



MINUTES

SPECIAL MEETING OF COUNCIL

**on
Friday 23rd August 2002
12 noon**

City of Albany - Mercer Road Office

**PLEASE NOTE THESE MINUTES HAVE YET TO BE ADOPTED BY COUNCIL AS A TRUE
RECORD OF PROCEEDINGS**

City of Albany

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Signed _____

Date: 27th August 2002

Andrew Hammond
Chief Executive Officer

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1.0 DECLARATION OF OPENING

Mayor Goode declared the special meeting open at 12.00noon and extended a welcome to all present.

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

Attendance:

Mayor	- A.E. Goode JP
Councillors	- M.J. Evans JP
	- A.H.M. Demarteau
	- R.H. Emery
	- D.M. Evers
	- J.D. Williams
	- D.J. Wolfe
	- J. Cecil
	- D.W. Wellington
	- I.A. West
	- G Sankey
Chief Executive Officer	- A.C. Hammond
Executive Director – Development Services	- R. Fenn

12 members of the public
3 media representatives

Apologies/Leave of Absence:

Councillors	- S.M. Bojcun - apology
	- J Walker – apology
	- I.W. Wilson - apology
	- E.A. Barton - apology
Executive Director – Corporate & Community Services	- W.P. Madigan
Executive Director Works & Services	- B Joynes

3.0 OPENING PRAYER

Mayor Goode 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 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 Her 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.

Nil.

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR EVANS**

THAT GWN be allowed to record the meeting in accordance with Section 4.3 of the City of Albany's Standing Orders Local Laws.

MOTION CARRIED 11-0

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

7.0 DISCLOSURE OF FINANCIAL INTEREST

[Members of Council are asked to use the forms prepared for the purpose, aiding the proceedings of the meeting by notifying the disclosure by 3.00pm on that day.]

Nil.

8.0 REPORTS – GENERAL MANAGEMENT SERVICES

8.1 Rezoning of the North Road Administration Centre Site

File/Ward	:	PRO284 (All Wards)
Proposal/Issue	:	To undertake Community Jury to Facilitate Rezoning of North Road Administration Site.
Subject Land/Locality	:	North Road Depot Site
Proponent	:	Honourable Alannah MacTiernan, MLA Minister for Planning and Infrastructure
Owner	:	City of Albany
Reporting Officer(s)	:	Chief Executive Officer (A Hammond)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 17.07.01 Item 11.1.4 OCM 15.05.01 Item 18.1 OCM 20.02.01 Item 14.1.1
Summary Recommendation	:	Several Options
Bulletin Attachment	:	N/A
Locality Plan	:	N/A

BACKGROUND

1. Council has received a response from the Minister for Planning and Infrastructure that she requires the conduct of a Citizens Jury to assist in the determination of approval or otherwise of Amendment No. 134.
2. The process of the Jury is set out in the attached draft Memorandum of Understanding to be agreed upon between the City and the Minister.

STATUTORY REQUIREMENTS

3. The Minister for Planning and Infrastructure has total power to approve or disallow the rezoning of the North Road Site. No appeal provisions exist.

POLICY IMPLICATIONS

4. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

5. The Minister for Planning and Infrastructure will fund the Citizens Jury.

Item 8.1 continued.

STRATEGIC IMPLICATIONS

- 6. There are no strategic implications relating to this item.

COMMENT/DISCUSSION

- 7. Council has essentially three options in terms of the response from the Minister:
 - a) The first option is to accept the offer of the Citizens Jury and commence the process in conjunction with the Ministry for Planning and Infrastructure;
 - b) The second option is to accept the offer of the Citizens Jury with amendments to the Memorandum of Understanding that may better suit Council's requirements. Should the Minister not agree with the amendments then this consideration could lead to the amendment proposal being refused; and
 - c) The third option is to reject the Citizens Jury concept which would lead to the amendment proposed being refused.

RECOMMENDATION

Option 1:

That the Citizens Jury process, as defined by the Minister for Planning and Infrastructure, be accepted and actions commenced immediately to progress the matter.

Option 2:

That the Minister for Planning and Infrastructure be requested to accept the amendments to the process of the proposed Citizens Jury and actions commenced immediately to progress the matter.

Option 3:

That the Citizens Jury concept be rejected and the Minister for Planning and Infrastructure be advised accordingly.

