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# MINUTES

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## ORDINARY MEETING OF COUNCIL

Held on  
Tuesday, 17<sup>th</sup> August 2010  
7.00pm  
City of Albany Council Chambers

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**I. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

The Mayor declared the meeting open at [:01:25 PM](#)

**II. OPENING PRAYER**

**CEO J Bonker read the opening prayer.**

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

**ITEM 2.0 – MOTION**

**MOVED: COUNCILLOR SUTTON**

**SECONDED: COUNCILLOR DUFTY**

**THAT Council Suspend Standing Order 3.1 to allow recording of proceedings.**

**MOTION CARRIED 13-0  
ABSOLUTE MAJORITY**

**III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION**

The Mayor announced that there will be an Elected Members Workshop held on Tuesday 24 August 2010 at 6pm.

Topics:

- Middleton Beach Users Group Umbrella Survey presented by Jane Mouritz
- Cull Road Options presented by EDCCS WP Madigan
- UWA Library Agreement present by EM Community Services D Schober

## MAYOR'S REPORT TO COUNCIL – AUGUST 2010

During the July/August period leading up to this meeting I have been engaged in the following activities in addition to the normal daily Mayoral meeting, media and other varied commitments.

- As with most Councillors, I took the opportunity to meet with planning consultant Charles Johnson (of Planning Context) regarding a review of the planning department.
- I attended the Movie Theatre Opening at PCYC followed by the monthly ACCI Business Afterhours at St. Joseph's College.
- A small "private" citizenship ceremony was held for 2 conferees and their guests. The numbers may have been small but they were big on enthusiasm for the occasion and it was a most enjoyable ceremony.
- Also at the PCYC venue I attended the SEA Colour of Forgetting Opening.
- Albany said good bye to two prominent citizens late in July – well known Albany resident and photographer Ed Schmidt and former Councillor of both the Shire and City of Albany, Ian West. I was pleased to represent Council at both funerals and floral tributes were sent on behalf of the City of Albany
- Certificates were presented at the Albany Senior High School to students who represented their school at the symbolic tree planting during the Anzac Peace Park opening.
- As Chair of the Regional Development Australia – Great Southern, I travelled to Jerramungup for our second Regional meeting. We received presentations from the Shires of Jerramungup, Gnowangerup and Kent.
- Along with Crs Des Wolfe, Joy Matla, Don Dufty and Jill Bostock, I attended Local Government Week in Perth between 5<sup>th</sup> and 7<sup>th</sup> August. Other commitments synchronised around Local Government Week included the Great Southern Zone of WALGA and a mediation meeting on the 4<sup>th</sup>, a Regional Cities Alliance meeting on the 5<sup>th</sup> and the Mayors' and Presidents' Reception at Government House on the 6<sup>th</sup> August.
- On Thursday 5<sup>th</sup> of August, The City of Albany was awarded for its commitment to sustainable water management through participating in the water campaign, an International freshwater management program.
- The City was also recognised for becoming an ICLEI member, joining a worldwide network of over 1200 Local Government organisations. The award was accepted on behalf of the City of Albany by Councillor Jill Bostock. Cr Dufty also attended this breakfast.
- It was also pleasing to be in attendance when former Councillor John Walker received an award for service to Local Government during the WALGA annual general meeting on Saturday 7<sup>th</sup> August.

**ITEM 3.0 – MOTION**

**MOVED: COUNCILLOR SUTTON**

**SECONDED: COUNCILLOR MATLA**

**THAT the Mayor's report be received.**

**MOTION CARRIED 13-0**

**:06:33 PM Councillor J Bostock**

- Attended training in Perth for Diploma of Local Government
- Took part in the Western Australian Local Government Association Conference
- Accepted award from ICLEI Oceania on behalf of Council. The award was presented to the City of Albany in recognition of the work of staff and their commitment to water saving initiatives

**:08:24 PM Councillor Hammond**

- Closure of unsealed portion of road between Lake Seppings Drive and Anzac Close
- Lack of access to some properties if this road is closed
- Needs more consultation and thought, residents views and concerns will be taken on board

**:09:55 PM Councillor Swann**

- Attended a civic function on HMAS Waller on behalf of the Mayor
- Captain of HMAS Waller asked Councillor Swann to convey his appreciation for past hospitality
- Councillor Swann offered to undertake for free any legal work required on lease documents for not for profit organisations which lease property from the City of Albany

**:11:13 PM Councillor Wellington**

- Has had some particular problems with the operation of Council recently, predominately in the area of rates
- Council needs to revisit the situation of rating of vacant land
- Requested that Council discuss the rating situation at the Elected Members Workshop on Tuesday 24 August 2010
- Comparison of rates in other regional centres
- Other systems available for Council to consider differential rates
- Glaring inequities in fairness of rating

**:13:21 PM Councillor Paver**

- Dismissal of complaints by the Standards Panel
- Exoneration of councillors concerned
- Councillors concerned have been subjected an injustice and the City and Council need to acknowledge and address this injustice in the interests of all concerned
- Need to learn from the experience and lobby for reform of the Local Government Rules of Conduct regulations
- Minister has not initiated an enquiry
- No indication that the Best Practice Review is looking into the circumstances of the making of these complaints

**:16:30 PM Councillor D Bostock**

- Problems with rates
- Distressed ratepayers concerned about the large increase in rates on undeveloped land
- Surprised at the amount of the increase

**:19:01 PM Councillor Dufty**

- Attended Local Government Week
- Future costs for the AEC
- Inspection of the nearly completed AEC
- Would like people to know that the interior of the building is absolutely breathtaking
- Had discussion with the Mayor of Bunbury regarding the costs of running of the Bunbury Entertainment Centre
- City of Albany will be unable to afford the upkeep of the AEC
- Short term support of the AEC by the State Government
- Thanked Councillors and members of the public for their concern over the health of Councillor Dufty's sister

**:22:11 PM Councillor Sutton**

- Attended State conference of LDAG (Local Drug Action Group) as Youth Advisory Council, with three youth representatives
- Thoroughly enjoyed the conference and expressed great pride in the three young representatives from Albany
- Youth representatives were held in very high esteem by their adult peers at the conference
- Concern over the rate rise
- Need to revisit the rate issue
- Closure of Lake Seppings Drive

**IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC QUESTION TIME**

Nil

## V. PUBLIC QUESTION AND STATEMENT TIME

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

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

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

[:26:04 PM](#) Catherine Bentley, LandCorp

Ms Bentley addressed Council regarding Item 1.9, the Emu Point Outline Development Plan. Ms Bentley's tabled address is referenced at GO.COM.3 in the Record Management System.

[:30:58 PM](#) Terry Hodgkinson, Frenchman Bay Road

Mr Hodgkinson addressed Council with regard to the proposed Grange pipeline and possible environmental impact.

[:33:19 PM](#) Grant Simmons 24 Boolgana Court

Mr Simmons addressed Council regarding the recent rate increase on vacant land. Mr Simmons also tabled a petition from electors requesting a Special Meeting of Electors. The matters to be discussed at the proposed SME are rescission of the rate rise on vacant unimproved land and an enquiry into the rating system of the City of Albany.

[:37:07 PM](#) Tony Harrison, Little Grove

Mr Harrison addressed Council regarding the draft Water Forever document, and urged Council to consider water recycling.

[:41:41 PM](#) Mr Brink, Nullaki

Mr Brink addressed Council regarding Item 1.2.

### ITEM 5.0

**The Mayor asked for a show of hands to approve an extension of Public Question and Statement Time.**

**CARRIED 13-0**

[:46:19 PM](#) Chris Langslow, Eden Road, Nullaki

Mr Langslow addressed Council regarding Item 1.2 and his concerns over the increased traffic on Eden Road if the application was approved.

[:50:37 PM](#) Andre Roy, Eden Gate Blueberry Farm

Mr Roy addressed Council regarding Item 1.2 and his concerns over pollution and increased noise if the application was approved.

[:52:16 PM](#) Robyn Pouwelsen Albany Swim Club

Ms Pouwelsen addressed Council regarding Item 2.7, lease of clubrooms at the Albany Leisure and Aquatic Centre.

[:56:51 PM](#) Don Phillips, Frenchman Bay Road

Mr Phillips questioned Council regarding the Cull Road Commercial Feasibility Study, and asked Mr Madigan why it proceeded. Through the Mayor, Mr Madigan replied that there was no clear recommendation under the report. The report indicated that the development would still be profitable, and that was the basis of the council decision.

[:02:24 PM](#) John O'Dea Bushby Road

Mr O'Dea addressed Council with regard to the recent death of Peter Spanbroek. Mr O'Dea also asked about the recycling of glass at the Hanrahan Road Waste Centre. Acting Executive Director Works and Services, Mike Richardson, took the question on notice. Mr O'Dea also spoke of the importance of funding for mental health in the region.

[:05:14 PM](#) Atlanta Veld, Spencer Park

Ms Veld addressed Council regarding Item 1.9. Ms Veld asked Council what the rush was, it has only been recently that the community has had the opportunity to look at the development proposal.

[:10:01 PM](#) Public forum closed

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

**Mayor** M J Evans JP

**Councillors:**

Breaksea Ward	R Hammond
Breaksea Ward	J Bostock
Frederickstown Ward	D Wellington
Frederickstown Ward	J Swann
Kalgan Ward	M Leavesley
Kalgan Ward	C Holden
West Ward	D Dufty
West Ward	D Wolfe
Yakamia Ward	J Matla
Yakamia Ward	R Sutton
Vancouver Ward	D Bostock
Vancouver Ward	R Paver

**Staff:**

Chief Executive Officer	J Bonker
E/Director Corporate & Community Services	WP Madigan
A/Executive Director Works & Services	M Richardson
Executive Director Development Services	G Bride
Assistant Business Governance Officer	J Williamson

**Members of the Media and Public.**

Approximately 50 members of the public and 4 members of the media were in attendance.

**Apologies/Leave of Absence:**

Nil

**VII. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

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

**ITEM 8.0 – MOTION**

**MOVED: COUNCILLOR SWANN  
SECONDED: COUNCILLOR WOLFE**

**THAT the minutes of the Ordinary Council Meeting held on 20 July 2010, as previously distributed, be confirmed as a true and accurate record of proceedings.**

**MOTION CARRIED 12-1**

**Record of Vote**

For the Motion: Mayor Evans, Councillors J Bostock, R Hammond, J Swann,  
D Wellington, C Holden, R Paver, D Bostock, D Wolfe, D Dufty,  
R Sutton and J Matla

Against the Motion: Councillor M Leavesley

**IX. DECLARATIONS OF INTEREST**

[Members of Council are asked to use the forms prepared for the purpose, aiding the proceedings of the meeting by notifying the disclosure by 3.00pm on that day.]

Name	Item Number	Nature of Interest
Mayor Evans	1.1	<b>Impartiality.</b> The nature of the interest being that mayor Evans is a member of UWA Friends Executive. Mayor Evans remained in the chamber and participated in the debate and vote.
Councillor R Hammond	1.11	<b>Financial.</b> The nature of the interest being that Councillor Hammond owns and operates a tourism and accommodation marketing business and manages various accommodation properties. Councillor Hammond left the chamber and did not participate in the debate or vote.
Councillor R Paver	1.11	<b>Impartiality.</b> The nature of the interest being that Councillor Paver is the supplier of tourist information and marketing services. Councillor Paver remained in the chamber and participated in the debate and vote.
Councillor R Sutton	2.5	<b>Impartiality.</b> The nature of the interest being that Councillor Sutton is a life member of the North Albany Football Club. Councillor Sutton remained in the chamber and participated in the debate and vote.
Councillor D Wellington	2.5	<b>Impartiality.</b> The nature of the interest being that Councillor Wellington is a member of the North Albany Football Club. Councillor Wellington remained in the chamber and participated in the debate and vote.
Councillor R Hammond	2.7	<b>Financial.</b> The nature of the interest being that Councillor Hammond is the owner of the business directly involved and is also the owner of “Stay Now” Accommodation provider. Councillor Hammond left the chamber and did not participate in the debate or vote.
Councillor M Leavesley	2.7	<b>Impartiality.</b> The nature of the interest being that Councillor Leavesley obtains income from the tourist industry. Councillor Leavesley remained in the chamber and participated in the debate and vote.

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Councillor R Paver	2.7	<b>Impartiality.</b> The nature of the interest being that Councillor Paver is the supplier of tourist information and marketing services. Councillor Paver left the chamber and did not participate in the debate or vote.
Councillor R Paver	2.8	<b>Financial.</b> The nature of the interest being that Councillor Paver is the supplier of marketing services to the Albany Leisure and Aquatic Centre. Councillor Paver left the chamber and did not participate in the debate or vote.
Councillor J Swann	4.1	<b>Financial.</b> The nature of the interest being that Councillor Swann is a legal practitioner. Councillor Swann left the chamber and did not participate in the debate or vote.
Councillor R Hammond	4.2	<b>Impartiality.</b> The nature of the interest being that Councillor Hammond is actively engaged in the tourism sector. Councillor Hammond participated in the vote.
Councillor R Paver	4.2	<b>Financial.</b> The nature of the interest being that Councillor Paver supplies tourism marketing services to the City. Councillor Paver left the chamber and did not participate in the debate or vote.
EDCCS WP Madigan	4.7	<b>Impartiality.</b> The nature of the interest being that Mr Madigan's wife is an executive committee member of Southern Districts Dressage Club.

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

Nil.

**XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Request for Special Meeting of Electors presented by Mr Grant Simmons

**XII. ADOPTION OF RECOMMENDATIONS EN BLOC**

Nil



**IN BRIEF**

- No parking provided onsite and impact on adjacent State Registered Heritage Building.
- Recommended for approval subject to conditions.

**BACKGROUND**

1. This application seeks consent for a new University building to house the University of Western Australia Centre for Environment and Natural Resource Management and the Rural Clinical School. The new building would allow these faculties to transfer primarily from Foreshore House and a building on Frederick Street.
2. The building includes office space, research labs, tutorial and seminar rooms and space for visiting specialists.
3. The subject site is 700m<sup>2</sup> in area and is classified as “Parks and Recreation” under Town Planning Scheme No. 1A. The site has an 8m fall in ground levels across its 23m depth and is currently vegetated with trees, grass and other vegetation. The western boundary abuts a public convenience located at the eastern edge of the Old Post Office site. The land to the west is also a Reserve with similar vegetation coverage and topography to that of the application site.
4. The subject Reserve was dedicated for “Parks and Gardens” use with the City of Albany having a Management Order over the land. At its 19 September 2006 meeting Council resolved to alter the purpose of the Reserve to “Educational Purposes” and this was completed in May 2009 with a Management Order granted by State Land Services to UWA for a period of 50 years.

**DISCUSSION**

5. In assessing the proposal Staff have detailed the various legislative, scheme and policy implications relevant to the development.

Zoning Implications

6. The proposal seeks consent for the construction of a University building on a Reserve dedicated for Educational Purposes. As per Part 2.3 of the Scheme when dealing with reserved land Council must have regard to the ultimate purpose intended for the reserve. A University building as proposed will fulfil an educational function and is considered to be in accord with the ultimate purpose for this reserve.
7. As the land use is consistent with the ultimate purpose of the reserve, the proposed use does not require advertising under the Scheme.

Scheme Requirements (General)

8. The use 'Education Establishment' is defined under Town Planning Scheme No. 1A as:  
*"means a school, college, university, technical institute, academy or other educational centre, or a lecture hall, but does not include a reformative institution or institutional home".*
9. The Scheme under Appendix 4 (Use Development Table) does not identify any specific development standards, including car parking requirements, for the use Education Establishment. As the land is classified "Parks and Recreation" under the Scheme, the general parking requirements relevant to the Central Area Zone are also not applicable in this instance.
10. The development does not provide any car parking on the site, as according to the proponent the land parcel is restricted in size (being 700m<sup>2</sup>) and the topography does not lend itself to providing car parking.

Heritage Act of WA (1990)

11. The existing University of Western Australia's main building in Albany is the Old Post Office Building located on the adjoining site to the west. The Old Post Office Building presents as a single storey building to Stirling Terrace with the clock tower projecting above from the rear. On the lower ground level to Proudlove Parade, the building is three-storey's in height with the clock tower element towards the western end standing taller with its fourth storey. The Old Post Office building is Heritage Listed in the State Register of Places and has been given the highest category of Listing in the City of Albany Municipal Heritage Inventory. In addition, the Old Post Office Building marks the eastern entry into the Stirling Terrace Historic Precinct. Any development on the adjacent lot needs to respect the significance and setting of the Old Post Office Building and not significantly compete with or detract from it.
12. The proposed building has been designed sympathetically, drawing on elements from the Old Post Office Building. It is proposed as single storey to Stirling Terrace with an exposed brickwork finish and tiled roof similar to the Old Post Office Building. To Proudlove Parade it is four-storeys with vertical posts and horizontal detailing in the glazed curtain wall in similar proportions to elements on the Old Post Office Building. Despite the similarities of these elements and the bulk and scale of the proposal, the use of some modern building materials as well as the clear visual gap between the upper floors and roofs of the buildings, means that the Old Post Office Building will remain identifiable in its historic context.

13. The proposal was referred to the Heritage Council of WA who have supported the development proposal (refer correspondence in the Information Bulletin). In their response the Heritage Council of WA has not suggested any amendments to the building design or the imposition of particular conditions. The Heritage Council of WA were complimentary of the detailed Heritage Impact Statement prepared by the proponent.
14. The subject land is located just outside the Stirling Terrace Conservation Plan precinct, which is also on the State Heritage Register and therefore no direction for development on this site is identified within this plan.
15. Another historic matter relating to this proposal is a small monument located close to the northeast corner of the lot. In this position there is a plaque commemorating over 100 years of weather observation readings and a post used for many years for tracking weather balloons. The building is sufficiently set back from Stirling Terrace and the site plan is annotated that the existing trees in this location are to be retained. For the purposes of clarity it is recommended that any approval for development on this site should include a suitable condition requiring this element to be protected during and after construction.

#### Policy Implications

16. The subject land is located within the Central Business District precinct of the Albany Historic Town Design Policy.
17. The relevant elements of this policy requires development to:
  - respond to the scale and mass of existing buildings.
  - contain roof forms comparable with the scale and form of roofs in the locality.
  - be attached to adjacent buildings to promote continuity of the urban edge or where breaks are required, such a break should be less than 3 metres.
  - address the street with facades being parallel to the street, windows facing the street with defined entry points identified from the street.
  - have a finished floor level not more than 500mm above the adjacent footpath/verge level.
  - have a minimum 60% of the facade at street level being windows or glazed doors.
  - be no higher than 3 storey's (at a maximum height of 11 metres) when measured from the street boundary.

18. In response to the policy requirements above the development:
- is consistent in scale and mass of existing buildings given it represents as a single storey structure and does not dominate or detract from the Old Post Office building.
  - contains roof forms consistent with the Old Post Office building.
  - adjoins an existing amenities block and will integrate with the Old Post Office building through new access points.
  - contains a facade which is parallel to Stirling Terrace with windows and defined entry points facing this street.
  - has a finished floor level consistent with the verge level.
  - has a glazed frontage of around 40% however it should be acknowledged that this is a university building and not a commercial shop front.
  - is 6.5 metres high from the centre of the street boundary (height datum) on Stirling Terrace and therefore meets the height criteria.
19. Overall in relation to bulk and scale, the proposal is respectful of its setting at the periphery of the CBD and the fringe of the residential area with residential properties on the opposite side of Stirling Terrace. At single storey height to Stirling Terrace (albeit with a parallel roof form to match the Old Post Office); the proposal will not impinge on significant views of the harbour and foreshore from these residential properties. The existing vegetation forward of the building line is proposed to be preserved under the application to further reduce this impact.
20. The 'Albany Historic Town Design Policy' also requires parking provision in accordance with Town Planning Scheme 1A with parking to be provided to the rear of buildings or in under crofts and not located between the building and the street. It also identifies under Clause 4.57 of this Policy that this parking provision should be relaxed in instances:
- Where visitor car parking can be partially met by existing street parking in the immediate vicinity.
  - Where satisfactory provision can be made other than on site.
  - *Where the provision required would compromise the conservation of a heritage building.*
  - *Where the provision required would preclude the adaptive reuse of an existing building which contributes to the urban character of the locality.*
  - *Where the type of housing provided would in the opinion of the Council generate a demand lower than that required by the Residential Design Codes.*

Parking Provision

21. As stated above there is no direction in the Scheme in relation to car parking for the use Educational Establishment. There are parking standards for components of this use, including a primary school (1.25 per classroom), preschool centre (2 per teacher) and high school (1.5 per classroom), however no general standard for an Educational Establishment or a specific standard for a University/Tertiary Institution has been stated.
22. Whilst the Scheme does not specify a parking requirement for this use, Clause 7.8A(p) of the Scheme under Matters to be Considered, states that in assessing an application for Planning Scheme Consent Council should have due regard to:

*‘whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles’.*

In the absence of a standard Council must make a judgement and exercise discretion as to the parking need generated by the development and whether appropriate provision (being nil) has been made in this instance.

23. For comparative and guidance purposes an analysis of parking requirements in other local authority schemes for this use revealed that in the majority of cases the parking provision was at the discretion of Council. This is further reinforced by the proponent who has identified in their application that other regional Council’s such as the City of Bunbury, the City of Geraldton, the City of Kalgoorlie and the City of Mandurah have varying parking requirements for an Educational Establishment, which allows Council the discretion to determine a parking requirement. The discretion is more to do with the varying types of educational establishments that can be considered within the definition prescribed for this use (the differences in standards in Town Planning Scheme No. 1A between a pre-primary centre, primary school and high school is testament to this). The table below identifies these standards:

<b>Local Government</b>	<b>Parking Standard – Educational Establishment</b>
City of Bunbury TPS 7	1 space per employee plus parking spaces for students to be at the discretion of the local government.
City of Geraldton TPS 3	Other Uses Not Listed – Determined by Council after consideration of the parking need generated by the use.
City of Kalgoorlie TPS 1	No provisions listed.
City of Mandurah TPS 1	City Centre Educational Establishment – 1.5 bays per classroom or as determined by Council.

24. Given this proposal has a strong research and administrative function as identified by the various office and lab spaces on the floor plans submitted by the proponent, staff advocate that at the very least 1 space per employee should be provided. In respect to student numbers, the proponent has advised that the new building will not result in an increase in students as UWA are not providing new courses or classes as a result of the teaching accommodation; however it should be noted that students are currently spread across two buildings. In any event, given the students will be on site for short periods of time, no specific parking provision has been identified for students by staff.
25. The proponent has advised that the new building will cater for up to 15 Full Time Equivalent (FTE) employees. A more specific employee breakdown was requested by staff (which included part time employees) and the following information has been received:

Relocation of Rural Clinical School (currently located in Frederick Street)

- 2 administrative positions, 2 student positions, 3 teaching doctors (only for classes) and 11 students (attending classes, but mostly at hospital).

Relocation of UWA Centre of Excellence in Natural Resource Management (currently located in Unit 10 Foreshore House)

- 9 employees (mostly part time).

Relocation of Rural Clinical School staff from Old Post Office Building

- 2 employees.

New Employees

- 8 new employees.

26. At any one time in the proposed building, with classes being in session, up to 21 employees and 16 students/teachers could be present, generating a worst case parking demand for 37 bays; although it is acknowledged that the classes will not be held regularly and Rural Clinical School students predominantly attend the hospital. Staff believe it is appropriate that the 2 employees currently at the Old Post Office are discounted given they will not generate additional parking demand and will be managed by the same organisation. However, Unit 10 Foreshore House can be re-tenanted to another party resulting in additional parking demand on the adjacent car park and street network. Staff believe that at the very least, taking into account full time and part time staff the development will generate a parking demand for 19 parking bays.

27. As stated above, the subject site is severely constrained by the dramatic change in levels, however this also represents an opportunity to provide limited parking on site at basement level (accessed via Proudlove Parade). The proponent has instead created a restricted basement level to be utilised as a boat and general storage area with shower and washroom facilities. A sliding access door and new crossover have been provided to store and access the boat. The basement level (Level 1) is only 130m<sup>2</sup> in size, presumably to reduce the level of cut into the slope, and has a depth ranging from 4.5 metres to 6 metres. If this basement level was increased to the same footprint as the levels above it is envisaged that 6 parking bays could be accommodated based on a depth of 12 metres (which would accommodate a manoeuvring area of 6.5 metres) and a width of around 18 metres.
28. Staff have queried the proponent in relation to the limited size of the basement level, and have received this response:
- “The basement is already half way below the ground water table and the engineers (Pritchard Francis) have had to work hard to get this size of basement to work and comply with need for diverting the ground water and meet earthquake design requirements.*
- If the basement size was increased it would push the building further below the water table and the building would experience considerable uplift from the ground water, this would probably not be able to be controlled using the structural system proposed and it would require considerably more structure (and cost) to design for the forces of the water pushing the whole building down the hill.”*
29. The proponent believes that should Council require on-site parking a total of three (3) parking bays could be provided within the existing basement level footprint.
30. The proponent has requested Council’s support to approve the development without any parking on the site. In this regard the proponent states this is a highly accessible CBD location and they actively encourage staff and students to use alternative options to car orientated transport; purpose built facilities such as a shower and wash down area have been introduced to encourage staff to walk and/or cycle to the University. Bicycle racks can also be introduced and whilst this is supported by staff, there is no guarantee that a lower rate of private car usage will be observed when compared to other workplaces based on this philosophy.
31. The proponent has also undertaken an audit of the car park they utilise located on Council’s reserve adjacent to the railway line. This 20 bay car park was constructed by UWA at a cost of around \$40,000 in 2001 to accommodate parking for UWA staff and students. The proponent claims that this car parking area, which is specifically set aside for vehicles with a valid UWA parking authorisation card, is rarely half full. Staff can substantiate this claim as on several separate occasions the car park was found to be one third to half full. The wider public parking area adjacent to the foreshore apartments also appears to have some additional capacity when visited by

staff, however it is likely that over time this parking area will be fully utilised, as parking availability in the CBD reduces and especially if UWA further expands student numbers and associated staff into the future. This could have the effect of reducing parking availability for patrons of those adjacent businesses or tourists accessing the visitor centre.

32. It is important to note that there is no formal lease arrangement between Council and UWA in relation to the UWA car park and although the construction of the car park was supported by the City prior to its construction, there is no guarantee of its ongoing usage in perpetuity. The current informal arrangement is that the City has agreed that the UWA will be able to utilise this car park for the period of their lease of the Old Post Office Building which expires in July 2021. However, with additional unrestricted parking between this car park and the UWA building(s) there is no guarantee that UWA staff or students would use this dedicated car park over the general parking area. This would be to the detriment of the surrounding businesses and properties.



33. The proponent has argued that as there is no parking standard identified in the Scheme, and the land is outside of Council's 'Guidelines for the Assessment of Off-site Verge and Cash-in-Lieu Car Parking Proposals' Policy area, a cash-in-lieu contribution cannot be applied in this instance. In this regard Clause 4.2 of the Scheme states that "...Except as otherwise provided, car parking shall be provided on the site of the use for which the car parking is required". Clause 4.32 and more generally Clause 7.21 does allow Council the ability to adopt a policy, and the 'Guidelines for the Assessment of Off-site Verge and Cash-in-Lieu Car Parking Proposals' was prepared for this purpose. Despite the subject land being outside of the applicable policy area, Council can still require the proponent via a planning

condition to either provide a certain level of parking on-site, or where it deems appropriate request that all or part of that provision be provided via cash-in-lieu. As the subject site abuts the Policy area it is considered appropriate to look to this Policy for guidance for such a condition should it be deemed necessary. This view has been supported by preliminary legal advice obtained from McLeods Solicitors (which has been circulated to Councillors under separate cover).

34. It is clear that the proposal will generate a minimum parking need for an additional 19 parking bays, based on the extra staff (teachers/administrators/researchers) that will occupy the new building above the current staffing arrangements at the Old Post Office building. Given the parking shortages involved, it was considered appropriate that surrounding landowners be given the opportunity to provide comments on the proposal before Council formally considers the application. This has been undertaken with the responses reported below in the following section of this report.

#### Other Matters

35. The proposed development has been referred internally to Council departments with comments received from the Building Surveyor, Environmental Health Officer and the City Engineers. The Building comments and Health requirements/conditions can be appended to any approval. The Engineering comments should be incorporated as planning conditions on any approval. In this regard it is noted that this Reserve is used as an overland flood route from Stirling Terrace and above to provide stormwater relief during extreme storm events. State Land Services were advised of this during the change in the reserve purpose to 'Educational Purposes'. It is an Engineering requirement that the overland flood path be relocated to the lot to the east at the developer's cost. This is an important requirement of any development approval for this land to ensure the flood route is maintained and the development is not impacted upon by stormwater surges. Such a condition should require details to be submitted and approved prior to the issue of a Building Licence.
36. It is also recommended that the footpath be upgraded / extended across the frontage of the property to accommodate safe and convenient access to the building from Stirling Terrace.

#### **PUBLIC CONSULTATION / ENGAGEMENT**

37. As stated above, the surrounding landowners were advised of the development with the requested zero parking provision. Comments from these landowners were invited in relation to the parking element only, to gauge their views on the current parking arrangements and possible impacts from this proposal.
38. A total of 81 surrounding landowners were requested to provide comments on the parking provision and at the close of the consultation period, which ended on 28 July 2010, a total of ten (10) submissions were received.

39. Of the submissions received one of these was a duplicate response sent twice by e-mail in error. The following is a précis of the nine individual responses:
- No objection, we should not be pandering to the car, surely the Environmental students and teachers will be using bikes or scooters.
  - Concerned this area will become more congested once the foreshore development is complete.
  - It appears the proposal will not impact on Transwa operations, but any future plans for additional bays in the existing paved area could potentially have an impact.
  - I am opposed to the total exemption from parking. Many of the units in Foreshore House require short term parking and the additional people in this proposal will have a big impact on the parking availability in the area.
  - There is not enough parking for the potential increase in vehicles. UWA users already park in surroundings roads, which impacts on the residential properties. This overspill into the surrounding area would increase.
  - The BCA requires the provision of disabled parking.
  - Lack of parking has resulted in vehicles parking on verge along Stirling Terrace, creating safety concerns.
  - The University allotted parking is always at least 95% empty, as the staff and students prefer to park close to the Penny Post Building. With the expansion the car park will be swamped, so can the University Parking be change to Foreshore Building Parking? This parking is closer to the Foreshore Building so would serve these users better.
40. This last point was raised by multiple respondents on the telephone. These verbal respondents have suggested that the reason the 'designated' University parking area is often only part full is because the University users park in the general parking area closer to the Old Post Office Building. They suggest the customers and occupiers of the properties in Foreshore House etc often have difficulty using the parking area because of this and are reluctant to park in the often vacant parking area signposted as being for the University only.
41. In relation to the concern for disabled parking, the existing disabled bay adjacent to the old Post Office building will provide unfettered disabled access into the lift and subsequently into the new building. This arrangement is to the satisfaction of Council's Building Department.

#### **GOVERNMENT CONSULTATION**

42. The Heritage Council of WA were consulted and have provided unconditional support for the development.

#### **STATUTORY IMPLICATIONS**

43. The land is classified as "Parks and Recreation" under Town Planning Scheme 1A (TPS 1A). The purpose of the Reserve is for 'Educational Purposes'. The development proposed is an additional building for the University of Western

Australia, which is considered to accord with the ultimate purpose intended for this Reserve.

### **FINANCIAL IMPLICATIONS**

44. Should the proponent lodge an appeal with SAT some legal costs would be applicable.

### **STRATEGIC IMPLICATIONS**

45. This item directly relates to the following elements from the Albany Insight ~ Beyond 2020:

*“Economic Development, Albany will be a City where... We are recognised as a true University City and vocational development is supported by quality educational and training services.”*

46. City of Albany Mission Statement:  
*“At the City of Albany we are ethical and operate within our strategic and policy framework.”*

### **POLICY IMPLICATIONS**

47. The proposed development is considered to accord with the policy requirements that are applicable in this instance (refer to commentary on compliance with the Albany Historic Town Design Policy).

### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

48. If Council refused the application, the proponent would then be entitled to seek a Review of that decision with the State Administrative Tribunal. The proponent also has the right to seek a review of any conditions attached to an approval with the State Administrative Tribunal.
49. As identified above the issue of parking provision is complex in this situation as there is no specified parking standard identified for this use. In these instances Council has a high degree of flexibility in setting a parking standard in the absence of such direction in it's Planning Scheme. Staff have identified that a demand for 19 bays would exist for this proposal based purely on the number of full time and part time staff that would attend the building on a regular basis. If 3 bays are able to be accommodated on site as suggested by the proponent an overall shortfall of 16 bays has been identified. To what extent these 16 bays can be accommodated within existing parking areas on Proudlove Parade, Stirling Terrace and within the designated UWA car park is difficult to ascertain. As stated earlier in this report staff have witnessed on several occasions over the past 3 months the UWA car park being at less than 50% capacity (ie. 10 bays available), and it would not be

unreasonable to reduce the parking requirement by this amount. Staff however cannot accept the position of the proponent that those university staff currently in Foreshore House (Unit 10) should be excluded from any parking analysis as their relocation will provide opportunities for this unit to be tenanted by a similar amount of employees (not linked to the university) and therefore no net parking benefit would be achieved.

50. Council's Albany Historic Town Design Policy does provide Council the ability to accept a lower parking standard where visitor car parking can be partially met by existing street parking in the immediate vicinity, or where satisfactory provision can be made other than on site.
51. In relation to parking, Council has the following options:
  - A. Request that a cash-in-lieu contribution for the provision of 6 car parking bays be required (this would be based on a contribution of the land value based on 1 bay per 26m<sup>2</sup> and the cost of constructing the said bays, which as a guide is likely to be in the vicinity of \$20,000 to 25,000 per bay), in addition to 3 bays being provided on site.
  - B. Accept the zero parking provision as proposed (it should be noted that this does not involve a relaxation of a Scheme standard, as no standard is specified).
  - C. Request the provision of 3 parking bays only onsite (it should be noted that this does not involve a relaxation of a Scheme standard, as no standard specified).
  - D. Refuse the application for Planning Scheme Consent on the grounds that insufficient parking has been provided.
52. Council also has the option in addition to the above to seek agreement with UWA to remove the UWA only parking signage and allow all surrounding users to access these bays at all times of the day. This was raised as an option through the submission period to ensure that all users in the area could occupy any vacant bays available. Preliminary feedback from UWA has indicated that they would be willing to abide by this arrangement, and staff believe this would be more equitable given the extra parking demand being generated by UWA.

### SUMMARY CONCLUSION

53. The proposal for a new University of Western Australia building is acceptable under the statutory framework relevant to this lot.
54. The proposed development, by reason of its bulk, scale and appearance is sympathetic to its surroundings, including the State Heritage Listed Old Albany Post Office. Comments from the Heritage Council of Western Australia support the proposal.
55. No additional parking is being proposed to service this development and unusually there is no parking standard under the Town Planning Scheme that can be applied in

this instance. With the building proposed to ease overcrowding in existing University workspaces, it is argued by the proponent that the development will only give rise to a minimal increase in parking demand that can be adequately accommodated in existing parking provision in the immediate vicinity.

56. Council staff consider that the proposal gives rise to a greater parking demand and the exclusive use of the parking area by the UWA should be removed to ensure fair and equitable provision to public car parking areas. In addition, a shortfall of 9 bays should be made up by either amending the design of the building to provide onsite parking within the basement, providing additional bays external to the site on adjacent land or through making a cash-in-lieu contribution to Council. Such a contribution could be used to upgrade existing parking areas within reasonable proximity to the site or be reserved to allow Council to purchase land for car parking into the future.

#### ITEM 1.1: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ISSUE a Notice of Planning Scheme Consent for an 'Educational Establishment' at 31 Stirling Terrace, Albany subject to the following conditions:

- A. Prior to the issue of a building licence the proponent is required to remove the 'UWA parking only' signage and acknowledge in writing that this parking is to be available for public parking at all times.
- B. Prior to the issue of a building licence the plans being amended to accommodate a minimum of 3 car parking spaces on site in the undercroft / basement level.
- C. Prior to the issue of a building licence a cash in lieu contribution for 6 car parking bays based on the land valuation of 26m<sup>2</sup> per bay plus the cost of constructing each bay be paid to Council.
- D. Prior to the issue of a Building Licence a Construction Management Plan (Code of Conduct) must be submitted to and approved in writing by or on behalf of the Council.
- E. A schedule of colours, finishes and materials to be submitted to Council prior to the issue of a building licence.
- F. The existing overland flood path shall be relocated to Reserve 19466 (1-27 Stirling Terrace) at the developers cost. The details and specification for this relocated flood path shall be submitted to and approved in writing by or on behalf of the Council prior to the issue of a Building Licence.
- G. Stormwater from the lot shall be managed in accordance with Council's specifications at the developer's cost. The stormwater disposal system is to be designed and certified by a practising civil engineer to the satisfaction of Council.
- H. The approved landscaping plan shall be implemented prior to the occupancy of the building.
- I. The monument to historic weather observations (information plaque and concrete

post) located in the northeast of the lot shall be identified on the landscaping plan. Details for the protection of this monument during the construction of the development hereby approved shall be submitted with the landscaping plan.

- J. The development hereby approved shall include a bicycle rack capable of accommodating a minimum of 5 bicycles.
- K. The footpath fronting the subject land is to be upgraded / extended to the satisfaction of Council.

[8:15:25 PM](#) EDDS addressed council re the amended officer recommendation.

#### ITEM 1.1: AMENDED OFFICER RECOMMENDATION

THAT Council ISSUE a Notice of Planning Scheme Consent for an 'Educational Establishment' at 31 Stirling Terrace, Albany subject to the following conditions:

- A. Prior to the issue of a building licence the proponent is required to remove the 'UWA parking only' signage and acknowledge in writing that this parking is to be available for public parking at all times.
- B. Prior to the issue of a building licence the plans being amended to accommodate a minimum of **4** car parking spaces on site in the undercroft / basement level.
- C. Prior to the issue of a building licence a cash in lieu contribution for **5** car parking bays based on the land valuation of 26m<sup>2</sup> per bay plus the cost of constructing each bay be paid to Council.
- D. Prior to the issue of a Building Licence a Construction Management Plan (Code of Conduct) must be submitted to and approved in writing by or on behalf of the Council.
- E. A schedule of colours, finishes and materials to be submitted to Council prior to the issue of a building licence.
- F. The existing overland flood path shall be relocated to Reserve 19466 (1-27 Stirling Terrace) at the developers cost. The details and specification for this relocated flood path shall be submitted to and approved in writing by or on behalf of the Council prior to the issue of a Building Licence.
- G. Stormwater from the lot shall be managed in accordance with Council's specifications at the developer's cost. The stormwater disposal system is to be designed and certified by a practising civil engineer to the satisfaction of Council.
- H. The approved landscaping plan shall be implemented prior to the occupancy of the building.

- I. The monument to historic weather observations (information plaque and concrete post) located in the northeast of the lot shall be identified on the landscaping plan. Details for the protection of this monument during the construction of the development hereby approved shall be submitted with the landscaping plan.
- J. The development hereby approved shall include a bicycle rack capable of accommodating a minimum of 5 bicycles.
- K. The footpath fronting the subject land is to be upgraded / extended to the satisfaction of Council.

**Staff's Reason:**

Howard and Heaver Architects have submitted a parking plan as attached (received 11 August 2010) detailing that they can accommodate 4 bays in the basement level, rather than their initial statement of 3 bays, and therefore Conditions B and C have been modified accordingly.

[8:16:03 PM](#)

**ITEM 1.1: PROCEDURAL MOTION BY COUNCILLOR D BOSTOCK**

**Moved: COUNCILLOR D BOSTOCK**  
**Seconded: COUNCILLOR J BOSTOCK**

**THAT the item be laid on the table until the September OCM.**

**MOTION LOST: 3-10**

**Record of Vote**

For the Motion: Councillors D Bostock, J Bostock and R Paver

Against the Motion: Mayor Evans, Councillors R Hammond, J Swann, D Wellington, C Holden, M Leavesley, D Wolfe, D Dufty, J Matla and R Sutton

**Councillor's Reason**

Car parking has not been suitably investigated.

**ITEM 1.1: ALTERNATE MOTION BY MAYOR EVANS**

**MOVED: MAYOR EVANS**

**SECONDED: COUNCILLOR WOLFE**

**THAT Council ISSUE a Notice of Planning Scheme Consent for an ‘Educational Establishment’ at 31 Stirling Terrace, Albany subject to the following conditions:**

- A. Prior to the issue of a building licence the proponent is required to remove the ‘UWA parking only’ signage and acknowledge in writing that this parking is to be available for public parking at all times.**
- B. Prior to the issue of a building licence the plans being amended to accommodate a minimum of 4 car parking spaces on site in the undercroft / basement level.**
- C. Prior to the issue of a Building Licence a Construction Management Plan (Code of Conduct) must be submitted to and approved in writing by or on behalf of the Council.**
- D. A schedule of colours, finishes and materials to be submitted to Council prior to the issue of a building licence.**
- E. The existing overland flood path shall be relocated to Reserve 19466 (1-27 Stirling Terrace) at the developers cost. The details and specification for this relocated flood path shall be submitted to and approved in writing by or on behalf of the Council prior to the issue of a Building Licence.**
- F. Stormwater from the lot shall be managed in accordance with Council’s specifications at the developer’s cost. The stormwater disposal system is to be designed and certified by a practising civil engineer to the satisfaction of Council.**
- G. The approved landscaping plan shall be implemented prior to the occupancy of the building.**
- H. The monument to historic weather observations (information plaque and concrete post) located in the northeast of the lot shall be identified on the landscaping plan. Details for the protection of this monument during the construction of the development hereby approved shall be submitted with the landscaping plan.**
- I. The development hereby approved shall include a bicycle rack capable of accommodating a minimum of 5 bicycles.**
- J. The footpath fronting the subject land is to be upgraded / extended to the satisfaction of Council.**

**MOTION LOST 3-10**

**Record of Vote**

For the Motion: Mayor Evans, Councillors Wolfe and Wellington

Against the Motion: Councillors J Bostock, R Hammond, J Swann, C Holden,  
M Leavesley, R Paver, D Bostock, D Dufty, J Matla and R Sutton

**ITEM 1.1: AMENDED OFFICER RECOMMENDATION**

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

**THAT Council ISSUE a Notice of Planning Scheme Consent for an ‘Educational Establishment’ at 31 Stirling Terrace, Albany subject to the following conditions:**

- L. Prior to the issue of a building licence the proponent is required to remove the ‘UWA parking only’ signage and acknowledge in writing that this parking is to be available for public parking at all times.**
- M. Prior to the issue of a building licence the plans being amended to accommodate a minimum of 4 car parking spaces on site in the undercroft / basement level.**
- N. Prior to the issue of a building licence a cash in lieu contribution for 5 car parking bays based on the land valuation of 26m<sup>2</sup> per bay plus the cost of constructing each bay be paid to Council.**
- O. Prior to the issue of a Building Licence a Construction Management Plan (Code of Conduct) must be submitted to and approved in writing by or on behalf of the Council.**
- P. A schedule of colours, finishes and materials to be submitted to Council prior to the issue of a building licence.**
- Q. The existing overland flood path shall be relocated to Reserve 19466 (1-27 Stirling Terrace) at the developers cost. The details and specification for this relocated flood path shall be submitted to and approved in writing by or on behalf of the Council prior to the issue of a Building Licence.**
- R. Stormwater from the lot shall be managed in accordance with Council’s specifications at the developer’s cost. The stormwater disposal system is to be designed and certified by a practising civil engineer to the satisfaction of Council.**
- S. The approved landscaping plan shall be implemented prior to the occupancy of the building.**
- T. The monument to historic weather observations (information plaque and concrete post) located in the northeast of the lot shall be identified on the landscaping plan. Details for the protection of this monument during the construction of the development hereby approved shall be submitted with the landscaping plan.**
- U. The development hereby approved shall include a bicycle rack capable of accommodating a minimum of 5 bicycles.**
- V. The footpath fronting the subject land is to be upgraded / extended to the satisfaction of Council.**

**MOTION CARRIED 12-1**

**Record of Vote**

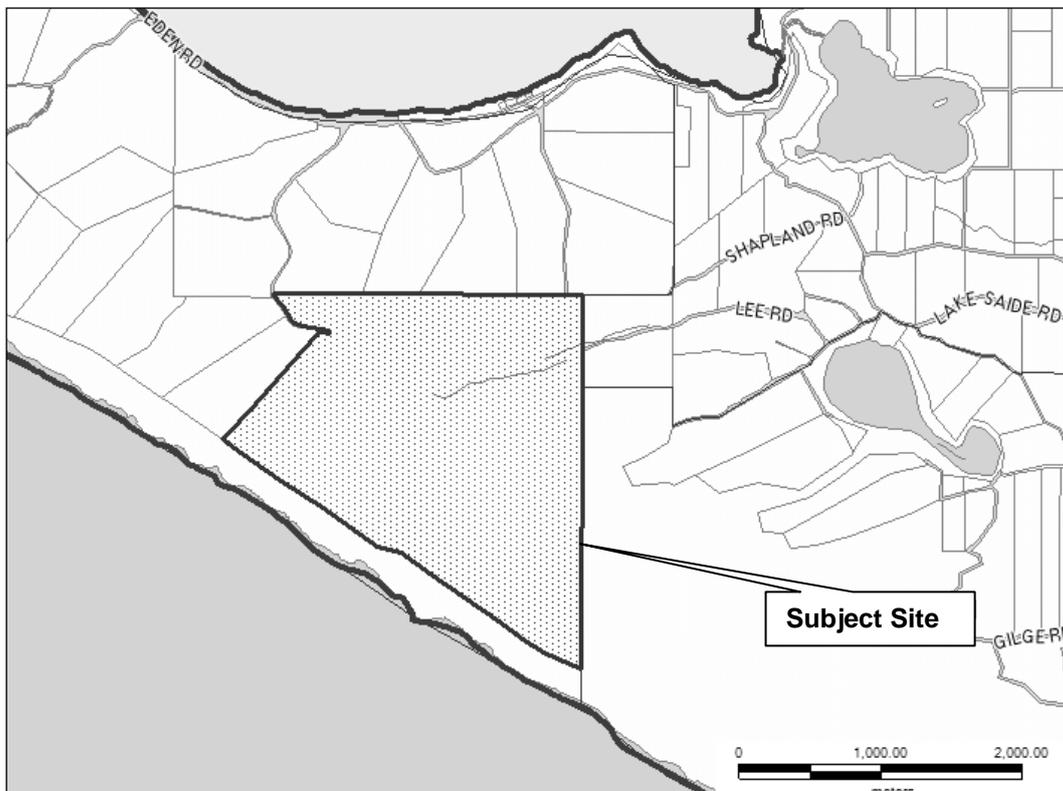
For the Motion: Mayor Evans, Councillors J Bostock, R Hammond, J Swann,  
D Wellington, C Holden, M Leavesley, R Paver, D Wolfe, D Dufty,  
J Matla and R Sutton

Against the Motion: Councillor D Bostock

**1.2: DEVELOPMENT APPLICATION – EXTRACTIVE INDUSTRY  
(LIME) – LOT 9005 EDEN ROAD, NULLAKI**

<b>File Number (Name of Ward)</b>	: A200151 (West Ward)
<b>Land Description</b>	: Lot 9005 Eden Road, Nullaki
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: Graeme Robertson
<b>Owner</b>	: Graeme Robertson
<b>Business Entity Name</b>	: Graeme Robertson Superannuation Fund
<b>Previous Reference</b>	: Nil
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: 1.2.A - Application for Planning Scheme Consent : 1.2.B - Government Agency responses : 1.2.C - Reply from applicant to objections : 1.2.D - Copy of objections received
<b>Consulted References</b>	: Town Planning Scheme 3 : Extractive Industry Policy
<b>Reporting Officer(s)</b>	: Senior Planning Officer (T Wenbourne)
<b>Responsible Officer</b>	: Executive Director Development Services (G Bride)

**Maps and Diagrams:**



IN BRIEF

- Appropriateness of use in the Conservation Zone and traffic implications on narrow rural road.
- Recommended for refusal as proposal not consistent with Zone objectives.

## **BACKGROUND**

1. This application seeks consent for an extractive industry for the extraction of lime for agricultural use.
2. The subject site is 437 hectares in area and is zoned “Conservation” under Town Planning Scheme No.3 (TPS 3). The site is located on the southern coast of the Nullaki Peninsula with access provided from Eden Road via the incomplete road Rock Cliff Circle. The proposed extraction pit itself is 1 hectare in size, and is classified as a Class 2 Extractive Industry under Council’s Extractive Industry Policy as it will not exceed a maximum depth of 3 metres.
3. In accordance with the requirements of TPS 3 the use “Industry – Extractive” was advertised for public comment. The adjoining landowners were notified in writing, a site notice was placed at the intersection of Eden Road and Rock Cliff Circle, and an advertisement was placed in the Albany Advertiser on Thursday 13 May 2010. The advertising period closed on 3 June 2010, although late submissions were also accepted. A total of 37 responses were received. Of these, 10 were duplicate submissions or additional comments. All of the responses received were opposed to the application citing many of the same reasons. The content of the objections are summarised and discussed further in this report.
4. The application has been referred to Council for consideration due to the substantial public interest surrounding this proposal, the volume of objections received and as a result of the consultation and following discussion with the Executive Director of Development Services. This is in accordance with the Council’s “Processing Planning Applications” Guidelines.

## **DISCUSSION**

5. The subject site is a large Conservation Lot and is the south-eastern most lot within the Conservation Zone on the Nullaki Peninsula. The extraction pit is proposed towards the south east corner of the lot approximately 300m in from the east boundary and 500m in from the boundary with the Southern Ocean. The adjoining lot to the east is a Crown Reserve vested with the City of Albany and classified as ‘Parks and Recreation’ under the Scheme. The land further east is zoned Rural. The adjoining lots to the north and west are smaller Conservation zoned lots having already been subdivided by the proponent. The closest dwelling to the proposed extractive pit location is approximately 2.5km away, which is consistent with the Environmental Protection Authority’s buffer requirements for lime pits.

6. Access to and from the pit is proposed along Eden Road and Rock Cliff Circle. Currently Rock Cliff Circle terminates at the lot boundary approximately 1.8km north of the proposed pit location. The proponent proposes to use the fire access track along the lot boundary next to the vermin proof fence at the edge of the Conservation zone as a haul road from the pit to access the road network.
7. In his covering letter, the proponent outlines how the extractive pit would operate, type of machinery used, hours of operation and the number of vehicle movements offsite each day. He also states that the site is secure and the proposed pit location cannot be seen from any adjacent land. Further he states that the reason for the application is to access high quality lime for agricultural purposes, which is in demand for use in the local area.
8. The subject site is the largest remaining lot in the Nullaki Conservation zone. The objectives of this Conservation Zone are:
  - *to protect, enhance and rehabilitate the flora, fauna and landscape qualities of the Nullaki Peninsula;*
  - *provide for controlled public access to the Peninsula, the Wilson Inlet Foreshore and Anvil Beach: and*
  - *provide for limited wilderness retreat subdivision and development in a manner that is compatible with the conservation values of the Peninsula.*
9. In addition to a single house and caretakers accommodation (in limited circumstances), a Home Occupation and other incidental or non-defined activities considered appropriate by Council which are consistent with the objectives of the zone can be approved. Therefore Council must make a determination on whether or not an extractive industry is appropriate and meets the objectives of this Conservation Zone.
10. By way of additional background information, it is noted that in the past lime has been excavated from elsewhere on this lot. The proponent contends that this demonstrates the acceptability of an extractive industry in the area. However, the previous lime extraction was for use in road and access construction on the Nullaki Peninsula, principally for construction of the road to Anvil Beach. The lime resource was not exported away from the immediate surroundings and for this reason is not directly comparable to the current proposal. It is also important to note that new residents have occupied lots within the Nullaki since the original extractive industry took place.
11. Environmental Protection Authority (EPA) guidance for the separation distances between industrial and sensitive land uses includes a section on Extractive Industries. For sand and limestone extraction the buffer distance is 300-500m depending on the size of the extraction site, but this is where no grinding or milling works are undertaken on the site. Where grinding and milling is proposed and no blasting is conducted (as is proposed) the buffer distance is determined on a case by case basis. For further guidance in this regard elsewhere in the EPA document, it is

recommended that for the grinding and milling of mineral sands (dry processing) a buffer of 1000-2000m be provided. This is useful information, but is considered excessive when judged against previous extractive proposals considered by the City. The closest land in private ownership to the proposed pit location is some 900m away and there is no dwelling on this land. As previously stated, the closest dwelling appears to be 2.5km away and it is therefore staff's opinion that the relevant EPA separation distances would be met.

12. Traffic volumes generated by the proposed use is another important element to consider. Under Clause 5.4 of Town Planning Scheme No. 3 (Matters to be Considered) Council needs to take into account the following when assessing planning proposals:

*“q) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.”*

13. Eden Road, whilst sealed, is a relatively narrow and winding road with poor sightlines on various corners. The proponent states there would be a maximum of 15 trucks a day leaving the site, giving rise to 30 truck movements a day to and from the site during the requested nine (9) hour working day. This has since been revised and clarified. There are three 10-ton 2-axle trucks from a local firm using local drivers that know the roads (having built Eden Road). These trucks would make a total of 10 return journeys to the site each day (ie. 20 truck movements).
14. The proposal has been referred to the City's Engineering Department, who raised no major concern with the proposed traffic movements along Eden Road, subject to a condition requiring the applicant to be responsible for the repair of undue damage to Rock Cliff Circle and Eden Road arising as a result of the extraction operations. It is accepted however that with additional heavy traffic using Eden Road there is an increased possibility of conflict and collision between road users. It is appreciated that visitors and tourists may be unfamiliar with the various slow points and tight turns that define the route to Anvil Beach.
15. Due to the concerns raised regarding potential conflict with the operation of the school bus the proponent has stated they would not use the section of Eden Road on the school bus route during the school bus run times. Also they have offered to fit the school bus with a 2-way radio tuned to the same frequency as the trucks to ensure there is no conflict between these trucks and the school bus. Whilst this offer by the proponent may improve traffic safety it would be difficult to incorporate this statement into a suitably worded planning condition, and would be purely voluntary.
16. The Bibbulmun Track is an international tourism icon that is used year round during week days as well as at weekends. The track is currently aligned adjacent to Rock Cliff Circle and uses Eden Road. It also runs through the adjoining Reserve to the

east and at its closest point is approximately 600m from the proposed pit location. Within the adjoining Reserve is the Nullaki overnight shelter, an important and well used rest point for users of the Bibbulmun Track. This shelter lies 500m to the east of part of the proposed haul road and 1.8km from the pit itself. It is quite foreseeable that noise and dust from the extraction pit or the associated vehicle movements will impact on the users of the Bibbulmun Track and diminish the experience of the natural environment setting.

17. If approval is considered appropriate, the proponent would be;
- Required to comply with the Department of Environmental Protection's Dust Control Guidelines and the City of Albany Prevention and Abatement of Sand Drift Local Law 2000 in terms of dust.
  - Required to comply with the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997 in terms of noise.
  - Provide additional information as required under the Council Policy: Applying for an Extractive Industry Licence: A Guideline for Developers; including but not limited to providing a suitably scaled site plan showing dimensions of the proposed pit and location and areas for stockpiling/milling.
  - Responsible for the repair of any undue damage to Eden Road and Rock Cliff Circle caused by the extraction operations.

#### **PUBLIC CONSULTATION / ENGAGEMENT**

18. As previously stated a total of thirty-seven (37) public submissions were received during the advertising period, all were opposed to the application, their formal comments are included in the bulletin attachment but a précis appears below;
- Eden Road is not wide enough for a car and truck to drive on.
  - Eden Road is not equipped to take the volume of truck trips.
  - High likelihood of accidents with more trucks on the road, especially with the sharp (blind) corners and generally windy road.
  - Eden Road is a School Bus route. The School Buses are less capable of evasive action required when presented by a truck on Eden Road.
  - Eden Road is a no through road servicing a low population density area and has a proportionally low traffic volume. This would be a substantial increase.
  - Public safety compromised by volume of trucks using Eden Road. The road is used by walkers, cyclists, horse riders, including children.
  - Council would be negligent to public safety if it allows this and would be liable to claims of recompense for any accidents arising from the increased traffic on the road inadequate for this purpose.
  - The increased volume of heavy traffic will seriously degrade the road.

- The Nullaki is a Wilderness Estate and Conservation Zone with regulations to protect fauna, flora and the coastal environment. A mine is at odds with this and not in keeping with this designation.
- The noise and dust will have an impact on the native animals.
- The noise will travel huge distances. When the fence and firebreak at the edge of the Conservation Zone was installed we could clearly hear the machinery used for this and we will be able to hear the machinery for this proposed quarry.
- The proposed access road to the pit site goes up a steep hill. The trucks will labour and struggle going up this hill generating more noise.
- The traffic and noise will be detrimental to the burgeoning tourist accommodation industry in the area.
- It is windy on the Nullaki and the dust will be carried long distances.
- The dust will be carried on the prevailing south westerly winds towards Eden Gate Blueberries. The blueberries require acid soils and the alkaline of the lime could seriously impact on the Blueberry Farm operation.
- The pit and truck traffic will impact on walkers and users of the Bibbulmun Track.
- Mining will disrupt the tranquillity of the area and impact on businesses which offer tourist accommodation catering to those attracted by the tranquillity.
- Can the site area be kept to 1ha given that the area is subject to high levels of wind erosion?
- The Town Planning Scheme used to allow Extractive Industries in this area where the raw material won was only able to be used in the immediate Nullaki/Youngs locality for road and building construction purposes. This is no longer the case and cannot be used to argue prior use exemption.
- The figures in the application do not correlate, 0.025 of the site would be 10ha not 1ha.
- The proposed activity is incongruent with the amenity and purpose of the area.
- This goes against the fundamental aims of the Conservation Zoning, as upheld in the EPA's decision in August 2006. What does the EPA say on this proposal?
- How can the pit area become the eventual house site on this lot? It will be a 3m deep hole in the ground. Unless it is to be filled and with what and how would the fill get there – more trucks?
- Feel 'ripped off' by the proponent, having been sold a piece of paradise with the allure of peace and tranquillity in the Conservation Zone and now he wants to do this.
- Just bought a lot here and this proposal has de-valued our investment.
- The area needs preserving for its unique ecological value.
- Plenty of lime pits locally and we don't need another in such an inaccessible place.

- A lime quarry is contrary to the objectives of Conservation Zone Area No.1. It is inappropriate and inconsistent with the objectives of the zone.
  - Some landowners who have bought lots in the Nullaki may not have built yet, but may be intending to in the very near future.
  - Insufficient advertising of the application. It is unacceptable that Council didn't write to us.
  - The school bus on this route carries approximately 50 students from kindergarten to Year 12 along Eden Road between 7:45 and 8:20 and 3:30 and 4:10. The mix of large trucks and the large bus carrying 50 children is a major concern.
  - The Bibbulmun Track passes through the area and there is an overnight hut shelter for walkers. Having an extractive industry so close and operating in the late afternoon will negatively impact on the Bibbulmun Track users arriving and preparing to stay the night at this hut. The noise and dust will also detract from the walkers experience of the Bibbulmun Track.
19. Included in the Bulletin Attachment is a copy of the proponents response to the concerns raised during the consultation period.
20. In response to the submissions, staff advise the following:
- The number of truck trips has been revised down to a maximum 20 rather than 30.
  - Road safety although a concern is for the most part the responsibility of the road users, and the City's engineers believe that the existing road system can accommodate the truck movements envisaged.
  - The proponent has offered a possible way of avoiding the school bus times and any potential meeting of a truck and the bus on Eden Road.
  - The proponent would be responsible for repairing undue damage to the road resulting from extractive traffic.
  - There are measures to mitigate against dust travel.
  - The proposal is considered to meet EPA noise and dust buffer distance requirements from dwellings.
  - Smaller trucks capable of climbing the hill are proposed to be used.
  - The proponent has corrected an error with the site area stated. He has confirmed the proposed pit is 1 ha in area.
  - The EPA has stated it does not provide comment on development applications and the views of DEC and DOW should be sought (this has been undertaken).
  - Property value (perceived or real) is not a planning consideration.
  - The application was referred to all the adjoining landowners and those who commented on the previous extractive application on this site. A site notice was placed at the intersection of Eden Road and Rock Cliff Circle for the

duration of the consultation period and a public notice was printed in the Albany Advertiser on Thursday 13 May 2010.

## **GOVERNMENT CONSULTATION**

21. The proposal was referred to the Department of Water, the Department of Environment and Conservation and the Office of the Environmental Protection Authority, their formal responses are included in the bulletin attachment but a précis appears below:
22. Department of Environment and Conservation (DEC):
- The Bibbulmun Track is in close proximity to the application site and is a significant contributor to recreation activity in the locality. It is an international tourism icon and draws 1000s of people every year to the south coast of WA.
  - Concern about the mining operation and associated heavy traffic that could have a significant impact on the safety and experience of track walkers.
  - The Bibbulmun Track is aligned adjacent to Rock Cliff Circle, as well as safety concerns, the noise and dust from heavy traffic will change the essence of the track experience.
  - The Bibbulmun Track Nullaki night shelter is only 500m from the access road and 1.5km from the proposed pit. Noise and dust will diminish the natural experience of walkers as they arrive at the hut at the end of a days walk.
23. Department of Water (DOW):
- Returned referral – Not Appropriate to Comment.
24. Office of the Environmental Protection Authority (EPA):
- The Environmental Protection Authority (EPA) does not provide comment on development applications.
  - Comments and advice on potential environmental impacts should be sought from the Department of Environment and Conservation and Department of Water in the first instance.

## **STATUTORY IMPLICATIONS**

25. The land is zoned “Conservation Area No.1” under Town Planning Scheme 3 (TPS 3). The objectives of this Conservation Zone are:
- *to protect, enhance and rehabilitate the flora, fauna and landscape qualities of the Nullaki Peninsula;*

- *provide for controlled public access to the Peninsula, the Wilson Inlet Foreshore and Anvil Beach: and*
- *provide for limited wilderness retreat subdivision and development in a manner that is compatible with the conservation values of the Peninsula.*

26. Other incidental or non-defined activities considered appropriate by Council which are consistent with the objectives of the zone can be approved by Council. Therefore Council must make a determination on whether or not an extractive industry is appropriate and meets the objectives of this Conservation Zone.

### **FINANCIAL IMPLICATIONS**

27. Should the proponent seek a review of a Council decision with the SAT some legal costs would be applicable.

### **STRATEGIC IMPLICATIONS**

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

### **POLICY IMPLICATIONS**

29. The proposed pit complies with the general development requirements for a Class 2 extractive industry as defined in Council's "Extractive Industry Policy". As discussed in Paragraph 17 of this report, a scaled site plan identifying the dimensions of the pit area and the area to be used for stockpiling/milling would need to be provided by the proponent should Council be minded to support the application.

### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

30. If Council refused the application, the applicant would then be entitled to seek a Review of that decision with the State Administrative Tribunal. This would have associated cost implications for the City of Albany.

31. Should Council support the application a number of conditions would need to be applied to the development including but limited to the submission of a dust management plan, rehabilitation plan, restrictions on operating times and the number of truck movements and the repair of any undue damage to Eden Road and Rock Cliff Circle caused by truck movements.

**SUMMARY CONCLUSION**

32. The application is for an extractive industry for the extraction of agricultural lime from Lot 9005 Eden Road, Nullaki. This is a large lot within the Conservation Zone of Town Planning Scheme 3.
33. The proponent has clarified some issues with regard to the traffic implications of the proposal, namely that the number of vehicle movements is reduced to a maximum 10 return truck visits per day and the trucks would be 10-ton 2-axle trucks. Also, the proponent has stated they can avoid the times associated with school bus runs on Eden Road.
34. The primary issue associated with this proposal is that the land is zoned “Conservation” under Town Planning Scheme No. 3. The proposed use is clearly at odds with the objectives for this zone, and by its very nature will result in traffic movements and noise levels that were not envisaged for this area, albeit they are unlikely to exceed the road networks capacity and prescribed noise levels. The area is designated for landscape protection and it is difficult to see how the proposed land use is consistent with the objectives for this zone; the determining factor in allowing Council to consider non-defined activities within this zone.
35. The locality is a low density wilderness retreat which is consistent in form and appearance to the surrounding reserves and West Cape Howe National Park. Whilst the proposal may generally meet EPA buffer requirements for noise and dust, the background noise for this area is extremely low given the low traffic volumes, vegetation coverage and topography and the overall density of less than 1 dwelling per 40 hectares. It is considered that the proposal would not be in keeping with the character and amenity of the area, and would also compromise the enjoyment and setting associated with the internationally renowned Bibbulmun Track.
36. The development will also result in the destruction of a parcel of land to gain access to a lime resource in an area that has been designated for landscape protection and the protection of flora and fauna. Although the proponent has stated the extraction site will become the 1ha building envelope for this future lot (when further subdivided), this is at the discretion of the future purchaser who could select an alternative building envelope in consultation with Council officers.
37. Furthermore, staff are concerned that the proposed location is close to an exposed windswept hill top and by clearing up to 1ha of vegetation and excavating the lime resource, the pit will be exposed to potentially significant wind erosion, which is likely to have an impact over a wider area than just the 1ha area involved. Areas of coastal heath disturbed in similar areas in the Nullaki has resulted in erosion and in some cases sand blowouts.

**ITEM 1.2: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR WOLFE  
SECONDED: COUNCILLOR DUFTY**

**THAT Council ISSUE a Notice of Planning Scheme REFUSAL for ‘Extractive Industry – (Lime)’ at Lot 9005 Eden Road, Nullaki as:**

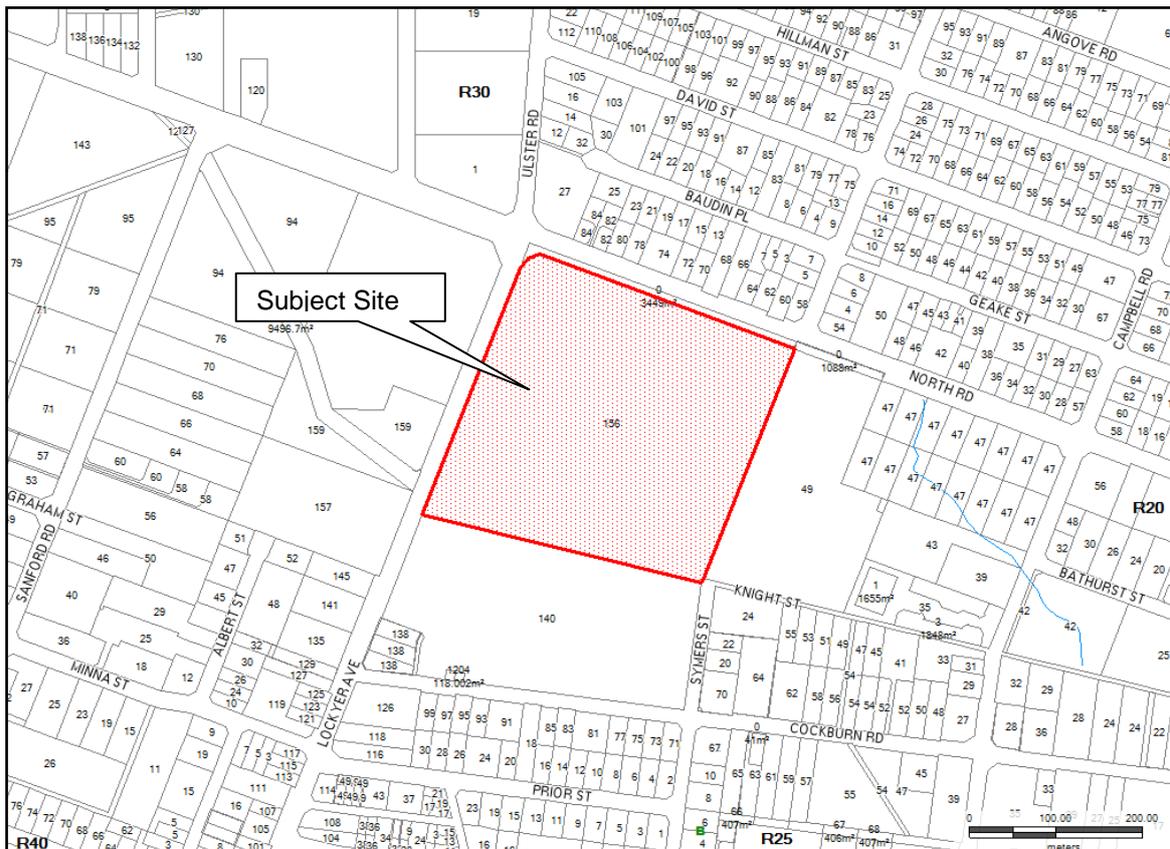
- A. An Extractive Industry is not considered to be a compatible use consistent with the objectives of Conservation Zone Area No.1.**
- B. The development does not satisfy Town Planning Scheme No.3, section 5.4 (Matters To Be Considered By Council) Part (l) with regard to *“the likely effect of the proposal on the natural environment and any means that area proposed to protect or to mitigate impacts on the natural environment”*.**
- C. The development does not satisfy Town Planning Scheme No.3, section 5.4A (Matters To Be Considered By Council) Part (n) with regard to *“the preservation of the amenity of the locality”*.**
- D. The development does not satisfy Town Planning Scheme No.3, section 5.4A (Matters To Be Considered By Council) Part (q) with regard to *“the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety”* and would set an unwanted precedent.**
- E. The development does not satisfy Town Planning Scheme No.3, section 5.4A (Matters To Be Considered By Council) Part (y) with regard to *“any relevant submission received on the application”*.**
- F. The development does not satisfy Town Planning Scheme No.3, section 5.4A (Matters To Be Considered By Council) Part (za) with regard to *“potential impacts of noise, dust, light, risk and other pollutants on surrounding land uses”*.**

**MOTION CARRIED 13-0**

**1.3: DEVELOPMENT APPLICATION – THIRD PARTY SIGNAGE – 156 LOCKYER AVENUE, CENTENNIAL PARK**

- File Number (Name of Ward)** : A92318 (Frederickstown Ward)
- Land Description** : 156 Lockyer Avenue, Centennial Park
- Disclosure of Interest** : Nil
- Proponent** : WA Country Builders
- Owner** : City of Albany
- Business Entity Name** : WA Country Builders
- Previous Reference** : Nil
- Attachment(s)** : Nil
- Appendices** : WA Country Builders correspondence
- Consulted References** : Town Planning Scheme 1A  
: Local Planning Policy – Signs, Hoardings and Billposting
- Reporting Officer(s)** : Executive Manager Building & Health Services (K Barnett)
- Responsible Officer(s)** : Executive Director Development Services (G Bride)

**Maps and Diagrams:**



**IN BRIEF**

- Consideration of Third Party Signage as part of an upgrade to the western façade of Centennial Oval Hall.
- Recommended that signage be approved.

**BACKGROUND**

1. WA Country Builders has submitted an application to re-clad the western facade (Lockyer Avenue) of Centennial Oval Hall with a 50/50 mix of James Hardie panels and Colorbond® cladding (a copy of the proposal is contained within the Information Bulletin).
2. The proposed works also include a painted sand finish render to both the entrance gate and ticket office, and replacement of the guttering and downpipes.
3. To protect the panels from graffiti, panels with writing or pictures will be wrapped in vinyl and plain panels will be painted with a graffiti resistant paint.
4. As one of the proposed panels displays the WA Country Builders logo, which is considered to be third-party advertising, Council approval is required.

**DISCUSSION**

5. The building is currently clad in rough painted metal sheeting with penetrations, bent edges and sharp ripped edges and is considered an eyesore.
6. As there are no plans to replace Centennial Oval Hall in the near future, WA Country Builders has offered to undertake the works, previously outlined, at no cost to the City of Albany or the Albany Agricultural Society Incorporated.
7. Under the provisions of the Local Planning Policy – Signs, Hoardings and Billposting the display of the logo is considered to be “third party signage” which is defined as:  
  
*“Third Party Signage – a sign on any building or site or premises where the services or goods so advertised are not available to the public within that building or site.”*
8. The Local Planning Policy – Signs, Hoardings and Billposting states that “third party signage” shall not be permitted except where, in the absolute discretion of Council, the advertisement is for the benefit or credit of the municipality.
9. As the works proposed will turn an eyesore into an attractive façade, the inclusion of a panel bearing the WA Country Builders logo is supported.

**STATUTORY IMPLICATIONS**

10. The Local Planning Policy – Signs, Hoardings and Billposting is a town planning policy adopted under the Scheme. Clause 7.120.4 of TPS 1A states:

“A Town Planning Scheme policy shall not bind the Council in respect of any application for planning consent but the Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.”

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

11. Council has two options in relations to this item, which are:
- a. To grant approval for the inclusion of a panel bearing the WA Country Builders logo as part of the re-cladding of the western façade (Lockyer Avenue) to Centennial Oval Hall.
  - b. To refuse to grant approval for the inclusion of a panel bearing the WA Country Builders logo as part of the re-cladding of the western facade (Lockyer Avenue) to Centennial Oval Hall.
12. In the event that Council does not grant approval, the proposed works may not go ahead.

**SUMMARY CONCLUSION**

13. That approval be granted for the inclusion of the WA Country Builders logo as proposed.

**ITEM 1.3: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR MATLA**  
**SECONDED: COUNCILLOR WELLINGTON**

**THAT Council ISSUE a Notice of Planning Scheme Consent for a Third Party Sign at 156 Lockyer Avenue, Centennial Park, involving the inclusion of the WA Country Builders logo in the proposed re-cladding of the western façade (Lockyer Avenue) to Centennial Oval Hall.**

**MOTION CARRIED 13-0**

**1.4: INITIATION OF SCHEME AMENDMENT – MODIFYING THE FUTURE URBAN ZONE PROVISIONS**

<b>File Number (Name of Ward)</b>	: AMD 176 (All Wards)
<b>Land Description</b>	: All Lots – Town Planning Scheme 1A
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: N/A
<b>Business Entity Name</b>	: N/A
<b>Previous Reference</b>	: Nil
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: AMD 176 - Amending Document
<b>Consulted References</b>	: Albany Local Planning Strategy
<b>Reporting Officer(s)</b>	: Senior Planning Officer (J van der Mescht)
<b>Responsible Officer(s)</b>	: Executive Director Development Services (G Bride)

**IN BRIEF**

- To consider the initiation of an amendment to amend Town Planning Scheme 1A by Modifying the “Future Urban” provisions and the associated part of Appendix 1- Zoning Table.
- Recommended that amendment be initiated for advertising purposes.

**BACKGROUND**

1. This proposal seeks to amend Town Planning Scheme 1A by:
  - a) *Adding provisions to subsection 4.36 that will ensure that any reserve, land use, zone and or associated provisions as identified as part of an endorsed structure plan will be enforceable as if it is part of the Town Planning Scheme.*
  - b) *Modifying Appendix 1 – Zoning Table by Removing all “land use” symbols under Column 14 - Future Urban Zone and replacing it with the following text “Development and use of land is to be in accordance with an approved Structure Plan as per Clause 4.36”.*
2. Land zoned Future Urban cannot be developed (except for a single dwelling and associated incidental buildings) without a Structure Plan being approved by Council and endorsed by the Western Australian Planning Commission (WAPC).
3. Future Urban provisions of Town Planning Scheme 1A section 4.36 currently states  
*“Land included in the Future Urban Zone is recognised by the Council as being suitable for urban purposes in the future. Council shall allow for development and promote subdivision proposals where the subdivision and/or development proposal put forward is in accordance, or will not conflict, with a Local Structure Plan approved by Council and endorsed by the Western Australian Planning*

*Commission, and submitted in a form consistent with Western Australian Planning Commission guidelines.”*

4. Liveable Neighbourhoods is an operational policy for the design and assessment of structure plans and subdivisions and detail the use of structure plans.

## **DISCUSSION**

5. Structure Plans are used to design and facilitate the development of urban areas that have sustainable urban outcomes. One of the objectives of contemporary structure planning is to cater for a mix of residential densities and where appropriate a mix of uses in a local centre servicing the future community.
6. Section 4.36 of Town Planning Scheme 1A currently deals with development and subdivision only, and does not specifically empower a structure plan to control or guide land use and land reservation. Within Appendix 1 of the Scheme (Zoning Table) the Future Urban zoning only permits the urban uses of ‘single dwelling’, ‘grouped dwelling’ and ‘multiple dwelling’ and does not take into account other uses such as ‘public recreation’, ‘aged persons dwellings’, ‘shop’, ‘civic use’, educational establishment’, ‘restaurant’, ‘café’ etc which are likely to be appropriate uses within a newly created suburb.
7. The City could be left in a situation whereby it supports the creation of a mixed use precinct through a structure planning process, but before such development can be realised a rezoning application would be required to allow Council the ability to approve the development (this separate process can take up to 18 months). This is an archaic practice, and all modern schemes have responded to this by leaving the detail in density and land use mix to an adopted structure plan.
8. The City’s ability to use Structure Plans to comprehensively plan neighbourhoods with the appropriate mix of uses, reserves and areas of public open space is therefore limited unless the Scheme is modified to allow Structure Plans to control the land use mix as well.
9. The proposed modification will be in line with and use similar clauses to those used as part of the proposed draft Local Planning Scheme No. 1. By progressing the amendment under the current scheme it is anticipated that gazettal could be achieved 12 months earlier than the introduction of the new scheme.
10. A number of Local Governments in Western Australia have removed the references to specific uses as it applies to “future urban” or “residential development” zones from their Planning Scheme zoning tables and instead have a general note that states that the development and use of the land is to be in accordance with an approved Structure Plan.

## **PUBLIC CONSULTATION/ENGAGEMENT**

11. Should Council initiate the amendment, and the Environmental Protection Authority decides not to assess the proposal, the amendment will be advertised to all affected and surrounding landowners.

## **GOVERNMENT CONSULTATION**

12. Should Council initiate the amendment, and the Environmental Protection Authority decides not to assess the proposal, the amendment will be referred to all affected government agencies for comment.

## **STATUTORY IMPLICATIONS**

13. All scheme amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*.
14. Council's resolution under Section 75 of the *Planning and Development Act 2005* is required to amend the Scheme.
15. An amendment to a Town Planning Scheme adopted by resolution of a local government is to be referred to the Environmental Protection Authority (EPA) for assessment.
16. Advertising of an amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the amendment is environmentally acceptable.
17. A resolution to initiate and advertise an amendment to a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

## **STRATEGIC IMPLICATIONS**

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

*“Strategic Objective:*

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

## **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

19. Council has the following options in relation to this item, which are:
  - To resolve to initiate the scheme amendment without modifications;
  - To resolve to initiate the scheme amendment with modifications; or
  - To resolve not to initiate the scheme amendment.
20. A resolution to initiate an amendment to a Town Planning Scheme adopted by resolution of a local government is to be referred to the Environmental Protection Authority (EPA) for assessment.

21. Advertising of an amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the amendment is environmentally acceptable.

**SUMMARY CONCLUSION**

22. The proposal is consistent with current approaches of dealing with “Future Urban” or “Residential Development” zones and Structure Plans.
23. The proposed change will give the City the ability to use structure plans to plan and control both land use and development in “Future Urban” zoned areas. Staff therefore recommends that the Scheme Amendment be initiated to allow the amendment to be formally advertised.
24. Staff have liaised with the officers of the Department of Planning in preparing the amendment, and they have indicated support for the approach advocated in the proposed amendment documents.

**ITEM 1.4: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR MATLA**

**SECONDED: COUNCILLOR SUTTON**

**THAT Council in pursuance of Section 75 of the *Planning and Development Act 2005* and 25(i)(c) of the *Town Planning Regulations 1967* resolves to INITIATE Amendment No. 176 to Town Planning Scheme No. 1A for the purpose of:**

- 1. Inserting the following Clauses 4.36.1 – 4.36.5 to read as follows:**

**4.36.1 Except for a single dwelling, no land use shall be permitted on future urban zoned land until such time as a local structure plan has been adopted and is endorsed by the WAPC.**

**4.36.2 Where a Structure Plan imposes a classification on the land included in it by reference to reserves, zones, or the Residential Design Codes then:**

- (a) The provisions of the Structure Plan apply to the land as if its provisions were incorporated into the Scheme and it is binding and enforceable in the same way as corresponding provisions incorporated in the scheme; and**
- (b) The provisions in the Scheme applicable to land in those classifications under the Scheme apply to the Structure Planning Area.**

**4.36.3 Without limiting the generality of Clause 4.36.2, under a Structure Plan:**

- (a) in the areas designated as zones, the permissibility of uses is to be the same as set out in the Zoning Table as if those areas were zones under the Scheme having the same designation;**
- (b) the standards and requirements applicable to the zones and residential density code under the Scheme apply to the areas having corresponding designations under the Structure Plan, unless otherwise provided in a detailed area plan;**

- (c) the planning approval procedures including the procedures for the approval of uses and developments under the Scheme are to apply as if the land were correspondingly zoned or reserved under the Scheme; and
- (d) any provision, standard or requirement in the Structure Plan is to be given the same force and effect as if it were a provision, standard or requirement of the Scheme.

4.36.4 A Structure Plan may distinguish between the provisions, requirements or standards which are intended to have effect as if included in the Scheme, and any provisions, requirements or standards which are only for guidance or such other purposes as stipulated in the Structure Plan.

2. Amending Appendix 1 – Zoning Table by removing all “land use” symbols under Column 14 - Future Urban Zone and replacing it with the following text “Development and use of land is to be in accordance with an approved Structure Plan as per Clause 4.36”.

Use Classes	Residential	Tourist Residential	Licensed Premises	Local	Central Area	Other Commercial	Service	Industry	Special Industry	Port Industry	Clubs & Institutions	Yakamia	Rural	Future Urban
	AA	AA	X	X	AA	X	X	X	X	X	X	X	X	
1-78	AA	SA	X	X	AA	X	X	X	X	X	X	X	X	Development and use of land is to be in accordance with an approved Structure Plan as per Clause 4.36

**MOTION CARRIED:8-5**

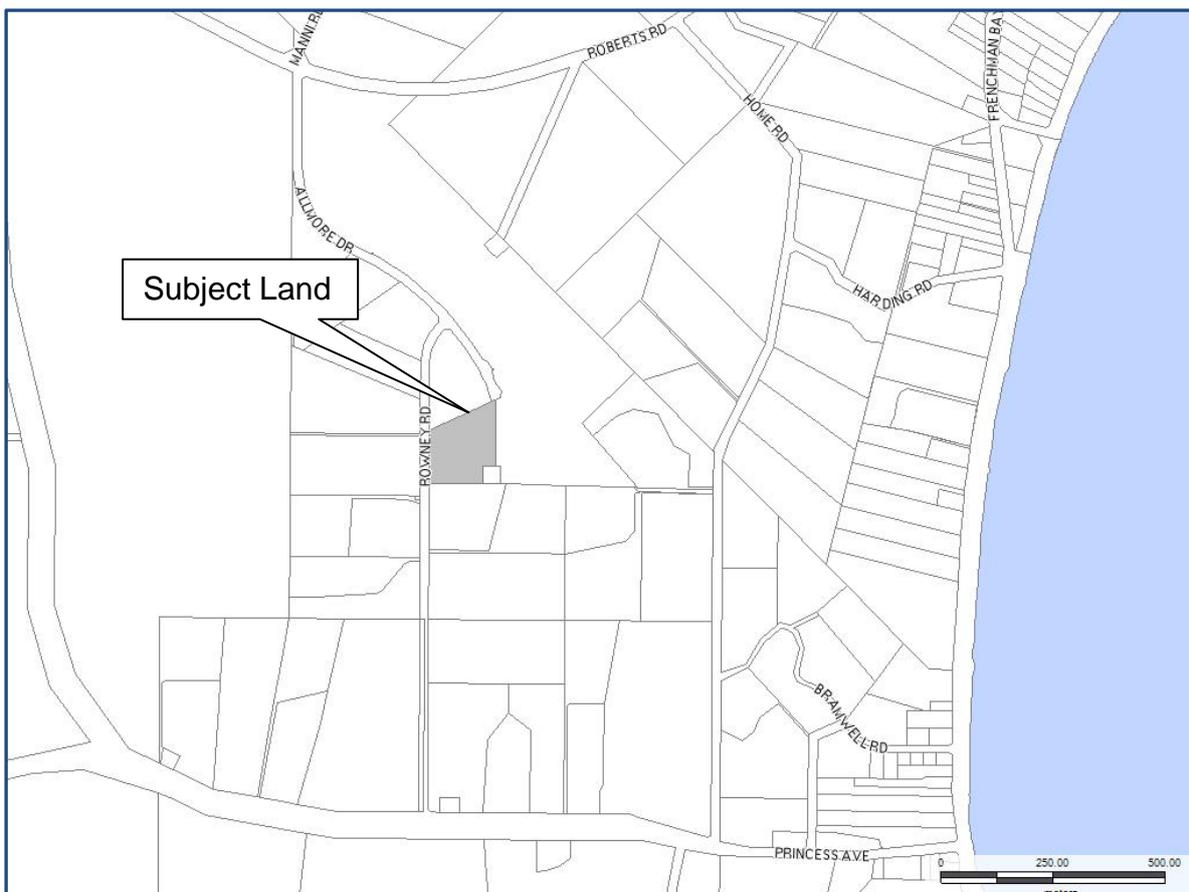
**Record of Vote**

For the Motion: Mayor Evans, Councillors R Hammond, J Swann, D Wellington, C Holden, D Wolfe, D Dufty, J Matla and R Sutton

Against the Motion: Councillors D Bostock J Bostock, R Paver and M Leavesley

**1.5: INITIATION OF SCHEME AMENDMENT – MODIFICATION OF SUBDIVISION GUIDE PLAN FOR SPECIAL RURAL ZONE NO. 10**

<b>File Number (Name of Ward)</b>	: AMD 302 (Vancouver Ward)
<b>Land Description</b>	: Lot 202 Rowney Road, Robinson
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: Ayton Baesjou Planning
<b>Owner</b>	: Mr T Ackley
<b>Business Entity Name</b>	: N/A
<b>Previous Reference</b>	: OCM 10/04/10 – Item 13.1.2 (Development Application)
<b>Attachment(s)</b>	: N/A
<b>Appendices</b>	: AMD 302 - Scheme Amendment document
<b>Consulted References</b>	: Town Planning Scheme No. 3
<b>Councillor Lounge</b>	: Copy of OCM 10/04/10 Item 13.1.2 (Development Application)
<b>Reporting Officer(s)</b>	: Planning Officer (C McMurtrie)
<b>Responsible Officer(s)</b>	: Executive Director Development Services (G Bride)

**Maps and Diagrams:**

**IN BRIEF**

- Consider whether to initiate the proposed Town Planning Scheme Amendment to modify the Subdivision Guide Plan for Special Rural Zone No. 10 by amending the Development Exclusion Area on Lot 202 Rowney Road, Robinson.
- Recommended that the amendment be initiated for advertising purposes.

**BACKGROUND**

1. Amendment 302 proposes to amend Town Planning Scheme (TPS) No. 3 by modifying the Subdivision Guide Plan (SGP) for Special Rural Zone No. 10 by amending the Development Exclusion Area on Lot 202 Rowney Road, Robinson so that the Ridgeline Protection Area more accurately reflects the alignment of the ridgeline.
2. The development of Lot 202 Rowney Road, which lies within Special Rural Zone No. 10, should be in accordance with the Subdivision Guide Plan and the Special Provisions set out in TPS No. 3, *Schedule 1 – Special Rural Zones*.
3. The SGP identifies Development Exclusion Areas (both a bore buffer around a water abstraction point and a ridgeline protection area) on Lot 202 (Lot 25 on the SGP). Water Corporation easements and a band of trees running parallel to the western boundary and sweeping across the centre of the lot to the north of the Development Exclusion Areas are further constraints on the site. The requirement for 15m boundary setbacks, as set out in the Special Provisions for Special Rural Zone No. 10, compounds the situation and leaves a narrow strip of cleared land to the northern extent of the lot as the only developable area.
4. The subdivider has claimed that he is unable to sell the lot due to the identified constraints, as buyers are put off by the limited options for locating a dwelling. He therefore submitted a Development Application to establish a building envelope within the Development Exclusion Area, though very little supporting information or justification was included. Due to there being sufficient unconstrained space on the lot for development to take place and the Special Provisions expressly preventing the construction of buildings, tanks or structures within the Development Exclusion Area, staff refused the application under delegation.
5. However, the refusal was appealed to the State Administrative Tribunal (SAT) for review, which resulted in a Development Application with more supporting information being reported to the Ordinary Council Meeting held on 20 April 2010. At this meeting it was resolved:

*“THAT Council:*

- i) *ADVISES the State Administrative Tribunal that whilst it is supportive of the relocation of the building envelope it UPHOLDS the original decision to REFUSE Planning Scheme Consent for ‘Single House (determination of building envelope)’ at Lot 202 Rowney Road, Robinson as there is no discretion under Council’s Town Planning Scheme No. 3 to allow development within a ‘development exclusion area’ as specified under Clause 5.1 of Special Rural Area No. 10.*

ii) *ADVISES the applicant that it would welcome a scheme amendment application to modify the Subdivision Guide Plan to accommodate the desired building envelope location.*

6. The proposed Scheme Amendment has been submitted following Council's resolution and provides justification for modifying the SGP as described.

## **DISCUSSION**

7. The lot covers an area of 2.1ha and lies to the east of Rowney Road, approximately 4.5km south-west of the Albany central area. A ridgeline extends through the lot, rising from the south-western corner to a point approximately half way along the eastern boundary. Much of the land has been cleared, although a stand of parkland cleared peppermint trees extends along the western boundary of the lot and sweeps across to the east, roughly following the ridgeline.
8. The surrounding land is also zoned 'Special Rural' and is subject to the same planning controls as the subject lot.
9. As described above, much of the site is constrained by Development Exclusion Areas, specifically the Water Corporation bore buffer, which radiates across the site from a point just beyond the south-eastern corner, and the ridgeline protection area, which extends along the western edge of the bore buffer in an elongated teardrop shape, approximately 15m across at its widest point.
10. However, the ridgeline protection area does not accurately reflect the actual landform on-site. In fact, the ridgeline protection area extends over the 12m contour line, while the highest point on the ridge is at 18m.
11. Although a building envelope could be accommodated on the flatter, cleared land at the northern extent of the site, the need for a 15m boundary setback and a low fuel buffer zone to mitigate bushfire risk would result in it being pushed further south and higher on the slope at the base of the ridge. This location would prove to be the most visually intrusive, especially to Lot 201 to the north, where a new house is currently under construction.
12. The proposed building envelope is located where prospective buyers have indicated a desire to build. Although further elevated, this location is not on the ridge, but rather four to five metres below the ridge, which rises to the east. It would also be set amongst the parkland cleared peppermint trees that grow in a band across the middle of the lot. This would partially screen any new house, thereby reducing its visual impact on the landscape.
13. Construction of a new house in this location would not significantly increase bushfire risk, as the trees have already been parkland cleared and are surrounded by pasture. This situation could be improved further by selective clearing immediately around buildings and pruning of the remaining trees to ensure that their canopies are separated.
14. It has also been highlighted in the amending document that one of the objectives of the 'Special Rural' zone is to "...allow for low intensity rural pursuits", which the flatter land at the northern end of the site would be suitable for. It would therefore make

practical sense to allow development of a dwelling and associated outbuildings, etc. on the proposed site.

15. Overall, it is considered that the proposal would rectify an inaccuracy in the original SGP and would be consistent with the objectives of the zone, particularly as it would

*“minimise the visual impact of new development and allow for low intensity rural pursuits”.*

#### **PUBLIC CONSULTATION/ENGAGEMENT**

16. Should Council initiate the Amendment and the Environmental Protection Authority (EPA) decides not to assess the proposal, the Amendment will be advertised to all affected and surrounding landowners.

#### **GOVERNMENT CONSULTATION**

17. Should Council initiate the Amendment and the EPA decides not to assess the proposal, the Amendment will be referred to all relevant Government agencies for comment.

#### **STATUTORY IMPLICATIONS**

18. All Scheme Amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*.
19. Council’s resolution under Section 75 of the *Planning and Development Act 2005* is required to amend the Scheme.
20. An Amendment to a Town Planning Scheme adopted by resolution of a Local Government must then be referred to the EPA for assessment.
21. Advertising of an Amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the Amendment is environmentally acceptable.
22. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

#### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

23. Council has the following options in relation to this item, which are:
- To resolve to initiate the Scheme Amendment without modifications;
  - To resolve to initiate the Scheme Amendment with modifications; or
  - To resolve not initiate the Scheme Amendment.
24. A resolution to initiate an Amendment to a Town Planning Scheme adopted by resolution of a Local Government must be referred to the Environmental Protection Authority (EPA) for assessment.
25. Advertising of an Amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the Amendment is environmentally acceptable.

**SUMMARY CONCLUSION**

26.    The proposal seeks to modify the SGP for Special Rural Zone No. 10 by amending the Development Exclusion Area on Lot 202 Rowney Road, Robinson so that the Ridgeline Protection Area more accurately reflects the alignment of the ridgeline. It is considered that the proposal would achieve this goal while remaining consistent with the objectives of the zone, particularly as it would “*minimise the visual impact of new development and allow for low intensity rural pursuits*”.
27.    Staff would therefore recommend that the Scheme Amendment be initiated.

**ITEM 1.5: RESPONSIBLE OFFICER RECOMMENDATION**

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

**THAT Council in pursuance of section 75 of the *Planning and Development Act 2005* and *Regulation 25(1)c* of the *Town Planning Regulations 1967* resolves to INITIATE WITHOUT MODIFICATION Amendment No. 302 to Town Planning Scheme No.3 for the purposes of:**

- **Modifying the Subdivision Guide Plan for Special Rural Zone No. 10 by amending the Development Exclusion Area on Lot 202 Rowney Road so that the Ridgeline Protection Area more accurately reflects the alignment of the ridgeline.**

**MOTION CARRIED 13-0**

## 1.6: FINAL APPROVAL OF SCHEME AMENDMENT – LOTS 50, 51, 52, 53, 54, 17 & 18 HOME ROAD AND LOT 16 BRAMWELL ROAD, ROBINSON

<b>File Number (Name of Ward)</b>	: AMD 287 (Vancouver Ward)
<b>Land Description</b>	: Lots 50, 51, 52, 53, 54, 17 & 18 Home Road and Lot 16 Bramwell Road, Robinson
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: Ayton Baesjou Planning
<b>Owner</b>	: PM & PR Stevens, DP Johnston & TE Udecz, TJ Howard, KA Whitbread, CJ Dowsett, NA & L Wilmot, CD & CA Hawkins & S Bartlett, GB & J Martin
<b>Business Entity Name</b>	: N/A
<b>Previous Reference</b>	: OCM 17/06/08 – Item 11.3.2 (SAR133) : OCM 17/11/09 – Item 13.2.2
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: 1.6.A - Amendment Documents : 1.6.B - Schedule of submissions and copies of correspondence
<b>Consulted References</b>	: Albany Local Planning Strategy
<b>Reporting Officer(s)</b>	: Planning Officer (C McMurtrie)
<b>Responsible Officer(s)</b>	: Executive Director Development Services (G Bride)

### Maps and Diagrams:



**IN BRIEF**

- Consider the submissions received from the public consultation period and determine whether to grant final approval to the proposed Scheme Amendment to rezone Lots 50, 51, 52, 53, 54, 17 & 18 Home Road, Robinson from 'Rural' to 'Special Rural' and Lot 16 Bramwell Road, Robinson from 'Rural' and 'Residential Development' to 'Special Rural'
- Recommended that amendment be adopted for final approval subject to modifications.

**BACKGROUND**

1. Amendment No. 287 proposes to rezone Lots 50, 51, 52, 53, 54, 17 & 18 Home Road, Robinson from the 'Rural' zone to the 'Special Rural' zone and Lot 16 Bramwell Road, Robinson from the 'Rural' and 'Residential Development' zones to the 'Special Rural' zone under Town Planning Scheme (TPS) No.3.
2. A Scheme Amendment Request (SAR 133) was reported to the Ordinary Council Meeting held on 17 June 2008. Council resolved:

*“THAT Council advises that it is prepared to entertain the submission of a formal application subject, but not limited to, the following matters being addressed to the satisfaction of Council:*

- *a fauna and flora assessment;*
- *a land capability assessment and drainage management to determine, among others, siting and management of wastewater disposal systems;*
- *an identification of servicing needs and infrastructure requirements to accommodate future subdivision. In particular opportunities to upgrade the Telstra network be explored through means such as developers contributions, etc;*
- *a Precinct Concept Plan to illustrate, among others, how Planning for Bushfire Protection is to be applied and remnant vegetation protected where possible; and*
- *the amendment to include all lots within the precinct.”*

3. The matters outlined above have all been broadly addressed in the amending document, which was initiated by Council at the Ordinary Meeting held on 17 November 2009.
4. The successful completion of this Amendment will facilitate subdivision of the subject land for 'Rural Residential' living, in keeping with the Strategic Objectives and aims set out in the draft Albany Local Planning Strategy (ALPS).

**DISCUSSION**

5. The subject lots cover a total area of 20.67 hectares and are located approximately 4km south-west of the Albany central area. Much of the land is relatively flat, rising by 4-5m to a ridge along its eastern extremity, which extends westwards through much of Lots 50 and 51 Home Road. There are stands of remnant native vegetation scattered across the subject land, although most of this has been parkland cleared. Each lot has one existing house and associated outbuildings, with the exceptions of Lots 51 and 18 Home Road, which also have ancillary accommodation units.

6. The subject lots are all currently under the 'Rural' zoning in TPS No. 3, with the exception of Lot 16 Bramwell Road, which is primarily under the 'Rural' zone, but a small eastern portion of which falls under the 'Residential Development' zone. The scheme amendment under consideration seeks to rezone the subject lots to 'Special Rural' in order to better fit the existing land uses, which are primarily rural residential or hobby farms, and to facilitate further subdivision.
7. The scheme amendment has generally been supported by government agencies. However, the Department of Water has raised concerns with the level of detail in the land capability report associated with the amendment. Specifically the Department does not believe sufficient information has been provided to ascertain whether there is adequate separation to the groundwater to protect the drinking water source (given the subject land is located in a Priority 3 area of the South Coast Water Reserve Public Drinking Water Source Area). The environmental consultant has undertaken a broad assessment which has identified that the soils are highly permeable and that the ground water table is between 4 to 5 metres AHD, approximately 3 metres lower than the proposed building envelopes ranging in height from 7 to 9 metres AHD.
8. Several dwellings already existing on the subject land are positioned at least 1 metre lower than many of the proposed building envelopes and Council's Principal Environmental Health Officer has reported no effluent disposal concerns with these existing dwellings. Whilst staff are confident that separation distances to ground water can be achieved (a minimum of 500mm is required) it is recommended that individual site specific testing be undertaken on the proposed building envelopes during this winter to prove beyond all doubt. This is also consistent with the Department of Health's submission.
9. One landowner has identified points of correction in the amendment document and associated land capability report. Many of these can be easily corrected via a proposed modification to the document and do not have a bearing on the amendment proposal. The landowner does believe however that there was an old rubbish tip over the potential building areas on Lots 50 and 51. Whilst Council has no record of this use within it's 'Contaminated Sites Register' it is recommend that a geotechnical report is undertaken to assess the building envelopes on these lots for any potential contamination.
10. The draft Albany Local Planning Strategy (ALPS) identifies the subject land as being suitable for 'Rural Residential' development and the proposal is considered to be consistent with this aim.
11. Staff would therefore recommend granting final approval of the proposed Scheme Amendment, subject to appropriate modifications, as discussed in the Schedule of Submissions.

#### **PUBLIC CONSULTATION/ENGAGEMENT**

12. The Amendment was advertised in accordance with the requirements of the *Town Planning Regulations 1967* from 25 March 2010 to 6 May 2010 by placement of sign on-site, direct referral to affected and adjoining/nearby landowners, relevant State Government agencies and advertisement in the local newspaper.
13. A total of ten (10) written submissions were received as attached. The submissions received are summarised and discussed with a recommendation for each submission in the attached Schedule of Submissions.

## **GOVERNMENT CONSULTATION**

14. The Amendment documents were initially referred to the Environmental Protection Authority (EPA) as required by the *Planning and Development Act 2005* for environmental assessment. The EPA has advised that the Amendment has been assessed and does not require further formal assessment. However, additional advice and recommendations were provided, as outlined in the attached Schedule of Submissions.
15. The Amendment was also referred to WA Gas Networks (WestNet Energy), Telstra, Water Corporation, Western Power, Department of Agriculture and Food, Department of Health, Department of Water, Department of Environment and Conservation, Fire and Emergency Services Authority (FESA), Main Roads WA and Albany Police for assessment and comment. Responses were received from Telstra, Water Corporation, Western Power, Department of Health, Department of Water and Department of Environment and Conservation and Main Roads WA and are summarised in the attached Schedule of Submissions.

## **STATUTORY IMPLICATIONS**

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

## **STRATEGIC IMPLICATIONS**

17. Council's decision on the Scheme Amendment should be consistent with the objectives of the draft Albany Local Planning Strategy (ALPS) as the principal land use planning strategy for the City.
18. Section 8.3.5 – *Rural Living* sets the following Strategic Objective:

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

*The draft ALPS expands on this by stating that: “The strategy’s objectives for Rural Living areas are to:*

- *Discourage the creation of additional rural townsites for living purposes.*
- *Avoid the development of Rural Living areas on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity.*
- *Avoid the development of Rural Living areas on future and potential long-term urban areas.*
- *Provide compact growth of selected existing rural townsites in accordance with Table 4, based on land capability and available services and facilities.*
- *Minimise potential for generating land-use conflicts.*

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

*Existing Special Rural and Special Residential zones in the City’s current Town Planning Scheme are fragmented and located within or next to rural areas on the*

*periphery of the Albany urban area, along the King and Kalgan Rivers and around Princess Royal and Oyster Harbours. These zones are at different stages of development and not required to be connected to reticulated sewerage. Some of the outer areas, such as Millbrook and most of Gull Rock, are not connected to reticulated water”.*

19. The proposal is considered to be consistent with Section 8.3.5 of the ALPS on the following basis:
- The proposal discourages the creation of additional rural town sites for living purposes.
  - The proposal does avoid the development of Rural Living areas on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity.
  - The proposal does avoid the development of Rural Living areas on future and potential long-term urban areas as the land is identified in the ALPS for Special Rural purposes.
  - The proposal does involve lot sizes similar to those to the east of the subject land which are being used for similar rural residential living purposes and would minimise potential for generating land-use conflicts.

#### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

20. Council has the following options in relation to this item, which are:
- To seek final approval to the scheme amendment without modification;
  - To seek final approval to the scheme amendment with modifications; or
  - To not seek final approval to the scheme amendment.
21. Staff have proposed that the site specific geotechnical testing to establish groundwater separation distances is undertaken as a modification. Council does have the option to defer it's consideration of this proposal pending the receipt of the groundwater clearance testing results. Council would need to seek the support of the Western Australian Planning Commission for the delay.
22. Council's decision on the scheme amendment is in effect a recommendation to the WA Planning Commission and Minister for Planning. The Minister for Planning is empowered under the *Planning and Development Act 2005* to make the final decision on the scheme amendment.

**SUMMARY CONCLUSION**

23. Staff would recommend that the proposed Scheme Amendment be adopted by Council with modifications, on the basis that rezoning of the land from 'Rural' and 'Residential Development' to 'Special Rural' would create a comprehensive planning unit for rural living purposes, in keeping with the objectives of Section 8.3.5 of the ALPS.

**ITEM 1.6: RESPONSIBLE OFFICER RECOMMENDATION**

- i) THAT Council in pursuance of Section 75 of the *Planning and Development Act 2005* and Regulation 25(1)(c) of the *Town Planning Regulations 1967* resolves to ADOPT WITH MODIFICATIONS Amendment No. 287 to Town Planning Scheme No. 3 by:
- i. Rezoning Lots 50, 51, 52, 53, 54, 17 & 18 Home Road, Robinson from the 'Rural' zone to the 'Special Rural' zone.
  - ii. Rezoning Lot 16 Bramwell Road, Robinson from the 'Residential Development' and 'Rural' zones to the 'Special Rural' zone.
  - iii. Amending the Scheme Maps accordingly.
  - iv. Incorporating 'Special Rural' Zone No. 39 within *Schedule 1* of the City of Albany *Town Planning Scheme No. 3*.

AND

- ii) RECEIVES the Schedule of Submissions and ADOPTS the officer's recommendation to either dismiss, uphold or note each individual submission as contained within the Schedule of Submissions.

**ITEM 1.6: AMENDED OFFICER RECOMMENDATION**

- i.) THAT Council in pursuance of Section 75 of the *Planning and Development Act 2005* and Regulation 25(1)© of the *Town Planning Regulations 1967* resolves to ADOPT WITH MODIFICATIONS Amendment No. 287 to Town Planning Scheme No. 3 by:
- i. Rezoning Lots 50, 51, 52, 53, 54, 17 & 18 Home Road, Robinson from the 'Rural' zone to the 'Special Rural' zone.
  - ii. Rezoning Lot 16 Bramwell Road, Robinson from the 'Residential Development' and 'Rural' zones to the 'Special Rural' zone.
  - iii. Amending the Scheme Maps accordingly.
  - iv. Incorporating 'Special Rural' Zone No. 39 within *Schedule 1* of the City of Albany *Town Planning Scheme No. 3*.

AND

- ii.) RECEIVES the Schedule of Submissions and ADOPTS the officer's recommendation to either dismiss, uphold or note each individual submission as contained within the Schedule of Submissions, except that the recommendation for Submission 6 and 9 in relation to issue of potential contamination be amended as per the attached schedule (changes identified in red).

**Staff's Reason:**

The submission from Mrs Johnston (Submission 9) refers to potential contamination involving a small rubbish disposal site on her property (Lot 51) and the adjacent property being Lot 52. The change proposed by staff is that the investigation of contamination should reasonably occur at the subdivision stage and provisions are proposed to be inserted into the document to ensure such testing is done should the landowners of Lot 51 and 52 wish to subdivide their land further into the future. This will ensure that the additional lots proposed on the Subdivision Guide Plan can't be created unless the issue of contamination is completely resolved through geotechnical testing; thereby ensuring a future purchaser of the subdivided lots can confidently build a dwelling on the property, without the requirement to undertake testing and implement remedial action if required.

**ITEM 1.6 AMENDMENT BY COUNCILLOR WOLFE**

**MOVED: COUNCILLOR WOLFE  
SECONDED: COUNCILLOR DUFTY**

**That the recommendation be amended by removing Lots 50 and 51. Part i) a. of the recommendation would then read as follows:**

**“Rezoning Lots 52, 53, 54, 17 & 18 Home Road, Robinson from the ‘Rural’ zone to the ‘Special Rural’ zone.”**

**MOTION CARRIED 12-1**

**Record of Vote**

For the Motion: Mayor Evans, Councillors J Bostock, R Hammond, J Swann, D Wellington, C Holden, M Leavesley, R Paver, D Wolfe, D Dufty, J Matla and R Sutton  
Against the Motion: Councillor D Bostock

**Councillor's Reason**

It is quite obvious as we had a speaker here last week that they and their next door neighbour do not want to have their land rezoned, they want it to remain as rural. It will not fragment this piece of land a great deal the two lots are side by side, and I believe that we can accommodate their wishes.

EDDS Graeme Bride then modified part b of the Recommendation to allow for the amendment to part a.

The amendment then became the motion. The motion was then put.

**ITEM 1.6: AMENDED MOTION**

**MOVED: COUNCILLOR SWANN  
SECONDED: COUNCILLOR SUTTON**

- a. THAT Council in pursuance of Section 75 of the *Planning and Development Act 2005* and Regulation 25(1)(c) of the *Town Planning Regulations 1967* resolves to **ADOPT WITH MODIFICATIONS** Amendment No. 287 to Town Planning Scheme No. 3 by:
- i. Rezoning Lots **52, 53, 54, 17 & 18** Home Road, Robinson from the 'Rural' zone to the 'Special Rural' zone.
  - ii. Rezoning Lot 16 Bramwell Road, Robinson from the 'Residential Development' and 'Rural' zones to the 'Special Rural' zone.
  - iii. Amending the Scheme Maps accordingly.
  - iv. Incorporating 'Special Rural' Zone No. 39 within *Schedule 1* of the City of Albany *Town Planning Scheme No. 3*.

**AND**

- b. **RECEIVES** the Schedule of Submissions and **ADOPTS** the officer's recommendation to either dismiss, uphold or note each individual submission as contained within the Schedule of Submissions, except that Lots 50 and 51 are removed from the rezoning proposal, and those modifications relating to these 2 properties are no longer valid.

**MOTION CARRIED 11-2**

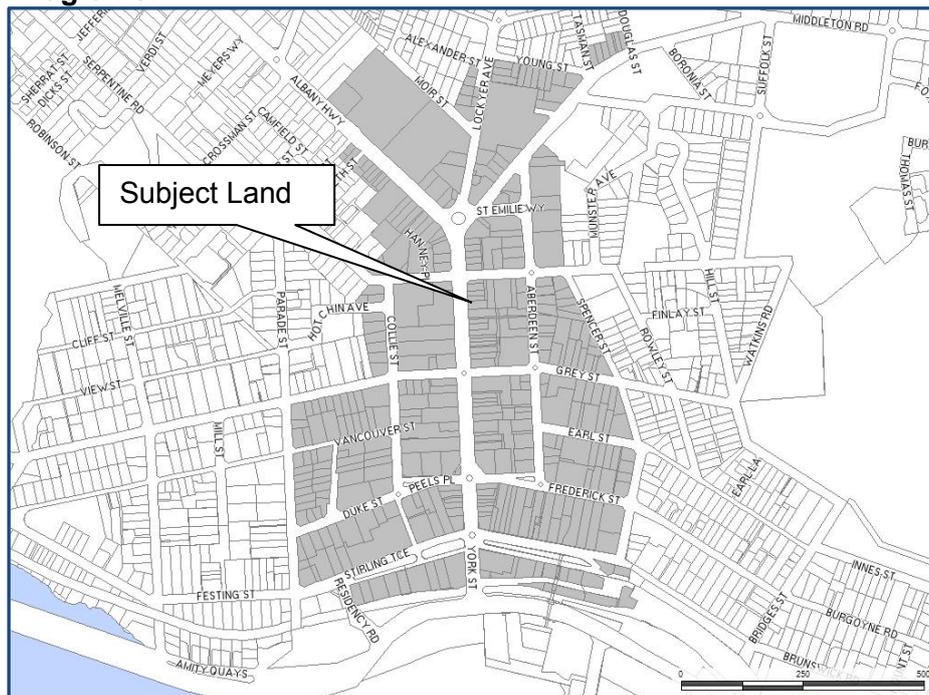
**Record of Vote**

For the Motion: Mayor Evans, Councillors R Hammond, J Swann, D Wellington, C Holden, M Leavesley, R Paver, D Wolfe, D Dufty, J Matla and R Sutton  
Against the Motion: Councillors D Bostock, J Bostock

## 1.7: RECONSIDER FINAL APPROVAL OF SCHEME AMENDMENT – CHANGE OF RESIDENTIAL DENSITY CODES IN THE ‘CENTRAL AREA’ ZONE AND SURROUNDING RESIDENTIAL AREAS

<b>File Number (Name of Ward)</b>	: AMD 161 (Frederickstown Ward)
<b>Land Description</b>	: All lots fronting and within the area bounded by Princess Royal Drive, Spencer Street, Serpentine Road East, Aberdeen Street, Middleton Road, Young Street, Alexander Street, Albany Highway, Serpentine Road, Grey Street West and Parade Street.
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: Various
<b>Business Entity Name</b>	: N/A
<b>Previous Reference</b>	: OCM 19/06/07 – Item 11.3.9 : OCM 19/08/08 – Item 11.3.7
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: 1.7.A - Scheme Amendment document : 1.7.B - Schedule of Submissions and copies of correspondence
<b>Consulted References</b>	: WA Planning Commission (WAPC) Statements of Planning Policy (SPP's) SPP 3 & SPP3.5 Albany Local Planning Strategy
<b>Councillor Lounge</b>	: Copy of OCM 19/06/07 – Item 11.3.9 Copy of OCM 19/08/08 – Item 11.3.7
<b>Reporting Officer(s)</b>	: Planning Officer (C McMurtrie)
<b>Responsible Officer(s)</b>	: Executive Director Development Services (G Bride)

### Maps and Diagrams:



**IN BRIEF**

- Reconsider final approval of the Scheme Amendment to change the Residential Density Codes in the 'Central Area' zone and surrounding residential areas, in view of the modifications proposed by the Western Australian Planning Commission and the submissions received from the subsequent public consultation period.
- Recommended that amendment be adopted for final approval subject to modifications.

**BACKGROUND**

1. Council resolved to initiate Amendment 161 to Town Planning Scheme (TPS) No. 1A at its Ordinary Meeting on 19 June 2007. The Amendment proposed to change the Residential Density Codes in the 'Central Area' zone and surrounding residential areas as follows:
  - i) recoding the Albany Central Area adjacent to York Street, Stirling Terrace and the "top roundabout" from R160 to R-IC;
  - ii) recoding lots adjacent to Middleton Road, Aberdeen Street and north of Serpentine Road from R30 to R40;
  - iii) recoding lots adjacent to Aberdeen Street, Serpentine Road, Spencer Street and Frederick Street from R30 to R60;
  - iv) recoding lots adjacent to Frederick Street, Spencer Street and Stirling Terrace from R160 to R60;
  - v) recoding lots adjacent to Collie Street, Duke Street, Parade Street and Serpentine Road from R30 to R40; and
  - vi) recoding lots adjacent to Stirling Terrace, Duke Street and Parade Street from R160 to R60.
2. The Amendment was drafted by Gray & Lewis Land Use Planners on behalf of the City of Albany and initiated by Council following the State Administrative Tribunal's (SAT) review (June 2006) of the decision of the City of Albany to refuse a Development Application for multiple dwellings (x38 units) on Lots 9 and 12 Earl Street, Albany. The SAT made reference to the undesirability of an R160 coding adjoining an R30 coding, which had given rise to considerable planning difficulties in the case of this development proposal.
3. The proposed Amendment was supported by key stakeholders in a workshop conducted by the City in September 2007 and was then subsequently referred to State Government agencies and advertised to the public from 30 January 2008 to 6 March 2008 for comment.
4. Following this advertising period, the various submissions were considered and the Amendment was reported to the Ordinary Meeting of Council on 19 August 2008, where it was resolved:

*"THAT Council, in pursuance of Section 75 of the Planning and Development Act 2005, resolves to adopt Amendment No. 161 of the City of Albany's Town Planning Scheme No. 1A by:*

*(i) Inserting into the Scheme Clause 4.23 as follows:*

*"Within the area zoned Residential R30/40 and Residential R30/60 on the Scheme Map the base code of R30 will apply and may at the discretion of*

*Council be increased to a higher code up to a maximum of R40 and R60 respectively where the development in the opinion of Council:*

- a) retains an existing house which has historic character, is worthy of retention and positively contributes to the existing streetscape; and*
- b) the new dwelling units have architectural elements which complement the existing historic / character dwelling creating an integrated design; or*
- c) retains an existing house which is worthy of retention, positively contributes to the existing streetscape, and is of excellent quality with a maintenance standard equal to that of a new dwelling unit (or conversely is substantially upgraded to have a maintenance standard equal to that of a new dwelling);*
- d) the new dwelling units and existing dwelling have common architectural elements creating an integrated design; and*
- e) has a high level of compliance with any relevant Local Planning Policy or Character Precinct Guidelines adopted by Council.”*

*(ii) Amending the Scheme Maps by:*

- a) recoding the Albany Central Area adjacent to York Street, Stirling Terrace and the “top roundabout” from R160 to R-IC;*
- b) recoding lots adjacent to Aberdeen Street, Serpentine Road, Middleton Road, Hotchin Avenue, Tasman Street, Grey Street West, Young Street and Collie Street inclusive of Lots 39 Hotchin Avenue, Lot 10 Grey Street West, Lot 148 Tasman Street, Lots 9, 100, 101, 30, 29 and 28 Collie Street, Lots 8, 5, 52, 53, 54, 49, 501, 51 and 4 Middleton Road, Lots 1, 2 and 3 Young Street, Lots 1, 2, 2 and 47 Serpentine Road and Lots 29, 28, 27, pt 66, 60 and 17 Aberdeen Street from R30 to R40;*
- c) recoding lots bordered by Serpentine Road, Aberdeen Street, Spencer Street and Frederick Street (up to the western boundary of Lot 102 Earl Street and Lot 1447 Frederick Street) and excluding the land identified in point d below, from R30 to R30/R60;*
- d) recoding of lots adjacent to Frederick Street, Earl Street, Stirling Terrace, Duke Street and Parade Street inclusive of Lots 19, 123 and 41 Stirling Terrace, Lot 40 Frederick Street, Lot S50 Parade Street, Lots 17, 10, S47, S46, 18, 15 and portion Reserve 29419 Duke Street and Lots 142, 201, 7 and 200 Earl Street from R160 and R30 to R80; and*
- e) recoding lots bordered by Collie Street, Duke Street, Parade Street and Grey Street West from R30 to R30/R40.*

AND

*THAT Council receive the Schedule of Submissions and adopts the officer’s recommendation to dismiss, uphold or note each individual submission as contained within the Schedule of Submissions.”*

5. Following this resolution, the Amendment was forwarded to the Western Australian Planning Commission (WAPC) for final approval by the Minister for Planning. However, prior to granting final approval, a number of modifications to the proposal were recommended by the Minister’s Office. Due to the significance of these modifications, they were referred to State Government agencies and advertised to the public from 21 January 2010 to 4 March 2010 for comment.
6. The modifications and various comments received from the advertising period must now be considered, to ascertain whether Council is supportive of the proposed changes.

**DISCUSSION**

7. The original purpose of the Amendment, as outlined above, is to change the Residential Density Codes in the 'Central Area' zone and surrounding residential areas from R160 and R30 respectively to R-IC, R60 and R40 to achieve compatible building design throughout.
8. R40 and R60 are considered to be medium density codings and were chosen to act as a transition from the higher density (R-IC) in the central area to the adjoining lower density (R30) areas. However, following public advertising of the Amendment in 2008, a number of submissions were received raising concerns over the impact that these medium density codes could have on the historic residential areas adjacent to the central area, which are considered to have an established urban character and streetscape values unique to Albany.
9. Consequently, it was proposed that the R40 and R60 codings be changed to R30/40 and R30/60 dual codings and a clause inserted into TPS No. 1A to provide additional planning controls in these areas. The aim of these planning controls was to restrict the circumstances in which the higher code can be accessed, in order to provide an incentive to retain buildings that are considered to make a positive contribution to the established urban character and streetscape and to ensure that any new development is of a similarly high quality.
10. However, after the Amendment was referred to the WAPC for final approval, the following modifications were recommended by the Minister's Office:

**Modification 1:**

Scheme Maps:

Modify such that density codes are as per the attached plan (see WAPC submission in the information bulletin).

Reason:

To address the issues arising from the proposed split codes and the submissions.

**Modification 2:**

Scheme Text:

In Part IV under the subsection "Variations and Exclusions" (to the R Codes) incorporate under clause number 4.23 the attached provisions (see WAPC submission in the information bulletin) such that they are applicable to the proposed R30/40 and R30/60 areas to be shown on the Scheme Maps.

Re-number subsequent clauses accordingly.

Reason:

To address the issues arising from the proposed split codes and the submissions.

**Modification 3:**

Scheme Text:

Amend Clause 7.2(b) such that it includes an additional part to read:

*"(viii) the development is located in an areas subject to a dual Residential Design Code in accordance with Clause 4.23 of the Scheme and development to the higher code is proposed."*

Reason:

Consistency with provisions referred to in modification "2".

**Modification 4:**

Amend Clause 7.2(c) such that it includes an additional part to read:

*“(iv) located in an area subject to a dual Residential Design Code in accordance with Clause 4.23 of the Scheme.”*

Reason:

Consistency with provisions referred to in modification “2”.

11. Few negative comments were received in response to the modifications during the subsequent public consultation period and the proposal is considered to be consistent with both State Planning Policy and the strategic planning direction set by the draft ALPS.
12. However, in response to the modifications proposed by the Minister’s Office and the submission from the Heritage Council of WA, staff would recommend that Modification 2 be reconsidered, with Clause 4.23 altered to read as follows:

*Clause 4.23*

*The following provisions apply to the area Coded R30/40 generally bounded by Grey Street West, and Duke, Collie and Parade Streets and the area Coded R30/60 generally bounded by Serpentine Road, and Frederick, Aberdeen and Spencer Street (as shown on the Scheme Maps). The intent of the subject dual coded areas is to provide for increases in the density of the areas and to protect the many existing buildings which contribute to their established urban character and streetscapes.*

- (a) *The applicable design code shall be R30 except in the following circumstances, in which case the relevant higher code may apply:*
  - i) *Where an existing building, which, based on written advice from a heritage architect, and in the opinion of Council, is worthy of retention by making a positive contribution to the established urban character and streetscape;*
  - ii) *Where an existing building which, based on written advice from a heritage architect, and in the opinion of Council, does not contribute positively to the established urban character and streetscape, and planning consent has been granted for its removal;*
  - iii) *Where a lot is vacant at the time of application and was vacant at the time of Clause 4.23 coming into effect, or is made vacant by an approved demolition; and*
  - iv) *provided that any retained building is of excellent quality with a maintenance standard equal to that of a new dwelling unit (or conversely is substantially upgraded to have a maintenance standard equal to that of a new dwelling); and*
  - v) *any new development has architectural elements in keeping with the retained building (if applicable) creating an integrated design and has a high level of compliance with any current Local Planning Policies or Character Precinct Guidelines adopted by Council.*
- (b) *Notwithstanding any other provision of the Scheme, planning consent is required for all development to the higher code, including but not limited to the development of single houses, extensions and additions, or the demolition of any building. Council shall generally not approve of demolition*

*of a building it considers contributes positively to the established urban character and streetscape.*

- (c) *Where a building is worthy of retention and is to be retained, Council may allow a reduction of the minimum site area per dwelling down to a minimum of 120m<sup>2</sup> and vary other requirements of the Residential Design Codes, including parking, provided that the average site area requirement of the relevant Code is met.*
- (d) *Where Council approves development to the higher code or variations of the codes provisions on the basis that a building that contributes positively to the established urban character or streetscape is to be retained, approval shall be subject to either:*
- a) *a restrictive covenant being lodged on the Certificate of Title to ensure ongoing retention of such a building; or*
  - b) *the landowner entering into a heritage agreement with Council if the building is listed on the Municipal Heritage Inventory or State Register to ensure its ongoing retention.*
- (e) *Where Council has granted planning consent involving a variation of the minimum site area requirements of the Residential Design Codes, support for the subdivision of the land into separate titles will be conditional upon:*
- a) *Additional dwelling units approved on the site being constructed to plate height and associated development (including access, retaining walls, drainage, and sewer and water connections) being completed; and*
  - b) *Completion of all building works required on the existing building to render it worthy of retention.”*

13. Whilst the changes above do not materially affect the intent of the modifications as requested by the Minister, they are recommended on the basis that:

- They reinforce the purpose of the amendment to maintain the urban character and existing streetscape.
- The relaxations of the minimum site area per unit down to 100m<sup>2</sup>, and in special cases 70m<sup>2</sup> is considered to be problematic in designing a dwelling which meets the Albany Historic Town Design Policy, site coverage requirements and floor space requirements expected for residential living. An increased figure of 120m<sup>2</sup> is supported so long as the average site area is complied with, which allows Council some discretion below the 160m<sup>2</sup> minimum site area requirement for R60 and 220m<sup>2</sup> minimum requirement for R40 to accommodate new dwellings at the rear of existing buildings.
- There should be a requirement that any design of new buildings has architectural elements consistent with the retained building in addition to compliance with Council's Albany Historical Town Design Policy and any character precinct guidelines as identified as part of the Municipal Heritage Inventory Review.

## **PUBLIC CONSULTATION/ENGAGEMENT**

14. The Amendment was advertised in accordance with the requirements of the *Town Planning Regulations 1967* from 21 January 2010 to 4 March 2010 by direct referral to affected and adjoining/nearby landowners, relevant State Government agencies and advertisement in the local newspaper.

15. A total of seven (7) written submissions were received as attached. The submissions received are summarised and discussed with a recommendation for each submission in the attached Schedule of Submissions.

### **GOVERNMENT CONSULTATION**

16. The Amendment documents were initially referred to the Environmental Protection Authority (EPA) as required by the *Planning and Development Act 2005* for environmental assessment. The EPA advised that the Amendment had been assessed and did not require further formal assessment.
17. The proposed modifications to the Amendment were referred to WA Gas Networks (WestNet Energy), Telstra, the Water Corporation, Western Power, Albany Port Authority, the Fire and Emergency Services Authority (FESA), the Heritage Council of WA, Main Roads WA – Great Southern Region, Tourism WA and the Public Transport Authority for assessment and comment. Responses were received from Telstra, Western Power, FESA, the Heritage Council of WA, Main Roads WA – Great Southern Region and the Public Transport Authority and are summarised in the attached Schedule of Submissions.

### **STATUTORY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

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

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

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

- Providing for growth in urban areas, rural townsites and rural living areas as designated in ALPS.
  - Minimising the development footprint on the landscape to help protect biodiversity and the environment.
  - Promoting energy conservation.
  - Providing greater housing choice.
  - Minimising journey length from home to work/school/services and encouraging the use of public transport, cycling and walking.
  - Reducing government expenditure on servicing current and future populations.
21. The Amendment is considered to be consistent with the above Strategic Objective and aims, as set out in the draft ALPS.

**POLICY IMPLICATIONS**

22. The proposed amendment is considered to be consistent with the objectives of the WAPC State Planning Policy 3.5 – Historic Heritage Conservation, which states:

*“The objectives of this policy are—*

- To conserve places and areas of historic heritage significance.*
- To ensure that development does not adversely affect the significance of heritage places and areas.*
- To ensure that heritage significance at both the State and local levels is given due weight in planning decision-making.*
- To provide improved certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.”*

23. The proposed amendment is considered to be consistent with the relevant key policy measures for creating sustainable communities as per the WAPC State Planning Policy 3 – Urban Growth and Settlement, where in relation to density and heritage it states:

*“5. Policy Measures*

*5.1 Creating Sustainable Communities*

- making the most efficient use of land in existing urban areas through the use of vacant and under-utilised land and buildings, and higher densities where these can be achieved without detriment to neighbourhood character and heritage values; the cost-effective use of urban land and buildings, schools and community services, infrastructure systems and established neighbourhoods; and promoting and encouraging urban development that is consistent with the efficient use of energy.”*

24. It is important to note that the amendment has attempted to allow for some infill development in two selected precincts bordering the Central Areas zone, on the basis that buildings that contribute to the streetscape are retained. This has been done to transition densities from the R160 code (proposed to be reduced to the R-IC code under this amendment) to the R30 code. Dwellings on the existing Municipal Heritage Inventory, within Appendix 8 of the Town Planning Scheme (Heritage List) or listed on the State Heritage Registrar already have various levels of protection and this amendment will not diminish the status of these lists in any way. The amendment actually goes further in recognising that there are buildings not necessarily on heritage lists that do contribute positively to the streetscape and where these buildings can be retained, infill development at the rear should be considered. This has the added benefit of increasing densities within walking distance of the CBD.

25. It should be noted that any development which takes advantage of the higher density code would need to be in accordance with Albany Historic Town Design Policy.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

26. Council has the following options in relation to this item, which are:
- To accept the modifications requested by the Minister for Planning; or
  - To request the Minister for Planning to reconsider certain modifications.
27. Council's decision on the scheme amendment is in effect a recommendation to the WA Planning Commission and Minister for Planning. The Minister for Planning is empowered under the *Planning and Development Act 2005* to make the final decision on the scheme amendment.

**SUMMARY CONCLUSION**

28. The finalisation of the proposed Scheme Amendment is recommended, subject to the modifications discussed in the body of this report.

**ITEM 1.7: RESPONSIBLE OFFICER RECOMMENDATION**

1. REQUEST the Minister for Planning reconsider the wording associated with Modification 2 (proposed Clause 4.23) as listed in the Schedule of Modifications dated 8 October 2009 for Amendment No. 161 to Town Planning Scheme No. 1A, to read as per Paragraph 12 of the officer's report.

AND

2. RECEIVE the Schedule of Submissions and ADOPT the officer's recommendation to either dismiss, uphold or note each individual submission as contained within the Schedule of Submissions.

**ITEM 1.7: PROCEDURAL MOTION BY COUNCILLOR DUFTY**

**MOVED: COUNCILLOR DUFTY**  
**SECONDED: COUNCILLOR J BOSTOCK**

**THAT this item be laid on the table for further consideration by Council.**

**MOTION CARRIED 7-6**

**Councillors Reason**

This item should be laid on the table to allow discussion in a council committee.

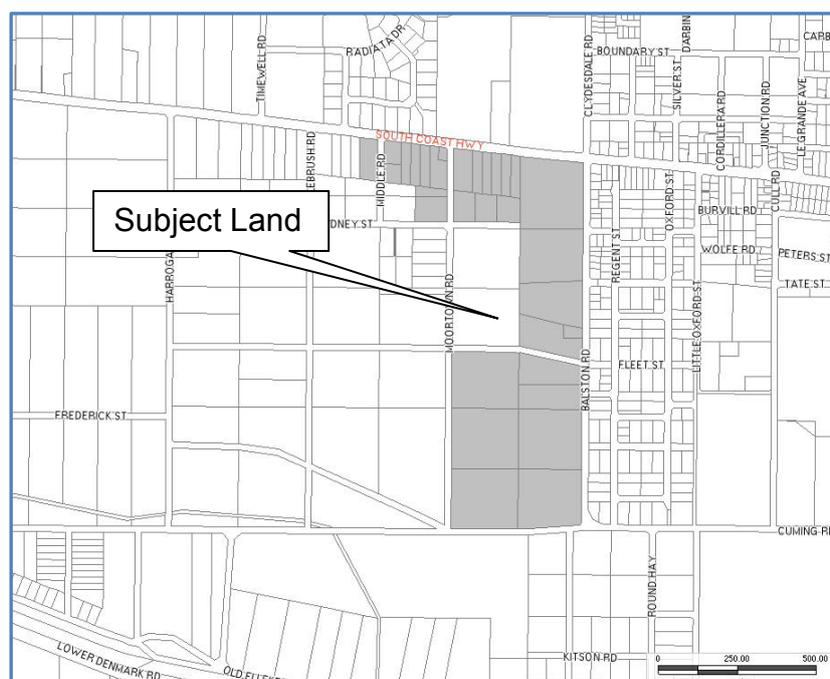
**Record of Vote**

For the Motion: Mayor Evans, Councillor J Bostock, R Hammond, D Bostock, D Wolfe D Dufty and R Sutton'  
Against the Motion: Councillors J Matla, R Paver, M Leavesley, C Holden, D Wellington and J Swann

**1.8: FINAL APPROVAL OF SCHEME AMENDMENT – REZONING OF VARIOUS LOTS IN GLEDHOW**

- File Number (Name of Ward)** : AMD 296 (West Ward)
- Land Description** : Lots 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 South Coast Highway, Lots 1, 2, 5, 6, 7, 26, 27 and 85 Balston Road, Lots 24 and 25 Cuming Road, Lots 10, 20 and 23 Moortown Road, Lot 4 Middle Street and Lots 17, 18, 19 and 21 Sydney Street, Gledhow
- Disclosure of Interest** : Nil
- Proponent** : Ayton Baesjou Planning
- Owner** : Various owners
- Business Entity Name** : N/A
- Previous Reference** : OCM 19/08/08 – Item 11.3.3 (SAR 135)  
: OCM 17/11/09 – Item 13.2.3
- Attachment(s)** : Schedule of Submissions
- Appendices** : 1.8.A - Amendment Document  
: 1.8.B - Copy of Submissions
- Consulted References** : WA Planning Commission (WAPC) Statements of Planning Policy (SPP's) SPP1 & SPP 3  
Albany Local Planning Strategy
- Councillor Lounge** : Copy of OCM 19/08/08 – Item 11.3.3 (SAR 135)  
Copy of OCM 17/11/09 – Item 13.2.3
- Reporting Officer(s)** : Planning Officer (C McMurtrie)
- Responsible Officer(s)** : Executive Director Development Services (G Bride)

**Maps and Diagrams:**



**IN BRIEF**

- Consider the submissions received from the public consultation period and determine whether to grant final approval to the proposed Scheme Amendment to rezone various lots in Gledhow from the 'Rural' zone and 'Public Purposes' reserve to the 'Residential Development' zone.
- Recommended that amendment be adopted for final approval without modifications.

**BACKGROUND**

1. Amendment 296 proposes to amend Town Planning Scheme (TPS) No. 3 by rezoning Lots 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 South Coast Highway, Lots 1, 2, 5, 6, 7, 26, 27 and 85 Balston Road, Lots 24 and 25 Cuming Road, Lots 10, 20 and 23 Moortown Road, Lot 4 Middle Street and Lots 17, 18, 19 and 21 Sydney Street, Gledhow from the 'Rural' zone and 'Public Purposes' reserve to the 'Residential Development' zone.
2. A Scheme Amendment Request (SAR 135) was reported to the Ordinary Council Meeting held on 19 August 2008. Council resolved to advise the proponent that:
  - i) *in accordance with ALPS, Council supports the completion of the proposed comprehensive Structure Plan for the development area and will provide assistance to the consultants as indicated in the report;*
  - ii) *that whilst ALPS shows all of Gledhow as 'Future Urban' uses over the medium-term, it will only support the proposed rezoning of the land east of Moortown Road which is within the existing Water Corporation deep sewerage catchment to the 'Residential Development' zone at this stage; and*
  - iii) *that any application for a formal scheme amendment will require the following matters to be addressed:*
    - *preparation of a Structure Plan to guide the design and densities to be promoted;*
    - *assessment and protection of remnant vegetation;*
    - *land capability assessment for housing/road construction;*
    - *land suitability assessment;*
    - *servicing requirements (including provision of deep sewerage to the lots);*
    - *impacts from surrounding land uses/buffers;*
    - *fire protection requirements;*
    - *cost sharing arrangements; and*
    - *any special planning controls recommended for inclusion within the Scheme.*
3. The matters outlined above have all been broadly addressed in the amending document. An opportunities and constraints plan has been provided in lieu of a structure plan which is the appropriate level of detail at this stage of the process. The preparation of a detailed Structure Plan will be required to be completed and assessed by Council prior to any subdivision or development occurring within the subject land. The Land Capability and Geotechnical Assessment undertaken by Landform Research, which accompanies the amending document, recommends that further work is also required in respect of the assessment and protection of remnant vegetation, and this will inform the structure plan.

4. The proposed Scheme Amendment was subsequently initiated at the Ordinary Meeting of Council on 17 November 2009.

## **DISCUSSION**

5. The subject land lies primarily to the south side of South Coast Highway, extending from Balston Road to the east to Lot 5 South Coast Highway, to the western side of Middle Street. It extends to Cuming Road in the south, encompassing the majority of the land between Balston Road to the east and Moortown Road to the west, and includes Lots 19-21 Moortown Road and 17 and 18 Sydney Street. However, Lots 8 and 9 Moortown Road are **not** covered by the proposal.
6. The 31 lots covered by the proposal range in size from 1204m<sup>2</sup> to 4ha, with the smaller lots primarily located along South Coast Highway. Overall, a land area of approximately 45.4ha is included in the proposal. All lots have been developed with residences and associated outbuildings, with the exception of Lots 10 and 19 Moortown Road. Additionally, all are in private ownership and under a 'Rural' zoning within TPS 3, with the exception of Lot 10 Moortown Road, which is Crown Land vested in the Department of Housing and Works and designated as a 'Public Purposes' reserve.
7. The majority of the subject land has been cleared to some extent, with the exception of Lots 10 and 19 Moortown Road and Lots 26 and 27 Balston Road, which are still covered by significant amounts of remnant native vegetation. The *Land Capability and Geotechnical Assessment* recommends that a spring survey be undertaken to establish the quality of the remnant vegetation and to identify any priority species. The extent of vegetation to be conserved as public open space will need to be addressed as part of the Structure Plan
8. The topography is generally level or gently sloping over most of the subject land to the north, reaching a high point of 55m AHD, where a ridge runs across Lot 23 Moortown Road and Lot 27 Balston Road, before dropping off steeply (approximately a 1:8 slope) to a low point of 20m AHD at Cuming Road.
9. In terms of surrounding land uses, a 'Residential' zoning covers the land adjacent to the eastern and northern extents of the subject land, while the land to the west is predominantly zoned 'Rural', with the exception of a small 'Special Residential' zoned development, a lot that is designated a 'Public Purposes' reserve and two heavily vegetated lots which are designated as 'Parks and Recreation' reserves. To the south of Cuming Road, the land is zoned for 'Light Industry', but is currently undeveloped.
10. The draft Albany Local Planning Strategy (ALPS) identifies the subject land as 'Future Urban', with a short to medium-term development priority coding. This is intended to "*protect future fully serviced urban areas from inappropriate land uses, subdivision and development*".
11. No negative responses were received during the public consultation period, merely advice from State Government agencies and requests for clarification of the rationale behind the area to be rezoned. These submissions are dealt with in detail in the attached Schedule of Submissions.

12. Overall, the amendment is consistent with the strategic intent of the Lower Great Southern Strategy (LGSS) and the draft ALPS.

### **PUBLIC CONSULTATION/ENGAGEMENT**

13. The Amendment was advertised in accordance with the requirements of the *Town Planning Regulations 1967* from 6 May 2010 to 17 June 2010 by placement of sign on-site, direct referral to affected and adjoining/nearby landowners, relevant State Government agencies and advertisement in the local newspaper.
14. A total of eleven (11) written submissions were received as attached. The submissions received are summarised and discussed with a recommendation for each submission in the attached Schedule of Submissions.

### **GOVERNMENT CONSULTATION**

15. The Amendment documents were initially referred to the Environmental Protection Authority (EPA) as required by the *Planning and Development Act 2005* for environmental assessment. The EPA has advised that the Amendment has been assessed and does not require further formal assessment. However, additional advice and recommendations were provided, as outlined in the attached Schedule of Submissions.
16. The Amendment was also referred to WA Gas Networks (WestNet Energy), Telstra, Water Corporation, Western Power, Department of Agriculture and Food, Department of Health, Department of Water, Department of Environment and Conservation, Department of Education, Main Roads WA – Great Southern Region and Albany Police for assessment and comment. Responses were received from Water Corporation, Department of Education, Western Power, Department of Health, Department of Water and Department of Environment and Conservation and are summarised in the attached Schedule of Submissions.

### **STATUTORY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

18. Council's decision on the Scheme Amendment must also be consistent with the objectives of the Albany Local Planning Strategy (ALPS) as the principal land use planning strategy for the City.
19. Section 8.3.1 – Strategic Settlement Direction sets the following Strategic Objective:

*“Facilitate and manage sustainable settlement growth for the urban area in the City of Albany”.*

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

- *Not supporting satellite settlements.*
- *Minimising the development footprint on the landscape to help protect biodiversity and the environment.*
- *Promoting energy conservation.*
- *Providing greater housing choice.*
- *Minimising journey length from home to work/school/services and encouraging the use of public transport, cycling and walking.*
- *Reducing government expenditure on servicing current and future populations.*

20. Section 8.3.2 – *Urban Lot Consolidation and Staged Incremental Development* sets the following Strategic Objective:

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

The draft ALPS states that *“the benefits of incrementally-staged urban development are that it will:*

- *Establish a more sustainable urban form by minimising the development footprint and better protecting the environment.*
- *Manage growth to make it continuous, minimising urban sprawl or creation of disjointed communities.*
- *Retain agricultural land for productive uses.*
- *Maximise the use of existing infrastructure, services and facilities.*
- *Minimise distances and travel time between homes and education, retail, community and recreation services.*
- *Retain the current high levels of accessibility to the Albany City Centre.*
- *Promote greater participation in public and alternate transport options.*

*The ALPS supports incrementally-staged urban expansion based on comprehensive precinct and structure planning. The progressive development of the Future Urban areas has been classified into five Development Priority stages. The extent to which Future Urban areas are developed within the lifetime of the ALPS will be determined largely by population growth, employment opportunities, availability of infrastructure to service growth and the ability of the development and housing industry to satisfy market demand.*

*Priority 3 areas are logical extensions of the Priority 2 locations and/or existing urban areas and include parts of McKail, Gledhow, Warrenup, Walmsley and Big Grove. Priority 3 areas are expected to be rezoned with local structure planning undertaken in the near future. These areas are capable of producing lots within the medium-term”.*

21. Overall, the proposal is considered to be consistent with the various Strategic Objectives and aims set out in the draft ALPS.

## **POLICY IMPLICATIONS**

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

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

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

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

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

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

The key policy objectives in SPP 3 are as follows:

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

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

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

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

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

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

**SUMMARY CONCLUSION**

27. The proposed re-zoning will allow a Structure Plan to be prepared, to guide the future development of the area in keeping with the objectives of the draft ALPS. Staff would therefore recommend that the proposed Scheme Amendment be adopted without modification.

**ITEM 1.8: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR DUFTY  
SECONDED: COUNCILLOR WOLFE**

- 1) **THAT Council in pursuance of section 75 of the *Planning and Development Act 2005* and *Regulation 25(1)* of the *Town Planning Regulations 1967* resolves to ADOPT WITHOUT MODIFICATION Amendment No. 296 to Town Planning Scheme No. 3 for the purposes of:
  - i) **Transferring the following properties from the ‘Rural’ zone to the ‘Residential Development’ zone:**
    - **Lots 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 South Coast Highway;**
    - **Lots 1, 2, 5, 6, 7, 26, 27, 85 Balston Road;**
    - **Lots 24 and 25 Cuming Road;**
    - **Lots 20 and 23 Moortown Road;**
    - **Lot 4 Middle Street; and**
    - **Lots 17, 18, 19 and 21 Sydney Street.**
  - ii) **Transferring Lot 10 Moortown Road from the ‘Public Purposes’ reserve to the ‘Residential Development’ zone.**
  - iii) **Amending the Scheme Maps accordingly.****
- 2) **THAT Council advise the proponent that a spring flora and fauna survey should be undertaken in consultation with the Department of Environment and Conservation, and in accordance with their advice, in order to inform the development of any subsequent Local Structure Plan.**
- 3) **THAT Council RECEIVE the Schedule of Submissions and ADOPTS the officer’s recommendation to either dismiss, uphold or note each individual submission as contained within the Schedule of Submissions.**

**MOTION CARRIED 11-2**

**Record of Vote**

- For the Motion: Mayor Evans, Councillors R Hammond, J Swann, D Wellington, C Holden, M Leavesley, R Paver, D Wolfe, D Dufty, J Matla and R Sutton
- Against the Motion: Councillors J Bostock and D Bostock

## CITY OF ALBANY TOWN PLANNING SCHEME No. 3

## AMENDMENT No. 296

## SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Environmental Protection Authority Locked Bag 33 Cloisters Square PERTH WA 6850	<p>The Environmental Protection Authority (EPA) has determined that the scheme amendment should not be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i> (EP Act), but nevertheless provides the following advice and recommendations:</p> <p><b>1. Environmental Issues</b></p> <ul style="list-style-type: none"> <li>• Water Quantity and Quality</li> </ul> <p><b>2. Advice and recommendations regarding Environmental Issues</b></p> <p><u>Water Quantity and Quality</u> Surface water discharge should be controlled through appropriate drainage systems to avoid erosion and pollution while still maintaining the natural flow of discharge at pre-development levels. All stormwater drainage within the development is to be designed in accordance with the principles</p>	The requirements outlined by the Environmental Protection Authority are fully supported, but are relevant to subsequent the Structure Planning and subdivision stages that follow a Town Planning Scheme Amendment.	The submission is noted.

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No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
			<p>of Best Management Practice as outlined in the Department of Water <i>Stormwater Management Manual for Western Australia</i> (2004-2007). It is noted that the proposed development will be deep sewered.</p> <p><b>3. Environmental Issues not assessed</b></p> <p>Without limiting the EPA's discretion under section 5(e) of the EP Act to require the referral of proposals arising from the scheme amendment and your discretion, as the responsible authority, under section 48I of the EP Act to refer proposals arising from the scheme amendment, the EPA advises that the following environmental issues are not assessed:</p> <p>Native terrestrial vegetation, Declared Rare and Priority Flora Native terrestrial fauna, including listed threatened species</p> <p><b>4. Advice and recommendations</b></p>		

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No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
			<p><b>regarding Environmental Issues not assessed</b></p> <p>On 17 June the EPA provided advice on the City of Albany's Scheme Amendment Request 135/3. In summary, investigations and spring surveys were requested, as well as provision of information relating to management of conservation values identified during those surveys. None of this information was included in the documentation for Scheme Amendment 296. Therefore, sufficient information is still not available regarding the nature of the impacts on the environment arising from the implementation of the scheme amendment.</p> <p>Accordingly, the EPA advises that the environmental issues listed in paragraph 3 above are not assessed and recommends further consideration of the need to assess proposals arising from the scheme amendment when more information is available, for example, subsequent</p>		

**CITY OF ALBANY TOWN PLANNING SCHEME No. 3****AMENDMENT No. 296****SCHEDULE OF SUBMISSIONS**

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		rezoning, preparation of a Development Guide Plan, Structure Plan, Outline Development Plan, Subdivision or development. It is recommended that, prior to undertaking the survey work, the proponent liaise with the Department of Environment and Conservation (Albany office) in order to maximise access to local knowledge.		
2	Water Corporation PO Box 915 ALBANY WA 6331	No objections.  The subject land is located within the Water Corporation's water and wastewater Operating Licence Areas. The Corporation has undertaken water and wastewater planning to guide the future servicing of this area. Services can be made available to the future subdivision and development of the land by undertaking extensions from existing systems in adjacent developed areas to the north and east.  Subdividers/developers of this land may	The requirements outlined by the Water Corporation are fully supported, but are relevant to subsequent the Structure Planning and subdivision stages that follow a Town Planning Scheme Amendment.	The submission is noted.

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		<p>also be required to fund any system upgrading required to facilitate the provision of adequate services to the site.</p> <p>As part of the Water Corporation's long-term wastewater planning for the area, the Corporation is currently acquiring a 3500m<sup>2</sup> site at the corner of Cuming and Balston Roads for a possible future wastewater transfer pump station. The Council is requested to reflect the pump station site and a 50m radius odour buffer around the future pump station in any Local Structure Plan prepared for this area.</p>		
3	Western Power Locked Bag 2520 PERTH WA 6001	No objections.	Nil.	The submission is noted.
4	Department of Health PO Box 8172 PERTH BC WA 6849	No objections subject to all developments complying with the provisions of the draft Country Sewerage Policy.	Nil.	The submission is noted.
5	Department of Water	The Department of Water (DoW) has	The requirements outlined by the	The submission is noted.

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No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
	PO Box 525 ALBANY WA 6331	<p>considered the proposal and based on the level of risk posed by this site, a Local Water Management Strategy (LWMS) should be prepared in conjunction with the structure plan.</p> <p>LWMS should be consistent with the policy measures outlined in <i>State Planning Policy 2.9</i>;</p> <p><i>“Planning to guide water resources management should be integrated with land use planning decisions to achieve more sustainable development and protection of our water resources”.</i></p> <p>And</p> <p><i>“...the implementation of water sensitive urban design principles for proposed or new development, including residential, industrial, commercial and special rural development, that is consistent with the best practices in sustainable total water cycle</i></p>	Department of Water are fully supported, but are relevant to subsequent the Structure Planning and subdivision stages that follow a Town Planning Scheme Amendment.	

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			<p><i>management with particular regard to the functioning of stormwater management as well as the need to maximise control of stormwater at the source.”</i></p> <p>And <i>Liveable Neighbourhoods (WAPC)</i>;</p> <p><i>“Subdivision and development should have regard to an urban water management strategy that forms part of the regional, district and/or local structure plans...”</i></p> <p>The LWMS should contain a level of information that reflects the site constraints and risk to water resources and a commitment to prepare an Urban Water Management Plan at subdivision. The principles identified in the LWMS should be consistent with <i>Liveable Neighbourhoods (WAPC, 2007)</i>, the <i>Stormwater Management Manual for Western Australia (DoW 2004-2007)</i> and include, but not limited to;</p>		

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No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<ul style="list-style-type: none"> <li>• Proposed development</li> <li>• Pre-development environment</li> <li>• Design Criteria</li> <li>• Water Sustainability Initiatives</li> <li>• Stormwater and groundwater management strategy</li> <li>• Monitoring</li> <li>• Implementation at subdivision and UWMP</li> </ul>		
6	Department of Environment and Conservation 120 Albany Highway ALBANY WA 6330	<p><b>1. General Comments</b></p> <p>The subject land is substantially cleared with only two patches of native vegetation:</p> <ul style="list-style-type: none"> <li>• Lot 19 Sydney Street, a small area (0.67ha) at the junction of Moortown Road and Sydney Street (indicated as Area 'A' on Attachment 1 and</li> <li>• The much larger (~6.0ha) Area 'B' comprising UCL (Lot 10, Moortown Road) and the western sections of Lots 20 and 27 Balston Road.</li> </ul> <p>The balance of the subject land comprises cleared paddocks, semi-rural farmlets and</p>	The requirements outlined by the Department of Environment and Conservation are generally supported, but are relevant to subsequent the Structure Planning and subdivision stages that follow a Town Planning Scheme Amendment.	The submission is noted.

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No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>some existing higher density development adjoining the South Coast Highway and Sydney Street area.</p> <p>In a broader locality context the subject land abuts:</p> <ul style="list-style-type: none"> <li>• Another small uncleared area (0.81ha), Lot 22 Sydney Street (Area 'C')</li> <li>• Reserve 23088, Conservation Park, 6.8ha, Conservation Commission of WA, October 2006 (note: this vesting and purpose is not yet correctly indicated on some GIS databases). Reserve 23088 (Area 'D') directly adjoins Area 'E', Reserve 5205, Conservation of Flora and Fauna, 3.5ha, Conservation Commission of WA</li> <li>• UCL, Lot 9 Moortown Road (Area 'F') 3.9ha.</li> </ul> <p>Whereas the juxtaposition of Area C and the subject land is likely to be of little consequence because of its small size and relative isolation as a vegetation remnant, the proximity of Area B and Area D</p>		

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No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
			<p>(diagonally opposite across Moortown Road) does have bearing on the potential nature conservation significance of Area B within the subject land particularly with regard to fauna and to the fact that Area D is vested in the Conservation Commission of WA. Area F also adjoins Area B. Please see attachment 2.</p> <p><b>1. Vegetation and Flora</b></p> <p>Please see the full submission in the attached information bulletin for background information.</p> <p><b>2. Fauna</b></p> <p>Please see the full submission in the attached information bulletin for background information.</p> <p><b>3. Environmental Protection Authority advice</b></p>		

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No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>Please see submission 1 above.</p> <p><b>4. Recommendations</b></p> <p>Based on the above, the following recommendations are provided:</p> <ol style="list-style-type: none"> <li>1. Area B between Moortown Road and Balston Road warrants further examination primarily for its fauna values in view of the <i>Excellent Condition</i> native vegetation (and its Priority Flora) within the rear of Lots 20 and 27 but particularly in view of the proximity to Gledhow Nature Reserve and Reserve 23088, both of which are vested in the Conservation Commission. Additional conservation value may be provided by the adjacent UCL (Area F – ARVS Unit 31, Unit 39 Pericalymma spongiocaula Low Open Heath, and mosaic of Units 12 &amp; 13) to its north. The Quenda cluster referred to in Section 3 above is approximately 500m to the SW through mainly <i>Excellent Condition</i> vegetation. (Note: it is almost certain that this cluster</li> </ol>		

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		<p>represents the local limits of 2005 <u>survey or trapping</u>, with the balance of the protected areas being unsurveyed. In other words, the cluster does <u>not</u> represent the limits of the Quenda population).</p> <p>2. Consideration of Area B could entail retention Lot 10 (UCL) either in its entirety or at very least in its southern half as a ~80m wide east/west corridor of native vegetation between Moortown Road and the rear of Lot 27 Balston Road. This would ensure retention of the better condition vegetation of Area B as a local scale linkage with the NE corner of Reserve 23088 which is diagonally opposite across Moortown Road. The potential conservation value of Area F is currently unknown.</p> <p>3. It is therefore recommended that a targeted flora and fauna survey be undertaken for Area B in the context of its inherent nature conservation values and its strategic location as a fauna</p>		

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No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		linkage in close proximity to protected areas vested in the Conservation Commission and another area of UCL (Lot 9 – Area F) to its north. Attachment 3 refers. This survey work should be undertaken in prior consultation with DEC Albany in order to maximise access to local knowledge. The survey should include spotlighting for potential occurrence of Western Ringtail possums and other nocturnal species. The results of this survey will help determine future subdivision planning and design in this part of the scheme amendment.		
7	Mr R Thomas 7 Middle Street GLEDHOW WA 6330	My property is Lot 23 Middle Street and I notice that the proposed zoning changes do not encompass this property. Does this mean that Lot 23 will not or can't be rezoned to 'Residential Development'?	Lot 23 Middle Street is not included in the proposed Amendment, as a result of the direction given to the proponent following assessment of SAR 135. The reason for not including this lot is due to it lying outside of the Water Corporation's current wastewater catchment, meaning that it is not	The submission is noted.

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No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
				<p>possible to connect it to reticulated sewer.</p> <p>However, Lot 23 Middle Street lies within the 'Future Urban' designation in the draft Albany Local Planning Strategy (ALPS) and may be rezoned at a future date, subject to services becoming available.</p>	
8	Ms M Middleton 54 Brent Street GLENORCHY 7010	TAS	We own a property on Balston Road and were wondering exactly what sort of residential development in proposed for the area outlined?	An e-mail was sent to Ms. Middleton advising that the proposed Amendment seeks to rezone various lots in the Gledhow area from 'Rural' and the 'Public Purposes' reserve to the 'Residential Development' zone, which would facilitate the preparation of a Structure Plan to guide the cohesive development of the area for residential purposes at some future date. It was also advised that although it is too early to give a definitive answer, it is likely that any future development is likely to be to at least an R20 density.	The submission is noted.

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			(Please see the attached information bulletin for a copy of this response).	
9	Mr C Hacker PO Box 1688 ALBANY WA 6331	<p>I am the landholder of Lot 22 Middle Road, within, or in immediate proximity to, this rezoning application.</p> <p>I am concerned as I am uncertain of my position within this amendment.</p> <p>Your letter dated 07/05/2010 contains an attached map showing the proposed zoning area and this indicates, for some reason, that my block has been excluded.</p> <p>I see that lots previously put aside for public purposes are to be included, yet other rural zoned blocks that geographically fit with the rest of the proposal are deliberately excluded.</p> <p>I have received correspondence from planning consultants from Perth who</p>	<p>Lot 22 Middle Street is not included in the proposed Amendment, as a result of the direction given to the proponent following assessment of SAR 135. The reason for not including this lot is due to it lying outside of the Water Corporation's current wastewater catchment, meaning that it is not possible to connect it to reticulated sewer.</p> <p>However, Lot 22 Middle Street lies within the 'Future Urban' designation in the draft Albany Local Planning Strategy (ALPS) and may be rezoned at a future date, subject to services becoming available.</p> <p>Unfortunately another planning consultant seems to have been</p>	The submission is noted.

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No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>suggest they are communicating on behalf of the owners of Lot 10, South Coast Highway, and liaising with the City of Albany and Ayton Baesjou Planning. Their plans for their suggestion include my block, and my neighbours, as fully serviced properties and an integral part of their development, directly affecting upon the potential creation of some 11 blocks, not to mention the thirteen suggested on my property.</p> <p>If my property is not part of this proposal, how am I affected with regards to firebreaks, etc. in relation, as a rural property, to a 'Residential Development' zone. Will this impact on the amenity of my property?</p> <p>Why would council suggest leaving 0.8ha of rural bush on the corner of a 'Residential Development' zone? Is this some future 'Public Open Space'?</p> <p>Are there some ecological, geographical,</p>	<p>engaged by a neighbouring property owner to create a Structure Plan for a portion of the Amendment area and a number of lots have not been included. This has clearly caused a great deal of confusion for the concerned landowners. However, Council has not yet received an application for any additional rezoning or Structure Planning.</p> <p>The proposed Amendment should have little to no effect on Lot 22 Middle Street, as it will remain bounded by other 'Rural' zoned properties on all sides.</p>	

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No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>environmental or physical reasons why my property could not be included in this application?</p> <p>I request some qualification from council as to my position regarding the suggested rezoning.</p> <p>From my position it all appears 'higgledy piggledy', some in, some out, with no explanation for the exclusion of some, or inclusion of others. I see no reason why a serviced rural property (power, telephone, mains water) with two bitumen road frontages would be excluded from this proposal.</p>		
10	Department of Education 151 Royal Street EAST PERTH WA 6004	Have advised that the increase in student yield as a result of the proposal can be accommodated within the local primary school catchment of Mount Lockyer Primary School and the future Gledhow Primary School.	Nil.	Noted.
11	S & R Kolanek	Does not believe rezoning of their property	The rezoning proposal will ultimately	Noted.

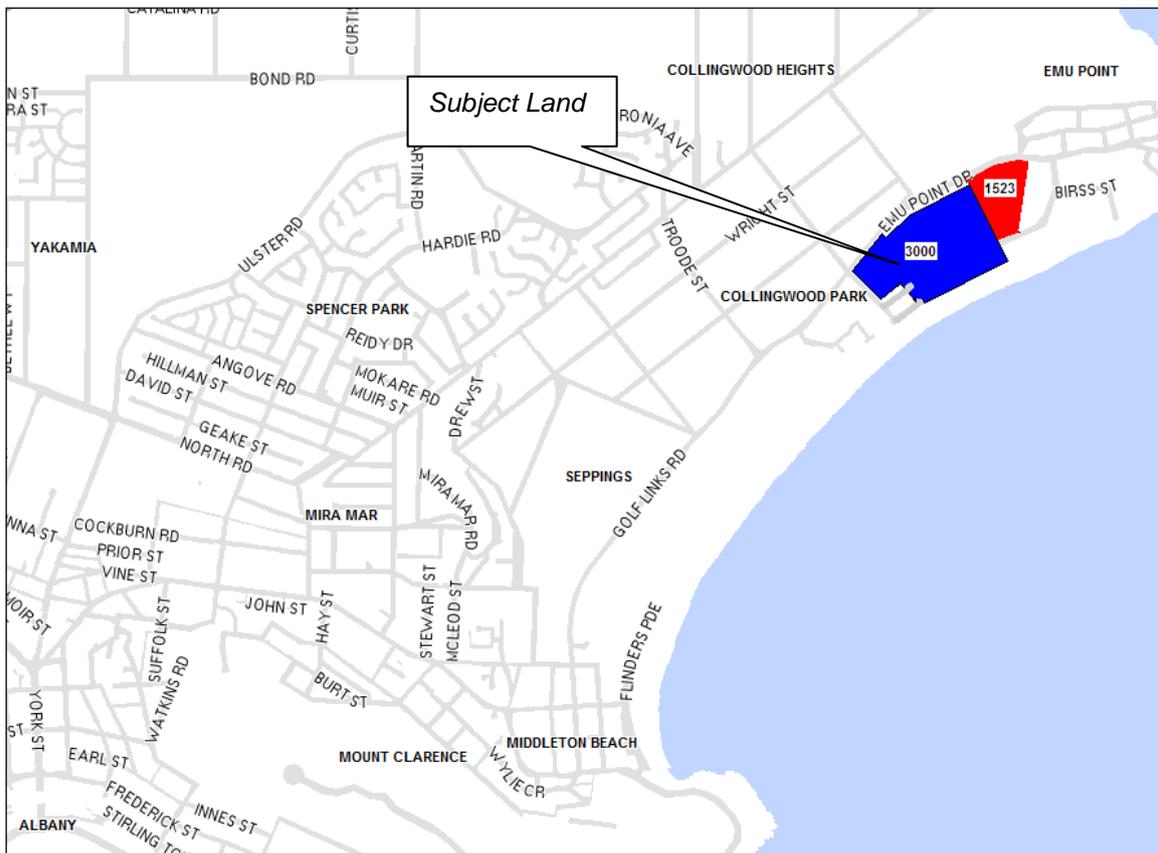
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<b>No.</b>	<b>Name/Address of Submitter</b>	<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
	4 Middle Road GLEDHOW WA 6330	from Rural to Residential Development should be supported as it is not deep sewered and is not connected to reticulated gas or drainage. Also questions the zoning boundary which rezones some lots in Middle Street and not others.	facilitate the residential subdivision of the subject land which will result in the provision of the services mentioned. As discussed above the zoning boundary matches up to the existing sewer catchment.	

## 1.9: ADOPTION OF EMU POINT OUTLINE DEVELOPMENT PLAN FOR ADVERTISING PURPOSES

<b>File Number (Name of Ward)</b>	: ODP008 (Breaksea Ward)
<b>Land Description</b>	: Lots 3000 and 1523 Emu Point Drive, Collingwood Park
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: Harley Global
<b>Owner</b>	: Western Australian Land Authority – trading as ‘Landcorp’
<b>Business Entity Name</b>	: Landcorp
<b>Previous Reference</b>	: N/A
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: 1.9.A - Emu Point Outline Development Plan - Report : 1.9.B – Emu Point Outline Development Plan – Map : 1.9.C – Design Guidelines
<b>Consulted References</b>	: Residential Design Code Policy : Liveable Neighbourhoods 2007 : Coastal Development Private Lot Policy
<b>Councillor Lounge</b>	: Appendices – Emu Point Outline Development Plan
<b>Reporting Officer(s)</b>	: Planning Consultant (Gray & Lewis Land use Planners)
<b>Responsible Officer(s)</b>	: Executive Director Development Services (G Bride)

### Maps and Diagrams:



**IN BRIEF**

- Consideration of advertising the proposed Emu Point Outline Development Plan (ODP) 008
- Recommended that the ODP is adopted for advertising purposes, subject to modifications.

**BACKGROUND**

1. The subject site comprises of Lot 3000 and 1523 Emu Point Drive, Collingwood Park with areas of 25.9 hectares and 33.1 hectares respectively.
2. The lots are located approximately 5 kilometres north east of the Albany Town site and 1 kilometre from Emu Point located at the northern end of Middleton Beach.
3. The subject site is surrounded by Griffiths Street and an existing residential area in Hope Street to the south west, Middleton Beach to the south, tourist development and residential development to the north east, and Emu Point Drive to the north.
4. The draft Outline Development Plan (ODP) is presented to Council to determine whether it is prepared to place the Plan on public exhibition and formally seek the views of the community and government agencies.

**DISCUSSION**

Description of Outline Development Plan

5. The applicant advises that the ODP seeks to apply the principles of sustainable development and is consistent with Liveable Neighbourhoods.
6. The ODP is comprised of 133 lots which will accommodate approximately 260 housing units and 650 people (based on 2.5 persons per household).
7. The ODP concentrates the residential development on the more capable land and provides approximately 60% of the site as open space. The development footprint has been based on extension environmental studies which are included in the ODP.
8. A Village Centre is proposed on the north-west portion of the site with a main entrance road linking from Griffiths Street to Emu Point Drive. The applicants have advised that the Village Centre location takes advantage of passing trade and is supported by medium density to maximize the number of dwellings within walking distance.
9. The Village Centre precinct consists of:
  - Village Centre Apartments - The applicant proposes to control the density of the apartment buildings in the Village Centre through use of a vertical building envelope, rather than an allocated R Code. Requirements such as parking will limit and control the development capacity rather than a specified density.
  - Apartments will be 3-4 storeys with a maximum wall height of 13 metres and 15 metres to the pitched roof. There will be nil street setbacks.

- Village Centre Terraces - R40 attached terraced housing located around communal parking area and open space. Terraces provided behind the Village Apartments.
  - Village Centre Solar lots - R30 lots with central laneway, located immediate east of Apartments and R40 Terrace housing.
10. An R30 medium density beach side precinct is proposed around the existing Hope Street subdivision. Seven lots are proposed to the east with landscaped buffers (in private property), and twelve R30 lots and a grouped dwelling site are proposed to the north west, separated from existing dwellings by a laneway with landscaping in the verge.
  11. The majority of dwellings in the R30 precinct are likely to be two storey.
  12. Central to the site on the flatter portion is the single house R20 precinct, with lots between 500m<sup>2</sup> and 600m<sup>2</sup>. These dwellings will range between 1- 2 storeys.
  13. Cluster dwellings are proposed in the eastern portion of the site on higher slopes aimed at allowing dwellings to respond to topography (eg 1-2 storey framed construction or split level). The applicant advises lots may be green title with battleaxe legs or strata with a common property driveway. It should be noted that the Scheme only allows a higher density for grouped dwellings or survey strata proposals.
  14. The ODP indicates that the cluster developments will allow for retention of vegetation however Gray & Lewis has reservations over the practicality of tree retention on R20 lots (minimum 440m<sup>2</sup>, average 500m<sup>2</sup>). The dwellings will front onto bush land corridors.
  15. Retention of native vegetation is proposed throughout the development within road reserves and residential lots. There will be enhancement of existing bushland through replanting and weed management. The green bushland spines will allow for vegetation retention, walking links and will break up the urban form.

#### Precinct plan and Landuse Controls

16. The ODP report includes a broad Precinct Plan which divides the area into Village Centre, Single Houses, Cluster, Medium density – beach side, and shows reserves/open space.
17. The ODP report sets out land use permissibility and controls for each precinct, and provides a general description of built form for different dwelling types.
18. Gray & Lewis has liaised with the Western Australian Planning Commission and land use controls proposed by the ODP cannot override Table 1 in the Scheme. It is therefore recommended that the ODP report be modified to recognise that a scheme amendment is required to facilitate commercial uses in the Village Centre. Staff have proposed a generic textual amendment to the Scheme (as per Item 1.4) to ensure that in future instances that Local Structure Plans will be able to not only stipulate residential density, but land use mix throughout all Future Urban Zones. This position is supported by the Western Australian Planning Commission.
19. Gray & Lewis raised concern over the inclusion of 'holiday accommodation' as a discretionary use in the ODP report and discussed this matter with applicant as;

- The intention of the ODP report largely focuses on creating a more permanent sustainable community which could be undermined by ad hoc holiday accommodation.
  - The amenity expectations of permanent residents may differ from those of tourists. In the Shire of Exmouth there has been some conflict between holiday accommodation and permanent residents in higher density areas.
  - If holiday accommodation is proposed, it may be better to plan for those sites in the ODP.
  - The Scheme (TPS1A) allows for a higher R50 density for holiday accommodation so their locations may introduce unforeseen streetscape elements not covered by the guidelines or DAP's.
20. Harley Global have verbally advised of support to prohibit holiday accommodation for the ODP. This needs to be taken into consideration in looking at land use permissibility issues in a scheme amendment.

#### Design Guidelines and Detailed Area Plans

21. The applicant has provided detailed Design Guidelines and Detailed Area Plans (DAP's) which essentially will be used to control built form, building height, setbacks, permissible parapet walls, preferred outdoor living area locations, driveways/crossovers, building envelopes and the like.
22. The Guidelines and DAP's for land outside of the Village Centre vary most of the R Code requirements with the exception of 'privacy and overlooking' and 'overshadowing'.
23. It is proposed for applications to be lodged to Landcorp for their architects approval, prior to applications being lodged with the City.
24. It is recommended that the guidelines be expanded to include provisions for 'privacy and overlooking' and 'overshadowing' to:
- a) Avoid a situation where an application may comply with the design guidelines (and be approved by Landcorp), but does not comply with the privacy setbacks of the R codes (therefore may not be approved by the City).
  - b) Ensure that once applications are assessed and approved by Landcorp, no separate R Code assessment is required by the City.
25. Further clarification is required from Landcorp as to;
- a) The mechanism to be employed to implement the dual approval process and Landcorp approval, whether it be through covenants on title, conditions on contract for sale etc.
  - b) Whether Landcorp approvals will be required for the life of the subdivision or if they only intend to implement approvals for a set time period or number of stages. This has implications for the City's resources.

#### Village Centre

26. The proposed Village Centre involves a variation to the City of Albany Residential Design Code Policy as it is not located central to the site, however this deviation is supported for the reasons outlined in Paragraph 8 of this report.

Carparking – Village centre

27. One issue that requires further consideration is car parking and how its provision will be co-ordinated for the Village Centre precinct. The ODP shows indicative carparking including street parking, and carparking behind the apartments which will presumably also service the terraced housing.
28. It is difficult to ascertain at this broad ODP level whether there are sufficient areas for carparking as provision depends on the number of residential units, and type/floor areas of the commercial uses, with some level of reciprocity.
29. This is not necessarily an issue that needs to be fully addressed at the ODP stage, as car parking will essentially limit development.
30. It is recommended that the Design Guidelines for the Village Centre be amended to;
  - Clearly note that building envelopes and floor areas are contingent on adequate provision of on-site carparking in accordance with the Residential Design Codes and Appendix III of the Scheme for commercial development.
  - Require an overall car parking plan and car parking analysis to be approved by the City of Albany for each streetblock in the Village Centre to ensure a co-ordinated approach.
31. The Guidelines refer to the Mixed Use development requirements of the R Codes which is supported. Council should note that under the Codes parking for multiple dwellings can be reduced to one space per dwelling where on-site parking for other users is available outside of normal business hours. The overall carparking calculations and reciprocal rights etc therefore needs to be considered at a streetblock level for co-ordination, and to minimize complicated carparking analysis by the City for staged development / change of uses etc.

Carparking – Cluster development

32. The applicant has indicated that the R20 cluster developments may be in the form of either survey strata with the driveway as common property (which are grouped dwellings), or green title with battleaxe legs.
33. A portion of the cluster developments are on land zoned R12.5 and the Scheme only allows a higher density for grouped dwellings, which precludes the green title option.
34. Clause 6.5.1 (A1) of the R Codes requires grouped dwellings (which includes survey strata lots with common property) to be provided with one visitor space per every four dwellings (or part thereof in excess of four) served by a common access.
35. The design guidelines for the cluster lots show some layouts with four dwellings or more sharing a common driveway, and these attract a visitor carparking requirement under the Codes.
36. Gray & Lewis and the City's Engineering Department raised street parking as an issue in preliminary comments on the ODP, however only two bays are provided near the cluster developments adjacent to the bushland node. This requires further consideration as it does not appear that the lots can accommodate any on site visitor bays, and the nil garage setbacks mean there are no 'driveways' for visitors to park in.

37. It is recommended that the applicant;
- a) Be requested to review/address car parking for the cluster development sites where four or more dwellings are serviced by a common driveway (Clause 6.5.1 A1 – R Codes), and
  - b) Consider and further discuss provision of additional visitor bays where required in consultation with the City's Planning and Engineering Department;
  - c) Note that the Scheme only allows for grouped dwellings at a higher density on the R12.5 coded land and not green title (unless amended); and
  - d) Note that option to have the cluster sites as survey strata lots (with common property) may be limited if visitor car parking is not provided.

#### Roundabouts

38. The City's Engineering Department has requested roundabouts be provided at the intersection of the new road with Griffiths Street and Emu Point Drive. It is understood that Landcorp is prepared to provide roundabouts if the City secures the land needed to accommodate them. This should be reflected as a notation on the ODP.

#### Griffiths Street Beachfront

39. Landcorp have provided for redevelopment of the Griffiths Street road reserve as part of development works associated with the ODP including:
- Reducing Griffiths Street road pavement to 6 metres.
  - Formalizing carparking bays.
  - Modifying road materials at the end of the road to add visual friction to reduce traffic speeds.
  - Separating the shared path from the road and carparking.
  - Improving beach access points.
  - Protecting and retaining existing native vegetation and dunes. Not intruding any closer to existing dwellings, but installing new trees and bollards (if desired).
40. The applicant has indicated that the design for Griffiths Street road reserve is indicative on the ODP and will need to be progressed in liaison with the City and local residents.
41. Council officers have identified issues that require further consideration for Griffiths Street design including the café location, the need to accommodate horse floats, rationalisation of parking and location of public amenities. The applicant has advised that the City will need to consider provision of amenities such as public toilets, beach shower, BBQ's, separate horse parking facilities (if required) and consider changes to the existing horse track beside Griffiths Street.

#### Public Open Space

42. Approximately 60% of the site will be for Public Open Space provided through:
- Retained bushland along Emu Point Drive which is reserved under the Scheme;
  - Retained bushland on Lot 1523 with Fauna Migration corridor.
  - Retained bushland in southern section of site adjacent to the beach
  - A section of bushland south of the Village Centre (Village centre bushland park) and;
  - Bushland corridors adjacent to proposed residential.

## **PUBLIC CONSULTATION / ENGAGEMENT**

43. Prior to the lodgement of the plan with Council, Landcorp has undertaken extensive community consultation with surrounding residents and the wider community. Section 4.1.2 and 4.1.3 of the ODP outlines the extent of consultation that has occurred so far and the response to concerns raised from local residents.
44. Should Council support the advertisement of the Plan, a 28 day advertising period will follow including a notice in the local newspaper, written consultation with surrounding landowners and the placement of a sign on site. In addition to this it is recommended that a public forum be held at the City with the applicant and interested persons being able to present their concerns or issues and ask questions.

## **GOVERNMENT CONSULTATION**

45. Should Council support the advertisement of the Plan, all relevant government agencies will be invited to provide comment.

## **STATUTORY IMPLICATIONS**

### Zoning

46. The northern portion of Lot 3000 is reserved 'Parks and Recreation' under the City of Albany Town Planning Scheme No 1A ('the Scheme') and the balance (southern portion) is zoned 'Future Urban'.
47. Lot 1523 is zoned 'Residential' with an R12.5 density Code, and R20 grouped dwellings are permissible under Clause 4.20 subject to the connection to reticulated sewer.
48. The majority of development is concentrated on Lot 3000 in the 'Future Urban' zone, and a small portion of residential is within Lot 1523 zoned 'Residential'.
49. Clause 4.36 (Future Urban Provisions) of Town Planning Scheme No. 1A states the following:  
  
*"Land included in the Future Urban zone is recognised by the Council as being suitable for urban purposes in the future. Council shall allow for development and promote subdivision proposals where the subdivision and/or development proposal put forward is in accordance, or will not conflict with, a Local Structure Plan approved by Council and endorsed by the Western Australian Planning Commission, and submitted in a form consistent with Western Australian Planning Commission Guidelines."*
50. The proposal seeks to meet Clause 4.36 of the Scheme, thereby allowing Council the ability to approve development and subdivision in accordance with the Plan.
51. The City initiated a new Town Planning Scheme in February 2009 which designates the entire land as 'Future Urban' with development to be guided by a Local Structure plan.

52. Under the current Town Planning Scheme No 1A, landuse permissibility is dealt with through Table 1 – Zoning Table. A number of uses proposed for the Village Centre in the ODP, such as shop and office, are not permitted (x) uses.
53. A future amendment to the Scheme will be required to broaden the permissible landuses for the Emu Point ODP and Village Centre. There are other anomalies in the Scheme that can be concurrently reviewed / corrected through an amendment, such as the permissibility of stables, kennels and rural pursuits in the 'Future Urban' zone (refer agenda item 1.4).

#### Environmental Process

54. In May 2007, the development proposal for Emu Point was referred to the Environmental Protection Authority (EPA) for assessment under Section 38 of the Environmental Protection Act 1986. The EPA set the level as a 'Public Environmental Review (PER) which was not appealed. A PER document has been prepared and has been advertised for public comment. Gray & Lewis liaised with an EPA officer who advised that;
- 39 submissions were received and the applicant has lodged a response on the submissions.
  - They have to assess the applicants' response on the submissions and the EPA will need to compile a report.
  - The report would look at matters such as whether they have addressed the public submissions and may make recommendations.
  - The applicant has a right of appeal against recommendations of the report, and the report has to be presented to the Minister.
55. The EPA process does not prevent public advertising of the ODP by the City, however Council, key stakeholders and the applicant need to be aware that the EPA report/recommendations may impact on the design. If any substantial changes are required as a result of the EPA recommendations, then there is a possibility the ODP may require re-advertising.

#### **FINANCIAL IMPLICATIONS**

56. The City will become responsible for ongoing maintenance of roads and public areas. The Landscape Masterplan submitted with the ODP will involve a considerable amount of maintenance above and beyond the usual standard expected by the City. The applicant has identified this and has recommended the application of a Special Area rate be considered to assist Council to undertake the level of maintenance involved once all lots are sold.

#### **STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN**

57. The subject land is identified as 'Existing Urban' and 'Future Urban - Priority Development' under the Albany Local Planning Strategy.

**POLICY IMPLICATIONS**

City of Albany Residential Design Code Policy

58. The City of Albany Residential Design Code Policy identifies the following objectives for Emu Point;
- To provide the opportunity for a mixed use village centre within comprehensively planned coastal developments.
  - To ensure that such centres provide a focus not only for local residents but visitors accessing the beach.
  - To ensure that the development of such nodes do not adversely impact on the coastal reserve or adjoining properties.
59. The Policy identifies a central mixed use Village Centre to accommodate uses such as delis, cafes, stationers, restaurants, specialty shops or other uses approved by Council.
60. The Policy identifies a four storey building height for the Village Centre subject to specific criteria which are summarised in the following Table:

<b>Policy criteria</b>	<b>Officer Comment</b>
The village centre shall generally be located centrally within comprehensive developments. They shall in no circumstance be closer than 20m to any existing property outside the development.	The proposed Village Centre meets the 20 metre requirement however is not located centrally to the site. Its location in the north west portion does have other planning benefits such as; <ul style="list-style-type: none"> <li>- From a commercial perspective it allows for the centre to capitalise on passing trade;</li> <li>- It will create a main street character on the entrance road into the estate;</li> <li>- The location still allows for the Village Centre to service the proposed Emu Point community within the ODP area, and includes medium density within walking distance.</li> <li>- It complies with the objective of the Policy as the amended location will cater for visitors to the beach, as well as local residents.</li> <li>- The centre is located on lower lying land.</li> </ul>
The village centre shall be set back from the coastal reserve far enough to ensure the development does not adversely impact on the reserve.	The applicant has advised that MP Rogers and Associates undertook a separate assessment under the State Coastal Planning Policy for the PER, and development setbacks exceed the recommended 115 metres.
Buildings shall incorporate non-residential uses on a substantial proportion of the ground floor and be adaptable to changes in land use.	The proposed design guidelines and Detailed Area Plans allow for adaptable spaces and propose commercial uses on the ground floor.  The statutory implementation of permitting commercial uses in the 'Future Urban' zone will need to be facilitated by a scheme amendment.
Public parking will be provided to service the centre.	Some on street carparking has been provided on the ODP, and the Design Guidelines require parking for the mixed use development to comply with Residential Design Codes and City of Albany Residential Design Code Policy.

	It is recommended that the Design Guidelines for the Village Centre be amended to also refer to the car parking requirements under Appendix III of the Scheme for commercial development.
Buildings with larger footprints (over 500sq m) shall be articulated to break down their perceived bulk and establish a scale appropriate for the locality.	The design guidelines (Clause 10.3 Form) require careful form and materials to be used to break up bulk, includes colour palettes and has restrictions on materials.
The fourth floor of any building shall comprise a maximum of 60% of the footprint of lower floors.	The Design Guidelines refer to a minimum of 2 storeys and maximum of 4 storeys, and in accordance with the City of Albany Residential Design Code Policy.  For ease of reference it is recommended that this specific criteria (60% of the footprint) be replicated in the Village Guidelines text.

City of Albany Coastal Development Private Lot Policy

- 61. This Policy aims to minimise and prevent overlooking of adjacent residential properties.
- 62. The Policy requires boundary setbacks to lot boundaries of 4.5 to 7.5 metres (dependent on the room). The ODP provides an 8 metre setback to any existing dwelling and complies with the Policy.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

- 63. Council has a number of options available including;
  - Option 1 – Defer advertising of the ODP pending the outcome of the PER process. This option is not recommended as advertising will likely allow the applicant to consider public submissions and any EPA recommendations concurrently.
  - Option 2 – Support the ODP and accompanying Design Guidelines / DAPS in their current form for the purpose of proceeding with public advertising. This option is not recommended as modifications are considered necessary to address some minor issues.
  - Option 3 – Support the ODP and accompanying Design Guidelines / DAPS for advertising subject to modifications as discussed in this report.

**SUMMARY CONCLUSION**

- 64. Subject to several modifications being incorporated into the document staff believe the document is suitable to place on public exhibition.

**ITEM 1.9: RESPONSIBLE OFFICER RECOMMENDATION**

1. ADOPT the Emu Point Outline Development Plan (ODP 008) and associated Design Guidelines / DAP's for the purpose of initiating public advertising subject to the following modifications:
  - A. The sections in the ODP report relating to 'Land use and Development Control' to be amended to recognise the existing Scheme provisions (ie that land uses proposed for the Village centre such as shop and office are currently X uses), that an amendment to the Scheme is required to address permissible land uses for Emu Point, and that it is proposed to restrict holiday accommodation as the intent is to cater for a permanent residential community base.
  - B. The Guidelines should be expanded to include provisions for 'privacy and overlooking' and 'overshadowing'.
  - C. The ODP report to clarify (through Landcorp) the mechanism to be employed to implement the dual approval process and Landcorp approval (whether it be through covenants on title, conditions on contract for sale etc) and whether Landcorp approvals will be required for the life of the subdivision or if they only intend to implement approvals for a set time period or number of stages. This has implications for the City's resources.
  - D. The Village Centre guidelines/DAP to;
    - i. Re-iterate that the fourth floor of any building shall comprise a maximum of 60% of the footprint of lower floors (Village Centre) as per the City of Albany Residential Design Code Policy.
    - ii. Clearly note that building envelopes and floor areas are contingent on adequate provision of on-site car parking in accordance with the Residential Design Codes and Appendix III of the Scheme for commercial development.
    - iii. Require an overall car parking plan and car parking analysis to be approved by the City of Albany for each street block in the Village Centre to ensure a co-ordinated approach.
    - iv. Include a notation that roundabouts will be provided at the intersection of the new road with Griffiths Street and Emu Point Drive subject to the City securing the land needed to accommodate road widening. This should be acknowledged in the ODP report text and on the plan.
  
2. Advise the applicant as follows:
  - E. The City notes that some street parking has been nominally shown on the ODP as requested by the City's Engineering Department. The applicant is requested to further review/address car parking for the cluster development sites where four or more dwellings are serviced by a common driveway (Clause 6.5.1 A1 – R Codes).

- F. Further consideration should be given to providing more street parking as visitor bays where required in consultation with the City's Planning and Engineering Department.
- G. It should be noted that option to have the cluster sites as survey strata lots (with common property) may be limited if visitor car parking is not provided.
- H. The City has liaised with the Western Australian Planning Commission and proposed provisions in the ODP report cannot override the zoning table in the City of Albany Town Planning Scheme No. 1. An amendment will therefore be required to facilitate the propose land uses for the Village Centre.
- I. The documents need to be modified prior to formal advertising.
- J. The City will require advice from the EPA on the PER process and any environmental issues that may impact on the ODP design prior to any consideration for final adoption. The City does not seek to pre-empt the PER process however considers advertising may proceed concurrently.
- K. A portion of the development (R20 cluster lots) is within Lot 1523 which is zoned 'Residential' with an R12.5 density Code. The applicant should note that development at a higher density above R12.5 is only permissible under the Scheme for grouped dwellings (and not green title subdivision) unless it is amended.
- L. As part of the advertising process the City would like to hold a public forum inviting the applicant and public to address Council.

**ITEM 1.9: ALTERNATE MOTION BY COUNCILLOR J BOSTOCK**

**MOVED: COUNCILLOR J BOSTOCK  
SECONDED: COUNCILLOR R PAVER**

**THAT Council DEFER the advertising of the Emu Point Outline Development Plan (ODP) until such time as,**

- 1. The Environmental Protection Authority (EPA) and the Department of the Environment, Water, Heritage and the Arts have completed their assessments of the environmental impacts associated with the ODP, and**
- 2. The ODP is modified to comply with TPS 1A and all modifications listed in the officers recommendation are incorporated.**

**MOTION LOST 4-9**

**Councillor's Reason**

I do not consider this ODP satisfactory for public advertising. There are two major issues- clarity concerning the legal implications of our existing Town Planning Scheme 1A, and secondly, the outstanding state and federal environmental assessments.

**Record of Vote**

For the Motion: Councillors J Bostock, D Bostock, R Paver and M Leavesley  
Against the Motion: Mayor Evans, Councillors R Hammond, J Swann, D Wellington, C Holden, D Wolfe, D Dufty, J Matla and R Sutton

**ITEM 1.9: AMENDMENT**

**MOVED: COUNCILLOR J BOSTOCK  
SECONDED: COUNCILLOR R PAVER**

**THAT the following clauses be added to the Responsible Officer Recommendation:**

- A. The ODP to clarify current and proposed zoning**
- B. ODP report to include a disclaimer with regard to possible modifications demanded as a result of rezoning**
- C. The ODP report to state clearly that both State and Federal environmental assessment are outstanding and may be required as a result of the assessments**
- D. The ODP to clarify the statutory obligations with regard to rezoning under the current scheme**

**MOTION LOST 5-8**

**Councillor's Reason**

So that my amendments clarify it to the public so they know exactly where they stand.

**Record of Vote**

For the Motion: Councillors J Bostock, D Bostock, R Paver, M Leavesley and R Hammond

Against the Motion: Mayor Evans, Councillors J Swann, D Wellington, C Holden, D Wolfe, D Dufty, J Matla and R Sutton

The motion was then put.

**ITEM 1.9: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR SWANN**

**SECONDED: COUNCILLOR WELLINGTON**

**1. ADOPT the Emu Point Outline Development Plan (ODP 008) and associated Design Guidelines / DAP's for the purpose of initiating public advertising subject to the following modifications:**

- A. The sections in the ODP report relating to 'Land use and Development Control' to be amended to recognise the existing Scheme provisions (ie that land uses proposed for the Village centre such as shop and office are currently X uses), that an amendment to the Scheme is required to address permissible land uses for Emu Point, and that it is proposed to restrict holiday accommodation as the intent is to cater for a permanent residential community base.**
- B. The Guidelines should be expanded to include provisions for 'privacy and overlooking' and 'overshadowing'.**
- C. The ODP report to clarify (through Landcorp) the mechanism to be employed to implement the dual approval process and Landcorp approval (whether it be through covenants on title, conditions on contract for sale etc) and whether Landcorp approvals will be required for the life of the subdivision or if they only intend to implement approvals for a set time period or number of stages. This has implications for the City's resources.**
- D. The Village Centre guidelines/DAP to;**
  - v. Re-iterate that the fourth floor of any building shall comprise a maximum of 60% of the footprint of lower floors (Village Centre) as per the City of Albany Residential Design Code Policy.**
  - vi. Clearly note that building envelopes and floor areas are contingent on adequate provision of on-site car parking in accordance with the Residential Design Codes and Appendix III of the Scheme for commercial development.**
  - vii. Require an overall car parking plan and car parking analysis to be approved by the City of Albany for each street block in the Village Centre to ensure a co-ordinated approach.**
  - viii. Include a notation that roundabouts will be provided at the intersection of the new road with Griffiths Street and Emu Point Drive subject to the City securing the land needed to accommodate road widening. This should be acknowledged in the ODP report text and on the plan.**
- E. Advise the applicant as follows:**
- F. The City notes that some street parking has been nominally shown on the ODP as requested by the City's Engineering Department. The applicant is requested to further review/address car parking for the cluster development sites where four or more dwellings are serviced by a common driveway (Clause 6.5.1 A1 – R Codes).**
- G. Further consideration should be given to providing more street parking as visitor bays where required in consultation with the City's Planning and Engineering Department.**
- H. It should be noted that option to have the cluster sites as survey strata lots**

- (with common property) may be limited if visitor car parking is not provided.
- I. The City has liaised with the Western Australian Planning Commission and proposed provisions in the ODP report cannot override the zoning table in the City of Albany Town Planning Scheme No. 1. An amendment will therefore be required to facilitate the propose land uses for the Village Centre.
  - J. The documents need to be modified prior to formal advertising.
  - K. The City will require advice from the EPA on the PER process and any environmental issues that may impact on the ODP design prior to any consideration for final adoption. The City does not seek to pre-empt the PER process however considers advertising may proceed concurrently.
  - L. A portion of the development (R20 cluster lots) is within Lot 1523 which is zoned 'Residential' with an R12.5 density Code. The applicant should note that development at a higher density above R12.5 is only permissible under the Scheme for grouped dwellings (and not green title subdivision) unless it is amended.
  - M. As part of the advertising process the City would like to hold a public forum inviting the applicant and public to address Council.
- MOTION CARRIED 9-4**

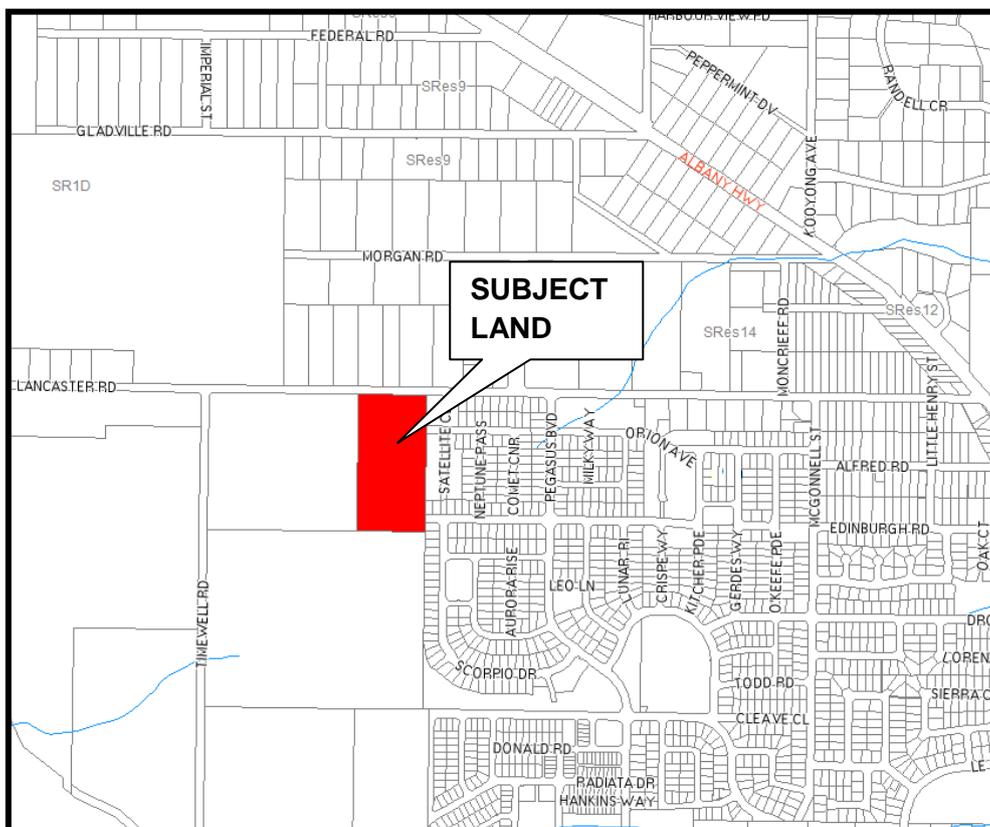
**Record of Vote**

- For the Motion: Mayor Evans, Councillors R Hammond, J Swann, D Wellington, C Holden, D Wolfe, D Dufty, J Matla and R Sutton
- Against the Motion: Councillors J Bostock, M Leavesley, R Paver and D Bostock

## 1.10: ADOPTION OF OUTLINE DEVELOPMENT PLAN (ODP) FOR ADVERTISING PURPOSES – LOT 55 LANCASTER ROAD, MCKAIL

<b>File Number (Name of Ward)</b>	: ODP007 (West Ward)
<b>Land Description</b>	: Lot 55 Lancaster Road, McKail
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: Ayton Baesjou Planning
<b>Owner</b>	: Irwin Pty Ltd
<b>Business Entity Name</b>	: N/A
<b>Previous Reference</b>	: OCM 17/3/2009 Item 11.3.3 (Rezoning – Final Approval)
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: Outline Development Plan – Lot 55 Lancaster Road, McKail
<b>Consulted References</b>	: Nil
<b>Councillor Lounge</b>	: Copy of Revised Wastewater Treatment Plant – Revised Buffer Report (March 2009)
<b>Reporting Officer(s)</b>	: Senior Project Planner (A Nicoll)
<b>Responsible Officer(s)</b>	: Executive Director Development Services (G Bride)

### Maps and Diagrams:



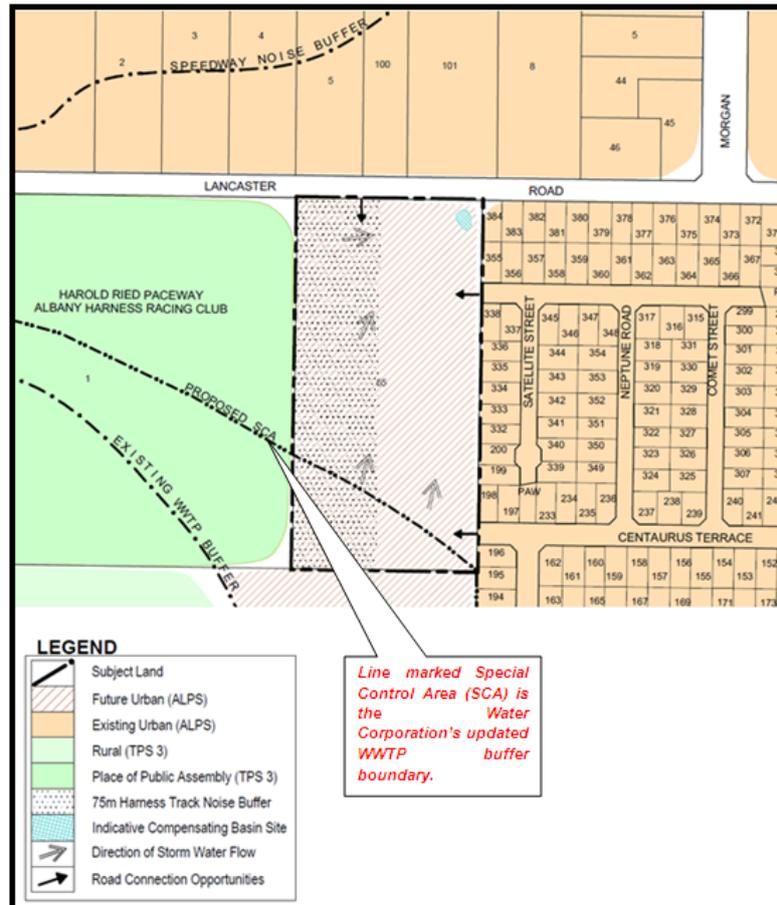
**IN BRIEF**

- Consider the advertising of the Outline Development Plan (ODP) 009 for Lot 55 Lancaster Road, McKail.
- Recommended that the ODP is adopted for advertising purposes.

**BACKGROUND**

1. Lot 55 Lancaster Road, McKail is currently zoned 'Rural' under Town Planning Scheme No. 3. Council has finally adopted the rezoning of Lot 55 Lancaster Road, McKail from "Rural" to "Residential Development" at its ordinary meeting dated 17 March 2009. The rezoning application is current awaiting the gazettal by the Minister for Planning.
2. During the rezoning process for Lot 55, the Water Corporation (WC) indicated that their Waste Water Treatment Plant odour buffer dissected a portion of Lot 55. The WC also advised against any residential development within their buffer. This issue has been appropriately addressed by the ODP, which illustrates the use for that portion of Lot 55 that is within the Water Corporation Waste Water Treatment Plant Buffer as public open space.
3. During the rezoning process for Lot 55, the EPA made a requirement for noise monitoring at the neighbouring harness racing track. A noise audit was undertaken to reveal that a 75m buffer needs to be put in place across the western extent of Lot 55 in order to mitigate the impacts of noise disturbance. This issue has been appropriately addressed by the ODP, which illustrates residential development within 75m of the racing track as being *'unsuitable for the development of housing until such time as the adjacent land use is modified or discontinued, or other suitable mitigation measures are put in place, so as to avoid any noise nuisance to residents'*.
4. On assessment of the ODP, Council's engineering department have recommended that a notation be placed within the ODP requiring details of the overflow/outlet from the drainage basin. This design issue will be assessed in detail as part of the subsequent subdivision process.
5. The following plan illustrates the noise and odour buffer constraints as a result of WC and EPA requirements.

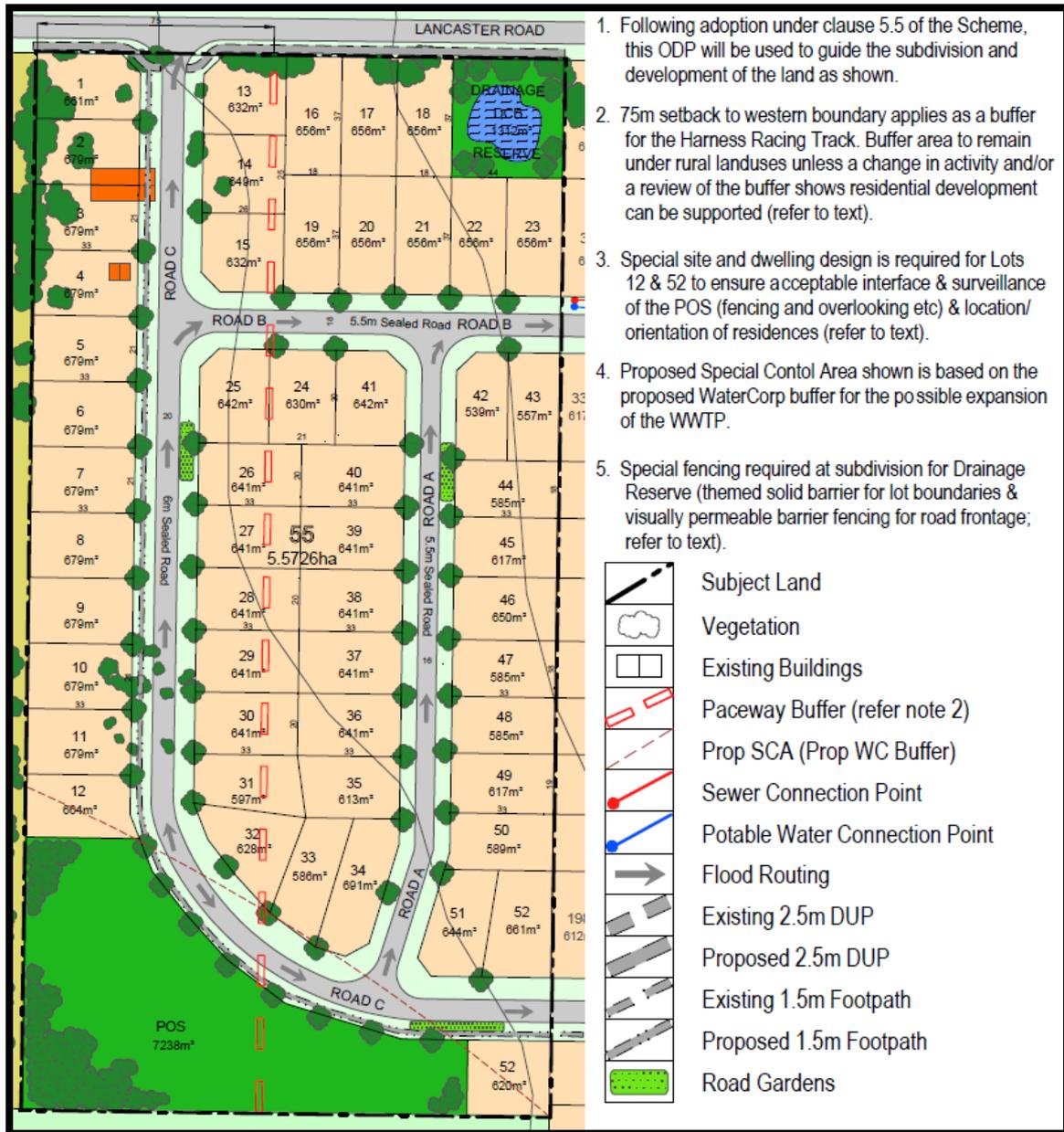
\*\*REFER DISCLAIMER\*\*



## DISCUSSION

6. Lot 55 Lancaster Road is 5.5 hectares in area, the land fronts existing residential development, is cleared of vegetation and has a gentle north facing slope. The ODP indicates the following:
- 53 Lots at an average size of 620m<sup>2</sup>;
  - 7238m<sup>2</sup> of POS (>10% requirement);
  - Accessibility to a future integrator arterial road (Lancaster Road);
  - A 75m Harness Track Noise Buffer to development unless a change in the activity and/or a review of the buffer shows residential development can be supported;
  - Special site and dwelling design requirements for Lots 12 & 52 to ensure acceptable interface & surveillance of the POS (fencing and overlooking etc) & location/orientation of residences;
  - A 2.5m Dual Use Path adjacent to Lancaster Road; and
  - An adequately sized drainage basin located at the lower portion of the site (northeast corner).
7. The following is the ODP proposed as the guide for the subdivision and development of the area. The subdivision ties in with the existing road layout of the adjacent land, and incorporates the required buffers into its design.

\*\*REFER DISCLAIMER\*\*



1. Following adoption under clause 5.5 of the Scheme, this ODP will be used to guide the subdivision and development of the land as shown.
2. 75m setback to western boundary applies as a buffer for the Harness Racing Track. Buffer area to remain under rural landuses unless a change in activity and/or a review of the buffer shows residential development can be supported (refer to text).
3. Special site and dwelling design is required for Lots 12 & 52 to ensure an acceptable interface & surveillance of the POS (fencing and overlooking etc) & location/orientation of residences (refer to text).
4. Proposed Special Control Area shown is based on the proposed WaterCorp buffer for the possible expansion of the WWTP.
5. Special fencing required at subdivision for Drainage Reserve (themed solid barrier for lot boundaries & visually permeable barrier fencing for road frontage; refer to text).

**PUBLIC CONSULTATION / ENGAGEMENT**

8. Should Council adopt the ODP for the purposes of advertising it will be referred to surrounding landowners for comment.

**GOVERNMENT CONSULTATION**

9. Should Council adopt the ODP for the purposes of advertising the ODP will be referred to all relevant government agencies for comment.

**STATUTORY IMPLICATIONS**

10. Clause 5.5.1 of Town Planning Scheme No. 3 requires the endorsement of an Outline Development Plan by Council and the Western Australian Planning Commission prior to the subdivision and/or development of the subject land.

**FINANCIAL IMPLICATIONS**

11. The ODP identifies that the portion of Lancaster Road fronting the subject land would need to be upgraded, and this will be required as a condition of subdivision.

**STRATEGIC IMPLICATIONS**

12. Council has previously considered the strategic implications for the subject land through the support of the rezoning proposal to convert the land to the “Residential Development” zone. The subject land is identified as ‘Future Urban’ within the ALPS in any regard.

**POLICY IMPLICATIONS**

13. There is a policy implication, which has been appropriately addressed in the ODP. The WAPC Policy 4.1 (state industrial buffer policy) looks to avoid land use conflict. A buffer has been defined by the Water Corporation as per its *‘Albany (Timewell Road) Waste Water Treatment Plant – Revised Buffer March 2009’* report. This buffer falls within a portion of Lot 55. The ODP has indicated this portion as POS and therefore avoids any land use conflict.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

14. The ODP may be supported with or without modifications, delayed until further information is provided or modifications made or refused.

**SUMMARY CONCLUSION**

15. During the rezoning process the EPA raised concerns in relation to noise occurring from the neighbouring race track and the potential impact on residential development. Similarly the Water Corporation highlighted the location of their WWTPB and the requirement that residential development is not to occur within that buffer. The EPA and WC issues have been appropriately addressed in the ODP.
16. Subject to a notation being placed within the ODP report requiring the submission of details relating to the overflow/outfall of the drainage basin, staff believe the Plan is suitable to be placed on public exhibition.

**ITEM 1.10: RESPONSIBLE OFFICER RECOMMENDATION****MOVED: COUNCILLOR MATLA****SECONDED: COUNCILLOR DUFTY**

**ADOPT the Outline Development Plan (ODP009) for Lot 55 Lancaster Road, McKail, subject to the following textual amendments being made to the document:**

- A. At the time of subdivision, appropriate design and development measures are to be implemented to deal with the overflow/outlet from the identified drainage basin.**

**MOTION CARRIED 13-0**

**1.11: LOCAL PLANNING POLICY – RESIDENTIAL ACTIVITY IN TOURIST DEVELOPMENT SITES**

[9:07:43 PM](#) Councillor Hammond left the chamber after declaring an interest in this item.

<b>File Number (Name of Ward)</b>	: STR103 (All Wards)
<b>Land Description</b>	: N/A
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Business Entity Name</b>	: N/A
<b>Previous Reference</b>	: OCM 16/09/2008 Item 11.6.1 : OCM 16/03/2010 Item 13.5.1 : OCM 20/07/2010 Item 13.2.1
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: Residential Activity in Tourist Development Sites Policy
<b>Consulted References</b>	: WAPC Planning Bulletin No. 83 Tourism Taskforce Planning Report (Tourism WA)
<b>Councillor Lounge</b>	: SAT orders in case DR 309-2009 (Barry Court)
<b>Reporting Officer(s)</b>	: Executive Director Development Services (G Bride)
<b>Responsible Officer(s)</b>	: Executive Director Development Services (G Bride)

**IN BRIEF**

- Consider the adoption for advertising purposes of the Residential Activity in Tourist Development Sites Policy and rescind the Tourism Philosophy Policy.
- Recommended that the Policy be adopted for the purposes of advertising.

**BACKGROUND**

1. At its meeting dated 20 July 2010 Council adopted the City of Albany Tourist Accommodation Planning Strategy and resolved in part that Council:

*“6) REVIEWS its ‘Tourist Philosophy’ Policy in line with the recommendations contained within the Tourist Accommodation Planning Strategy, with consideration of the adoption of the revised Policy being considered at the next Ordinary Meeting of Council”.*

2. In accordance with the above resolution Staff have prepared a policy position, with an emphasis on residential activity within the 32 tourist sites identified in the Tourism Accommodation Planning Strategy.

**DISCUSSION**

3. The City of Albany *'Tourist Accommodation Planning Strategy (the Strategy)'* will act as the strategic planning document to provide direction to Council and the development/tourism industry on tourism development issues.
4. The Strategy was prepared in accordance with the Western Australian Planning Commission's Planning Bulletin 83, and sought to classify a series of existing and proposed tourist development sites within the City as either 'Local Strategic', 'Prime' or 'Suitable'. Based on the classification and the individual characteristics of each site a zoning recommendation was made to inform Council's draft Local Planning Scheme No. 1. The Strategy also recommends the inclusion of new zones into the LPS No. 1 being the 'Hotel / Motel' and 'Caravan Park and Camping' zone in addition to maintaining the Tourist Residential zone. A range of new land use categories based on the recommendations of the Tourism Planning Taskforce Report (2006) will also be included within Scheme, as identified in the Strategy.
5. Whilst it is not possible to carry through all the recommendations of the Strategy into an interim policy position, as the new zones and land use categories will only take effect once the LPS No. 1 is gazetted, the findings specifically relating to residential activity on tourist development sites have been included in this Policy to maintain and protect significant tourist sites during the interim period from indiscriminate subdivision and non-tourism uses.
6. In order to give statutory effect to many of the recommendations contained within the Strategy this Policy has been prepared under Clause 6.9 of Town Planning Scheme No. 3 and Clause 7.21 of Town Planning Scheme No. 1A. This is consistent with Objective 4 of the Tourist Accommodation Planning Strategy which states:  
  
*"4. Review the City of Albany's planning policy and strategy environment with a view to providing recommendations on changes to the Albany Local Planning Strategy to enable the optimal protection and planning guidance for prospective tourism sites in the city."*
7. This policy aims to guide and coordinate sustainable tourist development from a land use planning perspective within the City of Albany in recognition of the important role that tourism plays in economic, social and environmental terms.
8. In relation to Site 6 (Barry Court), the State Administrative Tribunal (SAT) has recently considered an appeal to establish six residential lots along the western third of Lot 150 (site adjacent to the Albany Golf Club). It should be noted that this appeal was against the decision of the Western Australian Planning Commission to refuse a residential subdivision over the entire site (City officers were witnesses in this case). In order to reflect the decision arising from the appeal, the site evaluation map for this site has been modified (A copy of the SAT orders has been placed in the Councillors Lounge).

**PUBLIC CONSULTATION / ENGAGEMENT**

9. Should Council adopt the policy for advertising purposes the policy will be placed on public exhibition in accordance with Clause 7.21 of Town Planning Scheme No. 1A and Clause 6.9 of Town Planning Scheme No. 3. for a period of 21 days, including a notice in the local newspaper for two consecutive weeks and affected landowners being asked to provide written comment.

**GOVERNMENT CONSULTATION**

10. Should Council adopt the policy for advertising purposes the policy will be referred to the WA Tourism Commission.

**STATUTORY IMPLICATIONS**

11. Whilst the Tourist Accommodation Planning Strategy has identified zoning recommendations for inclusion into Council's draft Local Planning Scheme No. 1, this Policy provides interim guidance primarily on the extent of residential activity within the designated Tourist Development Site.
12. Sites 1, 6, 7, 18, 19, 20, 21, 23 and 31 are currently zoned "Tourist Residential" under Town Planning Scheme No. 1A, and uses such as 'Single Dwelling', 'Grouped Dwellings' and 'Multiple Dwellings' are discretionary uses in this zone, being uses that are not permitted unless Council grants it's express consent.
13. This policy intends to guide Council's discretion and in some instances may recommend that no permanent residential development be supported on an individual site with this zoning.
14. If a provision of this policy is inconsistent with Town Planning Scheme No. 1A and 3, the relevant Scheme prevails.

**STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN**

15. The Policy is consistent with Council's Tourist Accommodation Planning Strategy 2010.

**POLICY IMPLICATIONS**

16. Council's current policy entitled 'Tourism Philosophy' was introduced in March 2002 as a broad policy position, and is now inconsistent with Council's adopted Strategy. The Tourism Philosophy advocated a maximum of 10% permanent residential on a 'Prime' site and 50% on a 'Non-Prime site'. A site specific analysis was undertaken as part of the Strategy, and given the general percentages advocated in the Tourism Philosophy were arbitrary and not reflective of best practice as identified in the Taskforce Report, it is recommended that the Policy be rescinded.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

17. The Council can support, not support, defer or modify the draft policy.

**SUMMARY / CONCLUSION**

18. The Policy is consistent with the recently adopted Tourist Accommodation Planning Strategy and it is recommended that the document is advertised.

**Executive Director Development Services informed Council of a correction to Paragraph 16 of the Officers Report to amend the date of introduction of Council's current policy. The date of introduction was March 2002, not 2006.**

**ITEM 1.11: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR PAVER**

**SECONDED: COUNCILLOR DUFTY**

1) **ADOPT** for purposes of advertising the '*Residential Activity in Tourist Development Sites Policy*' in accordance with Clause 7.21 of Town Planning Scheme No. 1A and Clause 6.9 of Town Planning Scheme No. 3.

2) **RESCIND** the 'Tourism Philosophy' policy.

**MOTION CARRIED 10-2**

**Record of Vote**

For the Motion: Mayor Evans, Councillors J Bostock, J Swann, D Wellington, C Holden, R Paver, D Bostock, D Wolfe and D Dufty

Against the Motion: Councillors R Sutton and J Matla

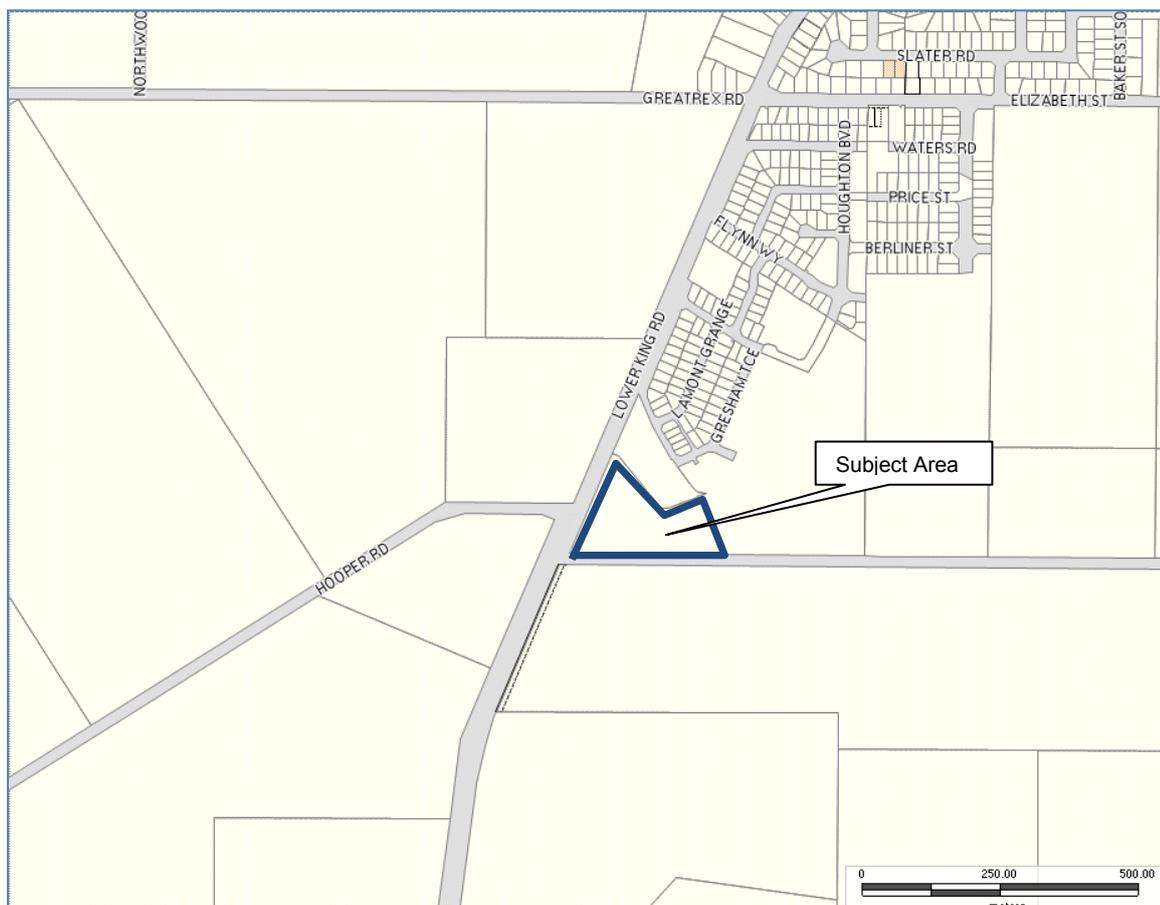
**Councillor Hammond was not present during this item and did not vote.**

**1.12: LOCAL PLANNING POLICY – MODIFICATIONS TO THE DETAILED AREA PLANS POLICY**

[9:14:59 PM](#)    Councillor Hammond and Councillor Leavesley returned to the chamber.

**File Number (Name of Ward)**    : DAP001 (Yakamia Ward)  
**Land Description**                : Lots 42 and 47 Lower King Road, Bayonet Head  
**Disclosure of Interest**         : Nil  
**Proponent**                         : City of Albany  
**Owner**                                : Heath Development Pty Ltd  
**Business Entity Name**         : Heath Development Pty Ltd  
**Previous Reference**             : OCM 16/02/10 Item 13.6.1  
**Attachment(s)**                    : Nil  
**Appendices**                        : 1.12.A - DAP Policy  
                                              : 1.12.B - DAP001  
**Consulted References**         : Liveable Neighbourhoods  
**Reporting Officer(s)**            : Senior Planning Officer (J van der Mescht)  
**Responsible Officer(s)**         : Executive Director Development Services (G Bride)

**Maps and Diagrams:**



**IN BRIEF**

- To consider final adoption of modifications to the detailed area plans policy by adding DAP 001 (Village Centre) to Schedule 1 of the Policy.
- Recommended that the modifications to the Policy be finally adopted.

**BACKGROUND**

1. The Council Policy on Detailed Area Plans was adopted by Council in 2007 and allows for the inclusion of Specific DAP's into Schedule 1 of the Policy.
2. Council has received a Detailed Area Plan (DAP 1) associated with the subdivision of Lots 42 and 47 Lower King Road, Bayonet Head (known as Oyster Harbour Estate) from Chappell Lambert Everett Planning Consultants for inclusion into Council's Detailed Area Plan Policy.
3. The DAP has been developed for the proposed village centre and adjoining proposed R60 coded residential lots (Detailed Area Plan 1).
4. Council approved a modification to the Detailed Area Plans Policy by including 4 DAP's (DAP 2-5) for other areas associated with Lots 42 and 47 Lower King Road on the 17th of March 2009.

**DISCUSSION**

5. The public comment period for the draft modification to the Town Planning Scheme Policy to consider the inclusion the Detailed Area Plans for Lots 42 and 47 Lower King Road, Bayonet Head within Schedule 1 of Council's Detail Area Plan Policy was completed in accordance with Council's decision at the 16 February 2010.
6. The draft Town Planning Scheme Policy was advertised for public comment for a period of 21 days in accordance with Town Planning Scheme No. 3 requirements.
7. The DAP meets the requirements of Liveable Neighbourhoods and addresses the main points for consideration. At the end of the public comment period, no submissions had been received.
8. Staff recommend that the policy be adopted for final approval without change.

**PUBLIC CONSULTATION/ENGAGEMENT**

9. The draft Town Planning Scheme Policy was advertised for public comment for a period of 21 days in accordance with Town Planning Scheme No. 3 requirements.

**GOVERNMENT CONSULTATION**

10. Consultation with government agencies is not applicable to this proposal.

**STATUTORY IMPLICATIONS**

11. Clause 6.9.2 of Town Planning Scheme No. 3 requires the procedure to be undertaken to make a Town Planning Scheme Policy operative:

*“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.*
- C. Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.”*

12. This part of the scheme allows Council to adopt Town Planning Scheme Policies to assist in the control of development.
13. The Council Policy on Detailed Area Plans was adopted by Council in 2007 and allows for the inclusion of Specific DAP's into Schedule 1 and 2 of the Policy.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

14. Council has the following options in relation to this item, which are:
- To resolve to adopt for final approval the changes to the policy without modifications;
  - To resolve to adopt for final approval the changes to the policy with modifications;
  - or
  - To resolve not adopt the changes to the policy.

**SUMMARY CONCLUSION**

15. The DAP meets the requirements of Liveable Neighbourhoods and addresses the main points for consideration applicable and will facilitate and guide the development of the village centre and adjoining R 60 coded residential lots (Detailed Area Plan 1-1).

17/08/10

\*\*REFER DISCLAIMER\*\*

**ITEM 1.12: RESPONSIBLE OFFICER RECOMMENDATION****MOVED: COUNCILLOR MATLA****SECONDED: COUNCILLOR HOLDEN**

**FINALLY ADOPT** the revised Detailed Area Plan Policy, by including DAP 1-1 (Village Centre) as part of the DAP for Lots 42 and 47 Lower King Road, Bayonet Head within Schedule 1 as detailed below and advertise its adoption in accordance with Clause 7.21 of Town Planning Scheme No. 1A and Clause 6.9 of Town Planning Scheme No. 3:

**Schedule 1**

No	Locality	Lots
x	Bayonet Head	DAP plans 1-5 Lots 42 and 47 Lower King Road, Bayonet Head.

**MOTION CARRIED 13-0**

**1.13: STATUTORY AUTHORISATIONS – FOOD ACT 2008**

<b>File Number (Name of Ward)</b>	: MAN122 (All Wards)
<b>Land Description</b>	: N/A
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: N/A
<b>Business Entity Name</b>	: N/A
<b>Previous Reference</b>	: Nil
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: Nil
<b>Consulted References</b>	: Food Act 2009 Food Regulations 2009
<b>Reporting Officer(s)</b>	: Executive Manager Building & Health Services (K Barnett)
<b>Responsible Officer(s)</b>	: Executive Director Development Services (G Bride)

**IN BRIEF**

- Seek Council's approval for the appointment of Authorised/Designated Officers under the provisions of the Food Act 2008.

**BACKGROUND**

1. Local government has an important role in ensuring the health, safety and wellbeing of the community. This is achieved through education, monitoring and the enforcement of legislation.
2. Food safety remains a key program area that contributes to the health and wellbeing of our communities and a large part of the work conducted by Environmental Health Officers (EHOs) in local governments. Food safety outcomes are achieved through:
  - Monitoring food premises to ensure appropriate levels of hygiene are maintained;
  - Educating people who handle food through the provision of advice and educational materials;
  - Responding to complaints about food businesses;
  - Investigating food poisoning outbreaks independently or with the assistance of officers from the Department of Health; and
  - Taking samples of food to ensure that food is safe for consumption and meets standards.
3. For many years the legislative head of power applicable to local government has been the *Health Act 1911* and its subsidiary legislation. However, in July 2008 the *Food Act* was passed by the Western Australian Parliament to bring WA in-line with

all other States and Territories in applying nationally consistent food safety legislation.

4. With the introduction of the *Food Act 2008* (the Act) and *Food Regulations 2009* (the Regulations) local governments are required to appoint “Authorised Officers” and “Designated Officers” to enable routine enforcement of the statutory functions and obligations of the legislation.
5. The Act and Regulations are now the principal legislation regulating the safe and suitable production of food in Western Australia, replacing and repealing the food provisions within the *Health Act 1911* and *Health (Food Hygiene) Regulations 1993*. The Act is based on ‘Model Food Provisions’ agreed to by all States and Territories of Australia and New Zealand and includes references to the Food Standards Australia and New Zealand – ‘Food Standards Code’.
6. Previously, food related statutory functions were conferred upon EHOs who were defined and appointed in accordance with the *Health Act 1911*.
7. The Act, however, refers to EHOs as “Authorised Officers” acting on behalf of an enforcement agency (such as local government). The resultant change of classification from the EHO to Authorised Officer will therefore require additional appointment of that officer by the local government to enable the officer to continue to enforce the statutory functions, obligations and provisions of the Act and Regulations.
8. Administration of the Act is conferred upon enforcement agencies (local governments) under Section 118 of the Act and such performances and functions may be further delegated by the local government to its Chief Executive Officer (CEO) to enable the timely and effective administration of the provisions of the Act. Those administrative functions include the power to appoint Authorised Officers (Section 122) and Designated Officers (Section 126 (13)).
9. Designated Officers are required to be appointed and may have limited authority to issue, extend or withdraw an infringement notices or receive money for the payment of an infringement notice pursuant to the Act.
10. The Act places greater responsibilities upon food businesses to ensure that food is both safe and suitable for human consumption. Penalty provisions have been substantially increased to reflect the serious nature of food safety and penalties for breaches of the Act range from \$10,000.00 to \$100,000.00 and imprisonment for up to two years for individuals and \$50,000.00 to \$500,000.00 for a body corporate. Infringement notice and modified penalty provisions range from \$150.00 to \$500.00 for individuals and \$1,000.00 for a body corporate.

## **DISCUSSION**

11. Council’s appointment of Authorised Officers, Designated Officers and delegation to the CEO is a necessary statutory and administrative procedure to enable the Council

officers to perform statutory and regulatory functions with the provisions of the *Food Act* and *Food Regulations* within the City of Albany.

12. It is also necessary to designate the Chief Executive Officer, Executive Director Development Services and Executive Manager Building and Health Services (under s126(6) and (7) of the Act) to extend the period within which a modified penalty may be paid and to withdraw an infringement Notice under the Act.
13. Under s65 of the Act, a Prohibition Order may be issued if an improvement notice has not been complied with, or the issue of an order is necessary to prevent or mitigate a serious danger to public health.
14. A Prohibition Order may prohibit food handling or sale at a specified place or vehicle, specify equipment being used in food handling, or other activities relating to food intended for sale, until such time as a clearance certificate has been issued (s 66). As a result, it is necessary to authorise the Chief Executive Officer, Executive Director Development Services, Executive Manager Building and Health Services and Principal Environmental Health Officer to issue Prohibition Orders.

#### **STATUTORY IMPLICATIONS**

15. *Food Act 2008* – sections 38, 40-41, 117-118, 122-123, 126.
16. *Food Regulations 2009* – Regulations 54 and 56.

#### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

17. The efficient management of the City's statutory role in relation to food-related operations listed in regulation 5(b) of the *Food Regulations 2009* relies on various officers being authorised or designated to carry out functions under the *Food Act 2008*.
18. To ensure the health, safety and wellbeing of the community it is essential that Council appoint authorised and designated Officers.

#### **SUMMARY CONCLUSION**

19. That Council appoint authorised and designated officers in accordance with the *Food Act 2008* and *Food Regulations 2009*.

**ITEM 1.13: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR MATLA  
SECONDED: COUNCILLOR WOLFE**

**THAT Council:**

- A. in accordance with section 122(1)(b) of the *Food Act 2008* appoint any person employed by the City and holding the office as an Environmental Health Officer under the *Health Act 1911* as authorised officers to carry out functions under the *Food Act 2008*;**
- B. in accordance with section 126(13) of the *Food Act 2008* appoint the Authorised Officers (Environmental Health Officers) as Designated Officers for the purposes of issuing infringement notices;**
- C. in accordance with section 122(a) of the *Food Act 2008* appoint the Chief Executive Officer, Executive Director Development Services and Executive Manager Building and Health Services as Authorised Officers for the purposes of the Act;**
- D. in accordance with section 126(13) of the *Food Act 2008* appoint the Chief Executive Officer, Executive Director Development Services and Executive Manager Building and Health Services as Designated Officers for the express purpose of extending the payment period for any Infringement Notice and in accordance with section 126(6) and (7) for the withdrawal of an Infringement Notice;**
- E. in accordance with section 65(1) of the *Food Act 2008* authorise the Chief Executive Officer, Executive Director Development Services, Executive Manager Building and Health Services and Principal Environmental Health Officer for the purposes of issuing Prohibition Orders;**
- F. in accordance with section 126(3) of the *Food Act 2008* appoints any person holding or acting in the position of cashier as a Designated Officer to receive payment of a modified penalty;**
- G. delegate authority to the Chief Executive Officer to initiate prosecutions under the *Food Act 2008*; and**
- H. delegate authority to the Chief Executive Officer under the *Food Act 2008* to:
  - i. maintain the Register of Authorised Officers referred to in section 122(3) of the Act; and**
  - ii. issue Certificates of Authority to Authorised Officers as required by section 123(1) of the Act.****

**MOTION CARRIED 13-0  
ABSOLUTE MAJORITY**

**2.1: LIST OF ACCOUNTS FOR PAYMENT**

<b>File Number (Name of Ward)</b>	: FIN040 - All Wards
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: N/A
<b>Appendices</b>	: List of Accounts for Payment
<b>Reporting Officer(s)</b>	: Manager of Finance (P Wignall)
<b>Responsible Officer</b>	: Executive Director (WP Madigan)

**BACKGROUND**

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

**DISCUSSION**

2. The table below summarises the payments drawn from the municipal fund during the month of July 2010. Further details of the accounts authorised for payment by the Chief Executive Officer is included within the Elected Members Report/Information Bulletin.

**Municipal Fund**

Trust	Totalling	\$24,687.50
Cheques	Totalling	\$125,293.06
Electronic Fund Transfer	Totalling	\$5,334,375.49
Credit Cards	Totalling	\$6,614.00
Payroll	Totalling	\$801,928.06
	<b>TOTAL</b>	<b><u>\$6,292,898.11</u></b>

3. As at the 31<sup>st</sup> July 2010, the total outstanding creditors, stands at \$660,833.48
4. Cancelled cheques – 26533, 26596, 26428 & 26642.

**STATUTORY IMPLICATIONS**

5. Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996, provides that payment may only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.
6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund. This delegation was last reviewed in December 2007 – Item 14.4.1.
7. Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.

**FINANCIAL IMPLICATIONS**

8. Expenditure for the period to 31<sup>st</sup> July 2010 has been incurred in accordance with the 2009/10 budget parameters.

**POLICY IMPLICATIONS**

9. The City's 2009/10 Annual Budget applies to this item, as it provides a set of parameters that guides the City's financial practices. Given that the expenditure for the reporting period has been incurred in accordance with the 2009/10 budget parameters, it is recommended that the list of accounts for payment be received.

**SUMMARY CONCLUSION**

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

**ITEM 2.1: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR WELLINGTON  
SECONDED: COUNCILLOR HAMMOND**

**THAT Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 31<sup>st</sup> July 2010 totalling \$6,292,898.11.**

**MOTION CARRIED 13-0**

EFT60850	01/07/2010	SPICE PUBLISHING PTY LTD	SPICE MAGAZINE WINTER 2010 FULL ADVERTISEMENT	2,475.00
EFT60851	01/07/2010	STAGE WHISPERS PERFORMING ARTS MAGAZINE	SUBSCRIPTION TO STAGE WHISPERS MAGAZINE	39.50
EFT60852	01/07/2010	BLUESCOPE DISTRIBUTION PTY LTD	STEEL PURCHASES	50.69
EFT60853	01/07/2010	STIRLING CONFECTIONERY PLUS	CONFECTIONERY SUPPLIES	1,395.23
EFT60854	01/07/2010	STORM OFFICE NATIONAL	Reams of A4 reflex copy paper	139.80
EFT60855	01/07/2010	LETITIA STONE	TRAVEL REIMBURSEMENTS	24.27
EFT60856	01/07/2010	ALBANY LOCK SERVICE	Fit new locks to electrical cabinet at Bob Thomson Gardens	489.40
EFT60857	01/07/2010	THE SURGERY	FLU VACCINATIONS	605.00
EFT60858	01/07/2010	SYNERGY	ELECTRICITY SUPPLIES	10,859.87
EFT60859	01/07/2010	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	443.59
EFT60860	01/07/2010	THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES FOR ALAC CAFE	556.00
EFT60861	01/07/2010	THE CLASSICAL MUSIC SHOP	BUSKING VOUCHER	20.00
EFT60862	01/07/2010	DAVID THEODORE	3 X FOREIGN SERVICE HELMETS FOR RE-INACTMENTS/DISPLAYS	162.00
EFT60863	01/07/2010	THE VEGIE SHOP	DAYCARE FOOD	337.25
EFT60864	01/07/2010	TOLL PRIORITY	FREIGHT COSTS	68.30
EFT60865	01/07/2010	TOURISM COUNCIL WESTERN AUSTRALIA	RENEWAL AUSTRALIAN TOURISM ACCREDITATION PROGRAM" VALID TO 30/06/11"	712.00
EFT60866	01/07/2010	TRU-BLU GROUP PTY LTD	Day hire of mini excavator	268.14
EFT60867	01/07/2010	ALEXANDRA TUCKER	REIMBURSEMENTS - VISITOR RISK TRAINING AT DEC, SWAN REGION OFFICE PERTH	317.00
EFT60868	01/07/2010	UPTOWN MUSIC	FMP STUDIO RECORDING WITH MIKE	110.00
EFT60869	01/07/2010	VANCOUVER WASTE SERVICES	BEDDING MIX	734.00
EFT60870	01/07/2010	IT VISION AUSTRALIA PTY LTD	Online Training 5 Workflow Online training	4,177.25
EFT60871	01/07/2010	WALLACE ENGINEERING PTY LTD	PRESS BEARING AND ASSEMBLE HUB THEN PRESS INTO HOUSING	762.30
EFT60872	01/07/2010	WA LIBRARY SUPPLIES	JUNIOR AREA MAXI FLOWER COCOON CUDDLE CUSHION	198.00
EFT60873	01/07/2010	WATERCRAFT MARINE	Purchase of 4 x anodes for the Middleton beach pontoon	396.00
EFT60874	01/07/2010	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	670.08
EFT60875	01/07/2010	WESTRAC EQUIPMENT PTY LTD	VEHICLE PARTS	872.30
EFT60876	01/07/2010	LANDMARK LIMITED	GATE FITTINGS	86.64
EFT60877	01/07/2010	WESTSHRED DOCUMENT DISPOSAL	Monthly removal of and replacement of sharps containers located in public conveniences	110.00
EFT60878	01/07/2010	WESTERN WORK WEAR	UNIFORMS	532.00
EFT60879	01/07/2010	WEST COAST ANALYTICAL SERVICES	WATER MONITORING AND REPORTING AT LANDFILL SITES	3,289.64
EFT60880	01/07/2010	WISE HIRE	HIRE OF BARRIER FENCING	1,895.00
EFT60881	01/07/2010	WURTH AUSTRALIA PTY LTD	CONSUMABLES	140.95
EFT60882	01/07/2010	JILL BOSTOCK	COUNCILLOR ALLOWANCE - Q1	2,350.00
EFT60883	01/07/2010	DON DUFTY	COUNCILLOR ALLOWANCE - Q1	2,350.00
EFT60884	01/07/2010	MILTON EVANS	MAYORAL ALLOWANCE - Q1	7,100.00
EFT60885	01/07/2010	MERVYN LEAVESLEY	COUNCILLOR ALLOWANCE - Q1	2,350.00
EFT60886	01/07/2010	JOY MATLA	COUNCILLOR ALLOWANCE - Q1	2,350.00
EFT60887	01/07/2010	ROLAND PAVER	COUNCILLOR ALLOWANCE - Q1	2,350.00
EFT60888	01/07/2010	ROBERT SUTTON	COUNCILLOR ALLOWANCE - Q1	2,350.00

EFT60889	01/07/2010 DENNIS WELLINGTON	DEPUTY MAYOR ALLOWANCE - Q1	-	3,100.00
EFT60890	01/07/2010 DES WOLFE	DEPUTY MAYORAL ALLOWANCE - Q1	-	2,350.00
EFT60891	02/07/2010 AUSTRALIAN INSTITUTE OF MANAGEMENT WESTERN AUSTRALIA	Enrolment & Assessment Fees Advanced Diploma of Management	-	1,440.00
EFT60892	02/07/2010 BUILDING AND CONSTRUCTION IND TRAINING FUND	BCIFT LEVY FOR THE MONTH OF JUNE 2010	-	15,678.14
EFT60893	02/07/2010 BUILDERS REGISTRATION BOARD	BRB LEVY FOR THE MONTH OF JUNE 2010	-	3,036.00
EFT60894	02/07/2010 MOSTERT, DJ & H	GRAVEL ROYALTIES	-	1,689.60
EFT60895	07/07/2010 ALBANY COMMUNITY HOSPICE	Payroll deductions	-	57.00
EFT60896	07/07/2010 AMP SUPERANNUATION LIMITED	Superannuation contributions	-	1,328.46
EFT60897	07/07/2010 AUSTRALIAN TAXATION OFFICE	Payroll deductions	-	288,742.17
EFT60898	07/07/2010 AUSTRALIAN SERVICES UNION WA BRANCH	Payroll deductions	-	3,700.70
EFT60899	07/07/2010 AUSTRALIAN PRIMARY SUPERANNUATION FUND	Superannuation contributions	-	424.56
EFT60900	07/07/2010 AUSTRALIAN SUPER	Superannuation contributions	-	482.62
EFT60901	07/07/2010 AUSTRALIAN ETHICAL SUPERANNUATION FUND	Superannuation contributions	-	614.73
EFT60902	07/07/2010 AXA GENERATIONS PERSONAL SUPERANNUATION PLAN	Superannuation contributions	-	459.65
EFT60903	07/07/2010 BANKWEST	Payroll deductions	-	5,301.15
EFT60904	07/07/2010 BT SUPER FOR LIFE	Superannuation contributions	-	436.59
EFT60905	07/07/2010 BT SUPER FOR LIFE	Superannuation contributions	-	70.51
EFT60906	07/07/2010 BT SUPER FOR LIFE	Superannuation contributions	-	514.32
EFT60907	07/07/2010 CHILD SUPPORT AGENCY	Payroll deductions	-	1,296.87
EFT60908	07/07/2010 COLONIAL FIRST STATE ROLLOVER & SUPER FUND	Superannuation contributions	-	183.54
EFT60909	07/07/2010 COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER	Superannuation contributions	-	934.62
EFT60910	07/07/2010 COLONIAL FIRST STATE WHOLESale SUPER FUND	Superannuation contributions	-	64.46
EFT60911	07/07/2010 HBF OF WA	Payroll deductions	-	1,723.65
EFT60912	07/07/2010 ING INTEGRA SUPER	Superannuation contributions	-	202.41
EFT60913	07/07/2010 ING ONE ANSWER PERSONAL SUPER	Superannuation contributions	-	720.66
EFT60914	07/07/2010 ING INTEGRA SUPER	Superannuation contributions	-	514.32
EFT60915	07/07/2010 MLC NOMINEES PTY LTD	Superannuation contributions	-	408.84
EFT60916	07/07/2010 REST SUPERANNUATION	Superannuation contributions	-	4,458.76
EFT60917	07/07/2010 SKANDIA GLOBAL SUPER SOLUTION	Superannuation contributions	-	424.56
EFT60918	07/07/2010 SKANDIA GLOBAL SUPER SOLUTION	Superannuation contributions	-	1,080.27
EFT60919	07/07/2010 SKANDIA GLOBAL SUPER SOLUTION	Superannuation contributions	-	263.70
EFT60920	07/07/2010 SUMMIT MASTER TRUST PERSONAL SUPERANNUATION PLAN	Superannuation contributions	-	85.59
EFT60921	07/07/2010 WA LOCAL GOVT SUPERANNUATION	Superannuation contributions	-	175,843.84
EFT60922	07/07/2010 WAYNE JOHN STEAD PTY LTD SUPERANNUATION FUND	Payroll deductions	-	3,295.22
EFT60923	07/07/2010 WESTSCHEME	Superannuation contributions	-	4,775.90
EFT60924	08/07/2010 ACTIV FOUNDATION INC.	CLEANING RAGS	-	54.00
EFT60925	08/07/2010 AD CONTRACTORS PTY LTD	Hours Hire of Semi Tipper on 11 June 2010	-	6,976.75
EFT60926	08/07/2010 ADVERTISER PRINT	CONTROL OF VEHICLE BOOKS	-	329.00

EFT60927	08/07/2010	AGRI TRUCKING & WORKS	Torbay - Protecting the Coastal Zone; cartage of pine bollards from Minorba	-	484.00
EFT60928	08/07/2010	AUSTRALIAN AIRPORTS ASSOCIATION	ANNUAL MEMBERSHIP SUBSCRIPTION TO THE AUSTRALIAN AIRPORTS ASSOCIATION 01/07/10 - 30/06/11	-	1,815.00
EFT60929	08/07/2010	ALBANY TOYOTA	VEHICLE PARTS/MAINTENANCE	-	276.09
EFT60930	08/07/2010	ALBANY VALUATION SERVICES	RENTAL VALUATIONS	-	1,265.00
EFT60931	08/07/2010	ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	-	531.72
EFT60932	08/07/2010	ALBANY STATIONERS	STATIONERY SUPPLIES	-	64.95
EFT60933	08/07/2010	ALBANY COMMUNITY RADIO INC.	MAST RENTAL - MT CLARENCE MARCH 2010 - FEB 2011	-	1,320.00
EFT60934	08/07/2010	ALBANY SURF LIFE SAVING CLUB	CITY OF ALBANY GRANT - RENOVATIONS TO ALBANY SURF LIFESAVING CLUBROOMS	-	110,000.00
EFT60935	08/07/2010	ALBANY HISTORICAL SOCIETY	COMMUNITY FINANCIAL ASSISTANCE	-	500.00
EFT60936	08/07/2010	HOME TIMBER & HARDWARE	VAC - EQUIP MAINT	-	30.75
EFT60937	08/07/2010	ALBANY AUTO 1	COLORADO GREY RUBBER MATS	-	28.00
EFT60938	08/07/2010	ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY SUPPLIES	-	55.10
EFT60939	08/07/2010	ALBANY KAWASAKI	VEHICLE PARTS/REPAIRS	-	112.90
EFT60940	08/07/2010	ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	-	280.47
EFT60941	08/07/2010	ALBANY INDEPENDENT CARPETS	Supply and lay vinyl to Parks office at Mercer Road	-	4,080.00
EFT60942	08/07/2010	ALBANY DRIVEWAYS AND CARPARKS	Chauncey Way reinstate footpath	-	2,959.00
EFT60943	08/07/2010	ALBANY OFFICE PRODUCTS - WORKS DEPOT	STATIONERY SUPPLIES	-	338.00
EFT60944	08/07/2010	ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	-	129.00
EFT60945	08/07/2010	WA GAS NETWORKS PTY LTD	DAMAGE TO WA GAS PIPES AT 2 PALADE ST ON 08/06/10	-	125.79
EFT60946	08/07/2010	ALL EVENTS PROSOUND HIRE	ALBANY GOLF CLUB FUNCTION	-	195.00
EFT60947	08/07/2010	ALLPACK SIGNS (WA) PTY LTD	ROAD SIGNS	-	8,635.00
EFT60948	08/07/2010	ARDESS NURSERY	BOB THOMPSEN GARDENS tube stock	-	200.87
EFT60949	08/07/2010	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	-	1,682.25
EFT60950	08/07/2010	AUSTRALIA POST	POSTAGE/AGENCY FEES	-	147.92
EFT60951	08/07/2010	BAREFOOT CLOTHING MANUFACTURERS	UNIFORMS	-	846.40
EFT60952	08/07/2010	JOHN BEAMON	TRAVELLING ALLOWANCE	-	179.40
EFT60953	08/07/2010	BENNETTS BATTERIES	200L drum of Rubia TIR 15w/40 engine oil.	-	906.40
EFT60954	08/07/2010	ADVANCED TRAFFIC MANAGEMENT	Hire of Traffic Control on 3 June 2010 (3 Controllers plus 1 vehicle)	-	2,893.43
EFT60955	08/07/2010	BINDOON TRACTORS PTY LTD	Purchase of McConnell PA 7700TM Power Reach Arm including 'Omega' Head	-	61,545.00
EFT60956	08/07/2010	ALBANY BITUMEN SPRAYING	Supply and lay two hot mix bunds / two coat seal footpath also install new driveway	-	4,675.00
EFT60957	08/07/2010	BLACKWOODS	SAFETY EQUIPMENT & SUPPLIES	-	145.38
EFT60958	08/07/2010	BLOOMIN FLOWERS	BOX FLOWER ARRANGEMENT FOR MRS MURIEL EVANS	-	45.00
EFT60959	08/07/2010	ALBANY BOBCAT SERVICES	Remove tree branches and level soil at foreshore area	-	720.00
EFT60960	08/07/2010	BOC GASES AUSTRALIA LIMITED	CONTAINER SERVICE RENTAL	-	171.09
EFT60961	08/07/2010	BORAL CONSTRUCTION MATERIALS GROUP LTD	Litres 95/5 Cutback Bitumen delivered and sprayed on Tennessee South Rd	-	6,394.28

EFT60962	08/07/2010	CARDNO BSD PTY LTD	ANZAC PEACE PARK DRAINAGE PROJECT - CONSULTANT PROFESSIONAL SERVICES	-	4,138.75
EFT60963	08/07/2010	BUNNINGS BUILDING SUPPLIES PTY LTD	Bush and Coastal Reserves Projects;	-	864.47
EFT60964	08/07/2010	CAMPBELL CONTRACTORS	Repairs to pathway Middleton Rd	-	950.00
EFT60965	08/07/2010	CASTLEDINE LEGAL AND MEDIATION SERVICES	MEDIATION SERVICES	-	825.00
EFT60966	08/07/2010	CJD EQUIPMENT PTY LTD	Supply Grader circle parts	-	10,908.66
EFT60967	08/07/2010	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	-	6,579.43
EFT60968	08/07/2010	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	-	355.44
EFT60969	08/07/2010	CORRIGAN, ERIC	TRAVEL ALLOWANCE - FORTS	-	303.90
EFT60970	08/07/2010	COURIER AUSTRALIA	FREIGHT FEES	-	416.38
EFT60971	08/07/2010	COVENTRYS	VEHICLE PARTS	-	373.10
EFT60972	08/07/2010	CROWNE PLAZA PERTH	OVERNIGHT ACCOMMODATION FOR MAYOR MILTON EVANS	-	189.50
EFT60973	08/07/2010	CRUMPS CANVAS	8 X TONNEAU LOOPS/ 18 X TONNEAU BUTTONS	-	20.00
EFT60974	08/07/2010	DOWNER EDI WORKS PTY LTD	10 drops hot mix repair road box out Cuming Road	-	2,273.07
EFT60975	08/07/2010	HOLCIM (AUSTRALIA) PTY LTD	TONNES METAL DUST	-	583.17
EFT60976	08/07/2010	DATA #3 LIMITED	Item GVT-DSK-PM - StorageCraft ShadowProtect DESKTOP Edition including 12 months maintenance	-	234.47
EFT60977	08/07/2010	MICHELLE DAYMAN	REIMBURSEMENTS FOR TABLE DECORATIONS FOR NAIDOC GALA DINNER	-	40.85
EFT60978	08/07/2010	LANDGATE	TITLE SEARCHES	-	142.00
EFT60979	08/07/2010	ALBANY ELITE EARTHMOVING AND DRAINAGE	Grate lid replacements at #4 and #5 LORENZO WAY	-	2,655.00
EFT60980	08/07/2010	EYERITE SIGNS	Signs for the Stidwell Bridle Trail	-	2,942.50
EFT60981	08/07/2010	FARM FRESH WHOLESALERS	CATERING SUPPLIES	-	132.40
EFT60982	08/07/2010	FARMERS CENTRE (1978) PTY LTD	Supply second hand front three point linkage	-	3,300.00
EFT60983	08/07/2010	THE FIXUPPERY	CLEANING OF PORTABLE TOILETS	-	49.50
EFT60984	08/07/2010	FLASH & ROXY PTY LTD	CONSULTANCY HOURS	-	5,005.00
EFT60985	08/07/2010	BILL GIBBS EXCAVATIONS	Hours hire of 20ton excavator	-	892.08
EFT60986	08/07/2010	GORDON WALMSLEY PTY LTD	Metres Semi Mountable Kerbing on Tennessee Sth Rd	-	4,200.00
EFT60987	08/07/2010	GOURMET GRUB CATERING	CATERING FOR NAIDOC WEEK GALA DINNER	-	6,875.00
EFT60988	08/07/2010	GREAT SOUTHERN GROUP TRAINING	APPRENTICES FEES	-	7,387.43
EFT60989	08/07/2010	GREEN SKILLS INC	LABOUR HIRE FOR WEED CONTROL	-	3,267.00
EFT60990	08/07/2010	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING GOODS	-	985.71
EFT60991	08/07/2010	GREAT SOUTHERN LEGAL PTY LTD	Rates refund for assessment A128583	-	1,661.51
EFT60992	08/07/2010	GREENLINE AG PTY LTD	VEHICLE PARTS/MAINTENANCE	-	169.98
EFT60993	08/07/2010	GSM AUTO ELECTRICAL	VEHICLE PARTS/MAINTENANCE	-	82.50
EFT60994	08/07/2010	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	-	413.60
EFT60995	08/07/2010	HARLEY GLOBAL	Volume Survey on Millbrook Road Gravel pit	-	8,310.78
EFT60996	08/07/2010	WILFRED HATTON	TRAVEL ALLOWANCE - FORTS	-	26.40
EFT60997	08/07/2010	HEIGHTTECH SAFETY SYSTEMS	Confined space training - 23 & 24 June 2010.	-	9,195.00
EFT60998	08/07/2010	JOHN HOBBS	TRAVELLING ALLOWANCE	-	36.00
EFT60999	08/07/2010	RATTEN & SLATER MACHINERY	VEHICLE PARTS	-	487.29
EFT61000	08/07/2010	HUDSON HENNING AND GOODMAN	SURRENDER OF EXISTING LEASE AND NEW LEASE FOR THE BUREAU	-	11,599.50

EFT61001	08/07/2010	ICS GROUP	UNDERTAKE A RESERVE RISK MANAGEMENT AND TREATMENT	-	45,000.00
EFT61002	08/07/2010	CHRIS IDLE	STAFF TRAVEL EXPENSES	-	74.80
EFT61003	08/07/2010	INFRASTRUCT CONTRACTING P/L	HIGH VOLTAGE TREE PRUNING VARIOUS LOCATIONS	-	1,980.00
EFT61004	08/07/2010	INSTITUTE OF PUBLIC WORKS ENGINEERING AUST LTD	SYSTEMS PLUS SUBSCRIPTION 01/07/10 - 30/06/10	-	550.00
EFT61005	08/07/2010	ALBANY INSTANT RACKING	Supply and install Load rated shelving benches & racks - Engineering area	-	79,486.47
EFT61006	08/07/2010	THE JAFFA ROOM / ARTISTRALIA	NON THEATRICAL RIGHTS TO SCREEN BRAN NUE DAE	-	220.00
EFT61007	08/07/2010	JOHN ALEXANDER JAMIESON	Volume Survey on South Coast Highway Gravel pit	-	9,408.41
EFT61008	08/07/2010	KLB SYSTEMS	Lenovo M58, Pentium E5400, 2GB RAM, 250GB HDD, Multiburner, GMA 4500+DP to DVI Dongle, Win XP Pro, 3yr Warranty	-	990.00
EFT61009	08/07/2010	KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	-	1,312.45
EFT61010	08/07/2010	KOSTERS STEEL CONSTRUCTION PTY LTD	Install doors and wall on existing shed	-	8,765.76
EFT61011	08/07/2010	KRYSTA GUILLE PHOTOGRAPHY	COMMERCIAL SHOOT - PORTRAITS OF STAFF	-	120.00
EFT61012	08/07/2010	LA FREEGARD	WATKINS RD; Removal of pine trees	-	6,000.00
EFT61013	08/07/2010	LAND LINE ENTERPRISES PTY LTD	Supply drainage crew for works on Residency Rd and Dan Murphy's car park	-	40,683.50
EFT61014	08/07/2010	LINCOLN AND GOMM WINES	WINE PURCHASES	-	360.42
EFT61015	08/07/2010	CALTEX ENERGY WA	LITRES DIESEL FUEL	-	49,249.72
EFT61016	08/07/2010	ALBANY CITY MOTORS	Suspension bushes as required to suit Isuzu Giga truck.	-	1,381.52
EFT61017	08/07/2010	MARINDUST SALES & ACE FLAGPOLES	Flagpoles - Marine grade aluminium	-	3,062.40
EFT61018	08/07/2010	MASTER BUILDERS ASSOCIATION OF WESTERN AUSTRALIA	MEMBERSHIP SUBSCRIPTION 10/11	-	525.00
EFT61019	08/07/2010	PHILLIP MCKINNON	TRAVEL ALLOWANCE	-	180.00
EFT61020	08/07/2010	METROOF ALBANY	TRIMCLAD	-	680.93
EFT61021	08/07/2010	MIDALIA STEEL PTY LTD	Bush and Coastal Reserves Projects	-	272.18
EFT61022	08/07/2010	MONKEY BAA THEATRE FOR YOUNG PEOPLE LTD	ROYALTY PAYMENT FOR FOX - 15% OF \$3023.87	-	498.94
EFT61023	08/07/2010	DAWSON MOORE	TRAVELLING ALLOWANCE	-	192.00
EFT61024	08/07/2010	KATHRYN ANNE MUTTON	TRAVEL ALLOWANCE - FORTS VOLUNTEER	-	72.00
EFT61025	08/07/2010	PN & ER NEWMAN QUALITY CONCRETE PRODUCTS	Supply manhole covers	-	319.00
EFT61026	08/07/2010	NONNA'S RESTAURANT	DINNER IN LIEU OF RECEPTION - HMAS WALLER	-	383.60
EFT61027	08/07/2010	DAVID NORTHERN	TRAVEL ALLOWANCE - FORTS VOLUNTEER	-	165.00
EFT61028	08/07/2010	PETER O'CONNELL	TRAVELLING ALLOWANCE - FORTS VOLUNTEER	-	112.80
EFT61029	08/07/2010	OCS SERVICES PTY LTD	CLEANING SERVICES	-	464.00
EFT61030	08/07/2010	MICHAEL JAMES O'DOHERTY	BUSKING PROGRAM REPORT SUPPLIED	-	1,800.00
EFT61031	08/07/2010	OKEEFE'S PAINTS	PAINT & PAINTING SUPPLIES	-	83.36
EFT61032	08/07/2010	OPUS INTERNATIONAL CONSULTANTS LTD	LOWER DENMARK RD UPGRADE	-	896.50
EFT61033	08/07/2010	PALMER EARTHMOVING (AUSTRALIA) PTY LTD	MILLBROOK ROAD - RECONSTRUCTION AND WIDENING	-	392,187.06
EFT61034	08/07/2010	PIPER ALDERMAN MANAGEMENT PTY LTD	ADMINISTRATION OF LEHMAN BROTHERS AUSTRALIA	-	54.70
EFT61035	08/07/2010	PLANT SUPPLY COMPANY	ALBANY HWY PLANTS	-	2,497.74
EFT61036	08/07/2010	R & L BITUMEN REPAIR SERVICES	Construction of Concrete Driveway	-	52,615.00
EFT61037	08/07/2010	W P REID	Paving and associated works on Rowley St	-	12,086.80
EFT61038	08/07/2010	DOUGLAS REITZE	TRAVEL ALLOWANCE - FORTS	-	218.40
EFT61039	08/07/2010	RICOH FINANCE PTY LTD	PHOTOCOPIER CHARGES	-	13,688.14

EFT61040	08/07/2010	SRH TRANSPORT	Paks of commons	511.68
EFT61041	08/07/2010	SEATADVISOR AUSTRALIA	JUNE TICKET SALES - 1445 TICKETS	476.85
EFT61042	08/07/2010	SESCO SECURITY	QRTLTY MONITORING 01/07/10-30/09/10	431.86
EFT61043	08/07/2010	SIGNS PLUS	SIGNWRITING/SIGN PURCHASES	41.40
EFT61044	08/07/2010	SKAL INTERNATIONAL ALBANY	JUNE FUNCTION SAIL AWAY	35.00
EFT61045	08/07/2010	SKILL HIRE	CASUAL STAFF	5,403.04
EFT61046	08/07/2010	SOUTHERN ELECTRICS	LEISURE CENTRE - electrical rebuild of switchboard on ALAC courts	33,309.98
EFT61047	08/07/2010	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	106.03
EFT61048	08/07/2010	SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING GOODS	2,411.12
EFT61049	08/07/2010	SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	9,152.60
EFT61050	08/07/2010	STATEWIDE BEARINGS	VEHICLE PARTS	63.36
EFT61051	08/07/2010	POSITION PARTNERS	CHECK CONTROL BOX	143.00
EFT61052	08/07/2010	MERVYN STRANGE	TRAVEL ALLOWANCE - FORTS	79.20
EFT61053	08/07/2010	ALBANY LOCK SERVICE	LOCK SUPPLIES	1,351.40
EFT61054	08/07/2010	SUSSEX INDUSTRIES (HALKOT PTY LTD T/A)	Stakes 25mm x 25mm x 900mm White Top	517.88
EFT61055	08/07/2010	SYNERGY	ELECTRICITY SUPPLIES - DECORATIVE LIGHTING	1,341.95
EFT61056	08/07/2010	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	1,507.51
EFT61057	08/07/2010	TECTONICS CONSTRUCTION GROUP P/L	Galvanised steel frame including columns, rafters, purlins, girts, cleats, hold downs & fasteners	14,601.00
EFT61058	08/07/2010	THEYER AUTOMOTIVE	STATIONERY SUPPLIES	59.70
EFT61059	08/07/2010	THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES FOR ALAC CAFE	295.20
EFT61060	08/07/2010	DAVID THEODORE	STAFF MILEAGE CLAIM	47.32
EFT61061	08/07/2010	TOLL PRIORITY	FREIGHT COSTS	3,666.81
EFT61062	08/07/2010	TRAILBLAZERS	SAFETY EQUIPMENT & SUPPLIES	147.15
EFT61063	08/07/2010	THE TROPHY SHOP	Aboriginal Accord MUN - NAIDOC WEEK	25.04
EFT61064	08/07/2010	TRUCKLINE	VEHICLE PARTS/MAINTENANCE	673.80
EFT61065	08/07/2010	TRU-BLU GROUP PTY LTD	ALBANY CLASSIC	296.45
EFT61066	08/07/2010	ALBANY TYREPOWER	Supply tyres and carry out rotation on ISUZU GIGA 385CXZ	1,022.50
EFT61067	08/07/2010	VANCOUVER WASTE SERVICES	BULK GREEN WASTE	329.70
EFT61068	08/07/2010	IT VISION AUSTRALIA PTY LTD	Consultancy Services SynergySoft Security review	7,713.75
EFT61069	08/07/2010	ALBANY & GREAT SOUTHERN WEEKENDER	MONTHLY FULL PAGE - COMMUNITY INFO PAGE	880.00
EFT61070	08/07/2010	LANDMARK LIMITED	Tally counters	39.82
EFT61071	08/07/2010	WESTERN WORK WEAR	SAFETY EQUIPMENT & SUPPLIES	119.00
EFT61072	08/07/2010	WOOD AND GRIEVE ENGINEERS	New Emu Point Ablution Block: providing engineering services	495.00
EFT61073	08/07/2010	WREN OIL	WASTE OIL DISPOSAL	121.00
EFT61074	08/07/2010	ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	66.11
EFT61075	15/07/2010	ABBOTTS LIQUID SALVAGE PTY LTD	PUMP PUBLIC TOILETS	-560.00
EFT61076	15/07/2010	AD CONTRACTORS PTY LTD	Excavator hire for cleaning hospice pond	-6519.13
EFT61077	15/07/2010	ADVERTISER PRINT	INVITATIONS FOR US SUBMARINERS MEMORIAL SERVICE 150	-130.00
EFT61078	15/07/2010	AECOM AUSTRALIA PTY LTD	PHASE II DETAILED DESIGN - ANZAC CENTENARY MOUNT CLARENCE INFRASTRUCTURE IMPROVEMENT PROJECT	-127861.80
EFT61079	15/07/2010	ALBANY ADVERTISER LTD	ADVERTISING	-2984.96

EFT61080	15/07/2010	ALBANY TOYOTA	Purchase of new Toyota Altise Sedan (P783) 9004A	-4675.25
EFT61081	15/07/2010	ALBANY VALUATION SERVICES	RENTAL VALUATIONS	-330.00
EFT61082	15/07/2010	ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	-1068.79
EFT61083	15/07/2010	ALBANY STATIONERS	STATIONERY SUPPLIES	-101.50
EFT61084	15/07/2010	ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	-319.00
EFT61085	15/07/2010	ALBANY GOLF CLUB	VENUE HIRE FOR MAIDOC DINNER	-1973.70
EFT61086	15/07/2010	ALBANY AND REGIONAL VOLUNTEER SERVICE	OPERATIONAL COSTS	-7500.00
EFT61087	15/07/2010	ALBANY CITY CLEANERS	WINDOW CLEANING	-1092.52
EFT61088	15/07/2010	ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	-85.20
EFT61089	15/07/2010	ALBANY OFFICE PRODUCTS - ALAC	STATIONERY SUPPLIES	-13.80
EFT61090	15/07/2010	ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	-331.50
EFT61091	15/07/2010	ALD FUEL INJECTION SERVICES	VEHICLE PARTS/MAINTENANCE	-7.92
EFT61092	15/07/2010	ALEC HENRY PTY LTD	PRUNING OF STREET TREES	-1045.00
EFT61093	15/07/2010	ALLCOMMERCIAL FINANCE AUSTRALIA PTY LTD	MONTHLY LEASE PAYMENT FOR COMMERCIAL VAC & AQUA POOL CLEANER	-471.31
EFT61094	15/07/2010	ALMOS SYSTEMS PTY LTD	ANNUAL FIRE ALARM MONITORING FEE 09/10	-2547.60
EFT61095	15/07/2010	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	-1403.77
EFT61096	15/07/2010	AUSSIE DRAWCARDS PTY LTD	GREAT SOUTHERN SERVICE - QUARTERLY SERVICE FEE FOR JUNE - AUGUST 2010	-169.50
EFT61097	15/07/2010	AUSTRALIA POST	POSTAGE/AGENCY FEES	-8097.82
EFT61098	15/07/2010	BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	-117.05
EFT61099	15/07/2010	BARE FACTS	SPRUNG COORDINATOR ACTIVITIES	-1204.00
EFT61100	15/07/2010	ADVANCED TRAFFIC MANAGEMENT	Hire of Traffic Control on 18 June 2010 (4 Controllers plus 2 vehicles)	-1978.20
EFT61101	15/07/2010	BERTOLA HIRE SERVICES ALBANY PTY LTD	EQUIPMENT HIRE	-1675.59
EFT61102	15/07/2010	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	-140.00
EFT61103	15/07/2010	ALBANY BOBCAT SERVICES	Remove mulch from drain line	-3880.00
EFT61104	15/07/2010	BOOEASY AUSTRALIA PTY LTD	BOOEASY BOOKING RETURNS COMMISSIONS/MONTHLY FEES - JUNE 2010	-2040.86
EFT61105	15/07/2010	MURRY BRACKNELL	STAFF TRAVEL EXPENSE CLAIM	-146.09
EFT61106	15/07/2010	BRENDAN BYL FENCING CONTRACTOR	Princess Royal Sailing Club Rescue Boat Compound Project - Supply and Fix Fencing.	-2600.00
EFT61107	15/07/2010	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	-112.44
EFT61108	15/07/2010	CABCHARGE AUSTRALIA LIMITED	TAXI FARES	-240.24
EFT61109	15/07/2010	CALIBRE CARE	ARTHURGRIP REACHER	-60.00
EFT61110	15/07/2010	CAMPBELL CONTRACTORS	CONSTRUCT CONCRETE FOOTPATHS	-6230.00
EFT61111	15/07/2010	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	-872.25
EFT61112	15/07/2010	SYNERGY GRAPHICS	YOUTH VIP CARDS	-2030.00
EFT61113	15/07/2010	CITY OF ALBANY BAND INCORPORATED	TOTAL INCOME FROM BOX OFFICE - CLOWNING AROUND	-2688.22
EFT61114	15/07/2010	CID EQUIPMENT PTY LTD	VEHICLE PARTS/MAINTENANCE	-4640.67
EFT61115	15/07/2010	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	-2552.52
EFT61116	15/07/2010	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	-1055.33
EFT61117	15/07/2010	COFFEY ENVIRONMENTS PTY LTD	Dieback Protectable Area Mapping for Lowlands Coastal Reserve	-265.65

EFT61118	15/07/2010	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	-512.84
EFT61119	15/07/2010	COUNTRY CARRIERS	FREIGHT CHARGES	-228.55
EFT61120	15/07/2010	COVENTRYS	VEHICLE PARTS	-313.61
EFT61121	15/07/2010	CROWNE PLAZA CANBERRA	ACCOMMODATION FOR MR MILTON EVANS ACLG PLENARY	-1102.50
EFT61122	15/07/2010	DOWNER EDI WORKS PTY LTD	TONNES COLDMIX	-817.69
EFT61123	15/07/2010	HOLCIM (AUSTRALIA) PTY LTD	TONNES 5 MM METAL WASHED ONLY	-607.71
EFT61124	15/07/2010	MITCHELL CULLEN	ENTERTAINMENT AT ALBANY GOLF CLUB - FINGERS MITCHELL	-1400.00
EFT61125	15/07/2010	BJ & PF DAWSON	RUBBISH REMOVAL JULY - DECEMBER 2010	-550.00
EFT61126	15/07/2010	LANDGATE	TITLE SEARCHES	-133.00
EFT61127	15/07/2010	DEPARTMENT OF TRANSPORT	ANNUAL JETTY LICENCE PUBLIC BOAT RAMP, LOWER KING	-32.65
EFT61128	15/07/2010	VICKI DUNCAN	STAFF TRAVEL EXPENSES CLAIM	-184.35
EFT61129	15/07/2010	EASIFLEET MANAGEMENT	Payroll deductions	-815.84
EFT61130	15/07/2010	EATCHA HEART OUT CAFE	FMP CATERING SESSION 4	-82.00
EFT61131	15/07/2010	SIMON EDWARDS	UNIFORM ALTERATIONS	-15.00
EFT61132	15/07/2010	ELDERS LIMITED	Torbay - Protecting the Coastal Zone - FENCING MATERIALS	-2326.50
EFT61133	15/07/2010	ALBANY ENGINEERING COMPANY	Build up & line bore quick hitch eyes on tip Loader Cat 930G	-3495.52
EFT61134	15/07/2010	MILTON EVANS	REMBURSEMENT OF VEHICLE, FUEL & TRAVEL EXPENSES	-647.56
EFT61135	15/07/2010	EVERITE SIGNS	SIGNWRITING/SIGN PURCHASES	-22.00
EFT61136	15/07/2010	FARM FRESH WHOLESALERS	CATERING SUPPLIES	-115.30
EFT61137	15/07/2010	JASMIN FERRY	AIM TRAINING - MICROSOFT PROJECT INTERMEDIATE LEVEL	-137.05
EFT61138	15/07/2010	GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	-207.51
EFT61139	15/07/2010	GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	STAFF TRAINING - Cert 111 Civil Construction	-2695.98
EFT61140	15/07/2010	GREAT SOUTHERN PEST & WEED CONTROL	PEST & WEED CONTROLS	-429.00
EFT61141	15/07/2010	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING GOODS	-330.94
EFT61142	15/07/2010	GREAT SOUTHERN BEARINGS	OIL SEAL	-36.77
EFT61143	15/07/2010	THE GREAT SOUTHERN FACTOR INCORPORATED	TOTAL INCOME FROM BOX OFFICE	-891.25
EFT61144	15/07/2010	GREENMAN TRADING COMPANY	Cut and remove over hanging trees and branches	-3294.50
EFT61145	15/07/2010	ANDREW GREENWOOD	MOVING EXPENSES	-3213.64
EFT61146	15/07/2010	PENELOPE HARRIS	SPORT EQUIPMENT	-76.20
EFT61147	15/07/2010	CITIGATE PERTH	LEAFLET DISTRIBUTION	-60.00
EFT61148	15/07/2010	ICLEI OCEANIA	STAFF TRAINING IPWEA Waste Management module	-402.50
EFT61149	15/07/2010	INFRASTRUCT CONTRACTING P/L	BREAKFAST MEETING @ WALGA CONVENTION	-55.00
EFT61150	15/07/2010	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA	CLEARING OF YAKAMIA DRAINS WITH MULCHER	-52603.50
EFT61151	15/07/2010	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA	DIPLOMA OF PUBLIC WORKS - WASTE MANAGEMENT	-770.00
EFT61152	15/07/2010	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA	NAMS PLUS ANNUAL SUBSCRIPTION FEE	-990.00
EFT61153	15/07/2010	JUST A CALL DELIVERIES	INTERNAL MAIL DELIVERIES	-924.00
EFT61154	15/07/2010	KALGAN BUSHFIRE BRIGADE	DONATION FOR SERVICES FOR CLASSIC CAR RACE JUNE 2010	-800.00
EFT61155	15/07/2010	KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	-594.90
EFT61156	15/07/2010	LA FREEGARD	Stump grinding of stumps at various locations.	-3036.00
EFT61157	15/07/2010	MERVYN LEAVESLEY	VEHICLE MILEAGE CLAIM	-2922.33
EFT61158	15/07/2010	LEADING EDGE HIFI-ALBANY	Roof Mounted TV bracket for 42 LCD TV"	-229.00
EFT61159	15/07/2010	LEASE CHOICE	PHOTOCOPIER LEASE PAYMENT - RICOH V1691100006	-970.20

EFT61160	15/07/2010	LOWER GREAT SOUTHERN HOCKEY ASSOCIATION INC	WORKS TO PROVIDE DISABLED ACCESS TO HOCKEY CLUBROOMS	-2150.00
EFT61161	15/07/2010	M & B SALES PTY LTD	FIRE DOOR	-243.10
EFT61162	15/07/2010	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	-132.14
EFT61163	15/07/2010	MANYPEAKS CRICKET CLUB	MANYPEAKS CRICKET CLUB PITCH UPGRADE	-5000.00
EFT61164	15/07/2010	TRICIA WHITE	DIPLOMA OF BUSINESS - SPORTS MANAGEMENT FEES	-2150.00
EFT61165	15/07/2010	SITA MEDICOLLECT AUSTRALIA PTY LTD	SECURITY STEEL SHARPSAFE BRACKETS PLUS FREIGHT	-315.74
EFT61166	15/07/2010	MERCER ENVIRONMENTAL SERVICES	Prideau Road Remedial Work; Seeding planting, direct seeding and supervision of bobcat and grader	-7931.00
EFT61167	15/07/2010	METROOF ALBANY	ROOFING MATERIALS	-140.24
EFT61168	15/07/2010	MIRA MAR VETERINARY SERVICES	DISPOSAL OF ANIMALS	-114.00
EFT61169	15/07/2010	MR MOO DAIRY DISTRIBUTORS	DRINKS FOR ALAC CAFE	-180.20
EFT61170	15/07/2010	LGIS WORKCARE	INSURANCES - WORKERS COMPENSATION	-13115.30
EFT61171	15/07/2010	ALBANY NEAT AND TRIM LAWN	MOW LAWN VANCOUVER ARTS CENTRE	-160.00
EFT61172	15/07/2010	PN & ER NEWMAN QUALITY CONCRETE PRODUCTS	TRAFFICABLE MANHOLE COVERS 1200 X 1200 X 150 - COMBINATION BEVEL EDGE	-4763.00
EFT61173	15/07/2010	NYMANN STRATHAVEN	Gravel Royalties	-5101.80
EFT61174	15/07/2010	OCLC (UK) LTD	Support for Amilib 20 Users, NetOpacs, DNY/SIP2, ZOpacs, ZServer, Amilib.Net & SQL Server for 12 months from 01 July 2010.	-11099.62
EFT61175	15/07/2010	OCS SERVICES PTY LTD	CLEANING SERVICES	-6225.40
EFT61176	15/07/2010	OKEEFE'S PAINTS	PAINT & PAINTING SUPPLIES	-42.47
EFT61177	15/07/2010	OPUS INTERNATIONAL CONSULTANTS LTD	Middleton Road - Path 184 Renewal - design	-13856.70
EFT61178	15/07/2010	MELISSA ORGAN	MS PROJECT COURSE AT AIM	-297.76
EFT61179	15/07/2010	PAUL G ROBERTSON AND ASSOCIATES	CONSULTANT ENGINEERING SERVICES 1 JUNE 10 - 29 JUNE 10	-5200.25
EFT61180	15/07/2010	PC MACHINERY	VEHICLE PARTS/MAINTENANCE	-146.46
EFT61181	15/07/2010	PETER GRAHAM AND COMPANY LTD	HARDWARE SUPPLIES	-824.12
EFT61182	15/07/2010	PIPER ALDERMAN MANAGEMENT PTY LTD	PROFESSIONAL CHARGES - LEHMAN BROTHERS -CHAPTER 11	-156.83
EFT61183	15/07/2010	PLASTICS PLUS	ASSORTED BINS	-703.99
EFT61184	15/07/2010	POWELL SECURITY SERVICES	SERCURITY SERVICES	-335.96
EFT61185	15/07/2010	RECHARGE-IT	RECHARGE INK CARTRIDGES	-503.10
EFT61186	15/07/2010	RED DOT STORE	STATIONERY FOR HOLIDAY PROGRAM	-51.95
EFT61187	15/07/2010	ROSMECH SALES AND SERVICE PTY LTD	VEHICLE PARTS/MAINTENANCE	-569.95
EFT61188	15/07/2010	ROYAL LIFE SAVING SOCIETY AUSTRALIA	STAFF TRAINING	-120.00
EFT61189	15/07/2010	CHILD AUSTRALIA	TRAINING - BITING WORKSHOP	-50.00
EFT61190	15/07/2010	SESCO SECURITY	QUARTERLY MONITORING	-320.32
EFT61191	15/07/2010	DIANE SHEEHAN	GUIDED PAINTING SESSION FOR THE GSNE	-1260.00
EFT61192	15/07/2010	SKILL HIRE	CASUAL STAFF	-2095.01
EFT61193	15/07/2010	ASHLEY SMITH	NAIDOC WEEK GALA DINNER AND NOONGAR EXCELLENCE AWARDS 2010 - DIJI PLAYER	-200.00
EFT61194	15/07/2010	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	-3826.68
EFT61195	15/07/2010	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	-545.30
EFT61196	15/07/2010	SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING GOODS	-1164.01
EFT61197	15/07/2010	SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	-248.60

EFT61198	15/07/2010 SOUTH WEST MAPPING SERVICES	Convert DXF files	-375.00
EFT61199	15/07/2010 STAR SALES AND SERVICE	PARTS FOR WHIPPER SNIPPER	-245.00
EFT61200	15/07/2010 DEPARTMENT OF PREMIER & CABINET	GOVERNMENT GAZETTE ADVERTISING	-99.60
EFT61201	15/07/2010 STATEWIDE BEARINGS	VEHICLE PARTS	-29.35
EFT61202	15/07/2010 SAI GLOBAL LTD	INTERNET DOWNLOAD	-74.47
EFT61203	15/07/2010 STABILISATION TECHNOLOGY	Pavement repair works at two roundabouts	-76629.63
EFT61204	15/07/2010 T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	-1073.59
EFT61205	15/07/2010 THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES FOR ALAC CAFE	-216.00
EFT61206	15/07/2010 THE VEGIE SHOP	GROCERIES	-166.60
EFT61207	15/07/2010 THOMPSON MICROBERT EDGELOE	Le Grande Drainage basin design	-15488.00
EFT61208	15/07/2010 TOAS TEES WETSUITS AUSTRALIA	WETSUITS	-35.00
EFT61209	15/07/2010 TOTAL EDEN	GARDEN SUPPLIES	-2504.00
EFT61210	15/07/2010 TRADELINK PLUMBING SUPPLIES	STORMWATER SUPPLIES	-78.26
EFT61211	15/07/2010 TRUCKLINE	VEHICLE PARTS	-74.66
EFT61212	15/07/2010 ALBANY TYREPOWER	Supply and fit new tyres to TOYOTA HILUX 4WD DUAL CAB UTILITY	-968.00
EFT61213	15/07/2010 UWA CENTRE OF EXCELLENCE IN NATURAL RESOURCE MANAGEMENT	TOTAL INCOME FROM BOX OFFICE	-1720.75
EFT61214	15/07/2010 VANCOUVER WASTE SERVICES	COURSE SAND	-57.75
EFT61215	15/07/2010 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	-228.14
EFT61216	15/07/2010 MARK WELLER	UNIT FEES - COMPLETION OF MBA	-4283.10
EFT61217	15/07/2010 WA LOCAL GOVERNMENT ASSOCIATION	ASSOCIATION SUBS FOR FINANCIAL YEAR 2010-2011	-23091.11
EFT61218	15/07/2010 LANDMARK LIMITED	BETTER GROW TURF	-874.10
EFT61219	15/07/2010 WEST AUSTRALIAN PUBLISHERS	ADVERTISING	-2200.00
EFT61220	15/07/2010 THE WINDOW WASHER MAN	WINDOW CLEANING - VAC	-45.00
EFT61221	15/07/2010 WIZID PTY LTD	TUFF BAND	-279.40
EFT61222	15/07/2010 DIANNE WOLFER	DINOSAURS 3RD ANTHOLOGY - FACILITATING	-491.00
EFT61223	15/07/2010 WORK SAFEGEAR	SAFETY EQUIPMENT & SUPPLIES	-132.00
EFT61224	15/07/2010 WREN OIL	WASTE OIL DISPOSAL	-1342.00
EFT61225	15/07/2010 YMCA OF PERTH INCORPORATED	DRUG ACTION WEEK	-1134.38
EFT61226	15/07/2010 ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	-28.63
EFT61227	15/07/2010 DUWAL CONSTRUCTION	Albany Leisure and Aquatic Centre Stage 2 construction	-1359802.79
EFT61228	22/07/2010 AD CONTRACTORS PTY LTD	HANRAHAN ROAD LANDFILL	-5841.38
EFT61229	22/07/2010 EDENBORN PTY LTD	MOWING SERVICES - JUNE 2010	-4150.85
EFT61230	22/07/2010 ALBANY INDUSTRIAL SERVICES PTY LTD	Hours Hire of Semi Tipper	-13237.68
EFT61231	22/07/2010 ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	-38.31
EFT61232	22/07/2010 ALBANY SWEEP CLEAN	Sweep car parks, cycle ways and boardwalks	-4525.00
EFT61234	22/07/2010 ALBANY CHAMBER OF COMMERCE & INDUSTRY	ADVERTISING CCI DIRECTORY 2011	-845.75
EFT61235	22/07/2010 ALBANY STOCKFEEDS	BAGS OF PAL MEATY BITES DOG BISCUITS	-87.00
EFT61236	22/07/2010 TRICOAST CIVIL	Sewer head works construction at Emu Point Swarbrick St	-36653.57
EFT61237	22/07/2010 ALBANY SKIPS AND WASTE SERVICES	4M SKIP BIN	-232.50
EFT61238	22/07/2010 ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY SUPPLIES	-118.35
EFT61239	22/07/2010 ALBANY NEWS DELIVERY	NEWSPAPER DELIVERIES	-63.20

EFT61240	22/07/2010	ALBANY CENTRAL CABINETS	Cut down existing desk and install new desk, make and install new overhead cabinet	-2964.50
EFT61241	22/07/2010	ALBANY COMBINED CABS PTY LTD	TAXI FARES YAC	-138.30
EFT61242	22/07/2010	ALBANY MILK DISTRIBUTORS	CATERING SUPPLIES	-332.50
EFT61243	22/07/2010	STONEMASTERS WA PTY LTD (ALBANY MITRE 10)	HARDWARE SUPPLIES	-40.00
EFT61244	22/07/2010	ALBANY OFFICE PRODUCTS - ALAC	STATIONERY SUPPLIES	-120.25
EFT61245	22/07/2010	ALBANY OFFICE PRODUCTS - WORKS DEPOT	PRINTER INK CARTRIDGE HP10 TO SUIT A HP 1200 SERIES LASERJET	-119.00
EFT61246	22/07/2010	ALBANY OFFICE PRODUCTS - LIBRARY	FMP WORK READINESS KITS	-373.15
EFT61247	22/07/2010	ALINTA	GAS USAGE CHARGES	-9793.60
EFT61248	22/07/2010	ANGUS AND ROBERTSON BOOK WORLD	NEWSPAPERS/BOOKS/MAGAZINES/STATIONERY	-214.86
EFT61249	22/07/2010	ARDESS NURSERY	PLANT SUPPLIES - Wilson St	-113.30
EFT61250	22/07/2010	ART ON THE MOVE	10 x DRIFTING IN MY OWN LAND CATALOGUES	-210.00
EFT61251	22/07/2010	ARTCRAFT PTY LTD	Wheel Stoppers (1780mm X100mm)	-929.50
EFT61252	22/07/2010	ATC WORK SMART	CASUAL STAFF - JANINE STANTON	-1351.78
EFT61253	22/07/2010	AUDIOCOM ALBANY	REPLACEMENT NOKIA 6120	-219.00
EFT61254	22/07/2010	AUSSIE DRAWCARDS PTY LTD	ADVERTISING - ANNUAL WAREHOUSING FEE 1/7/2010 - 30/6/2011	-856.00
EFT61255	22/07/2010	AUSTRALIAN INSTITUTE OF MANAGEMENT WESTERN AUSTRALIA	STAFF TRAINING	-1440.00
EFT61256	22/07/2010	BT EQUIPMENT PTY LTD	VEHICLE PARTS	-2129.49
EFT61257	22/07/2010	BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	-499.06
EFT61258	22/07/2010	BARE FACTS	SPRUNG CO-ORDINATION	-1120.00
EFT61259	22/07/2010	ADVANCED TRAFFIC MANAGEMENT	Hours Hire of Traffic Control (4 Controllers plus 2 vehicles)	-4865.22
EFT61260	22/07/2010	BINDOON TRACTORS PTY LTD	VEHICLE PARTS/MAINTENANCE	-1306.14
EFT61261	22/07/2010	ALBANY BOBCAT SERVICES	Bush and Coastal Reserves Projects Mt Clarence	-2720.00
EFT61262	22/07/2010	BOLLIG DESIGN GROUP	Stage 1 (Development of construction drawings for tender) to Tender Award	-13205.16
EFT61263	22/07/2010	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	-4.61
EFT61264	22/07/2010	C&C MACHINERY CENTRE	VEHICLE MAINTENANCE/PARTS	-193.99
EFT61265	22/07/2010	J & S CASTLEHOW ELECTRICAL SERVICES	OFFICE ALTERATIONS - DISCONNECTION OF POWER/DATA/PHONE, ETC	-25867.23
EFT61266	22/07/2010	CHILDREN'S BOOK COUNCIL OF AUSTRALIA	CBW Merchandise for Book Week	-154.50
EFT61267	22/07/2010	CITY OF ALBANY BAND INCORPORATED	TOWN HALL THEATRE EXPENSES - CLOWNING AROUND	-145.00
EFT61268	22/07/2010	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	-269069.23
EFT61269	22/07/2010	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	-261.12
EFT61270	22/07/2010	COLRAY EXHAUST AND TOWBAR	VEHICLE PARTS	-25.00
EFT61271	22/07/2010	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	-446.91
EFT61272	22/07/2010	COURIER AUSTRALIA	FREIGHT FEES	-219.68
EFT61273	22/07/2010	COVENTRYS	VEHICLE PARTS	-238.74
EFT61274	22/07/2010	HOLCIM (AUSTRALIA) PTY LTD	Supply m3 of 20 x 20 concrete with stage 1 rapid set	-417.01
EFT61275	22/07/2010	LANDGATE	TITLE SEARCHES	-4166.34

EFT61276	22/07/2010	DEPARTMENT OF TRANSPORT	ANNUAL JETTY FEE - PRIVATE JETTY - PUBLIC BOAT PEN SWARBRICK STREET EMU POINT	-32.65
EFT61277	22/07/2010	G & M DETERGENTS & HYGIENE SERVICES ALBANY	HYGIENE CONTRACT	-1561.03
EFT61278	22/07/2010	DIGITAL NETWORKS AUSTRALIA	SA-ENT005 - SAWMILL ENTERPRISE (5 PROFILES)	-2814.90
EFT61279	22/07/2010	FLIPS ELECTRICS	Repair pump starter at Callistemon Park	-160.00
EFT61280	22/07/2010	FRANEY & THOMPSON	TIMBER SUPPLIES	-3135.02
EFT61281	22/07/2010	GLASS SUPPLIERS	REGLAZE WINDOWS/DOORS	-217.25
EFT61282	22/07/2010	SOUTHERN BRAKE & SERVICES	VEHICLE PARTS/SERVICE	-39.00
EFT61283	22/07/2010	GREAT SOUTHERN GROUP TRAINING	APPRENTICES FEES	-7453.76
EFT61284	22/07/2010	GREENMAN TRADING COMPANY	BARNESBY DRIVE cut 3 pine trees & remove	-6160.00
EFT61285	22/07/2010	GREENLINE AG PTY LTD	CHUTES	-632.48
EFT61286	22/07/2010	GSM AUTO ELECTRICAL	VEHICLE PARTS/MAINTENANCE	-607.98
EFT61287	22/07/2010	HAYNES ROBINSON	LEGAL FEES - WESTERBERG EXTENSION OF EXISTING LEASE	-1100.00
EFT61288	22/07/2010	HELEN LEEDER-CARLSON	MENTORED CURATOR	-650.00
EFT61289	22/07/2010	HUDSON HENNING AND GOODMAN	LEGAL FEES	-798.22
EFT61290	22/07/2010	INFRASTRUCT CONTRACTING P/L	Pruning of Eden Road	-35887.50
EFT61291	22/07/2010	INTERLINK COMMERCIAL INTERIORS WA - UCI	NORTH ROAD - BUILDING MAINTENANCE	-4345.00
EFT61292	22/07/2010	JOHN KINNEAR AND ASSOCIATES	Cockburn Road/Lockyer Ave intersection - Federal Black spot	-990.00
EFT61293	22/07/2010	JUST SEW EMBROIDERY	EMBROIDERY	-134.75
EFT61294	22/07/2010	KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	-874.30
EFT61295	22/07/2010	LAND LINE ENTERPRISES PTY LTD	Construction of crossover on Menang Drive	-45744.60
EFT61296	22/07/2010	LYONS AIRCONDITIONING SERVICES (WA) PTY LTD	REPAIRS/MAINTENANCE AIR CONDITIONER	-213.00
EFT61297	22/07/2010	M & B SALES PTY LTD	PASLODE NAILS	-137.78
EFT61298	22/07/2010	ALBANY PARTY HIRE	NAIDOC WEEK EQUIPMENT HIRE	-2859.30
EFT61299	22/07/2010	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	-69.94
EFT61300	22/07/2010	MATT GOODWIN PLUMBING & GAS	INSTALLATION OF BOILER	-10249.00
EFT61301	22/07/2010	MCINTOSH AND SON	VEHICLE PARTS	-1361.14
EFT61302	22/07/2010	METROOF ALBANY	BUILDING MATERIALS	-850.03
EFT61303	22/07/2010	MIDALIA STEEL PTY LTD	STEEL SUPPLIES	-25.15
EFT61304	22/07/2010	MINTER ELLISON LAWYERS	LEASE - GRASMERE WIND FARM	-444.51
EFT61305	22/07/2010	MODERN TEACHING AIDS PTY LTD	SCHOOL ART BOOK 2010 PROMO CAT	-59.07
EFT61306	22/07/2010	MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINT	-828.30
EFT61307	22/07/2010	PN & ER NEWMAN QUALITY CONCRETE PRODUCTS	FOOTPATH SLABS	-396.00
EFT61308	22/07/2010	ORICA AUSTRALIA P/L	CHLORINE SUPPLIES	-344.52
EFT61309	22/07/2010	PARKS AND LEISURE AUSTRALIA	REGISTRATION FEES - MAKING PLACES CHANGE SPACES CONFERENCE ON 28 JULY 2010	-176.00
EFT61310	22/07/2010	PLASTICS PLUS	8 X 240 LITRE BINS - DARK GREEN WITH RED LID	-963.43
EFT61311	22/07/2010	RADIOWEST BROADCASTERS PTY LTD	ALBANY CLASSIC ADVERTISING	-264.00
EFT61312	22/07/2010	REECE PTY LTD	2 ROLLS OF 100 MM X 20 MTR DRAINAGE COIL	-335.72
EFT61313	22/07/2010	SALES EXCHANGE	ADMIN-BUILDING EQUIPMENT - RANGERS OFFICE	-6660.00
EFT61314	22/07/2010	UNITED TOOLS ALBANY	Gas regulator for the new mini mig welder	-129.65
EFT61315	22/07/2010	SECUREPAY PTY LTD	WEB PAYMENTS - SEAT ADVISOR PRICING TRANSACTION FEE	-28.51

EFT61316	22/07/2010	SENIOR CITIZENS CENTRE OF MEALS ON WHEELS ALBANY INC	COMMUNITY FINANCIAL ASSISTANCE - INSTALLATION OF LIGHTS IN HALL	-3300.00
EFT61317	22/07/2010	SERENITY PARK	DISPOSAL OF DOGS	-330.00
EFT61318	22/07/2010	G & L SHEETMETAL	C/BOND OUTLET	-11.00
EFT61319	22/07/2010	DIANE SHEEHAN	CURATION OF THE GREAT SOUTHERN MOONGAR EXHIBITION	-2190.00
EFT61320	22/07/2010	SHIRE OF DENMARK	GRANT ACQUITTAL - PEACEFUL BAY TRANSFER STATION	-2479.40
EFT61321	22/07/2010	SKILL HIRE WA PTY LTD	CASUAL STAFF	-4742.32
EFT61322	22/07/2010	SMITHS ALUMINIUM & 4WD CENTRE	To modify the existing mounting points and manufacture 2 new ladders with removable lower section	-1354.00
EFT61323	22/07/2010	SOUTHERN STATIONERY	STATIONERY	-16.95
EFT61324	22/07/2010	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	-514.27
EFT61325	22/07/2010	SOUTHERN WATER CARTS	Remove water from sumps to connect drainage system	-880.00
EFT61326	22/07/2010	SOUTHERN SODABLAST	Soda blasting of the Middleton Beach pontoon	-1500.00
EFT61327	22/07/2010	SPOTLIGHT	CRAFT SUPPLIES SCHOOL HOLIDAY PROGRAM	-285.81
EFT61328	22/07/2010	DEPARTMENT OF PREMIER & CABINET	GOVERNMENT GAZETTE ADVERTISING	-74.70
EFT61329	22/07/2010	SAI GLOBAL LTD	INTERNET DOWNLOAD	-129.44
EFT61331	22/07/2010	ST JOHN AMBULANCE AUSTRALIA	STAFF TRAINING - FIRST AID	-465.00
EFT61332	22/07/2010	ALBANY LOCK SERVICE	LOCKSMITH SERVICES,REPAIRS ETC	-286.95
EFT61333	22/07/2010	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	-488.77
EFT61334	22/07/2010	THE VEGIE SHOP	GROCERIES	-138.50
EFT61335	22/07/2010	THINKWATER ALBANY	franklin fps 18/12 7.5kw stainless steel submersible pump	-8530.07
EFT61336	22/07/2010	TOTAL EDEN	IRRIGATION SUPPLIES	-8170.00
EFT61337	22/07/2010	TRAILBLAZERS	SAFETY EQUIPMENT & SUPPLIES	-260.10
EFT61338	22/07/2010	TRUCKLINE	VEHICLE PARTS	-57.12
EFT61339	22/07/2010	TRU-BLU GROUP PTY LTD	Hire of the EWP from Tru Blu - removal vertical banners from York St	-260.00
EFT61340	22/07/2010	ALBANY TYREPOWER	VEHICLE REPAIRS/PARTS/MAINTENANCE	-1358.00
EFT61341	22/07/2010	VANCOUVER WASTE SERVICES	GREEN WASTE SERVICES	-16658.56
EFT61342	22/07/2010	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	-75.60
EFT61343	22/07/2010	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING	-2732.54
EFT61344	22/07/2010	WESTSHRED DOCUMENT DISPOSAL	DOCUMENT DISPOSAL	-313.50
EFT61345	22/07/2010	WIN TELEVISION WA PTY LTD	ALBANY CLASSIC TV ADVERTISING	-1453.10
EFT61346	22/07/2010	WOOD AND GRIEVE ENGINEERS	DESIGN OF ROAD UPGRADE NEWBEY ST	-11781.00
EFT61347	22/07/2010	YAKKA PTY LTD	UNIFORMS	-503.46
EFT61348	22/07/2010	ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	-47.36
EFT61349	26/07/2010	CROKER LACEY GRAPHIC DESIGN	THE WEST EGN ADVERTS	-803.00
EFT61350	29/07/2010	AAPT LIMITED	TELEPHONE CHARGES	-27.50
EFT61351	29/07/2010	ABA SECURITY	Monitoring of alarm system at Mercer Rd Depot from 1 July - 30 September 2010	-467.98
EFT61352	29/07/2010	ACTIV FOUNDATION INC.	CLEANING RAGS	-800.00
EFT61353	29/07/2010	AEC SYSTEMS PTY LTD	STAFF TRAINING - CIVIL 3D INTRODUCTION COURSE	-1100.00
EFT61354	29/07/2010	ALBANY ADVERTISER LTD	JUNE NEWSPAPERS	-706.90
EFT61355	29/07/2010	ALBANY PRINTERS	Time Books	-250.00

