



MINUTES

ANNUAL GENERAL MEETING OF ELECTORS

**Held on
Tuesday, 4th December 2007
7.00pm
City of Albany Council Chambers**

City of Albany

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Signed



Andrew Hammond
Chief Executive Officer

Date: 18th December 2007

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1.0 DECLARATION OF OPENING

His Worship the Mayor declared the meeting open at 7.02pm and extended a welcome to all present.

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

Mayor -	MJ Evans, JP
Councillors -	J Bostock
	DM Price
	RC Buegge
	DR Wiseman
	EK Stanton
	DJ Wolfe
	J Matla
	GA Kidman
	CA Morris
Chief Executive Officer	A Hammond
Executive Director Development Services	R Fenn
Manager of Finance	S Goodman
Manager Corporate Services	WR Parker
Manage City Services	I Neil
Minute Secretary	S Jamieson

12 members of the public were in attendance.

Apologies/Leave of Absence:

Executive Director Corporate & Community Services	WP Madigan
Executive Director Works & Services	L Hewer
Councillors:	JM Walker
	NE Williams
	R Paver

At 7.03 pm His Worship the Mayor asked all in attendance to be upstanding and requested Councillor Price to read the opening prayer.

3.0 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 PUBLIC QUESTION 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.

The following members of the public addressed Council:

- **Mr Brian Wooldridge, Albany Hwy, McKail**

Mr Wooldridge addressed Council in regards to the Waterfront development and the community group, Voice of Australia.

The following details Mr Wooldridge's tabled address to Council:

I have been asked to speak on behalf of the Albany branch of Voice of Australia. VOICE is conducting a referendum on the issue of the Albany Waterfront project. The reason for doing this is due to a lack of consultation by the council and state government with the people of Albany. On three occasions during 2006 and 2007 the council was specifically asked to conduct a survey or referendum for the electors of Albany on the issue of the Waterfront Project. This was denied by the Albany City Council so members of the community approached Voice of Australia and asked them to assist in running a referendum. VOICE is a non profit and non political group, funded only by donated money and time.

We are concerned by comments made by prominent people in the media last week saying that this referendum is not official and not legal.

This referendum is being done under the people's rights to Citizens' referendums under section 128 of the annotated Australian constitution and by the right of common law. It is a democratic process of finding out what is the will of the majority of the people. Surely no-one could have a problem about a process which is going to settle the issue of the people's wishes. Everyone is encouraged to have their vote.

I would also like to allay the fears of the councillors that this referendum is about trying to get rid of the current council. If you carefully read the Sanction questions at the bottom of the ballot paper, you will see that it says that any sanctions would only be applied, if the majority will of the people is not respected.

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- **Ms Vera Torr, Sussex Street**

Ms Torr addressed Council. The following details Ms Torr's tabled address to Council. Page 1 – Ms Torr's tabled document. (Record Number AM704043)

I am speaking tonight on the role of VOICE OF AUSTRALIA in the democratic processes of our society.

Voice of Australia is a not for profit and non political group funded only by donations and people's time.

Voice is conducting a referendum on the issue of the Albany waterfront and emu point project under the people's rights to a Citizens referendum.. section 128... of the annotated Australian Constitution and by the right of common law. It is a legal democratic process of finding out the will of the people.

Voice polling staff are community volunteers and have signed a declaration of honesty and impartiality whilst conducting the duties of the referendum. There is a strict set of guidelines and procedures to protect the identity and privacy of the voter. This is a referendum for every Albany elector to have a say.

The controversial aspect of this referendum is the sanctions that **IT IS ASKING TO BE IMPOSED IF THE WILL OF THE PEOPLE IS NOT HEEDDED.**

The best I can explain these are that if a new law is legislated but there is no expectation of compliance to that law then that law is legless. You may have broken THAT law gone to court been judged guilty and if there is no penalty then there is no point enforcing the law. The sanctions are required for this referendum should it need to go to court. They do not currently reflect on any individual nor in particular any councilor in this room. You are a new council elected democratically to present to council the will of the people you represent.

And we have put our trust in you to present the will of the people to Council.

VOICE was approached and accepted to organize this referendum. The approach was precipitated by the results of the 1998 City of Albany survey, the 2004 UWA survey the 2007 ARRA survey all authenticated and legal surveys...and the 3000 strong petition submitted to council in Mar/April 2007. ..also legal...all being rejected or ignored and in some cases being erroneously or mischievously mis-used as supporting documents. These surveys and petitions that indicated the will of the people have now been disregarded. The measures put in place in 2001/2002 to protect our natural assets were revoked in 2004 and 2006. The will of the people as determined by this referendum cannot be put aside nor disregarded.

As ratepayers and contributors to the structure of this City and it's viability every-one has a democratic right to be heard and not just heard but to have consideration given to the wishes of the people in decision making that affects each one's monetary, social and life style expectations. They are in effect shareholders in their own company. Most have a holding of 500.000 dollars. Many have much more. But I will be bold here and say that

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Page 2 – Ms Torr’s tabled document. (Record Number AM704043)

however we differ we have one strong common bond - we are all passionate about OUR City and we all must have a say on how it is moulded.

VOICE is giving us all that opportunity.

I now speak on behalf of myself....People must ask their councilors and Council, the Govt and Landcorp for more than what we are getting in the way information is being presented.

We want 3d modeling and correct information on the visuals of these projects.....artists impressions will no longer suffice. Yes we can be fooled by these illustrations but it is not the purpose of our existence to be fooled... it is our purpose to participate actively in what we would like our town to be and to become. We can only do that if we have good informative information. We all asked for development on the foreshorenot a rich man’s playground.....

Questions from all sides of the track amount to these.....

Who will be responsible for the first road train accident. How are you going to manage a disaster at the waterfront with limited access. How does the extra traffic impinge on the capacity of York Street to cope. Why is there no new traffic study been undertaken. Why doesn’t the Ashley traffic study take lower York st and Proudlove parade traffic into account. IGA will be locked out at Proudlove Parade exit. Is there another master traffic plan we haven’t been told about yet. Why was the AEC relocated. This is the centre for the people of Albany...is it just being used as a convenience tool for some other agenda....we are using our own building to block out our own views..... who asked the government to spend an outrageous amount on this building when they won’t spend it on health or sport in our town. Why won’t they spend it on health and sports.....prime land...is the port moving...what will happen to Granges 9 hctres and the woodchips 6 hctres.....no-one will answer these questions.who tells the tourist we don’t care if he didn’t get any sleep....he is leaving tomorrow.....

I know what we have here in Albany. I see it’s beauty but I see this beauty being eroded by new by-laws being introduced that cater for development only ..not development and the retention of the aspects of the beauty. I see the beauty of a cow.... some see the piece of meat. Is that what Albany is ...a ripe cow for the slaughter....a piece of meat. A trophy. Or should it be OUR City ...Our City of Pride riding a crested wave for all the people of Albany.

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Page 3 – Ms Torr's tabled document. (Record Number AM704043)

ITEM THREE

Mayoral and Councillors remuneration packages.

In light of the Mayoral duties I have seen being carried out in our community of recent and the time factor involved is it timely to re-investigate the Mayoral allowance. I know he is also having fun some of the time but it is o-kay to get paid for having fun. I believe a Mayor should be the focal point and ambassador for our City.

Likewise our councilors and their remuneration packages are these also appropriate for the volume of work attached to their responsibilities. I want full access to my councilors without feeling guilty.

Method of Picking a speaker

Is there any suggestions for a better method of selecting a speaker. Sometimes we are subjected to six statements on the same topic whilst others miss out.

Budget.....I cannot get a handle on the Collie St inclusion in the statement. Is it included as income for the last financial year. Is there a profit and loss statement somewhere.

Manager of Finance, Mr Stan Goodman responded to Ms Torr's question on Collie Street, stating that an Agenda Item will be tabled at the next Ordinary Council Meeting, 18th December 2007, advising that the Collie St project will not proceed.

