



MINUTES

**For the Ordinary Meeting of Council
Held on
Tuesday, 21 June 2011
7.00pm
City of Albany Council Chambers**

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2. REPORT OR BUSINESS RAISED BY COUNCIL MEMBER SUBSEQUENT TO DRAFT AGENDA Nil.		

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3.0 REPORT OR BUSINESS RAISED BY COUNCIL MEMBER SUBSEQUENT TO DRAFT AGENDA Nil.

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5. REPORT OR BUSINESS RAISED BY COUNCIL MEMBER SUBSEQUENT TO DRAFT AGENDA Nil.

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IX. ITEMS TO BE DEALT WITH WHILE THE MEETING IS CLOSED TO MEMBERS OF THE PUBLIC

XX. NEXT ORDINARY MEETING DATE

XXI. CLOSURE OF MEETING

Appendix A-Status Report on Deferred Items from Previous Meetings Page 213
Appendix B-Tabled Documents Pages 214-225

I. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

7.00pm: The Mayor declared the meeting open.

II. OPENING PRAYER

Councillor Wolfe read the opening prayer.

“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.”

ITEM 2.0: RESOLUTION

MOVED: COUNCILLOR HOLDEN

SECONDED: COUNCILLOR DUFTY

- 1. THAT Standing Order 3.1 be SUSPENDED to allow recording of proceedings.**
- 2. THAT Standing Order 4.2(4)-Seating at Meetings of Council-be SUSPENDED to allow CEO Faileen James to be seated on the Mayor’s right.**

CARRIED 12-0

Mr Dennis Lohoar presented the City of Albany with two awards recently presented to the Friends of Emu Point Incorporated. Emu Point won the 2011 Community Action Award and the State 2011 Clean Beaches award. Both of these were presented by Keep Australia Beautiful WA.

Mr Lohoar acknowledged the support and contribution by the City of Albany to the Friends of Emu Point. Mayor Evans congratulated Friends of Emu Point on winning two such prestigious awards, and thanked them for their dedication and hard work.

Mr Phil Shepherd from the Albany Classic presented the City with a framed poster of the 2011 Albany Classic in recognition of the City of Albany’s contribution towards the event. Mr Shepherd thanked City staff and volunteers for their time in supporting the event, and said that the event organisers had been successful in gaining funding for the 2012 Albany Classic event.

III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION

7.12PM Councillor Wolfe

Summary of key points:

- Councillor Wolfe is Chairperson of Hawthorn House and apprised Council of the Alzheimer's Association fundraising efforts to support the relocation of the Association to land on Henry Street, Milpara.
- Said that funding applications totalling approximately \$1.5million had been lodged and a 12 month program to raise awareness of Alzheimer's disease in the community was underway. All money raised will go towards the new facility on Henry Street.

7.14PM Councillor D Bostock

Summary of key points:

- Congratulated the Friends of Emu Point on their hard work and success in winning the Clean Beaches award.

7.15PM Councillor Leavesley

Summary of key points:

- Congratulated Councillor Dufty on reaching 80 years of age
- Is currently reading a book by Dick Smith on population crisis which is very thought provoking and recommended it to fellow Councillors

7.16PM Councillor Wellington

Summary of key points:

- Congratulated Friends of Emu Point on their hard work and dedication to improvement of their beach.

7.16PM Councillor J Bostock

Councillor J Bostock's tabled address is detailed at Appendix B. Summary of key points:

- Congratulated the Friends of Emu Point on their recent awards
- Acknowledged the efforts of Kevin Ketterer as Executive Director of Works and Services

7.20PM Mayor Evans presented his report which is detailed at Appendix B.

ITEM 3.0: RESOLUTION

MOVED: COUNCILLOR LEAVESLEY

SECONDED: COUNCILLOR MATLA

The Mayor's Report be RECEIVED.

CARRIED 12-0

IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC
Nil.

V. PUBLIC QUESTION AND STATEMENT TIME

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.

7.25PM Mr Terry Ackley, 173 Gunn Road

Summary of key points:

- Mr Ackley addressed Council regarding Item 2.3: Lot 202 Rowney Road and gave a brief history of the subdivision and restrictions on building envelopes within the subdivision.

7.28PM Mr Richard Tilbury, Rowney Road

Summary of key points:

- Mr Tilbury addressed Council regarding Item 2.3: Lot 202 Rowney Road
- Mr Tilbury said that the site meeting organised by Planning and Development Services staff was productive, and he believed that his concerns had been listened to. He asked whether the City had had legal advice regarding the resolution of Council made at the May 2011 OCM.

Executive Director Planning and Development Services, Mr Graeme Bride responded that the City had been advised that under the Town Planning Regulations Council had not completed its decision making process.

- Mr Tilbury questioned why he had been contacted by City staff only four hours prior to this evenings Council meeting regarding this issue.

Chief Executive Officer Ms Faileen James responded that Mr Tilbury had been contacted by City staff with regard to an Amended Alternate Motion by Councillor Paver which had been provided at short notice to City staff. Staff rightly advised Mr Tilbury of further information which may affect Mr Tilbury's position at the meeting tonight.

7.34PM Mr Peter White, Parker Brook Road, Drome

Summary of key points:

- Mr White is an immediate neighbour to proposed Motorplex site, and is concerned that the proposed motorcross track is no more than 600 metres from his residence.
- Go karts are already creating noise issues and he is concerned over the increased noise which may come from the motorcross track, particularly as the club grows in size.
- He did not believe that any barriers were to be erected to control noise which is of major concern. There are no natural barriers to noise coming from the proposed motorcross track.