EFT61356	29/07/2010	ALBANY SOIL AND CONCRETE TESTING	MATERIALS TESTING FOR NORTH ROAD ROUNDABOUTS	-2744.50
EFT61357	29/07/2010	ALBANY STATIONERS	STATIONERY ITEMS	-149.15
EFT61358	29/07/2010	ALBANY INDOOR PLANT HIRE	INDOOR PLANT HIRE	-980.31
EFT61359	29/07/2010	ALBANY COMMUNITY RADIO INC.	MAST RENTAL - MT CLARENCE MARCH 2010 - FEB 2011	-660.00
EFT61360	29/07/2010	ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY ITEMS	-636.75
EFT61361	29/07/2010	ALBANY NEWS DELIVERY	NEWSPAPER DELIVERIES	-124.40
EFT61362	29/07/2010	ALBANY OFFICE PRODUCTS - VAC	STATIONERY SUPPLIES	-56.40
EFT61363	29/07/2010	ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	-265.85
EFT61364	29/07/2010	ANGUS AND ROBERTSON BOOK WORLD	NEWSPAPERS/BOOKS/MAGAZINES/STATIONERY	-240.44
EFT61365	29/07/2010	ATC WORK SMART	CASUAL STAFF - J STANTON	-1400.03
EFT61366	29/07/2010	AUSTRALIA WIDE TAXATION	TAXATION AND PAYROLL TRAINING	-435.00
EFT61367	29/07/2010	A-WEST DISTRIBUTORS	AIRA MODEL HH 1670 - IL2E2 LAARS MIGHTYTHERM LPG GAS HEATER	-22000.00
EFT61368	29/07/2010	BAREFOOT CLOTHING MANUFACTURERS	UNIFORMS	-136.40
EFT61369	29/07/2010	BENNETTS BATTERIES	BATTERY PURCHASES	-302.72
EFT61370	29/07/2010	ADVANCED TRAFFIC MANAGEMENT	Hire of Traffic Control on 28 June 2010(2 Controllers plus 1 vehicle)	-3939.60
EFT61371	29/07/2010	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	-70.00
EFT61372	29/07/2010	TRISSET BOSS BUSINESS FORMS	LASER CHEQUES MUNI FUND ACCOUNT 27001 - 29000	-781.00
EFT61373	29/07/2010	AIR BP	AVGAS PURCHASES	-487.37
EFT61374	29/07/2010	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	-38.30
EFT61375	29/07/2010	CAMLIN SPRINGS WATER DISTRIBUTORS	WATER CONTAINER REFILLS	-552.00
EFT61376	29/07/2010	STACEY CARTER	TRAINING REIMBURSEMENTS	-144.29
EFT61377	29/07/2010	SYNERGY GRAPHICS	ARTWORK FOR ALBANY CENTRAL AREA MASTERPLAN	-99.00
EFT61378	29/07/2010	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	-205.78
EFT61379	29/07/2010	COFFEY ENVIRONMENTS PTY LTD	YAKAMIA ENVIRONMENTAL REVIEW	-6180.63
EFT61380	29/07/2010	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	-304.59
EFT61381	29/07/2010	COURIER AUSTRALIA	FREIGHT FEES	-379.95
EFT61382	29/07/2010	COVENTRYS	VEHICLE PARTS	-447.89
EFT61383	29/07/2010	CROWNE PLAZA PERTH	ACCOMMODATION FOR MAYOR MILTON EVANS AND MRS EVANS	-715.50
EFT61384	29/07/2010	HOLCIM (AUSTRALIA) PTY LTD	Concrete footings for new flagpoles at York street memorial	-290.84
EFT61385	29/07/2010	THE LAMINEX GROUP (CULLITY'S)	BUILDING MATERIALS	-117.00
EFT61386	29/07/2010	AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	-9.22
EFT61387	29/07/2010	CYNERGIC COMMUNICATIONS	WEB SITE MAINTENANCE	-987.80
EFT61388	29/07/2010	LANDGATE	TITLE SEARCHES JUNE 2010	-288.59
EFT61389	29/07/2010	DORALANE PASTRIES	Regional meeting provisions	-170.98
EFT61390	29/07/2010	EASIFLEET MANAGEMENT	Payroll deductions	-815.84
EFT61391	29/07/2010	FARM FRESH WHOLESALERS	CATERING SUPPLIES	-182.20
EFT61392	29/07/2010	GALLERY 500	WORKSHOP PROGRAM - RAW SIENNA	-19.55
EFT61393	29/07/2010	GRACE REMOVALS GROUP	Removal Costs - RATES OFFICER	-4785.00
EFT61394	29/07/2010	GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	-88.95
EFT61395	29/07/2010	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING PRODUCTS	-759.22
EFT61396	29/07/2010	CPG RESEARCH AND ADVISORY PTY LTD	GROVE PORTFOLIO ONLINE FEE STATEMENT 1 - 30 JUNE 2010	-69.68

EFT61397	29/07/2010	PROTECTOR FIRE SERVICES PTY LTD	5 kg fire Extinguisher rangers new office at Mercer Road depot.	-379.50
EFT61398	29/07/2010	RATTEN & SLATER MACHINERY	VEHICLE PARTS	-705.40
EFT61399	29/07/2010	HUDSON HENNING AND GOODMAN	LEGAL EXPENSES	-3403.40
EFT61400	29/07/2010	IBM AUSTRALIA LTD	MONTHLY SCHEDULE FOR SERVICES, IBM EXPRESS MANAGED SERVICES	-1307.08
EFT61401	29/07/2010	ISIS CAPITAL LIMITED	MONTHLY GYM EQUIPMENT	-3494.82
EFT61402	29/07/2010	JG KELLY & YW ATTWELL	CONTRIBUTION TO SECTION OF ARGYLL STREET BETWEEN LITTLE OXFORD STREET AND OXFORD STREET WAPC 131863	-38137.00
EFT61403	29/07/2010	KEVIN ROY KETTERER	US NON IMMIGRANT VISA FOR STUDY TOUR	-172.60
EFT61404	29/07/2010	KOSTERS STEEL CONSTRUCTION PTY LTD	REIMBURSE FEE FOR APPLICATION FOR P2105143 PLANNING SCHEME CONSENT FOR 36 VANCIOUVER STREET WHICH IS NOT REQUIRED	-75.00
EFT61405	29/07/2010	LORLAINE DISTRIBUTORS PTY LTD	CLEANING PRODUCTS	-165.55
EFT61406	29/07/2010	M & A STEEL FABRICATION	Set of four culvert pipe guards	-1353.00
EFT61407	29/07/2010	MIDALIA STEEL PTY LTD	STEEL SUPPLIES	-155.10
EFT61408	29/07/2010	JOHN MOIR	RUBBISH REMOVAL FROM CAPE RICHE -	-480.00
EFT61409	29/07/2010	ROBBIE MONCK	TRAINING AND CONFERENCES REIMBURSEMENTS	-51.70
EFT61410	29/07/2010	LGIS INSURANCE BROKING	INSURANCES - BUSH FIRE	-86481.83
EFT61412	29/07/2010	OKEEFE'S PAINTS	Crime Prevention Materials - Paint and painting equipment	-543.60
EFT61413	29/07/2010	TERRI PALFREY	TRAINING COSTS	-138.50
EFT61414	29/07/2010	SEEK LIMITED	ADVERTISING BUSINESS ANALYST	-214.50
EFT61415	29/07/2010	SERVICE FINANCE CORPORATION LIMITED	LEASE AGREEMENT 1 X NEW LA CIMBALI PLUS 22 GROUP COFFEE MACHINE	-321.76
EFT61416	29/07/2010	SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING GOODS	-817.39
EFT61417	29/07/2010	SOUTH COAST DIVING SUPPLIES	REFILLING OF BA TANKS	-42.00
EFT61418	29/07/2010	SPECTRUM THEATRE INC	TOTAL INCOME FROM BOX OFFICE - BIG BAD MOUSE	-6169.52
EFT61419	29/07/2010	SPORTSWORLD OF WA	SPORTS STORE STOCK	-1800.81
EFT61420	29/07/2010	STABILISATION TECHNOLOGY	PAVEMENT REPAIRS - ALBANY HIGHWAY AND ADDITIONAL COSTS	-11231.55
EFT61421	29/07/2010	ALBANY LOCK SERVICE	130A DEPOT GATE PADLOCK FOR GEORGE STREET	-76.95
EFT61422	29/07/2010	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	-146.30
EFT61423	29/07/2010	THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES FOR ALAC CAFE	-449.00
EFT61424	29/07/2010	TOTAL EDEN	GARDEN SUPPLIES	-79.56
EFT61425	29/07/2010	TRAILBLAZERS	SAFETY EQUIPMENT & SUPPLIES	-55.15
EFT61426	29/07/2010	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	-32.00
EFT61427	29/07/2010	UNITEST INSTRUMENTS	Training - Cable & Pipe Locating courses - 26 people	-4587.00
EFT61428	29/07/2010	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	-228.14
EFT61429	29/07/2010	WESTRAC EQUIPMENT PTY LTD	VEHICLE PARTS	-153.38
EFT61430	29/07/2010	LANDMARK LIMITED	3M gates c/w hinges	-518.29
EFT61431	29/07/2010	WESTERN WORK WEAR	SAFETY EQUIPMENT & SUPPLIES	-230.00
EFT61432	29/07/2010	BEN WHITFIELD	MEETING WITH DOP AND STORM WATER SEMINAR REIMBURSEMENTS	-91.90

EFT61433	29/07/2010 WOOD AND GRIEVE ENGINEERS	Emu Point Toilet to carry out Superintendents Instruction 1 and administrate Tricoast variation orders 1 and 2 extra over original contracted works.	-1127.50
EFT61434	29/07/2010 ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	-56.29
		<b>Total</b>	<b>5,334,375.49</b>

TRUST CHEQUES AND ELECTRONIC FUNDS TRANSFER PAYMENTS

EFT	Date	Name	Description	Amount
26597	08/07/2010	URBAN BUILDING CO	RETURN OF DEFECTS BOND FOR PAVING WORKS AT VANCOUVER ARTS - CENTRE (PRO308)	323.50
EFT61435	30/07/2010	ALBANY RETICULATION	PARTIAL RETURN OF OUTSTANDING WORKS BOND T923 WAPC 122777	24,364.00
			<b>TOTAL</b>	<b>24,687.50</b>

MASTERCARD TRANSACTIONS

Date	Payee	Description	Amount
11-June-2010	Skywest Airlines Pty Ltd	Air fares - DPI - Traffic Modelling	694.00
11-June-2010	Aust Institute of Management	Course fees - J Ferry, M Organ and V Duncan	2,415.00
14-June-2010	Rendezvous Observation	Course accommodation - J Ferry, M Organ and V Duncan	1,134.00
31-May-2010	Avant Hotels Australia	Accommodation - Perth - M Evans	245.00
14-June-2010	Zumba Fitness	Fitness workshop fee - T Palfrey	269.42
14-June-2010	Zumba Fitness	Fitness workshop fee - S Carter	269.42
21-June-2010	Selex Sistemi Integration Inc	Airport maintenance - Switches	1,029.51
Various	Sundry < \$ 200.00		557.65
		<b>Total MasterCard Expenditure - July 2010</b>	<b>6,614.00</b>

Payroll - July 2010

Date	Description	Amount
01-July-2010	Sundry Pay	7,235.00
01-July-2010	Sundry Pay	404.00
01-July-2010	Sundry Pay	779.00
05-July-2010	Sundry Pay	2,088.00
05-July-2010	Sundry Pay	247.00
05-July-2010	Sundry Pay	84.00
05-July-2010	Sundry Pay	34.00
14-July-2010	Payroll	394,178.80
15-July-2010	Sundry Pay	500.00
23-July-2010	Sundry Pay	1,418.70
28-July-2010	Payroll	394,200.08
28-July-2010	Sundry Pay	255.43
30-July-2010	Sundry Pay	504.05
<b>Total Payroll (net payments) - July 2010</b>		<b>801,928.06</b>

Chq	Date	Name	Description	Amount
26530	01/07/2010	MR ROBERT MITCHELL	REIMBURSEMENT FOR MC WHO ATTENDED OPENING OF THE ANZAC PEACE PARK - 1 NIGHTS ACCOMODATION	129.00
26531	01/07/2010	VANESSA WEINERT	REIMBURSEMENT DUE TO LOW WATER TEMPERATURE	245.00
26532	01/07/2010	URSULA CARTER	RE-IMBURSEMENT DUE TO LOW WATER TEMPERATURE	73.70
26534	01/07/2010	ALBANY SENIOR HIGH SCHOOL	TOTAL INCOME FROM BOX OFFICE	428.40
26535	01/07/2010	ALBANY PUBLIC LIBRARY	TEA MONIES FOR APRIL, MAY & JUNE 2010 @ \$72 PER MONTH	216.00
26536	01/07/2010	ALBANY FISH & CHIPS	FOOD FOR YAC	92.70
26537	01/07/2010	CHOOKS FRESH & TASTY - ALBANY	FMP Catering Session 9	67.60
26538	01/07/2010	CITY OF PERTH	LOST/DAMAGED BOOKS	17.60
26539	01/07/2010	DEPARTMENT FOR PLANNING & INFRASTRUCTURE	AMAZING ALBANY NUMBER PLATES	150.00
26540	01/07/2010	EAGLE BOYS PIZZA	FMP Catering Session 10. 9 Pizzas	152.10
26541	01/07/2010	DEPARTMENT OF JUSTICE - FINES ENFORCEMENT	OVER DUE INFRINGEMENTS	1,247.00
26542	01/07/2010	SALLY MILNE	COMMUNITY FINANCIAL ASSISTANCE - HERITAGE CONSERVATION	1,980.00
26543	01/07/2010	PETTY CASH - ALBANY AQUATIC AND LEISURE CENTRE	GYM FOAM ROLLER	95.30
26544	01/07/2010	PETTY CASH - DEPOT	PETTY CASH REIMBURSEMENTS	250.60
26545	01/07/2010	PETTY CASH - ALBANY REGIONAL DAY CARE CENTRE	PETTY CASH REIMBURSEMENTS	97.70
26546	01/07/2010	PETTY CASH - ALBANY PUBLIC LIBRARY	PETTY CASH REIMBURSEMENTS	286.45
26547	01/07/2010	PETTY CASH - CITY OF ALBANY	PETTY CASH REIMBURSEMENTS	446.70
26548	01/07/2010	PETTY CASH - VANCOUVER ARTS CENTRE	PETTY CASH REIMBURSEMENTS	181.30
26549	01/07/2010	PETTY CASH - WORKS & SERVICES	PETTY CASH REIMBURSEMENTS	103.10
26550	01/07/2010	PETTY CASH - FORTS	PETTY CASH REIMBURSEMENTS	133.40
26551	01/07/2010	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	90.00
26552	01/07/2010	WATER CORPORATION	WATER CONSUMPTION	2,285.60
26553	01/07/2010	WESTERN POWER	Western Power LV Tree Pruning Training 2 June 2010	3,476.05
26554	01/07/2010	DAVID BOSTOCK	COUNCILLOR ALLOWANCE - Q1	2,350.00
26555	01/07/2010	RAY HAMMOND	COUNCILLOR ALLOWANCE - Q1	2,350.00
26556	01/07/2010	CHRISTOPHER HOLDEN	COUNCILLOR ALLOWANCE - Q1	2,350.00
26557	07/07/2010	AMP FLEXIBLE LIFETIME SUPER PLAN	Superannuation contributions	788.01
26558	07/07/2010	ASGARD	Superannuation contributions	424.56
26559	07/07/2010	COMMONWEALTH BANK SUPERANNUATION SAVINGS ACCOUNT	Superannuation contributions	474.03
26560	07/07/2010	COMMONWEALTH LIFE PERSONAL SUPER FUND	Superannuation contributions	755.49
26561	07/07/2010	GENERATIONS PERSONAL SUPER FUND	Superannuation contributions	337.37
26562	07/07/2010	HESTA SUPER FUND	Superannuation contributions	678.88
26563	07/07/2010	HSTPLUS PTY LTD	Superannuation contributions	521.09
26564	07/07/2010	MLC NOMINEES PTY LTD	Superannuation contributions	274.86
26565	07/07/2010	NATIONAL MUTUAL RETIREMENT FUND	Superannuation contributions	203.01
26566	07/07/2010	PERPETUAL WEALTH FOCUS SUPER PLAN	Superannuation contributions	999.99
26567	07/07/2010	TOWER TRUST LIMITED	Superannuation contributions	408.07
26568	07/07/2010	UNI SUPER	Superannuation contributions	305.88
26569	07/07/2010	VIRGIN SUPERANNUATION (ANDREW BELL 342492)	Superannuation contributions	68.05

26570	08/07/2010	KELLIE BLACK	RE-IMBURSEMENT DUE TO LOW WATER TEMP - ALICE BLACK	-	73.70
26571	07/07/2010	DEB LOWE	RE-IMBURSEMENT DUE TO LOW WATER TEMPS - NOAH LOWE	-	53.60
26572	08/07/2010	TRACEY BOCIAN	CROSSOVER SUBSIDY 21 GREEN ISLAND BAYONET HEAD	-	170.33
26573	08/07/2010	DION MARWICK	CROSSOVER SUBSIDY 24 PAUL TERRY DRIVE BAYONET HEAD	-	241.00
26574	08/07/2010	CODY HULKES AND SARAH DICKSON	CROSSOVER SUBSIDY 79 RADIATA DRIVE MCKAIL	-	182.11
26575	08/07/2010	JOHN AND SALLY ANNE GREER	CROSSOVER SUBSIDY 73 RADIATA DRIVE MCKAIL	-	182.11
26576	08/07/2010	SCOTT AND RACHELLE WEAVER	CROSSOVER SUBSIDY 4 ROOME ROAD MCKAIL	-	114.14
26577	08/07/2010	TERRY AND ROBYN SOBRY	CROSSOVER SUBSIDY 1 ORION AVENUE MCKAIL	-	196.83
26578	08/07/2010	ZALDITO AND ERIBERLIZA SUNIT	CROSSOVER SUBSIDY 14 ORION AVENUE MCKAIL	-	155.60
26579	08/07/2010	SHEILA FRANKEN	CROSSOVER SUBSIDY 12 NEPTUNE ROAD MCKAIL	-	193.89
26580	08/07/2010	VICKI LOLLBACK	CROSSOVER SUBSIDY 1 NARANG STREET ALBANY	-	241.00
26581	08/07/2010	SHARON MCCAUGHAN	CROSSOVER SUBSIDY 29 PAUL TERRY DRIVE	-	211.55
26582	08/07/2010	COLIN AND ANDREA HYDE	CROSSOVER SUBSIDY 12 PRICE STREET BAYONET HEAD	-	158.55
26584	08/07/2010	DOMENICO AND EMIMA SODANO	CROSSOVER SUBSIDY LOT 205 DISCOVERY DRIVE	-	217.44
26585	08/07/2010	NORMAN FREDERICK JOHN BADGER	TRAVELLING ALLOWANCE - FORTS VOLUNTEER	-	170.40
26586	08/07/2010	ROBYN BAKER	EMERGING ARTIST PAYMENT	-	400.00
26587	08/07/2010	PETER HOWARD BIRD	TRAVELLING ALLOWANCE - FORTS VOLUNTEER	-	234.60
26588	08/07/2010	CITY OF SUBIACO	LOST/DAMAGED LIBRARY BOOK	-	16.50
26589	08/07/2010	MATHEW ELSY AND TENNIELLE NESBITT	CROSSOVER SUBSIDY 8 MCCARDELL CRESENT BAYONET HEAD	-	199.77
26590	08/07/2010	EAGLE BOYS PIZZA	FMP Catering session 8	-	73.60
26591	08/07/2010	ADRIAN JOSEPH HINDS	FORTS VOLUNTEER TRAVELLING ALLOWANCE	-	750.00
26592	08/07/2010	BRIAN HOPE	FORTS VOLUNTEER TRAVELLING ALLOWANCE	-	720.00
26593	08/07/2010	KMART ALBANY	DVD - BRAN NUJ DAE	-	28.00
26594	08/07/2010	SOBRANE SIMCOCK	EMERGING ARTIST FUND PAYMENT	-	400.00
26595	08/07/2010	WATER CORPORATION	REPAIR COST	-	83.55
26598	08/07/2010	WATER CORPORATION	Water main diversion at Le Grande Avenue	-	25,086.00
26599	15/07/2010	VALERIE DICKMANN	SALE OF ARTWORKS AT VANCOUVER ARTS CENTRE	-	117.00
	15/07/2010	ANDREA CAMPBELL	SWIM LESSON REIMBURSEMENT DUE TO LOW WATER TEMPERATURE	-	143.90
26600	15/07/2010	TRI-SERVICE DINNR COMMITTEE	TRI-SERVICES FOR DINNER FOR MAYOR AND MRS EVANS	-	90.00
26601	15/07/2010	JOHN BOCCAMAZZO	CROSSOVER SUBSIDY FOR 8 TRIO CRESENT	-	205.66
26602	15/07/2010	ALBANY FILTERCLEAN	4 FILTERS CHANGED	-	28.00
26603	15/07/2010	AUST INSTITUTE OF BUILDING SURVEYORS	THE AUSTRALIAN BUILDING SURVEYOR MAGAZINE SUBSCRIPTION JULY 10 TO JUNE 11	-	55.00
26604	15/07/2010	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	-	821.40
26605	15/07/2010	KMART ALBANY	ASSORTED ITEMS FOR SCHOOL HOLIDAY PROGRAM	-	46.00
26606	15/07/2010	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	-	14,509.43
26607	15/07/2010	WRITING WA INC	MEMBERSHIP RENEWAL 18/07/10 - 18/07/11	-	110.00
26608	22/07/2010	WAYNE DENNIS	OVERPAYMENT ON BUILDING LICENCE 300656	-	-85.00
26609	22/07/2010	LAURA WAIT	SWIM LESSON RE-IMBURSEMENT DUE TO LOW WATER REMP - JACOB KEENAN	-	-73.70
26610	22/07/2010	MICHELLE BETTI	CROSSOVER SUBSIDY 20 NOTLEY STREET	-	-208.61
26611	22/07/2010	JOHAN & JOSINA MOLLER	CROSSOVER SUBSIDY 9 TRIO CRESENT	-	-214.50
26612	22/07/2010	TIMOTHY WILKINSON	CROSSOVER SUBSIDY 18 MOON PARADE	-	-158.55
26613	22/07/2010	SHANE COLE-ANTHONY ORZEL	CROSSOVER SUBSIDY 67 CARBINE STREET	-	-270.45

26614	22/07/2010	CAFIERO PIETROPAOLO	CROSSOVER SUBSIDY 28 ADMIRAL STREET	-243.95
26615	22/07/2010	KEVIN & LORRAINE ROSER	CROSSOVER SUBSIDY 25 GALLE STREET	-252.78
26616	22/07/2010	LORRAINE & BARRY ROBSON	CROSSOVER SUBSIDY 21 HUME CORNER	-199.77
26619	22/07/2010	CALTEX YORK STREET	FUEL PURCHASES	-338.60
26620	22/07/2010	CAMERON CARAVANS	1 x WAEACO CF40 & TWOZONE EZY MOVE	-1029.00
26621	22/07/2010	DAVIES, PETA	EMERGING ARTIST FUND PAYMENT	-1200.00
26622	22/07/2010	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	-759.60
26623	22/07/2010	KENNETH DUDLEY GREATHEAD	Rates refund for assessment A66153	-121.18
26624	22/07/2010	KAYE EMBLETON	ART CLASSES SCHOOL HOLIDAY PROGRAM	-900.00
26625	22/07/2010	PETTY CASH - ALBANY AQUATIC AND LEISURE CENTRE	UMPRING FEES	-1700.00
26626	22/07/2010	SENSIS PTY LTD	YELLOW ONLINE BUSINESS BASICS	-48.40
26627	22/07/2010	PETTY CASH - TOWN HALL	PETTY CASH REIMBURSEMENTS	-472.80
26628	22/07/2010	RAC	RENEWAL BUSINESSWISE ASSIST (4 VEHICLES)	-328.00
26629	22/07/2010	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	-3110.24
26630	22/07/2010	VODAFONE PTY LTD	VODAPHONE CHARGES	-29.00
26631	22/07/2010	WATER CORPORATION	WATER CONSUMPTION - ANNUAL CHARGES - VARIOUS LOCATIONS	-37664.25
26632	29/07/2010	CANDICE CRAIG	SWIM LESSON RE-IMBURSEMENT DUE TO LOW WATER TEMP - HUNTER CRAIG	-87.10
26633	29/07/2010	JOANNE MARSHALL	SWIM LESSON RE-IMBURSEMENT DUE TO LOW WATER TEMP - HUDSON HAGNHAYER	-87.10
26634	29/07/2010	FIONA THOMPSON	SWIM LESSON RE-IMBURSEMENT DUE TO LOW WATER TEMP - MITCHELL THOMPSON	-82.00
26635	29/07/2010	K ELLIS	REFUND OF CANCELLED JULY KIDS WORKSHOP 13/7/2010	-15.00
26636	29/07/2010	NEIL BINNING	CROSSOVER SUBSIDY - 5 KOONWARRA CLOSE KALGAN HEIGHTS	-299.90
26637	29/07/2010	MAVIS BYRNE	Rates refund for assessment A151099	-673.78
26638	29/07/2010	DEPARTMENT OF TRANSPORT	AMAZING ALBANY NUMBER PLATES - 3773A	-150.00
26639	29/07/2010	PETTY CASH - FORTS	HOSE FITTINGS, PIPE ETC	-147.95
26640	29/07/2010	JIM SWANN	PRO-RATA COUNCILLOR SITTING FEE & ALLOWANCES Q1 2010 - 11	-1983.00
26641	29/07/2010	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	-90.00
26643	29/07/2010	DEBORAH SMITH	SWIM LESSON RE-IMBURSEMENT DUE TO LOW WATER TEMP	-53.60
			<b>Total</b>	<b>- 125,293.06</b>

EFT	Date	Name	Description	Amount
EFT60735	01/07/2010	AAPT LIMITED	TELEPHONE CHARGES	27.50
EFT60736	01/07/2010	ABA SECURITY	SECURITY SERVICES	376.75
EFT60737	01/07/2010	AD CONTRACTORS PTY LTD	Hours Hire of D8N Dozer -gravel pit rehabilitation at South coast	26,442.63
EFT60738	01/07/2010	DORA ADELINE	REIMBURSEMENTS - PROFESSIONAL DEVELOPMENT CONFERENCE - CHILDRENS BOOK COUNCIL OF AUSTRALIA	678.75
EFT60739	01/07/2010	ADVERTISER PRINT	COMMUNITY CALENDAR 2010-11	14,201.00
EFT60740	01/07/2010	ALBANY TOYOTA	VEHICLE PARTS/MAINTENANCE	378.04
EFT60741	01/07/2010	ALBANY VALUATION SERVICES	RENTAL VALUATIONS	1,100.00
EFT60742	01/07/2010	ALBANY FARM TREE NURSERY	Bush and Coastal Reserves Projects	3,546.00
EFT60743	01/07/2010	ALBANY STATIONERS	STATIONERY SUPPLIES	201.25
EFT60744	01/07/2010	ALBANY INDOOR PLANT HIRE	INDOOR PLANT HIRE	980.31
EFT60745	01/07/2010	ALBANY HISTORICAL SOCIETY	CLEANING & MANNING THE BRIG AMITY - JUNE 2010	800.00
EFT60746	01/07/2010	ALBANY SCREENPRINTERS & SIGNWRITERS	PROMOTIONAL SHIRTS & STUBBIE HOLDERS	2,007.50
EFT60747	01/07/2010	ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY SUPPLIES	299.00
EFT60748	01/07/2010	ALBANY NEWS DELIVERY	NEWSPAPER DELIVERIES	23.15
EFT60749	01/07/2010	ALBANY LASERSCAPE	FMP FINAL SESSION	240.00
EFT60750	01/07/2010	ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	63.20
EFT60751	01/07/2010	ALEC HENRY PTY LTD	HOLBORN ROAD Cut gum to ground level and remove	1,035.00
EFT60752	01/07/2010	ALINTA	GAS USAGE CHARGES	209.70
EFT60753	01/07/2010	ARTS ON TOUR NSW	TVC COST CREATION FOR FOX	238.12
EFT60754	01/07/2010	ATC WORK SMART	CASUAL STAFF - J STANTON	3,787.12
EFT60755	01/07/2010	BALL BODY BUILDERS	OFF SET GRATES - 1100 X 900 X 150 -FLUSH	38,695.50
EFT60756	01/07/2010	BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	450.82
EFT60757	01/07/2010	BARRETT'S MINI EARTHMOVING & CHIPPING	Removal of Peppermint Tree Be side driveway at 14 Lound St	400.00
EFT60758	01/07/2010	BENARA NURSERIES	PLANT SUPPLIES	561.00
EFT60759	01/07/2010	BENNETTS BATTERIES	200L drum of rubia TIR 15W/40 engine oil.	1,034.00
EFT60760	01/07/2010	ADVANCED TRAFFIC MANAGEMENT	Hours Hire of Traffic Control on 20 May 2010 (5 Controllers plus 2 vehicles)	7,070.27
EFT60761	01/07/2010	BEST OFFICE SYSTEMS	Ricoh SP4210N Laser Printer	3,341.20
EFT60762	01/07/2010	BOLLIG DESIGN GROUP	Landscape Architect design documentation fee	21,285.16
EFT60763	01/07/2010	BORAL CONSTRUCTION MATERIALS GROUP LTD	Litres BITUMEN SUPPLIED, DELIVERY & RESEAL ON HOMESTEAD ROAD	254,301.58
EFT60764	01/07/2010	CABCHARGE AUSTRALIA LIMITED	TAXI FARES	374.55
EFT60765	01/07/2010	CAMTRANS ALBANY PTY LTD	FREIGHT CHARGES	85.09
EFT60766	01/07/2010	CAMLIN SPRINGS WATER DISTRIBUTORS	WATER CONTAINER REFILLS	36.00
EFT60767	01/07/2010	CAMPBELL CONTRACTORS	REPAIRS TO PATH ON CUMING ROAD	11,248.00
EFT60768	01/07/2010	CAPE BYRON IMPORTS	SPORTS STORE PURCHASES	141.34
EFT60769	01/07/2010	JOHN CECIL	BACK UP OF AUDIO BOOK CD'S	66.39
EFT60770	01/07/2010	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	457.78
EFT60771	01/07/2010	SUE CODEE	VANCOUVER ARTS CENTRE MENTORSHIP GRANT	2,200.00

EFT60772	01/07/2010	COFFEY ENVIRONMENTS PTY LTD	ANZAC PEACE PARK MONITORING	-	282.15
EFT60773	01/07/2010	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	-	593.20
EFT60774	01/07/2010	COURIER AUSTRALIA	FREIGHT FEES	-	432.54
EFT60775	01/07/2010	ALBANY SIGNS	SIGNWRITING/SIGN PURCHASES	-	220.00
EFT60776	01/07/2010	COVENTRYS	VEHICLE PARTS	-	271.79
EFT60777	01/07/2010	CROKER LACEY GRAPHIC DESIGN	ADVERTISING ALBANY TRAVELLER MAGAZINE	-	902.00
EFT60778	01/07/2010	DOWNER EDI WORKS PTY LTD	Rapid set emulsion CRS 170	-	11,351.62
EFT60779	01/07/2010	HOLCIM (AUSTRALIA) PTY LTD	Metres of concrete for the rangers new officers	-	806.63
EFT60780	01/07/2010	AL CURNOW HYDRAULICS	Repair hydraulic oil leak on TOYOTA 4SDK8 SKID STEER LOADER	-	451.00
EFT60781	01/07/2010	DEPARTMENT OF TRANSPORT	OWNERSHIP SEARCH FOR MAY	-	194.30
EFT60782	01/07/2010	EASIFLEET MANAGEMENT	Payroll deductions	-	815.84
EFT60783	01/07/2010	EATCHA HEART OUT CAFE	FMP Catering Session 7	-	72.00
EFT60784	01/07/2010	ECO HEALTH HOLDINGS	ENVIRONMENTAL HEALTH SERVICES	-	3,861.00
EFT60785	01/07/2010	RECLAIM INDUSTRIES LIMITED	Purchase of 30 litres of Blinding for soft fall repairs.	-	231.00
EFT60786	01/07/2010	EYERITE SIGNS	SIGNWRITING/SIGN PURCHASES	-	481.80
EFT60787	01/07/2010	FARM FRESH WHOLESALERS	CATERING SUPPLIES	-	161.23
EFT60788	01/07/2010	ALBANY CAMERA HOUSE	DIGITAL PRINTS	-	69.90
EFT60789	01/07/2010	FAT CATS CARWASH	VEHICLE CLEANING	-	44.00
EFT60790	01/07/2010	TAMMY FLETT	YAC YOUTH FORUM REIMBURSEMENT OF CATERING COSTS	-	285.00
EFT60791	01/07/2010	FLIPS ELECTRICS	Construct pump control for 2nd pump at Sanford Rd pump station	-	15,438.50
EFT60792	01/07/2010	FREDERICKSTOWN MOTEL	ACCOMMODATION	-	258.00
EFT60793	01/07/2010	GALLERY 500	ART SUPPLIES	-	355.47
EFT60794	01/07/2010	GORDON WALMSLEY PTY LTD	50mm asphalt overlay on intersection of Pioneer Rd & Lion St	-	53,515.00
EFT60795	01/07/2010	GRASSTREES AUSTRALIA	ALBANY HWY grasstrees	-	1,685.00
EFT60796	01/07/2010	GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	-	155.58
EFT60797	01/07/2010	GREEN SKILLS INC	Bush and Coastal Reserves Projects; Pruning maintenance and track remediation on the Luke Penn walk	-	7,804.50
EFT60798	01/07/2010	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING PRODUCTS	-	630.30
EFT60799	01/07/2010	GREENWAY ENTERPRISES	SUNDRY TOOLS	-	481.53
EFT60800	01/07/2010	GREAT SOUTHERN BEARINGS	OIL SEAL	-	20.24
EFT60801	01/07/2010	GREAT SOUTHERN TURF	30m2 turf	-	150.00
EFT60802	01/07/2010	GT BEARING AND ENGINEERING SUPPLIES	VEHICLE PARTS	-	25.00
EFT60803	01/07/2010	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	-	5,628.15
EFT60804	01/07/2010	TERESA MARY HUGHES	ORGANISATION AND ADMINISTRATION OF BIG TRILL 2010	-	600.00
EFT60805	01/07/2010	IBM AUSTRALIA LTD	MONTHLY SCHEDULE FOR SERVICES, IBM EXPRESS MANAGED SERVICES	-	1,307.08
EFT60806	01/07/2010	INFRASTRUCT CONTRACTING P/L	Mulching of Carisma Road	-	9,477.00
EFT60807	01/07/2010	ALBANY INSTANT RACKING	SUPPLY AND INSTALL ADDITIONAL CANTILEVER RACKING	-	5,218.40
EFT60808	01/07/2010	TOLL IPEC	FREIGHT	-	114.16
EFT60809	01/07/2010	JACK THE CHIPPER	MULCHING SERVICES	-	218.75
EFT60810	01/07/2010	JOHN KINNEAR AND ASSOCIATES	FEATURE SURVEY - BROOK GARDEN	-	660.00
EFT60811	01/07/2010	KLB SYSTEMS	ITEM 332359M - LENOVO X201 LAPTOP	-	5,247.00

EFT60812	01/07/2010	KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	-	1,388.70
EFT60813	01/07/2010	LA FREEGARD	7 Pine trees for removal, cut to ground level	-	14,500.00
EFT60814	01/07/2010	LOCK N STORE SELF STORAGE - ALBANY	3 MONTH RENTAL 20/05/10 - 20/08/10	-	330.00
EFT60815	01/07/2010	THE LORD FORREST HOTEL	TWO NIGHTS ACCOMMODATION FOR KEITH BARNETT	-	343.00
EFT60816	01/07/2010	LOWER KING LIQUOR & GENERAL STORE	RESTOCK OF COUNCIL SUPPLIES	-	151.96
EFT60817	01/07/2010	ALBANY PARTY HIRE	EQUIPMENT HIRE	-	1,603.25
EFT60818	01/07/2010	ALBANY CITY MOTORS	Supply & Deliver NPR300 Medium Cab/Chassis complete with options and accessories	-	172,783.80
EFT60819	01/07/2010	MENS RESOURCE CENTRE INC	TOTAL INCOME FROM BOX OFFICE	-	7,473.02
EFT60820	01/07/2010	MERLE ANNE FLORIST	WREATH FOR US SUBMARINERS MEMORIAL SERVICE	-	80.00
EFT60821	01/07/2010	MERRIFIELD REAL ESTATE	STORAGE RENT	-	200.00
EFT60822	01/07/2010	METROOF ALBANY	BUILDING MATERIALS	-	590.59
EFT60823	01/07/2010	MICHAEL W SMITH	GRAVEL ROYALTIES	-	10,063.90
EFT60824	01/07/2010	MIDALIA STEEL PTY LTD	STEEL SUPPLIES	-	117.36
EFT60825	01/07/2010	MINORBA GRAZING CO	CCAtreated pine poles	-	12,000.00
EFT60826	01/07/2010	MR MOO DAIRY DISTRIBUTORS	SOFT DRINKS FOR ALAC CAFÉ	-	293.95
EFT60827	01/07/2010	ALEX MORRIS	WORKSHOP FACILITATOR - BIG TRILL	-	1,700.00
EFT60828	01/07/2010	ALBANY NEAT AND TRIM LAWNS	MOW LAWN VANCOUVER ARTS CENTRE	-	160.00
EFT60829	01/07/2010	LARA CLARE NORMAN	MUSICAL WORKSHOP	-	300.00
EFT60830	01/07/2010	OPUS INTERNATIONAL CONSULTANTS LTD	Oyster Harbour Drainage Asset Management Plan	-	37,208.26
EFT60831	01/07/2010	ORANA CINEMAS ALBANY	CINEMA ADVERTISING - ALAC	-	175.00
EFT60832	01/07/2010	PALMER EARTHMOVING (AUSTRALIA) PTY LTD	Cubic metres WIN, CRUSH AND STOCKPILE GRAVEL TO -100mm	-	22,213.80
EFT60833	01/07/2010	PIPER ALDERMAN MANAGEMENT PTY LTD	ADMINISTRATION OF LEHMAN BROTHERS	-	600.69
EFT60834	01/07/2010	POWERHOUSE ARCHITECTURAL DRAFTING	Architectural drawings for Ranger's Office - Mercer Road	-	803.00
EFT60835	01/07/2010	R & L BITUMEN REPAIR SERVICES	Box out, level and concrete crossover with exposed aggregate to match existing crossover	-	5,016.00
EFT60836	01/07/2010	RAMPED TECHNOLOGY	Sophos Endpoint/Groupware Security & Control:- 250 Users, 48 Month Agreement	-	20,108.00
EFT60837	01/07/2010	RECHARGE-IT	CLEAN, REFILL AND TEST HP 1300 LASER TONER CARTRIDGE	-	79.20
EFT60838	01/07/2010	REECE PTY LTD	HINGE KIT	-	59.85
EFT60839	01/07/2010	W P REID	Remove existing & construct 3 new concrete wombat crossings on Flinders Parade	-	13,467.00
EFT60840	01/07/2010	ALBANY TRAFFIC CONTROL	TRAFFIC MANAGEMENT PLAN	-	1,870.00
EFT60841	01/07/2010	ROYAL LIFE SAVING SOCIETY AUSTRALIA	TRAINING - LIFE GUARD	-	3,120.00
EFT60842	01/07/2010	SAXXON IT	EXCHANGE TROUBLESHOOTING AND UPGRADE	-	2,640.00
EFT60843	01/07/2010	JAMIE SCALLY	JAMIE THE CLOWN - 30 MINS ON STAGE/ 5HRS FACE PAINTING	-	500.00
EFT60844	01/07/2010	SCREEN AUSTRALIA	A MILLION ACRES A YEAR	-	102.00
EFT60845	01/07/2010	SHEILAH RYAN	GARDENING AT THE VAC	-	550.00
EFT60846	01/07/2010	SHIRE OF PLANTAGENET	REGIONAL INVESTMENT PLAN - DEC	-	26,987.40
EFT60847	01/07/2010	SKAL INTERNATIONAL ALBANY	SKAL MAY MEETING RENEW SPA SALON	-	35.00
EFT60848	01/07/2010	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	-	2,754.27
EFT60849	01/07/2010	SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING GOODS	-	3,257.08

## **2.2: FINANCIAL ACTIVITY STATEMENT – 30 JULY 2010**

<b>File Number (Name of Ward)</b>	: FIN040 - All Wards
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: N/A
<b>Appendices</b>	: <ul style="list-style-type: none"><li>• Statement of Financial Activity as at July 31 2010</li><li>• Balance Sheet as at July 31 2010</li><li>• Income Statement for period ended as at July 31 2010</li><li>• Portfolio Valuation-Market Value as at July 31 2010</li></ul>
<b>Reporting Officer(s)</b>	: Manager of Finance (P Wignall)
<b>Responsible Officer</b>	: Executive Director (WP Madigan)

### **IN BRIEF**

- Detailed Statement of Financial Activity reporting on the revenue and expenditure of the City of Albany for the reporting period ending 30 July 2010

### **BACKGROUND**

1. The Statement of Financial Activity for the period ending 31 May 2010 has been prepared and is listed below.
2. In addition to the statutory requirement to provide the elected group with a Statement of Financial Performance, the City provides the elected group with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

### **DISCUSSION**

3. In accordance with section 34(1) of the Local Government (Financial Management) Regulations 1996, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. For the financial year 2009/10 variations in excess of 10% are reported to the elected group.

**STATEMENT OF FINANCIAL ACTIVITY – AS AT 31st JULY 2010**

6. See Appendix 1 to Report Item 14.1.2

**CITY OF ALBANY - BALANCE SHEET – AS AT 31st JULY 2010**

7. See Appendix 2 to Report Item 14.1.2

**INCOME STATEMENT FOR PERIOD ENDED – AS AT 31st JULY 2010**

8. See Appendix 3 to Report Item 14.1.2

**PORTFOLIO VALUATION – MARKET VALUE – AS AT 31st JULY 2010**

9. See Appendix 4 to Report Item 14.1.2

**STATUTORY IMPLICATIONS**

10. Section 34 of the Local Government (Financial Management) Regulations 1996 provides:
- I. *A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –*
    - a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
    - b) *budget estimates to the end of the month to which the statement relates;*
    - c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relate*
    - d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
    - e) *the net current assets at the end of the month to which the statement relates.*
  - II. *Each statement of financial activity is to be accompanied by documents containing –*
    - a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
    - b) *an explanation of each of the material variances referred to in sub regulation (1)(d); and*
    - c) *such other supporting information as is considered relevant by the local government.*
  - III. *The information in a statement of financial activity may be shown –*
    - a) *according to nature and type classification;*
    - b) *by program; or*
    - c) *by business unit*
  - IV. *A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –*
    - a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
    - b) *recorded in the minutes of the meeting at which it is presented.*

FINANCIAL IMPLICATIONS

13.

Account	Original Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	YTD Percent Variance	Variance Ticks	Comments
<b><u>DIRECTOR CORPORATE &amp; COMMUNITY</u></b>								
194140. ALAC - Stage 2	3,620,997	3,620,997	603,258	553	602,706	100%	✓	Expenditure is below budget - due to a timing difference on contractor payments. Total project costs are expected to be on budget. Receipts are above budget due to a timing difference on grant funding claims and settlement. Total receipts are expected to be on budget.
199950. Grant - Recreation Masterplan	(3,024,983)	(3,024,983)	(251,981)	(437,906)	185,925	74%	✓	
<b>Total DIRECTOR CORPORATE &amp; COMMUNITY</b>	<b>596,014</b>	<b>596,014</b>	<b>351,277</b>	<b>(437,354)</b>	<b>788,631</b>			
<b><u>DIRECTOR WORKS &amp; SERVICES</u></b>								
134150. ROADS-MRD DIRECT GRANTS	(260,767)	(260,767)	0	(260,767)	260,767	100%	✓	Grant is above budget. Invoice was raised in July, whilst the budget timing was September. Annual total expected to be in line with budget. Funding is above budget. Invoice was raised in July, but budget timing was August. Annual total is expected to be in line with budget. Funding is above budget. Invoice was raised in July, but budget timing was August. Annual total is expected to be in line with budget. Funding is above budget. Invoice was raised in July, but budget timing was August. Annual total is expected to be in line with budget.
134850. ASSET FUNDING - REGIONAL ROAD GROUP	(759,167)	(759,167)	0	(303,667)	303,667	100%	✓	
141250. Road Funding - TIRES	(450,000)	(450,000)	0	(180,000)	180,000	100%	✓	
144350. Federal Black Spot Funding	(456,000)	(456,000)	0	(182,400)	182,400	100%	✓	

**ITEM 2.2**

Account	Original Budget	Current Budget	YTD Budget	YTD Actual	YTD Variance	YTD Percent Variance	Variance Ticks	Comments
144450. State Black Spot Funding	(392,562)	(392,562)	0	(185,787)	185,787	100%	✓	Funding is above budget. Invoice was raised in July, but budget timing was August. Annual total is expected to be in line with budget.
147920. PLANT-ALLOCATE TO W/SERV.	(3,135,832)	(3,135,832)	(261,214)	(133,688)	(127,526)	-49%	x	Any under/over recoveries in relation to Plant charge-out and Works Labour Charge-out are addressed in June. Additional charge-outs may be required to align with costs to be recovered.
149940. ASSET PRESERVATION	3,344,638	3,344,638	145,771	476	145,295	100%	✓	Costs are below budget. Planned work was not undertaken in July due to adverse weather conditions. Annual costs expected to be in line with budget.
151640. PATHWAY CONSTRUCTION	344,680	344,680	166,428	903	165,525	99%	✓	Costs are below budget. Flinders Parade funding was declined. Work is not currently scheduled.
168340. EDWS - Other Capital	2,733,944	2,733,944	258,557	4,905	253,652	98%	✓	Expenses are below budget mainly due to deferred work pending Federal Funding, and timing on the Emu Point Toilet (work tender just approved).
<b>Total DIRECTOR WORKS &amp; SERVICES</b>	<b>968,934</b>	<b>968,934</b>	<b>309,542</b>	<b>(1,240,024)</b>	<b>1,549,566</b>			

**POLICY IMPLICATIONS**

14. The City's 2009/10 Annual Budget applies to this item, as it provides a set of parameters that guides the City's financial practices. Given that the expenditure for the reporting period has been incurred in accordance with the 2009/10 budget parameters and any major variations are due to timing issues only, it is recommended that the Statement of Financial Activity be received.
15. The Investment of Surplus Funds Policy applies to this item, as this policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

**ITEM 2.2: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR WOLFE  
SECONDED: COUNCILLOR SUTTON**

**THAT Council RECEIVES the Financial Activity Statement for the period ending 31st July 2010.**

**MOTION CARRIED 13-0**

**APPENDIX 1  
STATEMENT OF FINANCIAL ACTIVITY YEART TO DATE – 31 JULY 2010**

	<b>Actual Year to Date 31-Jul-10</b>	<b>Current Budget Year to Date 31-Jul-10</b>	<b>Current Budget vs Actual Variance</b>	
<b>REVENUE</b>				
Operating Grants, Subsidies and Cont	73,321	101,701	-28,380	X
Fees and Charges	636,978	681,332	-44,354	X
Service Charges	3,704,346	3,657,080	47,266	√
Interest Earnings	21,992	49,147	-27,155	X
Other Revenue	67,353	21,542	45,811	√
	<b>4,503,990</b>	<b>4,510,802</b>	<b>-6,812</b>	
<b>EXPENDITURE</b>				
Employee Costs	1,075,703	1,207,897	-132,194	√
Materials and Contracts	496,738	915,688	-418,950	√
Utility Charges	35,857	116,798	-80,941	√
Interest Expenses	-31,767	-31,540	-227	√
Insurance Expenses	173,940	320,134	-146,194	√
Other Expenditure	66,603	-53,551	120,154	X
Depreciation	1,027,412	1,027,412	0	
	<b>2,844,485</b>	<b>3,502,838</b>	<b>-658,353</b>	
<b>Adjustment for Non-cash Revenue and Expenditure:</b>				
Depreciation	-1,027,412	-1,027,412	0	
<b>CAPITAL REVENUE</b>				
Non-Operating Grants, Subsidies and Cont	1,552,527	336,702	1,215,825	√
Proceeds from asset disposals	18,636	46,151	-27,515	X
Proceeds from New Loans	0	0	0	
Self-Supporting Loan Principal Revenue	0	0	0	
Transfers from Reserves (Restricted Assets)	0	828,142	-828,142	
	<b>1,571,163</b>	<b>1,210,995</b>	<b>360,168</b>	
<b>CAPITAL EXPENDITURE</b>				
Capital Expenditure	95,602	1,636,107	-1,540,505	√
Repayment of Loans	14,156	14,156	0	
Transfers to Reserves (Restricted Assets)	5,871	44,940	-39,069	
	<b>115,628</b>	<b>1,695,203</b>	<b>-1,579,574</b>	
Estimated Surplus B/fwd				
ADD Net Current Assets July 1 B/fwd	<b>2,048,173</b>	<b>n/a</b>	<b>n/a</b>	
LESS Net Current Assets Year to Date	<b>31,778,760</b>	<b>n/a</b>	<b>n/a</b>	
Amount Raised from Rates	<b>-25,588,136</b>	<b>-25,604,878</b>	<b>16,742</b>	

\* √ Is higher than expected revenue or lower than expected expenditure

\* X is lower than expected revenue and higher than expected expenditure

**APPENDIX 2 – BALANCE SHEET AS AT 31 JULY 2010**

	<b>Actual 31-Jul-10</b>	<b>Budget 30-Jun-11</b>	<b>Actual 30-Jun-10</b>
<b>CURRENT ASSETS</b>			
Cash - Municipal	550,812	1,800,755	4,932,877
Restricted cash (Trust)	1,450,582	1,483,498	1,474,469
Reserve Funds - Financial Assets	1,170,755	800,755	1,170,755
Reserve Funds - Other	2,754,317	7,197,963	2,748,246
Receivables & Other	35,616,489	1,600,000	3,304,277
Investment Land	(0)	0	(0)
Stock on hand	1,045,965	800,000	1,061,147
	<b>42,588,918</b>	<b>13,682,971</b>	<b>14,691,770</b>
<b>CURRENT LIABILITIES</b>			
Borrowings	2,517,950	5,638,175	2,532,106
Creditors prov - Annual leave & LSL	2,157,302	2,286,053	2,163,405
Trust Liabilities	1,393,419	1,546,383	1,417,307
Creditors prov & accruals	3,277,404	3,101,240	5,086,723
	<b>9,346,075</b>	<b>12,571,851</b>	<b>11,199,541</b>
<b>NET CURRENT ASSETS</b>	<b>33,242,843</b>	<b>1,111,120</b>	<b>3,492,229</b>
<b>NON CURRENT ASSETS</b>			
Receivables	77,273	150,000	77,272
Pensioners Deferred Rates	320,922	280,000	320,922
Investment Land	2,150,000	2,150,000	2,150,000
Property, Plant & Equip	78,629,008	72,666,174	78,756,726
Infrastructure Assets	177,251,799	196,047,672	178,055,891
Local Govt House Shares	19,501	19,501	19,501
	<b>258,448,503</b>	<b>271,313,347</b>	<b>259,380,313</b>
<b>NON CURRENT LIABILITIES</b>			
Borrowings	18,264,569	12,626,394	18,264,569
Creditors & Provisions	350,105	260,000	350,105
	<b>18,614,674</b>	<b>12,886,394</b>	<b>18,614,674</b>
<b>NET ASSETS</b>	<b>273,076,672</b>	<b>259,538,073</b>	<b>244,257,868</b>
<b>EQUITY</b>			
Accumulated Surplus	248,649,234	232,764,720	219,830,430
Reserves	5,652,805	7,998,719	5,652,805
Asset revaluation Reserve	18,774,634	18,774,634	18,774,634

273,076,672	259,538,073	244,257,868
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**APPENDIX 3 - INCOME STATEMENT FOR THE PERIOD ENDED – 31 JULY 2010**

Nature / Type	YTD Actual 2010/11	Budget-Total 2010/11	Actual 2009/10
<b>INCOME</b>			
Rates	25,588,136	25,574,053	21,575,584
Grants & Subsidies	22,005	3,196,680	3,404,342
Contributions, Reimb & Donations	51,316	349,738	410,849
Fees & Charges	636,978	7,280,601	7,098,017
Service Charges	3,704,346	3,735,000	3,011,136
Interest Earned	21,992	680,000	767,317
Other Revenue / Income	67,353	520,615	513,467
	<b>30,092,126</b>	<b>41,336,687</b>	<b>36,780,713</b>
<b>EXPENDITURE</b>			
Employee Costs	1,075,703	15,240,526	14,374,565
Utilities	35,857	1,362,613	1,071,367
Interest Expenses	(31,767)	1,101,799	1,180,372
Depreciation on non current assets	1,027,412	12,334,000	11,141,880
Contracts & materials	496,738	13,274,398	10,715,997
Insurance expenses	173,940	511,098	476,810
Other Expenses	66,603	(273,177)	673,150
	<b>2,844,485</b>	<b>43,551,257</b>	<b>39,634,141</b>
<b>Change in net assets from operations</b>	<b>27,247,641</b>	<b>(2,214,570)</b>	<b>(2,853,428)</b>
Grants and Subsidies - non-operating	1,550,527	9,156,877	5,848,054
Contributions Reimbursements and Donations - non-operating	2,000	2,689,416	96,760
Profit/Loss on Asset Disposals	18,636	1,541,004	(4,317)
Fair value - Investments adjustment	0	0	0
	<b>28,818,804</b>	<b>11,172,727</b>	<b>3,087,069</b>

**APPENDIX 4 - PORTFOLIO VALUATION - MARKET VALUE – 31 JULY 2010**

<b>Security</b>	<b>Maturity Date</b>	<b>Security Cost (Incl accrued interest)</b>	<b>Current Interest %</b>	<b>Market Value May-10</b>	<b>Market Value Jun-10</b>	<b>Market Value Jul-10</b>	<b>Latest Monthly Variation</b>
<b>MUNICIPAL ACCOUNT</b>							
ANZ	3/06/2010	1,500,000	5.10%	1,500,000			
Bendigo	21/06/2010	1,000,000	5.30%	1,000,000			
NAB	21/06/2010	1,500,000	5.30%	1,500,000			
Bendigo	24/06/2010	1,000,000	5.20%	1,000,000			
Westpac	24/06/2010	1,500,000	4.60%	1,500,000			
				<b>6,500,000</b>	<b>0</b>	<b>0</b>	n/a
<b>RESERVES ACCOUNT</b>							
Bankwest	24/06/2010	1,500,000	5.25%	1,500,000			
				<b>1,500,000</b>	<b>0</b>	<b>0</b>	n/a
<b>COMMERCIAL SECURITIES - CDOs (New York Mellon)**</b>							
Saphir (Endeavour) AAA	4/08/2011	413,160	9.10%	354,120	354,120	354,120	0
Zircon (Merimbula AA)	20/06/2013	502,450	8.87%	155,750	155,750	155,750	0
Zircon (Coolangatta AA)	20/09/2014	1,002,060	9.12%	307,100	307,100	307,100	0
Beryl (AAAGlobal Bank Note)	20/09/2014	200,376	8.42%	159,380	159,380	159,380	0
				<b>976,350</b>	<b>976,350</b>	<b>976,350</b>	<b>0</b>

2,118,046

**APPENDIX 4 - PORTFOLIO VALUATION - MARKET VALUE – 31 JULY 2010**

<b>COMMERCIAL SECURITIES - CDOs - Other</b>							
Magnolia (Flinders AA)	20/03/2012	171,994	9.32%	119,000	119,000	119,000	0
Start (Blue Gum AA-)	22/06/2013	276,708	8.77%	303	303	303	0
Corsair (Kakadu AA)	20/03/2014	273,710	8.37%	68,503	68,503	68,503	0
Helium (C=Scarborough AA)	23/06/2014	602,244	8.77%	6,600	6,600	6,600	0
		<b>1,324,656</b>		<b>194,405</b>	<b>194,405</b>	<b>194,405</b>	<b>0</b>
<b>PORTFOLIO TOTAL</b>		<b>3,442,702</b>		<b>9,170,755</b>	<b>1,170,755</b>	<b>1,170,755</b>	<b>0</b>

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

**APPENDIX 5 – FINANCIAL RATIOS**

<b>CITY OF ALBANY FINANCIAL RATIOS</b>	<b>30-Jun-09</b>	<b>30-Jun-10</b>	<b>31-Jul-10</b>	<b>Benchmark</b>
<b>Liquidity Ratios</b>				
Current Ratio <sup>1</sup>	73.7%	124.4%	709.1%	>100%
Untied Cash to trade creditors Ratio <sup>2</sup>	19.7%	114.7%	61.8%	>100%
<b>Financial Position Ratio</b>				
Debt Ratio <sup>3</sup>	11.2%	10.9%	9.3%	<100%
<b>Debt Ratios</b>				
Debt Service Ratio <sup>4</sup>	11.1%	6.2%	7.3%	<10%
Gross Debt to Revenue Ratio <sup>5</sup>	63.2%	56.9%	71.2%	<60%
Gross Debt to Economically Realisable Assets <sup>6</sup>	26.2%	19.7%	15.6%	<30%
<b>Coverage Ratio</b>				
Rate Coverage Ratio <sup>7</sup>	58.5%	63.3%	92.0%	>33%
<b>Effectiveness Ratio</b>				
Outstanding Rates Ratio <sup>8</sup>	3.7%	5.4%	4.7%	<5%

1. This ratio focuses on the liquidity position of a local government.

2. This ratio provides an indication of whether a local government has sufficient unrestricted cash to pay its trade creditors.

