



MINUTES

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 17th June 2003
7.30pm
City of Albany - Mercer Road Office**

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

City of Albany

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Signed _____

Date: 19th June 2003

Andrew Hammond
Chief Executive Officer

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1.0 DECLARATION OF OPENING

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

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

Attendance:

Mayor	- AE Goode, JP
Councillors	- MJ Evans JP
	- G Sankey
	- R Paver
	- SM Bojcun
	- RH Emery
	- DW Wellington
	- J Waterman
	- JD Williams
	- DM Evers
	- DJ Wolfe
	- EA Barton
	- P Lionetti
	- AHM Demarteau
Chief Executive Officer	- AC Hammond
Executive Director – Corporate & Community Services	- WP Madigan
Executive Director – Development Services	- RJ Fenn
Executive Director – Works & Services	- B Joynes
Minute Secretary	- SM Day
Approximately 23 members of the public	
2 media representatives	

Apologies/Leave of Absence:

Apologies	- IA West
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3.0 OPENING PRAYER

Councillor Wellington read the opening prayer.

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

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.0 PUBLIC QUESTION TIME

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

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

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

***Mrs Janette Rowe – Young House**

Mrs Rowe addressed the Council in regard to Item 12.2.2 and highlighted the importance and necessity of a Youth Centre within Albany. There is currently no appropriate venue for youth groups or entertainment facilities within Albany.

***Mr Reg Stone – Parade Street**

Mr Stone, who is involved with the Railways Football Club addressed Council in regard to item 12.2.2 and advised that Railways Football Club support the relocation and share facilities proposed within the Centennial Park Precinct Plan. The Football Club have a couple of concerns, being that:-

1. Railways Football Club retain their own identity as a Club; and
2. the Club retains their own autonomy.

Mr Stone raised that most sports are all played within a 2km radius, allowing people easy access to variety of sports. Football clubs require a large grassed area to allow playing and senior and junior development.

The Railways Football Club moved to their current location in 1974, started from nothing and now own everything outright.

***Mr Tony Stanton – Aquatic Facilities - Item 12.2.2**

Mr Stanton address the Council in regard to the potential overcrowding of the new aquatic plan and issues regarding the non existent Hydrotherapy facilities. Water Polo was not even mentioned within the Plan.

Mr Stanton has received advice from builders that extensions to the existing 25m pool can be carried out. He recommended that Council lay this item on the table for 1 month until Councillors had had the opportunity to consult with the community.

***Mr Gary Wilson – Agricultural Society - Item 12.2.2**

Mr Wilson addressed the Council in regard to the Centennial Park Precinct Plan and advised Council that the Show Society will be happy to relocate to another venue, however, with Equestrian partners, and appropriate new venue needs to be identified.

***Mrs Kim Stanton – Little Grove - Item 13.2.1**

Mrs Stanton addressed the Council in regard to the un-named road reserve and recommended the retention of the reserve. Mrs Stanton advised that the current location is full of wild life and should not be disturbed. The South Coast Progress Association are happy to take on the responsibility of maintaining this reserve.

***Mr Damien Stevens – Albany Hockey Association**

Mr Stevens addressed Council on behalf of the Hockey community and advised that they are disappointed with the Consultants proposed plan. The Hockey Club would like to see new change rooms, upgrade existing turf and attention to the poor drainage, extended indoor dry court, removal of the large centre pole within the existing building to allow display games; and proposed pool extension should be southward direction to allow retention of the hockey surface. The Hockey club is happy to receive the plan, but not to adopt it.

As a ratepayer, Mr Stevens recommended that the Council employ an architect to design a plan, send to tender and start the bidding process. He believes that some builders have already registered an interest.

***Mr Terry Eaton – PCYC**

Mr Eaton addressed Council in regard to the proposed new Youth Centre and highlighted the importance of this Centre to our community. He believes with Southern Edge Arts and other community groups, the centre could offer a great deal to the youth of Albany and a new centre would allow growth and development of current and new programs.

***Mr Mark Bain – PCYC**

Mr Bain has been involved with PCYC as a youth attending and now as a Leader. He advised the current PCYC facilities are restrictive and a new centre can offer so much more. A number of attempts have been made over the year to upgrade but have been postponed to allow the development of a proposed new multi use Youth Centre.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

6.1 Ordinary Council Meeting Minutes (as previously distributed).

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 20th May 2003 as previously distributed be confirmed as a true and accurate record of proceedings.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EMERY**

THAT the following minutes:

- **Ordinary Council Meeting held on 20th May 2003;
as previously distributed be confirmed as a true and accurate record of proceedings.**

MOTION CARRIED 14-0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Tony Demarteau sought leave of absence from the Ordinary Meeting of Council on 15th July 2003.

