



AGENDA

WORKS AND SERVICES COMMITTEE MEETING

Wednesday 10 February 2016

6.00pm

City of Albany Council Chambers

**CITY OF ALBANY
COMMUNITY STRATEGIC PLAN (ALBANY 2023)**

VISION

Western Australia's most sought after and unique regional city to live, work and visit.

VALUES

All Councillors, Staff and Volunteers at the City of Albany will be...

Focused: on community outcomes

This means we will listen and pay attention to our community. We will consult widely and set clear direction for action. We will do what we say we will do to ensure that if it's good for Albany, we get it done.

United: by working and learning together

This means we will work as a team, sharing knowledge and skills. We will build strong relationships internally and externally through effective communication. We will support people to help them reach their full potential by encouraging loyalty, trust, innovation and high performance.

Accountable: for our actions

This means we will act professionally using resources responsibly; (people, skills and physical assets as well as money). We will be fair and consistent when allocating these resources and look for opportunities to work jointly with other directorates and with our partners. We will commit to a culture of continuous improvement.

Proud: of our people and our community

This means we will earn respect and build trust between ourselves, and the residents of Albany through the honesty of what we say and do and in what we achieve together. We will be transparent in our decision making and committed to serving the diverse needs of the community while recognising we can't be all things to all people.

TERMS OF REFERENCE

(1) Function:

The Works & Services Committee will be responsible for the delivery of the following Clean and Green Objectives contained in the City of Albany Strategic Plan:

- (a) To protect and enhance our pristine natural environment;
- (b) To promote environmental sustainability;
- (c) To promote our region as clean and green.

(2) It will achieve this by:

- (a) Developing policies and strategies;
- (b) Establishing ways to measure progress;
- (c) Receiving progress reports;
- (d) Considering officer advice;
- (e) Debating topical issues;
- (f) Providing advice on effective ways to engage and report progress to the Community ; and
- (g) Making recommendations to Council.

(3) Chairperson: *Councillor Sutton*

(4) Membership: *Mayor Wellington, Councillor Stocks, Councillor Smith, Councillor Moir, Councillor Sutton, Councillor Hollingworth, Councillor Shanahun*

(5) Meeting Schedule: 2nd Wednesday of the month

(6) Meeting Location: Council Chambers

(7) Executive Officer: Executive Director Works and Services

(8) Delegated Authority: None

WORKS AND SERVICES COMMITTEE
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1. DECLARATION OF OPENING

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

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

“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.

We would also like to pay respect to Elders both past and present”.

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor

Mayor D Wellington (Member)

Councillors:

Member

R Sutton (Chair)

Member

A Moir (Deputy Chair)

Member

G Stocks

Member

S Smith

Member

B Hollingworth

Member

J Shanhun

Staff:

Executive Director Works and Service

M Thomson

Minute Secretary

J Williamson

Apologies:

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4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6. PUBLIC QUESTION TIME

7. PETITIONS AND DEPUTATIONS

8. CONFIRMATION OF MINUTES

DRAFT MOTION

THAT the minutes of the Works and Services Committee Meeting held on 9 December 2015, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

9. PRESENTATIONS

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

WS099: CITY CENTRE PARKING STRATEGY – PARKING AREA ZONE F – LAND ACCESS AGREEMENT

Land Description : 104 - 110 Stirling Terrace
Proponent : City of Albany
Owner : Primeking P/L; Ocean View Nominees; Plus Fifty P/L – Guarantor (P Lionetti)
Attachments : Layout Plan – Stage 1
Confidential Landowner Agreement (under separate cover).
Report Prepared by : Manager, City Engineering (D King)
Responsible Officer : Executive Director Works and Services (M Thomson)

