

MINUTES

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 15th November 2005
7.30pm
City of Albany Council Chambers**

City of Albany

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Signed _____

Andrew Hammond
Chief Executive Officer

Date: 18th November 2005

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1.0 DECLARATION OF OPENING

Her Worship the Mayor declared the meeting open at 7.30pm and extended a welcome to all present.

2.0 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

| | | |
|---|---|---------------|
| Mayor | - | A Goode, JP |
| Councillors | - | DW Wellington |
| | - | MJ Evans, JP |
| | - | P Lionetti |
| | - | SM Bojcun |
| | - | JD Williams |
| | - | DJ Wolfe |
| | - | RH Emery |
| | - | J Waterman |
| | - | S Marshall |
| | - | J Walker |
| | - | D Wiseman |
| | - | R Paver |
| | - | J Jamieson |
| | - | I West |
| Chief Executive Officer | - | AC Hammond |
| Executive Director Corporate & Community Services | - | WP Madigan |
| Executive Director Works & Services | - | L Hewer |
| Manager Development Services | - | R Fenn |
| Minute Secretary | - | LM Freegard |

Approximately 38 members of the public
2 media representatives

Apologies / Leave of Absence:

- Councillor P Lionetti
- Councillor M Bojcun
- Councillor M Evans
- Councillor B Emery

3.0 OPENING PRAYER

Mayor Goode read the opening prayer

“Heavenly Father, we thank you for the beauty and peace of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.0 PUBLIC QUESTION TIME

Council’s Standing Orders Local Laws provide that each Ordinary Meeting of the Council shall make available a total allowance of 30 minutes, which may be extended at the discretion of Council, for residents in attendance in the public gallery to address clear and concise questions to Her Worship the Mayor on matters relating to the operation and concerns of the municipality.

Such questions should be submitted to the Chief Executive Officer, **in writing, no later than 10.00am** on the last working day preceding the meeting (the Chief Executive Officer shall make copies of such questions available to Members) but questions may be submitted without notice.

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

***N Smithson – Smithson Planning**

Mr Smithson spoke in regard to Item 11.3.1. He requested Councillors to carefully consider the adoption of this item as he felt that the Urban Design Policy and Housing Strategy Policy contradicted each other. He requested Councillors to lay the matter on the table for one month in order for both the documents to be reviewed in conjunction with one another.

Mr Smithson then asked a question of Council, was the consultant provided with DPI plans for transport for the Albany Waterfront?

The Executive Director Development Services responded to Mr Smithson advising that DPI had been provided with the memorandum of understanding and concepts plans for the Albany Waterfront development.

***J Williams – Lowlands**

Ms Williams spoke in regard to Item 11.2.1 and requested Councillors to consider extending the consultation period on the proposed Cat Laws for a further 6 months. This would ensure that cat welfare could be integrated into the proposed Law if adopted.

***D Price – Spencer Street**

Ms Price addressed Council in regard to Item 11.3.1. Ms Price requested Councillors to support the adoption of this item to ensure substance to the current Albany Town Planning Schemes.

***K Stanton – Little Grove**

Ms Stanton spoke in regard to Item 11.3.1. Ms Stanton requested Councillors not to support Councillor Williams alternate motion. Ms Stanton requested Councillors to support Councillor Pavers alternate motion.

Ms Stanton also spoke in regard to Item 11.2.1 and requested Councillors to support the introduction of a Cat Law as ‘we need to start somewhere’ to encourage responsible pet ownership.

***B Crane – Torbay Hill**

Mr Crane attended with Jess Dyer and Annie Car and spoke on behalf of the Torbay Residents and Ratepayers Association. Mr Crane expressed concerns that the 2000 Management Plan for Cosy Corner had not been actioned in anyway. Mr Crane requested Councillors to address the problems experienced at Cosy Corner in particular the non functioning ablution facilities, high fire risk and the free sometimes legal undesirable campers.

*** B Kneebone - Youngs**

Mr Kneebone spoke in regard to Item 11.3.3 and requested Councillors to distance Albany from nuclear power, transport and nuclear waste disposal by supporting the motion as suggested by Local Member for Albany Mr Peter Watson, MLA.

***C Davies – Frenchman Bay**

Mr Davies addressed Council on behalf of the Frenchman Bay Association in regard to Item 11.2.1 and requested Councillors to support a bylaw that included a provision for all cats not needed for breeding to be compulsory sterilised.

THAT open forum be extended by 10 minutes.

MOTION CARRIED 10-0

***D Narney – Cat Sterilisation Society**

Ms Narney spoke on behalf of the Cat Sterilisation Society in regard to Item 11.2.1 and wished to inform Councillors that Cat Laws do not work and that the emphasis should be to promote sensible pet ownership. Ms Narney requested Councillors to consider an educational program for schools.

***Mr Barrass – Suffolk Street**

Mr Barrass spoke in regard to Item 11.2.1 and was in support of the introduction of Cat Laws 11.2.1.

***J Wauters – Wauters Enterprises**

Mr Wauters addressed Councillors in regard to Item 11.3.1 and requested Councillors to closely look at the document as he believed it contained incorrect information relating to building heights. Mr Wauters wished to inform Councillors that using a 300mm concrete slab he was able to construct 2.4m ceiling heights of 5 stories using 14m and 7 stories using 20m.

Public Open Forum closed at 8.05pm

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council Meeting Minutes (as previously distributed).

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 18th October 2005;
as previously distributed be confirmed as a true and accurate record of proceedings.

Executive Director Corporate Services explained that a written complaint had been received from Ms B Reardon regarding the Minutes of the 18 October 2005 meeting. He advised that he considered the Minutes, although concise, to be correct. The complaint will be processed in accordance with the City of Albany Complaints Policy.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR JAMIESON**

THAT the following minutes:

- **Ordinary Council meeting held on 18th October 2005;**
as previously distributed be confirmed as a true and accurate record
of proceedings.

MOTION CARRIED 10 - 0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8.0 DECLARATIONS OF FINANCIAL INTEREST

Councillor Paver – Item 14.3.1

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

Development Services

REPORTS

DEVELOPMENT SERVICES REPORTS

11.1 DEVELOPMENT

11.1.1 Development Application – Outbuilding- Lot 744 Grandis Way, Yakamia

File/Ward : A176778 (Yakamia Ward)

Proposal/Issue : Proposal to construct an over height outbuilding

Subject Land/Locality : Lot 744 Grandis Way, Yakamia

Proponent : David Shanks

Owner : David & Wilma Shanks

Reporting Officer(s) : Planning Officer (L Brown)

Disclosure of Interest : Nil

Previous Reference : Nil

Summary Recommendation : Issue Notice of Planning Scheme Refusal

Bulletin Attachment : Nil

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued.

BACKGROUND

1. An application has been received for an over-height outbuilding at lot 744 Grandis Way, Yakamia. A site plan and elevations are attached at the rear of this report.
2. The subject land is zoned “R20” within Town planning Scheme No. 1A and is 719m² in area.
3. The proposed outbuilding is 68.5m² in floor area with a wall height of 3.5m and a ridge height of 4.2m.
4. The proposed shed does not comply with the provisions of the current Outbuildings Policy and therefore has been referred to Council for consideration.

STATUTORY REQUIREMENTS

5. The land is zoned residential and outbuildings are required to comply with the residential provisions of Council’s Outbuilding Policy which permits a maximum wall height of 3.0m. Substantial justification is required to approve a development contrary to the provisions of the policy.

POLICY IMPLICATIONS

6. The aim of the City of Albany’s Outbuildings Policy is:

“To achieve a balance between providing for the various legitimate needs of residents for outbuildings, and minimising any adverse impacts outbuildings may have on neighbours, a street, a neighbourhood or locality, or the City as a whole.”

This policy objective is achieved when sheds comply with the (height, area and other) requirements of the Outbuildings policy.

FINANCIAL IMPLICATIONS

7. Nil

STRATEGIC IMPLICATIONS

8. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

A thriving City

- Excellent community infrastructure and services

Mission Statement:

The City of Albany is committed to ...

- Providing sound governance

Priority Projects:

Nil

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued.

COMMENT/DISCUSSION

- 9. The applicant believes a height relaxation for the proposed outbuilding is warranted as it is not visible from the street and the intended shed is required to shelter his motorhome, which is 3m in height.
- 10. Council staff have offered alternative solutions to the proponent which includes a re-design of the outbuilding so as to accommodate the motorhome within a shed with a roof pitch to 4.2m.
- 11. The proposed outbuilding has the potential to detract from the local amenity. Whilst acknowledging that the applicant has a desire to shelter and protect his motorhome investment, the outbuilding has the ability to impact upon the locality. An approval of this nature, in a residential area, sets an undesirable precedent for other overheight outbuildings proposals.

RECOMMENDATION

THAT Council resolves to issue a Notice of Planning Scheme Refusal for an over-height outbuilding at Lot 744 Grandis Way, Yakamia, as it does not comply with the residential objectives of the Outbuildings Policy.

Voting Requirement Simple Majority

.....

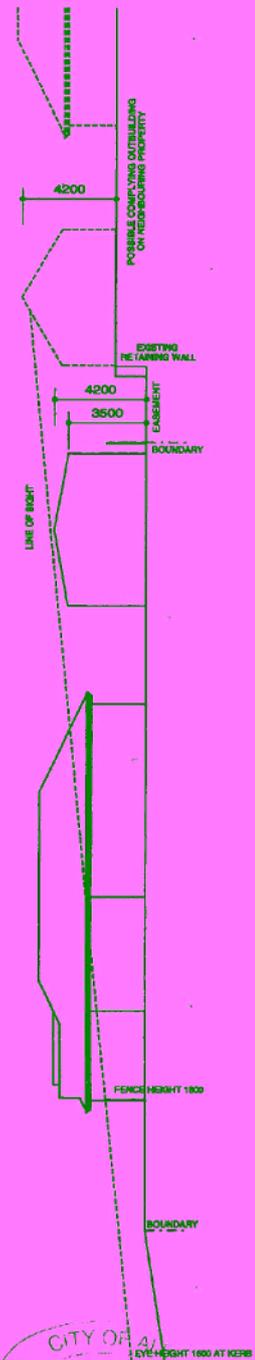
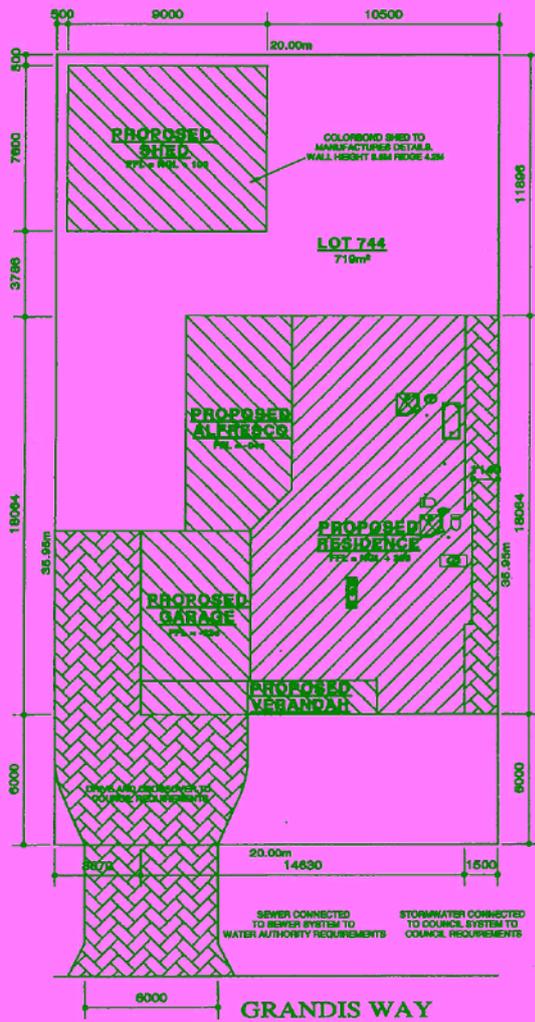
**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR PAVER**

THAT Council resolves to issue a Notice of Planning Scheme Refusal for an over-height outbuilding at Lot 744 Grandis Way, Yakamia, as it does not comply with the residential objectives of the Outbuildings Policy.

MOTION CARRIED 11-0

DEVELOPMENT SERVICES REPORTS

C:\Documents and Settings\MATTHEW\My Documents\AUTOCAD\BENCH PLANS\Working Drawings\D-010-05-WD-A.DWG as of 13/10/2005



SITE PLAN
SCALE 1 : 200

| | | | | |
|-----------|-----------------------------|--------------------------|--|---|
| Revisions | Designed M SHANKS | CAD Ref D-010-05-WD-A | Client DAVID & WILMA SHANKS | MATTHEW SHANKS MOB 0414 925 474 © Note: Copyright applies to all DMD designs and drawings |
| | Drawn M SHANKS | Checked | | |
| | Date SEPTEMBER 05 | Job No D-010-05-WD | Project PROPOSED RESIDENCE LOT 744 GRANDIS WAY HILLVIEW ESTATE YAKAMIA | |
| | Scale AS SHOWN | Page 1 OF 1 | | |

DEVELOPMENT SERVICES REPORTS

11.1.2 Development Application – Outbuilding - 9 The Esplanade, Bayonet head

File/Ward : A43743 (Yakamia Ward)

Proposal/Issue : Proposal to construct an over height outbuilding

Subject Land/Locality : Lot 13, (9) The Esplanade, Bayonet Head

Proponent : Kusters Steel Construction Pty Ltd

Owner : Terry Burges

Reporting Officer(s) : Planning Officer (L Brown)

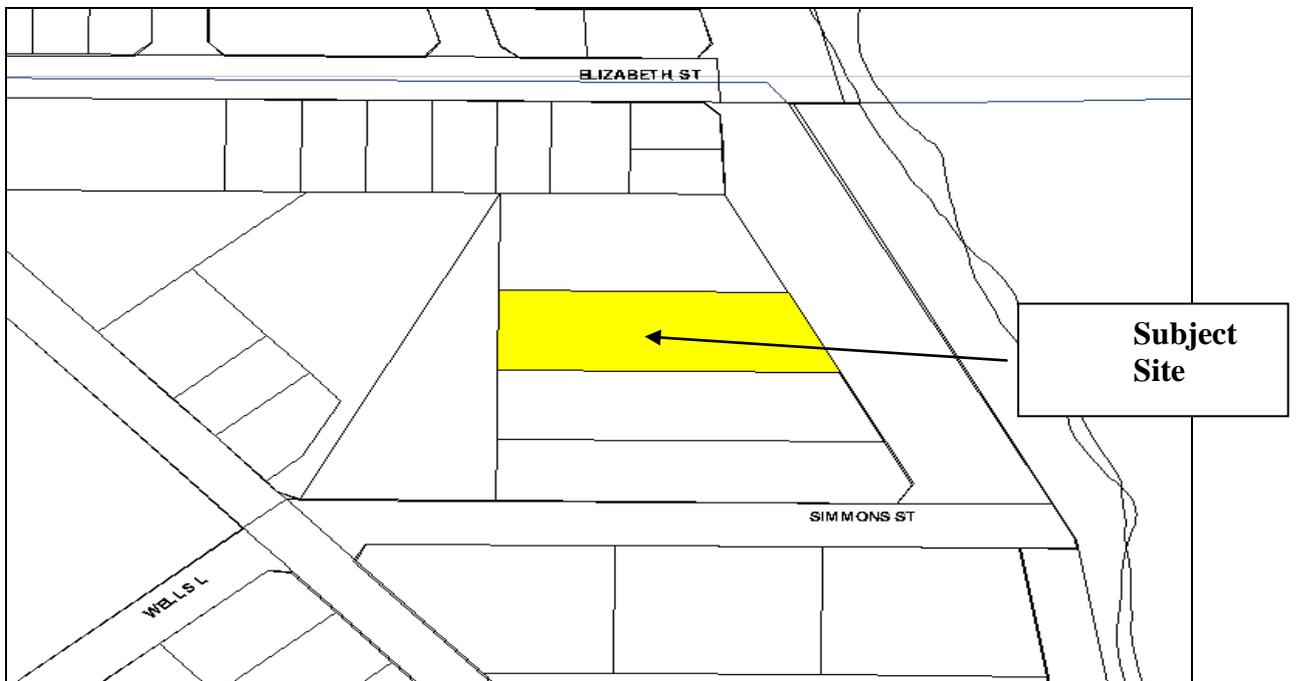
Disclosure of Interest : Nil

Previous Reference : Nil

Summary Recommendation : Issue Notice of Planning Scheme Refusal

Bulletin Attachment : Nil

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued.

BACKGROUND

1. An application has been received for an over-height outbuilding at 9 The Esplanade Bayonet Head. A site plan and elevations are attached at the rear of this report.
2. The subject land is zoned “Residential” within Town planning Scheme No. 3 and is 4065m² in area.
3. The proposed outbuilding is 102m² in floor area with a wall height of 4.0m and a ridge height of 5.2m.
4. The proposed shed does not comply with the provisions of the current Outbuildings Policy and is referred to Council for consideration.

STATUTORY REQUIREMENTS

5. The land is zoned residential and outbuildings are required to comply with the residential provisions of Council’s Outbuilding Policy which permits a maximum wall height of 3.0m, ridge height of 4.2m and floor area of 100m². Substantial justification is required to approve a development contrary to the provisions of the policy .

POLICY IMPLICATIONS

6. The aim of the City of Albany’s Outbuildings Policy is:

“To achieve a balance between providing for the various legitimate needs of residents for outbuildings, and minimising any adverse impacts outbuildings may have on neighbours, a street, a neighbourhood or locality, or the City as a whole”.

This policy objective is achieved when sheds comply with the (height, area and other) requirements of the Outbuildings policy.

FINANCIAL IMPLICATIONS

7. Nil

STRATEGIC IMPLICATIONS

8. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

A Thriving city: Albany’s community will enjoy economic growth and outstanding opportunities for our youth through...

- Excellent community infrastructure and services

Mission Statement:

The City of Albany is committed to ...

- Providing sound governance

Priority Projects:

Nil

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued.

COMMENT/DISCUSSION

9. The applicant believes a height relaxation for the proposed outbuilding is warranted as it is not visible from the street and the intended use is shelter his boat, which is 3.8m in height.
10. The proposed outbuilding has the potential to detract from the local amenity. The proposed outbuilding will be placed on a land parcel that is in excess of 4000m² and whilst it should not make an obvious impact upon the amenity of the area due to the size of the land parcel, the extending residential area is much smaller in size. There will be future detrimental impacts, should subdivisions or further development occur, and these need to be considered.
11. Whilst acknowledging that the applicant has a desire to shelter and protect his boating investment, an approval of an outbuilding grossly in excess of the residential provisions of the Outbuilding Policy could set a precedent for other oversize outbuildings proposals.

