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# MINUTES

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## Annual General Meeting of Electors

Held on  
Thursday , 4<sup>th</sup> December 2008  
7.00pm

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## 1.0 DECLARATION OF OPENING

The Deputy Mayor declared the meeting open at 7.00pm.

## 2.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

**Deputy Mayor** (West Ward)

D Wolfe

**Councillors:**

Breaksea Ward J Bostock

Breaksea Ward D Wiseman

Frederickstown Ward D Price

Frederickstown Ward Vacant

Kalgan Ward J Walker

Kalgan Ward R Buegge

(arrived at 7.08pm)

Vancouver Ward Absent

Vancouver Ward K Stanton

West Ward Vacant

West Ward D Wolfe

Yakamia Ward J Matla

Yakamia Ward G Kidman

(arrived at 7.03pm)

**Staff:**

Chief Executive Officer P Richards

Executive Director Corporate & Community Services WP Madigan

Acting Executive Director Works & Services P Brown

Executive Director Development Services R Fenn

Senior Accounting Officer P Wignall

Corporate Governance Coordinator (Minutes) S Jamieson

**Public Gallery and Media:**

1 media representative was in attendance and approximately 25 members of the public.

**Apologies/Leave of Absence:**

**Elected Members**

Mayor MJ Evans, JP

Councillor (Vancouver Ward) R Paver

### **3.0 OPENING PRAYER**

*The Deputy 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.”

### **4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

4.1 Annual General Meeting of Electors 2006/2007 held 4<sup>th</sup> December 2007.

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#### **ITEM 4.1 – OFFICER RECOMMENDATION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED COUNCILLOR PRICE**

**SECONDED COUNCILLOR WALKER**

**THAT the minutes of the Annual General Meeting of Electors 2006/2007 held on the 4<sup>th</sup> December 2007, as previously distributed be confirmed as a true and accurate record of proceedings.**

**MOTION CARRIED 7-0**

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Note: The minutes of the Annual General Meeting of Electors 2006/2007 held on the 4<sup>th</sup> December 2007, were CONFIRMED as a true and accurate record of proceedings at the Ordinary Council Meeting held on the 18 Dec 07.

*Councillor Kidman arrived at 7.03pm.*

## 5.0 RECEIPT OF ANNUAL REPORT FOR THE 2007/2008 FINANCIAL YEAR

### THE NATURE OF COUNCIL'S ROLE IN THIS MATTER:

**Executive Function.** Council setting strategic direction and overseeing the operational functions of the City.

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### ITEM 5.0 – OFFICER RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED COUNCILLOR WALKER  
SECONDED COUNCILLOR PRICE

THAT the City of Albany Annual Report for the 2007/2008 Financial Year be RECEIVED.

MOTION CARRIED 8-0

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## 6.0 GENERAL BUSINESS

In accordance with section 5.27(3) of the Local Government Act 1995 the matters to be discussed at general electors' meetings are to be those prescribed in Regulation 15 of the Local Government (Administration) Regulations 1996 being: *“the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.”*

### Comments in relation to the annual report.

Nil received.

Speaker One.

### Mr Ray Nesbitt, Little Grove

Mr Nesbitt addressed Council in regards to the Little Grove Structure Plan. Mr Nesbitt raised concern of the City policy to accept “cash in lieu” of contributing public open space by developers.

Mr Nesbitt raised concern that the Western Australian Planning Commission (WAPC) did not take into account the Little Grove Structure Planning Policy and that the City of Albany did not represent the affected residents.

Item 6.0 continued.

Speaker Two.

**Ms Patricia Allen, Little Grove**

Ms Allen raised concern over a lack of public consultation in formulating the Little Grove Structure Plan.

Ms Allen believes that she has been treated unfairly as she has been placed in a situation where she may have to: conceded vehicle access to her backyard and firebreaks as a result of a proposed subdivision plan.

Speaker Three.

**Mr Austin Woods, Cull Road**

Mr Woods addressed Council in regards to the South Lockyer Structure Plan. Mr Woods stated that he has identified a number of problems with the plan and hoped Council will liaise with him.

Mr Woods raised concern over the lack of consultation and felt let down.

Mr Woods stated that only one Councillor made contact with the residents and that the current situation warrants great attention, considering that it involves valuable land and the implications of the requirement to provide public open space.

Speaker Four.

