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# MINUTES

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**For the Ordinary Meeting of Council  
Held on  
Tuesday 19 March 2013  
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](http://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

[6:00:14 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

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR DUFTY**

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

**CARRIED 12-0**

## III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION

[6:01:00 PM](#) **Councillor Dowling**

Summary of key points:

- Attended the launch of the Sycamore Tree project at Albany Regional Prison on behalf of the Mayor

[6:01:35 PM](#) **Councillor Stocks**

Summary of key points:

- Advised that the return on CDOs was much greater than originally advised, and congratulated staff and particularly the Executive Director Corporate Services for their work

[6:03:16 PM](#) **Councillor Dufty**

Summary of key points:

- Attended the Sportsperson of the Year Awards, congratulated City staff involved in organising this event, it was terrific.

[6:03:53 PM](#) **Councillor Bostock**

Summary of key points:

- Attended staff barbeque at Mercer Road depot, thanked staff for their work in organising a successful event.

[6:04:46 PM](#) **Councillor Attwell**

Summary of key points:

- Attended the send off for the Hawaiian Ride for Youth event.
- 80 riders and many volunteers. Successful fundraiser bringing awareness to the community in relation to youth suicide.

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[6:07:20 PM](#) **Mayors Report**

Below is brief summary of Mayoral Office activities since the last council Meeting held on Tuesday, 19 February 2013

- Several community radio commitments
- Meeting Senator Barnaby Joyce and Tony Crook – tour of Mt Adelaide – progress of works
- CoA representative – A History of Everything – AEC
- Meeting with Julie Bishop
- Meeting with Dave Beazley and Sue Finlay - Re Music involvement Gallipoli celebrations 2014
- Attend announcement by Kym Hames MLA re funding of \$8.57 for Centennial Park Precinct
- Attend Sportsman of the Year – AEC
- Attend Graduation Ceremony Award Evening - Great Southern Institute of Technology
- Interview with the Australian Business Journal
- Attend Swim for MS at Albany Leisure Centre 8.00 am to start races – 6.00 pm presentation of prizes for the day.
- Attend Hawaiian Ride For Youth – NASHS – **Councillor Attwell**
- Attend Sycamore Tree Project – Albany Prison – **Councillor Dowling**

**ITEM 3.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON**

**SECONDED: COUNCILLOR HORTIN**

**The Mayor's Report be RECEIVED.**

**CARRIED 12-0**

#### IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC

Executive Director Works and Services took questions on notice from Mr Ken Johnson at the Ordinary Council meeting held 19 February 2013 regarding *Item 2.5: Development Application-General Industry-Waste Transfer Station (Including Processing/Crushing), Garden Centre and Transport Depot at Lot 21 (No. 100) John Street, Milpara.*

Mr Johnson asked the following questions:

- Would the City be monitoring the traffic management on the site, particularly in regard to road trains entering and exiting the site via John Street.
- Would the City be monitoring the level of noise and dust generated from the site.

Mr Johnson has been contacted by the Executive Director Works and Services. The City will be monitoring the site with regard to concerns raised by Mr Johnson over traffic management, noise and dust.

#### 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.

**6:10:44 PM Mr Frank Ruggera, 69 Elizabeth St Lower King**

Mr Ruggera's tabled address is detailed at Appendix B.

Summary of key points:

- Elizabeth Street, Lower King. Lack of maintenance and footpath requirement.

**6:13:15 PM Mr John Bates, 58 McBride Road, Goode Beach**

Summary of key points:

- Parklands School expansion required to cater for increasing student numbers
- School will remain small in size, but requires increased playground area

**6:15:07 PM Mr Mervyn Leavesley, Kalgan**

Mr Leavesley's tabled address is detailed at Appendix B.

Summary of key points:

- Council decision making.

**6:18:44 PM Mrs Delma Baesjou, Ayton Baesjou Planning**

Summary of key points:

- Item 2.5: Local Planning Scheme Policy-Special Residential Area No. 11 (Lots 104 and 105 Willyung Road)
- Spoke in support of the Responsible Officer Recommendation.

**6:20:11 PM Mr Jim Dykstra, 7 Orion Avenue, McKail on behalf of Kusters Steel**

Summary of key points:

- Item 2.4: Consideration of Final Approval to Amend Local Planning Scheme 1A and 3 Policy Manual for Policy 2A-Outbuildings and Policy 2C-Sea Containers.
- Concerned that restrictions applying to the requirement of approval for a dwelling before an outbuilding can be erected will be detrimental to purchasers wishing to develop and build an outbuilding on their land prior to constructing a dwelling.

