



MINUTES

SPECIAL MEETING OF COUNCIL

Held on
Tuesday 1 May 2012
5.45pm
City of Albany Council Chambers

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1.0 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

ITEM 1.0: RESOLUTION

MOVED: COUNCILLOR HOLDEN

SECONDED: COUNCILLOR HORTIN

THAT Council SUSPEND Standing Order clause 3.1 to allow recording of proceedings.

CARRIED 10-0

2.0 OPENING PRAYER

Mayor read the opening prayer.

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

3.0 PUBLIC QUESTION AND STATEMENT TIME

Council’s Standing Orders Local Laws provide that each Ordinary Meeting of the Council shall make available a total allowance of 30 minutes, which may be extended at the discretion of Council, for residents in attendance in the public gallery to address clear and concise questions to His Worship the Mayor on matters relating to the operation and concerns of the municipality.

Such questions should be submitted to the Chief Executive Officer, **in writing, no later than 10.00am** on the last working day preceding the meeting (the Chief Executive Officer shall make copies of such questions available to Members) but questions may be submitted without notice.

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

5.47pm: Mr Ian Howard,

Summary of key points:

- Spoke in support of Item 6.2 and the investment being made by the proponent in addition to the contribution by the City.

5.49pm Mr Jon Marwick, Emu Point Cafe

Summary of key points:

- Spoke in support of Item 6.2 and the proponents commitment to creating an improved area to attract tourism to the area.

Mr Chris Saurin, 22 The Vintage Way Millbrook

Summary of key points:

- Spoke on behalf of the Albany Motorcycle Club Inc and their proposal to hold eight events in 2012 at “Miniup”
- Club has been working with the City on moving to a new location, however, progress has been slow, and the Club has complied with City directives.
-

5.52PM: Open forum closed.

RESOLUTION

MOVED: COUNCILLOR CALLEJA

SECONDED: COUNCILLOR HOLDEN

**THAT Items 6.3: Albany Motorcycle Club Inc Proposal to Operate Eight (Possibly Non Complying) Events During 2012; and
Item 6.5: Audit and Finance Committee Recommendations**

Be dealt with first by the meeting.

CARRIED 11-0

4.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Mayor

D Wellington

Councillors:

Breaksea Ward	R Hammond
Breaksea Ward	V Calleja
Frederickstown Ward	C Dowling
Frederickstown Ward	G Stocks
West Ward	D Dufty
Kalgan Ward	Y Attwell
Kalgan Ward	C Holden
Vancouver Ward	D Bostock
Vancouver Ward	S Bowles
Yakamia Ward	A Hortin

Staff:

Chief Executive Officer	F James
Executive Director Community Services	L Hill
Executive Director Planning and Development Services	D Putland
Minutes	J Williamson

Public Gallery and Media:

Apologies/Leave of Absence:

West Ward	G Gregson
Yakamia Ward	R Sutton

(Councillor Sutton entered the meeting at 6.48pm)

5.0 DECLARATION OF INTEREST

[Elected members of Council and staff are asked to use the forms prepared for the purpose, aiding the proceedings of the meeting by notifying the presiding member prior to the conduct of the meeting]

Name	Item Number	Nature of Interest
Councillor Attwell	6.3	Impartiality. Councillor Attwell's sons are involved with the Albany Motorcycle Club. Councillor Attwell remained in the Chamber and participated in the discussion and vote.

6.2: DEVELOPMENT OF MIDDLETON BEACH RESERVE 26149 (IN THE AREA FORMERLY KNOWN AS CALAMARIS) AND CITY OF ALBANY CONTRIBUTION TOWARDS DEVELOPMENT

This Report has a Confidential Attachment, which discloses Commercial-in-Confidence information regarding a commercial lease of the City of Albany, and the business affairs of third parties.

File Number (Name of Ward) : PRO070 Frederickstown Ward
Previous Reference : SCM 06/12/2011 Item 6.1
Attachment : Confidential Memo to Jon and Kate Marwick from H & H dated 13 April 2012
Responsible Officer : Chief Executive Officer (F James)

IN BRIEF

- On 9 December 2011, Jonathon Sylvester Marwick and Kate Patricia Marwick as Trustees for the Marwick Family Trust (the Lessee) leased, for 21 years, the City of Albany property at Middleton Beach Reserve, formerly known as Calamaris, Lot 651 on Deposited Plan 191343 and the whole of land contained in Certificate of Title Volume LR3119 Folio 892.
- The Lessee wishes to expand and improve the property. The Lessee's architect and builder have liaised with City of Albany Officers regarding the plans for the proposed redevelopment, including anticipated costs.
- The Lessee seeks financial contribution from the City of Albany for that redevelopment, given the property is owned by the City and some of the redevelopment extends into City of Albany Reserve.
- Before the Lessee proceeds further with this the development, the Lessee requires surety from the Council regarding what, if any, financial contribution the City of Albany will make towards the development.