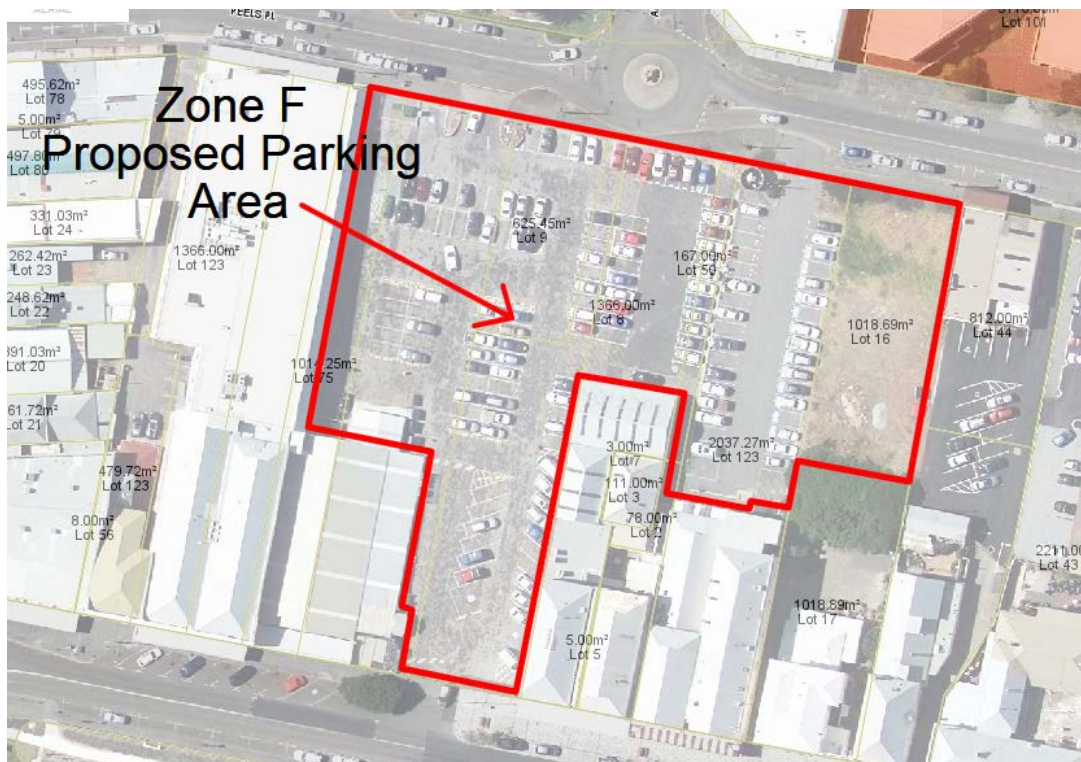
Responsible Officer’s Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a. **Key Theme:** 3. A connected built environment.
 - b. **Strategic Objective:** 3.1.To advocate, plan and build friendly and connected communities.
 - c. **Strategic Initiative:** 3.1.2. Parking and Traffic Modelling.

Maps and Diagrams:



CBD Parking Scheme Plan – Zone F Extract

In Brief:

- At the 28 April 2015 Ordinary Council Meeting, Council authorised the CEO to establish an agreement with affected landowners to develop and improve parking at 104 – 110 Stirling Terrace.
- Negotiations have concluded and a legal document is ready for execution. Prior to doing so and commencing works, Council consideration is required in respect to the final terms of the agreement.
- The proposed works yields in the order of 66 additional parking spaces.
- This report recommends that Council endorse the agreement and progress the parking improvement works

RECOMMENDATION

WS099: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ENDORSE the legal agreement between the City of Albany and the landowner of 104 – 110 Stirling Terrace as attached and proceed with the proposed parking improvement works.