**MOVED COUNCILLOR BARTON
SECONDED COUNCILLOR WOLFE**

THAT Councillor Tony Demarteau be granted leave of absence from the Ordinary Meeting of Council on 15th July 2003.

MOTION CARRIED 14-0

Councillor Roly Paver sought leave of absence from the Ordinary Meeting of Council on 15th July 2003.

**MOVED COUNCILLOR SANKEY
SECONDED COUNCILLOR EMERY**

THAT Councillor Roly Paver be granted leave of absence from the Ordinary Meeting of Council on 15th July 2003.

MOTION CARRIED 14-0

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 Lionetti - Item 11.1.2 – Application for Planning Consent (owner of building)

Councillor Sankey – Item 11.3.2 – Amendment to Town Planning Scheme Policy – Catalina Central Structure Plan (daughter works at Woolworths – may be involvement in future developing on subject land)

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

19.1 Structural Adequacy – Retaining Wall – 11 Festing Street, Albany

19.2 Proposed Agreement with Western Power for First Option to Lease Sand Patch Reserve.

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

Development Services

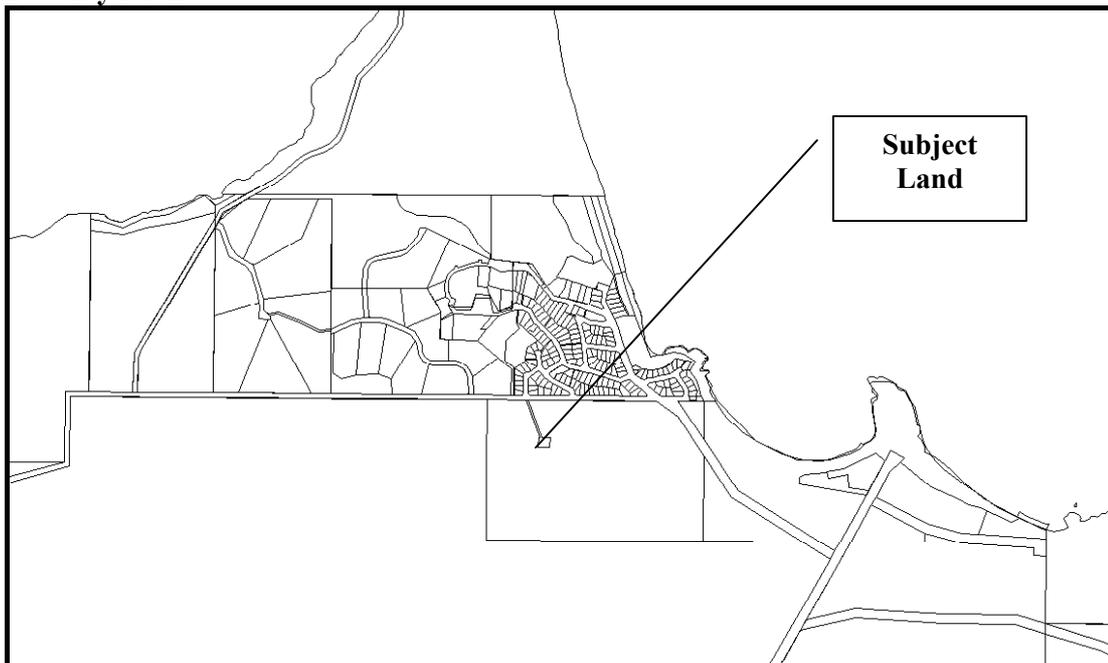
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- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Application for Planning Scheme Consent – Mobile Phone Tower – Reserve 34387 Austin Road, Frenchman Bay

- File/Ward** : A175091 (Vancouver Ward)
- Proposal/Issue** : Proposed Public Utility (Mobile Phone Tower)
- Subject Land/Locality** : Lot 7353, Reserve 34387 Austin Road, Frenchman Bay
- Proponent** : Telstra (Mobile Phone Services Division)
- Owner** : Water Corporation
- Reporting Officer(s)** : Senior Planning Officer (G Bride)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : To grant planning scheme consent subject to conditions
- Bulletin Attachment** : Application by Telstra; and Submissions
- Locality Plan** :



Item 11.1.1 continued

BACKGROUND

1. An application has been received from Telstra (Mobile Phone Services Division) to establish a 25 metre mobile phone tower on Reserve 34387 (Lot 7353) Austin Road, Frenchman Bay. A full copy of the application from Telsta is included in the Elected Members Bulletin/Information Report.
2. The Reserve is classified as “Parks and Recreation (Restricted)” within Town Planning Scheme No. 3, and is vested with the Water Corporation for the purposes of ‘Water Supply’. The Reserve is surrounded on all sides by the Torndirrup National Park which is managed by the Department of Conservation and Land Management (CALM).
3. The tower is to be positioned directly behind an existing 4 metre high water tank which provides the residents of Goode Beach with potable water.
4. In accordance with the Telecommunications Act 1997 all telecommunication providers are to seek the approval of the relevant local authority in situations where a high impact facility is being proposed. A high impact facility includes in it’s definition, a mobile phone tower. Prior to 1997 telecommunication providers were not required to seek local authority approval.
5. The Goode Beach and Little Grove area have been identified as areas requiring improved CDMA/GSM coverage as part of the (Besley TSI-1) Telecommunications Services Inquiry, and Government funding has been made available to improve this service. In arriving at it’s preferred location, a total of seven sites were investigated by Telstra on the basis of aesthetics, optimal coverage and the logistics in regards to connecting to power and linking into the Telstra Network. According to Telstra, the Water Corporation Reserve was preferred on the basis that optimal coverage could be achieved, particularly over Little Grove, and logistically mains power was in close proximity to the site.
6. In accordance with the advertising requirements of Town Planning Scheme No. 3, the use ‘Public Utility (Mobile Phone Tower)’ was advertised for a period of 21 days (ending on 8 May 2003) with all residents of Goode Beach and Frenchman Bay being consulted. Due to an error in the advertisements describing the location of the Water Corporation Reserve, the advertising period was extended for an additional 3 weeks closing on 29 May 2003.
7. At the close of the public submission period a total of 37 submissions were received from the public and state government agencies. Of these, 9 supported the tower, 24 objected to the tower and 4 provided general information. A petition with approximately 90 signatures was also submitted to Council objecting to the proposal. A copy of all submissions received is included in the Elected Members’ Bulletin/Information Report.

Item 11.1.1 continued

STATUTORY IMPLICATIONS

8. The use ‘Public Utility’ is defined in Town Planning Scheme No. 3 as:

“means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.”

9. Within Part 2 of Town Planning Scheme No.3 (Reserved Land) the following clauses are applicable to this application:

“2.2 (b) Except as otherwise provided in this Part, a person shall not carry out development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written approval of Council.

(c) In giving it’s approval the Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purposes of a public authority confer with that authority before giving it’s approval.”

10. The Water Corporation, who manages the Reserve, is supportive of the proposal submitted by Telstra, and has signed the Planning Scheme Consent form accordingly.

11. Whilst advertising was not required by the Scheme, staff referred the application to surrounding residents given the widespread public debate on mobile phone towers.

POLICY IMPLICATIONS

12. Within Council’s Local Rural Strategy the subject land is not designated as a Visual Management Area (A or B), as the strategy primarily relates to land under private ownership. On such land the construction of dwellings, and undertaking of extractive industries, in appropriate locations, can have a detrimental impact on the natural landscape.

13. Reserved land or designated as National Park was not included in the Visual Management Area as development such as dwellings, chalets and extractive industries were uses which are generally precluded from these areas.

14. As the land is within a sensitive location, being surrounded by National Park on all sides, it is considered that some of the objectives within Part 5 of the Local Rural Strategy (Visual Resource Protection) can be applied to this application. Whilst issues relating to the siting of development refer specifically to solid structures (dwellings and outbuildings), and therefore are not comparable to a slimline monopole, the colour of the structure and how it blends in with the backdrop can be controlled.

Item 11.1.1 continued

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

17. Whilst a copy of each individual submission has been attached to the Elected Members Bulletin, a summary of the objections has been provided below. Due to the technical nature of some of the objections raised, outside the realm of Council's knowledge base, additional information has been supplied by Telstra prior to the preparation of this report.

HEALTH CONCERNS (Submission No's 2, 3, 4, 5, 8, 9, 12, 14 & 19)

18. Several submissions expressed concern with electromagnetic radiation (EMR) being omitted by the tower. While there is considerable scientific debate over the impacts of EMR, Telstra has advised:

“that the tower has been designed to comply with the relevant standard for limiting human exposure to radiofrequency energy (Australian Standard AS2772.1 – 1990). Telstra is also bound by the Australian Communications Authority, to emit less than 200 microwatts of radiofrequency per square centimetre from their base stations, which is considered to be 50 times below the limit that is known to cause adverse health affects on the human body, and is consistent with the World Health Organisation (WHO) guidelines.”

19. Telstra further advised that:

“tests undertaken around mobile phone towers have showed that exposure levels to EMR is less than 0.1% of the above Australian Communications Authority guideline, and in most locations are less than television or radio signals measured in the same place.”

20. Telstra have advised that they frequently verify the level or magnitude of emissions from it's facilities, in order to ensure they are meeting all obligations in relation to public health.

21. The WHO position on mobile phones, base stations and health, published in June 2000 states:

“None of the recent reviews have concluded that exposure to RF (radio frequency) fields from mobile phones and their base stations cause any adverse health consequences. However there are gaps in the knowledge that have been identified for further research to make better assessment of risks.”