ITEM 6.2: MOTION BY COUNCILLOR BOSTOCK**MOVED: COUNCILLOR BOSTOCK****THAT this item lay on the table for a period of one month for further consideration by Council.****MOTION LAPSED
NO SECONDER.**

ITEM 6.2: RESOLUTION 2
VOTING REQUIREMENT: ABSOLUTE MAJORITY**MOVED: COUNCILLOR STOCKS**
SECONDED: COUNCILLOR DUFTY**THAT:**

1. Council agree to pay the contribution amount through abatement of monthly lease rental payments owed by the lessee to the City of Albany for lease of the property owned by the City and formerly known as Calamaris, until the contribution amount is totally accounted for.
2. Council agree to waive the development application fee of \$1600.00, applicable to the development, once submitted by the lessee.
3. The lessee is to provide a bank guarantee or similar financial instrument to the satisfaction of the City, to indemnify the City of Albany in respect of the satisfactory completion of the proposed works.

CARRIED 10-1
ABSOLUTE MAJORITY**Record of Vote**

Against the Motion: Councillor Attwell

BACKGROUND

1. The Lessee of the City of Albany property formerly known as Calamaris, leased the property in December 2011, at a rate of \$5,666.66 per month (ex GST).
2. When entering the lease, the Lessee intended to undertake some renovations to the property in February / March 2012, to make it more amenable for customer service, and to meet environmental health and disability access standards.
3. It is noted that the City was responsible for undertaking the environmental health works in the food preparation and service areas of the building to comply with the *Health Act 1911*. This work has been costed at \$40,000 plus one month's rent abatement, (due to business closure), with total costs being \$45,666.66 plus GST. It is a provision of the lease that the Lessee agreed to close the Leased Premises and temporarily cease business for a period of four weeks to allow the City to complete the works.
4. While undertaking the design work for those renovations, the design became more expansive than originally intended by the Lessee, as the Lessee saw opportunity to considerably improve the amenity, customer service facilities, and provide other benefits through a more expanded redevelopment, with benefits accruing to both the Lessee and the City of Albany, as property owner.
5. The Lessee, in engaging architects and a builder, have developed a design for the property, and costed that work.
6. The Lessee has worked constructively with City Officers in development of that design (in preparation for development application submission), and discussed with City Officers the reasonableness of the proposed costs for that work.

DISCUSSION

7. The Lessee seeks a financial contribution from the City of Albany, towards some of the development works, given the development:
 - a. will improve amenity in the Middleton Beach Reserve generally,
 - b. will improve the property specifically, owned by the City,
 - c. some of the works proposed extends into City of Albany Reserve, and will be available for general public use.
8. The Lessee proposes that any financial contribution by the City be in the form of rent abatement. That is, the City waive rent collection each month, in exchange for payment of the development works that the City contributes towards, until the total amount of those City-contributed development costs are repaid to the Lessee.
9. The Lessee has committed to meeting all costs associated with the required Deed of Variation of Lease, which will be subject to Council consideration and endorsement at the next available Council meeting.
10. The Lessee and their architect presented the development design to the Council's Planning and Development Committee on 24 April 2012. At that meeting the members agreed that the proposed development would be beneficial to the City of Albany.
11. The Lessee advised that Committee that it did not wish to proceed with incurring further costs regarding the development, until it has some surety from the Council regarding if it will make financial contribution towards the proposed development.
12. Members of the Planning and Development Committee requested the CEO to present the matter to the Council's Audit and Finance Committee, for its urgent consideration regarding financial implications.

