009;
- Development abutting the reserves outside the ODP area at the western and eastern ends of the ODP shall provide a 20m Building Protection Zone (which may include road reserve, foot or dual use path and setback area) and a 20m Fire Hazard Separation Zones (which may include road reserve and setback area as well as cleared areas of

Open Space) to adjacent lots. Buildings within these lots shall comply with AS3959-2009 *Construction of Buildings in Fire Prone Areas*

- Development abutting POS areas which are predominantly cleared (and proposed to remain so – below 2 tonnes fuel load / ha) shall be provided with either a road reserve between the lot and
- POS or an adequate Building Protection Zone, and to comply with an appropriate dwelling construction standard in accordance with AS 3959-2009;
- Development abutting the foreshore shall provide a 20m Building Protection Zone (which may include road reserve, foot or dual use path and setback area) where the adjoining foreshore is vegetated or a lesser setback (to be determined through the applicable Fire Management Plan) if the adjoining foreshore is cleared and designated in the approved Foreshore Management Plan to remain so. Buildings within these lots shall comply with AS3959-2009, with the applicable construction standard determined through the Fire Management Plan;
- A minimum of two entrance / egress points must be maintained from the site to Frenchman Bay Road at all times;
- During development construction, a 6 m wide gravel access (or other suitable buffer) shall be provided between development and non development areas;
- Fire hydrants shall be installed at each stage of development at 200m intervals;
- Remnant vegetation retained on lots shall be maintained below a maximum of 4.6 tonnes fuel load / ha.

18) Geotechnical Investigation and Acid Sulphate Soils Management

A Geotechnical Survey will be required for subdivision or development proposals to determine acidity, contamination and building capability.

The areas defined as having acidity present will need to be treated during the subdivision or development phases.

19) Visual Management

A Visual Amenity Impact Assessment (VAIA) has been prepared for the ODP area. The assessment contains recommendations for the management of visual impacts from the development. All subdivision and development within the ODP area shall be required to comply with the management recommendations of the VAIA including those listed below.

A vegetation screen/buffer is required adjacent to Frenchman Bay Road to screen development from the road. Development along Frenchman Bay Road will be required to be screened to minimise visual impact to the road. Fencing along Frenchman Bay Road to be low visibility and low maintenance to the satisfaction of the City of Albany.

Light colours (zincalume, off white, cream) for roofs of building are not permitted in the Outline Development Area. Preference is for dark tonings, particularly for building facades on the northern edge of the development, including black, dark blue brown, dark red, grey and dark green. Subject to later detailed site specific assessment buildings should be generally limited in height to 3 Storeys. This assessment should also deal with the need for measures (overhanging eaves, recessed windows) to minimise light reflection and glare.

Retention of existing trees (where practical) and planting of additional semi-mature trees along all roads is desirable, and shall be required along boulevard style roads shown on the ODP Plan. Rooflines shall not extend above Grove Hill / Snake Hill ridgeline when viewed from the panorama location identified in the Visual Amenity Impact Assessment.

Where potential for retention of native vegetation is identified on the ODP, native trees shall represent the predominant form of the POS. This may involve some remediation and revegetation,

and some landscape development, as approved in the POS applicable development concept. Areas with regionally or locally significant vegetation shall maintain and enhance this.

Active and passive areas of POS (including the foreshore) are to be developed with appropriated infrastructure and the cost of the developer in accordance with approved plans.

20) Detailed Area Plans

At the time of subdivision and / or development, Council may request the provision of Detailed Area Plans (to be adopted as a Local Planning Policy) for:

- The Village Centre,
- Medium Density Residential R40 sites;
- Mixed Use sites;
- Sites with direct frontage to Public Open Space and Foreshore; and
- Other sites considered significant in the ODP area.

DAPs should reference Requirements 34 to 36 of Element 3 of Liveable Neighbourhoods and may be required to address the following:

- Positioning of building envelopes;
- Orientation of buildings and provision of surveillance;
- Vegetation protection and rehabilitation areas;
- Fencing;
- Vehicle access points; and
- Private Open Space

Uniform fencing shall be provided along existing lot boundaries to protect the amenity of neighbouring landowners.

21) Subdivision

Subdivision applications shall be assessed against the provisions of this Plan and applicable State and local government policies.

Standard conditions expected to be imposed relate to:

- Provision and connection to infrastructure (power, water, sewer, telecommunications);
- Design and construction of road infrastructure and intersections;
- Provision, design (including retention of vegetation) and construction of public open space areas;
- Approval and implementation of a Fire Management Plan;
- Transfer of Foreshore and/or Future Foreshore areas to the Crown free of cost (whichever is applicable under 10);
- Approval and implementation of a Foreshore Management Plan
- Dedication of the land for the primary school or a contribution towards the primary school site acquisition; and
- Preparation of Detailed Area Plans.

Staged subdivision shall consider and address access arrangements, infrastructure co-ordination, fire management, foreshore upgrading obligations and integration with existing and future adjoining development.

Subdivision within the ODP area shall be accompanied by a staging plan to ensure there is sufficient access, egress and services to the site, as required by the Fire Management Plan and servicing agencies.

P1

Should the owner of Lot 17 wish to develop their landholding for residential purposes a re-zoning from 'Motel' to 'Residential Development' zone prior to any residential subdivision or development would be required. Any rezoning requires separate approval by the Minister for Planning.

P2

A Detailed Area Plan is required for the Village Centre prior to development and shall be in accordance with the City of Albany Residential Design Code Policy with car parking in accordance with the City of Albany Scheme.

P3

Land identified as 'Residential' to be retained for vegetation protection and added to one lot outside the Priority 2 Protection Area at the time of subdivision. Further subdivision, erection of a dwelling or waste disposal is prohibited.

P4

Should a need for widening of the Frenchman Bay Road reserve be identified, such widening will need to be accommodated north of Frenchman Bay Road (to meet the City requirements). Public Open Space schedule may require adjustment at subdivision stage.









P5


Frenchman Bay Road intersection treatments to be designed in accordance with the Traffic Assessment Report at the subdivision stage.

LEGEND

 Outline Development Plan Boundary

Land Use:

-  Low Density Residential (R10)
-  Low Density Residential (R17.5)
-  Low Density Residential (R25)
-  Medium Density Residential (R30)
- Requires Detailed Area Plan
-  Residential
-  Rural Residential
-  Tourism
-  Mixed Use R30

 Village Centre (R40 - R60)
- Requires Detailed Area Plan and POS Calculation Review

 Primary School

 Public Open Space (Cash In Lieu at subdivision stage for those lots that do not provide 10% open space of land)

 Foreshore Reserve

 Future Foreshore Reserve


 Foreshore Node

 POS / Drainage


Infrastructure:


 Neighbourhood Connector

 Access Street

 Dual Use Path (2m wide) Indicative alignment only
- refer to Foreshore Management Plan

Other:

 South Coast Water Reserve
- Priority 2 Protection Area

 Existing Buildings / Houses

 Detailed Area Plan (DAP) for lots adjoining POS / Foreshore Reserve (permeable fencing, habitable room orientation etc)

 Fire Protection


 POS Identifier

 Drainage Identifier

 Development Plan Provision Identifier

 Existing Parks and Recreation Reserve Boundary (as shown on TPS maps)

 HSD
- Horizontal Setback Datum

 Physical Process and Foreshore Reserve Setback Required by the Department of Planning (M P Rogers / Coffey)

 Remnant Vegetation

OUTLINE DEVELOPMENT PLAN - CATALINA

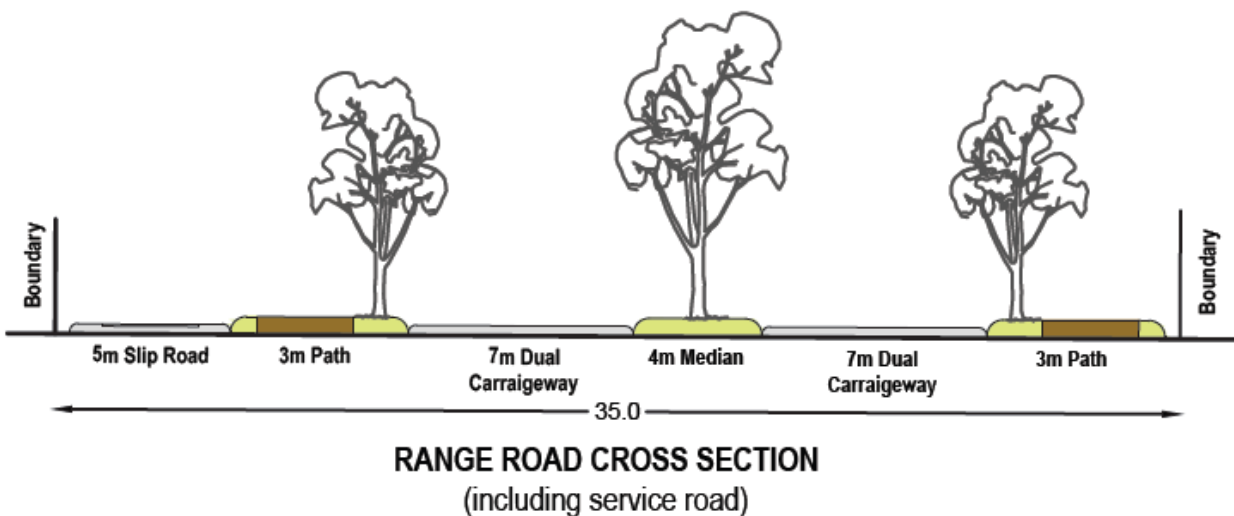
DEVELOPMENT REQUIREMENTS

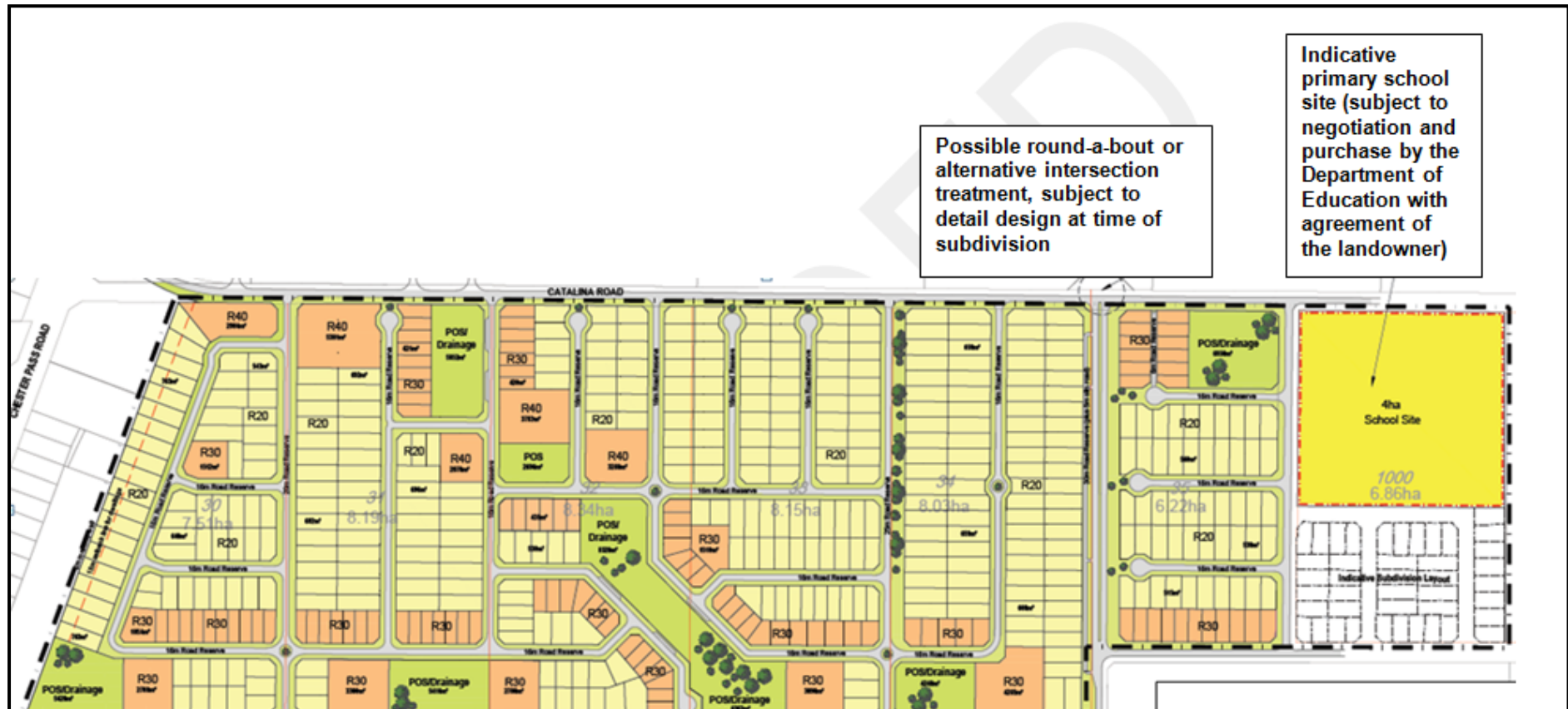
1. Catalina Road and Hudson Road will need to be constructed to an urban standard at the time of subdivision, including drainage to be piped. Road to be kerbed, road surface to be upgraded and traffic calming devices (Hudson Road) to be installed. Treatment of the Hudson Road and Chester Pass Road intersection is to be to the satisfaction of the City of Albany and Main Roads WA.
2. Pathways within the ODP area shall be required as follows:
 - A 2.5 m shared path along Hudson Road and Catalina Road.
 - A 2.5 m shared path along each of the connector roads between Hudson Road and Catalina Road.
 - 3.0 m pathways on either side of Range Road.
 - 1.5 m pathways where grouped housing lots are situated to connect to the shared paths, and
 - 1.5 m pathways along all other roads.
3. Parallel car parking bays are to be provided on the edge of the larger public open space areas, generally as depicted on the Plan.
4. Range Road will need to be developed as a two lane sealed road between Hudson Road and Catalina Road, as part of the subdivision under this ODP. Contributions to upgrade Range Road from Target Road to Catalina Road to a higher standard in future (i.e. 4 lanes) will be required from each subdivider within the ODP area in accordance with an agreed contribution schedule.
5. The 25m width road reserve connecting Catalina to Hudson Roads will need to be designed in a manner that ensures retention of the mature trees along the eastern side.
6. All lots interfacing with industrial land to the west will be subject to a detailed area plan requirement, which shall stipulate as a minimum: a 2.0m high masonry wall to the rear boundary, a 15m rear setback requirement for all dwellings, and notifications on titles advising of the adjoining land use. All such measures are to be certified by an acoustic engineer to satisfactorily protect the amenity of future residents.
7. All R30 and R40 areas shall be subject to a Detailed Area Plan requirement, particularly to ensure appropriate interface with road reserves, public open space and pedestrian networks.
8. Other than for a 'homestead lot' subdivision in accordance with Appendix E, Public Open Space areas shall be given up as part of the initial stage of subdivision on each lot. Cash-in-lieu shall be paid for any shortfall in Public Open Space, whereas Public Open Space that exceeds the 10% requirement shall be set aside as a separate Public Open Space lot for acquisition. In areas identified as Public Open Space on the ODP, existing mature jarrah and

marri trees are to be retained.

9. At the time of subdivision, an Urban Water management Plan is to be submitted addressing the following requirements:
 - i. Late winter groundwater testing.
 - ii. The use of groundwater and/or stormwater (not scheme water) to irrigate areas of Public Open Space, and
 - iii. Infiltration at site rather than the standard pipe to detention basin.
10. At the time of subdivision, a dust management plan is to be prepared and implemented to the satisfaction of the City of Albany.
11. Lot 1000 is currently zoned 'Rural' and is to be rezoned in its entirety to Future Urban by the City as part of the review of its Draft Local Planning Scheme No. 1.
12. Interim subdivision to separate the school site from the parent lot in accordance with the ODP being permitted.

PUBLIC OPEN SPACE SCHEDULE					
Lot No	Lot Area	POS/Drainage	Drainage	POS Less than 50% Drainage	Variation POS
30	7.51 Ha	5420m ²	2500m ²	4170m ²	-3340m ²
31	8.19 Ha	11268m ²	1600m ²	10468m ²	+2278m ²
32	8.34 Ha	11024m ²	Nil	11024m ²	+2684m ²
33	8.15 Ha	6362m ²	1100m ²	5812m ²	-2338m ²
34	8.03 Ha	4248m ²	2250m ²	3123m ²	-4907m ²
35	6.22 Ha	6950m ²	1400m ²	6250m ²	+30m ²
Sub Totals	46.44 Ha	45273m²	8850m²	40848m² (8.8%)	-5592m² (1.2%)





Possible round-a-bout or alternative intersection treatment, subject to detail design at time of subdivision

Indicative primary school site (subject to negotiation and purchase by the Department of Education with agreement of the landowner)

KALGAN RURAL VILLAGE STRUCTURE PLAN

Objectives

General Objectives

As set out in Local Planning Scheme 1 the general objectives for the Rural Village Zone are to:

- (i) To facilitate the orderly and proper subdivision and development of Rural Villages in a socially, economically and environmentally sustainable manner
- (ii) Create a strong sense of community by providing for residents to work, live and recreate within the zone;
- (iii) Accommodate development of rural villages to support the community, educational and sporting assets within those communities;
- (iv) Provide for a range of lot sizes and activities within the zone to achieve self-buffering of uses within the rural settlement to adjoining General Agriculture and Priority Agriculture zones;
- (v) Provide for subdivision and the development of rural villages in accordance with individual Structure Plans;
- (vi) Allow for a mix of residential, commercial, industrial and other uses appropriate to the needs of the community within the rural village zone;
- (vii) Achieve self-sustaining settlements by requiring self-reliance of individual lots in drainage management, the provision of water supplies and effluent disposal and other infrastructure needs; and
- (viii) Retain the amenity of rural villages in terms of character and landscape values.

Key Objectives

In order to conserve the village character of Kalgan and meet the Scheme objectives for the Rural Village zone, the structure plan has the following aims and objectives:

Key Objectives for the Kalgan Rural Village are to:

- (i) Create a strong sense of community by providing for residents to work, live and recreate within Kalgan;
- (ii) Recognise, Protect and Enhance the rich and diverse Natural and Cultural Heritage of Kalgan. Proposals to comply with Aboriginal Heritage Act, SPP 3.5, applicable State and Local Policies and referral to relevant agencies;
- (iii) Accommodate controlled expansion and growth of the existing rural townsite to support the community, through staged coordinated development;
- (iv) Recognise the function of South Coast Hwy as a State Haulage Route;
- (v) Address traffic Safety through the preparation and implementation of a Roads and Access Plan.
- (vi) Relocation of Hunton Road intersection to be a priority. Land requirements and widening of reserves to be contributed by subdividers on a pro rata basis. Until such time as a requisite framework is in place per SPP 3.6 upgrading of the South Coast Highway intersection to be the responsibility of Main Roads.
- (vii) Provide for a range of lot sizes and activities in response to site characteristics and capability;
- (viii) Allow for a mix of residential, commercial, industrial and other uses appropriate to the needs of the community;
- (ix) Ensure protection of Rural Village amenity and minimise land use conflict;
- (x) Achieve self-sustaining settlement, encourage self-reliance of lots in drainage management, water supplies and effluent disposal and infrastructure needs.

General Provisions

The following provisions apply generally to development proposals in the Kalgan Rural Village Structure Plan area.

Precinct-specific provisions apply to development proposals in the Kalgan Rural Village in addition to the over-arching provisions below. Where a discrepancy exists, the precinct-specific provisions shall take precedence.

Building Design, Materials & Location

- Dwellings and outbuildings shall be designed and constructed of materials in keeping with the amenity of the site. The Council will be supportive of traditional Australian farm style dwellings with wide verandahs, simple forms and passive solar orientation. Walls and roofs with natural, muted tonings will be supported.
- Sheds are to be designed and constructed of materials and colour schemes which are complementary to the main dwelling on the site. Where shed walls are constructed of concrete, it shall be coloured or bagged in appropriate earthy tones.
- Dwelling houses and sheds shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. The maximum height of all outbuildings will be at the discretion of Council in order to minimise the visual impacts of such buildings when viewed from surrounding roads.
- Notwithstanding the provisions contained elsewhere in the Scheme and this Structure Plan, the variations to the setback and siting requirements will be considered on the basis of existing structures, vegetation, visual amenity and/or fire safety, provided such variation is consistent with the objectives of the zone.
- Tree Planting/Landscape screening may be required as condition of development approval.