BACKGROUND

2. Reference is made to the City of Albany City Centre Parking Strategy 2013 in particular the area identified as zone F in the strategy.
3. Zone F (104-110 Stirling Terrace) identifies a number of individual parcels of land giving the opportunity to consolidate and increase public parking.
4. An agreement exists between the landowner of 104 - 110 Stirling Terrace and the City of Albany which allows the City to make use of the available parking in Zone F (as listed in for public parking. This agreement expires on 5 June 2017.
5. Under the agreement, the City of Albany is responsible for the maintenance of signage within the car park (which provides for 34 public parking spaces and enforcement if and when required.
6. The current agreement does not enable access for any development/expansion of additional parking or any financial contributions as such. Hence a new agreement has been drawn.
7. At Ordinary Council Meeting of 28 April 2015, Council resolved the following:
“That Council:
 1. *AUTHORISE the CEO to negotiate an agreement with the landowners of 104-110 Stirling Terrace (Primeking P/L; Ocean View Nominees; Plus Fifty P/L – Guarantor (P Lionetti) to grant access to the Land for the purpose of including the Land - within the City's Parking Scheme Plan until 2030;*
 2. *APPROVE the budget reallocation of \$40,000 from job 3376 Car Park Reseals and accept a contribution of \$30,000 from the associated land owners to fund a new budget expenditure line item CBD Parking Improvements of \$70,000.”*
8. In the April OCM Report Officers identified that the works would be undertaken in two stages:
 - a) Stage 1 – Retaining wall, landscaping, median islands, access works and pavement works at an estimated cost of \$70,000. A contribution of \$30,000 from the landowner will be sought as per the agreement.

- b) Stage 2 – Asphalt overlay at an estimated cost of \$120,000. A contribution of 50% will be sought from the landowner as per the agreement.
- 9. Due to delays caused by ongoing negotiations, the initial indication given that stage one works would commence in 2014/15 have now been carry forward into the 2015/16 budget. The works are still proposed to be carried out in 2 stages.

DISCUSSION

- 10. Preliminary designs and discussions with the landowner indicate that around 100 car parking bays will be made available for public use. The current carpark provides 34 public parking spaces. A plan showing the new layout is attached.
- 11. Public car parking limits will be enforced by the City of Albany, in accordance with the City of Albany Parking and Parking Facilities Amendment Local Law 2012.
- 12. Permit systems are to be devised and administered by the landowner but enforced by the City of Albany.

GOVERNMENT & PUBLIC CONSULTATION

- 13. Public consultation on this matter is not required, until such time as works commence in order to notify the public of construction activities.
- 14. Modification to the parking scheme will need to be advertised when appropriate.

STATUTORY IMPLICATIONS

- 15. The City may introduce parking scheme by determination under the City of Albany Parking and Parking Facilities Amendment Local Law 2012.
- 16. A legal agreement with the landowners of 104 - 110 Stirling Terrace, will allow the City to implement the necessary parking arrangements in accordance with the Local Law. This includes the retention of fines through enforcement.

POLICY IMPLICATIONS

- 17. There are no policy implications related to this item.

RISK IDENTIFICATION & MITIGATION

- 18. The risk identification and categorisation relies on the City’s Enterprise Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Reputation. City invests in parking area which then becomes unavailable due to changes in landowners or development	Possible	High	High	Agreement to provide protection to City investments to 2030, and make provision for reimbursement of capital on a pro rata basis should the agreement be terminated.
Community. Inadequate parking space may impact negatively on the public wishing to undertake business or are employed in the CBD.	Likely	Moderate	High	Modify and review parking limits to provide for better parking efficiency in line with business and community feedback. Consolidate parking spaces where possible with owners consent.

FINANCIAL IMPLICATIONS

19. Total project cost of \$190,000 over two stages comprised of:

Stage 1 - 2015/16	
City of Albany contribution	\$40,000
Landowner Contribution	\$30,000
Total	\$70,000
Stage 2 - 2016/17 (TBC)	
City of Albany contribution	\$60,000
Landowner Contribution	\$60,000
Total	\$120,000
Total Project Cost (2 years)	\$190,000
<i>City of Albany contribution for 2 years</i>	<i>\$100,000</i>
<i>Landowner contribution for 2 years</i>	<i>\$90,000</i>

20. The first stage expenditure of \$40,000 is budgeted in 2015/16.

21. Approval for proposed 2016/17 expenditure will be sought via the annual budget process.

LEGAL IMPLICATIONS

22. Any parking scheme amendments must be implemented in accordance with the City of Albany Parking and Parking Facilities Amendment Local Law 2012.