3. The ratio is a measure of total liabilities to total assets or alternatively the number of times total liabilities are covered by the total assets of a local government. The lower the ratio of total liabilities to total assets, the stronger is the financial position of the local government.

4. This ratio measures a local government's ability to service debt (principal and interest) out of its available operating revenue.

5. This ratio measures a local government's ability to service debt in any given year out of total revenue.

6. This ratio provides a measure of whether a local government has sufficient realisable assets to cover its total borrowings.

7. The Coverage Ratio measures the local governments dependence on rate revenue to fund its operations. The higher the ratio, the less dependent a local government is on grants and external sources to fund its operations.

8. The Effectiveness Ratio measures the effectiveness of a local governments with the collection of its rates. It would be expected to be above 5% at this time of the year but reduce to below the benchmark at 30 June.

**2.3: NEW LEASE TO MARK NORMAN FOR HANGAR SITE 9 AT THE ALBANY REGIONAL AIRPORT**

<b>File Number (Name of Ward)</b>	: PRO186, A160486 (Kalgan Ward)
<b>Land Description</b>	: Portion of Lot 213 on Diagram 94445 situated at 35615 Albany Highway, Drome
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: Mark Norman
<b>Owner</b>	: City of Albany
<b>Business Entity Name</b>	: Nil
<b>Previous Reference</b>	: OCM 19.08.2008 Item 13.3.1
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: Nil
<b>Consulted References</b>	: <ul style="list-style-type: none"><li>• Council's Policy – Property Management – Leases</li><li>• Council's Airport Business Plan</li></ul>
<b>Maps and Diagrams</b>	: Refer to attachment.
<b>Reporting Officer(s)</b>	: Property Officer (T Catherall)
<b>Responsible Officer</b>	: Executive Director (WP Madigan)

**IN BRIEF**

- Consider request for a new lease to Mark Norman for hangar site 9 at the Albany Regional Airport for a term of 10 years with an option for a further 10 year term for the purpose of airport hangar for aircraft hangarage only



## **BACKGROUND**

1. In July 1990 the former Shire of Albany granted a new lease for hangar site 9 area of 225 square metres at the Albany Regional Airport on portion of Lot 213 on Diagram 94445 to Brian Holman for the purpose of airport hangar for aircraft hangarage only.
2. Lot 213 is City of Albany land adjacent the Airport Terminal.
3. As there had been a degree of uncertainty regarding the term outlined in the earlier hangar leases including this lease in question, legal advice determined the term to be 20 years with no option for a further term.
4. At OCM 19.08.08 Council resolved to limit hangar leases to a maximum term of 20 years. All hangar Lessees were informed of the resolution and how this would affect their individual leases.
5. The lease was assigned to Mark Norman as of 25. April 2008 and has since expired on 30 June 2010 with no option for a further term.
6. The City of Albany has received a written request from Mark Norman for a new lease for Airport hangar site 9 over the area it currently occupies for a term of 10 years with an option for a further 10 year term commencing 1 July 2010.

## **DISCUSSION**

7. The proposed new lease request for a term of 10 years with an option for a further 10 year term is consistent with Council's resolution at OCM 19.08.08 to limit hangar leases to a maximum of 20 years and Council's Policy – Property Management – Leases.
8. The proposed new lease will be negotiated in line with Council's Policy – Property Management – Leases with rental determined at a dollar value per square metre basis by a current market valuation provided by an independent Certified Practising Valuer.
9. The current market valuation provided by Albany Valuation Services determined the rental to be \$8.50 plus GST per square metre. Therefore the rental for the 225 square metre lease area equates to \$1,912.50 plus GST per annum.
10. Lease rent reviews will be set using market valuation at 5 yearly intervals with Consumer Price index, All Groups (Perth) determining rental increases per annum for the intervening years.
11. The Lessee will be responsible for all maintenance, insurance and utilities for the Leased Premises.

## **PUBLIC CONSULTATION / ENGAGEMENT**

12. Section 3.58 of the Local Government Act 1995 deals with the disposal of property including leased land and buildings.
13. This Section requires there to be state-wide public notice of the proposal for a period of 2 weeks inviting submissions from the public. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
14. The proposed new lease will be advertised state-wide to comply with the requirements of Section 3.58 of the Local Government Act 1995.

**STATUTORY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

16. All costs associated with the development, execution and completion of the new lease documentation including but not limited to legal, advertising, survey and valuation will be borne by the proponent.
17. The new lease rental determined by a current market valuation provided by an independent Certified Practising Valuer, Albany Valuation Services, will be \$1,912.50 plus GST with rent reviews in line with Council's Policy - Property Management - Leases for this category of lease agreements.
18. The new lease rental income will be directed to COA 138130 – Airport Lease Rents.

**POLICY IMPLICATIONS**

19. Council adopted a Property Management - Leases Policy in 2007. This policy aims to ensure that all requests for leases, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
20. The recommendation is consistent with Council's Policy – Property Management – Leases and the Airport Business Plan.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

21. Council has the following options in relation to this item, which are:
  - a. Approve the request for a new lease, or
  - b. Decline the request.
22. Should Council not approve the request, the existing Lessee would be required to vacate the Leased Premises and find an alternate location to store the aircraft.
23. The Lessee would within 3 months of expiration of the lease be required to remove fixtures and fittings and if the City of Albany directs remove buildings, hangar and structures erected on the Leased Premises at the Lessee's cost.
24. If Lessee fails to remove the improvements as directed by the City of Albany, the improvements will become or remain the property of the City of Albany.
25. The hangar site would then be advertised state-wide seeking expressions of interest to lease this site with Council considering any new lease for the vacant premises.

**SUMMARY CONCLUSION**

26. As the Lessee, Mark Norman has fulfilled all existing lease terms and conditions and paid all accounts in full, at no cost to Council the request for a new lease for Airport hangar site 9 for a term of 10 years with an option for a further 10 year term is recommended.

**ITEM 2.3: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR PAVER**

**SECONDED: COUNCILLOR DUFTY**

**THAT Council, subject to section 3.58 of the Local Government Act 1995, APPROVES the request for a new lease to Mark Norman for hangar site 9 at the Albany Regional Airport on portion of Lot 213 on Diagram 94445 located at 35615 Albany Highway Drome, for the purpose of airport hangar for aircraft hangarage only.**

**The lease being in compliance with Council's Policy – Property Management – Leases, with the following conditions:**

- **The lease term being 10 years with an option for a further 10 year term commencing 1 July 2010;**
- **The initial lease rental to be \$1,912.50 plus GST per annum;**
- **The lease rent reviews will be based on current market valuations set at 5 yearly intervals with annual Consumer Price index, All Groups (Perth) for intervening years; and**
- **All costs associated with the preparation, execution and completion of the lease to be payable by the proponent.**

**MOTION CARRIED 13-0**

**2.4: LANDING FEE CORRECTION FOR ALBANY AERODROME**

<b>File Number (Name of Ward)</b>	: SER097 - All Wards
<b>Land Description</b>	: Albany Aerodrome, Albany Hwy, Albany.
<b>Disclosure of Interest</b>	: Nil
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Business Entity Name</b>	: Nil
<b>Previous Reference</b>	: SCM 29/06/10 Item 6.1
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: Nil
<b>Consulted References</b>	: Nil
<b>Maps and Diagrams</b>	: Nil
<b>Reporting Officer(s)</b>	: Senior Reporting Officer (D. Walker) Executive Manager Community Services (D. Schober)
<b>Responsible Officer</b>	: Executive Director (WP Madigan)

**IN BRIEF**

- Landing fee correction for Albany Aerodrome fee and charges schedule.

**BACKGROUND**

1. The Albany Aerodrome submitted a 2010-11 schedule of fees and charges for Council to consider and adopt at the Special Council Meeting (SCM) on June 29<sup>th</sup> 2010.
2. The landing fee schedule submitted and adopted was:

**AIRPORT**

<b>Landing Fees</b>	<b>Exc GST</b>	<b>GST</b>	<b>Inc GST</b>	<b>Inc GST (09/10)</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
0-1500kg – Per 1000kg	10.00	1.00	11.00	6.00
1500-3000kg – Per 1000kg	10.00	1.00	11.00	9.60
3000-5000kg – Per 1000kg	13.64	1.36	15.00	14.40
5000-15000kg – Per 1000kg	18.18	1.82	20.00	19.60
Over 15000kg – Per 1000kg	21.82	2.18	24.00	24.00

3. The first line contains an error and reads 0-1500kg – Per 1000kg.

This line should read 0-1500kg only and have the “-Per 1000kg” removed. Without removing the “Per 1000kg” aircraft under 1000kg would be able to land at Albany Aerodrome without a fee.

**PUBLIC CONSULTATION / ENGAGEMENT**

5. The correct fee schedule 0-1500kg (with Per 1000kg removed) has been advertised and communicated to Airport Users group and key stakeholders.

**FINANCIAL IMPLICATIONS**

6. Option One. Fee correction.  
Realise budget forecast through the adoption of the fee correction.
7. Option Two. No fee correction.  
Accept income shortfall (approximately \$6,556, being 596 landings at \$11.00 for 09/10 financial year) in the area of landing fees.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

8. Do not accept Officer recommendation for fee correction and retain fees and charges schedule as adopted at the Special Council meeting in June 2010.

**SUMMARY CONCLUSION**

9. The correct fee schedule 0-1500kg (with Per 1000kg removed) has been advertised and communicated to Airport Users group and key stakeholders.
10. The Airport has advertised the fee corrected rate and all stakeholders have the expectation that the service will cost \$11.00 up to a weight of 1500kg per aircraft. The cost to Council for not making the fee correction to landing fees would be \$6,556.

**ITEM 2.4: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR PAVER  
SECONDED: COUNCILLOR DUFTY**

**Accept the correction to the Albany Airport landing fee schedule and adjust the 0-1500kg category to read:**

<b>Landing Fees</b>	<b>Exc GST</b>	<b>GST</b>	<b>Inc GST</b>	<b>Inc GST(09/10)</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>0-1500kg</b>	<b>10.00</b>	<b>1.00</b>	<b>11.00</b>	<b>6.00</b>

**deleting the words “Per 1000kg”.**

**MOTION CARRIED 13-0  
ABSOLUTE MAJORITY**

**2.5: COMMUNITY SPORTING AND RECREATION FACILITIES FUND  
(CSRFF) 2009/10 – 2011/12 SMALL GRANT APPLICATIONS**

<b>File Number (Name of Ward)</b>	:	FIN038 - All Wards
<b>Land Description</b>	:	N/A
<b>Disclosure of Interest</b>	:	Nil
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Business Entity Name</b>	:	<ul style="list-style-type: none"><li>• North Albany Football and Sporting Club</li><li>• Royals Football and Sporting Club</li><li>• Albany Speedway Club Inc</li><li>• Wellstead Progress Association</li><li>• South Coast Tennis Club</li></ul>
<b>Previous Reference</b>	:	Nil
<b>Attachment(s)</b>	:	Nil
<b>Appendices</b>	:	Nil
<b>Consulted References</b>	:	Nil
<b>Maps and Diagrams</b>	:	Nil
<b>Reporting Officer(s)</b>	:	Manager of Recreation Services (T White)
<b>Responsible Officer</b>	:	Executive Director (WP Madigan)

**IN BRIEF**

- That consideration be given to the CSRFF applications received by Council and these be given a priority ranking.

**BACKGROUND**

1. The Community Sport and Recreation Facilities Fund (CSRFF) is administrated by the Department of Sport and Recreation. A change 12 months ago to the CSRFF introduced 2 different structured rounds of available funds including a small grant funding round and its annual and forward planning funding round.

The current round of funding applications is for the small grant round with the financial value of the total project being from \$5,000 up to \$150,000.

2. The Department of Sport and Recreation application form calls for applications to be initially submitted to the Local Government within which the project proposal is located.
3. An element of the assessment process involves Council consideration and priority ranking of applications received. The applications are then submitted to the Department of Sport and Recreation on behalf of the applicants prior to 31<sup>st</sup> August 2010.
4. Once the assessment process from Local Government Authorities are complete all applications received from Western Australian organisations are assessed by the Department of Sport and Recreation CSRFF committee against a number of criteria, with the final decision on funding at the discretion of the Minister for Sport and Recreation.

**FINANCIAL IMPLICATIONS**

6. The following table provides detail of all applications received and indicates the proposed City of Albany contribution, which may be requested by the group of Council in relation to a Community Financial Assistance funding round.
7. Applicants have been informed that any proposed council contribution would be subject to separate application under the Community Financial Assistance Fund.
8. Priority determination within the context of this agenda item does not provide indication as to whether Community Financial Assistance Funding will or will not be approved.

<b>Organisation</b>	<b>Project detail</b>	<b>Total Project Cost (ex GST)</b>	<b>Applicant contribution (ex GST) [inc voluntary component]</b>	<b>CSRFF Grant (ex GST)</b>	<b>Proposed Other state or federal funding (ex GST)</b>	<b>Proposed Council contribution (ex GST)</b>
North Albany Football & Sporting Club	Upgrade of Reticulation and establishing capacity to cater for new grassed area	\$83,401.92	\$55,607.28	\$27,800.64	Nil	Nil
Royals Football & Sporting Club	To implement stage 1 of a flood lighting installation program on Centennial Oval to increase capacity and decrease wear and tear on oval.	\$60,384.78	\$30,192.39	\$30,192.39	Nil	Nil
Albany Speedway Club Inc	Upgrade to track and pit area	\$149,850	\$99,900	\$49,950	Nil	Nil
Wellstead Progress Association	Upgrade of kitchen facilities and disabled access to building and toilets	\$245,300	\$71,766.66	\$81,766.66	Nil	\$81,766.66
South Coast Tennis Club	Renovation and resurfacing of 3 tennis courts and knock-up area	\$140,679	\$15,000	\$50,000	\$75,679	Nil

**SUMMARY CONCLUSION**

9. The grant guidelines require Council to provide a ranking for the projects i.e. first, second, third etc, as well as providing an assessment of how well the applicants have addressed the following criteria.

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

10. Project Rating:

- a. Well planned and needed by municipality;
- b. Well planned and needed by applicant;
- c. Needed by municipality, more planning required;
- d. Needed by applicant, more planning required;
- e. Idea has merit, more planning work needed; and
- f. Not recommended.

11. It is suggested that Council rank the applications in priority order and refer the completion of assessment criteria to staff under the direction of the Executive Director for Corporate and Community Services prior to submission of applications to the Department of Sport and Recreation.

12. A ranking recommendation has been given based on the merits of each project.

**ITEM 2.5: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR WOLFE**  
**SECONDED: COUNCILLOR MATLA**

**i) THAT the following 5 CSRFF applications received be ranked in the following order:-**

	<b>ORGANISATION</b>	<b>PROJECT DETAIL</b>
<b>1</b>	<b>North Albany Football &amp; Sporting Club</b>	<b>Upgrade of Reticulation and establishing capacity to cater for new grassed area</b>
<b>2</b>	<b>Royals Football &amp; Sporting Club</b>	<b>To implement stage 1 of a flood lighting installation program on Centennial Oval to increase capacity and decrease wear and tear on oval.</b>
<b>3</b>	<b>Albany Speedway Club Inc</b>	<b>Upgrade to track and pit area</b>
<b>4</b>	<b>Wellstead Progress Association</b>	<b>Upgrade of kitchen facilities and disabled access to building and toilets</b>
<b>5</b>	<b>South Coast Tennis Club</b>	<b>Renovation and resurfacing of 3 tennis courts and knock-up area</b>

**MOTION CARRIED 13-0**

**2.6: MANAGEMENT ORDER OF RESERVE LOT 6981: WORLD WAR 2 BUNKER**

**File Number (Name of Ward)** : PRO297 Forts Conservation Order (Conservation Plan) - All Wards  
**Land Description** : Lot 6981 Albany Hwy, Albany.  
**Disclosure of Interest** : Nil  
**Proponent** : City of Albany  
**Owner** : Crown Land  
**Maps and Diagrams** : Nil  
**Reporting Officer(s)** : Executive Manager Community Services (D. Schober)  
**Responsible Officer** : Executive Director (WP Madigan)

**IN BRIEF**

- Seek leasehold of Lot 6981, Albany Hwy, Albany which contains World War II bunker, previously not known to exist.



## **BACKGROUND**

1. The City of Albany recently became aware of an Air-Force military bunker, unknown until now, built during World War II in Albany, located on Lot 6981, Albany Hwy.
2. The bunkers' history is not yet fully researched, but it is believed that its purpose was to provide support systems, in the event of an attack, to Albany Airport.
3. There are two other known bunkers in Albany. These are located at Albany Airport (managed by the City of Albany) and Federal St (belonging to Western Power).
4. The Senior Planning Officer has toured the site with a Heritage Council of WA representative who have provided indicative support and approval for the City to assume responsibility and management of the historically significant site.
5. The recently discovered third bunker is the most significant of all three, is in very good condition and remains largely unknown to the public due to its location.
6. Lot 6981 is unallocated crown land, zoned for public purposes, covers approximately 2.3ha and is almost entirely vegetated by scrub bush land.
7. Lot 4638 is owned by the Gerovich family and surrounds Lot 6981 on three sides. (The eastern boundary borders Albany Hwy). The Gerovich family have recently applied for amalgamation of leasehold Lot 6981 into their freehold Lot 4638.
8. Given the dense scrub bush land there appears little, if any, agricultural pursuits carried out on the lease hold lot 6981, and its main purpose appears to be access between dwellings. This could continue to be provided through a reciprocal use agreement.
9. The Bunker is important in the aspect of Military Heritage and would provide a further support to Albany's Military Tourism arm.

## **FINANCIAL IMPLICATIONS**

10. There are no immediate financial implications expected during the current financial year.
11. Should the City of Albany be granted approval to manage the lease hold site a business case will be required detailing any future expenditure. It is expected however that due to the historical significance of the bunker that capital funding will be available through State and Federal sources to rehabilitate the site.

## **SUMMARY CONCLUSION**

12. The recently discovered bunker is a significant historical site which has preliminary support from the Heritage Council of WA. It is the most extensive and well preserved of all bunkers constructed during World War II in Albany.

**ITEM 2.6: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR PAVER  
SECONDED: COUNCILLOR SUTTON**

**THAT Council:**

- i) INFORMS the Department for Regional Development and Land that the City of Albany is prepared to accept a management order for the land and request that it be granted to the City as soon as possible.**

**MOTION CARRIED 13-0**

**2.7: REQUEST FROM CONTRACTOR TO VARY MINIMUM ALBANY VISITOR CENTRE ACCOMMODATION AND TOUR BOOKINGS SERVICE HOURS**

[9:20:21 PM](#) Councillor Paver and Councillor Hammond left the chamber after declaring an interest in this item.

**File Number (Name of Ward)** : C05026  
**Land Description** : Albany Visitor Centre, Proudlove Parade  
**Disclosure of Interest** : Cr Hammond (Managing Director of Albany Inbound)  
**Business Entity Name** : Albany Inbound Pty. Ltd.  
**Previous Reference** : OCM 19.04.2005 – Item 14.3.2  
OCM 21.06.2005 – Item 14.3.1  
OCM 20.12.2005 – Item 14.3.1  
OCM 20.03.2007 – Item 12.7.1  
OCM 17.07.2007 – Item 12.7.1  
OCM 16.09.2008 – Item 12.7.1  
OCM 07.05.2009 - Item 12.8.2  
**Attachment(s)** : Email from proponent requesting variation  
**Appendices** : Nil  
**Consulted References** : Nil.  
**Maps and Diagrams** : Nil.  
**Reporting Officer(s)** : Manager Human Resources, M. Weller; AVC Customer Service Supervisor, E. Martin  
**Responsible Officer** : Executive Director Corporate and Community Services, P. Madigan

**IN BRIEF**

- The Managing Director of Albany Inbound Pty. Ltd., the entity contracted to provide a bookings service at the Albany Visitor Centre, has requested a variation in contract to change the required opening hours on weekends.
- While the comment and reasons are noted, it is recommended this request is not supported, with the reasons discussed.

**BACKGROUND**

1. On the first of February 2006 the City entered into contract with Tayson Pty Ltd (now Albany Inbound Pty Ltd) for the provision of accommodation and tour bookings services, based at the Albany Visitor Centre.
2. The basis of the contract is that the contractor provides the bookings service covering all outgoings and the City receives a percentage of income from customer bookings made through counter, telephone and website sales made by Albany inbound.
3. The City manages the overall operation of the Albany Visitor Centre, including a free visitor information service, staffed by City employees. One aim of the joint service is to provide a

seamless service to the public who should not be affected by the fact that different elements of the service are provided by the City and the contractor's staff, from the same location.

4. The initial term for the agreement was set at thirty-six (36) months and was extended by council for a further 36 months, expiring on the 31<sup>st</sup> January 2012.

During the period of the contract there have been a number of variations approved by council.

5. In relation to opening hours the original contract opening hours of the service were 9.00am to 5.00pm Monday to Sunday. On request these were varied at OCM 16/09/2008 to:

***“While maintaining all other operating hours provisions, amends the required trading hours to allow changes to Sunday trading requirements for the contractor in the months of March, April, May and October (only) from 9.00am to 5.00pm (current) to 10.00am to 4.00pm”***

6. Mr Hammond has formally requested that the minimum required counter service hours under Contract C05026 be set at:

*Monday to Friday 9.00am to 5.00pm, except Public Holidays 10am to 4pm. Weekends 10am to 3pm with the decision to open longer (up to 9am -5pm on weekends) to be applied at the discretion of the Contractor.*

7. The reasons given are outlined in the attachment to this item and are summarised as:

- There has been a downward trend in regional tourism and the heavy trading losses have been sustained during the past 14 weeks. (the City has not sought quantification of this at this point).
- A belief that the business needs to prepare for an indefinite slow down in the tourism sector.
- A belief that the contracting business needs to reduce costs to operate on a more sustainable basis for the “benefit of all concerned”.
- Indication that there have been costs to the bookings service provider which were not foreseen at the time of entering the current contract period (100% escalation in weekend employment costs).
- Indication that other visitor centres have weekend and public holiday trading hours less than those currently set in the City's contract with Albany inbound (full list appended to this item).

8. Mr Hammond has stated that in the “unlikely event of a trend [in regional tourism numbers] reversal the minimum hours would not apply.

9. Mr Hammond has detailed that the variation has no bearing on phone or internet services, “which basically covers 12 hours per day 365 days”

## **DISCUSSION**

10. The comments of the contractor are noted (including the implication that reduction of hours may only occur in periods when there are predicted minimal customer numbers and therefore minimal implication on customer service).

11. However it is recommended that the request is not supported and the current specified bookings service counter operating hours remain, for the following reasons:

- Variable (without notice) counter service hours mean that accommodation and tour providers and other referrers will not know for certain that the bookings counter will be open (outside the proposed new core hours) when they refer customers to the Albany Visitor Centre
- The current contracted bookings service hours are set with the aim of providing a high level of customer service, reducing these hours is seen as a reduction of this service.
- There is an impact on the free visitor service operation when the bookings counter is closed as information service staff would be required to undertake additional duties (discussed in financial section of this item.)
- It would be impractical to train information service staff to take in person accommodation bookings for periods when the bookings service counter is closed.
- The potential impact on accommodation and tour operators is not known.
- Other WA Visitor Centres operate under different commercial models to the AVC and this affects the customer service levels they can provide.

### **PUBLIC CONSULTATION / ENGAGEMENT**

12. As the recommendation is to maintain the current service levels, the City has not undertaken public/ industry consultation. In the event that variation was considered it would be recommended that tour and accommodation operators are consulted prior to a decision being made.

### **FINANCIAL IMPLICATIONS**

13. For budget efficiency during the weekend winter months (July – Sept) it is only necessary to roster on 1 City staff member.
14. The requested additional closure times falls within the normal peak arrival and departure time for most visitors to collect or drop off keys and to book accommodation.
15. If the booking desk was not occupied, an extra City staff member would potentially need to be rostered on as 1 staff member may not be able to provide the information service and the additional responsibilities of:
  - Covering in person enquires about bookings service opening times, merchandise and phone calls.
  - Dealing with or at least redirect key collection, enquires, accommodation and booking problems.
16. As City staff are not trained in the above, additional training could be required.
17. For safety (given incidences which have occurred in the past) it may also be necessary to roster on an extra team member to ensure two staff are 'onsite' at all times.
18. If the booking office hours increased in variability, at the discretion of the contractor, it would not be possible to know in advance to roster extra City staff or not and therefore more may be rostered to cover contingency and maintain service levels.
19. The potential costs associated with the above cannot be confirmed as applicable or quantified at this point.

## **STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN**

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

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

## **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

21. Council could choose to accept the proponents request to vary the contract, noting the potential implications discussed in this item.
22. Council could also choose to vary the operating hours of the whole centre (including free information service), saving costs for the City – however this would also commensurately reduce the customer service levels provided. In this event the City would need to comply with a level of core hours to maintain WA Visitor Centre accreditation.

## **SUMMARY CONCLUSION**

23. Based on the potential impact on customer service of reducing the minimum Albany Visitor Centre contracted bookings service counter operation hours, it is recommended that the current hours remain.

## **ITEM 2.8: RESPONSIBLE OFFICER RECOMMENDATION**

That the current accommodation and tour bookings service counter opening hours applicable under C05026, for the Albany Visitor Centre, remain in place.

## **ITEM 2.7: ALTERNATE MOTION BY COUNCILLOR SUTTON**

That the accommodation and tour bookings service counter opening hours applicable under C05026, for the Albany Visitor Centre be set at:

*Monday to Friday 9.00am to 5.00pm, except Public Holidays 10am to 4pm.  
Weekends 10am to 3pm with the decision to open longer (up to 9am -5pm on weekends) to be applied at the discretion of the Contractor.*

### **Councillor’s Reason**

The global financial crisis, dropping visitor numbers and the Fair Work Act makes it only marginally viable to continue to operate the visitor service with its current contracted hours.

It is unreasonable to ask a business to open when it was not economically viable to stay open.

[9:24:21 PM](#)

**ITEM 2.8: PROCEDURAL MOTION BY COUNCILLOR J BOSTOCK**

**MOVED: COUNCILLOR J BOSTOCK**  
**SECONDED: COUNCILLOR LEAVESLEY**

**THAT Council lay this item on the table.**

**MOTION LOST 3-8**

**Record of Vote**

For the Motion: Councillors J Bostock, D Bostock and M Leavesley

Against the Motion: Mayor Evans, Councillors J Swann, D Wellington, C Holden, D Wolfe, D  
Dufty, J Matla and R Sutton

**Councillor's Reason**

To lay the item on the table will allow for public consultation as it will impact on the tourism industry.

**ITEM 2.7: ALTERNATE MOTION BY COUNCILLOR SUTTON**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR WELLINGTON**

**That the accommodation and tour bookings service counter opening hours applicable under C05026, for the Albany Visitor Centre be set at:**

***Monday to Friday 9.00am to 5.00pm, except Public Holidays 10am to 4pm.  
Weekends 10am to 3pm with the decision to open longer (up to 9am -5pm on weekends) to be applied at the discretion of the Contractor.***

**MOTION CARRIED 8-3**

**Record of Vote**

For the Motion: Mayor Evans, Councillor J Swann, D Wellington, C Holden, D Wolfe, D  
Dufty, J Matla and R Sutton

Against the Motion: Councillors J Bostock, M Leavesley and D Bostock

Councillor Paver and Councillor Hammond were not present during this item and did not vote.

## **2.8: NEW LEASE FOR ALBANY SWIM CLUB INC. AT ALBANY LEISURE AND AQUATIC CENTRE**

[9:31:55 PM](#) Councillor Hammond returned to the chamber.

<b>File Number (Name of Ward)</b>	: PRO376 (Frederickstown Ward)
<b>Land Description</b>	: Portion of Lot 742 Barker Rd, Centennial Park on Plan 224159
<b>Disclosure of Interest</b>	: Executive Manager Business Governance (S Jamieson) – Impartiality (Vice President of Albany Swim Club Inc.)
<b>Business Entity Name</b>	: Albany Swim Club Inc.
<b>Previous Reference</b>	: Nil
<b>Attachment(s)</b>	: <ul style="list-style-type: none"><li>• Letter from Albany Swim Club requesting lease and Club Room Proposal</li><li>• Proposed floor plan</li></ul>
<b>Appendices</b>	: Nil
<b>Consulted References</b>	: <a href="#">Council Policy – Property Management Leases</a> <a href="#">Local Government Act 1995</a>
<b>Maps and Diagrams</b>	: Refer to attachment.
<b>Reporting Officer(s)</b>	: Executive Manager Community Services (D Schober) Property Officer (T Catherall)
<b>Responsible Officer</b>	: Executive Director Works & Services (WP Madigan)

### **IN BRIEF**

- Consider new lease for the Albany Swim Club Inc. for the purpose of club room.

### **BACKGROUND**

1. The Albany Swim Club Inc. formed in 1986 to encourage children to enjoy the sport of swimming. The club currently has approximately 80 members ranging in ages from 5 to 16 year old.
2. The Club has been seeking an area for club room within the Albany Leisure and Aquatic Centre (ALAC) since it was first opened. This request was initially being accommodated in ALAC stage 1, but due to costs was not included.
3. Since the completion of ALAC stage 1 in March 2008, the Club has been utilising the area located between the existing first aid room and BBQ area at the northern end of the building for storage of equipment, meetings and other activities associated with the Club.
4. As the Club's wishes a more formal arrangement and exclusive use of the area, a written request has been received from the Albany Swim Club Inc. to lease an area of approximately 60 square metres in size at ALAC for the purpose of club room for a term of 5 years with an option of a further 5 year term.
5. The Club's request proposes internal alterations to construct the club room by installing plasterboard walls to define the area, relocating the existing first aid room door and installing a new door to allow entrance without accessing the leased premises and adjacent the BBQ area encasing the existing glass wall with plasterboard cladding and bi-fold doors.
6. The Club's proposed lease area requires amendment reducing the size to approximately 48 square metres to allow open unobstructed public access to the BBQ area, via the existing exit door.

## **DISCUSSION**

7. The proposed lease area is currently also utilised by other users including ALAC Swim School for first aid CPR training, Royal Life Saving WA for Bronze Medallion training programs and as an overflow meeting room if the existing meeting rooms are being fully utilised.
8. If the lease to Albany Swim Club was approved the Club would have exclusive use of this area. Therefore all other existing users of the area would either have to find an alternative location or negotiate with the Club for access to the leased premises in order to continue current activities.
9. Alternatively the area, still managed by ALAC could be sectioned off using retractable folding doors and used by different groups including the Albany Swim Club for club functions, meetings, training, birthday parties and holiday programs but isn't used exclusively by one Club.
10. Allowing the Albany Swim Club to lease exclusive area within ALAC would set a precedence that other user groups should also have access to exclusive area within the facility for a club room.
11. Leasing this area to the Albany Swim Club, would limit the current space from being developed by the City into a potential multi user area in the future.
12. Should the proposed lease be approved, in line with Council's Policy – Property Management – Leases provides that Sporting Group category of Leases will attract a rental being equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum.
13. The Club will be required to amend the proposed lease area by reducing the size to allow unhindered access for the public wanting to access the BBQ area, via the exit door.
14. The Club will be required to operate within existing ALAC opening hours and Code of Conduct.
15. The Club will be responsible for all leased premises maintenance and utilities and must have all appropriate insurances including those pertaining to their particular sport.
16. It is considered appropriate to include a special condition into the lease that the Club shall not hire or rent the leased premises to any third party for commercial gain without prior written consent of the City of Albany as Landlord, as ALAC currently provides the facility to hire meeting rooms.

## **PUBLIC CONSULTATION / ENGAGEMENT**

17. Section 3.58 of the Local Government Act 1995 deals with the disposal of property including Leased land and buildings.
18. This section requires there to be state-wide public notice of the proposal for a period of 2 weeks inviting submissions from the public. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
19. Section 30 of the Local Government (Functions & General) Regulations 1996 deals with dispositions to which the advertising requirements of section 3.58 of the Act does not apply. Section 30(2)(b) states that Section 3.58 of the Act is exempt if:

- (b) The land is disposed of to a body, whether incorporated or not –*  
*(i) the object of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*  
*(ii) the members of which are not entitled or permitted to receive any pecuniary from the body's transactions;*

20. Albany Swim Club Inc. is a sporting organisation; therefore, exempt from the advertising requirements of section 3.58 of the Local Government Act 1995.

### **STATUTORY IMPLICATIONS**

21. Section 3.58 of the Local Government Act 1995 deals with the disposal of property, including Leased land and buildings.
22. The land is zoned "Parks & Recreation" under Town Planning Scheme 1. The proposed use for club room is in accordance with the Scheme.

### **FINANCIAL IMPLICATIONS**

23. All costs associated with the preparation and implementation of the new lease documentation will be borne by the Albany Swim Club Inc.
24. The new lease rental will be the equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum.
25. The lease income will be directed to COA Income – Other leases.

### **POLICY IMPLICATIONS**

26. Council adopted a Property Management – Leases Policy in 2008. This policy aims to ensure that all requests for leases, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
27. The recommendation is consistent with Council's Policy.

### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

28. Council has the following options in relation to this item, which are:
- a. Approve the request for a new lease; or
  - b. Decline the request.
29. Should Council approve the request for a new lease this would then set precedence that other user groups should also have access to exclusive area within ALAC for a club room.
30. Should Council decline the request for a new lease, the Albany Swim Club Inc. would continue to utilise this area without formal agreement.

**SUMMARY CONCLUSION**

31. As leasing the proposed area to Albany Swim Club Inc. would limit other users access and potential future multi user options and set a precedence that other user groups should also have access to exclusive area at ALAC for a club room the request for lease for purpose of club room be declined.

**ITEM 2.8: RESPONSIBLE OFFICER RECOMMENDATION**

- (i) The request from the Albany Swim Club Inc. to lease the proposed area for club room at Albany Leisure and Aquatic Centre be declined.
- (ii) Council staff continue to liaise with the Albany Swim Club Inc. to explore multi user options at Albany Leisure and Aquatic Centre.

**ITEM 2.8: ALTERNATIVE MOTION BY COUNCILLOR WELLINGTON**

THAT Council subject to section 3.58 of the Local Government Act 1995 APPROVES the request for a new lease to the Albany Swim Club Inc. at the Albany Leisure and Aquatic Centre (ALAC) on portion of Lot 742 Barker Road, Centennial Park on Plan 224159, for the purpose of club room.

The lease being in compliance with Council's Policy – Property Management – Leases, with the following conditions:

- That the lease area comprise the area referenced on the plan approved by Development Services
- The lease term being 5 years with an option for a further 5 year term;
- The rental will be determined as equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum;
- The Leased Premises operates in accordance with ALAC opening hours and Code of Conduct;
- The Albany Swim Club Inc. shall not hire, rent or sub-lease the Leased Premises to any third party for commercial gain without prior written consent of the City of Albany, as Landlord;
- All relevant approvals are to be granted prior to proposed development works;
- All costs associated with the proposed development works be payable by the proponent; and
- All costs associated with the preparation, execution and implementation of the lease to be payable by the proponent.

**Councillor's Reason:**

It provides a valuable community service.

[9:36:57 PM](#)

**ITEM 2.8: PROCEDURAL MOTION BY COUNCILLOR J BOSTOCK**

**MOVED: COUNCILLOR J BOSTOCK**  
**SECONDED: COUNCILLOR D BOSTOCK**

**THAT this item lay on the table.**

**MOTION LOST 5-7**

**Record of Vote**

For the Motion: Mayor Evans, Councillors J Bostock, D Bostock, M Leavesley and J Matla  
Against the Motion: Councillors R Hammond, J Swann, D Wellington, C Holden, D Wolfe,  
D Dufty and R Sutton

**Councillor's Reason**

To lay this item on the table would allow Council time to consider the allocation of space at ALAC, and take into consideration the needs of other clubs for clubrooms at ALAC.

**ITEM 2.8: ALTERNATIVE MOTION BY COUNCILLOR WELLINGTON**

**MOVED: COUNCILLOR WELLINGTON**  
**SECONDED: COUNCILLOR SUTTON**

**THAT Council subject to section 3.58 of the Local Government Act 1995 APPROVES the request for a new lease to the Albany Swim Club Inc. at the Albany Leisure and Aquatic Centre (ALAC) on portion of Lot 742 Barker Road, Centennial Park on Plan 224159, for the purpose of club room.**

**The lease being in compliance with Council's Policy – Property Management – Leases, with the following conditions:**

- **That the lease area comprise the area referenced on the plan approved by Development Services**
- **The lease term being 5 years with an option for a further 5 year term;**
- **The rental will be determined as equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum;**
- **The Leased Premises operates in accordance with ALAC opening hours and Code of Conduct;**
- **The Albany Swim Club Inc. shall not hire, rent or sub-lease the Leased Premises to any third party for commercial gain without prior written consent of the City of Albany, as Landlord;**
- **All relevant approvals are to be granted prior to proposed development works;**
- **All costs associated with the proposed development works be payable by the proponent; and**
- **All costs associated with the preparation, execution and implementation of the lease to be payable by the proponent.**

**MOTION CARRIED 8-4**

**Record of Vote**

For the Motion: Mayor Evans, Councillors R Hammond, D Wellington, C Holden,  
D Wolfe, D Dufty and R Sutton

Against the Motion: Councillors J Bostock, D Bostock, M Leavesley and J Matla

Councillor Paver was not present during this item and did not vote.

**3.1: CONTRACT C10020: TENDER FOR UPGRADES – ALBANY  
SOCCER CLUB PLAYING FIELD, NORTH ROAD CENTENNIAL  
PARK**

[9:40:43 PM](#) Councillor Paver returned to the chamber.

**File Number or Name of Ward** : STR004 (Frederickstown Ward)  
**Land Description** : Crown Land Vested with the City of Albany Reserve  
Number 23110  
**Disclosure of Interest** : Nil  
**Business Entity** : As detailed under Financial Implications  
**Appendices Attached** : Nil  
**Attachment(s)** : Nil  
**Reporting Officer(s)** : Project Co-ordinator (R Taylor),  
**Responsible Officer(s)** : Executive Director Works and Services (K Ketterer)

**BACKGROUND**

1. The proposed construction upgrade of the Albany Soccer Club North Road playing field number 3 was submitted for funding under the RLCIP Round 2. The scope of the work proposed is the renovation of one soccer field which is unusable during the winter soccer season due to water logging and consequentially an unsafe playing surface has developed. Due to the unusable nature of the ground this has brought about the consequence of overcrowding of other fields and the soccer club having to procure grounds within the showgrounds precinct. The basic construction methodology underpinning the design is filling the site to negate water logging, irrigating and turfing the playing surface.
2. Design, specification and contract documentation has been prepared in house by City of Albany staff to the stage of 'Issue for tender'. Tender has been advertised from 30 June 2010 and closed on 23 July 2010.
3. The tender for Contractors Services for the Upgrade of Albany Soccer Club Playing Field on North Road is for the delivery of an upgraded soccer field. The City of Albany will act as the Principal and Superintendent for the project as there is sufficient in house knowledge and experience to draw upon.

**DISCUSSION**

4. A total of 37 sets of documents were downloaded from the City of Albany tender website.

5. Six (6) completed tender documents were submitted to the Procurement and Contracts Office on/before the stipulated closing date and time. Tenders were subsequently opened and the names of the tenderers were recorded in the tender register and logged into Records.

**FINANCIAL IMPLICATIONS**

6. Tenders were checked for arithmetical errors, and corrections were made as appropriate.

A summary of the tenderers financial offer as submitted and corrected, is included in the table below.

Tenderer	Tender amount (ex GST)	Corrected Tender amount (ex GST)
Great Southern Sands	\$329077.73	\$382259.55
Tricoast Civil	\$383960.85	\$383960.85
AD Contractors (Inc e/work testing)	\$411769.68	\$411769.68
Palmer Earthmoving (Australia P/L)	\$504286.36	\$504286.36
Environmental Industries	\$559379.00	\$559379.00
Palmer Earthmoving (Australia P/L) Alternative tender submission.	\$366005.45	\$366022.73

7. During the preparation of issue for tender documentation a Bill of Quantities estimate was prepared.

The project BOQ pre-tender cost estimate is: \$206,230 excluding GST  
RLCIP secured funding amount is: \$129,000 excluding GST

8. The lowest of the tenderers offer exceeds the assigned budget of \$129,000. This tender is deemed to be deficient and not addressing the evaluation criteria points of technical compliance, reliability, experience, safety management, quality and other considerations as set out in the tender documents

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

9. Council can elect to approve a tender, not approve any tender, or appoint any submitted tender. Any variation from the recommended tender would need to be motivated as a variation of the current Procurement Policy and tender assessment guidelines.

**RECOMMENDATION**

**ITEM 3.1: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR SWANN  
SECONDED: COUNCILLOR WOLFE**

**THAT Council NOT award the tender for construction of Upgrade to Albany Soccer Club Playing Field on North Road as all offers exceed the budgetary allowance amount of \$129000.**

**MOTION CARRIED 13-0**

17/08/2010

\*REFER DISCLAIMER\*

**3.2: UPGRADE OF ALBANY SOCCER CLUB PLAYING FIELD**

**File Number or Name of Ward** : STR004 (Frederickstown Ward)  
**Land Description** : Reserve 23110  
**Disclosure of Interest** : Nil  
**Business Entity Name** : City of Albany  
**Previous Reference** : OCM 17.11.09 Item 19.1  
**Attachment(s)** : No  
**Appendices** : No  
**Reporting Officer(s)** : Manager City Projects (S Pepper)  
**Responsible Officer(s)** : EDWS K Ketterer

**BACKGROUND**

1. At the November 2009 Council meeting, it was resolved –

“i) THAT Council APPROVE the ready to proceed project list for RLCIP grant funding:

Ready to proceed projects:

Serial	Group	Project	Revised Estimate
1	Lawley Park Tennis	surface courts & drainage	\$60,000
2	Albany Soccer Club	drainage, ground improvements	\$129,000
3	Albany Girl Guides	turf, drainage and safety fencing	\$55,000
4	Princess Royal Sailing Club	Rescue boat compound, weather station/communications upgrade	\$30,000
Total			\$274,000

AND

i) That should one of the preferred projects not be able to proceed, Council APPROVE the following reserve projects:

Reserve Projects

Serial	Group	Project	Amount
1	Apex	Lookout Gazebo	\$45,000
2	City of Albany	Public Toilets – attached to ALAC 2	\$100,000

AND

ii) That should the actual costs of any project vary from the above estimates, the CEO be authorised to administer the expenditure amounts within the total budget of \$274,000”.

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2. The proposed construction upgrade of the Albany Soccer Club North Road playing field number 3 was submitted for funding under the Round 2 of Regional and Local Community Infrastructure Program and approved.

### DISCUSSION

3. Design, specification and contract documentation was prepared by City of Albany staff to the stage of 'Issue for tender'. The tender was advertised from 30 June 2010 and closed on 23 July 2010. As all tenders received were above the funding amount budgeted for this project, the officer recommendation was that no tenders be awarded.
4. Staff have reviewed the various options available to determine whether the project could still continue and have developed a possible scenario:
  - Staff have reviewed the project detail and cost accordingly – estimate \$398,000
  - Utilise the Regional and Local Government Infrastructure Program funding of \$129,000 as the base for the project (OCM 17.11.09 Item 19.1)
  - Seek Department of Sport and Recreation funding from the State Government's \$8 million election commitment to the City (\$3 million already allocated to ALAC Stage 2) – funding available on a 50:50 basis.
  - Request a re-allocation of **\$70,000** from the Cull Park Catchment Improvements job number 2096.

NB: The funding from Department of Sport and Recreation would need to be approved and available by **20 September 2010**, to make the project viable.

5. To implement such a scenario, staff have considered the introduction of contractors to complete other approved works, which involve less technical expertise, and utilise in-house knowledge to co-ordinate the upgrade of the soccer field.
6. It is acknowledged the tender prices are close to Council's estimate, but it is unreasonable to ask a contractor to hold a tender price for a month, with the possibility of the funding being declined, and hence the tender being cancelled.
7. As the Regional and Local Government Infrastructure Program requires Council to complete its nominated project by 31 December 2010, staff have had to place a deadline on the funding opportunity with the Department of Sport and Recreation (Regional Office has been notified the predicament) to allow works to be completed on time.
8. Should the DSR funding not be available by this self imposed deadline, it is recommended Council consider requesting a project variation from the Regional and Local Government Infrastructure Program, to cancel the current project and seek approval for the \$129,000 to be allocated to the **Mt Clarence ANZAC Infrastructure** project, which fulfils the eligibility criteria for funding and is ready to commence.

### FINANCIAL IMPLICATIONS

9. A re-allocation of \$70,000 from job 2096 - Cull Park Catchment Improvements would be required to cover the shortfall in the project budget.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

10. Council can elect to –
- support the proposed upgrade of the Albany Soccer Club playing field, subject to the budget being amended to \$398,000, utilising the Regional and Local Government Infrastructure Program funding of \$129,000 as the base for the project, obtaining Department of Sport and Recreation funding totalling \$199,000 from the State Government's \$8 million election commitment to the City (\$3 million already allocated to ALAC Stage 2) being approved before 20 September 2010; and approving a re-allocation of \$70,000 from the Cull Park Catchment Improvements - job number 2096; OR
  - seek approval from the Regional and Local Government Infrastructure Program, for a variation to funding, from the upgrade of the Albany Soccer Club playing field, to the **Mt Clarence ANZAC Infrastructure** project.

**RECOMMENDATION****ITEM 3.2: RESPONSIBLE OFFICER RECOMMENDATION****MOVED: COUNCILLOR SWANN****SECONDED: COUNCILLOR WOLFE****SUPPORT:**

1. **The upgrade of the Albany Soccer Club playing field, subject to –**
    - the budget being amended to \$398,000
    - the Regional and Local Government Infrastructure Program funding of \$129,000 as the base for the project
    - a re-allocation of \$70,000 from the Cull Park Catchment Improvements - job number 2096; and
    - Department of Sport and Recreation funding totalling \$199,000 from the State Government's \$8 million election commitment to the City (\$3 million already allocated to ALAC Stage 2) being approved before 20 September 2010.
- OR**
2. **THAT should the Department of Sport and Recreation not be able to approve the funding application in time for the 20 September 2010 deadline, then Council, seek approval from the Regional and Local Government Infrastructure Program, for a variation to funding, to change projects from the upgrade of the Albany Soccer Club playing field, to the Mt Clarence ANZAC Infrastructure project.**

**MOTION CARRIED 13-0  
ABSOLUTE MAJORITY**

**3.3: REALLOCATION OF ROAD MAINTENANCE FUNDS FOR THE CONSTRUCTION OF A SHELTER FOR DEPOT GRAVEL BUNKER**

<b>File Number or Name of Ward</b>	:	All Wards
<b>Proponent</b>	:	City of Albany
<b>Disclosure of Interest</b>	:	Nil
<b>Business Entity Names</b>	:	Techtonics Construction Group
	:	Ranbuild
<b>Previous Reference</b>	:	Nil
<b>Attachment(s)</b>	:	Nil
<b>Consulted References</b>	:	Nil
<b>Reporting Officer(s)</b>	:	Acting Executive Director Works and Services (M Richardson)
<b>Responsible Officer(s)</b>	:	Acting Executive Director Works and Services (M Richardson)

**BACKGROUND**

1. Council's allocation of funds for road maintenance is adopted through the annual budgetary process. Funds are used for scheduled and unscheduled maintenance across the City's road network.
2. Funds from the Roads Maintenance budget have been used to erect a shelter over the gravel bunker at the Mercer Road depot to keep its gravel dry over the winter months.
3. Delays in the contractor's construction schedule resulted in a completion date of late July 2010 and necessitated the carryover of funds to the 2010/11 year.
4. Council approval is required to reallocate the necessary funds from the 2009/10 roads maintenance budget and create a capital budget item to reflect the capital nature of the work.

**DISCUSSION**

5. Gravel is an important material used in road maintenance due to the binding and compaction properties that it achieves from the balance of its primary components of clay, various sized aggregates and moisture. If this balance is disrupted by, for example, too much water then the gravel turns to a muddy consistency and can't be used for road repairs.
6. Wet gravel has been an ongoing problem for road maintenance teams for many years and has hampered the quality of road repairs during wet periods of the year.
7. Building a shelter over the existing gravel storage bunker at the Mercer Road depot will allow for a stockpile of dry gravel to be managed through the winter months for the purpose of road maintenance.

**STATUTORY IMPLICATIONS**

8. 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.

**FINANCIAL IMPLICATIONS**

- 9. The cost of the gravel bunker shelter has been funded from the 2009/10 Road Maintenance budget with funds carried over into 2010/11.
- 10. Budget Line Number: 148440

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

- 11. Council are required to authorise the spending of funds from a maintenance budget prior to it being used for the purchase of a capital item.

**SUMMARY CONCLUSION**

- 12. The City can improve its response time and the quality of its winter road repairs by constructing a shelter over its existing depot gravel bunker.

**RECOMMENDATION****ITEM 3.3: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR DUFTY**

**APPROVE the reallocation of \$42,684 from its 2009/10 Road Maintenance budget for the construction of a shelter over the depot gravel bunker.**

**MOTION CARRIED 13-0**  
**ABSOLUTE MAJORITY**

### 3.4: ROYALTIES FOR REGIONS-LOCAL GOVERNMENT FUNDING

<b>File Number or Name of Ward</b>	:	STR 004 (All Wards)
<b>Land Description</b>	:	N/A
<b>Proponent</b>	:	City of Albany
<b>Owner</b>	:	N/A
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 15.12.09 Item 15.2.2
<b>Attachment(s)</b>	:	Nil
<b>Reporting Officer(s)</b>	:	Manager, City Projects (S Pepper)
<b>Responsible Officer(s)</b>	:	Executive Director Works and Services K Ketterer

#### BACKGROUND

1. At the December 2009 Council Meeting it was resolved:

“THAT Council SUPPORT the following for submissions to –  
4 Royalties for Regions – Annual

Allocates \$1,005,158 to its pathways projects, utilising the Council approved Asset Management Plan Pathways as the basis of prioritising works;

	Estimated Budget \$
i. Flinders Parade path	209,000
ii. Wollaston Rd path – Golf Links Rd to Flinders Pd	69,250
iii. Brunswick Rd – existing path south of Cuddihy to cul-de-sac	168,000
iv. Albany Hwy path – 689 Albany Hwy to Reserve 49711	321,000
v. Lancaster Rd path – from Albany Hwy to McGonnell St	81,250
vi. Ulster Rd & Lower King Rd path – Rycraft Dr to Collingwood Rd	161,500
vii. Mokare Rd path – from Hardie Rd to Mokare Park	56,000
<b>TOTAL</b>	<b>1,066,000</b>

Nb: Should the estimates for the preferred projects not exceed the funding amount (\$1,005,158), Council support the inclusion of the following pathways –

1. Bay View Drive – from Queen St to King George St	196,500
2. Eyre Park path – from Middleton Rd to Garden St	148,000

2. Since December 2009, there has been a change in ownership of the Royalties for Regions Funding Program, from the Department of Local Government to the Department of Regional Development and Lands.

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3. A new set of guidelines have been released, which require local authorities to:
  - fully acquit their 2008/09 Country Local Government Funding allocation;
  - produce strategic and asset management plans, as a pre-requisite to access the individual local government allocations from the CLGF in 2010/11; and
  - The individual local government allocation for the City of Albany has been amended **from \$1,005,158 to \$988,497**.
4. The City of Albany has submitted its 2008/09 acquittal to the Department (which was originally submitted to the Department of Local Government on 23 December 2009), and its adopted Asset Management Paths, on 15 July 2010, and now await approval to submit an application for funding for the construction of various paths.

## DISCUSSION

5. A review of the various paths selected in the December 2009 Council meeting, enabled staff to update outdated estimates, identify efficiencies in design and construction timelines, and re-assess priorities relating to public concerns.
6. Of the current list of paths for this funding, only Flinders Pd, Brunswick Rd, Albany Hwy, and part of Bay View Dr have completed designs. It should be noted, that Flinders (funding declined), Brunswick and Bayview Dr (portion of) paths are listed in the 2010/11 budget for construction.
7. Staff have reviewed the paths listing from the adopted Asset Management Plan – Paths and recommend the following paths be submitted for CLGF consideration –

Path Name	Estimate
• Albany Hwy – Lancaster to Deloraine Park path	\$222,500
• Lancaster Rd – McGonnell path	\$ 69,500
• Mokare Rd path	\$ 26,500
• Ulster Rd – Rycraft to Collingwood Rd path	\$125,497
• Flinders Pd path	\$171,000
• Martin Rd path	\$103,500
• Barnesby Dr path	\$ 76,500
• Middleton Rd – Vine to 266 Middleton Rd path	\$138,500
• Burt St – Suffolk to Boronia Ave path	\$ 55,000
<b>Total</b>	<b>\$988,497</b>

NB: Should the estimates for the preferred projects not exceed the funding amount (**\$988,497**), Council support the inclusion of the following pathways –

• Middleton Rd – Aberdeen to Burt St path	\$ 58,500
• Middleton Rd – Stewart to Wollaston Rd path	\$ 29,000
• Eyre Park path	\$100,000

**RECOMMENDATIONS**

8. It is recommended Council support the staff review of the original paths list, to enable those paths which are fully designed and costed, have been highlighted as concerns with ratepayers, and are listed in the Assets Management Plan – Paths, to be included in the amended list for construction.
9. It would be advantageous, that should the actual costs of any project vary from the above estimates, the CEO be authorised to administer the expenditure amounts within the total budget of \$988,497.

**STATUTORY IMPLICATIONS**

10. In accordance with the provisions of the Local Government Act 1995, section 5.42, the Council may delegate to the Chief Executive Officer any of its powers other than those referred to in section 5.43.

**FINANCIAL IMPLICATIONS**

11. External funding for infrastructure projects will increase the City's financial capacity to deliver projects within budget and enhance the local economy and social well being of its residents.

**SUMMARY CONCLUSION**

12. As per Officer's recommendation below.

Acting Executive Director Works and Services, Mike Richardson, addressed Council with regard to some recent additional information regarding this item, which Council may want to consider.

The Country Local Government Fund has advised staff that the City's allocations for Royalties for Regions funding won't be released until the City's five year capital works program is incorporated into the organisations five year financial plan.

Council staff are currently working on that five year financial plan, with a timeline for completion and adoption by Council in February 2011. Because of the delay in releasing the funding while waiting for the completion and adoption of the financial plan, and subsequent Government approval, works will now not commence until March/April 2011. Funds are able to be carried over to the next financial year.

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**ITEM 3.4: RESPONSIBLE OFFICER RECOMMENDATION****MOVED: COUNCILLOR SUTTON****SECONDED: COUNCILLOR MATLA**

**SUPPORT** the submission for Royalties for Regions – Country Local Government Fund 2010/11: and

1. Allocates \$988,497 to the following pathways projects,

Path Name	Estimate
• Albany Hwy – Lancaster to Deloraine Park path	\$222,500
• Lancaster Rd – McGonnell path	\$ 69,500
• Mokare Rd path	\$ 26,500
• Ulster Rd – Rycraft to Collingwood Rd path	\$125,497
• Flinders Pd path	\$171,000
• Martin Rd path	\$103,500
• Barnesby Dr path	\$ 76,500
• Middleton Rd – Vine to 266 Middleton Rd path	\$138,500
• Burt St – Suffolk to Boronia path	\$ 55,000
<b>Total</b>	<b>\$988,497</b>

2. Should the estimates for the preferred projects not exceed the funding amount (\$988,497), Council support the inclusion of the following pathways –

• Middleton Rd – Aberdeen to Burt St path	\$ 58,500
• Middleton Rd – Stewart to Wollaston Rd path	\$ 29,000
• Eyre Park path	\$100,000

**AND**

3. That should the actual costs of any project vary from the above estimates, the CEO be authorised to administer the expenditure amounts within the total budget of the funding source.

**MOTION CARRIED 13-0  
ABSOLUTE MAJORITY**

### 3.5: CONTRACT C10009, C10012, C10013, C10014 AND C10016: SUPPLY AND DELIVERY OF VARIOUS PLANT & EQUIPMENT

<b>File Number or Name of Ward</b>	: All Wards
<b>Proponent</b>	: City of Albany
<b>Disclosure of Interest</b>	: Nil
<b>Business Entity Names</b>	: Various
	: Nil
<b>Previous Reference</b>	
<b>Attachment(s)</b>	: Nil
<b>Consulted References</b>	: Nil
<b>Reporting Officer(s)</b>	: Depot Services Co-ordinator (J Harbach)
<b>Responsible Officer(s)</b>	: Acting Executive Director Works and Services (M Richardson)

#### BACKGROUND

1. Council at its meeting held 18<sup>th</sup> June 2002, adopted the Asset Replacement Program – Plant. This strategy is reviewed on an annual basis to determine long term requirements, optimal replacement times and maintenance of each individual item of plant.
2. After an absence of two years Council approved the reinstatement of this strategy. This report will provide outcomes for those items of plant that were sent to tender from the 2010/2011 Budget.