Service & Drainage Requirements

- No dwelling shall be constructed or approved for construction unless a supply of potable water (from roof catchment area of not less than 250m², an underground bore or well or alternative source) and a minimum of 92kl storage capacity/supply have been incorporated into the approved plans
- On-site effluent disposal shall be the responsibility of the individual landowner. The disposal of effluent shall be by way of an approved wastewater system in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.

Bushfire Management Control

- Individual landowners are responsible for the maintenance of a 20m wide Building Protection Zone around approved Habitable Buildings and any strategic firebreak where it crosses the landowner's lot.
- Where fences are erected on those lots designated with Strategic Fire Breaks, unlocked gates shall be installed where the fence crosses the SFB.

Land Uses

- In determining applications for discretionary uses listed in the zoning Table, the Council shall have regard to the general objectives of the zone, the key objectives and provisions of the Kalgan Rural Village Strategy and the Precincts Document.
- In order to ensure non-residential uses provide for the protection of rural village amenity the Council will not grant planning consent unless it is satisfied that the proposed use would not have an adverse impact on Rural Village amenity;
- In addition to the general development provisions, in granting development approval, the Council may assess and where appropriate apply conditions in relation to any of the following matters:
 - advertising signage,
 - vehicle access and parking,
 - Building location and setbacks,
 - External appearance, colours and finishes,

- Size and scale of non-residential buildings and land-uses,
- Storage and disposal of wastes,
- Emission of noise, dust and odour,
- Extent and standard of landscape screening,
- Hours of operation.

Development Provisions for Specific Precincts

Introduction

Sustainable and co-ordinated growth and development is supported. The Rural Village zone allows

a range of land uses with the majority being at the discretion of Council. The Council will ensure protection of Rural Village amenity is paramount, as is avoidance of land use conflict.

Proposals for subdivision and/or land use changes shall be evaluated against the general Objectives of the zone contained in the Local Planning Scheme 1 and the General and Key Objectives and Provisions set out in the Structure Plan Report as well as the requirements specific to the precinct.

Due regard is to be given to the measures to be undertaken on the land to achieve long term sustainable land uses, inclusive of:

- The method of collecting and storing potable water on-site;
- The method of disposing of solid and liquid wastes generated and the level of recycling of solid and liquid wastes to be undertaken on the land;
- The provision of infrastructure to generate, store and export energy;
- The design, location and finishes to be applied to buildings and structures where this reduces energy demands required for use or maintenance.

Foreshore Management, where applicable, may include biophysical assessment, ceding of land, fencing riparian vegetation, tree planting and appropriate measures to mitigate nutrient export.

- In order to achieve the objectives of this Structure Plan, the Kalgan Rural Village is divided into precincts. The specific provisions applicable to individual precincts apply in addition to the general provisions. Where a discrepancy exists the precinct-specific provisions shall take precedence.
- In addition to conditions relating to the matters required to be addressed under this Structure Plan, approval to develop land within Kalgan Rural Village may be subject to other relevant conditions in order to achieve the specific aims and objectives of the individual Precincts.

Precinct 1 – Historic Village Core

Management Issues

The historic community node is to be protected and enhanced as a local activity centre subject to consideration of the following additional Management Issues:

- Review and rationalisation of Crown Reserves tenure and purpose;
- Establishment of a road hierarchy, review of traffic safety, access and intersection treatments;
- Strengthening of trails network within this precinct and the linkages to Precinct 2 through enhancement of the Luke Pen Walk to complement the proposed Kinjarling Trail; and
- Preferred landuses include residential, commercial (tourism and business), industrial, civic and cultural.

Notwithstanding the general consolidation and efficiency objectives, given the extent of remnant vegetation, proximity to the water courses and the position of existing structures any intensification of development in the historic village core will need to be sensitively managed to address fire safety, water management, protection of landscape values and enhancement of village character.

Aims and Objectives

- To recognise, protect and enhance the Indigenous and European cultural heritage assets and values of the Precinct.
- To encourage development and/or land uses that complement the heritage assets and values of the Precinct
- To retain Kalgan Community Hall as a focal point of the Precinct and enhance interpretive information at the Hall site.

Precinct 1 - Development and Land Use

- (i) Development standards within Precinct 1 are to be consistent with the R5 standards of the Residential Design Codes.
- (ii) In the event of subdivision in accordance with 11.5.3 Precinct 1 (vii), on lots less than 1000m² in area, the development standards are to be consistent with the R20 standards of the Residential Design Codes.
- (iii) Approval to develop within Historic Village Core may be subject to conditions relating to heritage matters such as ethnographic surveys; preparation and implementation of heritage conservation plans; retention, protection and/or refurbishment of areas, buildings and/or other structures of heritage value; and/or ceding of land for construction of heritage/multiuse trails as shown on Figure 1 and referred to elsewhere in this Section.
- (iv) All site works, development and/or refurbishments of the Kalgan Community Hall shall have regard to the aims and objectives of this structure plan, the natural and cultural heritage of the Place, the requirements of the Aboriginal Heritage Act, Heritage of Western Australia Act and other relevant legislation.

Precinct 2 – Rural Village Activity Centre

Management Issues

Consolidated growth of the settlement south and east of the Kalgan River and Highway is supported. Development proposals are to address the following constraints and Management Issues:

- Land not previously assessed is subject to detailed capability assessment and planning prior to development;
- Foreshore/Creekline Setbacks, Care and Control;
- Protection and enhancement of Cultural Heritage;
- Visual Amenity and Identified Local Character;
- Upgrading/extension of Infrastructure;
- Provision of community facilities. Options include relocation of the Fire Brigade Shed and emergency Water supply, development of Country Club, Sports Pavilion, Oval or the like;
- Fire Protection; and
- Preferred landuses include residential, General Agriculture and Priority Agriculture living, employment generators/commercial (tourism and business), industrial, civic, cultural and intensive General Agriculture and Priority Agriculture (horticulture, viticulture, equestrian).

Rural Village Activity Centre Sub Precincts 2A and 2C

Aims and Objectives

- To facilitate development of a consolidated local activity centre around the historic village core in which village centre land uses predominate.
- To ensure residential development within the Precinct occurs in a complementary manner to village centre land uses and does not undermine or detract from development of the village centre.
- To encourage development and/or land uses that enhance the function of the Precinct as a village activity centre.

Sub Precincts 2A and 2C - Development and Land Use

- (i) Development standards in Precinct 2A and 2C are to be generally consistent with the R5 standards of them Residential Design Codes and the R10 standards of the

Residential Design Codes for lots created in Precinct 2A in accordance with Precinct 2 (iv).

Rural Village Activity Centre Sub Precinct 2B

Aims and Objectives

- To preserve the existing character and amenity of residential development and land use within Kalgan Rural Village.
- To facilitate establishment of residential and other complementary land uses within the Precinct.
- To effectively manage land uses that would impact negatively on existing and future residential development within the Precinct.
- To encourage, where appropriate, provision of alternative services and infrastructure for residential and other developments where these can be demonstrated as reliable, sustainable and environmentally acceptable.

Sub Precinct 2B - Development and Land Use

- (i) Development standards within Precinct 2B are to be consistent with the R2.5 standards of the Residential Design Codes where lots are larger than 4000sqm, and the R10 standards of the Residential Design Codes for lots created in Precinct 2B in accordance with Precinct 2 (iv).

Precinct 3 – Rural Village North

Management Issues

Development proposals are to address the following constraints and Management Issues:

- Controlled access onto South Coast Highway and no additional access without the prior approval of Main Roads WA;
- Commercial node at existing Tea Room/Local Store and immediate surrounds to be enhanced as local activity centre;
- Provision of stock proof fencing of areas of Riparian and Remnant Vegetation; and
- Preferred landuses include food production (horticulture, viticulture, equestrian, aquaculture, keeping of livestock), General Agriculture and Priority Agriculture living, commercial (tourism and General Agriculture and Priority Agriculture industry), home business and value adding enterprises, tourism.

Aims and Objectives

- To encourage development of existing lots for the purposes provided for under the Rural Village zone, particularly those land uses that would generate employment opportunities, whilst minimising and managing potential conflicts between land uses.

Precinct 3 –Development and Land Use

- (i) Buildings shall be setback from lot boundaries as follows:
 - a. Front: 20m
 - b. Side and Rear: 10m
- (ii) Where a non- residential land use and/or development has been approved this shall, wherever possible, be designed, sited and/or screened appropriately in order to minimise impacts on existing residences within the Precinct.
- (iii) Approval of land use and/or development within Precinct 3 to be subject to the Local Government, in consultation with Main Roads WA, being satisfied that detrimental impacts on South Coast Highway have been minimised. Approval may be subject to conditions that sufficiently address and/or resolve any identified impacts on South Coast Highway.

Subdivision

Introduction

Proposals for subdivision are to be evaluated against Objectives of the Rural Village zone, the Key Objectives for the Kalgan Rural Village, the Management Issues relevant to the precinct and the indicative layout nominated on the Structure Plan. Master Planning for the

Historic Village Core and adjacent areas of Precinct 2 is anticipated to refine the Structure Plan.

Subdivision to create new lots in Kalgan Rural Village is to be in accordance with the draft Country Sewerage Policy. Creation of lots below 2000m² as per S5.4 of the Policy may be supported to complement the historic village core and encourage establishment of a nodal village activity centre. Once the total number of lots below 2000m² within Precincts 1 and 2 reaches 100 (excluding any lots created under Precinct 1 (viii) that are connected to reticulated sewer or a limited effluent scheme), further subdivision to create lots below 2000m² will not be supported.

A comprehensive and detailed capability assessment is required for those Lots not previously the subject of the capability assessment (refer Assessment Areas Plan – Attachment 7 and Fig 3 by Landform Research). This may include soil testing and analysis of hydrology, vegetation, fire safety and visual amenity and is to be undertaken prior to consideration of subdivision. The results of any such assessment may reduce land use, subdivision and/or development potential of the land currently afforded by existing provisions in the Structure Plan.

Subdivision Provisions

The following guidelines apply generally to subdivision proposals in the Kalgan Rural Village Structure Plan area. Precinct-specific provisions contained in this Structure Plan, also apply to subdivision Kalgan Rural Village. Where a discrepancy between the provisions exists, the precinct-specific provisions shall take precedence.

Servicing and Access

- (i) Subdivision within Kalgan Rural Village is to satisfy the requirements of the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974 as well as any other relevant provisions of the Local Planning Scheme 1 relating to onsite effluent disposal. Late winter land capability/geotechnical assessments for onsite effluent disposal may be required to support applications for subdivision.
- (ii) Approval to subdivide land within Kalgan Rural Village may be subject to ceding of land for construction and/or road widening purposes, including implementation of multi use trails as shown on Figure 10 (Roads and Access Plan); and/or payment of pro-rata contributions toward construction/augmentation of the Kalgan Rural Village road network as shown on Figure 10.
- (iii) New subdivisional roads are to be sited and designed having regard to the heritage, environmental, character and amenity values of Kalgan Rural Village, without compromising road safety or stormwater drainage. Such measures may include but not be limited to traffic calming features; reduced pavement widths and/or alternative pavement materials; and alignment of pavement and services to avoid vegetation and/or visual impacts.
- (iv) Approval to subdivide land within Kalgan Rural Village may be subject to ceding of land for construction of heritage/multi-use trails as shown on Figure 1 and referred to elsewhere in this Section.
- (v) A Water Management Strategy/Plan, in accordance with the relevant water management guidelines/best practice manual may be required to be lodged at the time of application for subdivision.
- (vi) The Council may request the Commission impose a condition at the time of subdivision requiring the submission of a Local Water Management Plan, appropriate to the scale and nature of subdivision.

Fire Safety

- (i) Preparation of a Fire Management Plan may be required at the time of subdivision.
- (ii) The Council may request the Commission impose a condition at the time of subdivision requiring the preparation of a Fire Management Plan (FMP's) as a condition of subdivision approval. Individual FMP's to address particulars relative to individual proposals, but also reflect and incorporate the relevant components of the FMP

- appended to this Structure Plan. This requirement shall be waived if sufficient justification is provided, and the relevant authority agrees, that the fire hazard is sufficiently minimal for an individual FMP not to be required.
- (iii) Subdivision is to be designed so as to minimise, where possible, clearing of remnant or foreshore vegetation for Building Protection zone purposes.
 - (iv) Approval to subdivide land within Kalgan Rural Village may be subject to conditions relating to fire safety matters including but not limited to:- installation of strategic firebreaks and water storage for emergency purposes; carrying out of relevant developer responsibilities of the FMP appended to this Structure Plan and/or FMPs prepared for individual subdivision proposals; and notifications on lot titles advising of fire safety/management measures that may be required.
 - (v) In cases where only part of the zone is developed, an interim firebreak network may be required to be installed to the satisfaction of Council and the FESA.

Waterways and Remnant Vegetation

- (i) Planting, establishment, maintenance, stock proof fencing and suitable protection of vegetation corridors may be required as a condition of subdivision on those lots containing identified vegetation corridors.
- (ii) Ceding of land for establishment and/or increase of areas of foreshore reserve may be required as a condition of subdivision for those lots abutting or containing waterways, wetlands and/or existing foreshore areas.
- (iii) In addition and/or as an alternative to - Waterways and Remnant Vegetation (ii), as appropriate, the establishment, maintenance, rehabilitation and/or suitable protection of creek line protection areas may be required as a condition of subdivision.

Culture and Heritage

- (i) In the event that the indicative Community Facilities site shown on Figure 1 is ceded at the time of subdivision, the City of Albany may seek cash contributions from subsequent subdividers within the Kalgan Rural Village towards the development and maintenance of community facilities, as set out in SPP 3.6.
- (ii) Subdivision proposals within Kalgan Rural Village may be referred to the Department of Indigenous Affairs and/or the Heritage Council of WA for comment, as appropriate, in accordance with the Aboriginal Heritage Act and the Heritage Act of Western Australia.

Subdivision within Precincts

In order to achieve the objectives of this Structure Plan the Kalgan Rural Village is divided into Precincts, with specific aims and objectives for the individual Precincts. The specific provisions and guidelines applicable to individual precincts, as set out below, apply in addition to the general provisions.

Precinct 1 – Historic Core

Infill and consolidation through the subdivision of freehold lots is supported, subject to capability assessment and detailed design to address the following additional specific constraints and Management Issues:

- (i) Review and rationalisation of Crown Reserves, boundaries, tenure and purpose;
- (ii) Establishment of a road hierarchy, review of traffic safety, access and intersection treatments;
- (iii) Strengthening of trails network within this precinct and the linkages to Precinct 2. Enhance Luke Pen Walk and complement the proposed Kinjarling Trail;
- (iv) Detrimental impact on riparian and remnant vegetation to be minimised – Retention of remnant native vegetation is supported. Removal of significant vegetation is not supported and is subject to relevant Clearance of Native Vegetation Regulations.
- (v) Subdivision shall generally be in accordance with the R5 standards of the Residential Design Codes, subject to detailed capability assessment, vegetation assessment and may require comprehensive planning and design within the Precinct 1.
- (vi) The minimum size of lots created by subdivision in Precinct 1 shall be 2000m².
- (vii) Notwithstanding clauses (v) and (vi) of this subsection, subdivision within Precinct 1 in accordance with the R20 Residential Design Code may be entertained subject to

reticulated sewerage connections being provided; or an existing approved limited effluent scheme being in place to service the proposed lots.

- (viii) Approval to subdivide land within Precinct 1 may be subject to conditions relating to heritage matters including but not limited to ethnographic surveys; preparation and implementation of heritage conservation plans; retention, protection and/or refurbishment of areas, buildings and/or other structures of heritage value; and/or ceding of land for construction of heritage/multi-use trails as shown on Figure 1.

Precinct 2 – Rural Village Activity Centre Sub Precincts 2A & 2B

- (i) Consolidated growth of the settlement south and east of the Kalgan River and Highway is supported through staged subdivision and development of sub-precincts A B and C, generally in accordance with the road network and indicative lot layout shown on the Structure Plan. The preferable lot size is 2000 – 5000m², based on vegetation & site characteristics. Those lots not previously assessed are subject to planning and detailed capability assessment, as set out in parts 11.5.1 and 11.5.2 Servicing and Access (i), prior to subdivision.
- (ii) Subdivision shall generally be in accordance with the R5 standards of the Residential Design Codes.
- (iii) The minimum size of lots created by subdivision in Precincts 2A and 2B shall be 2000m².
- (iv) Notwithstanding (iii) of this subsection, in areas contiguous with Precinct 1 boundary and/or other subdivision carried out in accordance with these provisions, the minimum size of lots within Precincts 2A and 2B created by subdivision may be 1000m², subject to late winter land capability/geotechnical assessments for onsite effluent disposal being prepared and lodged with all such applications for subdivision; and these demonstrating that onsite effluent disposal is achievable in accordance with the draft Country Sewerage Policy as well as any other relevant provisions of the Local Planning Scheme 1.

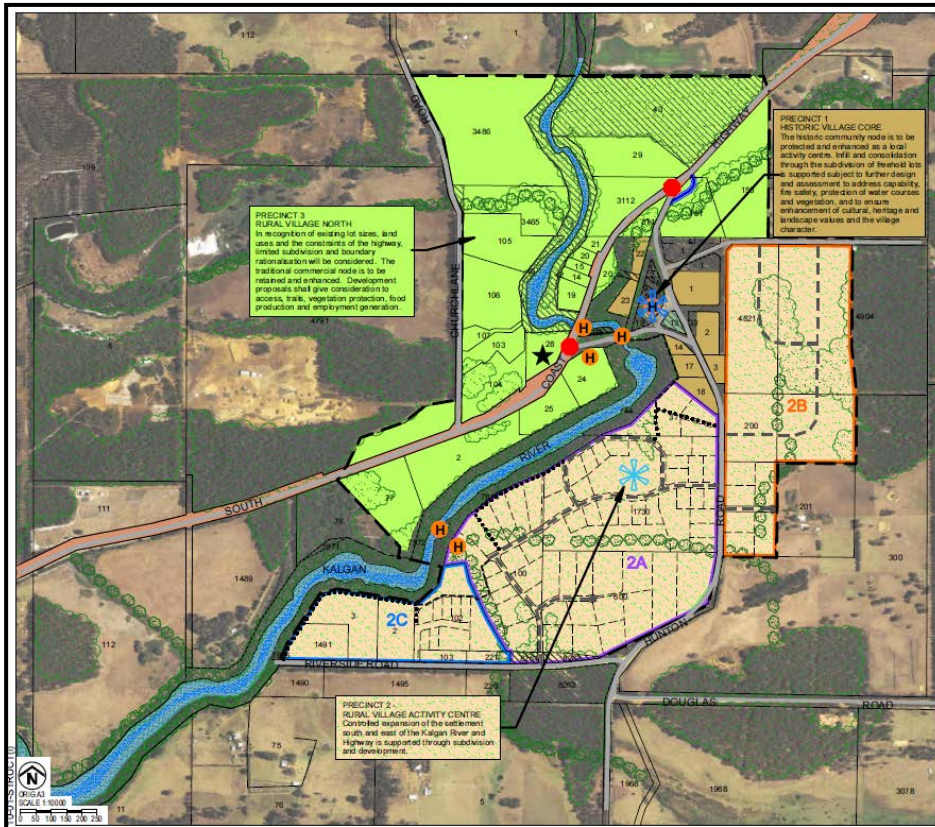
Precinct 2 – Rural Village Activity Centre Sub precinct 2C

- (i) Subdivision shall generally be in accordance with the R5 standards of the Residential Design Codes.
- (ii) The minimum size of lots created by subdivision in Precinct 2C shall be 2000m².
- (iii) Subdivision of land may be considered where:
- a. It is in accordance with the indicative lot layout shown on the endorsed Structure Plan; or
- b. subject to comprehensive planning and design for the balance of the precinct to address road layout upgrading of Riverside Road and provision of parking, together with detailed capability assessment as set out in parts 11.5.1 and 11.5.2 Servicing and Access (i).