Voting Requirement Simple Majority

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Item 8.1 continued.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR DEMARTEAU**

THAT Council request the Hon Minister for Planning & Infrastructure to accept the following amended process as the basis of conducting the Citizens Jury to gauge community acceptance of the North Road rezoning Proposal.

**MEMORANDUM OF UNDERSTANDING
BETWEEN MINISTER FOR PLANNING AND INFRASTRUCTURE
AND
CITY OF ALBANY**

ON THE ALBANY ADMINISTRATIVE CENTRE

Background

Professional planning advice is to maintain the primacy of the CBD as an administrative centre. However, the site preferred by the Albany City Council is outside the city centre. To resolve this issue, it is suggested that a representative, informed, community group should play a primary role.

Memorandum of Understanding

Between the Minister for Planning and Infrastructure and the City of Albany

- **The community consultation process will address the following question:
Is the North Road Site an appropriate location for a Council Administration Centre?**
- **The community consultation methodology will be a Citizens' Jury;**
- **The Citizens Jury will be facilitated by Dr Janette Hartz-Karp, a consultant experienced in facilitating Citizen's Juries;**
- **The Citizens Jury hearings will be completed over one day;**
- **The process will be overseen by an Advisory Group consisting of a member of the Albany City Council, a representative of the WAPC, a representative from the Ministers' Office, and two community representatives (one supporting a site in the CBD, one supporting a site outside the city centre), The City of Albany reserves the right of veto over the selection of the community representatives;**
- **Citizens Jury representatives will be elicited from a WA Electoral Commission random sample;**
- **The Advisory Group will determine the criteria for selection (eg half female, half male; half with interested within the CBD, half from outside, no people from the same family or living on the same street);**
- **An independent person will select the Jury according to the agreed upon criteria. Between 12 – 15 jurors will be selected;**
- **Expert Witnesses will be chosen by the Advisory Group;**

Recommendation Cont...

- **Expert Witnesses will be given sufficient time (2 – 3 weeks) to prepare briefs to present to the Jury;**
- **The public will be allowed to attend the first part of the Jury hearings where the Expert Witnesses present their briefs and are questioned by the Jurors;**
- **½ hour will be allocated to allow members of the public to put their written questions to the Expert Witnesses;**
- **Following Expert Witness examination, all members of the public will leave, enabling the Jury to deliberate in camera;**
- **The outcome of the Citizens' Jury will be written in a brief report that will be presented to the Advisory Group;**
- **All parties will abide by the Jury's recommendation;**
- **The Jury will aim to achieve a consensus decision. A consensus decision will be defined as finding common ground – a solution that all members can live with even if it is not their best option;**
- **If the recommendation is in support of the North Road site, the Minister will grant final approval to the amendment to facilitate the use of North Road for this purpose;**
- **If the Jury is unable to reach consensus, then a 2/3 majority vote will be definitive;**
- **During this process, any issues of contention regarding the process will be submitted to the Advisory Group for their deliberation and will not be discussed in the media.**

MOTION LOST 5-6

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR EVERS**

THAT the Citizens Jury concept be rejected and the Minister for Planning and Infrastructure be advised accordingly.

MOTION LOST 2-9

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EMERY**

THAT the Citizens Jury process, as defined by the Minister for Planning and Infrastructure, be accepted and actions commenced immediately to progress the matter.

MOTION LOST 5-6

Item 8.1 continued.

**MOVED COUNCILLOR EVERS
SECONDED**

THAT Council direct staff to call expressions of interest for architectural design services to modify and extend the existing Mercer Road office building to accommodate all Council “inside” staff.

MOTION LAPSED FOR WANT OF A SECONDER

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WILLIAMS**

That Council make a delegation to the Hon Mr Geoff Gallop, Premier of Western Australia, expressing concern that the City is unable to construct a new Administration Centre to house all of its staff in the most appropriate location as a result of a refusal from the Minister for Planning & Infrastructure to expediently and efficiently deal with the rezoning application for the site

MOTION LOST 2-9

9.0 CLOSED DOOR

Nil

10.0 NEXT ORDINARY MEETING

Tuesday 17th September, 2002, commencing 7.30pm
Green Range Country Club, Hassell Highway, Green Range

11.0 CLOSURE OF MEETING

12.49pm

Confirmed as a true and correct record of proceedings.

AE Goode, JP
MAYOR