**6:24:37 PM Mr Richard Vogwill, La Perouse Road, Goode Beach**

Mr Vogwill's tabled address is detailed at Appendix B.

Summary of key points:

- Agenda Briefing Sessions.

**6:27:52 PM Mrs Jill Bostock, Rainbows End, Little Grove**

Mrs Bostock's tabled address is detailed at Appendix B. Mrs Bostock requested that the address she tabled at the AGM of Electors also be included in the minutes of this meeting. This address is also detailed at Appendix B.

Summary of key points:

- Annual General Meeting of Electors.
- Trust between Council and the community.

**6:30:58 PM Mrs Kim Stanton, Chipana Drive, Little Grove**

Mrs Stanton's tabled address is detailed at Appendix B. Mrs Stanton requested that the address she tabled at the AGM of Electors also be included in the minutes of this meeting. This address is detailed at Appendix B.

Summary of key points:

- Agenda Briefing Session.



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[6:34:42 PM](#) **Mr John Marwick, 50 Rowley Street, Albany**

Summary of key points:

- Item 4.9: Variation of Lease-Three Anchors Pty Ltd-Portion of Reserve 26149, Middleton Beach;
- Item 2.3: Development Application-Tavern, Fast Food Outlet, Gallery and Meeting Place-2 Flinders Parade, Middleton Beach
- Do not intend to include a bottle shop in the development, but enable patrons to take away the remainder of their purchased bottle.
- Prices for takeaway purchases will be the same as over the bar prices to encourage patrons to consume drinks on site.

[6:36:49 PM](#) There being no further speakers, the Mayor declared the Public Question and Statement Time closed.

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

Mayor D Wellington

**Councillors:**

Breaksea Ward	R Hammond
Breaksea Ward	V Calleja
Frederickstown Ward	C Dowling
Frederickstown Ward	G Stocks
Kalgan Ward	Y Attwell
West Ward	G Gregson
West Ward	D Dufty
Yakamia Ward	R Sutton
Yakamia Ward	A Hortin JP
Vancouver Ward	S Bowles
Vancouver Ward	D Bostock

**Staff:**

Chief Executive Officer	G Foster
Executive Director Planning & Development Services	D Putland
Executive Director Works & Services	M Thomson
Executive Director Corporate Services	G Adams
Executive Director Community Services	C Woods
Minutes	J Williamson

**Apologies:**

Kalgan Ward	C Holden (Leave of Absence)
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Three members of the media and approximately 20 members of the public were in attendance.

**VII. APPLICATIONS FOR LEAVE OF ABSENCE**

**ITEM 7.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HAMMOND**

**SECONDED: COUNCILLOR DUFTY**

**THAT Councillor Gregson be granted leave of absence for the April 2013 Ordinary Council Meeting and the May 2013 Ordinary Council Meeting.**

**CARRIED 12-0**

**VIII. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**ITEM 8.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON**

**SECONDED: COUNCILLOR BOWLES**

**THAT the minutes of the Ordinary Council Meeting held on 19 February 2013, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED 11-1**

**Record of Vote**

Against the Motion: Councillor Sutton

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**IX. DECLARATIONS OF INTEREST**

Name	Item Number	Nature of Interest
Councillor Hortin	3.1	<b>Impartiality.</b> The Merrifield Tennis Club leases the property from the Uniting Church Property Board. Councillor Hortin is Secretary of the Uniting Church Regional Council which oversees the Uniting Church Property Board. Councillor Hortin remained in the Chamber and participated in the discussion and vote.
Councillor Bowles	4.1	<b>Impartiality.</b> Councillor Bowles is the Secretary of Great Southern Factor Inc. Paperbark Merchants and H&H Architects are both local sponsors of this organisation. Councillor Bowles remained in the Chamber and participated in the discussion and vote.
Councillor Stocks	4.1	<b>Financial.</b> Councillor Stocks is a major shareholder of a company listed for payment. Councillor Stocks left the Chamber and did not participate in the discussion or vote.
Chief Executive Officer	1.1.1	<b>Financial.</b> This confidential recommendation relates to Mr Foster's future employment with the City of Albany. Mr Foster left the Chamber and was not present during discussion and voting.

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

1.1.1: Governance Committee-Confidential Recommendations

*In accordance with s5.23(2)(a) of the Local Government Act 1995 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 the part of the meeting deals with any of the following —*

*(a) a matter affecting an employee or employees*

**XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS**

**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.**