Precinct 3

Subdivision of land will not be supported in Precinct 3 except where:

- a. It is a realignment of existing lot boundaries with no additional lots being created, and meets the relevant objectives and provisions of this Structure Plan: OR
- b. The subdivision is necessary to facilitate provision of infrastructure such as road widening or realignments, utility services or other community facilities: OR
- c. It is subdivision of a lot that existed at the time of this Structure Plan being endorsed by the WAPC; and i Only one additional lot will be created, OR if more than one additional lot is proposed, all lots including the balance of the parent lot are a minimum of 2HA in size; and ii The purpose of the subdivision is to excise an existing approved land use; and iii The lot containing the existing land use is sufficiently sized to contain the use, as well as contain any required buffer distances within the lot; and iv The balance lot(s) are sufficiently sized to accommodate land uses that may be approved by the Local Government within Precinct 3; and v Access arrangements onto South Coast Highway are resolved to the satisfaction of Main Roads WA, the Local Government and the WAPC; and vi The proposed subdivision meets all other relevant objectives and provisions of this Structure Plan.



**KALGAN RURAL VILLAGE
STRUCTURE PLAN**
Kalgan, City of Albany
(Refer item 2.6 21 June 2011)

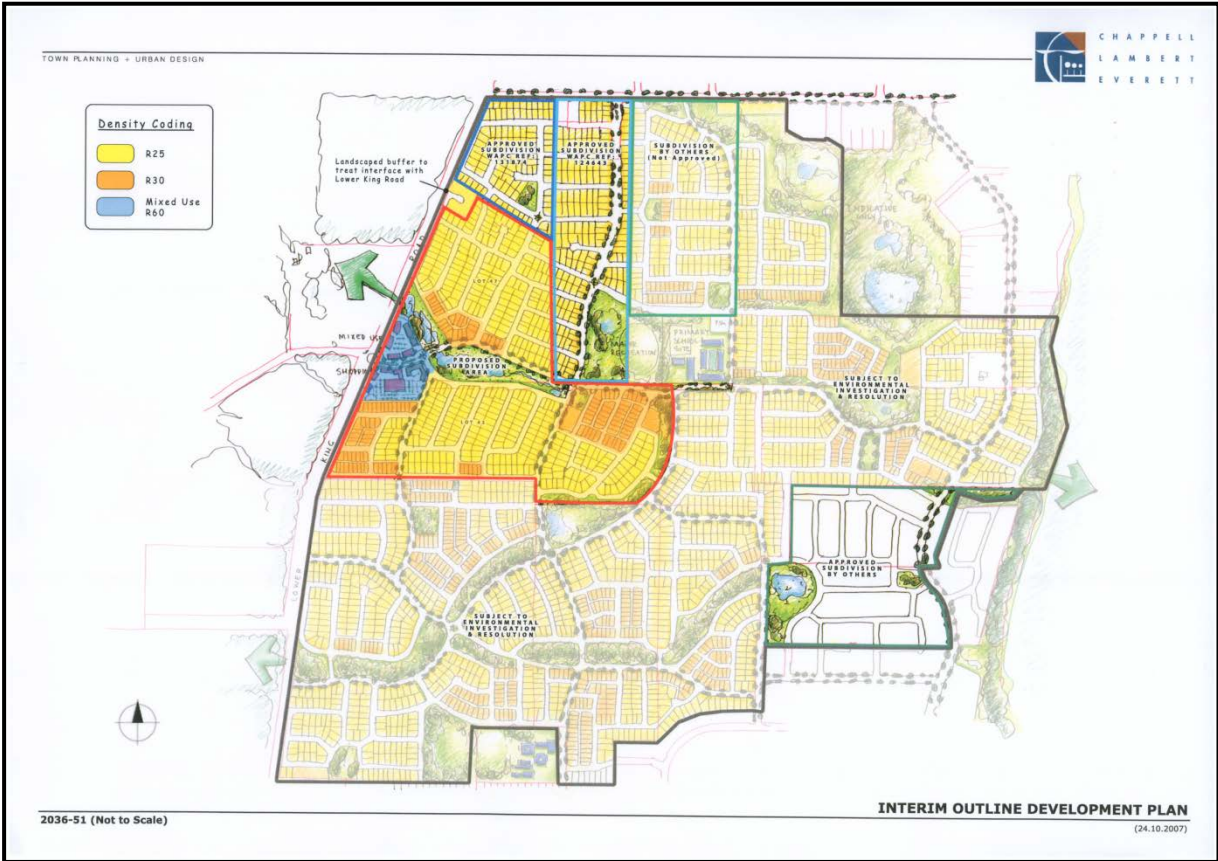
- LEGEND**
- Rural Village Zone Boundary
 - Crown Land / Reserve
 - Historic Village Core - Precinct 1
 - Rural Village - Precinct 2
 - Rural Village - Precinct 3
 - Existing Vegetation
 - Vegetation Corridor
 - South Coast Highway
 - Proposed Subdivision Road
 - Indicative Subdivision
 - Site of Cultural / Heritage Significance
 - Proposed Multi-Use Trail / Strategic Fire Break
 - Walk Trail
 - Traditional Commercial Node
 - Village Centre - Existing Community Node
 - Indicative Community Facilities Site
 - Intersection treatment required to address traffic safety

- NOTATIONS**
- Opportunities exist for subdivision and development, in accordance with the endorsed Structure Plan for the Kalgan Rural Village, subject to Key Objectives, Recommended Actions and Management Issues relevant to the precinct being addressed.
 - Lot and road pattern is indicative only and may change subject to more detailed land capability on other investigations at subdivision stage.
 - This plan to read in conjunction with the Structure Plan Report and the Village Precincts Document.

As endorsed by the SPC 28 February 2012

**AYTON BAESJOU
PLANNING**
11 Dale Street
Albany WA 6330
PH 9842 2304 Fax 9842 8494

BAYONET HEAD INTERIM OUTLINE DEVELOPMENT PLAN



BROOKS GARDEN OUTLINE DEVELOPMENT PLAN

Subdivision and Development

Subdivision and development will be in accordance with the Outline Development Plan shown in Figure 7. It is noted that the WAPC must have due regard to the provisions of the ODP, and may only approve a subdivision that conflicts with the Plan in very limited circumstances. Notwithstanding, the movement systems, general configuration and zonings will be determined by the ODP.

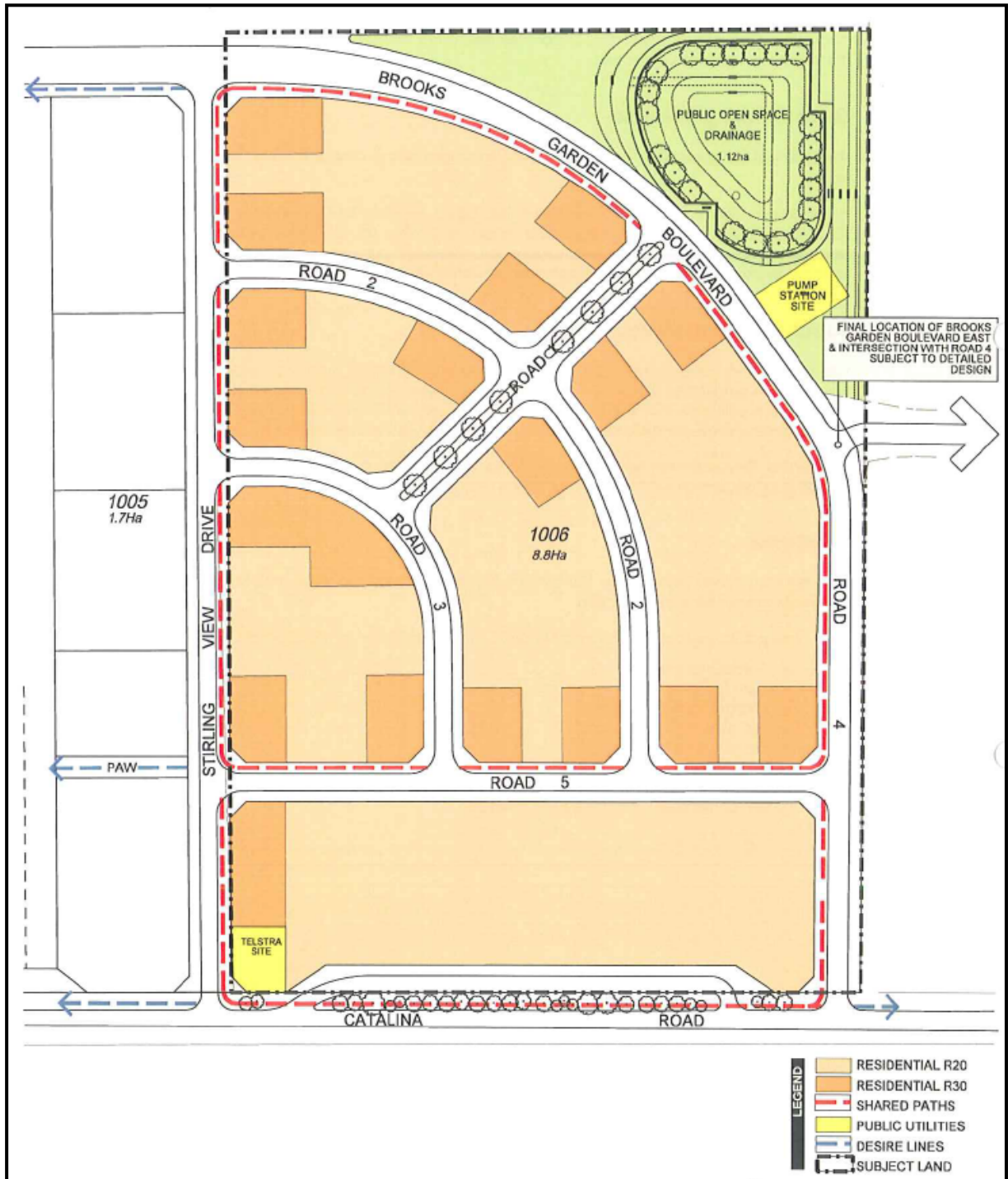
Residential Development will be determined through the application of the Residential Design Codes in accordance with the density coding applicable in the ODP.

Subdivision

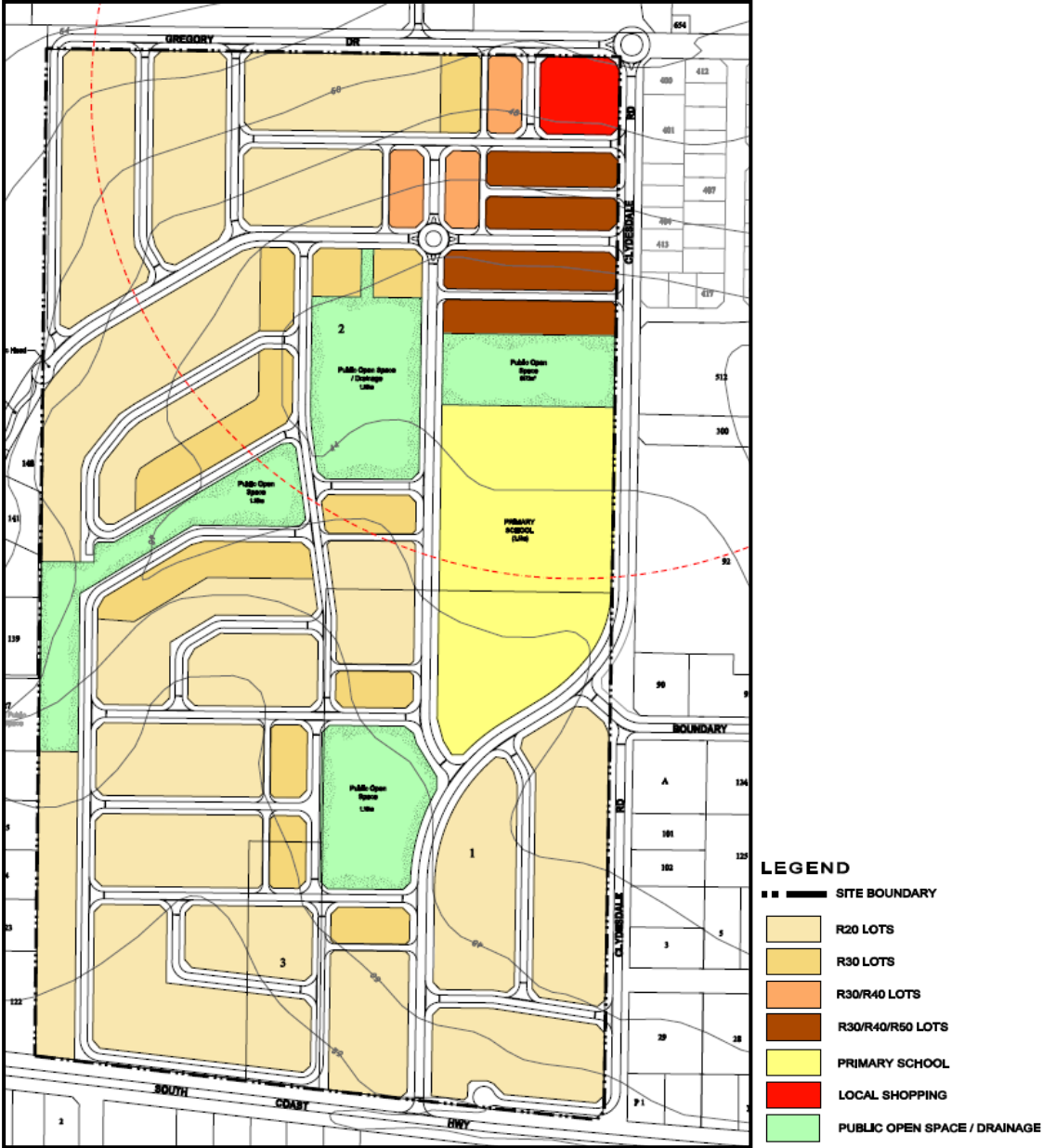
Proposals for subdivision to the Residential R30 density may be supported by Council where the following requirements are satisfied:

- a) The proposal is supported by a Detailed Area Plan to the satisfaction of Council addressing:
 - Solar Orientation.
 - Zero lot lines.
 - Garaging and access.
 - R-Code variations, and
 - Frontage to both streets

- b) A presumption against battle axe lots applies. Each lot is to have a minimum frontage of 10 metres, unless rear lane access is provided.



LOTS 1, 2 & 3 SOUTH COAST HIGHWAY, MCKAIL STRUCTURE PLAN



OUTLINE DEVELOPMENT PLAN – MORGAN PLACE

Overall Aim:

To provide for the coordinated development of the subject land, encompassing key planning principles and practices regarding water sensitive urban design and traffic management.

Provisions

- Only one road crossover onto Lancaster Road.
- 10 percent Public Open Space in a central, accessible location, which is to be fully landscaped and include drainage infrastructure.
- 16 metre wide road reserves and 12 metre road reserves fronting Public Open Space.
- 'R20' base residential density for the subject land with 'R30' residential density overlooking Public Open Space.
- A Detailed Area Plan (DAP) shall be required as a condition of subdivision for lots abutting Public Open Space / foreshore areas.
- Development to proceed only when connection to deep sewer is established.
- The majority of drainage to be retained onsite and dispersed in accordance with water sensitive urban design principles.
- Simple, uncomplicated subdivision pattern that fully utilises the opportunities and constraints of the subject land.
- No driveway access to Morgan Place from ODP area.
- A Foreshore Management Plan shall be submitted and implemented and a Living Stream shall be implemented as a condition of subdivision.
- An Urban Water Management Plan is required to be submitted at the subdivision application stage.



CONCEPTUAL DISTRICT STRUCTURE PLAN

Objective:

To provide a progressive framework for coordinated growth of the City.

Scope

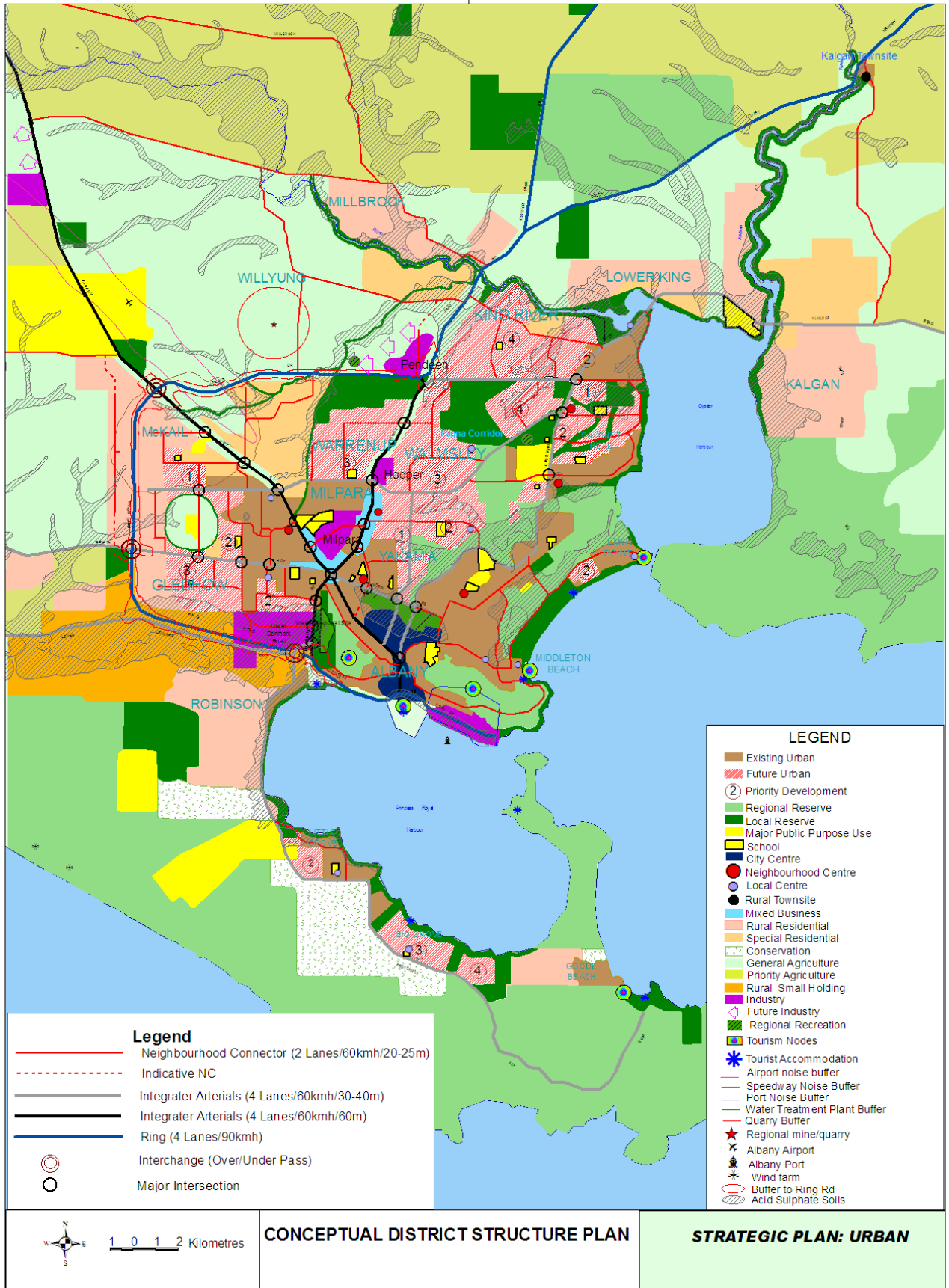
The Conceptual District Structure Plan identifies the growth strategy in more specific spatial terms that is advocated in the Albany Local Planning Strategy (2010). It is intended that the conceptual plan be used as an overall guide to more detailed structure planning to ensure that important land use priorities, transport connections, infrastructure provision and environmental corridors are considered and taken into account.

Of particular importance the plan has developed an overall road hierarchy for the future growth of the City which has been tested as part of the Albany Traffic Modelling prepared by the Department of Planning in 2010.

