



# **MINUTES**

## **ORDINARY MEETING OF COUNCIL**

**Held on  
Tuesday, 18<sup>th</sup> September 2007  
7.00pm  
City of Albany Council Chambers**

## City of Albany

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Signed \_\_\_\_\_

**Peter Madigan**  
Acting Chief Executive Officer

Date: 26 Sep 2007

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**1.0 DECLARATION OF OPENING**

Her Worship the Mayor declared the meeting open at 7.00pm and extended a welcome to all present.

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

Mayor	- A Goode, JP
Councillors	- DW Wellington
	- MJ Evans, JP
	- P Lionetti
	- SM Bojcun
	- DJ Wolfe
	- RH Emery
	- J Waterman
	- S Marshall
	- J Walker
	- D Wiseman
	- R Paver
	- J Jamieson
	- I West
Executive Director Corporate & Community Services	- WP Madigan
Executive Director Development Services	- R Fenn
Community Services Manager of City Services	- I Neil
Minute Secretaries	- S Jamieson
	- J Byrne

Approximately 29 members of the public  
2 media representatives

Apologies / Leave of Absence:

Councillor JD Williams

**3.0 OPENING PRAYER**

Mayor Goode asked all present to be upstanding and read aloud 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 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

## 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.

### **\*Ms Lorinda Hills, Napier**

Ms Hills addressed Council in regards to Item 18.1, Upgrading of Transmission Lines to Albany and Wellstead. Ms Hills pointed out that there are other options than that proposed by Western Power and requested Council to support residents entering into dialogue with Western Power to discuss alternate options.

### **\*Mr Noel Grundy, Redmond**

Mr Grundy addressed Council in regards to Item 18.1. He acknowledge this was a state government issue; however requested council to stand with the community when raising their concerns. Mr Grundy stressed that the feeling of the community is that Western Power should comply with the same planning legislation as any other business application, in particular compliance to: zoning regulations, environment, waste disposal, audible and visual impacts.

### **\*Mr Don Phillips, Frenchman Bay Rd, Robinson**

Mr Phillips addressed Council in regards to the approved non-conforming use of Land in Little Grove. Phillips expressed concern over:

The building and operation of a Distillery on Frenchman's Bay Road.

- The development fronts onto a 80km road
- The hours of operation are not limited
- Building foot print is not same as represented on previous agenda item
- Concern that a flammable substance is being produced in a residential area, and queried if appropriate precautions have been taken into account, such as anti-flash switching, lighting and wiring.

Future application for the development of the Frenchman's Bay Caravan Park. Mr Phillips stated that he hopes that the application for the development of Frenchman's Bay Caravan Park is not presented as a late item, and cannot understand why we have a Town Planning Scheme, when we don't apply to it.

Item 5.0 continued

**\*Mrs Dot Price, Stirling Terrace, Albany**

Mrs Price addressed Council in regards to two points. The first points was in regards to the Residential Design Code Policy. Mrs Price petitioned council to allow more time to deliberate over the policy; which would inturn facilitate better community feedback.

Mrs Price's second point was to express her concern that the Finance Strategy Advisory Committee meeting minutes dated 13<sup>th</sup> August 07, that were marked Confidential, were contained in the Bulletin, a public document. Mrs Price accepted that the City's investment strategy was sound, and that the predicament that faces the investment market is of a global nature.

The City of Albany, Finance Officer, Mr Goodman addressed the Gallery/Council and explain that the item was only Confidential, as at the time the City was considering seeking a legal opinion.

**\*Ms Kim Stanton, Little Grove**

Ms Stanton addressed Council; in support of Mr Phillips, previous address on Item 11.1.1. Ms Stanton supported Councillor Walker's stance that the items should be laid on the table to be given more time for review and community consultation.

Ms Stanton also requested that the City contact the developers of the Esplanade Hotel, to stabilise the development site with grass (turf) to improve the aesthetics.

EDDS responded to Ms Stanton and explained that the delay in the development, detailed in a previous media statement, and that further stabilisation will be enforced if warranted.

**\*Ms Dewani Dean, Warrenup**

Ms Dean addressed Council as the proponent in support of Item 11.1.2 to reiterate that the stock piling of soil and mulch is mainly for private use to address poor soil quality.

**\* Mr John Schober, Napier**

Mr Schober addressed Council in regards to Item 18.1 to reiterate the environmental impact that the building of Power Lines will have and to express his opinion that the planned infrastructure could be of a smaller scale.

**\* Ms Judith Stanich, Warrenup**

Ms Stanich addressed Council in regards to Item 11.1.2 to express her concerns that the stockpile of garden waste detracts from the visual appeal of the suburb. The block in question is untidy, emits unpleasant odours and has been in this state for a long time.

**\* Mrs Trish Cleave, Stirling Terrace, Albany**

Mrs Cleave addressed Council and queried if Formal training is provided to Councillors in regards to disclosure of financial interest and if a document has been produced.

EDCCS responded to Mrs Cleave and informed her that a document has not been produced.



**6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

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

DRAFT MOTION:

THAT the following minutes:

- Special Council meeting held on 14<sup>th</sup> August 2007;
- Ordinary Council meeting held on 21<sup>st</sup> August 2007;

as previously distributed be confirmed as a true and accurate record of proceedings.

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR JAMIESON**

**THAT the following minutes:**

- **Special Council meeting held on 14<sup>th</sup> August 2007; and**
- **Ordinary Council meeting held on 21<sup>st</sup> August 2007;**

**as previously distributed be confirmed as a true and accurate record of proceedings.**

**CARRIED 14-0**

**7.0 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## 8.0 DISCLOSURE OF FINANCIAL INTERESTS

<b>Name</b>	<b>Item</b>	<b>Nature of Interest</b>
Cr R Paver	19.2	Impartiality - Impartiality of Interest.
Cr MJ Evans, JP	19.1	Impartiality - Chairman of Albany (WA) Community Services Limited.
Cr J Walker	11.1.3	Impartiality - Councillor leases property to another company to grow trees.
	18.1	Impartiality - Power lines could go through property owned by Councillor.
Cr RH Emery	11.1.3	Impartiality - Councillor derives infrequent work from the timber industry.
Cr S Marshall	11.1.3	Financial - Councillor derives income from employment with TOLL, Albany Service Handling, and APEC loading wood chips at Albany Port onto ships for export.
	11.3.2	Impartiality - Councillor is a resident of Little Grove and owns property at 16 King George St that borders the proposed structure plan.
	13.8.1	Financial - Councillor is an employee of TOLL, Albany Bulk Handling and APEC; therefore, derives an income as an employee from handling wood and wood chips for export from the Albany Port.
Cr SM Bojcun	18.1	Financial – Councillor has financial interests in Grange Resources.

## 9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 19.1 – Finance Strategy Advisory Committee meeting minutes – 13<sup>th</sup> August 2007, in accordance with Section 5.23(2)(d) of the Local Government Act 1995 – A Legal Matter.

Item 19.2 – Internal Review Committee meeting minutes – 11<sup>th</sup> September 2007, in accordance with Section 5.23(2)(a) of the Local Government Act 1995 – A Matter effecting an employee.

## 10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil