



MINUTES

ORDINARY COUNCIL MEETING

17th July 2001

PLEASE NOTE THESE MINUTES HAVE YET TO BE ADOPTED BY COUNCIL
AS A TRUE RECORD OF PROCEEDINGS

City of Albany

**** Disclaimer ****

No responsibility whatsoever is implied or accepted by the City of Albany for any act, omission or statement or intimation occurring during Council/Committee meeting or during formal/informal conversations with Staff.

The City of Albany disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the City of Albany during the course of any meeting is not intended to be and is not taken as notice of approval from the City of Albany. The City of Albany warns that anyone who has an application lodge with the City of Albany must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the City of Albany in respect of the application.

Signed _____
Andrew Hammond
Chief Executive Officer

Date: 23rd July 2001

TABLE OF CONTENTS

1.0	Declaration of Opening	3
2.0	Record of Attendance/Apologies/Leave of Absence (Previously Approved)	3
3.0	Opening Prayer	3
4.0	Response to Previous Public Questions Taken On Notice	4
5.0	Public Question Time	4
6.0	Confirmation Of Minutes of Previous Minutes	7
7.0	Applications For Leave Of Absence	8
8.0	Disclosure of Financial Interest	8
9.0	Matters for Which Meeting May Be Closed	8
10.0	Petitions/Deputations/Presentations	8
11.0	Reports – Development Services	9
11.1	Development	
11.1.1	Final Approval for Amendment – Lots 22 & 23 Albany Highway, Centennial Park	10
11.1.2	Proposed Road Dedication – Oyster Heights Road, Bayonet Head	15
11.1.3	Proposed Demolition – 216 Middleton Road, Mira Mar	19
11.1.4	Initiate Amendment – Portion of Location 4743 North Road, Yakamia	26
11.1.5	Development Application – Bayonet Head Shopping Centre	32
11.2	Inspection Services	
11.2.1	Request for Dedicated Parking – Old Post Office Building, Stirling Terrace, Albany	37
11.3	Development Policy	
11.3.1	Relaxation of Subdivisional Requirements – Homestead Allotments	47
11.3.2	Land Use Planning – Cheyne Beach	51
12.0	Reports – Corporate & Community Services	56
12.1	Finance	
12.1.1	List of Accounts for Payment – City of Albany	57
12.2	Administration	
12.2.1	Ministerial Appointment to Committee	58
12.2.2	Ministerial Appointment to Committee	60
12.2.3	Lotteries House Tenant Lease – Albany Community Release Program Inc.	62
12.2.4	Adoption of Health (Eating Houses and Itinerant Vendors) Local Laws 2001	66
12.2.5	Adoption of Local Government Property Local Laws 2001	70
12.2.6	Review of Code of Conduct for Elected Members and Staff	74
12.3	Library Services	
	Nil.	79
12.4	Day Care Centre	
	Nil.	79
12.5	Town Hall	
	Nil.	79

12.6	Albany Leisure & Aquatic Centre	
	Nil.	79
13.0	Reports – Works & Services	80
13.1	Waste Management	
	Nil.	81
13.2	Asset Management	
	13.2.1 Purchase of Multi-Tyred Self Propelled Roller	82
	13.2.2 Contract C01036 – Cleaning and Sanitary Services	89
13.3	Works	
	Nil.	95
13.4	Airport Management	
	Nil.	95
13.5	Reserves Planning & Management	
	Nil	95
14.0	Reports – General Management Services	96
14.1	Strategic Development	
	14.1.1 Community Events Policy	97
14.2	Organisational Development	
	Nil	103
14.3	Economic Development	
	14.3.1 Adoption of Economic Development Policy	104
	14.3.2 New Membership of Albany Economic Development Unit	112
15.0	Elected Members’ Monthly Report / Information Bulletin	117
16.0	Motions Of Which Previous Notice Has Been Given	119
17.0	Mayors Report	119
18.0	Urgent Business Approved by Mayor or by Decision of the Meeting	121
	18.1 Modifications to Parking and Road Condition – Albany Highway, Part Hymus Street & Moir Street	121
19.0	Closed Doors	126
20.0	Next Ordinary Meeting Date	126
21.0	Closure of Meeting	126
	Written Disclosures of Interest	127
	Interests Disclosed During the Course of the Meeting	127
	Code of Conduct – Interest (Other Than Financial) Disclosed During the Course of the Meeting	127
	Summary of Accounts	

1.0 DECLARATION OF OPENING

Deputy Mayor, Milton Evans, declared the meeting open at 7:30pm, extended a welcome to all present and advised that Her Worship the Mayor had sent her apologies for this meeting.

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

Attendance:

Deputy Mayor	- M.J. Evans JP
Councillors	- E.A. Barton
	- S.M. Bojcun
	- J.A. Cecil
	- A.H.M Demarteau
	- R.H Emery
	- D.M. Evers
	- G.J. Sankey
	- D.W. Wellington
	- I.A. West
	- J.D. Williams
	- D.J. Wolfe
Chief Executive Officer	- A.C. Hammond
Executive Director	
- Works & Services	- C Meeking
Executive Director	
- Development Services	- R.J. Fenn
Executive Director	
- Corporate & Community Services	- W P Madigan
PA to Executive Director	
- Works & Services	- N K Alberts

Approximately 40 members of the public
2 media representatives

Apologies/Leave of Absence:

Her Worship the Mayor	- A.E. Goode JP
Councillors	- I.W. Wilson
	- J.M. Walker

3.0 OPENING PRAYER

The opening prayer was read by Councillor B Emery.

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

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.1 F. Crowley

At the Council Meeting held on the 26th June 2001, Frances Crowley addressed Council requesting information on the commencement date for the lease of the Café at the Albany Leisure & Aquatic Centre. In his letter dated 5th July 2001, Mr Peter Madigan, Executive Director Corporate & Community Services, responds:

“At the Ordinary Council Meeting of 26th June 2001 you requested information on the commencement date for the lease of the Café at the Albany Leisure & Aquatic Centre, noting that payments were being made for goods supplied to the café. Her Worship the Mayor took this question on notice.

For the record, the Lease commenced on 2nd May 2001, with the Lessee opening the cafeteria as a private concern as from 3rd May 2001. The only accounts that have been paid in relation to the cafeteria have been those applicable prior to this date.”

5.0 PUBLIC QUESTION TIME

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

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

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

* B Hughes

Mr Hughes represented the Lower King and Bayonet Head Progress Association, and referred to Item 11.1.5 – Development Application Bayonet Head Shopping Centre, bringing forward a petition from residents in the area requesting that Council grant approval for the extension of the development.

Mr Hughes also referred to Item 12.2.6 and Bulletin Item 1.2.4 – Review of Code of Conduct for Elected Members and Staff regarding gifts and bribery. Mr Hughes stated that it appeared that bribery is acceptable where the value of the gift/monies is \$200 or less. Mr Hughes asked that section 2.4 c) be deleted from the Code of Conduct and asked why 2.4 d) specified that gifts received from relatives did not need to be recorded. Mr Hughes requested that the recommendation not be adopted until these issues have been resolved.

The Chief Executive Officer, responded stating that 2.4 d) of the Code of Conduct referred to gifts from relatives, which are personal and not related to work issues, such as Christmas and Birthday gifts. Electoral gifts are covered by other sections of the Local Government Act.

*** B Smoker**

Mr Smoker represented the Napier Progress Association, and brought forward a petition from residents in the area supporting the upgrading of the Mindijup Crossing. He acknowledged that Mindijup Crossing was recorded and prioritised in the Asset Management Strategy, but believes it should be ranked higher. Mr Smoker invited Councillors to inspect Mindijup Crossing prior to budget deliberations to see first hand the condition of the site.

*** F Andritch**

Mr Andritch referred to Item 13.2.1 and spoke on behalf of Westrac to promote their multi-tyred roller.

The Chief Executive Officer suggested that Mr Andritch may wish to sit down as his address was considered to be canvassing of Councillors, which is prohibited under Council's tendering conditions.

*** E Thomas**

Mr Thomas referred to Item 11.3.2 – Land Use Planning Cheyne Beach, and stated he supported the Officer's Recommendation without amendment.

*** D Clements**

Miss Clements referred to Item 11.1.5 – Development Application Bayonet Head Shopping Centre. She spoke on behalf of the youth in the area and requested that Council grant approval for the extension of the development, stating that the Shopping Centre would provide jobs and help keep our youth in Albany.

*** J Porter**

Mr Porter represented the Frederickstown Progress Association and referred to Item 11.1.4 – Initiate Amendment Portion of Location 4743 North Road Yakamia. He asked what the effect would be on land development, and why the recommendations in the Commercial Strategy have been ignored.

Mr Porter also referred to Item 14.3.2 – New Membership of Albany Economic Development Unit, and asked what level of qualifications, the appointees had to be on such a Committee, and also why there were no females on the Committee.

The Executive Director Development Services advised that Item 11.1.4 proposed to initiate the Scheme Amendment and his comments should be submitted in writing as part of the consultation process on the Amendment.

Mr Andrew Hammond, Chief Executive Officer, responded to the questions on 11.1.4, stating that the appointees were chosen by a Selection Panel of the Committee, and that gender plays no role in the selection. The City of Albany Does not have an affirmative action policy.

*** A Lubcke**

Mr Lubcke represented the Manypeaks Progress Association and spoke in relation to the upgrade of Mindijup Crossing. Mr Lubcke stated that he believed that the Mindijup Crossing should be ranked higher on the Asset Management Strategy due to the following issues:

- Safety – crossing is unsafe for vehicles other than 4WDs due to poor condition.
- Traffic Volumes –are currently low, but will increase if crossing is accessible by all vehicles.
- Maintenance Costs –should be low as it is only a crossing.
- Interconnectivity - is higher within communities
- Gap to standard – the gap is extreme considering it is a regional road.

*** J Smithson**

Ms Smithson represented BSD Consultants and spoke to Item 11.1.5 – Development Application Bayonet Head Shopping Centre. Ms Smithson stated that Cuscuna Nominees Pty Ltd had owned the land for a decade, paying commercial rates, and had been waiting for the surrounding area to develop in order for the shopping centre to be viable. The proposal complies with the planning scheme and the development is a permitted use for the site, as well as there being a strong community expectation of the development. Ms Smithson requested that Council overturn the Officer’s Recommendation and approve the extension of the development application.

*** T London**

Mr London representing the Albany Maritime Foundation, expressed concerns that the Maritime Foundation funding application was not a high priority in the draft budget and asked Council to reconsider. Mr London raised concerns that questions regarding the Boatshed’s activities, etc, had not been passed on to the Foundation to be addressed. He stated that the configuration of the board had changed, with the appointment of new members who are all Albany residents. Mr London informed Council that TAFE are not involved as training funding had slipped away, therefore requiring the City of Albany provide some funding of the Boatshed for at least 12 months to meet costs, otherwise the Boatshed may have no alternative but to close its doors.

*** B Hammer**

Mr Hammer referred to Item 11.3.2 – Land Use Planning Cheyne Beach. Mr Hammer stated that he was not against the development of a commercial fishing infrastructure, but did not believe that Cheyne Beach was a suitable area for such an industry. He said that Cheyne Beach was a popular tourist destination and one of Albany’s finest and most pristine features, and should be preserved. Mr Hammer also suggested that the commercial fishing infrastructure could be located further inland, closer to farms where the effluent could be used to fertilise and enrich the land.

The Councillors elected at this time to extend the Public Open Forum session.

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR BARTON**

THAT the Public Question Time be extended.

MOTION CARRIED 12-0

*** N Smithson**

Mr Smithson referred to Item 14.1.1 – Community Events Policy. He congratulated Council on the Anzac Day Event, and said that it was an icon event and it put Albany on the map. Mr Smithson stated that he believed there was excellent tourism potential for the years 2014-2018 commemorating 100 years of Anzac tradition.

*** K Ether**

Ms Ether referred to Item 11.3.2 - Land Use Planning Cheyne Beach, and requested that the commercial fishing infrastructure be relocated away from beach areas, and suggesting it be located several kilometers away.

*** S Quain**

Mr Quain referred to Item 11.3.1 – Relaxation of Subdivisional Requirements Homestead Allotments, thanked staff for bringing this matter forward for Council's consideration for the public consultation, and stated that he looked forward to the development of more detailed rural guidelines in the future.

The Deputy Mayor declared the public forum session closed and thanked everyone for the comments and questions.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

6.1 Ordinary & Special Council Meeting Minutes (as previously distributed).

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 26th June 2001; and
- Special Council meeting held on 3rd July 2001

as previously distributed be confirmed as a true and accurate record of proceedings.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EVERS**

THAT the following minutes:

- **Ordinary Council meeting held on 26th June 2001; and**
- **Special Council meeting held on 3rd July 2001**

as previously distributed be confirmed as a true and accurate record of proceedings, subject to the order of Mover and Seconder being amended in Item 13.2.8 in the Minutes of the 26th June 2001 to reflect that Councillor Demarteau moved the motion and Councillor Walker seconded the motion.

MOTION CARRIED 12-0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8.0 DECLARATIONS OF FINANCIAL 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.]

Councillor Bojcun – Item 13.2.2 Contract C01036 – Cleaning and Sanitary Services
Nature of Interest – Councillor Bojcun’s spouse is involved in the cleaning industry.

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Mr Hughes representing the Lower King and Bayonet Head Progress Association presented a petition in relation Item 11.1.5 – Development Application Bayonet Head Shopping Centre, requesting that Council grant approval for the extension of the development.

Mr Smoker from the Napier Progress Association presented a petition from residents of the area to upgrade Mindijup Crossing.

Development Services

REPORTS

DEVELOPMENT SERVICES REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Final Approval for Amendment – Lots 22 & 23 Albany Highway, Centennial Park

- File/Ward** : A129030/A129062A/AMD132
(Frederickstown Ward)
- Proposal/Issue** : To rezone Lots 22 & 23 Albany Highway, Centennial Park, from “Residential” to “Tourist Residential”
- Subject Land/Locality** : Lots 22 & 23 Albany Highway, Centennial Park
- Proponent** : Ayton, Taylor & Burrell
- Owner** : GB & FJ Lembo
- Reporting Officer(s)** : Manager Development (C Pursey)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 13/03/01 Item 11.1.4
OCM 03/04/01 Item 11.1.4
- Summary Recommendation:** Recommend that final approval be granted
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

BACKGROUND

1. Amendment No. 132 to Town Planning Scheme No. 1A (TPS1A) was initiated by Council at its meeting on 3rd April 2001 and has been advertised for public inspection. The amendment proposes to rezone Lots 22 and 23 Albany Highway, Centennial Park, from “Residential” to “Tourist Residential”
2. The amendment was assessed by the Environmental Protection Authority (EPA) as “Scheme Not Assessed – Advice Given”. The amendment was advertised for public inspection for 42 days closing on the 21st June 2001.
3. At the close of the advertising period five (5) submissions had been received, all of which are from government agencies.

STATUTORY REQUIREMENTS

4. Council must now consider all submissions, make a recommendation on each and forward the submissions and Council’s recommendations to the Western Australian Planning Commission (WAPC).
5. The WAPC is to report to the Minister for Planning and Infrastructure who is to consider the submissions and the recommendations made by Council and the WAPC. The Minister will decide whether to approve the amendment, refuse to approve the amendment, or require Council to modify the amendment before approval is given. The amendment documents are not to be modified until the Minister for Planning and Infrastructure has made her decision.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

9. At the close of advertising the amendment on 21st June 2001, 5 submissions had been received. The submissions have been numbered 1 to 5 by date order of receipt by the City. A Schedule of Submissions and recommendations has been prepared, as required by the Town Planning Regulations 1967 and is attached to this report. A copy of the submissions is available on request.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

- 10. Submissions 1, 2, 4 & 5 are from government agencies who have no objection to the proposed scheme amendment. It is recommended that these submissions be noted.
- 11. Submission 4 is from Main Roads WA and states that they have no objection to the proposal as the relevant portion of Albany Highway is not the department’s responsibility, this lies with Council. Main Roads WA do point out however, that they would like to encourage the reduction of access points onto Albany Highway and that these should be aligned as near as possible to 90 degrees to the road.
- 12. The angle of the driveways to Albany Highway are details of traffic management and are more appropriately addressed at the development application stage. The number of access points is the same as if the two existing lots were allowed to develop independently. The proposal is for a one way traffic system that will concentrate the access and egress into two separate points which is better than if the lots were developed independently. It is therefore recommended that this submission be noted.
- 13. It is suggested that Council recommend that the Minister for Planning and Infrastructure grant final approval to Amendment No. 132 without modification.

RECOMMENDATION

THAT:

- i) in accordance with Section 7 of the Town Planning & Development Act 1928, Council resolve to recommend that final approval be granted to Amendment No. 132 to Town Planning Scheme No. 1A;
- ii) a copy of each submission, this report, and the Schedule of Submissions be forwarded to the Western Australian Planning Commission; and
- iii) each person or agency that made a submission be advised of Council’s recommendation on that submission.

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued.

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WELLINGTON**

THAT:

- i) in accordance with Section 7 of the Town Planning & Development Act 1928, Council resolve to recommend that final approval be granted to Amendment No. 132 to Town Planning Scheme No. 1A;**
- ii) a copy of each submission, this report, and the Schedule of Submissions be forwarded to the Western Australian Planning Commission; and**
- iii) each person or agency that made a submission be advised of Council's recommendation on that submission.**

MOTION CARRIED 12-0

DEVELOPMENT SERVICES REPORTS

Town Planning & Development Act 1928

Town Planning Scheme No. 1A

Proposed Amendment No. 132

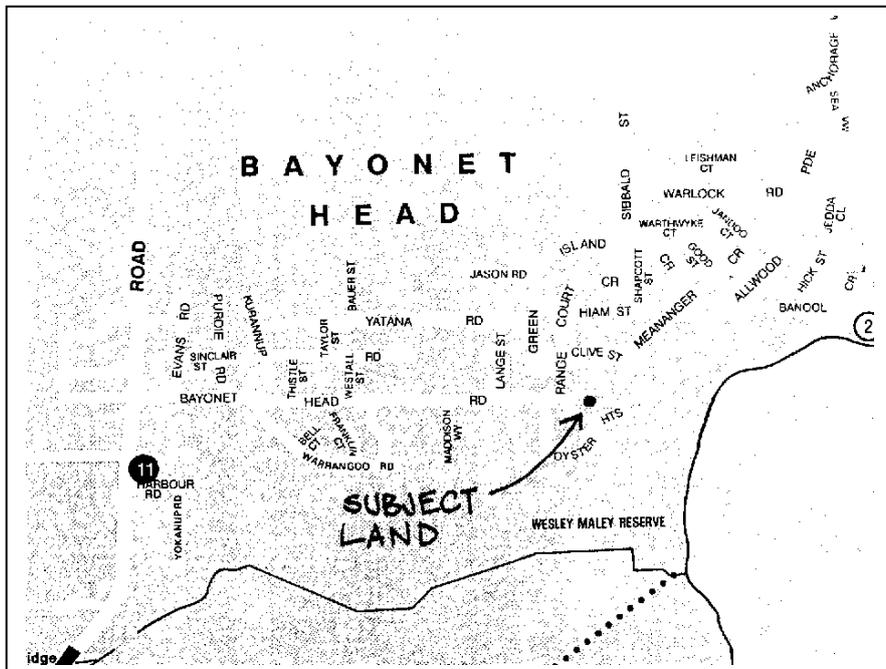
Schedule of Submissions

No.	Ratepayer/Resident or Agency	Submission	Comment	Local Government's Recommendation
1.	Alinta Gas	No objection to the Amendment.	Noted.	The submission be noted.
2.	Department of Land Administration (DOLA)	No objection to the Amendment.	Noted.	The submission be noted.
3.	Main Roads WA, Great Southern Region.	No objections. Some concerns with number of access points onto Albany Highway and the angle of these access points.	Noted. Arrangements for access may be addressed at the development application stage. Number of access points is same as existing situation and improved with introduction of one way traffic system in future development plans.	The submission be noted.
4.	Albany Waterways Management Authority. Water and Rivers Commission.	No objection to the Amendment.	Noted.	The submission be noted.
5.	Water Corporation	No objection to the Amendment.	Noted.	The submission be noted.

DEVELOPMENT SERVICES REPORTS

11.1.2 Proposed Road Dedication – Oyster Heights Road, Bayonet Head

- File/Ward** : A067533 (Yakamia Ward)
- Proposal/Issue** : Dedication of road and pedestrian accessways and closure and dedication of 'spite strip'.
- Subject Land/Locality** : Pt Lots 908, 909 and 910 Oyster Heights Road, Bayonet Head.
- Proponent** : DOLA
- Owner** : HA & MM Capararo
- Reporting Officer(s)** : Manager Development (C Pursey)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 20/02/01 Item 11.1.6
- Summary Recommendation:** Dedicate the land as public road reserve and close and dedicate the spite strip as appropriate.
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

BACKGROUND

1. On the 20th February 2001 Council resolved to close:
 - “the pedestrian accessway (PAW) at the head of the cul-de-sac of Oyster Heights Road;
 - portion of the road forming the cul-de-sac at the end of Oyster Heights Road; and
 - portion of the road gazetted as Franks Lane on the 17th January 2001.”
2. This was completed in accordance with a change of zoning and subdivision guideplan adopted by Council in October 2000. A copy of the plan showing these closures is on the pages following this report.
3. DOLA have informed Council that they require more information to finalise this process. DOLA require a resolution of Council to dedicate the relevant closed portions of the PAW as part of Oyster Heights Road and a portion of ‘Franks Lane’ as part of Bayonet Head Road as appropriate.
4. Additionally, the previous report failed to close the ‘spite strip’ fronting proposed lots 4 to 8 Bayonet Head Road and amalgamate this with the proposed lots. A spite strip is a narrow strip of land (often only 20cm wide) ceded as Public Open Space or similar which prevents access across it. In this instance it prevented the previous owner of Lot 908 Oyster Heights Road from accessing Bayonet Head Road. The new subdivision requires access to Bayonet Head Road, therefore the spite strip needs to be closed along this portion of the existing lot.

STATUTORY REQUIREMENTS

5. Land is dedicated as a public road reserve pursuant to Section 56 of the Land Administration Act and requires a resolution of Council to progress.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

8. There are no strategic implications that are apparent.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

COMMENT/DISCUSSION

9. Council has already resolved to close the relevant portions of PAW and road reserve. It was clearly the intention of the Council report of the 20th February 2001 that the closed portions of road and PAW be dedicated as part of the adjacent road reserves.
10. A resolution of Council is required to dedicate this road and staff consider it is purely an administrative detail. The dedication of the closed PAW and road reserves will facilitate the subdivision of Lots 908, 909 & 910 Oyster Heights Road in accordance with the approved subdivision guideplan.
11. The spite strip also requires a resolution of Council to be closed and then dedicated.

RECOMMENDATION

THAT:

- i) Council resolves to dedicate that portion of land abutting proposed Lots 4 to 8 Bayonet Head Road and land fronting proposed Lots 20, 21 & 22 Oyster Heights Road as a public road reserve, pursuant to Section 56 of the Land Administration Act; and
- ii) the spite strip fronting proposed Lots 4 to 8 Bayonet Head Road be closed and amalgamated with Lot 908 Oyster Heights Road and the portion of spite strip running through the extension of Oyster Heights Road be dedicated as public road reserve.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EVERS**

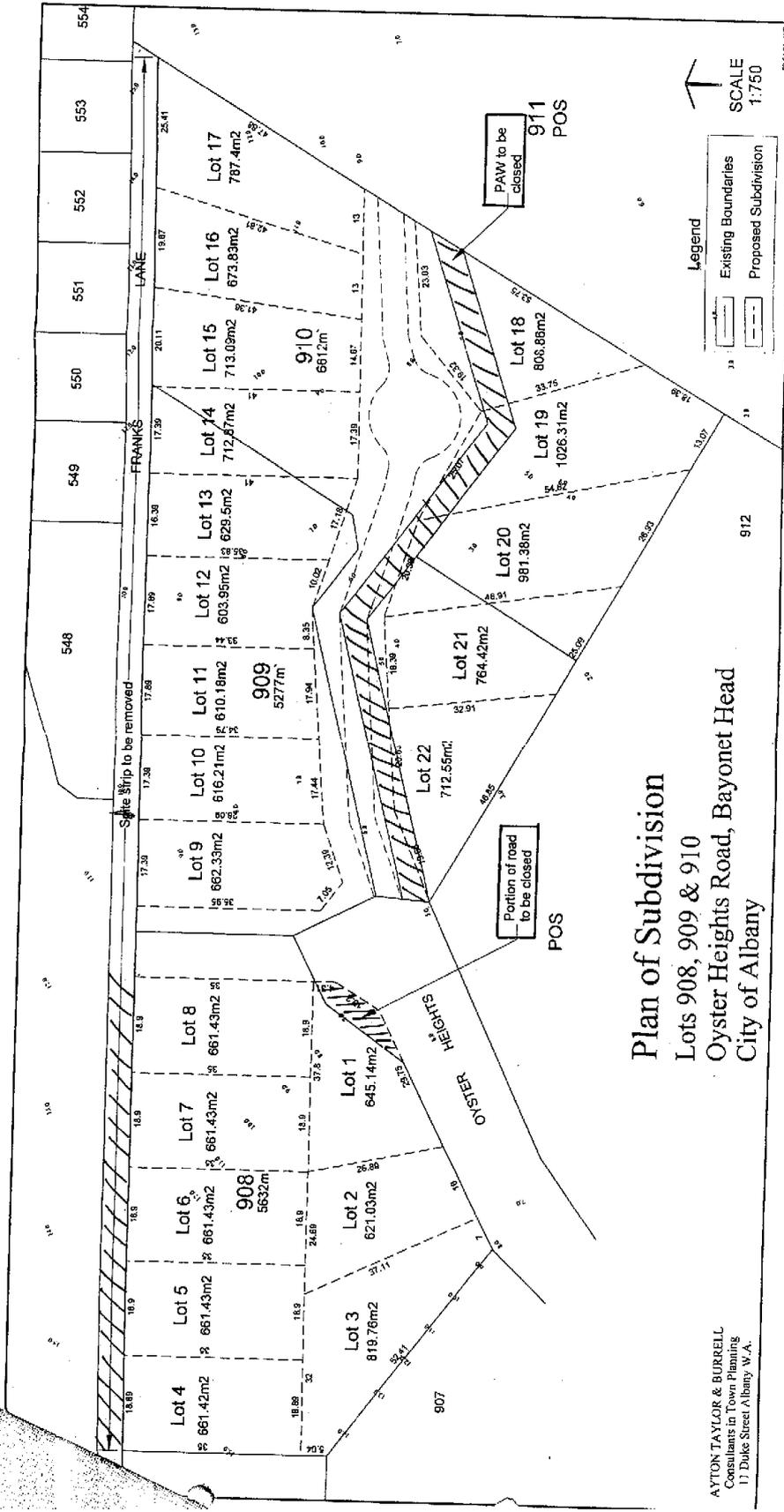
THAT:

- i) **Council resolves to dedicate that portion of land abutting proposed Lots 4 to 8 Bayonet Head Road and land fronting proposed Lots 20, 21 & 22 Oyster Heights Road as a public road reserve, pursuant to Section 56 of the Land Administration Act; and**
- ii) **the spite strip fronting proposed Lots 4 to 8 Bayonet Head Road be closed and amalgamated with Lot 908 Oyster Heights Road and the portion of spite strip running through the extension of Oyster Heights Road be dedicated as public road reserve.**

MOTION CARRIED 12-0

** REFER DISCLAIMER **

DEVELOPMENT SERVICES REPORTS



Plan of Subdivision
Lots 908, 909 & 910
Oyster Heights Road, Bayonet Head
City of Albany

AYTON TAYLOR & BURRELL
 Consultants in Town Planning
 17 Duke Street Albany W.A.

22 DEC 2001
 FILE 15700

DEVELOPMENT SERVICES REPORTS

11.1.3 Proposed Demolition – 216 Middleton Road, Mira Mar

File/Ward : A137443 (Frederickstown Ward)

Proposal/Issue : Proposed Demolition of Municipal Listed Property as part of Grouped Dwelling Development

Subject Land/Locality : 216 Middleton Road, Mira Mar

Proponent : David Heaver Architects

Owner : Homeswest

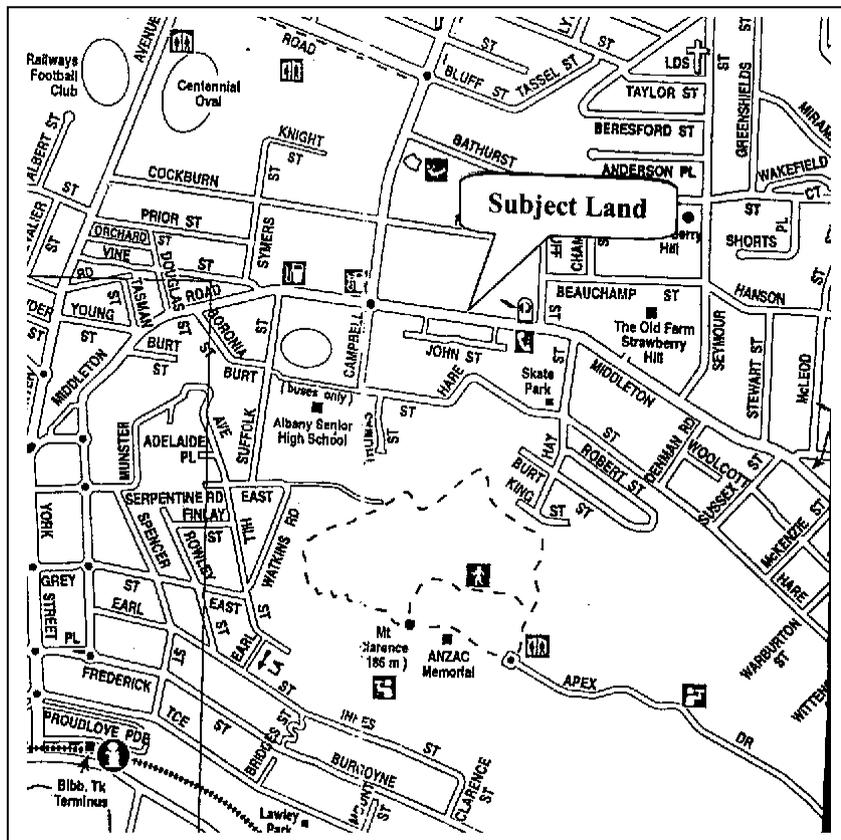
Reporting Officer(s) : Planning Officer (P Steele)

Disclosure of Interest : Nil

Previous Reference : Nil

Summary Recommendation: Refuse Demolition

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

BACKGROUND

1. An application has been received for a grouped dwelling development consisting of five units at 216 Middleton Rd, Mira Mar. A copy of the proposal is located in the Elected Members' Report/Information Bulletin.
2. A dwelling currently exists on the lot, which is included on the City of Albany's recently adopted Municipal Heritage Inventory as a Category 'C'. A copy of this listing follows this report.
3. A Heritage Assessment has been carried out on the property. A copy is located in the Elected Members' Report/Information Bulletin.
4. 216 Middleton Rd has an area of 2,023m² and is zoned "Residential – R20" under Town Planning Scheme No. 1A (TPS 1A).
5. The existing dwelling is located at the front (southern side) of the lot and the remainder of the lot is vacant apart from four outbuildings. Access to the lot is along the eastern boundary.
6. The dwelling is currently occupied by 'Green Skills Training'.

STATUTORY REQUIREMENTS

7. Demolition is classified as a form of "development" under the Town Planning and Development Act 1928 and TPS1A. A Planning Scheme Consent is required to be obtained prior to a demolition.

POLICY IMPLICATIONS

8. 216 Middleton Road is listed in the Municipal Heritage Inventory adopted by the Council. The relevant entry states:

"This house is one of a number of heritage places in Middleton Rd. The cottage has been changed by external renovations. Set close to the road the cottage still has aesthetic heritage significance."

9. The dwelling is listed in the Municipal Inventory as "Management Category C". This category applies to places throughout the City and not only to the subject property. The management category seeks to:

"Retain and conserve if possible: make every endeavour to conserve the significance of the place through the provisions of the City of Albany Planning Scheme. A Heritage Assessment/Impact Statement will be required before approval given for any development. Photographically record the place prior to development."

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

10. Council has adopted a TPS1A policy “Interim Guidelines for the Assessment of Development Applications for Redeveloping Sites (Including Demolition)”.
11. Amongst other things, the TPS1A policy provides that:
 - “c) *Development applications seeking the demolition, in full or in part, of an item on the Municipal Inventory shall ... in addition to all other documentation required by the Town of Albany Scheme 1A, be accompanied by:
A report of the buildings cultural and/or heritage value, in accordance with the principles of the Burra Charter, undertaken by a heritage architect or the Regional Heritage Adviser.*”
12. Guidelines to the “Burra Charter: Procedures for Undertaking Studies and Reports” are attached to the policy.
13. The TPS1A policy also provides that:
 - “e) *Development applications seeking the total demolition of items on the Municipal Inventory, will not generally be supported.*”

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

15. The strategic implications relate to the maintenance of the heritage places in Albany identified in TPS1A and the Municipal Inventory.
16. Further, the following Port of Call is identified within the *Albany 2020 Charting Our Course* Strategic Plan:
 - PORT OF CALL - *Outstanding municipal & privately owned heritage assets*
 - ❖ Heritage Planning & Community Incentives – To identify those elements within the built environment reflecting the architectural history of the City of Albany and to ensure the City’s heritage assets are managed sustainably and continue to be available for future generations.

COMMENT/DISCUSSION

17. Council’s policy “Interim Guidelines for the Assessment of Development Applications for Redeveloping Sites (Including Demolition)” requires that development applications seeking the demolition of an item on the Municipal Inventory be accompanied by a report of the building’s cultural and/or heritage value. The report should be prepared in accordance with the principles of the Burra Charter. If the report identifies that a place has heritage value, but Council supports the development application, a record is to be prepared of the place including a photographic record.

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

18. In addition to this, a heritage assessment/impact statement is required to complete/review details in the Municipal Inventory.
19. Naomi Lawrance, the Great Southern Heritage Advisor, completed a heritage assessment of 216 Middleton Road, Mira Mar in March 2001.
20. This assessment noted that the dwelling has “...*considerable significance for its physical characteristics associated with a residential architectural style typical of the 1890s in Perth, Western Australia, and particularly as one of a number of similar houses along Middleton Road that create a precinctual character associated with the early development of Middleton Road.*”
21. Other significant points of note in the heritage assessment include:
 - The building is in generally sound condition;
 - Post 1940s renovations and additions have little or no significance;
 - Most external timbers in need of maintenance; and
 - The roof sheeting is deteriorated.
22. The overall recommendation of the heritage assessment is that “...*the original structure is conserved and restored to the degree that the former simple charm of the place is once more an asset to the street.*” When the restoration is undertaken it is recommended that “...*the place should be upgraded to a Category ‘B’ in the City of Albany’s Municipal Inventory, and all future development should strive to enhance the heritage value of the original residence, and its contribution to the precinctual character of the immediate environs.*”
23. If Council was to support the demolition of a place listed on Council’s Municipal Inventory that has had a heritage assessment which recommended the property be retained, and possibly upgrade its management category, it would set a precedent for future applications.
24. The overall application to develop five grouped dwellings at 216 Middleton Road complies with the planning requirements of the City of Albany’s TPS 1A. Council staff are delegated to issue an approval, however the proposal to demolish the existing Municipal Inventory listed building does not comply with Council’s objectives.

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

RECOMMENDATION

THAT Council refuse the application to demolition the existing dwelling at 216 Middleton Road, Mira Mar, for the following reasons:

- i) the property is listed in the Municipal Inventory as Management Category ‘C’ that should be retained and conserved where possible; and
- ii) the application is in conflict with Council’s *“Interim Guidelines for the Assessment of Development Applications for Redeveloping Sites (Including Demolition)”*.

AND

THAT Council staff commence negotiations with Homeswest in an attempt to provide an appropriate level of development for Homeswest whilst also retaining/refurbishing the Municipal Inventory listed building at 216 Middleton Road, Mira Mar.

Voting Requirement Simple Majority

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR BOJCUN**

THAT Council refuse the application to demolition the existing dwelling at 216 Middleton Road, Mira Mar, for the following reasons:

- i) the property is listed in the Municipal Inventory as Management Category ‘C’ that should be retained and conserved where possible; and**
- ii) the application is in conflict with Council’s *“Interim Guidelines for the Assessment of Development Applications for Redeveloping Sites (Including Demolition)”*.**

AND

THAT Council staff commence negotiations with Homeswest in an attempt to provide an appropriate level of development for Homeswest whilst also retaining/refurbishing the Municipal Inventory listed building at 216 Middleton Road, Mira Mar.

MOTION CARRIED 12-0

DEVELOPMENT SERVICES REPORTS

Year 2000

216 Middleton Rd/Mira Mar/House-Oakview Cottage /Page 1

**CITY OF ALBANY
MUNICIPAL HERITAGE INVENTORY**

PLACE RECORD FORM (Inner Area)

Man Cat C

Lot/Loc	Number	Street Name	Locality	Type/Name of Place
	216	Middleton Rd	Mira Mar	House - <i>Oakview Cottage</i>

Photograph of the place



LOCATION	
HCWA Reference Number	
Other Reference Number	A137443
Type/Name of Place	House - Oakview Cottage
Other names	
Address	216 Middleton Rd
Suburb/Town	Mira Mar
Local Government Authority	City of Albany

OWNERSHIP & LAND DESCRIPTION			
<i>Owner details are kept on the rates data base at the City of Albany.</i>			
Reserve No.	Lot/Location No.	Plan/Diagram	Vol/Folio

ORDINARY COUNCIL MEETING MINUTES – 17/07/01

** REFER DISCLAIMER **

DEVELOPMENT SERVICES REPORTS

Year 2000

216 Middleton Rd/Mira Mar/House-Oakview Cottage /Page 2

PERIOD	Federation
Design Style	???
Construction Date	
Source/Details	

USE(S) OF PLACE	
Original	Residence
Present	Residence
Other	

HISTORICAL NOTES

Further research needed.

DESCRIPTION

Some of the notable features of this place include:

- Old roof line
- Set close to Middleton Rd

Some obvious modifications include:

- Total enclosure of verandahs with new fabric fibreboard/Hardie plank

The integrity of this house is very low. It is said to be a very old, historical cottage but this is not obvious from an external inspection. Further research is needed to evaluate the heritage significance of the place.

ASSOCIATIONS	ASSOCIATION TYPE

HISTORIC THEME/Subtheme	CATEGORIES OF SIGNIFICANCE
Demographic Settlement/Residential land subdivision	Aesthetic ?
	Historic?
	Representative?

RATING AND ASSESSMENT	High					Low
Aesthetic value (streetscape, setting)	1	2	3	4 ✓	5	
Architectural merit (design features)	1	2	3 ✓	4	5	
Rarity value	1	2	3	4 ✓	5	
Value as part of a group/precinct	1	2	3	4 ✓	5	
Condition	1	2	3 ✓	4	5	
Integrity	1	2	3	4 ✓	5	

MANAGEMENT RECOMMENDATIONS

The following management category is based on the premise that there is a heritage significance in Oakview Cottage, that is not immediately obvious from the built fabric of the place.

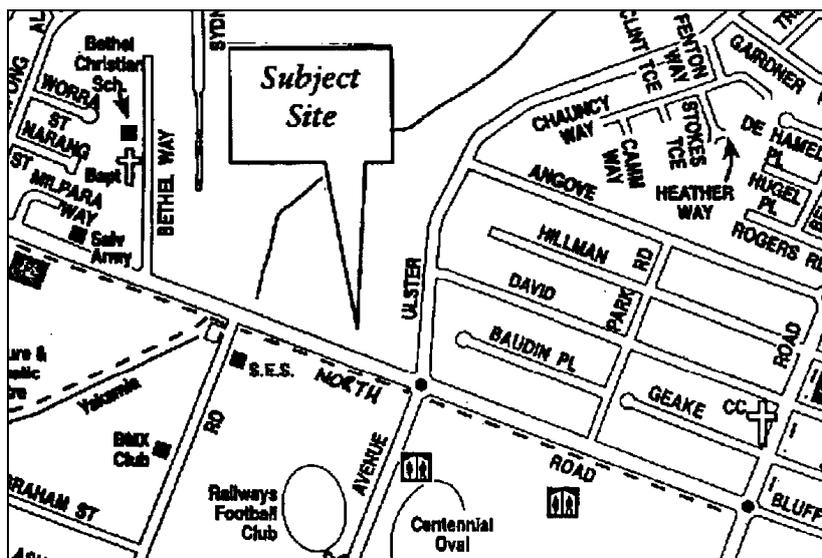
Management Category: C

Retain and conserve if possible: make every endeavour to conserve the significance of the place through the provisions of the City of Albany Planning Scheme. A Heritage Assessment/Impact Statement will be required before approval given for any development. Photographically record the place prior to development.

DEVELOPMENT SERVICES REPORTS

11.1.4 Initiate Amendment – Portion of Location 4743 North Road, Yakamia

- File/Ward** : PRO256 (Yakamia Ward)
- Proposal/Issue** : To include a portion of Location 4743 North Road, Yakamia in a “Special Sites” zone, for civic use for the City’s Administration Centre
- Subject Land/Locality** : Portion of Location 4743 North Road, Yakamia
- Proponent** : City of Albany
- Owner** : City of Albany
- Reporting Officer(s)** : Planning Consultant (D Gray)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 15/05/01 Item 18.1
OCM 20/02/01 Item 14.1.1
OCM 23/01/01 Item 14.1.1
OCM 07/11/00 Item 12.2.4
OCM 21/03/00 Item 13.2.7
OCM 18/01/00 Item 13.2.10
OCM 16/11/99 Item 13.2.4
- Summary Recommendation:** Initiate the Amendment
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

BACKGROUND

1. At the meeting on 15th May 2001, Council resolved that:
 - (i) *The new City of Albany Administration Building/Civic Centre be located in the old Town of Albany Depot Sites, being portion of Location 4743 North Road, Yakamia; and*
 - (ii) *Council staff prepare the appropriate documentation to amend the City of Albany Town Planning Scheme 1A to allow for the development of Council's Administration Building/Civic Centre on the old Town of Albany Depot Site on North Road.*
2. This amendment has been prepared in accordance with Council's resolution.
3. Council is now required to formally resolve to amend Town Planning Scheme 1A (TPS1A).

STATUTORY REQUIREMENTS

4. Council's resolution under the Town Planning & Development Act 1928 is required to amend TPS1A.
5. An amendment to a Town Planning Scheme adopted by resolution of a Council is to be referred to the Environmental Protection Authority (EPA) for assessment.
6. The Town Planning Regulations 1967 provide that, under specified conditions, the advertising of an amendment may be commenced without obtaining consent from the Western Australian Planning Commission (WAPC). However, as the City is the proponent in this case and, having regard for the background to the location of the City's Administration Centre, it is considered that consent to advertise should be sought from the WAPC.
7. Advertising 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 and the WAPC has granted consent.
8. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval would be granted to the amendment.

POLICY IMPLICATIONS

9. There are various policies and strategies that have relevance to this proposal. They include:
 - Statement of Planning Policy No. 8 (SPP 8).
 - The Albany Regional Strategy (1994)
 - Albany Commercial Strategy (1994)
 - Albany Commercial Strategy Review (2000)
 - Local Planning Strategy (in preparation).

DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

10. The purpose of SPP 8 is to bring together existing State and regional policies that apply to land use and development in Western Australia. Local government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.

FINANCIAL IMPLICATIONS

11. The cost of developing the administration centre has not been determined.

STRATEGIC IMPLICATIONS

12. The following Port of Call is identified within the *Albany 2020 Charting Our Course* Strategic Plan:

- PORT OF CALL - *The continual development of Council services and facilities to meet the needs of all stakeholders.*

- ❖ *Council Buildings* – To provide communities with quality buildings that are functional, well maintained and meet social and cultural needs.

13. The proposed development is consistent with the City's Strategic Plan.

COMMENT/DISCUSSION

14. There is considerable background to the assessment of the need for, and the siting of, an administration centre for the City. This background is summarised in the amendment report, to be tabled at the meeting.

15. The York Street site was initially excluded from the Council's preferred site list, but to assist in consideration of options the Council commissioned an impact assessment to determine the impact of moving the City's operations outside the CBD.

16. At the meeting on 21st March 2000, Council resolved to "*authorise the Chief Executive Officer, or his delegate, to engage the services of a consultant to prepare an independent impact statement, consistent with the requirements outlined in the Commercial Centres Strategy for Albany, detailing the impacts of Council relocating its administrative and civic building outside the Central Business District of Albany.*"

17. The Council has adopted the outcomes of the Review of the Commercial Strategy (2000). Amongst other things the strategy:

- requires that an impact statement is undertaken before any office development exceeding 200m² floor space is promoted outside a designated District or Neighbourhood shopping centre.

DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

- recommends that the threat of disaggregation to the main street from new decentralised shopping developments, be addressed by retaining the centre of governance in the CBD.
18. The *Assessment of the Impact of the Relocation of the Council Offices* (the Syme report) highlights that the economic impact upon CBD businesses would be minimal. There would be some inconvenience to persons who rely upon public transport to access Council services, however those impacts would be negated by the development of a shopfront service within the CBD. The Syme report concludes that “*in contrast to many other communities, Albany has a strong and viable town centre. Relocating the City administration away from it would not be enough to render the centre not viable, but it would represent a small diminution of the City focus.*” A copy of the Syme report is attached to the Amendment report.
 19. At the meeting on 7th November 2000, Council resolved “*to seek the services of an architect for the documentation of a new administration building/civic centre and that the site for that development be the York Street precinct*”.
 20. Subsequently, the Department of Aboriginal Affairs drew the attention of Council to the recorded burial site for Mokare, at the corner of Grey and Collie Streets. Mokare’s was the first aboriginal burial site recorded by European settlers in Albany and the site is of considerable local significance. Both Options 2 and 2a prepared for the cultural centre show this part of the York Street site being excavated and reshaped to construct multi-level car parking.
 21. Council’s resolution on 15th May 2001 that the new administration centre be located on portion of Location 4743 North Road, Yakamia, had regard to a number of factors influencing the suitability of the York Street site. Not the least of these was an assessment of the available area for the construction of multi-level carparking, without which the site will not be large enough for both the cultural centre and the City’s administration centre.
 22. Council has resolved on several occasions that it plans to pursue the construction of library and cultural centre facilities at the York Street site. The capacity to place a third civic building on the site was always questionable, particularly when it was understood that Mokare had been buried somewhere on the site.
 23. The following points summarise the suitability of the North Road site for the City’s administration centre:
 - Council has initiated an independent impact assessment that has concluded that relocating the City Administration Centre away from the CBD would represent a small diminution of the city focus;
 - the City owns the North Road site and is able to commit to development;
 - all infrastructure services are available to the site;
 - the site is served by existing public transport routes;

DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

- the site is adjacent to existing and proposed distributor roads that will facilitate excellent short and long term access;
- the site is adjacent to major recreation grounds in the city, forms a terminus to the northern end of the Lockyer Avenue commercial strip, and “civic use” is an acceptable neighbouring use to residential activities beyond Yakamia Creek;
- the site is large enough to accommodate existing and foreseeable demands for civic facilities;
- The City could relocate to the 14 hectare Mercer Road site that it owns and which is classified in Town Planning Scheme No. 3 for civic use;
- the City’s administration centre will provide for some activities that are not strictly suitable for a CBD location;
- “civic use” is a use that is not defined in Town Planning Scheme No. 1A, the definition of the use in the Model Scheme Text (*Government Gazette* October 1999) is adopted for the Special Sites zone for this Amendment, for reason of clarity;
- “civic use” is less detrimental to the character of the locality than other uses that may be developed in the Yakamia Creek” (base) zone that include:

“P” Dwelling House
Plant Nursery

“AA” Day Care Centre
Museum
Private Recreation
Rural Industry
Rural Pursuit
Stables

“SA” Education Establishment
Home Occupation
Institutional Building
Institutional Home
Kennels

“IP” Wayside Stall

- the proposed use of the North Road site for the City’s administrative centre will be consistent with other proposed uses in the base “Yakamia Creek” zone, and will therefore be in accordance with the City’s long-term planning objectives for the area.

DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

RECOMMENDATION

THAT:

- i) pursuant to Section 7 of the Town Planning and Development Act 1928, Council resolve to initiate Amendment No. 134 to the City of Albany Town Planning Scheme No. 1A to include Portion of Location 4743 North Road, Yakamia in a “Special Sites” zone, for civic use; and
- ii) Amendment No. 134 to the City of Albany Town Planning Scheme No. 1A be referred to the Environmental Protection Authority for assessment and to the Western Australian Planning Commission for consent to advertise for public inspection.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BARTON**

THAT:

- i) pursuant to Section 7 of the Town Planning and Development Act 1928, Council resolve to initiate Amendment No. 134 to the City of Albany Town Planning Scheme No. 1A to include Portion of Location 4743 North Road, Yakamia in a “Special Sites” zone, for civic use; and**
- ii) Amendment No. 134 to the City of Albany Town Planning Scheme No. 1A be referred to the Environmental Protection Authority for assessment and to the Western Australian Planning Commission for consent to advertise for public inspection.**

MOTION CARRIED 7-5

DEVELOPMENT SERVICES REPORTS

11.1.5 Development Application – Bayonet Head Shopping Centre

File/Ward : A71182 (Yakamia Ward)

Proposal/Issue : Request extension to development approval

Subject Land/Locality : Lot 508 Bayonet Head Road, Bayonet Head

Proponent : BSD Consultants

Owner : Cuscuna Nominees Pty Ltd

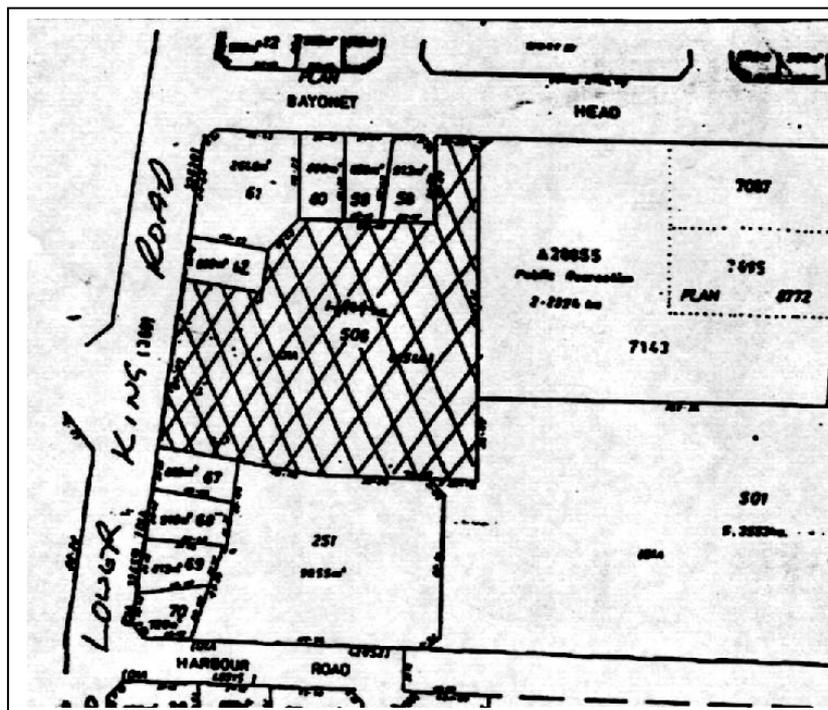
Reporting Officer(s) : Executive Director Development Services
(R Fenn)

Disclosure of Interest : Nil

Previous Reference : OCM 01/05/01 Item 11.1.9
OCM 14/04/99 Item 12.1.8
OCM 27/01/99 Item 12.1.3
OCM 09/12/98 Item 12.1.4
OCM 25/09/96 Item P9/19
OCM 26/10/94 Item P10/9

Summary Recommendation: The application be refused

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.1.5 continued

BACKGROUND

1. Included in the Elected Members' Report/Information Bulletin is a copy of the last officer's report on this matter (being Item 11.1.9, from the meeting of 1st May 2001). That report details the background to the application of Cuscuna Nominees to develop approximately 4,900m² of retail facilities upon Lot 508 Bayonet Head Road, Bayonet Head.
2. The most recent decision of Council was to defer consideration of the application for this development until the applicant was able to provide to Council a detailed Commercial Impact Statement, inclusive of retail modelling, demonstrating that a neighbourhood shopping facility is required upon this site. The proponent has since written to Council advising that Council's requirement is unreasonable and accordingly requests that the development application be referred back to Council for determination. The proponent has advised that Council needs to either approve or refuse the application and states that no additional expense will be incurred by Cuscuna Nominees to secure this determination.
3. The proponent has advised that the subject application is a replica of the details previously approved by Council in 1994, 1996 and 1999 and the zoning and development standards for Council's Town Planning Scheme have not changed since those approvals were issued. The proponent therefore sees no reason for Council requiring any additional justification to approve the centre.

STATUTORY REQUIREMENTS

4. Refer to the detail contained in the previous report to Council and included in the Elected Members' Report/Information Bulletin.

POLICY IMPLICATIONS

5. Refer to the detail contained in the previous report to Council and included in the Elected Members' Report/Information Bulletin.

FINANCIAL IMPLICATIONS

6. Refer to the detail contained in the previous report to Council and included in the Elected Members' Report/Information Bulletin.
7. If this application is refused and appealed to the Planning Appeals Tribunal, as foreshadowed by the proponent, costs in excess of \$15,000 may be incurred in defending Council's decision.

STRATEGIC IMPLICATIONS

8. Refer to the detail contained in the previous report to Council and included in the Elected Members' Report/Information Bulletin.

DEVELOPMENT SERVICES REPORTS

Item 11.1.5 continued

COMMENT/DISCUSSION

9. In addition to the comments raised in the officer's report of 1st May 2001, it is important to note a number of strategic decisions taken by Council which warrant a reconsideration of this application by Council. In 1994, when Council first approved the application, the Commercial Strategy for Albany (1994) had not been adopted by either Council or the then State Planning Commission as a policy document.
10. Furthermore, that Strategy made an assumption that the Oyster Harbour Shopping Centre (the development to be undertaken by Cuscuna Nominees Pty Ltd) would not be developed. A total floor allocation of 600m² was therefore recommended for this site. The application from Cuscuna Nominees Pty Ltd pre-dated the Strategy and was solely based upon the provisions of the Town Planning Scheme; there was no justification for Council to refuse a development application for a larger centre.
11. When applications to renew or extend the previous Planning Scheme Consent were considered by Council in 1996 and 1999, neither the Town Planning Scheme nor the Commercial Strategy had been reviewed and the capacity for Council at that time to reject a development application was extremely limited.
12. A complete review of the Commercial Strategy for Albany (1994) was undertaken by the City of Albany, with the support of the Western Australian Planning Commission (WAPC). The findings of the Review of the Commercial Strategy (2000) were adopted by Council in June 2000 and later by the WAPC. That review, for the first time, was able to examine the impacts of the Farm Fresh development and the Oyster Harbour shopping centre upon planned neighbourhood centres at Yakamia and Bayonet Head and the future Walmsley District Centre.
13. More specifically, the issue of whether the Oyster Harbour or Bayonet Head shopping centre sites should be developed was openly debated. A decision was taken to support a hierarchy of shopping centres based upon the Bayonet Head shopping centre site servicing the residential growth in the Bayonet Head and Lower King areas. That decision has clearly changed the planning framework against which the current application needs to be determined; to simply reinforce a decision made in 1994 before the adoption of the initial Commercial Strategy for Albany, ignores the planning initiatives that have taken place since that date.
14. It should also be pointed out that State Planning Policy 8 (SPP8) was introduced by the WAPC on 22nd December 1998, and varied on 30th May 2000. SPP8 set out the framework of State Government policies and their role in decision making on rezoning and development applications. Prior to December 1998, the Commercial Strategy for Albany (1994) have no statutory basis and its role within the decision making process remained unclear.

DEVELOPMENT SERVICES REPORTS

Item 11.1.5 continued

15. The City of Albany Town Planning Scheme No.3 is silent on the floor area requirements of local shopping and it is not unreasonable for Council to refer to SPP8 and the review of the Commercial Strategy (2000) to provide guidance on that issue. Both documents recommend that the maximum retail floor area on this site be limited to 600m². Furthermore, they require that any development in excess of that figure be subject to detailed retail modelling. The proponent has clearly stated that the owner refuses to undertake that modelling as part of their current development application.
16. The zoning of the subject land is “Local Shopping” and the Review of the Commercial Strategy for Albany (2000) identifies that the land is suitable for use for local shopping purposes. A shopping centre of 4,900m² retail floor area has been identified as a “neighbourhood” shopping facility and staff recommend that the application for Planning Scheme Consent be refused on that basis.

RECOMMENDATION

THAT the application by Cuscuna Nominees Pty Ltd, to develop a shopping centre, supermarket, restaurant, fast food outlet, carparking facilities and landscaping on Lot 508 Bayonet Head Road, Bayonet Head, be issued a Notice of Planning Scheme Refusal on the basis that the proposed development is inconsistent with the objectives for the “Local Shopping” zone in the City of Albany Town Planning Scheme No. 3 and contrary to State Planning Policy 8, as it relates to the Commercial Strategy for Albany (1994).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WEST**

- i) **THAT Council issue a conditional Planning Scheme Consent, valid for a period of 18 months, to Cuscuna Nominees Pty Ltd to develop a shopping centre, restaurant and fast food outlet, in accordance with the submitted plans, upon Lot 508, Location 1196 Bayonet Head Road, Bayonet Head.**

MOTION CARRIED 12-0

DEVELOPMENT SERVICES REPORTS

Item 11.1.5 continued.

Reason:

Mr Cuscuna has advised Council that he intended to let a contract for the construction of this project prior to the previous consent expiring. By giving an 18 month approval, the project can be completed as originally planned. The motion requires staff to clearly set parameters on what level of development Council considers is “substantial completion” and Mr Cuscuna must meet those standards within 18 months. Futhermore, part (iii) of the motion will ensure that commercial developments throughout the City are being considered on a consistent planning framework and set of controls. The Scheme amendments will remove future anomalies in decision making and prevent developers from seeking approvals for district and neighbourhood shopping centres on sites zoned for “Local Shopping” purposes, where they are inconsistent with the Commercial Centres Strategy.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WEST**

ii) **THAT Council, pursuant to clause 6.10 of the City of Albany Town Planning Scheme No. 3, delegate to the Executive Director Development Services the power to set up and impose appropriate conditions upon the Planning Scheme Consent but acknowledging:**

- a) **the previous conditions of approval for the site; and**
- b) **the need to define what constitutes substantial completion (buildings to lock up stage, services connected, site landscaping and carparking in place)**

[Footnote: Council agrees to meet 50% of the cost of construction of the Lower King/Mercer Road roundabout in the budget year following construction (developer to re-fund) and the developer is to meet all costs associated with realigning existing drainage flows through the subject land.]

**MOTION CARRIED 12-0
ABSOLUTE MAJORITY**

See previous reason

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WEST**

iii) **THAT staff be required, as a matter of high priority, to prepare suitable documentation to amend the City of Albany Town Planning Schemes 1A and 3 to ensure that the objectives, definitions and acceptable land uses for the Local Shopping Zones are compatible within both Schemes and consistent with the Review of the Commercial Strategy (2000) report.**

MOTION CARRIED 12-0

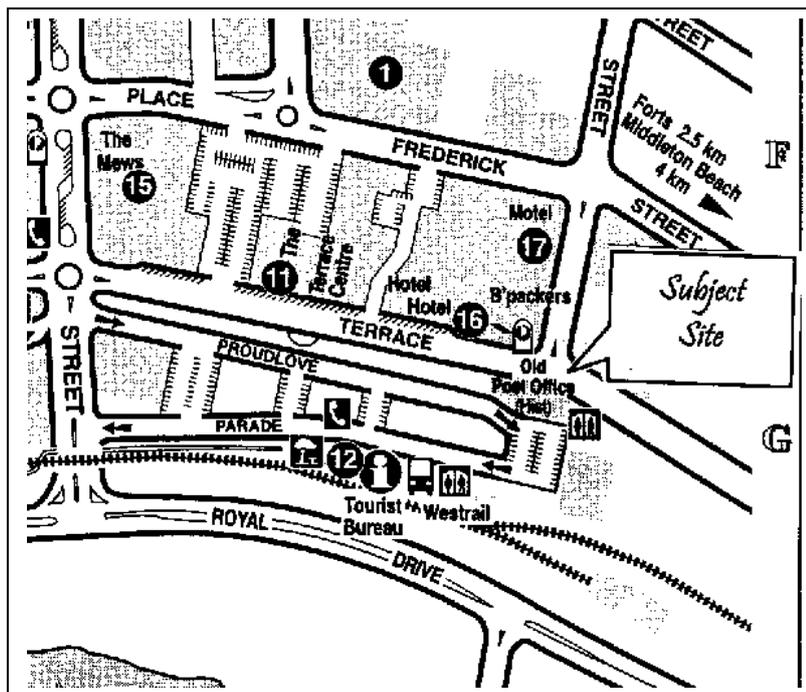
See previous reason

DEVELOPMENT SERVICES REPORTS

11.2 INSPECTION SERVICES

11.2.1 Request for Dedicated Parking – Old Post Office Building, Stirling Terrace, Albany

- File/Ward** : PRO289 (Frederickstown Ward)
- Proposal/Issue** : Request for 14 dedicated carparking bays adjacent to the Old Post Office building, plus concessional parking for UWA students.
- Subject Land/Locality** : Part Loc. B42 & B44 Stirling Terrace, Albany
- Proponent** : University of Western Australia
- Owner** : City of Albany
- Reporting Officer(s)** : Executive Director Development Services (R Fenn)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation:** Support in part request for dedicated parking
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

BACKGROUND

1. The University of Western Australia, Albany Centre (UWA) has been relocated to the Old Post Office (OPO) building, located adjacent to Stirling Terrace, Albany. The UWA has written to Council requesting that certain carparking bays in close proximity to the OPO be dedicated exclusively for the use of UWA and a copy of the submission request is attached to this item.
2. The City of Albany has prepared a draft lease agreement for the occupation of the OPO by UWA and the terms of that agreement are currently being finalised. The UWA, in consultation with the Heritage Council of Western Australia, is undertaking modifications to the interior of the building to make it more suitable for classroom activities. During negotiations for the lease, no commitment was given by the City to provide parking for UWA. Parking is a potential limiting factor on the use of the OPO building as a university campus.

STATUTORY REQUIREMENTS

3. Pursuant to Section 32 of the Town Planning & Development Act, UWA is treated as an “Educational Institution” and is not required to gain a Planning Scheme Consent prior to commencing development. The Act requires that UWA consult with the City of Albany prior to commencing development and there is an obligation upon UWA to take notice of the relevant Town Planning Scheme provisions applying to the subject land.
4. The OPO building is located within the “Central Area” zone of the City of Albany Town Planning Scheme 1A. The building predates the current and former Town Planning Scheme’s which apply to that land. Because of the age of the building, there is no statutory obligation for carparking to be provided retrospectively upon the subject lot.

POLICY IMPLICATIONS

5. The standards which should be applied when calculating the carparking requirements for universities and private educational establishments are not well defined. At senior high schools, TAFEs and universities it is expected that students, administrative staff, lecturers and visitors to the site should be capable of parking onsite.
6. The UWA has indicated that the Australian Association of Physical Plant Administration (AAPPA) suggest a ratio of 35-37 bays per 100 equivalent full-time students. Based upon the anticipated growth in UWA student numbers, approximately 34 bays would be needed in the long-term if the AAPPA guidelines are used. Within the City’s policy guidelines, carparking requirements for public uses is listed at 1 bay per 50m² of gross floor area which would require UWA to provide 20 bays on site for the 1,000m² of floorspace that UWA occupies.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

FINANCIAL IMPLICATIONS

7. Should UWA be granted the right to exclusively occupy carparking bays in close proximity to the OPO building, a direct cost would be incurred to the City of Albany in the marking of those carparking bays and for signage. That cost is expected to be in the order of \$1,000. The capacity to provide large numbers of dedicated carparking bays in close proximity to the OPO building would be extremely limited. The options available would include the conversion of the Brunswick Street verge, to the east of the OPO building, into a carparking area or the use of the existing Westrail bus depot for parking. The draft lease agreement with UWA, and the existing Town Planning provisions, do not require the UWA, as part of the occupation of the OPO building, to provide carparking.

STRATEGIC IMPLICATIONS

8. Within *Albany 2020 Charting Our Course*, Council is seeking to attract and develop a broad range of social, cultural and economic entities within the City of Albany and the UWA plays a key role in educational, research and community building for the City and the region.

COMMENT/DISCUSSION

9. The proposal from UWA is broken into two distinct components, the first being the provision of approximately 14 carparking bays immediately adjacent to the OPO building. The second being the provision of a dispensation to UWA students to exceed parking limits when utilising bays in close proximity to the campus.
10. In determining what is a suitable level of carparking for a university, several factors need to be taken into consideration. The first being the availability of public transport; in large capital cities, onsite parking for students can be dramatically reduced if effective and timely public transport systems are put in place. Secondly, the ratio of administrative personnel to students is usually higher in private schools and tertiary education facilities, due to the more specialised nature of the education, lower lecturer to student ratios and the additional administrative workload involved in running these organisations.
11. In determining carparking ratios, it should also be noted that a purpose built university campus, such as UWA (Nedlands), has greater capacity to provide for onsite carparking than does a university campus which is created out of a building of cultural or heritage significance. The Notre Dame campus in Fremantle is a case in point where it was not feasible to provide onsite carparking, however the public transport system servicing that university is of a very high standard.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

12. The carparking which has been provided within the Station Precinct, adjacent to Proudlove Parade, was developed by the Department of Land Administration to meet the parking requirements of developments within that Precinct. Repeated requests from the developers of the Foreshore Apartments to dedicate part of the on-street bays for the exclusive use of tenants within that development were rejected by the City of Albany as those carparking bays were considered to be “public”. More recently however, Council agreed to allow 8 carparking bays to be exclusively used during normal business hours by tenants of a proposed development upon Lot 1396 Proudlove Parade. That development has not been constructed, however the agreement remains in place.
13. An examination of carparking adjacent to the OPO building by the City’s Senior Ranger has revealed that the “cul-de-sac” referred to in the UWA correspondence is an emergency access road (created by the removal of guide post barriers at the Station Precinct). There are 3 bays currently available to service the middle level of the OPO building and there is capacity to provide one additional disabled bay in this locality without affecting that emergency access.
14. The 8 bays outside Spectrum Theatre could be designated for exclusive use by UWA between 8:00am and 6:00pm and can include a bay for people with disabilities. However, extending exclusive use beyond 6:00pm may create conflict when the theatre company is rehearsing for a major production. Extending exclusive UWA carparking into the public square adjoining the Spectrum Theatre and the Foreshore Apartments would deny access to those bays of customers of developments within the Station Precinct. Furthermore, the current configuration of those bays creates problems for Westrail buses when gaining access to their depot and to the Tourist Bureau.
15. The provision of an additional bay outside the OPO building in Stirling Terrace for people with disabilities can be easily accommodated. However, it needs to be understood that the disabled bay would be available to any vehicle displaying an ACROD sticker and not necessarily for the exclusive use of UWA.
16. Providing parking permits to UWA personnel and students to park in time restricted bays would create a system which would be open to abuse. Once the sticker is placed upon a vehicle, the City’s Rangers would have no capacity to determine whether the occupant of the car is attending classes at UWA or simply enjoying a cup of coffee in one of the buildings along Stirling Terrace. If, as UWA point out, most of the student parking is required at night then most of the students should have no problems finding suitable parking in Stirling Terrace after 5:00pm when other businesses close.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

RECOMMENDATION

THAT the University of Western Australia - Albany Centre (UWA), be advised that in respect to their request for roadside parking in the vicinity of the Old Post Office building, that:

- (i) the City of Albany would be prepared to designate 3 carparking bays upon the access road between Stirling Terrace and Proudlove Parade for the exclusive use of UWA plus provide one disabled carparking space in this locality for the use of the general public;
- (ii) 8 carparking bays within Proudlove Parade, adjacent to the Spectrum Theatre, be designated for use by UWA only between the hours of 8:00am and 6:00pm, plus one dedicated bay for people with disabilities be established in this locality;
- (iii) an existing bay, located in front of the Old Post Office Building in Stirling Terrace, be designated as a bay for people with disabilities; and
- (iv) UWA be encouraged to negotiate with Westrail to establish day time student parking facilities upon the area currently used as a depot for the Westrail buses.

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued.

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR EVERS**

THAT the University of Western Australia - Albany Centre (UWA), be advised that in respect to their request for roadside parking in the vicinity of the Old Post Office building, that:

- (i) the City of Albany would be prepared to designate 3 carparking bays upon the access road between Stirling Terrace and Proudlove Parade for the exclusive use of UWA plus provide one disabled carparking space in this locality for the use of the general public;**
- (ii) an existing bay, located in front of the Old Post Office Building in Stirling Terrace, be designated as a bay for people with disabilities; and**
- (iii) UWA be encouraged to negotiate with Westrail to establish day time student parking facilities upon the area currently used as a depot for the Westrail buses.**

MOTION CARRIED 7-5

Reason:

The 8 car parking bays near Spectrum Theatre are required for general public use and it would be inappropriate to dedicate them for exclusive UWA usage during ordinary business hours.

DEVELOPMENT SERVICES REPORTS



THE UNIVERSITY OF
WESTERN AUSTRALIA

UWA Albany Centre

PO Box 5771
Albany, Western Australia 6330
Telephone: +61 8 9842 0888
Facsimile: +61 8 9842 0877
Email: barbarab@cyllene.uwa.edu.au

Our Ref: AOTF4a

30 May, 2001

Robert Fenn
Executive Director Development Services
City of Albany

Dear Robert

Parking at Old Post Office for UWA Albany Centre

This letter is in response to the letter of 2 April 2001 from Andrew Hammond (Ref: PRO289) concerning the provision of parking bays at the Old Post Office for UWA Albany Centre. The co-operation of the City in helping to resolve this issue is appreciated.

Staff at the Albany Centre have consulted with officials from Spectrum Theatre, and with officers from Albany City Council and The University of Western Australia regarding parking bay requirements for university facilities and the particular options at the Old Post Office.

The attached document and charts present the issues and resulting recommendations of those discussions and of our needs.

If you would like further information or negotiation concerning the parking issue at the Old Post Office, then please contact Randall Jasper, our Development Manager (9842 0810) or me.

Yours sincerely,

Barbara Black
Acting Director

CITY OF ALBANY RECEIVED		
<i>June</i> 1 MAY 2001		
FILE <i>PRO289</i>	CORRO No. <i>0108827</i>	OFFICER <i>EDDS</i>
REPLY <i>Y</i>	ACKNOW SENT <i>1 1</i>	CNL/BLTN

DEVELOPMENT SERVICES REPORTS

Parking Needs of the UWA Albany Centre at the Old Post Office

The City of Albany has offered the Old Post Office to The University of Western Australia for use as university premises in Albany. Staff at the Albany Centre have consulted with officers from the City of Albany and within The University of Western Australia regarding general parking bay requirements for university facilities, and the options with regard to the Old Post Office. This document summarises the content of those discussions and proposes some actions for the Council and UWA Albany Centre.

UWA Albany Centre Usage

The usage of the Centre, and the need for parking bays, is not even throughout the day or the year. Classes and examinations are scheduled approximately from late February to June and late July to November. Within these study weeks we have, currently, 15 classes scheduled for up to three hours. Of those classes, 11 hours each week are currently scheduled before 4pm and 22 hours each week are scheduled between 4pm and 8 pm. The size of the classes varies from three to ten students plus a tutor. There are from two to five other staff members at the Centre during the day. Students use the Centre and the Town Library for independent study and to listen to lectures, throughout the day. Some students log onto the network from home to listen to their lectures.

For example, in this semester, between 8am and 4pm in study weeks we have up to ten hours with 10 to 15 users of the Centre, and the other 30 hours have an average of five to ten users. Our usage currently increases after 4pm on most study days to 10 to 15 users with a peak of up to 25 users on Thursday.

In non-study weeks (about 18 weeks each year), our parking requirements would vary from two to five bays.

Parking Requirements

The Australian Association of Physical Plant Administration, the body that Australian University Facilities Managers use to discuss planning issues, suggest a ratio of 35 to 37 bays per 100 equivalent full time student units (EFTSU). Based on our enrolments this semester of 28 EFTSU, this ratio indicates that we would need about ten bays. It is important to remember that this figure is for an average campus (and they are normally in a metropolitan area) and that smaller campuses and centres will have usage patterns that are not “average” and are not evenly spread. It is also a ratio based on the equivalent full-time student units and not on the number of users otherwise known to be on campus at any time.

The Centre will supply bicycle racks inside and or outside the Old Post Office and will encourage our students and staff to cycle to the Centre. We will also be supplying at least one bicycle for student use between the Old Post Office and the Town Library. Some of our students and staff may share cars, walk or be dropped off at the Centre. The car usage patterns of users of the Centre will be different to a metropolitan campus since there is effectively no public transport available to the Old Post Office. For that reason a ratio of 0.35/EFTSU may be smaller than is appropriate for Albany. A ratio of 0.4/EFTSU may be more appropriate.

DEVELOPMENT SERVICES REPORTS

Charts showing estimated usage of parking bays based on this semester's enrolments and schedule are attached to this document. These charts are based on estimates of the current usage of the Centre (semester 1, 2001). If we provide parking for 75% of the users of the Centre then it appears that 10 bays are sufficient to allow for our current parking requirements. Current daytime usage of the Centre only exceeds ten users on Mondays.

In 2002, the Centre may increase to 40 or 50 EFTSU which indicates a need for 14 to 20 parking bays (in study weeks) based on ratios of 0.35/EFTSU and 0.4/EFTSU respectively. As currently, most of our classes will be scheduled in the evening and it is likely that 75% of our actual users will result in no more than 15 to 17 users needing parking bays prior to 5 pm.

UWA Albany Centre anticipates that by 2003 we will have 70 EFTSU (50 undergraduate and 20 postgraduate and research student equivalent units), and would like to eventually achieve 100 EFTSU. The UWA Albany Centre is uncertain of the student capacity of the Old Post Office, but it is unlikely that more than 100 EFTSU could be accommodated there. If we consider 70 EFTSU in the medium term, then we would need from 25 to 28 bays.

In summary, UWA Albany Centre anticipate needing approximately 15 bays in 2002, and 25 bays in 2003, for the 34 study weeks each year.

Parking Options

There is a cul-de-sac off Stirling Terrace, in which there could be five bays marked, including one disabled parking bay. There are currently no marked bays in this cul-de-sac. There are seven or eight bays at the lower level that are situated adjacent to the Spectrum Theatre.

There is an area near the Old Post Office that is currently used by the Westrail buses for overnight parking and refuelling. It may be possible, with some modification, to provide some designated bays in that area. Negotiations about this possibility may take place in the future. UWA Albany Centre does not anticipate that these bays would be needed before 2003.

In order to manage the use of any dedicated bays, it would be useful for permits for cars of valid users of the Centre to be distributed. These permits may be limited to users with a home address more than one kilometre from the Old Post Office, with special needs, and or with anticipated usage of at least five hours per week. In order to cope with demand at peak times it may be desirable to allow permit holders to park in general parking bays in the Proudlove Parade area for more than the current limit of two hours.

Proposal

- City of Albany Council approve the marking and designation of five bays in the Stirling Terrace cul-de-sac, including one disabled bay (for middle level access), for the exclusive use of staff and students holding UWA Albany Centre parking permits.
- The Council approve the designation of the eight bays fronting the Spectrum Theatre for the exclusive use of staff and students holding UWA Albany

DEVELOPMENT SERVICES REPORTS

Centre parking permits and users and patrons of the Spectrum Theatre. One of these bays to be designated as a disabled bay (for lower level access).

- The Council approve the designation of one bay adjacent to the main entrance of the Old Post Office, on Stirling Terrace, as a disabled bay (for upper level access).
- Annual parking permits to be issued to staff and students of UWA Albany Centre who live more than one kilometre from the Old Post Office and who will use the Centre for more than five hours per week (before 6pm on weekdays) or have special needs.
- The Council consider the possibility of authorising staff and students holding UWA Albany Centre parking permits to park in other bays in the Proudlove Parade area for extended periods (beyond the current limit of two hours).
- The Council and University to continue negotiations about the most suitable way to resolve the parking issue in the medium to long term. This may involve the modification and use of the Westrail bus parking area. It is anticipated that the University will need from 35 to 40 bays for the Old Post Office facility when it reaches capacity of 100 EFTSU. This is approximately 25 bays in addition to the above requests.

DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

11.3.1 Relaxation of Subdivisional Requirements – Homestead Allotments

File/Ward	:	STR017 (Kalgan & Hassell Wards)
Proposal/Issue	:	To modify Western Australian Planning Commission policy to allow for “Homestead” lots within portion of the City of Albany.
Subject Land/Locality	:	Eastern portion of the City of Albany
Proponent	:	Wellstead, Manypeaks, Greenrange & Kojaneerup Communities
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation:		Request Western Australian Planning Commission to modify policy guidelines.
Locality Plan	:	N/A

BACKGROUND

1. Staff and eastern ward Councillors recently received a delegation from the four communities of Wellstead, Manypeaks, Greenrange and Kojaneerup, raising concern over population decline within the rural area to the east of Albany. The population density to the east of Albany is approximately 1 person per 200 hectares and that community supports three schools, five volunteer bushfire brigades, a country club, two sporting ovals, three halls, three progress associations and a volunteer St John Ambulance service.
2. The delegation highlighted that over the last five years there has been a rapid change in farming practices within the communities, resulting from tree farming and the amalgamation of holdings (brought about by the rural decline).

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

3. The sparse urban density through this part of the City is being substantially affected by changes in land use practices. Each family lost from the rural community is unlikely to be replaced and this inevitably impacts upon the capacity of the remaining community to maintain social, cultural and physical infrastructure.
4. The delegation sought Council support to allow existing housing and infrastructure to be subdivided from the parent title to enable communities to at least maintain their population and infrastructure levels. A “Homestead” style lot would benefit local communities and it would bring the eastern section of the City of Albany into line with adjoining rural Shires. The current practice of renting farmhouses results in their rapid deterioration and the loss of valuable knowledge and resources as farmers move off their land to make way for tree farms, etc.

STATUTORY REQUIREMENTS

5. The subdivision of “Rural” land is controlled by the Western Australian Planning Commission (WAPC) and the WAPC relies upon the Development Control Policy Manual to determine whether land should be subdivided or developed. The WAPC’s policies are predicated against the subdivision of “Rural” land.
6. WAPC Policy DC3.4 states that the Policy seeks to “*discourage the removal of prime agricultural land from agricultural production and to prevent adverse effects on the viability of established or potential agricultural industries*”.
7. WAPC Policy 3.4 then goes on to provide circumstances where the Commission may approve applications for subdivisions. Amongst those circumstances are:
 - (i) *where the additional subdivision would not be detrimental to the locality;*
 - (ii) *the lots have previously been physically divided by significant natural or man-made features;*
 - (iii) *the lots are for farm adjustment purposes and restrictions are in place to prevent further housing construction;*
 - (iv) *the lots are for specific community uses;*
 - (v) *where special circumstances exist; and*
 - (vi) *the lot excises from an existing farming property a rural use of the land (eg. canning plant, freezer works), a tourism project or a homestead lot and the land subject to that application is in a specified area.*
8. The City of Albany is not in the specified area mentioned in part (vi) of Section 4.2.3 of the above Policy, however all adjoining Shire Councils are.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

POLICY IMPLICATIONS

9. The City of Albany’s Local Rural Strategy does not accommodate the provision of “Homestead” lots. The ability to create a “Homestead” lot was not available when that policy document was drafted.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

11. The WAPC Rural Land Use Planning Policy forms part of the State Planning Framework Policy which has adopted by the State Government as a Statement of Planning Policy. To allow Ministry for Planning staff to make operational decisions, an amendment to the policy document is required.

COMMENT/DISCUSSION

12. The rural areas within the City of Albany have major differences in landform, water availability, vegetation cover and agricultural capability. The area generally east of Albany comprises large rural holdings used for cereal cropping and grazing purposes. The area to the west experiences higher rainfall, has more fertile soils and agricultural production involves cropping, grazing, intensive horticulture and other agricultural pursuits.
13. In determining which areas within the State should be allowed to create “Homestead” lots, the WAPC has excluded areas with higher rainfall (eg. Shire of Denmark), but supported the Shires of Plantagenet, Jerramungup, Cranbrook, etc.
14. The communities of Wellstead, Manypeaks, Greenrange and Kojaneerup, in a submission to the City of Albany, highlight that their communities would have much to gain by having the option to develop “Homestead” lots. They have strongly urged the City to pursue the availability of that option with the WAPC. That request would not appear to be unreasonable. It will be necessary for the City of Albany, in making a formal approach to the WAPC, to detail where “Homestead” lots can be developed and where more stringent controls on subdivision of rural lots should prevail.
15. Staff suggest that the boundary (if the concept is supported) be defined as that area which is located to the east of a line created by Palmdale Road, South Coast (Hassell) Highway, Dempster Road and Nanarup Road. That boundary is located approximately 3 kilometres to the east of the Kalgan River and parallels the river for the majority of its length.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

RECOMMENDATION

THAT Council request the Western Australian Planning Commission to amend its Policy DC3.4 (Rural Land Use Planning Policy) in Appendix 1 by referring only to those parts of the City of Albany located to the west of a line drawn by the continuation of Palmdale Road, South Coast (Hassell) Highway, Dempster Road and Nanarup Road.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WILLIAMS**

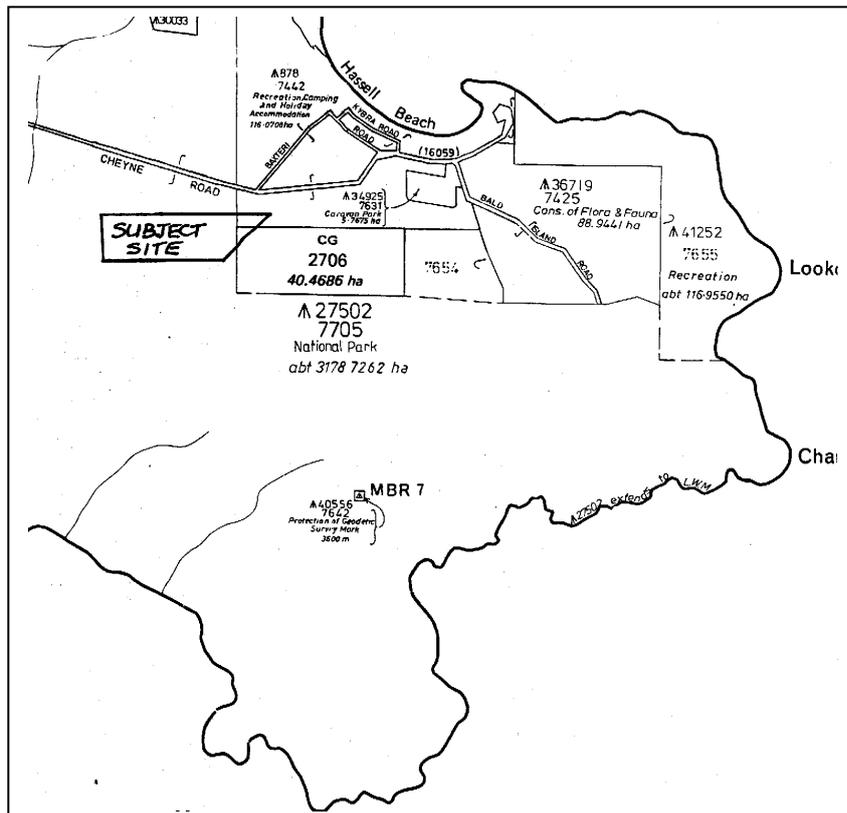
THAT Council request the Western Australian Planning Commission to amend its Policy DC3.4 (Rural Land Use Planning Policy) in Appendix 1 by referring only to those parts of the City of Albany located to the west of a line drawn by the continuation of Palmdale Road, South Coast (Hassell) Highway, Dempster Road and Nanarup Road.

MOTION CARRIED 12-0

DEVELOPMENT SERVICES REPORTS

11.3.2 Land Use Planning – Cheyne Beach

File/Ward	:	STR047 (Kalgan Ward)
Proposal/Issue	:	Development of commercial fishing infrastructure and future planning for Cheyne Beach
Subject Land/Locality	:	Reserve 878 Location 7442 Cheyne Road, Cheyne Beach
Proponent	:	J & T Westerberg
Owner	:	Crown
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation:	:	DOLA be consulted on future development options for Cheyne Beach
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

BACKGROUND

1. J & T Westerberg have written to Council advising of their interest in leasing land at Cheyne Beach for the freezing and packaging of fish caught by professional fishermen at Cheyne Beach. The Westerberg brothers advise that, in cooperation with other professional fishermen (Birss and Wheatcroft), professional fishers at Cheyne Beach have had problems selling produce through traditional markets and they consider their long-term viability rests with value adding of the fish that they catch on Hassell Beach.
2. The applicants have identified an area located between Cheyne Road and the northern boundary of Crown Grant 2706, refer to locality plan, where they would like to develop a shed of approximately 1,000m² for the freezing and packaging of salmon and herring. An overall area of 2 hectares is suggested for the proposed development to accommodate landscaping, truck turning areas, etc.
3. In recent weeks, a number of inquiries have been made with the City of Albany over the future of leased properties at Cheyne Beach, with a number of holiday homes currently on the market. The first of those leases is due to expire in the year 2009 and the first of the leases provided exclusively for professional fishermen will expire in the year 2005.
4. The settlement of Cheyne Beach comprises 29 leases for holiday accommodation and 16 leases for the exclusive use of fishermen. The 5.8 hectare caravan park site was previously also leased, however Reserve 34925 was converted into a freehold title and the caravan park owner has purchased that lot.

STATUTORY REQUIREMENTS

5. The settlement of Cheyne Beach was created by the Department of Land Administration (DOLA) out of Reserve 878, which is set aside for the purposes of “Recreation, Camping and Holiday Accommodation”. The 116 hectare reserve is surrounded by approximately 3,500 hectares of “National Park, Conservation and Flora Reserve” and “Recreation Reserve”. The only exceptions are a 40.6 hectare farm which is located immediately south of Cheyne Beach and the 5.8 hectare caravan park which was recently provided with an independent title.
6. To create an independent title or lease for the Westerberg brothers to develop a commercial freezing and processing plant would either require the creation of a new lease area from within Reserve 878 or the conversion of part of that reserve to a freehold title. Both processes involving consideration of the Native Title implications of modifying the existing reserve.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

POLICY IMPLICATIONS

7. DOLA is responsible for the allocation of Crown reserves on behalf of the wider West Australian community. Reserve 878 has been set aside for “Recreation, Camping and Holiday Accommodation” purposes. By administrative processes, the purpose of the reserve can be changed to provide for additional or alternate uses. The creation of leases or allotments in isolated settlements, such as at Cheyne Beach, is funded by DOLA and/or recouped from the title holder.
8. The City of Albany Local Rural Strategy also provides a framework for considering development applications for industrial land uses within rural areas. Council, in its consideration of the Westerberg proposal, will need to consider the desirability of creating additional lots at Cheyne Beach (either as leasehold or freehold) and also the potential impact of a development, once it is placed upon the land.

FINANCIAL IMPLICATIONS

9. Commercial fishermen at Cheyne Beach currently are trucking fish caught on Hassell Beach to processing and freezing works in Albany. The volume and frequency of truck movements is dependent upon the volume of fish caught and market conditions. The freezing and packaging of fish at Cheyne Beach should not create a marked difference on truck movements to the locality. Smaller trucks will continue to be used to cart fish from the beach to the proposed industrial shed. However, the export of those fish from Cheyne Beach will be undertaken in larger refrigerated vans which will generate less traffic on Cheyne Road and Hassell Highway.
10. The provision of services to a new lease area would form part of a subdivisional or development approval and they should have no direct bearing upon Council’s resources. One issue which has the potential to impact upon Council would be the disposal of by-products from a fish processing works. Council is moving away from the burial of refuse to cartage to a regional waste site at Chillinup Road and a fish processing works has the capacity to generate substantial volumes of offal.

STRATEGIC IMPLICATIONS

11. The City of Albany’s Draft Local Planning Strategy has identified a number of rural townsites where economic development is proposed to be integrated with the residential functions of those settlements. Cheyne Beach has not been identified as a rural settlement principally because of the current leasing arrangements in place for lots. If Council considers that Cheyne Beach is a rural settlement, rather than holiday accommodation, then consideration may need to be given to the long-term economic sustainability of the settlement.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

COMMENT/DISCUSSION

12. Cheyne Beach is currently a settlement in transition. It is comprised of 29 leases for tourist accommodation, 16 leases for commercial fishing interest and a freehold parcel of land developed for the purposes of a caravan park and local store. If it is the broader community's desire, the holiday accommodation leases can be terminated upon expiry, the first of which are due in 2009. The 29 holiday homes would be required to be removed from the site and the lessee's are legally required to return the land to its former "bush" state. Equally, the fishermen's leases, the first of which expires in 2005, could be progressively phased out and the only permanent development remaining adjacent to Hassell Beach, would be the caravan park with its associated infrastructure. The balance of the area would revert back to national park and bushland.
13. The current application provides the catalyst for Council to consider the long-term future of Cheyne Beach. Whilst an immediate decision is not required, the question needs to be asked "*should the existing DOLA leases be converted to freehold titles and a more permanent settlement established at Cheyne Beach?*".
14. If Council does not wish a permanent settlement to remain in this locality, the next question to be asked is whether Council wishes to retain infrastructure in this locality for the professional fishing industry and if so, what form should that infrastructure be? Several fishing families currently reside at Cheyne Beach for the entire year and they are joined during the peak fishing season by their workers and families. Those fishermen would be unable to operate on a commercial basis if denied the right to reside at Cheyne Beach.
15. Whilst professional fishermen operate from a number of beaches throughout the City of Albany, Cheyne Beach is one of only a handful of locations which support professional fishermen throughout the entire year. The development of processing facilities would not appear on the surface to be unreasonable. The area however, does have limited services, it has high landscape values, background noise levels are extremely low and the proposed commercial development is to be undertaken upon Crown land. Finding a site suitable for a processing plant would need to take into consideration the longer term development of Cheyne Beach and its impact upon what is essentially a part-time community. The writer has no fixed views on where a potential site could be identified, however the location suggested would clearly be in an area of high visual landscape value and landscaping alone may be inadequate to reduce the potential impact of buildings, stored equipment, etc on the site.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

RECOMMENDATION

THAT Council support the principle of Cheyne Beach being developed as a permanent settlement and that a request be forwarded to the Department of Land Administration to explore the planning and development of Cheyne Beach in a fashion which:

- (i) results in the long-term freeholding of the existing leases for holiday accommodation;
- (ii) establishes potential growth options for lots within the settlement;
- (iii) provides opportunities for commercial/industrial development which value-adds to the commercial fishing operations conducted in the locality;
- (iv) upgrades services and infrastructure to meet the needs to current and future development within the settlement; and
- (v) improves recreational infrastructure.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR EVANS SECONDED COUNCILLOR EVERS</p>
--

<p>THAT Council resolve to lay this matter on the table to allow adequate time for Councillors to receive a comprehensive briefing on the implications, or otherwise, of the proposed actions upon the City’s strategic planning direction.</p>
--

<p>MOTION CARRIED 10-2</p>

Reason:

There are compelling arguments for and against the freeholding of leased land at Cheyne Beach and for the proper planning of new infrastructure. Council should take the time to be adequately briefed by staff and DOLA, before agreeing upon a course of action.

Corporate & Community Services

REPORTS

- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment – City of Albany

File/Ward	:	FIN022 (All Wards)
Proposal/Issue	:	N/A
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager of Finance (S Goodman)
Disclosure of Interest	:	Nil.
Previous Reference	:	N/A
Summary Recommendation	:	Approve accounts for payment
Locality Plan	:	N/A

COMMENT/DISCUSSION

1. The list of accounts for payment for the City of Albany is included in the Councillor Report/Information Bulletin and contains the following:-

Municipal Fund Vouchers			
Cheques 14119-14270	totalling		188,840.17
EFT 6402-6886	totalling		1,499,986.55
Payroll	totalling		284,585.90
Other Direct Debits	totalling		4,608.33
Total Municipal Fund			<u><u>1,978,020.95</u></u>
Trust Fund Vouchers			
126-127	totalling		8,540.00
Total Trust Fund			<u><u>8,540.00</u></u>
TOTAL			<u><u>1,986,560.95</u></u>

RECOMMENDATION

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

Municipal Fund	totalling	\$1,978,020.95
Trust Fund	totalling	<u>\$ 8,540.00</u>
Total		<u><u>\$1,986,560.95</u></u>

Voting Requirement Simple Majority

**MOVED COUNCILLOR WELLINGTON
 SECONDED COUNCILLOR EMERY**

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

Municipal Fund	totalling	\$1,978,020.95
Trust Fund	totalling	<u>\$ 8,540.00</u>
Total		<u><u>\$1,986,560.95</u></u>

MOTION CARRIED 12-0

12.2 ADMINISTRATION

12.2.1 Ministerial Appointment to Committee

File/Ward	:	GOV004 (Hassell Ward)
Proposal/Issue	:	Nomination for Re-appointment to Stirling Land Conservation District Committee
Subject Land/Locality	:	N/A
Proponent	:	Agriculture WA
Owner	:	N/A
Reporting Officer(s)	:	Senior Administration Officer (S Pepper)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 5.10.99 Item 13.2.5
Summary Recommendation	:	That nominations be invited to the Stirling Land Conservation District Committee
Locality Plan	:	N/A

BACKGROUND

1. Agriculture WA has written to Council to advise the term of appointment for members of the Stirling Land Conservation District Committee will be expiring on the 30 September 2001, and has invited Council to re-nominate a representative for the Committee.
2. Any nomination received by Agriculture WA is subject to Ministerial scrutiny, prior to appointment to the committee.

STATUTORY REQUIREMENTS:

3. Section 23(2b)(b) of the Soil and Land Conservation Act 1945, states that, subject to the nomination of Council, the Minister may appoint a person to a designated District Committee for a specific term, usually three years.

POLICY IMPLICATIONS

4. There are no Council policies relating to this item.

FINANCIAL IMPLICATIONS

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

Item 12.2.1 continued.

STRATEGIC IMPLICATIONS

6. This request is in accordance with the City of Albany’s 2020 Objectives and Council Activities, Port of Call – Attraction and development of a broad range of social, cultural and economic entities
- Community Development – to encourage a vibrant community where all are encouraged to participate and contribute.

COMMENT/DISCUSSION

7. Council’s representative on the Stirling Land Conservation District Committee is currently Councillor West.
8. Agriculture WA will require a nomination information sheet to be completed by any new nominees, should Councillor West elect not to re-nominate.

RECOMMENDATION

THAT Council,

- i) Seek a nomination from Councillors interested in being nominated for the Stirling Land Conservation District Committee, and
- ii) Forward the name of Councillor _____, and his/her nomination information sheet to the Minister for his consideration.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WILLIAMS**

THAT Council,

- i) Seek a nomination from Councillors interested in being nominated for the Stirling Land Conservation District Committee, and**
- ii) Forward the name of Councillor West, and his nomination information sheet to the Minister for his consideration.**

MOTION CARRIED 12-0

12.2.2 Ministerial Appointment to Committee

File/Ward	:	REL080 (West Ward)
Proposal/Issue	:	Nomination for Re-appointment to Napier King Land Conservation Committee
Subject Land/Locality	:	N/A
Proponent	:	Agriculture WA
Owner	:	N/A
Reporting Officer(s)	:	Senior Administration Officer (S Pepper)
Disclosure of Interest	:	Nil
Previous Reference	:	N/A
Summary Recommendation	:	That nominations be invited to the Napier King Land Conservation District Committee
Locality Plan	:	N/A

BACKGROUND

1. Agriculture WA has written to Council to advise the term of appointment for members of the Napier King Land Conservation District Committee expired on the 30 September 2001, and has invited Council to re-nominate a representative for the Committee.
2. Any nomination received by Agriculture WA is subject to Ministerial scrutiny, prior to appointment to the committee.

STATUTORY REQUIREMENTS:

3. Section 23(2b)(b) of the Soil and Land Conservation Act 1945, states that, subject to the nomination of Council, the Minister may appoint a person to a designated District Committee for a specific term, usually three years.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

Item 12.2.2 continued.

STRATEGIC IMPLICATIONS

6. This request is in accordance with the City of Albany’s 2020 Objectives and Council Activities, Port of Call – Attraction and development of a broad range of social, cultural and economic entities
- Community Development – to encourage a vibrant community where all are encouraged to participate and contribute.

COMMENT/DISCUSSION

7. Council’s representative on the Napier King Land Conservation District Committee is currently Len Armstrong.
8. Agriculture WA will require a nomination information sheet to be completed by any new nominees.

RECOMMENDATION

THAT Council,

- i) Seek a nomination from Councillors interested in being nominated for the Napier King Land Conservation District Committee, and
- ii) Forward the name of Councillor _____, and his/her nomination information sheet to the Minister for his consideration.

Voting Requirement Simple Majority

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR EMERY**

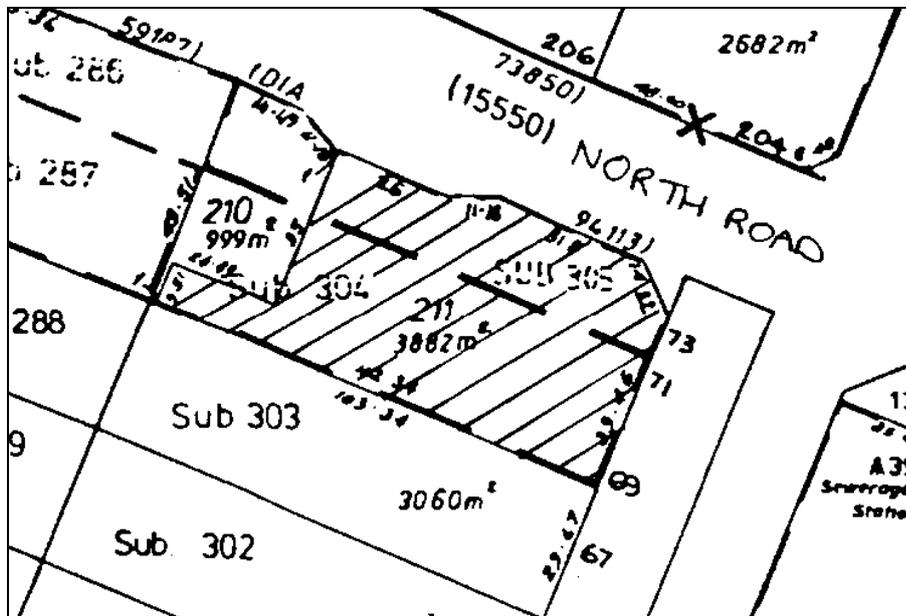
THAT Council,

- i) Seek a nomination from Councillors interested in being nominated for the Napier King Land Conservation District Committee, and**
- ii) Forward the name of Councillor Bojcun, and her nomination information sheet to the Minister for his consideration.**

MOTION CARRIED 12-0

12.2.3 Lotteries House Tenant Lease– Albany Community Release Program Inc

File/Ward	:	MAN071 (Frederickstown Ward)
Proposal/Issue	:	Lease Agreement for Albany Community Release Program Inc at Lotteries House on North Road, Albany
Subject Land/Locality	:	Lotteries House, 211-217 North Road
Proponent	:	Albany Community Release Program Inc
Owner	:	City of Albany
Reporting Officer(s)	:	Administration Officer (A Wiseman)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council agree to the exercise of the 3 year option on the current lease which expired on 30 th June 2001.
Locality Plan	:	



Item 12.2.3 continued.

BACKGROUND

1. In September 1996 a “Deed of Trust” was entered into between the former Town of Albany and the Lotteries Commission. This deed requested that a Management Committee be formed to oversee the management of the property known as Lotteries House and located on 211-217 North Road, Albany.
2. Part 3 of the Schedule contained within the Deed of Trust, states that the purpose of the Trustee (being the City of Albany) is as follows:

“To make and keep available the Property for organisations as defined in section 19 of the Act, for use by them exclusively for accommodation for benevolent or charitable purposes.”

STATUTORY REQUIREMENTS:

3. Section 3.58 of the Local Government Act deals with “disposing of property” (including leases) and requires Council to either dispose of property to the highest bidder at auction or by public tender to the person who, in the opinion of Council, makes the most acceptable tender.
4. Council is however able to dispose of property by other means, provided that it gives Statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
5. Clause 30 of the Local Government Act (Functions and General) Regulations 1996, provides an exemption to Council from the application of section 3.58 of the Local Government Act if the land is being disposed of to a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.
6. The Albany Community Release Program Inc expired on 30th June 2001, and is clearly of a benevolent or charitable nature, and therefore, the proposed disposition of land is exempt from the provisions of section 3.58 of the Act

POLICY IMPLICATIONS

7. There are no Council policies in place relating to this item.

FINANCIAL IMPLICATIONS

8. At its meeting on 7 June 2001, the Lotteries House Management Committee agreed to the exercise of the 3 year option with the Albany Community Release Program Inc with their rental fee remaining at the current amount of \$1940.00 per annum, but with the inclusion of a GST (Goods and Services Tax) charge as from 1st July 2001.

Item 12.2.3 continued.

STRATEGIC IMPLICATIONS

9. This request complies with Council’s “Albany 2020 – Charting Our Course”, which in part states as follows:
- “Social, Cultural & Economic Development – Attraction & development of a broad range of social, cultural and economic entities.”*
10. Council’s ongoing commitment to the Lotteries House project will continue to see community based organisations benefit from such a well established operation.

COMMENT/DISCUSSION

11. At the last Lotteries House Management Committee meeting held on 7 June 2001, it was agreed that the 3 year option for the Albany Community Release Program Inc. be taken up at the end of 30 June 2001. On 1 July 2001 the lease rental is to remain at the current rate of \$1940.00 per annum, but with the inclusion of a GST (Goods and Services Tax) on the lease fee.

RECOMMENDATION

THAT:

- i) Council adopt the Lotteries House Management Committee’s recommendation to exercise the 3 year option on the lease with the Albany Community Release Program Inc;
- ii) The 3 year option commences from 1 July 2001;
- iii) The rent reviews be conducted annually on each anniversary date of the lease, by the Lotteries House Management Committee;
- iv) A GST clause be inserted into the lease option;
- v) The lease rental remain at the current rate of \$1940.00 per annum, but with the inclusion of GST (Goods and Services Tax) on that amount;
- vi) The terms and conditions of the previous agreement be extended to the option subject to the changes contained within this recommendation;
- vii) All costs associated with the preparation of the lease agreement be borne by the lessee; and
- viii) The Common Seal be attached to the appropriate documentation.

Voting Requirement Simple Majority

.....

Item 12.2.3 continued.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BOJCUN**

THAT:

- i) Council adopt the Lotteries House Management Committee's recommendation to exercise the 3 year option on the lease with the Albany Community Release Program Inc;**
- ii) The 3 year option commences from 1 July 2001;**
- iii) The rent reviews be conducted annually on each anniversary date of the lease, by the Lotteries House Management Committee;**
- iv) A GST clause be inserted into the lease option;**
- v) The lease rental remain at the current rate of \$1940.00 per annum, but with the inclusion of GST (Goods and Services Tax) on that amount;**
- vi) The terms and conditions of the previous agreement be extended to the option subject to the changes contained within this recommendation;**
- vii) All costs associated with the preparation of the lease agreement be borne by the lessee; and**
- viii) The Common Seal be attached to the appropriate documentation.**

MOTION CARRIED 12-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.2.4 Adoption of Health (Eating Houses and Itinerant Vendors) Local Laws 2001

File/Ward	:	MAN050 (All Wards)
Proposal/Issue	:	To make new Health (Eating Houses and Itinerant Vendors) Local Laws 2001
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Inspection Services (K Barnett) Senior Administration Officer (S Pepper)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation:	:	To make the Health (Eating-Houses and Itinerant Vendors) Local Laws 2001
Locality Plan	:	N/A

BACKGROUND

1. High standards of food hygiene and premises maintenance result in a reduction in the potential to cause food borne disease and contamination. It is therefore important that regular inspections of eating-houses are conducted to ensure maintenance and improvements of food hygiene standards.
2. The Health Act places a responsibility for these inspections on local government and requires all eating houses to be registered and all proprietors of eating-houses to be licensed.
3. Under the provisions of the Health Act, Council is able to make Local Laws prescribing the details required to accompany an application for the registration of an eating house and a licence to manage or control an eating house.
4. The City's existing Health (Eating-Houses) Local Laws were adopted in 1993 and deal with the former Town of Albany area only. The proposed Local Law will embrace the whole of the municipality and will also require itinerant food vendors to be registered and licensed.
5. A draft Health (Eating-Houses and Itinerant Vendors) Local law has been prepared for Council consideration. (See Elected Members Report/Information Bulletin)

Item 12.2.4 continued.

STATUTORY REQUIREMENTS

6. Section 3.12 of the Local Government Act states:-

- "3.12 (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2) *At a Council meeting the person presiding is to read aloud, or cause to be read aloud, a summary of the purpose and effect of the proposed local law.*
- (3) *The local government is to -*
- a) *give Statewide public notice stating that -*
 - i) *the local government proposes to make a local law the purpose and effect of which is summarised in the notice;*
 - ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
 - b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) *After the last day for submission, the local government is to consider any submissions made and may make the local law* as proposed or make a local* that is not significantly different from what was proposed.*

* *Special Majority Required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give Statewide public notice -*
- a) *stating the title of the local law;*
 - b) *summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - c) *advising that copies of the local law may be inspected or obtained from the local government's office.*

Item 12.2.4 continued.

- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of the local laws they have made and any explanatory or other material relating to them."*

7. Section 342 of the Health Act 1911 (as amended) states inter-alia:-

"342 (1) Every local government may from time to time, of its own motion and shall, when the Commissioner so requires, make local laws as herein provided, and generally for carrying into effect the provisions of this Act, within its district;....."

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

9. There will be statutory advertising costs which will be funded from the 2001/2002 budget.

STRATEGIC IMPLICATIONS

10. The Albany 2020 Charting Our Course Strategic Plan includes the following Port of Call:

"The Continual development of Council services & facilities to meet the needs of all stakeholders."

Under this Port of Call is an objective "to provide a range of environmental health services for the benefit of our community."

COMMENT/DISCUSSION

11. The procedure for making Local Laws requires Council to advertise Statewide on at least two days, advising of its intention to make Local Laws and seeking submissions within a six-week period. Council is to consider all submissions before making a Local Law, publish it in the Government Gazette and supply the Minister for Local Government and the Minister for Health the documents for tabling in Parliament. Statewide notice of the adoption of the Local Law is then to occur.

12. In addition, the procedure for making Local Laws requires the person presiding at a Council meeting to read aloud, or cause to be read aloud, a summary of the purpose and effect of the proposed Local Law.

Item 12.2.4 continued.

Purpose and Effect

13. The purpose of these local laws is to provide for the control and management of food premises within the district by establishing various requirements for -
 - (a) the registration of eating houses and itinerant vendors; and
 - (b) the licensing of proprietors of eating houses and itinerant vendors.

14. The effect of these local laws is to establish various standards and requirements relating to registration of food premises, and the licensing of proprietors of food premises with which operators/owners of food premises within the district must comply

RECOMMENDATION

THAT Council, in accordance with Section 342 of the Health Act 1911 (as amended), agrees to make the Health (Eating-Houses and Itinerant Vendors) Local Laws 2001 (as detailed in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR BOJCUN**

THAT Council, in accordance with Section 342 of the Health Act 1911 (as amended), agrees to make the Health (Eating-Houses and Itinerant Vendors) Local Laws 2001 (as detailed in the Elected Members' Report/Information Bulletin).

MOTION CARRIED 12-0

12.2.5 Adoption of Local Government Property Local Laws 2001

File/Ward	:	MAN048 (All Wards)
Proposal/Issue	:	To make new Local Government Property Local Laws 2001
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Inspection Services (K Barnett) Senior Administration Officer (S Pepper)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation:		To make the Local Government Property Local Laws 2001
Locality Plan	:	N/A

BACKGROUND

1. Since 1965 the use, access and activities available on the various properties under the control of the City have been regulated by several Local Laws:-
 - i) The former Town of Albany Local Laws Relating to Safety, Decency, Convenience & Comfort of Persons in Respect of Bathing adopted in 1965;
 - ii) The former Town of Albany Local Laws Relating to Parks and Reserves adopted in 1966;
 - iii) The former Shire of Albany Local Laws Relating to Safety, Decency, Convenience & Comfort of Persons in Respect of Bathing adopted in 1979;
and
 - iv) The former Shire of Albany Local Laws Relating to Reserves adopted in 1985.
2. A review of these obsolete Local Laws has been completed and proposed Local Laws relating to Local Government Property prepared for consideration.
3. The main objective of the proposed Local Laws is to regulate the care, control and management of all property vested with or owned by the City in the interests of the whole community.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.5 continued.

4. Under the provisions of the proposed Local Laws, some activities are permitted on City property only under a permit, while other activities are restricted or prohibited. The Local Law also creates offences for inappropriate behaviour on the City's property.
5. Areas covered by the Local Laws include:
 - Permits for the use of City property;
 - Behaviour in or on City property;
 - Consumption of liquor and prohibited drugs on City property;
 - Beaches;
 - Swimming pool areas;
 - Fees and charges.
6. A draft Local Government Property Local Laws has been prepared for Council consideration. (See Elected Members Report/Information Bulletin)

STATUTORY REQUIREMENTS

7. Section 3.12 of the Local Government Act states:-

- "3.12 (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (7) At a Council meeting the person presiding is to read aloud, or cause to be read aloud, a summary of the purpose and effect of the proposed local law.*
 - (8) The local government is to -*
 - d) give Statewide public notice stating that -*
 - iv) the local government proposes to make a local law the purpose and effect of which is summarised in the notice;*
 - v) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - vi) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
 - e) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - f) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.5 continued.

- (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (9) *After the last day for submission, the local government is to consider any submissions made and may make the local law* as proposed or make a local* that is not significantly different from what was proposed.*
- * *Special Majority Required.*
- (10) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (11) *After the local law has been published in the Gazette the local government is to give Statewide public notice -*
- d) stating the title of the local law;*
 - e) summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - f) advising that copies of the local law may be inspected or obtained from the local government's office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of the local laws they have made and any explanatory or other material relating to them."*

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

9. There will be statutory advertising costs which will be funded from the 2001/2002 budget.

STRATEGIC IMPLICATIONS

10. The Albany 2020 Charting Our Course Strategic Plan includes the following Port of Call:

The Continual development of Council services & facilities to meet the needs of all stakeholders."

Under this Port of Call is an objective "to provide a range of environmental health services for the benefit of our community."

Item 12.2.5 continued.

COMMENT/DISCUSSION

11. The procedure for making Local Laws requires Council to advertise Statewide on at least two days, advising of its intention to make Local Laws and seeking submissions within a six-week period. Council is to consider all submissions before making a Local Law, publish it in the Government Gazette and supply the Minister for Local Government the documents for tabling in Parliament. Statewide notice of the adoption of the Local Law is then to occur.
- 12. In addition, the procedure for making Local Laws requires the person presiding at a Council meeting to read aloud, or cause to be read aloud, a summary of the purpose and effect of the proposed Local Law.**

Purpose and Effect

13. The purpose of these local laws is to regulate the care, control and management of all property of the local government except thoroughfares.
14. The effect of these local laws is to control the use of local government property. Some activities are permitted only under a permit or under a determination and some activities are restricted or prohibited. Offences are created for inappropriate behaviour in or on local government property.

RECOMMENDATION

THAT Council, in accordance with Section 3.12 of the Local Government Act 1995, agrees to make the Local Government Property Local Laws 2001 (as detailed in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

.....
The Executive Director Development Services advised that page 58 of Bulletin Item 1.2.3 requires a correction to section 2.7 (1). The letter numbering sequence is incorrect, as (i) should be part (i) of subsection (h) and (j) and (k) amended accordingly.

<p>MOVED COUNCILLOR EMERY SECONDED COUNCILLOR WELLINGTON</p> <p>THAT Council, in accordance with Section 3.12 of the Local Government Act 1995, agrees to make the Local Government Property Local Laws 2001 (as detailed in the Elected Members' Report/Information Bulletin).</p> <p>MOTION CARRIED 12-0</p>

12.2.6 Review of Code of Conduct for Elected Members and Staff

File/Ward	:	MAN081 (All Wards)
Proposal/Issue	:	Review of current Code of Conduct
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Senior Administration Officer (S Pepper)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 08.07.98 Item 13.2.4 OCM 04.08.99 Item 13.2.1 OCM 29.02.00 Item 13.2.2 OCM 26.06.00 Item 12.2.1
Summary Recommendation	:	Adopt Code of Conduct for Elected Members and Staff
Locality Plan	:	N/A

BACKGROUND

1. The City of Albany adopted a Code of Conduct based on the Western Australian Municipal Authority's draft document (August 1999), and amended it to comply with changes to Local Government (Administration) Regulations relating to token gifts and disclosures of interest (February 2000).
2. The matter was discussed at the Ordinary Council meeting of 26th June 2001 and it was resolved that this item be withdrawn from the agenda pending further investigation.

STATUTORY REQUIREMENTS

3. Section 5.103 of the Local Government Act requires every Local Authority to prepare or adopt a code of conduct, which is to be observed by elected members, committee members and staff. Local Authorities are required to review their Codes of Conduct within twelve months after each ordinary elections day, and make such changes as they consider appropriate.

POLICY IMPLICATIONS

4. There are no policies relating to this item.

Item 12.2.6 continued.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

6. Council's Albany 2020 Strategic Plan has as one of its objectives, the expectation to comply with the statutory requirements of the organisation.

COMMENT/DISCUSSION

7. Council's Code of Conduct has been in operation since February 2000, and has proved to be a valuable management tool. At the Council meeting of 26th June 2001 it was proposed to amend the Corporate obligations section relating to Communication and Public Relations to address matters related to Councillors speaking to the media when they are providing a personal comment.
8. It is proposed the amendment should read 'When communicating in public forums on Council Policy issues, all statements should be prefaced with a general *'this is my personal opinion'* qualification".

RECOMMENDATION

THAT Council, in accordance with section 5.103 of the Local Government Act, agree to adopt the reviewed Code of Conduct for Elected Members and Staff subject to Clause 3.6 b) ii) be amended to read:-

"3.6 Corporate Obligations

b) Communication and Public Relations

- ii) As a representative of the community, members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so, members should acknowledge that:
- as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.6 continued.

- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately;
- when Speaking at public forums or to the media, Councillors should ensure that all statements are qualified with the words “When communicating in public forums on Council Policy issues, all statements should be prefaced with a general ‘this is my personal opinion’ qualification.”

Proposed changes to the Code of Conduct are underlined.

Voting Requirement Simple Majority

.....
It was advised that the second dot point under 3.6 b) ii) should read “information of a confidential nature SHALL not be communicated” in place of “OUGHT”. Further, the fourth dot point should have the words “when Speaking at public forums or to the media, Councillors should ensure that all statements are qualified with the words” removed as it has been duplicated.

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT Council, in accordance with section 5.103 of the Local Government Act, agree to adopt the reviewed Code of Conduct for Elected Members and Staff subject to Clause 3.6 b) ii) be amended to read:-

“3.6 Corporate Obligations

b) Communication and Public Relations

- ii) **As a representative of the community, members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so, members should acknowledge that:**

Item 12.2.6 continued.

- as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- information of a confidential nature shall not be communicated until it is no longer treated as confidential;
- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately;
- “When communicating in public forums on Council Policy issues, all statements should be prefaced with a general ‘this is my personal opinion’ qualification.”

**AMENDMENT
MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BARTON**

THAT the words “and Bribery” be deleted from the heading of section 2.4 of the Code of Conduct, which is to read “Gifts”.

AMENDMENT CARRIED 12-0

Reason:

Clause 2.4 “Gifts and Bribery” relates particularly to gifts and the use of the words ‘and Bribery’ are not relevant.

Item 12.2.6 continued

**AMENDMENT BECOMES MOTION
MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT Council, in accordance with section 5.103 of the Local Government Act, agree to adopt the reviewed Code of Conduct for Elected Members and Staff subject to Clause 3.6 b) ii) be amended to read:-

“3.6 Corporate Obligations

b) Communication and Public Relations

ii) As a representative of the community, members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so, members should acknowledge that:

- as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;**
- information of a confidential nature shall not be communicated until it is no longer treated as confidential;**
- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;**
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately;**
- “When communicating in public forums on Council Policy issues, all statements should be prefaced with a general ‘this is my personal opinion’ qualification.”**

AND

THAT the words “and Bribery” be deleted from the heading of section 2.4 of the Code of Conduct, which is to read “Gifts”.

MOTION CARRIED 12-0

12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 ALBANY LEISURE AND AQUATIC CENTRE

Nil.

Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 WASTE MANAGEMENT

Nil

WORKS & SERVICES REPORTS

13.2 ASSET MANAGEMENT

13.2.1 Purchase of Multi-Tyred Self Propelled Roller

File/Ward	:	C01041 (All Wards)
Proposal/Issue	:	Purchase of Multi-Tyred Self Propelled Roller
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Operations (G Steel)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 3 April 2001 Item 13.2.1 OCM 1 May 2001 Item 13.2.1
Summary Recommendation:		That Council agree to the purchase of a Caterpillar PS300B Multi-Tyred Self Propelled Roller
Locality Plan	:	N/A

BACKGROUND

1. At the Ordinary Council Meeting of 1 May 2001 Item 13.2.1 it was resolved:

"THAT Council;

i) Revoke their resolution of 3 April 2001, Item 13.2.1:

"THAT Council accept tender C01002 from Westrac Equipment to supply a new PS300B Self Propelled Multi-Tyred Roller at a cost of \$153,200 (including GST), trading in Council's current Pacific RP16 for \$20,000 (including GST), providing an actual nett change over cost to the City of Albany of \$121,090.91"

(ii) Approve the re-calling of tenders for the supply and delivery of a Multi-Tyred Self-Propelled Roller."

2. Tenders were called for the supply of a new Multi-Tyred Self Propelled Roller, trading in AL5062 Pacific RP16 1979 model Multi-Tyred Roller.

3. Tenders were received from Westrac Equipment, Banbury, and Hitachi.

WORKS & SERVICES REPORTS

Item 13.2.1 continued

STATUTORY REQUIREMENTS

4. The tendering process for Goods & Services must be in accordance with sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 of the Local Government Act 1995.
5. In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council and it may also decline any tender.

POLICY IMPLICATIONS

6. There is currently no Council policy relating to this item.

FINANCIAL IMPLICATIONS

7. \$138,000 had been allocated in the 2000/2001 budget for the replacement of the current AL5062 Pacific RP16 1979 model Multi-Tyred Roller, and will be carried over into the 2001/02 budget.

STRATEGIC IMPLICATIONS

8. In the City of Albany’s 2020 Plan Charting Our Course, the following Ports of Call are identified:

Port of Call

Transport systems & services designed to meet current & future needs.

Objective:

- To effectively and efficiently manage the City's transport infrastructure.

COMMENT/DISCUSSION

Dealer	Make	Model	Price inc GST	Trade inc GST	Change over inc GST	Actual changeover to Council
Banbury	Bomag	BW24R	\$141,596.40	\$18,810.00	\$122,786.40 *	\$111,664.91 **
Westrac Equipment	Caterpillar	PS300B	\$174,350.00	\$22000.00	\$152,350.00	\$138,500.00
Hitachi	Protec	PR20	\$165381.70	\$14300.00	\$151081.70	\$137347.00

* \$450 of this is not subject to GST

** Plus \$2,200 railing, \$5,564 extended warranty, additional steps to access the rear and sides of the machine approximately \$6,000 = \$125,428.91.

9. **Bomag BW 24R** This roller has the fastest transport speed, with all rear wheel fixed direct drive and 4 front wheels, two on each independent arm. It also has the lowest changeover price. However, significant issues were daily maintenance and service difficulties with access, and insufficient clearance between the rear wheels and body allows clay buildup.

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

10. **Protec PR20** This roller has the best drive specifications, however, it has the lowest production output with pivoting fixed front suspension and fixed rear suspension.

11. **Caterpillar PS300B** This roller has fully independent suspension, a new concept in WA. Some of the original units experienced some faults; these were modified in the latest models. Noosa Council found improved efficiency in operations. Five Eastern States Councils were contacted; they reported job quality improvement and optimal savings. Since 1998, 23 units have been purchased Australia-wide. The recommending Councils were:

- Miriam Vale Shire Council, QLD Ph: (07) 4974 5101
- Noosa Shire Council, QLD Ph: 0410 512 501
- Dimantina Shire Council, QLD Ph: 0417 461 202
- Banana Shire Council, QLD Ph: (07) 4992 9519
- Tara Shire Council, QLD Ph: (07) 4665 3898

12. A demonstration of the CAT PS300B roller at Down and Mountain Roads indicated operational time savings with this roller, needing one pass less than fixed rear wheel rollers. This is a saving of waiting time for three machines (less passes), and resulted in an even compaction and better road condition, good traction, better stability, and extra use on base course material. Works Co-ordinator, Gary Logan and Plant Operator, Murray Bracknell also saw first hand the ease of access for maintenance servicing. It is estimated that Council's road construction efficiency will improve both in construction and maintenance, using an independent suspension roller.

13. The Caterpillar PS300B roller is recommended for the following:

- Strongest/robust frame
- Safety for daily operational maintenance
- Local service availability
- Dealer backup
- Maintenance and service access
- 48 month warranty
- 15 – 20 year service life would mean a better changeover after 10 years
- Cost savings in productivity and efficiency for Council

RECOMMENDATION

THAT Council accept tender C01041 from Westrac Equipment to supply a new PS300B Self Propelled Multi-Tyred Roller at a cost of \$174,350 (including GST), trading in Council's current Pacific RP16 for \$22,000 (including GST), providing an actual net change over cost to the City of Albany of \$138,500, and being in accordance with the 2001/02 budget.

Voting Requirement Simple Majority

.....

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR DEMARTEAU**

THAT Council accept tender C01041 from Westrac Equipment to supply a new PS300B Self Propelled Multi-Tyred Roller at a cost of \$174,350 (including GST), trading in Council's current Pacific RP16 for \$22,000 (including GST), providing an actual net change over cost to the City of Albany of \$138,500, and being in accordance with the 2001/02 budget.

MOTION CARRIED 12-0

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

ROLLER COMPARISON CHART

Details	BW24R	PS300B	PR20	Comments
Power kw (ISO.9249)	71	67	80	PR20 has 6 cylinder engine
Speed km/hr	22	18	20	Roller transported distances exceeding 10kms
Weight unballasted – kg	10500	14000	11600	Cat PS300B has a stronger frame
Weight ballasted - kg	18900	17500	20000	For extra cost if required the Cat PS300B can be ballasted to 21000kg
Ballast Type	(S) + (W)	(S)	(S) + (W)	(S) = Steel Ballast (W) = Water ballast
Suspension	Fixed rear	<i>Independent</i>	Fixed rear	Cat PS300B achieves faster job times
Rolling Width	1986	1900	2092	Independent suspension eliminates double rolling
Force	9.5kg/cm	9.2kg/cm	9.5kg/cm	3% variation
Brakes	Air hydraulic	Oil disc	Hydrostatic	Air hydraulic brake system obsolete and expensive
Personal Safety	Bad	<i>Very good</i>	Fair	Cat PS300B operator daily maintenance done at near ground level.
Dealer Service	Perth	Albany	Perth	Cat PS300B Local warranty and repair reduces downtime.
Operator Station	2 seat	1 seat	1 seat	PR20 seat swivels 180 degrees. Cat 30 degrees
Warranty	12 months	24 months	12 months	
Extended warranty cost	36 months \$5564 + (1) & (2)	48 months Power train overtime if required	24 months Power train (1) & (2)	(1) = Labour travelling (2) = Transport cost

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

ROLLER COMPARISON NOTES

DETAILS	CAT PS 300B	BOMAG BW 24R
PRODUCTIVITY	<p>The independent rear wheel suspension allows the roller to do one less roll up and back, than fixed rear wheel rollers on the windrow, as this can be done as the roller does the first pass. This is a saving on the whole crew waiting time between successive passes for the roller to return.</p> <p>A roller compacts at about 3-3.5 km/h and the length that is done at one time is 500m.</p> <p>This means that the roller would take around 18-20 extra minutes to complete each pass while the other machines wait. To lay in the base course takes 3 passes per day which means at least 54-60 minutes per day minimum in waiting time for the crew.</p> <p>The crew costs \$147 p/hour so this is a saving of \$132.30 - \$147 per day per 500m</p> <p>The amount of road construction undertaken by the crew in any year is about 10 km average.</p> <p>This is a minimum saving of \$2646-\$2940 per year.</p> <p>Over 10 years this is a minimum saving of \$26,460-\$29,400</p>	<p>The independent feature is only on the 4 front wheels two pivoting on each independent arm not hydraulically controlled.</p>
WARRANTY	<p>24 months full at \$0 cost.</p> <p>24 months extended drive train at \$ 0 cost</p> <p>Warranty work undertaken by Westrac is by the local service representative in Albany.</p> <p>Service work is undertaken by council mechanics.</p> <p>The total overall additional cost is \$0.</p>	<p>12 months full at \$0 cost.</p> <p>36 month extended drive train is at \$5,564 extra cost.</p> <p>The total extra cost is \$5,564.</p>
SERVICE & BACKUP	<p>There is a service mechanic based in Albany for Caterpillar equipment.</p> <p>Perth Westrac is one of the largest WA earthmoving dealers and Caterpillar provides national service and backup.</p>	<p>Perth Banbury has one Bomag mechanic at this stage and a National service and backup.</p>
MAINTENANCE	<p>The PS 300B engine compartment can be accessed from the ground to check all of the oil levels, engine and transmission.</p>	<p>The BW 24R requires the operator to climb up and then across the machine to access the engine compartment to check the engine oil. This may be a very tricky manoeuvre in wet conditions.</p> <p>If steps were to be installed so the operator could access the front of the machine on each side it would make it slightly safer to access the engine compartment.</p> <p>However this would require major work in installing, that would not alter the overall width or weaken the structure of the machine and at what cost (\$).</p> <p>The area on top of the machine that surrounds the engine and also at the rear would need to have railings fitted to stop accidentally falling off of the machine at a cost of \$2200.</p> <p>Steps would need to be fitted to the rear of the machine to allow easy access to the fuel tank cap for filling, these could be incorporated into the railing and be only lowered when required. This would also be an additional cost about \$250.</p> <p>The oil level in the powershift transmission is checked daily by entering the cab and raising the flooring mat sections and then inserting the key and raising the floor plate cover under the dash area to see the transmission inspection glass, this is also very time consuming.</p>

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

<p>WORKSHOP SERVICING</p>	<p>With the bonnet raised the cab bolts can be removed and then the cab can be tilted back and by lowering the side this allows very easy access to the engine and transmission for servicing and overhauling. Oil draining is done outside the machine by removing three plugs, accessible at ground level.</p>	<p>The access to the engine compartment is by the bonnet area and it would require the whole cab to be removed to access the transmission area. This would mean any servicing or repairs would be difficult to carry out and very time consuming. Oil draining is done outside the machine by removing three plugs, accessible at ground level.</p>
<p>TYRES</p>	<p>CAT are running 7 x 13/80-20 Pilote X Smooth (E20) Michelin tyres at a cost of \$643.50 including GST. The independent information we have received is that it would only require to replace these once in 10 years, at a total cost of \$4504 Michelin have 8 in WA and these tyres are readily available.</p>	<p>Bomag are running 8 x 11.00 x 20 18-ply tyres at a cost of \$479.60 including GST. The independent information we have received is that we would need to replace these twice in the 10 years at a total cost of \$7673. This would mean a difference of \$3,169 over a 10-year period. However currently there are only a limited amount, not a full set in Australia and the last time they were only available in Germany but would only be supplied with a rim, which would add extra unnecessary cost \$?. The Chinese equivalent to these, there is only 3 in Australia, and there is a six week delay in supply, at a cost of \$530 including GST. These come with tube and dust band included. This would mean it would cost \$8,480 over 10 years. Baron have only 5 in Australia and there is a 12 week delay in the supply. These are \$745 including GST but don't come with a tube or dust band. This would mean it would cost \$11,920 plus the cost for the tube and dust band over 10 years.</p>
<p>REAR WHEEL CLEARANCE PROBLEM</p>	<p>Because there is greater distance between the body and the rear wheels in the centre of the machine and only a narrow area on the outside where this distance is minimal there is less likelihood of clay build-up forming on the body and causing a problem with operations. Any build-up would be easily removed by knocking it off with minimal effort.</p>	<p>This machine and some of our current rollers, has very little clearance and as such the clay would build up on the body and be required to be cleaned more regularly. Because of the clearance it would be very difficult to get access to remove the clay build-up. Other councils have overcome this by having a high pressure water unit go onsite and remove the clay. This is very time consuming and if not removed can lead to greater problems with the machine.</p>
<p>SUMMARY</p>	<p>The Caterpillar PS 300B is the best machine for the City of Albany. It is far safer for the operator to use and maintain. Higher productivity and overall would cost less in the long term.</p>	

WORKS & SERVICES REPORTS

13.2.2 Contract C01036 - Cleaning and Sanitary Services

File/Ward	:	C01036 (All Wards)
Proposal/Issue	:	Cleaning and Sanitary Services by public tender
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Operations (G Steel)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 26 June 2001 Item 13.2.3
Summary Recommendation:		That Council awards partial contracts to: <ul style="list-style-type: none">• Delron Cleaning Services• Narrikup Cleaning Services• G & M Detergents & Hygiene Services
Locality Plan	:	N/A

BACKGROUND

1. Tenders were recently invited for cleaning of buildings, sanitary services and other duties as required in the City of Albany for a 2-year period. The contract will expire on 30 June 2003. A total of seven specifications were issued, with six submissions received by close of tender.
2. Council, at their meeting on 26 June 2001, considered Contract C01036 and resolved the following:

“THAT the matter be deferred pending per calendar month figures being submitted by tenderers for:

- a) additional cleaning (Town Hall); and*
- b) conference room (Airport)*

based on annual average usage.”

3. The contracts for Cleaning Services in the City of Albany expired on 30 June 2001. Current contractors are continuing their present cleaning and sanitary commitments until resolution of this matter.

STATUTORY REQUIREMENTS

4. The tendering process for Goods & Services must be in accordance with sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 of the Local Government Act 1995.
5. In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council and it may also decline any tender.

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

POLICY IMPLICATIONS

6. There is no Council policy in place referring to this item.

FINANCIAL IMPLICATIONS

7. Tenderers were required to provide a schedule of rates for their services. Six tenders were submitted for Council's consideration from the following companies:

- ◆ Delron Cleaning Albany
- ◆ G & M Detergents & Hygiene Services
- ◆ Narrikup Cleaning Service
- ◆ Prestige Property Services
- ◆ Rainbow Coast Hygiene
- ◆ The Cleansters

8. An attached table outlines those rates submitted by all six tenderers. These rates include Goods and Services Tax (GST).

STRATEGIC IMPLICATIONS

9. In the City of Albany's 2020 Charting our Course the following Port of Call is identified:

Port of Call:

The continual development of Council services and facilities to meet the needs of all stakeholders.

Objective: To provide communities with quality buildings that are functional, well-maintained and meet social and cultural needs.

COMMENT/DISCUSSION

10. Tender Process

A request for Tenders was published in the West Australian on 5 May 2001 and the Albany Advertiser on 10 May 2001, with closing date on 23 May 2001.

11. Tender Evaluation

Cleaning and sanitary services have been selected from three companies in the Albany district to provide opportunities and, as outlined in the attached table, to take advantage of identified potential savings of \$16,457.75 during the two-year term of the contracts.

12. Additional information

Discussions with the Airport Manager revealed that historically there has been no requirement for any additional cleaning services.

13. The Theatre Manager was approached for further information regarding the total hours of additional cleaning required at the Town Hall Theatre, together with reasons for this cleaning and the estimated total number of hours for the next 12 months. The Theatre Manager advised that there is a consistent annual average of fifty performances in the theatre, all with varying cleaning requirements.

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

14. An attached table outlines additional cleaning cost calculations based on information extracted from Delron Cleaning invoices for 2000/01. Additional hours were calculated by subtracting the base contract costs from total invoice costs, with the difference divided by the hourly additional cleaning rate for 2000/01. As can be seen from the attached table, based on historical additional cleaning of 238 hours for 2000/01 that the total nett difference over 2 years is \$460.72.
15. However, this saving, if Delron were awarded the cleaning contract for the Town Hall Theatre, is based solely on any future assumed 238 additional hours and not on the actual contract costs. Any modest decrease in additional hours would completely alter the situation.
16. Information provided by the Theatre Manager indicates that there have been problems and issues with respect to cleaning of the Town Hall by the current contractor. Despite approaches to the proprietor, these issues have not been resolved to the satisfaction of the Theatre Manager. It is therefore recommended that as there is little difference between the overall contract prices for Delron and Narrikup Cleaning Services, the contract be awarded to latter.

RECOMMENDATION

THAT Council accept the tenders for Contract C01036 - Cleaning and Sanitary Services (2001/03) from the following Contractors and respective Schedule of Rates (including GST):

Cleaning Service Location	Contractor		Rate (\$)	
			2001/02	2002/03
Administration Building - York Street	Delron Cleaning Albany	per month	1,062.00	1,094.00
Library	Delron Cleaning Albany	per month	802.00	826.00
Town Hall/Intimate Theatre	Narrikup Cleaning Service	per month	545.00	556.00
Administration Building - Mercer Road	Delron Cleaning Albany	per month	825.00	850.00
Depot Amenities Building - Mercer Road	Narrikup Cleaning Service	per month	380.00	388.00
Albany Airport	Narrikup Cleaning Service	per month	950.00	969.00
Additional cleaning (Town Hall)	Narrikup Cleaning Service	per hour	23.00	23.00
Conference room (Airport)	Narrikup Cleaning Service	per hour	23.00	23.00
Sanitary Services	G & M Detergents & Hygiene Services	per month	1,012.92	1,043.29

Voting Requirement Simple Majority

.....

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

Councillor Bojcun declared an interest and left the Chambers at 8:48pm. The nature of Councillor Bojcun’s interest being that her spouse is involved in the cleaning industry.

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR EMERY**

THAT Council accept the tenders for Contract C01036 - Cleaning and Sanitary Services (2001/03) from the following Contractors and respective Schedule of Rates (including GST):

Cleaning Service Location	Contractor		Rate (\$)	
			2001/02	2002/03
Administration Building - York Street	Delron Cleaning Albany	per month	1,062.00	1,094.00
Library	Delron Cleaning Albany	per month	802.00	826.00
Town Hall/Intimate Theatre	Narrikup Cleaning Service	per month	545.00	556.00
Administration Building - Mercer Road	Delron Cleaning Albany	per month	825.00	850.00
Depot Amenities Building - Mercer Road	Narrikup Cleaning Service	per month	380.00	388.00
Albany Airport	Narrikup Cleaning Service	per month	950.00	969.00
Additional cleaning (Town Hall)	Narrikup Cleaning Service	per hour	23.00	23.00
Conference room (Airport)	Narrikup Cleaning Service	per hour	23.00	23.00
Sanitary Services	G & M Detergents & Hygiene Services	per month	1,012.92	1,043.29

MOTION CARRIED 11-0

Councillor Bojcun returned to the Chambers at 8:50pm.

ORDINARY COUNCIL MEETING MINUTES – 17/07/01

** REFER DISCLAIMER **

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

DELRON		NARRIKUP	
2001/02		2001/02	
Additional 238 hours x \$18.50	\$4,403.00	Additional 238 hours x \$23.00	\$5,474.00
Annual Contract 12 months x \$606.00	\$7,272.00	Annual Contract 12 months x \$545.00	\$6,540.00
2002/03		2002/03	
Additional 238 hours x \$19.06	\$4,536.28	Additional 238 hours x \$23.00	\$5,474.00
Annual Contract 12 months x \$624.00	\$7,488.00	Annual Contract 12 months x \$556.00	\$6,672.00
TOTAL	\$23,699.28	TOTAL	\$24,160.00
Total difference over 2 years \$460.72			

ORDINARY COUNCIL MEETING MINUTES – 17/07/01

** REFER DISCLAIMER **

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

CLEANING SERVICES

LOC	DESCRIPTION	RATE (\$)	DELRON		NARRIK UP		G&M	
			2001/02	2002/03	2001/02	2002/03	2001/02	2002/03
1	Administration Building - York Street	per calendar month	**1062.00	**1094.00	1,096.00	1,118.00	no tender	no tender
2	Library	per calendar month	**802.00	**826.00	1,040.00	1,061.00	no tender	no tender
3	Town Hall/Intimate Theatre	per calendar month	606.00	624.00	**545.00	**556.00	no tender	no tender
4	Administration Building - Mercer Road	per calendar month	**825.00	**850.00	910.00	928.00	no tender	no tender
5	Depot Amenities Building - Mercer Road	per calendar month	433.00	446.00	**380.00	**388.00	no tender	no tender
6	Albany Airport	per calendar month	1,135.00	1,169.00	**950.00	**969.00	no tender	no tender
CLEANING SERVICES TOTALS (MONTHLY)			4,863.00	5,009.00	4,921.00	5,020.00	no tender	no tender
CLEANING SERVICES TOTALS (ANNUAL)			58,356.00	60,108.00	59,052.00	60,240.00	no tender	no tender
GRAND TOTAL CLEANING SERVICES			118,464.00		119,292.00		no tender	no tender

1	Additional cleaning (Town Hall)	per hour	18.50	19.06	**23.00	**23.00	no tender	no tender
2	Conference room (Airport)	per hour	18.50	19.06	**23.00	**23.00	no tender	no tender

SANITARY SERVICES

1	Administration Building - York Street	per calendar month	no tender	no tender	140.89	140.89	125.42	129.18
2	Administration Building - Mercer Road	per calendar month	no tender	no tender	100.19	100.19	88.75	91.41
3	Library	per calendar month	no tender	no tender	20.44	20.44	21.25	21.89
4	Mercer Road Depot	per calendar month	no tender	no tender	21.91	21.91	21.25	21.89
5	Leisure & Aquatic Centre	per calendar month	no tender	no tender	59.86	59.86	63.75	65.66
6	Day Care Centre	per calendar month	no tender	no tender	13.84	13.84	19.58	20.17
7	Town Hall/Intimate Theatre	per calendar month	no tender	no tender	52.07	52.07	56.67	58.36
8	Public Toilets	per calendar month	no tender	no tender	590.43	590.43	559.58	576.37
9	Albany Airport	per calendar month	no tender	no tender	54.72	54.72	56.67	58.36
SANITARY SERVICES TOTALS (MONTHLY)			no tender	no tender	1,054.35	1,054.35	**1,012.92	**1,043.29
SANITARY SERVICES TOTALS (ANNUAL)			no tender	no tender	12,652.20	12,652.20	12,155.00	12,519.65
GRAND TOTAL SANITARY SERVICES			no tender	no tender	25,304.40		**24,674.65	

IDENTIFIED POTENTIAL SAVINGS

DELRON			NARRIKUP		
2001/02	2002/03		2001/02	2002/03	
-34.00	-24.00	-696.00			
-238.00	-235.00	-5,676.00			
			-61.00	-68.00	-1,548.00
-85.00	-78.00	-1,956.00			
			-53.00	-58.00	-1,332.00
			-185.00	-200.00	-4,620.00

savings over 2 years \$8,328.00 savings over 2 years \$7,500.00
 Total Cleaning Services savings over 2 years **\$15,828.00**

Sanitary Services savings over 2 years \$629.75

**Recommended Contractor

Total of all potential savings over 2 years \$16,457.75

WORKS & SERVICES REPORTS

13.3 WORKS

Nil

13.4 AIRPORT MANAGEMENT

Nil

13.5 RESERVES PLANNING & MANAGEMENT

Nil

General Management Services

REPORTS

14.1 STRATEGIC DEVELOPMENT

14.1.1 Community Events Policy

File/Ward	:	STR070 (All Wards)
Proposal/Issue	:	Community Events Policy
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Chief Executive Officer – (A Hammond)
Disclosure of Interest	:	N/A
Previous Reference	:	Nil
Summary Recommendation:		That the Community Events Policy be adopted
Locality Plan	:	N/A

BACKGROUND

1. The City has for some years sponsored significant events and sporting activities by way of either one-off or on-going funding.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

3. It is considered that Council and Community/Sporting Groups would be assisted by the establishment of a policy guide that would serve to demarcate the type of events that the City would be prepared to sponsor and the selection criteria required to achieve and or maintain funding.

FINANCIAL IMPLICATIONS

4. It is proposed that the determination of applications receiving assistance would be undertaken by Council and then funded by way of the annual budget process.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.1.1 continued.

STRATEGIC IMPLICATIONS

5. Albany 2020 Charting Our Course

Port of Call – A reputation for professional excellence

To promote Albany and facilitate the celebration of events and achievements of significance to the City of Albany.

COMMENT/DISCUSSION

6. The following events have been conducted successfully in the past and would benefit from achieving Albany Icon Status particularly in terms of funding surety.

They are;	Proposed Assistance
• The Albany Classic Car Race	\$7000
• Equitopia	\$5000
• Albany Anzac Day	\$7000

7. The following activities are major events on various sporting clubs calenders.

They are;	Proposed Assistance
• Albany Ausi Masters Swim Club Harbour Race	\$1000
• Country and Suburban Tennis Club	\$200
• Australian Stock Horse Society – Camp Draft	\$300
• Princess Royal Sailing Club – City of Albany Cup	\$1000
• Albany Racing Club – Boxing Day Cup	\$1000

RECOMMENDATION:

THAT Council:

- i) Adopt the City of Albany Events Policy
- ii) Endorse the following event sponsorships subject to budget appropriation.

- Albany Icon Events

Albany Classic Car Race	\$7000
Equitopia	\$5000
Albany Anzac Day	\$7000

Single Event Sponsorships

Albany Ausi Masters Swim Club – Harbour Race	\$1000
Country and Suburban Tennis Club	\$200
Albany Stock Horse Society	\$300
Princess Royal Sailing Club – City of Albany Cup	\$1000
Albany Racing Club – Boxing Day Cup	\$1000

Voting Requirement Simple Majority

.....

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.1.1 continued.

Councillor Bojcun declared a Code of Conduct impartiality interest. Her nature of interests being a member of the Equitopia Committee and Carriage Drivers Group.

The Chief Executive Officer, declared a Code of Conduct impartiality interest. His nature of interests are that his spouse sits on the Equitopian Committee and is a member of the Albany Carriage-Drivers Club, and Mr Hammond is a member of the Princess Royal Sailing Club.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR SANKEY**

THAT Council:

- i) Adopt the City of Albany Events Policy; and**
- ii) Defer the sponsorships of the following events to Council’s budget deliberations:**

- Albany Icon Events

Albany Classic Car Race	\$7000
Equitopia	\$5000
Albany Anzac Day	\$7000

Single Event Sponsorships

Albany Ausi Masters Swim Club – Harbour Race	\$1000
Country and Suburban Tennis Club	\$200
Albany Stock Horse Society	\$300
Princess Royal Sailing Club – City of Albany Cup	\$1000
Albany Racing Club – Boxing Day Cup	\$1000

**MOTION CARRIED 7-6
ON CASTING VOTE OF ACTING MAYOR**

Reason:

Items requiring funding and/or sponsorship should be discussed at Council’s budget deliberations.

Item 14.1.1 continued.

COMMUNITY EVENTS POLICY

OBJECTIVE:

To achieve a consistent and cost effective approach in supporting community events.

- To recognise the importance of community events and their contribution to the cultural, economic and social fabric of the City.
- To support community organisations in raising the profile and community awareness of the event.
- To maximise the City's public relations returns in sponsoring events.

STRATEGIC ALIGNMENT:

Albany 2020 Charting our Course

Port of Call – A Reputation for Professional Excellence

Attraction and development of a broad range of social, cultural and economic entities.

Economic Development

To identify and facilitate outstanding economic development opportunities for the City of Albany.

Civic and Corporate Image

To ensure visitors to the City of Albany become our ambassadors.

Community Events

To promote Albany and facilitate the celebration events and achievements of significance to the City of Albany.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.1.1 continued.

CLASSIFICATION OF EVENTS

Albany Icon Events

Selection Criteria:

- Must be of State and/or Regional significance.
- Must demonstrate a significant contribution to Tourism and District and Area promotion and identify with Albany's unique sense of place.
- Must be managed or overseen by an incorporated Community organisation with Council representative on the organising committee.
- Must have wide ranging community involvement and demonstrate significant revenue raising opportunities for local community organisations.
- Must have been previously successfully conducted to qualify for icon status.

Funding guidelines:

- Applications are to be made on or before 31st May of each year.
- Applications must address all selection criteria prior to be submitted to Council for deliberation.
- Funding will be provided on a 3 year basis with no commitment for assistance after expiry of funding period.
- Applications must specify in kind, cash and administrative support requirements, as well as funding support from other organisations and their own contribution.
- An acquittal including full financial details, community group involvement, attendance figures and a general synopsis of events must be provided annually within 2 months of the completion of the event. Failure to provide details may impact on future funding availability.
- All correspondence and promotional material must contain city logo and acknowledge the City of Albany's support

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.1.1 continued.

General Community Events

Selection Criteria:

- Must be managed and overseen by an incorporated Community Organisation.
- Must demonstrate revenue raising opportunities for local community organisations and have broad based community participation.
- Must demonstrate a contribution to Tourism and District and Area promotion.

Funding Guidelines:

- Applications to be made on or before 31st May of each year.
- Applications must address all selection criteria prior to being submitted to Council for budget deliberation
- Applications must specify in kind, cash and administrative support requirements as well as funding support from other organisations and their own contribution.
- An acquittal including full financial details, community group involvement, attendance figures and a general synopsis of events must be provided within 2 months of completion of the event.
- All correspondence and promotional material must contain the city logo and acknowledge the City of Albany's support.

Single Event Promotional Sponsorships

Selection Criteria:

- Must be a significant event on the club or organisations annual program.
- Must incorporate the “City of Albany” into the naming of the event.

Funding Guidelines:

- Applications to be made on or before the 31st May.
- Applications must address selection criteria prior to being submitted to Council for budget deliberation.
- Funding will be provided on up to a three year basis with no commitment for assistance after expiry of funding period.
- All correspondence, event programmes and promotional material must contain the city logo in acknowledgment of the sponsorship.

GENERAL MANAGEMENT SERVICES REPORTS

14.2 ORGANISATIONAL DEVELOPMENT

Nil

GENERAL MANAGEMENT SERVICES REPORTS

14.3 ECONOMIC DEVELOPMENT

14.3.1 City of Albany Economic Development Policy

File/Ward	:	STR070 (All Wards)
Proposal/Issue	:	Adoption of City of Albany Economic Development Policy
Subject Land/Localit	:	N/A
Proponent	:	Albany Economic Development Unit
Owner	:	N/A
Reporting Officer(s)	:	Economic Development Manager (J Berry)
Disclosure of Interest	:	N/A
Previous Reference	:	N/A
Summary Recommendation	:	THAT Council adopt the Draft Economic Development Policy dated July 2001
Locality Plan	:	N/A

BACKGROUND

1. The aim of the City of Albany Economic Development Policy is to:-
 - Acknowledge the role of the City of Albany in economic development;
 - Identify the economic development functions of the City of Albany;
 - Document administration arrangements for the Albany Economic Development Unit,
 - Provide economic development funding guidelines, and;
 - Outline specific policies relating to economic already adopted by Council.

STATUTORY REQUIREMENTS:

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

POLICY IMPLICATIONS

3. This item represents a new policy for the City of Albany.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued

FINANCIAL IMPLICATIONS

- 4. There are no direct financial implications resulting from this policy. Funding for economic development projects will be considered on a case by case basis by Council on recommendation from the Albany Economic Development Unit and in normal budgetary deliberation processes.

STRATEGIC IMPLICATIONS

- 5. ‘Albany 2020 – Charting Our Course’ is the City of Albany’s principal guide for policy and strategic planning. Council has adopted the following Port of Call:-

“The attraction and development of a broad range of social, cultural and economic entities”

This objective recognises that families will only be able to live in Albany, if there are real educational, employment and social opportunities for all age groups. Economic prosperity provides the community with the resources to invest in and support other social and cultural opportunities. It is therefore critical that Council policies and practices promote new economic development opportunities so that families have wider choices for their future in Albany.

COMMENT/DISCUSSION

- 6. At its meeting on 6 July 2001, the Albany Economic Development Unit endorsed the draft City of Albany Economic Development Policy and is seeking its formal adoption by Council

RECOMMENDATION

THAT Council adopt the Draft City of Albany Economic Development Policy dated July 2001.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR EVERS SECONDED COUNCILLOR SANKEY</p> <p>THAT this matter be deferred until Councillors have received a full briefing on the Albany Economic Development Policy.</p> <p style="text-align: right;">MOTION LOST 5-7</p>
--

<p>MOVED COUNCILLOR CECIL SECONDED COUNCILLOR BOJCUN</p> <p>THAT Council adopt the Draft City of Albany Economic Development Policy dated July 2001.</p> <p style="text-align: right;">MOTION CARRIED 7-5</p>
--

July 2001



ECONOMIC DEVELOPMENT POLICY

1. Policy Objective

The objective of this policy is to define the role of the City of Albany in economic development and to provide a uniform and equitable approach in supporting and fostering the local economy.

2. Introduction

Local Government is the tier of government that is closest to the local community and has the best understanding of the needs and aspirations of its residents. By providing leadership in the community, local government is able to assist individuals, firms, industries and communities to identify local opportunities, develop capability and capacity to respond to opportunities, and exploit those opportunities. It is most effective when operating in partnership with other tiers of government and community and business/industry organisations.

For the City of Albany, a diverse and vibrant economy is recognised as vital for the well being of the broader community. Achievement of this vitality will lead to:-

- Retention of existing jobs
- Growth of new jobs
- New investment
- Wealth creation
- Improved quality of life
- Choice in terms of investment and jobs

Accordingly, the City of Albany is committed to the belief that economic development is a core function of Council.

3. City of Albany Economic Development Charter

Our charter is to create an environment that maximises sustainable economic development opportunities. Sustainable economic development is about designing policies and programs that meet the needs of the present generation without compromising the ability of future generations to meet their own needs.

GENERAL MANAGEMENT SERVICES REPORTS**4. *Strategic Alignment***

‘Albany 2020 – Charting Our Course’ is the City of Albany’s principal guide for strategic and operational activities. The document was developed through a broad public consultation process and outlines a wide range of issues and factors facing Albany to the year 2020. A Vision, Mission and Values statements are included in the document along with seven ‘Ports of Call’ (or key result areas), which were formally adopted by Council in February 2000.

The attraction and development of a broad range of social, cultural and economic entities recognises that families will only be able to live in Albany if there are real educational, employment and social opportunities for all age groups. Economic prosperity provides the community with the resources to invest in and support other social and cultural opportunities. It is therefore critical that Council policies and practices promote new economic development opportunities so that families have wider choices for their future in Albany.

The adoption of Albany 2020 gave Council the mandate from the community to proactively identify and facilitate outstanding economic development opportunities. A recent Council review of Albany 2020 resulted in tourism development being afforded greater emphasis as an economic development target.

This policy document and associated economic development strategy outlines the role of local government in economic development, provides guidance to Council on funding local economic development initiatives and defines an administrative structure to effectively consider and review new projects.

5. *City of Albany’s involvement in Economic Development*

The City of Albany is well placed to provide an impetus for change because it:-

- has a common interest in the development of the community;
- is a decision-maker, planner and co-ordinator of local services;
- generally has a better knowledge of the needs of the community than other tiers of government;
- is an initiator and catalyst for local effort;
- is a representative for the community to other levels of government;
- is the owner of land and resources;
- has the potential to create or maintain employment by managing resources better;
- has the administrative capacity of existing management systems and staffing; and
- is more accessible for potential or expanding entrepreneurs

The City of Albany will adopt the roles of

1. Stimulator/Promoter
2. Facilitator
3. Co-ordinator
4. Entrepreneur/Developer

A description of these roles and some examples of activities is included below.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

Role	Description	Examples of Activities Currently Underway
Stimulator/Promoter	The City will take specific action to induce business creation and expansion.	<ul style="list-style-type: none"> ◆ Provide financial assistance to encourage innovative economic development initiatives ◆ Deliver a Buy Local Policy ◆ Undertake strategic promotional initiatives ◆ Encourage new small business initiatives (eg business awards) ◆ Advocate for Antarctica Aviation business ◆ Promote Aviation Training (eg RAAF)
Facilitator	Provide an enabling environment for local development by providing a streamlined development approvals process and by clear policy statements focusing on development objectives	<ul style="list-style-type: none"> ◆ City of Albany Tourism Policy ◆ Economic Development Strategy ◆ International Affiliations Policy
Co-ordinator	Co-ordinate the provision of infrastructure services for which it is not directly responsible but are required for new business development. Generally in conjunction with other government agencies	<ul style="list-style-type: none"> ◆ Facilitate Albany Boat Harbour studies ◆ Lead Foreshore Development planning ◆ Master Planning for Airport ◆ Wellstead Community Resource Centre co-ordination ◆ Lead establishment of Rural Transactions Centres ◆ Assist expansion of University of Western Australia Albany Centre ◆ Assist Vancouver Waterways Implementation ◆ Advocate for improved telecommunications infrastructure
Entrepreneur/Developer	Councils can become directly involved in development activities either as a sole proprietor or in partnership arrangements with the private or public sector	<ul style="list-style-type: none"> ◆ Lead investigations into advanced tourism Infrastructure at Wind Farm ◆ Co-ordinate HMAS Perth Artificial Reef

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

6. *The Albany Economic Development Unit*

The Albany Economic Development Unit is established to act as an Advisory Committee to the Albany City Council. It recommends actions and strategies aimed at optimising the City's economic development in an environmentally sustainable manner and responds to economic development issues referred to it by Council. The Unit has no executive power or financial accountability.

The primary aims of the Albany Economic Development Unit are to:-

- Provide leadership
- Motivate and inspire
- Create confidence in the community
- Encourage expansion of existing business
- Provide incentives for new and expanding business
- Provide a credible link between the City and key generators of its economy
- Foster partnerships with other economic development groups such as the Albany Chamber of Commerce and Industry, Albany Port Authority, Great Southern Development Commission and Great Southern Area Consultative Committee.

The Unit considers new economic development initiatives for the City that are not already being progressed by the City or other Local, State or Federal government agencies. It is primarily an economic development 'think tank'. Once the Unit has launched initiatives and has gained the consent of Council, responsibility for implementation belongs to the City's executive team, in particular the Economic Development Manager.

Entrepreneurs who are experiencing difficulty in progressing new projects, deemed as economically significant by the Unit, will be encouraged to table their concerns for the Unit's consideration. The Unit will respond appropriately to the concerns expressed.

Composition

The Unit is to consist of:-

- ◆ six members external to Council;
- ◆ the CEO of the City;
- ◆ the Mayor (or nominated Councillor), and;
- ◆ The Economic Development Manager (Executive Officer).

External members serve by invitation for a term of up to two years expiring at the date of the following Ordinary Council elections. Persons to be invited to join the Unit are selected by a committee consisting of the Mayor, CEO and outgoing Chairman.

Criteria for selection is based on the ability of the individual to contribute to the fulfillment of the Unit's role and take into account that person's ability to influence organisations and agencies important to achievement of the Unit's objectives.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

Scope of the Unit

The Unit is to ensure that both the urban and rural areas of the municipality are considered for development of economic growth projects. Special attention will be given to areas facing the negative effects of industry restructuring.

Level of Authority

The Albany Economic Development Unit has no delegation of authority to expend funds and all motions will be placed before Council in the form of Committee recommendations for ratification.

7. *Funding Economic Development Activities*

The City of Albany receives many requests for financial support to assist community and economic development projects. The City of Albany has adopted a Community Financial Assistance Program, which is used to help finance community development proposals and to assist the recurrent operations of community groups.

Through the auspices of the AEDU, the City of Albany will also consider requests for financial assistance of a non-recurrent nature that encourage the establishment and expansion of new industry and business development opportunities within the municipality.

Criteria and eligibility

Applicants should be community-based organisations* located within the City of Albany. The project must have the potential to lead to economic development through:-

- ◆ increased skills development,
- ◆ promotion of business opportunities in Albany generally,
- ◆ creation of job opportunities
- ◆ improvements to economic infrastructure
- ◆ improvements to the organisations capacity to contribute to economic development
- ◆ promotion of the Albany Region

**Individual businesses will not generally be considered for assistance.*

Applicants will need to demonstrate a high level of commitment to the project through financial and in-kind contributions.

Type of assistance

- ◆ Strategic business planning
- ◆ Marketing and promotion activities
- ◆ Skills development programs
- ◆ Sponsorship of events

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

8. *Discrete Policy Development*

Discrete policies will be developed by the AEDU for consideration and adoption by Council. Examples of economic development policies that have and will be developed include:-

- ◆ City of Albany Tourism Policy
- ◆ City of Albany Buy Local Policy
- ◆ International Affiliations Policy
- ◆ City of Albany-University of WA Memorandum of Understanding
- ◆ Economic Development Funding Guidelines

Economic development policy advice is a key function of the Albany Economic Development Unit.

9. *Economic Development Strategy*

The City of Albany will prepare and regularly update an economic development strategy that will aim to:

- ◆ Maximise wealth creation and wealth retention through strategies that:-
 - generate more exports from the municipality, to other regions, states or internationally
 - value add to Albany's existing resources
 - increase the volume of locally sourced inputs for businesses
- ◆ Encourage public and private capital investments
- ◆ Build business and community capacity to achieve local development outcomes
- ◆ Generally promote economic development opportunities

The Economic Development Strategy will include:-

- ◆ A descriptive background analysis of the City of Albany (economic and demographic trends);
- ◆ Strengths, weaknesses, opportunities and threats (In the context of trends in the external environment);
- ◆ A summary of development prospects for the City of Albany;
- ◆ Economic Development Action Plan (Vision, objectives, strategies, actions), and;
- ◆ Monitoring and review processes

10. Conclusion

To realise sustainable economic growth, the City of Albany must continually adapt to a rapidly changing political, economic, social, technological and legal environment. Success will be achieved by local leadership and by forging positive relationships with government agencies, business groups and the wider community. Ultimately, it is the pattern of actions and decisions of individuals, businesses, community organisations and government agencies,

GENERAL MANAGEMENT SERVICES REPORTS

which will determine Albany's destiny. The policies and strategies of local government have a significant impact on the City's economic future.

** ** * * * **

GENERAL MANAGEMENT SERVICES REPORTS

14.3.2 New Membership – Albany Economic Development Unit

File/Ward	:	MAN008 (All Wards)
Proposal/Issue	:	Three vacancies exist on the Albany Economic Development Unit
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Economic Development Manager (J Berry)
Disclosure of Interest	:	N/A
Previous Reference	:	OCM 23/05/00 Item 16.4
Summary Recommendation	:	THAT Council appoints members to the Albany Economic Development Unit
Locality Plan	:	N/A

BACKGROUND

1. The Albany Economic Development Unit is established to act as an Advisory Committee to the Albany City Council. It recommends actions and strategies aimed at optimising the City’s economic development in an environmentally sustainable manner and responds to economic development issues referred to it by Council. The Unit has no executive power or financial accountability.
2. The primary aims of the Albany Economic Development Unit are to:-
 - Provide leadership
 - Motivate and inspire
 - Create confidence in the community
 - Encourage expansion of existing business
 - Provide incentives for new and expanding business
 - Provide a credible link between the City and key generators of its economy
 - Foster partnerships with other economic development groups such as the Albany Chamber of Commerce and Industry, Albany Port Authority, Great Southern Development Commission and Great Southern Area Consultative Committee.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.2 continued

3. The Unit considers new economic development initiatives for the City that are not already being progressed by the City or other Local, State or Federal government agencies. It is primarily an economic development ‘think tank’. Once the Unit has launched initiatives and has gained the consent of Council, responsibility for implementation belongs to the City’s executive team, in particular the Economic Development Manager.
4. Entrepreneurs who are experiencing difficulty in progressing new projects, deemed as economically significant by the Unit, will be encouraged to table their concerns for the Unit’s consideration. The Unit will respond appropriately to the concerns expressed.

STATUTORY REQUIREMENTS:

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

POLICY IMPLICATIONS

6. The draft Economic Development Policy (to be considered at this meeting) outlines corporate governance of the Albany Economic Development Unit and guidelines for its operations.

FINANCIAL IMPLICATIONS

7. There are no financial implications for Council

STRATEGIC IMPLICATIONS

8. ‘*Albany 2020 – Charting Our Course*’ is the City of Albany’s principal guide for policy and strategic planning. Council has adopted the following Port of Call:-

“The attraction and development of a broad range of social, cultural and economic entities”

9. The Albany Economic Development is an administrative arrangement to assist Council reach this Port of Call.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.2 continued

COMMENT/DISCUSSION

10. Membership as at 6 July 2001 was

Mr Bob Mason (Chairman)

Mr Bob Emery (Deputy Chairman)

Mr Andrew Hammond - Ordinary Member (CEO, City of Albany)

Mr Bruce Sutherland – Ordinary Member (Chair GSDC)

Mr Michael Pemberton – Ordinary Member (President ACCI)

Mr John Simpson – Ordinary Member

Mr Ian Wilson – Council Representative (outgoing member)

Mr Jon Berry (Executive Officer – Economic Development Manager, City of Albany) – (no voting rights)

City of Albany members that will remain as per corporate governance guidelines:-

Councillor elected - Cr Emery

CEO - Andrew Hammond

Current external members that have agreed to continue (subject to Council agreement):-

Mr Bob Mason

Mr Bruce Sutherland – as per convention to include Chair GSDC

Mr Michael Pemberton – as per convention to include President ACCI

11. Proposed *New Members for three vacant positions:-*

Mr Len Armstrong – Former City of Albany Councillor with strong community background including membership on Ministerial Advisory Committees on fishing industry and City of Albany committees including Chair of Federation Festival, Albany Boat Harbour Reference Group and Maritime Recreational Advisory Committee.

Mr John Hayden – Chief Executive of Southern Aboriginal Corporation and Member of State Aboriginal Economic Development Advisory Committee

Professor John Maloney – Former Vice Chancellor of Curtin University and Monash University. A new Albany resident that has extensive education and policy development background

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.2 continued.

RECOMMENDATION

THAT Council appoint Mr Len Armstrong, Mr John Hayden, Professor John Maloney, Mr Bob Mason, Mr Bruce Sutherland and Mr Michael Pemberton to the Albany Economic Development Unit for a period of two years expiring at the date of the next Ordinary Council meeting.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR SANKEY**

**THAT Council disband the Albany Economic Development Unit.
MOTION LOST 4-8**

Reason:

There may have been a need for the Albany Economic Development Unit in the past, however, the City now has a Chief Executive Officer and Economic Development Manager to plan economic development.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR SANKEY**

THAT Council appoint Mr Len Armstrong, Mr John Hayden, Professor John Maloney, Mr Bob Mason, Mr Bruce Sutherland and Mr Michael Pemberton to the Albany Economic Development Unit for a period of two years expiring at the date of the next Ordinary Council meeting.

MOTION LOST 6-6

AS ABSOLUTE MAJORITY REQUIRED

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WEST**

THAT the matter lay on the table as Council wishes to look at nominations and discuss appointments.

MOTION LOST 6-7

ON CASTING VOTE OF ACTING MAYOR

Reason:

It is believed that Committee members should represent those industries which Council's policy is seeking to promote and also relevant experience in Economical Development and the suggested appointees may not necessarily be the most suitable persons.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.2 continued.

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR BOJCUN**

THAT the Chief Executive Officer, Chairman of Albany Economic Development Unit and Her Worship the Mayor review options for membership and report back to Council.

MOTION CARRIED 9-3

Reason:

It is considered appropriate that the Selection Committee comprising of Her Worship the Mayor, Chief Executive Officer and Chairman, reconsider the membership nominations before bringing the matter back before Council.

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

- 15.1 Minutes of the Airport Advisory Committee meeting held on Monday, 18th June 2001.
[Bulletin Item 2.1 refers]

DRAFT MOTION

THAT the minutes of the Airport Advisory Committee meeting held on Monday, 18th June 2001 be endorsed and the recommendations adopted.

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR WOLFE**

THAT the minutes of the Airport Advisory Committee meeting held on Monday, 18th June 2001 be endorsed and the recommendations adopted.

MOTION CARRIED 12-0

- 15.2 Minutes of the Economic Development Unit meeting held on Friday, 6th July 2001.
[Bulletin Item 2.2 refers]

DRAFT MOTION

THAT the minutes of the Economic Development Unit meeting held on Friday, 6th July 2001 be endorsed and the recommendations adopted.

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WELLINGTON**

THAT the minutes of the Economic Development Unit meeting held on Friday, 6th July 2001 be endorsed and the recommendations within adopted, with recommendations under 5.0, 7.2 and 7.3 of the Economic Development Unit minutes considered separately.

MOTION CARRIED 11-1

Item 5.0 – Matters arising from minutes

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EMERY**

THAT the Albany Economic Development Unit recommends Council recognise the proposed Albany Boat Harbour as Albany's priority infrastructure project and that due to current economic conditions affecting the Great Southern Region, the Western Australian Government give urgent consideration to funding the project.

MOTION CARRIED 8-4

Item 7.2 – Financial Assistance Request – Equine Industry Development Project

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR BOJCUN**

THAT the City of Albany provide a grant of \$3,500 to the Equine Industry Development Project as a contribution to assist the continued operation of the Project and implementation of the strategic business and marketing plan.

MOTION CARRIED 7-5

Item 7.3 – ACCI Women Going Places (Workshops and Conference)

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT the City of Albany contribute \$2,000 in the form of a subsidy program for Albany businesses to attend the proposed Women Going Places conference to be held in Albany in November 2001

MOTION CARRIED 11-1

- 15.3 Minutes of the Bushcare Advisory Committee meeting held on Wednesday, 4th April 2001.
[Bulletin Item 2.3 refers]

DRAFT MOTION

THAT the minutes of the Bushcare Advisory Committee meeting held on Wednesday, 4th April 2001 be received and all the recommendations be considered as part of the 2001/02 Council budget deliberations.

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT the minutes of the Bushcare Advisory Committee meeting held on Wednesday, 4th April 2001 be received and all the recommendations be considered as part of the 2001/02 Council budget deliberations.

MOTION CARRIED 12-0

- 15.4 Minutes of the Bushcare Advisory Committee meeting held on Thursday, 14th June 2001.
[Bulletin Item 2.3 refers]

DRAFT MOTION

THAT the minutes of the Bushcare Advisory Committee meeting held on Thursday, 14th June 2001 be endorsed and the recommendations adopted.

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

**THAT the minutes of the Bushcare Advisory Committee meeting held on Thursday, 14th June 2001 be endorsed and the recommendations adopted.
MOTION CARRIED 12-0**

15.5 Elected Members' Report/Information Bulletin

DRAFT MOTION

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

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR BOJCUN**

**THAT the Elected Members' Report/Information Bulletin, as circulated, be received and the contents noted.
MOTION CARRIED 12-0**

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17.0 MAYORS REPORT

The following Mayors Report was read by the Deputy Mayor.

“Fellow Councillors:

On Wednesday 27th June, I attended the Bornholm Volunteer Fire Brigade Station to hand over the keys to their new fire truck. This is just one of the many volunteer brigades who receive funding assistance from the City of Albany and FESA for the purchase and maintenance of essential equipment and premises. There is no doubt that the money spent by the Council in this regard is a worthwhile investment to ensure the safety and well being of every resident in Albany.

On Thursday, 28th June, I attended the launch of the Lower Great Southern Health Unit's “Fruit and Water Policy” to schools. I was shocked to learn that 40% of school aged children eat no fruit. The Fruit and Water policy is a credit to those in our local Health Unit and the District Education Office who researched and developed a strategy to encourage improved nutrition practices at an early age.

Later that same day, I was pleased to be involved in turning the first sod of dirt to mark the much awaited commencement of the redevelopment of Albany Plaza. By now you would all have seen that work has certainly progressed at a rapid rate. This development provides many benefits to the community such as employment during and after construction, boosting the local economy with the provision of building

materials, transport, equipment and trades, and of course upon completion, helping to attract more regional shoppers into Albany and encouraging residents to shop locally.

On Friday, 6th July, I attended the Roadwise Roadblock on Albany Highway to show support for the Roadwise anti-fatigue campaign. A particularly relevant campaign at the start of the school holiday period. It was great to see so many local community members lending a hand for this initiative.

Last Tuesday, 10th July 2001, the City of Albany held a major Australian Citizenship Ceremony where we welcomed 22 ‘new Australians’. It was a delight to witness so many proud people swear the oath or make an affirmation of allegiance to Australia from such widely diverse backgrounds and cultures. It is a very rewarding part of my role as Mayor to officially perform the Citizenship Ceremony for those who choose Australia as their permanent home and commit to the country in this manner.”

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WELLINGTON**

THAT the Mayor’s Report be received.

MOTION CARRIED 12-0

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

18.1 Modifications to Parking and Road Conditions – Albany Highway, Part Hymus Street and Moir Street

File/Ward : A87884 (Frederickstown Ward)

Proposal/Issue : Modifications to parking and traffic arrangements in locality adjoining Albany Plaza

Subject Land/Locality : Moir Street, Pt Hymus Street and Albany Highway Road Reserves

Proponent : City of Albany

Owner : City of Albany

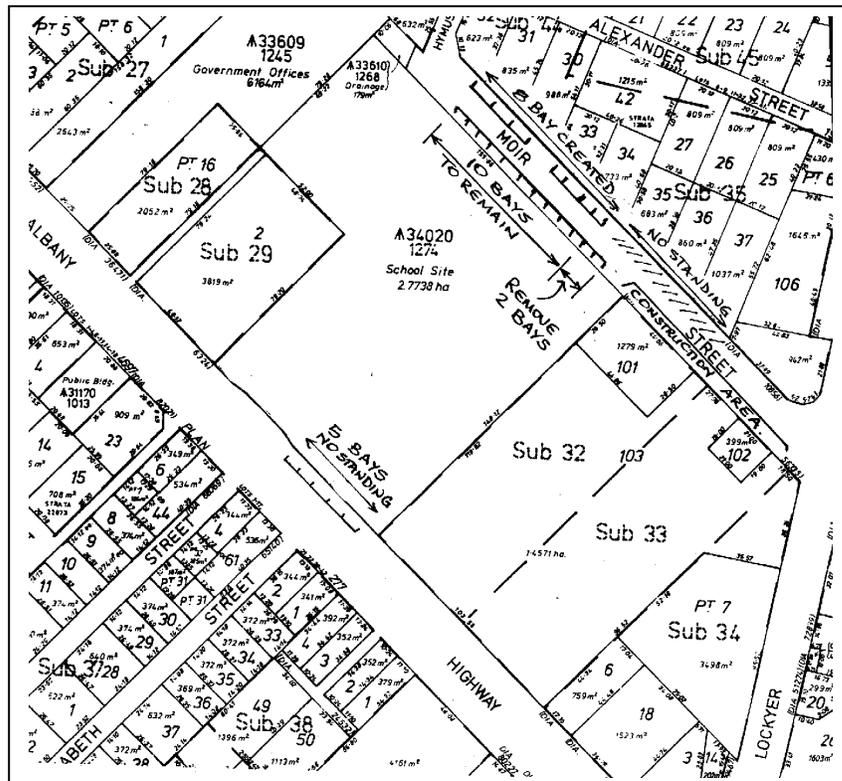
Reporting Officer(s) : Executive Director Development Services (R Fenn)

Disclosure of Interest : Nil

Previous Reference : Nil

Summary Recommendation: Alternate parking and traffic arrangements be put in place

Locality Plan :



Item 18.1 continued

BACKGROUND

1. A building licence has been issued to Doric Constructions to redevelop the Albany Plaza to provide for additional speciality stores, a discount department store and car parking on the site. Demolition of the Weld Tavern and the Totaliser Agency Board (TAB) buildings has been completed and the contractor is currently setting up the infrastructure needed to commence major earthworks on the site.
2. A meeting was held last week with City of Albany staff, the builder, the regional manager of the Department of Transport and representatives of the Albany Primary School to determine what measures needed to be put in place during the construction period to minimise disruption to the locality. That meeting strongly supported the traffic management measures outlined and requested they be put in place prior to the commencement of the 3rd school term.

STATUTORY REQUIREMENTS

3. The Local Government Act allows Council to “temporarily” close a street and to alter traffic flows. Where a road is to be closed for an extended period and restrictions are to be placed on the direction that vehicles may travel and/or the speed of the vehicles, the consent of the Commissioner of Main Roads is required.
4. Clause 16 of the City’s Parking and Parking Facilities Local Law 1998 stipulates;

“16. The Local Government may by resolution constitute, determine and vary and also indicate by signs, from time to time:

(b) parking stalls;

(d) permitted time and conditions of parking stalls and parking stations which may vary with the locality;

(f) the manner of parking in parking stalls;

(g) permitted classes of persons who may park in specified parking stalls;”

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. Adjustments to signage and road marking will be jointly funded by the builder and Council. Council’s contribution will be funded from the 2001/02 budget (when adopted) for parking signs.

Item 18.1 continued

STRATEGIC IMPLICATIONS

7. The *Albany 2020 Charting Our Course* strategic plan includes the following Port of Call:

“The continual development of Council services and facilities to meet the needs of all stakeholders.”

COMMENT/DISCUSSION

8. The proposal which staff wish to put to Council involves;
- (a) The creation of a public safety zone by the placement of builder’s site offices, storage areas, unloading areas, etc on the southern verge of Moir Street adjoining the site.
 - (b) The creation of a temporary 2.4m pedestrian access way (PAW) upon the southern carriageway of Moir Street. The PAW is to be delineated by a hoarding around the builder’s compound and by temporary kerbing on the pavement.
 - (c) The creation of a one way traffic flow (heading west towards Stead Road) along Moir Street and part of Hymus Street between the driveway to the GWN building and Alexander Street.
 - (d) The speed delineation of Moir Street and Hymus Street as a 30 k.p.h. zone.
 - (e) The dedication of the north side of Moir Street as a no parking zone except for the area opposite the Albany Primary School where dedicated parent parking bays will be established on the existing east bound carriageway and sign posted.
 - (f) The dedication of existing car parking bays on Albany Highway (west of the school crossing) as parent drop off areas.
 - (g) The driveway to the Albany Plaza off Albany Highway will be closed to customer traffic. Only delivery vehicles will be permitted to exit the site via this driveway.
 - (h) The driveway off Lockyer Avenue (next to KFC) will be widened and customers will be required to enter and exit on-site car parking facilities via this driveway.
9. Landowners in the locality have been notified of the proposed changes and leaflets are being distributed to customers of the Albany Plaza this week to advise them that the changes will take effect from Sunday the 22nd July 2001.
10. Council needs to redefine parking arrangements around the site (points (e) and (f) above) and forward a request to Main Roads WA to modify the traffic regime in Moir Street and part of Hymus Street (points (c) and (d) above) for the extended period.

Item 18.1 continued

RECOMMENDATION

THAT Council:

- i) Approve, pursuant to clause 16 of the Parking and Parking Facilities Local Law 1998, the implementation of;
 - (a) Five (5) bays on Albany Highway, west of the school crossing, as no parking zones between 8am–9am and 3pm–4pm Monday to Friday during school terms and ½ hour parking at all other times;
 - (b) Eight (8) bays being created on the northern carriageway of Moir Street in front of lots 31 to 34 (#20-28) Moir Street with 1 hour restricted parking between 9am and 5pm Monday to Friday and 9am–1pm Saturday;
 - (c) The frontages of lots 35–37 Moir Street declared as No Standing at any time upon the Moir Street road carriageway and No Parking upon the road verge between 7am and 6pm; and
 - (d) The 12 bays on the southern carriageway of Moir Street be reduced to 10 by the removal of the two (2) easternmost bays.

and the restrictions be advertised; AND

- ii) Forward a request to the Commissioner of Main Roads to declare Moir and part of Hymus Streets, from the eastern boundary of Lot 37 (#14) Moir Street to the junction of Hymus Street and Alexander Street, to be a one way street network (flowing from Lockyer Avenue towards Stead Road) and the speed on that street be restricted to 30 kph for a 15 month period, concluding on the 31st October 2002.

Voting Requirement Simple Majority

.....

Item 18.1 continued

The Executive Director Development Services stated that an amendment had been made to section ii) for “Lockyer Avenue” to replace “the eastern boundary of Lot 37 (#14) Moir Street”.

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WILLIAMS**

THAT Council:

- i) **Approve, pursuant to clause 16 of the Parking and Parking Facilities Local Law 1998, the implementation of;**
- (a) Five (5) bays on Albany Highway, west of the school crossing, as no parking zones between 8am–9am and 3pm–4pm Monday to Friday during school terms and ½ hour parking at all other times;**
 - (b) Eight (8) bays being created on the northern carriageway of Moir Street in front of lots 31 to 34 (#20-28) Moir Street with 1 hour restricted parking between 9am and 5pm Monday to Friday and 9am–1pm Saturday;**
 - (c) The frontages of lots 35–37 Moir Street declared as No Standing at any time upon the Moir Street road carriageway and No Parking upon the road verge between 7am and 6pm; and**
 - (d) The 12 bays on the southern carriageway of Moir Street be reduced to 10 by the removal of the two (2) easternmost bays.**
- and the restrictions be advertised; AND**
- ii) **Forward a request to the Commissioner of Main Roads to declare Moir and part of Hymus Streets, from Lockyer Avenue to the junction of Hymus Street and Alexander Street, to be a one way street network (flowing from Lockyer Avenue towards Stead Road) and the speed on that street be restricted to 30 kph for a 15 month period, concluding on the 31st October 2002.**

MOTION CARRIED 12-0

19.0 CLOSED DOORS

Nil

20.0 NEXT ORDINARY MEETING DATE

Tuesday 21st August 2001, 7.30pm

21.0 CLOSURE OF MEETING

10:10pm

Confirmed as a true and accurate record of proceedings.

M Evans JP
DEPUTY MAYOR

APPENDIX A

WRITTEN NOTICE OF DISCLOSURE OF INTEREST

MINUTES OF THE ORDINARY COUNCIL MEETING – 17TH JULY 2001

Name	Item	Nature of Interest
Councillor Bojcun	Item 13.2.2 – C01036 – Cleaning and Sanitary Services	Councillor Bojcun's spouse is involved in the cleaning industry.

APPENDIX B

MINUTES OF THE ORDINARY COUNCIL MEETING – 17TH JULY 2001

INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING

Name	Item	Nature of Interest
	Nil	

APPENDIX C

MINUTES OF THE ORDINARY COUNCIL MEETING – 17TH JULY 2001

**CODE OF CONDUCT - INTERESTS (OTHER THAN FINANCIAL) DISCLOSED
DURING THE COURSE OF THE MEETING**

Name	Item	Nature of Interest
	Code of Conduct Impartiality Interest (Clause 1.3.1)	
Andrew Hammond	14.1.1 – Community Events Policy	- Spouse sits on Equitopia Committee and Albany Carriage Driving Club - Member of Princess Royal Sailing Club
Councillor Bojcun	14.1.1 – Community Events Policy	- Member of the Equitopia Committee and Albany Carriage Driving Club



[Agenda Item 12.1.1. refers]

[COUNCIL – 17th JULY 2001]

SUMMARY OF ACCOUNTS

Municipal Fund Vouchers		
Cheques 14119 - 14270	totalling	188,840.17
EFT 6402-6886	totalling	1,499,986.55
Payroll	totalling	284,585.90
Total Municipal Fund		<u>\$1,978,020.95</u>
Trust Fund Vouchers 126-127	totalling	8,540.00
Total Trust Fund		<u>\$8,540.00</u>
TOTAL		<u><u>\$1,986,560.95</u></u>

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$1,986,560.95 submitted to each member of the Council on 17th July 2001 has been checked and is fully supported by vouchers and invoices which are submitted to herewith and which have been fully certified as the receipt of goods and the rendition of services and as to prices, computations and costings and the amounts shown are due for payment.

CHIEF EXECUTIVE OFFICER

(A. Hammond)

DEPUTY MAYOR

I hereby certify that this schedule of accounts covering municipal and trust fund payments totalling \$1,986,560.95 which was submitted to the Council on 17th July 2001 and that the amounts are recommended to the Council for payment.

DEPUTY MAYOR

(M. Evans)