Policy Statement

This District Structure Plan shall be used as a tool to guide the preparation of Structure Plans throughout the City.

It is envisaged that as more detailed analysis is undertaken the plan will be further updated and used as the basis to prepare a 'Developer Contributions Plan' to secure future infrastructure for incoming residents of the City in accordance with Western Australian Planning Commission's SPP No. 3.6.



SPECIAL
DEVELOPMENT
CONTROL AREAS
(NON-
RESIDENTIAL)

BARKER ROAD INDUSTRIAL AREA

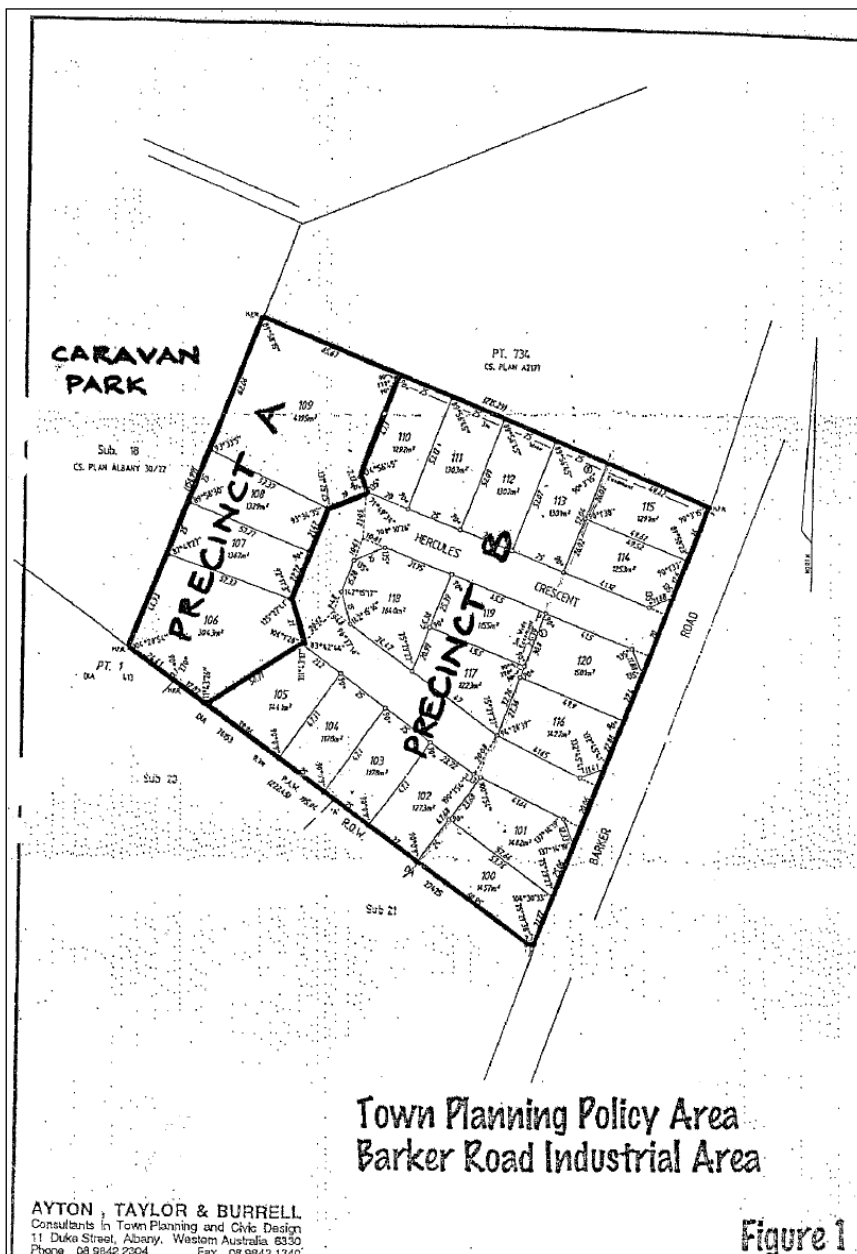
Objectives:

- 1) To designate the subject land for light industrial, service industrial, showroom and warehouse development that will be compatible with adjoining uses such as the caravan park and sports centre.**
- 2) To preclude uses that would prejudice the amenity of adjacent uses because of noise, odour, fumes, vibration, light, electrical interference, soot, ash, dust, grit, oil, liquid waste or waste products and heavy vehicle movement that may be associated with such uses.**

Policy Statement

- 1) For the purpose of assessing proposed development with the Barker Road Industrial Area, the area has been divided into two precincts. Figure 1 refers.
- 2) Precinct A immediately abuts the Caravan Park which has a number of park homes located close to the common boundary. Uses proposed within Precinct A will be most stringently controlled by Council to ensure they comply with the definition of light industry and do not impact on the amenity of the caravan park.
- 3) Within Precinct B, because of the greater separation distances from the Caravan Park and the potential buffers provided by development located between a proposed use and the Caravan Park, Council will give consideration to a broader range of uses providing they can demonstrate there will be no impact on the amenity of the Caravan Park.
- 4) Development proposed within either Precinct A or B of the Barker Road Industrial Area shall provide a detailed description of proposed uses, materials, machinery, hours of operation, by products and potential impacts on adjoining landuse. Measures proposed to address any impacts shall be detailed and Council may require expert advice to ensure such measures will be effective. Council shall also have regard to the recommended buffer distances and Codes of Practice prepared by the EPA in assessing proposed uses.
- 5) Within either Precinct A or B, Council shall also have regard to the following measures which may minimise potential impacts:
 - a) the design of the development and extent to which all activities, outside storage areas, lighting, car parking, loading and vehicle manoeuvring areas are buffered by the building from the caravan park;
 - b) the insulation qualities of the building materials and screen walls;
 - c) the hours of operation.
 - d) Uses such as car wrecking, transport and fuel depots, concrete batching plants, metal fabrication and seafood processing would not be acceptable in either Precincts A or B.
 - e) Uses such as panel beating, spray painting, small good manufacturing, dry cleaners, joinery and wood working would not be approved in Precinct A but, depending on their location and scale, may be permissible in Precinct B.
 - f) To effectively screen the industrial estate from the caravan park by providing:
 - i) a 1.8 meter high mist green coloured sheet metal fence on the boundary adjacent to the caravan park and pt lot 1 Albany Highway;
 - ii) a 3 metre wide landscaped buffer area which is planted and maintained with suitable vegetation adjacent to the sheet metal fence to effectively screen the industrial estate; and
 - iii) a landscaping easement 3 metres in width upon the titles of those lots affected the by the landscaped buffer area and the placement of pine log barriers on the boundary of the easement to prevent vehicles or stored goods encroaching into the easement.

- 6) The fence and landscaped buffer area shall be provided by the developers to Council's specification and satisfaction.
- 7) To encourage a high standard of development fronting Barker Road with facades being constructed predominantly of brick and glass. All development to be constructed of new materials.
- 8) To coordinate landscaped setback areas to Barker Road, with a minimum width of three metres adjacent to the road reserve being planted as a continuous strip.
- 9) To coordinate access, egress and car parking along the Barker Road frontage in order to minimise the number of driveways onto Barker Road and create safe and convenient car parking in front of proposed developments.
- 10) Applications to develop lots fronting Barker Road will be required to design car parking and landscaping areas so that they can be coordinated with adjoining lots and reciprocal rights of access will be required in order to achieve this objective. Direct access onto Barker Road from individual lots will generally not be supported.
- 11) To control future uses of the subject land, Council reserves the right to serve notice in accordance with the City of Albany's Local Planning Scheme 1, where any activity is viewed as not being in accordance with the Policy.



RICHARD STREET LIGHT INDUSTRIAL AREA

Objective:

To ensure the development of the Richard Street Light Industry area is based on low-key small-scale light industrial development with inoffensive activities (i.e. minimal visual impact, noise, odour, fumes, vibration, light, electrical interference, soot, ash, dust, grit, oil, waste emissions and/or traffic impacts) arising from their development that will be compatible with adjoining residential lots on the south side of Richard Street between Turner and Broughton Streets.

Background

The subject lots were zoned Residential under the City of Albany's Local Planning Scheme 1, and form a peripheral component of the Milpara Light Industrial Area where the boundary between light industrial activity is effectively Richard Street.

The subject lots derive public road access from Richard Street (north side) and Charles Street (west side), Milpara and adjoin what was the municipal boundary between the former Shire of Albany and Town of Albany. In June 1997, Council resolved to rezone the subject lots from the Residential zone to Light Industry zone.

The rezoning of the lots from Residential to Light Industry was endorsed, subject to the preparation of design guidelines to address development issues that would apply at the interface of an industrial and residential area.

The north side of Richard Street east of Charles Street is developed Light Industrial land, while the north side of Richard Street west of Charles Street is vacant cleared bushland. There are several developed industrial properties in Charles Street, and the south side of Richard Street is fully developed with residential single houses.

In view of the existing circumstances, the subject lots were virtually:-

- Incapable (economic feasibility) of development for residential purposes; and
- Incapable (planning constraints) of development for light industrial purposes; and
- Unsaleable as vacant residential land given the nature of potential future land use of adjoining lands.

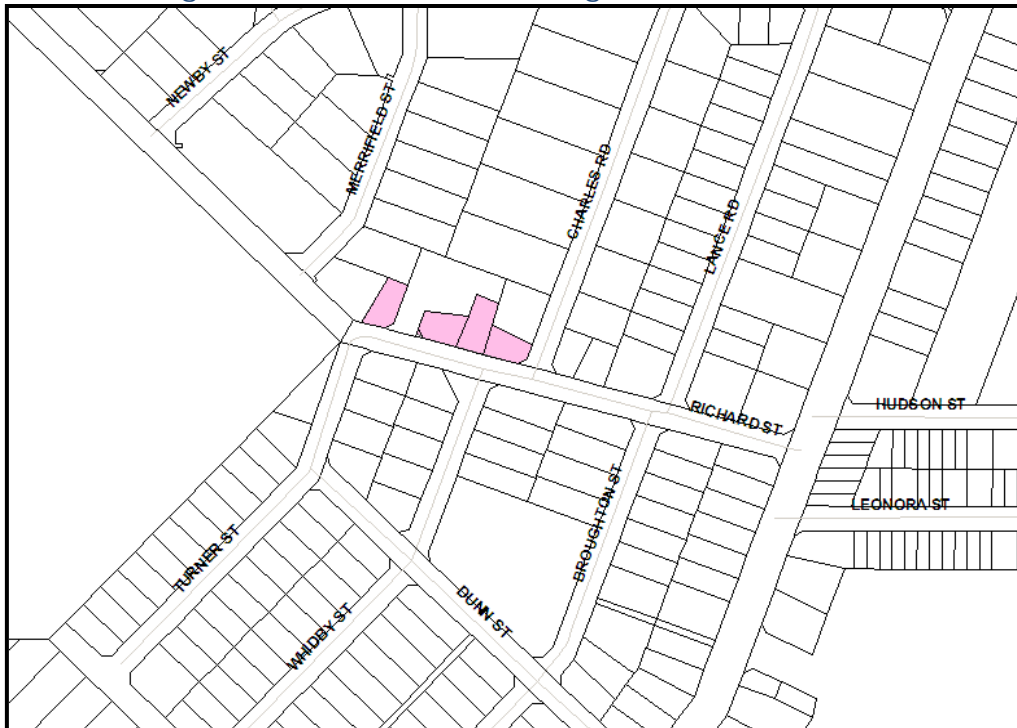
Policy Statement

- 1) The policy applies to those lots identified in Figure 1 below.
- 2) Notwithstanding the zoning/land use provisions of the City of Albany's Local Planning Scheme 1 the development of the following land uses on the subject lots will be treated as 'AA' uses pursuant to the scheme:
Light Industry, Rural Industry, Service Industry, Fish Shop, Milk Depot, Motor Repair Station, Sports Ground, Radio TV Installation, Public Recreation, Winehouse, Rural Storage Yard.
- 3) All other landuses shall be subject to the requirements of the Scheme.

In accordance with the Scheme, Council may relax the scheme provisions to allow:- buildings to maintain a minimum five (5) and average ten (10) metre front setback to Richard Street on the subject lots.

- a) buildings to have a nil setback from side and rear boundaries where vehicle access is provided internally within the building or to one side.
 - b) a minimum front landscaping area of 5% of the total site area with a minimum width of ten (10) metres and a minimum depth of five (5) metres as measured from the Richard Street frontage.
- 4) All buildings shall not exceed eight (8) metres in height above natural ground level.
 - 5) All waste water products shall be either retained and stored on-site in an appropriate receptacle for later disposal or discharged to reticulated sewer in a safe effective manner.
 - 6) Each lot shall be limited to one (1) vehicle crossover with access to Charles Street in preference to Richard Street and provision of internal turning areas such that all vehicles enter and leave the premises in a forward gear.
 - 7) All carparking and accessways are to be constructed, drained, edged with kerbing

Figure 1 - Richard Street Light Industrial Area



DOWN ROAD TIMBER PROCESSING PRECINCT

Objective:

Protect the operations and opportunities for industrial and agriculture uses in the Down Road industrial areas and reduce noise and visual amenity impacts on surrounding rural homesteads.

Background

As part of the approval process for the Down Road Timber Processing Precinct (the Precinct), an Environmental Management Plan has been prepared to identify an appropriate noise and hazard separation area for industries within the Precinct.

The indicative noise contours for the Precinct are based upon industry best practice management. Those industries are not currently operating and there is a need to prevent any permanent habitable structures from being developed within the area affected by the hypothetical 30dB(A) noise contour until a timber processing industry has been constructed.

A review of this policy is to be undertaken with the aim of deciding the alignment of the 35dB(A) noise contour on what is known at the time. The following items will be considered at the review stage;

- What industries have established and/or are proposed in the Precinct; and
- If the industries are not operational, engineering detail of the proposed industry will provide more information than is currently available to determine if a variation to the policy area is required; or
- The existing industry, at the time of the review, should be monitored to ground truth the modelling.

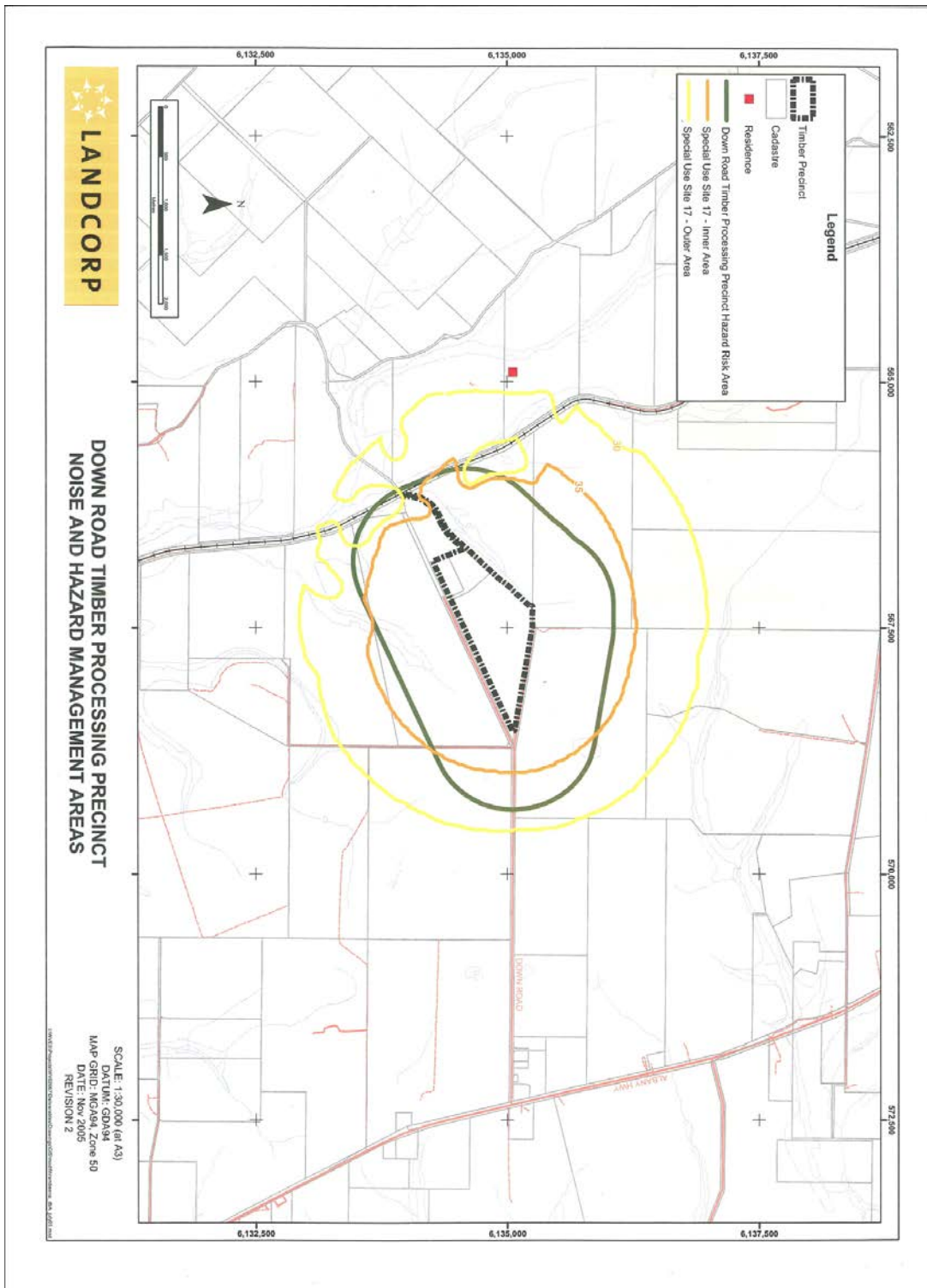
If proposed industries meet the expected noise levels at the Special Use - Inner Area, then the Special Use - Outer Area could be removed. Alternatively, if proposed industries require the repositioning of the Special Use - Inner Area, the 35dB(A) contour shall be redefined and evaluated in consultation with the City of Albany and the Environmental Protection Authority.

A risk assessment is being prepared and a predictive acceptable risk separation area defined in the Mirambeena Timber Processing Precinct Environmental Management Plan (2005).

Policy Statement

- 1) The development of proposed lots within the Special Use Area (Down Road Timber Processing Precinct) shall be undertaken in a manner which ensures the noise generated by the development meets the assigned sound power levels for that lot, as identified in the Mirambeena Timber Processing Precinct Environmental Management Plan (2005).
- 2) The Special Use – Inner Area, the Special Use – Outer Area and the Down Road Timber Processing Precinct Hazard Risk Area are those areas identified on the plan appended to this policy.
- 3) Prior to 2009, on those portions of lots identified in the scheme policy as being within the Special Use – Inner Area, Special Use - Outer Area or Down Road Timber Processing Precinct Hazard Risk Area, no dwelling house, permanent dwelling units or habitable structures shall be developed on that part of the lot.

- 4) Commencing the 1st January 2009, no dwelling house, permanent dwelling unit or habitable structure shall be constructed within that area of a lot identified as being within the Special Use – Inner Area or the Down Road Timber Processing Precinct Hazard Risk Area.



ALBANY TOWN CENTRE

Objectives:

- 1) To ensure that the conservation of heritage buildings and places and compatible development is not prejudiced by onerous or undesirable on-site car parking requirements.**
- 2) Reinforce the existing townscape which is characterised by buildings with similar massing, common building lines and relatively uniform height and scale.**
- 3) Ensure that new development is articulated to respond to the scale of the existing townscape – particularly when seen looking down from the surrounding residential areas.**
- 4) To ensure that the height of new buildings is not out of scale with the existing fabric of the central business district.**
- 5) To establish streets with continuous built edges clearly defining the public domain and, where appropriate, the continuity of cover over footpaths.**
- 6) To facilitate the development of adequate parking facilities within the Albany Central Area;**
- 7) To facilitate appropriate new private development within the Albany Central Area through the implementation of a contemporary, flexible and multi-faceted car parking strategy;**
- 8) To ensure the adequate provision of parking for new non-residential and residential developments, and to efficiently manage parking supply and demand;**

Definitions

See Appendix 2 of the local planning policy manual.

