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# MINUTES

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## SPECIAL MEETING OF COUNCIL

Held on  
Tuesday 5 April 2011  
5.30pm  
City of Albany Council Chambers

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## 1.0 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

### ITEM 1.0: RESOLUTION

**MOVED: COUNCILLOR DUFTY**

**SECONDED: COUNCILLOR LEAVESLEY**

**THAT Council:**

- **SUSPEND Standing Order clause 3.1 to allow recording of proceedings;**
- **SUSPEND Standing Order clause 4.2(4) to allow CEO Faileen James to be seated on the Mayor's right;**
- **ADJOURN the Special Council Meeting at 6pm to allow the Agenda Briefing to proceed, and**
- **RESUME the Special Council Meeting 15 minutes after the Agenda Briefing has concluded.**

**CARRIED 11-0**

## 2.0 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.”*

## 3.0 PUBLIC QUESTION AND STATEMENT 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.

**5.33 PM Mr John O’Dea, Bushby Road, Lower King**

Summary of key points:

- Mr O’Dea had been a member of the original committee for the development of the waterfront. The committee dissolved after its input was disregarded. Felt that this development was controlled by the City of Albany and State Government
- AEC pedestrian overpass has spoiled the heritage gardens and the old town jetty has also been destroyed in the name of progress.
- Ratepayers cannot afford to pay for waterfront development and the Albany Entertainment Centre building was too expensive.
- Concerned about the lack of advertising for a recent event held at the Albany Entertainment Centre, and asked if the possibility of two performances for future events could be considered to allow for a wider attendance.

**5.37pm Mrs Wendy Wood, Cull Road, Albany**

Summary of key points:

- Supported Mr O’Dea’s previous comments regarding the waterfront development. As a member of the Port Users Group, she was assured Princess Royal Drive and the Port would not be affected by development.
- Imperative for Albany’s economy that the Port remains fully functional
- The people of Albany tried to have a say on the location of the Albany Entertainment Centre, but the State government had disregarded local opinion.

**5.39pm Mr Neil Smithson, Smithson Planning, Middleton Loop, Albany**

Summary of key points:

- Mr Smithson congratulated the City on the Albany Entertainment Centre and asked if the City was on Facebook yet.

CEO Ms Faileen James responded that the City would be writing to Mr Smithson on this point in response to his question at the March OCM.

- Mr Smithson asked for affirmation that adequate notice was given for this Special Council Meeting, so that any decisions made would be legal.

Ms James responded that adequate notice was given as required under Standing Orders Local Law.

**5.41pm Mr Trappnell, Cliff Street, Albany**

- Congratulated those who were courageous enough to have the wonderful Entertainment Centre built, there were very few entertainment centres in the world which were profitable.
- Did not understand how the original deficit estimate of \$800,000 ballooned to \$2m in a very short time.
- Urged Council to have faith in the local arts community, and remember that local performers need a wonderful facility, the local arts community is vibrant and successful.
- Albany Entertainment Centre cafe should be open for more hours, and a liquor licence is urgently needed.

**5.44pm Mr Anthony Wood, Cordillera Street, Albany.**

Summary of key points:

- Questioned why Item 6.2: Cull Road Development, would be dealt with behind closed doors; are there items being discussed which are not commercial in confidence?

CEO Faileen James responded that commercial in confidence matters regarding Council's position as a developer would be discussed. There would be some information which was not totally commercial in confidence, however, as the recommendations being made were reliant upon one another to some extent, it would be difficult to separate individual issues.

**Forum closed at 5.47pm.**

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

**Mayor**

M J Evans JP

**Councillors:**

Breaksea Ward	J Bostock
Breaksea Ward	R Hammond
Frederickstown Ward	D Wellington
Frederickstown Ward	Vacant
Kalgan Ward	M Leavesley
Kalgan Ward	C Holden
West Ward	D Wolfe
West Ward	D Dufty
Vancouver Ward	D Bostock
Yakamia Ward	J Matla
Yakamia Ward	R Sutton

**Staff:**

Chief Executive Officer	F James
A/Executive Director Corporate Services	P Wignall
Community Services Leader	L Hill
Executive Director Planning & Development Services	G Bride
Executive Director Works and Services	K Ketterer
Minutes	J Williamson

**Public Gallery and Media:**

Approximately ten members of the public and two media representatives were in attendance.

**Apologies/Leave of Absence:**

Vancouver Ward	R Paver
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**5.0 DECLARATION OF INTEREST**

[Elected members of Council and staff are asked to use the forms prepared for the purpose, aiding the proceedings of the meeting by notifying the presiding member prior to the conduct of the meeting]

Name	Item Number	Nature of Interest
Councillor Leavesley	6.3	<b>Impartiality.</b> The nature of the interest being that Councillor Leavesley gains income from the tourist industry. Councillor Leavesley remained in the Chamber and participated in the discussion and vote.
Councillor Hammond	6.3	<b>Financial.</b> The nature of the interest being that Councillor Hammond is the owner of the business which is the subject of Item 6.3. Councillor Hammond left the Chamber and did not participate in the discussion or vote.
Councillor Sutton	6.3	<b>Impartiality.</b> The nature of the interest being that Councillor Sutton has a business interest with Councillor Hammond but that interest is not related to the tourism industry. Councillor Sutton remained in the Chamber and participated in the discussion and vote.