



MINUTES

**For the Ordinary Meeting of Council
Held on
Tuesday, 15 March 2011
7.00pm
City of Albany Council Chambers**

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The following Committees have not met since February 2011 OCM:

- Albany Tourism Marketing Advisory Committee Meeting
- Local Emergency Management Committee
- Airport Emergency Management Committee
- Albany Entertainment Centre (AEC) Operational Advisory Committee Meeting
- Bushcarers Advisory Committee Meeting
- Bush Fire Management Committee

I. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Mayor declared the meeting open at 7.02pm

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 SUTTON

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.**
- 3. THAT filming of the meeting by WIN television be allowed.**

CARRIED 10-0

III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION

7.05 Councillor D Bostock

Summary of key points:

- Spoke of a recent visit to Perth and his enjoyment of the magnificent public open spaces of beautifully kept parkland.
- New suburbs have huge amounts of Public Open Space
- Recommended future provision of funding for the purchase of land for Public Open Space.

7.07 Councillor Dufty

Summary of key points:

- Pleased to represent Council at Planning Institute Australia conference in Hobart and felt that Albany was doing quite well in many areas of planning
- Highlight was the visit to the Savage River Mine, and pleased that there was a clear expression of intent from the company to start mining at Wellstead as soon as possible. All machines operated remotely-very impressive
- Took exception to the comments of MLA Peter Watson in Hansard claiming credit for the AEC, and stated that Mr Watson should be concerned about the backlash of cost of running the AEC
- Perceived loss of staff from the City is a fallacy

7.11 Councillor Sutton

Summary of key points:

- Congratulated previous Council on their decision to approve the new fish processing plant. This is a state of the art facility and a credit to Albany.

MAYOR'S REPORT TO COUNCIL – TUESDAY, 15TH MARCH 2011

Since the last Council meeting held on 15 February 2011 the Mayor has been engaged in the following activities in addition to scheduled Council/Committee meetings:

- ACCI Business After Hours event sponsored by LATRO Lawyers
- Discussions with the Endeavour Voyage Manager. HMB Endeavour will shortly embark on a circumnavigation of Australia and will visit Albany in January 2012. The Albany and regional community will have the opportunity to welcome and tour this magnificent replica vessel while it is in Albany.
- On 18 of February, as Chairman, attended the Regional Development Australia – Great Southern general meeting in Kojonup. Presentations were given by the Kojonup Shire CEO, the Woodanilling Shire President, and consultants for Mooney Hill Energy Pty Ltd on the Flat Rocks Wind farm proposed for the Kojonup area. GSDC CEO Bruce Manning gave a presentation on the proposed Bunbury to Albany gas pipeline.
- On 21 February attended a Community Leaders' luncheon hosted by Mike Smith, Chief Executive Officer of the ANZ bank.
- On 23 February - As Vice Patron of ACTIV Industries Albany, attended their 60th Anniversary celebrations.

Over the past 60 years, there have been massive improvements in the lives of people with disabilities and their families. The social stigma is dissipating.

Today, individuals with a disability are much more respected, with their needs and desires, goals and aspirations as part of the broader community considered.

- On 25 February, attended the opening of the Great Southern Institute of Technology Environment and Primary Industries complex.
- On Friday, 25 February Council hosted a Civic Reception for the Collins Class Submarine, HMAS Waller. Twenty crew members, including officers and sailors represented the Waller in an exemplary manner.
- Attended Memorial Service was held in St John's Church for HMAS Perth (No.1)
- Attended small citizenship ceremony for five new Australian citizens.
- As Chairman of Regional Development Australia – Great Southern, I attended a conference in Canberra on 3 and 4 March, along with EO, Simon Lysas.
This was a very informative and productive conference which highlighted the availability of significant national funding (\$1.4 billion) for regional projects. Delegates were briefed on the importance of ensuring that projects marked for funding meet all funding criteria. Another important point raised at the Conference was the importance of regions being 'National Broad Band prepared' which would help to ensure early connection.
- On Saturday 5 of March officially opened New Arts Incorporated's Paperartzi Event , held on the grassy knoll with a skilful presentation from Southern Edge Arts.
- Official handover of two more Defibrillators to Albany Airport and Albany Public Library. This is a ground breaking initiative for Albany which has attracted huge community support. Particular thanks to Cr Ray Hammond, Albany Heart-smart Project instigator, who has been the driving force behind this initiative.
- On Thursday 10 March our CEO Ms James and I met with Alan Ferris, General Manager of the Perth Theatre Trust, and discussed current and future issues associated with the AEC.
- On the same day I was a guest at a Parliamentary lunch hosted by Minister John Day in recognition of the first visit to Western Australia by the Ambassador of France, His Excellency Mr Michel Henri Filhol.
- Attended Business Breakfast with Minister for Regional Development, Hon. Brendon Grylls MLA
- Briefing and tour of the Forts with the Liberal Party Member for the South West Region, The Hon. Minister Robyn McSweeney.
- It was a pleasure to attend a farewell function for long standing employee Pieter van de Brugge who retired on the 8 March after thirty five years with the Town and the City of Albany. Pieter is well known for his skill as a craftsman on such projects as the Brig Amity and the Town Hall Theatre.

ITEM 3.0: RESOLUTION

**MOVED: COUNCILLOR WOLFE
SECONDED COUNCILLOR LEAVESLEY**

The Mayor's Report be RECEIVED.

CARRIED 10-0

IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC

Nil.

V. PUBLIC QUESTION AND STATEMENT TIME

Councillor Hammond left the Chamber after declaring a financial interest in Item 2.5.

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.

7:20:43 PM Ms Karen Stone, Albany Inbound

Summary of key points:

- Addressed Council regarding Item 2.5, particularly paragraph nine of the paper regarding staff skills
- Informed Council that the on line booking system was much more complex than it would first appear, and that it would require far more than one week's training. The current operator undertakes many more tasks than simply operating the booking system
- Current staff work under extreme pressure at times, and this is not for everyone. New staff would need to have a passion for tourism and customer service
- Urged Council to promote and facilitate tourism in Albany
- Council should consider carefully who to employ in these positions, staff need the right skills to maintain profitability. Current staff at the Visitor Centre have many repeat clients
- Expressed concern that the City's CEO had recently visited the Centre and talked with the Manager, who has only been there a very short time.
- Staff at the Visitor Centre are very disappointed that the CEO has not met with them to discuss their role, even after an invitation was extended by Ms Lee Hammond.

CEO Ms Faileen James responded and clarified that her recent visit was not in any way related to the Albany Inbound matter. Ms James said that she visited that Centre as a City of Albany enterprise, as she is visiting every other centre of the City to meet with City staff and to learn and understand what they do in their jobs.

Ms James said that it is a fair comment that City staff do not have an understanding of the Albany Inbound business; they will need training. Ms James stated that the suggested training period of one week was based on information provided to the City by the owners of Albany Inbound.

Ms James also pointed out that it would not have been appropriate that the CEO of the City should approach private staff members of a private entity where no decision of Council has been made regarding the future of that entity's relationship with Council. After decisions have been made on Item 2.5, Ms James said that she would be looking at how the City moves forward appropriately on this, including meeting with the staff of that entity.

7:26:15 PM Ms Vera Torr, Sussex Street, Albany. Tabled documents detailed at Appendix B.

Summary of key points:

- Thanked the Mayor for forwarding the sympathy of the people of Albany to Japan
- Tabled two documents which had been previously tabled at the agenda briefing session, and asked if they could be distributed to Councillors

7:27:24 PM Mr Neil Smithson, Smithson Planning

Summary of key points:

- Mr Smithson asked about progress of his previous suggestion that Council have a Facebook page and asked if there was an estimate of when this will commence

CEO Ms Faileen James responded that a Facebook page was one element of Public Relations; it would be considered as part of a holistic City of Albany Communications Strategy, and may or may not be implemented

- Mr Smithson requested an estimate of operational expenses from 1998 to 2011 year by year for the Planning and Development Directorate on a year by year basis, and strategic planning expenses for the same period on a year by year basis

7:29:44 PM Ms Noeleen Evans, “The Rocks”, Albany

Summary of key points:

- Spoke in support of Albany Inbound
- Said that they have done an amazing job over the last five years to create very strong links with local tourism operators and Council should think seriously about their role in tourism in the district
- Said that this was a very serious business proposition for Council

7:31:11 PM Ms Christine Lowrie, Woody Grange Chalets

Summary of key points:

- Addressed Council regarding Item 2.5
- Said that she was unaware until very recently of the request for termination of the contract, and asked how many other tourism operators did not know about the request
- Council should conduct an open forum to discuss whether we need an accommodation booking service, operators are saving up to 18% commission by not using this service
- Stated that changes have been made to the Bookeasy website to favour the operator, at tourism operators expense
- The website is City of Albany's property and was created to showcase Albany and tourism operators and “Stay Now” is an unnecessary duplication of this service
- City of Albany and the tourism industry should re evaluate the current system to ensure that the best booking system possible is offered

7.4.28PM Councillor Hammond returned to the Chamber.

7:34:30 PM Mr Tony Demarteau, Lorenzo Way

Summary of key points:

- Asked if the State government is still the owner of land at corner of Hardie Road and Angove Road, Spencer Park

Executive Director Development and Planning Mr Graeme Bride responded that the Department of Housing and Works owned this land.

- Mr Demarteau asked if a Development Application had been lodged for this land

Mr Bride responded that no application had been lodged and it was unlikely that development would take place in the near future.

- Mr Demarteau asked if a roundabout would be placed at the intersection of Hardie and Angove Roads if development took place

Mr Bride responded that this would be a requirement of any development and would be advertised for public comment

- Mr Demarteau asked “what has happened to the Bulletin?”

CEO Ms Faileen James responded that she had reviewed the amount of reading required of Council Members. The Planning and Building Reports and Common Seal Reports were now included in the agenda, and all correspondence previously included in the Bulletin was now available in the Councillor Meeting Room for viewing by Council. Ms James said that this would reduce paper use, and more efficiently utilise Council Members time.

- Mr Demarteau asked if copies of other documents usually contained in the Bulletin could be publically provided.

The CEO said yes, the City will make available a copy of these documents to the public. These documents will be available at the North Road Administration building reception area, contained in the same folder as the Agenda and Minutes.

- Mr Demarteau congratulated Council on the status quo decision of the ward boundary review

7:37:32 PM Mr Richard Vogwill, Goode Beach-Tabled Address is detailed at Appendix B

Summary of key points:

- Expressed his concern regarding the upcoming auction of the old Frenchman Bay Caravan Park site, and said that he found the advertising for this site disturbing as it was at variance with Council’s past decision on this site
- Asked if there were some truth to the advertisement, and was Council considering allowing residential development on site

Executive Director Planning and Development Services Mr Graeme Bride responded that the City was aware that a development application was to be lodged in the near future, but that the current Scheme did not allow for permanent residential on that site.

- Mr Vogwill said that the Frenchman Bay Association felt that Council has a duty to preserve this site for future generations, and that the tourism potential of this site should be promoted

7:42:10 PM Ms Pam Hoskin, Wilson Street, Little Grove

Summary of key points:

- Addressed Council regarding the proposed residential development at Grove Street West, Little Grove
- Asked Council why there had been no public consultation
- Potential for 56 cars from this development to be using the road only 100 metres from the Little Grove Primary School
- No family development, all single bedroom dwellings
- Deep sewerage has heralded more development in Little Grove. There are now three high density housing development proposals in the area
- There should be considered development with community consultation. Successful development will only be achieved with community consultation, consideration of the environment and care to preserve the “feeling of place” in Little Grove, which is why people wish to live there.
- This development may be the right development, but we should reach that conclusion together and involve the community and near residents

7:45:06 PM Mr John O’Dea Bushby Road, Lower King

Summary of key points:

- Urged Council to take the lead in recycling of glass and plastic bottles in the region
- Referred to a recent advertisement in the West Australian calling for builders, developers, architects and designers who had a concern with City of Armadale planning and building processes.
- There will be a conference on 1 April 2011 “Health Check for Planning in our Community”, and Mr O’Dea said that he would like everyone to be available on this day and attend
- Albany is being outstripped by regional centres such as Mount Barker and Denmark with regard to moving ahead with development
- Thanked CEO for her reply to his previous letter to Council; it is the first time ever that Mr O’Dea has had a reply to his correspondence to the City
- Endorsed the Mayor’s comments on the recent disaster in Japan

7:49:01 PM

ITEM 5.0: RESOLUTION

THAT Public Question and Statement Time be Extended.

CARRIED 10-0 BY A SHOW OF HANDS

7:49:12 PM Mr Tony Perrella, Albany City Kart Club

Summary of key points:

- Addressed Council with regard to the Club's application for funding from the Department of Sport and Recreation (CSRRF Grants). This funding would pay for the redevelopment and extension of the Club's current track
- Club has recently celebrated its twentieth anniversary and has been selected by Karting WA to host the 2011 State Championships, the fiftieth of the State, in October.
- By hosting a successful State Championship, the Club will be in a strong position to host the National Titles
- A successful grant application will enable the Club to expand and improve facilities and attract larger numbers of Kart enthusiasts to Albany. The State Titles this year are expected to attract between 320-400 drivers and over 500 support crew and family
- The Club has not approached the City in the twenty years of its operation for any financial assistance. This is due to the Club's capacity for fundraising, acquiring sponsorship and voluntary in kind contributions by members
- Track extension will allow the Club to enter a new era of expansion. Requested that Council consider ranking the Club at number one for funding through the Community Sporting and Recreation Facilities Fund small grant applications.

7:51:08 PM Ms Kim Stanton, Little Grove-Tabled Address is detailed at Appendix B

Summary of key points:

- Addressed Council regarding Item 1.2
- Council should either reject this Scheme Amendment Request or lay it on the table for an indefinite time frame
- This location has significantly important biodiversity and conservation values, with remnant vegetation with high ecological significance including a diverse range of flora and fauna some of which are listed as rare and critically endangered
- City should be consolidating and infilling all land approved for subdivision and Scheme Amendments
- Area is the site of an important aquifer, and Ms Stanton expressed concern over possible contamination of the aquifer. Studies on this issue need to be completed before any development takes place.

7:55:42 PM The Mayor closed Public Question and Statement Time.

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

Mayor	MJ Evans
Councillors:	
Breaksea Ward	R Hammond
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	R Sutton
Yakamia Ward	J Matla
Vancouver Ward	D Bostock

Staff:	
Chief Executive Officer	F James
A/E/Director Corporate & Community Services	P Wignall
Executive Director Works & Services	K Ketterer
E/Director Planning & Development Services	G Bride
Executive Manager Business Governance	S Jamieson
Assistant Business Governance Officer	J Williamson

Apologies:

Vancouver Ward	R Paver
Breaksea Ward	J Bostock

Media and Public

Approximately forty members of the public and three media were in attendance.

VII. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

VIII. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

ITEM 8.0: RESOLUTION 1

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR MATLA

THAT the minutes of the Ordinary Council Meeting held on 15 February 2011, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 10-0

ITEM 8.0: RESOLUTION 2

MOVED: COUNCILLOR HOLDEN

SECONDED: COUNCILLOR WOLFE

THAT the minutes of the Special Council Meeting held on 22 February 2011, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 10-0

IX. DECLARATIONS OF INTEREST

Name	Item Number	Nature of Interest
Councillor M Leavesley	1.1	Impartiality. The extent of the interest being that Faryar Gorjy has been a customer of Councillor Leavesley in the past. Councillor Leavesley has not traded with Mr Gorjy in the last five years and is not likely to in the near future. Councillor Leavesley remained in the Chamber and participated in the discussion and vote.
Councillor D Wellington	1.3	Impartiality. The extent of the interest being that the proponent of the Scheme Amendment Request contributed to Councillor Wellington's 2007 Mayoral campaign. Councillor Wellington remained in the Chamber and participated in the discussion and vote.
Councillor M Leavesley	1.3	Impartiality. The extent of the interest being that Mr London has been a customer of Councillor Leavesley in the past. Councillor Leavesley has not traded with Mr London in the last five years and is not likely to in the near future. Councillor Leavesley remained in the Chamber and participated in the discussion and vote.
Councillor D Wellington	1.6	Financial. The extent of the interest being that the proponent is in competition with Councillor Wellington on a retail basis. Councillor Wellington left the Chamber and did not participate in the discussion or vote.
Councillor M Leavesley	2.5	Impartiality. The extent of the interest being that Councillor Leavesley receives income from the tourist industry. Councillor Leavesley remained in the Chamber and participated in the discussion and vote.
Councillor R Hammond	2.5	Financial. The extent of the interest being that Councillor Hammond has a direct financial interest in the subject matter as he the owner of the business involved. Councillor Hammond left the Chamber and did not participate in the discussion or vote.
Councillor R Sutton	2.5	Impartiality. The nature of the interest being that Councillor Sutton has business interests with the contractor, although not related to the tourist industry. Councillor Sutton remained in the Chamber and participated in the discussion and vote.

Name	Item Number	Nature of Interest
Councillor M Leavesley	2.8	Impartiality. The extent of the interest being that Councillor Leavesley obtains income from the tourism industry. Councillor Leavesley remained in the Chamber and participated in the discussion and vote.
Councillor R Hammond	2.8	Financial. The extent of the interest being that Councillor Hammond has a direct financial interest in the tourism sector and the owner of a business actively engaged in tourism. Councillor Hammond left the Chamber and did not participate in the discussion or vote.

Councillor Hammond left the Chamber after declaring a financial interest in Item 2.5.

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

Report Item 2.5 - Request from Contractor to Surrender Contract-Albany Visitor Centre, was considered behind closed doors, in accordance with section 5.23(2)(c) of the Local Government Act 1995, being: 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.

ITEM 10: RESOLUTION

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR DUFTY

THAT Item 2.5: Request from Contractor to Surrender Contract - Albany Visitor Centre be discussed behind closed doors after all other agenda items have been dealt with.

CARRIED 9-0

Councillor Hammond returned to the Chamber.

XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS

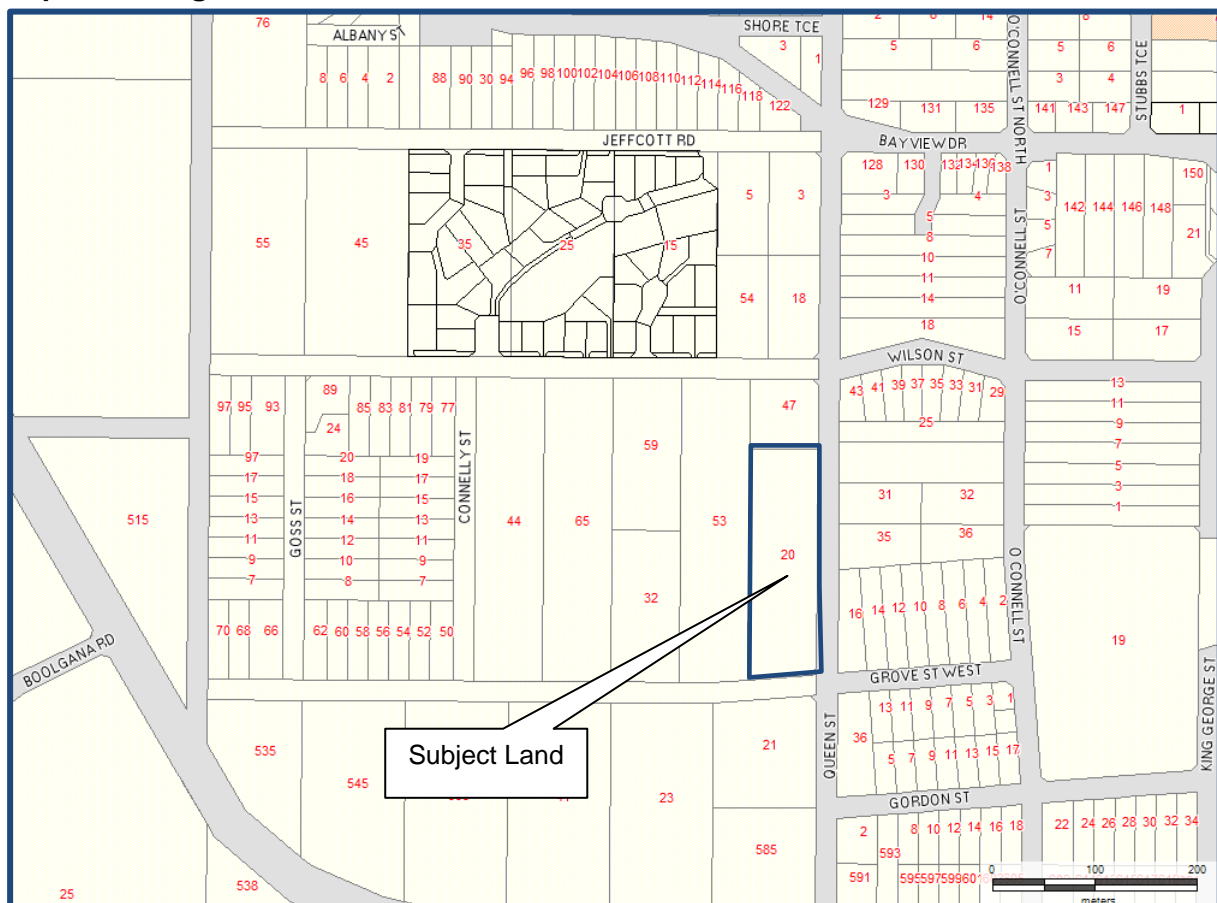
Nil.

XII. ADOPTION OF RECOMMENDATIONS EN BLOC

1.1: DEVELOPMENT APPLICATION – GROUPED DWELLINGS x 28 – 20 GROVE STREET WEST, LITTLE GROVE

Land Description	: (Lot 6) #20 Grove Street West, Little Grove
Proponent	: Yaran and Mikasa Designs
Owner	: Grove 20 Pty Ltd (Yaran Property Group)
Directors of Owner Company	: Faryar Gorjy & Shahyar Abdollah Gorjy (both Directors reside in Perth)
Business Entity Name	: Yaran / Mikasa Designs
Attachments	: Streetscape Perspectives / Elevations / Site Plan
Appendices	: Development Application Report
Responsible Officer(s)	: E/Director Planning and Development Services (G Bride)

Maps and Diagrams:



CEO:	RESPONSIBLE OFFICER:
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IN BRIEF

- A development application has been received for 28 Grouped Dwellings (single bedroom dwellings) at Lot 6 Grove Street, Little Grove.
- The application substantially meets the requirements of the R-Codes and the Little Grove Structure Plan.

ITEM 1.1: RESPONSIBLE OFFICER RECOMMENDATION

THAT a Notice of Planning Scheme Consent be ISSUED for 28 Group Dwellings (Single Bedroom Dwellings) at Lot 6 Grove Street West, Little Grove, subject to the following conditions:

- A. Stormwater from the development being managed in accordance with Council's specifications at the proponent's cost.**
- B. All runoff from impervious surfaces being contained within the property and disposed of to the satisfaction of Council.**
- C. The proponent is required to identify the extent of fill and drainage works necessary to ensure that the land is suitable for development. Prior to undertaking these works, plans are required to be submitted to and approved by Council.**
- D. The proponent is to provide a geotechnical report certifying that the land is physically capable of development to the satisfaction of Council. Design and construction works shall be carried out in accordance with the recommendations of the geotechnical report.**
- E. The proposed common property access-way shall be designed and constructed to allow vehicles to pass in opposite directions, and should be a minimum of 5.5 metres in width within a total common property width of 6.7 metres.**
- F. Suitable truncations being provided on both access points and being identified as common property to the satisfaction of Council.**
- G. The new crossover(s) being constructed to Council's specifications, levels and satisfaction in accordance with drawing no. 97024 1/3.**
- H. The proponent is required to upgrade, at their cost, that portion of Queen Street from Grove Street West to the vehicle egress exit point of the development, inclusive of a new turn-around area (cul-de-sac or hammerhead) at the end of Queen St, to the satisfaction of Council. Prior to undertaking the upgrading works the proponent is to liaise with Council's Works and Services Department and lodge and gain the endorsement of appropriately detailed engineering plans for such works.**
- I. Pursuant to Section 150 of the Planning and Development Act 2005, a restrictive covenant preventing direct motor vehicle access onto Grove St West (Lots 1 and 9), and Queen St (Lots 9,10,11,12,13,14,15,16,17,18,19,20,21,22) benefiting the local government being lodged on the Certificates of Title of the proposed lot, at the proponent's cost.**
- J. Any existing crossovers not included as part of the proposed development on the approved plan being closed and the kerb, footpath and the verge reinstated at the**

proponent's cost.

- K. The proponent is required to construct a 1.5m wide concrete footpath along the Queen Street road reserve from Grove Street West to the end of the cul-de-sac.**
- L. Landscape plans, showing size, species, location and reticulation of trees and shrubs to be planted or retained, being submitted to Council for approval prior to the issue of a building licence.**
- M. The area of communal open space, landscaping areas between driveways and the 5 metre portions of the lot adjoining Queen Street and Grove Street being landscaped and provided with a dense planting of vegetation prior to, or concurrently with the practical completion of the building(s) to the satisfaction of Council.**
- N. All units shall be connected to reticulated water and sewer to the satisfaction of Council and the Water Corporation.**
- O. Lighting to communal property and pathways areas to be provided to the satisfaction of Council.**
- P. Uniform fencing along the boundaries of all the proposed lots are to be constructed to the specifications and satisfaction of Council.**

ITEM 1.1: RESOLUTION (Responsible Officer Recommendation)

**MOVED: COUNCILLOR MATLA
SECONDED: COUNCILLOR DUFTY**

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 6-4

Record of Vote

Against the Motion: Mayor Evans and Councillors Sutton, D Bostock and Leavesley

BACKGROUND

1. The subject lot is located within an area zoned 'Residential Development' in Town Planning Scheme No. 3. The land is identified within Precinct 1 of the endorsed Little Grove Structure Plan.
2. A development application was initially received for grouped dwellings on the subject lot in 2008. The decision on this application was deferred until the Little Grove Structure Plan was adopted by Council and endorsed by the Western Australian Planning Commission.
3. The Little Grove Structure Plan was adopted by Council at its meeting dated 15 December 2009 and subsequently endorsed by the Western Australian Planning Commission (WAPC).
4. The proponent has since lodged an amended proposal on 1 February 2011.

5. The modified proposal is for a group dwelling application that includes 28 single bedroom dwellings, a private open space area (common property) and an area that will be ceded as public open space. The common property area and public open space area have been proposed to conserve the vegetation and natural topography on the northern half of the lot.
6. A corresponding survey strata subdivision application has been submitted to the WAPC and has been forwarded to the City for comment. Staff have formally advised the WAPC that until such time as Council has considered the development application it will not provide formal comment on the separate survey strata application.
7. Council's Processing of Planning Applications Guidelines requires grouped dwelling proposals of more than 25 dwellings to be referred to Council.

DISCUSSION

8. The proposed development is for 28 single bedroom dwellings, with a maximum 60m² floor area as permitted under the R-Codes.
9. Single bedroom dwellings are defined by the R-Codes as special purpose dwellings that are designed to accommodate one or two person households. As these dwellings have limited floor area and a restricted number of occupants, they do not generate the same demand for open space and car parking. The R-Codes recognise that single bedroom dwellings assist in providing housing diversity and meet the growing demand for smaller dwellings, as the number of occupants per dwelling continues to decrease. For these reasons the Codes allocate a density bonus for this type of development, being a reduction in the required site area per dwelling by one third (33%).
10. Town Planning Scheme No. 3 stipulates an R-Coding of 'R20' for sewerred residential lots, however for land zoned 'Residential Development', this density can be amended by an endorsed Structure Plan.
11. The Little Grove Structure Plan varies the R20 density coding by allowing the minimum lot size down to 300m² rather than 440m² as advocated by the R-Codes, but maintains the average density of 1 dwelling per 500m². Specifically the Little Grove Structure Plan states:

"4.3 Density

The density provisions as conferred by the Town Planning Scheme are hereby varied such that the following density provisions apply:

- A. *The Council will support land within Precincts 1 and 2 being subdivided into lot sizes not less than 300m² with a min average of 500m²;*
- B. *Land within Precincts 1 and 2 may be developed for residential purposes at a density of one dwelling per 500m²".*

12. The Little Grove Structure Plan also includes the following statement that requires all other requirements of the R-Codes to be met:

“4.13 Residential Design Codes

A. Unless stated otherwise in the plan, all development within the plan area shall comply with the adopted Residential Design Codes (2008) or any Act/order/document revoking or re-enacting the Residential Design Codes 2008.”

13. The subject lot size is 14,908m², and based on 28 grouped dwellings the proposal produces a minimum average site area of 532.4m².
14. As discussed in Paragraph 9 above, the R-Codes allows for a one third reduction to the minimum site area (LGSP 300m²) if a lot will be used and developed for single bedroom dwellings.
15. Applying this density bonus the minimum site areas can be reduced to 200m² per unit for the 28 single bedroom units (from 300m²).
16. The proposed lot sizes range between 203.7m² (Lots 10-21) and 501.95m² (Lot 1) with a common property (private open space) area of 2,762.1m² in size. The northern portion of the lot totalling 4,536m² will be given up as public open space, which is well above the standard 10% public open space contribution.
17. The proposal complies with the minimum site area if the density reduction is applied to the development as permitted under the R-Codes.
18. The floor plans associated with the dwellings have a plot ratio of 60m² (which excludes the garage as per the plot ratio definition within the R-Codes) and identifies a single dedicated bedroom in addition to a multi-purpose room. The units therefore meet the criteria associated with a single bedroom dwelling.
19. Earthworks that include excavation and fill and associated retaining are proposed for the development area of the subject site. The earthworks are mainly required to enable a connection to the reticulated sewer system but will in turn also assist with drainage and result in a more levelled development area.
20. Fill of approximately 1.98 metres and an associated (vegetated) bank and retaining wall of 1m in height is proposed for the south eastern part of the subject site fronting Queen Street.
21. Additional earthworks and retaining walls up to 1.5m in height are being proposed for the northern and western sections of the development area.
22. The finished floor levels of the proposed units will range between 8.83m Australian Height Datum (AHD) and 9.40m AHD.

23. The excavation and associated retaining is setback a considerable distance from the road and all other boundaries and seeks to retain the development area rather than the wider lot.
24. The proposed works do not meet the requirements specified within the Little Grove Structure Plan, specifically the following:

“4.8 Earthworks

A. The maximum height of a standalone retaining wall is to be no higher than 1.0 m, with a maximum change in the height of the natural ground level being limited to 500mm.

B. Compliance with condition 4.8A is not required where the walls of a building are being used to retain material.”

25. Staff recommends support for the earthworks and retaining proposed given that the works are mainly required to enable a connection to the reticulated sewer system and the visual impression of the site's natural topography will largely be retained. The front 5 metres of Grove Street West and Queen Street will also be required to be densely vegetated further lessening the impact of such works.
26. In relation to the front setback requirements, the Little Grove Structure Plan identifies a 6 metre setback requirement. The proposed development generally meets these requirements accept for a small section of proposed Unit 1 that encroaches into this setback by approximately 0.5m. This is considered a minor intrusion with any impact reduced by the vegetation buffer, and averaging of this minor setback relaxation can be supported.
27. The proposed outdoor living areas associated with Units 5 to 22 have dimensions that are less than the 4m minimum dimension that is required by the acceptable development requirements of the R-codes. The courtyards are larger than the minimum overall area required (16m²), are highly accessible from kitchen/dining room areas and are of a uniform shape. Each unit also has additional open space areas which are either part of the development exclusion areas, vegetation protection areas or revegetated areas and there is a large area of communal open space available to residents. Staff believe that in relation to this element of the Codes the performance criteria has been satisfied.
28. Some of the storage areas also do not meet the required minimum dimension of 1.5m, however additional doors and access have been provided to increase the utility of the space and all storage areas are equal to the minimum 4m² overall size required.
29. The plan identifies a one-way vehicular traffic system entering from Grove Street West and existing onto Queen Street. Council's Works and Services Department have recommended that this one-way system be modified to cater for a two-way system as residents within units adjacent to Grove Street West are likely to use this road for access and egress purposes rather than exit via Queen Street. The R-Codes requires driveways serving five or more units to accommodate vehicles passing in opposite directions at one or more points. This will require the widening of the pavement from 4m to 5.5m (within a total common property width of 6.7 metres allowing for the retention of a 1.2 metre wide pedestrian path). This widening

of 1.5 metres can be taken on the western side of the common property which has marginally larger lots than the eastern side.

30. The proposed development meets the other acceptable development requirements of the R-Codes and the Little Grove Structure Plan including parking provision (inclusive of visitor parking), landscaping provision, internal pathways, front and rear setbacks, front fencing and building height. It is therefore recommended that the development be approved subject to a number of conditions that will address the above mentioned matters.
31. The use and further development of the dwellings will also be restricted to that of single bedroom dwellings as a proposed condition of subdivision that will require the placement of a restrictive covenant on the titles of proposed Lots 1-28.

GOVERNMENT CONSULTATION

32. Consultation between the proponent and the Water Corporation regarding a sewer connection to the lots and the strategic alignment has commenced. The connection of the development to reticulated sewer will be a condition of the development.

STATUTORY IMPLICATIONS

33. Grouped Dwellings is an 'A' use (discretionary use) in the 'Residential Development' zone.
34. As the Little Grove Structure Plan has been approved by Council, development can be considered by Council in accordance with Clause 5.5.1 of the Scheme.
35. The proposed development, where amended through the conditions proposed by staff, complies with the Little Grove Structure Plan (with the exception of the proposed earthworks) the Town Planning Scheme and the Residential Design Codes.

FINANCIAL IMPLICATIONS

36. It is recommended that a condition be placed on the planning scheme consent requiring the proponent to construct a 1.5 metre wide pedestrian path at their cost within the Queen Street road reserve. It is also recommended that the portion of Queen Street fronting the subject land be upgraded by the proponent at their cost, inclusive of the construction of a new cul-de-sac head based on the increase in traffic movements associated with the development proposal.
37. Council already maintains the Queen Street road reserve and the upgrading requirement will ensure the road will need little ongoing maintenance in the medium to long term. The construction of the footpath will provide safe and efficient pedestrian access to existing and proposed residents and will be an asset Council will need to maintain in the future.
38. A standard planning application fee has been paid by the proponent in accordance with Council's adopted planning fees schedule. Officer time was expended in processing the application.

STRATEGIC IMPLICATIONS

39. The proposal is consistent with the objectives and outcomes of ALPS, specifically, Section 8.3.2:

“Strategic Objective:

Support the consolidation of serviced urban areas and facilitate staged fully-serviced incremental-development nodes.”

- *Facilitate and manage sustainable growth for the urban area in the City of Albany.*
- *Support the consolidation of serviced urban areas and facilitate staged fully-serviced urban frontal development nodes.*
- *Support urban infill development based on compatibility of land uses and infrastructure capacity.*
- *Protect areas designated as future fully-serviced urban areas from inappropriate land uses, subdivision and development.”*

POLICY IMPLICATIONS

40. There are no policy implications as the development proposal is a residential development which is required to be assessed under the Residential Design Codes; this document applies to all residential land within Western Australia.

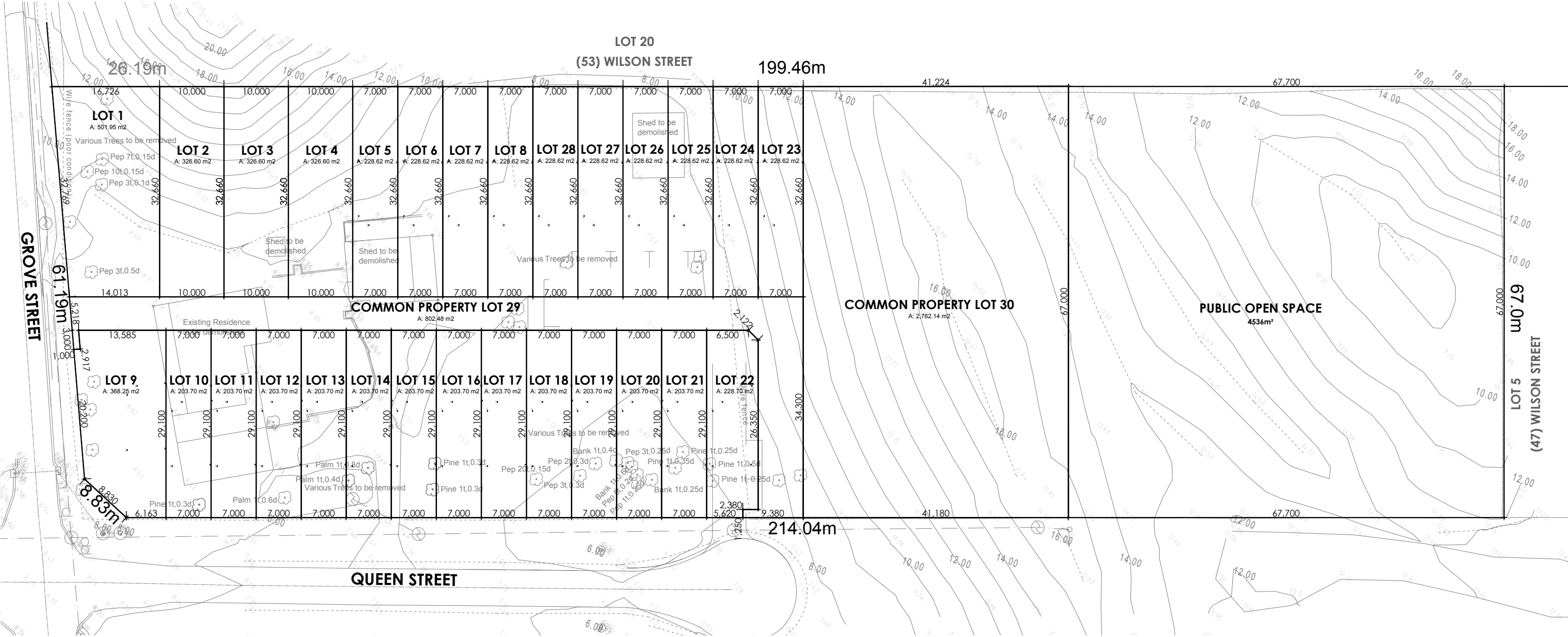
ALTERNATE OPTIONS & LEGAL IMPLICATIONS

41. Council has the option to refuse the proposal, however this may prompt the proponent to lodge an appeal with the State Administrative Tribunal. This would have associated cost implications for the Council.

SUMMARY CONCLUSION

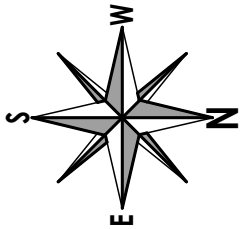
42. The proposed development has been designed with an attractive streetscape which is enhanced by the lack of crossovers (driveways) fronting Queen Street and Grove Street West and the provision of dense landscaping within the front setback areas.
43. Although the natural ground level of the development area will be altered, the visual impression of the site's natural topography will be maintained with undulating and more visually prominent parts of the subject lot being shown retained as common property and public open space (to be finalised as part the subdivision application). A further design feature to protect the 'toe' of the ridgeline, to the west of Lots 1-4, will further hide the development within the landscape.
44. It is recommended that the proposed development be supported subject to conditions.

Consulted References	Residential Design Codes (R-Codes) Little Grove Structure Plan Town Planning Scheme No. 3
File Number (Name of Ward)	:A55479 (Vancouver Ward)



SUBDIVISION PLAN
1:600

AGENDA ITEM 1.1 REFERS






YARAN

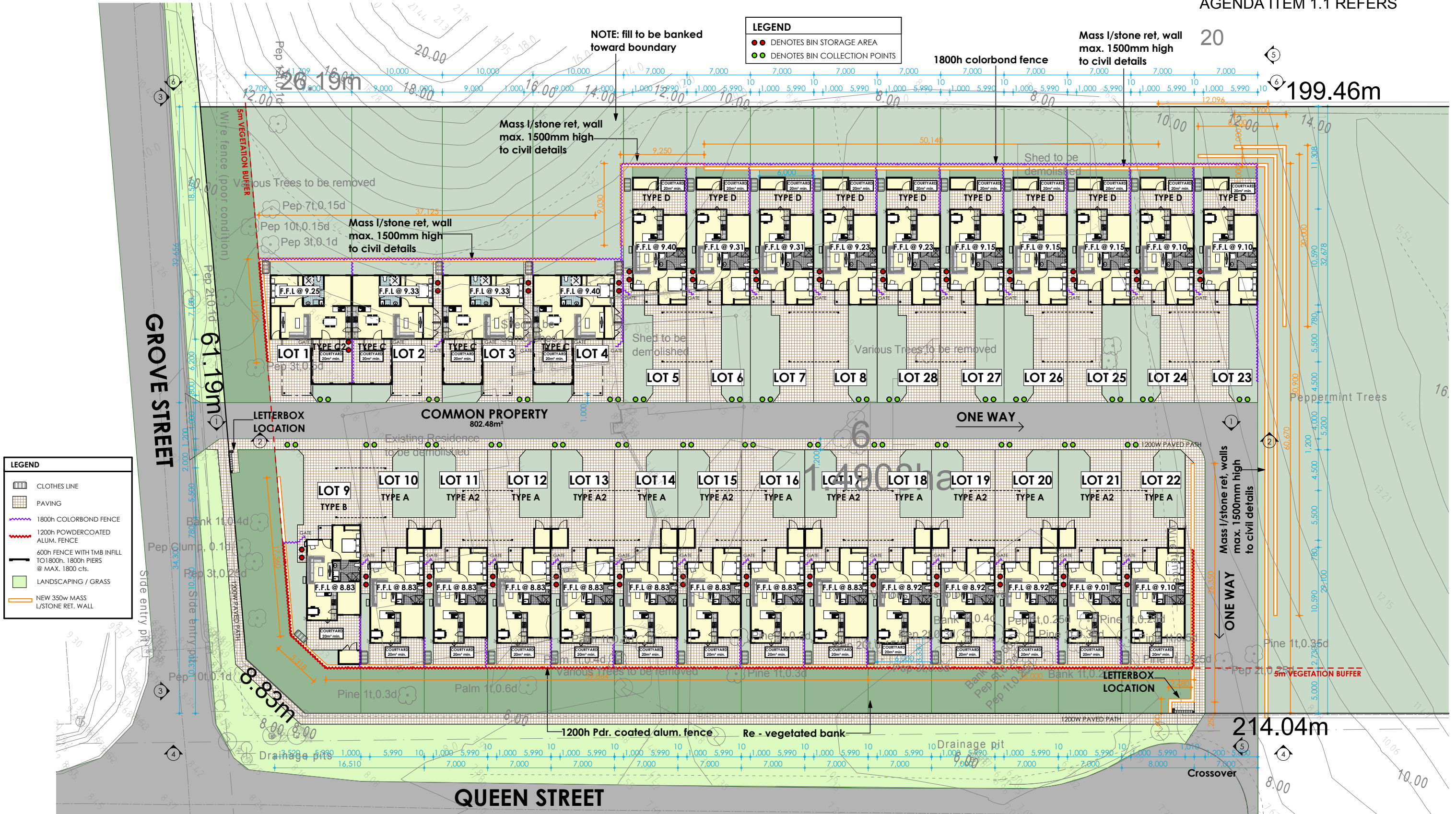
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CREATING VALUE
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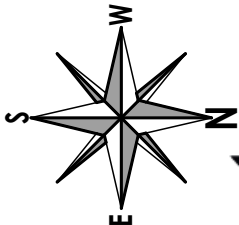
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		06/01/11	01	ISSUED FOR BUILDING LICENCE		DRAWING N°: 2.05
		08/01/10	02	F.F.L AMENDMENTS		
		18/01/11	03	NEW FLOOR PLAN CONCEPTS		
		24/01/11	04	REVISED FLOOR PLAN CONCEPTS		
		27/01/11	05	RETAINING WALL, F.F.L & ELEVATION AMENDMENTS		
		DATE PRINTED: Thursday, 27 January 2011		TIME PRINTED: 4:32 PM		

AGENDA ITEM 1.1 REFERS

AGENDA ITEM 1.1 REFERS

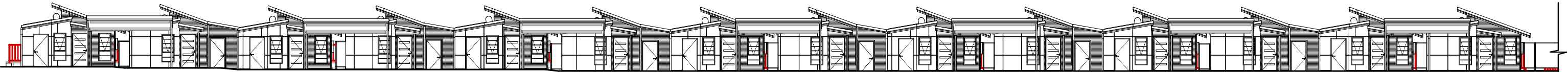


SITE PLAN
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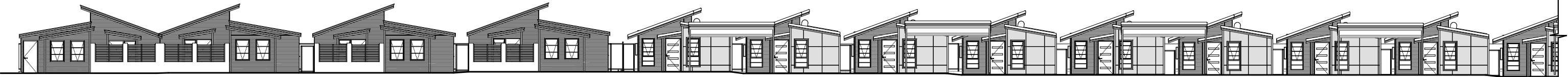


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STAGE: DEVELOPMENT APPROVAL		SHEET: SITE PLAN - SURVEY	
CLIENT: YARAN PTY LTD		DATE: 06/01/11	
PROJECT: 28 LOT DEVELOPMENT		REV: 01	
LOT 6 GROVE STREET		DESCRIPTION: ISSUED FOR BUILDING LICENCE	
ALBANY WA 6330		02 F.F.L AMENDMENTS	
		03 NEW FLOOR PLAN CONCEPTS	
		04 REVISED FLOOR PLAN CONCEPTS	
		05 RETAINING WALL, F.F.L & ELEVATION AMENDMENTS	
DATE PRINTED: Thursday, 27 January 2011		TIME PRINTED: 4:32 PM	
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		SHEET N°: 3 OF 11	
		JOB N°: MD 227/09	
		DRAWING N°: 3.05	



STREET ELEVATION 1
1:250



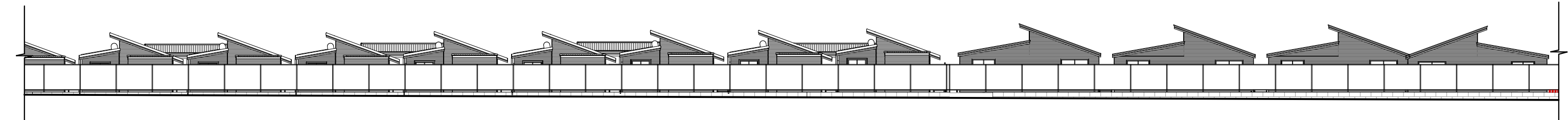
STREET ELEVATION 2
1:250



GROVE STREET ELEVATION 3
1:250



QUEEN STREET ELEVATION 4
1:250



REAR ELEVATION 5
1:250



REAR ELEVATION 6
1:250


AGENDA ITEM 1.1 REFERS

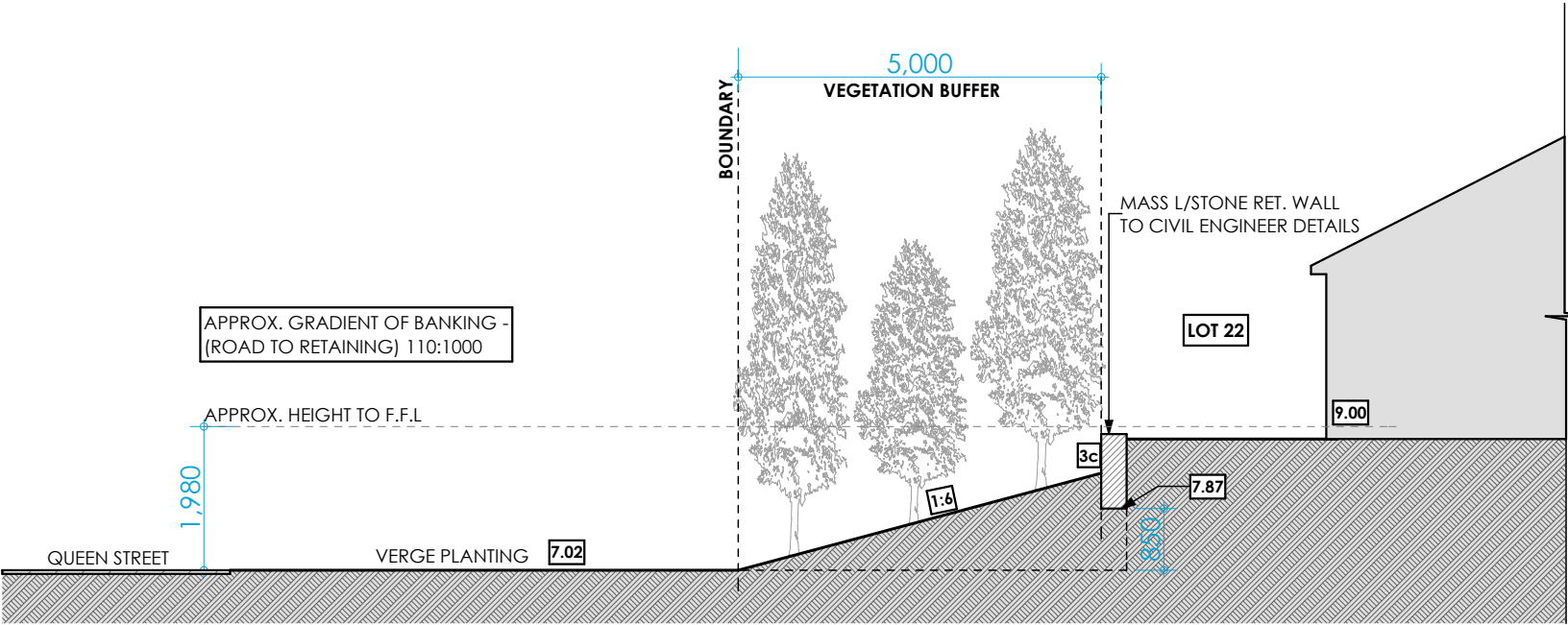


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STAGE: DEVELOPMENT APPROVAL		SHEET: ELEVATIONS			 <div>BUILDING DESIGNERS ASSOCIATION</div>	SHEET N ^o : 4 OF 11	
CLIENT: YARAN PTY LTD		DATE:	REV:	DESCRIPTION:		JOB N ^o : MD 227/09	
PROJECT: 28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330		06/01/11	01	ISSUED FOR BUILDING LICENCE		DRAWING N ^o : 4.05	
		08/01/10	02	F.F.L AMENDMENTS			
		18/01/11	03	NEW FLOOR PLAN CONCEPTS			
		24/01/11	04	REVISED FLOOR PLAN CONCEPTS			
		27/01/11	05	RETAINING WALL, F.F.L & ELEVATION AMENDMENTS			
		DATE PRINTED: Thursday, 27 January 2011		TIME PRINTED: 4:33 PM		AGENDA ITEM 1.1 REFERS	




BATTERING CROSS SECTION
1:100



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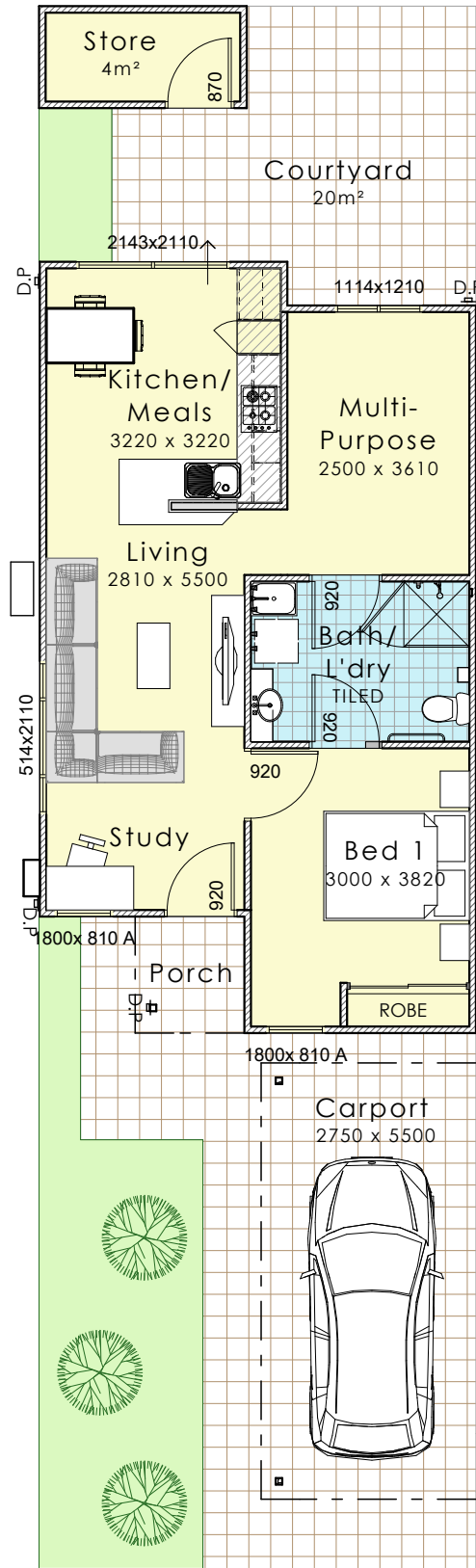
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PROJECT: 28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330	06/01/11	01	ISSUED FOR BUILDING LICENCE			DRAWING N°: 5.05
	08/01/10	02	F.F.L AMENDMENTS			
	18/01/11	03	NEW FLOOR PLAN CONCEPTS			
	24/01/11	04	REVISED FLOOR PLAN CONCEPTS			
	27/01/11	05	RETAINING WALL, F.F.L & ELEVATION AMENDMENTS			
		DATE PRINTED: Thursday, 27 January 2011		TIME PRINTED: 4:34 PM		
AGENDA ITEM 1.1 REFERS						

~~ALBANY WA 6330~~
~~AGENDA ITEM 1.1 REFERS~~



STAGE:	DEVELOPMENT APPROVAL
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PROJECT:	28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330



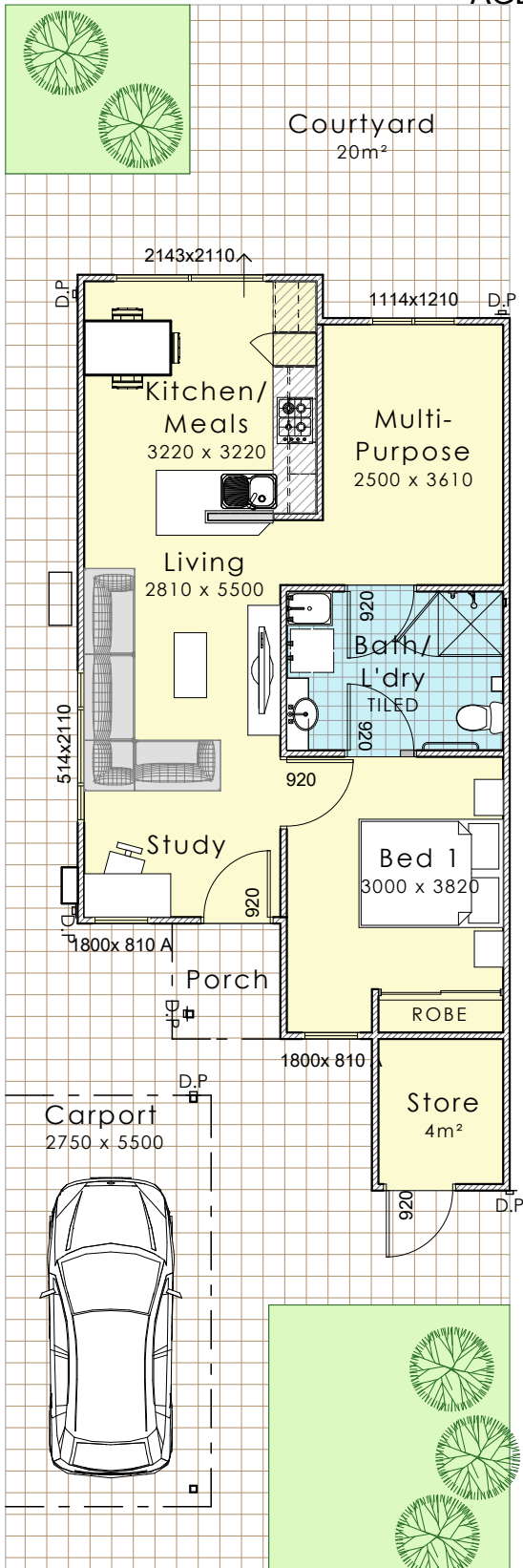


FLOOR PLAN 'TYPE D'
SCALE 1:100

AREAS	
GROUND FLOOR	= 57.40 m²
TOTAL	= 57.40 m²
CARPORT	= 18.00 m²
STORE	= 4.00 m²



STAGE:	DEVELOPMENT APPROVAL
CLIENT:	YARAN PTY LTD
PROJECT:	28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330



FLOOR PLAN 'TYPE A'
SCALE 1:100

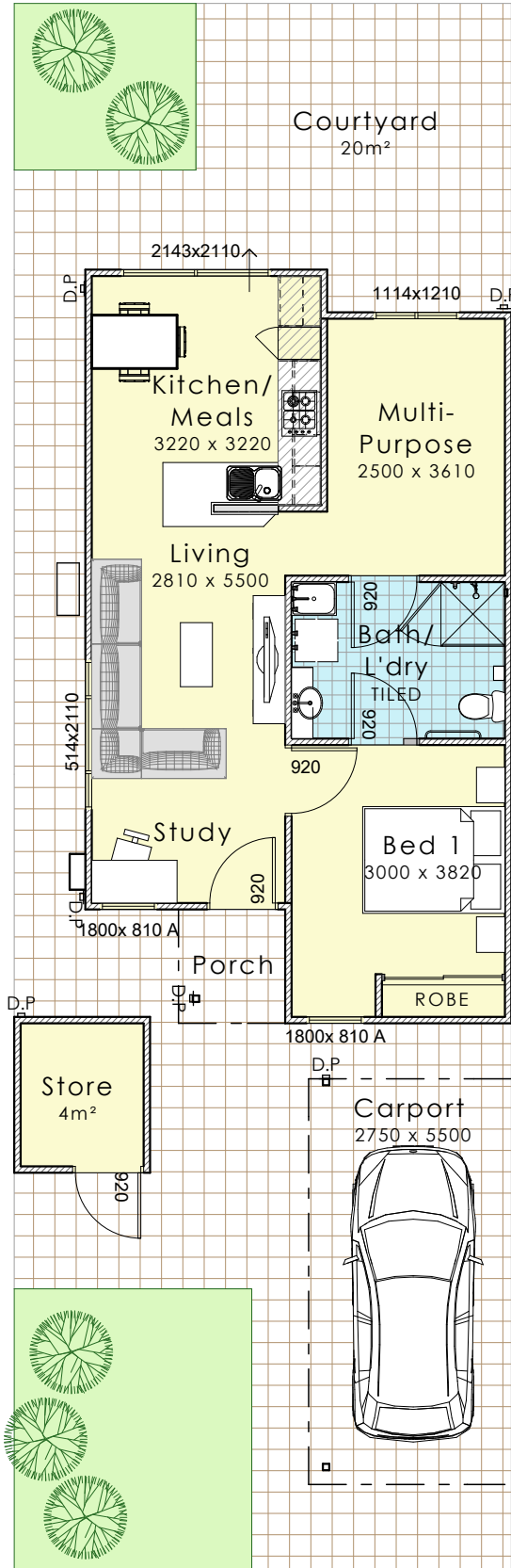
AREAS	
GROUND FLOOR	= 57.40 m²
TOTAL	= 57.40 m²
CARPORT	= 15.10 m²
STORE	= 4.00 m²



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STAGE:	DEVELOPMENT APPROVAL
CLIENT:	YARAN PTY LTD
PROJECT:	28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330



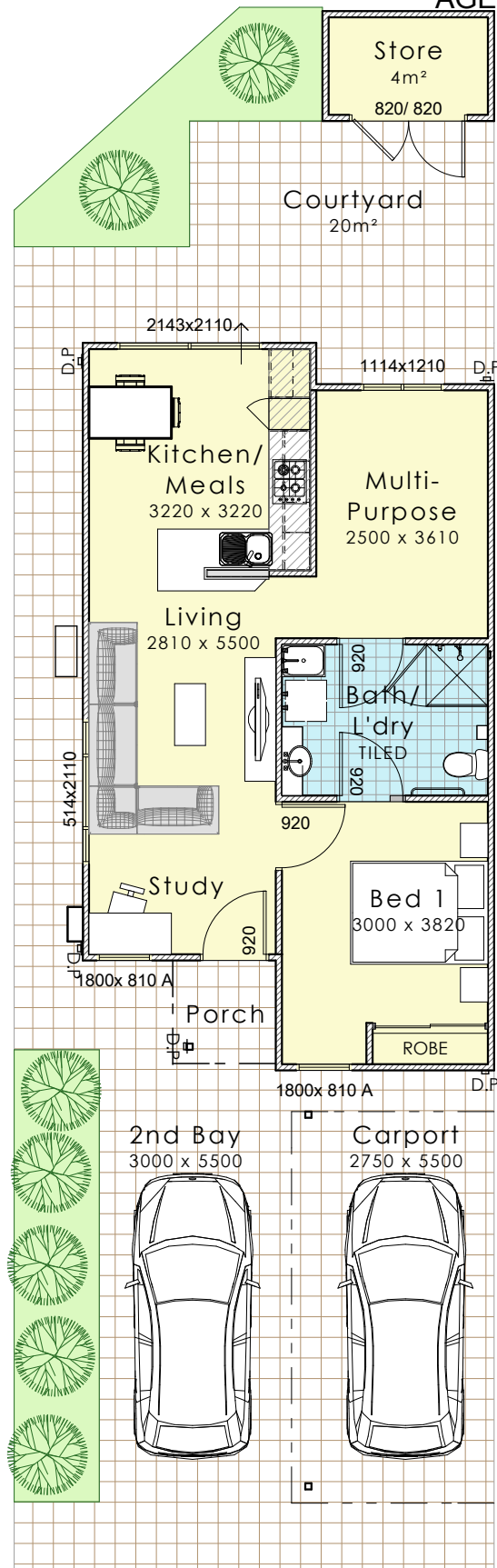
FLOOR PLAN 'TYPE A2'

SCALE 1:100



AREAS	
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TOTAL	= 57.40 m²
CARPORT	= 15.10 m²
STORE	= 4.00 m²

STAGE:	DEVELOPMENT APPROVAL
CLIENT:	YARAN PTY LTD
PROJECT:	28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330



FLOOR PLAN 'TYPE B'

SCALE 1:100

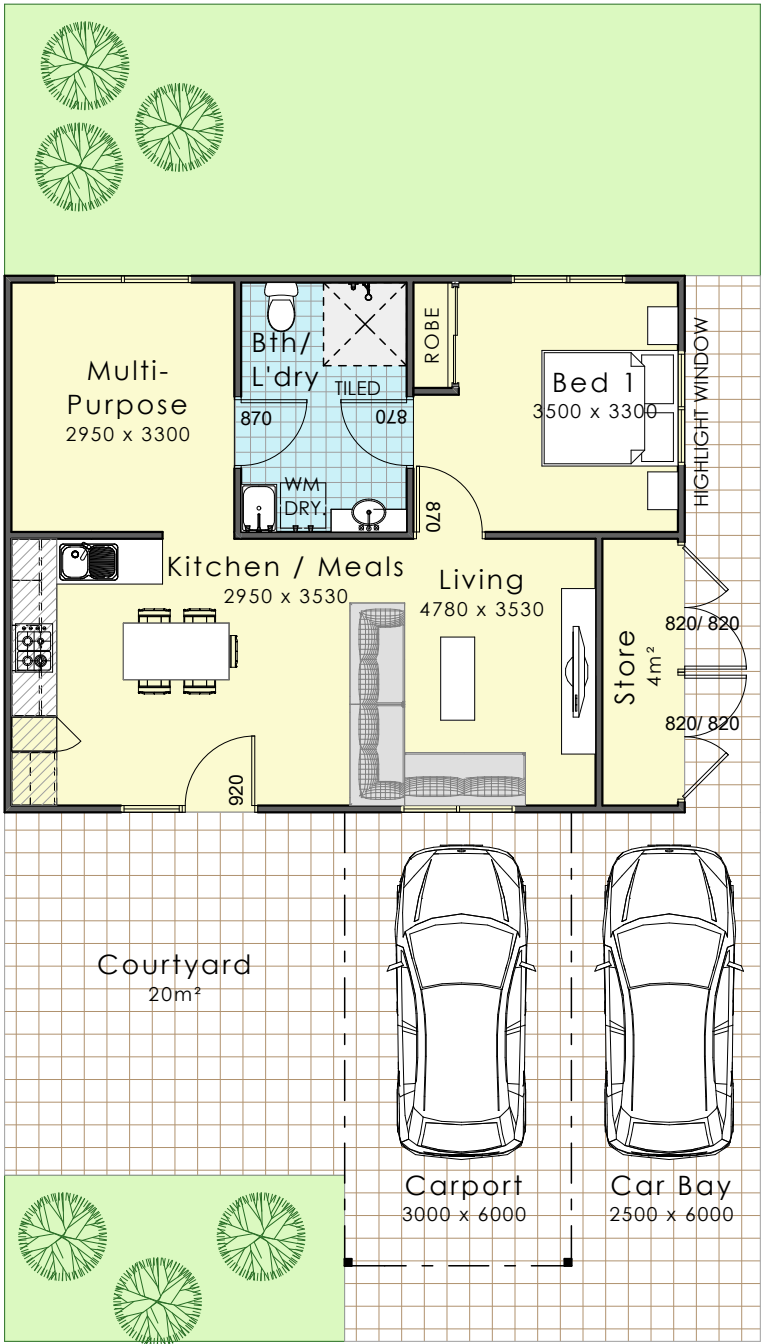
AREAS	
GROUND FLOOR	= 57.40 m ²
TOTAL	= 57.40 m²
CARPORT	= 15.70 m ²
STORE	= 4.00 m ²



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STAGE:	DEVELOPMENT APPROVAL
CLIENT:	YARAN PTY LTD
PROJECT:	28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330



FLOOR PLAN 'TYPE C'
SCALE 1:100

AREAS	
GROUND FLOOR	= 57.00 m²
TOTAL	= 57.00 m²
CARPORT	= 18.00 m²
STORE	= 4.00 m²



STAGE:	DEVELOPMENT APPROVAL
CLIENT:	YARAN PTY LTD
PROJECT:	28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330



AGENDA ITEM 1.1 REFERS



AGENDA ITEM 1.1 REFERS

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AGENDA ITEM 1.1 REFERS

AGENDA ITEM 1.1 REFERS

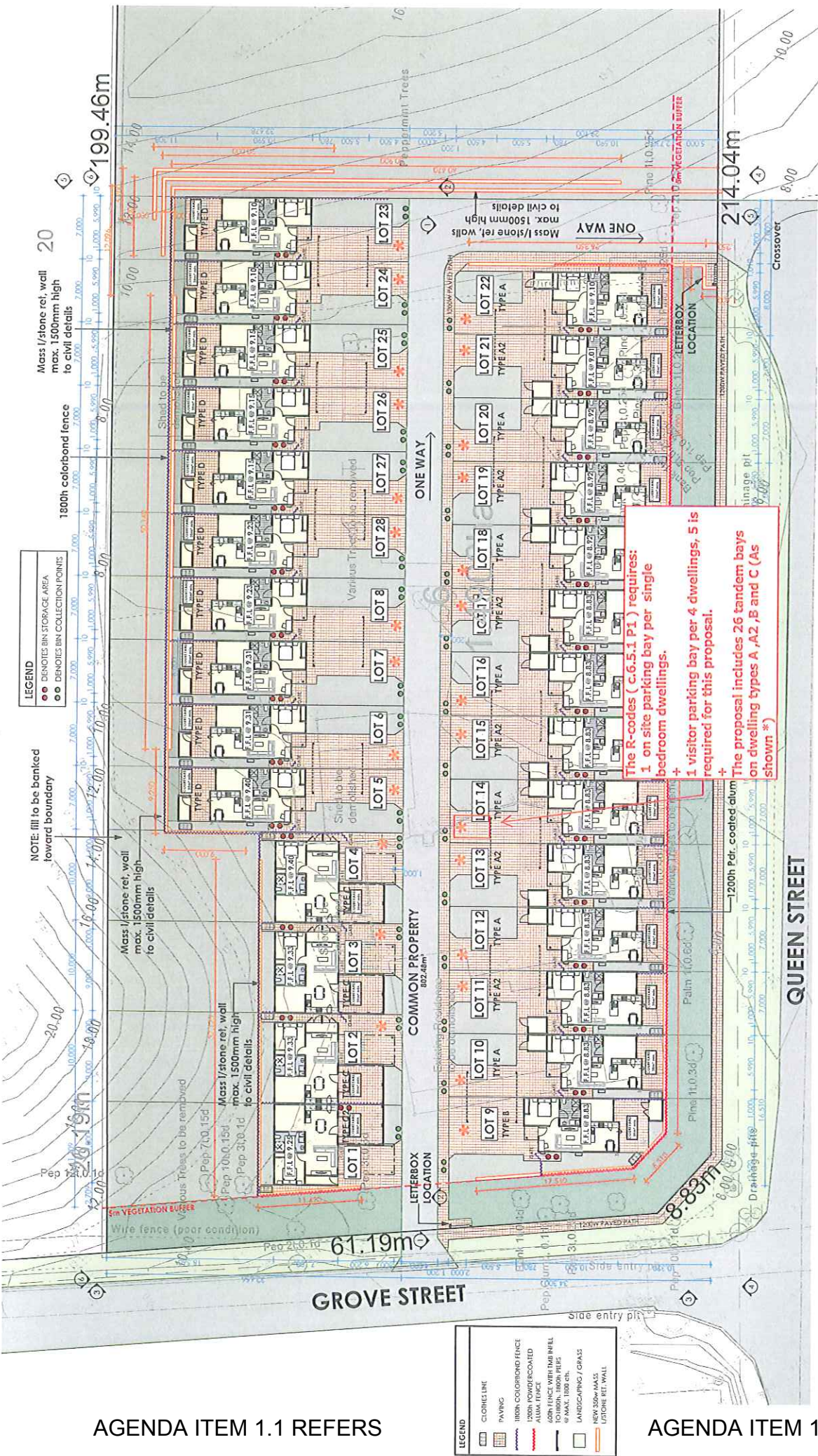


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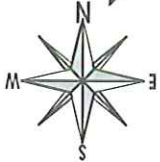




AGENDA ITEM 1.1 REFERS

AGENDA ITEM 1.1 REFERS

SITE PLAN
1:400



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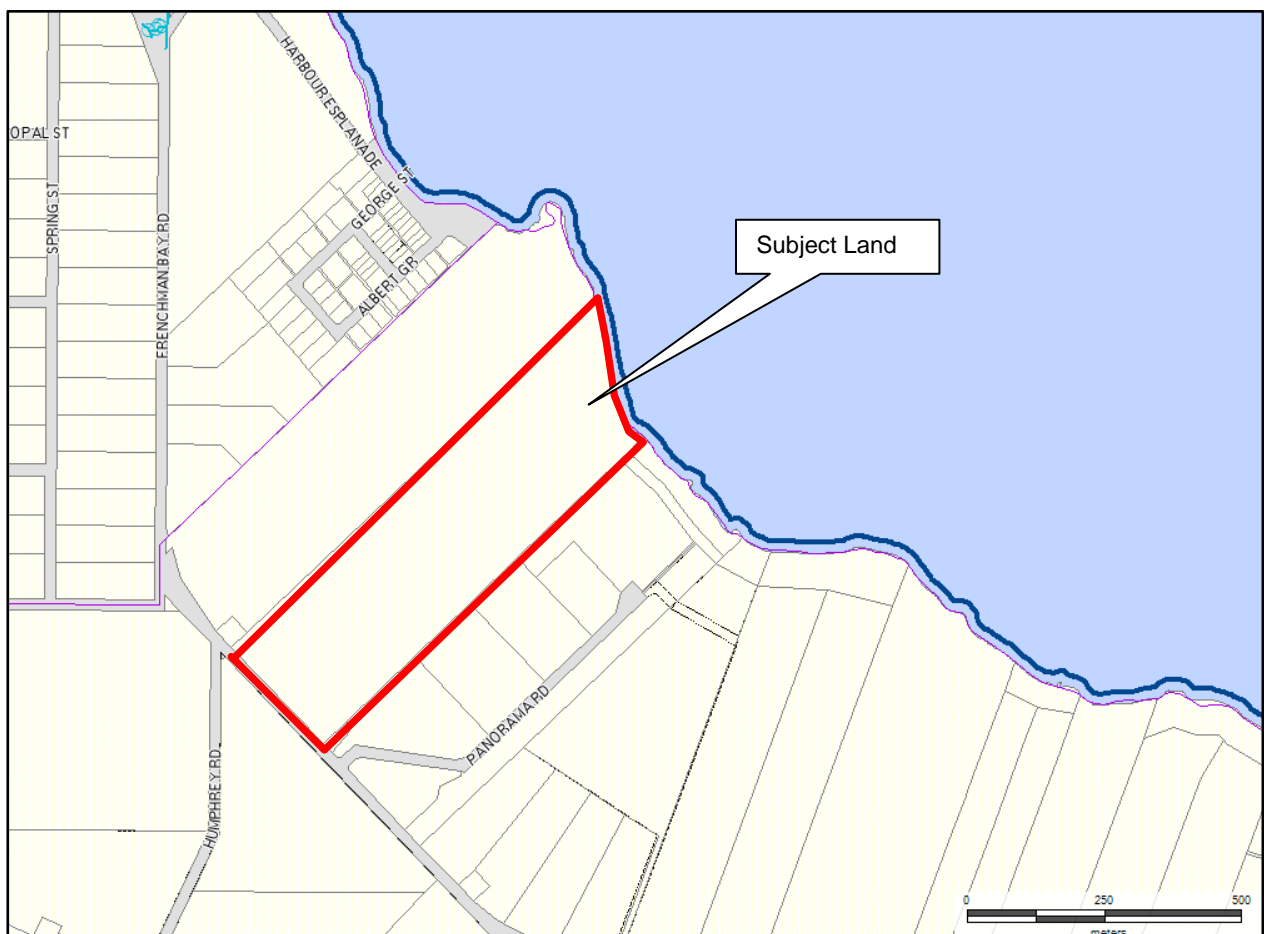
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STAGE: DEVELOPMENT APPROVAL		SHEET: SITE PLAN - SURVEY	
CLIENT: YARAN PTY LTD		SHEET NO: 3 OF 11	
PROJECT: 28 LOT DEVELOPMENT LOT 6 GROVE STREET ALBANY WA 6330		JOB NO: MD 227/09 BUILDING DESIGNERS ASSOCIATION OF W.A.	
DATE: 06/01/11		DATE PRINTED: Thursday, 27 January 2011	
REV: 01		DESCRIPTION: ISSUED FOR BUILDING LICENCE	
REV: 02		DESCRIPTION: F.I.L. AMENDMENTS	
REV: 03		DESCRIPTION: REVISIONS TO CONCEPTS	
REV: 04		DESCRIPTION: REVISIONS TO CONCEPTS	
REV: 05		DESCRIPTION: RETAINING WALL, F.I.L. & ELEVATION AMENDMENTS	
DATE: 27/01/11		TIME PRINTED: 4:32 PM	

1.2: SCHEME AMENDMENT REQUEST - LOT 105 FRENCHMAN BAY ROAD, BIG GROVE

Land Description	: Lot 105 Frenchman Bay Road, Big Grove
Proponent	: BSO Development Consultants
Owner	: Roman Catholic Bishop of Bunbury
Business Entity Name	: Roman Catholic Bishop of Bunbury
Appendices	: Scheme Amendment Request (SAR)
Councillor's Workstation	: Copies of Agency Submissions Environmental opportunities and constraints analysis report
Responsible Officer	: E/Director Planning and Development Services (G Bride)

Maps and Diagrams:



IN BRIEF

- Council is requested to consider a Scheme Amendment Request (SAR) proposal that deals with the future rezoning of Lot 105 Frenchman Bay Road, Big Grove from the 'Public Purpose' reserve to the 'Residential Development' zone in Town Planning Scheme No. 3.

