



A G E N D A

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 3rd April 2001
7.30pm
City of Albany - Mercer Road Office**

City of Albany

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Signed _____

Date: 29th March 2001

Andrew Hammond
Chief Executive Officer



NOTICE OF AN ORDINARY COUNCIL MEETING

Her Worship The Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday, 3rd April, 2001 in the Council Chambers, Mercer Road, Albany commencing at 7.30 pm.

(Signed)

Andrew Hammond
CHIEF EXECUTIVE OFFICER

29th March 2001

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1.0 DECLARATION OF OPENING

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

Councillor J Lubich

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 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.1 L. Weetman

In response to questions taken on notice at the Council meeting held on 20th February 2001, the following reply was provided to Ms Weetman by letter dated 19th March 2001:

“Thank you for submitting a copy of the questions you asked at the ordinary meeting of Council held on 20th February 2001. Your questions related to the continuation of the animal exercise area at Middleton Beach and the following answers are provided:

- 1. The section of beach between the northern end of the Middleton Beach Caravan Park and Griffiths Street has been used as a dog and horse exercise area for many years. While dogs are permitted to use the whole stretch of beach, horses are restricted to within one kilometre of Griffiths Street.*

Signs have been installed by the City advising the public that dogs and horses are permitted to exercise on that part of the beach, and the signs at Griffiths Street clearly state the times horses are permitted to exercise.

While the City has introduced measures to warn the public, a recent court case reported in "The West Australian" indicates that the question of liability cannot be readily determined.

- 2. Currently, there are no restrictions on the type of training that can occur on the beach. Some trainers swim their horses whereas others use the beach only.*
- 3. A separate access track for horses only will be investigated as part of the local law review.*
- 4. Bag dispensers will be installed at all access points to the animal exercise area as soon as possible.*

5. *Unfortunately, while the City's rangers endeavour to keep the bag dispensers full, some dog owners take up to 30 bags at a time for use in their own backyard which quickly depletes the number of bags available. Vandals also target the dispensers. I have asked the rangers to check the dispensers on a more regular basis.*
6. *Currently, only dog owners are required to remove excreta. The proposed local law will extend this requirement to horse owners and the anticipated penalty for non-compliance will be a \$100.00 infringement notice.*
7. *The Local Government Act 1995 contains specific provisions in regard to Councillors declaring an interest in a particular issue that they might be required to vote on. Councillors are aware of these provisions and it is their decision as to whether they have an interest or not.”*

5.0 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.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

6.1 Ordinary & Special Council Meeting Minutes (as previously distributed).

6.1.1 DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 13th March 2001

as previously distributed be confirmed as a true and accurate record of proceedings, with the following amendment to Items 11.1.1 & 11.1.2.

Item 11.1.1 Proposed setback relaxation – Development Area – Lot 115
Eden Road, Youngs

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WALKER**

That this item be deferred to the next meeting of Council and an on site inspection be arranged in the interim.

MOTION CARRIED 13-1

Item 11.1.2 Proposed Setback Relaxation – Development Area – Lot 127 Eden Road, Youngs

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WILSON**

That this item be deferred until a site inspection had taken place.

MOTION LOST 6-8

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR DUFTY**

THAT Council delegate pursuant to Section 6.10.1 of the Town Planning Scheme to the Manager Development authority to issue a Planning Scheme Consent Notice for a proposed development within the requested building envelope on Lot 127 Eden Road, Youngs, subject to the following requirements being incorporated into an approval:

- i) the proposed dwelling is to be screened by, and located entirely below, the small hill identified on the plan accompanying the application;
- ii) no clearing of the building envelope is permitted unless a building licence has been issued for a structure (being a dwelling or associated outbuilding); and
- iii) the requested building envelope being pegged in accordance with the approved plan.

**MOTION TIED
MAYOR EXERCISED CASTING VOTE
MOTION LOST**

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

8.0 DECLARATIONS 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.]

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

11.0 REPORTS – DEVELOPMENT SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on green – See Pages 8-41]

12.0 REPORTS – CORPORATE & COMMUNITY SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on yellow – See Pages 42-70]

13.0 REPORTS – WORKS & SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on pink – See Pages 71-77]

14.0 REPORTS – GENERAL MANAGEMENT SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on buff – See Pages 78-79]

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

- 15.1 Minutes of the Great Southern Regional Cattle Saleyards Joint Venture Committee meeting held on Monday 12th March 2001.
[Bulletin 2.1 refers] [Pages 34-52]

DRAFT MOTION

THAT the minutes of the Great Southern Regional Cattle Saleyards Joint Venture Committee meeting held on Monday 12th March 2001 be endorsed and the recommendations adopted.

- 15.2 Minutes of the Albany Arts Committee meeting held on Thursday 15th March 2001.
[Bulletin 2.2 refers] [Pages 53-55]

DRAFT MOTION

THAT the minutes of the Albany Arts Advisory Committee meeting held on Thursday 15th March 2001 be endorsed and the recommendations adopted.

- 15.3 Minutes of the Bushcarers Advisory Committee meeting held on Thursday 22nd March 2001.
[Bulletin 2.3 refers] [Pages 56-57]

DRAFT MOTION

THAT the minutes of the Bushcarers Advisory Committee meeting held on Thursday 22nd March 2001 be endorsed and the recommendations adopted.

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17.0 MAYORS REPORT

18.0 URGENT BUSINESS APPROVED BY MAYOR OR BY DECISION OF THE MEETING

19.0 CLOSED DOORS

20.0 NEXT ORDINARY MEETING DATE

Tuesday 1st May 2001, 7.30pm

21.0 CLOSURE OF MEETING