RECOMMENDATION

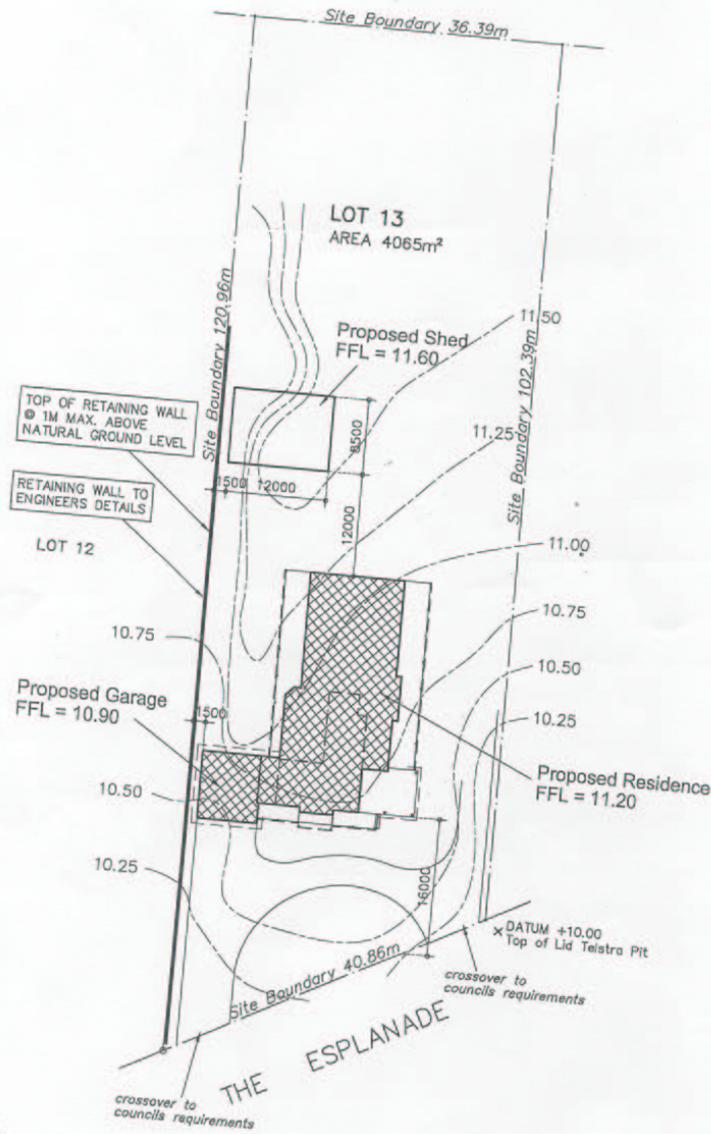
THAT Council resolves to issue a Notice of Planning Scheme Refusal for an over-height outbuilding at 9 The Esplanade, Bayonet Head, as it does not comply with the residential objectives of the Outbuildings Policy.

Voting Requirement Simple Majority

.....

| |
|---|
| <p>MOVED COUNCILLOR PAVER SECONDED COUNCILLOR JAMIESON</p> <p>THAT Council resolves to issue a Notice of Planning Scheme Refusal for an over-height outbuilding at 9 The Esplanade, Bayonet Head, as it does not comply with the residential objectives of the Outbuildings Policy.</p> <p style="text-align: right;">MOTION CARRIED 11-0</p> |
|---|

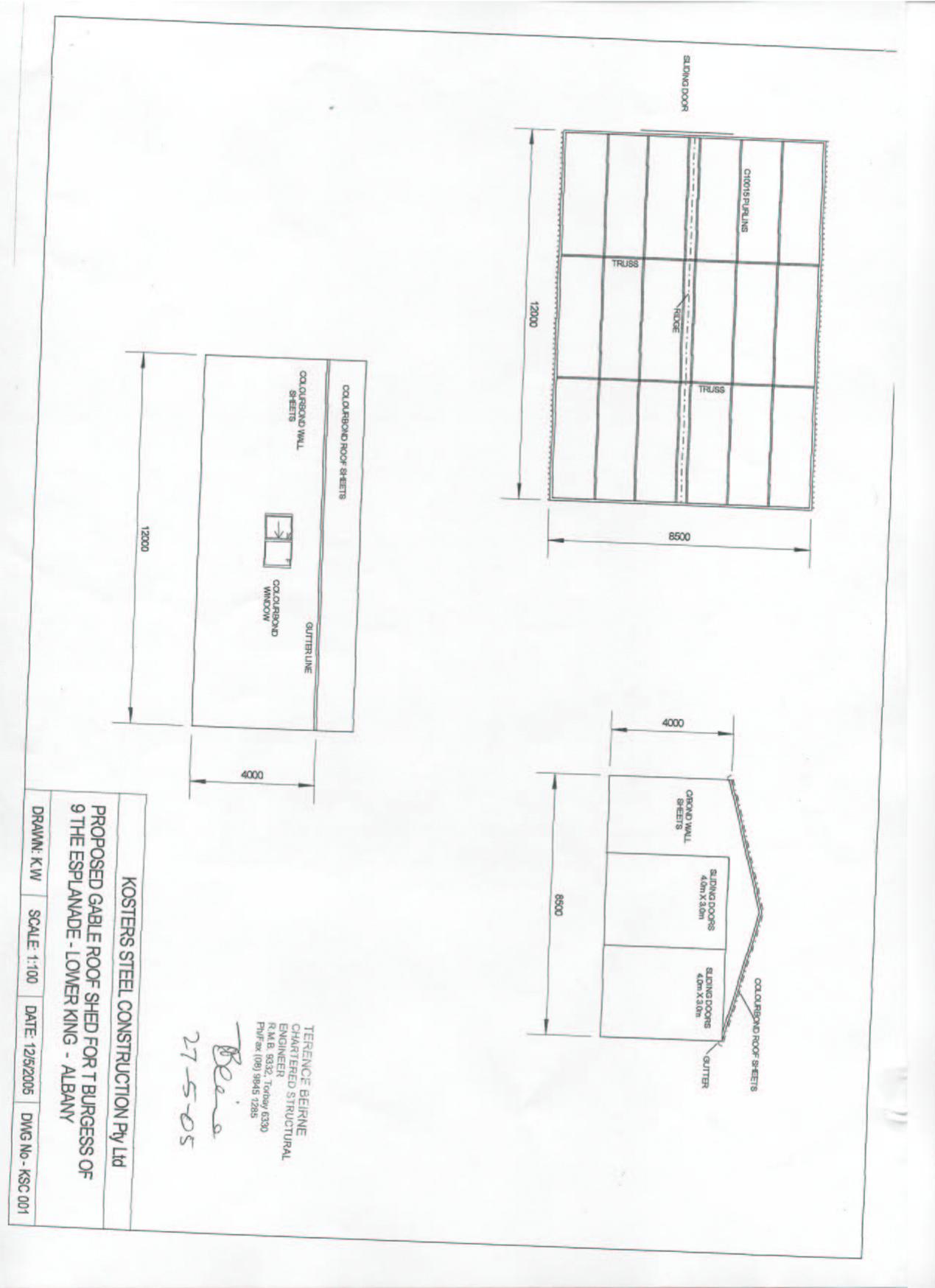
DEVELOPMENT SERVICES REPORTS



KOSTERS STEEL CONSTRUCTION Pty Ltd
PROPOSED GABLE ROOF SHED FOR T BURGESS OF
9 THE ESPLANADE, LOWER KING, ALBANY
DRAWN: Z.K SCALE: 1:100 DATE: 07/11/2005



ORDINARY COUNCIL MEETING MINUTES – 15/11/05
 ** REFER DISCLAIMER **
 DEVELOPMENT SERVICES REPORTS



DEVELOPMENT SERVICES REPORTS

11.2 HEALTH, BUILDING & RANGERS

11.2.1 Local Law – Introduction of Local Law - The Control, Keeping and Welfare of Cats

| | | |
|-------------------------------|---|---|
| File | : | MAN 052 (All Wards) |
| Proposal/Issue | : | Consider the introduction of a local law relating to the control, keeping and welfare of cats. |
| Subject Land/Locality | : | City of Albany |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Manager Planning & Ranger Services (G Bride) |
| Disclosure of Interest | : | Nil. |
| Previous Reference | : | OCM 21/09/04 - Item 11.2.1 OCM 19/04/05 – Item 11.2.1 |
| Summary Recommendation | : | Council not introduce a Local Law relating to the control, keeping and welfare of cats, and consider additional financial assistance for cat sterilisation measures |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | N/A |

BACKGROUND

1. At it's meeting dated 19 April 2005, Council considered an item on a proposal to introduce a Local Law relating to the control, keeping and welfare of cats and resolved:

“THAT Council lay this matter on the table for a period of six months”.
2. The reason given for the resolution was:

“To provide interested members of the community an opportunity to examine and respond to the report presented to Council at the Concept Briefing Session in March 2005.”
3. In accordance with Council's resolution, the following public consultation process was undertaken:
 - Copies of the briefing report were forwarded to key stakeholders, and were made available at the front counter for inspection.
 - An advert was placed in the local newspaper, requesting comments from the community on whether or not to introduce a cat local law.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued.

4. At the close of the advertising period (on 15 September 2005) a total of 170 written submissions had been received. Inclusive of petitions, 543 people expressed their view on the issue.
5. The following table (Table 1) summarises the breakdown of the 170 submissions received:

'No Cat Control' – no cat control measures are supported.

'Sterilisation Only' – measures to promote sterilisation of cats only are supported.

'Full Cat Control' – measures to promote increased cat control inclusive of registration requirements, restriction on the number of cats per household, sterilisation incentives, impounding and euthanasia (where cat remains unclaimed) are supported.

| No Cat Control | Sterilisation Only | Full Cat Control |
|------------------------|---|--|
| 13 written submissions | 110 written submissions Petitions (160 signatures) | 46 written submissions Petitions (195 signatures) |

NB: 1 submission with 18 signatures requested farmers use sterilised cats to reduce mice numbers – this submission was not placed in any of the above categories.

6. Submissions were received from organisations including the RSPCA, the Cat Sterilisation Society, the Albany Community Environment Centre, the Friends of RSPCA, Friends of the Western Ground Parrot, the Dog Rock Veterinary Clinic, Albany Bird Group, the South Coast Progress Association and the Malleefowl Preservation Group Inc.

STATUTORY REQUIREMENTS

7. The Local Government Act 1995 provides local governments with the power to make local laws considered necessary for the good government of their districts:

“Section 3.5 - Legislative power of local governments

“(1) A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.”

POLICY IMPLICATIONS

8. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

9. The cost of making a local law can be funded from the current budget.
10. The cost of implementing a local law is difficult to assess. The level of enforcement, which would influence the cost, together with arrangements on animal keeping and disposal, has not been established.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued.

11. Should Council wish to pursue a cat sterilisation subsidy scheme only (at say \$50 per cat, based on 200 cats per year) a sum of \$10,000 would need to be budgeted each financial year.

STRATEGIC IMPLICATIONS

12. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision

A thriving city; Albany’s community will enjoy economic growth and outstanding opportunities for our youth through

- *Excellent community infrastructure and services*

Mission Statement

The City of Albany is committed to...

- *Providing sound governance*

Priority Projects

Nil.”

COMMENT/DISCUSSION

13. Due to the number of submissions received during the consultation period, the views on both sides of the debate are summarised below:

Arguments for Full Cat Control

- Stray and wandering cats can spread diseases dangerous to human health (toxoplasmosis).
- Wandering cats cause nuisance by trespassing onto private property and onto public roads.
- Predation of native fauna (birds, reptiles and small mammals).
- The City of Albany and surrounds is a bio-diversity hot spot.
- Unsterilised cats are responsible for numerous litters of unwanted kittens.
- The Federal Department of Agriculture, Fisheries and Forestry and the RSPCA recognise the need for cat legislation.
- Cat owners need to take responsibility and be under similar legislation to that applying to dogs.

Arguments Against Full Cat Control.

- There is no evidence that cats are a threat to native fauna, with clearing for development having a much more profound impact.
- There is no evidence that a cat local law would reduce the level of predation on native fauna by cats.
- Cat Local Laws would be impossible to enforce and would represent a waste or ratepayer’s money.

Cat Sterilisation

14. The majority of submissions requested that Council should assist with cat sterilisation, either through additional funding to groups such as the Cat Sterilisation Society, or by managing a subsidy scheme arrangement.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued.

Council currently provides assistance to the Society on a year by year basis through its community funding assistance program (usually between \$500 and \$1200 per year depending on competing priorities).

15. The Shire of Busselton administers a sterilisation subsidy scheme, whereby cat owners receive a reimbursement of \$50 on proof of sterilisation (Vet Certificate). The Scheme currently costs the Shire of Busselton around \$6000 per year, which equates to the sterilisation of 120 cats.
16. Whilst the sterilisation of cats is a valuable way of reducing the number of unwanted kittens, it is difficult to know whether a subsidy of \$50 (representing one third of the cost to sterilise a cat) will provide an adequate incentive for cat owners to pursue sterilisation.
17. If a sterilisation package is preferred by Council, one option is to direct the funding to the Cat Sterilisation Society. The Cat Sterilisation Society has an existing track record in the sterilisation of cats, and the program is administered on a number of factors inclusive of an owner's ability pay for sterilisation costs. The registration of cats (needed to manage a subsidy scheme) and the need for Council to manage a database, to ensure subsidies are correctly allocated, would be avoided.
18. If Council administered the scheme, an annual contract could be arranged through an Albany Veterinary Clinic and payments could be made on submission of an invoice and schedule from the vet.

Predation of Native Fauna

19. While there is evidence to indicate that some cats do hunt, the level of predation on native fauna cannot be established. At present there is conflicting information about the damage done by cats. Some authorities claim that cats are hunting native wildlife to extinction, whilst others claim that cats have been unfairly targeted, citing over clearing and overstocking as having a more detrimental impact on wildlife numbers.
20. It is clear however that domestic cats, that are well feed and kept indoors at night, are less likely to predate native fauna than stray or feral cats.

Cat Control Management

21. Several submissions raised concerns that the introduction of a cat local law would require significant resources to be expended with little result. Others raised concerns with staff's preliminary cost estimate (as outlined in the briefing paper), suggesting that an additional ranger would not need to be employed to enforce any cat legislation.
22. Whilst it is difficult to ascertain the total resources that would be required to implement cat control, considerable set-up expenditure would be needed, inclusive of a new cat pound. Ongoing financial commitments would involve vet disposal costs, cat food, cat cages and associated staff resources.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued.

23. The several local governments in WA that have introduced cat local laws have reported mixed results in achieving effective cat control. Due to their mobility, little attempt is made to apprehend wandering cats, with the majority of cats being caught in traps placed on private property. Often the cats belong to a nearby residence and Council officers have on occasions been involved in neighbourly disputes over the traps.

Conclusion

24. The introduction of a “cat local law” is not encouraged by staff at this point. Anecdotal evidence indicates that the few local laws adopted within Western Australia have been ineffective. Statewide legislation, similar to the Dog Act, is a more appropriate method of informing and controlling the actions of cat owners.
25. It would appear that the sterilisation of cats, to reduce the number of unwanted kittens, would be the best method of cat control in the interim period. Whilst compulsory sterilisation would need to be part of Statewide legislation, incentives or assistance to sterilise some cats will reduce cat populations in the City.
26. The question that Council needs to consider is whether funds (additional to the annual community financial assistance program) should be directed to this cause. As Council does not assist dog owners with sterilisation costs, a similar position could be taken with cats. The only difference with cats is that they are prolific breeders (that are able to roam and mate) and kittens are readily available at little or no cost.

RECOMMENDATION

THAT Council consider the allocation of \$7000 in its 2006/07 budget on the basis that the funds are used to sterilise cats within the City of Albany, and not redistributed into a general pool of funds.

Voting requirement Simple Majority

AND

THAT Council not introduce a Local Law relating to the control, keeping and welfare of cats and promote, through the West Australian Government Association a Statewide approach to cat control.

Voting requirement Simple Majority

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued.

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR JAMIESON**

THAT Council endorse the drafting of a Local Law for the control, keeping and welfare of cats, and to this end establish a Cat Law Working Committee;

- a) comprising elected member Councillor _____, and a representative volunteered by each of the following the friends of the RSPCA, the Albany Community and Environment Centre, the Albany Residents and Ratepayers Association, The Albany Bird Group, The Albany Bushcarers Group, The Frenchman Bay Association; and**
- b) charged with preparing in the first instance a draft Local Law on the compulsory registration, identification and sterilisation of cats within the City of Albany to be presented to Council for its consideration by no later than the date of it's Ordinary Council Meeting in April 2006.**

MOTION LOST 4-7

Reason:

- The Working Committee will be charged with the responsibility of determining what level of cat control is appropriate in the City and ensuring suitable costings are presented for consideration during the preparation of the 2005/06 budget.

For the motion: Councillors Paver, Waterman, Jamieson and Wiseman.

Against the motion: Mayor Goode, Councillors Marshall, Wellington, Wolfe, Walker, Williams and West.

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR WALKER**

THAT Council consider the allocation of \$7000 in its 2006/07 budget on the basis that the funds are used to sterilise cats or destroy all unwanted cats within the City of Albany, and not redistributed into a general pool of funds.

AND

THAT Council not introduce a Local Law relating to the control, keeping and welfare of cats and promote, through the West Australian Local Government Association a Statewide approach to cat control.

MOTION CARRIED 7-4

Reason:

- To reduce the population of feral cats within the City of Albany.

For the motion: Mayor Goode, Councillors Marshall, Wellington, Williams, Wolfe, Walker and West.

Against the motion: Councillors Paver, Waterman, Jamieson and Wiseman.

.....

DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

11.3.1 Adopt Draft Policy for Advertising – Central Albany Urban Design Policy

| | |
|-------------------------------|--|
| File/Ward | : STR127 (Frederickstown Ward) |
| Proposal/Issue | : Adopt Draft Policy for Advertising |
| Subject Land/Locality | : Southern Slopes of Mounts Clarence and Melville and Albany Central Business District |
| Proponent | : Urbanizma |
| Owner | : Various |
| Reporting Officer(s) | : Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : Adopt Draft Policy for Advertising |
| Bulletin Attachment | : Nil |

Locality Plan



DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued.

BACKGROUND

1. At the request of Council, Staff engaged the services of Urbanizma, Mr Patric DeVilliers, to undertake a review of the urban design principles applying to the Albany Central Business District (CBD) and the residential areas on the southern slopes of Mounts Clarence and Melville.
2. A reference group of local architects was formed to assist (Mr Patric DeVilliers) evaluate the context and character of development in the study area and to formulate appropriate control mechanisms for the future. A copy of the draft policy will be distributed under separate cover to Councillors and the original document will be tabled at the Council meeting.

STATUTORY REQUIREMENTS

3. Clause 7.21.1 of the City of Albany Town Planning Scheme 1A states;

In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme policies relating to parts or all of the Scheme area and relating to one or more of the aspects of the control of development.
4. 7.21.2: A Town Planning Scheme policy shall become operative only after the following procedures have been completed:
 - (a) *The Council having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
 - (b) *The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.*

POLICY IMPLICATIONS

5. The draft Central Albany Urban Design Policy (UDP) would provide clarity to developers wishing to utilise the performance standards of the Residential Planning Code within the area affected by the policy and they establish a clear policy framework for non-residential developments in the CBD.

FINANCIAL IMPLICATIONS

6. A budget of \$18,500 has been requested to adequately research and undertake the preparation of the draft policy.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued.

“Community Vision:

A Thriving City: Albany’s community will enjoy economic growth and outstanding opportunities for our youth through ...