CEO:

RESPONSIBLE OFFICER:

ITEM 1.2: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ADVISE the proponent that it is PREPARED to consider a formal scheme amendment to rezone Lot 105 Frenchman Bay Road, Big Grove from the 'Public Purpose' reserve to the 'Residential Development' zone, subject to the following matters being addressed and/or included as part of that formal amendment application:

- A. Studies on the biodiversity and conservation values of the land being provided to the satisfaction of the Department of Environment and Conservation.**
- B. The identification of an appropriate foreshore reserve in accordance with the Western Australian Planning Commission Statement of Planning Policy 2.6.**
- C. The protection of the South Coast Water Reserve and the existing well-head on Reserve 931 to the satisfaction of the Department of Water and the Water Corporation.**
- D. The land required for vegetation protection, water resource protection, foreshore reserve and fauna habitat and corridor protection should be designated as 'Parks and Recreation' reserve.**
- E. The inclusion of a Local Water Management Strategy to the satisfaction of Council and the Department of Water.**
- F. The addressing of infrastructure provision and servicing requirements, inclusive of any associated buffers and easements to the satisfaction of the various servicing authorities.**

ITEM 1.2: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-2

Record of Vote

Against the Motion: Councillors D Bostock and Leavesley

BACKGROUND

- 2. A Scheme Amendment Request (SAR) has been submitted to Council seeking support to rezone Lot 105 Frenchman Bay Road, Big Grove from the 'Public Purpose' reserve to the 'Residential Development' zone.
- 3. The subject land is currently classified as a 'Public Purpose' reserve under Council's Town Planning Scheme No. 3 and has a total land area of 20 hectares.
- 4. With the exception of firebreaks and access tracks the site is almost completely covered with remnant vegetation with a potentially high ecological value.

5. A portion of the subject land is also located within a priority one area of the South Coast Water Reserve; which is the primary potable water source for Albany.
6. The vegetation on the subject lot is in very good condition and provides habitat to support populations of bush rats, southern brown bandicoots and western ringtail possums. The condition and quality of the remnant vegetation has been identified by Opus Consultants in the Environmental Opportunities and Constraints Analysis report submitted with the SAR application.
7. To the north-west of the subject land is a large vegetated Reserve (Reserve 29669) which is vested with Council as a 'Reserve for Recreation'. To the south of this reserve, fronting Frenchman Bay Road, a smaller Reserve (Reserve 931) is used as a water production bore by the Water Corporation.
8. To the south-east of the subject land the majority of lots are zoned 'Residential Development' with two lots being zoned 'Motel'. This land is within the Big Grove Outline Development Plan (ODP) area.
9. The subject land was originally identified as 'Local Reserve' within the Albany Local Planning Strategy (ALPS) when adopted for advertising in 2007. During this consultation period a submission was received from the proponent requesting Council change the designation of the land to 'Future Urban', and at its meeting on 21 August 2007, Council resolved to support this modification with the ALPS subsequently being forwarded to the WAPC for endorsement.
10. On 2 December 2009 the Western Australian Planning Commission advised that five substantial modifications, differing from the originally advertised version of the ALPS, which included the change in designation of the subject land to 'Future Urban', would need to be placed on public exhibition seeking comments and a final position of Council.
11. At its meeting on 15 June 2010, Council resolved the following in relation to the subject land:

"THAT Council agrees to MAINTAIN the land at Little Grove in the 'Future Urban' designation."
12. The Western Australian Planning Commission supported Council's position on subject land and subsequently endorsed the ALPS at its meeting on 26 August 2010.

DISCUSSION

13. The SAR proposal is consistent with the ALPS which identifies the subject land as 'Future Urban'.
14. Given the environmental constraints affecting the site the SAR proposal has been accompanied by an initial Environmental Opportunities and Constraints Analysis report prepared by Opus Consultants. The report has identified the broad vegetation communities present on the site and acknowledges the need to protect the South Coast Water Resource

(affecting the western portion of the land) and identify an appropriate foreshore reserve fronting Princess Royal Harbour.

15. The proposal was referred to various government agencies and utility providers in accordance with established practice. Responses were received from:
 - Main Roads WA;
 - Western Power;
 - Telstra;
 - Department of Environment and Conservation;
 - Department of Water;
 - Water Corporation; and the
 - Department of Planning.
16. Whilst no objections were received to the SAR proposal, the agencies have identified that the following issues/studies will need to be addressed as part of a formal amendment proposal:
 - No development will be permitted within the Priority 1 area of the South Coast Water Reserve.
 - A Local Water Management Strategy will need to be submitted to the satisfaction of Department of Water.
 - The identification of an appropriate foreshore reserve that takes into account State Planning Policy 2.6 (Coastal Setbacks).
 - More detailed studies on the biodiversity and conservation values of the site should be provided to the satisfaction of the DEC.
 - Areas identified for vegetation protection, fauna habitat and corridor protection, water resource protection and foreshore reserve should be identified as a 'Parks and Recreation'.
 - The need for the upgrading of the intersection of Princess Royal Drive and Frenchman Bay Road.
17. As the SAR is consistent with the ALPS, staff are supportive of the proposal subject to the proponent addressing the matters raised by the government agencies.

GOVERNMENT CONSULTATION

18. The submissions received from the government agencies have been summarised below, however a full copy of the submissions has been placed in the Councillors Lounge.

Water Corporation:

19. The Water Corporation have advised that the South Coast Water Reserve contains the major portion of the drinking water supply for Albany and hence the development within the groundwater reserve would be subject to restrictions.

20. The western portion of Lot 105, adjoining Frenchman Bay Road, is within the South Coast Water Reserve which has been established to ensure that development within its boundaries does not pose an undue contamination risk to the underlying groundwater resource and the water production bore on the adjacent Reserve 931. The optimum level of protection would be to leave the area as undisturbed as possible and as such this portion of land should be excluded from any development which is consistent with the rezoning application. Any infrastructure that might be required to service the rezoning should be kept out of this portion of Lot 105 if possible.
21. The proponents are advised to engage the services of a consulting engineer to discuss with the Water Corporation the servicing of the area with reticulated water services.
22. In relation to reticulated sewerage the Water Corporation has advised that given the proximity of the land to the South Coast Water Reserve it is essential that any development of Lot 105 be connected to reticulated sewerage. It has also advised that at the ODP stage the identification of a suitable pump station site, inclusive of a 30 metre buffer, would be required.

Department of Water (DOW):

23. The DOW has also advised that they would not support any development within the Priority One (P1) area of the South Coast Water Reserve, and that this area should remain as native vegetation and public access within this area should not be encouraged.
24. They have also advised that a Local Water Management Strategy, as per the Better Urban Water Management Planning Framework (2008) would need to be submitted with the amendment proposal.
25. The DOW endorses the provision of a foreshore reserve along the Princess Royal Harbour foreshore. The setback from the foreshore will need to be determined through a biophysical assessment and take into account the projected sea level rises associated with climate change. The DOW will request the preparation of a foreshore management plan at the ODP stage.

Department of Environment and Conservation (DEC):

26. The DEC considers that the subject land, in association with the adjoining Reserve 29669 and Reserve 931, has important biodiversity and conservation values. The DEC has advised that Lot 105 contains vegetation in excellent condition, and is already known to provide habitat for a number of rare fauna species and currently surveyed to Level 1 criteria for its flora.
27. The DEC have advised that should Council be inclined to pursue the rezoning of the site, more detailed information is sought on the biodiversity and conservation values of the site, and the significance and extent of these, before further decisions are made.
28. Whilst the DEC has recognised that the Opportunities and Constraints Analysis provided by Opus provides good background information on environmental values, more recent work has

been undertaken as part of the Albany Regional Vegetation Survey. This Survey identifies a critically endangered vegetation unit *Banksia littoralis* woodland and *Melaleuca incana* shrubland on the subject land.

Department of Planning (DOP):

29. The DOP has advised that the SAR proposal is consistent with the long term planning directions identified in ALPS, with development on the site being complimented by the aims of the draft Big Grove Outline Development Plan over neighbouring properties to the west and services are easily available to the site.
30. DOP recognises that remnant vegetation with potentially high ecological significance covers the entirety of the lot. The Vegetation and Landscape Strategy in Section 8.4.2 of ALPS notes that until such time as the Albany Regional Vegetation Survey (ARVS) has been completed and adopted into ALPS, development will only be supported in cleared areas or where the value of any remnant vegetation has been assessed in accordance with the ARVS and assessed as being able to be cleared.
31. DOP have also noted that Opportunities and Constraints Analysis has identified that the vegetation is in excellent condition (with minimal localised disturbance, weed invasion and a long period of fire absence) and is an important habitat for the western ringtail possum and a number of other native mammal species.
32. In addition to the ecological values of the site, consideration also needs to be given to the tourism value of the site's foreshore location in accordance with recommendations 7 and 9 of the Albany Tourism Accommodation Planning Strategy (July 2010). In this regard the DOP would be supportive of a tourism focused development on this site.
33. In summary the DOP have recommended that:
 - provisions be inserted within the City's Scheme as part of the rezoning proposal which respond to the characteristics of the site.
 - provision of an adequate foreshore reserve along Princess Royal Harbour designated as 'Parks and Recreation' in accordance with SPP No.2 and the requirements of SPP 2.6.
 - further ecological assessment in consultation with the DEC to identify areas of significant flora and fauna habitat be undertaken.
 - areas of significant flora and fauna habitat are allocated as 'Parks and Recreation Restricted' in the Scheme.

Main Roads WA

34. Main Roads WA has not objected to the proposal in principle, but have advised that in order to ensure an adequate level of service and safety is maintained, an upgrade to the intersection of Frenchman Bay Road and Princess Royal Drive would be required at the proponent's cost at the time of subdivision.

STATUTORY IMPLICATIONS

35. A SAR is not a statutory process under the *Planning and Development Act 2005*. The purpose of the SAR process is to give an applicant feedback as to whether an amendment is likely to be supported or not, and the issues to be addressed in the Scheme Amendment documents.
36. If an applicant decides to pursue a Scheme Amendment, Council will be required to formally consider that request.
37. Should Council support a scheme amendment proposal and the land is ultimately converted into the Residential Development zone, subdivision and development would need to be in accordance with an endorsed Outline Development Plan (ODP).

FINANCIAL IMPLICATIONS

38. Should Council ultimately support the rezoning of this land and a portion of the land is subdivided, Council will be responsible for maintaining the newly created road network and public open space areas. Given the environmental constraints applying to this site there may be significant areas of public open space created which will need to be managed by Council. The determination of the areas of public open space will need to be identified through the formal rezoning and outline development plan process.
39. The proponent has paid the required fee as per Council's adopted Planning Fees Schedule.

STRATEGIC IMPLICATIONS

40. Council's decision on the Scheme Amendment should be consistent with the objectives of the Albany Local Planning Strategy (ALPS) as the principal land use planning strategy for the City.
41. The most pertinent sections of the ALPS that relate to this proposal are as follows:

Sustainable Settlements

Key ALPS aims:

- *Infill and consolidation of development within existing urban areas.*
- *Incremental development of new urban areas based on the concept of integrating settlement nodes within the natural environment...*

Section 8.4 Environmental Strategy

Environment (Section 8.4)

- *Encourage biodiversity preservation.*
- *Support and conserve the natural landscape and soil and water resources.*
- *Support the protection of the City's water resources and future supplies.*

Actions

- *Utilise cleared land wherever possible in new urban developments and develop incentives for retaining remnant vegetation in subdivisions (CoA).*
- *Protect existing and future potable water supplies by introducing controls into the LPS1 (CoA).*

4.2 Vegetation

Planning principle:

“Conserve remnant vegetation within the district landscape.”

4.2.1 Remnant Vegetation and Linkages

Planning objective:

“To protect areas of significant remnant vegetation and increase the area of re-established local species of vegetation within the landscape.”

Actions

- *Identify remnant vegetation macro corridors through more detailed investigations and mapping to determine appropriate linkages at a local level (DEC).*
- *Secure vegetation linkages and regional reserves through the use of statutory planning mechanisms (WAPC, DEC), local scheme amendments and subdivision and development proposals (CoA). Regional reserves can only be included in the LPS1 if they have been included in a regional planning scheme prepared by the WAPC or designated or acquired by other State Government agencies (WAPC, DEC, CoA)."*

42. The proposal is in accordance with Council's strategic planning framework as the use of the land is consistent with the designation within the ALPS. In relation to the protection of remnant vegetation, additional studies will need to be undertaken by the proponent at the rezoning and ODP stage to meet the requirements of the respective government agencies (particularly the DEC).

POLICY IMPLICATIONS

43. Council is required to have regard to any Western Australian Planning Commission (WAPC) Statements of Planning Policy (SPP) that apply to the SAR. Any amendment to the Town Planning Scheme would require assessment by the WAPC to ensure consistency with the following State and Regional Policies.
44. **SPP 2 – Environment and Natural Resources Policy**
SPP 2 refines the principles of the State Planning Strategy and incorporates the recommendations of the *Western Australian State Sustainability Strategy (2002)* to ensure that planning decisions meet the needs of current and future generations through simultaneous environmental, social and economic improvements through the integration of land use planning and natural resource management.

The objectives of SPP 2 are to:

- *integrate environment and natural resource management within broader land use planning and decision-making;*
- *protect, conserve and enhance the natural environment; and*
- *promote and assist in the wise and sustainable use and management of natural resources.*

45. SPP 2.6 – State Coastal Planning Policy

SPP 2.6 refines the findings of the draft Coastal Zone Management Policy for Western Australia (2001) and includes provisions aimed at ensuring the sustainable use of the coast.

The objectives of SPP 2.6 are to:

- *Protect, conserve and enhance coastal values, particularly in areas of landscape, nature conservation, indigenous and cultural significance;*
- *Provide for public foreshore areas and access to these on the coast;*
- *Ensure the identification of appropriate areas for the sustainable use of the coast for housing, tourism, recreation, ocean access, maritime industry, commercial and other activities; and*
- *Ensure the location of coastal facilities and development takes into account coastal process including erosion, accretion, storm surge, tides, wave conditions, sea level change and biophysical criteria.*

The Department of Planning and Department of Water have recommended that an appropriate foreshore reserve be assessed by the proponent in accordance with the provisions of SPP2.6. This recommendation has been included in the responsible officer recommendation.

46. SPP 2.7 – Public Drinking Water Source Policy

SPP 2.7 addresses planning requirements for areas contained within public drinking water source areas and seeks to maintain the high quality of water available in these areas and prevent pollution or contamination occurring from incompatible uses being developed.

The objectives of SPP 2.7 are to ensure that land use and development within public drinking water source areas is compatible with the protection and long-term management of water resources for public water supply. The DOW and the Water Corporation have identified that any future development should be located outside of the South Coast Water Reserve (Priority 1 area) and the well-head buffer zone.

47. SPP 2.9 – Water Resources

SPP 2.9 advises that our water resources which include wetlands, waterways, floodplains, estuaries, groundwater aquifers and the marine environments are subject to impacts and demands that affect both quality and quantity. The policy highlights the fundamental need to protect these resources due to their social, environmental and economic importance to the community.

The objectives of SPP 2.9 are to:

- *Protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;*
- *Assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources; and*
- *Promote and assist in the management and sustainable use of water resources.*

The DOW has requested the submission of a Local Water Management Strategy (LWMS) at the formal rezoning stage which will need to address the above matters.

48. SPP 3 – Urban Growth and Settlement

SPP 3 sets out the key principles and planning considerations that apply to planning for urban growth and expansion of settlements in the State.

The objectives of SPP 3 are to:

- *promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- *manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- *promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- *coordinate new development with the efficient, economic and timely provision of infrastructure and services.*

The subject land is immediately adjacent to an existing Residential Development cell, which is subject to the Big Grove Outline Development Plan (ODP). The proposal is consistent with the Albany Local Planning Strategy, however any future rezoning application and ODP will have to address the constraints applying to the subject land.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

49. Council has the following options in relation to this item, which are:

- To support the SAR proposal without modifications;
- To support the SAR proposal with modifications; or
- To reject the SAR proposal.

50. Should Council wish to support the SAR request it is important that prior to the submission of a scheme amendment application the proponent provides additional detailed information on the biodiversity of the site to the satisfaction of DEC.
51. The SAR process is not a statutory process under any planning legislation. It is used by the City (and other adjoining Local Governments in the region) as a precursor to the formal Scheme Amendment process. It is designed to provide the proponent with a simple and informal assessment of a proposal to gauge the views and comments of the City and other State Government agencies on the merits and likely support to be expected.
52. Should Council support the SAR proposal, it likely to progress to a formal Scheme Amendment; the Amendment undergoes a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*. All Scheme Amendments require the endorsement of the WA Planning Commission and approval from the Minister for Planning.
53. If Council were to reject the SAR proposal, the proponent would have the following options:
- To not proceed with a formal scheme amendment document;
 - To lodge a formal Scheme Amendment and request consideration by Council, irrespective of the outcome of the SAR.

SUMMARY CONCLUSION

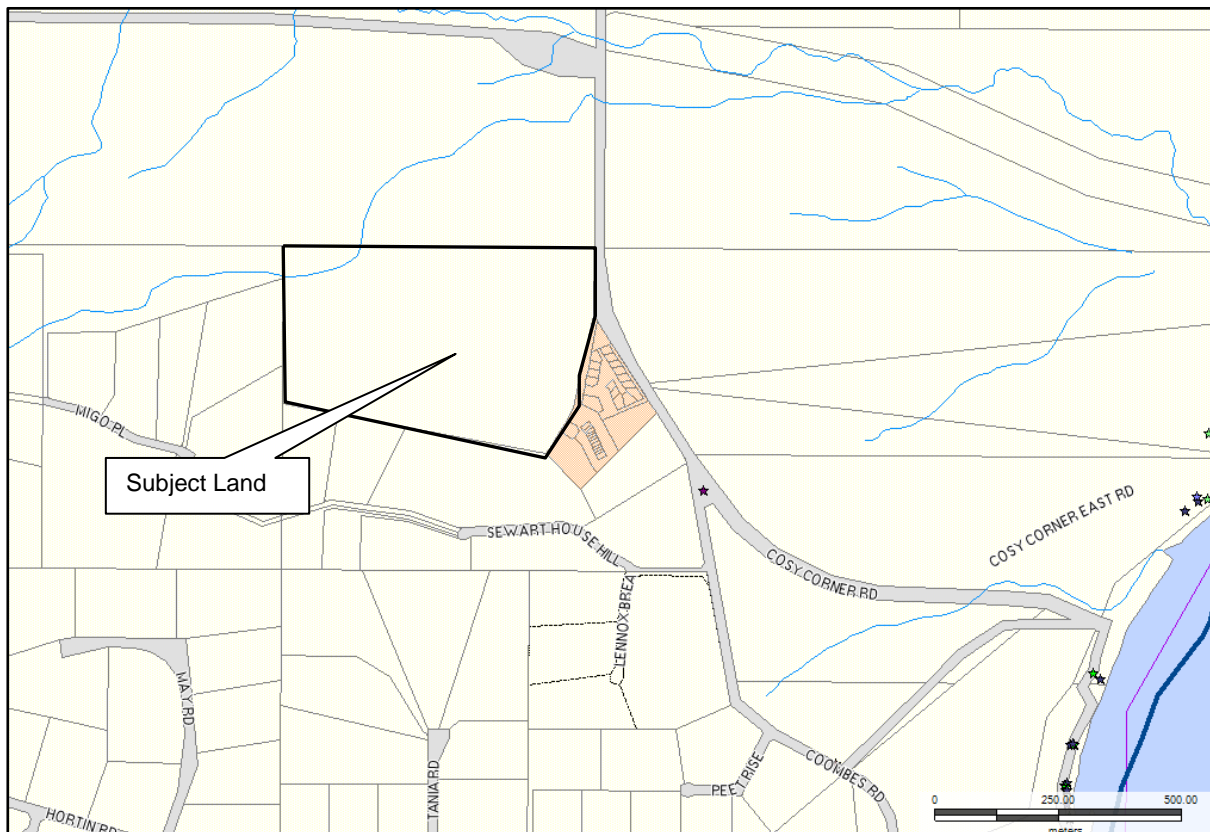
54. The scheme amendment proposal is consistent with the designation of 'Future Urban' as per the Albany Local Planning Strategy. There are several areas of concern identified by the relevant government agencies and these will need to be adequately addressed by the proponent prior to lodging a formal application to amend the Scheme.

Consulted References	Albany Local Planning Strategy
File Number (Name of Ward)	SAR150 (Vancouver Ward)
Previous Reference	OCM 15/6/2010 – Item 13.2.8

1.3: SCHEME AMENDMENT REQUEST - LOT 4 COSY CORNER ROAD, KRONKUP

Land Description	: Lot 4 Cosy Corner Road, Kronkup
Proponent	: Craig Pursey Planning
Owner	: AH and PR London
Director of Owner Company	: AH and PR London
Business Entity Name	: Trading as Torbay Olives
Appendices	: Scheme Amendment Request document Supplementary Report – January 2011
Responsible Officer	: Executive Director Planning & Development Services (G Bride)

Maps and Diagrams:



CEO:	RESPONSIBLE OFFICER:
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IN BRIEF

- Council is requested to consider a Scheme Amendment Request proposal that deals with the future rezoning of Lot 4 Cosy Corner Road, Kronkup from the 'Rural' zone to the 'Special Rural' zone in Town Planning Scheme No. 3.

ITEM 1.3: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

1. **ADVISE** the proponent that it is **PREPARED** to consider a formal scheme amendment to rezone Lot 4 Cosy Corner Road, Kronkup from the 'Rural' zone to 'Special Rural' zone, subject to the following matters being addressed and/or included as part of that formal amendment application:
 - A. An Agricultural Impact Statement (as per SPP 2.5, Appendix 3) being prepared by a suitably qualified professional to determine the impact of the proposal on existing agricultural operations and whether sufficient separation distances between building envelopes and existing rural activities, inclusive of the Olive Grove, are appropriate.
 - B. A land capability report being prepared to determine that the proposed building envelopes are capable of supporting the development envisaged.
 - C. A Fire Management Plan being prepared to determine whether there is sufficient separation between the proposed building envelopes and the vegetated areas.
2. **AGREES** to update the Albany Local Planning Strategy (ALPS), by amending Figure 19 (Torabay Hill Town Site) to include Lot 4 Cosy Corner Road, Kronkup within the boundary of the Torbay Hill Town Site when the ALPS is next reviewed in mid to late 2011.

ITEM 1.3: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR WELLINGTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9-1

Record of Vote

Against the Motion: Councillor D Bostock

BACKGROUND

1. Scheme Amendment Request (SAR) 149 has been submitted to Council to assess the potential to rezone Lot 4 Cosy Corner Road, Kronkup from the 'Rural' zone to the 'Special Rural' zone.

2. The subject land is zoned 'Rural' and has a total land area of 22.73 hectares and forms part of Torbay Hill, sloping down to the Kronkup flats along its northern boundary. Minor hills and drainage lines dissect the property. The subject land slopes down from a high point of 76m AHD in the south west corner of the lot to a low point of 30m AHD in the north eastern corner of the lot.
3. The subject land is currently developed with an olive grove, a single residence and a number of sheds used as outbuildings to the residence and as storage for farm equipment and olive oil reserves. The land is used for rural purposes with the olive grove producing limited commercial quantities with the remainder of the lot being grazed with cattle. There are large areas revegetated with native vegetation and a karri forest in the south eastern corner of the property.
4. Surrounding land uses include the following;
 - the land to the north is used for agricultural purposes (grazing of cattle and are identified as priority agricultural land);
 - the land to the south and west is being used for rural residential purposes and the land adjoining the site to the east is used as the Torbay Motel, chalets and a general store and cafe that has been closed for some time.
5. Council is now required to determine its support, or otherwise, for the current SAR proposal.

DISCUSSION

6. The SAR deals with a proposal that if supported and subsequently rezoned into the future will result in approximately six 'Special Rural' zoned lots, with an average lots size of four hectares.
7. The subject land shares the same characteristics as the remainder of Torbay Hill with some cleared areas and large areas of remnant vegetation. The introduction of additional dwellings contemplated under the proposal should not have a detrimental impact on the amenity of the area, as the area is already characterised by this type of development. The provision of a landscaped strip along the property's northern boundary is proposed; this will serve as a vegetated buffer to the large grazing areas to the north and as a visual buffer to Torbay Hill when viewed from Cosy Corner Road.
8. The subject land could be incorporated into the neighbouring subdivision guide plan as an extension of the Townsite and the scheme provisions for Special Rural Area 30 could be directly applied to this site.
9. Council's decision on the Scheme Amendment should be consistent with the strategic objectives of the Albany Local Planning Strategy (ALPS) as the principal land use planning strategy for the City.

10. The most pertinent sections of the ALPS are as follows;

a) *“Section 6.2.4 Rural Town sites*

...The planning and development of rural townsites need to be based on appropriate development options to maintain their function and the availability of infrastructure and community facilities...

Actions: Identify in the LPS1 the settlements of Redmond, Manypeaks, Youngs Siding, Elleker, Torbay Hill, Kalgan, Wellstead, South Stirling and Cheyne Beach as existing rural focal points and settlement centres with the potential for additional development in accordance with Table 5. Structure planning is required for each townsite (CoA).”

b) *“Section 8.3.4 Protection of Future Urban Land*

.....The ALPS does not support the continued growth of rural living areas as fragmented isolated developments, within Priority and General Agriculture areas or the future Albany townsite’s fully-serviced urban fringe and other area with future urban development potential...”

c) *“Section 8.3.5 – Rural Living*

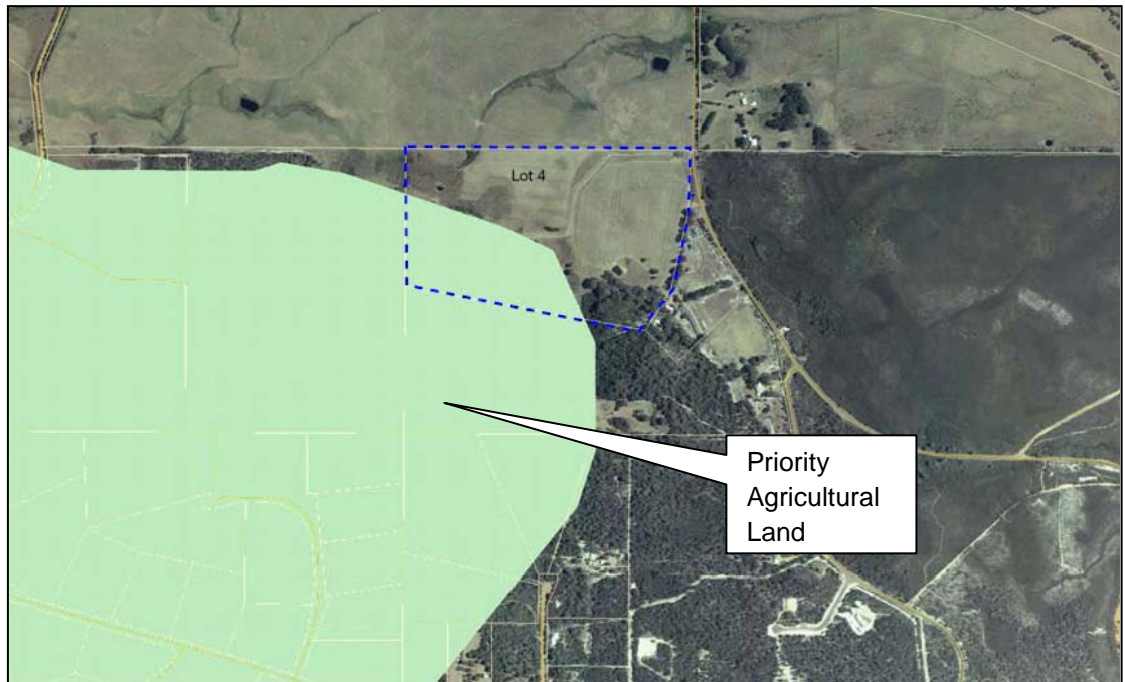
...Ensure that future rural living areas are planned and developed in an efficient and co-ordinated manner by being located either adjacent to Albany as designated on the ALPS maps, or within existing rural townsites in accordance with Table 5 along with adequate services and community infrastructure....”

“The strategy’s objectives for Rural Living areas are to:

- Avoid the development of Rural Living areas on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity.*
- Provide for compact growth of selected existing rural townsites in accordance with Table 5, based on land capability and available services and facilities...”*

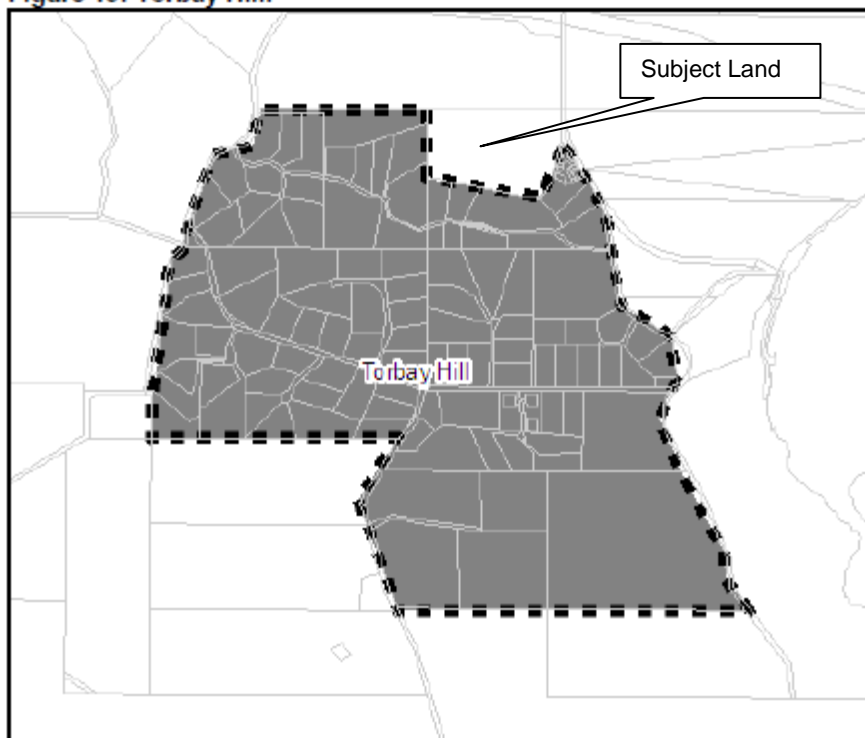
11. The subject land is within an area that is identified by the ALPS as Priority Agricultural land.

12. Staff have sourced a copy of the priority agriculture mapping from the Department of Agriculture and Food WA (DAFWA) which identifies that only the south-western portion of the subject land is located within the priority agricultural area (refer diagram below). The proponent has identified that the existing priority agricultural area in this locality, being to the west and south of the subject land, is situated over existing special rural allotments, and due to their size and zoning do not support intensive agriculture. For these reasons the proponent argues that the proposal would not detrimentally impact existing or future agricultural production in the immediate locality.



13. The subject land is not within the Townsite Boundary as per Figure 19: Torbay Hill (refer below) and Table 5 of the ALPS recommends no further expansion of the Town Site.

Figure 19: Torbay Hill.



14. The proponent has stated that the inclusion of the subject land into the same zoning (Special Rural) as surrounding land parcels to the west and south would be a logical 'rounding off'. In relation to precedent concerns the proponent states:

- This property shares the same land characteristics as the existing special rural development (being the last property before the land flattens off into the Kronkup flats);
 - The land is surrounded by non-rural land uses on three sides;
 - The land is virtually the last smaller lot in the immediate area capable of being developed for rural residential purposes. Nearby land that is not located on the flats is designated as Priority Agriculture and is of a size capable of being further developed for agricultural purposes.
 - Hortin Road forms a boundary to rural residential development to the west. Cosy Corner Road forms a logical boundary to the east.
15. The boundaries of the Torbay Hill townsite (as identified in Figure 19 above) appear to have been based on the existing special rural areas that were in place at the time or were in the final stages of a scheme amendment process. The subject land, being zoned 'Rural' and identified as suitable for Priority Agriculture use in the ALPS, was therefore specifically excluded. The proponent has identified that with the exception of the subject land being outside of the townsite boundary, the proposal meets all relevant objectives of the ALPS as it relates to the creation of Rural Living areas as:
- The land will not create an 'additional' rural townsite;
 - The small portion of the land is affected by the priority agricultural land designation, however the balance of this cell is over existing special rural lots, and therefore the proposal will not detrimentally affect opportunities for priority agriculture. The proposal will also retain the Olive Grove.
 - The land is not in an area of extreme bushfire risk and is not subject to flooding.
 - The land is beyond the area identified in ALPS as future urban or long term residential.
16. Table 5 within the ALPS identifies no additional growth for the Torbay Hill town site, and states that a maximum yield of 100 lots is envisaged. The number of existing and proposed lots within the town site boundary, as defined by Figure 19 of the ALPS, is approximately 102 (which includes the final yield identified in the relevant subdivision guide plans for the existing special rural areas). If Council accepts the proponent's position in relation to precedent, the addition of 6 lots as proposed would have a marginal impact on the maximum lot yield envisaged for the town site.
17. Whilst the land is not included within the boundaries of the Torbay Hill town site, the proposal meets all other relevant objectives identified within the ALPS, and it is recommended that the proposal be supported. Consistent with the advice from the DAFWA the inclusion of an agricultural impact statement consistent with Statement of Planning Policy 2.5 should also be included with the amendment, to the extent that appropriate buffer distances from the Olive Grove and surrounding rural uses to proposed building envelopes should be examined. It is clear that the opportunity to develop the adjacent priority agricultural area to the west and south has been lost by the past conversion of this area to special rural development.

GOVERNMENT CONSULTATION

18. The SAR was referred to the Department of Planning, WA Gas Networks Pty Ltd, Telstra, Water Corporation, Western Power, the Department of Agriculture and Food, the Department of Health, the Department of Water, the Department of Environment and Conservation and the Fire and Emergency Services Authority. Responses were received from the Water Corporation, Department of Water, Department of Health, Department of Planning and the Department of Environment and Conservation who commented as follows:

Water Corporation:

19. The Water Corporation has no facilities or infrastructure within this parcel of land and therefore has no objection to this proposal.

Department of Water:

20. The Department of Water has assessed the proposal and has no comment to offer at this stage of the planning process.

Department of Health:

21. The Department of Health is prepared to support the rezoning proposal when site suitability for onsite wastewater disposal is demonstrated via a land capability report, and information regarding the provision of an adequate buffer to conflicting land uses are presented for further consideration at the formal scheme amendment stage.

Department of Environment and Conservation:

22. The Department of Environment and Conservation has no substantive comments to offer with regard to this proposal.
23. The Department has noted that despite the property being already largely cleared, due consideration appears to have been given to the limited opportunities for conservation of flora and fauna and wildlife corridors on the indicative subdivision guide plan. The Department also advised that the property remains an active participant in the Land for Wildlife Program.

Department of Planning:

24. The Department of Planning had originally objected to the SAR proposal on the basis that the subject land was outside of the town site boundary for Torbay Hill and was identified as being suitable for Priority Agriculture within the ALPS. The Department after reviewing additional information provided by the proponent (refer supplementary report, January 2011) have since provided an updated response in support of the proposal on the following grounds:
- The land's location between existing Special Rural to the west and the Special Use site to the east lends support to it's inclusion within the Torbay Hill Rural Town site.

- The lot shares a common boundary with Special Use Site 8 which includes permissible uses such as chalet, accommodation and shop which have the potential to negatively impact on the lots ability to expand future uses.
- Further consolidation around Special Use Site 8 is supported by Statement of Planning Policy 3 – Urban Growth.
- The priority agricultural status of the south western corner of the property will not be impacted by a rezoning to Special Rural as the section of property is vegetated and not available for agricultural use.

Department of Agriculture and Food:

25. The Department of Agriculture and Food did not object to the proposed rezoning of Lot 4, Cosy Corner Road, Kronkup to the 'Special Rural' zone, however the following comments were made:

- Although the identification of Priority Agricultural Land (prepared by the Department of Agriculture and Food, 2003), only occupies the rear portion of the property under investigation, there is insufficient information provided in the assessment report, to justify that the total area of the subject land is not suitable for intensive agriculture.
- In general the Department does not support the rezoning of Rural land to Special Rural for Rural Residential development (adjacent areas of Priority Agricultural Land) due to the following concerns:
 - “a. Rezoning to Special Rural and subsequent development of Rural Residential areas effectively alienates rural land from agriculture and food production.*
 - b. Special Rural/Rural Residential developments which rely on surface or groundwater supplies for domestic and stock use will reduce the amount of sustainable water supply available for agriculture.*
 - c. Approval of this subdivision proposal would possibly set an undesirable precedent to support the subdivision of Rural Zone land where it is not in accordance with the objectives and intent of SPP2.5 Agriculture and Rural Land Use Planning, both in this locality and others.*
 - d. Special Rural zoned areas (with rural residential development) are normally adjacent to agricultural areas and the development of these areas without appropriate buffers has the potential to increase land use conflict.*
- The Department also advised that any changed land use on agricultural land needs to include buffers on the re-zoned land to minimise land use conflict. To ensure agricultural operations on land next to re-zoned areas are not restricted, the Department recommends that minimum setbacks/buffers should be incorporated into the re-zoned areas in accordance with the EPA guidelines: Separation Distances between Industrial and Sensitive Land Uses.

26. The Department of Agriculture and Food provided an additional response to the supplementary report provided by the proponent and advised:

- To avoid land use conflict buffers between the proposed building envelopes and the existing Olive Grove and adjacent lot boundaries need to be established within the subject land to the satisfaction of the Department.
- It would be appropriate that an Agricultural Impact Assessment in accordance with SPP2.5 (Appendix 3) is prepared to determine the impact the proposal would have on adjacent rural land parcels, inclusive of the surrounding priority agricultural land to the west and south of the subject land.

STATUTORY IMPLICATIONS

27. A SAR is not a statutory process under the *Planning and Development Act 2005*. The purpose of the SAR process is to give an applicant feedback as to whether an amendment is likely to be supported or not, and the issues to be addressed in the Scheme Amendment documents.
28. If an applicant decides to pursue a Scheme Amendment, Council will be required to formally consider that request.

FINANCIAL IMPLICATIONS

29. Should Council ultimately support the rezoning of the land, the indicative subdivision guide plan indicates a new access road to serve the new lots. This road once constructed by the proponent would be maintained by Council thereafter.
30. The proponent has paid the appropriate fee in accordance with Council's adopted Planning Fees Schedule.

STRATEGIC IMPLICATIONS

31. Council's decision on the Scheme Amendment should also be consistent with the objectives of the ALPS as the principal land use planning strategy for the City.
32. In addition to the strategic implications identified in the discussion section of this report, the following excerpt from the ALPS is also relevant:

Section 8.5.5 – Agriculture sets the following Strategic Objective:

"Facilitate the protection of priority and general agriculture land from incompatible land use, developments and land-management practices."

33. The continuing loss of prime agricultural land to other land uses, particularly to rural living areas in and around Albany's urban fringe, has a detrimental impact on the viability of agricultural areas.
34. The ALPS identifies Priority Agricultural areas should be retained and protected as a finite resource. These are areas that contain land suitable for general rural activities plus irrigated annual horticulture, irrigated perennial horticulture and other irrigated crops and pasture.

POLICY IMPLICATIONS

35. Council is required to have regard to any Western Australian Planning Commission (WAPC) Statements of Planning Policy (SPP) that apply to the Scheme Amendment Request. Any Amendment to the Town Planning Scheme would require assessment by the WAPC to ensure consistency with the following State and Regional Policies:
36. **SPP 2.5 – Agriculture and Rural Land Use Planning**

SPP 2.5 was gazetted in 2002 and has provided a comprehensive review and refinement of the previous DC Policy 3.4 Rural Land Use Planning. The Western Australian Planning Commission and Local Government are required to have regard to SPP 2.5 in planning for the development of rural areas. *WAPC SPP No. 2.5 Agricultural and Rural Land Use Planning* provides the framework for the protection of Priority and General Agricultural areas.

The Policy states that:

“Agricultural production from rural areas is a significant part of the Western Australian economy. It provides essential food and fibre products, and employment and value adding opportunities. Agricultural production in Western Australia is worth nearly \$5 billion per annum. Careful planning is required to maintain these benefits to regional economies and to encourage ongoing investment in agriculture and the supporting resource base.”

The 4 key objectives of SPP 2.5 are summarised as:

- *Protect significant agricultural resources within the State from inappropriate land use and development;*
- *Provide for sustainable rural settlement growth within community expectations and ensure adequate community service and infrastructure is available to support the growth;*
- *Minimise potential land use conflicts between incompatible land uses; and*
- *Manage natural resources and prevent land degradation.*

The City shall have regard to the general provisions and policy statements under SPP 2.5 in considering proposals for development that affects rural land.

As identified in the discussion section of this report, the priority agricultural designation affects a small portion of the subject land, which includes a significant remnant vegetation area that will be maintained under the proposal. The adjacent priority agricultural cell is located over existing special rural areas that are unable to be developed for agricultural use; therefore no loss of prime agricultural land will result under the proposal.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

37. Council has the following options in relation to this item, which are:
- To support the SAR proposal without modifications;
 - To support the SAR proposal with modifications; or
 - To reject the SAR proposal.

38. The SAR process is not a statutory process under any planning legislation. It is used by the City (and other adjoining Local Governments in the region) as a precursor to the formal Scheme Amendment process. It is designed to provide the proponent with a simple and informal assessment of a proposal to gauge the views and comments of the City and other State Government agencies on the merits and likely support to be expected.
39. Should Council support the SAR proposal, it will progress to a formal Scheme Amendment; the Amendment undergoes a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*. All Scheme Amendments require the endorsement of the WA Planning Commission and approval from the Minister for Planning.
40. If Council were to reject the SAR proposal, the proponent would have the following options:
- To not proceed with a formal scheme amendment document;
 - To lodge a formal Scheme Amendment and request consideration by Council, irrespective of the outcome of the SAR.

SUMMARY CONCLUSION

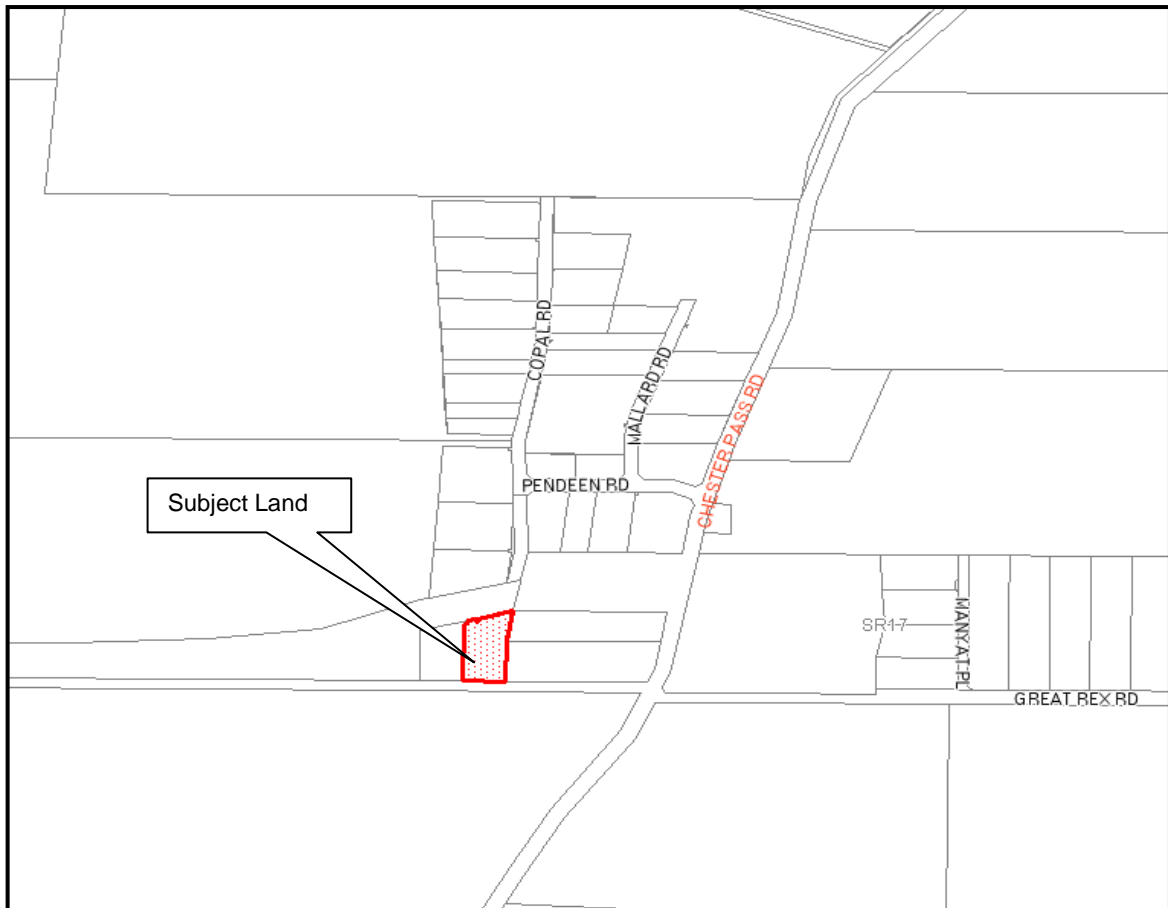
41. Whilst the subject land is outside of the boundaries for the Torbay Hill Townsite as identified in the ALPS, the proposal is considered to be consistent with all other objectives identified in the ALPS and is not likely to set a precedent for the further expansion of the townsite.

Consulted References	Albany Local Planning Strategy
File Number (Name of Ward)	SAR149 (West Ward)

1.4: FINAL APPROVAL OF AMENDMENT - LOT 90 MENANG DRIVE, WILLYUNG

Land Description	: Lot 90 Menang Drive, Willyung
Proponent	: Planning Solutions
Owner	: Caltex Australia Petroleum Ltd
Business Entity Name	: Caltex Australia Petroleum Ltd
Directors of Owner Company	: Caltex Australia Petroleum Ltd is a publicly listed company with multiple shareholders
Attachment(s)	: Schedule of Submissions
Councillor Workstation	: Amendment Document (AMD 306) Copy of Submissions
Responsible Officer	: E/Director Planning and Development Services (G Bride)

Maps and Diagrams:



CEO:

RESPONSIBLE OFFICER:

IN BRIEF

- At its ordinary meeting dated 16 November 2010, Council resolved to initiate Amendment No. 306.
- The amendment was advertised with nine submissions being received.
- It is recommended that Council finally adopt the amendment with modifications as identified within the Schedule of Submissions.

ITEM 1.4: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- 1) In pursuance of section 75 of the *Planning and Development Act 2005* and *Regulation 17(2) of the Town Planning Regulations 1967* **ADOPTS WITH MODIFICATIONS** Amendment No. 306 to Town Planning Scheme No. 3 by:
 - i) Amending the scheme map to annotate an 'Additional Use' to Lot 90 Menang Drive, Willyung; and
 - ii) Amending Schedule 2 – Additional Use Sites of the City of Albany Town Planning Scheme No. 3 as follows:

Code No	Land Particulars	Additional Uses	Special Conditions
12	Lot 90 Menang Drive, Willyung	Petrol Filling Station and Shop	1) The shop land use must be associated with the Petrol Filling Station. 2) No stormwater is to be discharged into the Menang Drive drainage system. 3) Only one crossover is to be approved and the crossover is to be shared with the neighbouring property to the west. 4) Suitable turn treatments in accordance with the <i>AUSTROADS Guide to Traffic Engineering Practice – Part 5: Intersections at Grade</i> are to be installed on Menange Drive. 5) A <i>Traffic Management Plan</i> is to accompany a development application to identify transport needs for the site and adjacent networks.

NOTES the staff recommendations contained within the attached Schedule of Submissions and **ENDORSES** those recommendations.

ITEM 1.4: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

BACKGROUND

1. Council initially received a Development Application for Lot 90 Menang Drive, Willyung involving the sale of fuel and incidental convenience items.
2. During the assessment process of the Development Application, the following advice from consulted government agencies was given:

Submission	Comment
Department of Environment and Conservation	Appropriate wastewater infrastructure is to be installed to manage effluent.
Main Roads WA	Signs facing Menang Drive require Main Roads WA approval. No stormwater being discharged from the development into Menang Drive drainage system. Suitable turn treatments (to the satisfaction of Main Roads) being installed on Menang Drive. Only one crossover is to be approved and the crossover is to be shared with the neighbouring property to the west.

3. In accordance with the zoning restrictions in Town Planning Scheme 3, there was no ability to approve the uses proposed, and hence the development application was refused.
4. An application to amend the Town Planning Scheme was subsequently received and at it's meeting dated 16 November 2010 Council resolved to initiate Amendment No. 306 without modifications.
5. The Environmental Protection Authority (EPA) assessed the amendment and advised that an environmental assessment in accordance with their Act was not required.
6. The Scheme Amendment was then advertised for a period of 42 days.

DISCUSSION

Proposed Use

7. The subject site is presently vacant and adjoins a mixture of uses including industrial land, an industrial buffer area, rural land uses and a parks and recreation reserve.
8. The amendment will facilitate the use of the site for a petrol filling station and incidental shop. The following is envisaged for the development of the land:
 - The establishment of three heavy vehicle bays and shelter with diesel bowsers operating on a 24 hour / 7 days per week basis;
 - The construction of underground fuel tanks;
 - An administration building and shop;
 - Truck parking and maintenance depot;
 - A wash down bay;
 - Infrastructure to manage stormwater/effluent runoff;
 - Storage shed; and
 - Landscaping (trees) adjacent to Menang Drive.
9. The proposal is considered to be consistent with the objective of the industrial area, which is to *'provide sites for a diverse range of industries'*.

Advertising Process – Submissions

10. At the close of the advertising period a total of nine submissions were received. No objections were received from the Department of Water, Department of Environment and Conservation, the Water Corporation, Western Power and the Department of Mines and Petroleum.
11. Main Roads WA also had no objection, however they have recommended additional conditions be placed within Schedule 2 of the Scheme to be adhered to when lodging formal planning scheme consent. As detailed in the government consultation section of this report, the majority of these conditions are supported for inclusion into the amendment document

PUBLIC CONSULTATION / ENGAGEMENT

12. Letters were sent to neighbouring properties, a sign was positioned at Lot 90 Menang Drive and advertisements placed in the local newspaper inviting comment on the proposed Scheme Amendment. The advertising period was for 42 days and a total of nine (9) submissions in total were received. No objections from the public were received, with two letters being received in support of the proposal.

GOVERNMENT CONSULTATION

13. The Scheme Amendment was referred to the following government agencies: Environmental Protection Authority; Department of Planning; Department of Environment and Conservation; Department of Water; Department of Minerals and Energy; WA Gas Networks; Telstra; Western Power; Water Corporation and the Main Roads WA.
14. Main Roads WA have requested the following conditions be applied to the amendment:
 - (a) No stormwater is to be discharged into the Menang Drive drainage system;
 - (b) Access to Lot 90 and neighbouring Lot 91 is to be shared, reducing the number of access points onto Menang Drive;
 - (c) Suitable turn treatments in accordance with the *AUSTROADS Guide to Traffic Engineering Practice – Part 5: Intersections at Grade*, are to be installed on Menang Drive;
 - (d) Any signage or sign structure is not to adversely impact road users. In this regard, comment is to be sought from the Main Roads WA for assessment in accordance with their *Main Roads Guide to the Management of Roadside Advertising*;
 - (e) A Traffic Management Plan is to accompany a development application to identify transport needs for the site and adjacent networks;
 - (f) The developer must meet Main Roads requirements to transport oversize and/or overweight loads;
 - (g) The developer must submit an *Application Form to Undertake Works within the Road Reserves Managed by Main roads WA*.
15. It is recommended that points (a), (b), (c) and (e) be incorporated into Schedule 2 of the Scheme. Points (d), (f) and (g) are advisory in nature and will be assessed by Main Roads WA at the development application stage.

STATUTORY IMPLICATIONS

16. The subject site is zoned 'Special Industry (Elizabeth Street)' under the provisions of the City of Albany Town Planning Scheme No.3 (TPS3).
17. The proposal complies with the Objectives listed for the zone as indicated below:

Objectives	Compliance
Provide sites for industries which are low impact and require large lots.	The nature of the proposed development requires a large area to cater for the movements and manoeuvrability of large commercial vehicles and tankers.
Provide sites for industries which are transport orientated, such as trucking depots and warehouses.	The future use and development on the site will provide for the retail sale of fuel and convenience goods to large commercial vehicles and trucks. Therefore, the nature of the use is predominantly transport orientated.

Objectives	Compliance
Provide sites for industries which do not have significant effluent or waste disposal requirements.	The proposed development will generate minimal demand for effluent and waste disposal services. The development will be required to manage effluent in accordance with environmental standards.
Provide sites for industries which shall be set aside for industries that require no more than a 200 metre buffer.	The proposal provides for fuelling facilities and combustible and flammable storage facilities on the subject site which necessitate the requirement for safety setbacks. The proposed fuel storage facilities are proposed to be setback appropriately within the subject site to avoid potential conflict with abutting properties. As defined in the Environmental Protection Authority Guidance Statement 3, the uses proposed do not require a buffer of more than 200 metres.

STRATEGIC IMPLICATIONS

18. The subject land is located within an existing industrial estate and adjacent to the intersection of Chester Pass Road and Menang Road and therefore the additional uses contemplated under this amendment is consistent with Section 5.3 of the ALPS, namely *“To maintain an adequate supply and range of serviced industrial land in appropriate locations.”*

FINANCIAL IMPLICATIONS

19. The proponent has paid the appropriate fee as per the Planning Fees Schedule adopted by Council.

POLICY IMPLICATIONS

20. There is no specific town planning policy which affects the proposal.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

21. Council has the following options in relation to this item, which are:
- To resolve to finally adopt the Scheme Amendment without modifications;
 - To resolve to finally adopt the Scheme Amendment with modifications; or
 - To resolve not to finally adopt the Scheme Amendment.

SUMMARY CONCLUSION

22. The proposal seeks to amend the TPS3 to allow the additional uses of petrol filling station and shop (incidental to the petrol filling station) for Lot 90 Menang Drive Willyung.
23. The proposed uses are in keeping with the objectives of the zone and the predominant transport orientated uses currently in operation within the locality.
24. The proposed uses are not expected to create any land-use conflict and with appropriate development controls being implemented in accordance with the requirements stipulated for the Special Industry zone and Schedule 2 of Scheme 3, the proposed development is capable of being made safe and visually and environmentally acceptable.
25. The proposal is considered to be consistent with the aims of the TPS3, and therefore it is recommended that the scheme amendment be finally adopted with conditions added to Schedule 2.

Consulted References	EPA Guidance Statement No. 3
File Number (Name of Ward)	AMD 306 (Kalgan Ward)
Previous Reference	OCM 16/11/10 - Item No. 1.6

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AMENDMENT No. 306

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Environmental Protection Authority Locked Bag 33 Cloisters Square PERTH WA 6850	The Environmental Protection Authority (EPA) has determined that the scheme amendment should not be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i> (EP Act) and that it is not necessary to provide any advice or recommendations.	Nil.	The submission is noted.
2	Department of Water PO Box 525 ALBANY WA 6331	No objections.	Nil.	The submission is noted.
3	Western Power Locked Bag 2520 PERTH WA 6001	No objections.	Nil.	The submission is noted.
4	Department of Environment and Conservation 120 Albany Highway ALBANY WA 6330	No objections.	Nil.	The submission is noted.
5	Water Corporation Stirling Terrace ALBANY WA 6330	No objections. Reticulated wastewater services are not available to the area.	The following condition is already defined within the scheme for this special industrial area: <i>(xi) On site effluent disposal shall be by way alternative treatment units unless the proponent can provide technical advice to the satisfaction of</i>	The submission is noted.

AMENDMENT No. 306

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			<i>Council and Department of Health that solid conditions are suitable for septic tanks/leach drains.</i>	
6	Main Roads WA – Great Southern Region PO Box 503 ALBANY WA 6330	<p>Main Roads WA does not object to the proposed uses and development, however, the following conditions need to be adhered to:</p> <p>(a) No stormwater is to be discharged into the Menang Drive drainage system;</p> <p>(b) Access to the Lot 90 and neighbouring Lot 91 is to be shared;</p> <p>(c) Suitable turn treatments in accordance with the <i>AUSTROADS Guide to Traffic Engineering Practice – Part 5: Intersections at Grade</i>, are to be installed on Menange Drive;</p> <p>(d) Any signage or sign structure is not to adversely impact road users. In this regard, comment is to be sought from the Main Roads WA for assessment in accordance with their <i>Main Roads Guide to the Management of Roadside Advertising</i>;</p> <p>(e) A <i>Traffic Management Plan</i> is to accompany a development application to identify transport needs for the site and adjacent networks;</p> <p>(f) The developer must meet Main Roads</p>	<p>Staff support the submission from Main Roads WA and recommend that points (a), (b), (c) and (e) be incorporated into Schedule 2 of the Scheme. Points (d), (f) and (g) are advisory in nature and will be assessed by Main Roads WA at the development application stage.</p>	<p>The submission is upheld.</p> <p>Recommended the following addition conditions be inserted into Schedule 2:</p> <ol style="list-style-type: none"> 1. No stormwater is to be discharged into the Menang Drive drainage system; 2. Only one crossover is to be approved and the crossover is to be shared with the neighbouring property to the west. 3. Suitable turn treatments in accordance with the <i>AUSTROADS Guide to Traffic Engineering Practice – Part 5: Intersections at Grade</i>, are to be installed on Menange Drive; 4. A <i>Traffic Management Plan</i> is to accompany a development application to identify transport needs for the site and adjacent networks;

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 1.4 REFERS

AMENDMENT No. 306

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		requirements to transport oversize and/or overweight loads; (g) The developer must submit an Application Form to Undertake Works within the Road Reserves Managed by Main roads WA.		
7	Department of Mines and Petroleum Mineral House 100 Plain Street EAST PERTH WA 6004	No objections.	Nil.	Submission is noted.
8	Planning Solutions PO Box 8701 PERTH BC WA 6849	Supports the amendment on the grounds that: <ul style="list-style-type: none"> • The petrol filling station and shop will provide a key service to the surrounding industrial activities; • The proposed uses are similar to facilities that exist within other similar industrial areas; and • The proposed use will generate additional employment in the area. 	Nil.	Submission is noted.
9	Southern Haulage Industries PO Box 121 Mount Barker	Support the proposal as it will enable re-fuelling of trucks in close proximity to depot's and help the economic growth of the locality.	Nil.	Submission is noted.

AGENDA ITEM 1.4 REFERS

AGENDA ITEM 1.4 REFERS

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 1.4 REFERS

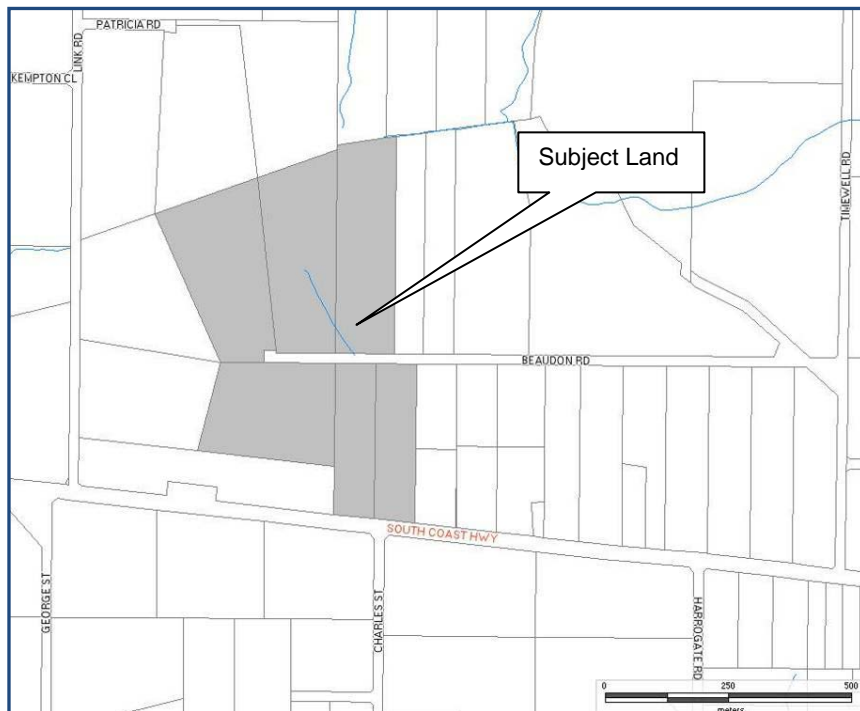
AMENDMENT No. 306**SCHEDULE OF SUBMISSIONS**

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
	Western Australia			
10	Edenborn Pty Ltd Tree Harvesting and Haulage PO Box 726, Albany 6331 WA	Support the proposal as it will provide a service in need and generate economic growth (eg. Employment).	Nil.	Submission is noted.

1.5: FINAL APPROVAL OF AMENDMENT – LOTS 1 AND 2 SOUTH COAST HIGHWAY AND LOTS 4, 5, 8 AND 17 BEAUDON ROAD, MCKAIL

Land Description	: Lots 1 and 2 South Coast Highway and Lots 4, 5, 8 and 17 Beaudon Road, McKail
Proponent	: Harley Global
Owner/s	: M & F D'Addario; M & A D'Addario; DP & MA Reynolds; A & P Genovese; KG & JL Marshall; R & C Griffiths;
Business Entity Name	: N/A
Attachment(s)	: Modified Subdivision Guide Plan Schedule of Submissions
Councillor Workstation	: Copy of OCM 15/08/06 – Item 11.3.1 (SAR 097) Copy of OCM 16/03/10 – Item 13.2.1 Amendment Document (AMD261) Copy of Submissions
Responsible Officer(s)	: E/Director Planning and Development Services (G Bride)

Maps and Diagrams:



CEO:

RESPONSIBLE OFFICER:

IN BRIEF

- Consider the submissions received from the public consultation period and determine whether to grant final approval to the proposed Scheme Amendment to rezone Lots 1 and 2 South Coast Highway and Lots 4, 5, 8 and 17 Beaudon Road from the 'Rural' zone to the 'Special Rural' zone.
- It is recommended that the amendment be adopted for final approval with modifications.

ITEM 1.5: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- 1) In pursuance of section 75 of the *Planning and Development Act 2005* and *Regulation 17(2) of the Town Planning Regulations 1967* **ADOPTS WITH MODIFICATIONS** Amendment No. 261 to Town Planning Scheme No. 3 by:
 - i) Rezoning Lot 1 South Coast Highway and Lots 2, 4, 5, 8 and 17 Beaudon Road, McKail from Rural to Special Rural and amending the Scheme Maps accordingly.
 - ii) Amending Schedule 1 – “Special Rural Zones – Provisions Relating to Specified Areas” by inserting special provisions for Special Rural Area No. 40.
- 2) **NOTES** the staff recommendations within the attached Schedule of Submissions and **ENDORSES** those recommendations.

ITEM 1.5: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR MATLA

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

BACKGROUND

1. Amendment 261 proposes to amend Town Planning Scheme (TPS) No. 3 by rezoning Lots 1 and 2 South Coast Highway and Lots 4, 5, 8 and 17 Beaudon Road from the 'Rural' zone to the 'Special Rural' zone.
2. A Scheme Amendment Request (SAR 097) was considered at the August 2006 Council Meeting, whereby it was resolved:

***THAT** Council advises the proponent that it is prepared to entertain the submission of a formal application for rezoning Lot 1 South Coast Highway and Lot 8 Beaudon Road from the 'Rural' zone to the 'Special Rural' zone subject to the following matters being addressed to the satisfaction of Council:*

- i) *amendment documentation which includes a detailed land capability report assessing soil characteristics and groundwater levels on the site; and*

- ii) *a set of scheme provisions for the area which includes a provision for a contribution to the upgrading of Beaudon Road.”*
3. The matters outlined above were adequately addressed in the amending document and the detailed land capability report, which was prepared by Opus International Consultants. A provision requiring contributions to the upgrading of Beaudon Road was not incorporated into the proposed Special Provisions; the road has been sealed since the SAR was considered by Council. Despite this improvement further upgrading may be required and contributions can be sought at the subdivision stage.
 4. The proposed Scheme Amendment was subsequently initiated at the Ordinary Meeting of Council on 16 March 2010.
 5. Successful completion of the Amendment will allow the subdivision of the subject land to create ‘Special Rural’ lots of approximately 1ha in size.

DISCUSSION

6. The subject lots cover an area of approximately 26.4ha and lie to the north of South Coast Highway, approximately 7km north-west of Albany town centre. The land generally slopes upward to the south-east, before briefly levelling out and falling downward to South Coast Highway. Much of the land has been cleared for agricultural purposes in the past, although some vegetation remains along lot boundaries and at the northernmost extent of Lots 4, 5 and 6 Beaudon Road. Land uses are of a rural residential nature, with a dwelling and associated outbuildings situated at the southern end, or south-eastern corner, of each lot and the remainder of the land used for some limited grazing and horticultural activities.
7. All of the surrounding land is covered by the ‘Rural’ zoning, although Special Rural Area No. 25 lies approximately 200m to the north-west of the subject lots and Special Rural Area No. 22 approximately 200m to the south. The area has been identified as being suitable for ‘Rural Residential’ development in the Albany Local Planning Strategy (ALPS). This has been largely influenced by the proximity of the land to Link Road, which it is intended will become the route of the proposed Albany Ring Road. The proposed rezoning to ‘Special Rural’ is broadly in keeping with the objectives of Section 8.3.5 of the ALPS.
8. The proposal was referred to various government agencies and utility providers in accordance with established practice. Responses were received from:
 - Main Roads WA;
 - Western Power;
 - Department of Health;
 - Department of Environment and Conservation; and
 - Department of Water.
9. No objections were received during the public consultation period, merely advice from State Government agencies, primarily in relation to conservation issues. These submissions are dealt with in detail in the attached Schedule of Submissions.

10. Overall, the proposal is considered to be consistent with State Planning Policy and the strategic planning direction set by the ALPS. It is recommended that the Amendment be adopted for final approval, subject to modifications.

PUBLIC CONSULTATION/ENGAGEMENT

11. The Amendment was advertised in accordance with the requirements of the *Town Planning Regulations 1967* from 7 October 2010 to 18 November 2010 by placement of sign on-site, direct referral to affected and adjoining/nearby landowners, relevant State Government agencies and advertisement in the local newspaper.
12. A total of six written submissions were received as attached. The submissions received are summarised and discussed with a recommendation for each submission in the attached Schedule of Submissions.

GOVERNMENT CONSULTATION

13. Main Roads WA have raised the likely need for the City to establish a new north-south connector road in this locality, should the proposed Albany Ring Road be constructed and further urban development take place. The City's draft Traffic Model currently shows indicative north-south connectors, including an alignment from Lancaster Road, to the north of the subject land, to South Coast Highway and Charles Street to the south.
14. It is therefore recommended that a 'Development Exclusion Area' with a width of 42m be designated on the SGP, which will allow for the provision of a new road at some stage in the future, while maintaining appropriate building setbacks (the figure of 42m is based on the need for a 30m road reserve and a 6m building setback requirement, which is typical of urban areas). The proposed alignment, while slightly offset from Charles Street, has been chosen as it runs over the proposed Water Corporation easement and internal cul-de-sac shown on the SGP and will not affect the expected lot yield. It should be noted that this 'Development Exclusion Area' will only apply to habitable buildings and will not restrict the use of the affected land or the erection of structures that are seen as being of a more 'temporary' nature, such as sheds, water tanks, etc.
15. It should also be noted that the existing houses on the subject lots are all positioned in such a way that they will not be affected by the proposed 'Development Exclusion Area'.

