



MINUTES

**For the Ordinary Meeting of Council
Held on
Tuesday 20 November 2012
6.00pm
City of Albany Council Chambers**

CITY OF ALBANY STRATEGIC PLAN (2011-2021)

The City of Albany Strategic Plan was adopted by Council on 16 August 2011 and is available at www.albany.wa.gov.au

The Plan states our vision and values as:

VISION

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

VALUES

The values of the City of Albany apply to elected members and staff who commit to:

- Results
- Ethical behaviour
- Accountability
- Leadership

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I. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

[6:00:04 PM](#) The Mayor declared the meeting open.

II. 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

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HOLDEN

SECONDED: COUNCILLOR CALLEJA

THAT Standing Order 3.1 be SUSPENDED to allow recording of proceedings.

CARRIED 11-0

III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION

[6:01:04 PM](#) **Councillor Dufty**

Summary of key points:

- Attended the 100th Anniversary of the Albany Bible Society and the official opening of the Master Builders Training and Display Centre, Nurses Memorial service, Regional Road Group and Cabinet visit
- Highlighted the need for traffic lights for safer pedestrian crossings, particularly on North Road

[6:04:15 PM](#) **Councillor Bostock**

Summary of key points:

- Relayed positive feedback from the Little Grove community regarding the recent road works in Little Grove

[6:05:07 PM](#) **Councillor Hammond**

Summary of key points:

- Alcohol consumption in Albany, and concern over the high incidence of alcohol related accident and disease in our community

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[6:06:25 PM](#) **Mayors Report**

Below is a brief summary of Mayoral Office activities since the last Ordinary Council Meeting held on 16 October 2012:

- Community Radio commitments
- Relay for life afternoon tea
- Attend opening of Albany Volunteer Fire and Rescue Station
- Private Citizenship Ceremony- two conferees
- City of Albany representative at Desert Mounted Corps Memorial Service
- Attend announcement for Anzac Centenary-hand over of first instalment of funding for Mount Clarence from the Premier Mr Colin Barnett
- City of Albany attendee at the official opening of the UWA Sciences Building
- City of Albany attendee at the Opening Ceremony of the Exhibition by Spencer Park Primary School and the Trustees of the WA Museum “Nature”
- City of Albany Attendee at the Opening of the 2012-13 Racing Season
- Attend Anzac Alliance Meeting in Perth
- City of Albany attendee at the Albany Agricultural Society pre show function
- Fortnightly teleconference with Minister Castrilli
- City of Albany attendee at the McHappy Day fund raiser at McDonalds

ITEM 3.0: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR HOLDEN

The Mayor’s Report be RECEIVED.

CARRIED 11-0

IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC

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.

6:08:33 PM Mr Tony Stanton, Little Grove

Mr Stanton's Tabled Address is detailed at Appendix B.

6:12:42 PM Mr Mervyn Leavesley, President, Lower Kalgan Progress Association

Summary of key points:

- Precinct planning for Lower Kalgan area
- Amenity of area should be maintained
- Misleading information about ALPS
- Council should reject Amendment 303 and fully engage the local community in consultation

6:15:23 PM Mr Harry Poole, Riverview Road, Kalgan

Summary of key points:

- Amendment 303
- Opposed to the rezoning and development proposal
- Candyup is highly fertile farming land and agricultural resources must be protected from inappropriate land use
- Rezoning is incompatible with surrounding uses and should be confined to the southern side of Nanarup Road where the soil type is poorer
- Roads will change the effects of surface water flow and houses built on this site may be subject to slippage

6:19:01 PM Mr Michael Pemberton, Shorts Place, Mira Mar

Summary of key points:

- Extended Trading Hours for 2013
- Asked for the matter to be laid on the table until deregulation of trading hours is considered at the December 2012 Ordinary Council Meeting
- Council needs to reconsider the City's Buy Local policy

6:23:33 PM Ms Anne Brandenburg, David Street, Albany

Ms Brandenburg's Tabled Address is detailed at Appendix B.