- *Excellent community infrastructure and services; and*
- *Innovative development complementing Albany’s unique character, natural environment and heritage.*

Mission Statement:

The City of Albany is committed to ...

- *Providing sound governance; and*
- *Promoting our Community’s vision for the future.*

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. Considerable debate has occurred within Council over recent months on the relationship of the various reports that have been prepared and adopted over the CBD and the adjoining residential area. In essence, the four primary reports serve the following functions;
 - Retail Development Strategy (Schrapnel Report) – The RDS is completely strategic in its focus and it analyses the retail floor space requirements of the entire City into the future. It provides recommendations on where that floor space can and should be provided. The RDS will replace the existing WA Planning Commission 5AA policy and must be taken into consideration when rezoning proposals are contemplated. This document focuses on and provides guidance on what is happening with retail at a District level.
 - Defining Central Albany (Taylor Burrell) – The DCA findings will be incorporated into the Local Planning Strategy’s Precinct Plan for the CBD. It generates the spatial requirements needed to integrate car parking, streetscapes, built form and other character components in the CBD and on the boundary of the CBD. This report essentially develops the building footprints and provides guidance on potential development options for sub-precincts within the CBD. In the short term, it will provide guidance to landowners on the opportunities and constraints they face in developing their land. This document is focussed on street blocks, it makes broad-brush statements about desirable land uses, it analyses how the various street blocks should function and it is concerned with a bird’s eye view of the CBD.
 - Central Albany Urban Design Guidelines (Urbanizma) – The UDP’s are a development control tool to supplement the existing scheme provisions and they will have an immediate application. The UDP’s address the physical shape of buildings, the way the building is designed and how it interacts with the street and the neighbourhood. This document describes what individual buildings should look like, it addresses the view from street level and is not concerned with land use issues within the buildings.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued.

- Housing Strategy (SJB Planners) – The HS reviews the available demographic information on the population of Albany, makes an assessment of the existing housing stock and provides advice on how the future housing demand can be accommodated. With ageing housing stock in some suburbs, increased densities may be achieved. In areas of high heritage and aesthetic value, retaining existing densities may equally be desirable. This report provides a strategic framework to promote potential changes to R Code densities and housing types, it provides information on the desired character of the various suburbs throughout Albany and it identifies areas where the existing development control mechanisms may be enhanced.
9. The UDP has analysed the built form of the CBD and its adjacent residential areas. The UDP is seeking to promote the economic revitalisation of Central Albany in a way that adds a vital, active and contemporary layer to the unique and valuable built form that already exists. New projects will be required, under the policy, to;
- add to the vitality of the City centre;
 - make a positive contribution to the City’s townscape;
 - ensure new buildings respond to the scale and articulation of existing streets and the public domain;
 - undertake the adaptive re-use of those heritage buildings which contribute to the urban character;
 - undertake development based on sustainability principles; and
 - encourage high quality and innovative contemporary designs.
10. The consultant has divided the study area into three precincts, dealing with the CBD, the Foreshore and residential areas. In simple terms, the UDP sets maximum building heights of 14 metres in the CBD (3 stories plus roof space), and 17 and 20 metres in the foreshore precinct (excluding fly tower) The UDP promotes the retention of Category B of the R Codes (2 storey) in residential areas other than on “larger lots” where category C of the R Codes (3 storey) can be applied conditionally to 40% of the buildings.
11. A review of the policy by staff has identified some concerns over the duplication of the Objectives and some objectives being more apply labelled as Principles of Development. The policy uses the term “Shall” consistently and in some areas, a discretionary approach may be more appropriate. Also, some of the language used in the policy is architectural jargon and the lack of prescription may lead to confusion when discussing development options with proponents (it is to be used as a development control tool). The function of the current Albany Design Guidelines (another policy document of Council) also remains unclear and Staff are unsure whether they will be replaced by the UDP or they complement the draft policy.
12. Staff comments have been provided to the consultant for comment and a response should be available prior to the meeting. Those comments do not change the intent and principles in the draft policy.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued.

RECOMMENDATION

THAT Council, pursuant to Clause 7.21.2 (a) of the City of Albany Town Planning Scheme 1A resolves to adopt the draft Central Albany Urban Design Policy as a policy document for the purposes of advertising the policy for public comment.

Voting Requirement Simple Majority

.....
Councillor Jamieson left the chamber at 8.46pm

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR WISEMAN**

THAT Council adjourn until 9.00pm

MOTION CARRIED 10-0

8.49pm Mayor Goode reopened the meeting in absence of Councillor Jamieson.

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WEST**

THAT Council resolve to lay on the table the draft Central Albany Urban Design Policy and forward a copy of the draft document to affected CBD landowners for preliminary comment.

MOTION LOST 2-8

Reason:

The delay in consideration of the draft policy is desirable to allow;

- Councillors to consider the policy outcomes, the engagement process for the consultant and the process used in formulating the policy.
- Councillors to be briefed on potential litigation and consequences for Councillors and Council from the draft policy resulting from introducing height restrictions and the policy's impact upon the R Coding.
- A letter to be sent to affected landowners asking for their comments on height restrictions prior to the draft policy's adoption.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued.

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR MARSHALL**

THAT Council, pursuant to Clause 7.21.2 (a) of the City of Albany Town Planning Scheme 1A resolves to adopt the draft Central Albany Urban Design Policy as a policy document for the purposes of advertising the policy for public comment.

AND

THAT concurrently with the advertising of the draft Central Albany Urban Design Policy, Council release the supplementary report of Urbanizma on the Albany Foreshore precinct for public perusal.

MOTION LOST 2-8

Reason:

- The policy provisions in the draft policy relating to the Albany Foreshore are predicated upon the brief provided to the consultant and his comments on the alternate design solutions will assist the community to respond to the policy.

For the motion: Councillors Paver and Waterman.

Against the motion: Mayor Goode, Councillor Wiseman, West, Walker, Wolfe, Williams, Wellington and Marshall.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WOLFE**

THAT Council, pursuant to Clause 7.21.2 (a) of the City of Albany Town Planning Scheme 1A resolves to adopt the draft Central Albany Urban Design Policy as a policy document for the purposes of advertising the policy seeking public comment for a period of eight weeks.

MOTION CARRIED 8-2

For the motion: Mayor Goode, Councillor Marshall, Wellington, Waterman, Wolfe, Walker, West and Wiseman.

Against the motion: Councillor Paver and Councillor Williams

DEVELOPMENT SERVICES REPORTS

11.3.2 Refusal of Scheme Amendment – Action Supermarket - Lots 60 Albany Highway and 40 Stead Road, Centennial Park

| | | |
|-------------------------------|---|---|
| File/Ward | : | A131108 (Frederickstown Ward) |
| Proposal/Issue | : | To Rezone the Former Barnesby Ford Site for the Development of a Shopping Centre. |
| Subject Land/Locality | : | Lots 60 Albany Highway and Lot 40 Stead Road, Centennial Park. |
| Proponent | : | Greg Rowe and Assoc. |
| Owner | : | AJ and CE Barnesby |
| Reporting Officer(s) | : | Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | OCM 16/12/03 - Item 11.3.2 |
| Summary Recommendation | : | Seek Clarification from Minister |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | |



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued.

BACKGROUND

1. The City has recently been advised that the WA Planning Commission has reiterated its recommendation to the Minister for Planning and Infrastructure “not to grant consent to advertise the amendment”. The Commission’s decision legally means that the amendment has been REFUSED, without it being subjected to public opinion.
2. The attached letter from the WA Planning Commission outlines the reasons why the Commission declined to allow the amendment to be advertised.

STATUTORY REQUIREMENTS

3. The Town Planning Regulations 1967 set out the process to be followed once a Local Authority initiates a Town Planning Scheme (inclusive of an amendment). Regulations 13 and 14 are relevant to the current discussion.

13. Adoption of Scheme by local government

- (1) *On completion of the preparation of the Scheme documents pursuant to the provisions of these regulations, the local government shall -*

- (a) *if it resolves to proceed with the Scheme, adopt the proposed Scheme in accordance with the Act; or*
- (b) *if it resolves not to proceed with the Scheme, notify the Commission in writing of that resolution.*

14. Action by Minister or authorised person and notification

- (1) *The Minister or authorised person shall consider the proposed Scheme and the recommendation made by the Commission in relation thereto pursuant to regulation 13 and shall –*
 - (a) *give his consent for the Scheme to be advertised for public inspection;*
 - (b) *withhold his consent for the Scheme to be advertised for public inspection;*
 - or*
 - (c) *give his consent for the Scheme to be advertised for public inspection subject to such modifications and on such conditions as he may think fit.*
- (2) *The Minister or authorised person shall notify the Commission of his decision in respect to the Scheme and the Commission shall thereupon forthwith give notice in writing of that decision to the local government.*

POLICY IMPLICATIONS

4. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

5. The proponent has prepared the appropriate Scheme Amending documents and paid a fee to Council to administer the amendment process.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued.

STRATEGIC IMPLICATIONS

6. The former Barnesby Ford site on Albany Highway is not recognised in the Commercial Strategy Review (2000) as a commercial site; As the proposed amendment was not reflected in current strategies the Consent of the Minister had to be obtained to advertise the amendment.
7. The brief issued to Tony Schrapnel, as part of the preparation of the Retail Development Strategy (2005), required him to determine the retail floor space requirements for the City over the coming two decades and to evaluate the impact of two proposed retail developments, at Catalina and the Barnesby site, on that longer term planning. Mr Schrapnel found that both developments could be conditionally supported.

COMMENT/DISCUSSION

8. It is important to understand the chain of events that lead up to this decision. In chronological order;
 - 16/12/03** Council resolved to initiate the amendment subject to changes being made to the amending documents.
 - 14/05/04** Modifications to documents completed and amendment referred to Department of Environment for Environmental clearance.
 - 18/05/04** Contract entered into with Tony Schrapnel to prepare Retail Development Strategy.
 - 19/05/04** Request submitted to Department of Planning and Infrastructure for amendment to be advertised.
 - 31/05/04** Department of Environment advised that “Scheme not Assessed”, clearing way for it to proceed through statutory processes.
 - 04/08/04** Minister advises Council that “ *she is not prepared to approve the amendment for advertising without Council giving appropriate planning consideration to the orderly and proper expansion of the City Centre, consistent with planning policy. She resolved to defer further consideration of the amendment pending the preliminary preparation of the Commercial Centres Strategy.*”
 - 19/04/05** Draft Retail Development Strategy presented to Council and adjustments sought by Council before adoption of draft strategy.
 - 21/06/05** Report considered from consultant and Council resolves to adopt draft strategy.
 - 12/07/05** Letter forwarded to Minister advising her that draft Retail Strategy prepared and copy forwarded for her to re-assess strategic framework affecting amendment.
 - 13/07/05** Letter forwarded to DPI to obtain approval to advertise adopted Retail Strategy.
 - 21/10/05** WAPC (on behalf of Minister) declines request to advertise amendment
9. The Albany regional office of Department of Planning and Infrastructure has been dealing with the Retail Development Strategy since June 2005 (Officers have been aware of its content since the April meeting) and a recent check with the Secretary of the WA Planning Commission has revealed that the Commission has not considered the Strategy.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued.

10. City staff were contacted on several occasions over the past month, by the Regional Manager of the DPI on the relationship of Council policy documents (eg. the Defining Central Area Report) to the Retail Strategy and on specific retail development proposals; those inquiries were as recent as the last week in October and they were responded to by City staff on the day in question. Staff also offered to meet with DPI retail analysts, with Mr Schrapnel present, to explain the retail modelling, if there were any concerns with the outcomes of the report.
11. Contact with the Albany and Perth Offices of the DPI has revealed that the Retail Strategy remains in the Albany office of the DPI, and it has not been before the State Planning Committee or the WA Planning Commission for consideration (it is expected to be tabled at the November meeting). The Minister has advised Council that "*the Retail Development Strategy has been submitted to the Commission*"; that claim is clearly not supported by advice from the Secretary of the WAPC and serious questions must be raised over the information provided to the Minister.
12. The analysis of the retail aspects of the Amendment would appear to have occurred at officer level. Given the WAPC requires Local Authorities to prepare Retail Strategies, Housing Strategies, etc in accordance with guidelines set by the Commission, and Mr Schrapnel is recognised as a competent retail analyst, the decision to ignore his findings cannot remain unchallenged.

RECOMMENDATION

THAT Council write to the Minister for Planning and the Chairman of the Western Australian Planning Commission;

- a) requesting an urgent and comprehensive review of the decision to withhold consent to advertise Amendment 142 to the City of Albany Town Planning Scheme 1A; and
- b) highlighting the frustrations of the City in progressing Strategic documents (produced in accordance with WAPC guidelines by specialist consultants) through the Commission.

Voting Requirement Simple Majority

.....

Item 11.3.2 continued.

**MOVED COUNCILLOR WELLINGTON
SECONDED MAYOR GOODE**

THAT Council write to the Minister for Planning and Infrastructure and the Chairman of the Western Australian Planning Commission;

- i) requesting an urgent and comprehensive review of the decision to withhold consent to advertise Amendment 142 to the City of Albany Town planning Scheme 1A;**
- ii) highlighting the frustrations of the City in progressing Strategic documents (produced in accordance with WAPC guidelines by specialist consultants) through the Commission; and**
- iii) voicing dissatisfaction with the overall performance of the Albany regional office of the Department of Planning and Infrastructure and seek an inquiry into ways in which that performance can be improved.**

MOTION CARRIED 10-0

Reason:

- The time taken by the Albany office of the Department of Planning and Infrastructure to progress documents through the WAPC and the recommendations of those staff are undermining the development of the City and has produced a loss of confidence in the office.

DEVELOPMENT SERVICES REPORTS

11.3.3 Scheme Amendment Request - Prohibition on Nuclear Activity

| | |
|-------------------------------|---|
| File/Ward | : STRO48 (All Wards) |
| Proposal/Issue | : Request to Introduce Scheme Provisions Prohibiting Nuclear Activity |
| Subject Land/Locality | : Entire District |
| Proponent | : Member for Albany (Mr Peter Watson) |
| Owner | : N/A |
| Reporting Officer(s) | : Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : Not Support Request |
| Bulletin Attachment | : Nil |
| Locality Plan | : N/A |

BACKGROUND

1. The Member for Albany, Mr Peter Watson has recently written to the City of Albany requesting that Council amend its Town Planning Scheme to prohibit nuclear activities within its boundary.
2. Mr Watson highlights a recent amendment to the Shire of Chapman Valley's Town Planning Scheme (see provision following this report) and highlights that such an amendment would not alter or interfere with any existing State or Commonwealth legislation. He claims that, by supporting his request, the City would be sending a clear message that the people of Albany oppose the establishment of nuclear activities and the processing of nuclear materials within Council boundaries.

STATUTORY REQUIREMENTS

3. A Town Planning Scheme is a sub-ordinate piece of legislation, and it remains subservient to Commonwealth laws, State Acts of Parliament and State Regulations. If legislation is passed by the Commonwealth or State to allow nuclear activities (handling, processing or transport) in this region, then that legislation would immediately over-rule any provision contained in a District Town Planning Scheme.

POLICY IMPLICATIONS

4. Council does not have a policy position on nuclear activities within its District boundary. There has been recent debate at a national and state level on government preparedness to engage in the mining and processing of radioactive materials and the generation of power in nuclear reactors; the outcomes of that debate are still unclear at a federal level, but the State Liberal party has stated that it would be prepared to consider the issue if it won government.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued.

FINANCIAL IMPLICATIONS

5. Considerable staff time would be consumed introducing provisions into the two Town Planning Schemes to prohibit nuclear activity, at a time when those resources would be better allocated to completing the drafting of the Local Planning Strategy and Community Town Planning Scheme.
6. If the provisions of the Scheme needed to be enforced, considerable resources may also be expended arguing the status of the Scheme provisions in the State Administrative Tribunal / Supreme Court / High Court against a major mining conglomerate or industrial firm and/or the Commonwealth or State Government.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision:

A thriving City: Albany’s community will enjoy economic growth and outstanding opportunities for our youth through....

- *Excellent community infrastructure and services; and*
- *Innovative development complementing Albany’s unique character, natural environment and heritage.*

Mission Statement:

The City of Albany is committed to.....

- *Providing sound governance; and*
- *Promoting our Community’s vision for the future.*

Priority Projects:

Nil”

COMMENT/DISCUSSION

8. The request from Mr Watson appears to follow closely behind the decision by the Western Australian Liberal Party to provide tacit support for nuclear activity within Western Australia.
9. Notwithstanding that the Shire of Chapman Valley has a Scheme provision prohibiting “certain nuclear activity” within its district, the capacity of that local authority to enforce its Scheme is seriously questioned.
10. Taking the simple scenario of a truck travelling down a major highway, loaded with nuclear waste. The Chapman Valley Scheme treats this activity as a prohibited land use (no discretion to approve). The community would rightfully be outraged and demand that Council enforce its Scheme provisions. The Shire staff need to determine which truck is carrying the waste and how they can physically stop it at the Shire boundary (they have no capacity to place a road block). They must then have the expertise to determine that the truck actually contains radioactive material (is the sign on the side of the drum sufficient? Does the Shire own measuring devices for just an incident?). If the truck does contain material, then what is the remedy available at the time to overcome the breach of the Scheme (halt the truck, issue a notice of non-compliance)?

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued.

Next, the question arises whether the Town Planning and Development Act applies to material loaded onto a registered vehicle legally travelling down a State highway. If the truck is operating under State laws, then what component of the activity does each cover? Needless to say, this is an overly simplistic analysis of a potential situation, however Staff could be asked to act on such a scenario and the answers to these questions need to be well understood before Council builds up community expectations that a stance is being taken on such a highly political issue.

11. The Scheme provision introduced by the Shire of Chapman Valley exempts radioactive materials that are "incidental to the mining of non-radioactive minerals, used in medical situations and used for a recognised and accepted industrial, commercial, domestic or other applications". The provision of such exemptions in a Scheme makes sense but the exemptions severally undermine the primary reason for introducing a prohibition in the first instance (to keep the City free of radioactive materials). The biodiversity of this region is globally significant and staff would welcome such activity occurring "elsewhere"; the community would probably be better served by addressing their concerns to the political parties at a State and Federal level than by having Council (the level of government least able to influence the outcome) take a stand on nuclear activity.
12. Staff strongly recommend against Council introducing provisions into the City's Town Planning Schemes to make a political statement on behalf of the community against nuclear activities and industries developing within the City of Albany

RECOMMENDATION

THAT Council resolve not to support the request from the Member for Albany to amend the City's Town Planning Schemes to prohibit nuclear activities or industries within the City of Albany.

AND

THAT Council encourage the Member for Albany and the Federal Member for O'Connor to take appropriate action at a State and Federal level to ensure nuclear activities and industries are not promoted or developed within the City of Albany.

Voting Requirement Simple Majority

.....

Chief Executive Officer left the chambers at 9.13pm

Chief Executive Officer returned to the chambers at 9.15pm

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued.

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR MARSHALL**

THAT appropriate amending documents be prepared for consideration at the next meeting of Council to introduce controls into the City's Town Planning Schemes 1A and 3 to prohibit nuclear activities or industries within the City of Albany.

MOTION LOST 2-8

Reason:

- Council should establish a clear position, on behalf of the community, on the potential development of nuclear activities within the District.

For the motion: Mayor Goode and Councillor Paver.

Against the motion: Councillors Marshall, Wellington, Waterman, Williams, Wolfe, Walker, West and Wiseman.

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WEST**

THAT Council lay the matter on the table until such time that Member for Albany Mr Peter Watson, MLA can provide a full briefing to Councillors.

MOTION CARRIED 6-4

Reason:

- Council requires further information on the matter before adopting a resolution.

Tabled Item: Local Member for Albany, Mr Peter Watson MLA had provided correspondence relating to this item which was not included in the Elected Members Bulletin.

For the motion: Mayor Goode, Councillors Marshall, Wellington, Walker, West and Wiseman.

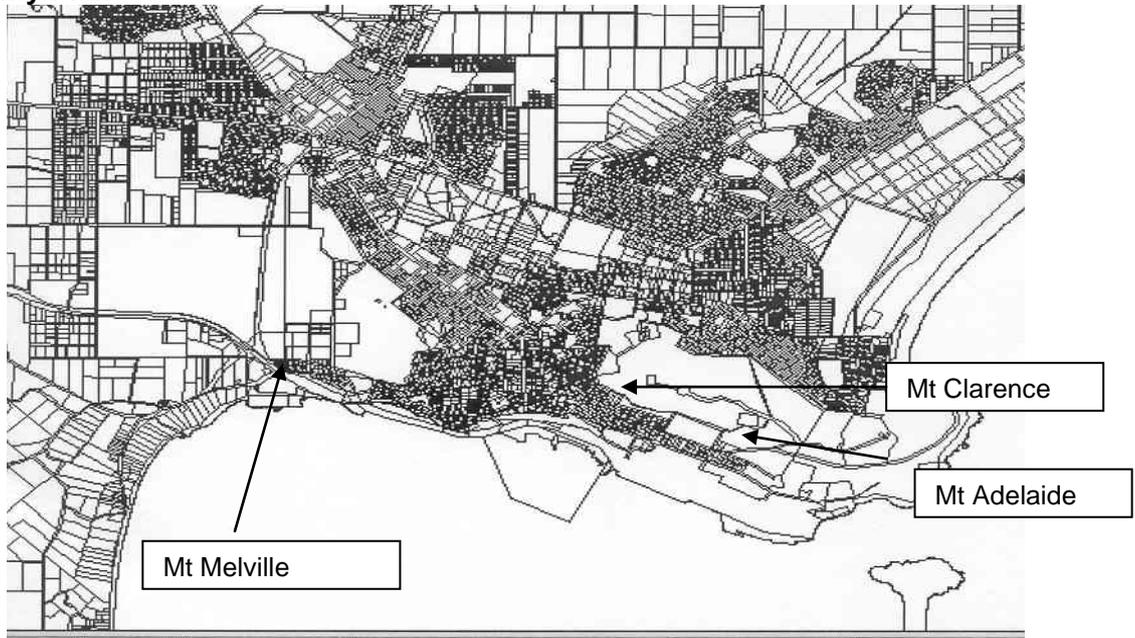
Against the motion: Council Paver, Waterman, Williams and Wolfe.

DEVELOPMENT SERVICES REPORTS

11.4 RESERVES PLANNING

11.4.1 Reserve Planning – Draft City Mounts Management Plan

| | | |
|-------------------------------|---|---|
| File/Ward | : | STR173 (Frederickstown Ward) |
| Proposal/Issue | : | Endorsement of release of the Draft City Mounts Management Plan for public comment. |
| Subject Land/Locality | : | Mount Melville, Mount Clarence, Mount Adelaide, Bluff Rock |
| Proponent | : | City of Albany |
| Owner | : | Crown |
| Reporting Officer(s) | : | Executive Director Development Services, (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | Council endorse the release of the Draft City Mounts Management Plan for a public comment |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | |



DEVELOPMENT SERVICES REPORTS

Item 11.4.1 continued.

BACKGROUND

1. The draft City Mounts Management Plan consists of 21 reserves covering approximately 240 hectares inclusive of Mount Melville, Mount Clarence, Mount Adelaide and Bluff Rock.
2. The City Mount's reserves were identified as the highest priority for planning attention through the City of Albany Reserves Planning Framework.
3. The draft City Mounts Management Plan investigates economic, environmental and social issues and opportunities.

STATUTORY REQUIREMENTS

4. No statutory requirements relating to this item.

POLICY IMPLICATIONS

5. No policy implications relating to this item.

FINANCIAL IMPLICATIONS

6. The City Mounts Management Plan, when finalized, will be fully costed and integrated into the City of Albany Reserves Master Plan for implementation prioritisation.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision:

A thriving City: Albany's community will enjoy economic growth and outstanding opportunities for our youth through

- *Excellent community infrastructure and services; and*
- *Innovative development complementing Albany's unique character, natural environment and heritage.*

Mission Statement:

The City of Albany is committed to ..

- *Providing sound governance;*
- *Promoting our Community's vision for the future;*
- *Sustainably managing Albany's municipal assets; and*
- *Delivering excellent community assets*

Priority Projects:

Establish an overall vision for reserves management and definition of care functions and responsibilities”

DEVELOPMENT SERVICES REPORTS

Item 11.4.1 continued.

COMMENT/DISCUSSION

8. The draft City Mounts Management Plan is a contemporary management plan for some of the most important natural bush land reserves in the City of Albany. Those reserves have had little, if any attention over the past decade and their value as tourism icons and recreational opportunities has decreased accordingly
9. The Plan presents new opportunities for infrastructure upgrades in relation to Aboriginal culture and the military history of the area.
10. The plan has been developed in consultation with important stakeholders including the Apex Club of Albany, the RSL Albany Sub-branch, Rotary Club of Albany and the Albany Aboriginal Heritage Reference Group. Other comment was sought from people with an environmental interest early in the project. A public meeting was held in May 2004 to gauge community interest and to identify issues. Fifty one people attended this meeting.
11. It is expected public interest in the plan will be high and that a public comment period is necessary to ensure the wider community has an opportunity to provide comment. It is suggested this comment period be eight weeks.

RECOMMENDATION

THAT Council endorse the release of the draft City Mounts Management Plan for an eight week public comment period.

Voting Requirement Simple Majority

.....
**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WOLFE**

THAT Council endorse the release of the draft City Mounts Management Plan for an eight week public comment period.

MOTION CARRIED 10-0

DEVELOPMENT SERVICES REPORTS

11.4.2 Implementation of Cosy Corner Management Plan – Reserves 24548, 37086 and 24547, Torbay

| | |
|-------------------------------|--|
| File/Ward | : MAN063 (West Ward) |
| Proposal/Issue | : Implementation of the Cosy Corner Management plan. |
| Subject Land/Locality | : Reserves 24548,37086 and 24547, Torbay |
| Proponent | : Torbay Hill Residents and Ratepayers Association |
| Owner | : Crown |
| Reporting Officer(s) | : Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : Nil |
| Previous Reference | : OCM 18/01/00 - Item 15.1.2 |
| Summary Recommendation | : The Cosy Corner Management Plan be Reviewed. |
| Bulletin Attachment | : Copy of Management Plan |
| Locality Plan | : |



DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued.

BACKGROUND

1. At the January 2000 meeting of Council, the Cosy Corner Management Plan was adopted and Council resolved to consider implementation of the management plan from grant monies and from future budgets; no cost estimates were provided to implement the plan.
2. The Torbay Hill Residents and Ratepayers Association has recently undertaken an audit of the actions planned in the Management Plan, focussing on amenities, signage and the surrounding environs. That audit has highlighted that little has changed since 2000 and the reserves still have uncontrolled camping, campfires, vegetation removal for campfires, trampling of the environment, creation of new vehicle tracks, indiscriminate clearing outside designated areas and substandard ablution facilities.
3. The Association is seeking the immediate installation of uniform signage, the provision of a seasonal camp attendant based at Cosy Corner, an urgent review of the Management Plan and the replacement of the ablution facilities in a more appropriate location.

STATUTORY REQUIREMENTS

4. The Cosy Corner Management Plan is a non-statutory document and it was prepared in consultation with Torbay residents to guide the redevelopment of the reserves at Cosy Corner.

POLICY IMPLICATIONS

5. There are several recommendations in the Management Plan dealing with signage standards on coastal reserves, etc which are inconsistent with current City operating procedures.

FINANCIAL IMPLICATIONS

6. The Management Plan does not contain cost estimates for the recommendations in the Plan. The Reserves Master Plan provided indicative estimates of \$205,000 to undertake a three stage development of beach access, signage, furniture upgrades and car park improvements. This estimate excluded major capital items such as the construction of new toilet facilities, improvements to water supplies etc.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

Community Vision:

A Thriving City: Albany's community will enjoy economic growth and outstanding opportunities for our youth through ...

- Excellent community infrastructure and services; and
- Innovative development complementing Albany's unique character, natural environment and heritage.

DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued.

Mission Statement:

The City of Albany is committed to ...

- Providing sound governance; and
- Promoting our Community's vision for the future.

Priority Projects:

Nil"

COMMENT/DISCUSSION

8. The Cosy Corner Management Plan was prepared shortly after the creation of the City by the then Strategic Services Division of the organization. Several plans were produced in that era and the officers were not required to evaluate the capacity of the City to implement the recommendations in the Plan.
9. In this instance, the Plan recommends considerable upgrading of the infrastructure at Cosy Corner and a high level of on-site policing of the reserve network, including recommendations to appoint a local campsite manager and undertake twice weekly visits to Cosy Corner by the City's Rangers. The 188 hectares of Reserves covered by the Cosy Corner Management Plan is located 25km from Albany and is set aside primarily for the purpose of "Camping and Recreation". The Reserves adjoin the West Cape Howe National Park to the west (2,545 ha) and an extensive network of Council managed reserves to the east (2,245 ha), which then link into the Torndirrup National Park.
10. Within the City of Albany there is 164,136 ha of "bush reserves" of which CALM is responsible for managing 37,119 ha. The balance (127,017 ha) is either under Council's care and control or it is unallocated Crown Land (UCL). Many of the coastal reserves are popular camping spots for local fishermen and they are also attracting considerable interest from intrastate and interstate visitors. Amongst the most popular beaches in the rural area of the city, not currently controlled by CALM, are Boat Harbour, Cape Riche, Bettys Beach, Cheynes Beach, Nanarup, Ledge Beach, Mutton Bird, Cosy Corner, Lowlands and Anvil Beach. Each beach is treated as the local beach by residents in the hinterland and the level of Council funded infrastructure varies at those locations. The City's Rangers are physically not capable of policing illegal camping upon the extensive network of reserve throughout the City. Similarly, the cost associated with the employment of camp caretakers is unlikely to be recovered through fees charged, and campers would not be prepared to pay camping fees (for bush camping) unless a minimum standard of infrastructure has been constructed. Previous attempts to provide policing powers to members of the public, to overcome City operational issues, have also generated problems for the individual concerned and created an additional administrative and public relations burden for the Rangers.
11. The audit undertaken by the Torbay Hill Residents and Ratepayers Association legitimately describes the conditions at Cosy Corner. This popular beach is under considerable pressure from Albany residents and visitors during the summer months. Local residents are understandably frustrated with the environmental damage and anti social behaviour that can result.

DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued.

12. To effectively manage the conflict would require a massive cash injection for infrastructure, education and enforcement. Unfortunately, the current Cosy Corner Management Plan describes an unachievable level of servicing and infrastructure commitments that cannot be funded through current programmes.

RECOMMENDATION

THAT Council, in respect of Reserves 24548, 37086 and 24547, Torbay;

- Undertake a comprehensive review of the Cosy Corner Management Plan at the earliest opportunity;
- Urgently review the continuity of signage upon the reserves and modify signs where appropriate; and
- Encourage the City's Rangers to undertake additional patrols on the reserves during the upcoming summer period.

AND

THAT Council advise the Torbay Hill Residents and Ratepayers Association that Council will not be engaging a seasonal camp attendant at Cosy Corner East during the upcoming summer period and that funding to upgrade and resite the ablution block is not within the short term funding priorities of the City.

Voting Requirement Simple Majority

.....

| |
|---|
| <p>MOVED COUNCILLOR WOLFE SECONDED COUNCILLOR WATERMAN</p> <p>THAT Council, in respect of Reserves 24548, 37086 and 24547, Torbay;</p> <ul style="list-style-type: none">• Undertake a comprehensive review of short term funding priorities for the Cosy Corner Management Plan at the earliest opportunity;• Urgently review the continuity of signage upon the reserves and modify signs where appropriate; and• Encourage the City's Rangers to undertake additional patrols on the reserves during the upcoming summer period. <p>AND</p> <p>THAT Council advise the Torbay Hill Residents and Ratepayers Association that Council will not be engaging a seasonal camp attendant at Cosy Corner East during the upcoming summer period and that funding to upgrade and resite the ablution block is not within the short term funding priorities of the City.</p> <p style="text-align: right;">MOTION CARRIED 10-0</p> |
|---|

DEVELOPMENT SERVICES REPORTS

11.5 DEVELOPMENT SERVICE COMMITTEES

Nil.

Corporate & Community Services

REPORTS

- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment

| | | |
|-------------------------------|---|------------------------------|
| File/Ward | : | FIN 040 (All Wards) |
| Proposal/Issue | : | N/A |
| Subject Land/Locality | : | N/A |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Manager Finance (S Goodman) |
| Disclosure of Interest | : | Nil. |
| Previous Reference | : | N/A |
| Summary Recommendation | : | Approve accounts for payment |
| Bulletin Attachment | : | List of Accounts |
| Locality Plan | : | N/A |

COMMENTS / DISCUSSION

- The list of account for payment for the City of Albany is included within the Elected Members Report & Information Bulletin and contains the following:-

| | | | |
|--------------------------|--|-----------|------------------------------|
| Municipal Fund | | | |
| Cheques | | Totalling | \$185,684.54 |
| Electronic Fund transfer | | Totalling | \$1,344,122.04 |
| Credit Cards | | Totalling | \$5,393.87 |
| Payroll | | Totalling | \$722,863.73 |
| Total | | | <u>\$2,258,064.18</u> |

- As at 31st October 2005, the total outstanding creditors, stands at \$157,548.70.
- Cancelled cheques 21238.

RECOMMENDATION

THAT the following City of Albany accounts be passed for payment:-

| | | | |
|----------------|--|-----------|------------------------------|
| Municipal Fund | | Totalling | <u>\$2,258,064.18</u> |
|----------------|--|-----------|------------------------------|

Voting Requirement Simple Majority

.....

12.1.2 Financial Activity Report

| | | |
|-------------------------------|---|-------------------------------------|
| File/Ward | : | FIN 040 (All Wards) |
| Proposal/Issue | : | N/A |
| Subject Land/Locality | : | N/A |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Senior Accounting Officer (D Evers) |
| Disclosure of Interest | : | Nil. |
| Previous Reference | : | N/A |
| Summary Recommendation | : | Note Financial Activity Statement |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | N/A |

COMMENT/DISCUSSION

1. The Financial Activity Plan was introduced by the Department of Local Government from 1st July 2005. The change was implemented to provide elected members with a better idea of operating and capital revenues and expenditure. It was also intended to link operating results with balance sheet items and reconcile with the end of month cash balances.

STATUTORY REQUIREMENTS

2. Section 6.4 of the Local Government Act 1995 requires that financial reports be prepared and presented in the manner and form prescribed in the regulations. Regulation 34 has been amended to require that Councils report on the sources and applications of funds on a monthly basis, and that the report be noted by Council.

POLICY IMPLICATIONS

3. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

4. There are no financial implications. The Financial Activity Statement is a report only.

STRATEGIC IMPLICATIONS

5. There are no strategic implications relating to this item.

COMMENT/DISCUSSION

6. The Financial Activity Report and report on major variances follow.

Item 12.1.2 continued.

RECOMMENDATION

THAT Council note the attached Financial Activity Statement.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WOLFE**

THAT Council note the attached Financial Activity Statement.

MOTION CARRIED 10-0

CORPORATE & COMMUNITY SERVICES REPORTS

FINANCIAL ACTIVITY STATEMENT

31-Oct-05

| | Actual Year to Date 31-Oct-05 | Budget Year to Date 31-Oct-05 | Budget Variance |
|---|-------------------------------------|-------------------------------------|--------------------|
| OPERATING INCOME | | | |
| Rates | 15,469,332 | 15,309,722 | 159,610 |
| Grants & Subsidies | 810,283 | 763,871 | 46,412 |
| Contributions. Reimb & Donations | 110,034 | 132,140 | (22,106) |
| Fees & Charges | 3,761,068 | 3,736,231 | 24,837 |
| Interest Earned | 167,846 | 162,076 | 5,770 |
| Other Revenue / Income | 392,226 | 274,889 | 117,337 |
| Net Controlled Trust Revenue | 109,273 | | |
| | 20,820,062 | 20,378,929 | 331,860 |
| OPERATING EXPENDITURE (excluding depreciation) | | | |
| Employee Costs | (3,478,143) | (3,430,948) | (47,195) |
| Utilities | (258,993) | (285,531) | 26,538 |
| Interest Expenses | 5,024 | (60,004) | 65,028 |
| Contracts & materials | (1,301,219) | (2,070,424) | 769,205 |
| Insurance expenses | (372,119) | (379,239) | 7,120 |
| Other Expenses | (1,674,053) | (1,273,608) | (400,445) |
| | (7,079,503) | (7,499,754) | 420,251 |
| CAPITAL INCOME | | | |
| Grants & Subsidies | 381,149 | 317,712 | 63,437 |
| Contributions. Reimb & Donations, Other | 46,050 | 15,496 | 30,554 |
| Proceeds from sale of assets | 510,593 | 339,640 | 170,953 |
| | 937,792 | 672,848 | 264,944 |
| CAPITAL EXPENDITURE | | | |
| Asset Masterplans | (883,789) | (1,596,264) | 712,475 |
| ALAC Redevelopment | 0 | 0 | - |
| Plant Replacement | (600,433) | (645,708) | 45,275 |
| Developers Subdivisions | 0 | 0 | - |
| Other Capital | (227,004) | (632,365) | 405,361 |
| | (1,711,225) | (2,874,337) | 1,163,112 |
| CASH FLOWS FROM FINANCING ACTIVITIES | | | |
| Loan Principal Repayment | (99,370) | (104,873) | 5,504 |
| Proceeds from Self Supporting Loans | 8,873 | 8,979 | (106) |
| Proceeds from new loans | 0 | 0 | - |
| | (90,497) | (95,894) | 5,397 |
| OTHER BALANCE SHEET ITEMS | | | |
| Change in stock position | 162,877 | | |
| Change in Debtors | (3,879,499) | | |
| Change in Creditors | (626,182) | | |
| | (4,342,804) | | |
| NET CASH FLOW | 8,533,825 | | |
| Opening Cash balance | 13,045,744 | | |
| NET CASH AT BALANCE DATE | 21,579,568 | | |
| Cash summary | | | |
| Municipal Account | 11,594,068 | | |
| Reserve Account | 8,808,138 | | |
| Trust Account | 1,177,362 | | |
| Total Bank / Investments | 21,579,568 | | |

Explanation of Variances on Financial Activity Statement Report – October 2005

OPERATING INCOME

Contributions, Reimbursements & Donations

The FESA contribution is \$22,000 above the budget to date, as it was carried over from a previous year.