STATUTORY IMPLICATIONS

16. All scheme amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*. Council's decision on the final approval of the amendment requires endorsement by the WA Planning Commission and approval of the Minister for Planning.

FINANCIAL

17. In the long term future when the north-south road connector is required (expected to be 20 years plus), Council at that time will need to either negotiate with landowners to secure the land for the purposes of a road reserve or receive the required land when the lots are further subdivided as a condition of subdivision approval.

STRATEGIC IMPLICATIONS

18. Council's decision on the Scheme Amendment should be consistent with the objectives of the ALPS as the principal land use planning strategy for the City.
19. Section 8.3.1 – *Strategic Settlement Direction* sets the following Strategic Objective:

"Facilitate and manage sustainable settlement growth for the urban area in the City of Albany".

This objective is supported by a set of aims that have been devised to contain the spread of fragmented urban and rural living areas in the City. They are as follows:

- *Providing for growth in urban areas, rural townsites and rural living areas as designated in ALPS.*
- *Minimising the development footprint on the landscape to help protect biodiversity and the environment.*
- *Promoting energy conservation.*
- *Providing greater housing choice.*
- *Minimising journey length from home to work/school/services and encouraging the use of public transport, cycling and walking.*
- *Reducing government expenditure on servicing current and future populations.*

20. Section 8.3.5 – *Rural Living* sets the following Strategic Objective:

"In the long term encourage the efficient use of existing rural living areas, based on land capability to maximise their development potential."

The ALPS expands on this by stating that:

"The strategy's objectives for Rural Living areas are to:

- *Discourage the creation of additional rural townsites for living purposes.*
- *Avoid the development of Rural Living areas on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity.*
- *Avoid the development of Rural Living areas on future and potential long-term urban areas.*
- *Provide compact growth of selected existing rural townsites in accordance with Table 5, based on land capability and available services and facilities.*
- *Minimise potential for generating land-use conflicts.*

Existing Rural Residential areas in the ALPS are mainly on the fringe of the proposed Future Urban area.

Existing Special Rural and Special Residential zones in the City's current Town Planning Scheme are fragmented and located within or next to rural areas on the periphery of the Albany urban area, along the King and Kalgan Rivers and around Princess Royal and Oyster Harbours. These zones are at different stages of development and not required to be connected to reticulated sewerage. Some of the outer areas, such as Millbrook and most of Gull Rock, are not connected to reticulated water".

21. The proposal is considered to be consistent with the various Strategic Objectives and aims set out in the ALPS, particularly those contained within Section 8.3.5 – *Rural Living*, while the subject land has been identified on the ALPS map as suitable for 'Special Rural' development.
22. However, the Strategic Objectives and aims set out in ALPS Section 8.3.4 – *Protection of Future Urban Land* (outlined below) should also be taken into consideration, given the proximity of the subject lots to the existing urban front and the likely need for a local road between Lancaster Road to the north and South Coast Highway to the south at a future time.
23. Section 8.3.4 – *Protection of Future Urban Land* sets the following Strategic Objective:

"Protect areas designated as future fully-serviced urban areas from inappropriate land uses, subdivision and development".

The ALPS further states that:

"Future fully-serviced urban areas of Albany must be protected. Planning for these areas needs to accommodate urban growth within, and hopefully beyond, the timeframe of this strategy or to facilitate urban growth above current estimates. These areas have been identified in the ALPS as Future Urban Priority Development areas.

Urban growth must be planned for beyond the existing major development fronts (Priority 1 areas) in McKail, Yakamia and Bayonet Head. Apart from more detailed planning, measures need to be put in place to retain potential urban development areas as large landholdings and prevent inappropriate land uses, subdivision and development.

The main statutory mechanism the City has to protect Future Urban areas is the zoning of land for rural purposes in the LPS1 with appropriate controls on land uses, subdivision and development until it is required to be developed for urban uses.

All Future Urban growth areas will be subject to district structure, policy, precinct and local structure planning".

24. As discussed above and in the Schedule of Submissions, Main Roads WA has raised the likely need for the City to establish a new north-south connector road in this locality, should the proposed Albany Ring Road be constructed and further urban development take place.

The City's draft Traffic Model currently shows indicative north-south connectors, including an alignment from Lancaster Road, to the north of the subject land, to South Coast Highway and Charles Street to the south. It is important from a long-term strategic planning perspective that the City's future transport needs are not compromised by inappropriate development or subdivision, hence the need for the proposed 'Development Exclusion Area' to protect this future local road alignment.

POLICY IMPLICATIONS

25. Council is required to have regard to any Western Australian Planning Commission Statements of Planning Policy (SPP) that apply to the scheme amendment. Any amendment to the Town Planning Scheme will be assessed by the Western Australian Planning Commission to ensure consistency with the following State and Regional Policies.

26. **SPP 1 – State Planning Framework**

The Policy establishes state-wide key land use planning principles and informs the Commission, Local Government and others involved in the planning process in relation to sustainable land use and development across the State. It is designed to ensure there is coordination and integrated decision-making across all spheres of planning.

The proposal is consistent with the Lower Great Southern Strategy and the Albany Local Planning Strategy and therefore complies with the principles of SPP1.

27. **SPP 3 – Urban Growth and Settlement**

SPP 3 sets out the key principles and planning considerations that apply to planning for urban growth and expansion of settlements in the State.

The key policy objectives in SPP 3 are as follows:

- *To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- *To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- *To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- *To coordinate new development with the efficient, economic and timely provision of infrastructure and services.*

The Amendment proposal is consistent with the key policy measures identified in SPP 3.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

28. Council has the following options in relation to this item, which are:

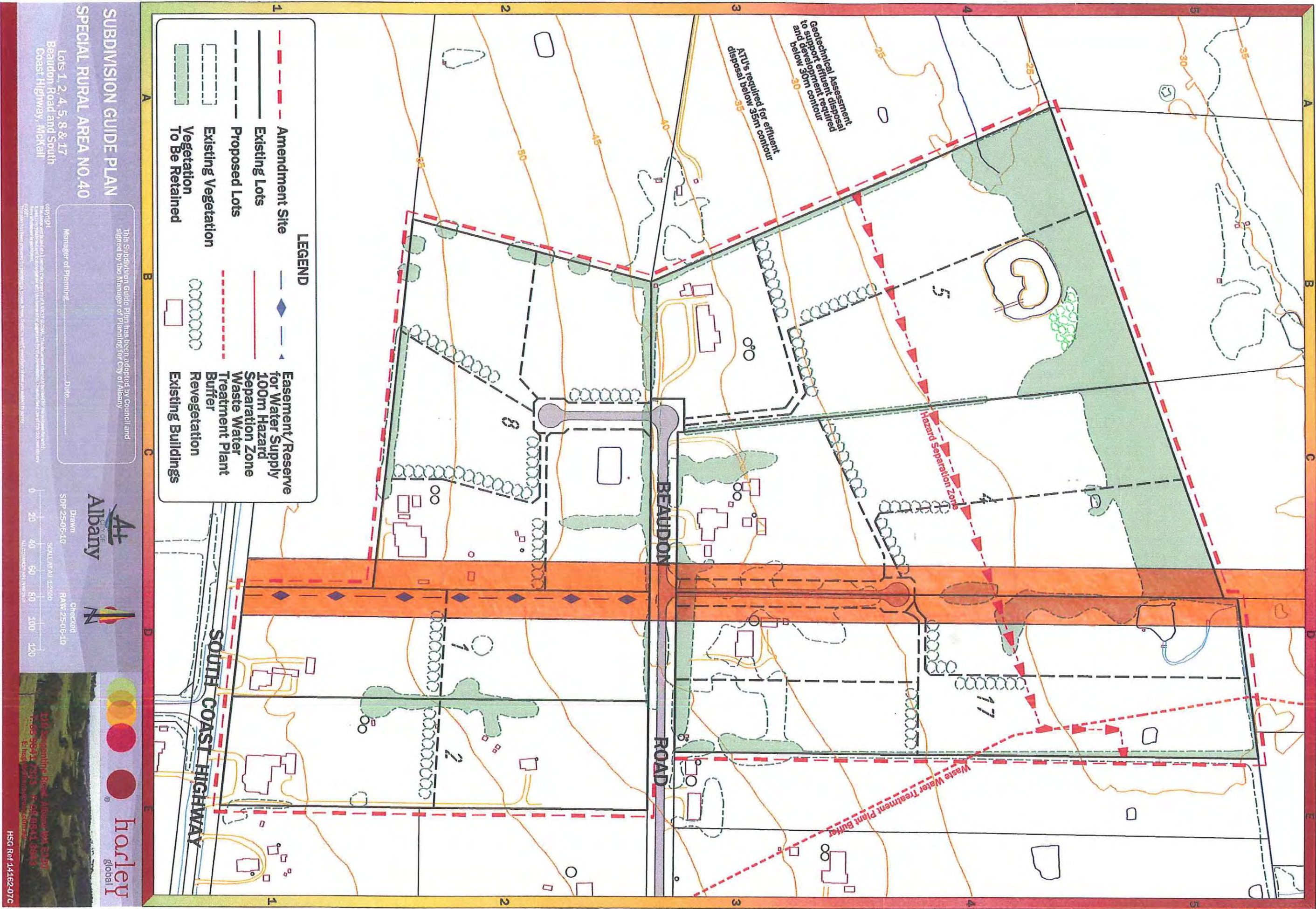
- *To seek final approval to the scheme amendment without modification;*
- *To seek final approval to the scheme amendment with modifications; or*
- *To not seek final approval to the scheme amendment.*

29. Council's decision on the scheme amendment is in effect a recommendation to the WA Planning Commission and Minister for Planning. The Minister for Planning is empowered under the *Planning and Development Act 2005* to make the final decision on the scheme amendment.

SUMMARY CONCLUSION

30. The proposed re-zoning will allow subdivision of the subject land to create 'Special Rural' lots of approximately 1ha, without prejudicing its future development potential to a full urban standard. Staff therefore recommend that the proposed Scheme Amendment be adopted for final approval, subject to modification.

Consulted References	WA Planning Commission (WAPC) Statements of Planning Policy (SPP's) SPP1 & SPP 3
File Number (Name of Ward)	AMD261 (West Ward))
Previous References	OCM 15/08/06 – Item 11.3.1 (SAR 097) OCM 16/03/10 – Item 13.2.1



CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AMENDMENT No. 261

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Environmental Protection Authority Locked Bag 33 Cloisters Square PERTH WA 6850	The Environmental Protection Authority (EPA) has determined that the scheme amendment should not be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i> (EP Act) and that it is not necessary to provide any advice or recommendations.	Nil.	The submission is noted.
2	Western Power Locked Bag 2520 PERTH WA 6001	No objections.	Nil.	The submission is noted.
3	Department of Health PO Box 8172 Perth Business Centre PERTH WA 6849	No objections. The on-site disposal of wastewater is considered achievable on the lots indicated in the Subdivision Guide Plan based on site conditions as described by Opus Consultants. However, at the time of subdivision application, the effluent disposal envelope on each lot must be indicated on plan. Such envelopes must be located where the minimum clearance of 500mm between natural ground surface and the winter water table is achievable.	The nomination of effluent disposal envelopes on-site can be requested at the time of subdivision.	The submission is noted.
4	Department of Water PO Box 525	The Department of Water (DoW) has no objections to the proposal and provides the	The comments regarding the fencing of riparian vegetation are noted. It	The submission is noted.

AMENDMENT No. 261

SCHEDULE OF SUBMISSIONS

No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
	ALBANY WA 6331		<p>following comments:</p> <p><u>Waterways</u></p> <p>The subject site is located in the upper catchment of Five Mile Creek, a tributary to Lake Powell, a high conservation value wetland, which subsequently drains into Torbay Inlet. The proposed subdivision guide plan indicates that riparian vegetation is to be protected. If this vegetation is not already fenced, the DoW will request fencing as a condition of subdivision.</p> <p>The report advises that setbacks will apply for bushfire hazards and effluent disposal. The DoW is supportive of these setbacks, and would suggest the placement of building envelopes on the subdivision guide plan to ensure compliance.</p> <p><u>Stormwater management</u></p> <p>The DoW would consider that the proposal is a low risk for stormwater management. Given the small number of large lots proposed, the DoW does not consider that a Local Water Management Strategy is</p>	<p>should be highlighted that proposed Special Provision 7.5 states that:</p> <p><i>“Council may request the Commission to impose a condition at the subdivision stage requiring the provision of stock proof fencing to protect significant remnant vegetation and revegetation areas as shown on the subdivision guide plan”.</i></p> <p>The suggested requirement for building envelopes on the subdivision guide plan is not supported, as it is considered that the setback requirements set out within the proposed Special Provisions are adequate to control development.</p> <p>The comments regarding stormwater management are also noted.</p>	

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 1.5 REFERS

AMENDMENT No. 261

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		necessary for this site. It is expected that the City of Albany can sufficiently manage the stormwater issues at this site and ensure water sensitive urban design principles are supported.		
5	Department of Environment and Conservation 120 Albany Highway ALBANY WA 6330	<p>This area of land is ideally suited for development of special rural lots as it almost entirely comprises already cleared land and its proposed future use will have only marginal impacts upon native vegetation. The documentation provided recognises various planning constraints including the importance of retaining the native riparian vegetation along Five Mile Creek and the requirement of Hazard Separation Zone setbacks that will not impact upon that vegetation.</p> <p>There are Quenda and Ring Tail Possum records from the general area within 2km to the south of the South Coast Highway and to the east. There are no known fauna surveys in the vicinity of the subject land however, the vegetation along Five Mile Creek and, to a lesser degree the narrow vegetation strips and proposed revegetation corridors, will collectively have value for the</p>	<p>It is acknowledged that the creek and its riparian vegetation would benefit from a slightly wider vegetation recovery zone on Lot 5, in line with the ENE margin of the dam, and it is therefore recommended that an additional area of revegetation be delineated on the SGP.</p> <p>Provision of a Weed Management Plan and Implementation Programme can be required at the time of subdivision.</p>	<p>The submission is upheld.</p> <p>Recommended modifications:</p> <ol style="list-style-type: none"> 1. Delineation of an additional area of revegetation on the SGP, as per the attached modified SGP. 2. Insertion of an additional Special Provision 7.6, which shall read as follows: <i>"Council may request the Commission to impose a condition at the subdivision stage requiring the provision of a Weed Management Plan and Implementation Programme."</i>

AGENDA ITEM 1.5 REFERS

AGENDA ITEM 1.5 REFERS

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 1.5 REFERS

AMENDMENT No. 261

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>native fauna linkages at the locality and sub-district scale. The 'Revegetation' indicated on the Subdivision Guide Plan should therefore comprise endemic native species where possible.</p> <p>Five Mile Creek eventually drains naturally and then via channels into Lake Powell Nature Reserve near Elleker. Hence the retention and improved protection of revegetation along the creek is important with regard to on-going water quality. The creek and its riparian vegetation would benefit from a slightly wider vegetation recovery zone on Lot 5 in line with the ENE margin of the dam. This is clearly visible on the Site Plan, Appendix B. This would have a minimal if any effect on the fire Hazard Separation Zone setback.</p> <p>The documentation is silent on the occurrence of weed species within, or with a likelihood of spreading within, the riparian vegetation of Lots 4 and 5 and possibly Lot 17. There appears to be (binocular viewing only) some invasion by weed species along the fringes of the creek line vegetation and possibly some distance therein, e.g.</p>		

AGENDA ITEM 1.5 REFERS

AGENDA ITEM 1.5 REFERS

AMENDMENT No. 261

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p><i>Tellarina.</i></p> <p>If left unchecked this incursion will progressively impact upon the conservation value and eventually the natural water quality of the creek. Furthermore, if not addressed now it will be increasingly difficult and expensive to remove or control at a later date and without creating additional disturbance to native vegetation, fauna habitat and soils. A weed management plan and implementation programme should therefore be prepared for this area along with retention of the wider vegetation recovery zone on Lot 5.</p> <p>Draft Scheme Papers</p> <p>Based on the above comments minor amendments may be considered for section 7.0 Vegetation Protection and Revegetation and on the Subdivision Guide Plan in order to address the slightly extended creek line vegetation protection on Lot 5 together with a coordinated weed management and on-going implementation plan through land owners for those lots adjoining the creek line.</p>		

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 1.5 REFERS

AMENDMENT No. 261

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>Clause 7.5 regarding stock proof fencing is an important requirement.</p> <p>In summary, this is a very sound and well presented proposal. With some minor modifications around the vicinity of Five Mile Creek to address a slightly wider vegetation recovery zone together with current and future weed incursion the proposal will enhance local and downstream biodiversity conservation outcomes.</p>		
6	Main Roads WA – Great Southern Region PO Box 503 ALBANY WA 6330	<p>Main Roads has recently developed a concept design from Balston Road to Link Road, for the future upgrade of South Coast Highway to dual carriageway.</p> <p>The existing road network was assessed to determine suitable intersection treatments and connectivity as part of the concept design process. As a result, it was identified that additional north-south connectivity may be required adjacent to this proposed development to accommodate future development traffic growth and ease traffic congestion.</p> <p>An additional road link was identified from</p>	<p>The likely need for the City to establish new north-south connector roads in this locality, should the proposed Albany Ring Road be constructed and further urban development take place, is acknowledged.</p> <p>The City's draft Traffic Model currently shows indicative north-south connectors, including an alignment from Lancaster Road, to the north of the subject land, to South Coast Highway and Charles Street to the south.</p> <p>It is therefore recommended that a 'Development Exclusion Area' with a width of 42m be designated on the SGP, which will allow for the provision</p>	<p>The submission is upheld.</p> <p>Recommended modifications:</p> <p>3. Insertion of an additional Special Provision 5.2 and renumbering of provisions 5.2 and 5.3. Special Provision 5.2 shall read as follows:</p> <p><i>"All habitable buildings shall be located outside of the 'Development Exclusion Area' marked on the Subdivision Guide Plan."</i></p>

AGENDA ITEM 1.5 REFERS

AGENDA ITEM 1.5 REFERS

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 1.5 REFERS

AMENDMENT No. 261

SCHEDULE OF SUBMISSIONS

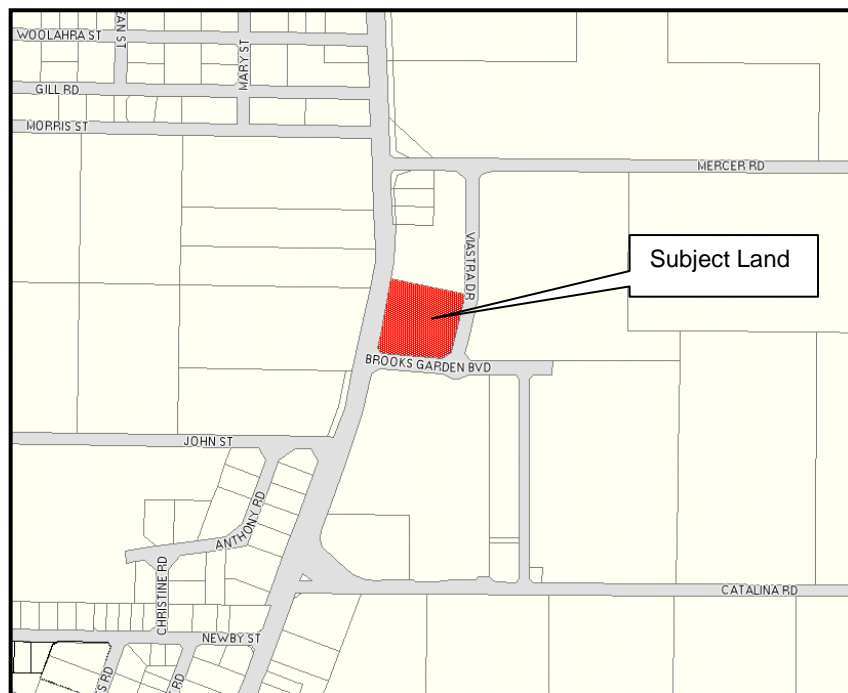
No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>the existing Charles Street intersection to the north of South Coast Highway to connect onto Lancaster Road as identified on the concept design. This would create a four way intersection which would allow for the installation of a future roundabout once the Albany Ring Road is constructed. If this proposal is acceptable to the City of Albany, then the preferred road alignment would need to be preserved as a condition of this development.</p> <p>In relation to this development, Main Roads raises no in-principle objection to the proposed rezoning. However, Main Roads will seek to impose conditions on the proponent through the planning approval process.</p>	<p>of a new road at some stage in the future, while maintaining appropriate building setbacks. (The figure of 42m is based on the need for a 30m road reserve and a 6m building setback requirement, which is typical of urban areas). The proposed alignment, while slightly offset from Charles Street, has been chosen as it runs over the proposed Water Corporation easement and internal cul-de-sac shown on the SGP and will not affect the expected lot yield. It should be noted that this 'Development Exclusion Area' will only apply to habitable buildings and will not restrict the use of the affected land or the erection of structures that are seen as being of a more 'temporary' nature, such as sheds, water tanks, etc.</p> <p>It should also be noted that the existing houses on the subject lots are all positioned in such a way that they will not be affected by the proposed 'Development Exclusion Area'.</p>	<p>4. Delineation of a 42m wide 'Development Exclusion Area' on the SGP, as per the attached modified SGP.</p>

1.6: LOCAL PLANNING POLICY – FINAL ADOPTION – CATALINA CENTRAL PLANNING FRAMEWORK (CCPF)

Land Description	: Lot 1003 Brooks Garden Boulevard, Lange
Proponent	: Greg Rowe and Associates
Owner	: Calardu Albany Pty Ltd
Directors of Owner Company	: Gerald Harvey; Kay Lesley Page; Chris Mentis; John Evyn Slack-Smith (All Directors reside in NSW)
Business Entity Name	: Harvey Norman
Attachment(s)	: Floor Plan of tenancies involved
Appendices	: Amended pages of revised CCPF
Councillor Workstation	: Floorspace Demand Study for 'Other Retail' (Bulky Goods) Revised Catalina Central Planning Framework Policy (full version)
Responsible Officer	: E/Director Planning and Development Services (G Bride)

[8:30:33 PM](#) Councillor Wellington, having declared a financial interest, left the Chamber.

Maps and Diagrams:



IN BRIEF

- Council has previously resolved to adopt the revised Catalina Central Planning Framework Policy for the purposes of advertising, which involves an increase in the maximum permitted floor area for Bulky Goods Outlets within Precinct 1 exceeding the prescribed cap of 6,500m² by 1,505m².

CEO:

RESPONSIBLE OFFICER:

ITEM 1.6: RESPONSIBLE OFFICER RECOMMENDATION 1

THAT in accordance with Clauses 5.25 and 6.9 of Town Planning Scheme No. 3 Council **ADOPTS** the revised Catalina Central Planning Framework Policy to supersede the existing Policy of the same name (with the amended pages identified in the Appendices Booklet) which increases the cap on Bulky Goods/Showroom floorspace within Precinct 1 from 6,500m² NLA to 8,005m² NLA, removes the 1,800m² of Warehouse Sales Outlet floorspace and references and appends the Floorspace Demand Study for Bulky Goods (2010) to the Policy document.

ITEM 1.6: RESOLUTION (Responsible Officer Recommendation 1)

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR MATLA

THAT Responsible Officer Recommendation 1 be **ADOPTED**.

CARRIED 9-0

ITEM 1.6: RESPONSIBLE OFFICER RECOMMENDATION 2

THAT Council **ISSUE** Planning Scheme Consent for the Change of Use proposal to convert a portion of Tenancy A, and all of Tenancy B and C (as per the attachment) from Warehouse Sales Outlet to Bulky Goods Outlet within the existing building on Lot 1003 Brooks Garden Boulevard, Lange.

ITEM 1.6: RESOLUTION (Responsible Officer Recommendation 2)

MOVED: COUNCILLOR MATLA

SECONDED: COUNCILLOR SUTTON

THAT Responsible Officer Recommendation 2 be **ADOPTED**.

CARRIED 9-0

- The revision to the Policy will facilitate the change of use of three existing tenancies adjacent to Harvey Norman from 'Warehouse Sales Outlet' to 'Bulky Goods Outlet'.
- A detailed analysis and justification from a retail planning consultant has been submitted to justify the increase in floor area beyond the restriction contained in Council's Policy.
- The analysis identifies that there is demand for Bulky Goods development in Albany, and that unlike shop/retail, the City's Activity Centres Planning Strategy does not promote a floor space cap for bulky goods development, but rather advocates for such development adjacent to major roads within mixed business zones.
- It is recommended that Council finally adopt the revised Catalina Central Planning Framework Policy, and subsequently grant planning scheme consent to the Change of Use proposal.

BACKGROUND

1. At its meeting on 15 February 2011 Council considered an application for a Change of Use for a portion of an existing building on Lot 1003 Brooks Garden Boulevard, Lange from 'Warehouse Sales Outlet' to 'Bulky Goods Outlet' and resolved:

"ITEM 1.2: RESPONSIBLE OFFICER RECOMMENDATION 1

THAT in accordance with Clauses 5.25 and 6.9 of Town Planning Scheme No. 3 Council ADOPTS for the purposes of advertising the revised Catalina Central Planning Framework (with amended pages identified in the Appendices Booklet) which increases the cap on Bulky Goods/Showroom floorspace within Precinct 1 from 6,500m² NLA to 8,005m² NLA, the removal of the 1,800m² of Warehouse Sales Outlet floorspace and the referencing and appending of the Floorspace Demand Study for Bulky Goods (2010) to the Policy document.

ITEM 1.2: RESPONSIBLE OFFICER RECOMMENDATION 2

THAT in order to reflect the requirements of the Scheme, and particularly Clause 5.25 (Mixed Business Zone), the proponent is advised that the application for Planning Scheme Consent will be DEFERRED until such time as Council considers whether to finally adopt the altered Catalina Central Planning Framework (CCPF) as contained in Recommendation 1 above."

2. In accordance with the above Council resolution the revised Catalina Central Planning Framework Policy has been placed on public exhibition, with the advertising period closing on 10 March 2011. At the time of writing this report no submissions were lodged, however any submissions received will be circulated to Councillors prior to the Council meeting scheduled for 15 March 2011.

DISCUSSION

3. Whilst a more comprehensive analysis was included in the previous officer report (considered by Council at its 15 February 2011 meeting), in summary the revision to the Central Catalina Planning Framework (CCPF) is justified on the basis that:
 - The original Economic Impact Statement (EIA) prepared in 2001 tested the notional development concept of 6500m² of bulky goods floorspace that was proposed at this time, and did not set a recommended overall maximum floorspace. The EIA determined that the 6,500m² envisaged would reinforce the locality as a mixed business destination and would not disadvantage the community.
 - To identify the impact of the additional 1,500m² of floorspace that would result from the proposed change of use, Syme and Co has identified through its Floorspace Demand Study for Bulky Goods within Albany (2010) that there is current shortfall of around 7,000m² of such floor space within Albany.
 - The Albany Centres Planning Strategy (ACPS) prepared in 2009 identified that between 2003 and 2015 that an additional 5,100m² NLA of bulky goods floorspace would be required. The Strategy did not specify a cap on bulky goods floorspace, but rather advised that such development should be located in appropriate locations.

- The change of use proposal (and similarly the policy revision) would not be inconsistent with State Planning Policy 4.2 which recommends the location of bulky goods outlets as clusters in mixed business zones in close proximity to activity centres and regional roads.
- 4. The revision to the policy simply reallocates the floorspace designated for warehouse sales outlets to bulky goods outlets within Precinct 1 of the CCPF. It is important to note that the revision will not result in any additional building footprints within Precinct 1, but will facilitate a change of use within an existing portion of the building on Lot 1003 Brooks Garden Boulevard, Lange.
- 5. As previously discussed no objections have been received as a result of advertising and it is recommended that Council finally adopt the revised CCPF Policy.
- 6. It is also recommended that should Council finally adopt the CCPF Policy, that Council grant planning scheme consent to the Change of Use application lodged by the proponent.

PUBLIC CONSULTATION / ENGAGEMENT

- 7. The revised policy has been advertised in accordance with Clause 6.9 of Town Planning Scheme No. 3.
- 8. At the time of writing this report no submissions have been received, however should submissions be received up to and including 10 March 2011, they will be circulated to Councillors prior to the Council Meeting.

GOVERNMENT CONSULTATION

- 9. The policy has been advertised in accordance with the Scheme, however as the proposal involves the change of use of an existing building no specific comments were sought from government agencies.

STATUTORY IMPLICATIONS

- 10. Clause 5.25 (Mixed Business Zones) of the Scheme identifies that development should be in accordance with an endorsed precinct plan. In this case the adopted precinct plan is the CCPF Policy. Should Council adopt the revised CCPF Policy, the change of use application would be in accordance with this scheme requirement.

STRATEGIC IMPLICATIONS

11. The site is identified for 'Mixed Business' in the ALPS and ACPS which supports bulky goods development along important regional roads with high exposure in strategic locations.

FINANCIAL IMPLICATIONS

12. The proponent has paid the appropriate fee for the application for the Change of Use application in accordance with the Planning Fees Schedule adopted by Council. Officer time was expended in processing the application.

POLICY IMPLICATIONS

13. Council has recently adopted its Local Planning Policy Manual for advertising purposes, with this manual likely to be considered for final adoption at the April OCM. The Catalina Central Planning Framework, along with the Albany Waterfront Precinct Plans and the Stirling Terrace Conservation Area are the only additional policies that will not be incorporated into the manual given their size, but will be retained as policies in their own right.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

14. Council has the following options in relation to this application:

Option A: Resolve not to adopt the revised Catalina Central Planning Framework Policy, meaning the existing Policy would remain in place.

Option B: Resolve to adopt the revised Catalina Central Planning Framework Policy and grant planning scheme consent to the proposal for a Change of Use from Warehouse Sales Outlet to Bulky Goods.

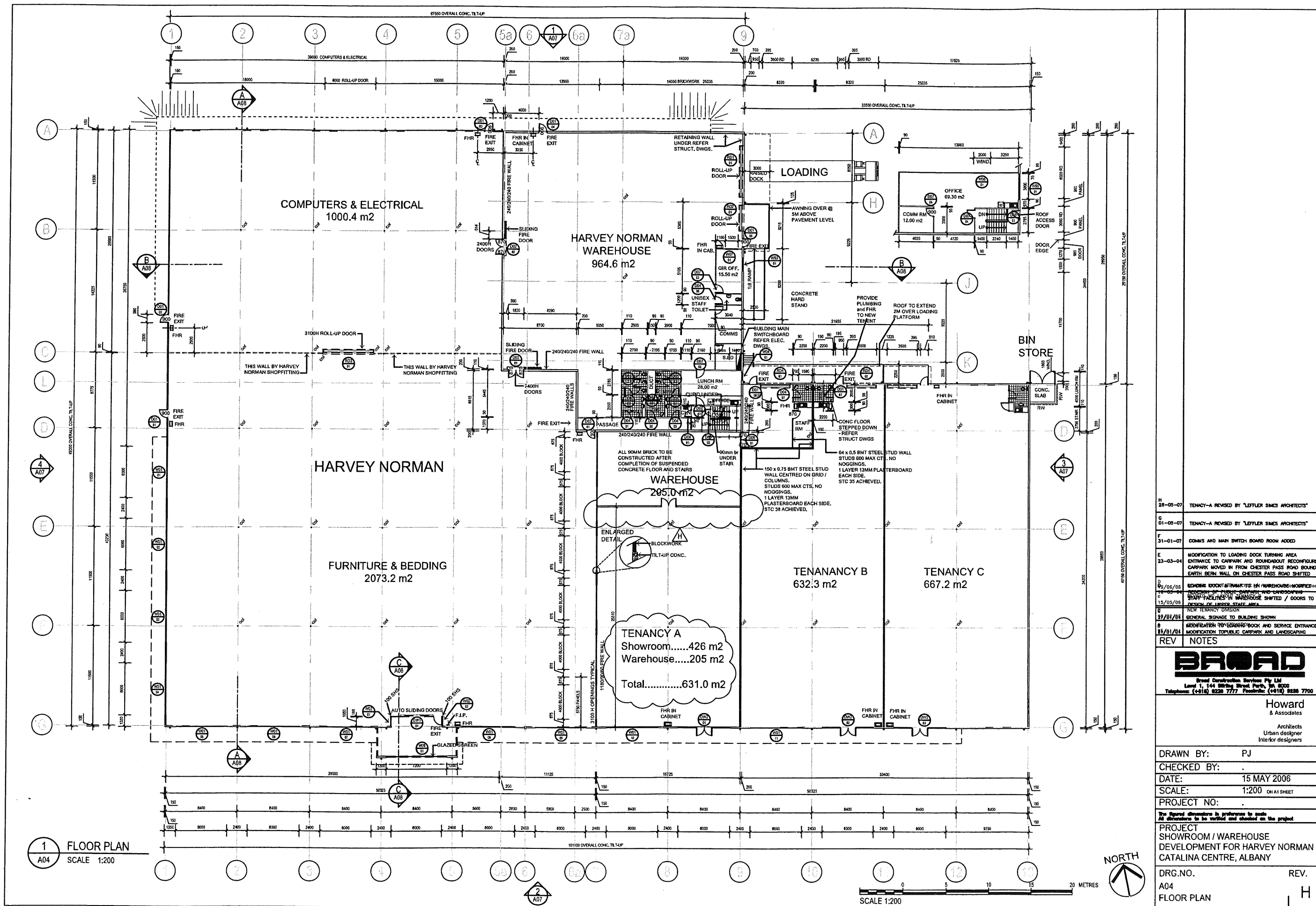
SUMMARY CONCLUSION

15. At it's meeting on 15 February 2011 Council resolved to support the revised CCPF Policy for the purposes of advertising.
16. The proposed revisions to the Policy do not conflict with the ALPS or the ACPS which have not identified specific floorspace caps for bulky goods floorspace.

Consulted References	Existing Catalina Central Planning Framework Policy Activity Centres Planning Strategy (2009) WAPC State Planning Policy 4.2 Town Planning Scheme No. 3
File Number (Name of Ward)	A193762 (Yakamia Ward)
Previous Reference	OCM 15/2/2011 – Item 1.2 OCM 21/6/2005 – Item 11.3.8

Councillor Wellington left the Chamber and did not participate in the discussion or vote, having declared a financial interest.

[8:32:31 PM](#) Councillor Wellington returned to the Chamber.



1.7: UPDATE ON RECOMMENDATIONS FROM PLANNING SERVICES REVIEW

Proponent : City of Albany
Attachment(s) : Table One – First Report (actions against recommendations)
Consulted References : Better Practice Review (Department of Local Government)
Review of Planning Services by Planning Context
Responsible Officer : E/Director Planning and Development Services (G Bride)

IN BRIEF

- Council has previously adopted the recommendations from the review of Planning and Development Services undertaken by Planning Context (Charles Johnson) in September 2010.
- This report updates Council on the implementation of the recommendations.

ITEM 1.7: RESPONSIBLE OFFICER RECOMMENDATION

That the updated implementation schedule in response to the recommendations made by Planning Context in its report dated 1 October 2010 be NOTED.

ITEM 1.7: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR DUFTY

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

BACKGROUND

1. At its meeting dated 16 November 2010 Council considered the report by Planning Context in relation to review of the Planning and Development Services Directorate and resolved:

CEO:	RESPONSIBLE OFFICER:
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“ITEM 4.2: RESPONSIBLE OFFICER RECOMMENDATION 1

The recommendations made by Planning Context in its report dated 1 October 2010 be RECEIVED.

ITEM 4.2: RESPONSIBLE OFFICER RECOMMENDATION 2

The initial actions/responses identified in Table 1 as attached be ACKNOWLEDGED and that an additional progress report be PRESENTED to Council by March 2011 on the status of the remaining recommendations, including the proposed form and function of strategic planning services at the City.

ITEM 4.2: RESPONSIBLE OFFICER RECOMMENDATION 3

The Directorate be RENAMED from “Development Services” to “Planning and Development Services” with the Executive Director’s title to be ‘Executive Director Planning and Development Services’ (EDPDS).”

DISCUSSION

2. An update on the implementation of the recommendations are contained within the attachment to this Report.

PUBLIC CONSULTATION / ENGAGEMENT

3. Public consultation was not required, however Mr Johnson did speak to a range of industry stakeholders that utilise the services of the Development Service Directorate as part of the review.

GOVERNMENT CONSULTATION

4. Government consultation was not required, however Mr Johnson did consult with the Department of Planning and the Department of Local Government as part of the review.

STATUTORY IMPLICATIONS

5. There are no statutory implications related to this item.

STRATEGIC IMPLICATIONS

6. There are no strategic implications related to this item.

FINANCIAL IMPLICATIONS

7. The cost to implement the recommendations involve improvements to processes, reporting benchmarks and the completion of key strategic documents which will be undertaken by the Directorate using existing staff resources within existing budget lines.

POLICY IMPLICATIONS

8. Staff have prepared a draft Local Planning Policy Manual which has been placed on public exhibition and will be considered at the April 2011 Council Meeting for final adoption.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

9. Nil.

SUMMARY CONCLUSION

10. It is recommended that the updated implementation schedule be noted.

File Number (Name of Ward)	GO.CLS.23 (All Wards)
Previous Reference	SCM 25/05/2010 - Item 6.2 OCM 16/11/2010 - Item 4.2

TABLE ONE

Recommendations from Planning Context's review of the City of Albany's Planning Procedures, Policies and Delegations

SUBJECT	RECOMMENDATIONS	ACTION
Strategic Planning	That following the appointment of the new CEO, Council reviews the existing Strategic Plan and does this through a community engagement process.	Pending. A timetable has been prepared for Council's new corporate strategic plan which will be driven by the new CEO.
	That Council consider the formation of a Regional Stewardship Group to help with the review of the strategic plan and to develop and maintain a shared vision for the future.	Pending. The Regional Stewardship Group should be formed to assist and guide development of the strategic plan (especially the vision etc). The make-up of that group should include key government and community stakeholders.
Planning Integration	That Council seeks the urgent support of the WAPC to the endorsement of the Albany Local Planning Strategy noting that it will need an early review.	Completed. The ALPS was adopted on 26 August 2010 by the WAPC.
	That Council seeks the urgent support of the WAPC to the endorsement of the new draft single town-planning scheme for Albany to allow for its advertising.	Ongoing. Staff have recently finalised amendments to the draft Local Planning Scheme No.1 in response to discussions with Department of Planning (DOP) staff and the Environmental Protection Authority (EPA). The DOP are now satisfied with the content of the Scheme and an update of it's progress will be delivered at the March Elected Members Workshop to discuss the changes since Council initiated the draft in February 2009. It is anticipated that the updated draft Scheme will be presented to Council at the May OCM requesting the WAPC grant consent to advertise as soon as possible.
	That Council commence a review of the Albany Local Planning Strategy after the completion of the strategic plan review process and then proceeds towards the development of a single planning scheme.	Pending. The ALPS will be reviewed after corporate strategic plan completed (ie. mid 2011).

SUBJECT	RECOMMENDATIONS	ACTION
	That Council consider developing, in consultation with the Department of Planning, a planning framework (Structure Plan) document as a policy for Albany to provide the overall planning direction for the City.	Partly Completed. Staff have included a conceptual structure plan within it's draft Local Planning Policy Manual. This plan will be continually updated as more information from government agencies comes to hand.
Governance	That Council develops and adopts a good governance framework for use by both elected members and Council administration. The framework should be developed through a council workshop process and training provided to staff and elected members on good governance processes and procedures.	Ongoing. Ongoing improvements in governance are occurring and will continue to be developed (currently review of standing orders, procedures and policies is taking place). The City is committed to ISO9001 certification and the planning team's processes have been subject to this certification program.
Development Services	That the CEO should fill the vacant position of Director of Development Services as a matter of priority.	Completed.
	That the CEO considers providing additional administrative support for the Division.	Completed. A part-time, temporary admin assistant has been appointed to assist the professional staff in undertaking administrative functions.
	That appropriate levels of staff resources be provided to support the undertaking of strategic planning functions in-house.	Pending. A casual planning position and limited consultancy services were identified for strategic planning work within the 2010/11 budget. In the draft 2011/12 budget this allocation is intended to be diverted back to a full time strategic planning position without impacting on budget.
	That the Development Services Division nomenclature be changed to reflect the fact that it also does strategic land use planning.	Completed. The Development Services Directorate was renamed to Planning and Development Services as per Council's resolution of 16/11/10.
Delegation	That Council considers amending the delegation policy to allow staff to refuse applications that are clearly inconsistent	Completed. Item 4.1 OCM 19/10/10.

SUBJECT	RECOMMENDATIONS	ACTION
	with policy without the need to refer them to Council.	
	That Council gives further consideration to development control delegations following the review of Council policies.	Pending. To be considered once revised planning policies are adopted (revised policy manual to be considered at April 2011 OCM).
Planning Policies	That Council includes a local planning framework or structure plan as the first policy within the Policy Manual.	Completed. This policy is shown as LPP No. 1 in draft Local Planning Policy Manual.
	That Council undertake a further review and rationalisation of the Draft Policy Manual in conjunction with the adoption of the new planning scheme.	Ongoing. Prior to gazettal of the new Scheme, staff will need to review the policy manual to ensure it is relevant to and supports the controls within the new Scheme. This will occur in late 2011, early 2012 depending on the progress of the Scheme.
Technical Advisory Group	That Council requests that the Technical Advisory Group provides reports on a quarterly basis dealing with a range of key performance indicators for the Development Services Division.	Completed. Refer report in Elected Members Bulletin. In addition to the TAG report, the City has included a benchmarking report which will be reported to Council on a quarterly basis, commencing from the March 2011 meeting.
Quality of Reports	That Council procedures be modified to ensure that only essential information for decision-making is included in Council agendas.	Completed. The Appendices Booklet has been cut back to only essential information; large documents are placed in Councillor Lounge or available to Councillors electronically depending on the item.
	That Council requires administration to develop a set of key performance indicators for the Development Services Division including those relevant to development control functions and strategic planning.	Completed. At it's 15/2/2011 Council meeting Council resolved to adopt specific benchmarks for each planning application type. A report against these benchmarks can be found in the Elected Members Bulletin.

SUBJECT	RECOMMENDATIONS	ACTION
Key Performance Indicators	That Council continues its community scorecard survey and develops a stakeholder survey to provide additional key performance indicators information.	Pending. A community survey will be carried out in the near future to gauge the community's feedback on development matters in addition to all of Council's services; the CEO is committed to ensuring a meaningful survey is undertaken at the earliest opportunity.

1.8: CITY OF ALBANY KEEPING AND WELFARE OF CATS AMENDMENT LOCAL LAW 2011

Land Description	: Whole of Municipality
Proponent	: City of Albany
Councillor Workstation	: City of Albany Keeping and Welfare of Cats Local Law 2008 with amendments incorporated.
Responsible Officer	: E/Director Planning & Development Services (G Bride)

IN BRIEF

- To consider amendments to the City of Albany Keeping and Welfare of Cats Local Law 2008 as a result of a directive from the Joint Standing Committee on Delegated Legislation (JSCDL).

ITEM 1.8: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council in accordance with Section 3.12 of the *Local Government Act 1995*:

1. **RESOLVES TO MAKE** the City of Albany Keeping and Welfare of Cats Amendment Local Law 2011 as follows:

LOCAL GOVERNMENT ACT 1995

CITY OF ALBANY

KEEPING AND WELFARE OF CATS AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Albany resolved on *[Insert date]* to make the following local law.

1. **Citation**
This local law may be cited as the *City of Albany Keeping and Welfare of Cats Amendment Local Law 2011*.
2. **Commencement**
This local law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.
3. **Principal Local Law**
In this local law, the *City of Albany Keeping and Welfare of Cats Local Law 2008* as published in the *Government Gazette* on 9 June 2009 is referred to as the principal local law. The principal local law is amended as follows.

CEO:

RESPONSIBLE OFFICER:

4. **Commencement**
This local law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.
5. **Principal Local Law**
In this local law, the *City of Albany Keeping and Welfare of Cats Local Law 2008* as published in the *Government Gazette* on 9 June 2009 is referred to as the principal local law. The principal local law is amended as follows.
6. **Clause 2.1 amended**
Delete clause 2.1(d).
7. **Clause 3.1 amended**
 - (a) In the definition of ‘Keeper’ after “kept” insert the words “who has care and control of the cat,”; and
 - (b) Delete the definition “Sterilised”
8. **Clause 4 amended**
 - (a) In the heading of clause 4—
 - (i) After “IDENTIFIED” insert the word “AND”; and
 - (ii) After “REGISTERED” delete “AND STERILISED”.
 - (b) Delete clause 4.2(e);
 - (c) Clause 4.2(f) is redesignated as clause 4.2(e);
 - (d) Delete clause 4.3;
 - (e) In clause 4.4 delete “(f)” after 4.2;
 - (f) In clause 4.4 insert (e) after 4.2;
 - (g) Delete clause 4.5;
 - (h) Clause “4.4” is designated as “4.3”; and
 - (i) Clauses “4.6” through to “4.11” are redesignated as “4.4” to “4.9” consequently.
9. **Clause 5.1 amended**
 - (a) In clause 5.1(b) delete “,” after the word “Cats”;
 - (b) In clause 5.1(b) insert “.” after the word “Cats”; and
 - (c) Delete clause 5.1(c);
10. **Clause 5.5 amended**
 - (a) Delete clause 5.5;
 - (b) Clauses “5.6” through to “5.13” are redesignated as “5.5” to “5.12” consequently.
11. **Clause 9 amended**
After clause 9.8 insert—

“9.9 A Keeper of a cat may apply to have their details omitted from the register referred to in clause 9.8 for their own protection or that of their family.”
12. **10.Clause 10.1 amended**
In clause 10.1 delete the words “of contravening clause 5.12” after the word “offence”.

- 13. Schedule 2 amended**
(a) Delete Item 2; and
(b) Items “3” through to “6” are redesignated as “2” to “5” consequently.

Dated: _____

The Common Seal of the City of Albany was affixed by authority of a resolution of the Council in the presence of:

Chief Executive Officer

Mayor

- 2. APPROVES the giving of Statewide public notice of the proposed Keeping and Welfare of Cats Amendment Local Law 2011, in order to seek public comment.**

ITEM 1.8: RESOLUTION (Responsible Office Recommendation)

MOVED: COUNCILLOR MATLA

SECONDED: MAYOR EVANS

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 8-2
ABSOLUTE MAJORITY**

Record of Vote

Against the Motion: Councillors D Bostock and Leavesley

BACKGROUND

1. Council at its Ordinary Meeting of 18 November 2008 resolved to adopt the Keeping and Welfare of Cats Local Law 2008 (the Local Law) and in accordance with the *Local Government Act 1995* (the Act) the Local Law was published in the *Government Gazette* on 9 June 2009.
2. On 10 August 2009, Council received advice from JSCDL expressing concern over a number of clauses in the Local Law and requesting an undertaking from the City to amend the Local Law by:
 - (a) Amending the definition of a “Keeper”;
 - (b) Deleting the reference to clause 5.12 in clause 10.1; and
 - (c) Amending clause 9 to include the provision for a cat owner to apply to have their details omitted from the register for their own protection or that of their family.
3. On 22 September 2009, Council received a further letter from the JSCDL requesting an additional undertaking to amend the Local Law by:
 - (a) Deleting the definition of “Sterilised” in clause 3.1;
 - (b) Deleting clauses 2.1(d), 4.2(e), 4.3, 4.5, 5.1(c), and 5.5; and;
 - (c) Deleting the reference to sterilisation in the heading to clause 4; and
 - (d) Deleting Item 2 in Schedule 2.

4. The JSCDL was advised on 14 October 2009, that the Local Law would be amended as requested and the City would not rely on, or use, the previously mentioned clauses.
5. The *Keeping and Welfare of Cats Amendment Local Law 2011* has been prepared for Council consideration (refer Responsible Officer Recommendation).

DISCUSSION

6. Section 3.12 of the Act requires the person presiding at a Council meeting to give notice to the meeting of the purpose and effect of the proposed amendment local law.

Purpose

7. The purpose of the amendment to the Keeping and Welfare of Cats Local Law is to make amendments as requested by the Joint Standing Committee on Delegated Legislation

Effect

8. The effect of the amendment ensures consistency with similar local laws.

PUBLIC CONSULTATION / ENGAGEMENT

9. Under section 3.12 of the Act, the City is required to give Statewide publication of its intention to make the Local Law and to invite submissions from the public.

GOVERNMENT CONSULTATION

10. A copy of the draft Local Law will be forwarded to the Department of Local Government for consideration and comment before endorsement.
11. The Department of Local Government anticipates that a statewide Domestic Cat Act will be introduced into Parliament and adopted within the next twelve to eighteen months. Key elements of the proposed legislation include:
 - Compulsory identification in the form of microchips;
 - Compulsory registration; and
 - Compulsory sterilisation.
12. Until the Gazettal of the proposed Domestic Cat Act, it is considered prudent to retain the current local law to ensure the City's current register of cats is maintained.

STATUTORY IMPLICATIONS

13. Section 3.12 of the Local Government Act states—

“3.12 Procedure for Making Local Laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2) *At a Council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to –*
 - a) *give Statewide public notice stating that –*
 - i) *the local government proposes to make a local law the purpose and effect of which is summarised in the notice;*
 - ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
 - b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) *After the last day for submission, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*
(Absolute Majority Required).*
- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice:*
 - a) *stating the title of the local law;*
 - b) *summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - c) *advising that copies of the local law may be inspected or obtained from the local government’s office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of the local laws they have made*

FINANCIAL IMPLICATIONS

14. Cost will be incurred with respect to the advertising and eventual publication in the Government Gazette of the Amendment Local Law. This cost would be approximately \$500 in addition to staff time preparing the advert and liaising with interested parties during the public submission period.
15. Repealing the current cat local law would remove the City's authority to register cats and a refund of registration fees may be required. In addition, it could also create confusion if the City's registration of cats was discontinued only to become mandatory again when the state law is adopted.

POLICY IMPLICATIONS

16. There are no policy implications related to this item.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

17. The JSCDL was advised on 14 October 2009, that the Local Law would be amended as requested and the City would not rely on, or use, the subject clauses.
18. In order to honour the commitment given to the JSCDL it is recommended that Council resolves to make the amended local law. If Council does not progress the amendments within the two year timeframe the JSCDL could revoke/cancel the existing Local Law, leaving the City with no cat control legislation.
19. Should Council wish to reconsider its position on the local law (ie, to introduce powers to capture, hold and where necessary euthanize cats), it is recommended that such a process is undertaken separately.

SUMMARY CONCLUSION

20. In addition to the undertaking provided to the JSCDL, Council is required to amend the Local Law within two years of providing the undertaking.
21. The procedure for amending local laws requires Council to advertise Statewide advising of its intention to make amendment local laws and seeking submissions within a six-week period.
22. Council is then required to consider all submissions prior to adopting the Amendment Local Law.
23. To start the process and comply with the requirements of the JSCDL, it is recommended that Council resolve to make the Keeping and Welfare of Cats Amendment Local Law 2011.

Consulted References	City of Albany Keeping and Welfare of Cats Local Law 2008
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File Number (Name of Ward)	All Wards
Previous Reference	PESPC 21/05/08 – Item 6.3 OCM 17/06/08 - Item 11.6.1 OCM 19/02/08 – Item 11.2.1 OCM 18/11/08 – Item 11.6.1 – 5 SCM 13/10/09 – Item 6.3

**1.9: ALBANY MOTORCYCLE CLUB INC – PROPOSAL TO OPERATE
TWO NON-COMPLYING EVENTS DURING 2011**

Land description	: Reserve 30495, Plantagenet Location 7153, Roberts Road, Robinson
Proponents	: Albany Motorcycle Club Inc.
Owner	: Crown
Attachment(s)	: Letter from Albany Motorcycle Club Inc. : Schedule of Submissions
Councillor Workstation	: Copies of letters of submission
Responsible Officer	: Executive Director, Planning and Development Services (G Bride)

IN BRIEF

- Consider a request from the Albany Motorcycle Club Inc to operate two non-complying events at the Roberts Road motorcycle track during 2011.

ITEM 1.9: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council GRANT the Albany Motorcycle Club Inc approval to hold two non-complying events under Regulation 18 of the *Environmental Protection (Noise) Regulations 1979* conditional on no further breaches of the Environmental Protection Notice previously served on the Albany Motorcycle Club Inc. Should further breaches occur this approval will be withdrawn.

ITEM 1.9: RESOLUTION (Responsible Officer Recommendation)

MOVED: MAYOR EVANS

SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CEO:

RESPONSIBLE OFFICER:

BACKGROUND

1. The Albany Motorcycle Club Inc has written to Council requesting approval to hold two non-complying events under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*.
2. Council considered this request at its February 2011 meeting and resolved:
 - “1. The Council note that in relation to the request by the Albany Motorcycle Club to hold two non-complying events on Reserve 30495, Roberts Road, community consultation will be undertaken with residents and property landowners within a radius of 1.5km;
 2. Where objections are received as a result of the community consultation the request shall be considered at the March Ordinary Council Meeting;
 3. Where no objections are received Council notes that the CEO will grant approval for two non-complying events in accordance with Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*.”

DISCUSSION

3. The Albany Motorcycle Club Inc has indicated that the two events form part of the “2011 South West Interclub Series” and each event is expected to attract approximately 150 – 200 riders.
4. Both events provide an opportunity for the Albany Motorcycle Club Inc to raise funds, while also contributing generally to economic development within Albany.

RECENT NON-COMPLIANCE WITH ENVIRONMENTAL PROTECTION NOTICE

5. In 2008, the City served an Environmental Protection Notice (EPN) on the Albany Motorcycle Club requiring it to:

“Ensure that no motor cycles use the motor cycle track at any time of the day.”
6. Following an appeal to the Minister for Environment, and with Council approval, the Albany Motorcycle Club Inc has held ten events in both 2009 and 2010.
7. The Albany Motorcycle Club Inc has not used the motorcross track outside the approved events.
8. Unfortunately, during the consultation period a number of motorcycle riders breached the requirements of the EPN by riding motorcycles on the track. The City has ascertained that the use of the track was not sanctioned by Albany Motorcycle Club Inc officials.
9. However, while the use of the motorcross track was not sanctioned, the Albany Motorcycle Club Inc still has a responsibility to ensure that the requirements of the EPN are met.

10. It is therefore recommended that approval be granted for the two non-complying events conditional on no further breaches of the EPN occurring and should further breaches of the EPN occur, whether sanctioned or not, then approval for the two non-complying events should be revoked.

PUBLIC CONSULTATION / ENGAGEMENT

11. A letter inviting comment on the Albany Motorcycle Club Inc proposal to hold two non-complying events during 2011 has been sent to all residents and property owners within a 1.5 km radius of the motorcross facility.
12. A total of 84 letters were sent to residents and property owners within a 1.5 kilometre radius of the motorcross facility. The submission period closed at 5.00 pm on 3 March 2011 and a total of eight written submissions were received - five were opposed to the proposal and three supported the proposal. A copy of the submissions is attached.
- 13.

STATUTORY IMPLICATIONS

14. Regulation 18 of the *Environmental Protection (Noise) Regulations 1979* states:

“18. Venues used for sporting, entertainment purposes etc.

(1) *In this regulation—*

approved non-complying event means an event approved under subregulation (3);

noise means noise associated directly with the approved non-complying event and does not include noise normally emitted from the venue (such as noise from plant, pumps and machinery) when it is not being used for the purposes of an approved non-complying event;

venue means any premises or public place.

(2) *Despite any other regulation in this Part—*

(a) *an approval under subregulation (3) has effect according to its terms; and*

(b) *except to the extent that the regulation is applied as a condition under subregulation (3), regulation 7 does not apply to noise resulting from an approved non-complying event.*

(3) *Where the Chief Executive Officer is satisfied that a proposed sporting, cultural or entertainment event that is to be open to the public —*

(a) *is likely to result in the emission of noise in contravention of the standard prescribed under regulation 7; and*

- (b) *would lose its character or usefulness if it were required to comply with that standard,*
- the Chief Executive Officer may approve the event, subject to such conditions as the Chief Executive Officer thinks fit, for the purposes of this regulation.*
- (4) *If a condition imposed on an approved non-complying event under subregulation (3) or (8) is breached—*
 - (a) *the event ceases to be an approved non-complying event; and*
 - (b) *regulation 7 has effect in relation to that event.*
- (5) *An approval under subregulation (3) may extend to a practice or rehearsal or sound system test relating to an event even though the practice, rehearsal or sound system test is not open to the public.*
- (6) *An application for approval under subregulation (3) is to be—*
 - (a) *made not later than 60 days before the event to which the application relates is proposed to commence; and*
 - (b) *accompanied by an application fee of \$500.*
- (7) *Conditions imposed under subregulation (3) may —*
 - (a) *limit the duration of practice and rehearsal sessions, sound system tests and the event;*
 - (b) *specify starting and completion times for practice and rehearsal sessions, sound system tests and the event;*
 - (c) *specify times when facilities such as stages, temporary seating and lighting towers can be erected and dismantled; and*
 - (d) *specify any other requirements, including maximum allowable noise levels, considered necessary to maintain the impact of noise emissions on other premises at an acceptable level.*
- (8) *It is a condition imposed on the conduct of every event approved under subregulation (3) that, if the Chief Executive Officer determines that noise received as a result of the event —*
 - (a) *at any noise sensitive premises is likely to exceed 65 dB L_{A Slow} between 0700 hours and 1900 hours on any day or 60 dB L_{A Slow} between 1900 hours on any day and 0700 hours on the following day; or*
 - (b) *at any other premises is likely to exceed 75 dB L_{A Slow} at any time, the person to whom the approval is granted is to pay to the Chief Executive Officer, within the time specified by the Chief Executive Officer, a noise monitoring fee specified by the Chief Executive Officer.*
- (9) *The Chief Executive Officer may amend any condition to which an approved non-complying event is subject, but must before doing so —*

- (a) *give to the person responsible for the conduct of the event at least 14 days' notice of the proposed amendment to enable the person to make written representations on the proposal; and*
 - (b) *where the condition was determined under subregulation (13), obtain the approval of the Minister.*
- (10) *A person to whom notice of a proposal is given under subregulation (9)(a) may by written agreement accept the proposal and waive the period of notice.*
- (11) *The Chief Executive Officer is not to approve the holding of more than 2 approved non-conforming events in or at a particular venue in any period of 12 consecutive months unless the Chief Executive Officer is satisfied that the majority of occupiers on whom the noise emissions will impact have no objection to the holding of the additional events.*
- (12) *An approval must not be granted unless the local government of each district in which noise emissions received from the event are likely to fail to comply with the standard prescribed under regulation 7 agrees to the proposed conditions applicable to the approval.*
- (13) *Where an agreement cannot be reached under subregulation (12) the conditions are to be determined by the Minister after receiving the advice of the Chief Executive Officer.*
- (14) *The Chief Executive Officer may, if satisfied that the noise from approved non-conforming events held at any 2 or more venues affects generally the same noise-sensitive premises, determine that those venues are to be treated as a single venue for the purposes of subregulation (3) in which case subregulation (11) applies to those venues as if they were one venue.*
- (15) *Notwithstanding subregulation (6)(b), the Chief Executive Officer may, in his or her discretion and if satisfied that an application for approval is made by an organization licensed under the Charitable Collections Act 1946, and that money received from the event will be substantially applied for a charitable purpose within the meaning of that Act, waive or reduce the application fee payable under that subregulation.*

FINANCIAL IMPLICATIONS

- 15. Regulation 18(6) of the *Environmental Protection (Noise) Regulations 1979* requires applications for approval to hold a non-complying event to be accompanied by an application fee of \$500. This fee may be waived or reduced, by the Chief Executive Officer, if the applicant is an organisation licensed under the *Charitable Collections Act 1946*.
- 16. Beyond staff time incurred there are no costs associated with this item unless Council requires the City's Environmental Health Officers to undertake noise monitoring.

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

17. This item relates to the following elements from the Albany Insight-Beyond 2020 Corporate Plan.

Priority Goals and Objectives

Goal 2: Lifestyle and Environment...Albany will be Western Australia's regional City of first choice offering a diverse range of healthy and active lifestyle opportunities with energy efficient housing and development that respects our environment.

Objective 1.3. Recreation facilities provide a diverse range of sporting and exercise opportunities.

City of Albany Mission Statement

At the City of Albany we...respect community needs, foster community involvement in decision making and encourage our people to meet the community's service expectations.

POLICY IMPLICATIONS

18. There are no policy implications associated with this item.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

19. Council has two options in relation to the request from Albany Motorcycle Club Inc to hold two non-complying events at Roberts Rd site. These are:
- a. Option One. **GRANT** the Albany Motorcycle Club Inc approval, with or without conditions, to hold two non-complying events during 2011 in accordance with Regulation 18 of the *Environmental Protection (Noise) Regulations 1997*.
 - b. Option Two. **REFUSE** the Albany Motorcycle Club Inc approval to hold two non-complying events during 2011.

File Number (Name of Ward)	A174413; PH.NOT.3; PRO176 (West Ward)
Previous Reference	OCM 16/02/2010 Item 13.6.1 Recommendation 4 OCM 20/04/2010 Item 19.5 OCM 15/02/2011 item 2.6

<p style="text-align: center;">CITY OF ALBANY</p> <p style="text-align: center;">ALBANY MOTOR CYCLE CLUB - NON-COMPLYING INTERCLUB EVENTS (AUGUST AND OCTOBER 2011)</p> <p style="text-align: center;">SCHEDULE OF SUBMISSIONS</p>				
No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1.	Peter Barry 100 Sandpit Road ALBANY WA 6330	<p>Mr Barry provides the following comments in relation to the Albany Motorcycle Club's (AMC) intention to hold 2 non-complying event during 2011:</p> <ul style="list-style-type: none"> • This proposal comes after a lengthy, drawn out process of dealing with unregulated noise over a number of years, and parties, both the AMC and the Albany City Council reluctantly complying with the Environment Protection Act. During this time, there was blatant intimidation directed at Sandpit Road residents by the AMC with false information given and printed by the local paper. • Mr Barry does not want any events at the facility as the events are very noisy; disruptive to the normal flow of traffic, regardless of signage installed for the day; they encourage riders to illegally ride along the Stidwell Bridle trail putting riders at risk; and riders abuse walkers who are trying to enjoy the peace. The track has been severely damaged in the last 2 years by motorbikes. Since the track has been closed, the number of riders has reduced dramatically. In addition, damage to the fragile bush on the reserve is caused from car and trailer parking. 		
2.	Alan Hordacre 84 Sandpit Road ALBANY WA 6330	<p>Mr Hordacre has no objection to the proposal but makes the following comments:</p> <ul style="list-style-type: none"> • For the sake of safety, that parking not be allowed on Roberts Rd or its immediate verges. • Some traffic control should be in place to ensure the safety of motorists and to ensure parking is orderly. • Encouragement that the crowd not "cut up" Roberts Rd, as 		

ALBANY MOTOR CYCLE CLUB - NON-COMPLYING INTERCLUB EVENTS (AUGUST AND OCTOBER 2011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		they often do, on leaving the events.		
3.	Brian, Ian & Phillip Attwell AD Contractors P/L 18 Kelly Street ALBANY WA 6330	<p>The Attwells do not object to motorcycles operating on Reserve 30495 Roberts Road and provide the following comments:</p> <ul style="list-style-type: none"> • They are the closest landholder to the reserve. • They have provided parking facilities to assist the club and take vehicles off Roberts Road. • They have a noise and vibration monitor which they are happy to use for this, or other, events in the City of Albany. 		
4.	Mark Comer PO Box 5329 ALBANY WA 6332	<p>Mr Comer provides the following comments in relation to the proposal:</p> <ul style="list-style-type: none"> • In January 2008 having made numerous complaints to Council regarding the use (both unregulated noise and illegal clearing) of AMC's Roberts Rd facility, Mr Comer and another neighbour attended an internal review committee, with the then CEO of the City of Albany - Andrew Hammond, Customer Services Manager - Bill Parker, Cllrs Roley Paver and Dot Price. • The AMC has consistently been found to be in breach of their lease agreement. Club members have shown absolute contempt for residents living in this area and on several occasions resorted to intimidation of individuals. • Mr Comer states that he has previously supported AMC activities and would have been supportive of the two events proposed for 2011, however on Sunday 27/02/11 circumstances changed when a number of AMC club members, including a committee member, chose to ignore the current Environment Protection Notice (EPN) and rode 		

ALBANY MOTOR CYCLE CLUB - NON-COMPLYING INTERCLUB EVENTS (AUGUST AND OCTOBER 2011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>on the track for approximately 3 hours. This unlawful use of the site has resulted in a breach of the EPN issued by the COA. A number of residents tried to approach the AMC members on site, who would not communicate when approached. The COA Duty Ranger was advised and Scott Reitsema, Principal Environmental Health Officer.</p> <ul style="list-style-type: none"> As a result of this 'flagrant disrespect for following due process' Mr Comer does not approve of the requested events proceeding, even though this impacts on legitimate AMC members who were not involved in the incident. Mr Comer hopes that the City will follow due process in investigating the breach of the EPC and consider these actions in reviewing the determination of its willingness to support the two non-complying events. 		
5.	Margie Nadge PO Box 1188 ALBANY WA 6331	<p>Ms Nadge is opposed to the proposal and provides the following comments:</p> <ul style="list-style-type: none"> The AMC has not demonstrated any good will towards the residents of the area. For example, their use of fireworks on their last meeting in 2010 during the fire season and the use of the reserve on 27/02/11 by club members to ride with no authority. Ms Nadge expressed concern that extending permission to use the site will slow down the process of relocation of the facility even more. When Ms Nadge purchased her land in 1988 the area was deemed to be "equestrian". A motor sport area has been set aside near the airport to accommodate the noise concerns. 		

ALBANY MOTOR CYCLE CLUB - NON-COMPLYING INTERCLUB EVENTS (AUGUST AND OCTOBER 2011)

SCHEDULE OF SUBMISSIONS

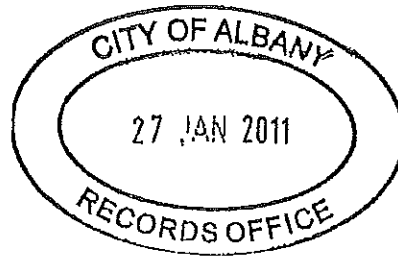
No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
6.	Mr Trevor Nadge PO Box 1188 ALBANY WA 6330		Mr Nadge resides at 96 Sandpit Road and objects to the proposal. He provides the following comments; <ul style="list-style-type: none"> On Sunday 27/2 the Club again 'raised the finger' at the City and residents. At the last event of 2010 the Club had 10 to 15 minutes of fireworks in a prohibited burning period. The lease should have been terminated when clear felling of the water catchment area became apparent. 		
7.	Christine & Colin Bowler		Mr Nadge has written this letter on the instruction of his neighbours and friends, Mr & Mrs Bowler, due to them being away. The Bowler's object to "the disruption of enjoyment of their property" due to the noise created by loud bikes using the facility.		
8.	A H & A M Davis 379 Robinson Road Robinson ALBANY WA 6330		Mr & Mrs Davis have no objection to the proposal, however request that when the dates for the two events are confirmed that notification be sent to surrounding neighbours so that they are aware when they are to be held. They are of the understanding that there will be no practice or testing of motor cycles on any days prior to the events.		

Albany Motorcycle Club Inc

PO Box 907

Albany 6331

25th Jan 2011



Dear Mr Barnett ,

Following Discussions at the meeting on January 25th at Council Offices with Albany Motorcycle Club, Albany City Kart Club, Great Southern Motoplex Committee, Councillors and Council Officials, one of the issues discussed was AMCC's ability to host our two rounds of the 2011 South West Interclub Series, while not currently having a track.

Therefore AMCC would like to apply to hold our two interclub events at Miniup Park, Roberts Rd under section 18 of the Environmental Protection (Noise) Act.

Albany Motorcycle Club is committed to make the move to the Motoplex site, but with delays on approvals from DEC, we will not be able to have a track built to standard in time for these events. Dates have not yet been booked for these two events but a meeting is to be held in early February in Manjimup for the clubs involved to book these dates.

Our Club cannot afford to lose these two events as we will likely never get them back, with so many clubs in the South West area wanting to be a part of the series, if we miss a year, we will lose the clubs biggest money maker. With approximately 150- 200 riders competing in this series many travel for up to four hours to ride here, also most stay in town and spend money on accommodation and food. If these events are lost it will not only impact the club but also the town. Also if we cannot hold these two events, our members cannot participate in the series at other tracks as you need to be a member of a club involved in the series.

We understand that the residents of Robinson have had this issue put before them before, and the Club had no intention of trying to get back out to our track this year. Unfortunately things have not moved as quickly as we expected with the motoplex site, which forces us to ask for approval to hold our two interclub events at Miniup Park for 2011.

We have no interest in asking for approval to hold any other events at Miniup only our two interclubs'. These events will be run as they have been in the past with the same conditions we put in place for 2010, in regards to parking, rubbish removal and on site noise testing of suspect bikes.

I thank you for your time and hope you can see your way clear to grant us approval to hold these two events, thus helping to keep our club alive.

Sincerely

A handwritten signature in dark ink, appearing to read 'Ricci Draper'.

Mrs Ricci Draper

AMCC

Secretary

0408093654



City of Albany Records
Doc No: ICR1128965
File: PRO176
Date: 27 JAN 2011
Officer: EMHRB

Attach:
Box:
Vol:
Box+Vol:

**1.10: REQUEST TO WAIVE THE BUILDING LICENCE APPLICATION FEE
FOR THE TELETHON REGIONAL HOME**

Land Description : Lot 750 (51) Grenfell Drive, Bayonet Head
Proponent : WA Country Builders
Owner : WA Country Builders
Councillor's Workstation : Letter from WA Country Builders
Responsible Officer : Executive Director Development Services (G Bride)

Maps and Diagrams: Nil

IN BRIEF

To consider a request from WA Country Builders that Council waive the building licence application fee for the Telethon Regional Home to be built at Lot 750 (51) Grenfell Drive, Bayonet Head.

ITEM 1.10: RESPONSIBLE OFFICER RECOMMENDATION

THAT COUNCIL AGREES to waive the building licence application fee for the Telethon Regional Home to be built at Lot 750 (51) Grenfell Drive, Bayonet Head.

ITEM 1.10: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR DUFTY

SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 10-0
ABSOLUTE MAJORITY**

BACKGROUND

1. Each year a country region is chosen in which to build a dwelling to raise funds for Telethon. Following completion of the dwelling and a public viewing period the dwelling is auctioned.
2. WA Country Builders has been asked to build this year's home in Albany with all materials and labour donated by various suppliers and contractors.
3. To ensure the maximum return on the Telethon Regional Home, WA Country Builders has requested Council waive its building licence application fee.

CEO:

RESPONSIBLE OFFICER:

DISCUSSION

4. Since its inception in 1968, Telethon has raised over \$94 million and provided much needed financial assistance to a significant number of charitable organisations, children's hospitals and research/medical facilities in Western Australia.
5. The charity has received long standing support from companies such as WA Country Builders which builds the Regional Home each year.
6. It is therefore recommended that Council resolve to waive the building licence application fee for the Telethon Regional Home at Lot 750 (51) Grenfell Drive, Bayonet Head.

PUBLIC CONSULTATION / ENGAGEMENT

7. There has been no public consultation regarding this item.

GOVERNMENT CONSULTATION

8. There has been no government consultation regarding this item.

STATUTORY IMPLICATIONS

9. Building licence application fees are set by the state government and published in the Building Regulations 1989.
10. Where considered appropriate, Council has the prerogative to waive a building licence application fee.

FINANCIAL IMPLICATIONS

11. The exact cost of building the Telethon Regional Home is not known, however it is anticipated that waiving the building licence application fee will result in a reduction of income for the 2010/2011 financial year of between \$636.00 and \$795.00.

POLICY IMPLICATIONS

12. There are no policy implications related to this item.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

13. Council has two options in relation to the request from WA Country Builders to waive the building licence application fee for the Telethon Regional Home:
 - a. Option One. **AGREE** to waive the building licence application fee for the Telethon Charity Home to be built at Lot 750 (51) Grenfell Drive, Bayonet Head.
 - b. Option Two. **REFUSE** to waive the building licence application fee for the Telethon Regional Home to be built at Lot 750 (51) Grenfell Drive, Bayonet Head.

SUMMARY CONCLUSION

14. That the building licence application fee be waived.

File Number (Name of Ward)	A212396 Yakamia Ward
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2.1: LIST OF ACCOUNTS FOR PAYMENT

Appendices : List of Accounts for Payment
Responsible Officer : A/Executive Director (P Wignall)

ITEM 2.1: RESPONSIBLE OFFICER RECOMMENDATION

The list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 28th February 2011 totalling \$4,185,462.38 be **RECEIVED**.

ITEM 2.1: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR LEAVESLEY
SECONDED: COUNCILLOR WOLFE

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

BACKGROUND

1. Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal and trust funds. In accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

DISCUSSION

2. The table below summarises the payments drawn from the municipal fund during the month of February 2011. Further details of the accounts authorised for payment by the Chief Executive Officer is included within the Elected Members Report/Information Bulletin.

Municipal Fund

Trust	Totalling	\$33,583.51
Cheques	Totalling	\$58,246.78
Electronic Fund Transfer	Totalling	\$3,214,811.44
Credit Cards	Totalling	\$10,867.37
Payroll	Totalling	\$867,953.28
	TOTAL	<u>\$4,185,462.38</u>

CEO:

RESPONSIBLE OFFICER:

3. As at 28 February 2011, the total outstanding creditors, stands at **\$337,040.38**, and made up follows:

Current	\$333,313.77
30 Days	\$3,262.61
60 Days	\$79.00
90 Days	\$385.00
TOTAL	\$337,040.38

4. Cancelled cheques – 27141 (cheque cancelled and EFT processed as no joint bank account in both names)

STATUTORY IMPLICATIONS

5. Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996, provides that payment may only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.
6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
7. Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.

FINANCIAL IMPLICATIONS

8. Expenditure for the period to 28 February 2011 has been incurred in accordance with the 2010/2011 budget parameters.

POLICY IMPLICATIONS

9. The City's 2010/2011 Annual Budget provides a set of parameters that guides the City's financial practices.

SUMMARY CONCLUSION

10. That list of accounts have been authorised for payment under delegated authority.

File Number (Name of Ward)	FM.FIR.2 - All Wards
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TRUST CHEQUES AND ELECTRONICS FUNDS TRANSFER PAYMENTS

EFT/CHQ	Date	Name	Description	Amount
EFT65653	17/02/2011	KINGOPEN PTY LTD	RETURN OF REMAINING BONDS FOR WAPC 1227777 & WAPC 127446	10,334.20
EFT65654	17/02/2011	KINGOPEN PTY LTD	RETURN OF REMAINING BONDS FOR WAPC 122777 & WAPC 127446	23,249.31
TOTAL				33,583.51

MASTERCARD TRANSACTIONS - January 2011

Date	Payee	Description	Amount
05-January-2011	Local Government Public	JA Gray - Government Communication Conference	850.00
12-January-2011	Zumba Fitness	A. Lembo - Zumba Basics Workshop	226.06
12-January-2011	Zumba Fitness	C. Douglas - Zumba Basics Workshop	226.06
31-December-2010	Selex Sistemi Integrate	Airport - Switch RF XMAN Line	1,185.77
18-January-2011	Business News	Annual Subscription	493.90
12-January-2011	SkyWest Airlines Pty Ltd	Air Fare B. Wellstead - SLWA Exchange (February)	326.54
12-January-2011	SkyWest Airlines Pty Ltd	Air Fare B. Wellstead - SLWA Exchange (May)	286.94
12-January-2011	SkyWest Airlines Pty Ltd	Air Fare B. Wellstead - SLWA Exchange (April)	256.58
10-January-2011	SkyWest Airlines Pty Ltd	Air Fare M. Evans - WA Regional Cities Alliance	546.10
14-January-2011	Dog Rock Motel	Dinner - US Consul General Visit	445.50
14-January-2011	EECW Pty Ltd	G. Bride - PIA National Congress	1,215.00
14-January-2011	EECW Pty Ltd	D. Dufty - PIA National Congress	1,215.00
17-January-2011	SkyWest Airlines Pty Ltd	Air Fare F. Dos Santos - ISO Accreditor	456.45
24-January-2011	Qantas	Air Fare - G. Bride & D. Dufty - PIA National Congress	647.32
24-January-2011	Virgin Blue	Air Fare - G. Bride & D. Dufty - PIA National Congress	327.00
25-January-2011	Regional Express Direct	Air Fare - G. Bride & D. Dufty - PIA National Congress	444.03
27-January-2011	TAS Air Pty Ltd	Air Fare - G. Bride & D. Dufty - PIA National Congress	493.20
Various	Sundry < \$ 200.00		1,225.92

TOTAL

10,867.37

Payroll - FEBRUARY 2011

09-February-2011	Payroll	443,973.55
11-February-2011	Sundry Pay	2,201.04
16-February-2011	Sundry Pay	3,145.90
23-February-2011	Payroll	417,871.19
25-February-2011	Sundry Pay	761.60
TOTAL		867,953.28

AGENDA ITEM 2.1 REFERS

Chq	Date	Name	Description	Amount
27137	03/02/2011	J GLADISH	REFUND EXTENSION FEE - BUILDING LICENCE CANCELLED	85.00
27138	03/02/2011	DAVE MCCrackEN	CROSSOVER LOT 711 GERDES WAY	193.89
27139	03/02/2011	SUSAN KEMP	CROSSOVER LOT 609 ELIZABETH ST	299.90
27140	03/02/2011	JOHN SMITH	CROSSOVER LOT 747 GRENfell DR	164.44
27141	03/02/2011	R SHANKS & P CROSTON	REIMBURSEMENT FOR APPLICATION FEE P2105322	250.00
27142	03/02/2011	ABOUT FUN ENTERTAINMENT	DRIPPY DRAGON & PIRATE SHOWS	1,375.00
27143	03/02/2011	ALBANY PIPE BAND	ALBANY PIPE BAND AT PROCLAMATION DAY	150.00
27144	03/02/2011	AMP FLEXIBLE LIFETIME SUPER PLAN	Superannuation contributions	405.08
27145	03/02/2011	ASGARD	Superannuation contributions	49.10
27146	03/02/2011	HESTA SUPER FUND	Superannuation contributions	483.24
27147	03/02/2011	HOSTPLUS PTY LTD	Superannuation contributions	281.82
27148	03/02/2011	MLC NOMINEES PTY LIMITED	Superannuation contributions	70.44
27149	03/02/2011	NATIONAL MUTUAL RETIREMENT FUND	Superannuation contributions	324.44
27150	03/02/2011	SENSIS PTY LTD	YELLOW PAGES CHARGES	302.50
27151	03/02/2011	PERPETUAL WEALTH FOCUS SUPER PLAN	Superannuation contributions	795.38
27152	03/02/2011	REDMOND GENERAL STORE	FUEL FOR REDMOND BUSH FIRE BRIGADE	150.51
27153	03/02/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	292.66
27154	03/02/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	759.60
27155	03/02/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	188.19
27156	03/02/2011	ST JOHN AMBULANCE AUSTRALIA	OXYPORT - oxygen therapy unit (wall-mountable).	620.00
27157	03/02/2011	TOWER TRUST LIMITED	Superannuation contributions	281.82
27158	03/02/2011	UNI SUPER	Superannuation contributions	239.80
27159	03/02/2011	WATER CORPORATION	WATER CONSUMPTION 28/9/10 - 25/1/11	131.50
27160	10/02/2011	COMMISSIONER OF POLICE	RETURN OF UNSPENT GRAFITTI GRANT FUNDS	296.34
27161	10/02/2011	ALBANY FILTERCLEAN	4 FILTERS CHANGED	28.00
27162	10/02/2011	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	734.25
27163	10/02/2011	HELVETICA PUBLISHING	BOOK PURCHASES	65.00
27164	10/02/2011	MCGRATH NICOL CORPORATE RECOVERY	Rates refund for assessment A73857	431.32
27165	10/02/2011	PETTY CASH - FORTS	BUILDING SUPPLIES	107.49
27166	10/02/2011	VIRIDIAN NEW WORLD GLASS	BUILDING SUPPLIES	467.50
27167	10/02/2011	ZURICH AUSTRALIA INSURANCE COMPANY LTD	MOTOR VEHICLE EXCESS FOR LGIS CLAIM # 022469	300.00
27168	17/02/2011	NATALIE REEVES	REFUND OF SWIM FEES	81.00
27169	17/02/2011	JULIE QUICKE	OVERPAYMENT OF PARKING INFRINGEMENTS	10.00
27170	17/02/2011	NOREEN LES	HOLIDAY PROGRAM REIMBURSEMENT	119.80
27171	17/02/2011	KPA ARCHITECTS	OVERPAYMENT ON BL 301199	56.98
27172	17/02/2011	DEPARTMENT OF TRANSPORT	AMAZING ALBANY NUMBER PLATES 906-A	150.00

AGENDA ITEM 2.1 REFERS

AGENDA ITEM 2.1 REFERS

AGENDA ITEM 2.1 REFERS

27173	17/02/2011	PETTY CASH - ALBANY PUBLIC LIBRARY	PETTY CASH PURCHASES	257.15
27174	17/02/2011	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	12,500.18
27175	17/02/2011	UBS WEALTH MANAGEMENT AUSTRALIA LTD	MARCH QTR MANAGEMENT FEE	61.42
27176	17/02/2011	UNICORN ART AND DESIGN	WATERCOLOUR CARTOON WORK	100.00
27177	17/02/2011	VODAFONE PTY LTD	TELEPHONE CHARGES 11/1/11 - 10/2/11	48.99
27178	17/02/2011	WATER CORPORATION	RELOCATION OF SERVICES FOR LOCKYER AVE/COCKBURN	16,935.51
27179	24/02/2011	ALI-DARYAB QASEM	MEMBERSHIP REFUND (COOLING OFF PERIOD)	203.50
27180	24/02/2011	LEANNE TAYLOR	TURF SOCCER REIMBURSEMENT	42.00
27181	24/02/2011	HELEN BROWNING GEE	INSURANCE SETTLEMENT OF DENTAL TREATMENT - CLAIM NUMBER 021S25	488.00
27182	24/02/2011	CLINT UDECZ	CROSSOVER SUBSIDY 78 RANDELL CRESENT WARRENUP	202.72
27183	24/02/2011	FRANK GOFF	REIMBURSE FEE FOR APPLICATION FOR PLANNING CONSENT 342 SERPENTINE ROAD WHICH IS NOT REQUIRED - P2115033	75.00
27184	24/02/2011	SIMON PHILPOTT	REIMBURSEMENTS - KIMAX TRAINING - SIMON PHILPOTT	304.21
27185	24/02/2011	TELSTRA CORPORATION LIMITED	BIG POND INTERNET CHARGES	29.95
27186	24/02/2011	WATER CORPORATION	WATER USAGE CHARGES/SUPPLY & CONNECTION	11,242.40
27187	25/02/2011	AMP FLEXIBLE LIFETIME SUPER PLAN	Superannuation contributions	649.52
27188	25/02/2011	HESTA SUPER FUND	Superannuation contributions	528.84
27189	25/02/2011	HOSTPLUS PTY LTD	Superannuation contributions	450.61
27190	25/02/2011	MLC NOMINEES PTY LIMITED	Superannuation contributions	343.39
27191	25/02/2011	NATIONAL MUTUAL RETIREMENT FUND	Superannuation contributions	378.53
27192	25/02/2011	PERPETUAL WEALTH FOCUS SUPER PLAN	Superannuation contributions	795.38
27193	25/02/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	347.33
27194	25/02/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	759.60
27195	25/02/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	186.26
27196	25/02/2011	TOWER TRUST LIMITED	Superannuation contributions	334.50
27197	25/02/2011	UNI SUPER	Superannuation contributions	239.80
			TOTAL	58,246.78

AGENDA ITEM 2.1 REFERS

EFT	Date	Name	Description	Amount
EFT65353	03/02/2011	ACTIV FOUNDATION INC.	Replacement of vandalised lattice on toilet surrounds	428.36
EFT65354	03/02/2011	AD CONTRACTORS PTY LTD	SUPPLY CUBIC METRES WIN, CRUSH and STOCKPILE GRAVEL	19,119.05
EFT65355	03/02/2011	AEG OGDEN (PERTH) PTY LTD	LSL S GARTLAND	17,359.08
EFT65356	03/02/2011	ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	339.67
EFT65357	03/02/2011	ALBANY STATIONERS	STATIONERY SUPPLIES	15.80
EFT65358	03/02/2011	ALBANY PEST & WEED CONTROL	PEST CONTROL AT MERCER RD DEPOT	220.00
EFT65359	03/02/2011	ALBANY RETRAVISION	URN FOR ALAC	89.00
EFT65360	03/02/2011	ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	688.60
EFT65361	03/02/2011	ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY SUPPLIES	62.00
EFT65362	03/02/2011	ALBANY NEWS DELIVERY	NEWSPAPER DELIVERIES	124.40
EFT65363	03/02/2011	ALBANY PSYCHOLOGICAL SERVICES	CONSULTATION FEES	165.00
EFT65364	03/02/2011	ALBANY OFFICE PRODUCTS - ALAC	STATIONERY SUPPLIES	162.15
EFT65365	03/02/2011	ALBANY OFFICE PRODUCTS - WORKS DEPOT	STATIONERY SUPPLIES	77.25
EFT65366	03/02/2011	ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	139.00
EFT65367	03/02/2011	AMITY PAINTING & DECORATING	To repair the town hall toilets ceilings	440.00
EFT65368	03/02/2011	ARDESS NURSERY	BAGS OF POTTING MIX.	65.00
EFT65369	03/02/2011	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	3,457.95
EFT65370	03/02/2011	AUSTRALIAN AIR EXPRESS PTY LIMITED	FREIGHT	65.55
EFT65371	03/02/2011	BAIL SAND & GRAVEL SUPPLIES	M3 COMPACTION SAND	1,320.00
EFT65372	03/02/2011	BAILEYS FERTILISERS	200LTS. VITA-PLANT TURF	964.70
EFT65373	03/02/2011	BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	650.23
EFT65374	03/02/2011	BEBE BITS	DAY CARE - COT FITTED SHEETS	400.00
EFT65375	03/02/2011	ADVANCED TRAFFIC MANAGEMENT	Hours Hire of Traffic Control (2 controllers plus 1 vehicle)	436.19
EFT65376	03/02/2011	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	259.00
EFT65378	03/02/2011	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	215.33
EFT65379	03/02/2011	CABCHARGE AUSTRALIA LIMITED	TAXI FARES	303.27
EFT65380	03/02/2011	CAPE BYRON IMPORTS	EQUIPMENT SWIM SCHOOL	94.57
EFT65381	03/02/2011	ETHAN CARNABY	AUSTRALIA DAY AMUSEMENT SUPERVISION	150.00
EFT65382	03/02/2011	CIPRIAN JEWELLERS	GIFT 26 YEARS OF SERVICE - DAYCARE	375.00
EFT65383	03/02/2011	CJD EQUIPMENT PTY LTD	VEHICLE PARTS	583.29
EFT65384	03/02/2011	CLARK EQUIPMENT SALES PTY LTD	Purchase of S185SJC Skid Steer Loader	58,825.00
EFT65385	03/02/2011	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	925.75
EFT65386	03/02/2011	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	418.73
EFT65387	03/02/2011	COURIER AUSTRALIA	FREIGHT FEES	138.20
EFT65388	03/02/2011	ALBANY SIGNS	Manufacture 'Car Park Closed' sign	99.00
EFT65389	03/02/2011	COVENTRYS	VEHICLE PARTS	284.44
EFT65390	03/02/2011	CROKER LACEY GRAPHIC DESIGN	WEB TEXT GRABS	264.00
EFT65391	03/02/2011	C T MANAGEMENT GROUP	WASTE OPERATIONS FEASIBILITY STUDY PROPOSAL	968.00

AGENDA ITEM 2.1 REFERS

AGENDA ITEM 2.1 REFERS

AGENDA ITEM 2.1 REFERS

EFT65392	03/02/2011 THE LAMINEX GROUP (CULLITY'S)	STRUCTURAL TREATED PINE BUILDING MAINTENANCE	338.18
EFT65393	03/02/2011 CYNERGIC COMMUNICATIONS	SERVICE CHARGES 1/2/11 - 1/3/11	493.90
EFT65394	03/02/2011 35 DEGREES SOUTH	Various surveys for road preservation jobs - Burt, King, Hay, Robert, Sussex, Hare & McKenzie	4,070.00
EFT65395	03/02/2011 DIGITAL MAPPING SOLUTIONS	Supply and Install IntraMaps firebreak system	23,915.54
EFT65396	03/02/2011 DOG ROCK MOTEL	Australia Day Celebrations	697.45
EFT65397	03/02/2011 ALBANY ENGINEERING COMPANY	MAINTENANCE VEHICLES	488.40
EFT65398	03/02/2011 MILTON EVANS	REIMBURSEMENT - FUEL ETC	273.34
EFT65399	03/02/2011 EYEZON PTY LTD	ADVERTISEMENT - SOUTH WEST MAP - BUNBURY TO ALBANY MAP	295.00
EFT65400	03/02/2011 FARM FRESH WHOLESALERS	CATERING SUPPLIES	156.81
EFT65401	03/02/2011 FLIPS ELECTRICS	Pump controller and field devices installed	6,824.50
EFT65402	03/02/2011 FORTITUDE SECURITY SERVICES	GUARDS FOR NEW YEARS EVE	1,787.50
EFT65403	03/02/2011 LUSH GARDEN GALLERY	Eyre Park 100th birthday planting	67.90
EFT65404	03/02/2011 GORDON WALMSLEY PTY LTD	Install mountable kerbing between 34 and 38 KARRAKATTA ROAD	351.00
EFT65405	03/02/2011 GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	122.08
EFT65406	03/02/2011 GREAT SOUTHERN GROUP TRAINING	CASUAL STAFF/APPRENTICE FEES	3,560.53
EFT65407	03/02/2011 GREEN SKILLS INC	CASUAL STAFF/APPRENTICE FEES	1,936.00
EFT65408	03/02/2011 GREAT SOUTHERN PERSONNEL	GARDENING SERVICES LOTTERIES HOUSE	105.29
EFT65409	03/02/2011 GREAT SOUTHERN PACKAGING SUPPLIES	CATERING SUPPLIES	2,760.95
EFT65410	03/02/2011 GREAT SOUTHERN BOUNDARIES	SUPPLY AND INSTALL HIGH CHAIN MESH FENCE(96M) DOUBLE 6M GATE & 3M SINGLE GATE	6,457.00
EFT65411	03/02/2011 HARVEY WORLD TRAVEL (ALBANY)	AIRLINE BOOKINGS FOR COASTAL COUNCILS CONFERENCE, TORQUAY, VICTORIA	816.00
EFT65412	03/02/2011 PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	151.80
EFT65413	03/02/2011 HAVOC BUILDERS PTY LTD	REPLACE OLD POWER POLE FOOTING	1,870.00
EFT65414	03/02/2011 JANDAKOT INSTRUMENTS	PAPI CLINOMETER	280.50
EFT65415	03/02/2011 KEN FREEGARD FILTER CLEANING	FILTERS CHANGED	39.50
EFT65416	03/02/2011 KEYSTRIKE PTY LTD	Rates refund for assessment A211821	1,116.20
EFT65417	03/02/2011 KLB SYSTEMS	Lenovo X201 Slim Light Weight Core i5-540M, 4GB (2x2GB)RAM, 320GB HD 12.1 WXGA	2,728.00
EFT65418	03/02/2011 KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	199.90
EFT65419	03/02/2011 L & A AUTO PRODUCTS	CANS HEAVY DUTY BREAK AWAY, FAST PENETRATING OIL	24.34
EFT65420	03/02/2011 LANDCORP	Albany entertainment Centre Car Park - construction	126,591.30
EFT65421	03/02/2011 LATRO LAWYERS	NOTICE OF DEFAULT - CALAMARI'S RESTAURANT	453.64
EFT65422	03/02/2011 LAWRENCE AND HANSON	Roll DLX7/104 BWEW Electrical wire (in 100mt roll)	204.78
EFT65423	03/02/2011 LOMAX MEDIA	PRODUCTION OF TV COMMERCIAL 2011 AUSTRALIA DAY	770.00
EFT65424	03/02/2011 LORLAINE DISTRIBUTORS PTY LTD	CLEANING ITEMS	95.10
EFT65425	03/02/2011 LOST THE PLOT PRODUCTIONS	AUSTRALIA DAY FAMILY FUN DAY & FIREWORKS	544.50
EFT65426	03/02/2011 ALBANY PARTY HIRE	HIRE EQUIPMENT AUSTRALIA DAY	1,748.00
EFT65427	03/02/2011 IAN MCLOUGHLIN	REIMBURSE PURCHASE OF CAR MATS FOR COMPANY VEHICLE	39.99

AGENDA ITEM 2.1 REFERS

AGENDA ITEM 2.1 REFERS

AGENDA ITEM 2.1 REFERS

EFT65428	03/02/2011 MCLEODS BARRISTERS & SOLICITORS
EFT65429	03/02/2011 METROOF ALBANY
EFT65430	03/02/2011 JOHN MOIR
EFT65431	03/02/2011 LGIS WORKCARE
EFT65432	03/02/2011 OCS SERVICES PTY LTD
EFT65433	03/02/2011 ORBANYS
EFT65434	03/02/2011 HANSON CONSTRUCTION MATERIALS PTY LTD
EFT65435	03/02/2011 VINCENT POOLE
EFT65436	03/02/2011 PETER ROBERT DREW PRITCHARD
EFT65437	03/02/2011 REXEL AUSTRALIA
EFT65438	03/02/2011 ROYAL LIFE SAVING SOCIETY AUSTRALIA
EFT65439	03/02/2011 SEATADVISOR AUSTRALIA
EFT65440	03/02/2011 SEEK LIMITED
EFT65441	03/02/2011 SKAL INTERNATIONAL ALBANY
EFT65442	03/02/2011 SKILL HIRE WA PTY LTD
EFT65443	03/02/2011 SKYWEST AIRLINES
EFT65444	03/02/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD
EFT65445	03/02/2011 SOUTHCOAST SECURITY SERVICE
EFT65446	03/02/2011 SPEEDO AUSTRALIA PTY LTD
EFT65447	03/02/2011 STIRLING CONFECTIONERY PLUS
EFT65448	03/02/2011 STORM OFFICE NATIONAL
EFT65449	03/02/2011 NATIONAL SEA CHANGE TASKFORCE INC
EFT65450	03/02/2011 ALBANY LOCK SERVICE
EFT65451	03/02/2011 SYNERGY
EFT65452	03/02/2011 T & C SUPPLIES
EFT65453	03/02/2011 THE NAKED BEAN COFFEE ROASTERS
EFT65454	03/02/2011 THE VEGIE SHOP
EFT65455	03/02/2011 TRAILBLAZERS
EFT65456	03/02/2011 TRUCKLINE
EFT65457	03/02/2011 TRU-BLU GROUP PTY LTD
EFT65458	03/02/2011 ALBANY TYREPOWER
EFT65459	03/02/2011 VANCOUVER WASTE SERVICES
EFT65460	03/02/2011 ALBANY & GREAT SOUTHERN WEEKENDER
EFT65461	03/02/2011 WESTERBERG PANEL BEATERS
EFT65462	03/02/2011 WA LOCAL GOVERNMENT ASSOCIATION
EFT65463	03/02/2011 WESTERN WORK WEAR
EFT65464	03/02/2011 WREN OIL
EFT65465	03/02/2011 ZENITH LAUNDRY

AGENDA ITEM 2.1 REFERS

SOUTH LOCKYER STRUCTURE PLAN	741.63
ZINCALUME	74.47
RUBBISH REMOVAL FROM CAPE RICKE -	1,680.00
INSURANCE ADJUSTMENT 30/6/09 - 30/6/10	14,663.00
CLEANING SERVICES	80.00
UNIFORM ALTERATIONS	32.00
Supply & Delivery Washed Blue Metal	7,924.41
FUEL COST FOR INTERVIEW	15.00
SECOND PRIZE IN AUSSIE PRIDE FASHION PARADE	200.00
DEPOT REPLACEMENT FLUROS	30.62
SWIMMING & LIFESAVING MANUAL	1,099.70
DECEMBER TICKET SALES	72.93
SEEK ADS - MANAGER CITY ASSETS	247.50
SKAL ALBANY MEMBERSHIP FEES FEB 2011 TO JAN 2012	185.00
CASUAL STAFF/APPRENTICE FEES	6,142.24
SKYWEST AIRFARE FOR MR MILTON EVANS ALBANY - PERTH - RETURN	486.70
CATERING GOODS	2,360.24
SECURITY SERVICES	577.50
SWIM EQUIPMENT/SUPPLIES	60.50
CONFECTIONERY SUPPLIES	1,517.70
TONER CARTRIDGES FOR PLOTTER	245.20
COASTAL COUNCILS 2011 CONFERENCE BOOKING FOR MAYOR MILTON	1,649.00
EVANS INCLUDING ACCOMMODATION AND BUS TRANFERS	
Repair of lock on Liberty Swing at Eyre Park/ ASSORTED LOCKS/REPAIRS	507.80
ELECTRICITY SUPPLIES & STREET LIGHTING 25/11/2010 - 24/12/2010	42,982.00
HARDWARE/TOOL SUPPLIES	594.22
COFFEE SUPPLIES FOR ALAC CAFE	440.00
GROCERIES	128.71
SAFETY EQUIPMENT	224.43
VEHICLE PARTS	214.50
Hire of the electric EWP to remove the COA Xmas decorations	460.00
TYRE PURCHASES/MAINTENANCE	1,440.55
GREEN WASTE SERVICES	20,617.94
ADVERTISEMENT CALLING FOR COMMENTS ON THE PROPOSED DRAFT	483.12
LOCAL PLANNING POLICY MANUAL	
PARKING-IMPOUNDED VEHICLE	176.00
ROMAN II SUBSCRIPTION	14,949.48
SAFETY EQUIPMENT	674.92
WASTE OIL DISPOSAL	409.75
LAUNDRY SERVICES/HIRE	30.97

AGENDA ITEM 2.1 REFERS

AGENDA ITEM 2.1 REFERS

EFT65466	03/02/2011 ALBANY COMMUNITY HOSPICE
EFT65467	03/02/2011 AMP SUPERANNUATION LIMITED
EFT65468	03/02/2011 AUSTRALIAN TAXATION OFFICE
EFT65469	03/02/2011 AUSTRALIAN SERVICES UNION WA BRANCH
EFT65470	03/02/2011 AUSTRALIAN PRIMARY SUPERANNUATION FUND
EFT65471	03/02/2011 AUSTRALIAN SUPER
EFT65472	03/02/2011 AUSTRALIAN ETHICAL SUPERANNUATION FUND
EFT65473	03/02/2011 BANKWEST
EFT65474	03/02/2011 BT SUPER FOR LIFE
EFT65475	03/02/2011 BT SUPER FOR LIFE
EFT65476	03/02/2011 BT SUPER FOR LIFE
EFT65477	03/02/2011 BUILDING AND CONSTRUCTION IND TRAINING FUND
EFT65478	03/02/2011 BUILDERS REGISTRATION BOARD
EFT65479	03/02/2011 CHILD SUPPORT AGENCY
EFT65480	03/02/2011 COLONIAL FIRST STATE ROLLOVER & SUPER FUND
EFT65481	03/02/2011 COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER
EFT65482	03/02/2011 GENERATIONS PERSONAL SUPER FUND
EFT65483	03/02/2011 GENERATIONS PERSONAL SUPER FUND
EFT65484	03/02/2011 HBF OF WA
EFT65485	03/02/2011 ING INTEGRA SUPER
EFT65486	03/02/2011 ING ONE ANSWER PERSONAL SUPER
EFT65487	03/02/2011 ING INTEGRA SUPER
EFT65488	03/02/2011 MLC NOMINEES PTY LTD
EFT65489	03/02/2011 REST SUPERANNUATION
EFT65490	03/02/2011 MARITIME SUPER
EFT65491	03/02/2011 SPECTRUM SUPER
EFT65492	03/02/2011 SUMMIT MASTER TRUST PERSONAL SUPERANNUATION PLAN
EFT65493	03/02/2011 WA LOCAL GOVT SUPERANNUATION
EFT65494	03/02/2011 WAYNE JOHN STEAD PTY LTD SUPERANNUATION FUND
EFT65495	03/02/2011 WESTSCHEME
EFT65496	10/02/2011 ACTIV FOUNDATION INC.
EFT65497	10/02/2011 AD CONTRACTORS PTY LTD
EFT65498	10/02/2011 ADVERTISER PRINT
EFT65499	10/02/2011 EDENBORN PTY LTD
EFT65500	10/02/2011 AIRPORT LIGHTING SPECIALISTS PTY LTD
EFT65501	10/02/2011 ALBANY BRAKE AND CLUTCH
EFT65502	10/02/2011 ALBANY CRANE HIRE
EFT65503	10/02/2011 ALBANY INDUSTRIAL SERVICES PTY LTD
EFT65504	10/02/2011 ALBANY V-BELT AND RUBBER

AGENDA ITEM 2.1 REFERS

Payroll deductions	38.00
Superannuation contributions	1,474.60
Payroll deductions	195,353.11
Payroll deductions	2,878.40
Superannuation contributions	321.28
Superannuation contributions	1,044.44
Superannuation contributions	349.00
Payroll deductions	3,648.85
Superannuation contributions	326.54
Superannuation contributions	77.20
Superannuation contributions	354.52
BCITF LEVY FOR THE MONTH OF DECEMBER 2010	11,254.74
BRB LEVY FOR THE MONTH OF DECEMBER 2010	2,016.00
Payroll deductions	758.66
Superannuation contributions	134.02
Superannuation contributions	644.26
Payroll deductions	587.83
Superannuation contributions	76.74
Payroll deductions	1,149.10
Superannuation contributions	136.70
Superannuation contributions	511.48
Superannuation contributions	336.80
Superannuation contributions	281.82
Superannuation contributions	3,260.04
Superannuation contributions	142.70
Superannuation contributions	231.10
Superannuation contributions	54.77
Superannuation contributions	113,105.48
Superannuation contributions	325.38
Superannuation contributions	2,814.16
STORYTIME GARDEN BENCH SEAT	280.01
EARTHMOVING WORKS & EQUIP HIRE	2,755.00
BUSINESS CARDS	60.00
Contract mowing of verges for January 2011	4,401.80
MOUNTING PLATES	203.01
VEHICLE MAINTENANCE	383.02
TAKE CHRISTMAS TREE LIGHTS DOWN	649.00
Hours Hire of Semi Tipper 13 January 2011 [14447]	1,687.95
FILTERS/VEHICLE PARTS	1,131.23

AGENDA ITEM 2.1 REFERS

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EFT65505	10/02/2011 ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	231.00
EFT65506	10/02/2011 ALBANY HISTORICAL SOCIETY	PAPER AND PHOTOCOPYING BROCHURES FOR BRIG AMITY	56.98
EFT65507	10/02/2011 HOME TIMBER & HARDWARE	HARDWARE/TOOL SUPPLIES	10.30
EFT65509	10/02/2011 ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY SUPPLIES	201.50
EFT65510	10/02/2011 ALBANY NEWS DELIVERY	NEWSPAPER DELIVERIES	37.15
EFT65511	10/02/2011 ALBANY QUALITY LAWNMOWING	LAWN MOWING AT LOTTERIES HOUSE	100.00
EFT65512	10/02/2011 ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	464.44
EFT65513	10/02/2011 ALBANY OFFICE PRODUCTS - VAC	STATIONERY SUPPLIES	24.25
EFT65514	10/02/2011 ALBANY OFFICE PRODUCTS - FORTS	STATIONERY SUPPLIES	276.00
EFT65515	10/02/2011 ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	28.70
EFT65516	10/02/2011 ALINTA	GAS USAGE CHARGES	73.20
EFT65517	10/02/2011 AMPAC DEBT RECOVERY (WA) PTY LTD	RATES DEBT RECOVERY	35,821.30
EFT65518	10/02/2011 TRUDI ANDERSON	1ST & 3RD PRIZE AUSSIE PRIDE FASHION PARADE	200.00
EFT65519	10/02/2011 ANNETTE DAVIS	CITY OF ALBANY ART PRIZE PLANNING AND COORDINATION DECEMBER 2010 & JANUARY 2011	4,000.00
EFT65520	10/02/2011 ARTCRAFT PTY LTD	Hazard marker one way, pedestrian bollard, street blades	817.08
EFT65521	10/02/2011 ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	2,115.15
EFT65522	10/02/2011 AUSTRALIA POST	POSTAGE/AGENCY FEES	5,224.52
EFT65523	10/02/2011 ALBANY AUTOSPARK	VEHICLE REPAIRS/PARTS	420.00
EFT65524	10/02/2011 BAKERS JUNCTION ENGINEERING	MAINTENANCE NANNARUP BRIDGE	673.75
EFT65525	10/02/2011 BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	586.39
EFT65526	10/02/2011 BATTERY WORLD	12 volt battery for irrigation radio (Mt Clarence repeater)	42.00
EFT65527	10/02/2011 BENNETTS BATTERIES	Boxes of Super Red EP2 grease cartridges.	880.00
EFT65528	10/02/2011 ADVANCED TRAFFIC MANAGEMENT	Hours of Hire for Traffic Control (2 controllers plus 1 vehicle)	1,756.21
EFT65529	10/02/2011 BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	767.39
EFT65530	10/02/2011 COUNTRY COMFORT INTER CITY MOTEL	STAFF TRAINING - ACCOMODATION COUNTRY COMFORT HOTEL	450.00
EFT65531	10/02/2011 BLACKWOODS	2.5L WILLOW WATER JUGS	80.87
EFT65532	10/02/2011 ALBANY BOBCAT SERVICES	Soccer Grounds & Bob Thompson Gardens	640.00
EFT65533	10/02/2011 CARDNO BSD PTY LTD	STAGE 1 CONSULTANCY FOR THE IMPLEMENTATION OF AN ENVIRONMENTAL IMPROVEMENT PLAN FOR ALBANY REFUSE SITE HANRAHAN ROAD -	9,671.86
EFT65534	10/02/2011 BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	563.98
EFT65535	10/02/2011 CAMTRANS ALBANY PTY LTD	Packs BGC Ezy Pave pavers - 60mm Charcoal	9,393.03
EFT65536	10/02/2011 STACEY CARTER	STAFF TRAINING - ZUMBA GROUP FITNESS - REIMBURSEMENTS	145.60
EFT65537	10/02/2011 J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	15,315.21
EFT65538	10/02/2011 CJD EQUIPMENT PTY LTD	VEHICLE PARTS	566.79
EFT65539	10/02/2011 BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	246,828.99
EFT65540	10/02/2011 COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	352.52
EFT65541	10/02/2011 COFFEY ENVIRONMENTS PTY LTD	REGIONAL WASTE SITE INVESTIGATION	28,334.22
EFT65542	10/02/2011 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	522.29

AGENDA ITEM 2.1 REFERS

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EFT65543	10/02/2011	COURIER AUSTRALIA	FREIGHT FEES	156.12
EFT65544	10/02/2011	COVENTRYS	VEHICLE PARTS	452.36
EFT65545	10/02/2011	RUSSELL GEORGE COYNE	Rates refund for assessment A65688	500.00
EFT65546	10/02/2011	HOLCIM (AUSTRALIA) PTY LTD	5 & 7 MM BLUE METAL	2,944.59
EFT65547	10/02/2011	AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	1,385.34
EFT65548	10/02/2011	D & K ENGINEERING	REPAIRS TO TRANSMISSION	625.90
EFT65549	10/02/2011	DATATRAX PTY LTD	FULL MOTION VIDEO 7/2/11 - 7/5/11 - QUARTERLY PAYMENT	495.00
EFT65550	10/02/2011	MICHELLE DAYMAN	REIMBURSE FUEL FOR AUSTRALIA DAY	66.00
EFT65551	10/02/2011	DICK SMITH ELECTRONICS	Digital multi meter	19.99
EFT65552	10/02/2011	EASIFLEET MANAGEMENT	Payroll deductions	815.84
EFT65553	10/02/2011	ELDERS LIMITED	6x 20LTR Bio active glyphosate	982.50
EFT65554	10/02/2011	ELLEKER GENERAL STORE	FUEL PURCHASES	233.10
EFT65555	10/02/2011	TERRESSA ELLIS	AUDIENCE CHOICE PRIZE AUSSIE PRIDE PARADE	100.00
EFT65556	10/02/2011	BERNARD FRANCIS EVANS	Rates refund for assessment A219322	370.12
EFT65557	10/02/2011	EYERITE SIGNS	SIGNWRITING/SIGN PURCHASES	2,538.25
EFT65558	10/02/2011	EYELINE AUSTRALIA PTY LTD	CARRY BAGS	84.70
EFT65559	10/02/2011	FARM FRESH WHOLESALERS	CATERING SUPPLIES	101.93
EFT65560	10/02/2011	FFF PRODUCTION SERVICES	PRODUCTION FOR AUSTRALIA DAY FUN DAY	3,250.00
EFT65561	10/02/2011	THE FIXUPPERY	WINDOW CLEANING	440.00
EFT65562	10/02/2011	BILL GIBBS EXCAVATIONS	TRACTOR HIRE	3,063.50
EFT65563	10/02/2011	LUSH GARDEN GALLERY	NATURAL RESERVES MAINTENANCE	61.75
EFT65564	10/02/2011	GORDON WALMSLEY PTY LTD	Supply and install asphalt on Griffith Street	62,827.00
EFT65565	10/02/2011	GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	123.19
EFT65566	10/02/2011	GRANT THORNTON AUSTRALIA LIMITED	FEE FOR AUDIT OF LOTTERIES HOUSE YEAR ENDED 30 JUNE 2010	880.00
EFT65567	10/02/2011	GREEN SKILLS INC	CASUAL STAFF/APPRENTICE FEES	7,240.48
EFT65568	10/02/2011	GREAT SOUTHERN PERSONNEL	LIBRARY ASSISTANT SREVICES DECEMBER 2010	71.41
EFT65569	10/02/2011	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING GOODS	2,813.27
EFT65570	10/02/2011	GROCOTT TRANSPORT	Hours Hire of Semi Tipper	2,845.92
EFT65571	10/02/2011	HARLEY GLOBAL	Cull Road Land Development - The City of Albany agreed to enlist the support of Harley Global (Rod Hedderwick) with the Cull Road Roject for a comprehensive feasibility study	16,500.00
EFT65572	10/02/2011	HARVEY NORMAN COMPUTERS ALBANY	THUMBDRIVES	50.00
EFT65573	10/02/2011	HERITAGE COUNCIL OF WESTERN AUSTRALIA	REGISTRATION FOR LOCAL GOVERNMENT HERITAGE SEMINAR 2010/11 FOR TAYLOR GUNN - 17 & 18 FEBRUARY 2011	385.00
EFT65574	10/02/2011	JOHN HOBBS	TRAVELLING ALLOWANCE	18.00
EFT65575	10/02/2011	RATTEN & SLATER MACHINERY	VEHICLE PARTS	106.65
EFT65576	10/02/2011	HOWARD AND HEAVER ARCHITECTS	Women's Rest Centre Conservation Works - Architectural Consultancy Services	6,931.54
EFT65577	10/02/2011	HUDSON HENNING AND GOODMAN	LEGAL FEES	163.26
EFT65578	10/02/2011	ICS GROUP	WELLSTEAD FIRE TRUCK REAPIRS TO FAULTY FAN IN A/C	942.12

AGENDA ITEM 2.1 REFERS

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EFT65579	10/02/2011 INFRASTRUCT CONTRACTING P/L	Removal of 10 trees and mulching as required on Millbrook Road - near Warren Rd intersection	22,910.80
EFT65580	10/02/2011 JACK THE CHIPPER	8.5 Hours of mulching at Collingwood Rd for Bush care.	2,707.50
EFT65581	10/02/2011 JASON SIGNMAKERS	WHITE REFLECTIVE NUMBERS - Number 1 (8mm high x 5mm wide)	27.72
EFT65582	10/02/2011 JUST A CALL DELIVERIES	INTERNAL MAIL DELIVERIES	834.90
EFT65583	10/02/2011 KIDSAFE WESTERN AUSTRALIA	PLAYGROUND SAFETY WORKSHOP - MARK FORD, ROBBIE MONCK, TRAVIS MONCK & WADE MORRISON	1,000.00
EFT65584	10/02/2011 KLB SYSTEMS	Motorola LS4278 Cordless General Purpose Barcode Scanner Kit: Scanner, Cradle (Radio/Charger), USB Series A , 7ft straight cable	2,057.02
EFT65585	10/02/2011 KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	3,209.30
EFT65586	10/02/2011 LA FREEGARD	Clear fallen tree from across Mountain Rd	1,738.00
EFT65587	10/02/2011 LANDCORP	ALBANY WATERFRONT	275,000.00
EFT65588	10/02/2011 LET'S PARTY HIRE	4 SEAT STAGE	160.00
EFT65589	10/02/2011 CALTEX ENERGY WA	LITRES FUEL DIESEL	63,090.78
EFT65590	10/02/2011 LOWER KING LIQUOR & GENERAL STORE	ALCOHOL PURCHASES	89.98
EFT65591	10/02/2011 LOWE PTY LTD	Rates refund for assessment A203797	135.68
EFT65592	10/02/2011 M2 TECHNOLOGY PTY LTD	QUARTERLY INVOICE NORTH ROAD CUSTOMNET ON HOLD PROGRAM	377.00
EFT65593	10/02/2011 ALBANY PARTY HIRE	HIRE OF CHAIRS	175.00
EFT65594	10/02/2011 MANYPEAKS GENERAL STORE	MANYPEAKS BUSHFIRE BRIGADE - FUEL	188.38
EFT65595	10/02/2011 JEAN-LUC MARINAI MAGICIAN	MAGIC SHOWS AUSTRALIA DAY	2,900.00
EFT65596	10/02/2011 BR & JA MCGUFFIE	HIRE OF TILT TRAY TRUCK	126.50
EFT65597	10/02/2011 METTLER TOLEDO LTD	BAKER'S JUNCTION WEIGHBRIDGE REPAIRS	1,656.60
EFT65598	10/02/2011 MR MOO DAIRY DISTRIBUTORS	MILK DELIVERIES	1,033.40
EFT65599	10/02/2011 LGIS PROPERTY	INSURANCES 30/6/10 - 30/6/11	384.10
EFT65600	10/02/2011 NATALIE RADIOJEVIC	CURATORS CHOICE	1,176.00
EFT65601	10/02/2011 ALBANY NEAT AND TRIM LAWNS	MOW LAWN VANCOUVER ARTS CENTRE	160.00
EFT65602	10/02/2011 NIKANA CONTRACTING PTY LTD	REMOVAL OF RUBBISH BOAT HARBOUR SKIP BINS	614.24
EFT65603	10/02/2011 ALBANY COMMUNITY PHARMACY	30 TUBES SUNSCREEN 30 +, 50 BOTTLES SPRAY SUNSCREEN 30+, AND 12 CLEAR ZINC	919.40
EFT65604	10/02/2011 OCS SERVICES PTY LTD	CLEANING SERVICES	400.00
EFT65605	10/02/2011 OKEEFE'S PAINTS	PAINT & PAINTING SUPPLIES	162.00
EFT65606	10/02/2011 PARKS AND LEISURE AUSTRALIA	2010/2011 MEMBERSHIP	436.00
EFT65607	10/02/2011 PETER GRAHAM AND COMPANY LTD	ELECTRONIC WATER TESTER	290.40
EFT65608	10/02/2011 HANSON CONSTRUCTION MATERIALS PTY LTD	Supply & Delivery 14MM Washed Blue Metal	1,114.17
EFT65609	10/02/2011 PLATTERS GOURME	AIRPORT CATERING	70.40
EFT65610	10/02/2011 POWELL SECURITY SERVICES	SECURITY SERVICES	214.50
EFT65611	10/02/2011 RAGGEDYJAYS DESIGNS	WORKSHOP - TRADITIONAL RUG HOOKING	670.00
EFT65612	10/02/2011 JOSEPH PETER RAUDINO	Rates refund for assessment A142S49	1,091.78
EFT65613	10/02/2011 RED ANT RECYCLING	PICK UP GAS BOTTLES FROM HANRAHAN TIP AND TRANSPORT TO RED ANT DEPOT	1,500.00

AGENDA ITEM 2.1 REFERS

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EFT65614	10/02/2011 W P REID	Supply and install paving at Middleton Beach	5,872.00
EFT65615	10/02/2011 REPCO AUTO PARTS	VEHICLE PARTS	73.67
EFT65616	10/02/2011 RICOH	PHOTOCOPIER CHARGES	12,302.60
EFT65617	10/02/2011 ELIZABETH RICHARDS PTY LTD	WIRELESS BELT PACK AND LAPEL MIC	265.00
EFT65618	10/02/2011 R SHANKS	REFUND OF APPLICATION FOR PLANNING P2105322	250.00
EFT65619	10/02/2011 SHEILAH RYAN	GARDEN MAINTENANCE	390.00
EFT65620	10/02/2011 SKILL HIRE WA PTY LTD	CASUAL STAFF/APPRENTICE FEES	8,558.09
EFT65621	10/02/2011 SMITHS ALUMINIUM & 4WD CENTRE	ALUMINIUM FABRICATION MATERIALS & LABOUR	176.00
EFT65622	10/02/2011 SOUTHERN TOOL & FASTENER CO	Stihl MS311 Chainsaw	968.48
EFT65623	10/02/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING GOODS	743.97
EFT65624	10/02/2011 SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	10,348.58
EFT65625	10/02/2011 STATEWIDE BEARINGS	VEHICLE PARTS	153.92
EFT65626	10/02/2011 STORM OFFICE NATIONAL	STATIONERY SUPPLIES	23.95
EFT65627	10/02/2011 ALBANY LOCK SERVICE	LOCKSMITH SERVICES, REPAIRS ETC	153.30
EFT65628	10/02/2011 SYNERGY	ELECTRICITY SUPPLIES	62,799.78
EFT65629	10/02/2011 T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	3,062.02
EFT65630	10/02/2011 TED SNELL	CURATE 2011 CURATORS CHOICE EXHIBITION	2,000.00
EFT65631	10/02/2011 THINKWATER ALBANY	Irrigation fittings for soccer ground	1,991.28
EFT65632	10/02/2011 TOTAL GREEN RECYCLING	E WASTE RECYCLING	2,503.33
EFT65633	10/02/2011 THE TROPHY SHOP	1 x plaque plate JULIE MALE In recognition of 26 years of service.	11.60
EFT65634	10/02/2011 TRUCKLINE	BAR LIGHT FOR THE FIRE EMERGENCY VEHICLE	2,299.00
EFT65635	10/02/2011 TRU-BLU GROUP PTY LTD	Days hire mini excavator for removal of kerbing	854.91
EFT65636	10/02/2011 ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	796.20
EFT65637	10/02/2011 VANCOUVER WASTE SERVICES	BOB THOMPSON GARDENS - STAGE 2 soil conditioner/coarse sand mix	880.00
EFT65638	10/02/2011 VISAGE PRODUCTIONS	PARTICIPATION IN OUR TOWN TELEVISION SERIES - ALBANY EPISODE	5,500.00
EFT65639	10/02/2011 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	53.68
EFT65640	10/02/2011 WESTERBERG PANEL BEATERS	TOWING OF VEHICLE TO THE IMPOUND YARD	88.00
EFT65641	10/02/2011 WESTRAC EQUIPMENT PTY LTD	Supply oil and filters to suit CATERPILLAR 930G WHEEL LOADER	1,761.33
EFT65642	10/02/2011 LANDMARK LIMITED	WEEDKILLER FOR AIRPORT	748.11
EFT65643	10/02/2011 WESTERBERG MARINE	REEL 6MM YELLOW FLECK DOUBLE BRAIDED ROPE	145.00
EFT65644	10/02/2011 WESTERN WORK WEAR	Embroidery Charge for City of Albany Logo	470.99
EFT65645	10/02/2011 WEST COAST ANALYTICAL SERVICES	WATER MONITORING AND REPORTING AT LANDFILL SITES	4,682.54
EFT65646	10/02/2011 WILSON MACHINERY	VEHICLE PARTS	344.08
EFT65647	10/02/2011 THE WINDOW WASHER MAN	WINDOW CLEANING - VAC	38.00
EFT65648	10/02/2011 WREN OIL	WASTE OIL DISPOSAL	132.82
EFT65649	10/02/2011 WURTH AUSTRALIA PTY LTD	HOSE CLAMPS/ FUSES AND R CLIPS	102.26
EFT65650	10/02/2011 YAKKA PTY LTD	UNIFORMS/SAFETY EQUIPMENT	388.60
EFT65651	10/02/2011 ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	46.55
EFT65652	15/02/2011 ZIPFORM	RATES 4TH INSTALMENT NOTICES	3,527.96
EFT65655	17/02/2011 ABA SECURITY	SECURITY SERVICES	456.35

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EFT65656	17/02/2011 ABBOTTS LIQUID SALVAGE PTY LTD	PUMP PUBLIC TOILETS	1,500.00
EFT65657	17/02/2011 AD CONTRACTORS PTY LTD	EARTHMOVING WORKS & EQUIP HIRE	10,257.85
EFT65658	17/02/2011 AERODROME MANAGEMENT SERVICES PTY LTD	ANNUAL TECHNICAL INSPECTION - ALBANY AERODROME	6,149.00
EFT65659	17/02/2011 ALBANY TOYOTA	Toyota Altise Sedan 9012A	4,700.24
EFT65660	17/02/2011 ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	284.45
EFT65661	17/02/2011 ALBANY STATIONERS	STATIONERY SUPPLIES	18.95
EFT65662	17/02/2011 ALBANY PEST & WEED CONTROL	TREATMENT OF BEES AT LOWER KING TOILET CARPARK	140.00
EFT65663	17/02/2011 ALBANY CHAMBER OF COMMERCE & INDUSTRY	2 X TICKETS TO BUSINESS AWARDS - MAYOR & MRS EVANS	250.00
EFT65664	17/02/2011 ALBANY GAS CENTRE PTY LTD	REFILL OF BBQ GAS BOTTLE	28.00
EFT65665	17/02/2011 TRICOAST CIVIL	LOWER DENMARK ROAD RECONSTRUCTION AND WIDENING	43,591.41
EFT65666	17/02/2011 ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	2,802.25
EFT65667	17/02/2011 ALBANY CARPET CHOICE	Supply and install domestic heavy duty vinyl	1,165.00
EFT65668	17/02/2011 ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY SUPPLIES	299.70
EFT65669	17/02/2011 ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	55.38
EFT65670	17/02/2011 ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	4,395.14
EFT65671	17/02/2011 BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	350.01
EFT65672	17/02/2011 BARRETT'S MINI EARTHMOVING & CHIPPING	Removal of Trees from Merlin Park	3,120.00
EFT65673	17/02/2011 BENNETT'S BATTERIES	BATTERY PURCHASES	13.20
EFT65674	17/02/2011 ADVANCED TRAFFIC MANAGEMENT	Hours Hire of Traffic Control 20 Jan 2011 (2 controllers & 1 vehicle)	799.67
EFT65675	17/02/2011 BEST OFFICE SYSTEMS	RICOH Aficio SP 3410DN	299.00
EFT65676	17/02/2011 BLACKWOODS	SAFETY EQUIPMENT	115.48
EFT65677	17/02/2011 ALBANY BOBCAT SERVICES	Ellen Cove tracks 19th, 20th, 21st Jan 2010	3,000.00
EFT65678	17/02/2011 BOC GASES AUSTRALIA LIMITED	CONTAINER SERVICE RENTAL	200.53
EFT65679	17/02/2011 BOOEASY AUSTRALIA PTY LTD	BOOEASY BOOKING RETURNS COMMISSION JANUARY 2011	5,693.14
EFT65680	17/02/2011 BUNNINGS BUILDING SUPPLIES PTY LTD	Torbay - Protecting the Coastal Zone; Treated pine railings	1,214.84
EFT65681	17/02/2011 C&C MACHINERY CENTRE	Massey Ferguson 7465V Tractor	166,496.80
EFT65682	17/02/2011 J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	928.51
EFT65683	17/02/2011 CHRISTOPHER BURNELL	Construction of rock wall at Middleton Rd - Dog Rock Shopping Centre	3,510.00
EFT65684	17/02/2011 CJD EQUIPMENT PTY LTD	VEHICLE PARTS	131.20
EFT65685	17/02/2011 BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	2,606.90
EFT65686	17/02/2011 COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	337.85
EFT65687	17/02/2011 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	571.14
EFT65688	17/02/2011 COVENTRYS	VEHICLE PARTS	346.90
EFT65689	17/02/2011 DOWNER EDI WORKS PTY LTD	SANFORD RD	269.65
EFT65690	17/02/2011 AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	513.52
EFT65691	17/02/2011 35 DEGREES SOUTH	Feature survey at ANZAC Peace Park	473.00
EFT65692	17/02/2011 LANDGATE	TITLE SEARCHES	3,494.50
EFT65693	17/02/2011 JOHN DRUMMOND	REIMBURSE EXPENSES FOR OUTDOOR DISPLAY	75.00
EFT65694	17/02/2011 ALBANY ENGINEERING COMPANY	Fit new edge to bucket to suit TOYOTA 45DK8 SKID STEER LOADER	791.51
EFT65695	17/02/2011 EYERITE SIGNS	Coast care signage	785.40

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EFT65696	17/02/2011 FARM FRESH WHOLESALERS
EFT65697	17/02/2011 FARMERS CENTRE (1978) PTY LTD
EFT65698	17/02/2011 FIRE AND EMERGENCY SERVICES AUTHORITY OF WA
EFT65699	17/02/2011 THE FIXUPPERY
EFT65700	17/02/2011 BILL GIBBS EXCAVATIONS
EFT65701	17/02/2011 GLASS SUPPLIERS
EFT65702	17/02/2011 GOAD RESOURCES PTY LTD
EFT65703	17/02/2011 GORDON WALMSLEY PTY LTD
EFT65704	17/02/2011 GREAT SOUTHERN GROUP TRAINING
EFT65705	17/02/2011 GREEN SKILLS INC
EFT65706	17/02/2011 GREAT SOUTHERN PACKAGING SUPPLIES
EFT65707	17/02/2011 GT BEARING AND ENGINEERING SUPPLIES
EFT65708	17/02/2011 PROTECTOR FIRE SERVICES PTY LTD
EFT65709	17/02/2011 HART SPORT
EFT65710	17/02/2011 HUDSON SEWAGE SERVICES
EFT65711	17/02/2011 IBM AUSTRALIA LTD
EFT65712	17/02/2011 INTERCON MILLAR LOGISTICS
EFT65713	17/02/2011 TOLL IPEC
EFT65714	17/02/2011 IPWEA NATIONAL
EFT65715	17/02/2011 JACK THE CHIPPER
EFT65716	17/02/2011 KNOTTS PLUMBING PTY LTD
EFT65717	17/02/2011 LEASE CHOICE
EFT65718	17/02/2011 LORLAINE DISTRIBUTORS PTY LTD
EFT65719	17/02/2011 LOWER KALGAN PROGRESS ASSOCIATION INC
EFT65720	17/02/2011 ALBANY PARTY HIRE
EFT65721	17/02/2011 ALBANY CITY MOTORS
EFT65722	17/02/2011 REUBEN MARQUARDT
EFT65723	17/02/2011 BERT MEUZELAAR HOMES
EFT65724	17/02/2011 MORVEN RURAL DEVELOPMENTS PTY LTD
EFT65725	17/02/2011 MT BARKER COMMUNICATIONS
EFT65726	17/02/2011 ALBANY NEAT AND TRIM LAWNS
EFT65727	17/02/2011 NEVILLES HARDWARE & BUILDING SUPPLIES
EFT65728	17/02/2011 NOVOTEL LANGLEY PERTH HOTEL
EFT65729	17/02/2011 OCS SERVICES PTY LTD
EFT65730	17/02/2011 OKEEFE'S PAINTS
EFT65731	17/02/2011 PAUL G ROBERTSON AND ASSOCIATES
EFT65732	17/02/2011 HANSON CONSTRUCTION MATERIALS PTY LTD
EFT65733	17/02/2011 PLASTICS PLUS
EFT65734	17/02/2011 POWELL SECURITY SERVICES
EFT65735	17/02/2011 QUEENSBERRY INFO TECHNOLOGY PTY LTD

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CATERING SUPPLIES	51.54
VEHICLE PARTS	35.95
Rates refund for assessment A219390	2,393.99
WINDOW CLEANING HARRY RIGGS AIRPORT	759.00
HIRE OF EXCAVATOR MOUNTED MULCHER	6,294.75
REGLAZE WINDOWS/DOORS	640.58
Transport Volvo Grader to Perth	2,904.00
Supply and install asphalt on Serpentine Rd East	7,511.00
CASUAL STAFF/APPRENTICE FEES	3,560.52
BUSHCARE/WEED TREATMENT ON MAIN ROADS	6,613.20
FOAM HANDWASH, HAND TOWELS	152.90
30mt rolls of Safety Flagging	88.75
FIRE EQUIPMENT MAINTENANCE	311.30
SPORT EQUIPMENT	104.50
QUARTERLY MAINTENANCE	128.75
MONTHLY SCHEDULE FOR IBM EXPRESS MANAGED SERVICES	1,307.08
FREIGHT CHARGES	232.80
FREIGHT FROM ARTCRAFT	724.99
Fleet Management Workshop	290.00
HOURS CHIPPING	1,000.00
PLUMBING REPAIRS/MAINTENANCE	1,000.35
RICOH PHOTOCOPIER MPW5100	970.20
CLEANING EQUIPMENT	266.00
COMMUNITY FACILITY FUNDING GRANT	4,400.00
HIRE OF CHAIRS	364.00
VEHICLES/VEHICLE PARTS/REPAIRS	971.81
PAYMENT FOR AUSTRALIA DAY AMUSEMENT SUPERVISION	150.00
Rates refund for assessment A195847	1,562.17
Rates refund for assessment A216209	262.02
TWO WAY RADIO REPAIRS/MAINT	475.00
MOW LAWN VANCOUVER ARTS CENTRE	160.00
Denso tape/PLYBOARD/HARDWARE SUPPLIES	2,055.10
MEMBERS-CONFERENCE EXPENSES	196.00
CLEANING SERVICES	41,361.25
PAINT & PAINTING SUPPLIES	45.00
DOWN ROAD CONTRACT C10018	10,300.00
Supply & Delivery 7MM Washed Blue Metal	1,036.49
Plastic Sheets/240 LITRE BINS	1,672.58
SECURITY SERVICES	80.00
ANNUAL VERIFIED BY VISA CHARGE	477.95

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EFT65736	17/02/2011 KERRY QUINLAN	SENIOR FIRST AID	330.00
EFT65737	17/02/2011 RADICAL FITNESS	WA CERTIFICATION	797.00
EFT65738	17/02/2011 RAECO INTERNATIONAL PTY LTD	RAECO MAGAZINE SHELVING	73.78
EFT65739	17/02/2011 REECE PTY LTD	PARTS	89.78
EFT65740	17/02/2011 SAXXON IT	Pair of Proxim 8150 5GHz outdoor wireless bridge up to 150Mbps throughput QB-8150-LNK Integrated Kit	5,247.00
EFT65741	17/02/2011 SERVICE FINANCE CORPORATION LIMITED	LEASE AGREEMENT LA CIMBALI PLUS 22 GROUP COFFEE MACHINE	321.76
EFT65742	17/02/2011 KAITLYN SEYMOUR	VAC ADMINISTRATION ASSISTANCE	322.56
EFT65743	17/02/2011 SHERIDANS FOR BADGES	Larger scale copy of the existing opening plaque at Peace Park	631.68
EFT65744	17/02/2011 SKILL HIRE WA PTY LTD	CASUAL STAFF/APPRENTICE FEES	8,452.31
EFT65745	17/02/2011 SMITHS ALUMINIUM & 4WD CENTRE	ALUMINIUM FABRICATION MATERIALS & LABOUR	66.00
EFT65746	17/02/2011 SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	242.67
EFT65747	17/02/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING GOODS	1,446.33
EFT65748	17/02/2011 ALBANY VOLUNTEER STATE EMERGENCY SERVICE	DONATION FOR SES SERVICES AT THE 2010 CHRISTMAS PAGEANT	1,500.00
EFT65749	17/02/2011 ALBANY IGA	CELEBRATORY BBQ FOR THE SUCCESSFUL COMPLETION OF THE PROJECT PROTECTING THE COASTAL ZONE ENVIRONMENT AROUND TORBAY INLET" (COASTWEST PROJECT 29051)"	346.10
EFT65750	17/02/2011 SYNERGY	ELECTRICITY SUPPLIES - STREET LIGHTING	42,918.29
EFT65751	17/02/2011 T & C SUPPLIES	QUICK SET CEMENT/HARDWARE SUPPLIES	708.87
EFT65752	17/02/2011 THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES FOR ALAC CAFE	175.50
EFT65753	17/02/2011 TRU-BLU GROUP PTY LTD	DAYS MINI DIGGER HIRE	249.99
EFT65754	17/02/2011 ALBANY TYREPOWER	VEHICLE REPAIRS/PARTS	434.30
EFT65755	17/02/2011 VANCOUVER WASTE SERVICES	GREEN WASTE SERVICES	228.00
EFT65756	17/02/2011 MARK HENDRIC VAN DER MEULEN	Rates refund for assessment A32712	569.24
EFT65757	17/02/2011 WAY FUNKY COMPANY	SWIM EQUIPMENT/SUPPLIES	42.50
EFT65758	17/02/2011 VICTOR WEBB	HIRE & SUPERVISION OF BOUNCY CASTLE - AUSTRALIA DAY CELEBRATIONS	1,800.00
EFT65759	17/02/2011 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	230.83
EFT65760	17/02/2011 WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING	3,822.33
EFT65761	17/02/2011 WESTERN STABILISERS PTY LTD	PROGRESS CLAIM - JANUARY 2011	34,773.91
EFT65762	17/02/2011 WESTERN WORK WEAR	SAFETY EQUIPMENT	187.50
EFT65763	17/02/2011 WILSON MACHINERY	REPAIRS TO FIRE TRUCK BORNHOLM BFB	945.35
EFT65764	17/02/2011 TAE WOOD	Rates refund for assessment A75900	1,419.05
EFT65765	17/02/2011 YAKKA PTY LTD	UNIFORMS/SAFETY EQUIPMENT	732.54
EFT65766	17/02/2011 ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	31.09
EFT65767	24/02/2011 ABA SECURITY	SECURITY SERVICES	283.76
EFT65768	24/02/2011 ACORN TREES AND STUMPS	VERGE MAINTENANCE/STREET TREES/MOWING	330.00
EFT65769	24/02/2011 AD CONTRACTORS PTY LTD	DRY HIRE OF 966 LOADER - 27/12/10-30/01/11	7,576.00
EFT65770	24/02/2011 ADVANCED PERSONNEL MANAGEMENT	PRE EMPLOYMENT SCREENING & REPORT	234.66

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EFT65771	24/02/2011 AEG OGDEN (PERTH) PTY LTD	LIGHT REFRESHMENTS FOR 100 PEOPLE FOR AE2 PLAQUE UNVEILING ON SUNDAY, 24TH APRIL 2011 DEPOSIT	500.00
EFT65772	24/02/2011 ALBANY ADVERTISER LTD	ADVERTISING	1,565.70
EFT65773	24/02/2011 ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	131.20
EFT65774	24/02/2011 ALBANY SWEEP CLEAN	Sweeping of car parks, pathways & boardwalks for January 2011	2,079.00
EFT65775	24/02/2011 ALBANY STATIONERS	Flash drive 8GB Kingston for City Assets/Design. 3 x DVD-R	70.80
EFT65776	24/02/2011 ALBANY COMMUNITY HOSPICE	Payroll deductions	38.00
EFT65777	24/02/2011 ALBANY INDOOR PLANT HIRE	INDOOR PLANT HIRE	980.31
EFT65778	24/02/2011 ALBANY PORT AUTHORITY	SECURITY CARD MSIC	235.00
EFT65779	24/02/2011 ALBANY HISTORICAL SOCIETY	CLEANING & MANNING THE BRIG AMITY: JANUARY 2011	650.00
EFT65780	24/02/2011 ALBANY SKIPS AND WASTE SERVICES	Hire of bin for January 2011	495.00
EFT65781	24/02/2011 ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY SUPPLIES	157.00
EFT65782	24/02/2011 ALBANY QUALITY LAWNMOWING	LAWN MOWING AT LOTTERIES HOUSE	100.00
EFT65783	24/02/2011 ALBANY COMBINED CABS PTY LTD	TAXI FARES YAC	41.50
EFT65784	24/02/2011 ALBANY OFFICE PRODUCTS - ALAC	STATIONERY SUPPLIES	39.70
EFT65785	24/02/2011 ALINTA	GAS USAGE CHARGES	7,714.15
EFT65786	24/02/2011 AMAROO CARE SERVICES INC	Rates refund for assessment A219061	737.12
EFT65787	24/02/2011 ARDESS NURSERY	NURSERY SUPPLIES - AVC BUILDING MAINTENANCE	229.40
EFT65788	24/02/2011 ARTCRAFT PTY LTD	SIGNAGE	7,877.32
EFT65789	24/02/2011 ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	3,472.92
EFT65790	24/02/2011 AUDIOCOM ALBANY	Motorola Defy Mobile Phone	1,190.00
EFT65791	24/02/2011 AUSTRALIAN SERVICES UNION WA BRANCH	Payroll deductions	2,980.10
EFT65792	24/02/2011 BAKERS JUNCTION ENGINEERING	STAINLESS STEEL SEAT BRACKETS	465.08
EFT65793	24/02/2011 BALL BODY BUILDERS	Chambers 1050D x 900H delivered to Mill Street including delivery	1,318.07
EFT65794	24/02/2011 BARNESBY FORD	Clutch kit including flywheel to suit FORD RANGER 4WD SUPER CAB TIP TRAY UTILITY (T/D)	2,167.95
EFT65795	24/02/2011 BARRETT'S MINI EARTHMOVING & CHIPPING	Remove Pine Tree near shop at Emu Point	800.00
EFT65796	24/02/2011 BENNETT'S BATTERIES	BATTERY PURCHASES	1,861.20
EFT65797	24/02/2011 ADVANCED TRAFFIC MANAGEMENT	Hours Hire of Traffic Control 28 & 31 January 2011 & 1 February 2011	2,916.46
EFT65798	24/02/2011 BLACKWOODS	DY MARK SPRAY & MARK PAINT WHITE	186.72
EFT65799	24/02/2011 AIR BP	AVGAS PURCHASES	795.81
EFT65801	24/02/2011 BUNNINGS BUILDING SUPPLIES PTY LTD	Australia Day Celebrations/hardware/tool supplies	501.47
EFT65802	24/02/2011 C&C MACHINERY CENTRE	VEHICLE MAINTENANCE/PARTS	1,390.42
EFT65803	24/02/2011 CABCHARGE AUSTRALIA LIMITED	TAXI FARES	321.75
EFT65804	24/02/2011 CAMLYN SPRINGS WATER DISTRIBUTORS	WATER CONTAINER REFILLS	1,224.00
EFT65805	24/02/2011 CARDIACTIVE PTY LTD T/A HEALTH ON THE MOVE	Skin Cancer Screening	3,740.23
EFT65806	24/02/2011 CARDNO (WA) PTY LTD	AMP DRAINAGE MUNSTER HILL	29,851.67
EFT65807	24/02/2011 J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	11,957.94
EFT65808	24/02/2011 CHILD SUPPORT AGENCY	Payroll deductions	915.57
EFT65809	24/02/2011 CHRISTOPHER BURNELL	Supply and installation of granite wall at Bob Thompson Gardens	3,500.00

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EFT65810	24/02/2011 COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	433.64
EFT65811	24/02/2011 COFFEY ENVIRONMENTS PTY LTD	REGIONAL WASTE SITE INVESTIGATION	1,318.50
EFT65812	24/02/2011 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	1,034.86
EFT65813	24/02/2011 COURIER AUSTRALIA	FREIGHT FEES	340.34
EFT65814	24/02/2011 COVENTRYS	VEHICLE PARTS	1,012.47
EFT65815	24/02/2011 DOWNER EDI WORKS PTY LTD	TONNES COLDMIX	1,007.56
EFT65816	24/02/2011 HOLCIM (AUSTRALIA) PTY LTD	TONNES METAL DUST	1,127.94
EFT65817	24/02/2011 DATA #3 LIMITED	Library - Equipment purchased through Lotterywest grant #20100539 -	723.55
		ABBYY Fine Reader 10 Corporate Edition - Box	
EFT65818	24/02/2011 LANDGATE	TITLE SEARCHES	570.00
EFT65819	24/02/2011 G & M DETERGENTS & HYGIENE SERVICES ALBANY	HYGIENE CONTRACT	1,450.39
EFT65820	24/02/2011 DUWAL CONSTRUCTION	PROGRESS CLAIM 12 - ALAC STAGE 2	5,544.27
EFT65821	24/02/2011 EASIFLEET MANAGEMENT	Payroll deductions	2,447.52
EFT65822	24/02/2011 EVERTRANS	VEHICLE REPAIRS - PATCHING TRUCK	11,369.60
EFT65823	24/02/2011 EYERITE SIGNS	Lowlands - Protecting Diversity; Poly Carb Sheet 1145mm X 1955mm X 4.5	234.30
EFT65824	24/02/2011 FARM FRESH WHOLESALERS	CATERING SUPPLIES	284.81
EFT65825	24/02/2011 GORDON WALMSLEY PTY LTD	Supply and install asphalt on Hillman and Admiral Streets	76,085.00
EFT65826	24/02/2011 GRAY & LEWIS	CONTRACT - PLANNING SERVICES	330.00
EFT65827	24/02/2011 GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	315.23
EFT65828	24/02/2011 GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	STAFF TRAINING - Enrolment fees Elevated Work Platform (EWP) course	580.00
EFT65829	24/02/2011 GREEN SKILLS INC	LABOUR HIRE	3,045.00
EFT65830	24/02/2011 SOUTHERN BLADE WORKS	SHARPENING OF SAWS	46.20
EFT65831	24/02/2011 GREAT SOUTHERN PERSONNEL	GARDENING/GROUND SERVICES - JANUARY 2011	91.97
EFT65832	24/02/2011 GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING GOODS	1,139.35
EFT65833	24/02/2011 GROCOTT TRANSPORT	Hours hire of Semi Tipper	5,810.42
EFT65834	24/02/2011 GSM AUTO ELECTRICAL	VEHICLE PARTS/MAINTENANCE	187.00
EFT65835	24/02/2011 GT BEARING AND ENGINEERING SUPPLIES	VEHICLE PARTS	315.00
EFT65836	24/02/2011 GWN GREAT SOUTHERN	Australia Day Celebrations	1,650.00
EFT65837	24/02/2011 HAESE'S PICTURE FRAMING & GALLERY	FRAMING FOR INTERIM CEO JOHN BONKER	110.00
EFT65838	24/02/2011 MJ & PA HAWLEY	Rates refund for assessment A157582	128.95
EFT65839	24/02/2011 HBF OF WA	Payroll deductions	1,149.10
EFT65840	24/02/2011 HUDSON HENNING AND GOODMAN	LEGAL COSTS	61.05
EFT65841	24/02/2011 ISIS CAPITAL LIMITED	MONTHLY GYM EQUIPMENT	3,494.82
EFT65842	24/02/2011 JUST SEW EMBROIDERY	EMBROIDERY	134.75
EFT65843	24/02/2011 KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	1,618.43
EFT65844	24/02/2011 KOOKAS CATERING	SUPPLY AND COOK BBQ FOR INTERIM CEO (JOHN BONKER) FAREWELL	1,120.00
EFT65845	24/02/2011 LANDFILL GAS AND POWER PTY LTD	LANDFILL GAS AND POWER SUPPLY	36,002.05
EFT65846	24/02/2011 STATE LIBRARY OF WA	LOST/DAMAGED BOOKS	652.30