6:27:54 PM Mr David Giles, Lower Kalgan

Summary of key points:

- Commended City staff on the detailed report
- Staff recommendations warrant careful consideration before making a decision
- South Australia is moving to protect prime agricultural land from development
- How do Council want to be remembered

6:31:37 PM Mr Ian Lunt, Moonlight Road, Lower Kalgan

Summary of key points:

- Opposed to Amendment 303
- Matter has been before the community since 2000
- Proponent has not addressed local residents, if he had done so, a compromise may have been reached
- Proposed development site is prime agricultural land that is irreplaceable
- Proposal is development for developments sake
- Impact of development would be widely felt, and there has been a disregard of the effect on established local rural and semi rural lifestyles
- Drainage issues and the possible effect on local businesses dependent upon marine industry
- Property is not conducive to urban development

6:35:49 PM Mr Ian Brandenburg, Gorepani Estate, Lower Kalgan

Summary of key points:

- Area is very steep
- Roads and buildings will increase water runoff

6:38:28 PM Ms Sylvia Brandenburg, Moonlight Road, Lower Kalgan

Summary of key points:

- Council should hear community concern
- Quoted from Councillor Manual on the role of Councillors in decision making and community representation and involvement
- Only some Councillors attended the site visit
- Mayor should provide leadership and guidance to the community
- Councillors should represent the interests of ratepayers and residents
- More planning required

[6:42:17 PM](#) **Ms Sheryn Prior, Spencer Park**

Summary of key points:

- Spoke in support of Spencer Park Neighbourhood Precinct Plan
- Growing population in the area requiring an increase in services
- Thanked planning staff for their time in developing the Plan

[6:43:41 PM](#) **Mr John O’Dea, Bushby Road, Lower King**

Summary of key points:

- In support of Amendment 303
- \$3.5m extension to Grammar School shows an increase in attendance and therefore local housing options should be provided close to the school
- Councillor Attwell has not attended any community meetings
- Some residents are in favour of development

[6:47:20 PM](#) There being no further speakers, the Mayor declared the Public Question and Statement Time closed.

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

Mayor	D Wellington
Councillors:	
Breaksea Ward	R Hammond
Breaksea Ward	V Calleja
Kalgan Ward	C Holden
Kalgan Ward	Y Attwell
West Ward	G Gregson
West Ward	D Dufty
Yakamia Ward	R Sutton
Yakamia Ward	A Hortin JP
Vancouver Ward	D Bostock
Vancouver Ward	S Bowles
Staff:	
Acting Chief Executive Officer	L Hill
Acting Executive Director Community Services	C Woods
Executive Director Planning & Development Services	D Putland
Executive Director Works & Services	S Grimmer
Executive Director Corporate Services	G Adams
Minutes	J Williamson

Three members of the media and approximately 25 members of the public were in attendance.

Apologies:

Frederickstown Ward	C Dowling
Frederickstown Ward	G Stocks

VII. APPLICATIONS FOR LEAVE OF ABSENCE

ITEM 7.0: MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR CALLEJA

SECONDED: COUNCILLOR DUFTY

THAT Councillor Bostock be granted leave of absence for the December 2012 Ordinary Council Meeting.

CARRIED 11-0

VIII. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

ITEM 8.0: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HORTIN

SECONDED: COUNCILLOR GREGSON

THAT the minutes of the Ordinary Council Meeting held on 16 October 2012, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 11-0

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IX. DECLARATIONS OF INTEREST

Name	Item Number	Nature of Interest
Councillor Calleja	3.1	Proximity. Councillor Calleja is a member of the Albany Chamber of Commerce and Industry Executive. Councillor Calleja remained in the Chamber and participated in the discussion and vote.
Mayor Wellington	3.1	Financial. Mayor Wellington is a retailer in the City. Mayor Wellington left the Chamber and did not participate in the discussion or vote.
Councillor Hortin	3.1	Financial. Councillor Hortin is deemed to be a retailer by virtue of having some combo vending machines placed within the City of Albany. Councillor Hortin left the Chamber and did not participate in the discussion or vote.
Councillor Bowles	4.1	Impartiality. Councillor Bowles has a sponsorship arrangement through the Great Southern Factor Inc, of which she is the secretary, with H+H Architects. Councillor Bowles remained in the Chamber and participated in the discussion and vote.
Councillor Attwell	5.1	Impartiality. Councillor Attwell's sons are involved with AD Contractors. Councillor Attwell remained in the Chamber and participated in the discussion and vote.

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

16.1: Motion by Mayor Wellington: In accordance with the *Local Government Act 1995*, this matter will be discussed behind closed doors:

5.23: Meetings Generally open to Public

(2) *if a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or part of the meeting deals with any of the following-*

- (a) a matter affecting an employee or employees; and*
- (b) the personal affairs of any person; and*
- (c) a contract entered into, or which may be entered into, by the local Government and which relates to a matter to be discussed at the meeting;*

XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS

A petition was presented to Council from ratepayers requesting that:

“Albany City Council adjusts rates payable on vacant land to remove the inequity that sees owners of vacant land paying the same or higher rates as similarly sized properties with dwellings.”

ITEM 11.0: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR DUFTY

THAT the Petition lodged by the Electors of the City of Albany be RECEIVED.
CARRIED 11-0

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.