Scope

The policy applies to the CBD precinct identified below in Figure 1.

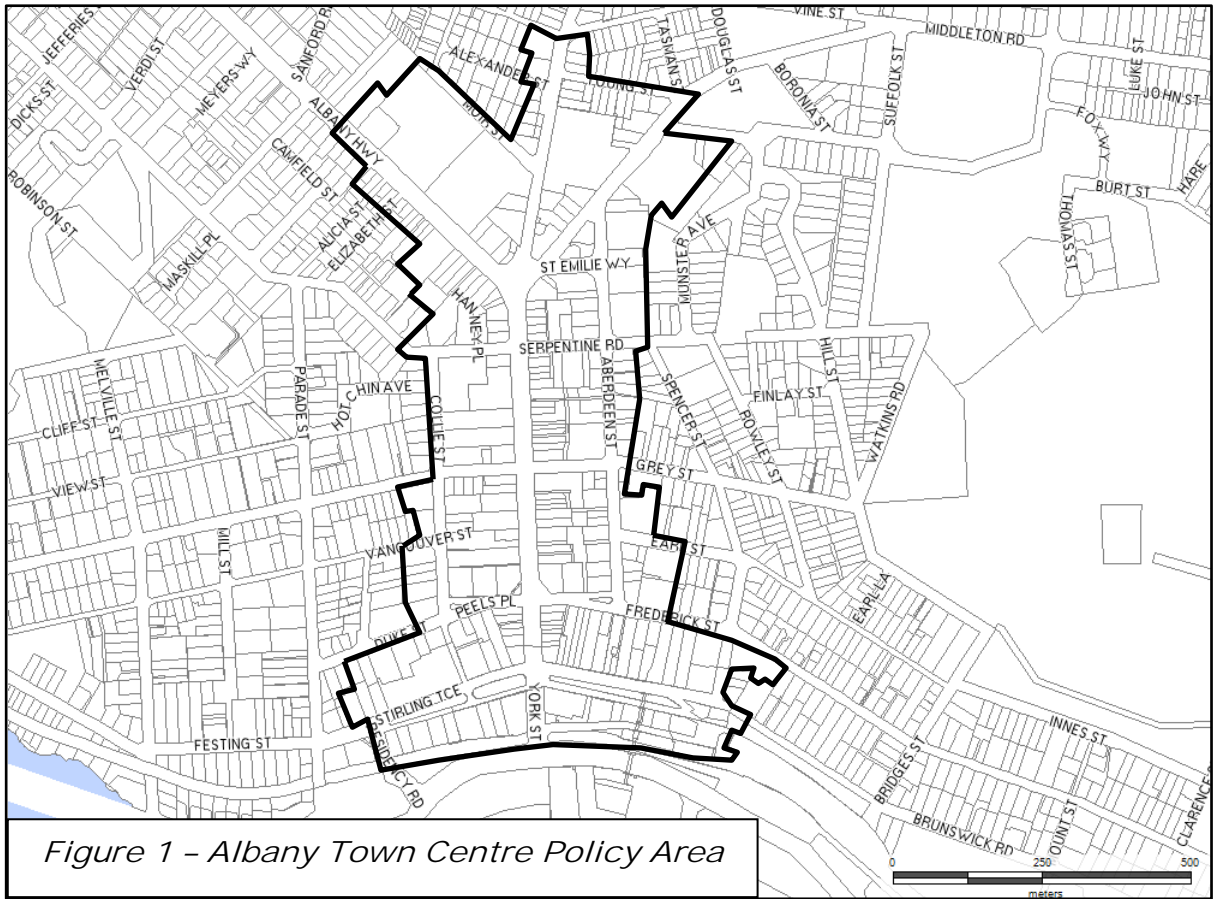


Figure 1 - Albany Town Centre Policy Area

Policy Statement

Urban Design / Built Form

Urban Setting and Context

New development should respond to the scale and mass of surrounding buildings and unsympathetic contrasts of scale should be avoided.

Roof Forms

Roof forms in the Central Business District (CBD) will be seen from above and shall be articulated to ensure that the scale of individual roof elements is comparable with the scale and form of existing roofs in the locality.

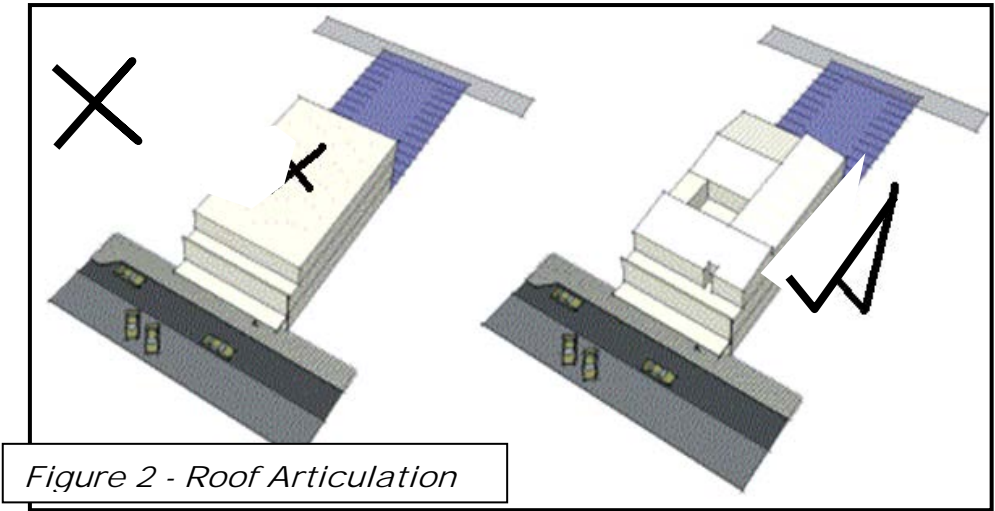


Figure 2 - Roof Articulation

Built Edges

In order to strengthen the streetscapes in the Central Business District buildings shall generally be built up to the street boundary(s) in the areas designated on Figure 3.

Limited setbacks may be provided on the ground floor for building entries or where they support active commercial use such as restaurants and are provided within the building envelope.



Figure 3
Built Edge



Figure 4
Pedestrian Cover

Attached buildings

To ensure continuity of the urban edge buildings shall generally be built boundary to boundary.

Where breaks in the continuity of the urban edge are necessary for access they shall generally be limited to less than 3m and preferably be provided within the building envelope.

Covered Footpaths

Developments with frontages to streets indicated on Figure 6 shall provide pedestrian shelter a minimum of 2.5 metres wide over the pavement in the form of awnings, canopies, balconies or verandahs. Such structures shall comply with the Local Government (Miscellaneous Provisions) Act 1960.

Relationship to Street

Buildings to address the street, with facades generally parallel to the street, windows facing the street, with clearly defined entry points visible and accessed from the street.

Buildings should establish an interesting and attractive edge to the public domain with ground floor uses which promote activity and informal surveillance of the street. While the demarcation between public space and private space is to be clearly established blank walls, heavy planting, screen walls, or opaque roller shutters are to be avoided.

Where existing streetscapes have strong patterns of either vertical or horizontal emphasis new buildings should to respond to this character.

Built Form

Articulation and Modelling

A variety of architectural expression to be encouraged with strong emphasis on promoting high quality design. Development should however establish sets of design elements, and materials which break down the bulk of developments, and provide visual interest through the articulation of their built form (refer Figure 5).

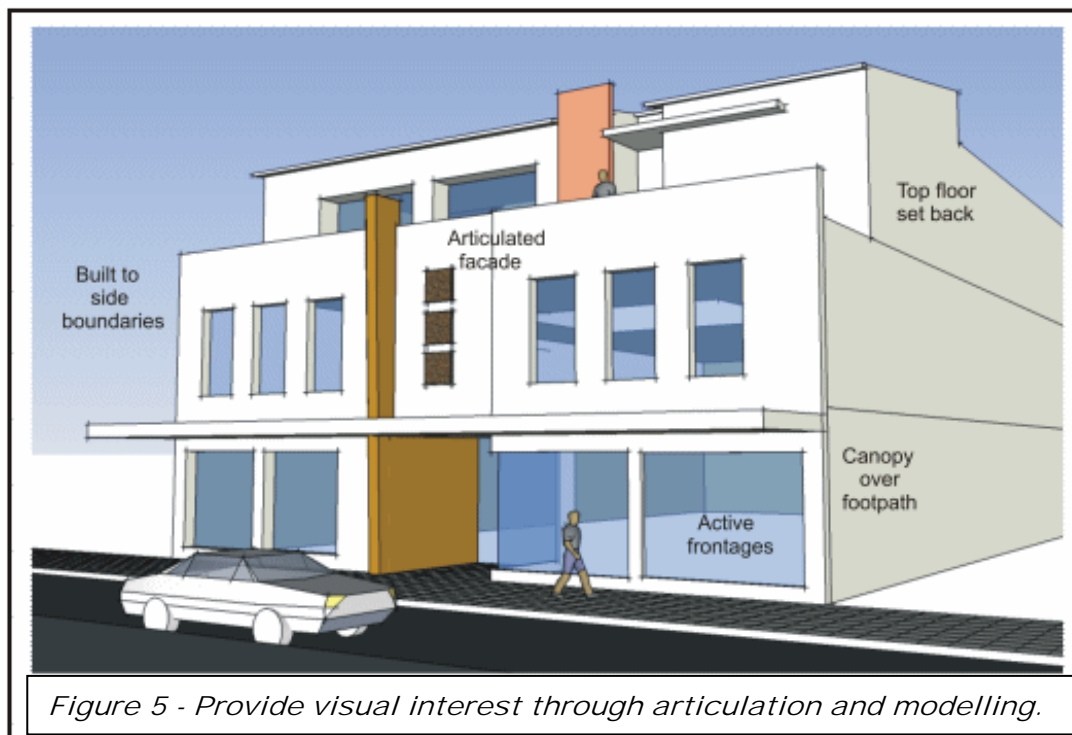


Figure 5 - Provide visual interest through articulation and modelling.

Floor Level at Ground Floor

Ground floor levels should generally match the level of the abutting footpath in order to maintain an interactive relationship with the street and promote disabled access into buildings. The ground floor level(s) shall generally not be more than 0.5 metres above or below the abutting pavement level.

Entrances to Street

Tenancies abutting the street shall provide primary entrances off the footpath.

Windows at Ground Floor

In order to maximise interaction with the public domain on the ground floor of buildings facing a street a minimum of 60% of the building façade to comprise windows or glazed doors, and such windows shall not be permanently obscured. Closed-off doors will not be permitted.

Windows on the First or Second Floors

Windows on the upper floors shall provide interest and facilitate natural surveillance of the public domain.

Awnings

Where buildings provide awnings or verandahs over the footpath they shall not extend beyond the point where the fascia is 600mm behind the kerb on the street below, shall provide a minimum clearance of 2.75m to the footpath and have a maximum fascia depth of 600mm.

Balconies and Terraces

In order to assist in the articulation of facades and provide increased surveillance of streets balconies and terraces will be encouraged.

Roofs

Roof level service structures shall be integrated into the building design and any air conditioners shall be screened from the public domain.

Materials

New buildings do not have to imitate the materials, colours or finishes of the existing buildings in the locality. The emphasis is on the blending of new buildings with the best elements of the existing streetscape. A variety of materials is encouraged although large expanses of reflective glass are discouraged.

Lighting

The lighting of retail frontages of buildings on York Street and Stirling Terrace will be encouraged.

Landscaping and Open Space

In commercial developments and residential/commercial developments in ground planting generally to be provided along the side and rear boundaries of the site to screen new development from surrounding buildings, with trees to be planted in, or adjacent to, open car parking areas at a rate of 1 tree per 4 bays.

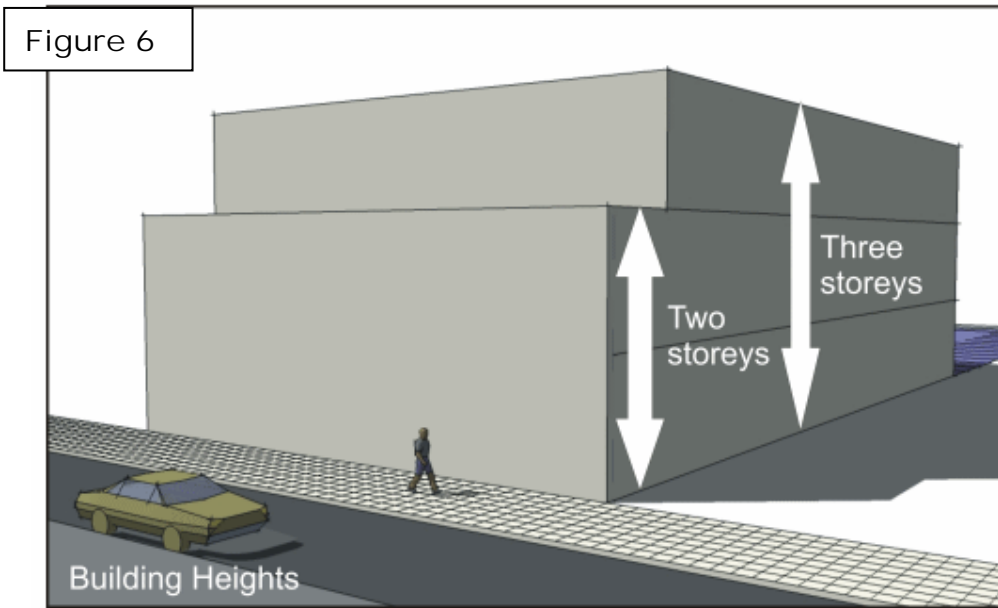
Where residential/commercial developments are not built to the front boundary the front setback area shall be landscaped with ground planting, although such planting should not screen the view of the building from the street but may provide small trees and for shade and amenity.

In residential/commercial or residential developments the open space requirements of the Residential Planning Codes may be relaxed subject to the provision of external private open space to each residential unit (this may be in the form of balconies or terraces), and an area of mature trees to provide landscaped relief within the built environment.

Building Height

Number of Storeys

A maximum height of three storeys subject to the parameters set out below (refer Stirling Terrace Conservation Guidelines for vertical building envelopes within Stirling Terrace).



Height of Storeys

The maximum floor to floor heights shall be:

- Ground floor shall be 4.5 metres
- First Floor shall be 3.5 metres
- Second Floor shall be 3.0 metres

These standards may be varied where their application would prevent single level floor plates for retail/commercial uses on sloping sites.

Areas identified for additional height

Notwithstanding the general height criteria above development up to 5 storeys is permitted within the areas outlined in Figure 7 below, where the ground floor is activated with a commercial (preferably retail use). The same floor to floor heights shall apply as above for the first three floors, with the third and fourth floor having a maximum floor to floor height of 3.0 metres.



Setback of Top Floor

The third storey (or in the case of that land identified within Figure 7, the fifth storey) shall be set back a minimum of 3 metres from any street frontage.

Roof

The roof shall be less than 3.0 metres above the ceiling level of the third storey (or in the case of that land identified within Figure 7, the fifth storey).

Lift Overruns

Any lift overruns shall be less than 3.0 metres above the ceiling level of the third storey (or in the case of that land identified within Figure 7, the fifth storey).

Height Datum

Building height shall be measured from the existing pavement (or ground) level at the centre of street boundary (or boundaries) of the site.

On larger sloping sites the front boundary shall be divided into sections of a maximum width of 15m and the heights measured from the centre of each section.

Access and Car Parking

Parking Bay Requirements

The number of car parking bays provided as part of any new development shall comply with the following:

TABLE 1 – PARKING GENERAL

USE	MINIMUM CAR PARKING SPACES
Supermarkets	1 per 16.7 sqm gross floor area
Other Retail	1 per 35 sqm gross floor area
Offices	1 per 30 sqm gross floor area
Public Uses	1 per 50 sqm gross floor area
Hotels/Motels (excluding bedrooms), Restaurants etc.	1 per 35 sqm gross floor area
Hotel/Motel Bedrooms	1 per bedroom
Other Residential	as per "R" Codes
Other Commercial	1 per 100 sqm gross floor area

TABLE 2 – SPECIAL SITES

USE	MINIMUM CAR PARKING SPACES
Professional Office	3 bays per professional for the first 2 professionals and 1 bay per 20 sqm NLA thereafter
Medical Clinic	6 bays per consultant for the first 2 consultants plus 2 bays for each additional consultant
Massage Clinics	3 car bays for one practitioner and 2 car bays for each additional practitioner

- 1) For the purposes of Section 4.10 of Local Planning Scheme 1 where the parking requirement identified in the above tables is less than that specified in the Scheme, and a proposal meets the refined policy standard, Council will pay due regard to the policy position in determining whether the relaxation should be granted.
- 2) If, at the discretion of the assessing officer, a proposed use does not match a use stipulated in the Central Area Parking Requirement Table, the parking requirements of Appendix IV, or if not listed Appendix III, of Local Planning Scheme 1 shall prevail.

Relaxation of Parking Requirements

- 1) the shortfall in required parking bays is not substantial (5 or less); or
- 2) there are on-street parking bays available in close proximity to the subject site which are suitable in terms of any time limits applicable to those bays for use by the intended workers, visitors or customers of the proposed development, or sufficient parking bays are available on nearby private land and permission has been given for the applicant to use or share those bays (see the “Joint Use of Parking” Clause below); and
- 3) there will be minimal disruption to the amenity of the area for residents or businesses by permitting the shortfall in on-site car parking to occur.

As an example, Council will look favourably upon proposals to convert vacated commercial buildings to residential use, provided the conditions listed above can generally be met.

Joint Use of Parking

Parking bays may be provided jointly by two or more owners or users of land, or by one owner or user in respect of separate buildings or uses, subject to the following:

- 1) if there is a shortfall between the number of parking bays required under Table 1 or Table 2 and the number of bays to be provided by the applicant for development approval, and the application contains a proposal for the shortfall to be provided on other land which is not the subject of the proposed development, and the Council is satisfied as to the matters set out in the following paragraph, then the Council may grant development approval notwithstanding the shortfall, but subject to an agreement being entered into between the City and the applicant and the owner of the other land. The agreement shall be prepared by the City’s solicitors at the expense of the applicant, and shall be in the form of a restrictive covenant, easement or other legal instrument satisfactory to the City against that other land, in respect of the provision of the shortfall or parking bays and any reciprocal access or circulation arrangements.
- 2) The Council shall not grant development approval unless it is satisfied that:
 - a) the applicant has provided evidence to the satisfaction of the Council that the peak hours of operation of the buildings or uses on the land the subject of the application and the land on which the shortfall of parking bays is to be provided are different and do not substantially overlap; and
 - b) the number of parking bays to be provided on the land which is not the subject of the application, is sufficient to meet the shortfall in parking in respect of the development the subject of the application; and
 - c) joint use of the parking facilities on the land which is not the subject of the application will not result in any deficiency in parking for that site.

Variations to Scheme Provisions for a Heritage Place or Heritage Area

Where desirable to:

- 1) facilitate the conservation of a heritage place entered in the Register of Places under the *Heritage of Western Australia Act 1990* or listed in the Heritage List of the Scheme; or
- 2) enhance or preserve heritage values in a heritage area designated within the Scheme, the City may vary any site or development requirements, including car parking provisions, specified in the Scheme, this policy or the Residential Design Codes.

Proposals that comply with Albany Central Area Masterplan Objectives

- 1) The ACA Masterplan proposes a wide range of initiatives aimed at, among other things:
 - a) improving the legibility and efficiency of accessways and parking areas on private land; and
 - b) creating a pedestrian-friendly environment throughout the Albany Central Area.

Within central Albany there are a number of parking areas and vacant lands at the rear of buildings where surfaces are unpaved or in poor condition, where car bays are not marked out, reciprocal access over adjoining lots is denied due to legal issues and/or ground level

- 2) differences, and the appearance, safety and security of the areas in general are below desirable standards.
- 3) **Figures 'A', 'B', 'C' and 'D'** at the rear of this policy illustrates the desired improvements to these areas.
- 4) Within these street blocks, and where a development proposal on private land is laid out and designed in such a manner that it achieves, to the satisfaction of Council:
 - b) practical physical improvements consistent with the indicative parking and access improvement plan shown at Figures 'A through to 'D', which may include one or more of the following:
 - i) permitting and facilitating public access across the subject site to adjoining parking areas and to other access/egress points;
 - ii) paving and draining of the car park and marking out of car bays;
 - iii) providing car park lighting;
 - iv) the inclusion of approved shade trees within the parking area on the subject land at the rate of one tree per six bays;
- 5) These measures to be accompanied, where required, by legally-binding agreements, and/or ceding of land to the City of Albany to ensure the proposed improvements to parking and/or access and/or circulation will be achieved, the Council may, at its discretion, reduce the requirement for on-site parking for the proposed development by up to 40%.
- 6) The City may erect information signage at car park entries using the international blue & white "P" symbol and indicating the number of car bays available within the car park(s), and any applicable time limits.
- 7) The City may, by negotiation, require some car bays within a private development to be marked for the exclusive use of customers, staff and/or service vehicles, in whatever ratio it thinks fit, depending upon the approved uses for the development.

Cash-in-lieu of Parking

- 1) Cash-in-lieu of parking is to be considered where non-residential developments have a shortfall of parking according to the requirements of Table 1 or 2 above. The City may accept money for this shortfall in order to provide and/or upgrade parking bays in a nearby existing or proposed public parking facility, including on-street parking where possible and appropriate. This provision of the Parking Policy should not be seen to be replacing the developer's responsibility to provide on-site parking, but rather as a mechanism to enable otherwise desirable developments, for which the full amount of parking cannot be provided on-site, to proceed.
- 2) Where a portion of the car parking requirement for a new development within the Central Area zone as specified in Table 1 or 2 above:
 - a) is not proposed to be provided on the site of the proposed development, or
 - b) cannot be provided on site for reasons of insufficient land area available, or
 - c) cannot be provided on nearby land under a joint use arrangement; or
 - d) is deemed by Council to be inappropriate for reasons of heritage or streetscape character conservation,
 the developer shall be required to provide cash-in-lieu of car parking for the number of parking bays not provided on the development site. The provision of an adequate supply of parking for the Albany Central Area is the intent of this provision and, as such, the following matters apply:
 - a) cash-in-lieu provisions are only to be permitted in localities where the City already provides public car parking which has spare capacity, or the City is proposing to provide or is able to provide a public car park (including enhanced or additional on-street car parking where possible and appropriate) in the near future, within 400 metres of the subject development;
 - b) cash-in-lieu contributions may comprise all or part of the shortfall in on-site parking proposed for a development;

- c) Council may accept a cash payment in-lieu of providing car parking on the subject site, provided:
 - i) the cash-in-lieu rate is calculated on the basis of 26 sq.m per parking bay and includes 25% of the estimated cost of the land, plus the equivalent total cost of asphalt paving on a suitable base course, drainage, line marking, landscaping, and, where applicable, lighting; and
 - ii) the additional site coverage by buildings will not preclude the integration of access and car parking across lot boundaries.

Note: *the cost of the land element has been significantly reduced from the 100% previously used in the calculations applied to cash-in-lieu of parking, as it is anticipated that the bulk of the monies collected will go towards increasing on-street parking (i.e., where land does not have to be acquired by the Council), and towards providing public transport.*

- 3) Notwithstanding the above, when redevelopment of an existing building or a change of use is proposed and a cash-in-lieu of car parking requirement for an additional 5 or less parking bays is identified, Council may, at its discretion, waive the requirement for provision of cash-in-lieu of car parking.

Parking Associated with New Alfresco Dining Developments

There is no requirement for additional car parking to be provided as part of an Alfresco Dining Permit (refer to Council's Alfresco Dining Policy).



FIGURE A



FIGURE B



FIGURE C

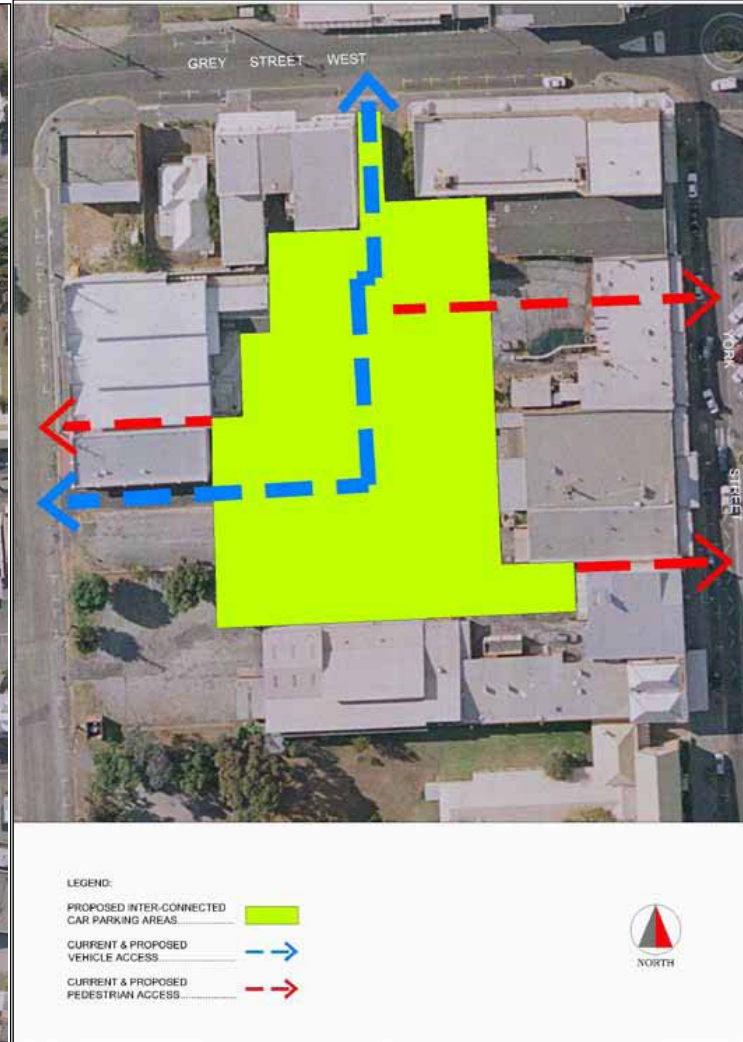


FIGURE D

Landscaping

The landscaping requirements set out in Appendix III and IV of Local Planning Scheme 1 may be reduced by up to 50% of the area required where a developer can demonstrate that he/she is incorporating building features that contribute to the overall well being of the Central Area Zone (e.g. high quality pedestrian access) and the vegetation is provided in a single mass adjacent to pedestrian traffic areas. Landscaping may be provided in the form of courtyards, plazas or landscaped areas.

Single Bedroom Dwellings

Floor Area

The Residential Design Codes specifies that a single bedroom dwelling with a maximum plot ratio floor area of 60 sq.m meets the acceptable development criteria. A performance-based approach can be pursued if the dwelling provides limited accommodation suitable for one or two persons.

Where it can be demonstrated that a high quality design outcome can be achieved, the City may consider a density bonus for single bedroom dwellings with a maximum plot ratio floor area of up to 70 sq.m as meeting the acceptable development criteria of the Residential Design Codes.

The City of Albany will consider the above variation to the Residential Design Codes floor area limitation where the following criteria are met, to the satisfaction of the City of Albany:

- 1) there is no provision for a second bedroom, or second kitchen, or second bathroom/ensuite or second laundry. It is important to ensure that a single bedroom dwelling cannot be divided so that it becomes a two or more bedroom dwelling. Therefore, a detailed floor plan layout of the proposed development must be submitted to the City of Albany for consideration and approval, to ensure the design is such that it is not physically feasible to divide the space to provide more than one bedroom. This principle must be demonstrated to the satisfaction of the City, and will a condition of any planning approval forthcoming from the City;
- 2) development is compliant with the open space requirements of the Residential Design Codes; and
- 3) the bulk and scale of the proposed development generally complies with the provisions of the "Albany Historic Town Design Policy", and will not, in the opinion of the City of Albany, unduly impact on the streetscape or amenity of the locality.

Car Parking

Single bedroom dwellings with a maximum plot ratio floor area of 60 sq.m require one car parking bay per dwelling, as stated in the Residential Design Codes.

Where the City of Albany considers a greater floor area to a maximum of 70 sq.m, the car parking requirement is still one car parking bay per dwelling.

Car parking standards for single bedroom dwellings are to comply with the requirements of the City of Albany.

Where a single bedroom dwelling forms part of a grouped or multiple dwelling development, visitors' car parking spaces are to be provided in accordance with the Residential Design Codes.

Store Rooms

Where a single bedroom dwelling forms part of a grouped housing or multiple dwelling development, an enclosed, lockable storage area constructed of a design and in materials matching the dwelling accessible from outside the dwelling, with a minimum dimension of 1 metre and an internal area of at least 2.5m² is required for each single bedroom dwelling.

Balcony

Where a single bedroom dwelling forms part of a multiple dwelling development, a balcony with a minimum dimension of 1.5m and an internal area of at least 6.5 sq.m is required. Where a single bedroom dwelling forms part of a mixed use development, a balcony with a minimum dimension of 1.5m and an internal area of at least 4 sq.m is required.

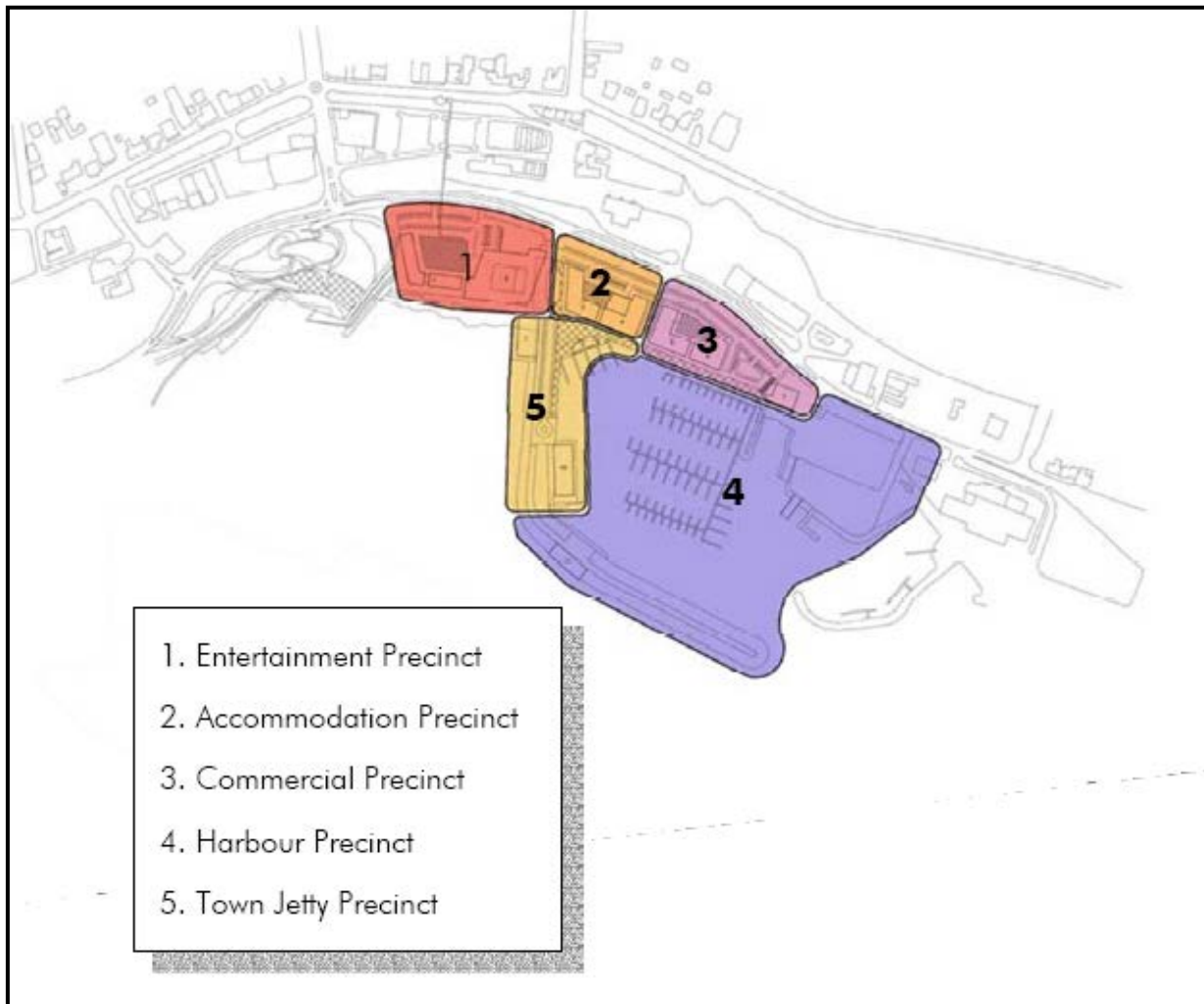
ALBANY WATERFRONT

Objective:

The objective of the Foreshore Special Control Area is to manage the development and use of the area in such a way that the surrounding environment and land uses are not impacted upon.

Policy Statement

Refer to the adopted Albany Waterfront Structure Plan and Precinct Plans for specific policy provisions.



CENTENNIAL PARK REDEVELOPMENT AREA

Objectives:

- 1) **To provide a mechanism to manage the orderly transition of land use within the locality.**
- 2) **To rationalise the use of, and improve the quality of, open space and sporting facilities in the city.**
- 3) **To broaden the range of housing available within the close proximity to the town centre.**
- 4) **To encourage mixed use and adaptable buildings along Lockyer Avenue, Sanford Road and Campbell Road and assist urban consolidation in proximity to the City centre.**

Scope

This policy applies to that area identified on the Centennial Park Policy Area Plan.

Policy Statement

Building Heights

Generally development will be limited to three stories. Facing onto Centennial Park four storey developments may be considered, subject to compliance with the provision of solar access to adjoining sites as set out in the Residential Design Codes.

The permitted height of buildings shall be calculated as set out below:

- 1) Three (3) Storeys: As per Category C of the Residential Design Codes.
- 2) Four (4) Storeys: Top of External Wall (roof above) - 12 metres
- 3) Top of External Wall (roof concealed) - 13 metres
- 4) Top of Pitched Roof - 15 metres

Setbacks

Nil side setbacks except where side boundary faces a street or access way.

Apart from the side setback provision set out above buildings shall comply with the provisions of the Residential Design Codes

Articulation and Modelling

Development should establish sets of design elements, and materials which break down the bulk of developments, and provide visual interest through the articulation and modelling of their built form.

Building elements should be used to add complexity and interest in complementing the overall design.

Roof Forms

Roof forms shall be articulated to ensure that large expanses of roof are avoided or effectively screened.

Roof level service structures shall be integrated into the building design and any air conditioners or other mechanical plant shall be screened from public view.

Windows on Upper Floors

Windows on the upper floors shall facilitate natural surveillance of the public domain.

Balconies and Terraces

In order to assist in the articulation of facades and provide increased surveillance of streets and Centennial Park balconies and terraces will be encouraged.

Materials

The front facades of any new building or a refurbished building of a showroom/warehouse or industrial nature, plus the side returns for a distance of three metres should be constructed in brick or other approved materials which enhance the visual appearance of the structure and the streetscape.

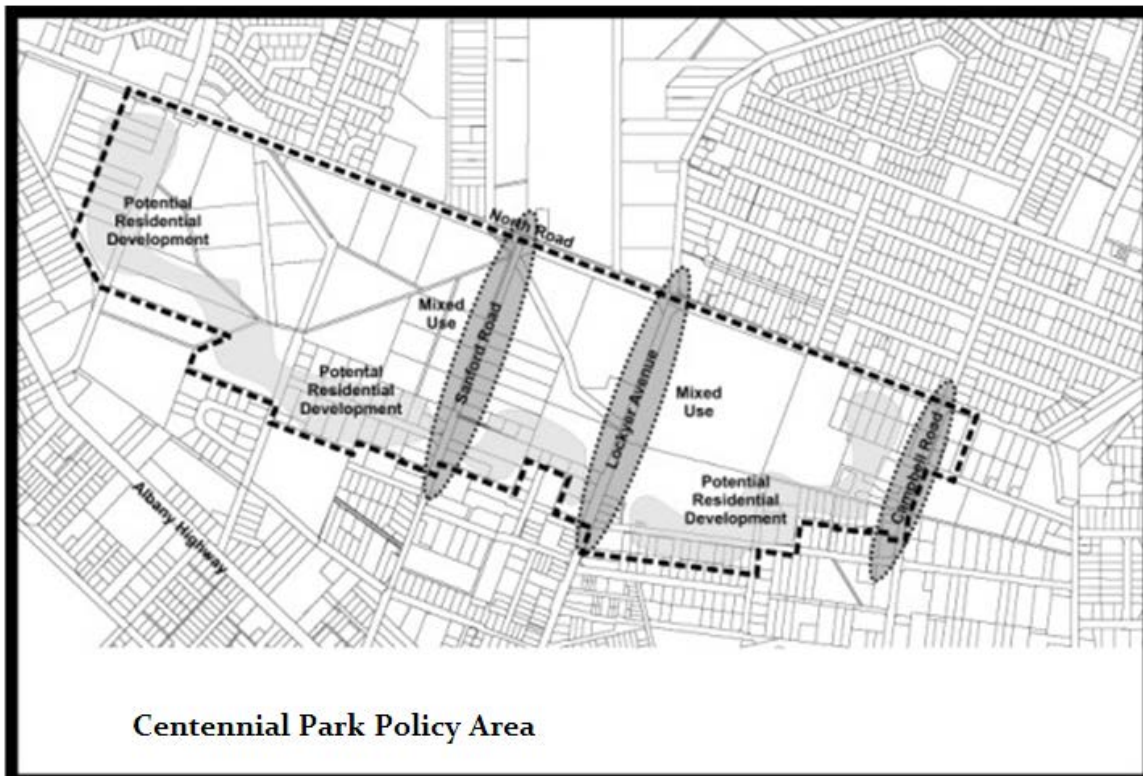
The external finishes and colour treatment of buildings shall be based on a consistent palette of light background colours (white/cream/beige/grey) with the possible inclusion of material and colour highlights.

A variety of materials is encouraged although large expanses of reflective glass are discouraged.

Location and Staging of Residential Development

At present there is the potential for adverse impacts (such as noise, dust, risk, traffic or negative visual amenity) from existing industrial uses to affect future mixed use and residential development.

A transition of land uses shall be encouraged, with developments staged to ensure an appropriate living environment is established for long term residential and mixed use developments, without curtailing the shorter term operational requirements of existing industries.



NEIGHBOURHOOD CENTRES

Objectives:

- 1) To strengthen existing and potential nodes within the suburbs to provide active and vibrant local centres.**
- 2) To encourage the provision of a range of additional facilities and services within easy reach of the local community.**
- 3) To create greater opportunities for social interaction.**
- 4) To improve the passive surveillance of the public domain.**
- 5) To encourage a more diverse range of housing.**

Scope

The policy applies to the neighbourhood centres of Spencer Park, North Road (Yakamia), Bayonet Head and Lockyer as detailed on the attached development plans.

Policy Statement

Building Heights

A maximum building height of three (3) storeys to be calculated as per Category C of the Residential Design Codes.

Variations to the maximum heights will only be considered in the following circumstances:

- 1) Where ground floor heights are increased to facilitate commercial use in mixed use buildings, the maximum increase shall in such cases be 1 metre.



3 Storey Residences Mixed use development (commercial below residential above)

Setbacks

In mixed use areas, relaxations to front setback provisions will be considered.

In mixed use areas, nil side setbacks will be considered except where the side boundary of a lot abuts a street or access way.

Streetscapes

Buildings shall interact with the street. Blank walls, heavy planting, screen walls, or garages and carports in the front setback area are to be avoided.

The property boundary shall be clearly demarcated by a fence or planting and the entrance shall be visible from the street.

Buildings shall have windows overlooking the street to improve passive surveillance of the public domain.

Continuity of Street fronts

In mixed use areas the continuity of street frontage will be encouraged.