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EFT65847	24/02/2011 A-LIST ENTERTAINMENT	REFUND OF DEPOSIT FOR ARJ BARKER - LET ME DO THE TAKLKG SHOW AT AEG - NOT INCLUDED IN ORIGINAL RECONCILIATION PAYMENT IN DECEMBER	700.00
EFT65848	24/02/2011 W LUPTON AND PARTNERS PTY LTD	EMU POINT TOILET BLOCK	880.00
EFT65849	24/02/2011 M2 TECHNOLOGY PTY LTD	M2 MESSAGES ON HOLD	779.61
EFT65850	24/02/2011 ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	207.38
EFT65851	24/02/2011 MJ & HM MARSHALL	Rates refund for assessment A183288	1,364.73
EFT65852	24/02/2011 MERRIFIELD REAL ESTATE	RENT FOR PJ & LA McDONNELL 23/71 COCKBURN RD, ALBANY 23/1/11 - 22/2/11	400.00
EFT65854	24/02/2011 MINNA ENGINEERING	MACHINE HARDENED STEEL PINS	154.00
EFT65855	24/02/2011 MR MOO DAIRY DISTRIBUTORS	MILK DELIVERIES	554.25
EFT65856	24/02/2011 MOTEL LE GRANDE	CEO - ACCOMODATION	591.00
EFT65857	24/02/2011 MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINT - BASE STATION/FAX PACK + INSTALLATION - EMERGENCY SERVICES	1,748.90
EFT65858	24/02/2011 LGIS LIABILITY	EXCESS FOR CLAIM 614304 ANDREW HAMMOND	5,000.00
EFT65859	24/02/2011 OKEEFE'S PAINTS	White Knight Road Marking Paint	393.24
EFT65860	24/02/2011 ORICA AUSTRALIA P/L	CHLORINE SUPPLIES	1,307.13
EFT65861	24/02/2011 PALMER EARTHMOVING (AUSTRALIA) PTY LTD	LWR DENMARK RD (SLK 18.15-21.50) CONTRACT AS PER TENDER C10029	187,993.51
EFT65862	24/02/2011 PEERLESS JAL PTY LTD	NILFISK GD5 BACK PACK	330.00
EFT65863	24/02/2011 POWELL SECURITY SERVICES	SECURITY SERVICES	80.00
EFT65864	24/02/2011 PULL IT TRAILER HIRE	TRAILER HIRE FOR HALF DAY	40.00
EFT65865	24/02/2011 RADIOWEST BROADCASTERS PTY LTD	CHRISTMAS PAGEANT	118.80
EFT65866	24/02/2011 W P REID	To supply and lay brick paving at Bob Thompson	3,887.00
EFT65867	24/02/2011 RNR CONTRACTING PTY LTD	Litres Supply & spray Emulsion	18,600.00
EFT65868	24/02/2011 SRH TRANSPORT	Paks commons	562.00
EFT65869	24/02/2011 JAMIE SCALLY	JAMIE THE CLOWN AND AIRBRUSH TATTOOS FOR AUSTRALIA DAY	600.00
EFT65870	24/02/2011 SCOTT PARK HOMES GREAT SOUTHERN PTY LTD	Rates refund for assessment A198564	748.23
EFT65871	24/02/2011 SMITHS ALUMINIUM & 4WD CENTRE	ALUMINIUM FABRICATION MATERIALS & LABOUR	112.00
EFT65872	24/02/2011 SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	4,024.85
EFT65873	24/02/2011 SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	184.50
EFT65874	24/02/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING GOODS	1,457.23
EFT65875	24/02/2011 STAR SALES AND SERVICE	NATURAL RESERVES MAINTENANCE; Solo 425 piston spray back packs	338.40
EFT65876	24/02/2011 STATEWIDE BEARINGS	VEHICLE PARTS	325.74
EFT65877	24/02/2011 STIRLING CONFECTIONERY PLUS	CONFECTIONERY SUPPLIES	1,138.30
EFT65878	24/02/2011 STORM OFFICE NATIONAL	STATIONERY SUPPLIES	199.00
EFT65879	24/02/2011 STRUCTERRE CONSULTING ENGINEERS	Structural engineer design and certification of concrete slab at ANZAC Peace Park	6,545.00
EFT65880	24/02/2011 ALBANY LOCK SERVICE	New carbine L handle for the power box at Alice Hartman gardens	130.60
EFT65881	24/02/2011 SUPER CHEAP AUTOS	ARMORAL 300ML	107.88
EFT65882	24/02/2011 T & C SUPPLIES	BAGS CEMENT GREY 20KG BAGS/HARDWARE SUPPLIES	953.45

AGENDA ITEM 2.1 REFERS

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EFT65883	24/02/2011 THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES FOR ALAC CAFE	224.00
EFT65884	24/02/2011 DAVID THEODORE	MILEAGE CLAIM D THEODORE	32.51
EFT65885	24/02/2011 THE VEGIE SHOP	GROCERIES	562.00
EFT65886	24/02/2011 THOMPSON LEGAL PTY LTD	Lodgement of Caveat for Road Widening - 946 Millbrook Road, Mark & Heather Adams	701.50
EFT65887	24/02/2011 TOLL PRIORITY	FREIGHT CHARGES	957.34
EFT65888	24/02/2011 TOTAL EDEN	AVC GARDEN SUPPLIES	799.53
EFT65889	24/02/2011 TOTAL GREEN RECYCLING	E WASTE RECYCLING	2,745.77
EFT65890	24/02/2011 TOYOTA MATERIAL HANDLING (WA) PTY LTD	New General Purpose bucket for 4SDK8 Skid Steer Loader	2,227.50
EFT65891	24/02/2011 TRADELINK PLUMBING SUPPLIES	Supply stormwater fittings as per quotation no: 1894119/SQ	230.36
EFT65892	24/02/2011 TRUCKLINE	VEHICLE PARTS	28.01
EFT65893	24/02/2011 TRU-BLU GROUP PTY LTD	Australia Day Celebrations - equipment hire	1,471.78
EFT65894	24/02/2011 ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	930.20
EFT65895	24/02/2011 VANCOUVER WASTE SERVICES	GREEN WASTE SERVICES	18,884.40
EFT65896	24/02/2011 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	461.50
EFT65897	24/02/2011 WESTRAC EQUIPMENT PTY LTD	VEHICLE PARTS	1,489.80
EFT65898	24/02/2011 WESTSHRED DOCUMENT DISPOSAL	DOCUMENT DISPOSAL	313.50
EFT65899	24/02/2011 WESTERN WORK WEAR	SAFETY EQUIPMENT	480.00
EFT65900	24/02/2011 LOMMY PETER WIDMER	Rates refund for assessment A70306	224.05
EFT65901	24/02/2011 WIN TELEVISION WA PTY LTD	TELEVISION ADVERTISING - AUSTRALIA DAY	2,197.80
EFT65902	24/02/2011 WIZID PTY LTD	TUFF BANK 25MM	676.50
EFT65903	24/02/2011 WREN OIL	WASTE OIL DISPOSAL	404.24
EFT65904	24/02/2011 YAKKA PTY LTD	UNIFORMS/SAFETY EQUIPMENT	473.12
EFT65905	24/02/2011 CARDNO (WA) PTY LTD	DESIGN OF LANDFILL LANDFORMS FOR HANRAHAN ROAD AND BAKERS JUNCTION TIPS	15,641.87
EFT65906	24/02/2011 MIDWEST FIREWORKS	FIREWORKS DISPLAY - NEW YEARS EVE & AUSTRALIA DAY	20,000.00
EFT65907	25/02/2011 AMP SUPERANNUATION LIMITED	Superannuation contributions	1,484.79
EFT65908	25/02/2011 AUSTRALIAN TAXATION OFFICE	Payroll deductions	220,992.90
EFT65909	25/02/2011 AUSTRALIAN PRIMARY SUPERANNUATION FUND	Superannuation contributions	346.69
EFT65910	25/02/2011 AUSTRALIAN SUPER	Superannuation contributions	1,119.55
EFT65911	25/02/2011 AUSTRALIAN ETHICAL SUPERANNUATION FUND	Superannuation contributions	364.58
EFT65912	25/02/2011 BANKWEST	Payroll deductions	3,365.44
EFT65913	25/02/2011 BT SUPER FOR LIFE	Superannuation contributions	326.54
EFT65914	25/02/2011 BT SUPER FOR LIFE	Superannuation contributions	55.75
EFT65915	25/02/2011 BT SUPER FOR LIFE	Superannuation contributions	354.52
EFT65916	25/02/2011 COLONIAL FIRST STATE ROLLOVER & SUPER FUND	Superannuation contributions	147.96
EFT65917	25/02/2011 COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER	Superannuation contributions	644.26
EFT65918	25/02/2011 GENERATIONS PERSONAL SUPER FUND	Payroll deductions	514.65
EFT65919	25/02/2011 GENERATIONS PERSONAL SUPER FUND	Superannuation contributions	36.08
EFT65920	25/02/2011 ING INTEGRA SUPER	Superannuation contributions	177.98

AGENDA ITEM 2.1 REFERS

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EFT65921	25/02/2011	ING ONE ANSWER PERSONAL SUPER	Superannuation contributions	461.44
EFT65922	25/02/2011	MACQUARIE BANK	Superannuation contributions	288.52
EFT65923	25/02/2011	MLC NOMINEES PTY LTD	Superannuation contributions	335.27
EFT65924	25/02/2011	REST SUPERANNUATION	Superannuation contributions	2,899.17
EFT65925	25/02/2011	MARITIME SUPER	Superannuation contributions	166.30
EFT65926	25/02/2011	SPECTRUM SUPER	Superannuation contributions	239.60
EFT65927	25/02/2011	WA LOCAL GOVT SUPERANNUATION	Superannuation contributions	116,270.89
EFT65928	25/02/2011	WAYNE JOHN STEAD PTY LTD SUPERANNUATION FUND	Superannuation contributions	351.40
EFT65929	25/02/2011	WESTSCHEME	Superannuation contributions	3,161.95
TOTAL				3,214,811.44

2.2: FINANCIAL ACTIVITY STATEMENT – 28 FEBRUARY 2011

Responsible Officer : A/Executive Director (P Wignall)

IN BRIEF

- Statement of Financial Activity reporting on the revenue and expenditure of the City of Albany for the reporting period ending 28 February 2011

ITEM 2.2: RESPONSIBLE OFFICER RECOMMENDATION

The Financial Activity Statement for the period ending 28 February 2011 be RECEIVED.

ITEM 2.2: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR MATLA

SECONDED: COUNCILLOR WELLINGTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 9-1

Record of Vote

Against the Motion: Councillor Leavesley

BACKGROUND

1. The Statement of Financial Activity for the period ending 28 February 2011 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Performance, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

DISCUSSION

3. In accordance with section 34(1) of the Local Government (Financial Management) Regulations 1996, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.

CEO:

RESPONSIBLE OFFICER:

4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$100,000 are reported to Council.

“Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The ‘errors’ may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect.”

6. STATEMENT OF FINANCIAL ACTIVITY – AS AT 28 FEBRUARY 2011

	Actual Year to Date 28-Feb-11	Current Budget Year to Date 28-Feb-11	Current Budget vs Actual Variance	
REVENUE				
Operating Grants, Subsidies and Cont	2,030,561	2,700,813	-670,252	X
Fees and Charges	4,798,391	5,014,912	-216,521	X
Service Charges	3,731,943	3,706,640	25,303	√
Interest Earnings	531,195	514,559	16,636	√
Other Revenue	630,095	418,777	211,318	√
	11,722,185	12,355,701	-633,516	
EXPENDITURE				
Employee Costs	9,881,992	10,385,794	-503,802	√
Materials and Contracts	6,144,536	8,313,310	-2,168,774	√
Utility Charges	888,494	938,365	-49,871	√
Interest Expenses	534,705	532,982	1,723	X
Insurance Expenses	549,352	514,761	34,591	X
Other Expenditure	767,709	-207,403	975,112	X
Depreciation	7,489,877	8,219,296	-729,419	√
	26,256,665	28,697,105	-2,440,439	
Adjustment for Non-cash Revenue and Expenditure:				
Depreciation	-7,489,877	-8,219,296	729,419	
CAPITAL REVENUE				
Non-Operating Grants, Subsidies and Cont	5,669,573	6,451,833	-782,260	X
Proceeds from asset disposals	427,656	705,906	-278,250	X
Proceeds from New Loans	0	0	0	
Self-Supporting Loan Principal Revenue	14,282	14,282	0	
Transfers from Reserves (Restricted Assets)	5,616,073	5,611,786	4,287	√
	11,727,583	12,783,807	-1,056,224	
CAPITAL EXPENDITURE				
Capital Expenditure	9,093,170	16,193,019	-7,099,849	√
Repayment of Loans	522,644	522,644	0	√
Transfers to Reserves (Restricted Assets)	3,733,365	3,514,100	219,265	√
	13,349,179	20,229,763	-6,880,584	
Estimated Surplus B/fwd				
ADD Net Current Assets July 1 B/fwd	1,578,986	n/a	n/a	
LESS Net Current Assets Year to Date	16,987,189	n/a	n/a	
Amount Raised from Rates	-24,074,404	-24,098,548	24,144	

* √ Is higher than expected revenue or lower than expected Expenditure

* X is lower than expected revenue and higher than expected Expenditure

7. CITY OF ALBANY – NET CURRENT ASSETS – AS AT 28 FEBRUARY 2011**NET CURRENT ASSETS**

Composition of Net Current Asset Position

CURRENT ASSETS

Cash - Unrestricted

Cash - Restricted

Receivables

Inventories

Total Current Assets**LESS: CURRENT LIABILITIES**

Payables and Provisions

Less: Cash - Restricted - Trust

Less: Cash - Restricted - Reserves

NET CURRENT ASSET POSITION

	Actual 28-Feb-11	Actual 30-Jun-10
	13,064,002	1,941,086
	6,017,023	8,268,976
	3,925,419	3,428,043
	4,440,526	4,607,191
	27,446,969	18,245,295
	4,442,757	8,397,333
	23,004,212	9,847,962
	(1,119,441)	(1,488,688)
	(4,897,582)	(6,780,288)
	16,987,189	1,578,986

NET CURRENT ASSETS PER BALANCE SHEET

19,912,169

5,898,549

Difference**2,924,979****4,319,563****Difference Represented by:**

Restricted Cash (Trust)

Reserve Funds - Financial Assets

Reserve Funds - Other

Self Supporting Loans (part of Receivables and Other)

1,119,441

1,054,480

3,843,102

(14,282)

6,002,741

1,488,688

1,054,480

5,725,809

8,268,976**Less:**

Borrowings

Trust Liabilities

2,009,462

1,068,300

2,532,106

1,417,307

Difference**2,924,979****4,319,563**

8. CITY OF ALBANY - BALANCE SHEET – AS AT 28 FEBRUARY 2011

	Actual 28-Feb-11	Budget 30-Jun-11	Actual 30-Jun-10	Actual 30-Jun-09
CURRENT ASSETS				
Cash - Municipal	13,064,002	1,800,755	2,445,735	477,330
Restricted cash (Trust)	1,119,441	1,483,498	1,488,688	1,987,438
Reserve Funds - Financial Assets	1,054,480	800,755	1,054,480	1,170,755
Reserve Funds - Other	3,843,102	7,197,963	5,725,809	7,360,046
Receivables & Other	3,911,137	1,600,000	3,428,043	2,912,825
Investment Land	3,523,483	0	3,523,483	0
Stock on hand	917,043	800,000	1,083,708	1,033,538
	27,432,688	13,682,971	18,749,944	14,941,932
CURRENT LIABILITIES				
Borrowings	2,009,462	5,638,175	2,532,106	5,887,897
Creditors prov - Annual leave & LSL	2,473,953	2,286,053	2,245,816	2,023,128
Trust Liabilities	1,068,300	1,546,383	1,417,307	1,930,516
Creditors prov & accruals	1,968,804	3,101,240	6,656,166	4,190,792
	7,520,519	12,571,851	12,851,395	14,032,333
NET CURRENT ASSETS	19,912,169	1,111,120	5,898,549	909,599
NON CURRENT ASSETS				
Receivables	77,272	150,000	77,272	106,322
Pensioners Deferred Rates	320,922	280,000	320,922	292,616
Investment Land	2,220,758	2,150,000	2,220,758	2,150,000
Property, Plant & Equip	74,704,486	72,666,174	68,034,400	67,901,036
Infrastructure Assets	183,582,203	196,047,672	188,881,619	186,048,239
Local Govt House Shares	19,501	19,501	19,501	19,501
	260,925,142	271,313,347	259,554,473	256,517,714
NON CURRENT LIABILITIES				
Borrowings	18,264,569	12,626,394	18,264,569	15,996,675
Creditors & Provisions	364,845	260,000	364,845	259,838
	18,629,414	12,886,394	18,629,414	16,256,513
NET ASSETS	262,207,896	259,538,073	246,823,608	241,170,800
EQUITY				
Accumulated Surplus	238,535,680	232,764,720	221,268,686	212,131,561
Reserves	4,897,582	7,998,719	6,780,289	10,264,605
Asset revaluation Reserve	18,774,634	18,774,634	18,774,634	18,774,634
	262,207,896	259,538,073	246,823,608	241,170,800

9. INCOME STATEMENT FOR PERIOD ENDED – AS AT 28 FEBRUARY 2011

Nature / Type			
	YTD Actual 2010/11	Budget-Total 2010/11	Actual 2009/10
INCOME			
Rates	24,074,404	25,574,053	21,575,584
Grants & Subsidies	1,891,503	3,196,680	3,424,202
Contributions. Reimb & Donations	139,058	349,738	395,475
Fees & Charges	4,798,391	7,280,601	7,091,836
Service Charges	3,731,943	3,735,000	3,011,136
Interest Earned	531,195	680,000	904,653
Other Revenue / Income	630,095	520,615	399,264
	35,796,589	41,336,687	36,802,149
EXPENDITURE			
Employee Costs	9,881,992	15,240,526	14,308,136
Utilities	888,494	1,362,613	1,335,373
Interest Expenses	534,704	1,101,799	1,180,372
Depreciation on non current assets	7,489,877	12,334,000	11,226,465
Contracts & materials	6,144,536	13,274,398	10,516,730
Insurance expenses	549,352	511,098	476,810
Other Expenses	787,949	(273,177)	1,251,142
	26,276,905	43,551,257	40,295,028
Change in net assets from operations	9,519,684	(2,214,570)	(3,492,878)
Grants and Subsidies - non-operating	5,202,700	9,156,877	5,876,907
Contributions Reimbursements and Donations - non-operating	466,873	2,689,416	3,408,787
Profit/Loss on Asset Disposals	195,031	1,541,004	(23,732)
Fair value - Investments adjustment	0	0	(116,275)
Cash Backing of Reserves	0	0	1,651,060
	15,384,288	11,172,727	7,303,869

10. PORTFOLIO VALUATION – MARKET VALUE – AS AT 28 FEBRUARY 2011

Security	Maturity Date	Security Cost (Incl accrued interest)	Current Interest %	Market Value Dec 10	Market Value Jan 11	Market Value Feb 11	Latest Monthly Variation
MUNICIPAL ACCOUNT							
ANZ	3/06/2010	1,500,000	5.10%				
Bendigo	21/06/2010	1,000,000	5.30%				
NAB	21/06/2010	1,500,000	5.30%				
Bendigo	24/06/2010	1,000,000	5.20%				
Westpac	24/06/2010	1,500,000	4.60%				
Bankwest	3/11/2010	1,500,000	5.60%				
Bendigo	3/11/2010	1,000,000	5.60%				
Bankwest	23/11/2010	1,500,000	5.75%				
NAB	23/11/2010	1,000,000	5.60%				
ANZ	24/11/2010	1,500,000	5.85%				
ANZ	2/12/2010	1,500,000	5.85%				
Bankwest	23/12/2010	1,500,000	5.55%				
ANZ	24/12/2010	1,500,000	5.50%				
Bankwest	17/01/2011	1,000,000	5.85%	1,000,000			
Bankwest	27/01/2011	1,000,000	6.00%	1,000,000			
ANZ	28/01/2011	1,000,000	6.00%	1,000,000			
Bendigo	28/03/2011	1,000,000	6.05%	1,000,000	1,000,000	1,000,000	
NAB	4/03/2011	1,500,000	6.07%	1,500,000	1,500,000	1,500,000	
NAB	16/03/2011	1,000,000	6.07%	1,000,000	1,000,000	1,000,000	
CBA	16/02/2011	1,000,000	5.61%		1,000,000		
CBA	18/03/2011	1,000,000	5.70%			1,000,000	

Security	Maturity Date	Security Cost (Incl accrued interest)	Current Interest %	Market Value Dec 10	Market Value Jan 11	Market Value Feb 11	Latest Monthly Variation
CBA	28/03/2011	1,000,000	5.82%		1,000,000	1,000,000	
CBA	29/03/2011	1,000,000	5.82%		1,000,000	1,000,000	
Bankwest	7/04/2011	1,500,000	6.00%	1,500,000	1,500,000	1,500,000	
Bendigo	7/04/2011	1,000,000	6.00%	1,000,000	1,000,000	1,000,000	
ANZ	20/04/2011	1,000,000	6.20%	1,000,000	1,000,000	1,000,000	
NAB	11/05/2011	1,000,000	6.21%	1,000,000	1,000,000	1,000,000	
				11,000,000	11,000,000	11,000,000	n/a
RESERVES ACCOUNT							
Bankwest	24/06/2010	1,500,000	5.25%				
Bendigo	23/11/2010	1,500,000	5.85%				
Bendigo	16/12/2010	1,000,000	5.70%				
ANZ	12/05/2011	500,000	6.20%	500,000	500,000	500,000	
Bendigo	24/05/2011	1,500,000	6.30%	1,500,000	1,500,000	1,500,000	
ANZ	16/03/2011	1,000,000	6.10%	1,000,000	1,000,000	1,000,000	
				3,000,000	3,000,000	3,000,000	n/a
COMMERCIAL SECURITIES - CDOs (New York Mellon)**							
Saphire (Endeavour) AAA	4/08/2011	413,160	9.10%	160,000	4	4	0
Zircon (Merimbula AA)	20/06/2013	502,450	8.87%	155,750	155,750	155,750	0
Zircon (Coolangatta AA)	20/09/2014	1,002,060	9.12%	307,100	307,100	307,100	0
Beryl (AAAGlobal Bank Note)	20/09/2014	200,376	8.42%	159,380	159,380	159,380	0
		2,118,046		782,230	622,234	622,234	0

Security	Maturity Date	Security Cost (Incl accrued interest)	Current Interest %	Market Value Dec 10	Market Value Jan 11	Market Value Feb 11	Latest Monthly Variation
COMMERCIAL SECURITIES - CDOs - Other							
Magnolia (Flinders AA)	20/03/2012	171,994	9.32%	144,500	144,500	144,500	0
Start (Blue Gum AA-)	22/06/2013	276,708	8.77%	11,000	11,000	0	11,000
Corsair (Kakadu AA)	20/03/2014	273,710	8.37%	68,750	68,750	68,750	0
Helium (C=Scarborough AA)	23/06/2014	602,244	8.77%	48,000	123,000	123,000	0
		1,324,656		272,250	347,250	336,250	0
PORTFOLIO TOTAL		3,442,702		15,054,480	14,969,484	14,958,484	0

** These CDO's have been the subject of a Court Ruling in the United States Bankruptcy Court (as advised in a memorandum from the Executive Director Corporate and Community Services). The ruling has the potential to significantly impact the valuations for these CDOs. However, until the US Court and the English Court have worked together to reconcile their opposing rulings, it is unlikely that the City will receive any revised valuations.

On 4th October 2010, the City of Albany was advised by CPG Advisory of revised CDO valuations for 30th June 2010. The revision arose due to the identification of a CPG Advisory system error at 30th June.

11. FINANCIAL RATIOS - 28th FEBRUARY 2011

CITY OF ALBANY FINANCIAL RATIOS	30-Jun-09	30-Jun-10	28-Feb-11	Benchmark
Liquidity Ratios				
Current Ratio ¹	73.7%	118.5%	481.7%	>100%
Untied Cash to trade creditors Ratio ²	19.7%	45.4%	2930.2%	>100%
Financial Position Ratio				
Debt Ratio ³	11.2%	11.2%	9.1%	<100%
Debt Ratios				
Debt Service Ratio ⁴	11.1%	7.5%	6.0%	<10%
Gross Debt to Revenue Ratio ⁵	63.2%	56.9%	56.7%	<60%
Gross Debt to Economically Realisable Assets ⁶	26.2%	25.9%	19.6%	<30%
Coverage Ratio				
Rate Coverage Ratio ⁷	58.5%	63.3%	71.7%	>33%
Effectiveness Ratio				
Outstanding Rates Ratio ⁸	3.7%	5.4%	4.9%	<5%

1. This ratio focuses on the liquidity position of a local government.
2. This ratio provides an indication of whether a local government has sufficient unrestricted cash to pay its trade creditors.
3. The ratio is a measure of total liabilities to total assets or alternatively the number of times total liabilities are covered by the total assets of a local government. The lower the ratio of total liabilities to total assets, the stronger is the financial position of the local government.
4. This ratio measures a local government's ability to service debt (principal and interest) out of its available operating revenue.
5. This ratio measures a local government's ability to service debt in any given year out of total revenue.
6. This ratio provides a measure of whether a local government has sufficient realisable assets to cover its total borrowings.
7. The Coverage Ratio measures the local governments dependence on rate revenue to fund its operations. The higher the ratio, the less dependent a local government is on grants and external sources to fund its operations.
8. The Effectiveness Ratio measures the effectiveness of a local government with the collection of its rates. It would be expected to be above 5% at this time of the year but reduce to below the benchmark at 30 June.

STATUTORY IMPLICATIONS

12. Section 34 of the Local Government (Financial Management) Regulations 1996 provides:

- I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –
 - a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - b) budget estimates to the end of the month to which the statement relates;*
 - c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relate*
 - d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - e) the net current assets at the end of the month to which the statement relates.**
- II. Each statement of financial activity is to be accompanied by documents containing –
 - a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - b) an explanation of each of the material variances referred to in sub regulation (1)(d); and*
 - c) such other supporting information as is considered relevant by the local government.**
- III. The information in a statement of financial activity may be shown –
 - a) according to nature and type classification;*
 - b) by program; or*
 - c) by business unit**
- IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) recorded in the minutes of the meeting at which it is presented.**

FINANCIAL IMPLICATIONS Expenditure for the period ending 28 February 2011 has been incurred in accordance with the 2010/11 current budget parameters. Details of any budget variation in excess of \$100,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

13. Variances to Budget in excess of \$100,000 - as at 28 February 2011

Account	Original Budget	Current Budget	YTD Budgets	YTD Actuals	YTD Variance	YTD % Variance	Variance Ticks	
DIRECTOR CORPORATE & COMMUNITY								
102720. IT-OPERATING COSTS	277,590	277,590	184,936	80,767	104,169	56%	✓	Expenses are below budget, mainly due to the timing of software maintenance costs. In some cases sub-contract work was carried out by internal IT staff which has been a saving. Annual costs are expected to be in line with budget.
103430. MAJOR PLANT-P/LOSS SALE OF ASSETS	529,277	529,277	529,275	12,367	516,908	98%	✓	Most major plant items are currently awaiting sale at auction. All plant is expected to be sold by June 30.
106640. INFORMATION TECHNOLOGY	537,833	532,333	352,868	12,187	340,681	97%	✓	New Radio Link Invoice due, Windows 7 and other Licences to purchase, hardware not yet purchased, generator upgrade due in May, SynergySoft modules to purchase.
134570. Contribution to Fishing Platform	280,000	280,000	0	250,000	(250,000)	-100%	x	This is a timing difference only. Budget had allocated costs to March, April and May.
134740. ALBANY ENTERTAINMENT CENTRE	500,000	625,000	625,000	115,083	509,917	82%	✓	This is a timing difference only. The carpark expenditure (\$125k) will be made on completion, possibly next month. The \$500k capital payment is anticipated to be made in June 2011.
144170. AEC - Contracts	396,508	500,000	400,000	0	400,000	100%	✓	This is a timing difference only. We are awaiting receipt of an invoice from AEG Ogden.

Account	Original Budget	Current Budget	YTD Budgets	YTD Actuals	YTD Variance	YTD % Variance	Variance Ticks	
174420. ROADS- DEPREC	8,301,762	8,301,762	5,532,288	4,855,116	677,172	12%	✓	Year to date depreciation is below budget. This is due to delays on road construction completion and capitalisation of assets.
199950. Grant - Recreation Masterplan	(3,024,983)	(3,024,983)	(2,015,848)	(2,774,983)	759,135	38%	✓	Receipts are above budget due to a timing difference on grant funding claims and settlement. Total grant receipts are expected to be in line with budget upon completion of the ALAC Stage 2 car park (estimated 28 February 2011). Budgeted funding was allocated evenly over the whole year, actual receipts of bulk of the funding was in the first half of the year.
Total DIRECTOR CORPORATE & COMMUNITY	7,797,987	8,020,979	5,608,519	2,550,537	3,057,982	64%		
DIRECTOR OF WORKS & SERVICES								
100040. ROAD SAFETY	589,000	589,000	589,000	48,422	540,578	92%	✓	Year to date expenditure is below budget. Work was scheduled from September to December, but was dependent on funding approval. Approvals are yet to be notified. Total costs for the year are expected to be in line with budget.
103360. DEVELOPED RESERVES MAINTENANCE	1,619,191	1,098,961	807,048	691,416	115,632	14%	✓	Year to date expenses are below budget. This is only a timing difference, and annual costs are expected to be in line with budget.

Account	Original Budget	Current Budget	YTD Budgets	YTD Actuals	YTD Variance	YTD % Variance	Variance Ticks	
110270. CITY DESIGN - PROJECTS	286,228	285,597	161,831	14,742	147,089	91%	✓	All projects will have increase spending in remainder of the year. Budget is expected to be expended.
110920. CITY ASSETS PROJECTS	518,935	553,935	533,916	254,146	279,770	52%	✓	The main component of this work is the drainage management plan. The works are currently underway and will be completed by the end of the financial year.
118520. REFUSE-TIP MAINTENANCE	948,500	1,088,500	723,787	825,451	(101,664)	-14%	x	Cost of E Waste collection and processing was higher than expected. This item is expected to meet the full year Current Budget.
126920. REC'N-PARK/RESERVE MAINT	0	750,000	500,000	380,978	119,022	24%	✓	Year to date expenses are below budget. This is only a timing difference, and annual costs are expected to be in line with budget.
131140. ROADS-CONSTRUCTION	501,000	501,000	485,976	23,382	462,594	95%	✓	Year to date expenses are currently below budget. Design work is still being completed, but the expenditure for the full year is expected to be in line with budget. Down Rd and Lower Denmark Rd jobs commenced.
132220. ROAD MAINTENANCE	3,692,000	3,692,000	2,460,336	2,116,982	343,354	14%	✓	Year to date expenses are below budget. This is only a timing difference, and annual costs are expected to be in line with budget. As above, account 131140.

Account	Original Budget	Current Budget	YTD Budgets	YTD Actuals	YTD Variance	YTD % Variance	Variance Ticks	
134830. Road Funds	(694,000)	(694,000)	(462,480)	0	(462,480)	-100%	x	Funding is currently below budget. The budget assumed an even monthly spread of funding throughout the year. Funding applications have been lodged with FESA, and we are now awaiting notification of approvals.
134850. ASSET FUNDING - REGIONAL ROAD GROUP	(759,167)	(812,670)	(651,500)	(1,034,067)	382,567	59%	✓	Funding receipts are currently higher than budget due to receipt of funds from 09-10. Main Roads closed their books to funding grants at the start of June 2010, this job was completed late June 2010, hence we did not receive funding for this job until the next year.
138070. Waste Minimisation Contract	2,070,000	2,070,000	1,429,480	1,303,707	125,773	9%	✓	Year to date expenses are below budget. This is only a timing difference, and annual costs are expected to be in line with budget.
140150. Capital Grants - EDWS Other	(2,000,000)	(199,000)	(199,000)	0	(199,000)	-100%	x	Grant income is below budget. Funding was anticipated in September, but funding has now been declined. Budget adjustments will be made in the third quarter financial review.

Account	Original Budget	Current Budget	YTD Budgets	YTD Actuals	YTD Variance	YTD % Variance	Variance Ticks	
141050. Road Funding - Roads to Recovery	(844,968)	(844,968)	(650,000)	(385,000)	(265,000)	-41%	x	Funding is currently below budget due to timing of actual roadworks and associated timing of claims for funding. Subject to 40/40/20% funding split, so once significant work as been done, we send in funding requests. Jobs have started, expect funding to be received by the end of the year.
141150. Road Funding - Other	(117,000)	(2,300,000)	(514,568)	0	(514,568)	-100%	x	Funding is currently below budget due to timing of actual roadworks and associated timing of claims for funding. As per account 141050. Related projects, multiple funding sources.
141250. Road Funding - TIRES	(450,000)	(450,000)	(360,000)	(178,399)	(181,601)	-50%	x	Funding is currently below budget. The budget assumed an even monthly spread of funding throughout the year. Funding applications have been lodged, and we are now awaiting notification of approvals. As per accounts 141050 and 141150.
141750. Major Plant Proceeds	(600,000)	(620,000)	(429,000)	(186,967)	(242,033)	-56%	x	Most major plant items are currently awaiting sale at auction. All plant is expected to be sold by June 30.

Account	Original Budget	Current Budget	YTD Budgets	YTD Actuals	YTD Variance	YTD % Variance	Variance Ticks	
144350. Federal Black Spot Funding	(456,000)	(456,000)	(456,000)	(182,400)	(273,600)	-60%	x	Funding is currently below budget. The budget assumed an even monthly spread of funding throughout the year. Funding applications have been lodged, and we are now awaiting notification of approvals. Subject to 40/40/20% funding payment as job stages completed.
144450. State Black Spot Funding	(392,562)	(392,562)	(392,562)	(157,023)	(235,539)	-60%	x	Funding is currently below budget. The budget assumed an even monthly spread of funding throughout the year. Funding applications have been lodged, and we are now awaiting notification of approvals.
147320. FUEL & OIL	703,677	703,677	468,928	357,678	111,250	24%	✓	Year to date expenditure is below budget due to fuel prices remaining relatively stable.
147520. PARTS	395,800	395,800	263,760	159,615	104,145	39%	✓	Year to date expenditure is below budget due to reduction in major plant breakdowns
147920. PLANT-ALLOCATE TO W/SERV.	(3,135,832)	(3,135,832)	(2,089,712)	(1,841,403)	(248,309)	-12%	x	Any under-recoveries in relation to Plant Charge-out are addressed in June. Additional charge-outs may be required to align with costs to be recovered. Plant cost recoveries for the year to date are lower than budgeted due to some Council plant being unavailable for use due to machine breakdowns.

Account	Original Budget	Current Budget	YTD Budgets	YTD Actuals	YTD Variance	YTD % Variance	Variance Ticks	
149120. WO-LESS ALLOC.W/SERVICES	(2,735,417)	(2,735,417)	(1,822,880)	(1,621,955)	(200,925)	-11%	x	Any under-recoveries in relation to Works Labour Charge-out are addressed in June. Additional charge-outs may be required to align with costs to be recovered.
149840. ASSET UPGRADE-REGIONAL RD	1,936,497	2,232,102	1,664,444	420,385	1,244,059	75%	✓	Year to date expenditure is below budget. This is only a timing difference, and annual costs are expected to be in line with budget. Jobs commenced, first invoices received, expect major expenditure over the next months to bring this back to budget.
149940. ASSET PRESERVATION	3,344,638	5,436,174	3,661,418	1,036,071	2,625,347	72%	✓	Year to date Costs are below budget. Limited work done so far this year, mainly due to adverse weather conditions. Annual costs are expected to be in line with budget.
150140. DRAINAGE CONSTRUCTION	1,834,247	1,719,495	1,178,835	258,734	920,101	78%	✓	Year to date expenses are below budget. This is only a timing difference, and annual costs are expected to be in line with budget.
152140. WASTE/TIPS PROJECTS	444,974	663,060	456,312	156,534	299,778	66%	✓	This is a timing difference related to expenditure on the Leachgate Management Project

Account	Original Budget	Current Budget	YTD Budgets	YTD Actuals	YTD Variance	YTD % Variance	Variance Ticks	
155850. Drainage Masterplan Income	(750,000)	(831,000)	(499,800)	(40,500)	(459,300)	-92%	x	Budget income relates to the water harvesting project. Budgeted funding was evenly spread throughout the year, but funding approval has now been declined. Budget adjustments will be made in the third quarter financial review.
167640. Peace Park	289,384	193,811	142,815	42,596	100,219	70%	✓	Year to date expenses are below budget. This is only a timing difference, and annual costs are expected to be in line with budget. This is a project involving various interest groups, once agreements and funding has been approved, work will commence.
Total DIRECTOR WORKS & SERVICES	6,239,125	8,501,663	7,000,384	2,463,125	4,537,259	65%		

POLICY IMPLICATIONS

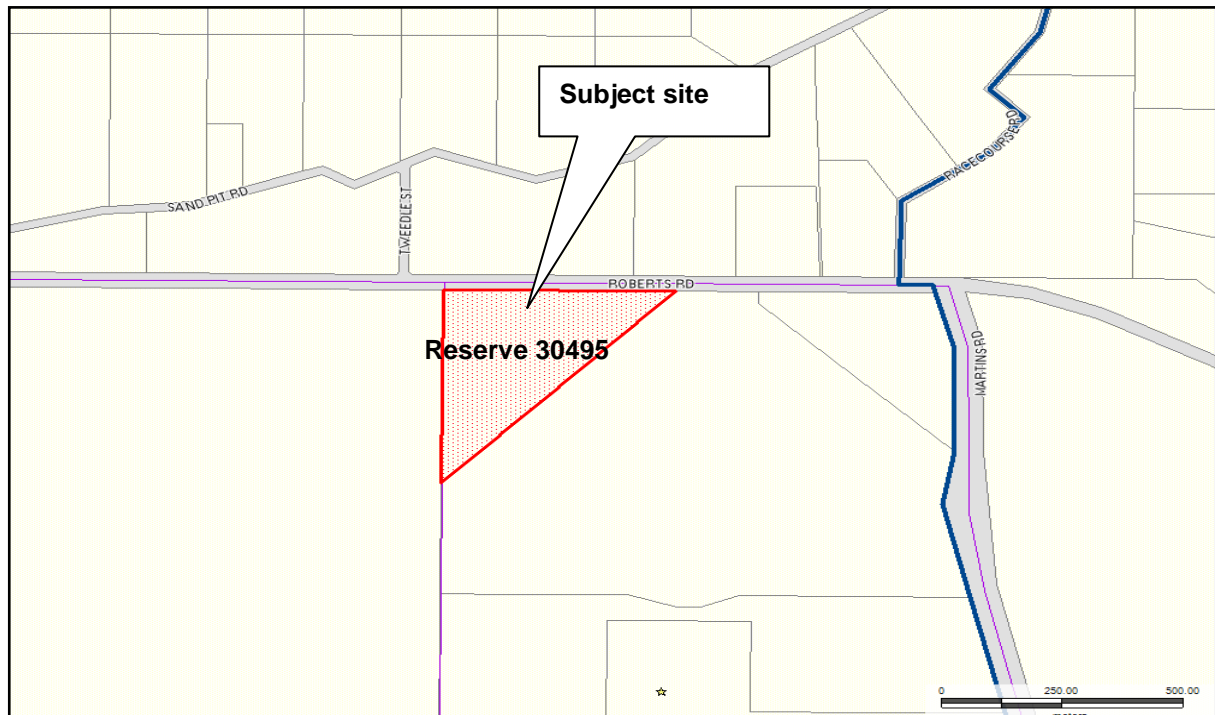
14. The City's 2010/11 Annual Budget provides a set of parameters that guides the City's financial practices.
15. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

File Number (Name of Ward)	FM.FIR.2 - All Wards
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**2.3: ALBANY MOTORCYCLE CLUB INC – SURRENDER LEASE OVER
RESERVE 30495 AND NEW LEASE OVER PORTION OF RESERVE
1947**

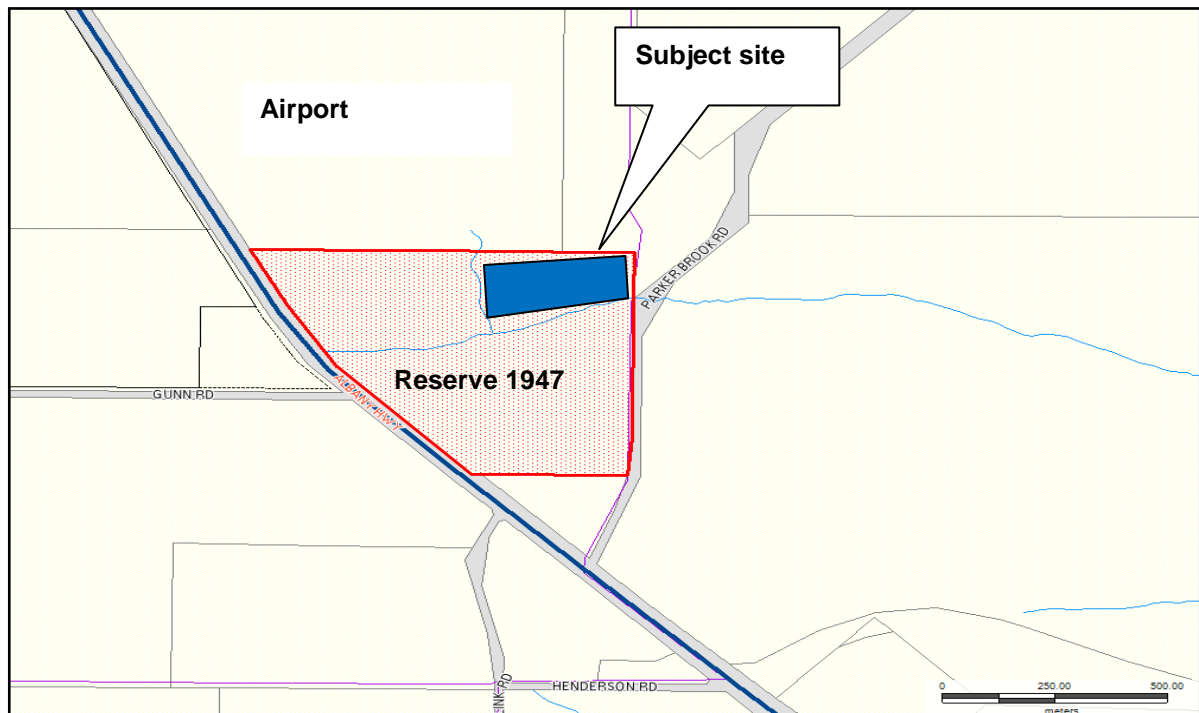
- Land Description** : Lot 7153 on Plan 210841 and being whole of land contained in Certificate of Title LR3082 Folio 763 – Reserve 30495 Roberts Road, Robinson
Lot 8122 on Plan 26510 and being whole of the land contained in Certificate of Title LR3124 Folio 121 – Crown Reserve 1947 Parker Brook Road, Willyung
- Proponent** : Albany Motorcycle Club Inc.
- Owner** : Crown
- Attachment(s)** : Letter of Request – Albany Motorcycle Club Inc.
- Appendices** : Great Southern Motorplex concept plan
- Responsible Officer** : Acting E/Director Corporate & Community Services (P Wignall)

Maps and Diagrams



CEO:

RESPONSIBLE OFFICER:



IN BRIEF

- Consider request to surrender existing lease for Albany Motorcycle Club Inc. over Reserve 30495 located at Roberts Road, Robinson.
- Consider request for a new lease for Albany Motorcycle Club Inc. over portion of Reserve 1947 located at Parker Brook Road, Willyung.
- Lease term to be 10 years for purpose of establishment of grounds suitable for the riding of motorcycles and conducting motorcycle events.

ITEM 2.3: RESPONSIBLE OFFICER RECOMMENDATION

The request from the Albany Motorcycle Club Inc. to surrender existing lease over Reserve 30495 and a new lease over portion of Reserve 1947 be **SUPPORTED** subject to:

1. Lease surrender date to be as soon as practical.
2. Lease surrender subject to remediation of Reserve 30495 to the satisfaction of the City of Albany.
3. All costs associated with the remediation of Reserve 30495 to be payable by the proponent.
4. Lease term being 10 years commencing as soon as practical.
5. Lease purpose being establishment of grounds suitable for the riding of motorcycles and conducting motorcycle events.
6. Lease rental being equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum.
7. All relevant approvals including Planning Scheme Consent being obtained prior to development or riding activities within the leased area.
8. Lease area being approximately 5 hectares, and not encroaching on Aboriginal Heritage listed creek site.

9. The Club received the approval of the appropriate Departments (State and Commonwealth) regarding usage of land next to an Aboriginal Heritage listed site.
10. Lease is subject to a 5 metre access easement for Grange Resources pipeline.
11. Lease special condition will provide for the relinquishment of the lease once the Great Southern Motorplex Group has obtained all necessary approvals and is in a position to undertake the responsibility for the lease and management over the entire Reserve 1947 for development of the Motorsport complex.
12. Section 3.58 of the *Local Government Act 1995*, advertising requirements.
13. Section 18 of the *Lands Administration Act 1997*, Minister for Lands consent.
14. All costs associated with the development, maintenance and operations of the leased area to be payable by the proponent.
15. All costs associated with the development, execution and completion of the surrender and new lease to be payable by the proponent.

ITEM 2.3: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR WOLFE

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

BACKGROUND

1. Reserve 30495 is under a Management Order H645992 and Reserve 1947 is under a Management Order H680343 issued to the City of Albany (the City) with the power to lease, sub-lease or licence for the purpose of "Recreation" for any term not exceeding 21 years and subject to the consent of the Minister for Lands.
2. Reserve 30495 is located at Lot 7153 Roberts Road, Robinson and is west of the Albany Town centre. The surrounding area is predominately rural in nature with houses well spread out.
3. Reserve 1947 is located at Lot 8122 Parker Brook Road, Willyung, adjacent to, and south of, Albany Regional Airport. The surrounding area is also rural in nature with houses well spread out.
4. In 1992 the former Shire of Albany granted a new lease to the Albany Motorcycle Club Inc. (the Club) over Reserve 30495 for the purpose of the establishment of grounds suitable for the riding of motorcycles and conducting other motorcycle events.
5. The leased area is commonly referred to as Miniup Park.
6. The lease term of 21 years commencing 1 July 1992 and expiring 30 June 2013 returns a nominal rental of \$10.00 per annum.

7. The Club developed the motocross track and infrastructure upon the Reserve. This includes the 1.7 km riding track, toilet block, timing tower and canteen facilities with undercover patio. Both timing tower and canteen are designed so that they are easily demountable.
8. In recent years the City has received numerous complaints regarding various aspects of the Club's operations. Several of those complaints related to noise.
9. In 2008 the City, with the support of the Department of Environment and Conservation undertook noise measurements of the Club's motocross activities. On the basis of the results the City issued the Club with an Environment Protection Notice (EPN) on 14 November 2008.
10. The EPN prevents the Club from using the site and the Notice provisions required the Club to reduce noise emissions so that they meet the requirements of the *Environmental Protection (Noise) Regulations* by way of preparation and implementation of a plan to abate noise and monitor the effectiveness of the actions taken.
11. The Club appealed the Notice to the Minister for Environment, the Minister in determining the appeal allowed the Club to operate for ten days in the 2009 calendar year. This provided the opportunity for the Club to further monitor noise and to prove to the City and Minister that the Club's activities could be carried out in compliance of the regulations.
12. The report provided on by Lloyd George Acoustics Pty Ltd in December 2009 on further noise monitoring confirmed earlier investigations by the City that the level of noise emanating from the site is well in excess of the noise levels prescribed under the regulations.
13. The EPN remains in force until the Notice is removed or complied with.
14. At OCM 20 April 2010, Council supported the Club operating a further ten days in the 2010 calendar year on the same basis as 2009.
15. In January 2011, the Club wrote to the City requesting approval to hold two non-complying events under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* within their existing lease area on Reserve 30495, Roberts Road, Robinson.
16. Council considered the request at OCM 15 February 2011 and resolved to undertake community consultation with residents and property landowners within a radius of 1.5km. This matter will be reported to this Council meeting under separate Planning and Development Services Item 1.9.
17. Following a meeting with City staff and subsequent discussions with the Great Southern Motorplex Group, on 21 February 2011 the City received written correspondence from the Club formally requesting a new lease over portion of Reserve 1947 for a term of 10 years and the surrender the existing lease over Reserve 30495. The date of surrender of the lease will be subject to the outcome of Council Item 1.9 decision regarding the two non-complying events being held in 2011 on the existing lease area.
18. Pursuant to the existing lease obligations the Club will be required to remediate the lease area including removal of infrastructure, tyres and revegetate the site prior to lease being

surrendered. The Club is aware of this obligation and have been in discussion with City staff on this matter.

19. The Club has requested the new lease area of approximately 5 hectares be in accordance with the Great Southern Motorplex concept plan which was supported by Council at OCM 15 February 2011.
20. The Club have advised that the proposed lease area will not encroach on the Aboriginal Heritage listed creek site which runs through the middle of Reserve 1947 from Albany Highway to Parker Brook Road boundaries. Planning Scheme Consent condition will require the Club to consult with the Department of Indigenous Affairs and gain approval under Section 18 of the *Aboriginal Heritage Act 1972*, if required.
21. The Albany City Kart Club lease area is currently located partially over the Aboriginal Heritage listed creek site. Minister for Indigenous Affairs approval under Section 18 of the *Aboriginal Heritage Act 1972* forms part of the Planning Scheme Consent P2105312 conditions, issued by the City's Planning team on 22 February 2011.
22. At OCM 15 February 2011, associated resolution of Council approved, subject to Minister for Lands consent, the Albany City Kart Club Inc. surrender of their existing lease over the whole of Reserve 1947 and simultaneously replace with a new lease over a portion of Reserve 1947 for a term of ten years. The Albany City Kart Club must obtain all approvals prior to commencing any track extension works.
23. The Albany City Kart Club surrender of lease over the whole of Reserve 1947 facilitates the relocation of the Albany Motorcycle Club from their existing location on Reserve 30495 to Reserve 1947, subject to conditions and Council and Minister for Lands consent.
24. Both the Albany City Kart Club and Albany Motorcycle Club agree to relinquish their leases over Reserve 1947 once the Great Southern Motorplex Group Inc. has obtained all necessary approvals and is in a position to undertake the responsibility for the lease and management over the entire Reserve for development of the Motorsport complex.
25. The Great Southern Motorplex Group Inc. is a incorporated body consisting of the following four motorsport entities:
 - i. Albany City Kart Club Inc.
 - ii. Albany Motorcycle Club Inc.
 - iii. Great Southern Street Machine Association Inc.
 - iv. Albany Motorsport Group Inc.
26. Council in 2009 provided in-principle support for the concept of the development of the Motorsport Complex subject to achievement of conditions and Council's satisfaction. This support was again confirmed at OCM 15 February 2011.

DISCUSSION

27. Any new lease for the Albany Motorcycle Club and proposed future Great Southern Motorplex Group will include a provision for a 5 metre access easement that is required over the northern boundary of Reserve 1947 for the approved Grange Resources pipeline.

28. The Albany Motorcycle Club and Great Southern Motorplex Group have been made aware of and agree to this requirement.
29. In addition, the proposed new lease to the Albany Motorcycle Club will be subject to Minister for Lands consent and City of Albany as local authority Planning Scheme Consent approval.
30. Planning Scheme Consent will also address all of the following conditions resolved by Council at OCM 17 February 2009 and confirmed at OCM 15 February 2011:
 - a. *'Environmental Noise Impact Assessment' demonstrating the design and management/ operational measures required and the ability of the concept to meet:*
 - *Environmental Protection Authority (EPA) Environmental Impact Assessment Requirements;*
 - *Requirements of the Environmental Protection Act 1986; and*
 - *Requirements of the Environmental Protection (Noise) Regulations 1997.*
 - b. *Site Design and Full 'Environmental Management Plan' of sufficient detail to be submitted to the EPA for Environmental Impact Assessment Approval.*
 - c. *Approval of the Site Design and 'Environmental Management Plan' by the EPA.*
 - d. *A facility/ operational management plan specifying and demonstrating the sustainable operation of the facility including but not limited to:*
 - *operation and functionality of the site management group*
 - *responsibilities and entitlements of co-located tenants*
 - *driver education and training facilities*
 - *noise management*
 - *waste management*
 - *water management*
 - *facility access and security management*
 - *asset maintenance and management*
 - *reserve flora and fauna management*
 - *principles for major event management at the site*
31. The Club has been advised that no development and or riding of motorcycles within the new lease area will be allowable until all approvals and Planning Scheme Consent conditions have been satisfied and the lease has been agreed and executed by all parties.
32. After reviewing the Reserve it was determined that it is preferable for the Albany Motorcycle Club to access the proposed new lease area from Parker Brook Road as the Albany City Kart Club Inc. will retain lease access from their existing front access off Albany Highway. This reduces the traffic directly from and to Albany Highway and avoids any sharing of access roads and gates
33. The proposed new lease will be negotiated in line with Council's Policy – Property Management – Leases for this category of lease.

PUBLIC CONSULTATION / ENGAGEMENT

34. Section 3.58 of the Local Government Act 1995 deals with the disposal of property including leased land and buildings.

35. This Section requires there to be local public notice of the proposal for a period of two weeks inviting submissions from the public. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
36. Section 30 of the *Local Government (Functions & General) Regulations 1996* deals with dispositions to which the advertising requirements of section 3.58 of the Act does not apply. Section 30 (2) (b) (i & ii) states that Section 3.58 of the Act is exempt if:
- (b) The land is disposed of to a body, whether incorporated or not –*
(i) the object of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;
37. The Albany Motorcycle Club is a not for profit sporting association, therefore exempt from the advertising requirements of Section 3.58 of the *Local Government Act 1995*.
38. However, given the nature of the request and implications for residents and landowners within the vicinity it is recommended the proposed lease be advertised for a period of two weeks inviting submissions from the public. Any submissions received will be considered by Council.
39. An application for Planning Scheme Consent for a permitted use does not require advertising however public comments can be sought if deemed appropriate.

STATUTORY IMPLICATIONS

40. Section 18 (1) of the *Land Administration Act 1997* states that a person must not, without the prior approval in writing of the Minister assign, sell, transfer or otherwise deal with interests on crown land.
41. As this is Crown land, under a Management Order H680343 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation", Minister for Lands consent will be required.
42. Section 3.58 of the *Local Government Act 1995* deals with the disposal of property, including leased land and buildings.
43. Under the City's Town Planning Scheme 3, the area is zoned "Parks and Recreation". The proposed use for motorcycle riding activities and events is permitted use in accordance with the Scheme.
44. The Western Australian Planning Commission (WAPC) consent is not required as this is Crown land.

FINANCIAL IMPLICATIONS

45. All costs associated with the development, execution and completion of the new lease documentation including but not limited to legal, advertising, survey and market valuation (if required) will be borne by the proponent.
46. The new lease rental fee will be equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum.
47. The new lease rental will be directed to COA 190430 Income – Other Leases.

POLICY IMPLICATIONS

48. Council adopted a Property Management - Leases Policy in 2007. This policy aims to ensure that all requests for leases, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
49. The Policy section relevant to this category of lease – Sporting Associations requires the following:
 - Crown Reserve leases with or without City owned buildings on site, will incur a rental based on minimum land rate as set by Council per annum;
 - Must be Incorporated bodies and a copy of their Articles of Association/Constitution be provided;
 - Lease to be for a term not greater than 21 years;
 - Rental/Sublease agreements must be approved by the landlord;
 - Must have appropriate insurance pertaining to their particular sport, as a minimum; and
 - Maintenance of grounds/leased area is to be undertaken by the Lessee at the Lessee's cost.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

50. Council has the following options in relation to this item, which are:
 - a. Approve the request for a new lease over portion of Reserve 1947 subject to Planning Scheme Consent conditions being satisfied; and
 - b. Approve the request to surrender the existing lease over Reserve 30495 subject to lease obligations to remediate the lease area being fulfilled; or
 - c. Decline the request for a new lease; and
 - d. Decline the request to surrender the existing lease.
51. Council has previously provided in-principle support for the Motorsport Complex proposal on Reserve 1947 which requires the relocation of the Albany Motorcycle Club to this site subject to conditions.
52. Should Council decline the request for a new lease, the Albany Motorcycle Club could request Council to approve additional limited use of the existing track subject to community consultation, however this option does not provide the Club with sufficient use for rider training and events.

53. The Club has indicated if a new lease is not approved they may be forced to disband as the EPN prevents the Club from using the Miniup Park track and remains in force until removed or complied with.
54. Should Council decline the request to surrender the existing lease, the Albany Motorcycle Club Inc lease would remain static until expiry on 30 June 2013, however the Club is prevented from using the track.

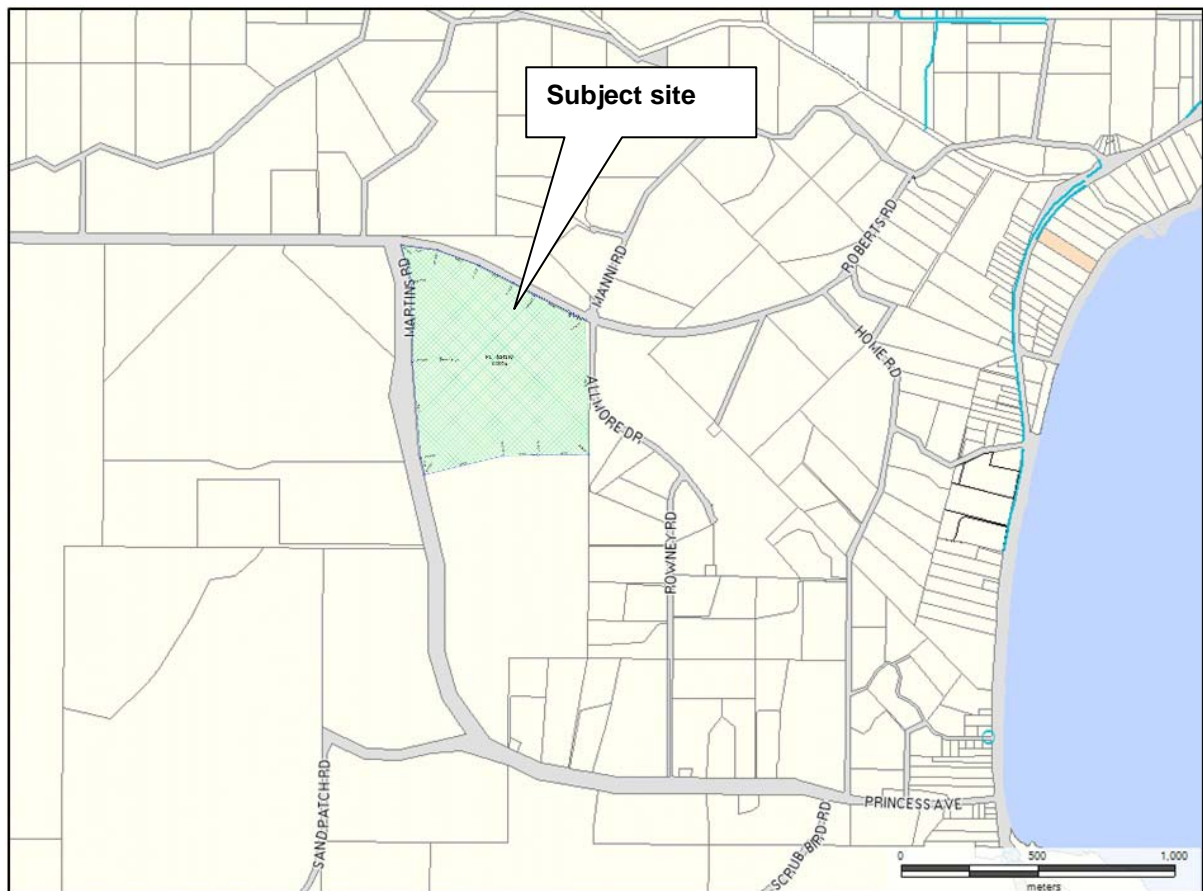
SUMMARY CONCLUSION

55. Given Council has previously provided in-principle support for Motorsport Complex, which provides for the relocation of the Albany Motorcycle Club to Reserve 1947 and the opportunity for the Club to be situated in a more suitable location, the Albany Motorcycle Club Inc. request to surrender the existing lease over Reserve 30495 and a new lease over portion of Reserve 1947 for a term of 10 years is recommended, subject to conditions.

Consulted References	<ul style="list-style-type: none">• Council's Policy – Property Management – Leases• <i>Local Government Act 1995</i>• <i>Land Administration Act 1997</i>
File Number (Name of Ward)	PRO176 (West & Kalgan Ward)
Previous Reference	OCM 01.07.1992 OCM 17.02.2009 Item 12.8.2 Recommendation 6 OCM 16.06.2009 Item 18.2 OCM 16.02.2010 Item 13.6.1 Recommendation 4 OCM 24.04.2010 Item 19.5 OCM 15.02.2011 Item 2.6

2.4: ALBANY EQUESTRIAN CENTRE INC. – NEW LEASE OVER PORTION OF RESERVE 34370

Land Description	: Lot 311 on Plan 48576 and being land contained in Certificate of Title LR3138 Folio 729 – Reserve 34370 Roberts Road, Robinson
Proponent	: Albany Equestrian Centre Inc.
Owner	: Crown
Appendices	: Lease area survey plan
Responsible Officer	: E/Director Corporate & Community Services (WP Madigan)
Maps and Diagrams	



CEO:

RESPONSIBLE OFFICER:

IN BRIEF

- Consider request for a new lease to Albany Equestrian Centre Inc. over portion of Reserve 34370 located at Lot 311 Roberts Road, Robinson.

ITEM 2.4: RESPONSIBLE OFFICER RECOMMENDATION

The request from the Albany Equestrian Centre Inc. For a new lease over portion of Reserve 34370 be SUPPORTED subject to:

1. Lease term being 21 years commencing 1 January 2011.
2. Lease purpose being horse riding and associated equestrian activities.
3. Lease rental being equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum.
4. Lease area being approximately 40.55 hectares.
5. Department of Water 'Environmental Guidelines for Horse Facilities and Activities' be incorporated into the lease.
6. Section 18 of the *Lands Administration Act 1997*, Minister for Lands consent.
7. All costs associated with the development, maintenance and operations of the leased area to be payable by the proponent.
8. All costs associated with the development, execution and completion of the new lease to be payable by the proponent.

ITEM 2.4: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR WOLFE

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

BACKGROUND

1. Reserve 34370 is under a Management Order J711662 issued to the City of Albany (the City) with the power to lease, sub-lease or licence for the purpose of "Recreation" for any term not exceeding 21 years and subject to the consent of the Minister for Lands.
2. Reserve 34370 is located at Lot 311 Roberts Road, Robinson and is east of the Albany Town centre.
3. In 1992 the former Shire of Albany granted a new lease to the Albany Equestrian Centre Inc. (the Club) over portion of Reserve 34370 and adjacent Reserve 30496 for the purpose of the establishment of grounds suitable for the riding of horses and conducting other equestrian events.
4. The lease term of 21 years commenced on 1 January 1990 and expired on 31 December 2010 with a nominal rental fee of \$10.00 per annum.

5. The expired lease has been held over on a month-to-month tenancy basis, with the conditions of tenancy preserving the covenants and obligations of the lease, pending a decision by Council regarding a new lease.
6. As there has been a degree of uncertainty regarding the lease boundary City staff have been liaising with the Club to review lease area and establish a more suitable lease area over portion of Reserve 34370.
7. A written request has been received from the Club for new lease over a portion of Reserve 34370 of 40.55 hectares for a term of 21 years. The Club has formally advised they no longer require a lease over Reserve 30496.
8. The Club has developed the lease area by constructing a cross country course, an outdoor and indoor sand arena, a club house and kitchen and a number of enclosed riding and jumping areas.
9. The Club maintains all of the buildings and infrastructure upon the leased portion of the Reserve.
10. As Reserve 34370 was classified a Priority 1 Public Drinking Water Supply Catchment area by the Waters and Rivers Commission, the Clubs request for a new lease over this area was forwarded to the Department of Water (now responsible for water matters) for comment.
11. The Department of Water have no objections to a new lease as the Club's horse facilities and activities are an existing use of the land. However, as there are several Water Corporation productions bores in close proximity to the area, it is important this area is well managed to avoid increasing any risk to the water resource.
12. Basically the Department of Water would not want to see any intensification of land use in the Reserve and have requested the "Environmental Guidelines for Horse Facilities And Activities" form part of the conditions of the lease.
13. The guidelines have been prepared in consultation with Horse Industry stakeholders to promote knowledge and understanding within the horse industry where there is a potential to affect the quality of land or water resources.
14. Existing horse activities in environmentally sensitive areas are requested to progressively adopt the best practices in the guidelines, but are not mandatory for established facilities, like the Albany Equestrian Centre.
15. The Albany Model Aero Club Inc. currently holds a lease for 19.80 hectares on the southern a portion of Reserve 34370 for a term of 21 years commencing 1 January 1992 and expiring 31 December 2013.

DISCUSSION

16. The Club was established in 1990 and currently has over 200 members. The Club is home to Albany Horseman's Club, Southern Districts Dressage Club, Albany Pony Club, Albany Natural Trail riders and is home base for the Stidwell Bridle Trails.

17. Horse riding is a very popular recreational pursuit and as the demand for areas to ride grew the Stidwell Bridle Trails were developed in the Albany bush region for community use.
18. The Club through its activities promotes all kinds of approved sport connected with horses and riding. The Club hosts one-day events, dressage competitions, hacking events, specialist riding lessons, visiting instructors and horsemanship clinics.
19. If the proposed new lease is approved the Club has indicated their commitment to upgrading their facilities and grounds to include new horse yards. The new yards will assist in attracting more visiting instructors and participants who currently travel from Perth, Esperance and the Great Southern Region to attend events.
20. The Club is aware they require City of Albany as Landlord prior consent in writing before making any improvements, alterations or additions to buildings and infrastructure on the leased area.
21. The proposed new lease will be negotiated in line with Council's Policy – Property Management – Leases for this category of lease.

PUBLIC CONSULTATION / ENGAGEMENT

22. Section 3.58 of the *Local Government Act* 1995 deals with the disposal of property including leased land and buildings.
23. This Section requires there to be local public notice of the proposal for a period of 2 weeks inviting submissions from the public. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
24. Section 30 of the *Local Government (Functions & General) Regulations* 1996 deals with dispositions to which the advertising requirements of section 3.58 of the Act does not apply. Section 30 (2) (b) (i & ii) states that Section 3.58 of the Act is exempt if:
 - (b) *The land is disposed of to a body, whether incorporated or not –*
 - (i) *the object of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*
25. The Albany Equestrian Centre Inc. is not for profit sporting association, therefore exempt from the advertising requirements of Section 3.58 of the *Local Government Act* 1995.

STATUTORY IMPLICATIONS

26. Section 18 (1) of the *Land Administration Act* 1997 states that a person must not, without the prior approval in writing of the Minister assign, sell, transfer or otherwise deal with interests on crown land.

27. As this is Crown land, under a Management Order J711662 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of “Recreation”, Minister for Lands consent will be required.
28. Section 3.58 of the *Local Government Act 1995* deals with the disposal of property, including leased land and buildings.
29. Under the City’s Town Planning Scheme 3, the area is zoned “Parks and Recreation”. The proposed use for horse riding and equestrian activities is permitted use in accordance with the Scheme.
30. The Western Australian Planning Commission (WAPC) consent is not required as this is Crown land.

FINANCIAL IMPLICATIONS

31. All costs associated with the development, execution and completion of the new lease documentation including but not limited to legal, advertising, survey and market valuation (if required) will be borne by the proponent.
32. The new lease rental fee will be equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum.
33. The new lease rental will be directed to COA 190430 Income – Other Leases.

POLICY IMPLICATIONS

34. Council adopted a Property Management - Leases Policy in 2007. This policy aims to ensure that all requests for leases, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
35. The Policy section relevant to this category of lease – Sporting Associations requires the following:
 - Crown Reserve leases with or without City owned buildings on site, will incur a rental based on minimum land rate as set by Council per annum;
 - Must be Incorporated bodies and a copy of their Articles of Association/Constitution be provided;
 - Lease to be for a term not greater than 21 years;
 - Rental/Sublease agreements must be approved by the landlord;
 - Must have appropriate insurance pertaining to their particular sport, as a minimum; and
 - Maintenance of grounds/leased area is to be undertaken by the Lessee at the Lessee’s cost.
36. This land has a current zoning as “Parks and Recreation” Reserves, under the Town Planning Scheme No 3. Land is also identified as a local reserve in the Albany Local Planning Strategy.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

37. Council has the following options in relation to this item, which are:
- a. Approve the request for a new lease over portion of Reserve 34370; or
 - b. Decline the request.
38. Should Council decline the request for a new lease, the Albany Equestrian Centre would be required to remove all buildings and infrastructure and return the land to its original condition. Council could then invite expressions of interest to lease the portion of Reserve 34370.
39. The Albany Equestrian Centre would have to find an alternative location should they wish to continue providing this facility.

SUMMARY CONCLUSION

40. In view of the service being provided by Albany Equestrian Centre facilities to the Albany, Great Southern and wider communities, at no cost to Council, the Albany Equestrian Centre request for a new lease over portion of Reserve 34370 or a term of 21 years is recommended.

Consulted References	<ul style="list-style-type: none">• Council's Policy – Property Management – Leases• <i>Local Government Act 1995</i>• <i>Land Administration Act 1997</i>
File Number (Name of Ward)	PRO199 (West Ward)
Previous Reference	OCM 01.01.1990

2.5 REQUEST FROM CONTRACTOR TO SURRENDER CONTRACT – ALBANY VISITOR CENTRE

Land Description	: Albany Visitor Centre, Proudlove Parade
Business Entity Name	: Albany Inbound Pty. Ltd. Director: Raymond John Hammond (Resident in Albany)
Attachment(s)	: Email from proponent requesting termination of contract Report: Commercial in Confidence, Proposed Surrender of booking and Accommodation Contract, Albany Visitors Centre, Option and Risk Analysis
Responsible Officer	: A/Executive Director Corporate and Community Services (P Wignall)

[9:41:12 PM](#) Councillor Hammond, having declared a financial interest, left the Chamber.
IN BRIEF

- The Managing Director of Albany Inbound Pty. Ltd., the entity contracted to provide a bookings service at the Albany Visitor Centre, has requested to surrender the contract.

ITEM 2.5: RESPONSIBLE OFFICER RECOMMENDATION

THAT Option four with termination of the contract with Albany Inbound Pty Ltd effective from 1 June 2011, be ADOPTED subject to:

- i. adoption by Council of a Business Plan by that date, which clearly demonstrates to Council that the City can effectively transition to providing tour and accommodation booking services, and that the business model is a cost effective outcome for the City;
- ii. the transfer of the customer database and the “StayNow” brand to the City (should that product be deemed appropriate after review) for \$11,210;
- iii. the transfer of merchandise at cost;
- iv. the transfer of assets of Albany Inbound Pty Ltd to the Council for \$5,114; and
- v. all other costs related to the termination of contract being borne by Albany Inbound Pty Ltd.