#### DISCUSSION

3. Tenders were called for the supply and delivery of various plant and equipment for this financial year. Tenders were requested to supply trade in pricing on those items of plant that Council were replacing.
4. 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 these tenders is documented below

Criteria	% Weight
Cost	50%
Technical Compliance & Operational Suitability	40%
Reliability	10%
<b>TOTAL</b>	<b>100%</b>

5. The following tables summarize those submissions received by the close of the tender period  
**C10009 – 4WD BACKHOE**

TENDERER	PURCHASE PRICE (Inc. GST)	WEIGHTING
<b>CEA – JCB 3CX PCSS</b>	<b>\$163,350.00</b>	<b>608</b>
CJD – Volvo BL71	\$172,700.00	602
Westrac – Option 1 – Cat 428E 11	\$173,360.00	590.5
Hitachi – 3155J	\$165,154.00	558
Westrac – Option 2 – Cat 432E 11	\$189,391.40	546.5
Komatsu – WB97R-5EO	\$181,050.98	509.5

6. A total of seven tenders were downloaded for this item of plant. The tender submission from McIntosh & Sons was deemed non-conforming because it did not meet tender specifications and therefore was removed from further evaluation.
7. The tender submission from CEA (Construction Equipment Australia) was determined as the most advantageous offer to Council. Council currently has this brand of machine in use at the Cemetery and in the works area. The machines have proven to be consistently reliable and suitable for the type of works that Council require.

8. C10012 – SUPPLY & DELIVERY OF 4WD PTO TRACTOR

TENDERER	PURCHASE PRICE (Inc. GST)	WEIGHTING
<b>C&amp;C Machinery – MF7465V</b>	<b>\$166,300.00</b>	<b>623</b>
Farmers Centre – Option 2 – Puma CVT 165	\$201,500.00	533
Farmers Centre – Option 1 – Deutz TTV 610	\$191,500.00	497.70
McIntosh & Sons – New Holland T7030	\$220,000.00	485.50

9. A total of thirteen tenders were downloaded for this item of plant. Only four submissions were received. The tender submission from C&C Machinery was determined as the most advantageous offer to Council.
10. Council already has a machine from C&C Machinery currently in use that is the same model tractor that has been tendered. Purchase of an identical model will streamline operational requirements, change of operator and mechanical servicing and repair.
11. C10013 – SUPPLY & DELIVERY OF VIBRATING ROLLER

TENDERER	PURCHASE PRICE (Inc. GST)	WEIGHTING
<b>Wirtgen Australia – Option 2 – HAMM 3414</b>	<b>\$138,600.00</b>	<b>658</b>
Westrac – CAT CS56	\$176,000.00	595
Wirtgen Australia – Option 1 – HAMM 3412	\$145,750.00	585
Conplant Pty Ltd – Option 1 – ASC110D	\$148,500.00	576.5
Conplant Pty Ltd – Option 2 – ASC130D	\$152,900.00	562.5
CJD – Option 2 – Volvo SD160DX	\$178,200.00	538.5
McIntosh & Sons – Liugong 614H	\$149,050.00	527
CJD – Option 1 – Volvo SD116DX	\$150,700.00	517.5
Atlas Copco Construction – Option 3 – Dynapac CA362D	\$174,900.00	492
CEA – Option 2 – JCB VM132	\$176,550.00	492
CEA – Option 1 – JCB VM146	\$190,300.00	468
BT Equipment – BW211D-4	\$165,000.00	443.5

12. A total of ten tenders were downloaded for this item of plant. The tender submission from Clark Equipment and two tender submission options from Atlas Copco Construction were deemed non-conforming because they did not meet tender specifications and therefore were removed from further evaluation.
13. The tender submission from Wirtgen Australia – Option 2 was determined as the most advantageous offer to Council. This roller is noted for its small turning radius, low noise levels and reduced fuel consumption. Checks with other local businesses have resulted in positive feedback for this machine.
14. C10014 – SUPPLY & DELIVERY OF MULTI-TYRE ROLLER

TENDERER	PURCHASE PRICE (Inc. GST)	WEIGHTING
<b>Westrac – Cat PS300C</b>	<b>\$204,600.00</b>	<b>576.1</b>
Wirtgen – Option 1 – Hamm GRW280-20	\$170,500.00	565
ERS – Multipac YL25C	\$172,150.00	560
Wirtgen – Option 2 – Hamm GRW280-24	\$176,000.00	549

15. A total of eight tenders were downloaded for this item of plant. The tender submissions from Conplant Pty Ltd, BT Equipment and Clark Equipment were deemed non-conforming because they did not meet tender specifications and therefore were removed from further evaluation.
16. The tender submission from Westrac was determined as the most advantageous offer to Council. Council already has a multi-tyre roller from Westrac in use that is an earlier model from that tendered. The purchase of a similar model machine will streamline operational requirements, change of operator and mechanical servicing and repair.
17. C10016 – SUPPLY & DELIVERY OF TRUCK (16,000GCM)

TENDERER	PURCHASE PRICE (Inc. GST)	WEIGHTING
<b>Albany City Motors – Isuzu FRR500 Med</b>	<b>\$106,278.63</b>	<b>635</b>
WA Hino – Hino 1727 Med 6	\$141,902.43	465

18. A total of fourteen tenders were downloaded for this item of plant. Only two submissions were received. The tender submission from Albany City Motors was determined as the most advantageous offer to Council.
19. Council currently operates a fleet of Isuzu trucks and have found them reliable and suited to the task.
20. There are two trucks scheduled for replacement in the 2010/11 budget. Given that Council intends to purchase trucks that are identical in size and specification, and that this item of plant has completed the tender process, it is recommended that Council award the supply and delivery of two (2) trucks to Albany City Motors.

**EVALUATIONS HELD OVER TO SEPTEMBER COUNCIL MEETING**

21. Of the plant submitted to Council for tender evaluation, two of these items – the Maintenance Grader and the Construction Grader – have been removed from the current report. Time constraints do not allow enough time to conduct a complete evaluation of those two items.
22. Council currently have a free-roll roller mounted onto the back of the maintenance grader which could cause the grader to be overloaded.
23. The free roller is designed to be used at low speed while grading with minimum brake application. The machine braking system is designed to stop the machine with a maximum gross weight. It has been reported that when in transport mode, there has been several incidents where the machine has exceeded the gross weight and has caused premature brake wear.
24. The reporting officer is reluctant to recommend the awarding of the tenders for the maintenance and construction graders until a definitive result from further investigations has been achieved. These two items of plant will be presented to the Council meeting in September for consideration.

**PUBLIC CONSULTATION/ENGAGEMENT**

25. A request for tenders was published in the West Australian on 14<sup>th</sup> July 2010, the Albany Advertiser on 15<sup>th</sup> July 2010 and Albany Extra on 16<sup>th</sup> July 2010

**STATUTORY IMPLICATIONS**

26. Regulation 11 of the Local Government (Functions and General) Regulations 1996 requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$100,000.
27. 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.
28. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision:

**FINANCIAL IMPLICATIONS**

29. Suppliers were requested to inspect and submit a trade-in valuation for the purchase of existing plant when these are to be replaced by new plant. Staff have evaluated those trade prices on offer from the suppliers and have determined that they are not acceptable to Council.
30. Most of the trade-in valuations did not reach staff's expectations. Therefore it is recommended by the reporting officer that all the plant submitted for replacement in this current financial year be sent to public auction in Perth. Historically, Local Government plant and equipment achieve a premium price on the open market.

31. The anticipated trade in values received for the plant and equipment sent to auction will offset the purchase price and provide a balanced budget.
32. Budget Line Number: 135640

### POLICY IMPLICATIONS

33. Councils Policy "Regional Price Preference Policy – Buy Local" is applicable to this item

### ALTERNATE OPTIONS & LEGAL IMPLICATIONS

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

### SUMMARY CONCLUSION

35. The City has undergone a competitive process in line with the relevant legislation and established policies.

[9:48:55 PM](#) Councillor Leavesley foreshadowed motion to defer.

### RECOMMENDATION

#### ITEM 3.5: RESPONSIBLE OFFICER RECOMMENDATION

**MOVED:COUNCILLOR WOLFE**

**SECONDED: COUNCILLOR SUTTON**

1. **AWARD** the following tenders:
  - a) **C10009 – Supply & Delivery of 4WD Backhoe to Construction Equipment Australia for \$163,350.00.**
  - b) **C10012 – Supply & Delivery of 4WD PTO Tractor to C&C Machinery for \$166,300.00.**
  - c) **C10013 – Supply & Delivery of Vibrating Roller to Wirtgen Australia for Option 2 – HAMM 3414 for \$138,600.00.**
  - d) **C10014 – Supply & Delivery of Multi-Tyre Roller to Westrac for \$204,600.00.**
  - e) **C10016 – Supply & Delivery of Truck (16,000 GCM) to Albany City Motors for the purchase of two (2) trucks for a total cost of \$212,557.26.**
2. **RECOMMEND** that Plant and Equipment identified for replacement in the 2010/2011 budget be sent to public auction in Perth for disposal.

**MOTION CARRIED 7-6**

#### Record of Vote

For the Motion: Mayor Evans, Councillors C Holden, R Paver, D Wolfe, D Dufty, J Matla and R Sutton  
Against the Motion: Councillors J Bostock, R Hammond, J Swann, D Wellington, M Leavesley and D Bostock

**3.6: ADOPTION OF THE DRAFT CLIMATE CHANGE ACTION PLAN**

<b>File Number (Name of Ward)</b>	: MAN 278 (All Wards)
<b>Land Description</b>	: Not applicable
<b>Disclosure of Interest</b>	: Nil
<b>Business Entity Name</b>	: Nil
<b>Previous Reference</b>	: OCM 15/06/10 – 15.3.1
<b>Attachment(s)</b>	: Appendix A – Draft Climate Change Action Plan
<b>Appendices</b>	: Nil
<b>Consulted References</b>	: Councillors Lounge: Internet:
<b>Maps and Diagrams</b>	: Nil
<b>Reporting Officer(s)</b>	: Manager City Assets – Peter Brown
<b>Responsible Officer</b>	: Executive Director Works and Services - Kevin Ketterer

**IN BRIEF**

- Following on from the adoption of policy, this item presents the draft Climate Change Action Plan for Council deliberations.

**BACKGROUND**

1. At its 15<sup>th</sup> June 2010 OCM, Council adopted a draft climate change policy. This policy has been advertised to seek community feedback and is now presented as a separate agenda item in its final format for Council deliberation.
2. The policy document is considered a high level document (statement of purpose) that outlines the Council's commitment to addressing the impacts of climate change. The draft Action Plan has now been developed to specifically detail what steps the City could take in its efforts to improve our environmental performance in matters relating to climate change.

**DISCUSSION**

3. The draft Climate Change Action Plan identifies nine (9) key actions that are considered the most practical actions for the City to take to reduce carbon emissions. The key actions recognize some of the current actions being undertaken and set out new initiatives that will be developed and further reported to Council.
4. The issue of climate change and global warming has raised a level of scepticism in the community. The main point of contention is not that climate change and global warming is occurring, but that human activity is the cause. While sceptics remain over this issue, it is important that the City recognizes the state and federal government's position which is based on mainstream science and factual data about changing weather conditions and temperature increases.

5. The debate about climate science and the impacts of human activity will no doubt continue, however the practical steps detailed in the Action Plan serve a greater purpose, i.e. they present a range of initiatives that seek to improve our environmental performance across all levels of the City's operations.
6. By adopting the draft Climate Change Action Plan the City can send a clear message about its position on environmental issues and how it intends to perform as a large local organization. The City's actions have the potential to have a flow on effect to other organizations that deal with the City. As an example, one of the key actions in the Action Plan calls for a new fleet management strategy that inherently considers carbon emissions. By adding carbon performance as a factor in our decision to purchase plant and vehicles, the City can send a clear message to the automotive industry that poor performing vehicles will not be accepted.

### **PUBLIC CONSULTATION / ENGAGEMENT**

7. It is proposed that, if adopted in draft format, City staff will publicly advertise the document and circulate to key stakeholders for comment before returning to Council for final adoption.

### **GOVERNMENT CONSULTATION**

8. There is a number of state and federal government stakeholders have been identified and will be requested to comment on the draft Action Plan.

### **STATUTORY IMPLICATIONS**

9. 'In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.'
10. Local Government Act 1995 part 1 s1.3 (3)

### **FINANCIAL IMPLICATIONS**

11. There are no financial implications directly attributed to the adoption of this Action Plan. The implementation of key actions recommended in the action plan may have financial implications. It is planned that any key actions involving a financial commitment will be reported to Council.

### **STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN**

12. The City's Strategic Plan Albany Insight – Beyond 2020 sets out the vision for Albany to 2025 and includes a number of points relating to sustainability and climate.

#### **Item 1. Lifestyle and Environment**

- 1.6 *"The long term problems of climate change and peak oil have been recognised and responded to."*

17/08/2010

\*REFER DISCLAIMER\*

**Item 2. Economic Development**

2.1 *“renewable energy completely powers the region.”*

**Item 3 City Centre**

3.1 *“Be family and pedestrian friendly;*

3.4 *“Serviced by regular and affordable public transport system.”*

**Item 4 Governance**

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

**POLICY IMPLICATIONS**

13. The policy complies with the draft Climate Change Action Plan.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

14. There are no alternate options and legal implications associated with this item.

**SUMMARY CONCLUSION**

15. The adoption of the draft Climate Change Action Plan will guide staff towards the objective of reducing carbon emissions and improving the City’s environmental performance. It is planned that the key actions identified in the Action Plan will be undertaken over the next two (2) years.

**ITEM 3.6: RESPONSIBLE OFFICER RECOMMENDATION****MOVED: COUNCILLOR HAMMOND****SECONDED: COUNCILLOR WOLFE**

- 1. ADOPT the draft Climate Change Action Plan, and**
- 2. ADVERTISE the draft Climate Change Action Plan for 21 days and seek comment from key stakeholders.**

**MOTION CARRIED 7-6****Record of Vote**

For the Motion: Mayor Evans, Councillors R Hammond, J Swann, D Wellington, R Paver, D Wolfe and J Matla

Against the Motion: Councillors J Bostock, C Holden, M Leavesley, D Bostock, D Dufty and R Sutton

### 3.7: FINAL ADOPTION OF CLIMATE CHANGE POLICY

<b>File Number (Name of Ward)</b>	: MAN 278 (All Wards)
<b>Land Description</b>	: N/A
<b>Disclosure of Interest</b>	: Nil
<b>Business Entity Name</b>	: Nil
<b>Previous Reference</b>	: OCM 15/6/2010 - 15.3.1
<b>Attachment(s)</b>	: Nil
<b>Appendices</b>	: Climate Change Policy 2010 Schedule of Submissions Climate Change Policy - Final
<b>Maps and Diagrams</b>	: Refer to attachment.
<b>Reporting Officer(s)</b>	: Manager City Assets - Peter Brown
<b>Responsible Officer</b>	: Executive Director Works and Services - Kevin Ketterer

#### IN BRIEF

- Following a public consultation period, five (5) comments were received on the draft Climate Change Policy.
- The item seeks final adoption by Council of the Climate Change Policy.

#### BACKGROUND

1. The draft Climate Change policy was received at 15 June 2010 Ordinary Council Meeting. It was resolved “that Council:
  1. ADOPT the draft Climate Change Policy, and
  2. ADVERTISE for a period of 21 days.”
2. The draft Climate Change Policy was advertised from 29<sup>th</sup> June 2010, with submissions closing by 22<sup>nd</sup> July 2010. A total of five (5) submissions were received.

#### DISCUSSION

3. Of the five (5) submissions received, all of them supported the City’s Climate Change Policy. The attachments include a schedule of submissions, which summarises the main comments; and a final copy of the Climate Change Policy, with amendments.
4. Comments from the Department of Environment and Conservation (DEC) were received on the advice of DEC’s Office of Climate Change Policy Officer. While DEC supported the broad concept of the policy, they provided a number of corrections, which were all included in the final document. The DEC’s main comment was that if the City did not plan for future adaptation, and only addressed current emissions, then it would not be a climate change policy.

5. Other substantive issues raised included;
- for all staff to be clear of their responsibilities in relation to climate change action; and provided with appropriate professional development;
  - to recognise and plan for the issue of peak oil, (in addition to climate change issues)
  - the need for aspirational targets for carbon emission reductions, within specified time frames;
  - specific actions and focused objectives;
  - consideration of other related sustainability issues, including sustainable population levels, protection of existing ecosystems, food security and reduction of the use of fossil fuels.

A full list is contained in the schedule of submissions.

### **PUBLIC CONSULTATION / ENGAGEMENT**

6. The document was placed on the City's website, and advertised in the local paper, inviting public comment. Once the public comment period had lapsed, responses were collated in the attachment, Climate Change Policy 2010 – Schedule of Submissions. Three comments were received from public sources.

### **GOVERNMENT CONSULTATION**

7. In November 2009, Coffey Environments released a study of Climate Change Implications for the South Coast Region. All the agencies listed as stakeholders in that document, were invited to comment. This included the Western Australian Local Government Association (WALGA), Fire and Emergency Services Authority (FESA), Department of Planning, DEC, Department of Agriculture, Great Southern Development Commission, Bureau of Meteorology, Department of Water, Water Corporation, Department of Fisheries and Main Roads. Responses were received from Main Roads and DEC.

### **STATUTORY IMPLICATIONS**

8. Section 1.3 (3) of the Local Government Act 1995 states... "In carrying out its functions, a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity."

The City of Albany will be a City where:

Item 1 Lifestyle and Environment

- 1.5 *“Development... embraces environmentally responsible approaches to energy and water consumption; and  
Incorporates healthy lifestyle activities and access to green space.”*
- 1.6 *“The long term problems of climate change and peak oil have been recognised and responded to.”*

Item 2 Economic Development

- 2.1 *“renewable energy completely powers the region.”*

Item 3 Albany’s City Centre

- 3.1 *“Be family and pedestrian friendly;*
- 3.4 *“Serviced by regular and affordable public transport system.”*

Item 4 Governance

- 4.1 *“..delivering ethical and responsible government..”*
- 4.2 *“Manage our municipal assets to ensure they are capable of supporting our growing community.”*
- 4.3 *“Deliver excellent community services that meet the needs and interests..”*

## ALTERNATE OPTIONS & LEGAL IMPLICATIONS

9. WALGA sought legal advice as to whether local governments should allow for climate change in their planning and processes. A summary of the advice was that “..should Local Government choose not to take into account acknowledged and peer reviewed scientific and policy information on climate change impacts and risks in relation to its planning processes in the future (both strategic and statutory) it will leave itself open to legal challenge in a broad sense. As the information is now considered both accessible and in the public domain it is considered legally prudent for Local Government to ensure it has policies and management plans in place to ensure that the available knowledge is applied appropriately.
10. At this point in time this advice is fairly ‘high level’ and does not deal specifically with public legal challenge, rather it covers the levels of the planning system that might be subject to scrutiny, and from what avenues. However it is WALGA's intention to explore this in more detail in the policy guidelines, which are currently being developed and will be released in the near future.” (Melanie Bainbridge, Climate Change Policy Officer, WALGA)

**SUMMARY CONCLUSION**

11. Following the public comment period, there was full support for the City's efforts in adopting a Climate Change Policy. On legal advice obtained by the WALGA, local government are strongly advised to take precautions in response to Climate Change.

**ITEM 3.7: RESPONSIBLE OFFICER RECOMMENDATION**

That Council adopt the final draft of the Climate Change Policy with amendments, as tabled.

**ITEM 3.7: ALTERNATE MOTION BY COUNCILLOR HOLDEN**

1. THAT the Climate Change Policy be renamed the Environmental Policy; and
2. THAT Council adopt the Environmental Policy with amendments as tabled

**ITEM 3.7: ALTERNATE MOTION BY COUNCILLOR HOLDEN**

**MOVED: COUNCILLOR HOLDEN**

**SECONDED: COUNCILLOR DUFTY**

1. **THAT the Climate Change Policy be renamed the Environmental Policy;and**
2. **THAT Council adopt the Environmental Policy with amendments as tabled**

**MOTION CARRIED 9-4**

**Record of Vote**

For the Motion: Councillors J Bostock, D Wellington, C Holden, M Leavesley,  
D Bostock, D Wolfe, D Dufty, J Matla and R Sutton

Against the Motion: Councillors R Paver, J Swann, R Hammond and Mayor Evans

## **4.1: PROVISION OF LEGAL SERVICES**

[10:12:56 PM](#) Councillor Swann left the chamber having declared an interest in this item.

<b>File Number (Name of Ward)</b>	: LEG003 (All Wards)
<b>Disclosure of Interest</b>	: Nil
<b>Business Entity Name</b>	: <ul style="list-style-type: none"><li>• <a href="#">Civic Legal Pty Ltd</a></li><li>• <a href="#">Freehills</a></li><li>• <a href="#">Minter Ellison Lawyers</a></li><li>• Woodhouse Legal</li><li>• <a href="#">Jackson McDonald Lawyers</a></li><li>• <a href="#">Kott Gunning Lawyers</a></li><li>• <a href="#">McLeods Barristers &amp; Solicitors</a></li><li>• <a href="#">Hudson Henning &amp; Goodman</a></li></ul>
<b>Previous Reference</b>	: Corporate Strategy & Governance Strategy and Policy Committee meeting – 30/07/09 – Item 4.4 OCM 15/09/09 Item 22.1 – Provision of Legal Services
<b>Attachment(s)</b>	: <ul style="list-style-type: none"><li>• Confidential – WALGA Preferred Supplier Panel – Legal Services – Schedule of Rates as at 1 July 2009</li><li>• WALGA - Preferred Suppliers For The Provision Of Legal Services To Local Government. Contract No. TPS 0906</li></ul>
<b>Appendices</b>	: Nil
<b>Consulted References</b>	: <a href="#">Local Government (Functions &amp; General) Regulations 1996</a>
<b>Reporting Officer(s)</b>	: Executive Manager Business Governance (S Jamieson)
<b>Responsible Officer</b>	: Executive Director Corporate & Community Services (WP Madigan)

### **IN BRIEF**

- That the provision of legal services is based on experience and sourced from:
  - Local legal firms, using the City of Albany, Purchasing Policy – Tenders & Quotes
  - Non-local firms are engaged using the preferred panel of suppliers

### **BACKGROUND**

1. In September 2009, the City of Albany accepted the tender for the provision of legal services and awarded HHG Legal with a 12 month contract.
2. In 2008/2009 Council spent \$270,158 on legal services
3. In 2009/10 the City expended \$319,366 on legal services
4. The breakdown over FY 09/10:

<b>Item</b>	<b>\$</b>
Hudson Henning & Goodman (opinions, review of leases & sub-leasing , contracts, ALAC defects dispute, Cull Rd, Airport)	\$145,641
Other (Development Services: Enforcement - \$12,000; Opinions - \$20,000; Appeals - \$10,000)	\$173,725
<b>Total</b>	<b>\$319,366*</b>

\*Note: Legal firms employed from across the legal sector made up \$276,103 of the total and the remainder (\$43,263) made up ancillary costs. i.e. Town Planning, Urban Design, Surveying, Mapping, Search Fees & Charge.

5. The current legal services contract with HHG expires in September 2010

### **DISCUSSION**

6. The Western Australian Local Government Association (WALGA) provides local governments with direct access to legal services suppliers through a preferred supplier list.
7. All panellists have demonstrated expertise and provided discounted pricing of the market rates for their professional services.
8. WALGA members accessing the WALGA Preferred Supplier Agreements do not need to independently tender for goods and/or services within the scope of these arrangements due to a public tender threshold exemption in the Local Government (Functions and General) Regulations 1996 Reg. 11 (2)(b).
9. WALGA maintains a Head Agreement with all preferred suppliers. The Head Agreement contractually governs the structure under which the products and service are offered to Members.
10. All preferred suppliers are based in Perth; therefore if a face to face meeting is required, this will be additional to the cost.

### **PUBLIC CONSULTATION / ENGAGEMENT**

11. Western Australian Local Government Association (WALGA), Contract no. TPS 0906, Expiring 22 June 2012.
12. The contract can be sourced from the member's only section of the WALGA website. A copy has been provided under confidential cover.

### **STATUTORY IMPLICATIONS**

13. Under the Local Government (Functions and General) Regulations, a tender exemption applies to WALGA's Preferred Supplier Contracts.
14. In the event Council does not support the Officer's recommendation: The following statutory obligations must be met:
  - Regulation 11 of the Local Government (Functions and General) Regulations 1996 requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$100,000.

- 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.
- Regulation 19 requires the CEO to advise each tenderer in writing the result of Council's decision.

#### **FINANCIAL IMPLICATIONS**

15. 2010/11 budget has allocated \$324,000 for legal services. This includes additional costs associated with the engagement of legal services (flights, accommodation & meals).

#### **POLICY IMPLICATIONS**

16. Purchasing Policy – Tenders & Quotes. This policy applies if legal service provider is not engaged from the listed WALGA preferred panel listing.

#### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

17. The City can resolve to re-tender for the provision of legal services.

#### **SUMMARY CONCLUSION**

18. It is considered appropriate for the City to engage specific legal services on a case by case basis, depending on the expertise of the firm involved.
- 19.

#### **ITEM 4.1: RESPONSIBLE OFFICER RECOMMENDATION**

THAT the provision of legal services is based on experience and sourced from:

- Local legal firms, using the City of Albany, Purchasing Policy – Tenders & Quotes.
- Non-local firms are engaged using the WALGA preferred panel of suppliers, Contract No. TPS 0906.

[10:13:32 PM](#) Councillor Paver foreshadowed an amendment to the motion to ensure that local legal firms are not engaged on local government law and administrative law.

**ITEM 4.1: AMENDMENT**

**MOVED: COUNCILLOR PAVER**

**SECONDED: COUNCILLOR J BOSTOCK**

**THAT the provision of legal services is based on experience and sourced from:**

- **Local legal firms, using the City of Albany, Purchasing Policy – Tenders & Quotes.**
- **Non-local firms are engaged using the WALGA preferred panel of suppliers, Contract No. TPS 0906;**

**And**

**THAT no local legal firms are engaged on local government and administrative law**

**MOTION LOST 4-8**

**Record of Vote**

For the Motion: Councillors Paver, J Bostock, D Bostock and M Leavesley

Against the Motion: Mayor Evans, Councillors R Hammond, D Wellington, C Holden,  
D Wolfe, D Dufty, J Matla and R Sutton

The motion was then put.

**ITEM 4.1: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR WOLFE**

**SECONDED: COUNCILLOR DUFTY**

**THAT the provision of legal services is based on experience and sourced from:**

- **Local legal firms, using the City of Albany, Purchasing Policy – Tenders & Quotes.**
- **Non-local firms are engaged using the WALGA preferred panel of suppliers, Contract No. TPS 0906.**

**MOTION CARRIED 8-4**

**Record of Vote**

For the Motion: Mayor Evans, Councillors R Hammond, D Wellington, C Holden, D Wolfe  
D Dufty, J Matla and R Sutton

Against the Motion: Councillors J Bostock, M Leavesley, D Bostock and R Paver

Councillor Swann was not present in the chamber during this item and did not vote.

## **4.2: ALBANY TOURISM MARKETING ADVISORY COMMITTEE MEETING MINUTES**

[10:27:13 PM](#) Councillor Swann returned to the chamber

[10:27:27 PM](#) Councillor Paver left the chamber after declaring an interest in this item.

<b>File Number or Name of Ward</b>	: STR 208 (All Wards)
<b>Summary of Key Points</b>	: Committee Items for Council Consideration
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: N/A
<b>Attachment(s)</b>	: Committee Meeting Minutes – 14 July 2010
<b>Reporting Officer(s)</b>	: Executive Director Corporate and Community Services
<b>Responsible Officer(s)</b>	: Executive Director Corporate and Community Services

### **4.2: COMMITTEE RECOMMENDATION**

**MOVED: COUNCILLOR WELLINGTON**

**SECONDED: COUNCILLOR MATLA**

**THAT the UNCONFIRMED minutes of the Albany Tourism Marketing Advisory Committee meeting held on 14 July 2010 be received.**

**MOTION CARRIED 12-0**

Councillor Paver was not present during this item and did not vote.

## **4.3: INFORMATION TECHNOLOGY (IT) ALLOWANCE FOR ELECTED MEMBERS**

[10:28:54 PM](#) **Councillor Paver and Councillor Hammond returned to the chamber.**

**File Number** : FIN016  
**Disclosure of Interest** : None required as beneficiary of IT equipment  
**Previous Reference** : Nil.  
**Appendices** : No  
**Reporting Officer** : CEO John Bonker  
**Responsible Officer** : Chief Executive Officer

### **IN BRIEF**

- Council has in the past paid elected members an IT allowance in quarterly cash instalments.
- Recommended the cash payment practice cease, the allowance be increased to the maximum allowable under the Local Government Act and allocated as a credit from which the members can acquire, at the City's expense, approved IT equipment and consumables.

### **BACKGROUND**

1. It has been the practice of the City to pay the elected members an annual IT allowance of \$600, payable in quarterly instalments of \$150. This allowance was introduced in 2005 with the addition of a new section 5.99A of the Local Government Act where instead of reimbursing expenses previously permitted under section 5.98(2) and associated regulation 32, all council members could be paid an equal annual allowance within a prescribed range.
2. Clause 34AA of the Local Government (Administration) Regulations 1966 (as amended) stipulated that "...*the maximum total annual allowance for information technology expenses that have been approved for reimbursement under regulation 32 is \$1000.*"

### **DISCUSSION**

3. The rationale for suggesting the change is the administration's intention to facilitate improved organisational efficiency by increasing the distribution of information electronically, especially large documents. To facilitate that it is important the IT equipment in an elected member's home or business is compatible with the City's system. Providing the members with an IT credit for approved equipment, software, consumables and maintenance would ensure the allowance is applied for the purpose for which it is intended.
4. To enable a member to access a meaningful credit that would enable the purchase or upgrade of a personal computer (desktop and/or laptop) plus the necessary software and other accessories, an advanced credit based on the length of term of office is proposed. It is further proposed that the IT allowance of \$600 per annum be increased to \$1000, backdated to the date a member commenced office.

5. The attached spreadsheet shows 2 options. Option 1, based on the retention of the \$600 allowance, shows a collective remaining credit of \$15,099 with individual remaining credits ranging from \$450 and \$2,214. Option 2, based on the allocation of \$1,000 per annum, increases the potential maximum cost to \$33,899. Under this option individual member credits would vary from \$1,123 to \$3,814.
6. The following is a list of equipment that qualifies for acquisition under the IT allowance:
  - Desktop PC with *Windows 7* and *MS Office Pro* and anti-virus software
  - 19" LCD monitor
  - Laptop/notebook PC with *Windows 7* and *MS Office Pro* and anti-virus software
  - iPad
  - PDA (personal digital assistant)
  - Printer or printer/copier/scanner/fax
  - ADSL modem
  - Email/Internet capable mobile phone (eg. iPhone, Blackberry, etc.)
7. The City would purchase the equipment in consultation with the elected member as to preference, load the software and carry out the initial installation in the member's premises within the City of Albany (if required). Thereafter any fixes remain the responsibility of the member but the City will reimburse – subject to a member having sufficient remaining credit – any servicing provided by an accredited independent provider upon production of an invoice/receipt.
8. Consumables such as paper and ink cartridges are to be purchased by the member and will be reimbursed on the production of receipts. Reimbursements for services or consumables can be claimed at quarterly intervals
9. A member's IT credit is based on the number of quarters comprising a member's term of office. Should a member not complete his or her term and have accessed credit over and above the number of full and partially completed quarters, the member would be required to reimburse the City with the difference.
10. Upon completion of a member's term the equipment purchased under the IT allowance remains the property of the member.

#### **FINANCIAL IMPLICATIONS**

11. It should be understood that the City's potential liability of \$33,899 would be spread over 4 consecutive financial years (10/11, 11/12/, 12/13 and 13/14), acknowledging that there would be a new infusion of funds in 11/12 and 13/14 following the ordinary elections in October 2011 and 2013. Even if in the unlikely event most or all the \$33,899 credit was 'consumed' in 10/11, it would mean a corresponding reduction in the following financial year.
12. Any adjustments to the current budget can be made at the scheduled quarterly budget review.

### **POLICY IMPLICATIONS**

13. There is currently no policy on the payment of elected member allowances. These have previously been decided through the annual budget process.
14. Council could consider stipulating a condition that IT equipment be purchased locally or sourced through a local firm provided the total cost difference - including GST, transport and/or delivery - is not greater than 10% of the price available from any alternative source.

### **ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

15. There are 3 alternatives for dealing with the IT allowance, as follows:
  - (a) Provide the IT allowance only as a credit, as described in this report;
  - (b) Provide the IT allowance as a credit as the default option with the alternative for a member to receive the allowance in cash, i.e. \$600 per annum; or
  - (c) Provide the IT allowance in cash only, as at present.

### **SUMMARY CONCLUSION**

For the sake of consistency and the promotion of up to date electronic communication between the administration and the elected members, the preferred option is the IT allowance being made available only as a credit from which members can acquire IT equipment and related goods and services.

**ITEM 4.3: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR DUFTY**

**SECONDED: COUNCILLOR WELLINGTON**

1. The practice of making the annual IT allowance as quarterly cash payments be discontinued and replaced by providing the members with an opening IT credit as per option 2 on the attached table, as follows:
  - Mayor Evans, Crs Wolfe and Paver - \$2,050 each
  - Crs J Bostock and Matla - \$2,237.50 each
  - Cr Wellington - \$3,239
  - Crs D Bostock, Hammond, Leavesley, Sutton - \$3,426 each
  - Cr Dufty - \$3,814
  - Cr Holden - \$1,394
  - Cr Swann - \$1,123

Any adjustment necessary to the current budget to be made at the quarterly budget review.

2. The conditions associated with the acquisition of IT equipment and related goods and services be as described in clauses 6 to 10 of this report and the participating elected members be required to sign an agreement subscribing to those conditions.
3. That any IT equipment purchased by or for a member under the IT allowance be subject to a condition that the purchase be made locally or sourced through a local supplier provided the total cost difference - including GST, transport and/or delivery - is not greater than 10% of the price available from any alternative source.

**MOTION CARRIED 8-5  
ABSOLUTE MAJORITY**

**Record of Vote**

For the Motion: Mayor Evans, Councillors J Swann, D Wellington, C Holden, M Leavesley, R Paver, D Wolfe, D Dufty

Against the Motion: Councillors J Bostock, R Hammond, D Bostock, J Matla and R Sutton

**ITEM 4.3**

**ITEM 4.3**

**Elected Members - Information Technology (IT) Allowances**

IT (\$600 p.a.)	Evans	Wolfe	Paver	Bost. J	Matla	Well'ton	Bost.D	Hamm'd	Leaves	Sutton	Dufty	Holden	Swann
Commenced Office	Oct-07	Oct-07	Oct-07	Oct-07	Oct-07	Oct-09	Oct-09	Oct-09	Oct-09	Oct-09	Oct-09	Feb-10	Jul-10
End Office	Oct-11	Oct-11	Oct-11	Oct-11	Oct-11	Oct-13	Oct-13	Oct-13	Oct-13	Oct-13	Oct-13	Oct-11	Oct-11
No. of Quarters	16	16	16	16	16	16	16	16	16	16	16	7	5
IT Allowance	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$2,400	\$1,050	\$750
Total Already Paid	\$1,950	\$1,950	\$1,950	\$1,763	\$1,763	\$761	\$574	\$574	\$574	\$574	\$186	\$356	\$127
IT \$600 Credit	<b>\$450</b>	<b>\$450</b>	<b>\$450</b>	<b>\$638</b>	<b>\$637</b>	<b>\$1,639</b>	<b>\$1,826</b>	<b>\$1,826</b>	<b>\$1,826</b>	<b>\$1,826</b>	<b>\$2,214</b>	<b>\$694</b>	<b>\$623</b>

Total credit all members **OPTION 1 - \$15,099**

**IT (\$1000 p.a.)**

Max IT Allowance	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$1,750	\$1,250
IT \$1000 Credit	<b>\$2,050</b>	<b>\$2,050</b>	<b>\$2,050</b>	<b>\$2,238</b>	<b>\$2,237</b>	<b>\$3,239</b>	<b>\$3,426</b>	<b>\$3,426</b>	<b>\$3,426</b>	<b>\$3,426</b>	<b>\$3,814</b>	<b>\$1,394</b>	<b>\$1,123</b>	

Total credit all members **OPTION 2 - \$33,899**

**ITEM 4.3**

**4.4: SENIORS ADVISORY COMMITTEE MEETING MINUTES – 15 JULY 2010**

**File Number (Name of Ward)** : FIN131 - All Wards  
**Disclosure of Interest** : Nil  
**Appendices** : Seniors Advisory Committee Meeting Minutes 15 July 2010  
And associated information  
**Reporting Officer(s)** :  
**Responsible Officer** : Executive Director (WP Madigan)

**IN BRIEF**

- Receive the minutes of the Seniors Advisory Committee.

**ITEM 4.4: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR SWANN**  
**SECONDED: COUNCILLOR DUFTY**

**THAT the UNCONFIRMED minutes of the Senior Advisory Committee held on the 15 July 2010 be RECEIVED.**

**MOTION CARRIED 13-0**

**4.5: LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING  
MINUTES – 7 JULY 2010**

**File Number (Name of Ward)** : MAN104 - All Wards  
**Disclosure of Interest** : Nil  
**Appendices** : Local Emergency Management Committee Meeting Minutes-  
7 July 2010  
**Reporting Officer(s)** : Emergency Management Officer (G Turner)  
**Responsible Officer** : Executive Director (WP Madigan)

**IN BRIEF**

- Receive the minutes of the Local Emergency Management Committee.

**ITEM 4.5: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR WOLFE**  
**SECONDED: COUNCILLOR SUTTON**

**THAT the UNCONFIRMED minutes of the Local Emergency Management Committee held on the 7 July 2010 be RECEIVED.**

**MOTION CARRIED 13-0**

**4.6: 2010/2011 COMMUNITY FINANCIAL ASSISTANCE AND EVENT PROGRAM COMMITTEE MINUTES – 27 JULY 2010**

**File Number (Name of Ward)** : FIN061 - All Wards  
**Land Description** : N/A  
**Disclosure of Interest** : • P Madigan – Item 5.0 (i) Impartiality Interest  
Southern Districts Dressage Club Inc  
• Councillor M Leavesley – Item 5.0 (i) Impartiality Interest  
Albany Racing Club  
**Attachment(s)** : • Summary of 2010/2011 Community Events Financial Assistance Program assessments  
**Appendices** : Nil  
**Reporting Officer(s)** : Executive Manager Community Services (D. Schober)  
**Responsible Officer** : Executive Director (WP Madigan)

**IN BRIEF**

- Recommendations for funding under the 2010/2011 Community Financial Assistance and Event Program.

**ITEM 4.6: MOTION**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR WOLFE**

**THAT the Responsible Officer Recommendation and Committee Recommendation be carried en bloc.**

**MOTION CARRIED 12-1  
ABSOLUTE MAJORITY**

**Record of Vote**

For the Motion: Mayor Evans, Councillors J Bostock, R Hammond, J Swann, D Wellington, C Holden, M Leavesley, R Paver, D Wolfe, D Duffy, J Matla and R Sutton  
Against the Motion: Councillor D Bostock

**ITEM 4.6: RESPONSIBLE OFFICER RECOMMENDATION**

**THAT the UNCONFIRMED minutes of the 2010/2011 Community Financial Assistance and Event Program Committee held on the 27 July 2010 be RECEIVED.**

**ITEM 4.6: COMMITTEE RECOMMENDATION**

**THAT Council:**

- i) **ADOPT the recommended funding allocations for the 2010/2011 Community Events Financial Assistance Program being:**

APPLICANT	DESCRIPTION	AMOUNT
Creative Albany Inc	Welcome to visiting Cruise Ships - 2010 Program	\$5,000
Albany Vintage & Classic Motorcycle Club	Vintage motorcycle weekend including bike display on Saturday and annual hillclimb on Sunday	\$1,000

Albany Racing Club Inc	Thoroughbred Horse Race, “City of Albany Handicap”	\$2,000
Albany City Wind Ensemble Inc	To present to the Albany community two performances of musical entertainment in the Albany Town Hall Theatre on the 24 <sup>th</sup> and 25 <sup>th</sup> July 2010	\$1,500
Albany Agricultural Society (Icon Event)	2010 Albany Agricultural Show and Trade Exhibition	\$8,000
Albany Horsemen's Assoc Inc	A showjumping weekend with State qualifiers at Centennial Oval	\$1,500
Southern Districts Dressage Club Inc	The Southern Solstice Dressage Championships is a two day dressage competition attracting a large number of competitors from a range of age groups and grades from throughout WA	\$1,500
ArtsouthWA Inc	2010 Southern Art & Craft Trail of more than 60 exhibitions throughout the Great Southern	\$3,000
RSL Albany Sub Branch (Icon Event)	ANZAC Day 2011	\$10,000
NewArts (Inc)	Paperartzi 011	\$7,000
Lower Great Southern Family Support Assoc Inc	International Day for People with a Disability	\$3,000
Perth International Arts Festival (PIAF) – (Icon Event)	2011 Festival Great Southern Program	\$15,000
Princess Royal Sailing Club	2011 Mirror World Championship	\$5,000
Major Lockyer Proclamation Day Society Inc	Re-enactment of Major Lockyer's Proclamation	\$1,500
Classic Motor Event (Icon Event)	2010 Albany Classic Motor Event	\$15,000
	<b>TOTAL</b>	<b>\$80,000</b>

- (i) The Community Financial Assistance and Events Funding Program Policy be reviewed to provide delegated authority to the Community Financial Assistance Funding Committee to approve event funding financial assistance up to \$15,000 for any one event (the level set by Council for ‘Icon’ events).
- (ii) That Council defers payment of the \$1,500 to the Major Lockyer Proclamation Society Inc and investigates the potential of incorporating the Major Lockyer Proclamation Day activities within its annual events program, and then utilise this funding within the program for this purpose.
- (iii) A future report be presented to the committee on financial assistance for progress associations and halls.

## 4.7 – LOCAL PUBLIC NOTICE – COUNCIL MEETING CALENDAR

<b>File Number (Name of Ward)</b>	: (All Wards)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Elected Members' Workshop No. 02 – 27/07/10.
<b>Attachment(s)</b>	: Legal Services Contract No. TPS 0906, Expiry 22 June 2012
<b>Appendices</b>	: Nil
<b>Consulted References</b>	: <a href="#">Local Government (Administration) Regulations 1996</a> , Reg 12.
<b>Reporting Officer(s)</b>	: Executive Manager Business Governance (S Jamieson)
<b>Responsible Officer</b>	: Chief Executive Officer (Interim) (J Bonker)

### IN BRIEF

- Adopt amended meeting schedule.

### BACKGROUND

1. **Meetings – Local Public Notice.** Local Public Notice is to be given at least once each year of Council and Committee meetings that the public may attend, to be held in the next 12 months.
2. A draft meeting schedule was presented for review at an Elected Members' Workshop held on the 27 July 10.

### DISCUSSION

3. Ordinary meetings of council. It is proposed:
  - a. That the scheduled ordinary meeting of Council for the month of December is brought forward to allow greater community participation and deconfliction with the Christmas holiday period.
  - b. An ordinary meeting of council is not planned for the January period to allow Council time to review and plan in consultation with the new full time CEO.
4. Annual General Meeting of Electors (AGM). At the elected members workshop held on 27/07/10, it was proposed to hold the AGM and ordinary meeting of council on the same night. This proposal has been amended to ensure that the AGM has a dedicated night to ensure appropriate time is allocated for community feedback and reflection.
5. Audit & Finance Committee meetings. Even though the Finance & Audit committee are closed to the public; they have been placed on the calendar for elected member planning purposes. Please be aware that completion of the Audit Report and Annual Report is dependent upon the time constraints of our external auditors; therefore, the specified dates may change.

**STATUTORY IMPLICATIONS**

6. A local government is to give local public notice of any change to the date, time and place of ordinary council meetings and committee meetings that are required under the Act to be open to members of the public.
7. General Meeting of Electors. The general meeting of electors is to be held not more than 56 days after the local government accepts the annual report. The annual report is to be accepted by the local government no later than 31 December or no later than 2 months after the auditor’s report becomes available. Sections 5.27, 5.53 to 5.55, Sch 9.3(20) and Admin Reg 36 contain the details.

**SUMMARY CONCLUSION**

8. That amended ordinary meeting calendar changes are endorsed and AGM is set for Thursday 16<sup>th</sup> December 2010 at 6pm.

**ITEM 4.7: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR SWANN  
 SECONDED: COUNCILLOR MATLA**

- (i) Council APPROVES the following dates times for the remaining ordinary meetings of Council:

<i>Month/Year</i>	<i>Tuesday Evening Briefing Session (6.00pm)</i>	<i>Tuesday Evening Ordinary Meeting of Council (7.00pm)</i>
<b>September 2010</b>	<b>14<sup>th</sup> September</b>	<b>21<sup>st</sup> September</b>
<b>October 2010</b>	<b>12<sup>th</sup> October</b>	<b>19<sup>th</sup> October</b>
<b>November 2010</b>	<b>9<sup>th</sup> November</b>	<b>16<sup>th</sup> November</b>
<b>December 2010</b>	<b>7<sup>th</sup> December</b>	<b>14<sup>th</sup> December</b>
<i>January 2011</i>	<i>No briefing</i>	<i>No meeting</i>
<b>February 2011</b>	<b>8<sup>th</sup> February</b>	<b>15<sup>th</sup> February</b>

- (ii) The Annual General Meeting of Electors will be held on Thursday 16<sup>th</sup> December 2010 at 6pm.

**MOTION CARRIED 13-0**

## 4.8 – NOMINATION FOR THE AEC OPERATIONAL ADVISORY COMMITTEE

<b>File Number (Name of Ward)</b>	: GOV105
<b>Disclosure of Interest</b>	: Nil
<b>Business Entity Name</b>	: AEG Ogden (Venue Management Company) Perth Theatre Trust
<b>Previous Reference</b>	: Nil
<b>Consulted References</b>	: <a href="#">Local Government Act 1995</a> (Act)
<b>Reporting Officer(s)</b>	: Executive Manager Business Governance (S Jamieson)
<b>Responsible Officer</b>	: Chief Executive Officer (Interim)( J Bonker)

### IN BRIEF

- Nominate a City of Albany representative to the AEC Operational Advisory Committee.

### BACKGROUND

1. The Perth Theatre Trust (PTT) has requested a nomination from the City of Albany to be a member of the AEC Operational Advisory Committee.
2. The committee will be chaired by a Trustee of the PTT, with membership also drawn from AEG Ogden, the City of Albany and the Great Southern Development Commission (GSDC).
3. The committee will provide strategic direction and leadership in the:
  - a. operation and management of the AEC;
  - b. monitor and receive reports on the performance of the AEC;
  - c. report back to the PTT;
  - d. consider programming proposals for the venue.

### DISCUSSION

4. The Mayor has indicated that he would like to represent Council on this committee.

### STATUTORY IMPLICATIONS

5. An external committee of Council is seeking a nomination from the City; therefore Section 5.10 (4) of the Act; being:

*“If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee”;*

does not apply.

### RECOMMENDATION

#### ITEM 4.8 – RESPONSIBLE OFFICER RECOMMENDATION

The City of Albany nominates, Mayor Milton J Evans, JP to the AEC Operational Advisory Committee.

ITEM 4.8 – AMENDED MOTION BY MAYOR EVANS

- The City of Albany nominates, Mayor Milton J Evans, JP to the AEC Operational Advisory Committee;

And

- Council nominates one other Elected Member to the AEC Operational Advisory Committee, and conducts a ballot if necessary

**Mayor's Reason**

The Perth Theatre Trust has previously indicated that it wishes the Mayor to sit on the committee, and have offered one other seat on the committee to a nominated elected member.

[10:42:54 PM](#) Councillor Dufty nominated Councillor Holden, Councillor Paver nominated himself and Councillor Leavesley nominated himself.

Councillor Paver subsequently withdrew his nomination.

The result of the ballot was as follows:

Councillor Holden-9 votes

Councillor Leavesley-3 votes

Councillor Paver-1vote

**ITEM 4.8 – AMENDED MOTION BY MAYOR EVANS**

**MOVED: COUNCILLOR DUFTY**

**SECONDED: COUNCILLOR SWANN**

- **The City of Albany nominates, Mayor Milton J Evans, JP to the AEC Operational Advisory Committee; and**
- **Council nominates Councillor Holden to the AEC Operational Advisory Committee**

**MOTION CARRIED 13-0**

## **4.9: RECEIVE THE MEMBERS INFORMATION BULLETIN**

**File Number (Name of Ward)** : All Wards  
**Disclosure of Interest** : Nil  
**Appendices** : Nil.  
**Reporting Officer(s)** : Chief Executive Officer (J Bonker)  
**Responsible Officer** : Assistant Business Governance Officer (J Williamson)

### **IN BRIEF**

- Receive the contents of the Members Information Bulletin

### **ITEM 4.9: RESPONSIBLE OFFICER RECOMMENDATION**

**MOVED: COUNCILLOR SWANN**  
**SECONDED: COUNCILLOR WOLFE**

**THAT the Members Information Bulletin be RECEIVED.**

**MOTION CARRIED 13-0**

**XIV. MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING**

Nil.

**XV. URGENT BUSINESS APPROVED BY DECISION OF THE MEETING**

Nil.

**XVI. REQUEST FOR REPORTS FOR FUTURE CONSIDERATION**

[10:49:07 PM](#) Mayor Evans requested that staff prepare a feasibility report on powering the North Road administrative building and ALAC by solar power, the savings involved and any funding opportunities available to convert the buildings to solar power.

**XVII. ANNOUNCEMENT OF NOTICES OF MOTION TO BE DEALT WITH AT THE NEXT MEETING**

**17.1: NOTICE OF MOTION BY COUNCILLOR D BOSTOCK-  
FORMATION OF CONSULTATIVE GROUP TO REVIEW CITY OF  
ALBANY EXPENDITURE**

**ITEM 17.1: NOTICE OF MOTION BY COUNCILLOR D BOSTOCK**

**THAT Council APPOINTS a consultative group, chaired by the Mayor and consisting of any elected member who wishes to belong, to work with the CEO in order to identify areas of expenditure where meaningful savings can be effected, without compromising the provision of services to the City.**

**Councillor's Reason**

The City's finances are in need of review. Council has addressed the requirement for increased income by significantly increasing rates but that will not be sufficient, in itself, to solve all our difficulties. It will also be necessary to examine expenditure and to identify any areas which do not contribute to our primary role.

**17.2: NOTICE OF MOTION BY COUNCILLOR D BOSTOCK-  
REMOVAL OF DIFFERENTIAL RATES ON VACANT LAND**

**ITEM 17.2: NOTICE OF MOTION BY COUNCILLOR D BOSTOCK**

**THAT Council examines the consequences of the removal of differential rates on vacant land, with a view to bringing a rescission motion at the October OCM.**

**Councillor's Reason**

I make no excuse for supporting the removal of differential rates, but I, along with other councillors, have received many demands for the status quo to be restored. Therefore, although I still think it was the correct decision, I am a staunch believer in the rule of representative democracy so have no choice but to call for it to be re examined in accordance with the wishes of the majority of electors who have made representations.

**17.3: NOTICE OF MOTION BY COUNCILLOR R PAVER-REQUEST  
TO MINISTER FOR PLANNING TO DESIGNATE LOTS 1&2  
FRENCHMAN BAY ROAD AS STATE SIGNIFICANT STRATEGIC  
TOURISM SITE**

**ITEM 17.3: NOTICE OF MOTION BY COUNCILLOR R PAVER**

**THAT Council specifically request the Minister for Planning designate the former Frenchman Bay Caravan Park at Lots 1 and 2 Frenchman Bay Road, Frenchman Bay as a state significant Strategic Tourism Site as per Planning Bulletin No. 83.**

**Councillor's Reason**

Out of the 5 local strategic sites identified in Council's Tourist Accommodation Planning Strategy, this site is the most unique and warrants a specific request to the Minister for this site to be identified on the State wide Strategic Tourism Sites Register.

**XVIII. ITEMS TO BE DEALT WITH WHILE THE MEETING IS CLOSED TO MEMBERS OF THE PUBLIC**

Nil.

**XIX. NEXT ORDINARY MEETING DATE**

Tuesday 21 September 2010, 7.00pm

**ITEM: 19 - DRAFT MOTION**

**MOVED: COUNCILLOR WOLFE**

**SECONDED: COUNCILLOR SWANN**

**THAT Council resume Standing Order 3.1 - Recording of Proceedings, to stop recording of proceedings.**

**MOTION CARRIED 13-0  
ABSOLUTE MAJORITY**

**XX. There being no further business the meeting closed at [10:53:05 PM](#)**

Confirmed as a true and accurate record of proceedings.

*(Unconfirmed Minutes)*

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Mayor MJ Evans JP  
**MAYOR**

## APPENDIX A

**STATUS REPORT ON DEFERRED ITEMS  
FROM PREVIOUS MEETINGS**

<b>Meeting Date</b>	<b>Item Number</b>	<b>Details/Status</b>
16/03/2010	16.3.1	Albany Entertainment Centre (AEC) Business Planning Advisory Committee. Laid on the table for a period of one month. <b>AWAITING RESPONSE FROM GSDC. PENDING.</b>
18/05/2010	15.3.4	Dedication of Unallocated Crown Land as a Reserve-Portion of Princess Royal Drive Foreshore. <b>LAI D ON THE TABLE FOR FURTHER COUNCIL DELIBERATION.</b>
15/06/2010	15.2.3	Lot 5 Rufus Street-Compensation for Subdivision Design Changes. <b>ITEM WITHDRAWN FROM JUNE OCM. PENDING.</b>
20/07/2010	14.6.1	Lease of Albany Leisure and Aquatic Centre Café. <b>COUNCIL WILL CONTINUE TO OPERATE THE ALACT CAFÉ AS A COMMUNITY SERVICE. A REPORT IS TO BE PREPARED FOR COUNCIL REVIEW OVER A TWELVE MONTH PERIOD FROM 01/07/2010 TO 30/06/20100. REPORT DUE TO BE PRESENTED AT THE JULY 2011 OCM.</b>
20/07/2010	16.4.1	Cull Road Subdivision-Stage 1. <b>RECOMMENDATION 3 DEFERRED TO ALLOW FURTHER DELIBERATION BY COUNCIL REGARDING THE PRICING OF THESE BLOCKS.</b>
20/07/2010	16.4.2	Elected Member Communication Protocol-Opening of Mail. <b>COUNCILLOR LEAVESLEY'S ALTERNATE MOTION WAS LOST AND THE ORIGINAL OFFICER RECOMMENDATION WAS NOT VOTED ON. THEREFORE THE ITEM LAPSES AND THE POLICY REMAINS IN FORCE.</b>

## APPENDIX B

## NOTICES OF DISCLOSURE

Name	Item Number	Nature of Interest
Mayor Evans	1.1	<b>Impartiality.</b> The nature of the interest being that Mayor Evans is a member of the UWA Friends executive. Mayor Evans remained in the chamber and participated in the debate and vote.
Councillor R Hammond	1.11	<b>Financial.</b> The nature of the interest being that Councillor Hammond owns and operates a tourism and accommodation marketing business and manages various accommodation properties. Councillor Hammond left the chamber and did not participate in the debate or vote.
Councillor R Paver	1.11	<b>Impartiality.</b> The nature of the interest being that Councillor Paver supplies tourism information and marketing services. Councillor Paver remained in the chamber and participated in the debate and vote.
Councillor R Sutton	2.5	<b>Impartiality.</b> The nature of the interest being that Councillor Sutton is a life member of the North Albany Football Club. Councillor Sutton remained in the chamber and participated in the debate and vote.
Councillor D Wellington	2.5	<b>Impartiality.</b> The nature of the interest being that Councillor Wellington is a member of the North Albany Football Club. Councillor Wellington remained in the chamber and participated in the debate and vote.
Councillor R Hammond	2.7	<b>Financial.</b> The nature of the interest being that Councillor Hammond is the owner of the business directly involved and is also the owner of “Stay Now” accommodation provider. Councillor Hammond left the chamber and did not participate in the debate or vote.
Councillor M Leavesley	2.7	<b>Impartiality.</b> The nature of the interest being that Councillor Leavesley obtains income from the tourist industry. Councillor Leavesley remained in the chamber and participated in the debate and vote.
Councillor R Paver	2.7	<b>Impartiality.</b> The nature of the interest being that Councillor Paver is the supplier of marketing services to the Albany Visitor Centre. Councillor Paver left the chamber and did not participate in the discussion or vote.

Councillor R Paver	2.8	<b>Impartiality.</b> The nature of the interest being that Councillor Paver is the supplier of tourist information and marketing services. Councillor Paver left the chamber and did not participate in the debate or vote.
Councillor J Swann	4.1	<b>Financial.</b> The nature of the interest being that Councillor Swann is a legal practitioner. Councillor Swann left the chamber and did not participate in the debate or vote.
Councillor R Hammond	4.2	<b>Impartiality.</b> The nature of the interest being that Councillor Hammond is actively engaged in the tourism sector. Councillor Hammond participated in the vote.
Councillor R Paver	4.2	<b>Financial.</b> The nature of the interest being that Councillor Paver supplies tourism marketing services to the City. Councillor Paver left the chamber and did not participate in the debate or vote.
EDCCS WP Madigan	4.7	<b>Impartiality.</b> The nature of the interest being that Mr Madigan's wife is an executive committee member of Southern Districts Dressage Club.

**APPENDIX C**

**TABLED DOCUMENTS**

<b>Document Tabled By</b>	<b>Subject</b>	<b>Ref.</b>
Catherine Bentley	Item 1.9	GO.COM.3/AM1019284
Grant Simmons	Petition calling for Special Meeting of Electors: <ul style="list-style-type: none"><li>• Rescission of rate rise on vacant unimproved land</li><li>• Enquiry into the rating system of the City of Albany</li></ul>	GO.COM.3/AM1019439

**ELECTED MEMBER TABLED DOCUMENTS**

<b>Document Tabled By</b>	<b>Subject</b>	<b>Ref.</b>
	Nil	

**STAFF TABLED DOCUMENTS**

<b>Document Tabled By</b>	<b>Subject</b>	<b>Ref.</b>
	Nil	