STATUTORY IMPLICATIONS

13. Nil

GOVERNMENT CONSULTATION

14. Nil

PUBLIC CONSULTATION

15. Nil

STRATEGIC IMPLICATIONS

16. This proposed development aligns with the City of Albany's Strategic Plan 2011 - 2021, specifically Key Focus Areas: Lifestyle and Environment and Sustainability and Development
- *The development aligns with proposed Strategies of: redevelop areas ... to be more aesthetically pleasing*
 - *incorporate "meeting space" and recreational infrastructure in public space for young people*
 - *encourage an increase in Albany's industry base to ensure employment.*
 - *Improve and expand tourism infrastructure and attractions*
 - *encourage diversity in tourism product*
 - *flexibility of development in key tourism areas*

POLICY IMPLICATIONS

17. Nil

RISK IDENTIFICATION AND MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Development of Middleton Beach not proceeds, and the area continues to operate under its full potential, including having poor tourism amenity facilities</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Council endorse financial contribution to development of Middleton Beach, which for this matter be contribution to the lessee's proposed development.</i>

FINANCIAL IMPLICATIONS

19. The Lessee has provided the confidential Attachment which sets out the financial contribution proposed by the Lessee, and the contribution sought by the Lessee from the City of Albany.
20. The costs estimates provided by the Lessee (through their architects and builder) have been assessed by City of Albany Officers, and are considered reasonable in amount. In some aspects, the costs are lower than the City of Albany would be able to undertake the work for.
21. City Officers believe the City should not contribute to the professional consultant costs incurred by the Lessee in developing the design, and submitting the development application.
22. The Council could determine to waive the development application fee of \$1600, in support of the development.

LEGAL IMPLICATIONS

23. Nil - if the development doesn't proceed, the original lease terms will continue.

ALTERNATE OPTIONS

24. Council can determine to not contribute any, or an amount less than that sought by the Lessee. It is likely if the Council does not contribute the amount sought by the Lessee, the Lessee will not proceed with the redevelopment.

SUMMARY CONCLUSION

25. The Lessee wishes to undertake redevelopment to the property owned by the City and formerly known as Calamaris, and seeks contribution from the City towards that development.
26. The development would be beneficial to the Middleton Beach area generally, and to the property owned by the City of Albany.

6.3: ALBANY MOTORCYCLE CLUB INC – PROPOSAL TO OPERATE EIGHT (POSSIBLY NON-COMPLYING) EVENTS DURING 2012

Land Description	:	Reserve 30495, Plantagenet Location 7153, Roberts Road, Robinson
Proponents	:	Albany Motorcycle Club Inc.
Owner	:	Crown
Attachments	:	Incoming Correspondence from Albany Motorcycle Club Inc dated 28 February and 25 April 2012 Outgoing Correspondence from City of Albany to Albany Motorcycle Club Inc. 23 April 2012
Responsible Officer	:	Executive Director Planning and Development Services (D Putland)

ITEM 6.3: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

1. THAT Council REFUSE the Albany Motorcycle Club Inc. approval to hold non-complying events under Regulation 18 of the *Environmental Protection (Noise) Regulations 1979*.
2. THAT Council GRANT consent to the Albany Motorcycle Club Inc. to hold events at “Miniup”, Roberts Road, Robinson on particular dates, conditional upon the Albany Motorcycle Club Inc. providing evidence to the satisfaction of the City of Albany Executive Director, Planning and Development Services, that breaches of the *Environmental Protection (Noise) Regulations 1979* will not occur at those events.

ITEM 6.3: AMENDED MOTION BY COUNCILLOR STOCKS
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR HAMMOND

1. THAT Council REFUSE the Albany Motorcycle Club Inc. approval to hold non-complying events under Regulation 18 of the *Environmental Protection (Noise) Regulations 1979* EXCEPT on the two dates to be decided by the Albany Motorcycle Club Inc.
2. THAT Council GRANT consent to the Albany Motorcycle Club Inc. to hold events at “Miniup”, Roberts Road, Robinson on particular dates, conditional upon the Albany Motorcycle Club Inc. providing evidence to the satisfaction of the City of Albany Executive Director, Planning and Development Services, that breaches of the *Environmental Protection (Noise) Regulations 1979* will not occur at those events.

CARRIED 10-1

Record of Vote

Against the Motion: Councillor Bostock

IN BRIEF

- Consider a request from the Albany Motorcycle Club Inc to operate eight possibly non-complying events at the Roberts Road motorcycle track during 2012.

BACKGROUND

1. The Albany Motorcycle Club Inc has written to the City of Albany requesting approval to hold eight events over the coming year.
2. It is possible that those events will be non-compliant as to noise control, under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*.
3. This matter has a long history:

In 2008, the City served an Environmental Protection Notice (EPN) on the Albany Motorcycle Club requiring it to:

“Ensure that no motor cycles use the motor cycle track at any time of the day.”