OPERATING EXPENDITURE

Interest Expenses

The reversal of loan interest accruals in the year end 2004/05 accounts will be offset as actual interest payments are made.

Contracts and Materials

Less than expected contracts and materials have been purchased in July and August due to significant work continuing on the repair of flood damage. This work is being performed using City of Albany staff and plant with minor costs for contracts and materials. Due to the efforts to repair flood damage expected maintenance and construction work has been delayed. The 05/06 construction program has begun, and these figures should gradually become closer.

Other Expenses

The road maintenance account has \$62,000 more than year to date budget in “other expenses”. The overall budget is higher than expected due to significant maintenance work being performed in the first quarter of the year. Community Financial Assistance of \$28,000 has been paid sooner than expected. Some costs are coded to “other” when there may be a more appropriate category.

CAPITAL INCOME

Contributions, Reimbursements and Donations

A contribution of \$30,000 has been received from the Department of Housing and Works for the upgrade of Stirling Terrace verge in front of the new Albany Police and Justice Complex.

Proceeds from Sale of Assets

The changeover timing of major plant items is difficult to ascertain when creating the budget. In this year assets have been changed over earlier than expected.

CAPITAL EXPENDITURE

Asset Masterplans

The construction program was slow to begin due to continuing repairs caused by flood damage. The 05/06 budget is expected to be achieved.

Other Capital

Major timing variances (work not yet done) include:

| | |
|----------------------------------|-----------|
| Non masterplan road construction | \$146,000 |
| Public Art | 30,000 |
| IT purchases | 109,000 |
| Airport security | 51,000 |
| Marine structures | 52,000 |

12.1.3 Banking Services – 2006-2008 (incl)

| | | |
|-------------------------------|---|---|
| File/Ward | : | FIN 009 (All Wards) |
| Proposal/Issue | : | Supply of Banking Services 2006-2008 |
| Subject Land/Locality | : | N/A |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Manager – Finance (S Goodman) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | That Council award the banking services contract to the Commonwealth Bank of Australia. |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | N/A |

BACKGROUND

1. The normal three yearly review of banking services has been carried out, with each of the major Albany banks approached and invited to make a submission.

STATUTORY REQUIREMENTS

2. Regulation 5 of the Local Government (Financial Management) Regulations 1996 state that efficient systems and procedures are to be established by the CEO of a local government:
 - i. For the proper collection of all money owing to the local government;
 - ii. For the safe custody and security of all money collected or held by the local government;
 - iii. For the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process)

POLICY IMPLICATIONS

3. The City of Albany Regional Price Preference Policy is applicable to this item.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.3 continued.

FINANCIAL IMPLICATIONS

4. The fee schedule of the proposed supplier indicated reductions from current levels. There will be a saving on the 05/06 budget.

STRATEGIC IMPLICATIONS

5. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision

Nil.

Mission Statement

The City of Albany is committed to sustainably managing Albany’s municipal assets: and at all times we will respect the Community’s aspirations and resources.

Priority Projects

Nil.”

COMMENT/DISCUSSION

6. All five major Albany banks were contacted on 12th August 2005 and invited to make a submission for the supply of the City of Albany banking services from 16th January 2006 to 15th January 2009. Initial submissions were received from Westpac Banking Corporation, Bankwest, the National Australia Bank, and the Commonwealth Bank of Australia. The electronic banking systems for all banks were demonstrated and a common fee schedule was created to ensure comparability. The National Australia Bank failed to provide critical evaluation information within the agreed time frame and were discounted.
7. The 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. The criteria used for this tender is documented below:

| Criteria | % Weight |
|--------------------------------------|-----------------|
| Cost | 50 |
| Electronic Banking Facilities | 30 |
| Quality of Service (local and Perth) | 20 |
| | 100 |

8. The following table summarizes the three acceptable submissions

| Tenderer | Annual Cost | Score – Cost (50) | Score- Electronic (30) | Score- Service (20) | Total Score (100) |
|-----------------|--------------------|--------------------------|-------------------------------|----------------------------|--------------------------|
| Westpac | \$24,695 | 46.5 | 27.0 | 16.3 | 89.8 |
| Bankwest | \$28,594 | 40.1 | 27.0 | 16.9 | 84.0 |
| Commonwealth | \$22,947 | 50.0 | 24.0 | 19.0 | 93.0 |

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.3 continued.

9. A template with the major annual service costs to the City as well as the volumes of those services based on 04/05 usage was created. The final estimation of the annual cost of each bank's services (comprising 50% of the assessment) was calculated after considering the annual costs of:
 - a. Account Transactions
 - b. Services
 - c. Electronic Facilities
 - d. BPAY and
 - e. Credit Card Payments
10. The electronic services component comprised 30% of the overall evaluation score and included:
 - Ease of Use of the System
 - Security & Authorization process
 - Time constraints for lodgement of transactions
 - System Components (Information download, Payments, Receipts)
11. The systems currently provided by Westpac and Bankwest were, in our opinion, superior to the other two banks, being based on an online system, accessible from any officer's computer, and adequately safeguarded with security tokens. The software based systems currently used by National and Commonwealth are adequate to perform the function. Commonwealth are currently testing their online system, which will be available for use in July 2006.
12. The general services provided by each bank, including credit cards, borrowing facilities, and relationships, both at the local branch and head office levels, were evaluated based on availability and cost of loan funding, and access to and quality of key personnel and services. The service component comprised 20% of the evaluation.
13. Based on the evaluation of the costs and services offered by each bank, it is recommended that the Commonwealth Bank of Australia be reappointed as service provider for the next three years.

RECOMMENDATION

THAT Council award the Banking Services Contract for the period 16th January 2006 to 15th January 2009 to the Commonwealth Bank of Australia

Voting Requirement Simple Majority

.....
MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR MARSHALL

THAT Council award the Banking Services Contract for the period 16th January 2006 to 15th January 2009 to the Commonwealth Bank of Australia.

MOTION CARRIED 10-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.1.4 2005/06 Budget Review

| | |
|-------------------------------|--|
| File/Ward | : FIN 047 (All Wards) |
| Proposal/Issue | : Council requested to adopt a Budget Review |
| Subject Land/Locality | : N/A |
| Proponent | : N/A |
| Owner | : N/A |
| Reporting Officer(s) | : Manager Finance (S Goodman) |
| Disclosure of Interest | : Nil. |
| Previous Reference | : Nil. |
| Summary Recommendation | : That Council adopt a Budget Review |
| Bulletin Attachment | : Review adjustments |
| Locality Plan | : N/A |

BACKGROUND

1. Council officers have reviewed the operating results for their areas together with determinations by Council for the first three months of the 2005/06 financial year.
2. Variances in the anticipated full year results have been identified.

STATUTORY REQUIREMENTS

3. Under the Local Government Act, Section 6.8, 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 a resolution (absolute majority required) or
 - c) is authorised in advance by the mayor in an emergency

POLICY IMPLICATIONS

4. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

5. Council has adopted a balanced budget for 2005/06 and resolved to transfer any budget surplus into a reserve account as determined by Council. If there were an end of year deficit, it would require funding from the following year's budget.

Item 12.1.4 continued.

STRATEGIC IMPLICATIONS

- 6. There are no strategic implications relating to this item.

COMMENT/DISCUSSION

- 7. The review conducted by officers in October 2005 identified savings, deferred projects and additional costs, resulting in a projected net surplus of \$77,170. After allowing for prior Council resolutions, the total projected net surplus for 2005/06 is estimated to be \$22,320. A comprehensive list of the proposed reallocations is contained in the Elected Members Report and Information Bulletin.
- 8. The following is information on significant proposed adjustments:
 - a) The Local Road Grant is \$61,062 above the indicative figure used in the budget submission. ..
 - b) A grant for \$20,000 will be received for the Lower King Finger Jetty. The work was completed in a prior year.
 - c) A grant of \$70,000 for the Windfarm Tourist Facility will be received in 05/06. The 05/06 cost against the grant will be only \$46,857 as part of the work was carried out in 04/05
 - d) Footpath expenditure on lower Stirling Terrace fully funded by Dept of justice (\$30,000)
 - e) An allowance of \$18,500 is provided for work on an Urban Design Policy, as discussed with Council.
- 9. Budget Carryovers – 04/05
Expenditure commitments totalling \$ 1.2 million, which were funded out of the 04/05 operating budget were not completed by 30th June 2005, although completion was expected when the 05/06 budget was finalised. It is proposed that the 04/05 budget be increased to cover the carried over commitments, offset by transfers from reserves.
- 10. Budget Re-alignments
A few changes have been made to correct the code number or to change the responsibility for a budget. They have a nil impact on the budget balance.

RECOMMENDATION

THAT Council adopt the Budget Review

Voting Requirement Absolute Majority

.....
**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WILLIAMS**

THAT Council adopt the Budget Review

**MOTION CARRIED 10-0
ABSOLUTE MAJORITY**

12.2 ADMINISTRATION
Nil.

12.3 LIBRARY SERVICES
Nil.

12.4 DAY CARE CENTRE
Nil.

12.5 TOWN HALL
Nil.

12.6 RECREATION SERVICES
Nil.

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

12.7.1 Albany Arts Advisory Committee meeting minutes – 12th October 2005

- File/Ward** : MAN 116 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (WP Madigan)
- Summary Recommendation** : That the Minutes of Albany Arts Advisory Committee held on 12th October 2005 be adopted.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 12th October 2005 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR WELLINGTON**

THAT the minutes of Albany Arts Advisory Committee held on 12th October 2005 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 10-0

12.7.2 Finance Strategy Advisory Committee meeting minutes – 26th October 2005

- File/Ward** : FIN 066 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Manager Finance (S Goodman)
- Summary Recommendation** : That the Minutes of Finance Strategy Advisory Committee held on 26th October 2005 be adopted.

RECOMMENDATIONS

THAT the minutes of the Finance Strategy Advisory Committee meeting held on the 26th October 2005 be received (copy of minutes is in the Elected Members Report/Information Bulletin) and the following motions adopted:-

Voting Requirement Simple Majority

THAT the City advise Foodbank that the Chester Pass Road land is not available for their premises, but the City would assist in the identification of a suitable reserve or other option as a site for their facility.

Voting Requirement Simple Majority

THAT the City offer Lots 296,297,298 and 299 Wellington Street for sale to the adjacent owners at a price of \$800,000 for the four blocks, subject to the public notice requirements of the Local Government Act and notification to a purchaser that the City will not provide access to the blocks.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WOLFE**

THAT the minutes of the Finance Strategy Advisory Committee meeting held on the 26th October 2005 be received (copy of minutes is in the Elected Members Report/Information Bulletin) and the following motions adopted:-

THAT the City advise Foodbank that the Chester Pass Road land is not available for their premises, but the City would assist in the identification of a suitable reserve or other option as a site for their facility.

AND

THAT the City offer Lots 296,297,298 and 299 Wellington Street for sale to the adjacent owners at a price of \$800,000 for the four blocks, subject to the public notice requirements of the Local Government Act and notification to a purchaser that the City will not provide access to the blocks.

MOTION CARRIED 10-0

12.8 COUNCIL REPRESENTATION**12.8.1 Council External Committee Representation**

| | |
|-------------------------------|--|
| File/Ward | : MAN 106 (All Wards) |
| Proposal/Issue | : Request for Council representation on UWA Foundation Inc. |
| Subject Land/Locality | : N/A |
| Proponent | : N/A |
| Owner | : N/A |
| Reporting Officer(s) | : Executive Director Corporate & Community Services (WP Madigan) |
| Disclosure of Interest | : Nil. |
| Previous Reference | : OCM 21/12/04 – Item 14.2.1 |
| Summary Recommendation | : That Council nominate a representative to the Committee. |
| Bulletin Attachment | : Copy of correspondence relating to the request. |
| Locality Plan | : N/A |

BACKGROUND

1. In making recommendations on external Committee representation, Council has adopted the following criteria.
 - The regional context of the committee and the relevance to development of the region or its essential infrastructure;
 - The affiliation with the WA Local Government Association;
 - The activity (or otherwise) of the committee and its relevance to Local Government operations; and
 - The previously conducted survey results demonstrating that the committee response and majority of Councillors desired representation to continue.
2. Using this criteria, the Council has decided to:
 - Maintain representation due to a regional context;
 - Maintain representation due to WALGA affiliations;
 - Cease representation on other committees but a staff member or Councillor will attend meetings on an as needed basis when City of Albany issues are listed on the agenda for discussion;
 - Treat nominations for all statutory appointments to Ministerial Advisory Committees on their merits when received from time to time; and
 - Encourage individual Councillors to apply for and sit on committees with Statewide WALGA affiliation.

Item 12.8.1 continued.

STATUTORY REQUIREMENTS

3. There are no statutory requirements relating to this item.

POLICY IMPLICATIONS

4. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

5. There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

6. This item directly relates to sound governance under the City of Albany 3D Corporate Plan.

COMMENT/DISCUSSION

7. The following request has been received and a copy is included within the Elected Members Report / Information Bulletin.
- UWA Foundation Inc.
8. Council previously resolved to cease representation on the Albany University Foundation, but indicated that a staff member or Councillor would attend meetings on an as needed basis when City of Albany issues are listed on the Agenda.

RECOMMENDATION

THAT Council nominate Councillor _____ to attend meetings of the UWA Foundation Inc on an as needed basis when City of Albany issues are listed on the Agenda for discussion.

Voting Requirement Simple Majority

.....

Councillor’s Waterman, West, Walker and Jamieson nominated for UWA Foundation Committee. A ballot was conducted.

| |
|--|
| <p>MOVED COUNCILLOR WALKER SECONDED COUNCILLOR WELLINGTON</p> <p>THAT Council nominate Councillor Waterman to attend meetings of the UWA Foundation Inc on an as needed basis when City of Albany issues are listed on the Agenda for discussion.</p> <p style="text-align: right;">MOTION CARRIED 10-0</p> |
|--|

12.8.2 Council External Committee Representation

| | |
|-------------------------------|--|
| File/Ward | : MAN 006 (All Wards) |
| Proposal/Issue | : Request for Council representation on Committee. |
| Subject Land/Locality | : N/A |
| Proponent | : N/A |
| Owner | : N/A |
| Reporting Officer(s) | : Executive Director Corporate & Community Services (WP Madigan) |
| Disclosure of Interest | : Nil. |
| Previous Reference | : OCM 15/02/05 – Item 14.2.1 |
| Summary Recommendation | : THAT the recommendation/s be adopted. |
| Bulletin Attachment | : Copies of correspondence relating to the request. |
| Locality Plan | : N/A |

BACKGROUND

1. In making recommendations on external Committee representation, Council has adopted the following criteria.
 - The regional context of the committee and the relevance to development of the region or its essential infrastructure;
 - The affiliation with the WA Local Government Association;
 - The activity (or otherwise) of the committee and its relevance to Local Government operations; and
 - The previously conducted survey results demonstrating that the committee response and majority of Councillors desired representation to continue.
2. Using this criteria, the Council has decided to:
 - Maintain representation due to a regional context;
 - Maintain representation due to WALGA affiliations;
 - Cease representation on other committees but a staff member or Councillor will attend meetings on an as needed basis when City of Albany issues are listed on the agenda for discussion;
 - Treat nominations for all statutory appointments to Ministerial Advisory Committees on their merits when received from time to time; and
 - Encourage individual Councillors to apply for and sit on committees with Statewide WALGA affiliation.

Item 12.8.2 continued.

STATUTORY REQUIREMENTS

3. There are no statutory requirements relating to this item.

POLICY IMPLICATIONS

4. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

5. There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

6. This item directly relates to sound governance under the City of Albany 3D Corporate Plan.

COMMENT/DISCUSSION

7. The Hon. Mark McGowan, MLA, has confirmed the government's election commitment to provide \$20 million in grants to rehabilitate racecourse infrastructure, principally in regional WA.
8. The grants are to be put primarily towards the following purposes:
- To assist thoroughbred, harness and greyhound racing clubs in country areas to rehabilitate racecourse infrastructure that is in need of urgent attention. The funds are to be spent principally (but not exclusively) at racing venues in Albany, Bunbury, Geraldton, Northam, Kalgoorlie, Pinjarra and Peel.
 - To assist the establishment of an additional winter thoroughbred-racing venue in order to maintain the racing program in the event Belmont Park racecourse closes for redevelopment.
 - To assist a possible co-location project at a yet to be determined site.
 - To assist the development of training facilities at the Lark Hill Training Complex.
9. In terms of process it is important that an effective consultation mechanism is established to ensure that the best overall result is achieved for all stakeholders. It is proposed that a reference group be established for each racing venue and that participation on the reference group be open to the following:
- Club representatives (up to two)
 - Parliamentary representation
 - Local Government representative
 - Minister's Representative
 - RWWA officials
10. The City has been invited to be represented on the Regional reference Group which is:
- “To consider and make comment to RWWA on the recommended racecourse rehabilitation within the Regional Reference Group locality.”*
11. This would satisfy Council's criteria relating to the regional context of the committee and the reference to development of the region or its essential infrastructure.

Item 12.8.2 continued

RECOMMENDATION

THAT Council nominate Councillor _____ to be appointed as Councils representative on the Regional Reference Group: Albany Thoroughbred and Harness Racing

Voting Requirement Simple Majority

.....

Councillor Bojcun was nominated for this Committee.

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WATERMAN**

THAT Council nominate Councillor Bojcun to be appointed as Councils representative on the Regional Reference Group : Albany Thoroughbred and Harness Racing

MOTION CARRIED 10-0

Works & Services

REPORTS

- R E P O R T S -

13.1 CITY ASSETS - ASSET MANAGEMENT

13.1.1 Multi-Combination Vehicle Permit Policy

| | | |
|-------------------------------|---|--|
| File/Ward | : | MAN 179 (All Wards) |
| Proposal/Issue | : | Council to endorse the draft Multi-Combination Vehicle Permit policy |
| Subject Land/Locality | : | Nil |
| Proponent | : | City of Albany |
| Owner | : | Nil |
| Reporting Officer(s) | : | Executive Director Works & Services (L Hewer) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | Council to endorse the draft Multi-Combination Vehicle Permit policy |
| Bulletin Attachment | : | Draft Multi-Combination Vehicle Permit Policy and Guidelines |
| Locality Plan | : | Nil |

BACKGROUND

1. Permits for Multi-Combination Vehicles (MVCs) can only be issued by Main Roads with the exception of Council controlled roads, where approval is gained from the local authority.
2. If the Local Authority grants approval, Main Roads assess road suitability. There are three types of permits that require Council Approval: General Endorsements, Individual Permits and Campaign Carting.
3. In the past Council has approved the granting of Multi-Combination Vehicle permits without clear policy or guidelines to determine validity of the request.

STATUTORY REQUIREMENTS

4. There are no statutory requirements relating to this item.

POLICY IMPLICATIONS

5. There are no policy implications relating to this item.

WORKS & SERVICES REPORTS

Item 13.1.1 continued.

FINANCIAL IMPLICATIONS

- 6. There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

- 7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

Albany’s community will enjoy economic growth and outstanding opportunities for our youth through being the regional retailing and services hub.