7.36PM Mr Tony Demarteau, Lorenzo Way

Summary of key points:

- Congratulated the Friends of Emu Point and the City of Albany on the recent Clean Beaches Awards, and said that this was a well deserved community award.
- The Friends of Emu Point are an enthusiastic and close knit community group who have achieved significant improvements to the area. The philosophy of the group is to work with the City.
- Mr Demarteau asked when the budget documents will be available

Chief Executive Officer Ms Faileen James responded that the Budget papers would be available one week prior to the agenda briefing session for the July meeting.

7.39PM Mr Tony Stanton, Little Grove

Mr Stanton's tabled address is detailed at Appendix B. Summary of key points:

- Mr Stanton addressed Council regarding the Albany Leisure and Aquatic Centre Cafe and Gymnasium.

7.44PM Mr Ron Scott, 54 Rowney Road

Summary of key points:

- Mr Scott spoke in support of the change of building envelope on Lot 202 Rowney Road and felt that it would increase the value of all properties in the subdivision.

7.45PM Mr Nick Ayton, 11 Duke Street, Albany

Summary of key points:

- Mr Ayton spoke on behalf of Mr Terry Ackley regarding Lot 202 Rowney Road
- Mr Ayton said it was not unusual for building envelopes to be varied and that it should be a very simple process as the change of envelope has largely been accepted by adjoining landowners
- If Council does not proceed with rezoning, it is possible to build within 15 metres of boundary which is much closer than the rezoning proposal. Mr Ayton was also supportive of additional requirements for retention of trees

ITEM 5.0: RESOLUTION

MOVED: MAYOR EVANS

THAT Public Question and Statement Time be extended.

**CARRIED 12-0
BY SHOW OF HANDS**

7.48PM Mr Sebastian Bolhuis, Harley Global

Summary of key points:

- Mr Bolhuis addressed Council regarding the rezoning of Frederick Street, and was seeking Council support to progress the project which will provide inner city housing and office suites
- He said the streetscape will be maintained, with a one storey development on the street front, the heritage of the precinct being maintained and development height addressed

7.52PM Mr Murray Ferrell, Lot 201 Rowney Road

Summary of key points:

- Mr Ferrell said that he was supportive of the Responsible Officer Recommendation for Item 2.3:

7.54PM Ms Meredith Spencer and Ms Dana Neuman Little Grove

Summary of key points:

- Ms Spencer and Ms Neuman have worked on a concept development plan for Mills Park with the aim of creating a high quality public park
- Funding for this project is important in order to access other grants

The Mayor closed the Public Question and Statement Time at 7.58pm.

VI. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Mayor MJ Evans

Councillors:

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

Staff:

Chief Executive Officer	F James
A/Executive Director Corporate Services	P Wignall
Executive Team Leader Community Services	L Hill
Acting Executive Director Works & Services	S Jamieson
Executive Director Planning & Development Services	G Bride
Minutes	J Williamson

Apologies:

There were 2 members of the media in attendance and approximately 40 members of the public.

VII. APPLICATIONS FOR LEAVE OF ABSENCE

ITEM 7.0: RESOLUTION

THAT Leave of Absence be granted to Councillor Paver for the month of July.

CARRIED 12-0

VIII. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

ITEM 8.0: MOTION

MOVED: COUNCILLOR MATLA

SECONDED: COUNCILLOR WELLINGTON

THAT the minutes of the Ordinary Council Meeting held on 17 May 2011, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 8-4

Record of Vote

Against the motion: Councillors D Bostock, J Bostock, Paver and Leavesley

IX. DECLARATIONS OF INTEREST

Name	Item Number	Nature of Interest
Councillor J Bostock	1.5	Financial. The nature of the interest being that Councillor Bostock is closely related to the party to the writ. Councillor Bostock left the Chamber and did not participate in the discussion or vote for Committee Recommendation 1.
Councillor D Wellington	1.5	Proximity. The nature of the interest being that Councillor Wellington is mentioned in the writ. Councillor Wellington remained in the Chamber and participated in the discussion and vote.
Councillor R Paver	1.5	Financial. The nature of the interest being that Councillor Paver is the plaintiff in a writ involving the City and Deputy Mayor. Councillor Paver left the Chamber and did not participate in the discussion or vote.
Councillor D Bostock	1.5	Financial. The nature of the interest being that Councillor Bostock is a plaintiff in a writ involving the City and Deputy Mayor Wellington. Councillor Bostock left the Chamber and did not participate in the discussion or vote.
Councillor R Hammond	1.5	Financial. The nature of the interest being that Councillor Hammond was the owner of the businesses engaged in bookings and tourism promotion at and from the Visitor Centre. Councillor Hammond left the Chamber and did not participate in the discussion or vote.
Councillor R Hammond	1.3	Financial. The nature of the interest being that Councillor Hammond was the owner of a business party to an executed agreement. Councillor Hammond remained in the Chamber and participated in the discussion and vote.
Acting Executive Director Works and Services Mr Stuart Jamieson	5.1	Impartiality. The nature of the interest being that Mr Jamieson's father is principal of Albany Mapping and Survey Services.

X. IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

Nil.

XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS

Petition tabled by Mr Tony Stanton.

XII. ADOPTION OF RECOMMENDATIONS EN BLOC

RISK MANAGEMENT FRAMEWORK

The City of Albany Organisational Risk Management Framework, which will be used as a Reference Document for the “Risk Identification and Mitigation” Section for all Papers in the Agenda, has been previously distributed to all Elected Members.