4. Following an appeal to the Minister for Environment, and with Council approval, the Albany Motorcycle Club Inc then held ten events in both 2009 and 2010.
5. In 2011, the Albany Motorcycle Club Inc used the track for two non-complying, Council approved events.
6. However, a number of motorcycle riders also used the track outside the approved events dates, and breached the requirements of the EPN.
7. While the use of the track by those riders was not sanctioned by Albany Motorcycle Club Inc, the Albany Motorcycle Club Inc still had legal responsibility to ensure that the requirements of the EPN were met.
8. Council considered a similar request at its February 2011 meeting and resolved:

*The Council note that in relation to the request by the Albany Motorcycle Club to hold two non-complying events on **Reserve 30495, Roberts Road**, community consultation will be undertaken with residents and property landowners within a radius of 1.5km;*

Where objections are received as a result of the community consultation the request shall be considered at the March Ordinary Council Meeting;

*Where no objections are received Council notes that the CEO will grant approval for two non-complying events in accordance with Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*.”*

9. A total of 84 letters were sent to residents and property owners within a 1.5 kilometre radius of the motocross facility. A total of eight written submissions were received - five were opposed to the proposal and three supported the proposal.
10. Council again considered the matter at its March 2011 meeting, given the submissions received from nearby residents and property landowners, and resolved:

THAT Council GRANT the Albany Motorcycle Club Inc approval to hold two non-complying events under Regulation 18 of the Environmental Protection (Noise) Regulations 1979 conditional on no further breaches of the Environmental Protection Notice previously served on the Albany Motorcycle Club Inc. Should further breaches occur this approval will be withdrawn.

11. Council further considered issues in relation to the use, and possible lease of land to the Albany Motorcycle Club at its June 2011 meeting and resolved:

THAT Council:

- 1) *NOTES its previous resolution (OCM 15.03.2011 – Item 2.3 – Attachment A).*
 - 2) *GRANTS the final lease approval to the Albany Motorcycle Club Inc. over portion of **Reserve 1947 Parker Brook Road, Willyung** subject to the Club obtaining all remaining approvals and complying to all conditions detailed in OCM 15 March 2011 Council resolution and satisfying all conditions of the Planning Scheme Consent prior to any development and riding activities within the lease area.*
12. Council further considered the issue of granting the Albany Motorcycle Club Inc. a lease over portion of Reserve 1947 Parker Brook Road Albany at its November 2011 meeting, and resolved:

THAT Council notes the Officer's Report detailing the history and other information on the Great Southern Motorplex Group Inc. proposal and the suitability of Crown Reserve 1947 for Motor Sport activities;

THAT Council directs the CEO and Councillors Sutton, Hammond and Calleja to meet with the four key stakeholder groups of:

- *Albany Motorcycle Club;*
- *Albany City Kart Club;*
- *Great Southern Street Machine Association; and*
- *Albany Motorsport Group.*

To further discuss progression of a Motor Sport Complex at a site that is more appropriate as quickly as possible and taking into account the immediate needs of particular clubs for their upcoming events.

DISCUSSION

13. The Albany Motorcycle Club Inc has advised that it is important for its Club's future that it be allowed to conduct the proposed events, the first commencing on 12 May 2012.
14. The Albany Motorcycle Club Inc. advised in March 2012 that as it was unsuccessful in obtaining a lease for the alternative venue on Parker Brook Road, they are applying for permission to hold events at their existing venue at "Miniup", Roberts Road, Robinson.
15. Council minutes of the 20 April 2010 indicate that several residents in proximity to the Club's activities did not support further motorcycle events.
16. It appears that the majority of resident complaints were primarily in regard to noise resulting from extended track usage on practice days.
17. The current proposal suggests that the facility will be used for three practice days, four Club Race meetings and one Interclub Race meeting in 2012.

STATUTORY IMPLICATIONS

18. Regulation 18 of the *Environmental Protection (Noise) Regulations 1979* states:

"18. Venues used for sporting, entertainment purposes etc.

In this regulation—

approved non-complying event means an event approved under subregulation (3);

noise means noise associated directly with the approved non-complying event and does not include noise normally emitted from the venue (such as noise from plant, pumps and machinery) when it is not being used for the purposes of an approved non-complying event;

venue means any premises or public place.