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets and at all times we will respect the community’s aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

- 8. The purpose of this policy is to detail the principles and conditions governing the approval of requests for service and tourist signage. A copy of the Draft Policy and Guidelines are included within the Elected Members Report & Information Bulletin.
- 9. This policy will ensure that Council has the control to provide the traveling public with clear uniform roadside information while minimizing the number of signs and avoiding direct advertising.

RECOMMENDATION

THAT Council endorses the new Multi-Combination Vehicle Policy

Voting Requirement Simple Majority

.....

| |
|--|
| <p>MOVED COUNCILLOR WOLFE SECONDED COUNCILLOR MARSHALL</p> <p>THAT Council endorses the new Multi-Combination Vehicle Policy.</p> <p style="text-align: right;">MOTION CARRIED 10-0</p> |
|--|

13.2 CITY SERVICES – WASTE MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.3 CITY SERVICES – AIRPORT MANAGEMENT

13.3.1 Proposed New Lease for Aircraft Hangar Site 29

| | | |
|-------------------------------|---|---|
| File/Ward | : | PRO347 (Kalgan Ward) |
| Proposal/Issue | : | New Lease |
| Subject Land/Locality | : | Portion of Location 5650 Albany Highway (Harry Riggs Regional Airport) |
| Proponent | : | McCoy Engineering Pty Ltd |
| Owner | : | City of Albany |
| Reporting Officer(s) | : | Property Officer (H Tasker) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | That Council approve the request for a new lease to be prepared for a 10 year term from 1 November 2005 |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | Nil |

BACKGROUND

1. In mid 2004, five new aircraft hangar sites were developed at the Harry Riggs Regional Airport for the construction of Aircraft accommodation.
2. A request has been received from Mr John McCoy representing McCoy Engineering Pty Ltd for Council to consider granting a lease agreement for a 10-year term, for a portion of Location 5650, at the Harry Riggs Regional Airport.
3. Location 5650 is located on City of Albany freehold land adjacent to the Airport Terminal on Certificate of Title Volume 2158 Folio 588.

STATUTORY REQUIREMENTS

4. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue leases over properties, however it must first give state-wide public notice of its intention to do so and therein invite submissions from interested persons.
5. Council is however able to dispose of property by other means, provided that it gives statewide public notice (2 weeks) of the proposed dispositions and invite submissions on the proposal.

WORKS & SERVICES REPORTS

Item 13.3.1 continued.

POLICY IMPLICATIONS

6. There are no policies in place in relation to this item.

FINANCIAL IMPLICATIONS

7. All costs associated with the proposed new lease are to be borne by the applicant.

STRATEGIC IMPLICATIONS

8. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

Albany’s community will enjoy economic growth and outstanding opportunities for our youth through being the regional retailing and services hub.

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets and at all times we will respect the community’s aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

9. A recent valuation of five sites has determined an open market rental value of \$5.50 per square metre per annum. Site 29 Location 5650 has dimensions of 18 x 14 metres and is valued at \$1389.00 per annum subject to GST.
10. McCoy Engineering Pty Ltd will construct an aircraft hangar on the site at their own expense, subject to appropriate approvals and licences being obtained.
11. McCoy Engineering Pty Ltd will be responsible for ongoing maintenance and insurance of all buildings within the leased area.
12. All costs relating to the Lease, including connection to various services, are to be borne by the applicant.

RECOMMENDATION

THAT subject to no submissions being received as a result of advertising, Council agree:

- i) To a new lease for McCoy Engineering Pty Ltd being prepared for a period of 10 years, from 1 November 2005 to 31 October 2015 on a portion of Location 5650 at the Harry Riggs Regional Airport with a rental review being conducted every year by CPI and a valuation in the fifth year (2009);

WORKS & SERVICES REPORTS

Item 13.3.1 continued.

- ii) The rental be set at \$1386.00 per annum, subject to GST, in accordance with the independent sworn valuation;
- iii) The lease be prepared in accordance with Council’s standard leasing terms and conditions, with all maintenance, repairs, insurance and service connection costs being the responsibility of the applicant;
- iv) A clause be entered into the agreement, that no compensation be paid to the Lessee should they be affected by any future redevelopment of the Harry Riggs Regional Airport;
- v) All fees associated with this lease be payable by the applicant; and
- vi) The Common Seal of the City of Albany be affixed to the documentation.

Voting Requirement Simple Majority

.....

| |
|---|
| <p>MOVED COUNCILLOR WEST SECONDED COUNCILLOR MARSHALL</p> <p>THAT subject to no submissions being received as a result of advertising, Council agree:</p> <ul style="list-style-type: none">i) To a new lease for McCoy Engineering Pty Ltd being prepared for a period of 10 years, from 1 November 2005 to 31 October 2015 on a portion of Location 5650 at the Harry Riggs Regional Airport with a rental review being conducted every year by CPI and a valuation in the fifth year (2009);ii) The rental be set at \$1386.00 per annum, subject to GST, in accordance with the independent sworn valuation;iii) The lease be prepared in accordance with Council’s standard leasing terms and conditions, with all maintenance, repairs, insurance and service connection costs being the responsibility of the applicant;iv) A clause be entered into the agreement, that no compensation be paid to the Lessee should they be affected by any future redevelopment of the Harry Riggs Regional Airport;v) All fees associated with this lease be payable by the applicant; andvi) The Common Seal of the City of Albany be affixed to the documentation. <p style="text-align: right;">MOTION CARRIED 10-0</p> |
|---|

WORKS & SERVICES REPORTS

13.4 CITY SERVICES – CONTRACT MANAGEMENT

13.4.1 Contract C05016 – Footpath Construction – Asphalt

| | |
|-------------------------------|--|
| File/Ward | : C05016 (All Wards) |
| Proposal/Issue | : Footpath Construction – Asphalt |
| Subject Land/Locality | : N/A |
| Proponent | : N/A |
| Owner | : N/A |
| Reporting Officer(s) | : Manager City Services (I Neil) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : That Council acknowledge that no tenders were received for this Contract and allow for quotes to be called for footpath construction on an individual basis. |
| Bulletin Attachment | : Nil |
| Locality Plan | : N/A |

BACKGROUND

1. As part of the City of Albany, Pathways Construction Programme 2005/06 the following footpaths were identified for construction:
 - Frenchman Bay Road – Harding Road to Lower Denmark Road
 - Lower King Road – Elizabeth Street to Thorne Street
 - Grey Street East – Heritage Drain (Aberdeen Street to Hill Street)
 - Grey Street West – Collie Street to Melville Street
 - Public Access Walkway – Meananger Crescent to Jeeda Close
2. Works to be carried out as specified for each individual location according to the Program.

STATUTORY REQUIREMENTS

3. Regulation 18 of the Local Government (Functions & General) Regulations 1996 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.
4. Regulation 19 requires Council to advise each tender applicant in writing the result of Council's decision.

WORKS & SERVICES REPORTS

Item 13.4.1 continued.

POLICY IMPLICATIONS

- 5. The City of Albany’s Regional Price Preference is applicable to this item.

FINANCIAL IMPLICATIONS

- 6. Budget allocations for these footpaths were adopted on an individual basis.

STRATEGIC IMPLICATIONS

- 7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

Albany’s community will enjoy economic growth and outstanding opportunities for our youth through being the regional retailing and services hub.

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets and at all times we will respect the community’s aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

- 8. A request for tenders was published in the West Australian on 17th August 2005 and the Albany Advertiser 18th and 19th August 2005. A total of four documents were issued with none being received at the close of tenders.
- 9. As the project has been subject to a full tender process Council is now able to call for quotations for the work. It is hoped that calling for quotes for each individual pathway will be more effective.

RECOMMENDATION

THAT Council acknowledge that no tender submissions were received for Contract C05016 – Footpath Construction – Asphalt and allow staff to call for quotations for pathway construction on an individual basis.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WILLIAMS**

THAT Council acknowledge that no tender submissions were received for Contract C05016 – Footpath Construction – Asphalt and allow staff to call for quotations for pathway construction on an individual basis.

MOTION CARRIED 10-0

WORKS & SERVICES REPORTS

13.4.2 Contract C05024 – Delivery of Pre-Mixed Concrete Biennial (2005/07)

| | | |
|-------------------------------|---|--|
| File/Ward | : | C05024 (All Wards) |
| Proposal/Issue | : | Supply and delivery of pre-mixed concrete. |
| Subject Land/Locality | : | N/A |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Manager City Works (I Neil) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | N/A |
| Summary Recommendation | : | That Council accept the tender submitted by Hanson Construction Materials Pty Ltd. |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | N/A |

BACKGROUND

1. Council contracts the supply and delivery of an estimated 300 cubic metres over a two year period of pre-mixed concrete, used for the construction of footpaths, kerbing and general works. The contract is due for renewal.

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
3. Regulation 18 of the Local Government (Functions and General) Regulations 1996 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.
4. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

5. The Buy Local Price Preference policy applies to this item.

FINANCIAL IMPLICATIONS

6. Tenderers were required to provide a schedule of rates for their services. The supply of pre-mix concrete is scheduled in the maintenance and capital works budget, and the prices received can be accommodated within budget.

WORKS & SERVICES REPORTS

Item 13.4.2 continued.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan ...

“Community Vision:

Albany’s community will enjoy economic growth and outstanding opportunities for our youth through ...

- *Excellent community infrastructure and services*

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets and at all times we will respect the community’s aspirations and resources.

Priority Projects:

Nil”

COMMENT/DISCUSSION

8. A request for Tenders was published in the Albany Advertiser on 15th and 16th September 2005 and the West Australian on 14th September 2005, with a closing date of 12th October 2005.
9. Three specifications were issued, with two tender submissions received by close of tender.
10. 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. The criteria used for this tender is documented below:

| Criteria | %Weight |
|------------------------------|----------------|
| Cost | 50 |
| Relevant Skills & Experience | 15 |
| Safety Management | 10 |
| Reliability of Tenderer | 20 |
| Quality Accreditation | 5 |
| | 100% |

WORKS & SERVICES REPORTS

Item 13.4.2 continued.

11. Tenderers were asked to supply a schedule of rates, the submissions are summarised as follows

| Supply & Delivery of Pre-Mixed Concrete – All to Specification | | | | | |
|---|----------------------|-------------------------------|-------------|-------------------------------|---------------------------------------|
| Description | Nominal slump | Provisional m3 / annum | Unit | Hanson Construction \$ | Rinker Australia (Readymix) \$ |
| 1. N20 – 10mm stone | 80mm | 100 | m3 | 177.65 | 172.70 |
| 2. N20 – 14mm stone | 80mm | 200 | m3 | 177.65 | 169.4 |
| 3. N20 – 20mm stone | 80mm | | m3 | 171.05 | 165.00 |
| 4. N25 – 20mm stone | 80mm | | m3 | 176.00 | 170.50 |
| 5. N32 – 20mm stone | 80mm | | m3 | 184.25 | 178.2 |
| Evaluation Score | | | | 607 | 677 |

12. Both tenderers are capable of fulfilling the conditions of the contract.
13. Rinker Australia provided the best overall price advantage. The difference in the schedule of rates equates to approximately \$2000 per annum on estimated quantities.

RECOMMENDATION

THAT Council accept the tender submitted by Hanson Construction Materials Pty Ltd for the supply of premix concrete as per the following prices:

| Supply & Delivery of Pre-Mixed Concrete – All to Specification | | | | | |
|---|----------------------|---------------------------|---|-------------|--------------------------------|
| Description | Nominal slump | Approximate % need | Provisional cubic metres per annum | Unit | Rate per cubic metre \$ |
| 1. N20 – 10mm stone | 80mm | 20% | 100 | m3 | 177.65 |
| 2. N20 – 14mm stone | 80mm | 80% | 200 | m3 | 177.65 |
| 3. N20 – 20mm stone | 80mm | | | m3 | 171.05 |
| 4. N25 – 20mm stone | 80mm | | | m3 | 176.00 |
| 5. N32 – 20mm stone | 80mm | | | m3 | 184.25 |

Voting Requirement Simple Majority

.....

WORKS & SERVICES REPORTS

Item 13.4.2 continued.

AMENDED RECOMMENDATION

THAT Council accept the tender submitted by Rinker Australia (Readymix) for the supply of premix concrete as per the following prices:

| Supply & Delivery of Pre-Mixed Concrete – All to Specification | | | | | |
|---|---------------|--------------------|------------------------------------|------|-------------------------|
| Description | Nominal slump | Approximate % need | Provisional cubic metres per annum | Unit | Rate per cubic metre \$ |
| 1. N20 – 10mm stone | 80mm | 20% | 100 | m3 | 172.70 |
| 2. N20 – 14mm stone | 80mm | 80% | 200 | m3 | 169.40 |
| 3. N20 – 20mm stone | 80mm | | | m3 | 165.00 |
| 4. N25 – 20mm stone | 80mm | | | m3 | 170.50 |
| 5. N32 – 20mm stone | 80mm | | | m3 | 178.20 |

Voting Requirement Simple Majority

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR MARSHALL**

THAT Council accept the tender submitted by Rinker Australia (Readymix) for the supply of premix concrete as per the following prices:

| Supply & Delivery of Pre-Mixed Concrete – All to Specification | | | | | |
|---|---------------|--------------------|------------------------------------|------|-------------------------|
| Description | Nominal slump | Approximate % need | Provisional cubic metres per annum | Unit | Rate per cubic metre \$ |
| 1. N20 – 10mm stone | 80mm | 20% | 100 | m3 | 172.70 |
| 2. N20 – 14mm stone | 80mm | 80% | 200 | m3 | 169.40 |
| 3. N20 – 20mm stone | 80mm | | | m3 | 165.00 |
| 4. N25 – 20mm stone | 80mm | | | m3 | 170.50 |
| 5. N32 – 20mm stone | 80mm | | | m3 | 178.20 |

MOTION CARRIED 10-0

WORKS & SERVICES REPORTS

13.4.3 Contract C05025 – Supply, Delivery and Spraying of Hot Bitumen Biennial (2005/2007)

| | | |
|-------------------------------|---|--|
| File/Ward | : | C05025 (All Wards) |
| Proposal/Issue | : | Supply, Delivery and Spraying of Hot Bitumen Biennial (2005/07) |
| Subject Land/Locality | : | N/A |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Manager City Works (I Neil) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | N/A |
| Summary Recommendation | : | That Council accept the tender C03034 from RnR Contracting Pty Ltd. for the Supply, Delivery and Spraying of Hot Bitumen Biennial (2005/07). |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | N/A |

BACKGROUND

1. Council contracts the supply, delivery and spraying of an estimated 200,000 litres of hot bitumen over a two year period, for the construction of roads and sealing works. The contract is now due for renewal

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
3. Regulation 18 of the Local Government (Functions and General) Regulations 1996 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.
4. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

5. The Buy Local Price Preference policy applies to this item.

WORKS & SERVICES REPORTS

Item 13.4.3 continued.

FINANCIAL IMPLICATIONS

- 6. Tenderers were required to provide a schedule of rates for their services. The supply of hot bitumen is scheduled in the maintenance and capital works budget, and the prices received can be accommodated within budget.

STRATEGIC IMPLICATIONS

- 7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan ...

“Community Vision:

Albany’s community will enjoy economic growth and outstanding opportunities for our youth through ...

- a. *Excellent community infrastructure and services*

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets and at all times we will respect the community’s aspirations and resources.

Priority Projects:

Nil”

COMMENT/DISCUSSION

- 8. A request for Tenders was published in the Albany Advertiser on 15th and 16th September 2005 and the West Australian on 14th September 2005, with a closing date of 12th October 2005.
- 9. Five tender Documents were issued and three submissions were received.
- 10. 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. The criteria used for this tender is documented below:

| Criteria | %Weight |
|------------------------------|----------------|
| Cost | 50 |
| Relevant Skills & Experience | 15 |
| Safety Management | 10 |
| Reliability of Tenderer | 20 |
| Quality Accreditation | 5 |
| | 100% |

WORKS & SERVICES REPORTS

Item 13.4.3 continued.

11. The table following this item summarises those charges (including GST) submitted by prospective contractors for the supply, delivery and spraying of hot bitumen. The last line shows the weighted attribute score for each supplier.

| Bitumen type | | Boral | Pioneer | RnR |
|-------------------------|---------------|--------------|----------------|------------|
| 94% 170 Class | > 9000 litres | \$ 0.91 | \$ 0.99 | \$ 0.70 |
| | < 9000 litres | \$ 1.18 | \$ 1.32 | \$ 0.80 |
| 98% 170 Class | > 9000 litres | \$ 0.91 | \$ 0.99 | \$ 0.70 |
| | < 9000 litres | \$ 1.18 | \$ 1.32 | \$ 0.80 |
| Evaluation Score | | 605 | 552 | 647 |

12. All contractors are capable of fulfilling the conditions of the contract.

RECOMMENDATION

THAT Council award the tender C05025 to RnR Contracting Pty Ltd for the Supply, Delivery & Spraying of Bitumen Biennial (2005/07) at the scheduled rates:

| Bitumen type | | RnR |
|---------------|---------------|---------|
| 94% 170 Class | > 9000 litres | \$ 0.70 |
| | < 9000 litres | \$ 0.80 |
| 98% 170 Class | > 9000 litres | \$ 0.70 |
| | < 9000 litres | \$ 0.80 |

Voting Requirement Simple Majority

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR WILLIAMS**

THAT Council award the tender C05025 to RnR Contracting Pty Ltd for the Supply, Delivery & Spraying of Bitumen Biennial (2005/07) at the scheduled rates:

| Bitumen type | | RnR |
|----------------------|-------------------------|----------------|
| 94% 170 Class | > 9000 litres | \$ 0.70 |
| | < 9000 litres | \$ 0.80 |
| 98% 170 Class | > 9000 litres | \$ 0.70 |
| | < 9000 litres | \$ 0.80 |

MOTION CARRIED 10-0

WORKS & SERVICES REPORTS

13.4.4 Contract C05020 – Supply, Maintenance & Management of Passenger Vehicles

| | | |
|-------------------------------|---|---|
| File/Ward | : | C05020 (All Wards) |
| Proposal/Issue | : | Supply, Maintenance & Management of Passenger Vehicles by Public Tender |
| Subject Land/Locality | : | Nil |
| Proponent | : | Nil |
| Owner | : | Nil |
| Reporting Officer(s) | : | Depot Services Co-ordinator (J Harbach) Manager, Finance (S Goodman) Manager City Services (I Neil) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | That Council award the tender C05020 to Albany City Holden for the Supply, Maintenance & Management of Passenger Vehicles |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | Nil |

BACKGROUND

1. The current contract for the supply, maintenance & management of Council's passenger vehicles is due to expire on 31 December 2005. The current contractor (Albany City Motors) did not exercise its option to extend the contract for a further year as it felt it is no longer financially viable under the current contract conditions.

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions and General) Regulations 1996 states that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
3. Regulation 18 of the Local Government (Functions and General) Regulations 1996 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 and not accept any tender.
4. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

WORKS & SERVICES REPORTS

Item 13.4.4 continued.

POLICY IMPLICATIONS

5. The City of Albany Regional Price Preference Policy is applicable to this item.

FINANCIAL IMPLICATIONS

6. The current contract is based on a nil changeover cost for each vehicle. The current budget reflects this.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision:

Albany’s community will enjoy economic growth and outstanding opportunities for our youth through being the regional retailing and services hub.