Note: This item was addressed behind closed doors at item 18.1.

Councillor Hammond declared a financial interest in this item. Councillor Hammond left the Chamber and did not participate in the discussion or vote.

CEO:	RESPONSIBLE OFFICER:
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ITEM 2.5: AMENDED RECOMMENDATION

1. Council agrees to terminate the contract with Albany Inbound Pty Ltd effective from 1 June 2011, subject to:
 - i. adoption by Council of a Business Plan by that date, which clearly demonstrates to Council that the City can effectively transition to providing tour and accommodation booking services, and that the business model is a cost effective outcome for the City;
 - ii. request the CEO to investigate the engagement of a business analysis contractor to complete the Business Plan in anticipation of a report to be presented to the May Ordinary meeting of Council;
 - iii. the transfer of the customer database and the “StayNow” brand to the City (should that product be deemed appropriate after review) for an amount to be negotiated with the contractor up to \$11,000
 - iv. the transfer of merchandise at cost;
 - v. the transfer of assets of Albany Inbound Pty Ltd to the Council for \$5,114; and
 - vi. all other costs related to the termination of contract being borne by Albany Inbound Pty Ltd.
2. Council requests the CEO urgently meet with the staff of Albany Inbound and the Albany Visitor Centre to advise them of Council’s decision and future steps

ITEM 2.5: RESOLUTION (Amended Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR MATLA

THAT the Amended Recommendation be ADOPTED.

**CARRIED 7-2
ABSOLUTE MAJORITY**

Record of Vote

Against the Motion: Councillors D Bostock and Leavesley

BACKGROUND

1. On the first of February 2006 the City entered into contract with Tayson Pty Ltd (now Albany Inbound Pty Ltd) for the provision of accommodation and tour bookings services, based at the Albany Visitor Centre.
2. The basis of the contract is that the contractor provides the booking and accommodation service covering all outgoings and the City receives a percentage of income from customer bookings made through counter, telephone and website sales made by Albany Inbound. \
3. The City manages the overall operation of the Albany Visitor Centre, including a free visitor information service, staffed by City employees. One aim of the joint service is to provide a seamless service to the public who should not be affected by the fact that different elements of the service are provided by the City and the contractor’s staff, from the same location.

4. The initial term for the agreement was for 36 months and was extended by Council for a further 36 months, expiring on 31 January 2012.
5. During the period of the contract there have been a number of variations approved by Council.
6. Albany Inbound Pty Ltd has formally requested to surrender the contract.

DISCUSSION

7. The termination of the contract provides the City with a number of options:
 - Option One – Council does NOT AGREE to the request to terminate Contract.
 - Option Two – Council AGREES to terminate the Contract: Contract is tendered for new Independent Operator.
 - Option Three – Council AGREES to terminate the Contract: provision of Accommodation Booking Services is discontinued.
 - Option Four – Council AGREES to terminate the Contract: City of Albany operates in full both Visitor Information Services and Accommodation Booking Services.
 - Option Five – Council AGREES to terminate the Contract: outsourcing both Visitors Information Services and accommodation Booking Services.
8. A separate Commercial in Confidence paper has been prepared and is attached to this Report. The Report identifies the risks associated with each of the options and possible transition plan and potential additional costs.
Nb. Report still being prepared.
9. The contractor is prepared to transfer to the City the customer database and the “StayNow” brand, web site and the “Bookeasy” licence, together with prepared TV commercials, all at cost.
10. Three staff are employed by Albany Inbound Pty Ltd on a casual basis; there is one permanent part time staff member and a full time junior who also manages merchandise. City staff working at the Centre do not currently possess the necessary skills to operate the tour and accommodation service. To develop this skill base, at least one week training would be required.
11. Stock (merchandise) could be transferred at cost, and all other chattels at their written down value.

PUBLIC CONSULTATION / ENGAGEMENT

12. Given the time constraints, the City has not undertaken public/ industry consultation.

FINANCIAL IMPLICATIONS

13. The potential costs or benefits to the City associated with the above have been detailed in the Attached Commercial in Confidence paper for each of the options identified.

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

14. This item directly relates to the following elements from the Albany Insight ~ Beyond 2020 Corporate Plan.

“The City of Albany will... 4.3 Deliver excellent community services that meet the needs and interests of our diverse communities”

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

15. Council could choose to accept any of the options outlined, or a possible amalgam of options.

SUMMARY CONCLUSION

16. It is recommended that the option detailed in the attached Commercial in Confidence Paper be adopted by Council.

Consulted References	Contract CO5026.
File Number (Name of Ward)	C05026 (Frederickstown Ward)
Previous Reference	OCM 19/04/2005 – Item 14.3.2 OCM 21/06/2005 – Item 14.3.1 OCM 20/12/2005 – Item 14.3.1 OCM 20/03/2007 – Item 12.7.1 OCM 17/07/2007 – Item 12.7.1 OCM 16/09/2008 – Item 12.7.1 OCM 21/04/2009 – Item 12.8.2 Community and Economic Development Strategy and Policy Committee Meeting Minutes 19/03/2009

2.6: COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF) 2011/12 SMALL GRANT APPLICATIONS

Proponent : Refer to paragraph 12 of the Officer's Report
Responsible Officer : Acting ED Corporate & Community Services (P Wignall)

IN BRIEF

- Council endorse the priority ranking for the submitted applications.

ITEM 2.6: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council rank the six CSRFF applications received in the following order:

	ORGANISATION	PROJECT DETAIL
1	Railways Football and Sporting Club	Connection to deep sewerage.
2	Albany City Kart Club	Extension of kart track
3	Albany Equestrian Centre	Installation of new holding pens
4	Albany Bowling Club	Installation of lighting system over bowling greens
5	Albany Speedway Club Inc	Upgrade to track and pit area
6	South Coast Tennis Club	Renovation and resurfacing of 3 tennis courts and knock-up area

ITEM 2.6: AMENDMENT BY COUNCILLOR WOLFE

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR DUFTY

THAT Albany Kart Club be ranked number 1, and Railways Football and Sporting Club be ranked number 2.

CARRIED 9-1

Record of Vote

Against the Motion: Councillor Matla

Councillor's Reason:

The Albany City Kart Club is deserving of support to ensure a successful meeting for the State Championships. The extension of the track will be used for many years to come.

Railways Football and Sporting Club have sound facilities and being ranked at number 2 may still guarantee them some funding.

CEO:

RESPONSIBLE OFFICER:

ITEM 2.6: AMENDED RECOMMENDATION**MOVED: COUNCILLOR WOLFE****SECONDED: COUNCILLOR DUFTY**

THAT Albany Kart Club be ranked number 1, and Railways Football and Sporting Club be ranked number 2.

	ORGANISATION	PROJECT DETAIL
1	Albany City Kart Club	Extension of kart track
2	Railways Football and Sporting Club	Connection to deep sewerage.
3	Albany Equestrian Centre	Installation of new holding pens
4	Albany Bowling Club	Installation of lighting system over bowling greens
5	Albany Speedway Club Inc	Upgrade to track and pit area
6	South Coast Tennis Club	Renovation and resurfacing of 3 tennis courts and knock-up area

CARRIED 9-1**Record of Vote**

Against the Motion: Councillor Matla

BACKGROUND

1. The Community Sport and Recreation Facilities Fund (CSRFF) is administered by the Department of Sport and Recreation. A change two years ago to the CSRFF introduced two rounds of available funds including a small grant funding round and its annual and forward planning funding round.
2. Applicants must be either a local government authority or a not for profit sport, recreation or community organisation incorporated under the WA Associations Incorporation Act 1987.
3. Clubs must demonstrate equitable access to the public on a short term and casual basis.
4. The land on which the facility is to be developed must be one of the following:
 - Crown reserve;
 - Land owned by a public authority.
 - Municipal property.
 - Land held for public purposes by trustees under a valid lease, title or trust deed that adequately protects the interests of the public.
5. Applicants must liaise with their Local Government regarding planning and building approvals pertinent to their project.

6. The Local Government has an opportunity to assess all relevant applications and to rank applications in priority order for the municipality.
7. The current round of funding applications is for the small grant round with the financial value of the total project being from \$5,000 up to \$150,000.
8. The Department of Sport and Recreation application form calls for applications to be initially submitted to the Local Government within which the project proposal is located.
9. An element of the assessment process involves Council consideration and priority ranking of applications received. The applications are then submitted to the Department of Sport and Recreation on behalf of the applicants prior to 31 March 2011.
10. Once the assessment process from Local Government Authorities are complete all applications received from Western Australian organisations are assessed by the Department of Sport and Recreation CSRFF committee against a number of criteria, with the final decision on funding being at the discretion of the Minister for Sport and Recreation.

COMMENT/ DISCUSSION

11. The grant guidelines require Council to provide a ranking for the projects.
12. A total of six applications were received prior to the submission deadline.
13. A ranking recommendation has been given based on the merits of each project:

	ORGANISATION	PROJECT DETAIL	JUSTIFICATION
1	Railways Football and Sporting Club	Connection to deep sewerage.	Project implementation will assist to mitigate health concerns
			Membership = 395
			Facility is multi-use, accommodating for a range of sporting and community groups
			Project is considered part of the Centennial Park Recreation Precinct development which is a high priority and forms part of a State Government election commitment
2	Albany City Kart Club	Extension of kart track	Required to host State Titles however long term benefits exist for club.
			Membership = 80 (Membership is expected to grow with the completion of the track and hosting state titles)
			Project is considered part of the Great Southern Motorplex development
3	Albany Equestrian Centre	Installation of new holding pens	Safety concerns for horses, ponies and handlers
			Membership = 212 (membership and usage expected to grow upon project completion)
			Facility is multi use, accommodating for a range of equine sports and training
			Currently turning away some events and request for hire due to current facility inadequacy.
4	Albany Bowling Club	Installation of lighting	Membership = 180 Corporate Bowls participation = 170

		system over bowling greens	The club has demonstrated that initiating this project will allow growth in the sport of bowls by allowing more night games, extending the available hours of operation of the facility
			Bowls is classified as a 'life sport' and popularity of intergenerational interaction through corporate bowls assists with social and community cohesion
5	Albany Speedway Club Inc	Upgrade to track and pit area	Track has deteriorated causing inconsistent surface and safety concerns
			Membership = 146 and has proven sustainable growth in membership
6	South Coast Tennis Club	Renovation and resurfacing of 3 tennis courts and knock-up area	Residential growth is expected in Little Grove however Membership is currently 19, some casual hire use also exists
			2 courts have been decommissioned, third does not have much life expectancy left. Lack of available facilities is one of the reasons why membership to the club is low.
			The tennis club (and hall area) constitutes for over half of Little Groves active public open space however it is mostly un-useable (excludes school space)

14. It is recommended that that Council review the ranking made by Officers.
15. An additional assessment and an overall project rating will be made by staff under the direction of the Executive Director for Corporate and Community Services prior to the submissions being finalised and submitted to the Department of Sport and Recreation, using the follow criteria:

	Satisfactory	Unsatisfactory	Not Relevant
Project justification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned approach	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community input	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access & opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial viability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-ordination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential to increase physical activity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. Overall project rating, being:
- Well planned and needed by municipality;
 - Well planned and needed by applicant;
 - Needed by municipality, more planning required;
 - Needed by applicant, more planning required;
 - Idea has merit, more planning work needed; and
 - Not recommended.

STATUTORY IMPLICATIONS

17. There is no statutory requirement of Council. However, Council has the opportunity to provide a recommendation that ranks applications in priority order for the City of Albany.
18. It should be noted that the Department of Sport and Recreation will make the final decision on funding allocation.

POLICY IMPLICATIONS

19. The Recreation Planning Strategy adopted in 2008 has been applied in ranking the priority order of submissions.
20. It is considered that the submission from the Railways Football and Sporting Club will compliment the Centennial Park Recreation Precinct upgrade.

FINANCIAL IMPLICATIONS

21. To facilitate this process approximately 24 hours (\$960.00) of one staff officer time has been conducted.
22. The following table provides detail of all applications received and indicates that none of the applicants have proposed City of Albany financial contribution.
23. Applicants were informed that they may ordinarily request funds for their project from Council through the Community Financial Assistance funding round; however at its Ordinary Council Meeting on 20 April 2011 Council introduced a moratorium on this grant category allocation (excluding rate rebates and events) until July 2012.

Organisation	Project detail	Total Project Cost (ex GST)	Applicant contribution (ex GST) [inc voluntary component]	CSRFF Grant (ex GST)	Proposed Other state or federal funding (ex GST)	Proposed Council contribution (ex GST)
Railways Football and Sporting Club	Connection to deep sewerage	\$29,000	\$ 14,500	\$14,500	Nil	Nil
Albany City Kart Club	Extension of kart track	\$140,708	\$95,708	\$50,000	Nil	Nil
Albany Equestrian Centre	Installation of new holding pens	\$41,721	\$13,907	\$13,907	\$13,907	Nil

Albany Bowling Club	Installation of lighting system over bowling greens	\$22,920	\$15,280	\$7,640	Nil	Nil
Albany Speedway Club Inc	Upgrade to track and pit area	\$98,500	\$65,636	\$32,864	Nil	Nil
South Coast Tennis Club	Renovation and resurfacing of 3 tennis courts and knock-up area	\$49,181	\$14,500	\$14,186	\$25,000	Nil

Consulted References	Recreation Planning Strategy Guidelines for Applicants 2011/2012 funding round
File Number (Name of Ward)	FIN038 (All Wards)
Previous Reference	17/08/2010 Item 2.5 18/08/2009 Item 14.1.3

2.7: GREAT SOUTHERN MOTORPLEX GROUP INC. - REQUEST FOR FINANCIAL ASSISTANCE

Land description	: Lot 8122 on Plan 26510 and being whole of the land contained in Certificate of Title Volume LR3124 Folio 121
Proponents	: Great Southern Motorplex Group Inc.
Owner	: Crown
Appendices	: Location maps
Responsible Officer	: A/Executive Director, Corporate and Community Services (P Wignall)

IN BRIEF

- Consider request from **Great Southern Motorplex Group Inc.** for funding assistance to complete a Fauna Assessment and Environmental Management Plan of Parker Brook Reserve.

ITEM 2.7: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council AGREE to provide \$4,730 to the Great Southern Motorplex Group for the preparation of the Fauna Assessment and Site Environmental Management Plan of the Parker Brook reserve (Reserve 1947).

ITEM 2.7: RESOLUTION (Responsible Officer Recommendation)

MOVED: MAYOR EVANS

SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 10-0
ABSOLUTE MAJORITY**

BACKGROUND

- The Great Southern Motorplex Inc. (Motorplex Group) is a body consisting of four motorsport entities. These include:
 - Albany City Kart Club Inc.
 - Albany Motorsport Group Inc.
 - Great Southern Street Machine Association Inc.
 - Albany Motorcycle Club Inc.

CEO:

RESPONSIBLE OFFICER:

2. The Motorplex Group has requested Council to:
- Update its in-principle approval of the co-located facility, based on the updated Concept Plan; and
 - Allocate funding of \$4730 for the preparation of:
 - a) Fauna Assessment of Parker Brook Reserve; and
 - b) Site Environment Management Plan.
3. This request was considered through the February 2011 OCM (Item 2.6) which Council resolved, inter alia, as follows:
- (i) *THAT Council affirms its previous support for the attached concept plan for the development of Reserve 1947 Parker Brook Road, Albany subject to achievement of and Council's satisfaction with the following:*
- a. *'Environmental Noise Impact Assessment' demonstrating the design and management/ operational measures required and the ability of the concept to meet:*
 - *Environmental Protection Authority (EPA) Environmental Impact Assessment Requirements;*
 - *Requirements of the Environmental Protection Act 1986; and*
 - *Requirements of the Environmental Protection (Noise) Regulations 1997.*
 - b. *Site Design and Full 'Environmental Management Plan' of sufficient detail to be submitted to the EPA for Environmental Impact Assessment Approval.*
 - c. *Approval of the Site Design and 'Environmental Management Plan' by the EPA.*
 - d. *A facility/ operational management plan specifying and demonstrating the sustainable operation of the facility including but not limited to:*
 - *operation and functionality of the site management group*
 - *responsibilities and entitlements of co-located tenants*
 - *driver education and training facilities*
 - *noise management*
 - *waste management*
 - *water management*
 - *facility access and security management*
 - *asset maintenance and management*
 - *reserve flora and fauna management*
 - *principles for major event management at the site*
 - e. *The availability of sufficient external funding by the Great Southern Motorplex Group to undertake each stage of the proposal.*
 - f. *A new/ amended lease over the site containing provisions that the facility is constructed and operated in accordance with EPA approval, council determinations in relation to the items above and any other relevant council strategies, policies, procedures and determinations.*
 - g. *Community consultation occurring and Council considering that feedback.*

(ii) *The feasibility study is handed over to the 'Great Southern Motorplex Group' consisting of City of Albany, Albany Motorcycle Club, Great Southern Street Machine Association and Albany City Kart Club who will:*

- *lead and undertake responsibility for the development of the project (including but not limited to the items in recommendation (i)).*
- *undertake responsibility for the lease and management of the site.*

4. The request for funding by the Great Southern Motorplex Group to complete a Fauna Assessment and Site Environmental Management Plan of the Parker Brook Reserve was laid on the table for a period of one month to allow further investigation by Council of funding options.

DISCUSSION

5. The group maintains it needs to determine whether the site is suitable for its use prior to committing funds to the project, and is therefore seeking Council's financial assistance in the preparation of the necessary reports.

6. While the Motorplex Group have requested funding of **\$4,730** to complete a Fauna Assessment and Site Environmental Management Plan of Parker Brook Reserve Council has previously resolved that:

"The achievement of sufficient external funding to undertake each stage of the proposal" and "Council funding, if any, towards the project being directed towards the components of the driver training and education." Extracts from Ordinary Council Meeting 17th February 2011.

7. Furthermore, Council has a moratorium on funding through Community Financial Assistance program for which this funding would normally be made available.

8. This request relates to the provision of funding to undertake Fauna Assessment and Environmental Management Plan of Parker Brook Reserve, and no public consultation has been undertaken.

STATUTORY IMPLICATIONS

9. Were Council agree to the request and provide funding, Section 6.8 of the Local Government Act requires:

(i) *"A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –*

- a. *is incurred in a financial year before the adoption of the annual budget by the local government;*
- b. *is authorised in advance by resolution*;* or
- c. *is authorised in advance by the mayor or president in an emergency."*

**Absolute majority required.*

FINANCIAL IMPLICATIONS

10. Council has no budget allocation for these matters and Council resolved on the 20 April 2010 to imposed a moratorium on such funding for two years, being:

“THAT Council INTRODUCES a moratorium on the grant category allocations under the Financial Assistance Program to the years 2010/11 and 2011/12 with the exclusion of rate rebates and Events”.

11. Request is not in accordance with Council budget.
12. Were Council to agree to the request, funding could be provided from within current budget surplus.

POLICY IMPLICATIONS

13. Council adopted the Albany Motorsport Complex Feasibility Study 17/02/2009.
14. Council adopted the Recreation Planning Strategy, which specifically states:

“Incorporated community organisations shall be responsible for undertaking the feasibility, design, funding and construction of facilities such as clubrooms and specialised surfaces such as tennis courts and motorsport tracks, in accordance with relevant actions within this strategy and other council strategies, policies, conditions, procedures and guidelines. (Organisations may be eligible to apply for financial assistance under the community financial assistance fund)”

15. Council adopted on 20/04/2010:

“THAT Council INTRODUCES a moratorium on the grant category allocations under the Financial Assistance Program to the years 2010/11 and 2011/12 with the exclusion of rate rebates and Events”.

16. On 15/02/2011 Council affirmed its support for the concept plan for the development of Reserve 1947 Parker Brook Road.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

17. Council has three options in relation to the request from Great Southern Motorplex Group for funding to assist in a Fauna Assessment of Parker Brook Reserve and Environmental Management Plan. These are:
- a. **Option One.** Provide funding of **\$4,730**.
 - b. **Option Two.** Provide part funding up to a specific amount.
 - c. **Option Three.** Provide NO funding.

Consulted References	Residential Design Codes (R-Codes) Little Grove Structure Plan Town Planning Scheme No. 3
File Number (Name of Ward)	PRO170, PRO176 (West Ward)
Previous Reference	OCM 01/07/1992 OCM 17/09/2002 Item 12.2.5 OCM 17/02/2009 Item 12.8.2 OCM 16/06/2009 Item 18.2 OCM 16/02/2010 Item 13.6.1 OCM 20/04/2010 Item 19.5 OCM 15/02/2011 Item 2.6

2.8: HOST PORT OPPORTUNITY 2011 CLIPPER ROUND THE WORLD YACHT RACE

Proponent	: Albany Tourism Marketing Advisory Committee
Business Entity Name	: Clipper Ventures Plc (Yacht Race Organisers). A Public Limited Company in the UK
Appendices	: Clipper Host Port Proposal (Clipper Ventures Plc) Stakeholder Letters of Support (various authors)
Councillor Workstation	: <ul style="list-style-type: none">• Application for Funding to Eventscorp (City of Albany)• Clipper Fact Pack (Clipper Venture Plc)• The Clipper Race – A Unique Global Marketing Platform (Clipper Ventures Plc)
Responsible Officer	: Acting EDCCS (P Wignall)

Maps and Diagrams:



IN BRIEF

- Consider committing a financial contribution of up to \$50,000 in the 2011/12 budget to secure Albany as the Western Australian stop-over port for the 2011/12 Clipper Yacht Race.
- Take a leadership role in negotiations with the Race Organisers and in mobilising community, business and government assistance

[9:08:34 PM](#) Councillor Hammond, having declared a financial interest, left the Chamber.

CEO:

RESPONSIBLE OFFICER:

RECOMMENDATION

ITEM 2.8: RESPONSIBLE OFFICER RECOMMENDATION

THAT COUNCIL:

- i. **ALLOCATE** a provisional sum of up to \$50,000 (ex gst) in the 2011/12 budget as its cash contribution to a Host Port proposal for the 2011/12 Clipper Round the World Yacht Race; and
- ii. **AUTHORISE** the Chief Executive Officer to:
 - Prepare by 30 March 2011, an **Initial Offer** submission to Clipper Ventures Plc outlining the minimum level of services that will be provided by community, business and government agencies, including services that will be required to be purchased up to an amount of \$50,000 (ex gst);
 - Negotiate by 30 August 2011, a **Final Offer** submission to Clipper Ventures Plc outlining a detailed schedule of services that will be provided through community, government and business sponsorships;
 - Co-ordinate a Memorandum of Agreement between government, community and business organisations detailing the contributions each organisation will make to the event in cash and value in-kind.

ITEM 2.8: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR DUFTY

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 9-0
ABSOLUTE MAJORITY**

BACKGROUND

1. The City of Albany has been approached by Clipper Ventures Plc to consider its interest in being the Western Australian crew change-over point between Leg 3 and Leg 4 of the 2011/12 Clipper Around the World Yacht Race. The stop-over will involve ten 68 foot yachts, with 18 crew each, support staff and media, staying over in Albany for around ten days.
2. Upon the recommendation of the Albany Tourism Marketing Advisory Committee, Council resolved the following at its 15 February 2011 meeting:
 - ENDORSE 'in-principle' the preparation of a bid document nominating Albany to be the Western Australian 'host-port' for the 2011 Clipper Round the World Yacht Race;
 - SEEK grant funding from Eventscorp Regional Events Scheme (closes 21 February 2011) and Great Southern Development Commission Regional Grants Scheme (closes 10 March 2011), and;

- CONSIDER a full 'host-port proposal' (including its own financial contribution in 2011/12) at the 15 March 2011 Ordinary Council Meeting.
3. An application to Eventscorp has subsequently been prepared and submitted by the closing date of 21 February 2011 seeking a contribution of \$20,000 (ex gst). A GSDC submission for \$40,000 (ex gst) was being prepared at the time of writing and will be advised mid July 2011. Other business and community sponsorship is also being considered via a local project working group.
 4. The scope of this Item includes information on:
 - the Clipper Race event itself
 - Host Port requirements and activities that require local sponsorship
 - proposed preliminary program of stop-over activities
 - economic and community benefits of the proposed event
 - proposed preliminary budget for the event
 - risk assessment

DISCUSSION

The Clipper Race

5. The Clipper Round the World Race is the only yacht race which has non-professional crews sailing a fleet of identical, internationally sponsored yachts around the globe. Accompanied by a professional skipper, many of the crew have little or no sailing experience until they start their training. In a Grand Prix format, calling at international ports in six continents, gives the Clipper Round the World Yacht Race a truly global appeal, on and off the water, on an affordable scale for crew, sponsors and commercial partners. The overall race is divided into eight legs and 15 individual races. Further information can be found at www.clipperroundtheworld.com.
6. The Clipper 11-12 Race is scheduled to start in the UK in August 2011 and finish back in the UK in July 2012, shortly before the London 2012 Olympic Games. It is anticipated that the Clipper Fleet will be in Western Australia in mid November 2011. The exact schedule will not be confirmed until all the Host Ports are secured. Half of the legs are now completely sold out, including Legs 3 and 4 which incorporate the Western Australia stopover. The organisers currently have 23 Australians signed up to take part in the Clipper 11-12 Race.
7. The race is biennial and has previously stopped in Western Australia in both Fremantle (05/06 and 07/08) and Geraldton (09/10).
8. Albany is being considered to be the host port stopover point between Leg 3 (South Africa to Western Australia) and Leg 4 (Western Australia to New Zealand). This is principally because of its new marina facilities and its geographic location.

9. There is expected to be around 600 international crew, staff and media directly associated with the event. The provision of a program of community events to welcome the fleet and engage the regional community, will supplement the visit and have the potential to broaden visitation numbers from WA and the wider region to about 5,000 (based on the experience of Geraldton in 09/10). The involvement of schools in an educational program has worked in other international destinations and would provide further community and educational benefits. Significant national and international media attention is provided to this event which will profile Albany globally resulting in further tourism and economic benefit (see further discussion below).
10. The organisers of the Clipper race realise that significant economic and community benefits accrue to those communities where the vessels stopover and accordingly ports are encouraged to bid for the privilege of being the host. Albany's new waterfront facilities will provide suitable facilities for the fleet and will be completed before the expected stopover.

Host Port requirements and activities that require local sponsorship

11. A Host Port is required to enter a contract with Clipper Ventures Plc, which specifies the level of assistance to be provided in return for a range of associated rights and benefits. The Host Port Rights and Benefits Sponsor package is included in the Host Port Proposal document provided by Clipper Ventures Plc and is included in the Appendices. The better the experience Albany can provide to the crew, staff and media whilst in Albany, the greater the likelihood of winning a stop-over for Albany in future years.
12. The activities requiring local sponsorship support are outlined below and are the subject of current investigations by the local working group.
 - Manpower and Points of Contact
 - Security availability
 - Yacht Berthing
 - Support Facilities for Yachts
 - Crew Facilities
 - Offices and working spaces
 - Media Office and Arrangements
 - Communications
 - Accommodation for Race Officials and Visiting Media
 - Race Finish and Re-start Arrangements
 - Permits, Permissions & Vessel Entrance/Exit Fees
 - Hospitality and Awards Ceremonies
 - Transport
 - Event Marketing and Promotions
 - Branding
13. The above list of support measures may be supplied by the provision of cash or in-kind support. The local working group is drafting a package of assistance that may be negotiated with Clipper Ventures Plc.

Preliminary Local Event Concepts

14. A preliminary program of activities would supplement the race visit and attract tourists and locals to Albany and the CBD to welcome the fleet. The extent of community festivities will be dependent upon the success or otherwise in grant applications and business sponsorship. A preliminary program of activities may include:

- An official Welcome Parade of international skippers and crews down York Street, over the pedestrian bridge arriving at the new entertainment centre entry courtyard and marina for a community festival
- A community festival of the sea celebrating Albany's rich maritime history with displays in the Entertainment Centre foyer (overlooking the berthed yachts). This event could also include multi-cultural food stalls and entertainment including fresh produce and regional wines. Music could have an international flavour recognising the various countries of origin of the Clipper Yachts. A carnival atmosphere could be created by posting flags and banners along toll place to add colour and vibrancy.
- A civic reception in the Albany Entertainment Centre for crews, officials and VIP's and including an official prize giving for the first three yachts to arrive in Albany. An indigenous welcome to country with music and dance may be included, similar to the recent opening of the Perth International Arts Festival in February in Albany.
- Individual welcomes to visiting yachts could be provided with tourism and trade information about Albany. This will be particularly important for visiting media officials. Public inspection of the yachts moored at the new marina would also be arranged. An information and trade marquee could be erected to promote Albany products and services. This may include indigenous art, local manufactured goods such as sandalwood oil products, local wines and whiskey, agricultural produce and seafood. Concessions could be made available to regional vendors showcasing regional produce. Visitor information on tourism experiences would be provided through the mobile visitor information van owned by the City of Albany. Proactive promotion of Albany to the visiting media would ensure Albany is profiled in a range of international, national and domestic electronic and print media.
- An Adopt a Yacht school program involving school students who could monitor a yacht's movements online from the race commencement in the UK until arriving in Albany. Students could meet with the crew and inspect the yachts during the race stop-over. This would be a daily activity to maximise the number of regional schools participating. Competitions could be conducted with the prize being a sail on a Clipper yacht.
- Re-start race viewing areas along Marine Drive could be established including the firing of a canon and engagement of the community and media. In the morning of the departure of the yachts the community would be invited to farewell the skippers and crews at the marina with music, markets and festivities around the waterfront and at the ANZAC Peace Park. Investigation with the RAAF could be undertaken to have a special flyover the race re-start zone.

Economic and community benefits

15. Overall there is expected to be between 5,000-6,000 people participating in the event and the associated festivities. This is consistent with estimates provided by the City of Geraldton Greenough for the 2009/10 stopover. The Albany Festival of the Sea also reports this type of visitation to its annual community event, so this estimate may be considered conservative.

- Benchmarking Geraldton (WA)

The City of Geraldton Greenough conducted a survey of the clipper crew (only) in 09/10 and estimated the following:-

- 986 crew bed nights
- 1,252 family/friend bed nights
- AU\$2,227.63 average crew spend per head
- \$316, 323 (Total crew spend)
- \$187,800 (Visitors/friends/family spend on accommodation only)
- Total of \$504,123 (excludes expenditure other than accommodation, by visitors/friends/family and does not include expenditure by other visitors who were either in the city at the time or who travelled to see the yachts)

- Benchmarking Cape Breton (Canada) – Stopover point

- Email communication with Enterprise Cape Breton reported \$1 million economic spinoff to the Cape Breton economy, mostly as a result of the Clipper staff, crews and friends and family being in port.

- Benchmarking Humber (UK) – Race Start

- 150,000 people attracted
- 9.3 million pounds economic activity
- Average spend per person per day on food, drink, attraction and shopping was 41.96 pounds
- 99.5% of those surveyed would return for similar events

16. The economic impact of the Albany event is likely to be between \$600,000 and \$800,000, depending on the level of additional tourism visitation. The non-race visitation will likely be strengthened if there is an associated community festival to supplement the Race visit.
17. The event is planned to be staged in mid-November which is a shoulder season for visitation to Albany and will therefore assist accommodation providers and other business. Surveys from the Cork (Ireland) and Cape Breton (Canada) Clipper festivals indicate the largest proportion of expenditure at their events is in food and drink (benefiting cafes, hotels and restaurants) and in accommodation.

18. Clipper Ventures Plc has a significant global media program for the Race. A snapshot of the marketing value is provided below.

- 524 million people followed the race
- \$265 million US Public Relations value
- \$106 million US undiscounted media value
- 8,473,529 page views on the Clipper Race website
- 450,000 cumulative race village visitors
- 395,801 unique visitors to the website
- 100,504 players of the virtual Clipper Race online
- 441 crew from 41 nations and more than 230 professions
- 199 countries followed the race
- 14 markets
- 10 yachts
- 6 continents
- international trade agreements
- 1:7 example return on investment

19. According to Tourism WA, the UK remains the number one international market to Western Australia in visitor numbers and spend. Throughout the challenging economic conditions, WA has maintained its market share of UK visitors at around 25 per cent. There is a significant UK audience that follows the Clipper Race which augers well for the promotion of Albany into this key market.

20. No attempt has been made at quantifying the dollar value of media that may accrue to Albany as an outright destination. Notwithstanding this, an independent profile of media exposure for 2009/10 Race for Western Australia is provided in the Councillors Lounge. The undiscounted media value to Western Australia for the 09/10 was estimated at:-

- In the Press £130,581
- On TV News £197,746
- Online £34,472 (from the top ten websites, excluding:
www.clipperroundtheworld.com)
- On radio £13,639
- WA TV series
- (Discovery Channel) £5,524,500

PUBLIC CONSULTATION / ENGAGEMENT

21. The City of Albany has taken a leadership position by establishing a working group that consists of the City of Albany, Great Southern Development Commission, Albany Chamber of Commerce and Industry Inc, Albany Port Authority, Department of Transport, Albany Maritime Foundation Inc, Princess Royal Sailing Club Inc and Southern Ocean Sailing.

22. The working group has assessed Albany has the technical and service capability to host the event and is working through a package of assistance measures that may be contributed. Further negotiation is required before a final schedule of support services is offered.

23. An overview of community group engagement is provided below:

Community Group	Role	Nature of Involvement	Comments
Albany Maritime Foundation Inc	Lessee and operator of the Albany Boat Shed	Provision of in-kind support	Has offered the use of the Albany Boat shed as the base for the crew and office services
Perth Theatre Trust/AEG Ogden	Owner/Operator of the AEC	Venues for events and media liaison	Formal negotiation is yet to be undertaken, however a proposal will seek some in-kind assistance
Albany Chamber of Commerce and Industry Inc	Business development advocate	Potential sponsor and support in advocating to business to support	Supports the event – A proposal seeking financial and in-kind support will be considered in late March
Princess Royal Sailing Club	Advocate for sailing events	Possible in-kind assistance	Supportive. Specific in-kind services (e.g provision of race vessels to be determined by its Board in late March

Community Group	Role	Nature of Involvement	Comments
Australia's South West Inc	Regional Tourism Organisation	Potential Sponsor in-kind	Has offered to facilitate a media familiarisation program, including international visits. To be negotiated by late March
Southern Ocean Sailing	Sail training and advocate for yachting	Technical Assistance in planning and on arrival	In-kind assistance subject to further discussion and confirmed late March

GOVERNMENT CONSULTATION

24. Government organisations consulted to date include the following:

Government agency	Role	Nature of Involvement	Comments
Great Southern Development Commission	Regional development	Financial Sponsorship	Requires a submission to the Regional Grants Scheme by 10 March 2011
Department of Transport	Marina owner	Berthing and technical services to yachts	Supportive:- Technical assessments and prospective in-kind sponsor (eg pens, vessels etc)- fees waived subject to application through Minister
Eventscorp	Supports major regional events	Financial Sponsorship	A submission was lodged on 21 February 2011
Landcorp	Developer of the Waterfront project on behalf of Government	Prospective Financial Sponsor	Meetings have been held between City staff and Landcorp resulting in \$10,000 being provisionally allocated.
Albany Port Authority	Manages port and marine traffic in King George Sound and Princess Royal harbour	Potential sponsor and provision of support services	Supportive – may assist in-kind and with some support services to be negotiated by late March

STATUTORY IMPLICATIONS

25. There are no Statutory Implications arising out of this Item.

FINANCIAL IMPLICATIONS

26. It is proposed that by 30 March 2011, a Letter of Offer document be submitted to Clipper Ventures Plc, listing the services the Albany community is able to provide to the Race. Cash payments are not made directly to the Race organisers, rather a negotiated level of value in-kind services and activities are mutually agreed. It is proposed that a Memorandum of Agreement between local organisations and Clipper Ventures Plc be prepared to formally define the financial and in-kind contributions of each organisation. It is proposed that a Final Offer be made to Clipper Ventures Plc by 30 August 2011.
27. One of the key aspects to the quantum of sponsorship offered by a host-port is to make a memorable stop-over for the crew and media, which can lead to return visits of the Race and provide a more significant international and national media exposure. It also generates community pride (social capital) and ancillary promotional benefits such as opportunities to promote the hotel site on the Waterfront.

28. It is recommended that Council makes a maximum provisional allocation of \$50,000 (ex gst) as a line item in its 2011/12 budget to support the Albany Host Port proposal. This amount may be reduced subject to the success of external funding and business sponsorships. Management and project contingencies will be built into a final budget to manage negotiations on event scope and unforeseen costs. Up to \$10,000 of City of Albany staff time would also be required as value in-kind assistance for local liaison, co-ordination, visitor information and public relations.
29. Other cash revenues are being sought from the GSDC (\$40,000 as an overall contribution), ACCI (\$5,000 as an overall contribution), Landcorp (\$10,000 as an overall contribution); Healthways (\$5,000 for community festivities), Eventscorp (\$20,000 as an overall contribution) and Business Sponsorships of \$15,000. Value in-kind is being sought from the Department of Transport (pen fees and vessels), Albany Maritime Foundation (Albany Boat Shed); Perth Theatre Trust (AEC); Australia's South West (Media Familiarisations), Princess Royal Sailing Club (Race start/finish volunteers and equipment), community volunteers (visitor greetings) and arrange of business sponsorship.
30. Should Council resolve to support the Officers recommendation, a detailed budget will be prepared. A preliminary budget has been prepared for the Eventscorp application lodged on 21 February 2011.

Risk Assessment

RISK	(L)	(C)	RISK RATING	TREATMENT
In-kind and cash sponsorships are not confirmed by potential sponsors by 30 March 2011	Almost certain	Moderate	High	<ul style="list-style-type: none"> To secure the event, prepare an Initial Offer to Clipper Ventures Plc that limits the commitment of services to an amount of \$50,000 (ex gst) plus any committed grants/sponsorships as at 30 March 2011; Articulate the City's intention to secure further community, government and business assistance Do not sign contracts.
The City is unsuccessful with its grant applications to the GSDC and Eventscorp (advised in July 2011)	Possible	Moderate	Medium	Enter a second round of negotiations with Clipper Ventures Plc offering a level of services commensurate with the assistance formalised by 30 August 2011.
Sponsors do not honour their pledges	Unlikely	Moderate	Medium	Enter a Memorandum of Agreement with community organisations to formalise offers of assistance

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

31. This item directly relates to the following elements from the Albany Insight ~ Beyond 2020 Corporate Plan...

Community Vision:

Historic Albany – Home to a vibrant, resourceful and culturally diverse community...

Strategic Documents

Economic Development Strategy (2010-2015) - Adopted OCM 01/12/2009

- Key Focus Area (3): Community-based Economic and Enterprise Development
- Strategic Objective: Council will partner with community, business and industry groups to identify economic and enterprise growth opportunities
- Action (3.3): Support the preparation of bids for major sporting and cultural events, conventions and conferences

POLICY IMPLICATIONS

32. Council has adopted a Community Financial Assistance and Events Policy to facilitate financial assistance to not for profit organisations that provide social, economic or environmental benefits to the City of Albany. At OCM 20/04/2010, Council introduced a moratorium on the grant category allocations to the years 2010/11 and 2011/12 with the exclusion of rate rebates and events.
33. Because the 2011/12 Clipper Race is not a regular event for Albany, rather a unique tourism and promotional opportunity, where the proponent is the City of Albany (on behalf of the community), it is not recommended the proposal be assessed and financed from the limited funding allocation available through the CFAP.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

Option 1: Decline any financial assistance and simply invite Clipper Ventures to stopover in Albany with no Council support and no associated welcome or festivities.

Comment

This is a no cost option to Council, however may jeopardise the opportunity for an international event and will likely result in a poor reception, negative local PR and a future lost economic opportunity for Albany.

Option 2: Budget a greater amount than \$50,000 and prepare a much stronger proposal with better support services, higher quality festivals and greater media facilitation and support.

Comment

This is a higher cost option to Council, however a value judgement must be made with regard to what is an 'appropriate' contribution of Council's scarce resources to attract this event and leverage external sponsorship

Option 3: Budget a lesser amount than \$50,000 and reduce the scope of services offered in negotiations.

Comment

This is a viable option, however, it may threaten the competitiveness of Albany's proposal. If expenses prove to be higher than forecast, then there will be no management or project contingency available.

- Option 4:** Budget up to \$50,000 and negotiate a win-win outcome with Clipper Ventures Plc, whereby a package of support services is co-ordinated in collaboration with other community, government and business stakeholders.

Comment

This will result in the lodgement of an Offer that is more likely to be acceptable to the Race organisers and to a level commensurate to an event of this stature. This option limits the liability of the City of Albany to a maximum of \$50,000 (ex gst) plus staff time in organisational assistance and liaison in the lead up and during the event.

SUMMARY CONCLUSION

34. It is recommended Council make a provisional allocation of up to \$50,000 in the 2011/12 budget as its maximum cash contribution to a Host Port proposal package offered to Clipper Ventures Plc for the 2011 Round the World Yacht Race.
35. This amount will be used to underwrite a total support package, which cannot be determined until grant applications are considered by late July 2011 and business and community sponsorship is pledged and agreed in writing. The Council allocation will be accumulated with all other cash and in-kind allocations known as at 30 March 2011, to form an Initial Offer to Clipper Ventures Plc, which would include limited support services and minor community and civic event programs. A Final Offer document would then be prepared by 30 August 2011, providing a detailed schedule of support services and associated events and would be guided by a Memorandum of Agreement between community, government and business organisations.

File Number (Name of Ward)	ED.PLA.1 (All Wards)
Previous Reference	OCM 15/02/2011 Item 4.9: ATMAC Recommendation 3

Councillor Hammond, having declared a financial interest in this item left the Chamber. Councillor Hammond did not participate in the discussion or vote.

2.9: ANZAC DAY SUPPORT TO BE PROVIDED BY CITY OF ALBANY

Proponent : City of Albany
Responsible Officer : Acting ED Corporate & Community Services (P Wignall)

IN BRIEF

[9:12:10 PM](#) Councillor Hammond returned to the Chamber.

- This report informs Council of 'in-kind' support being provided by the City of Albany towards the 2011 ANZAC Day Celebrations.

2.9: RESPONSIBLE OFFICER RECOMMENDATION

- (i) That Council **ENDORSE** in-kind support to the Albany Returned Services League, through the provision of:
- a. Ranger Services to erect and dismantle road close hardware on York Street. The estimated cost of this assistance is \$850.00.
 - b. City of Albany Staff services to erect and remove flag poles at the Light Horse monument, Ataturk's monument and ANZAC Peace Park. The estimated cost of this assistance is \$700.00.
- (ii) That Council **APPROVE** use of a City of Albany employee, Administration Assistant on the condition that RSL contribute \$5 500 to the labour and incidental costs of that Officer's work.

ITEM 2.9: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR WOLFE

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 10-0
ABSOLUTE MAJORITY**

CEO:

RESPONSIBLE OFFICER:

BACKGROUND

- The Albany RSL has advised the City of Albany that it has estimated that the 2011 ANZAC day event will cost \$106,426.
- The City of Albany has budgeted to provide \$10,000 to the Albany RSL as part of its ongoing financial assistance to iconic events.
- The Albany RSL has advised Lotterywest has provided the Albany RSL with a grant of \$96,426.
- Locally sourced 'in-kind' assistance totalling \$9,500 has been identified by the Albany RSL in its estimates for the 2011 ANZAC day event.
- The City of Albany has been approached by the Albany RSL to provide further 'in-kind' assistance.

DISCUSSION

1. The Albany RSL has requested that the following further in-kind contribution:
 - a. The provision of a City of Albany employed Administration Assistant. The estimated cost of labour is \$5,000. The required hours of assistance amount to a considerable contribution which would necessitate prioritisation of other (in some case just as important event) workloads.
 - b. It is estimated that the City could expend up to \$500 in incidental costs (e.g. stationery and printing) in providing that administrative assistance.
 - c. Rangers Services to erect and dismantle road closure hardware on York St. The estimated cost of this assistance is \$850. Vehicle usage costs are included in this estimate. The Senior Ranger is an ex-serviceman and is happy to continue to provide this service. All other traffic management requirements are to be met by traffic controllers engaged by the Albany RSL, SES volunteers or police.
 - d. Services to erect and remove flag poles at the Light Horse monument, Ataturk's monument and ANZAC Peace Park. All poles will be erected on 21 April 2011. The estimated cost of this assistance is \$700 (including vehicle usage). The Acting Manager of City Works has confirmed the availability of staff to perform this function, this being part of their annual schedule.
 - e. Pick-up and delivery of six sets of tiered seating costed at \$1,550 (including seat hire, vehicle usage and labour). Should any damage occur during pick-up and delivery or at the location for the seating, repair costs could amount to \$2,500. The Acting Manager of City Works has confirmed that a contractor could transport the seats. The Manager – Recreation Services has confirmed the availability of the required seating, subject to Council being aware that tiered seating is not normally hired for purposes/events outside of the ALAC building and that provision of tiered seating is not a usual practice.

PUBLIC CONSULTATION / ENGAGEMENT:

2. Nil

GOVERNMENT CONSULTATION:

3. Nil

STATUTORY IMPLICATIONS:

4. Nil

STRATEGIC IMPLICATIONS

5. This item directly relates to the following elements from the Albany Insight ~ Beyond 2020 Corporate Plan...

The Vision for Albany: By 2025 Albany will be... “Historic Albany – Home to a vibrant, resourceful and culturally diverse community driven by a spirit of generosity and opportunity, nestled around a spectacular natural harbour in a region of unique beauty”.

Goal 2: Economic Development: Albany will be Western Australia’s first choice for regional investment offering a wide range of development, employment and learning opportunities within a robust economy.

Albany will be a City where...2.4 Our unique cultural heritage attractions deliver world class tourism experiences.

FINANCIAL IMPLICATIONS

6. The cost to provide ‘in-kind’ support for the 2011 ANZAC event is estimated at between \$8,700 and \$11,200. ‘In-kind’ costs (other than any repair costs resulting from damage to seating) can be absorbed into the Current Budget 2010-11.

POLICY IMPLICATIONS:

7. Nil

ALTERNATE OPTIONS & LEGAL IMPLICATIONS:

8. Nil

SUMMARY CONCLUSION

9. The provision of some further assistance (in-kind) to the 2011 ANZAC Day event is supported.

File Number (Name of Ward)	(All Wards)
Previous Reference	Adopted Second Quarterly Budget Review 2010/2011.

3.1: PROPOSED RE-ALIGNMENT OF PALMDALE ROAD RESERVE

Land Description	: Lot 5949 No 2425 Palmdale Road, Palmdale
Proponent	: City of Albany
Owner	: Johnson (Perpetual Lessee of Crown Lease 351/1966)
Attachment(s)	: Map: <ul style="list-style-type: none"> • Drawing no 14512-01A
Responsible Officer	: Executive Director Works & Services (K Ketterer)

IN BRIEF

- Approval to re-align the Palmdale Road reserve to reflect the current alignment of the road, as a portion has been constructed outside of the dedicated road reserve.

ITEM 3.1: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- i) **SUPPORTS** the Taking by Agreement, under section 168 of the *Land Administration Act 1997*, of a 1.57ha portion of land from Lot 5949 No 2425 Palmdale Road, Palmdale, which is the current alignment of Palmdale Road (refer Drawing No 14512-01A);
- ii) **SEEKS** the Minister for Lands approval, under section 58 of the *Land Administration Act 1997*, to close a 1.65ha portion of Palmdale Road reserve, as shown in Drawing No 14512-01A) and the amalgamation of this closed road with the adjoining Lot 5949 No 2425 Palmdale Road, Palmdale;
- iii) **SEEKS** approval under Section 168 of the *Planning & Development Act 2005* to dedicate the 1.57ha portion of land to be taken from Lot 5949 No 2425 Palmdale Road, Palmdale, as a public road, through the lodgement of a subdivision application;
- iv) **INDEMNIFIES** the Minister for Lands from any claims for compensation, as is required under Section 56 of the Land Administration Act 1997; and
- v) **AUTHORISE** staff to forward the required applications to the Minister for Lands and the Western Australian Planning Commission without the need for a further item to Council, should there be no objections received.

ITEM 3.1: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR WELLINGTON

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 10-0
ABSOLUTE MAJORITY**

CEO:

RESPONSIBLE OFFICER:

BACKGROUND

1. Palmdale Road serves the South Stirling rural communities and plays an important connecting role onto the South Coast Highway and Main Road network. The road is partially surfaced with the remainder gravelled.
2. A portion of the road has been constructed outside the official cadastral road reserve and is irregularly occupying Crown reserve land in perpetual lease. This report is the first stage in regularising this situation.

DISCUSSION

3. The adjoining land is Crown Land held in Perpetual Lease by Johnson. Both the lessees and Elders Rural Bank Ltd, the holders of the mortgage for the land, have provided written consent to surrender the land.
4. The consent of the Perpetual Lessees for the surrender of the land has been granted without the need for a financial payment of compensation, as the area of land that will be amalgamated with Lot 5949 Palmdale Road is greater than the area to be excised. This meets the requirements for a Taking by Agreement under section 168 of the *Land Administration Act 1997*.
5. The Department of Regional Development and Lands have advised that there are a number of other interests in Lot 5949 Palmdale Road, including a Profit a Prendre, Caveat and Sub-lease, however these interests do not apply to the portion of land affected by the proposed road reserve re-alignment. The advice of this agency states that the consent of the other parties with an interest in the land is not required.
6. The re-alignment of the Palmdale Road reserve includes closure of the 1.65ha road reserve that is no longer required and amalgamating the closed road reserve with the surrounding Lot 5949 Palmdale Road.
7. In addition, a 1.57ha portion of Lot 5949 Palmdale Road which is the location of the constructed road will be excised and dedicated as a public road.

PUBLIC CONSULTATION / ENGAGEMENT

8. Sections 56 and 58 of the *Land Administration Act 1997* set the procedure for dedicating and closing roads. It is a requirement of the Act that the proposed road re-alignment be advertised in a local newspaper for a period not less than 35 days. Notification will also be sent to neighbouring landowners and to relevant public utility service providers.

GOVERNMENT CONSULTATION

9. The proposal has been discussed with the Department for Regional Development and Lands, as it is this agency that will process the road closure request. They have not raised any objections to the proposal, provided that all requirements of the *Land Administration Act 1997* and *Planning and Development Act 2005* are addressed.

10. Public utility service providers must be contacted as part of the consultation process and invited to comment on the proposal.

STATUTORY IMPLICATIONS

11. Section 56 of the *Land Administration Act 1997* provides that, where land is acquired for use by the public as a road, the local government may request the Minister for Lands to dedicate that land as a road. In doing so, the Local Government must indemnify the Minister against any claim for compensation.
12. Section 58 of the *Land Administration Act 1997* allows the local government to request the Minister for Lands to close a road. This section specifies the public consultation processes that must be observed prior to the submitting the request to the Minister.
13. Section 168 of the *Land Administration Act 1997* sets the procedure for acquiring land for public works through a Taking by Agreement. Part 10 of the Act states that every person having an interest in land taken under the Act is entitled to compensation, however the Act does allow for non-monetary compensation i.e. the transfer of property.
14. The creation of a road occurs through the subdivision process detailed under Part 10 of the *Planning and Development Act 2005*. Section 168 of this Act states all land shown on a diagram or plan of survey of a subdivision shown as a new road or road widening will be dedicated as a road.

FINANCIAL IMPLICATIONS

15. The re-alignment of the Palmdale Road reserve will include costs to Council which will be funded from the 2010/11 land acquisition budget and are estimated to be in the order of \$7,000. Sufficient funds are available for this purpose.
16. There will be no costs to Council for the road or fencing works, as they are already in place, and a non-monetary compensation agreement has been negotiated with the affected lease holders.

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

17. This item directly relates to the following element from the Albany Insight – Beyond 2020 Corporate Plan:

“4. Governance.....

4.2 *Manage our municipal assets to endure they are capable of supporting our growing community.”*

POLICY IMPLICATIONS

18. Not Applicable.

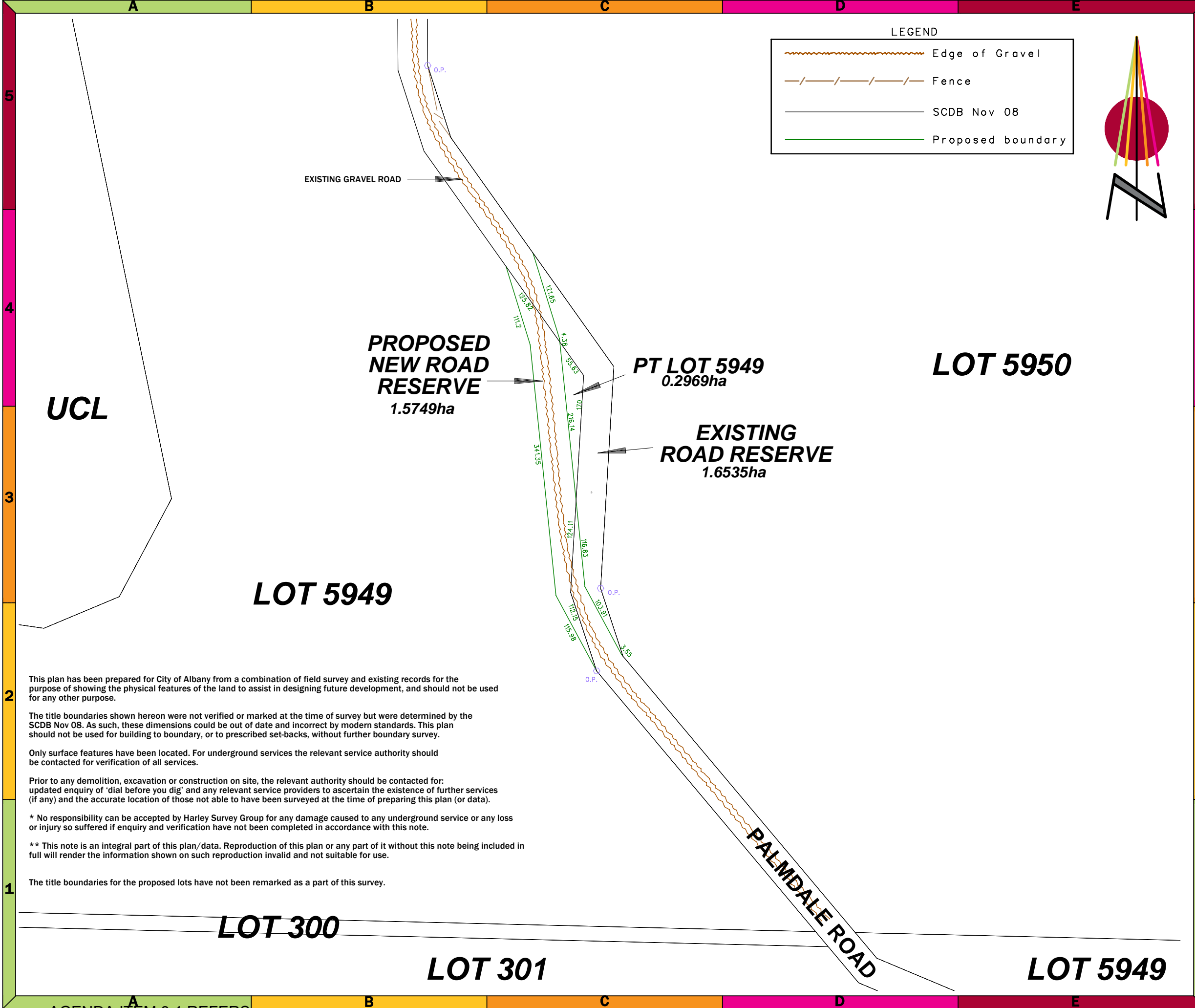
ALTERNATE OPTIONS & LEGAL IMPLICATIONS

19. There are not considered to be any alternate options in this circumstance. The City must ensure that the public works for which they are responsible are held in appropriate land tenure.

SUMMARY CONCLUSION

20. The proposed re-alignment of the Palmdale Road reserve will be effected to reflect the current construction of the road. The adjoining leaseholders have provided their written consent to a Taking by Agreement in exchange for the transfer of the land that will be created by the road closure. Council's resolution to enact the closure and road dedication processes is sought to meet the requirements of the *Land Administration Act 1997* and the *Planning & Development Act 2005*.

Consulted References	Land Administration Act 1997 Planning and Development Act 2005
File Number (Name of Ward)	RD.ACQ.1 (All Wards)



This plan has been prepared for City of Albany from a combination of field survey and existing records for the purpose of showing the physical features of the land to assist in designing future development, and should not be used for any other purpose.

The title boundaries shown hereon were not verified or marked at the time of survey but were determined by the SCDB Nov 08. As such, these dimensions could be out of date and incorrect by modern standards. This plan should not be used for building to boundary, or to prescribed set-backs, without further boundary survey.

Only surface features have been located. For underground services the relevant service authority should be contacted for verification of all services.

Prior to any demolition, excavation or construction on site, the relevant authority should be contacted for: updated enquiry of 'dial before you dig' and any relevant service providers to ascertain the existence of further services (if any) and the accurate location of those not able to have been surveyed at the time of preparing this plan (or data).

* No responsibility can be accepted by Harley Survey Group for any damage caused to any underground service or any loss or injury so suffered if enquiry and verification have not been completed in accordance with this note.

** This note is an integral part of this plan/data. Reproduction of this plan or any part of it without this note being included in full will render the information shown on such reproduction invalid and not suitable for use.

The title boundaries for the proposed lots have not been remarked as a part of this survey.

A	Original drawing	8-01-09
rev	details	date

note: this drawing is the property of harley survey group pty ltd it may not be copled or altered without the consent of the owner

Harley Survey Group Pty Ltd
116 Serpentine Road. ALBANY WA 6330
T: 08 9841 7333 F: 08 9841 3643
E: hsgalb@harleygroup.com.au

survey A.J.E. 8-01-09	cad file 14512-01A.LCD
drawn A.J.E. 8-01-09	checked A.C. 9-01-09
horiz datum APPROX MGA	level datum APPROX AHD

scale at A3 all distances are in metres
1 : 5000 0 50 100 150 200

PLAN 1

client
CITY OF ALBANY

description
**PROPOSED REALIGNMENT
PALMDALE ROAD
PALMDALE**

drawing no
14512-01A



3.2: ADOPTION OF THE DRAFT ASSET MANAGEMENT PLAN – DRAINAGE

Land Description	: City of Albany Municipality
Proponent	: City of Albany
Owner	: City of Albany
Councillors Workstation	: Draft Asset Management Plan – Drainage; Oyster Harbour West Bank Drainage Asset Management – Final Report
Responsible Officer	: Executive Director Works & Services (K Ketterer)

IN BRIEF

- Adoption of draft Asset Management Plan – Drainage for public consultation

ITEM 3.2: RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. **RECEIVE** the draft Asset Management Plan – Drainage;
2. **ADVERTISE** the draft Asset Management Plan - Drainage for 21 days, to the public and key stakeholders; to pursue comment;
3. **RECEIVE** the responses and subsequent proposed amendments to the Asset Management Plan – Drainage to be brought to a future meeting of Council for consideration;
4. **CONSIDER** the funding requirements identified in the Plan in Council deliberations of the 2011/12 budget, and
5. **AMEND** the plan should any funding constraints and amendments be identified from the public consultation process or as part of the 2011/12 budget deliberations.

ITEM 3.2: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR MATLA

SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

[9:15:56 PM](#) Councillor Dufty left the Chamber.

CEO:

RESPONSIBLE OFFICER:

BACKGROUND

1. At the February 2008 Ordinary Council Meeting an item was adopted by Council to support the introduction of the WA Asset Management Improvement Program (WAAMI) for the City's asset management infrastructure.
2. The City of Albany's strategic approach to the asset management of its stormwater drainage network became a high priority following extreme rainfall events in 2005 and 2008 when consultants were commissioned to identify deficiencies in the stormwater network. A Flood Management Strategy was developed to address the need to prioritise and remedy these system failures and was adopted by Council in April 2010.
3. Additional funding has been set aside for the preparation of a Drainage Asset Management Plan involving detailed drainage infrastructure data pick up and condition reviews of individual catchments. The Oyster Harbour West Bank catchment has recently been completed and the Munster Hill catchment is currently in progress.
4. The Asset Management Plan represents the City's first ever attempt to strategically map our drainage assets and prepare for future management of the network. The Oyster Harbour West Bank catchment has been completed and Munster Hill catchment is currently being audited and assessed. The remaining five catchments will be analysed over future years.

DISCUSSION

5. This Asset Management Plan – Drainage takes into account the recommendations contained in the Oyster Harbour West Bank Report in relation to improving the City's Drainage Asset Management systems, including continuing the condition inspection program, inspecting poor condition assets and scoping more accurately replacement works, and providing detailed renewal and maintenance priorities over the next four (4) years.
6. This Asset Management Plan is based on the Opus report centered on the Oyster Harbour West Bank catchment. Currently Cardno Consultants are completing a study into the Munster Hill Catchment, and over future years the City of Albany needs to continue to conduct studies of the remaining catchments. This will enable later revisions of the Asset Management Plan to be more accurate and representative of the City's entire storm water drainage network.

PUBLIC CONSULTATION/ENGAGEMENT

7. It is proposed that the draft Asset Management Plan - Drainage be adopted, after advertised for a period of 21 days to seek community feedback. The document will also be sent to the key stakeholders listed in the plan.
8. Comments received will be collated and the item returned to Council for final adoption.

GOVERNMENT CONSULTATION

9. No government agency stakeholders have been identified in the plan and therefore government consultation is not required.

STATUTORY IMPLICATIONS

10. Under section 3.18 of the *Local Government Act 1995*, the City of Albany is to satisfy itself that the services and facilities it provides are managed effectively and efficiently.

FINANCIAL IMPLICATIONS

11. The cost of the initiatives highlighted in the Asset Management Plan – Drainage requires an increase in Council's expenditure on maintenance and renewal/upgrade of drainage assets to clear a backlog of network failures over a five year period and will be presented annually for consideration as part of the budget processes.

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

12. In accordance with Albany Insight ~ Beyond 2020 Strategic Plan
Item 4 Governance

4.2 Manage our municipal assets to ensure they are capable of supporting our growing community.

POLICY IMPLICATIONS

13. This document complies with the Council adopted Asset Management Policy.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

14. Council can adopt or not adopt the draft asset management plan.
15. There are no legal implications associated with this item.

SUMMARY CONCLUSION

16. The adoption of the Asset Management Plan – Drainage will provide the City with a strategic direction for the management of its drainage network over a five (5) year period.

Consulted References	Local Government Act 1995
File Number (Name of Ward)	CP.PLA.1 (All Wards)

3.3: REVIEW OF DELEGATION FOR CROWN RESERVES

Summary of Key Point : Review of Council delegation for Crown Reserves
Responsible Officer : Executive Director Works & Services (K Ketterer)

IN BRIEF

- Review of Council Delegations for Crown Reserves

ITEM 3.3: RESPONSIBLE OFFICER RECOMMENDATION

That Council **ADOPT** the reviewed delegation for Crown Reserves as follows:

That, under section 3.54 of the *Local Government Act 1995* and under Part 4 of the *Land Administration Act 1997* (Reserves) the CEO be delegated authority to process requests related to Crown Reserves.

Conditions:

- Creation and Change of Purpose of a Crown Reserve must be compliant with City Town Planning Schemes.
- Authority to approve and comment on requests from the Crown be limited to leases not requiring any structures to be built.
- Asset Management Plans adopted by Council – Roads, Reserves – Natural and Developed, and Drainage
- City of Albany Bushfire strategy

Applicable legislation/policy:

- City of Albany 2020 Strategic Plan
- City of Albany Town Planning Scheme
- Asset Management Plans adopted by Council – Roads, Reserves – Natural and Developed, and Drainage
- City of Albany Bushfire strategy

ITEM 3.3: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR MATLA

SECONDED: COUNCILLOR WELLINGTON

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 9-0
ABSOLUTE MAJORITY**

CEO:

RESPONSIBLE OFFICER:

BACKGROUND

1. Under the provisions of the Local Government Act 1995, a local authority may delegate some of its powers and duties to the Chief Executive Officer or Committee's of Council to help facilitate the many services it provides to the community.
2. At least once every financial year, the powers and duties delegated under the Local Government Act are required to be reviewed by the delegator.

DISCUSSION

3. The Department of Lands is receiving regular requests from government departments and private citizens, about possible amendments to Crown reserves that are referred to the local authority for comment. These requests are in addition to the normal number of requests of this nature received from the Department, which are very few annually. It is clear that the Department is considering all their land holdings, and making an attempt to "regularise" their management and allocate this responsibility to the most appropriate authority, or to dispose of the land. These requests are sent to most authorities for comment, and the Department makes a final decision regarding any land in question upon receipt of all comments.
4. In this regard, the City is being requested input on proposed disposal of land, amendments to management orders, combining of areas under management and similar matters. Some specific examples of the type of minor requests are:
 - Re-alignment of reserve boundaries
 - Changes of purpose of Reserves
 - Closure of Right Of Ways
 - Management order changes and
 - Potential land sales by the Crown
5. Many of the requests are of a minor nature, which could be dealt with administratively, as direction is provided via adopted Council documents such as:
 - City of Albany 2020 Strategic Plan
 - City of Albany Town Planning Scheme
 - Asset Management Plans adopted by Council – Roads, Reserves – Natural and Developed, and Drainage
 - City of Albany Bushfire strategy
6. Where a request would require a strategic decision, not covered by an existing policy or strategy, such a request would be referred to Council for consideration. Examples in this category include items such as The Waterfront development, Landcorp Emu Point land development, requests for changes to A class reserves.

STATUTORY IMPLICATIONS

Delegation to CEO

7. Section 5.42 of the Act enables the delegation of some powers and duties to the Chief Executive Officer:

“1) A local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.”

Delegations to be reviewed every financial year

8. Under the provisions of section 5.46 (2) of the Act, delegations must be reviewed by the delegator at least once every financial year.
9. The current delegation for Crown Reserves approved by Council in December 2010 is as follows -

“CROWN RESERVES

That, under section 3.54 of the *Local Government Act 1995* the CEO be delegated authority to process requests related to Crown Reserves.

Conditions:

- Creation and Change of Purpose of a Crown Reserve must be compliant with City Town Planning Schemes.
- Authority to approve and comment on requests from the Crown be limited to leases not requiring any structures to be built.

Applicable legislation/policy:

- *Local Government Act 1995, sections 5.43 (Limits on delegation to CEO) 3.54 (Reserves under control of local government)*
- *Land Administration Act 1997*
- *Parks and Reserves Act 1895*

Consulted References	Local Government Act 1995 (Act) Interpretation Act 1984 Land Administration Act 1997 Better Practice Review – City of Albany – Interim Report – July 2010
File Number (Name of Ward)	PE.AUT.1 (All Wards)
Previous Reference	OCM 14.12.10 item 4.3

3.4: PANEL OF SUPPLIERS CONSTRUCTION EQUIPMENT – CONTRACT C10027

Proponent : City of Albany
Business Entity Name : Various, detailed at Paragraph 5.
Responsible Officer : Executive Director Works and Services (K Ketterer)

IN BRIEF

- Tender C10027 – Panel of Suppliers Construction Equipment - be AWARDED to various suppliers.

ITEM 3.4: RESPONSIBLE OFFICER RECOMMENDATION

The Panel of Suppliers Construction Equipment Tender (C10027) – be AWARDED in the following suppliers :

- Albany Industrial Services for acceptance of the tendered rates.
- Bill Gibbs Excavations for acceptance of the tendered rates.
- Palmer Earthmoving Pty Ltd for acceptance of the tendered rates.
- Great Southern Sands for acceptance of the tendered rates.

Condition:

Allocations of work be assigned to the lowest tenderer in each equipment classification, and should the equipment not be available as required, the next lowest tenderer be approached.

ITEM 3.4: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 9-0
ABSOLUTE MAJORITY**

CEO:

RESPONSIBLE OFFICER:

BACKGROUND

1. The City of Albany is seeking to establish a Panel of Suppliers for the supply of construction plant and equipment for a twelve month term. The availability of this type of equipment will be accessed to augment the City of Albany's own resources during peak construction and maintenance periods. The City of Albany's current contract for the Panel of Suppliers expired in October 2010.

DISCUSSION

2. Tenders were asked to provide hire rates for items of plant, with an operator supplied. These preferred suppliers will be used on an 'as and when' basis with no guarantee of the amount of work required by the City of Albany.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender.
4. The tenders were assessed in two stages.
 - **Stage 1** – Compulsory Compliance – provide evidence of current insurances and evidence of an In House Safety Management Plan.
Tenders must comply with the Compulsory Stage 1 before further evaluation is carried out. In the case of this tender, all tenderers were compliant with Stage 1 of the assessment.
 - **Stage 2** – Assessment of Cost, Technical Compliance and Reliability of Contractor
5. The criteria used for this stage of the assessment is documented below

Criteria	% Weight
Cost	60%
Technical Compliance & Experience	20%
Reliability of Contractor	20%
TOTAL	100%

6. Tenderers were required to submit rates per hour, as well as standby rates and mobilisation/demobilisation rates.
7. For the purposes of the assessment, the allocations of working and standby times comprising the standard 40 hour evaluation week, have been set at 38hrs working and 2 hours stand-by, with 2 occurrences of mobilisation/remobilisation.

8. Tenders from a total of four suppliers were received. These suppliers are listed below

Tenderer	Abbreviation for Evaluation Purposes	Local Preference Qualification
Bill Gibbs Excavations	Bill Gibbs	Yes
Palmer Earthmoving Pty Ltd	Palmer	Yes
Great Southern Sands	GSS	Yes
Albany Industrial Services Pty Ltd	AIS	Yes

9. The following tables summarize the tender evaluation scores.. The hourly rates for the hire, stand by and mobilisation have not been included in the table as these are “commercial in confidence”, and should not be made publically available.

Excavator 18 Ton

Tender	Equipment	Score
Bill Gibbs	Kobelco SK200	503.37
Palmer	Cat 318BL	416.8

Excavator 20 Ton

Tender	Equipment	Score
AIS	Hitachi ZX230	465.60
Bill Gibbs	Komatsu PC220	421.00
Palmer	Cat 318BL	383.20
GSS	Volvo EC 210C	530.20

Excavator 25 Ton

Tender	Equipment	Score
Palmer	Cat 322CL	360.40
GSS	Volvo EC 240B	559.60

Excavator 30 Ton

Tender	Equipment	Score
GSS	Volvo EC 290C	602.20
Bill Gibbs	Hyundai 290	501.40
Palmer	Volvo EC360CL	277.00

Bulldozer 8.6 Ton

Tender	Equipment	Score
AIS	Komatsu D53	420.00

Bulldozer 22 Ton

Tender	Equipment	Score
AIS	Komatsu D85	420.00

Bulldozer 37 Ton

Tender	Equipment	Score
GSS	Cat D7R	526.00
Palmer	Komatsu D85A-21	394.00

Bulldozer 45 Ton

Tender	Equipment	Alt A Score
GSS	Cat D9R	506.20
Palmer	Komatsu D155A-2	469.00
Palmer	Cat D9N	404.80

Padfoot Roller

Tender	Equipment	Alt A Score
GSS	Cat CP563	587.20
Palmer	Dynapac	332.80

Loader

Tender	Equipment	Alt A Score
AIS	Komatsu WA250	498.00
GSS	Volvo 150F	433.00
Bill Gibbs	Hyundi 760-7	409.00

Truck (Semi Tipper)

Tender	Equipment	Alt A Score
GSS	Nissan UD 445	506.80
AIS	Nissan UD 400	459.60
Palmer	FH12	431.80
Bill Gibbs	Iveco Powerstar	401.80

Truck (Tandem)

Tender	Equipment	Alt A Score
GSS	Nissan UD 385	513.40
AIS	Nissan UD 300	496.20
Palmer	Nissan UD	395.80
Bill Gibbs	Iveco 4300	394.00

10. Should there be a requirement for other equipment not on the preferred supplier listing, then the normal procedure for quoting out for these services will apply.
11. In practice it is often the case that equipment ordered from a recommended successful supplier is often not available due to it being allocated to another contractor or is working on another site. It is then standard practice to approach another supplier who has the same or equivalent equipment to supply the equipment, even though this second supplier is not the lowest tenderer. It would therefore be recommended that more than one tenderer be approved per item of equipment in order to satisfy the operational requirements of the Works Department.
12. In these cases, the lowest tenderer would be the default contractor, with the second and third contractors being approached only if the required equipment is not available from the lowest tenderer when required.