Bulk and Scale

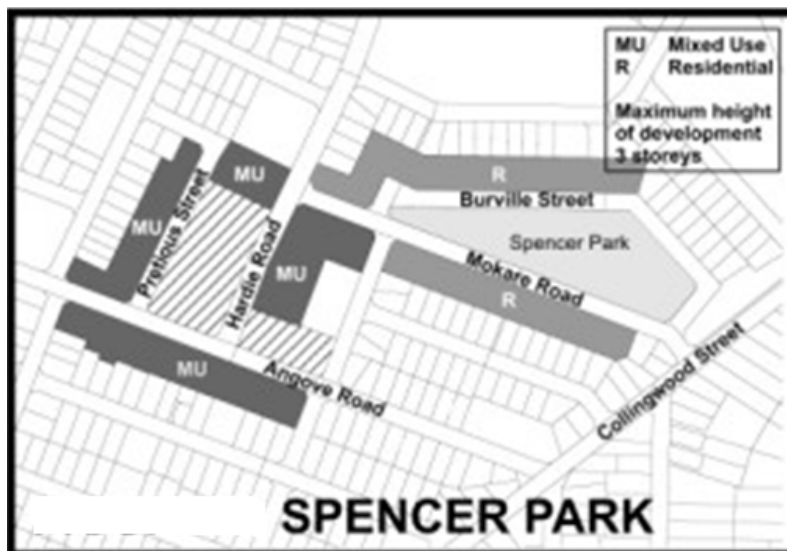
Larger new buildings shall be articulated to break down their perceived bulk and establish a scale appropriate for the locality when seen from the street.

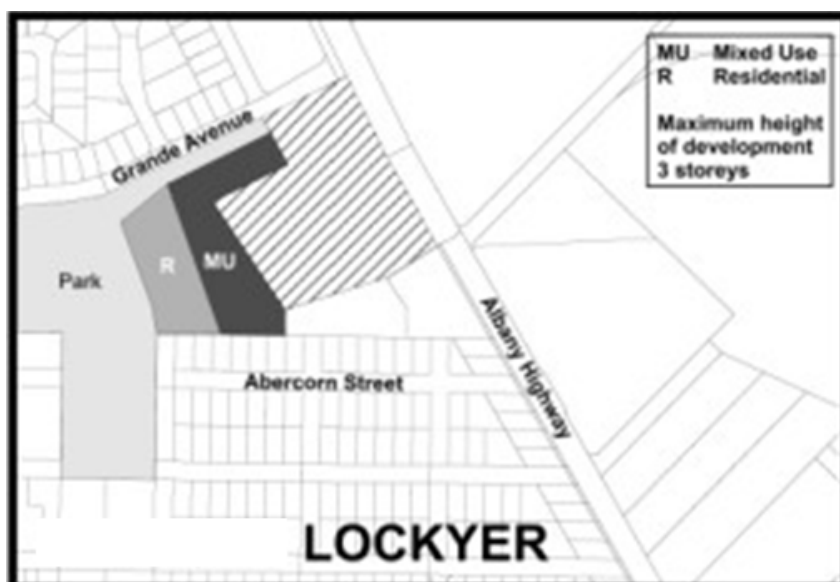
Council may require the submission of streetscape drawings indicating how new buildings will integrate into the street.

Building Design

Strong emphasis will be placed on promoting high quality contemporary design which is sensitive to its context.

Roof level service structures and plant shall be integrated into the building design and any air conditioners or other mechanical plant shall be screened from public view.





MIDDLETON BEACH TOURIST PRECINCT

Objectives:

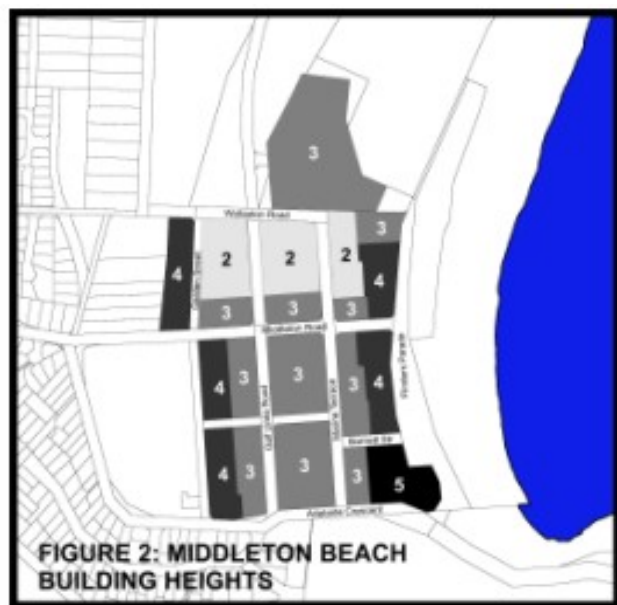
- 1) To create a high quality and vibrant beachside tourist precinct.**
- 2) To encourage the provision of a wide range of facilities and services to serve both visitors and the local community.**
- 3) To encourage a more diverse range of housing and tourist accommodation.**
- 4) To establish appropriate height limits for development within the precinct.**

Scope

The policy applies to the area identified in the plan found at the rear of this policy.

Policy Statement

The preferred distribution of land uses within the Precinct is indicated on Figure 1 below.



Land Use Aspirations

The City's land use aspirations for the area seek to create:

- 1) Flinders Parade – 'The Beach Strip': As an active beach front urban edge comprising restaurants, cafes, tourist accommodation and residential apartments.
- 2) Middleton Road – 'The Main Street': As an urban street with on street parking, commercial uses on the ground floor and residential uses above. To include small shops (deli video rental, etc), tourist related uses, and offices directly serving the public.
- 3) Adelaide Crescent – 'Local Mixed Use Street': As an informal street incorporating occasional small cafes and other local facility uses.
- 4) Garden Street: 'Residential Edge to the Park': As an intense residential edge to Eyre Park.

Proposed land uses will be dealt with on their merits based on the relevant provisions of the Town Local Planning Scheme 1. The aspirations set out above are intended to provide applicants with clear direction in terms of Council's intentions for the area and to provide guidance to the Council in exercising discretionary powers under the scheme.



'Beach Strip'



'Main Street'



'Local Mixed Use Street'



'Residential Edge to Park'

Building Heights

Maximum building heights within the Precinct are set out in Figure 2 above. In relation to the the Middleton Beach Caravan Park site, the following height criteria applies:

1. No development shall be approved which results in overlooking of the beach and bathing area (100 metres seaward of high water mark), by an occupant within the development.
2. Development should harmonise with the landscape elements in siting and design, particularly in regards to colours, scale, height and materials.
3. No development shall exceed 7.5 metres in height. Where development at the prescribed height may result in overlooking of the beach and bathing area the provisions of clause 1 shall prevail.
4. Alterations to natural landforms (eg. Cutting, filling, grading, excavating) shall be minimised during development and the site restored to its former appearance or as near as practical.
5. This policy may preclude the construction of a building to the maximum height otherwise allowed under the operative Local Planning Scheme 1 or another policy of Council.

While the figures indicated in the Figure 2 represent the maximum number of floors allowable the specific height requirements are as set out below:

- 1) Two (2) Storeys: As per Category B of the Residential Design Codes.
- 2) Three (3) Storeys: As per Category C of the Residential Design Codes.
- 3) Four (4) Storeys: Top of External Wall (roof above) - 12 metres; Top of External Wall (roof concealed) - 13 metres; Top of Pitched Roof - 15 metres
- 4) Five (5) Storeys: Top of External Wall (roof above) - 15 metres; Top of External Wall (roof concealed) - 16 metres; Top of Pitched Roof - 18 metres

Variations to the maximum heights will only be considered in the following circumstances:

- 1) Where, in order to articulate the built form and roofscape, heights are averaged around the maximum height. Such variations shall be subject to no increase in the number of floors and the demonstration that the amenity of neighbouring properties will not be adversely affected.
- 2) Where ground floor heights are increased to facilitate commercial use in mixed use buildings. The maximum increase shall in such cases be 1.0 metre.

Front Setbacks

On Middleton Road (between Flinders Parade and Garden Street) and on Adelaide Crescent (between Flinders Parade and Golf Links Road) front setbacks may be relaxed to nil where commercial uses are incorporated in a mixed use building. Setbacks may be relaxed in residential buildings from those required by the Residential Design Codes to a minimum of 1.5m.

Other than the relaxations set out above setbacks shall comply with the provisions of the Residential Design Codes.

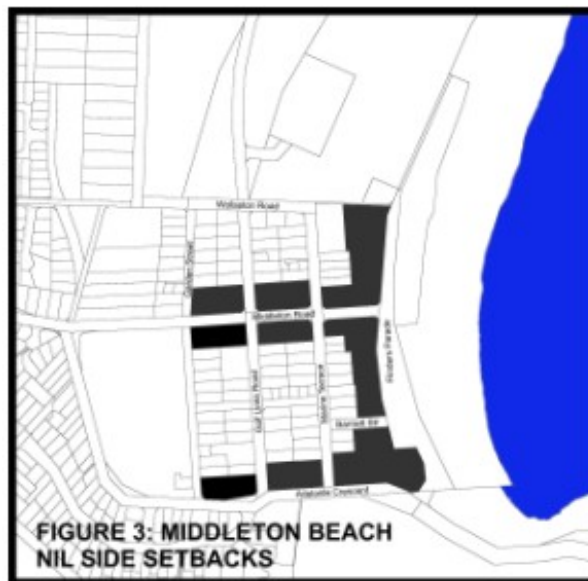
Side Setbacks

Two (2) Storey Zone – As per the Residential Design Codes.

Three (3) Storey Zone – Nil on Middleton Road and Adelaide Crescent.

Four (4) and five (5) Storey Zone – Nil on Flinders Parade.

Other than the relaxations set out above setbacks shall comply with the provisions of the Residential Design Codes.



Active Streetscapes

Buildings shall interact with the public domain. Blank walls, heavy planting, screen walls, or garages and carports in the front setback area shall be avoided.

The entrance to buildings shall be clearly visible from the street.

Buildings shall have windows overlooking the street to improve passive surveillance of the public domain.

Front Fences

Front fences above 750mm from natural ground level shall be visually permeable (minimum 50% open) and masonry piers shall be limited to a maximum height of 1800mm above natural ground level.

Fibre cement and metal sheeting shall not be acceptable materials for front fences.

Retaining Walls

Retaining walls are to be limited in length and height along street frontages.

Balconies

Balconies are to be located adjacent to living areas, to be sufficiently large to promote indoor/outdoor living, and to provide wherever possible surveillance over the street.

Bulk and Scale

Larger new buildings shall be articulated to break down their perceived bulk and establish a scale appropriate for the locality when seen from the street.

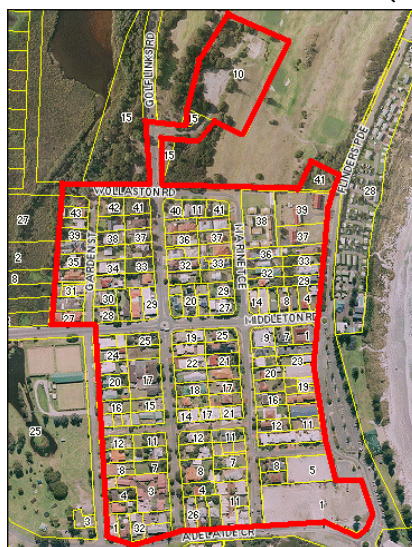
Council may require the submission of streetscape drawings indicating how new buildings will integrate into the street.

Car Parking

Except for residential development, where the development generates it's peak parking demand outside of 8am to 5pm and is within 200 metres of the foreshore car park a 50% reduction in the parking requirement will be considered by Council.

Cash in leiu payments for parking shortages as specified in the scheme shall be considered at the same rate as specified in Council's Car Parking (Central Area Zone) Policy.

POLICY APPLICATION AREA (FIGURE 1)



WOOLSTORES REDEVELOPMENT SITE

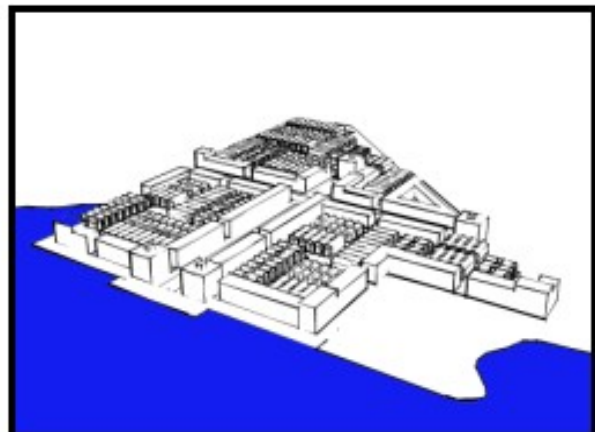
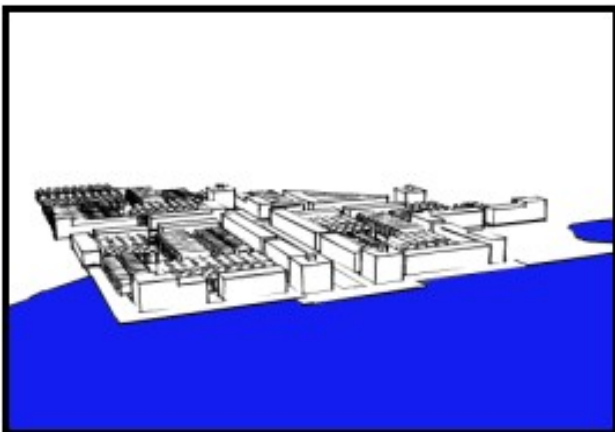
Objectives:

- 1) To create an innovative and comprehensively planned urban development in close proximity to the town centre.**
- 2) To provide a range of housing options not currently available in Albany.**
- 3) To ensure that site planning ameliorates the potential impacts of noise and vibration associated with road and rail infrastructure in close proximity to the site.**
- 4) To ensure that quality of the public domain is exemplary and full public access is provided to the waterfront.**
- 5) To promote limited mixed use development on the waterfront and facing major public spaces.**

Policy Scope

The policy applies to that area identified on the attached plan at the rear of this policy.

Policy Statement



Distribution of Land Uses

Encourage a range of housing and apartment types catering to a diversity of community needs which could include serviced apartments and a boutique hotel

To activate the public domain by including a component of mixed use development which could comprise cafes, a restaurant and limited components of retail and office use

Canal development will not be supported on the Woolstores site

Street Network

Generally a fine grained street block structure would be preferred. An appropriate range is 70-120 metres deep by 120-220 metres long between street centrelines

A range of street block sizes and configurations should be provided to promote variety within the development

The street network shall be legible, fine grained and permeable

The types of streets and access ways within the precinct shall be broken down into a recognisable hierarchy such as boulevards, local streets, access ways and parking areas. Each of the street and access way types shall be dealt with consistently in terms of materials, finishes, and detail throughout the policy area

The provision of on street parking will be encouraged, particularly for visitor parking.

Generous provision shall be made for pedestrian and cycle access and movement.

Streetscapes

The design of streetscapes should achieve a high quality environment balancing the needs of vehicular, pedestrian and bicycle movement. Passive surveillance of streets shall be actively encouraged

Foreshore

Unrestricted public access to the foreshore shall be maintained, and a generous and high legible public walkway should be established along the waterfront

Public places

Public places shall be landscaped to provide 'green' relief from the built fabric and shall include seating, shade etc to facilitate their regular use by local residents and visitors

Urban landscaping should be integrated into the public domain comprising the foreshore areas, major public spaces, streets, access ways and parking areas

Subdivision

The subdivision of land shall be staged to limit the impact of ongoing construction on residents already living in completed stages.

Building Heights

Generally the height of development will be limited to three storeys

Fronting the public domain (major streets, parks, the waterfront etc) four storey developments will be supported to a maximum footprint of 10% of the total area of the policy area

A limited amount of five storey development may be included to highlight 'special' places (important corners and the end of vistas) and articulate the urban form. This will be limited to a maximum footprint of 5% of the total area of the policy area.

The permitted height of buildings shall be calculated as set out below:

- 1) Three (3) Storeys: As per Category C of the Residential Design Codes.
- 2) Four (4) Storeys: Top of External Wall (roof above) - 12 metres; Top of External Wall (roof concealed) - 13 metres; Top of Pitched Roof - 15 metres.
- 3) Five (5) Storeys: Top of External Wall (roof above) - 15 metres; Top of External Wall (roof concealed) - 16 metres; Top of Pitched Roof - 18 metres.



Three Storey



Four Storey



Five Storey

Building Setbacks

Front setbacks will need to be appropriate to the location of buildings within the Development Guide Plan. Front setbacks may be relaxed to nil where commercial uses are incorporated in a mixed use building. In residential buildings they may be relaxed to a minimum of 1.5m depending on the context.

Nil side setbacks could be considered throughout the policy area except where a side boundary faces a street or access way.

Apart from the relaxations noted above buildings shall comply with the provisions of the Residential Design Codes.

Articulation and modelling

A variety of architectural expression will be encouraged with strong emphasis on promoting high quality contemporary design.

Development should however establish sets of design elements, and materials which break down the bulk of developments, and provide visual interest through the articulation and modelling of their built form.

Detail design should be used to add complexity and interest in complementing the overall design.

Roof Forms

Roof forms shall be articulated to ensure that large expanses of roof are avoided or effectively screened. Roof level service structures shall be integrated into the building design and any air conditioners or other mechanical plant shall be screened from public view.

Built Edges

Surrounding major public spaces the height of the edging structures should, subject to ensuring adequate solar access to such spaces, be adequate to provide a reasonable level of enclosure for the space.

Attached buildings

To ensure continuity of the urban edge along the foreshore and facing major public spaces buildings shall generally be built boundary to boundary in these locations

Where breaks in the continuity of the urban edge are necessary they shall generally be limited to less than 4m and preferably be provided within the building envelope.

Entrances off the Public Domain

Buildings abutting the foreshore, major public spaces and streets shall provide primary entrances from these spaces

Windows on Upper Floors

Windows on the upper floors shall facilitate natural surveillance of the public domain.

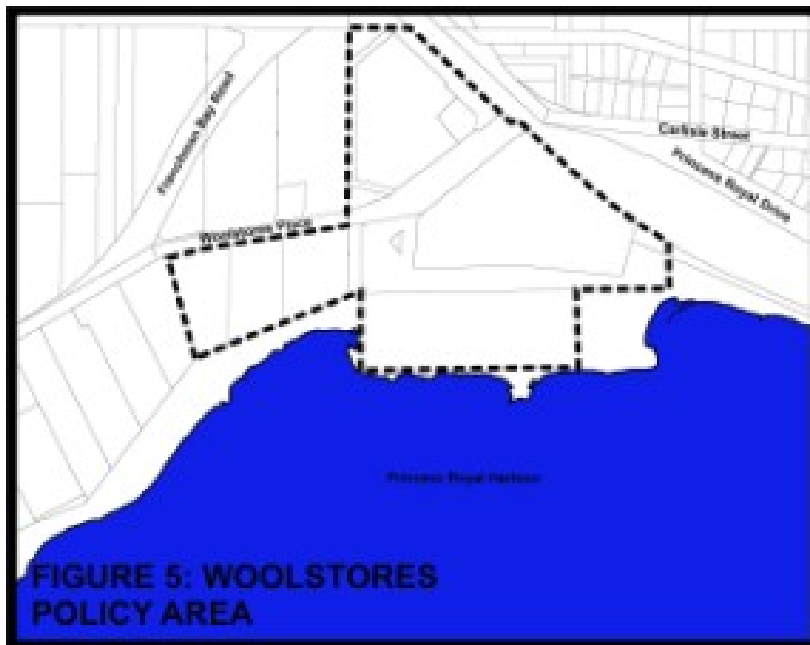
Balconies and Terraces

In order to assist in the articulation of facades, and provide increased surveillance of streets and public spaces, balconies and terraces will be encouraged.

Materials

The external finishes and colour treatment of buildings shall be based on a consistent palette of background colours (white/cream/beige/grey) with the possible inclusion of material and colour highlights

A variety of materials is encouraged although large expanses of reflective glass are discouraged.



