



---

# MINUTES

---

## SPECIAL MEETING OF COUNCIL

Held on  
Tuesday 14 February 2012  
5.15 pm  
City of Albany Council Chambers

---

## **DISCLAIMER**

---

No responsibility whatsoever is implied or accepted by the City of Albany for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with Staff. The City of Albany disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the City of Albany during the course of any meeting is not intended to be and is not taken as notice of approval from the City of Albany. The City of Albany warns that anyone who has an application lodged with the City of Albany must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the City of Albany in respect of the application.

## TABLE OF CONTENTS

	<b>Details</b>	<b>Page</b>
1.0	Declaration of Opening and Announcement of Visitors	2
2.0	Opening Prayer	2
3.0	Public Question and Statement Time	2
4.0	Record of Attendance/Apologies/Leave of Absence (Previously Approved)	3
5.0	Declaration of Interest	4
6.0	Items for discussion	
6.1	Proposed Extended Trading Hours Within the City of Albany	5-7
7.0	Closure of Meeting	8

## 1.0 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

Deputy Mayor Attwell declared the meeting open at 5.15pm.

### ITEM 1.0: RESOLUTION

**MOVED: COUNCILLOR HOLDEN**

**SECONDED: COUNCILLOR HORTIN**

**THAT Council:**

**SUSPEND Standing Order clause 3.1 to allow recording of proceedings;**

**CARRIED 9-0**

## 2.0 OPENING PRAYER

Deputy Mayor Attwell read 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.”*

## 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.

**No members of the public wished to address Council.**

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

<b>Deputy Mayor</b>	Y Attwell
<b>Councillors:</b>	
Breaksea Ward	R Hammond
Breaksea Ward	V Calleja
Frederickstown Ward	Vacant
Frederickstown Ward	G Stocks
West Ward	J Gregson
West Ward	D Dufty
Kalgan Ward	C Holden
Vancouver Ward	D Bostock
Vancouver Ward	S Bowles
Yakamia Ward	A Hortin
<b>Staff:</b>	
Chief Executive Officer	F James
Executive Director Community Services	L Hill
Minutes	J Williamson

**Public Gallery and Media:**

1 member of the public was in attendance.

**Apologies/Leave of Absence:**

Mayor	D Wellington
Yakamia Ward	R Sutton

**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]

<b>Name</b>	<b>Item Number</b>	<b>Nature of Interest</b>
Mayor Wellington	6.1	<b>Impartiality.</b> Mayor Wellington is a retailer in the City of Albany.

## 6.1: EXTENDED TRADING HOURS WITHIN THE CITY OF ALBANY

<b>Land Description</b>	: Municipality of Albany
<b>Proponent</b>	: Albany Chamber of Commerce and Industry
<b>Owner</b>	: N/A
<b>Attachments</b>	: Albany Chamber of Commerce and Industry Application dated 2 February 2012
<b>Appendices</b>	: Nil
<b>Responsible Officer</b>	: Executive Director Community Services (Linda Hill)

### IN BRIEF

Extended trading hours are requested for Labour Day long weekend.

Councillor Hammond entered the Chamber.

### ITEM 6.1: RESOLUTION VOTING REQUIREMENT: ABSOLUTE MAJORITY

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR GREGSON**

**THAT the APPLICATION for extended trading hours on 4 and 5 March 2012 be APPROVED.**

**CARRIED 10-0  
ABSOLUTE MAJORITY**

### BACKGROUND

1. In order to promote trade and to display Albany as a vibrant tourist destination, the Albany Chamber of Commerce and Industry Inc requests extended trading hours for general retail shops on the following days:

Date	Public Holiday	Time
Sunday 4 March	Long Weekend	8am to 6pm
Monday 5 March	Labour Day	8am to 6pm

### DISCUSSION

2. The application is for extended trading hours for Labour Day long weekend from 8am to 6pm.
3. This proposal would affect all retailers covered under the *Retail Trading Hours Act 1987* within the municipality of Albany.
4. It will not be compulsory for retailers to trade on this day.

## **PUBLIC CONSULTATION**

5. The Albany Chamber of Commerce and Industry Inc is a representative of the affected segment of the population and is the proponent of this initiative.

## **GOVERNMENT CONSULTATION**

6. If the motion is approved by a clear majority of Council, The City of Albany will then apply to the Department of Commerce (Consumer Protection) for a temporary/short term adjustment to local trading hours for the dates specified.

## **STATUTORY IMPLICATIONS**

7. Non-metropolitan Local Government may apply to the Department of Commerce (Consumer Protection) to extend the trading hours for local general retail shops beyond those stipulated in the *Retail Trading Hours Act 1987*.

## **STRATEGIC IMPLICATIONS**

8. This item directly relates to the following elements from the City of Albany Strategic Plan 2011-2021.

### **Key Focus Area**

Sustainability and Development

### **Community Priority**

Enhance central business district

A diversified industrial base

Tourism development

### **Proposed Strategies**

To develop a partnership with the Albany Chamber of Commerce Inc to identify opportunities to attract new business and services to the CBD to make it more vibrant and reduce the number of property vacancies.

Advocate and promote Albany as a viable centre for diverse industries

Encourage an increase in Albany's industry base to ensure employment for school leavers and university graduates.

Advocate for and encourage seven day a week trading, especially in the hospitality industry to better meet tourist's needs.

## **POLICY IMPLICATIONS**

9. N/A



**RISK IDENTIFICATION & MITIGATION**

10. The risk identification and categorisation relies on the City's Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>Change to trading hours has the potential to create division amongst local community and small business groups.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>It will not be compulsory for local retailers to trade on these days.</i>
<i>By not adopting extended trading hours on the nominated dates the City's retailers will miss out on additional consumer expenditure opportunities and diminish Albany's overall attractiveness as a vibrant visitor destination.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>The Council can adopt extended retail trading on long weekends</i>

**FINANCIAL IMPLICATIONS**

11. Retailers opening on these days may gain significant economic benefit as it is anticipated there will be a greater number of visitors in Albany over the long weekend.

**LEGAL IMPLICATIONS**

12. Nil

**ALTERNATE OPTIONS**

13. Council can decline or modify the application.

**SUMMARY CONCLUSION**

14. There is a precedent for a temporary extension of this nature on long weekends and public holidays.

<b>Consulted References</b>	Council Policy – Extended Trading Hours Policy
<b>File Number</b>	Synergy Reference No: CM.STD.7/NP097724_2
<b>Previous Reference</b>	NIL

**7.0 CLOSURE OF MEETING**

**ITEM 7.1: RESOLUTION**

**MOVED: COUNCILLOR HOLDEN**

**SECONDED: COUNCILLOR DUFTY**

**THAT Standing Order 3.1 be RESUMED to stop recording of proceedings.**

**CARRIED 10-0**

There being no further business the Presiding Member declared the meeting closed at 5.19PM.

*(Unconfirmed Minutes)*

---

**Deputy Mayor**

Yvonne Attwell