PUBLIC CONSULTATION/ENGAGEMENT

13. A request for tenders was published in the West Australian on 9 October 2010 and the Albany Weekender on 7 October 2010.

GOVERNMENT CONSULTATION

14. Nil

STATUTORY IMPLICATIONS

15. Regulation 11 of the *Local Government (Functions and General) Regulations 1996 (Regulations)* requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$100,000.
16. Regulation 18 of the Regulations outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
17. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision:

FINANCIAL IMPLICATIONS

18. The expected value of plant hire in the 2011/12 financial year is expected to be in excess of \$250 000. The approval of this tender is therefore referred to Council for consideration and award.
19. Tenderers were required to provide a schedule of rates for their services, including a standby rate and mobilisation / demobilisation rates. The supply of hire of construction equipment is budgeted for in the capital works and maintenance budgets. The tendered prices are within those allocations.

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

20. This item directly relates to the following elements from the Albany Insight ~ Beyond 2020 Corporate Plan...

“Community Vision: Nil

Priority Goals and Objectives: Goal 4: Governance ... The City of Albany will be an industry leader in good governance and service delivery.

Objective 4.2 The City of Albany will manage our municipal assets to ensure they are capable of supporting our growing community.

City of Albany Mission Statement: At the City of Albany we are results driven and accountable. We provide best value in applying council and community resources, and we apply Council funds carefully.”

POLICY IMPLICATIONS

21. Council Policy – Buy Local (Regional Price Preference) is applicable to this item.
22. This policy has been considered in the evaluation of the weighted scores.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

23. The City is not bound to accept the lowest or any tender and has the right to accept any tender or part of any tender.

SUMMARY CONCLUSION

24. The City has undergone a competitive process in line with the relevant legislation and established policies. All the contractors that submitted tenders have provided construction plant and equipment to Council previously. To date, the quality of service has been acceptable to Council.

Consulted References	Local Government (Functions and General) Regulations 1996 Council Policy – Purchasing (Tenders & Quotes) Council Policy – Buy Local (Regional Price Preference)
File Number (Name of Ward)	C10027 (All Wards)
Previous Reference	OCM 14/12/10 Item 3.3

4.1.1: STREETSCAPE ADVISORY COMMITTEE MEETING

Appendices : Committee Meeting Minutes 8 February 2011
Responsible Officer : Chief Executive Officer (F James)

IN BRIEF

- Receive the minutes of Council's Committee.

MOTION 1: RESPONSIBLE OFFICER RECOMMENDATION

THAT the following items be CARRIED en bloc:

- Item 4.1.1-Streetscape Advisory Committee Meeting Minutes
- Item 4.1.4-Seniors Advisory Committee Meeting Minutes
- Item 4.1.5-Audit Committee Meeting Minutes
- Item 4.1.6-Finance Strategy and Advisory Committee Meeting Minutes

ITEM 4.1.1: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR MATLA

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 8-2

Record of Vote

Against the Motion: Councillors D Bostock and Wellington

ITEM 4.1.1: COMMITTEE RECOMMENDATION

THAT the UNCONFIRMED minutes of the Streetscape Advisory Committee meeting held on 8 February 2011 be RECEIVED.

CARRIED EN BLOC

CEO:

4.1.2: LOCAL EMERGENCY MANAGEMENT COMMITTEE

Appendices : Committee Meeting Minutes – 02/03/2011
Responsible Officer : A/Executive Director Corporate & Community Services
(P Wignall)

IN BRIEF

- Receive the minutes of the Local Emergency Management Committee held 2 March 2011

ITEM 4.1.2: COMMITTEE RECOMMENDATION

THAT the CONFIRMED minutes of 01/12/2010 and the UNCONFIRMED minutes of 02/03/2011 be RECEIVED.

THIS ITEM WAS WITHDRAWN FROM THE AGENDA AS NO MINUTES OF THE MEETING HELD ON 02/03/2011 WERE SUPPLIED PRIOR TO THE ORDINARY COUNCIL MEETING.

CEO:

RESPONSIBLE OFFICER:

4.1.3: AIRPORT EMERGENCY MANAGEMENT COMMITTEE

Appendices : Committee Meeting Minutes –
Responsible Officer : A/Executive Director Corporate & Community Services
(P Wignall)

IN BRIEF

- Receive the minutes of the Airport Emergency Management Committee.

ITEM 4.1.3: COMMITTEE RECOMMENDATION

THAT the CONFIRMED minutes of 14/12/2010 and UNCONFIRMED minutes of 02/03/2011 be RECEIVED.

THIS ITEM WAS WITHDRAWN FROM THE AGENDA AS NO MINUTES OF THE MEETING WERE SUPPLIED PRIOR TO THE ORDINARY COUNCIL MEETING.

CEO:

RESPONSIBLE OFFICER:

4.1.4: SENIORS ADVISORY COMMITTEE

- Appendices** : Minutes of the Seniors Advisory Committee meeting held on 17 February 2011
- Responsible Officer** : A/Executive Director Corporate & Community Services (P Wignall)

IN BRIEF

- Receive the minutes of the Seniors Advisory Committee.

ITEM 4.1.4: COMMITTEE RECOMMENDATION

The UNCONFIRMED minutes of the Seniors Advisory Committee meeting held on Thursday 17 February 2011, be RECEIVED.

CARRIED EN BLOC

CEO:

RESPONSIBLE OFFICER:

4.1.5: AUDIT COMMITTEE MEETING

Appendices : Minutes of the Audit Committee meeting held on 1 march 2011
Responsible Officer : Chief Executive Officer (F James)

IN BRIEF

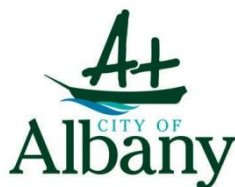
- Receive the minutes of the Audit Committee.

ITEM 4.1.5: COMMITTEE RECOMMENDATION

THAT the Audit Committee UNCONFIRMED minutes of 01/03/2011 and the CONFIRMED minutes of 01/02/11 be RECEIVED.

CARRIED EN BLOC

CEO:



**AUDIT COMMITTEE
MINUTES**

for the meeting held at 6.00pm on Tuesday 1 March 2011
in the Margaret Coates Boardroom

(File Ref: FM.MEE.1 Synergy Ref: AM1117350)

1.0 ATTENDANCE:

Mayor	M Evans, JP (Member)
Councillors:	
Cr Wellington	(Chair)
Cr Leavesley	(Member)
Cr Hammond	(Member)(6:07 PM)
Cr Matla	(Member)
Cr Duffy	(Observer)
Cr Holden	(Observer)
Cr D Bostock	(Observer)
Staff:	
Chief Executive Officer	F James
Executive Director Works & Services	K Ketterer (6:02 PM)
Executive Director Planning & Development Services	G Bride
Acting ED Corporate & Community Services (Manager Finance)	P Wignall
Executive Manager Business Governance	S Jamieson (Minutes)
Apologies/Leave of Absence:	
Executive Director Corporate & Community Services	WP Madigan

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

ITEM 2.0 –COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR LEAVESLEY
SECONDED: COUNCILLOR MATLA**

The minutes of the Audit Committee meeting held on 1 February 2011, as previously distributed, be confirmed as a true and accurate record of proceedings (Attachment A).

CARRIED 3-0

3.0 DISCLOSURE OF INTEREST

Nil

4.0 ITEMS FOR DISCUSSION

4.1 DRAFT MEMORANDUM OF AGREEMENT (MOA) - ALBANY ENTERTAINMENT CENTRE (AEC).

- Reporting Officer: Chief Executive Officer

Status: At the 15 Feb 2011 OCM, Council resolved: *“Further negotiations be conducted with the Great Southern Development Commission (GSDC) in order to finalise the Memorandum of Agreement (MOA) between the City of Albany and the State Government that defines operation of the Albany Entertainment Centre (AEC) and City of Albany Town Hall”.*

Update: GSDC, Perth Theatre Trust (PTT), reviewed the City’s previous request and proposed the following amendment:

The review of the latest Albany Waterfront Agreement 2010, received on 14 Feb, has been initiated and is currently with the CEO.

CEO advised Committee that a meeting will be held with GSDC, Mr Bruce Manning to discuss suggested changes to the MOU. Two issues have emerged - Agreement with Perth Theatre Trust (PTT) out till 30 Jun 2012, and longer term ownership and control of AEC. The later issue needs to be raised with State Government, particularly Departments of Culture and Arts and Treasury.

Action: Mayor and CEO to organise meeting with government to discuss issues post June 2012.

EDWS entered the meeting at 6:02 PM.

Councillor Hammond entered the meeting at 6:07 PM

4.2 REPORT ON ALAC OPERATIONS

- Reporting Officer: CEO.

Status: At the 1 Feb 2011 Audit Committee, resolved:

“The report on the Albany Leisure and Aquatic Centre Operations be REFERRED to an Elected members’ workshop with the intent of having a committee recommendation presented to the April 2011 ordinary meeting of Council.”

Reason: Additional time is required to make an informed recommendation to Council.

“A feasibility study be INITIATED to investigate the potential of implementing Geothermal technology and or other Energy Alternatives to reduce heating and cooling cost for the Albany Leisure and Aquatic Centre.”

Reason: Increasing electricity costs will have a significant impact on the affordability of running the centre and it is imperative that alternative energy sources are explored to reduce costs.

Item 4.2 continued.

Update: Committee advised that a comprehensive report on all aspects of ALAC operations will be referred back to OCM April meeting.

The review of energy costs will proceed, but CEO advised that while this may provide options for some cost savings there may also be a capital expenditure need to implement energy saving infrastructure.

Committee raised concern that negative feedback has been received in regards to Team Booking Sheets from the Basketball and Netball associations.

Actions required:

- Staff to review processes in regards to investigating complaints in regards to the current process of administering Team Booking Sheets.
- Staff advised they will have a report on the operations of the ALAC to Council by no later than April 2011.

4.3 LIQUID WASTE TENDER (CITY OF ALBANY & WATERCORPORATION)

- Reporting Officer: EDWS

Status: At the 1 Feb 2011 Audit Committee, Councillor Wellington requested the status of the awarding of the tender.

Update: EDWS provided an update on the awarding of the tender and response from Water Corporation to City of Albany enquiries.

Actions required:

- CEO to draft a follow up letter to the Water Corporation requesting specific information and documents in support of the appropriateness of the tender process.
- Water Corporation response to be circulated to all Councillors, once received.

Councillor Dufty and CEO left the meeting at 6.36 PM.

4.4 GSDC GRANT (\$200,000 ALLOCATED TO PADRE WHITE LOOKOUT IMPROVEMENTS)

- Reporting Officer: ED Works & Services.

Status: At the 15 Feb 2011 OCM, Council resolved:

“That the CEO undertake further investigation of the Padre White Lookout project, including a detailed budget analysis for project scope and provide further advice to Council at the March 2011 OCM.”

At the 1 Feb 2011 Audit Committee, the Committee were advised that:

“That the Deputy Mayor, Councillor Dennis Wellington, meet with the Chief Executive Officer of the Great Southern Development Commission, Mr Bruce Manning, in order to ascertain the rationale why the funds could not be applied to other elements of the Mount Clarence project and report back to Council.”

Item 4.4 continued.

Update:

- EDWS provided an update on the proposal to complete elements of the Padre White Lookout Project.
- Councillor Wellington gave an update on discussions held with the CEO of the Great Southern Development Commission (GSDC).

Actions:

- Staff advised they will liaise with the GSDC regarding scope of the Padre White Lookout Project.
- Staff to report back to the next meeting.

4.5 BUDGET - STATUS OF THE EBA AGREEMENT NEGOTIATIONS

- Reporting Officer: EMBG.

Update:

- On behalf of the CEO, EMBG advised the Committee that the CEO has met with the Staff EBA Inside Workers Staff Committee and negotiations have recommenced.

4.6 COLLATERALISED DEBT OBLIGATION (CDO) SALES

- Reporting Officer: Acting ED Corporate & Community Services

Status: At the 1 Feb 2011 Audit Committee, Manager Finance advised Committee:

- Mediation meeting was rescheduled for 23 and 24 February, with a trial date set for 28 February.
- Manager Finance advised Committee that bids are still coming in for CDOs.

Update: Acting EDCCS advised Committee that the City has not been formally notified of an outcome of the mediation meeting.

Action: Staff to continue to monitor and advise Audit Committee of outcome.

4.7 INTERNAL AUDIT

- Reporting Officer: EM Business Governance.

Status:

At the 1 Feb 2011 Audit Committee, EMBG advised:

An internal audit is scheduled to be conducted by Grant Thornton in April 2011 and complimented by an ISO9001 audit in April 2011.

Update:

- EMBG advised the Committee that the surveillance audit has been conducted and the results will be reported to the next meeting.
- The next stage of the ISO9001 Audit will commence shortly, noting that two elements identified for review being financial and governance processes.

4.8 EISTEDDFOD AGREEMENT

- Reporting Officer: ED Corporate & Community Services.

Status: At the 15 February OCM Council resolved:

“THAT Council DEFER consideration of the manner in which the City of Albany Eisteddfod is conducted until the 2011/2012 City of Albany Budget Considerations.”

Update: EMBG advised committee that the CEO has reviewed the Memorandum of Understanding (MOU) and will meet with the Eisteddfod Committee to discuss.

Actions:

- Staff to review the Community Financial Event Program Policy and the moratorium placed on financial assistance.
- Outcome of meeting with Eisteddfod to be communicated to Council.

4.9 GREAT SOUTHERN COMMUNITY HOUSING ASSOCIATION (GSCHA) UPDATE

- Reporting Officer: Acting ED Corporate & Community Services

Status: At the 1 Feb 2011 Audit Committee, Acting ED Corporate & Community Services advised that a letter had been received from the GSCHA requesting that the 26 properties owned outright by the Association be exempt from rates.

The GSCHA has not responded to the refusal for their request for a rate exemption, as there has been no change in Council's position, that is, that the principles applied to disallow rates exemption for Department of Housing owned properties will also be applied to GSCHA owned properties.

Action: Report to be prepared for Council decision.

4.10 UPDATE OF AUDIT COMMITTEE TERMS OF REFERENCE

- **Reporting Officer:** EM Business Governance

ITEM 4.10 – RESPONSIBLE OFFICER RECOMMENDATION

That the terms of reference for the audit committee are amended to read:

Audit Committee Terms of Reference

- The objective of the Audit Committee (Committee) is to provide independent assurance and assistance to the City of Albany on risk management, control, governance, and external accountability responsibilities in addition to the legislated requirement to review the annual financial statements with the external auditor prior to Council adoption of annual accounts.
- Membership: Minimum of five elected members.
- Meeting schedule: Committee to meet at a minimum of 4 times per financial year.

Item 4.10 continued.

Background

The current endorsed terms of reference for the audit committee reads:

“To review annual results of the external auditor prior to Council adoption of annual accounts”.

Discussion

The Act and Regulations prescribe the scope of the external audit of the annual financial statements of a local government.

The Audit Committee is established under section 7.1A of the *Local Government Act 1995*, being:

7.1A. Audit committee

(1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

(2) The members of the audit committee of a local government are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be council members.*

*** Absolute majority required.**

(3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.

(4) An employee is not to be a member of an audit committee.

Based on a recommendation and request from the Minister, Council resolved to increase the Audit Committee membership to five elected members.

Applicable legislation:

The *Local Government (Audit) Regulations 1996*, Reg 16, defines the function of the Audit Committee, as:

An Audit Committee:

- (a) is to provide guidance and assistance to the local government:
 - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
 - (ii) as to the development of a process to be used to select and appoint a person to be an auditor; and
- (b) may provide guidance and assistance to the local government as to:
 - (i) matters to be audited;
 - (ii) the scope of audits;
 - (iii) its functions under Part 6 of the Act; and
 - (iv) the carrying out of its functions relating to other audits and other matters related to financial management.

Item 4.10 continued.

Recommendation

That the terms of reference are amended to reflect the functions and objectives of the Audit Committee:

From:

To review annual results of the external auditor prior to Council adoption of annual accounts.

To:

The objective of the Audit Committee (Committee) is to provide independent assurance and assistance to the City of Albany on risk management, control, governance, and external accountability responsibilities in addition to the legislated requirement to review the annual financial statements with the external auditor prior to Council adoption of annual accounts. (Statutory requirement)

Committee discussed the proposed terms of reference for the Audit Committee and requested staff to recommend the most appropriate forum to discuss and critique: service delivery, risk analysis and budget allocation prior to the budget build.

ITEM 4.10 COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR LEAVESLEY
SECONDED: MAYOR EVANS**

(i) That the terms of reference for the audit committee be amended to read:

Audit Committee Terms of Reference

- The objective of the Audit Committee (Committee) is to provide independent assurance and assistance to the City of Albany on risk management, control, governance, and external accountability responsibilities in addition to the legislated requirement to review the annual financial statements with the external auditor prior to Council adoption of annual accounts.
- Membership: Minimum of five elected members.
- Meeting schedule: Committee to meet at a minimum of four times per financial year.

(ii) That Council call for nominations for additional member/s of the Audit Committee.

CARRIED 4-0

Actions required:

- Staff to review Committee Terms of Reference for the Finance Strategy Advisory Committee (FSAC), similar to the review of the Audit Committee Terms of Reference in order to ascertain the appropriate forum to review budget allocation and long term service delivery financial implications.

5 ITEMS TO BE DISCUSSED AT NEXT MEETING

- **Review of Service Delivery.**

6 ACTION LIST UPDATE

- **Anonymous Fraud 'Dob In' Line.** This will not be progressed as the Public Interest Disclosure Act 2003 and City of Albany Policy facilitates this.
- **Internal Audit.** EMBG advised committee that no specific areas of concern have been highlighted by the committee.

7 DATE OF NEXT MEETING: Tuesday 12 April 2011 at 7.00 PM.

Committee advised of CEO's recommendation to have the FSAC and Audit Committee conducted on the same day. The proposed timing being:

- Finance Strategy Advisory Committee (FSAC) at 5.30 PM, and
- Audit Committee at 7.00 PM.

Committee members present agreed in principal to this proposal.

8 CLOSURE OF MEETING: The Chair declared the meeting closed at 7.11 PM.**Attachment:**

- A. Minutes of the 01 February 2011 Audit Committee

ACTION LIST

Item	Actions
4.1	Draft MOA AEC. Mayor and CEO to organise meeting with government to discuss issues post June 2012.
4.2	Albany Leisure & Aquatic Centre Operations Report. Report to be reported back to Council's April 2011 ordinary meeting.
4.3	Liquid Waste Tender. CEO to draft CEO to draft a follow up letter to the Water Corporation requesting specific information and documents in support of the appropriateness of the tender process and Water Corporation response to be circulated to all Councillors, once received.
4.4	GSDC Grant (Padre White Lookout). Staff advised they will liaise with the GSDC and report back to the next meeting.
4.5	Audit Committee Terms of Reference. Committee recommendation to be presented to Council for adoption.

4.1.6: FINANCE STRATEGY AND ADVISORY COMMITTEE MEETING

Appendices : Minutes of the Finance Strategy and Advisory Committee meeting held on 24 February 2011
Responsible Officer : Chief Executive Officer (F James)

IN BRIEF

- Receive the minutes of the Finance Strategy and Advisory Committee meeting

ITEM 4.1.6: COMMITTEE RECOMMENDATION

The UNCONFIRMED minutes of the Finance Strategy and Advisory Committee meeting held on Tuesday 24th February 2011, be RECEIVED.

CARRIED EN BLOC

CEO:

4.2: LOCAL PUBLIC NOTICE – COUNCIL MEETING CALENDAR

Attachment : City of Albany Meeting, Briefing & Key Date Calendar
2011/12 – Version 5 as at 23/02/11
Responsible Officer : Chief Executive Officer (F James)

IN BRIEF

- Consider reintroduction of ordinary meetings of Council in the month of January.

[9:20:12 PM](#) Councillor Dufty returned to the Chamber.

4.2: REVOCATION MOTION BY COUNCILLOR LEAVESLEY

THAT the Motion resolved at Report Item 4.1 – Local Public Notice – Council Meeting Calendar dated 17 February 2011 (attached) be amended to include a briefing session and ordinary meeting of Council in January as follows:

- Briefing Session, Tuesday 3 January 2012 at 6 pm.
- Ordinary Council Meeting, Tuesday 17 January 2012 at 7pm.

ITEM 4.2: RESOLUTION (Revocation Motion by Councillor Leavesley)

MOVED: COUNCILLOR LEAVESLEY

SECONDED: COUNCILLOR WELLINGTON

THAT the Revocation Motion by Councillor Leavesley be ADOPTED.

**LOST 5-4
DID NOT ACHIEVE ABSOLUTE MAJORITY**

Record of Vote

Against the Motion: Councillors Matla, Dufty, D Bostock and Hammond

4.2: REVOCATION MOTION BY COUNCILLOR LEAVESLEY

VOTING REQUIREMENT: ABSOLUTE MAJORITY

THAT the Motion resolved at Report Item 4.1 – Local Public Notice – Council Meeting Calendar dated 17 February 2011 (attached) be amended to change the briefing session time from 7pm to 6pm.

ITEM 4.2: RESOLUTION (Revocation Motion by Councillor Leavesley)

MOVED: COUNCILLOR LEAVESLEY

SECONDED: COUNCILLOR WELLINGTON

THAT the Revocation Motion by Councillor Leavesley be ADOPTED.

CARRIED 10-0

CEO:

Officer's Reason: A revocation motion is not required as the effect of the change is not substantially different from the previous decision. This change has been recommended based on feedback from Council.

BACKGROUND

1. On 17 February 2011 Council resolved to adopt a new meeting schedule.
2. Councillor Leavesley requested that an item be considered at the March meeting regarding reintroducing an ordinary meeting in the month of January.
3. Prior to January 2011, a meeting was traditionally held in January.

DISCUSSION

4. At its February 2011 Ordinary meeting, Council resolved:

THAT:

- (i) *Agenda Briefing session be held two weeks (14 days) prior to Ordinary meetings of Council.*
- (ii) *Agenda Briefing Sessions and Ordinary meetings of Council are to be held at 7.00pm.*
- (iii) *The proposed changes to take effect after the March ordinary meeting of Council.*
- (iv) *The following ordinary meetings of Council dates be APPROVED:*

<i>Month</i>	<i>Year</i>	<i>Tue Briefing (6pm)</i>	<i>Tue Meeting (7pm)</i>
<i>Mar</i>	<i>2011</i>	<i>8/03/11</i>	<i>15/03/11</i>
<i>Month</i>	<i>Year</i>	<i>Tue Briefing (7pm)</i>	<i>Tue Meeting (7pm)</i>
<i>Apr</i>	<i>2011</i>	<i>05/04/11</i>	<i>19/04/11</i>
<i>May</i>	<i>2011</i>	<i>03/05/11</i>	<i>17/05/11</i>
<i>Jun</i>	<i>2011</i>	<i>07/06/11</i>	<i>21/06/11</i>
<i>Jul</i>	<i>2011</i>	<i>05/07/11</i>	<i>19/07/11</i>
<i>Aug</i>	<i>2011</i>	<i>02/08/11</i>	<i>16/08/11</i>
<i>Sep</i>	<i>2011</i>	<i>06/09/11</i>	<i>20/09/11</i>
<i>Oct</i>	<i>2011</i>	<i>27/09/11</i>	<i>11/10/11</i>
<i>Nov</i>	<i>2011</i>	<i>01/11/11</i>	<i>15/11/11</i>
<i>Dec</i>	<i>2011</i>	<i>29/11/11</i>	<i>13/12/11</i>
<i>Jan</i>	<i>2012</i>	<i>Nil</i>	<i>Nil</i>
<i>Feb</i>	<i>2012</i>	<i>07/02/12</i>	<i>21/02/12</i>
<i>Mar</i>	<i>2012</i>	<i>06/03/12</i>	<i>20/03/12</i>

CAUSE AND EFFECT

5. If no meeting is held in January 2012 elected members will incur a greater work load (more items to consider at the ordinary meeting of Council) in the month of February.

STATUTORY IMPLICATIONS

Local Government (Administration) Regulations 1996

6. **Meetings – Local Public Notice (LPN).** LPN is to be given at least once each year of Council and Committee meetings that the public may attend, to be held in the next 12 months. (Admin Reg 12)
7. If an amendment is supported local public notice is required.

8. **Revoking or changing decisions made at council or committee meetings — s. 5.25(1)(e).** A revocation motion is not required as the effect of the change is not substantially different from the previous decision. (Admin Reg 10)
9. It is considered that this change is significantly different; therefore a revocation motion is required. (A copy of the revocation motion follows this report)

FINANCIAL IMPLICATIONS

10. Financial implications for this item are minimal as Councillors receive an annual fee for attendance at meetings (not based on attendance at meetings). However, extra resourcing required to administer the meeting cost approximately \$950.00 dollars.

Cost Breakdown:

Item	Cost	Remarks
Minute taker	\$310.92	(hr rate of \$25.91) x 12 hours to cover briefing and meeting.
Reproduction of Agenda & Minutes (Labour)	\$207.28	(hr rate of \$25.91) x 8 hours to cover production of agenda, attachments, appendices and minutes
Catering (Meal for briefing session)	\$351.00	(\$27.00 per head), qty 13 Elected Members and 6 Staff.
Catering (Refreshments & Supper)	\$80.00	For briefing and Council Meeting and supper for Briefing Session
Total	\$949.20	

Consulted References	<i>Local Government Act 1995 (Act), s5.25(1)(g)</i> <u><i>Local Government (Administration) Regulations 1996, Reg 12.</i></u>
File Number (Name of Ward)	:A55479 (Vancouver Ward)
Previous Reference	OCM 17/02/11 Item 4.1 OCM 17/08/10 Item 4.7



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Synergy Reference No: MAN 189/ NF0910338
Version: 8/12/09

REVOKING OR CHANGING DECISIONS MOTION - FORM

In accordance with Regulation 10(1a) of the Local Government (Administration) Regulations 1996, we the undersigned hereby move to have the Local Public Notice – Council Meeting Calendar detailed at report item 4.1 (attached) which was moved at an ordinary meeting of Council held on 17 February 2011, be reconsidered.

<u>Merwyn Leavesley</u>	<u>[Signature]</u>	<u>8-3-2011</u>
Name	Signature	Date
<u>RAY HARRISON</u>	<u>[Signature]</u>	<u>8.3.2011</u>
Name	Signature	Date
<u>CHRIS HOLSEN</u>	<u>[Signature]</u>	<u>8-3-2011</u>
Name	Signature	Date
<u>DENNIS WELLINGTON</u>	<u>[Signature]</u>	<u>8.3.2011</u>
Name	Signature	Date
<u>ROBERT SUTTON</u>	<u>[Signature]</u>	<u>8-3-2011</u>
Name	Signature	Date

**4.2 – REVOCATION MOTION BY COUNCILLOR LEAVESLEY
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT the Motion resolved at Report Item 4.1 – Local Public Notice – Council Meeting Calendar dated 17 February 2011 (attached) be reconsidered.

[Section 5.25 (1)(e) of the Local Government Act 1995 refers]

**4.2 – REVOCATION MOTION BY COUNCILLOR LEAVESLEY
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT the Motion resolved at Report Item 4.1 – Local Public Notice – Council Meeting Calendar dated 17 February 2011 (attached) be amended to include a briefing session and ordinary meeting of Council in January amended as follows:

- Briefing Session, Tuesday 3 January 2012 at 6pm.
- Ordinary Council Meeting, Tuesday 17 January 2012 at 7pm.

4.3: ANNUAL COMPLIANCE AUDIT RETURN 2010

Attachment : Copy of Compliance Audit Return 2010
Responsible Officer : Chief Executive Officer (F James)

IN BRIEF

- Present the Compliance Audit Return to Council for adoption in compliance with the final submission date; being: 31 March 2011.

RECOMMENDATION

ITEM 4.3: RESPONSIBLE OFFICER RECOMMENDATION

THAT:

1. The Compliance Audit Return for the City of Albany for the period of 1 January 2010 to 31 December 2010 be **ADOPTED**; and
2. The Certificate contained within the Compliance Audit Return be **ENDORSED** by the CEO and the Mayor and be **SUBMITTED** to the Department of Local Government before 31 March 2011.

ITEM 4.3: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR WELLINGTON

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

BACKGROUND

1. Local Government Authorities are required to undertake an audit of compliance for the preceding calendar year. A copy of the 2010 Compliance Audit Return is included as an Attachment to this report.
2. The Compliance Audit Return is to be:
 - a. Presented to Council at a meeting of Council;
 - b. Adopted by Council; and
 - c. Recorded in the minutes of the meeting at which it is adopted.

CEO:

DISCUSSION

3. The Compliance Audit Return forms an important part of the City's compliance monitoring program. The Compliance Audit Return commences in January 2011, with the initial distribution of questions.
4. The Assistant Business Governance Officer distributes relevant sections of the Compliance Audit to Responsible Officers for completion.
5. The completed questions are then returned by the Responsible Officer to the Assistant Business Governance Officer for compilation. Any questions being answered with a "No" response require an explanation for non compliance. by the Responsible Officer

Identified areas of non compliance.

6. The identified areas of non compliance are:

a. Delegation of Power / Duty:

- **No. 1. Ref: s5.46(2). Delegation of Power/Duty.** *Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2009/2010 financial year?*
- **No. 5. Ref: s5.18.** Has Council reviewed delegations to its committees in the 2009/2010 financial year?

Response: Delegations review initiated and conducted in 2009/10 reporting period; however not finalised by Council in the period (30/6/09 to 01/07/10).

- Delegations reviewed by full Council on 21/04/09 and 16/11/10.
- With effect 16/11/10 no Committee of Council has delegated authority.

b. Executive Functions:

No. 4. Ref: s3.18(3)(b). *Has the local government satisfied itself that the services and facilities that it provides avoid unnecessary duplication of services or competition particularly with the private sector?*

Response: Ongoing review of services and facilities is in progress, formally facilitated through elected member workshops and the Audit Committee.

c. Finance:

No. 5. Ref: s5.56 Admin Reg 19C(2). *Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years)?*

Response: Five Year Financial Plan under development. Updated Plan to be submitted for adoption in early 2011.

d. **Local Government Employees:**

No. 10. Ref: s5.38. *Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment?*

Response: No. Two reviews were not completed. One is outstanding and the other relates to the Interim CEO, who was acting in an interim position and not subject to review.

e. **Local Laws:**

No. 6. Ref: s3.16(1). *Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years?*

Response: No.

Status:

- Animal Local Law 2001 to be presented for consideration by Council in early 2011;
- The Former Perth 2001 to be presented for consideration by Council in early 2011.

PUBLIC CONSULTATION/ENGAGEMENT

7. Nil.

GOVERNMENT CONSULTATION

8. Nil.

STATUTORY IMPLICATIONS

9. Section 7.13(1)(i) of the **Local Government Act 1995** and Regulation 14 of the **Local Government (Audit) Regulations 1996** establish the requirements for Local Governments to undertake an annual compliance audit and submit a copy of that audit to the Department of Local Government (DLG).

10. Regulation 14 of the **Local Government (Audit) Regulations 1996** states:

14. Compliance audit return to be prepared

(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.

(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

(3) A compliance audit return is to be —

(a) presented to the council at a meeting of the council;

(b) adopted by the council; and

(c) recorded in the minutes of the meeting at which it is adopted.

FINANCIAL IMPLICATIONS

11. There is no direct cost to Council for this Audit. Internal staff time for The Assistant Business Governance Officer amounted to eight hours.

POLICY IMPLICATIONS

12. Nil.

Consulted References	<i>Local Government Act 1995.</i>
File Number (Name of Ward)	GR.STL.6
Previous Reference	OCM 16/03/10 Item 16.4.1



Albany - Compliance Audit Return 2010

Caravan Parks and Camping Grounds					
No	Reference	Question	Response	Comments	Respondent
1	s21(1) Caravan Parks and Camping Grounds Act 1995	Did the local government inspect each caravan park or camping ground in its district within the period 1 July 2009 to 30 June 2010.	Yes		Keith Barnett Manager Building and Health Services
2	s14(1) of the Caravans and Camping Grounds Act 1995	Did you keep a register of caravan park licences. (For the return period)	Yes		Keith Barnett Manager Building and Health Services

Cemeteries					
No	Reference	Question	Response	Comments	Respondent
1	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all burials in the cemetery, including details of the names and descriptions of the deceased persons and location of the burial. (For the return period)	N/A	The City of Albany is not responsible for any cemeteries.	EMBG-Stuart Jamieson
2	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all grants of right of burial in the cemetery, including details of assignments or bequests of grants. (For the return period)	N/A	The City of Albany is not responsible for any cemeteries.	EMBG-Stuart Jamieson
3	s40(2) Cemeteries Act 1986	Have plans been kept and maintained showing the location of all burials registered in as above.	N/A	The City of Albany is not responsible for any cemeteries.	EMBG-Stuart Jamieson

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2010.	N/A		EDCCS P Madigan
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2010.	N/A		EDCCS P Madigan
3	s3.59(2)(a)(b)(c) F&G Reg 7,11	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2010.	N/A		EDCCS P Madigan
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2010.	N/A		EDCCS P Madigan
5	s3.59(5)	Did the Council, during 2010, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		EDCCS P Madigan



Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes	In writing and referenced in the Terms of Reference (TOR)	EMBG-Stuart Jamieson
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		EMBG-Stuart Jamieson
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes	File Reference PE.AUT.1	EMBG-Stuart Jamieson
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		EMBG-Stuart Jamieson
5	s5.18	Has Council reviewed delegations to its committees in the 2009/2010 financial year.	No	Review conducted by council committee 2009/2010. Reviewed by full Council: OCM 21/04/2009 OCM 16/11/2010	EMBG-Stuart Jamieson
6	s5.42(1), 5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		EMBG-Stuart Jamieson
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		EMBG-Stuart Jamieson
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes	Detailed in the council minutes.	EMBG-Stuart Jamieson
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes	Distributed in hard copy, email and records management system.	EMBG-Stuart Jamieson
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		EMBG-Stuart Jamieson
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes	File reference PE.AUT.1	EMBG-Stuart Jamieson
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2009/2010 financial year.	No	Review conducted by council committee 2009/2010. Reviewed by full council: OCM 21/04/2009 and OCM 16/11/2010.	EMBG-Stuart Jamieson
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes	Report to file and Elected Member Information Bulletin.	EMBG-Stuart Jamieson

Disclosure of Interest



No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		EMBG-Stuart Jamieson
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	N/A	Not exercised.	EMBG-Stuart Jamieson
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		EMBG-Stuart Jamieson
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		EMBG-Stuart Jamieson
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		EMBG-Stuart Jamieson
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2010.	Yes		EMBG-Stuart Jamieson
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2010.	Yes		EMBG-Stuart Jamieson
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		EMBG-Stuart Jamieson
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes	File reference GO.CLS.7	EMBG-Stuart Jamieson
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		EMBG-Stuart Jamieson
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		EMBG-Stuart Jamieson
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		EMBG-Stuart Jamieson
14	s5.66(b)	Did the person presiding at a meeting, on all occasions, when given a member's written financial interest disclosure by the CEO, bring its contents to the attention of persons present immediately before any matters to which the disclosure relates were discussed.	Yes		EMBG-Stuart Jamieson
15	s5.71(a)	Did the CEO disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	N/A	No conflict of interest reported.	EMBG-Stuart Jamieson
16	5.71(b)	Did an employee disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	N/A	No conflict of interest reported.	EMBG-Stuart Jamieson
17	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes	Recorded in the minutes.	EMBG-Stuart Jamieson
18	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes	Recorded in the minutes.	EMBG-Stuart Jamieson
19	s5.66(a)	Did the CEO, on all occasions, where a council member gave written notice of a disclosure of interest before a meeting, cause that notice to be given to the person who presided at the meeting.	Yes		EMBG-Stuart Jamieson
20	s5.71	On all occasions were delegated powers and duties not exercised by employees that had an interest in the matter to which the delegated power or duty related.	Yes		EMBG-Stuart Jamieson



Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A		Manager Finance Pam Wignall
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Manager Finance Pam Wignall

Elections

No	Reference	Question	Response	Comments	Respondent
1	s4.17(3)	Was approval sought from the Electoral Commissioner where council allowed a vacancy to remain unfilled as a result of a councillor's position becoming vacant under s2.32 and in accordance with s4.17(3)(a) & (b).	No		EMBG-Stuart Jamieson
2	s4.20(2)	Did the local government appoint a person other than the CEO to be the returning officer of the local government for an election or all other elections held while that appointment applied, after having written agreement of the person concerned and the Electoral Commissioner.	Yes		EMBG-Stuart Jamieson
3	s4.20(4)	Did the local government declare the electoral commissioner to be responsible for the conduct of an election, after having first obtained the written agreement of the Electoral Commissioner.	Yes	OCM 17/11/09 Item 16.1.1	EMBG-Stuart Jamieson
4	s4.20(5)	Where a declaration has not already been made, was a declaration made under s4.20(4) prior to the 80th day before election day.	Yes		EMBG-Stuart Jamieson
5	s4.32(4)	Did the CEO, within 14 days after receiving a claim for enrolment, decide whether the claimant was eligible or not eligible under s4.30(1)(a)&(b) and accept or reject the claim accordingly.	Yes		EMBG-Stuart Jamieson
6	s4.32(6) Elect Reg 13	Did the CEO record on all occasions the decision in the owners and occupiers register in accordance with Regulation 13 of the Local Government (Elections) Regulations 1997 and give written notice of the decision to the claimant without delay, for eligibility to enrol.	Yes		EMBG-Stuart Jamieson
7	s4.35(2)	Did the CEO give written notice to the person before making a decision under subsection (1)(c) and allow 28 days for the person to make submissions on the matter.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
8	s4.35(3)	Did the CEO, after making a decision under subsection (1)(c), give written notice of it to the person.	Yes		EMBG-Stuart Jamieson
9	s4.35(5)	Did the CEO, on receipt of advice of the Electoral Commissioner's decision on an appeal, take any action necessary to give effect to that decision.	N/A		EMBG-Stuart Jamieson
10	s4.35(6)	Did the CEO give written notice on all occasions to the person, where after considering submissions made under subsection 2, the CEO decided that the person was still eligible under s4.30 to be enrolled to vote at elections for the district or ward.	N/A		EMBG-Stuart Jamieson
11	s4.35(7)	Did the CEO, on all occasions, record any decision under subsection (1) or (6) in the register referred to in section 4.32(6).	Yes		EMBG-Stuart Jamieson
12	s4.39(2)	Did the CEO on or after the 70th day, but no later than the 56th day give statewide public notice of the time and date of the close of enrolments.	N/A	Elections conducted by the WAEC.	EMBG-Stuart Jamieson
13	s4.41(1)	Did the CEO prepare an owners and occupiers roll for the election on or before the 36th day before election day.	Yes		EMBG-Stuart Jamieson
14	s4.41(2)	Did the CEO certify that the owners and occupiers roll included the names of all persons who were electors of the district or ward under s4.30 at the close of enrolments.	Yes		EMBG-Stuart Jamieson
15	s4.43(1)	Where the CEO was returning officer (RO) and the rolls were not consolidated, did the RO delete the names of any person from the owners and occupiers roll whose name also appeared on the residents roll, on or before the 22nd day before election day.	N/A	Elections conducted by the WAEC.	EMBG-Stuart Jamieson
16	s4.47(1)	Where the CEO was returning officer (RO), did the RO give statewide public notice calling for nominations of candidates for the election on or after the 56th day but no later than the 45th day before election day.	N/A	Elections conducted by the WAEC.	EMBG-Stuart Jamieson
17	s4.47(2)(a)	Did the notice referred to in s4.47(1) calling for nominations specify the kind of election to be held and the vacancy or vacancies to be filled.	Yes	Elections conducted by the WAEC.	EMBG-Stuart Jamieson
18	s4.47(2)(b)	Did the notice referred to in s4.47(1) calling for nominations specify the place where nominations may be delivered or sent.	Yes	Elections conducted by the WAEC.	EMBG-Stuart Jamieson
19	s4.47(2)(c)	Did the notice referred to in s4.47(1) calling for nominations specify the period within which nominations have to be delivered or sent.	Yes	Elections conducted by the WAEC.	EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
20	s4.47(2)(d)	Did the notice referred to in s4.47(1) calling for nominations specify any other arrangements made for the receipt by the returning officer of nominations.	Yes		EMBG-Stuart Jamieson
21	s4.61(2)	Did the Council of the local government, where it decided to conduct the election as a postal election, make that decision by absolute majority.	Yes	OCM.	EMBG-Stuart Jamieson
22	s4.61(3)	Where a decision was made under s4.61(2) and a relevant declaration had not already been made, was that decision made prior to the 80th day before election day.	Yes		EMBG-Stuart Jamieson
23	s4.64	Where the CEO was returning officer (RO), did the RO give Statewide public notice (election notice) as soon as practicable after preparations for the election, but no later than on the 19th day before election day, in accordance with regulations that included details of how, when and where the election will be conducted and the names of the candidates.	N/A	Conducted by WAEC.	EMBG-Stuart Jamieson
24	Elect Reg 7	Did a person, before acting as an electoral officer, make the required declaration as stated in local government election regulation 7.	Yes		EMBG-Stuart Jamieson
25	Elect Reg 8(2)	Where the CEO was returning officer (RO), did the RO prepare and adopt a Code of Conduct for the 2010 Extraordinary Elections.	N/A	Conducted by WAEC.	EMBG-Stuart Jamieson
26	Elect Reg 8(3)	Where the CEO was returning officer (RO), did the RO provide each electoral officer a copy or access to a copy of the electoral code of conduct for the 2010 Extraordinary Elections.	N/A	Conducted by WAEC.	EMBG-Stuart Jamieson
27	Elect Reg 13(1)	Has the relevant information as listed in Election Reg 13 been recorded in the owners and occupiers register.	Yes		EMBG-Stuart Jamieson
28	Elect Reg 13(4)	Did the CEO amend the register from time to time to make sure that the information recorded in it is accurate.	Yes		EMBG-Stuart Jamieson
29	Elect Reg 17	Did the local government keep an enrolment eligibility claim form, if accepted, a copy of a notice of acceptance for 2 years after the claim and notice expired, and a copy of a notice of rejection for 2 years after the claim was rejected.	Yes		EMBG-Stuart Jamieson
30	Elect Reg 26(4)	Did the CEO or an employee of the local government appointed as Returning Officer keep the deposit referred to in s4.49(d) separate from other money and credited to a fund of the local government.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
31	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes	File reference GO.CLS.4.	EMBG-Stuart Jamieson
32	Elect Reg 30G(3)	Did the CEO remove any "disclosure of gifts" forms completed by unsuccessful candidates from the electoral gift register in accordance with the period under regulation 30C and retain those forms separately for a period of at least 2 years.	Yes		EMBG-Stuart Jamieson
33	Elect Reg 30H	Has the electoral gift register been kept at the appropriate local government offices.	Yes		EMBG-Stuart Jamieson
34	Elect Reg 40	Has a postal voters register been kept of electors whose applications are under regulation 37(1)(b) and are accepted under regulation 38(1), which contains the enrolment details of each elector included on it and any ward in respect of which the elector is registered.	Yes	Electronic Register: Synergy Soft Elections Module.	EMBG-Stuart Jamieson
35	Elect Reg 81	Was the report relating to an election under s4.79 provided to the Minister within 14 days after the declaration of the result of the election.	Yes		EMBG-Stuart Jamieson

Executive Functions

No	Reference	Question	Response	Comments	Respondent
1	s3.18(3)(a)	Has the local government satisfied itself that the services and facilities that it provides ensure integration and co-ordination of services and facilities between governments.	Yes	As far as this can be ascertained.	CEO J Bonker
2	s3.32(1)	Was a notice of intended entry given to the owner or occupier of the land, premises or thing that had been entered.	N/A	In all circumstances where property was entered for development matters the officer arranged on site inspections with the landowner, or viewed the property from public land.	EDPDS G Bride
3	s3.50	Did the local government close a thoroughfare wholly or partially for a period not exceeding 4 weeks under the guidelines of 3.50.	No		EDWS K Ketterer
4	s3.18(3)(b)	Has the local government satisfied itself that the services and facilities that it provides avoid unnecessary duplication of services or competition particularly with the private sector.	No	Ongoing review of services and facilities is being conducted, facilitated through the Audit Committee.	EMBG Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
5	s3.18(3)(c)	Has the local government satisfied itself that the services and facilities that it provides ensure services and facilities are properly managed.	Yes	Systems are in place for all W&S functions and operations, to ensure procedures are followed in accordance with regulations and policies. These procedures have all been audited and comply with ISO9001 protocols.	EDWS K Ketterer
6	s3.40A(1)	Where in the opinion of the local government a vehicle was an abandoned vehicle wreck, was it removed and impounded by an employee authorised (for that purpose) by the local government.	N/A		EDCCS P Madigan
7	s3.40A(2)	Where the owner of the vehicle was identified within 7 days after its removal under s3.40A(1), did the local government give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice.	N/A		EDCCS P Madigan
8	s3.40A(3)	Where notice was given under s3.40A(2) did it include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47.	N/A		EDCCS P Madigan
9	s3.51(3)	Did the local government give notice of what is proposed to be done giving details to the proposal and inviting submissions from any person who wishes to make a submission and allow a reasonable time for submissions to be made and consider any submissions made.	Yes	All policies, structure plans and development applications required advertising were advertised.	EDPDS G Bride
10	s3.52(4)	Has the local government kept plans for the levels and alignments of public thoroughfares that are under its control or management, and made those plans available for public inspection.	Yes	Road plans are kept by EDWS K Ketterer Records for 30 years in accordance with the State Records Act.	
11	s3.32(2)	Did the notice of intended entry specify the purpose for which the entry was required.	N/A	No notice of entry was required in the past twelve months.	EDPDS G Bride
12	s3.32(3)	Was the notice of intended entry given not less than 24 hours before the power of entry was exercised.	N/A	No notice of entry was required in the past twelve months.	EDPDS G Bride

Finance

No	Reference	Question	Response	Comments	Respondent
1	s5.53, Admin Reg 19B	Has the local government prepared an annual report for the financial year ended 30 June 2010 that contained the prescribed information under the Act and Regulations.	Yes		Manager Finance Pam Wignall



No	Reference	Question	Response	Comments	Respondent
2	s5.54(1), (2)	Was the annual report accepted by absolute majority by the local government by 31 December 2010.	Yes		Manager Finance Pam Wignall
3	s5.54(1), (2)	Where the Auditor's report was not available in time for acceptance by 31 December, was it accepted no more than two months after the Auditor's report was made available.	N/A		Manager Finance Pam Wignall
4	s5.55	Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report.	Yes		CEO J Bonker
5	s5.56 Admin Reg 19C(2)	Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).	N/A	Yes-OIP exists, Five Year Plan under development as at 31 December 2010. Five Year Financial Plan to be submitted for adoption in February 2011	Manager Finance Pam Wignall
6	Admin Reg 19D	After a plan for the future, or modifications to a plan were adopted under regulation 19C, did the local government give public notice in accordance with subsection (2).	N/A		Manager Finance Pam Wignall
7	s5.94, s5.95	Did the local government allow any person attending the local government during office hours to inspect information, free of charge, listed in s5.94 of the Act and subject to s5.95 whether or not the information was current at the time of inspection.	Yes		EMBG-Stuart Jamieson
8	s5.96	Where a person inspected information under Part 5, Division 7 of the Act and requested a copy of that information, did the local government ensure that copies were available at a price that did not exceed the cost of providing those copies.	Yes		EMBG-Stuart Jamieson
9	s5.98 Admin Reg 30	Was the fee made available to elected members for attending meetings within the prescribed range.	Yes		Manager Finance Pam Wignall
10	s5.98 Admin Reg 31	Was the reimbursement of expenses to elected members within the prescribed ranges or as prescribed.	Yes		Manager Finance Pam Wignall
11	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it resolved by absolute majority.	Yes	OCM 21/07/2009 Item 14.1.2.	EMBG-Stuart Jamieson
12	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it up to (or below) the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98 (5).	Yes		Manager Finance Pam Wignall




No	Reference	Question	Response	Comments	Respondent
13	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it resolved by absolute majority.	Yes	OCM 21/07/2009 Item 14.1.2.	EMBG-Stuart Jamieson
14	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it within the prescribed range.	Yes	OCM 21/07/2009 Item 14.1.2.	EMBG-Stuart Jamieson
15	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it resolved by absolute majority.	No	Did not change from previous year.	Manager Finance Pam Wignall
16	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it within the prescribed range.	Yes		Manager Finance Pam Wignall
17	s5.100 (1)	Did the local government pay a fee for attending committee meetings only to a committee member who was a council member.	No		Manager Finance Pam Wignall
18	s5.100 (2)	Where the local government decided to reimburse a committee member, who was not a council member or employee, for an expense incurred by the person in relation to a matter affecting the local government, was it within the prescribe range.	Yes		Manager Finance Pam Wignall
19	s6.8	Was expenditure that the local government incurred from its municipal fund, but not included in its annual budget, authorised in advance on all occasions by absolute majority resolution.	Yes		Manager Finance Pam Wignall
20	s6.8(1)(c)	Did the Mayor or President authorise expenditure from the municipal fund in an emergency. (Please indicate circumstances in the "Comments" column)	No		Manager Finance Pam Wignall
21	s6.8	In relation to expenditure that the local government incurred from its municipal fund that was authorised in advance by the mayor or president in an emergency, was it reported on all occasions to the next ordinary meeting of council.	N/A		Manager Finance Pam Wignall
22	s6.12, 6.13, 6.16 (1),(3)	Did Council at the time of adopting its budget, determine the granting of a discount or other incentive for early payment by absolute majority.	Yes		Manager Finance Pam Wignall
23	s6.12, 6.13, 6.16 (1),(3)	Did Council determine the setting of an interest rate on money owing to Council by absolute majority.	Yes		Manager Finance Pam Wignall



No	Reference	Question	Response	Comments	Respondent
24	s6.12, 6.13, 6.16 (1),(3)	Did Council determine to impose or amend a fee or charge for any goods or services provided by the local government by absolute majority. (Note: this applies to money other than rates and service charges).	Yes		Manager Finance Pam Wignall
25	s6.17(3)	Were the fees or charges imposed for receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate, limited to the cost of providing the service or goods.	Yes	Where a fee was imposed it was within the maximum fees applicable by State Government (ie: Development Applications)	EDPDS Graeme Bride
26	s6.17(3)	Were the fees or charges imposed for any other service prescribed in section 6.16 (2)(f), limited to the cost of providing the service or goods.	Yes	Where a fee was imposed it was within the maximum fees applicable by State Government (ie: Development Applications)	EDPDS Graeme Bride
27	s6.19	After the budget was adopted, did the local government give local public notice for all fees and charges stating its intention to introduce the proposed fees or charges and the date from which it proposed to introduce the fees or charges.	N/A		Manager Finance Pam Wignall
28	s6.20(2) FM Reg 20	On each occasion where the local government exercised the power to borrow, was the Council decision to exercise that power by absolute majority (Only required where the details of the proposal were not included in the annual budget for that financial year).	N/A		Manager Finance Pam Wignall
29	S6.76(6)	Was the outcome of an objection under section 6.76(1) promptly conveyed to the person who made the objection including a statement of the local government's decision on the objection and its reasons for that decision.	N/A		Manager Finance Pam Wignall
30	FM Reg 5	Has efficient systems and procedures been established by the CEO of a local government as listed in Finance Reg 5.	Yes		Manager Finance Pam Wignall
31	FM Reg 6	Has the local government ensured that an employee to whom is delegated responsibility for the day to day accounting or financial management operations of a local government is not also delegated the responsibility for conducting an internal audit or reviewing the discharge of duties by that employee.	Yes		Manager Finance Pam Wignall
32	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		EMBG Stuart Jamieson
33	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A	No powers or duties delegated to the Audit Committee	EMBG Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
34	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Manager Finance Pam Wignall
35	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes		Manager Finance Pam Wignall
36	s7.3	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Manager Finance Pam Wignall
37	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A	 In Progress	Manager Finance Pam Wignall
38	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A	Reported to Audit Committee as required	Manager Finance Pam Wignall
39	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	Yes		Manager Finance Pam Wignall
40	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Manager Finance Pam Wignall
41	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Manager Finance Pam Wignall
42	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Manager Finance Pam Wignall
43	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Manager Finance Pam Wignall
44	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Manager Finance Pam Wignall

Local Government Employees



No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes	Appointment of the Interim CEO was conducted during this reporting period.	EMBG Stuart Jamieson
2	s5.36(4) s5.37(3)	Were all vacancies for the position of CEO and for designated senior employees advertised.	Yes		EMBG Stuart Jamieson
3	s5.36(4) s5.37(3) Admin Reg 18A(1)	Did the local government advertise for the position of CEO and for designated senior employees in a newspaper circulated generally throughout the State.	Yes		EMBG Stuart Jamieson
4	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the remuneration and benefits offered.	Yes		EMBG Stuart Jamieson
5	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the place where applications for the position were to be submitted.	Yes		EMBG Stuart Jamieson
6	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees detail the date and time for closing of applications.	Yes		EMBG Stuart Jamieson
7	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees indicate the duration of the proposed contract.	Yes		EMBG Stuart Jamieson
8	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees provide contact details of a person to contact for further information.	Yes		EMBG Stuart Jamieson
9	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		EMBG Stuart Jamieson
10	s5.38	Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment.	No	Two reviews were not completed. One is outstanding and the other relates to the Interim CEO, who was acting in an interim position and not subject to review.	Human Resources Coordinator David Hughes
11	Admin Reg 18D	Where Council considered the CEO's performance review did it decide to accept the review with or without modification (if Council did not accept the review, the preferred answer is N/A & refer Q12).	N/A		EMBG Stuart Jamieson
12	Admin Reg 18D	Where the Council considered the CEO's performance review, but decided not to accept the review, did it decide to reject the review (if Council accepted the review, the preferred answer is N/A refer Q11).	N/A		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
13	s5.39	During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996.	Yes		EMBG Stuart Jamieson
14	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date. This amount is the lesser of the value of one year's remuneration under the contract.	Yes		EMBG Stuart Jamieson
15	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date and this amount is the lesser of the value of the remuneration they would be entitled to had the contract not been terminated.	Yes		EMBG Stuart Jamieson
16	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the circumstances in which council would pay an additional amount to that which the employee is entitled under a contract or award.	N/A	Specified in the Enterprise Collective Agreement (ECA) instead of Policy.	EMBG Stuart Jamieson
17	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the manner of assessment of an additional amount.	N/A	Specified in the Enterprise Collective Agreement (ECA) instead of Policy.	EMBG Stuart Jamieson
18	s5.50(2)	Did the local government give public notice on all occasions where council made a payment that was more than the additional amount set out in its policy.	N/A	No additional amounts paid.	EMBG Stuart Jamieson
19	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of employees of the local government entitled to an annual salary of \$100,000 or more.	N/A	Specified in the Enterprise Collective Agreement (ECA) instead of Policy.	EMBG Stuart Jamieson
20	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of those employees with an annual salary entitlement that falls within each band of \$10,000 and over \$100,000.	Yes		EMBG-Stuart Jamieson
21	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		EMBG-Stuart Jamieson
22	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
23	Admin Reg 33	Was the allowance paid to the mayor or president for the purposes of s5.98 (5) within the prescribed range.	Yes		EMBG-Stuart Jamieson

Local Laws

No	Reference	Question	Response	Comments	Respondent
1	s3.12(2) F&G Reg 3	On each occasion that Council resolved to make a local law, did the person presiding at the Council meeting give notice of the purpose and effect of each proposed local law in the manner prescribed in Functions and General Regulation 3.	Yes	Recorded in Agenda and Minutes.	EMBG-Stuart Jamieson
2	s3.12(4)	Have all Council's resolutions to make local laws been by absolute majority.	Yes		EMBG-Stuart Jamieson
3	s3.12(4)	Have all Council's resolutions to make local laws been recorded as such in the minutes of the meeting.	Yes		EMBG-Stuart Jamieson
4	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice summarising the purpose and effect of the local law and the day on which it came into operation.	Yes		EMBG-Stuart Jamieson
5	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice advising that copies of the local law may be inspected or obtained from its office.	Yes		EMBG-Stuart Jamieson
6	s3.16(1)	Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.	No	Animal Local Law 2001, Activities in Thoroughfares and Trading Places Local Law 2001, Local Government Property Local Law 2001, The Former Perth 2001, prepared for consideration by council in early 2011.	EMBG-Stuart Jamieson
7	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice stating that it intended to review the local law.	Yes		EMBG-Stuart Jamieson
8	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice advising that a copy of the local law could be inspected or obtained at the place specified in the notice.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
9	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice detailing the closing date for submissions about the local law.	Yes		EMBG-Stuart Jamieson
10	s3.16(3)	Did the local government (after the last day for submissions) prepare a report of the review and have it submitted to Council.	Yes		EMBG-Stuart Jamieson
11	s3.16(4)	Was the decision to repeal or amend a local law determined by absolute majority on all occasions.	Yes		EMBG-Stuart Jamieson

Meeting Process

No	Reference	Question	Response	Comments	Respondent
1	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council was it by Council resolution.	Yes		EMBG-Stuart Jamieson
2	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council, was it recorded in the minutes of the meeting at which the leave was granted.	Yes		EMBG-Stuart Jamieson
3	s2.25(3)	Where Council refused to grant leave to a member from attending 6 or less consecutive ordinary meetings of Council, was the reason for refusal recorded in the minutes of the meeting.	N/A		EMBG-Stuart Jamieson
4	s2.25(2)	Was Ministerial approval sought (on all occasions) before leave of absence was granted to an elected member in respect of more than 6 consecutive ordinary meetings of council.	N/A		EMBG-Stuart Jamieson
5	s5.4	On all occasions when the mayor or president called an ordinary or special meeting of Council, was it done by notice to the CEO setting out the date and purpose of the proposed meeting;	Yes	Detailed in the agenda and minutes.	EMBG-Stuart Jamieson
6	s5.5	On all occasions when councillors called an ordinary or special meeting of Council was it called by at least 1/3 (one third) of the councillors, by notice to the CEO setting out the date and purpose of the proposed meeting.	Yes	Detailed in the agenda and minutes.	EMBG-Stuart Jamieson
7	s5.5(1)	Did the CEO give each council member at least 72 hours notice of the date, time, place and an agenda for each ordinary meeting of Council.	Yes		EMBG-Stuart Jamieson
8	s5.5(2)	Did the CEO give each council member notice before the meeting, of the date, time, place and purpose of each special meeting of Council.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
9	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member needed for a quorum at a Council meeting	N/A		EMBG-Stuart Jamieson
10	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member required for absolute majorities.	N/A		EMBG-Stuart Jamieson
11	s5.8	Did the local government ensure all Council committees (during the review period) were established by an absolute majority.	Yes		EMBG-Stuart Jamieson
12	s5.10(1)(a)	Did the local government ensure all members of Council committees, during the review period, were appointed by an absolute majority (other than those persons appointed in accordance with section 5.10 (1)(b)).	Yes		EMBG-Stuart Jamieson
13	s5.10(2)	Was each Council member given their entitlement during the review period, to be appointed as a committee member of at least one committee, as referred to in section 5.9(2)(a) & (b) of the Act.	Yes		EMBG-Stuart Jamieson
14	s5.12(1)	Were Presiding members of committees elected by the members of the committees (from amongst themselves) in accordance with Schedule 2.3, Division 1 of the Act.	Yes		EMBG-Stuart Jamieson
15	s5.12(2)	Were Deputy presiding members of committees elected by the members of the committee (from amongst themselves) in accordance with Schedule 2.3 Division 2 of the Act.	Yes		EMBG-Stuart Jamieson
16	s5.15	Where the local government reduced a quorum of a committee meeting, was the decision made by absolute majority on each occasion.	N/A		EMBG-Stuart Jamieson
17	s5.21 (4)	When requested by a member of Council or committee, did the person presiding at a meeting ensure an individual vote or the vote of all members present, were recorded in the minutes.	Yes		EMBG-Stuart Jamieson
18	s5.22(1)	Did the person presiding at a meeting of a Council or a committee ensure minutes were kept of the meeting's proceedings.	Yes		EMBG-Stuart Jamieson
19	s5.22(2)(3)	Were the minutes of all Council and committee meetings submitted to the next ordinary meeting of Council or committee, as the case requires, for confirmation.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
20	s5.22(2)(3)	Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed.	Yes		EMBG-Stuart Jamieson
21	s5.23 (1)	Were all council meetings open to members of the public (subject to section 5.23(2) of the Act).	Yes		EMBG-Stuart Jamieson
22	s5.23 (1)	Were all meetings of committees to which a power or duty had been delegated open to members of the public (subject to section 5.23(2) of the Act).	Yes		EMBG-Stuart Jamieson
23	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public, in accordance with the Act.	Yes		EMBG-Stuart Jamieson
24	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public recorded in the minutes of that meeting.	Yes		EMBG-Stuart Jamieson
25	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every ordinary meeting of Council.	Yes		EMBG-Stuart Jamieson
26	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every special meeting of Council.	Yes		EMBG-Stuart Jamieson
27	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every meeting of a committee to which the local government has delegated a power or duty.	Yes		EMBG-Stuart Jamieson
28	Admin Reg 8	Was a period of 30 minutes allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum.	N/A		EMBG-Stuart Jamieson
29	Admin Reg 9	Was voting at Council or committee meetings conducted so that no vote was secret.	Yes		EMBG-Stuart Jamieson
30	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in the case where an attempt to revoke or change the decision had been made within the previous 3 months but failed, by an absolute majority.	Yes		EMBG-Stuart Jamieson
31	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in any other case, by at least one third of the number of officers of member (whether vacant or not) of the Council or committee.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
32	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made (in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority), by that kind of majority.	Yes		EMBG-Stuart Jamieson
33	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made in any other case, by an absolute majority.	Yes		EMBG-Stuart Jamieson
34	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include the names of members present at the meeting.	Yes		EMBG-Stuart Jamieson
35	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include where a member entered or left the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting.	Yes		EMBG-Stuart Jamieson
36	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion.	Yes		EMBG-Stuart Jamieson
37	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each decision made at the meeting.	Yes		EMBG-Stuart Jamieson
38	Admin Reg 11	Did the contents of the minutes of all Council or committee meetings include, where the decision was significantly different from written recommendation of a committee or officer, written reasons for varying that decision.	Yes		EMBG-Stuart Jamieson
39	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include a summary of each question raised by members of the public and a summary of the response given.	Yes		EMBG-Stuart Jamieson
40	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include in relation to each disclosure made under sections 5.65 or 5.70, where the extent of the interest has been disclosed, the extent of the interest.	Yes		EMBG-Stuart Jamieson
41	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of ordinary Council meetings.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
42	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of those committee meetings that were required under the Act to be open to the public or that were proposed to be open to the public.	Yes		EMBG-Stuart Jamieson
43	Admin Reg 12(2)	Did the local government give local public notice of any changes to the dates, time or places referred to in the question above.	Yes		EMBG-Stuart Jamieson
44	Admin Reg 12(3) (4)	In the CEO's opinion, where it was practicable, were all special meetings of Council (that were open to members of the public) advertised via local public notice.	Yes		CEO J Bonker
45	Admin Reg 12(3) (4)	Did the notice referred to in the question above include details of the date, time, place and purpose of the special meeting.	Yes		EMBG-Stuart Jamieson
46	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings.	Yes		EMBG-Stuart Jamieson
47	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings.	Yes		EMBG-Stuart Jamieson
48	Admin Reg 14(1) (2)	Were notice papers, agenda and other documents relating to any Council or committee meeting, (other than those referred to in Admin Reg 14(2)) made available for public inspection.	Yes		EMBG-Stuart Jamieson
49	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (by means of audio, telephone or other instantaneous contact) as provided for in Administration Regulation 14A, did the Council approve of the arrangement by absolute majority.	N/A		EMBG-Stuart Jamieson
50	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (as provided for in Administration Regulation 14A) was the person in a suitable place as defined in Administration Regulation 14A(4)	N/A		EMBG-Stuart Jamieson
51	s5.27(2)	Was the annual general meeting of electors held within 56 days of the local government's acceptance of the annual report for the previous financial year.	Yes		EMBG-Stuart Jamieson



No	Reference	Question	Response	Comments	Respondent
52	s5.29	Did the CEO convene all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting.	Yes		EMBG-Stuart Jamieson
53	s5.32	Did the CEO ensure the minutes of all electors' meetings were kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered.	Yes		EMBG-Stuart Jamieson
54	s5.33(1)	Were all decisions made at all electors' meetings considered at the next ordinary Council meeting, or, if not practicable, at the first ordinary Council meeting after that, or at a special meeting called for that purpose.	Yes		EMBG-Stuart Jamieson
55	s5.33(2)	Were the reasons for Council decisions in response to decisions made at all electors' meetings recorded in the minutes of the appropriate Council meeting.	Yes		EMBG-Stuart Jamieson
56	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes	File reference CM.RPT.1.	EMBG-Stuart Jamieson

Miscellaneous Provisions

No	Reference	Question	Response	Comments	Respondent
1	s9.4	Has each person who received an unfavourable decision from Council, or from an employee of the local government exercising delegated authority, (that is appealable under Part 9 of the Act) been informed of his or her right to object and appeal against the decision.	Yes		CEO J Bonker
2	s9.29(2)(b)	On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO.	Yes		EMBG-Stuart Jamieson
3	s9.6(5)	Did the local government ensure that the person who made the objection was given notice in writing of how it has been decided to dispose of the objection and the reasons why.	Yes		EMBG-Stuart Jamieson



Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A	CEO is the Complaints Officer	EMBG Stuart Jamieson
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		EMBG Stuart Jamieson
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		EMBG Stuart Jamieson
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		EMBG Stuart Jamieson
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		EMBG Stuart Jamieson
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	Yes		EMBG Stuart Jamieson

Swimming Pools					
No	Reference	Question	Response	Comments	Respondent
1	s245A(5)(aa) LG (MiscProv) Act 1960	Have inspections of known private swimming pools, either been, or are proposed to be, carried out as required by section 245A(5)(aa) of the Local Government (Miscellaneous Provisions) Act 1960.	Yes	All newly constructed pools were inspected. Existing pools are inspected when due.	Keith Barnett Manager Building and Health Services

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		City Projects Manager Shelley Pepper



No	Reference	Question	Response	Comments	Respondent
2	F&G Reg 12	Has the local government, as far as it is aware, only entered into a single contract rather than multiple contracts so as to avoid the requirements to call tenders in accordance with F&G Reg 11 (1).	Yes		City Projects Manager Shelley Pepper
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		City Projects Manager Shelley Pepper
4	F&G Reg 14(3)	Did all the local government's invitations to tender include a brief description of the goods and services required and contact details for a person from whom more detailed information could be obtained about the tender.	Yes		City Projects Manager Shelley Pepper
5	F&G Reg 14(3)	Did all the local government's invitations to tender include information as to where and how tenders could be submitted.	Yes		City Projects Manager Shelley Pepper
6	F&G Reg 14(3)	Did all the local government's invitations to tender include the date and time after which tenders would not be accepted.	Yes		City Projects Manager Shelley Pepper
7	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers concerning detailed specifications of the goods or services required.	Yes		City Projects Manager Shelley Pepper
8	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers of the criteria for deciding which tender would be accepted.	Yes		City Projects Manager Shelley Pepper
9	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers about whether or not the local government had decided to submit a tender.	Yes		City Projects Manager Shelley Pepper
10	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers on whether or not tenders were allowed to be submitted by facsimile or other electronic means and if so, how tenders were to be submitted.	Yes		City Projects Manager Shelley Pepper
11	F&G Reg 14(3)(4)	Did the local government ensure all prospective tenderers had any other information that should be disclosed to those interested in submitting a tender.	Yes		City Projects Manager Shelley Pepper
12	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		City Projects Manager Shelley Pepper



No	Reference	Question	Response	Comments	Respondent
13	F&G Reg 15	Following the publication of the notice inviting tenders, did the local government allow a minimum of 14 days for tenders to be submitted.	Yes		City Projects Manager Shelley Pepper
14	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) were held in safe custody.	Yes		City Projects Manager Shelley Pepper
15	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) remained confidential.	Yes		City Projects Manager Shelley Pepper
16	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were not opened, examined or assessed until after the time nominated for closure of tenders.	Yes		City Projects Manager Shelley Pepper
17	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were opened by one or more employees of the local government or a person authorised by the CEO.	Yes		City Projects Manager Shelley Pepper
18	F&G Reg 16 (3)(b)	Did the local government ensure members of the public were not excluded when tenders were opened.	Yes		City Projects Manager Shelley Pepper
19	F&G Reg 16 (3)(c)	Did the local government record all details of the tender (except the consideration sought) in the tender register immediately after opening.	Yes		City Projects Manager Shelley Pepper
20	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		City Projects Manager Shelley Pepper
21	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		City Projects Manager Shelley Pepper
22	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a brief description of the goods or services required.	Yes		City Projects Manager Shelley Pepper
23	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of the decision made to invite tenders and if applicable the decision to seek expressions of interest under Regulation 21(1).	Yes		City Projects Manager Shelley Pepper
24	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of any notice by which expressions of interest from prospective tenderers were sought and any person who submitted an expression of interest.	Yes		City Projects Manager Shelley Pepper



No	Reference	Question	Response	Comments	Respondent
25	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) any list of acceptable tenderers that was prepared under regulation 23(4)	Yes	If applicable.	City Projects Manager Shelley Pepper
26	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a copy of the notice of invitation to tender.	Yes		City Projects Manager Shelley Pepper
27	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of each tenderer whose tender was opened.	Yes		City Projects Manager Shelley Pepper
28	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of the successful tenderer.	Yes		City Projects Manager Shelley Pepper
29	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the amount of consideration or the summary of the amount of the consideration sought in the accepted tender.	Yes		City Projects Manager Shelley Pepper
30	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		City Projects Manager Shelley Pepper
31	F&G Reg 21(3)	On each occasion that the local government decided to invite prospective tenderers to submit an expression of interest for the supply of goods or services, did the local government issue a Statewide public notice.	Yes		City Projects Manager Shelley Pepper
32	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include a brief description of the goods and services required.	Yes		City Projects Manager Shelley Pepper
33	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include particulars of a person from whom more detailed information could be obtained.	Yes		City Projects Manager Shelley Pepper
34	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include information as to where and how expressions of interest could be submitted.	Yes		City Projects Manager Shelley Pepper
35	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include the date and time after which expressions of interest would not be accepted.	Yes		City Projects Manager Shelley Pepper
36	F&G Reg 22	Following the publication of the notice inviting expressions of interest, did the local government allow a minimum of 14 days for the submission of expressions of interest.	Yes		City Projects Manager Shelley Pepper



No	Reference	Question	Response	Comments	Respondent
37	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	Yes		City Projects Manager Shelley Pepper
38	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	Yes		City Projects Manager Shelley Pepper
39	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	Yes		City Projects Manager Shelley Pepper
40	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government prepare a proposed regional price preference policy (only if a policy had not been previously adopted by Council).	Yes		City Projects Manager Shelley Pepper
41	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government give Statewide public notice of its intention to have a regional price preference policy and include in that notice the region to which the policy is to relate (only if a policy had not been previously adopted by Council).	Yes		City Projects Manager Shelley Pepper
42	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice details of where a complete copy of the proposed policy may be obtained (only if a policy had not been previously adopted by Council).	Yes		City Projects Manager Shelley Pepper
43	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions (only if a policy had not been previously adopted by Council).	Yes		City Projects Manager Shelley Pepper
44	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice (only if a policy had not been previously adopted by Council).	Yes		City Projects Manager Shelley Pepper



No	Reference	Question	Response	Comments	Respondent
45	F&G Reg 11A(1)	Has the local government prepared and adopted a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.	Yes		City Projects Manager Shelley Pepper
46	F&G Reg 11A(3)(a)	Did the purchasing policy that was prepared and adopted make provision in respect of the form of quotations acceptable.	Yes		City Projects Manager Shelley Pepper
47	F&G Reg 11A (3) (b)	Did the purchasing policy that was prepared and adopted make provision in respect to the recording and retention of written information, or documents for all quotations received and all purchases made.	Yes		City Projects Manager Shelley Pepper

4.4: PLANNING AND BUILDING REPORTS FEBRUARY 2011

Responsible Officer : Chief Executive Officer (F James)
Attachment : Planning and Building Reports February 2011

IN BRIEF

- Receive the contents of the Planning and Building Reports for February 2011.