(2) Despite any other regulation in this Part—

- (a) an approval under subregulation (3) has effect according to its terms; and*
- (b) except to the extent that the regulation is applied as a condition under subregulation (3), regulation 7 does not apply to noise resulting from an approved noncomplying event.*

Where the Chief Executive Officer is satisfied that a proposed sporting, cultural or entertainment event that is to be open to the public —

- (a) *is likely to result in the emission of noise in contravention of the standard prescribed under regulation 7; and*
- (b) *would lose its character or usefulness if it were required to comply with that standard,*

the Chief Executive Officer may approve the event, subject to such conditions as the Chief Executive Officer thinks fit, for the purposes of this regulation.

If a condition imposed on an approved non-complying event under subregulation (3) or (8) is breached—

- the event ceases to be an approved non-complying event; and*
- (b) *regulation 7 has effect in relation to that event.*

An approval under subregulation (3) may extend to a practice or rehearsal or sound system test relating to an event even though the practice, rehearsal or sound system test is not open to the public.

An application for approval under subregulation (3) is to be—

- (a) *made not later than 60 days before the event to which the application relates is proposed to commence; and*
- (b) *accompanied by an application fee of \$500.*

Conditions imposed under subregulation (3) may —

limit the duration of practice and rehearsal sessions, sound system tests and the event;
specify starting and completion times for practice and rehearsal sessions, sound system tests and the event;
specify times when facilities such as stages, temporary seating and lighting towers can be erected and dismantled; and
specify any other requirements, including maximum allowable noise levels, considered necessary to maintain the impact of noise emissions on other premises at an acceptable level.

It is a condition imposed on the conduct of every event approved under subregulation (3) that, if the Chief Executive Officer determines that noise received as a result of the event —

at any noise sensitive premises is likely to exceed 65 dB $L_{A\ Slow}$ between 0700 hours and 1900 hours on any day or 60 dB $L_{A\ Slow}$ between 1900 hours on any day and 0700 hours on the following day; or
at any other premises is likely to exceed 75 dB $L_{A\ Slow}$ at any time, the person to whom the approval is granted is to pay to the Chief Executive Officer, within the

time specified by the Chief Executive Officer, a noise monitoring fee specified by the Chief Executive Officer.

The Chief Executive Officer may amend any condition to which an approved non-complying event is subject, but must before doing so —

give to the person responsible for the conduct of the event at least 14 days' notice of the proposed amendment to enable the person to make written representations on the proposal; and where the condition was determined under subregulation (13), obtain the approval of the Minister.

A person to whom notice of a proposal is given under subregulation (9)(a) may by written agreement accept the proposal and waive the period of notice.

The Chief Executive Officer is not to approve the holding of more than 2 approved non-conforming events in or at a particular venue in any period of 12 consecutive months unless the Chief Executive Officer is satisfied that the majority of occupiers on whom the noise emissions will impact have no objection to the holding of the additional events.

An approval must not be granted unless the local government of each district in which noise emissions received from the event are likely to fail to comply with the standard prescribed under regulation 7 agrees to the proposed conditions applicable to the approval.

Where an agreement cannot be reached under subregulation (12) the conditions are to be determined by the Minister after receiving the advice of the Chief Executive Officer.

The Chief Executive Officer may, if satisfied that the noise from approved non-conforming events held at any 2 or more venues affects generally the same noise-sensitive premises, determine that those venues are to be treated as a single venue for the purposes of subregulation (3) in which case subregulation (11) applies to those venues as if they were one venue.

Notwithstanding subregulation (6)(b), the Chief Executive Officer may, in his or her discretion and if satisfied that an application for approval is made by an organization licensed under the Charitable Collections Act 1946, and that money received from the event will be substantially applied for a charitable purpose within the meaning of that Act, waive or reduce the application fee payable under that subregulation.

PUBLIC CONSULTATION / ENGAGEMENT

19. The Albany Motorcycle Club Inc. proposal is to hold eight (possibly non-complying) events during 2012, but the Club has not undertaken any consultation with nearby land owners in that regard, claiming it is awaiting Council consideration of the matter, before doing so.

FINANCIAL IMPLICATIONS

20. Regulation 18(6) of the *Environmental Protection (Noise) Regulations 1979* requires applications for approval to hold a non-complying event to be accompanied by an application fee of \$500. This fee may be waived or reduced, by the Chief Executive Officer, if the applicant is an organisation licensed under the *Charitable Collections Act 1946*.
21. Should Council approve the holding of any event, and there is a complaint from neighbouring landholders, the City's Environmental Health Officers would be required to undertake noise monitoring to investigate the complaint and assess compliance with the Regulations. This is time consuming and may require additional staff time (beyond budgeted staff costs) to undertake such monitoring.

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

22. This item relates to the following Key Focus Areas in the City of Albany's Strategic Plan 2011-2021:

Community Focused Organisation: Support for community groups

Assist with improving access to suitable venues close to CBD that are affordable for community groups.

POLICY IMPLICATIONS

23. There are no policy implications associated with this proposal.

LEGAL IMPLICATIONS

24. Nil.

ALTERNATE OPTIONS

25. Council has three options in relation to the request from Albany Motorcycle Club Inc to hold non-complying events at Roberts Rd site. These are:

Option One. **GRANT** the Albany Motorcycle Club Inc approval, without conditions, to hold up to eight non-complying events during 2012 despite Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*.

Option Two. **GRANT** the Albany Motorcycle Club Inc approval, with conditions, to hold two non-complying events during 2012, balancing requirements under the Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*, with the inability to comply with those Regulations.

Option Three. **GRANT** the Albany Motorcycle Club Inc approval without conditions to hold two non complying events during 2012, consistent with Regulation 18 of the *Environment Protection (Noise) Regulations 1997*. All other events and practice sessions to be compliant with the *Environmental Protection (Noise) Regulations 1997*.

Option Four **REFUSE** the Albany Motorcycle Club Inc. approval to hold non complying events during 2012.

File Number (Name of Ward)	West Ward
Previous Reference	OCM 16/02/2010 Item 13.6.1 Recommendation 4 OCM 20/04/2010 Item 19.5 OCM 15/02/2011 item 2.6

01/05/2012

REFER DISCLAIMER

6.5: AUDIT & FINANCE COMMITTEE RECOMMENDATIONS

Proponent : City of Albany
Responsible Officer : Chief Executive Officer (F James)

The Audit and Finance Committee met for a Special Committee meeting on 30 April 2012, commencing 9.25pm, and concluding at 10.10pm.

In attendance were:

Mayor Wellington
 Councillor Y Attwell
 Councillor C Holden
 Councillor V Calleja
 Councillor D Bostock
 Councillor D Dufty (joined the meeting at 9.40pm)
 Councillor R Sutton
 Councillor S Bowles
 Councillor C Dowling
 Councillor G Stocks (Chair)
 Councillor A Hortin

Apologies: Councillor G Gregson
 Councillor R Hammond

Staff: Faileen James (CEO)
 Executive Director Community Services Linda Hill for part of the meeting
 Manager Finance Duncan Olde for part of the meeting
 Business Analyst/Management Accountant David Harrison for part of the meeting

ITEM 6.5: COMMITTEE RECOMMENDATION 1 VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR CALLEJA

THAT Council support the Responsible Officer Recommendation provided at the Audit and Finance Committee meeting on 30 April- that is:

THAT Council APPROVE the amount of \$35,000 to be committed in the 2012-13 financial year to Community Financial Assistance Event Funding (prior to adoption of the 2012-13 budget), and APPROVE the City of Albany calling for Expressions of Interest from the community.

**CARRIED 11-0
 ABSOLUTE MAJORITY**

Councillor Sutton entered the Chamber.

ITEM 6.5: RESOLUTION

**MOVED: COUNCILLOR HOLDEN
SECONDED: COUNCILOR BOWLES**

THAT Committee Recommendations 2 and 3 be carried EN BLOC.

**CARRIED 12-0
ABSOLUTE MAJORITY**

**ITEM 6.5: COMMITTEE RECOMMENDATION 2
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Council support Responsible Officer Recommendation 1 (Confidential) of Item 6.2.

CARRIED EN BLOC

**ITEM 6.5: COMMITTEE RECOMMENDATION 3
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Council support Responsible Officer Recommendation 2 of Item 6.2

CARRIED EN BLOC

7.0 CLOSURE OF MEETING

ITEM 7.1: RESOLUTION

MOVED: COUNCILLOR BOWLES

SECONDED: COUNCILLOR CALLEJA

THAT Standing Order 3.1 be RESUMED to stop recording of proceedings.

CARRIED 12-0

There being no further business, the Presiding Member declared the meeting closed at 6.55PM.



Dennis W Wellington
MAYOR