**Ms Wendy Woods, Cull Road**

Ms Woods advised Council that at approximately 1pm on the 3<sup>rd</sup> December 2008 that the trees on the Western side of Cull Road were removed.

Ms Woods stated that she hoped this Council would be protecting trees.

Speaker Five.

**Mr Tony Harrison, Little Grove**

Mr Harrison raised concern of the deforestation of the western side of Cull Road. Mr Harrison suggested that it should be a Council Policy requirement that developers responsible for clearing natural vegetation, are to revegetate using Australian native trees.

Mr Harrison pointed out that the area in the vicinity of the Cemetery has been cleared of natural vegetation. Mr Harrison raised concern that the City of Albany has not ensured reforestation by developers, which is contrary to Mayor's Community initiative to look at reducing the City of Albany's "Carbon" footprint.

Item 6.0 continued.

Speaker Six

**Ms Vera Torr, Sussex Street**

Ms Torr asked the following question and received the following responses:

Does Council have a plan to develop the Crown Land in the vicinity of Mercer Road, in particular the area vegetated by Sheoak Forrest?

*EDDS Response: There are no plans at this point in time; however it is zoned residential. The subject land is freehold to the City and not Crown land.*

Ms Torr responded that the diagrams that she received from Land gate indicated that development is proposed.

Ms Torr queried if the Council land on Eastern side of Cull Road is up for development.

*EDDS Response: Council property on the Eastern side of Cull Road is up for development.*

Ms Torr congratulated the City for knocking down mountains and filling holes across the municipality over the past year.

**Councillor Wiseman**, asked if a site visit to Little Grove is planned?

*The Deputy Mayor responded: Yes, was organised and communicated to all Councillors last week.*

Speaker Seven

**Mr Austin Woods, Cull Road**

Mr Woods raise concern that when he enquired about proposed developments in the vicinity of his property to the Council, that he was advised that is not any of his business.

*EDDS Response: The Western Australian Planning Commission (WAPC) issues approval for sub-division. If the development is adjacent to private property, it would be regarded as good practice for the construction manager/site foreman to inform local residents; however, they are not obliged to.*

Item 6.0 continued.

Speaker Eight

**Councillor Price** asked if Council approved a development, does the city have the capacity to advise neighbours as a matter of courtesy.

*EDDS Response: Council is not always aware of a developer time lines; however the City has the technical capacity to inform neighbours of proposed developments.*

**Ms Patricia Allen, Little Grove**

Ms Allen asked how a development can be approved when the Little Grove Planning Strategy hasn't been approved.

*EDDS Response: The WAPC has unfettered approval powers with a Local Authorities Town Planning Scheme. Therefore, doesn't have to comply.*

Speaker Nine

**Mr Nesbitt**

Why can the WAPC approve a development outside of the Local Government Planning Scheme or plan?

*EDDS Response: The State Government has maintained control of the sub-division process. If you would like to change this process I can only suggest that you lobby your State Government representatives.*

Speaker Ten.

**Mr Tony Harrison, Little Grove**

Mr Harrison advised Council not to let the Esplanade Development progress during the January to February period to protect holiday accommodation and restaurants in the vicinity from dust that could be exacerbated by the strong Easterly winds and if allowed to go ahead, there could be strife from affected residents that could result in bad Feng Shui.

*EDDS Response: Once a building license is issued the developer has a right to build. A Dust Management Plan is in place for the site that consists of a barrier to shield the entire site. However, it is acknowledged that it is impossible to control all the dust.*

**Councillor Bostock** in response to the previous question from Mr Nesbitt asked if the WAPC had contacted the City.

*EDDS Response: Yes, it is understood that the WAPC has fulfilled their obligation to consult.*



Item 6.0 continued.

**Councillor Price**, sought information from the EDDS on why subdivision applications do not come before Council.

*EDDS Response: Council is only consulted and does not have a decision making role. It has been a practice for the past 15 years that City of Albany staff provide the consultation report to the WAPC.*

**Announcement:**

The Deputy Mayor introduced the new Chief Executive Officer, Mr Paul Richards, and welcomed him to the City.

**7.0 CLOSURE OF MEETING**

There being no further business the Mayor declared the meeting closed at 7.30pm.

Confirmed as a true and correct record of proceedings.

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**D Wolfe**  
**Deputy Mayor**