EMU POINT AND BIG GROVE VILLAGE CENTRES

Objectives:

- 1) To provide the opportunity for a mixed use village centre within comprehensively planned coastal developments.**
- 2) To ensure that such centres provide a focus not only for local residents but visitors accessing the beach and the development of such nodes do not adversely impact on the coastal reserve or adjoining properties.**

Scope

The policy applies to the area identified on the attached plan at rear of policy.

Policy Statement

Distribution of Land Uses

The intention is to group a range of facilities servicing the needs of both local residents and visitors within a village centre having a coherent and high quality public domain. Such uses could include delis, cafes, stationers, restaurants, specialty shops or other uses approved by Council.

Building Heights

Within the designated village centre a maximum building height of four (4) storeys as set out below:

- 1) Top of External Wall (roof above) - 12 metres
- 2) Top of External Wall (roof concealed) - 13 metres
- 3) Top of Pitched Roof - 15 metres

This height will be subject to the following criteria:

- 1) The village centre shall generally be located centrally within comprehensive developments. They shall in no circumstance be closer than 20m to any existing property outside the development.
- 2) The village centre shall be set back from the coastal reserve far enough to ensure the development does not adversely impact on the reserve.
- 3) Buildings shall incorporate non-residential uses on a substantial proportion of the ground floor and be adaptable to changes in land use.
- 4) Public parking will be provided to service the centre.
- 5) Buildings with larger footprints (over 500sq m) shall be articulated to break down their perceived bulk and establish a scale appropriate for the locality.
- 6) The fourth floor of any building shall comprise a maximum of 60% of the footprint of lower floors.

Variations to the maximum heights will only be considered where ground floor heights are increased to facilitate commercial use in mixed use buildings. The maximum increase shall in such cases be 1.0 metre.

The maximum building height of residential development outside the village centre shall comply with Category B of Table 3 of the Residential Design Codes.

Building Setbacks

In mixed use buildings no front setback will be required.

No side setbacks will be required except where the side boundary of a lot abuts a street or access way.

Open Streetscapes

Buildings are to interact with the street and public space. Structures and/or heavy planting in the front setback area are to be avoided.

Entrances to buildings shall be visible from the street.

Buildings shall have windows overlooking the street to improve passive surveillance of the public domain.

Continuity of Street Fronts

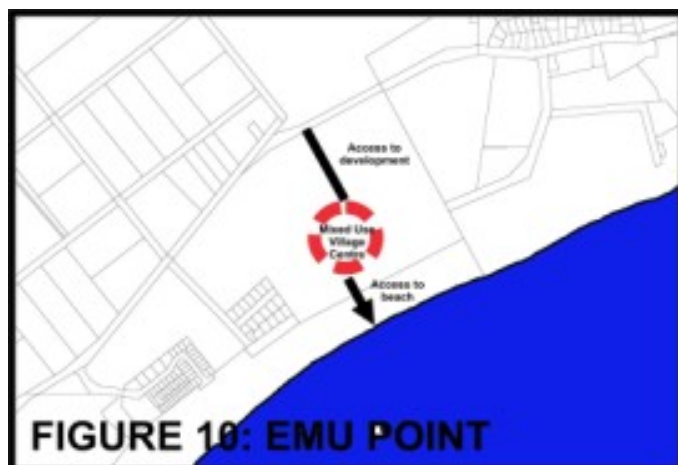
In village centres the continuity of street frontage will be encouraged.

Bulk and Scale

Council may require the submission of streetscape drawings indicating how buildings will integrate into the street.

Parking

The provision of non-residential car parking (i.e. for mixed use) could be considered off site, either on street or in designated public car parking areas in close proximity to the uses they serve.



FRENCHMAN BAY TOURIST DEVELOPMENT SITE

Objectives:

- 1) ***To ensure development conserves the outstanding natural and environmental values of the area.***
- 2) ***To encourage innovative tourism development appropriate to the local natural environment and the visual amenity of the area and provide an incentive to reduce the footprint of development.***
- 3) ***To ensure that the impacts of any areas of higher development on the natural topography are minimized.***
- 4) ***To ensure development on the site is not seen from the beach other than in the area immediately in front of the eastern parking area.***

Policy Statement

Landuses

Development shall provide for tourist establishments which offer short-term accommodation (i.e. for periods of less than three months) to the general public.

These uses may include small scale hotels, motels and guest houses; holiday flats, chalets, lodges and other low-impact tourist development. Such uses could be considered with or without facilities, and could also include ancillary uses such as minor conference facilities.

The inclusion of a convenience store serving the daily needs of local residents will be actively encouraged in any development and a restaurant and could be considered.

Building Heights

In relation to the eastern portion of Lot 1 as identified on Appendix A attached, in the area immediately south of the land affected by the 75m coastal development setback, a 15 metre section will only be capable of development at a single storey height above natural ground level. Development to a maximum height of 2 storeys above natural ground level may be permitted behind (to the south) the section which is limited to single storey development.

Building heights shall generally be limited to two storeys and shall comply with the standards established by Category B of the Residential Design Codes notwithstanding that the buildings may be used exclusively for short stay accommodation and related facilities.

The Council may consider buildings of three storeys subject to the following criteria:

- 1) That the proposed development has reduced the potential development footprint on the site while utilising areas of least visual impact and avoiding steeper and/or higher slopes.
- 2) That the setbacks of the development footprint from boundaries shall be maximized and that vegetation is retained or established in these areas to screen development.
- 3) That the components of three storey development are limited to 25% of the total building footprint on the site.

4) Heights comply with the standards established by Category C of the Residential Design Codes.

Setbacks

The Council will be willing to relax setbacks between buildings to assist in reducing the overall footprint of development.

All development on the Land is to be setback a minimum of 75 metres from the high water mark (as per Appendix A attached). A greater setback may be required if recommended by any relevant public authority or in an applicable policy.

No development is to encroach into the spring catchment boundary unless, having regard to technical information concerning the potential impact of development on the Vancouver Springs catchment, a lesser distance is supported by the relevant public authority and approved by Council.

Bulk and Scale

Preferably development should comprise a number of smaller buildings tightly integrated around pedestrian walkways and sheltered public areas. Larger buildings shall be articulated to break down their perceived bulk and establish an appropriate scale when read against the topography of the locality.

Materials and Colours

The materials and colours used shall comprise a limited palette consistently applied across the whole development. The use of natural materials such as stone and timber will be encouraged

Parking Areas

Parking areas shall be sensitively distributed and within the site.

Wherever possible parking areas shall be screened with walls or vegetation.

Retaining walls

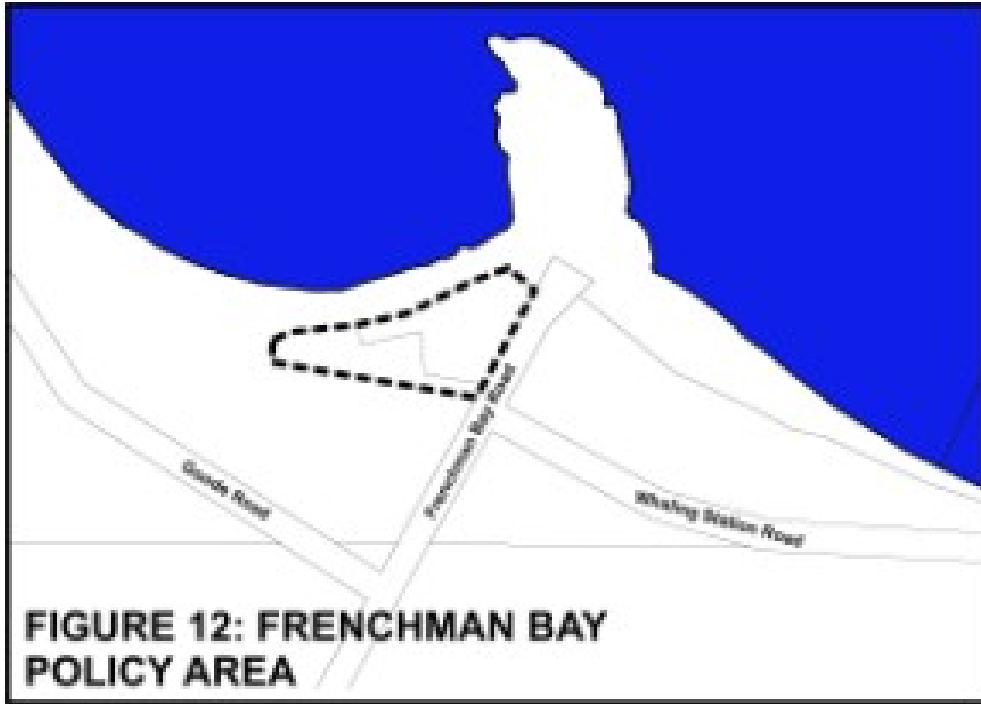
Retaining walls more than 3 metres high shall be screened with vegetation to reduce their visual impact

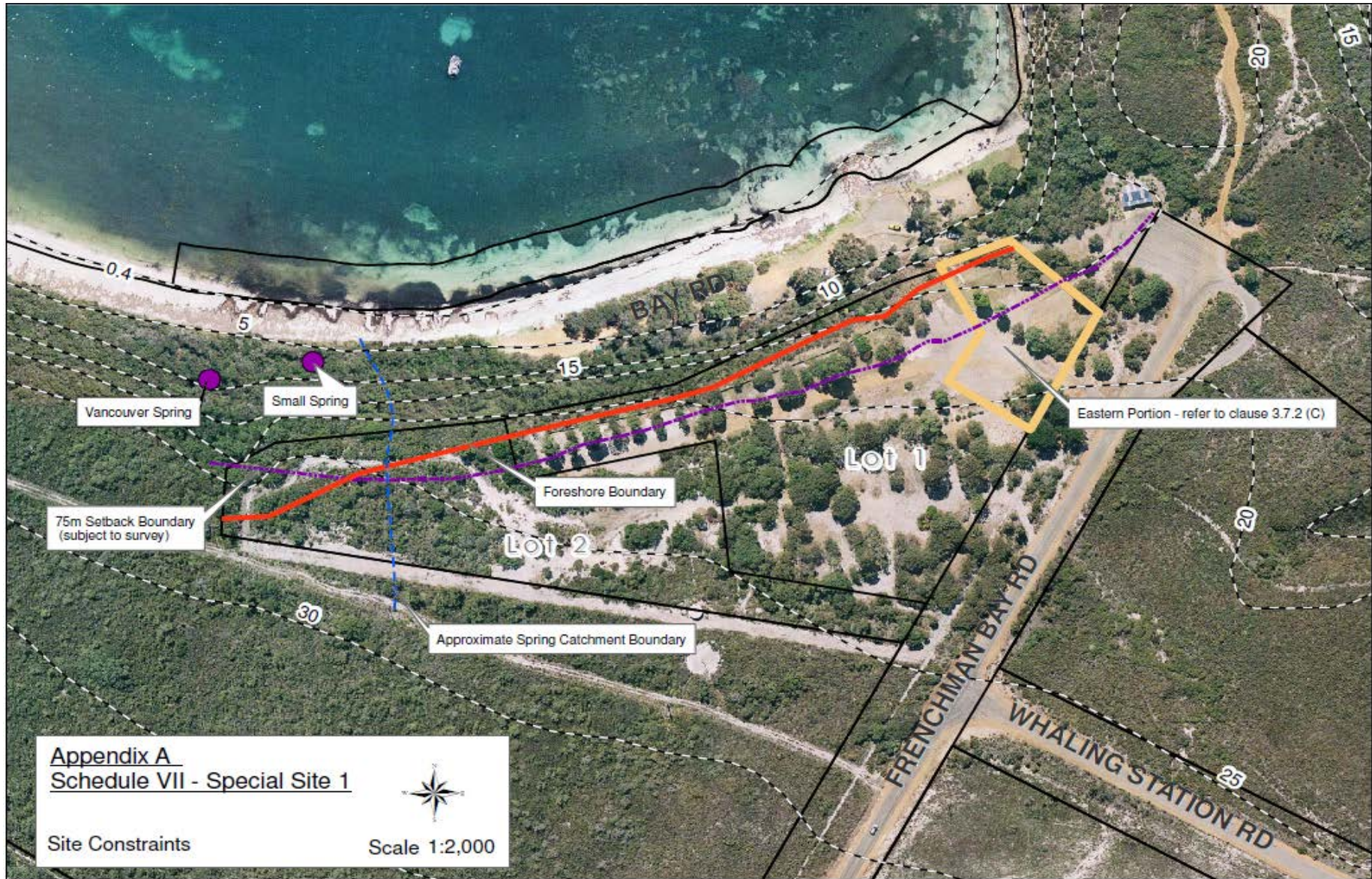
Assessing Impacts on the Natural Topography and Landscape

The Council will require the submission of a scaled model of the development or detailed accurate photomontage images, which clearly delineates the impact of the proposal on the natural topography of the site.

Any submission shall also include:

- 1) A drawing indicating all areas where current ground levels will be altered with the proposed new levels clearly set out.
- 2) A site survey indicating existing vegetation on the site which identifies the areas of existing vegetation which will be removed to facilitate the development. This drawing is to include FESA requirements for fire prevention on the site.





APPENDIX 1:

DEED OF AGREEMENT FOR TEMPORARY CARAVAN ACCOMMODATION

This is a formal Deed of Agreement between the City of Albany and the applicant(s) to reside on their property in approved temporary caravan accommodation while their permanent dwelling is being constructed on the same land.

APPLICANT(S):

ADDRESS:
.....
.....

TELEPHONE NO:

BUILDING LICENCE NUMBER OF PERMANENT DWELLING:

ADDRESS OF PROPERTY FOR PROPOSED TEMPORARY CARAVAN ACCOMMODATION:

.....
.....
.....

REASON FOR REQUEST:

.....
.....
.....

PROPOSED TIMEFRAME FOR BUILDING CONSTRUCTION OF DWELLING:

.....
.....
.....

TYPE OF CARAVAN TO BE USED (INCLUDE LICENCE NUMBER, SIZE AND MAKE OF CARAVAN):

.....
.....
.....

I/WE.....

..

Of.....

.

.....

.....

..

have applied to the City of Albany for Temporary Caravan Accommodation during the construction phase of a permanent dwelling on that land.

I/We understand fully the terms and conditions of this Agreement and Guidelines for Temporary Caravan Accommodation and accept them completely.

Further, I/We will vacate and remove the temporary caravan accommodation if instructed by a Council Environmental Health Officer due to a lack of sufficient building progress as outlined in the Guidelines and where there is non-compliance with any conditions of approval, or if I/We have remained in temporary caravan accommodation for a greater period than approved by Council or the Minister for Local Government.

If in the event I/We do not vacate and/or remove the temporary caravan accommodation as instructed by a Council Environmental Health Officer, I/We permit the Council to undertake this removal at my/our cost.

Signed:

Date:

Signed:

Date:

APPENDIX 2:

DEFINITIONS FOR ALBANY HISTORIC TOWN POLICY (RESIDENTIAL/COMMERCIAL PRECINCT)

Acoustic privacy

The seclusion of residential units from the impacts of intrusive externally generated noise.

Active frontages

Buildings which in areas abutting the street contain uses which provide surveillance of, and bring interest and activity to, the street

Adaptation (Adaptive Reuse)

Modifying a place to suit proposed compatible uses.

Amenity

A comfortable and pleasant immediate environment located within agreeable surroundings.

Articulation

The division or dis-aggregation of a building into distinct segments or parts with a clear delineation of the joints between the constituent parts.

Building Envelope

The total three dimension volume which encompasses all the elements of a building.

Building mass

The magnitude or overall volume of a building.

Built form

The configuration of the aggregate of all buildings, structures, etc which make up the physical environment of the locality.

Built Edges

A condition where buildings are constructed up to the street boundary effectively enclosing the public domain.

Bulk

The size or mass of a building; generally referring to structures which in their context appear relatively large.

Cohesive

Harmonious grouping of complementary elements. A cohesive townscape contains objects and architectural elements which have a consistent or complimentary overall effect.

Context

The environment within which a building is located. The context is relevant in that much of the building's significance or impact is derived from its relationship with, or its effect on its environs.

Conservation

All the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may according to circumstances include preservation, restoration, and adaptation and will be commonly a combination of more than one of these.

Contrasts of scale

Substantial differences between the relative size of buildings or structures. Generally refers to buildings which are large or overbearing in comparison with their context or what is generally accepted.

Cultural Significance

Aesthetic, historic, scientific or social value for past, present or future generations.

Decorative features

Distinctive detailing, variations in finishes, texture or colours or other elements such as mouldings, plinths etc which add interest to the exterior of a building.

Façade

The wall of a building usually referring to the front wall(s) seen from the street(s).

Grain

Texture of a surface, building, or section of built fabric generated by the arrangement and size of their constituent parts.

Heritage

Buildings, structures or places having aesthetic, historic, scientific or social value for past, present or future generations.

Heritage Listed Building

Buildings that are listed within Council's Municipal Heritage Inventory, within Local Planning Scheme 1 or on the State Heritage Inventory.

Highly reflective roofing material

any metal roofing material that has a solar reflectance value greater than 50%.

Historic themes

The historical content of the place, with particular reference to the ways in which its fabric has been influenced by historical forces in the course of its development.

Human scale

Buildings of a size or comprising a range of architectural elements which are of a magnitude and proportion related to our bodily dimensions.

Informal surveillance

The casual periodic observation of the public domain from buildings abutting it.

Interpret

Design which critically draws on, adapts, or makes reference to existing architectural features present in the locality.

Legibility

Urban fabric which, through the clarity of its organization and its wealth of distinguishing features, may be easily read and comprehended.

Low reflective roofing material

Any metal roofing material that has a solar reflectance value of 50% or less.

Maintenance

The continuous protective care of the fabric, contents and setting of a place.

Mass

The overall size or bulk of a building.

Microclimate

The effects of local patterns of wind, solar access, overshadowing, precipitation etc on a locality.

NGL

Natural ground level.

Non-habitable rooms

A room such as a bathroom, laundry, toilet and other spaces of a specialized nature occupied neither frequently nor for extended periods.

Overshadowing

Structures or buildings which block the access of direct sunlight to habitable areas of surrounding buildings or public and private open space.

Preservation

Maintaining the fabric of a building and/or place in its existing state and retarding deterioration.

Public Domain

Areas of the city which belong to the community as a whole; generally refers to streets, squares parks etc.

Reconstruction

Returning a place as nearly as possible to a known earlier state and is distinguished by the introductions of materials (new or old) into the fabric.

Residential Planning Codes

The Residential Planning Codes set out in Appendix 2 to the Statement of Planning Policy No.1 prepared under 5AA of the Town Planning and Development Act 1928.

Restoration

Returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Scale

Relative size. A large scale building is big in comparison with its context or what is generally accepted. A human scale building has a size or many architectural elements which we can identify with i.e. their size and proportion are related to our bodily dimensions.

Screen

To conceal or obscure from view

Solar access

Areas penetrated by sunlight over extended periods of time during both summer and winter.

Solar reflectance value

Represents the percentage of the total solar radiative energy falling onto a surface that is re-radiated. For the purpose of this policy the values are those provided by BHP Steel Ltd.

Streetscape

The perceptive quality of a street established by the buildings which line it, and the additional elements which are contained within the spatial frame formed by those buildings.

Subdivision pattern

The configuration of the original cadastral layout and the influence this layout had on the subsequent development of built form within the locality.

Topography

Natural or altered ground form.

Townscape (character)

The relative distribution of the landscape, buildings and other structures which together constitute the collective form of the town.

Undercroft

An area located below the ground floor level of a building and used for parking, storage and other such service uses (non-habitable).

Urban richness

Built fabric characterized by a variety of environmental conditions, diverse uses, and a wide choice of sensory experiences.

View

A broad or expansive as seen from a particular place

Vista

A particular view usually contained by either natural features or built form (as in an axial view).

Visual integrity

Urban fabric characterized by complementary elements within an environment ordered by consistent and perceptible principles.

Visual privacy

The isolation of residential units and external private open space from the intrusive overlooking of residents of neighbouring properties.

Visual richness

An urban environment characterized by perceptual complexity and interest.