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets and at all times we will respect the community’s aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders was published in the West Australian on 21st September 2005 and in the Albany Advertiser on 22nd September 2005 with a copy in the Albany Extra on 23rd September 2005 for the supply, maintenance & management of Council’s passenger vehicles.
9. 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. The criteria used for this tender is documented below:

| Criteria | % Weight |
|---------------------------------------|-----------------|
| Financial costing (whole of contract) | 45 |
| Operational Costs | 10 |
| Relevant Experience | 15 |
| Services Offered | 20 |
| Vehicle Safety Features | 10 |
| TOTAL | 100% |

10. Tenderers were asked to submit a tender that met the minimum specifications of the tender as well as an option for vehicles that were capable of using LPG fuel. Alternative tenders were also encouraged in the documentation

WORKS & SERVICES REPORTS

Item 13.4.4 continued.

11. To put all vehicles in the fleet out for one lump sum tender limited the amount of tenderers to those that could supply all vehicles. To allow a greater range of tenderers to make a submission the fleet has been split into two sections, Mayor and Executive vehicles (part A), and all other vehicles (part B), a tenderer could make a submission on all vehicles (part C).
12. A total of eight specifications were issued. Two submissions were received one from Albany City Motors and the other from Barnesby Ford.

Albany City Motors submitted a tender for the minimum specification as well as an LPG option. Barnesby Ford submitted these tenders as well as an alternative, which substituted the Commodore Executive type vehicles in the fleet for Petrol XR6 vehicles

13. The prices submitted can be summarised as follows

Capital Cost *

| Tender Part | Albany City Motors (Petrol) | Barnesby Ford (Petrol) | Ford Petrol (XR 6) | Albany City Motors (LPG) | Barnesby Ford (LPG) |
|-------------|-----------------------------|------------------------|--------------------|--------------------------|---------------------|
| Part A | 24906 | 88359 | 88359 | 24905 | 90639 |
| Part B | 32234 | 185863 | 172509 | 55620 | 199541 |
| Part C | 57140 | 274222 | 260868 | 80525 | 290180 |

Ongoing Cost †

| Tender Part | Albany City Motors (Petrol) | Barnesby Ford (Petrol) | Ford Petrol (XR 6) | Albany City Motors (LPG) | Barnesby Ford (LPG) |
|-------------|-----------------------------|------------------------|--------------------|--------------------------|---------------------|
| Part A | 70153 | 110705 | 110705 | 70153 | 111545 |
| Part B | 96849 | 169285 | 104595 | 121845 | 174324 |
| Part C | 167002 | 279990 | 215300 | 191998 | 285869 |

Total *

| Tender Part | Albany City Motors (Petrol) | Barnesby Ford (Petrol) | Ford Petrol (XR 6) | Albany City Motors (LPG) | Barnesby Ford (LPG) |
|------------------------|-----------------------------|------------------------|--------------------|--------------------------|---------------------|
| Part A | 95059 | 199064 | 199064 | 95058 | 202184 |
| Part B | 129083 | 355148 | 277104 | 177465 | 373865 |
| Part C | 224142 | 554212 | 476168 | 272523 | 576049 |
| Net present Cost (@6%) | 205482 | 519559 | 449353 | 251294 | 539934 |

* Capital Cost includes the net cost of changing over the fleet and the cost of upgrading the fleet to new at the end of the contract.

† Ongoing Cost includes vehicle changeover cost, registration and fuel savings related to the LPG option. Petrol costs were assumed to be similar for all petrol options.

WORKS & SERVICES REPORTS

Item 13.4.4 continued.

* Net Present cost “discounts” the current cost over the life of the contract to allow for factors such as inflation.

- 14. The above figures represent an increase in cost for the future supply of vehicles of a minimum \$65,000 per annum (approximate)
- 15. All alternatives were evaluated using the evaluation criteria. The results were

| Albany City Motors (Petrol) | Barnesby Ford (Petrol) | Ford Petrol (XR 6) | Albany City Motors (LPG) | Barnesby Ford (LPG) |
|-----------------------------|------------------------|--------------------|--------------------------|---------------------|
| 855.83 | 474.17 | 564.41 | 799.88 | 448.92 |

- 16. Prior to the current contract, passenger vehicles were purchased as needed and maintained by our own workshop. An assessment of that cost against the result of this tender shows that to undertake fleet purchasing and maintenance in-house is still not financially desirable.
- 17. Both tenderers have the skills, resources and experience to undertake the requirements of the contract.
- 18. The option of LPG is not of a financial advantage to Council as we do not hold the vehicles long enough to generate sufficient saving on fuel to justify the capital cost.
- 19. Albany City Motors (the current contractor) has submitted the tender most advantageous to Council. Its submission in relation to petrol represents good value in terms of capital and ongoing costs.
- 20. Included in the total cost, Albany City Motors have offered to continue nil changeover costs for the remainder of the financial year; therefore our current budget is unaffected

RECOMMENDATION

THAT Council award the tender C05020 to Albany City Motors for a two-year period (with two one year options) for a total lump sum of \$ 224,142.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WALKER
 SECONDED COUNCILLOR WELLINGTON**

THAT Council award the tender C05020 to Albany City Motors for a two-year period (with two one year options) for a total lump sum of \$ 224,142.

MOTION CARRIED 10-0

WORKS & SERVICES REPORTS

13.5 CITY WORKS – CAPITAL WORKS

Nil.

13.6 CITY WORKS – RESERVES, PLANNING & MANAGEMENT

Nil.

13.7 WORKS & SERVICES COMMITTEES

Nil.

General Management Services

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GENERAL MANAGEMENT SERVICES REPORTS

14.1 STRATEGIC DEVELOPMENT

14.1.1 Proposed Multi-purpose Community Centre

| | | |
|-------------------------------|---|--|
| File/Ward | : | MAN 182 (All Wards) |
| Proposal/Issue | : | Proposed construction of a joint use multi purpose community centre at 81-95 Sanford Road |
| Subject Land/Locality | : | Nil |
| Proponent | : | Nil |
| Owner | : | City of Albany |
| Reporting Officer(s) | : | Project Administration Officer (T Kirkland) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | N/A |
| Summary Recommendation | : | That Council endorses the concept of a joint use multi purpose community centre situated on 81-95 Sanford Road, and the establishment of the Sanford Road Community Centre Steering Committee. |
| Bulletin Attachment | : | N/A |
| Locality Plan | : | N/A |

BACKGROUND

1. Council was previously briefed in relation to the concept of developing a multi purpose community centre for joint use by local community organisations.
2. The Masonic Hall Company Pty Ltd had previously approached council for a land contribution (81-95 Sanford Road) on which to build their new meeting venue and have agreed to explore a proposal to develop a joint use facility in conjunction with other interested community organisations.
3. The Masonic Hall Company Pty Ltd has indicated their willingness to contribute funding, approximately \$600,000, toward the total project cost.

STATUTORY REQUIREMENTS

4. There are no statutory requirements relating to this item.

POLICY IMPLICATIONS

5. There are no policy implications relating to this item.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.1.1 continued.

FINANCIAL IMPLICATIONS

6. A capital contribution from Council will be required but ongoing management and operational budgets will be the responsibility of the incorporated user group holding the lease.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

A Healthy City, Albany’s community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through...

- *Diverse and affordable cultural, recreational, and sporting opportunities.*

Mission Statement:

The City of Albany is committed to ...

- *Delivering excellent community services.*

At all times we will ...

- *Respect the Community’s aspirations and resources.*

Priority Projects:

N/A

COMMENT/DISCUSSION

8. It is envisaged that the participating organisations will be made up predominately by seniors, thus the proposed venue will provide a much-needed venue for community groups comprising people in this particular age cluster (although not exclusively).
9. The proposed development will be actively driven by the stakeholders with the City providing assistance and facilitation with stakeholder coordination, needs analysis, design brief, feasibility study, establishment of a management structure, and the securing of grant funding.
10. It is proposed that the concept development stage be guided by a Steering Committee with membership including representatives from each of the proposed participating community organisations, with elected member Councillor Evans, who has expressed an interest in being involved, acting as Chair.
11. The following organisations have registered their interest and willingness to participate in the concept development stage.
 - a. Albany Probus Men's Club
 - b. Albany Sinfonia
 - c. Masonic Hall Company
 - d. Breaksea Ladies Probus Club
 - e. Port of Albany Ladies Probus Club
 - f. Albany Ladies Probus Club
 - g. Albany Central Probus Club
 - h. Caledonian Society of Albany

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.1.1 continued.

RECOMMENDATION

That Council endorse the concept of a joint use multi purpose community centre, situated on 81-95 Sanford Road, and a staff investigation into funding, design and management options for preparation of a more detailed proposal for Council consideration.

Voting Requirement Simple Majority

RECOMMENDATION

That Council establishes the Sanford Road Community Centre Steering Committee made up of elected member, Cr _____ and representatives from each proposed participating organisation, namely: Laurie Frazer and Harold Smith from the Masonic Hall Company, Trish Cleeve from the Caledonian Society of Albany, Peter Baxter from the Albany Central Probus Club, June Spouse from the Albany Breaksea Ladies Probus Club, Naomi McNamara from the Albany Ladies Probus Club, Margaret Craig from the Port of Albany Ladies Probus Club, and Bede Harold from both the Albany Probus Mens Club and Albany Sinfonia.

Voting Requirement Absolute Majority

.....

Councillor Wiseman left the chamber at 9.48pm

Councillor Wiseman returned to the chamber at 9.50pm

Councillors Emery and Evans were nominated for the Sanford Road Community Centre Steering Committee. A ballot was conducted.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR MARSHALL**

That Council endorse the concept of a joint use multi purpose community centre, situated on 81-95 Sanford Road, and a staff investigation into funding, design and management options for preparation of a more detailed proposal for Council consideration.

AND

That Council establishes the Sanford Road Community Centre Steering Committee made up of elected member, Cr Emery and representatives from each proposed participating organisation, namely: Laurie Frazer and Harold Smith from the Masonic Hall Company, Trish Cleeve from the Caledonian Society of Albany, Peter Baxter from the Albany Central Probus Club, June Spouse from the Albany Breaksea Ladies Probus Club, Naomi McNamara from the Albany Ladies Probus Club, Margaret Craig from the Port of Albany Ladies Probus Club, and Bede Harold from both the Albany Probus Mens Club and Albany Sinfonia.

**MOTION CARRIED 8-2
ABSOLUTE MAJORITY**

GENERAL MANAGEMENT SERVICES REPORTS

14.2 ORGANISATIONAL DEVELOPMENT

14.2.1 City of Albany Crest

| | |
|-------------------------------|---|
| File/Ward | : MAN005 (MAN 055) |
| Proposal/Issue | : Adoption of City Crest |
| Subject Land/Locality | : N/A |
| Proponent | : N/A |
| Owner | : N/A |
| Reporting Officer(s) | : Public Relations Officer (S Pontin) |
| Disclosure of Interest | : Nil |
| Previous Reference | : OCM 15.02.2005 – Item 14.4.1 |
| Summary Recommendation | : That Council adopt the refined design of the City Crest |
| Bulletin Attachment | : City Crest designs, adopted and refined versions. |
| Locality Plan | : Nil |

BACKGROUND

1. At its 15 February 2005 meeting Council made the following resolution:

THAT the minutes of Mayoral Regalia and Crest Committee held on 7 February 2005 be received and that the Crest recommended by the Committee be adopted.

STATUTORY REQUIREMENTS

2. There are no statutory requirements relating to this item.

POLICY IMPLICATIONS

3. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

4. There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

5. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.2.1 continued.

“Community Vision:

A Thriving City: Albany’s community will enjoy economic growth and outstanding opportunities for our youth through...

- Dynamic promotion and marketing of Albany’s advantages and opportunities

Mission Statement:

“Making the difference for Albany”

Priority Projects:

City Communication Strategy

- Develop a Communications Strategy and supporting Policy & Procedure Manual that will include guidelines for Advertising, Media Relations, Corporate Brand & Image, City Brochures and Community Consultation.

COMMENT/DISCUSSION

6. Staff attempted to use the adopted City Crest for the production of commemorative shields and found the design was too complex and the colours inappropriate for the intended use. Expert graphical design consultants were commissioned to refine the design and colours to create a usable Crest while retaining the essential elements of the original. The design is in the Elected Members Report/Information Bulletin.

RECOMMENDATION

THAT Council adopt the refined design of the City Crest as per the attached graphical representation.

Voting Requirement Simple Majority

.....

| |
|---|
| <p>MOVED COUNCILLOR WELLINGTON SECONDED COUNCILLOR WOLFE</p> <p>THAT this matter lay on the table for one month pending citing of a further draft better depicting the horses on the crest design.</p> <p style="text-align: right;">MOTION CARRIED 10-0</p> |
|---|

Reason:

- Council would like to see a more refined horse component on the crest before signing off on the design.

GENERAL MANAGEMENT SERVICES REPORTS**14.3 ECONOMIC DEVELOPMENT****14.3.1 Brochure Display and Racking Pricing Policy at Albany Visitor Centre**

| | | |
|-------------------------------|---|--|
| File/Ward | : | STR103 (All Wards) |
| Proposal/Issue | : | Council adopt a pricing policy for brochure display at the Albany Visitor Centre |
| Subject Land/Locality | : | N/A |
| Proponent | : | City of Albany |
| Owner | : | City of Albany |
| Reporting Officer(s) | : | Manager Economic Development (J Berry) |
| Disclosure of Interest | : | N/A |
| Previous Reference | : | N/A |
| Summary Recommendation | : | THAT Council impose a brochure display/racking fee at the Albany Visitor Centre for businesses that are not either based in, owned and operated within the municipal district of the City of Albany. |
| Bulletin Attachment | : | N/A |
| Locality Plan | : | N/A |

BACKGROUND

1. Visitor information and tour/accommodation booking services in Albany have previously been provided by the Albany Tourist Travel and Promotional Bureau Incorporated ('The Association'). The Association has traded as the 'Albany Visitor Centre' at the Old Railway Station (Proudlove Parade) which are leased premises owned by the City of Albany. The Association wound up its activities and ceased trading as the Albany Visitor Centre on 30 September 2005.
2. The City of Albany commenced operating the AVC at the Old Railway Station on 1 October 2005 and is in the process of implementing a new business model whereby visitor information services are provided free of charge by the City of Albany staff, collocated with a privately operated tour and accommodation booking service, the subject of a public tender which closes on 16 November 2005.
3. The former incorporated body charged a brochure racking fee of \$120 per annum for tourism operators that were not Albany based. Members of the former incorporated body were not charged a brochure display/racking fee. The City of Albany does not charge a 'membership fee' as did the former association.
4. Bunbury Visitor Centre charges \$115.00 per annum for businesses that do not pay rates within its municipal area.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

STATUTORY REQUIREMENTS

5. Section 6.16 of the Local Government Act 1995 states that ‘ a local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide other than a service for which a service charge is imposed.

POLICY IMPLICATIONS

6. Council has adopted the City of Albany Tourism Strategy (amended) and resolved to provide a free visitor information service at the Albany Visitor Centre. Consistent with this resolution the brochure display/racking operation will allow any tourism related business that is based-in, owned and operated within the municipal district of the City of Albany to be entitled to have one brochure promoting its product/service displayed free of charge at the Albany Visitor Centre.

FINANCIAL IMPLICATIONS

7. It is proposed a brochure display and racking fee be imposed as follows:-

Businesses **not** based-in, owned and operated within the municipal district of the City of Albany

- Businesses not based-in, owned and operated within the municipal district of the City of Albany will be charged a fee of \$120 per annum per brochure displayed. *(Applies only to City-owned display spaces)*

Businesses based-in, owned and operated within the municipal district of the City of Albany*

- Businesses based-in, owned and operated within the municipal district of the City of Albany who wish to display brochures in multiple categories will be charged a service fee of \$60 per year. *(Applies only to City-owned display spaces)*

** One brochure may be displayed free of charge*

8. All income will be offset against operational costs of the Albany Visitor Centre. Financial revenue projections are difficult to ascertain because of the reporting methodology of the former incorporated body.

STRATEGIC IMPLICATIONS

9. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

A Thriving City, Albany community will enjoy economic growth and outstanding opportunities for our youth through...

- *Dynamic promotion & marketing of Albany’s advantages and opportunities; and*
- *Providing a complete tourism experience.*

Mission Statement:

The City of Albany is committed to...

- *Promoting our Community’s vision for the future.*

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

Priority Projects:

Operational Improvement Project No 4, namely, establish clear direction on Council’s involvement in Economic Development activities. Includes the development of action plans on Major Public Infrastructure, Tourism, Learning City, Investment and Employment Attraction.” The tourism strategy forms part of the overall Economic Development Strategy – ‘Making it Happen’.

COMMENT/DISCUSSION

- 10. Due to the City’s desire to display promotional material in a way that appeals to the visitor, the Albany Visitor Centre will only accept **one display brochure** per business that is based-in, owned and operated within the municipal district of the City of Albany. In order to encourage a well presented brochure display system, racking will be limited to a variety of conventionally sized specifications that relate to brochure display systems purchased by the City of Albany.
- 11. It is proposed that brochure racking for display in **multiple categories** may be purchased for a fee of \$60.00 per year. *(Applies only to City-owned display spaces)*
- 12. It is proposed that a brochure racking service for businesses that are NOT based-in, owned and operated within the municipal district of the City of Albany be charged a service fee of \$120.00 per brochure per year. *(Applies only to City-owned display spaces)*. This fee recognizes storage of brochure stocks, display space, replenishment services and the general costs of operating the Albany Visitor Centre.

RECOMMENDATION

THAT commencing 1 January 2006, Council impose a brochure display/racking fee at the Albany Visitor Centre as follows:-

- \$120.00 per brochure per annum for businesses that are NOT based-in, owned and operated within the municipal district of the City of Albany;
- \$60.00 per brochure per annum for businesses based-in, owned and operated within the municipal district of the City of Albany, that display two or more brochures.

Voting Requirement Absolute Majority

.....

AMENDED RECOMMENDATION

THAT commencing 1 January 2006, Council impose an annual brochure display/racking fee at the Albany Visitors Centre as follows:-

- Businesses based in; or owned and operated within the City of Albany
First brochure – free
Additional brochures - \$60 per brochure
- All other businesses
All brochures - \$120 per brochure.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

Councillor Paver declared an interest in this item and left the chamber at 9.51pm

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WEST**

THAT commencing 1 January 2006, Council impose an annual brochure display/racking fee at the Albany Visitors Centre as follows:-

- **Businesses based in; or owned and operated within the City of Albany**
First brochure – free
Additional brochures - \$60 per brochure
- **All other businesses**
All brochures - \$120 per brochure.