- **Ms Juliet Albany, Duke St, Albany**

Ms Albany addressed Council in regards to the Waterfront Development. Ms Albany requested Council to reconsider/review the Waterfront development, in particular the quality of the proposed development, sighting the States Government record on funding other entertainment projects, such as the Perth entertainment centre.

Ms Albany stated she has over 20 years of urban design experience and is very passionate about the inclusion of heritage, community accessibility (Elderly and Young), sensitivity towards the existing 'Town Scape' to ensure development contributes to a community's 'Sense of Place'.

Ms Albany stated that tourists visit and will continue to visit Albany, in appreciation of the pristine natural environment, and low to small scale infrastructure.

Ms Albany recommended to Council that a more appropriate location for the entertainment centre would be the old Council Office site on York St, as it would resolve two major issues facing the water front development, being: access to parking, and retail shops.

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Ms Albany recommended that an appropriate development model would be the Barrack Street Square development in Perth.

In closing Ms Albany stated that the development should be limited to:

- (1) Development of the marina;
- (2) Development of restaurants; and
- (3) Maintain the focus of the development for the people of Albany, not the potential visitor.

- **Mr Tony Demarteau, Lorenzo Way, Orana**

Mr Demarteau addressed Council and stated the following:

- (1) He was pleased that the Annual Report mentioned the ANZAC centenary, as a positive move, and he reminded Council that the anniversary of the time the ANZAC forces left should not be overlooked.
- (2) That Council look at providing 'Seniors Parking' to provide better access for Senior Citizens in the Central Business District (CBD), noting this was to be in addition to parking allocated to disabled members of the community.
- (3) That Council look at developing the sporting centres we already have.
- (4) Mr Demarteau congratulated the City on its recycling program and suggested that recycling collection could be increased from once a fortnight to weekly, to ensure that recyclable material is not placed in the normal refuse collection.
- (5) Mr Demarteau finally requested the Council to review the 7 day trading policy, in light of the successful trading experienced during the recent visit of the P&O Star Princess.

- **Shanti Bezar, Brunswick Rd, Port Albany**

Ms Bezar addressed Council and pointed out that during the recent P&O ship visit that a lot of visitors had to walk on the road to access the City centre.

Ms Bezar suggested that a pathway needs to be developed for Port visitors, in order to provide adequate pedestrian protection.

- **Ms Juliet Albany, Duke St, Albany**

Ms Albany addressed Council for the second time to raise the alarm of a rabbit colony in the vicinity of the Amity precinct.

The CEO, Mr Hammond, thanked Ms Albany for raising her concern about the rabbit colony and that the Council appreciates such observations being reported.

The CEO stated that these reports are taken very seriously and appropriate action will be taken to ensure that City infrastructure is protected.

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 Annual General Meeting of Electors 2005/2006 held on the 5th December 2006

RECOMMENDED

THAT the minutes of the Annual General Meeting Of Electors 2005/2006 held on the 5th December 2006, as previously distributed be confirmed as a true and accurate record of proceedings.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR MATLA**

THAT the minutes of the Annual General Meeting Of Electors 2005/2006 held on the 5th December 2006, as previously distributed be confirmed as a true and accurate record of proceedings.

MOTION CARRIED 10-0

6.0 RECEIPT OF ANNUAL REPORT FOR THE 2006/2007 FINANCIAL YEAR

RECOMMENDED

THAT the City of Albany Annual Report for the 2006/2007 Financial Year be received.

**MOVED COUNCILLOR BUEGGE
SECONDED COUNCILLOR PRICE**

THAT the City of Albany Annual Report for the 2006/2007 Financial Year be received.

MOTION CARRIED 10-0

7.0 GENERAL BUSINESS

Nil

8.0 CLOSURE

There being no further business, the meeting closed at 7.20pm.

Confirmed as a true and correct record of proceedings.



MJ EVANS, JP
Mayor