23. Once adopted by Council, public notice must be given prior to enforcement of new or amended parking limitations.

24. A legal agreement is required with the landowner, to enable the City to enforce the Parking Local Laws.

ENVIRONMENTAL CONSIDERATIONS

25. Nil.

ALTERNATE OPTIONS

26. The City can elect to maintain the status quo with respect to this parking space and not endorse the agreement.

SUMMARY CONCLUSION

27. By carrying out works to increase the number of available public car parking spaces in Zone F, the City of Albany will improve CBD car parking provisions as identified in the Parking Strategy.

28. This report recommends that the draft agreement be endorsed and works proceed.

Consulted References	:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Functions and General) Regulations 1996</i> • <i>City of Albany Parking and Parking Facilities Amendment Local Law 2012</i>
File Number (Name of Ward)	:	CS.AGR.11
Previous Reference	:	OCM 28/04/2015 Item WS071 OCM 24/03/2015 Item WS068 OCM 27/08/2013 Item WS004

**WS100: COMMUNITY CONSULTATION ON PROPOSED MOTOCROSS
VENUE - RESERVE 30463**

Land Description	: Reserves 30463 and 35381
Proponent	: City of Albany
Owner	: Crown Land - Department of Parks and Wildlife
Attachments	: Plan – Consultation Buffers - 3km Radius from subject site. Consultation Report.
Report Prepared by	: Executive Director Works and Services (M Thomson)
Responsible Officer	: Executive Director Works and Services (M Thomson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014-2018:
 - a) **Key Theme:** 3 A Connected Built Environment
 - b) **Strategic Objective:** 3.3.2. Provide planning and building services

Maps and Diagrams

See attached plan: Consultation Buffers – 3km Radius.

In Brief:

- At its ordinary meeting on the 22 September 2015 Council considered the potential for Reserve 30463 Bakers Junction to be developed for the purpose of motocross activities.
- Reserve 30463 is vested with the Conservation Commission of Western Australia and is managed by the Department of Parks and Wildlife (DPaW). DPaW, in-principle, supports a transfer of land management to the City of Albany under a land swap arrangement involving an adjacent City reserve thus transferring management control over R30463 to the City of Albany.
- Following a formal advertising and consultation process being undertaken, considerations around the site location and the impacts of noise to surrounding areas need to be resolved.
- Council received over 300 submissions during the consultation period. Residents within the consultation buffer were predominately opposed to the site being developed as a motocross venue.
- This report recommends that the proposed site (Reserve 30463) not receive any further consideration as a motocross venue.

RECOMMENDATION

WS100: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

1. **DISCONTINUE** any consideration of Reserve 30463, Bakers Junction, for the purpose of motocross on the basis of significant local community opposition; and
2. **NOTE** that City Staff will continue to investigate opportunities into providing a long term venue for motocross activities in consultation with the Albany Motorcycle Club, which will be the subject of a future Council report.

BACKGROUND

2. Reference is made to report WS086: Advertise Use of Reserve 30463 for Motocross which was presented to Council for consideration at its Ordinary Council Meeting on the 22 September 2015.
3. In brief the report sought consideration to advertise the use of Reserve 30463 for Motocross and in particular seek comment from affected landowners/residents concerning the Noise Management Plan which had been prepared for the site.
4. The report also sought to obtain in principle support to a land swap arrangement with DPaW in order to progress arrangements to secure management of the subject land at a future time.
5. At the meeting on the 22 September 2015 Ordinary, Council resolved the following:

That Council:

- a) *SUPPORT in principle transferring land management responsibility of Reserve 30463 Chester Pass Road from the Department of Parks and Wildlife to the City of Albany*
- b) *SUPPORT in principle, in return for item 1 above, transferring land management responsibility of Reserve 35381 Chester Pass Road from the City of Albany to the Department of Parks and Wildlife*
- c) *ADVERTISE the proposed use of Reserve 30463 for motocross and related activities seeking community and government agency comment and seek specific comment on the Albany Motorcycle Clubs proposed Noise Management Plan. The public notice will invite any resident of the City of Albany to make a submission on the proposed use of the site.*
- d) *NOTE that in conjunction with advertising the City will conduct a mail out to affected residents within a 3km radius. Following the conclusion of the advertising period a report will be prepared, that will address comments received, for Council consideration.*

DISCUSSION

6. Consultation was undertaken between October and November 2015.
7. A summary of key concerns raised following the community consultation is contained in the attached Consultation Report. Of those considered “proximity residents” (ie. within the 3km radius) the opposition to the proposed activity at the site was clearly evident.

8. Noise Testing

Additional Noise Testing was carried out on the 31 October 2015 from 1pm to 3pm. The noise testing report is attached for information.

9. Alternative Site Consideration

The City continues to work with the Albany Motorcycle Club in the search for alternative and viable sites for their activities. At this stage, officers are not in a position to comment further concerning alternative sites however there are viable options emerging which will be the subject of a future Council report.

10. Land Transfer

Discussions with DPaW concerning the transfer of land will continue however the benefit to the City would need reconsideration if the motocross proposal does not progress. If there are benefits in the transfer occurring (other than for providing a motocross solution) then this matter will be presented to Council in a future report.

GOVERNMENT & PUBLIC CONSULTATION

11. Consultation results are summarised in the attached Consultation Report.

12. As a requirement under the Environmental Protection (Noise) Regulations 1967 – as amended, landholders within 1km of the boundaries to the portion of Reserve 30463, proposed for motocross, were requested to make a submission on whether or not a Noise Management Plan should be approved. This boundary was expanded to 3km as per Council resolution.

13. The following Government agencies were consulted during the public comment period (specific comments are contained in the consultation report):

- Department of Lands
- Department of Parks and Wildlife
- Department of Planning
- Department of Water

STATUTORY IMPLICATIONS

14. Statutory provisions apply to the transfer of land; in particular under section 43 of the Land Administration Act 1997. However at this juncture the land transfer matter is not being dealt with directly within this report.

POLICY IMPLICATIONS

15. Nil.

RISK IDENTIFICATION & MITIGATION

16. The risk identification and categorisation relies on the City’s Enterprise Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Community & Reputation City proceeds with proposed site and meets with significant opposition from the local community resulting in a poor community relationship and reputational damage.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>Discontinue consideration of the proposed site.</i>

FINANCIAL IMPLICATIONS

17. Nil

LEGAL IMPLICATIONS

18. Nil.

ENVIRONMENTAL CONSIDERATIONS

19. An environmental assessment will need to be submitted and implemented to the satisfaction of the City as a component of an application for Planning Scheme Consent if the subject site is to receive any further consideration for motocross.

ALTERNATE OPTIONS

20. Council can resolve to progress with the use of Reserve 30463 for Motocross by a formal planning application being lodged by the Albany Motorcycle Club.

SUMMARY CONCLUSION

21. The Albany Motorcycle Club has expressed an interest in utilising Reserve 30463 for motocross activities.
22. The City has sought public comment on this proposal, which has met with significant local community objection.
23. This report recommends that further consideration of this site for motocross be discontinued.

Consulted References	:	Nil
File Number (Name of Ward)	:	A174968 PRO170
Previous Reference	:	WS086

14. **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL**
15. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
16. **REPORTS OF CITY OFFICERS**
17. **MEETING CLOSED TO PUBLIC**
18. **CLOSURE**