**MOTION CARRIED 9-0
ABSOLUTE MAJORITY**

GENERAL MANAGEMENT SERVICES REPORTS

14.4 GENERAL MANAGEMENT SERVICES COMMITTEES

14.4.1 Amity Heritage Precinct Enhancement Committee meeting minutes 11 October 2005

| | | |
|-------------------------------|---|--|
| File/Ward | : | STR 206 (All Wards) |
| Proposal/Issue | : | Committee Items for Council Consideration. |
| Reporting Officer(s) | : | Manager Economic Development (J Berry) |
| Summary Recommendation | : | That Council receive the Minutes of the Amity Heritage Precinct Enhancement Committee held on 11 October 2005. |

RECOMMENDATION

THAT Council receive the Minutes of the Amity Heritage Precinct Enhancement Committee held on 11 October 2005 (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....
Councillor Paver returned to the chamber at 9.54pm.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR MARSHALL**

THAT Council receive the Minutes of the Amity Heritage Precinct Enhancement Committee held on 11 October 2005 (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 9-1

GENERAL MANAGEMENT SERVICES REPORTS

14.4.2 Albany Entertainment Centre Steering Committee meeting minutes 31 October 2005

- File/Ward** : MAN 076 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Manager Economic Development (J Berry)
- Summary Recommendation** : That Council receive the Minutes of the Albany Entertainment Centre Steering Committee held on 31 October 2005.

RECOMMENDATION

THAT Council receive the Minutes of the Albany Entertainment Centre Steering Committee held on 31 October 2005 (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

| |
|--|
| <p>MOVED COUNCILLOR WELLINGTON SECONDED COUNCILLOR WALKER</p> <p>THAT Council receive the Minutes of the Albany Entertainment Centre Steering Committee held on 31 October 2005 (copy of minutes are in the Elected Members Report/Information Bulletin).</p> <p style="text-align: right;">MOTION CARRIED 10-0</p> |
|--|

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

15.1 Elected Members' Report/Information Bulletin

DRAFT MOTION

THAT the Elected Member's Report/Information Bulletin, as circulated, be received and the contents noted.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WOLFE**

THAT the Elected Member's Report/Information Bulletin, as circulated, be received and the contents noted.

MOTION CARRIED 9-1

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17.0 MAYORS REPORT

"Fellow Councillors:

You always know that the end of the year is approaching when the school Presentation Nights commence. This month I attended presentation evenings for the Albany Residential College and the Albany District Education Awards, both of which the City of Albany proudly sponsor, and the St Joseph's College Presentation Night. It is always a great delight to share the recognition of these fine young men and women who undoubtedly will become the future leaders of this community.

On the 22nd October I officially started The Police Legacy, Big Rainbow Bike Ride which saw some of our local cycling enthusiasts undertaking a one day ride from Albany to Mt Barker, via the Porongurups, to Denmark and back to Albany, to raise much needed funds for Police Legacy and the Albany Hospital. Again the City of Albany were proud sponsors of this fundraising initiative.

Still in the theme of bike riders, I welcomed paraplegic hand-cyclist, Andreas Dagelet to Albany on the 25th October, acknowledging his Guinness Book of World Records attempt to handcycle around Australia. Andreas also aims to raise \$1 million for Children's Charities over the duration of his circumnavigation of Australia.

Two Centenary events took place within the community this month, the first being the Centenary of the Albany Baptist Church and the second the 100th birthday of a local citizen, Mr Trevor Howells. I was honored to share in the community history and the memories exchanged at both occasions.

The annual Keep Albany Beautiful, Tidy Towns "Garden of the Year" awards were presented at the City of Albany on 27th October. There were 48 entries in this year's Awards with the extremely high standard of gardens making it a difficult task for the judges to separate finalists. It is pleasing to see so many members of the community investing so much effort to beautify our City, with some truly impressive gardens. It is also pleasing to see that a lot more residents are starting to see the benefits of "Water-Wise" gardening and have landscaped their gardens accordingly using native plants, less lawn and utilizing rock or rubble features.

On the 28th October the City of Albany hosted a Civic Reception for the RAN Ship HMAS Canberra on its final Port visit before being decommissioned. It was a very significant and nostalgic occasion to share with the Ship's company and they were most appreciative of the welcome and hospitality they received over the duration of their R & R visit.

RSL Services held this month at which I laid wreaths on behalf of the City of Albany were the Nurses Memorial Service on 30th October, the Desert Mounted Corps Memorial Service on the 1st November and the Remembrance Day Service on the 11th November.

On the 5th November I welcomed some 114 participants to the 20th Albany Vintage & Classic Motorcycle Weekend and officially opened the event. Competitors traveled from as far away as Tasmania and Dampier, and almost everywhere in between, to participate in the weekend. The Classic not only provides an opportunity for motorbike enthusiasts to parade their machines and put them through their paces, but it also raises funds for deserving local charities and community groups. This year the beneficiaries were Albany Sea Rescue, Albany Volunteer Fire Brigade and Albany PCYC. The City proudly sponsored the event again this year through the Community Events Financial Assistance Program.

And finally, I had the great pleasure of officially opening the 2005 Agricultural Show on Thursday 10th November. Also sponsored by the City of Albany through the Community Events Financial Assistance Program, this year's Show was one of the biggest ever with a record number of exhibitors. This year was the 110th Agricultural Show and so popular is the event with our local citizens and people from the surrounding region, that it has now been recognized with ICON status. Unfortunately, planned performances by the RAAF Roulettes had to be cancelled due to operational commitments by the Unit in the Eastern States.

Thank you.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR MARSHALL**

THAT the Mayor's report be received.

MOTION CARRIED 10-0

18.0 URGENT BUSINESS APPROVED BY MAYOR OR BY DECISION OF THE MEETING

18.1 Audit Committee Meeting – 14th November 2005

- File/Ward** : FIN020 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Manager Finance (S Goodman)
- Summary Recommendation** : That the Minutes of Audit Committee meeting held on 14th November 2005 be adopted.

RECOMMENDATION

THAT the Audit Committee note the Audit Reports and Officer responses for the year ending 30th June 2005.

Voting Requirement Simple Majority

THAT the Audit Committee propose to Council that in accordance with the requirements of Section 5.54 of the Local Government Act, Council accept the City of Albany Audited Financial Statements for the year ending 30th June 2005

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR MARSHALL**

THAT the Audit Committee note the Audit Reports and Officer responses for the year ending 30th June 2005.

AND

THAT the Audit Committee propose to Council that in accordance with the requirements of Section 5.54 of the Local Government Act, Council accept the City of Albany Audited Financial Statements for the year ending 30th June 2005

**MOTION CARRIED 10-0
ABSOLUTE MAJORITY**



AUDIT COMMITTEE

**Minutes of a meeting held in the Margaret Coates Boardroom,
City of Albany Administration Building
on Monday 14th November 2005.**

1.0 MEETING COMMENCEMENT 9.07am

2.0 Committee:

Clr Bob Emery
Clr Dennis Wellington

Council Staff:

Mr Andrew Hammond
Mr Stan Goodman

External Auditors

Mr Russell Harrison
Mr Chris Harrison

3.0 ELECTION OF CHAIRPERSON

RESOLVED

That Clr Bob Emery be elected chairperson of the Audit Committee.

4.0 APOLOGY

Clr Paul Lionetti

5.0 DISCLOSURES OF INTEREST

6.0 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on the 12th November 2004 be accepted as a true and correct record of that meeting.

7.0 REVIEW OF 2004/05 ANNUAL ACCOUNTS

The Committee reviewed the 2004/05 Annual Financial Statements, the content of the Audit Management Letter, and Officer responses to the Letter.

Mr Goodman commented on the various items raised in the management letter and noted that staff would ensure that all future significant budget variances would be reported to Council for authorisation as per the Local Government Act. The year end Tax Equivalent Payment for the Airport will be adjusted to recognise the Air Services Invoice which was charged to 04/05 rather than 05/06.

Mr Harrison noted that the issues around gravel stocks had been discussed at an early stage of the audit, and a satisfactory conclusion reached, particularly in the area of provision for regeneration.

He stated that Council had been given a “clean bill of health” and noted that this is the last year in which the current format would be used. Future reports will be in accordance with International Financial Reporting Standards (IFRS).

RECOMMENDATION 1:

That the Audit Committee note the Audit Reports and Officer responses for the year ending 30th June 2005

RECOMMENDATION 2:

That the Audit Committee propose to Council that in accordance with the requirements of Section 5.54 of the Local Government Act, Council accept the City of Albany Audited Financial Statements for the year ending 30th June 2005-

GENERAL BUSINESS

Mr Harrison provided further information on the IFRS requirements for the 05/06 financial year. He noted that the greatest impact on the City would be in the “impairment of assets”. Council will be required to review many of its assets and identify those assets which would not be replaced were they to be destroyed.

8.0 NEXT MEETING to be advised

9.0 CLOSURE 9:37 am

18.2 Budget Variation – Yakamia Structure Plan – Vegetation Survey

| | | |
|-------------------------------|---|---|
| File/Ward | : | STR038 (Yakamia Ward) |
| Proposal/Issue | : | Additional Budget to Undertake Spring Flora Survey |
| Subject Land/Locality | : | Yakamia Structure Plan Area (Various Lots) |
| Proponent | : | City of Albany |
| Owner | : | Various |
| Reporting Officer(s) | : | Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | OCM 21/06/05 Item 11.3.10 |
| Summary Recommendation | : | Increase Budget to Undertake Vegetation Survey |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | |

BACKGROUND

1. In 1996, the former Shire and Town of Albany undertook a “desk top” analysis within the Yakamia growth area and prepared a conceptual structure plan, identifying broad land uses, the major road pattern and potential Open Space areas. The land over which the Plan applied is zoned “Future Urban” and “Rural” in Schemes 1A and 3 respectively.
2. The consultancy firm of Allerdig Burgess has been engaged by the City to prepare a more comprehensive Yakamia Structure Plan (YSP). That project has taken considerably longer to complete than anticipated, due to the need to resolve future school site, resolve the local road network (particularly Yakamia Drive) and develop a Public Open Space network satisfying the conservation and active recreational needs of the future residents of the suburb. Recently, the road and schooling “issues” have been satisfactorily resolved.
3. The Department of Environment has been contacted several times in recent months to resolve outstanding concerns over the vegetation mapping and the quantum of land expected to be ceded from within the structure plan area for conservation purposes. As part of the initial YSP, a detailed vegetation survey was undertaken and assumptions made on the basis of that survey.
4. The Department of Environment has advised that it will require “a spring survey” to be undertaken before it is prepared to make final decisions on development areas proposed in the YSP. A copy of their response is attached.

Item 18.2 continued

STATUTORY REQUIREMENTS

5. The tendering process for goods and services must be in accordance with Sections 11, 18 and 19 of the Local Government (Functions and General) Regulations 1996. Council has agreed to a fixed tender price to undertake the completion of the YSP and additional funding is now being sought to undertake the additional work that could not have been reasonably foreseen at the commencement of the contract.
6. Section 6.8 of the Local Government Act 1995 prevents additional expenditure being applied to a project unless Council has first agreed to the expenditure through the annual budget or via prior resolution of Council.

POLICY IMPLICATIONS

7. There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

8. The original budget for this consultancy was \$73,480 and was increased by \$12,000 at the June 2005 meeting, to cover the extra costs incurred by the consultant to substantially modify the draft YSP, following Council's decision to abandon the Yakamia Drive alignment in favour of a Range Road solution and to questions the educational requirements.
9. The additional work has been quoted at \$20,000.

STRATEGIC IMPLICATIONS

10. The YSP area is a logical extension of the City's urban front and the YSP is required to be prepared to set in place the framework to rezone and subdivide the affected lots. The YSP is consistent with the Albany Region Plan 1996.

COMMENT/DISCUSSION

11. This item is submitted as a late item to the meeting in order to take advantage of the last of the spring flowering. A delay of a month or so has the potential to delay the entire project a further year.
12. The Department of Environment is seeking detailed vegetation mapping at this stage to ensure any vegetation removal is consistent with the Departmental policy framework. The Department's consent to the YSP will end its involvement in the conversion of the land into residential lots (i.e. it is precluded from seeking further vegetation assessment as part of the rezoning or subdivisional processes).
13. If Council can make the funding available, a consultant specialising in botanical and fauna surveys is available to immediately undertake the required work.

Item 18.2 continued

RECOMMENDATION

THAT, Pursuant to Section 6.8 of the Local Government Act 1995, Council increase the value of Contract C02020 – Yakamia Structure Plan Consultancy Services by \$20,000 to provide for the additional work to undertake spring flora and fauna surveys throughout the Structure Plan area.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WATERMAN**

THAT, Pursuant to Section 6.8 of the Local Government Act 1995, Council increase the value of Contract C02020 – Yakamia Structure Plan Consultancy Services by \$20,000 to provide for the additional work to undertake spring flora and fauna surveys throughout the Structure Plan area.

**MOTION CARRIED 10-0
ABSOLUTE MAJORITY**

Item 18.2 continued



Environmental Protection Authority

| | |
|-------------|------------|
| FILE: | |
| FILE: | SMC038 |
| 08 NOV 2005 | |
| DOC: | ICR5014664 |
| OFFICE: | GRDS |
| ATTACH: | |

Westralia Square,
Perth, Western Australia 6000.
Telephone: (08) 9222 7000. Facsimile: (08) 9222 7155.
Postal Address: PO Box K822,
Perth, Western Australia 6842.
Website: www.epa.wa.gov.au

Mr Robert Fenn
Executive Director Development Services
City of Albany
PO Box 484
ALBANY WA 6331

Your Ref
Our Ref 443/01
Enquiries Alice O'Connor (9222 7049)
Email alice.oconnor@environment.wa.gov.au

Dear Mr Fenn

YAKAMIA STRUCTURE PLANNING – MORE INFORMATION REQUIRED

Following the meeting of 19 September 2005, preliminary advice was provided (23 September 2005) with respect to technical information which may be required to support and further the above structure planning. The 2002 environmental reports have now been considered, and it is confirmed that the additional information is required.

The vegetation and flora report prepared by BBG was based on survey work conducted in December 2002. Since December is not the main flowering season, a follow-up spring survey is required to obtain a full flora list, and to determine the presence of any Declared Rare or Priority flora. The 2002 survey work also preceded formalisation of the Environmental Protection Authority's (EPA) vegetation survey requirements (*Guidance Statement 51 – Terrestrial flora and vegetation surveys for EIA in WA* (June 2004) (GS51)), so additional survey work is required to meet Level 2 standards outlined in the GS51. Furthermore, a burnt area was mapped in 2002, and it would be useful to determine vegetation communities and condition now that some time has elapsed since the fire.

With respect to fauna, it is noted that the Department of Conservation and Land Management's data base has been searched, but since no formal fauna study was conducted as part of the earlier environmental work, more information is required. A survey should be undertaken in accordance with EPA's *Guidance Statement 56 – Terrestrial Fauna Surveys for EIA in WA*, and in the first instance should be at Level 1, which includes searching **all** sources of data plus reconnaissance. Whether or not further information is then required will depend upon the results of the Level 1 survey.

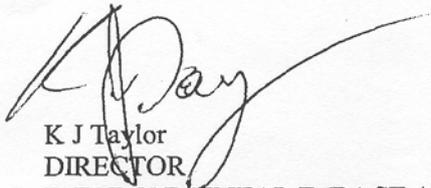
In the absence of both a comprehensive *Bush Forever*-style regional vegetation survey, and a Regional Planning Scheme for the Lower Great Southern area, interim alternatives are required to enable appropriate development at the same time as ensuring the retention of regionally significant vegetation. It is likely that the EPA will accept the use of Beard vegetation mapping together with the report commissioned by the City of Albany – namely "Vegetation Survey of the Albany Hinterland" prepared by Dr Steve Connell and ATA Environmental in August 2001 – as the interim measure in lieu of a comprehensive regional survey. Consequently, using that report, would you please identify and advise which vegetation complexes occurring in the Yakamia Structure Plan area fall below the 30% and 10% thresholds of vegetation remaining, as well as the extent of these complexes currently protected in conservation estate in the Albany Hinterland.

Item 18.2 continued

The EPA is mindful of Council's expectations regarding certainty for decision-making into the future. While the EPA supports the strategic nature of the structure planning, additional statutory mechanisms which are recognised in the environmental decision-making framework are likely to be required to provide Council with the certainty it is seeking. The EPA's letter of 27 September 2004 referred to the *Local Government Biodiversity Planning Guidelines for the Perth Metropolitan Region* (June 2004). Preparation of a Council "Local Biodiversity Planning Strategy" is one potential course of action to provide a legitimate framework for decision-making, giving a measure of certainty that the significant/priority vegetation, flora and fauna will be protected despite the lack of a Lower Great Southern Regional Scheme. Implementation of a "Local Biodiversity Planning Strategy" can be through application as a Local Planning Policy, or even an amendment to the Town Planning Scheme. As a general guide, information on the Perth Biodiversity Project can be found at <http://www.councils.wa.gov.au/directory/walga/index.html/pbp/>, and information on the new South West Local Government Biodiversity Project can be found at http://www.councils.wa.gov.au/directory/walga/index.html/sw_lg_bp. Of course, the Council may believe another mechanism is more appropriate to provide the certainty that both it and the EPA would like to see. Once Council has determined which course of action it wishes to follow, it will need to advise the EPA, together with anticipated time-frames for the development and implementation of the decision-making framework.

If you have any queries, or wish to discuss any matters, please do not hesitate to contact Alice O'Connor on 9222 7049.

Yours faithfully



K J Taylor
DIRECTOR
ENVIRONMENTAL IMPACT ASSESSMENT DIVISION

31 October 2005

cc Allering Burgess Town Planning (Attention: Steve Allering)
Department of Environment, Terrestrial Systems (Attention: Gary Whisson)
Department of Environment, South Coast Region (Attention: Chris Gunby)
MGA Town Planners (Attention: Peter Goff)
Department of Conservation and Land Management

19.0 CLOSED DOORS

Nil.

20.0 NEXT ORDINARY MEETING DATE

Tuesday 20th December 2005, 7.30pm

21.0 CLOSURE OF MEETING

There being no further business, the meeting closed at 10.04pm.

Confirmed as a true and correct record of proceedings.

A Goode, JP
Mayor

APPENDIX A

WRITTEN NOTICE OF DISCLOSURES OF INTEREST

| Name | Item | Nature of Interest |
|------------------|-------------|---|
| Councillor Paver | 14.3.1 | Councillor owns a business that provides distribution and display services to the tourism industry. |

APPENDIX B

INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING

Nil.

INTERESTS DISCLOSED BY OFFICERS

Nil.



[Agenda Item 12.1.1 refers]
[COUNCIL – 15th November 2005]

SUMMARY OF ACCOUNTS

| | | |
|--------------------------|-----------|------------------------------|
| Municipal Fund | | |
| Cheques | totalling | \$185,684.54 |
| Electronic Fund Transfer | totalling | \$1,344,122.04 |
| Credit Cards | Totalling | \$5,393.87 |
| Payroll | totalling | \$722,863.73 |
| TOTAL | | <u>\$2,258,064.18</u> |

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$2,258,064.18 which was submitted to each member of the Council on 16 November 2005 has been checked and is fully supported by vouchers and invoices which are submitted to herewith and which have been fully certified as the receipt of goods and the rendition of services and as to prices, computations and costings and the amounts shown are due for payment.

CHIEF EXECUTIVE OFFICER
(A Hammond)

MAYOR

I hereby certify that this schedule of accounts covering municipal and trust fund payments totalling \$2,258,064.18 which was submitted to the Council on 16 November 2005 and that the amounts are recommended to the Council for payment.

MAYOR
(A Goode JP)