ITEM 4.4: RESPONSIBLE OFFICER RECOMMENDATION

THAT the contents of the Planning and Building Reports for February 2011 be RECEIVED.

ITEM 4.4: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR DUFTY

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CEO:

AGENDA ITEM 4.4 REFERS

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2115018	21/01/2011	C Pursey	Earl St	Albany	Vehicle Sales & Service (extensions) and relaxation of Scheme Standard (rear setback)	Delegate Approved	24/02/2011	Taylor Gunn
P2115000	4/01/2011	D & C Johnston	Burgoyne Rd	Albany	Single House - Additions (new second storey shed additions) - design code relaxation - overlooking: over policy height requirement	Delegate Approved	25/02/2011	Taylor Gunn
P2115021	28/01/2011	SRM Nominees	Albany Hwy	Albany	Change of Use - Shop to Medical Clinic	Delegate Approved	3/02/2011	Jess Anderson
P2115033	11/02/2011	F Goff	Serpentine Rd	Albany		Cancelled	18/02/2011	
P2115010	11/01/2011	Outdoor World	Bell Crt	Bayonet Head	Single House - Additions - side setback relaxation (patio roof over existing courtyard)	Delegate Approved	23/02/2011	Taylor Gunn
P2105318	21/12/2010	Concept Building Design	Rainbows End	Big Grove	Single House (relaxation of setbacks within development area)	Delegate Approved	7/02/2011	Adrian Nicoll
P2115012	14/01/2011	J Prestipino Building	Albany Hwy	Centennial Park	Bulky Goods Outlet (creation of entry apron & removal of three (3) carparking bays)	Delegate Approved	4/02/2011	Taylor Gunn
P2105252	28/09/2010	Dykstra Planning	Barker Rd	Centennial Park	Grouped Dwelling (x75) (Lifestyle Village)	Approved	21/02/2011	Adrian Nicoll
P2115022	31/01/2011	WA Country Builders	Rosedale Crt	Kronkup	Grouped Dwelling (x 1 additional to existing)	Delegate Approved	17/02/2011	Jess Anderson
P2115024	3/02/2011	G Wright	Catalina Rd	Lange	Single House - Outbuilding (Sea Container)	Delegate Approved	15/02/2011	Jess Anderson
P2105307	29/11/2010	Harley Global	Frenchman Bay Rd	Little Grove	Development - earthworks in excess of 600mm	Delegate Approved	11/02/2011	Adrian Nicoll
P2115019	27/01/2011	C Lane	Bon Accord Rd	Lower King	Single House - Outbuilding (request to locate outbuilding outside of designated building area)	Delegate Approved	1/02/2011	Jess Anderson

AGENDA ITEM 4.4 REFERS

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2105315	15/12/2010	Ryde Building Co	The Esplanade	Lower King	Development - earthworks in excess of 600mm (retaining walls - front & side boundaries)	Delegate Approved	9/02/2011	Taylor Gunn
P2115003	6/01/2011	G Ballast	Redgum Trail	Marbelup	Single House (to replace existing)	Delegate Approved	4/02/2011	Tom Wenbourne
P2105295	15/11/2010	RPS Environment	South Coast Hwy	McKail	Development Entry Statement (Signage Artwork Soft & Hard landscaping)	Delegate Approved	8/02/2011	Deb Delury
P2115020	28/01/2011	P Coultate	McLeod St	Mira Mar	Single House - Additions (side setback relaxation)	Delegate Approved	3/02/2011	Jess Anderson
P2105189	6/01/2011	Coastline Nominees	Cockburn Rd	Mira Mar	Light Industry - Additions (Workshop x 13 adjacent to rear boundary)	Delegate Approved	11/02/2011	Adrian Nicoll
P2105266	12/10/2010	Keith Symes	Middleton Rd	Mira Mar	Change of use - Consulting Rooms (Pathology Collection)	Delegate Approved	9/02/2011	Taylor Gunn
P2115008	10/01/2011	L Brenton	Carlisle St	Mt Melville	Single House - Outbuilding (overheight)	Delegate Approved	8/02/2011	Tom Wenbourne
P2115017	21/01/2011	M Poole	Deep Creek Rd	Napier	Single House - Outbuilding (application to amend P2105199)	Delegate Approved	15/02/2011	Tom Wenbourne
P2115045	23/02/2011	David Taylor	Simpson Rd	Napier	Recreation (Pistol Club) - Additions (firing line shelter on Range 5)	Delegate Approved	25/02/2011	Adrian Nicoll
P2115025	4/02/2011	Turps Steel Fabrications	Albany Hwy	Orana	Vehicle Sales and/or Hire (extensions - carport)	Delegate Approved	10/02/2011	Jess Anderson
P2115004	6/01/2011	Howard & Heaver Architects	Angove Rd	Spencer Park	Nursing Home - Additions (security fence/gates)	Delegate Approved	24/02/2011	Deb Delury
P2105303	25/11/2010	Concept Building Design	Diprose Cres	Spencer Park	Single House - additions - design code relaxation - (overheight and overlooking)	Delegate Approved	14/02/2011	Taylor Gunn
P2105319	3/12/2010	Ironmonger Building	Lower King Rd	Walmsley	Cemetery/Crematoria - Additions (feature entry wall)	Delegate Approved	7/02/2011	Tom Wenbourne
P2115039	18/02/2011	Phillip Prideaux	Chester Pass Rd	Willyung	Development - rainwater tank & screen fence on front boundary	Delegate Approved	24/02/2011	Adrian Nicoll
P2115005	6/01/2011	Powerhouse Architectural	Beaufort Rd	Yakamia	House of Worship - Additions (Creche Meeting Rooms x 2 Verandah x 2)	Delegate Approved	24/02/2011	Taylor Gunn

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2115007	7/01/2011	D Seldam	Ulster Rd	Yakamia	Single House - Additions (garage- side setback relaxation)	Delegate Approved	14/02/2011	Deb Delury
P2115026	4/02/2011	Turps Steel Fabrications	Kampong Rd	Yakamia	Single House - design code relaxation - front setback relaxation	Delegate Approved	10/02/2011	Jess Anderson

CITY OF ALBANY

BUILDING CONSTRUCTION STATISTICS FOR 2010 - 2011

2010/2011	SINGLE DWELLING		GROUP DWELLING		Total	DOMESTIC/ OUTBUILDINGS		ADDITIONS/ DWELLINGS		HOTEL/ MOTEL		NEW COMMERCIAL		ADDITIONS/ COMMERCIAL		OTHER		TOTAL \$ VALUE
	No	\$ Value	No	\$ Value		No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	
JULY	17	4,161,909	2	556,900	19	26	477,059	22	503,212	0	0			2	344,000	2	17,000	6,060,080
AUGUST	12	4,741,235	7	1,200,000	19	20	311,222	27	675,785	0	0			5	3,305,881	5	58,500	10,292,623
SEPTEMBER	21	5813739	1	2,400,000	22	32	460,285	6	771,657	3	1,200,000	1	366,600	1	45,000	8	157,641	11,214,922
OCTOBER	19	5,013,540	1	2,530,000	20	10	119,357	16	413,170	0	0			1	40,000	6	54,083	8,170,130
NOVEMBER	20	5,312,117	1	183,872	21	5	42,220	51	1,098,738	1	183,872	1	118,544	3	630,856	13	110,838	7,681,057
DECEMBER	24	4,878,678	0		24	21	344,498	19	642,557	0	0	0		1	104,753	14	125,868	6,096,354
2011																		
JANUARY	9	2,698,722	0	0	9	14	218,071	19	918,447	0	0	1	781,000	1	52,000	7	64,300	4,732,540
FEBRUARY	8	2,232,941	0		8	21	389,945	24	604,979	0	0	1	146,000	1	60,000	8	117,430	3,561,295
MARCH					0					0	0							0
APRIL					0					0	0							0
MAY					0					0	0							0
JUNE					0					0	0							0
TOTALS TO DATE	130	34,852,881	12	6,870,772	142	149	2,372,637	184	5,628,545	4	1,383,872	4	1,412,144	15	4,582,490	63	705,660	57,809,001

BUILDING, SIGN & DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY

Applications determined for February 2011

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301151	EVERETTE SIGNS	MIDTREND HOLDINGS PTY LTD	UNDER VERANDAH SIGN	34-38	Location SL34 Lot 5	ALBANY HIGHWAY	ALBANY
300320	MEUZELAAR ENTERPRISES PTY LTD	THE UNIVERSITY OF WESTERN AUSTRALIA	FITOUT OF OFFICE	81-89	Lot 1	PROUDLOVE PARADE	ALBANY
301170	OWNER BUILDER	Owners Name & Address not shown at their request	PATIO & PERGOLA	4	location AT153 Lot 123	BRIDGES STREET	ALBANY
301177	TURPS STEEL FABRICATIONS	M M JACKSON & D M KINNEN	SHED	41-47	Location AT54	COLLIE STREET	ALBANY
301219	OWNER BUILDER	Owners Name & Address not shown at their request	VERANDAH	54-60	Lot 11	DUKE STREET	ALBANY
301104	DUNCAN JOHNSTON	D I & C T JOHNSTON	SECOND STOREY ADDITIONS	119A	Lot 53	BURGOYNE ROAD	ALBANY
301105	OWNER BUILDER	D I & C T JOHNSTON	SHED	119A	Lot 53	BURGOYNE ROAD	ALBANY
301163	OUTDOOR WORLD	Owners Name & Address not shown at their request	PATIO	22	Location 1196	EVANS ROAD	BAYONET HEAD
301111	APH CONTRACTORS	ALBANY LIFESTYLE VILLAGE	RETAINING WALL		Lot 84	ALSON PARADE	BAYONET HEAD
301148	MATTHEW POCOCCO	PTV LTD	RETAINING WALL		Lot 500	HOUGHTON	BAYONET HEAD
301178	ECOFIT HOMES	ALBANY LIFESTYLE VILLAGE	TEMPORARY RAMP		Location 359	ALSON PARADE	BAYONET HEAD
301201	RYDE BUILDING COMPANY PTY LTD	Owners Name & Address not shown at their request	PATIO		7	CORINE WAY	BAYONET HEAD
300994	RYDE BUILDING COMPANY PTY LTD	Owners Name & Address not shown at their request	BUS SHED TO EXISTING	73-79	Location ALBANT Lot 745	SANFORD ROAD	CENTENNIAL PARK
301155	RP & CM LITTLE	Owners Name & Address not shown at their request	BUILDING GARAGE		5	TASMAN STREET	CENTENNIAL PARK

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301181	LEO TIMMER	Owners Name & Address not shown at their request	PATIO & DECK	23	Location SL35	ALEXANDER STREET	CENTENNIAL PARK
301183	EYERITE SIGNS	B T & M J JACKSON	PYLON SIGN	256-258	Location SP04	ALBANY HIGHWAY	CENTENNIAL PARK
301124	KOSTERS STEEL CONSTRUCTION	N & C J GRUNDY	WORKSHOP AND OFFICE	127	Location S107	LOCKYER AVENUE	CENTENNIAL PARK
300843	BRAD O'KEEFE CONSTRUCTION	D S & B L O'KEEFE	DECKING	301	Location 43	BORONIA AVENUE	COLLINGWOOD
301232	OUTDOOR WORLD	Owners Name & Address not shown at their request	PATIO	11	Location 43	BREAKSEA CRESCENT	COLLINGWOOD
301228	OWNER BUILDER	R T & V J GOUGH	GARAGE	136	Location	COLLINGWOOD ROAD	COLLINGWOOD
301091	OWNER BUILDER	Owners Name & Address not shown at their request	STAGE 1 REFURBISH EXISTING	35389	Location 5880	ALBANY HIGHWAY	PARK DROME
301223	OUTDOOR WORLD	Owners Name & Address not shown at their request	SHED TO DOG KENNELS	13	Location	HASSELL STREET	ELLEKER
301182	RYDE BUILDING COMPANY PTY LTD	Owners Name & Address not shown at their request	DWELLING & GARAGE	701	Lot 16	BOTTLEBRUSH ROAD	GLEDSHOW
301180	BRAYDEN DUNKELD	Owners Name & Address not shown at their request	SHED	337	Location 4378	BON ACCORD ROAD	KALGAN
301173	TECHNICS CONSTRUCTIONS	shown at their request	SHED	36	Location TAA	TANIA ROAD	KRONKUP
301147	WA COUNTRY BUILDERS PTY LTD	Owners Name & Address not shown at their request	NEW DWELLING	176	Location TAA	ROSEDALE ROAD	KRONKUP
301218	OWNER BUILDER	G P WRIGHT	SEA CONTAINER	83	Location 326	CATALINA ROAD	LANGE
301179	BRAYDEN DUNKELD	Owners Name & Address not shown at their request	SHED	27A	Lot 215	MARINE TERRACE	LITTLE GROVE

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301131	OUTDOOR WORLD	Owners Name & Address not shown at their request	SHED	151	Lot 5	ISHIRLEY STREET	LOWER KING
301164	OUTDOOR WORLD	Owners Name & Address not shown at their request	SHED	9	Location 520	RUTHERFORD STREET	LOWER KING
301136	RYDE BUILDING COMPANY PTY LTD	Owners Name & Address not shown at their request	RETAINING WALL	103	Location 7 Lot 34	THE ESPLANADE	LOWER KING
301204	OWNER BUILDER	shown at their request	FRONT FENCE	19A	Lot 1	THE ESPLANADE	LOWER KING
301165	PLANTAGANET SHEDS & STEEL PTY LTD	L J PANNELL & S J YORK	SHED		Location 401	LAITHWOOD CIRCUIT	MARBELUP
301108	GERRIT BALLAST	Owners Name & Address not shown at their request	NEW DWELLING AND GARAGE	28	Location 527	REDGUM TRAIL	MARBELUP
301132	OUTDOOR WORLD	Owners Name & Address not shown at their request	SHED	10	Location 399	TRIO CRESCENT	MCKAIL
301153	OUTDOOR WORLD	Owners Name & Address not shown at their request	SHED	32	Location 381	KITCHER PARADE	MCKAIL
301174	TM STEEL CONSTRUCTION AND	Owners Name & Address not shown at their request	PATIO	42	Location 381	DRONE ROAD	MCKAIL
301200	J & TM DEKKER PTY LTD	Owners Name & Address not shown at their request	NEW DWELLING GARAGE	13	Location 492	NEPTUNE PASS	MCKAIL
301233	OUTDOOR WORLD	Owners Name & Address not shown at their request	PATIO	21	Location 381	EDINBURGH ROAD	MCKAIL
301238	OUTDOOR WORLD	Owners Name & Address not shown at their request	PATIO	11	Location 80	CRISPE WAY	MCKAIL
301125	DARRELL SMITH	shown at their request	ADDITIONS & ALTERATIONS TO	13	Location 750	BONTHORPE COURT	MILLBROOK
301129	AIKEN PTY LTD	WHITTINGSTALL P T GOUGH & C MCQUADE	DWELLING	103	Location 368	RUFUS STREET	MILPARA
301040	OWNER BUILDER	B U BUCHANAN & K A DREW	EXISTING DWELLING	29	Location	BLUFF STREET	MIRA MAR
301085	GC EVANS	Owners Name & Address not shown at their request	DWELLING GARAGE & ALFRESCO	4	Location PL45	MCLEOD STREET	MIRA MAR

AGENDA ITEM 4.4 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301096J & TW DEKKER PTY LTD		Owners Name & Address not shown at their request	NEW DWELLING GARAGE & ALFRESCO ADDITION	23 Location 45	Lot 209	LAKE SEPPINGS DRIVE	MIRA MAR
301102 ML TURNER & SON PTY LTD		Owners Name & Address not shown at their request		35 Location 1	Lot 1	MCLEOD STREET	MIRA MAR
301193 OWNER BUILDER		Owners Name & Address not shown at their request	TIMBER DECK	342 Location	SL115 Lot 11	SERPENTINE ROAD	Mt MELVILLE
301133 OWNER BUILDER		shown at their request	SHED		Location 7440	DEEP CREEK ROAD	NAPIER
301162 OUTDOOR WORLD		Owners Name & Address not shown at their request	PATIO	51 Location 231	Lot 117	MINOR ROAD	ORANA
301187 A D CONTRACTORS PTY LTD		shown at their request	DEMOLITION	57-59 Location		BURGOYNE ROAD	PORT ALBANY
301235 OUTDOOR WORLD		Owners Name & Address not shown at their request	SHED	121 Location 20	AT382 Lot 2	FRENCHMAN BAY	ROBINSON
301103 HAVOC BUILDERS PTY LTD		shown at their request	TIMBER DECK AND PATIO	91 Location PL42		HILLMAN STREET	SPENCER PARK
301185 TURPS STEEL FABRICATIONS		M J & P R EASTON	SHED	29-31 Location PL42	Lot 38	PARK ROAD	SPENCER PARK
301024 IRONMONGER BUILDING		CROWN LAND & ALBANY	WALLS ENTRANCE	241 Location RES	Lot 13	LOWER KING ROAD	LMSLEY
301175 COMPANY		CEMETERY BOARD	GARAGE	5659 Location	23074 Lot		
301175 IMD PHILIP		Owners Name & Address not shown at their request		112 Location	4419/418 Lot	DELOIRANE DRIVE	RENNUP
301072 OUTDOOR WORLD		Owners Name & Address not shown at their request	PATIO	20 Location RES	170	BETHEL WAY	YAKAMIA
301081 R & DG CEKEREVAC		shown at their request	DWELLING GARAGE AND RETAINING WALL	44636 Lot 381	10 Location 243	GRANDIS WAY	YAKAMIA
301176 OWNER BUILDER		shown at their request	SHED	23 Location	Lot 747	GALLE STREET	YAKAMIA
		D J & J A MILBOURNE		AT356 Lot			

AGENDA ITEM 4.4 REFERS

AGENDA ITEM 4.4 REFERS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301189	OWNER BUILDER	Owners Name & Address not shown at their request	PATIO	29	location 1AT356 Lot	NOTLEY STREET	YAKAMIA
301190	PULS PATIOS	Owners Name & Address not shown at their request	PATIO	62-64	location 832	LEONORA STREET	YAKAMIA
301172	TURPS STEEL FABRICATIONS	E S & K M WALKER	CARPORT	42	location 474	KAMPONG ROAD	YAKAMIA
301197	OUTDOOR WORLD	Owners Name & Address not shown at their request	PATIO	34	location 177	WILLIAM STREET	YAKAMIA
301144	RYDE BUILDING COMPANY PTY LTD	Owners Name & Address not shown at their request	SHED	31	location 109	NOTLEY STREET	YAKAMIA
301199	CAMERON CHARLES BROWN LTD	GLENN CRAIG VILLAGES PTY	DEMOLITION OF EXISTING	16	location 177	MINERVA STREET	YAKAMIA
301122	IMCB CONSTRUCTION PTY LTD	D CASTLEHOW & N J BROWN LTD	CARPORT AND STORE	749	location 525	LOWER DENMARK ROAD	
301209	ROBYN STONEY	Owners Name & Address not shown at their request	ADDITIONS AND ALTERATIONS	1406	location 6604	REDMOND-HAY RIVER ROAD	

4.5: COMMON SEAL REPORTS

Responsible Officer(s) : Chief Executive Officer (F James)
Attachments : Common Seal Report

IN BRIEF

- Receive the Common Seal Reports for February 2011, which include decisions made by Delegated Authority

ITEM 4.5: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Common Seal Reports for February 2011 be RECEIVED.

ITEM 4.5: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WOLFE
SECONDED: COUNCILLOR MATLA

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

CEO:

Common Seals

NCSR1116791 C10026

COPY OF COMMON SEAL

ITEM: N/A-AUTHORISED BY CEO J BONKER AS LESS THAN \$250 000

REF: CONTRACT C10026B-SUPPLY AND DELIVERY OF CONCRETE DRAINAGE PRODUCTS

PARTIES: CITY OF ALBANY AND BALL CONCRETE PIPES AND PRODUCTS

MAYOR AND CEO J BONKER 2 COPIES

NCSR1116792 AMD259

COPY OF COMMON SEAL

ITEM: N/A PLANNING DELEGATION

REF: FORM FOR LODGING A RESTRICTIVE NOTIFICATION ON A CERTIFICATE OF TITLE LIMITING THE OCCUPATION OF ANCILLARY ACCOMMODATION TO FAMILY MEMBERS OF THE OCCUPIERS OF THE MAIN HOUSE AS REQUIRED BY A PLANNING CONDITION.

PARTIES: CITY OF ALBANY AND MS NICOLA BYRNE AND MR GREGORY BOHUN

MAYOR AND CEO J BONKER 1 COPY

NCSR1017148 A165288

COPY OF COMMON SEAL

ITEM: 11.3.5 OCM 18/09/07 AND 13.2.2 OCM 18/08/09

REF: AMD259-MODIFICATION OF SPECIAL PROVISIONS AND SUBDIVISION GUIDE PLAN FOR CONSERVATION ZONE AREA NO.1-NULLAKI

PARTIES: CITY OF ALBANY

MAYOR AND CEO F JAMES 3 COPIES

NCSR1117149 PRO159

COPY OF COMMON SEAL

ITEM: 2.3 OCM 21/09/2010

REF: PRO159-DEED OF VARIATION OF ACCESS AGREEMENT, HEADS OF AGREEMENT AND LEASE-BUREAU OF METEOROLOGY-ALBANY REGIONAL AIRPORT, 35615 ALBANY HIGHWAY, DROME

PARTIES: CITY OF ALBANY AND THE COMMONWEALTH OF AUSTRALIA REPRESENTED BY THE BUREAU OF METEOROLOGY

MAYOR AND CEO F JAMES 3 COPIES

NCSR1117156 136275

COPY OF COMMON SEAL

ITEM: N/A. DELEGATED AUTHORITY WAPC 136275-CONDITIONS

REF: SECTION 70A NOTIFICATION-FIRE MANAGEMENT PLAN LOT 10, PLAN 67151, GREATREX ROAD

PARTIES: CITY OF ALBANY AND SCORPIO NOMINEES PTY LTD

MAYOR AND CEO F JAMES 1 COPY

NCSR1117158 903-10

COPY OF COMMON SEAL

ITEM: N/A. DELEGATED AUTHORITY. CONDITION 20 WAPC 903-10

REF: RESTRICTIVE COVENANT, CONDITION 20 OF WAPC 903-10

PARTIES: CITY OF ALBANY AND QUEEN 18 PTY LTD

MAYOR AND CEO F JAMES 1 COPY

Common Seals

NCSR1117159 1401-06

COPY OF COMMON SEAL

ITEM: N/A. DELEGATED AUTHORITY WAPC 1401-06 CONDITION 8

REF: CAVEAT LOT 4 ON PLAN 3941

PARTIES: CITY OF ALBANY

MAYOR AND CEO F JAMES 1 COPY

NCSR1117296 PRO376

COPY OF COMMON SEAL

ITEM: 2.8 OCM 17/08/2010

REF: PRO376-DEED OF LEASE-ALBANY SWIM CLUB INC LOCATED AT ALBANY
LEISURE AND AQUATIC CENTRE-PORION OF LOT 742 BARKER ROAD, ALBANY

PARTIES: CITY OF ALBANY AND ALBANY SWIM CLUB INC

MAYOR AND CEO F JAMES 2 COPIES

NCSR1117304 PS.ACQ.31

COPY OF COMMON SEAL

ITEM: 22.3 OCM 15/09/2009

REF: CLOSURE OF MILLBROOK RESERVE PIT (5018)

PARTIES: CITY OF ALBANY AND DEPARTMENT OF ENVIRONMENT AND
CONSERVATION

CEO F JAMES 1 COPY

NCSR1117336 CS.PLA.11

COPY OF COMMON SEAL

ITEM: 14.12.2 OCM MAY 2010

REF: ANZAC CENTENARY OF ANZAC ALLIANCE MEMORANDUM OF UNDERSTANDING
2010-2018

PARTIES: CITY OF ALBANY AND RETURNED SERVICE LEAGUE OF AUSTRALIA

CEO F JAMES 1 COPY

4.6 URGENT ITEM – EXECUTION OF DOCUMENT & USE OF COMMON SEAL DELEGATIONS

Proponent : City of Albany
Responsible Officer(s) : Chief Executive Officer (F James)

IN BRIEF

- To ensure Council is compliant with legislation through appropriate delegation to the Chief Executive Officer (CEO) in respect of execution of documents and use of the Common Seal.

[9:31:21 PM](#) Chief Executive Officer, Ms Faileen James, left the Chamber.

ITEM 4.6: RESPONSIBLE OFFICER RECOMMENDATION

1. That the **COMMON SEAL** delegation authorised at the Ordinary Council Meeting held on 14 December 2010 (Report Item 4.3.8) be **REVOKED**; and

EXECUTION OF DOCUMENTS AND USE OF COMMON SEAL DELEGATION POLICY

2. Under sections 2.5 and 5.45 of the *Local Government Act 1995* (the Act), the Chief Executive Officer be delegated the power to:
 - (1) Execute a document on behalf of the City where there is a requirement for the document to be executed as a deed, pursuant to Section 9.49A(5) of the Act;
 - (2) Affix the Council's Common Seal to documents, pursuant to Section 9.49A(2) of the Act; and
 - (3) Sign documents on behalf of the local government for all matters arising under delegated authority given by the Council under sections 5.42 and 9.49A(4) of the Act and generally as is necessary or appropriate in reasonably carrying out his or her function under the Act or under any written law.

Conditions and Reporting Requirements:

- (a) Power to sub-delegate: In accordance with section 5.43(ha) of the Act the Chief Executive Officer or Acting Chief Executive Officer, appointed in writing, is NOT authorised to delegate this function;
- (b) Details of the application of the Common Seal and Execution of Documents are to be recorded in accordance with Section 5.41(h) of the Act; and
- (c) A Record of application of the Common Seal and a Record of Executed Documents signed under delegation are to be reported to the Council on a monthly basis

CEO:

RESPONSIBLE OFFICER:

That Council ADOPT “Use of the Common Seal Policy”, being:

Policy – Use of the Common Seal

Objective: To provide a policy for the use of the Common Seal

Policy Statement: In compliance with Section 9.49A of the *Local Government Act 1995* and Part IV of the *Local Government (Functions and General) Regulations 1996* the following applies to the use of the Common Seal:

- (1) All legal documents shall be executed under the City of Albany’s Common Seal with the signatures of the Mayor and the Chief Executive Officer.**
- (2) An Agreement for the procurement of goods or services for a lump sum consideration in excess of \$250 000, is to be executed under the City of Albany’s Common Seal affixing the signatures of the Mayor and the Chief Executive Officer.**
- (3) The Chief Executive Officer is to have charge of the Common Seal of the Local Government, and is responsible for the safe custody and proper use of it.**
- (4) The Common Seal of the City of Albany may only be used on the authority of the Council given either generally (including through delegated authority) or specifically and every document to which the Seal is affixed must be signed by the Mayor (where applicable) and the Chief Executive Officer.**
- (5) The Common Seal of the City of Albany is to be affixed to any local law, which is made by the City of Albany.**
- (6) The Chief Executive Officer is to record in a Register and report to the Council each date on which the Common Seal of the City of Albany was affixed to a document, the nature of the document, and the parties to any agreement to which the Common Seal was affixed.**

ITEM 4.6: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR SUTTON

THAT the Responsible Officer Recommendation be ADOPTED.

**CARRIED 10-0
ABSOLUTE MAJORITY**

BACKGROUND

1. Council reviewed the Common Seal delegation on 14 December 2010, prior to the appointment of the new CEO.

DISCUSSION

2. Council has previously approved to delegate the application of the Common Seal to the CEO, being:

That, under sections 2.5 and 9.49 of the Local Government Act 1995 the CEO be delegated the authority to attach the Common Seal to documents.

Condition: Subject to the restrictions imposed by section 5.43 of the Local Government Act 1995.

Applicable legislation/policy:

- *Local Government Act 1995, section 2.5 (Local governments created as bodies corporate)*
- *Local Government Act 1995, section 9.49A (Execution of documents)*

Note: The City of Albany is a body corporate with perpetual succession and a common seal. The Local government has the legal capacity of a natural person. The common seal is the official stamp or “signature” of the City of Albany.

A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

Report to Elected Member Information Bulletin.

3. On review of the Common Seal delegation, given the appointment of a new CEO, it was considered prudent that it is brought to Council's attention to reconsider that delegation.
4. To ensure that the Common Seal is applied appropriately, a policy should be adopted to govern the use of the Common Seal and to give authority to the CEO to Execute Documents on behalf of Council.

GOVERNMENT CONSULTATION

5. Advice was sought from the Department of Local Government, Compliance Section to confirm that the proposed delegation was compliant with legislation.

STATUTORY REQUIREMENTS

5.42. Delegation of some powers and duties to CEO

6. In accordance with Section 4.52 of the Act, a local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43. * Absolute Majority Required.
7. A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO

8. In accordance with Section 5.43(ha) of the Act, a local government cannot delegate to a CEO the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government

9.49A. Executive of documents

- (1) *A document is duly executed by a local government if —
(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*

- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
- (a) the mayor or president; and*
(b) the chief executive officer or a senior employee authorised by the chief executive officer,
each of whom is to sign the document to attest that the common seal was so affixed.
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

9.49B. Contract formalities

- (1) *Insofar as the formalities of making, varying or discharging a contract are concerned, a person acting under the authority of a local government may make, vary or discharge a contract in the name of or on behalf of the local government in the same manner as if that contract was made, varied or discharged by a natural person.*
- (2) *The making, variation or discharge of a contract in accordance with subsection (1) is effectual in law and binds the local government concerned and other parties to the contract.*
- (3) *Subsection (1) does not prevent a local government from making, varying or discharging a contract under its common seal.*

9.49. Documents, how authenticated

9. A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign.

2.5. Local governments created as bodies corporate

- (1) *When an area of the State becomes a district, a local government is established for the district.*

(2) The local government is a body corporate with perpetual succession and a common seal.

(3) The local government has the legal capacity of a natural person.

(4) The corporate name of the local government is the combination of the district's designation and name.

(5) If the district's name incorporates its designation, the designation is not repeated in the corporate name of the local government.

(6) Proceedings may be taken by or against the local government in its corporate name.

FINANCIAL IMPLICATIONS:

10. Staff resources to prepare this report and implement changes will be resourced from within allocated budget.

STRATEGIC IMPLICATIONS

11. This item directly relates to the following elements from the Albany Insight ~ Beyond 2020 Corporate Plan...

Priority Goals and Objectives... Goal 4: Governance ... The City of Albany will be an industry leader in good governance and service delivery.

The City of Albany will... 4.1 Be a cohesive Council delivering ethical and responsible government committed to excellence in board governance.

POLICY IMPLICATIONS:

12. This will create a new policy titled: Use of Common Seal Policy.
13. A report on executed documents and use of the Common Seal will be reported to the Council on a monthly basis.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

14. Council has the option to refuse the delegation, however the CEO will be unable to execute documents on behalf of Council which will make conducting the "business" of the City of Albany extremely difficult.

SUMMARY CONCLUSION

The delegation and proposed policy be approved.

File Number (Name of Ward)	PE.AUT.1 (All Wards)
Previous Reference	OCM 14/12/10 Item 4.3

[9:31:56 PM](#) Chief Executive Officer, Ms Faileen James, returned to the Chamber.

XIV. MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING

Nil.

XV. URGENT BUSINESS APPROVED BY DECISION OF THE MEETING**15.1: STREETSCAPE COMMITTEE PROPOSALS**

Proponent : City of Albany
Attachment : Concept drawing.
Responsible Officer : Executive Director Works & Services (K Ketterer)

IN BRIEF

To seek approval of Council to proceed with investigations into:

- Wakes Wall improvements
- Entry Statements

ITEM 15.1: RESOLUTION**MOVED: COUNCILLOR WELLINGTON****SECONDED: MAYOR EVANS****THAT Item 15.1 be ACCEPTED as an urgent item.**

CARRIED 10-0
ABSOLUTE MAJORITY

ITEM 15.1: RESPONSIBLE OFFICER RECOMMENDATION

It is recommended that:

- i) Council support, in principle, subject to budget allocation, the proposal considered by the Streetscape Committee that the area adjoining Wakes Wall be upgraded
- ii) The Streetscape Committee be authorised to proceed to finalise planning for the Wakes Wall upgrade
- iii) Council support the Entry Statement proposal as considered by the Streetscape Committee
- iv) Amounts of \$20,000 for the Wakes Wall upgrade and \$31,000 for the Entry Statement construction be considered by Council as part of the draft 2011/12 budget

ITEM 15.1: RESOLUTION (Responsible Officer Recommendation)**MOVED: COUNCILLOR WELLINGTON****SECONDED: COUNCILLOR DUFTY****THAT the Responsible Officer Recommendation be ADOPTED.**

CARRIED 10-0

CEO:**RESPONSIBLE OFFICER:**

BACKGROUND

1. The Streetscape Committee has over the past months been considering improvements to the City streetscape, most of which have had an operational impact. However, two important proposals have emerged which will have a long term impact of the City.

Wakes Wall

2. The grassed area at the top of Lockyer Avenue behind Wakes Music Centre, commonly known as Wakes Wall, has long been the subject of discussion, with a view to improving this area as a visual amenity for the centre of the CBD.
3. The wall is old and not rendered. To some this is unsightly; to others it has some appeal, but the Committee is unanimous that the area requires some improvement in aesthetics.
4. Discussions have been held with Mr Wake, and he is in favour of and willing to support improvements recommended by Council. Two options are being considered:
 - Render the wall and adorn with community art
 - Landscape the area and screen the wall with shrubs and plantings
5. The second option is recommended by the Committee, with the City of Albany responsible for the maintenance of the area.

Entry Statements

The subject of Entry Statements has been a matter of debate for over seven years, and the Committee has reached agreement on a recommendation to Council on the form and wording of the proposed Entry Statements.

DISCUSSION

Wakes Wall

6. It is proposed that the area contain fittings for the erection of banners for the advertising of community events. This can be accommodated in both options.
7. Both options have a cost of approximately \$20,000, but no provision has been made in the 2010/11 budget. It is proposed that this amount be considered for the 2011/12 budget processes.
8. Support in principle from Council is sought before extensive design work is performed and any formal documented agreements are sought from Mr Wake.

Entry Statement

It is been proposed that three Entry Statements are erected on the approaches into Albany on:

- Albany Highway
 - South Coast Highway
 - Chester Pass Road
9. Proposed is a 1200mmx4000mm sign, with a theme in support of the Amazing Albany brand similar to that provided at the airport and other tourist locations.

FINANCIAL IMPLICATIONS

10. *Wakes Wall*

Budget estimate work is currently being undertaken but at this stage possibly \$20,000.

11. *Entry Statements*

Budget estimate work is currently being undertaken but at this stage possibly \$31,000.

File Number (Name of Ward)	:	RD.MEE.2
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XV. MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING

15.1 NOTICE OF MOTION BY CR LEAVESLEY – REVOCATION OF ALAC GYMNASIUM RESTRICTIONS

NOTICE OF MOTIONS TO REVOKE A PREVIOUS DECISION OF COUNCIL BY COUNCILLOR LEAVESLEY

In accordance with Regulation 10(1a) of the *Local Government (Administration) Regulations 1996*, we the undersigned hereby move to have the restrictions imposed on the Albany Leisure & Aquatic Centre (ALAC) Gymnasium Operations detailed at Report Item 16.1 which was moved at an ordinary meeting of council held on the 16 January 2007.

Name: <u>Margaret Leavesley</u>	Signature: <u>[Signature]</u>	Date: <u>17-5-2011</u>
Name: <u>MILTON EVANS</u>	Signature: <u>[Signature]</u>	Date: <u>17.5.2011</u>
Name: <u>Jill Bostock</u>	Signature: <u>[Signature]</u>	Date: <u>17.5.2011</u>
Name: <u>Desana Kibetwara</u>	Signature: <u>[Signature]</u>	Date: <u>17.5.2011</u>
Name: <u>DAVID BOSTOCK</u>	Signature: <u>[Signature]</u>	Date: <u>17/5/2011</u>

Reason: The current restrictions impinge upon the commercial viability of the gymnasium and if left in place increase the commercial risk (business unit failure).

**ITEM 15.1: REVOCATION MOTION BY COUNCILLOR LEAVESLEY
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT the restriction imposed by the resolution of Council on 16 January 2007, detailed at item 16.1, Points 2 & 3, being:

“2. That the operations of the gymnasium be undertaken as follows:

- i) Like manner to existing gymnasium facility,**
- ii) Same number and functionality of exercise stations,**
- iii) No specific memberships to gymnasium allowed – access only by general membership to ALAC for all facilities or casual usage fee.**

3. That the operations of the general purpose area be undertaken as follows:

- i) Seniors/Wellness/rehabilitation service section programs,**
- ii) Workshops/meeting space for sporting and community group meetings, coaching/accreditation training sessions, general community space and allied health service delivery.”**

be REVOKED.

[Section 5.25 (1)(e) of the Local Government Act 1995 refers]

Reason:

The restrictions imposed by Council on the operation of the ALAC gymnasium are unrealistic and unfair.

The restrictions impinge upon the commercial viability of the gymnasium and if left in place increase the commercial risk (business unit failure).

The City gymnasium can operate without these mandated restrictions and comply with national competition policy.

XVI. REQUEST FOR REPORTS FOR FUTURE CONSIDERATION.

Nil.

XVII. ANNOUNCEMENT OF NOTICES OF MOTION TO BE DEALT WITH AT THE NEXT MEETING.**17.1 REVOCATION OF PREVIOUS COUNCIL DECISION – CR LEAVESLEY****NOTICE OF MOTIONS TO REVOKE A PREVIOUS DECISION OF COUNCIL
BY COUNCILLOR LEAVESLEY**

In accordance with Regulation 10(1a) of the *Local Government (Administration) Regulations 1996*, we the undersigned hereby move to have the restrictions imposed on the Albany Leisure & Aquatic Centre (ALAC) Gymnasium Operations detailed at report item 16.1 which was moved at an ordinary meeting of council held on the 16/01/07 (attached) and later detailed in the Memorandum of Understanding (MOU) made between the City of Albany and Local Health & Fitness Centre Operators (attached) be reconsidered.

_____	_____	_____
Name	Signature	Date
_____	_____	_____
Name	Signature	Date
_____	_____	_____
Name	Signature	Date
_____	_____	_____
Name	Signature	Date
_____	_____	_____
Name	Signature	Date

MOTION 1

That Council suspend Standing Orders Local Law 2009, clause 3.11(4) to allow notice of motion to be addressed at the February 2011 Ordinary meeting of Council.

(ABSOLUTE MAJORITY)

Reason: The current restrictions impinge upon the commercial viability of the gymnasium and if left in place increase the commercial risk (business unit failure).

MOTION 2

That the restrictions imposed on the Albany Leisure & Aquatic Centre (ALAC) Gymnasium Operations detailed at report item 16.1 which was moved at an ordinary meeting of council held on 16/01/07 (attached) and later detailed in the Memorandum of Understanding (MOU) made between the City of Albany and Local Health & Fitness Centre Operators (attached) be reconsidered.

MOTION 3

THAT the restriction imposed by the resolution of Council on 16/01/07, detailed at item 16.1, Points 2 & 3, being:

“2. That the operations of the gymnasium be undertaken as follows:

- i) Like manner to existing gymnasium facility,***
- ii) Same number and functionality of exercise stations,***
- iii) No specific memberships to gymnasium allowed – access only by general membership to ALAC for all facilities or casual usage fee.***

3. That the operations of the general purpose area be undertaken as follows:

- i) Seniors/Wellness/rehabilitation service section programs,***
- ii) Workshops/meeting space for sporting and community group meetings, coaching/accreditation training sessions, general community space and allied health service delivery.”***

be REVOKED.

(ABSOLUTE MAJORITY)

[Section 5.25 (1)(e) of the Local Government Act 1995 refers]

Reason:

The restrictions imposed by Council on the operation of the ALAC gymnasium are unrealistic and unfair.

The restrictions impinge upon the commercial viability of the gymnasium and if left in place increase the commercial risk (business unit failure).

The City gymnasium can operate without these mandated restrictions and comply with national competition policy.

MOTION 4

That the Memorandum of Understanding (MOU) for the Operation and Management of the gymnasium made between the City of Albany and the following business entities:

- **Body Studio (no longer operating);**
- **Bodycare Health Studio;**
- **Curves; and**
- **Fitness for Her (no longer operating),**

be CANCELLED.

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

2.5 Request from Contractor to Surrender Contract-Albany Visitor Centre

[9:41:12 PM](#) Councillor Hammond, having declared a financial interest, left the Chamber.

Members of the public and media vacated the Chamber.

ITEM 2.5: RESPONSIBLE OFFICER RECOMMENDATION

THAT Option four with termination of the contract with Albany Inbound Pty Ltd effective from 1 June 2011, be ADOPTED subject to:

- i. adoption by Council of a Business Plan by that date, which clearly demonstrates to Council that the City can effectively transition to providing tour and accommodation booking services, and that the business model is a cost effective outcome for the City;
- ii. the transfer of the customer database and the “StayNow” brand to the City (should that product be deemed appropriate after review) for \$11,210;
- iii. the transfer of merchandise at cost;
- iv. the transfer of assets of Albany Inbound Pty Ltd to the Council for \$5,114; and
- v. all other costs related to the termination of contract being borne by Albany Inbound Pty Ltd.

ITEM 18: RESOLUTION 1

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR SUTTON

THAT Council move behind closed doors to discuss Item 2.5: Request from Contractor to Surrender Contract-Albany Visitor Centre.

CARRIED 9-0

ITEM 18: RESOLUTION 2

MOVED: MAYOR EVANS

SECONDED: COUNCILLOR SUTTON

THAT Standing Order 5.7- Order of Call in Debate, be SUSPENDED to allow discussion.

CARRIED 9-0

ITEM 2.5: AMENDMENT

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR MATLA

THAT the Responsible Officer Recommendation be amended as follows:

- ii. **request the CEO investigate the engagement of a business analysis contractor to complete the business plan in anticipation of a report to be presented to the May meeting of Council;**
- iii. **the transfer of the customer database and the “StayNow” brand to the City (should that product be deemed appropriate after review) for an amount to be negotiated with the contractor up to \$11,000; and**

- 2. The CEO urgently meet with the staff of Albany Inbound and the Albany Visitor Centre to advise them of Council’s decision and future steps**

**CARRIED 7-2
ABSOLUTE MAJORITY**

Record of Vote

Against the Motion: Councillors D Bostock and Leavesley

ITEM 18: RESOLUTION 3

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR WELLINGTON

THAT Council come out from behind closed doors.

CARRIED 9-0

No members of the public or media returned to the Chamber. Councillor Hammond did not return to the Chamber.

ITEM 18: RESOLUTION 4

MOVED: COUNCILLOR MATLA

SECONDED: COUNCILLOR SUTTON

THAT Standing Order 5.7-Order of Call in Debate, be RESUMED.

CARRIED 9-0

ITEM 2.5: AMENDED RECOMMENDATION

Council agrees to terminate the contract with Albany Inbound Pty Ltd effective from 1 June 2011, subject to:

- 1.**
 - i. adoption by Council of a Business Plan by that date, which clearly demonstrates to Council that the City can effectively transition to providing tour and accommodation booking services, and that the business model is a cost effective outcome for the City;**
 - ii. request the CEO to investigate the engagement of a business analysis contractor to complete the Business Plan in anticipation of a report to be presented to the May Ordinary meeting of Council;**
 - iii. the transfer of the customer database and the “StayNow” brand to the City (should that product be deemed appropriate after review) for an amount to be negotiated with the contractor up to \$11,000;**
 - iv. the transfer of merchandise at cost;**
 - v. the transfer of assets of Albany Inbound Pty Ltd to the Council for \$5,114; and**
 - vi. all other costs related to the termination of contract being borne by Albany Inbound Pty Ltd.**
- 2. Council requests the CEO urgently meet with the staff of Albany Inbound and the Albany Visitor Centre to advise them of Council’s decision and future steps**

ITEM 2.5: RESOLUTION (Amended Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR MATLA

THAT the Amended Recommendation be ADOPTED.

**CARRIED 7-2
ABSOLUTE MAJORITY**

Record of Vote

Against the Motion: Councillors D Bostock and Leavesley.

Councillor Hammond declared a financial interest in this item. Councillor Hammond left the Chamber and did not participate in the discussion or vote.

XIV. MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING

Nil.

XV. URGENT BUSINESS APPROVED BY DECISION OF THE MEETING**15.1: STREETSCAPE COMMITTEE PROPOSALS**

Proponent : City of Albany
Attachment : Concept drawing.
Responsible Officer : Executive Director Works & Services (K Ketterer)

IN BRIEF

To seek approval of Council to proceed with investigations into:

- Wakes Wall improvements
- Entry Statements

ITEM 15.1: RESOLUTION**MOVED: COUNCILLOR WELLINGTON****SECONDED: MAYOR EVANS****THAT Item 15.1 be ACCEPTED as an urgent item.**

CARRIED 10-0
ABSOLUTE MAJORITY

ITEM 15.1: RESPONSIBLE OFFICER RECOMMENDATION

It is recommended that:

- i) Council support, in principle, subject to budget allocation, the proposal considered by the Streetscape Committee that the area adjoining Wakes Wall be upgraded
- ii) The Streetscape Committee be authorised to proceed to finalise planning for the Wakes Wall upgrade
- iii) Council support the Entry Statement proposal as considered by the Streetscape Committee
- iv) Amounts of \$20,000 for the Wakes Wall upgrade and \$31,000 for the Entry Statement construction be considered by Council as part of the draft 2011/12 budget

ITEM 15.1: RESOLUTION (Responsible Officer Recommendation)**MOVED: COUNCILLOR WELLINGTON****SECONDED: COUNCILLOR DUFTY****THAT the Responsible Officer Recommendation be ADOPTED.**

CARRIED 10-0

BACKGROUND

1. The Streetscape Committee has over the past months been considering improvements to the City streetscape, most of which have had an operational impact. However, two important proposals have emerged which will have a long term impact of the City.

Wakes Wall

2. The grassed area at the top of Lockyer Avenue behind Wakes Music Centre, commonly known as Wakes Wall, has long been the subject of discussion, with a view to improving this area as a visual amenity for the centre of the CBD.
3. The wall is old and not rendered. To some this is unsightly; to others it has some appeal, but the Committee is unanimous that the area requires some improvement in aesthetics.
4. Discussions have been held with Mr Wake, and he is in favour of and willing to support improvements recommended by Council. Two options are being considered:
 - Render the wall and adorn with community art
 - Landscape the area and screen the wall with shrubs and plantings
5. The second option is recommended by the Committee, with the City of Albany responsible for the maintenance of the area.

Entry Statements

The subject of Entry Statements has been a matter of debate for over seven years, and the Committee has reached agreement on a recommendation to Council on the form and wording of the proposed Entry Statements.

DISCUSSION

Wakes Wall

6. It is proposed that the area contain fittings for the erection of banners for the advertising of community events. This can be accommodated in both options.
7. Both options have a cost of approximately \$20,000, but no provision has been made in the 2010/11 budget. It is proposed that this amount be considered for the 2011/12 budget processes.
8. Support in principle from Council is sought before extensive design work is performed and any formal documented agreements are sought from Mr Wake.

Entry Statement

It is been proposed that three Entry Statements are erected on the approaches into Albany on:

- Albany Highway
 - South Coast Highway
 - Chester Pass Road
9. Proposed is a 1200mmx4000mm sign, with a theme in support of the Amazing Albany brand similar to that provided at the airport and other tourist locations.

FINANCIAL IMPLICATIONS

10. *Wakes Wall*

Budget estimate work is currently being undertaken but at this stage possibly \$20,000.

11. *Entry Statements*

Budget estimate work is currently being undertaken but at this stage possibly \$31,000.

File Number (Name of Ward)	:	RD.MEE.2
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XVI. REQUEST FOR REPORTS FOR FUTURE CONSIDERATION.

Nil.

XVII. ANNOUNCEMENT OF NOTICES OF MOTION TO BE DEALT WITH AT THE NEXT MEETING.**17.1 REVOCATION OF PREVIOUS COUNCIL DECISION – CR LEAVESLEY**

**NOTICE OF MOTIONS TO REVOKE A PREVIOUS DECISION OF COUNCIL
BY COUNCILLOR LEAVESLEY**

In accordance with Regulation 10(1a) of the *Local Government (Administration) Regulations 1996*, we the undersigned hereby move to have the restrictions imposed on the Albany Leisure & Aquatic Centre (ALAC) Gymnasium Operations detailed at report item 16.1 which was moved at an ordinary meeting of council held on the 16/01/07 (attached) and later detailed in the Memorandum of Understanding (MOU) made between the City of Albany and Local Health & Fitness Centre Operators (attached) be reconsidered.

Name	Signature	Date
Name	Signature	Date
Name	Signature	Date
Name	Signature	Date
Name	Signature	Date

MOTION 1

That Council suspend Standing Orders Local Law 2009, clause 3.11(4) to allow notice of motion to be addressed at the February 2011 Ordinary meeting of Council.

(ABSOLUTE MAJORITY)

Reason: The current restrictions impinge upon the commercial viability of the gymnasium and if left in place increase the commercial risk (business unit failure).

MOTION 2

That the restrictions imposed on the Albany Leisure & Aquatic Centre (ALAC) Gymnasium Operations detailed at report item 16.1 which was moved at an ordinary meeting of council held on 16/01/07 (attached) and later detailed in the Memorandum of Understanding (MOU) made between the City of Albany and Local Health & Fitness Centre Operators (attached) be reconsidered.

MOTION 3

THAT the restriction imposed by the resolution of Council on 16/01/07, detailed at item 16.1, Points 2 & 3, being:

“2. That the operations of the gymnasium be undertaken as follows:

- i) Like manner to existing gymnasium facility,***
- ii) Same number and functionality of exercise stations,***
- iii) No specific memberships to gymnasium allowed – access only by general membership to ALAC for all facilities or casual usage fee.***

3. That the operations of the general purpose area be undertaken as follows:

- i) Seniors/Wellness/rehabilitation service section programs,***
- ii) Workshops/meeting space for sporting and community group meetings, coaching/accreditation training sessions, general community space and allied health service delivery.”***

be REVOKED.

(ABSOLUTE MAJORITY)

[Section 5.25 (1)(e) of the Local Government Act 1995 refers]

Reason:

The restrictions imposed by Council on the operation of the ALAC gymnasium are unrealistic and unfair.

The restrictions impinge upon the commercial viability of the gymnasium and if left in place increase the commercial risk (business unit failure).

The City gymnasium can operate without these mandated restrictions and comply with national competition policy.

MOTION 4

That the Memorandum of Understanding (MOU) for the Operation and Management of the gymnasium made between the City of Albany and the following business entities:

- **Body Studio (no longer operating);**
- **Bodycare Health Studio;**
- **Curves; and**
- **Fitness for Her (no longer operating),**

be CANCELLED.

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

2.5 Request from Contractor to Surrender Contract-Albany Visitor Centre

[9:41:12 PM](#) Councillor Hammond, having declared a financial interest, left the Chamber.

Members of the public and media vacated the Chamber.

ITEM 2.5: RESPONSIBLE OFFICER RECOMMENDATION

THAT Option four with termination of the contract with Albany Inbound Pty Ltd effective from 1 June 2011, be ADOPTED subject to:

- i. adoption by Council of a Business Plan by that date, which clearly demonstrates to Council that the City can effectively transition to providing tour and accommodation booking services, and that the business model is a cost effective outcome for the City;
- ii. the transfer of the customer database and the “StayNow” brand to the City (should that product be deemed appropriate after review) for \$11,210;
- iii. the transfer of merchandise at cost;
- iv. the transfer of assets of Albany Inbound Pty Ltd to the Council for \$5,114; and
- v. all other costs related to the termination of contract being borne by Albany Inbound Pty Ltd.

ITEM 18: RESOLUTION 1

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR SUTTON

THAT Council move behind closed doors to discuss Item 2.5: Request from Contractor to Surrender Contract-Albany Visitor Centre.

CARRIED 9-0

ITEM 18: RESOLUTION 2

MOVED: MAYOR EVANS

SECONDED: COUNCILLOR SUTTON

THAT Standing Order 5.7- Order of Call in Debate, be SUSPENDED to allow discussion.

CARRIED 9-0

ITEM 2.5: AMENDMENT

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR MATLA

THAT the Responsible Officer Recommendation be amended as follows:

- ii. **request the CEO investigate the engagement of a business analysis contractor to complete the business plan in anticipation of a report to be presented to the May meeting of Council;**
- iii. **the transfer of the customer database and the “StayNow” brand to the City (should that product be deemed appropriate after review) for an amount to be negotiated with the contractor up to \$11,000; and**

2. The CEO urgently meet with the staff of Albany Inbound and the Albany Visitor Centre to advise them of Council’s decision and future steps

**CARRIED 7-2
ABSOLUTE MAJORITY**

Record of Vote

Against the Motion: Councillors D Bostock and Leavesley

ITEM 18: RESOLUTION 3

MOVED: COUNCILLOR WOLFE

SECONDED: COUNCILLOR WELLINGTON

THAT Council come out from behind closed doors.

CARRIED 9-0

No members of the public or media returned to the Chamber. Councillor Hammond did not return to the Chamber.

ITEM 18: RESOLUTION 4

MOVED: COUNCILLOR MATLA

SECONDED: COUNCILLOR SUTTON

THAT Standing Order 5.7-Order of Call in Debate, be RESUMED.

CARRIED 9-0

ITEM 2.5: AMENDED RECOMMENDATION

Council agrees to terminate the contract with Albany Inbound Pty Ltd effective from 1 June 2011, subject to:

1.

- i. adoption by Council of a Business Plan by that date, which clearly demonstrates to Council that the City can effectively transition to providing tour and accommodation booking services, and that the business model is a cost effective outcome for the City;**
- ii. request the CEO to investigate the engagement of a business analysis contractor to complete the Business Plan in anticipation of a report to be presented to the May Ordinary meeting of Council;**
- iii. the transfer of the customer database and the “StayNow” brand to the City (should that product be deemed appropriate after review) for an amount to be negotiated with the contractor up to \$11,000;**
- iv. the transfer of merchandise at cost;**
- v. the transfer of assets of Albany Inbound Pty Ltd to the Council for \$5,114; and**
- vi. all other costs related to the termination of contract being borne by Albany Inbound Pty Ltd.**

2. Council requests the CEO urgently meet with the staff of Albany Inbound and the Albany Visitor Centre to advise them of Council’s decision and future steps

ITEM 2.5: RESOLUTION (Amended Recommendation)

MOVED: COUNCILLOR WELLINGTON

SECONDED: COUNCILLOR MATLA

THAT the Amended Recommendation be ADOPTED.

**CARRIED 7-2
ABSOLUTE MAJORITY**

Record of Vote

Against the Motion: Councillors D Bostock and Leavesley.

Councillor Hammond declared a financial interest in this item. Councillor Hammond left the Chamber and did not participate in the discussion or vote.

ITEM 19: RESOLUTION

MOVED: COUNCILLOR DUFTY
SECONDED: COUNCILLOR WOLFE

THAT Standing Order 3.1-Recording of Proceedings, to stop recording of proceedings, be RESUMED.

CARRIED 9-0

XIX. NEXT ORDINARY MEETING DATE

Tuesday 19th April 2011.

XX. There being no further business the Mayor declared the meeting closed at 10.41PM.



Milton J Evans, JP
Mayor

APPENDIX A

**STATUS REPORT ON DEFERRED ITEMS
FROM PREVIOUS MEETINGS**

Meeting Date	Item Number	Details/Status
15/06/2010	15.2.3	Lot 5 Rufus Street - Compensation for Subdivision Design Changes. WAITING ON ADVICE FROM LGIS.
16/11/2010	2.6	Surrender Lease over Hangar Site 2 at Albany Airport. REQUIRES FURTHER CONSIDERATION BY COUNCIL.
15/02/2011	4.11	Padre White Lookout Project. CEO TO UNDERTAKE FURTHER INVESTIGATION OF THIS PROJECT, INCLUDING DETAILED BUDGET ANALYSIS FOR PROJECT SCOPE AND PROVIDE FURTHER ADVICE TO MARCH 2011 OCM.

APPENDIX B

TABLED DOCUMENTS

Document Tabled By	Subject	File Ref.
Mr Richard Vogwill	Frenchman Bay Caravan Park Site	GO.COM.3
Ms Kim Stanton	Item 1.2	GO.COM.3
Ms Vera Torr	Item 2.5	GO.COM.3

ELECTED MEMBER TABLED DOCUMENTS

Document Tabled By	Subject	File Ref.
	Nil.	

STAFF TABLED DOCUMENTS

Document Tabled By	Subject	File Ref.
	Nil.	

APPENDIX B

Tabled Address by Mr Richard Vogwill



Memorandum

Date: 15 March 2011
To: Mayor, Councillors and CEO, City of Albany
From: Richard Vogwill, President, Frenchman Bay Association Inc (FBA)
Subject: Who's Trying to Change the Zoning of the Frenchman Bay Site?

Your Worship,

As mentioned at last week's Agenda meeting, the Frenchman Bay 'Caravan Site' property is up for sale and will be auctioned in April. The ad for this auction is on the last page of this memo. There are two items that concern us in this ad:

- ***"One of Australia's most iconic residential opportunities"***
- ***"An alternative 30 holiday home site + 8 single bed apartments approval is en train"***

This may sound like music to the owners' and developers' ears; however, it is at variance with Council's past decisions on the development of this site and we wonder where such an idea has originated and who has sanctioned such an approval.

The FBA realises that the City cannot control a real estate agent's ads; however, the question remains: "Is there some truth to the claims in the advertisement or is this merely a tactic by the current owner to increase the value of this land prior to selling to companies that actually build and develop resorts?" We hope that the Council or a Council Committee is not, once again, trying to get a residential component into this property zoning, as occurred in February 2010 (Planning and Environment Strategy and Policy Committee recommended introducing a 25% residential component into the zoning of this Local Strategic Site). We feel that Council has a duty to ensure that this area is not spoiled for future generations to enjoy and that it remains accessible to all. We hope that the Council will liaise with the Community in a transparent manner before deciding on any changes to the zoning of this site.

The tourism potential of this site is obvious. The FBA's position has always been to promote the development of environmentally appropriate tourist accommodation on this strategic site and to oppose the use of it for privately-owned dwellings. Contrary to some views, the FBA does not want another caravan park on this site!

Although the FBA is unanimously against any type of residential zoning at the Frenchman Bay site; we have always recommended an environmentally-sensitive, 4 or 5-star eco-tourism development on this iconic site. Such resorts are popular with many international travellers and are designed to allow tourists and locals alike to enjoy the environment and at the same time protect it. This is a prestige site and short-term accommodation should go elsewhere. The

Frenchman Bay site is supposed to be reserved for tourism development, not form a new residential sub-division.

We all know that Albany does not have enough **high quality tourism accommodation**. The development of the Frenchman Bay and Middleton Beach sites for tourism uses was supposed to remedy this by improving available 4 to 5-Star **tourist** accommodation in our region.

While it may be tempting, in these difficult economic times for the City, to rezone this site for non-tourism use in order to generate fast income, it would ruin an iconic location that has long been targeted to increase tourism income for the City. Such actions would constitute 'short-term gain for long-term pain'.

The City of Albany (Draft) Tourism Accommodation Planning Strategy (TAPS) classifies the Frenchman Bay site as a "Local Strategic Site" and states that on such sites residential is a prohibited use. The strategy states that these sites "... *should be given the highest level of zoning protection from alternate land uses that may diminish the tourism experience....*"

The residential construction industry is currently depressed and many economists expect housing prices to continue to decline for some time. So any arguments to forego tourist development for residential development on this site are without basis.

More importantly, however, tourism development creates jobs and the promotion of tourism helps to focus attention on the preservation of Albany's natural and cultural heritage.

Two reports have recently been completed that contain proposals for developing the tourist potential of the Frenchman Bay area. In January 2011, the GSDC released a report (*Great Southern Strategic Plan for Maritime Heritage Tourism*) identifying 13 priority maritime heritage tourism sites around Albany. The Frenchman Bay site is recognised as one of these.

The Albany Maritime Foundation has also completed a study (*Kinjarling Trail and Stories Project*), which describes plans to establish a network of trails in the Albany region. We understand that the report contains detailed proposals for the Quaranup-Frenchman Bay area and references are made to 4 or 5-star eco-accommodation in the Frenchman Bay area.

We hope that Council realises that Community Consultation/Engagement is now a standard requirement of our business society – whether legally required or not. Project developments that do not seek to obtain opinion from the Community commonly fail.

Finally, Your Worship, we have a number of questions for you and the Council, which we request are answered before the April 2011 Council Meeting:

- **Have any real estate agents or property developers given or offered to give in the future presentations to the Council or a Council Committee concerning changing the zoning of the Frenchman Bay site?**
- **Is the Council or any associated Council Committee considering changing the current zoning of the Frenchman Bay site?**
- **Does the Council agree that the iconic Frenchman Bay site is a Local Strategic Site that should be reserved wholly for future tourism developments with no residential component?**
- **Will the Council involve the Community in any future discussions concerning any proposals to change the zoning of the Frenchman Bay site?**

Thank you for the opportunity to present our Association's views on these matters.
Richard Vogwill, 53 La Perouse Road, Goode Beach



Albany, FRENCHMAN BAY

Frenchman Bay Road

AUCTION - 3.25 HA ELEVATED BEACHFRONT LAND - FRENCHMAN BAY

- Formerly the Frenchman Bay Caravan Park, this striking land looks North over ocean to the City of Albany
- 3.25 hectares of elevated beachfront land
- One of Australia's most iconic residential or development opportunities
- Local structure plan prepared for a 100 unit 5 star strata holiday complex
- An alternative 30 holiday home site + 8 single bed apartments approval is en train

Auction to be held at 11am 16th April 2011
2011Albany Entertainment Centre
2 Toll Place, Albany

APPENDIX B

Tabled Address by Ms Kim Stanton

Item # 1.2 Lot 105 F/Bay Rd, Big Grove - Council Meeting 15th March 2011
 Kiin Stanton 55 Chipana Drive Little Grove

Council should either reject this SAR (Scheme Amendment Request) or lay it on the table for an indefinite time frame

Lot 105 is a very special 20ha block of land. It has significantly important biodiversity and conservation values. Being next to the City of Albany Reserve of equal size, it has even more value. Both have remnant vegetation with high ecological significance covering the entire 2 lots and includes a diverse range of flora and fauna some of which are listed as rare and critically endangered. Also few weeds and no recorded die-back. Both blocks act as a wildlife and Greenways Belt from the Harbour with a linkage south along Humphrey Rd to the National Park.

The CoA Greenways Plan was adopted by Council in 2002 and to be included in the new ALPS. The Greenways Plan is a land use strategic document that recognises the importance of vegetated corridors and bushland systems both in reserves, private land and road and recreation corridors, because the decline of species is usually caused by fragmentation or isolation of habitats.

The SW of WA is known as one of the world's biodiversity hotspots, and now with climate change issues, land of this value does need recognition in all CoA planning. Page 33 in ALPS is quite specific re protecting biodiversity areas by maintaining and protecting areas of significant remnant vegetation and most importantly by utilising cleared land wherever possible in new urban developments.

We should be consolidating and infilling on all land approved for subdivision and scheme amendments, particularly where services are planned and/or provided for.

Other Issues –

1) The F/B Rd section of Lot 105 is listed as Priority 1 with a major water bore located on the nearby CoA Reserve and supplies water to Albany, Mt Barker and Kendenup. There are 3 aquifers going down at various depths from ground-level. Both Water Corp and the Dept of Water are clear about the importance of retaining maximum vegetation to protect this essential water resource.

Dept of Water told me a big study is being done to establish their positions. This research will take time and is important to establish which areas of Big Grove could contaminate the underlying aquifers. Also more detail information re these linkages between the 3 aquifers (surface, sub and deep) because any linkage in the system could bring surface contamination into our biggest water reserve.

The studies need to be completed before any more large developments are approved.

2) Because Lot 105 was originally listed in ALPS as a Reserve, EPA only gave it a Level 1 assessment - the lowest level.

If Council recommend a SAR for Lot 105, DEC's letter states that any zoning proposal and planning scheme amendment will require statutory referral to the EPA for a Formal Level of Assessment.

DEC and EPA concerns are – quote “the clearing of vegetation that has exceptional biodiversity and nature conservation values and the protection of threatened species of flora, fauna and habitat plus protecting unique ecological communities.”

APPENDIX B

DEC's letter goes on to say "The above advice clearly indicates that the site has environmental significance. It is strongly recommended that should Council be inclined to pursue rezoning of the site, more detailed information is sought on the biodiversity and conservation values of the site and the significance and extent of these before further decisions are made". unquote

3) The Albany Regional Vegetation Survey has recently been completed by DEC and State approved. The Dept of Planning advise this Survey now needs to be adopted into the CoA ALPS Document. When will this be done?

4) Have the City of Albany done a Title search?

Did the Catholic Church buy this piece of land or was it given to them? If given, was it stated on the title to the purpose it was given for. Could it have been given for Parks and Recreation as we all previously thought?

What is the nature of the Caveat lodged on 24/3/1953 and not removed since.
What limitations, interests, encumbrances and notifications are listed?

The City of Albany cannot afford to buy it, but an approach could be made to the State Govt through DEC to secure it for conservation purposes as the Lower Great Southern Strategy does supports the creation of remnant vegetation linkages and states: the "planning, acquisition and management of these corridors is a State Govt. responsibility (DEC and WAPC).

Don't be pressed into voting for the SAR - just because it might go to SAT.
Because when it does, the EPA will do the Formal Assessment with all the other Govt Agencies deciding on its merit. Due to the site's significance I do believe the formal studies should have been done before it came before Council tonight.

APPENDIX B

Tabled Document by Ms Vera Torr

DB Report

Tabled by Ms Torr Page 1 of 3
8/3/11
6.25 PM

	ASIC Company Extract
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ALBANY INBOUND PTY LTD

This computer produced extract contains information derived from the ASIC database either from documents lodged with the ASIC and processed as at the stated date of the extract, or from records supplied by previous state and/or territory systems.

Please advise the ASIC promptly of any error or omission which you may find so that they can correct it.

Company Name	ALBANY INBOUND PTY LTD
ACN	121880715
ABN	N/A
Place Of Registration	N/A
State Of Registration	WA
Previous State No.	
Date Registered	22 Sep 2006
Extract Date	09 Feb 2011

Current Organisation Details

Name	ALBANY INBOUND PTY LTD
Details Start Date	22 Sep 2006
Details End Date	N/A
Name Start Date	22 Sep 2006
Company Status	Registered
Company Type	Australian Proprietary Company
Company Class	Limited By Shares
Company Sub Class	Proprietary Company
Date Deregistered	N/A
Reason Deregistered	N/A

Registered Office

Address:	C/- C/- FOCUSED RESULTS MANAGEMENT UNIT 5 78 STRICKLAND STREET DENMARK WA 6333
Start Date:	22 Sep 2006

Principal Place Of Business

Address:	'OLD RAILWAY STATION' 1 PROUDLOVE PARADE ALBANY WA 6330
Start Date:	22 Sep 2006

Contact Address for ASIC use only

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DB Report

Page 2 of 3

Address: PO BOX 443
DENMARK
WA 6333
Start Date: 09 Feb 2007

NOTE:

Section 146A of the *Corporations Act 2001* states 'A contact address is the address to which communications and notices are sent from ASIC to the company.'

Director**RAYMOND JOHN , HAMMOND**

Address: 70 FESTING STREET
ALBANY
WA 6330
Born: 28 Apr 1948 - NEWMARKET , UNITED KINGDOM
Appointed Date: 22 Sep 2006

Share Structure

Class Code	ORD
Class Title	ORDINARY
Document Number Qualifier	
Number of Shares	1
Total Amount To Be Paid	\$1.00
Total Amount Due	\$0.00

Shareholders

Class:	ORD	Number Held:	1
Beneficially Owned:	Yes	Fully Paid:	Yes
Document Number Qualifier:			
Joint:	No		
RAYMOND JOHN HAMMOND			
70 FESTING STREET			
ALBANY			
WA 6330			

Documents Received**Documents Received (except those listed already under charges)**

Documents listing current as at
09/02/11

Date Received:	22 Sep 2006
Description:	201C - Application For Registration as a Proprietary Company
Doc. No.:	5E1578278
No. Pages:	3
Date Processed:	22 Sep 2006

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Page 3 of 3

Effective Date: 22 Sep 2006

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CURRENCY: All monetary amounts quoted in this report are shown in AUSTRALIAN DOLLARS unless otherwise stated.

End of Report

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DB Report

Tabled by Ms Torr Page 1 of 2
8/3/11
6.25 PM

	Business Name Extract
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STAYNOW

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Please advise the State Registration Office promptly of any error or omission which you may find so that they can correct it.

Business Name	STAYNOW
ARBN	BN10669395
Nature Of Business	REGIONAL ACCOMMODATION BOOKING SERVICE
State Of Registration	WA
Date Registered	Nov 22 2006
Extract Date	Feb 9 2011

Current Business Details

Name	STAYNOW
Date Business Commenced	Dec 1 2006
Renewal Date	Nov 22 2012
Date Business Ceased	
Business Status	REGISTERED ORGANISATION

Principal Place Of Business

Address (Current):	ALBANY VISITOR CENTRE PROUDLOVE PARADE ALBANY WA 6330
Start Date:	Nov 22 2006

Corporations(s) Carrying on Business (Current)**TAYSON PTY LTD**

Registration Number:	<u>009 194 030</u>
Type:	OWNER
Class:	AUSTRALIAN PROPRIETARY COMPANY
Address:	FOCUSED RESULTS MANAGEMENT PTY LTD 19 SOUTH COAST HWY DENMARK WA 6333

Start Date:	Oct 1 2008
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Corporations(s) Carrying on Business (Previous)**ALBANY INBOUND PTY LTD**

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Tabled Document by Ms V Torr

DB Report

Page 2 of 2

Registration Number: 121 880 715
Type: OWNER
Class: AUSTRALIAN PROPRIETORY COMPANY
Address: C/- C/- FOCUSED RESULTS MANAGEMENT U
5
78 STRICKLAND ST
DENMARK
WA 6333

Start Date: Nov 22 2006
Cease Date: Oct 1 2008

Documents Lodged

Document Type	Date Lodged	Date Processed
STATEMENT FOR RENEWAL OF A BUSINESS NAME	Nov 4 2009	Nov 4 2009
STATEMENT OF CHANGE IN CERTAIN PARTICULARS	Nov 4 2009	Nov 4 2009
STATEMENT OF CHANGE IN CERTAIN PARTICULARS	Oct 2 2008	Oct 2 2008
APPLICATION FOR REGISTRATION OF A BUSINESS NAME	Nov 21 2006	Nov 22 2006

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