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

22. The nearest residence to the proposed mobile phone tower is approximately 220 metres away at the corner of Rositer and Austin Road, Goode Beach. Given this distance, in addition to studies revealing that exposure levels from mobile phone towers are well below ACA and WHO guidelines, it is considered that Telstra have taken into account the health of the local community in siting the tower within the Reserve.

AESTHETIC IMPACT OF TOWER (Submission No's 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22 & 36)

23. The majority of objections received by Council referred to the detrimental impact the tower would have on the amenity of the area, given it would be visible from various areas within Goode Beach, and was surrounded on all sides by the National Park. There were also questions raised over the ability of Telstra to extend the height of the tower in the future, thereby facilitating further degradation of the area.
24. Whilst the impact of the tower would be partially reduced from residential areas to the north by a large ridge situated to the south of the tower, the tower would be visible from those areas of Goode Beach on a north-east alignment (ie. the Goode Beach car park) as the ridge no longer forms a backdrop. From these locations the tower would be approximately 800 metres away, and from photographs submitted by Telstra, is unlikely to dominate this particular view given it's slim stature (ranging from 1m at it's base to around 300mm towards the top of the tower; with future antennas being approximately 1.2 metres in width).
25. Telstra has advised that it is willing to paint the tower a grey or sky blue in order to match the backdrop of the sky in instances where the tower can be seen above the ridge line. Staff believe that should the tower be painted light grey it would blend in with the vegetation and granite outcrops, as viewed from the north, and would also be non-obtrusive against the skyline as viewed from the north-eastern area of Goode Beach.
26. Under the Telecommunications Act 1997, Telstra could increase the height of the tower by 5m, without the need to consult with Council, in order to provide access to other communication providers in the future. It is the objective of the Code of Practice to consolidate infrastructure wherever possible onto one tower so as to avoid the need for additional towers in the future.

NEED FOR TOWER (Submission No's 2, 3, 6, 7, 8, 9, 11, 12, 13, 15, 22, 35 & 37)

27. Whilst several submissions commented on the importance of improved mobile phone coverage in the area, a number of residents have questioned the need for a tower given they have not experienced any problems with the current service. There has also been a view that if the tower will primarily improve areas of Little Grove, then the tower should be located in Little Grove and not forced upon the residents of Goode Beach.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

28. Telstra has advised that the proposed tower would not only improve mobile phone reception in areas of Little Grove, but will also reduce black spots along Frenchman Bay Road between Big Grove and Whale World. The tower will also boost the capacity of the mobile phone network in the Goode Beach, Big Grove and Little Grove areas, thereby securing good quality mobile phone access into the future. The additional capacity will alleviate pressure on the Mt Adelaide facility (which picks up Goode Beach via a directional antenna).

ACCESS, POWER & DEVALUATION OF SURROUNDING PROPERTIES
(Submission No's 3, 8, 14, 19, 21 & 33)

29. In its submission, the Department of Conservation and Land Management (CALM) has advised that the access track to the water tank is currently located within the Torndirrup National Park, and not within the allocated Reserve. Therefore Telstra is required to enter into an arrangement with CALM in order to access the site during construction and maintenance thereafter.
30. CALM has also queried how power will be brought to the site, with its preference being given to locate the infrastructure along the current access road, and placed underground.
31. A number of residents have expressed concerns that the construction of a tower would devalue their property. As this issue is outside the realm of Council's knowledge base, and can only be confirmed by valuations prior to and after the construction of the tower by a licensed valuer, the concern can neither be supported or rejected in this report.
32. The proposed tower is identical in height and appearance to the tower on Mt Adelaide, overlooking the suburb of Middleton Beach where land prices and conditions are similar.

RECOMMENDATION

THAT Council:

- i) note the submissions and advises each person who lodged a submission, that the grounds of objection are not sufficient to reject the application; and
- ii) resolves to grant Planning Scheme Consent for the proposed 'Public Utility (Mobile Phone Tower)' on Reserve 34387 Austin Road, Frenchman Bay subject to the following conditions:
 - (a) the slimline tower is to be painted 'light grey' in colour;
 - (b) access arrangements being secured from the Department of Conservation and Land Management, prior to construction of the tower;
 - (c) power to the site being provided via an underground source;

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Item 11.1.1 continued.

- (d) power to the site being provided via the existing track to the Water Corporation Reserve to the satisfaction of the Department of Conservation and Land Management and Council; and
- (e) no extensions to the tower should occur without Council's Planning Scheme Consent being first obtained.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR EVANS**

THAT Council resolve to issue a Planning Scheme Consent Refusal Notice for the proposed 'Public Utility (Mobile Phone Tower)' on Reserve 34387 Austin Road, Frenchman Bay due to the following reasons:

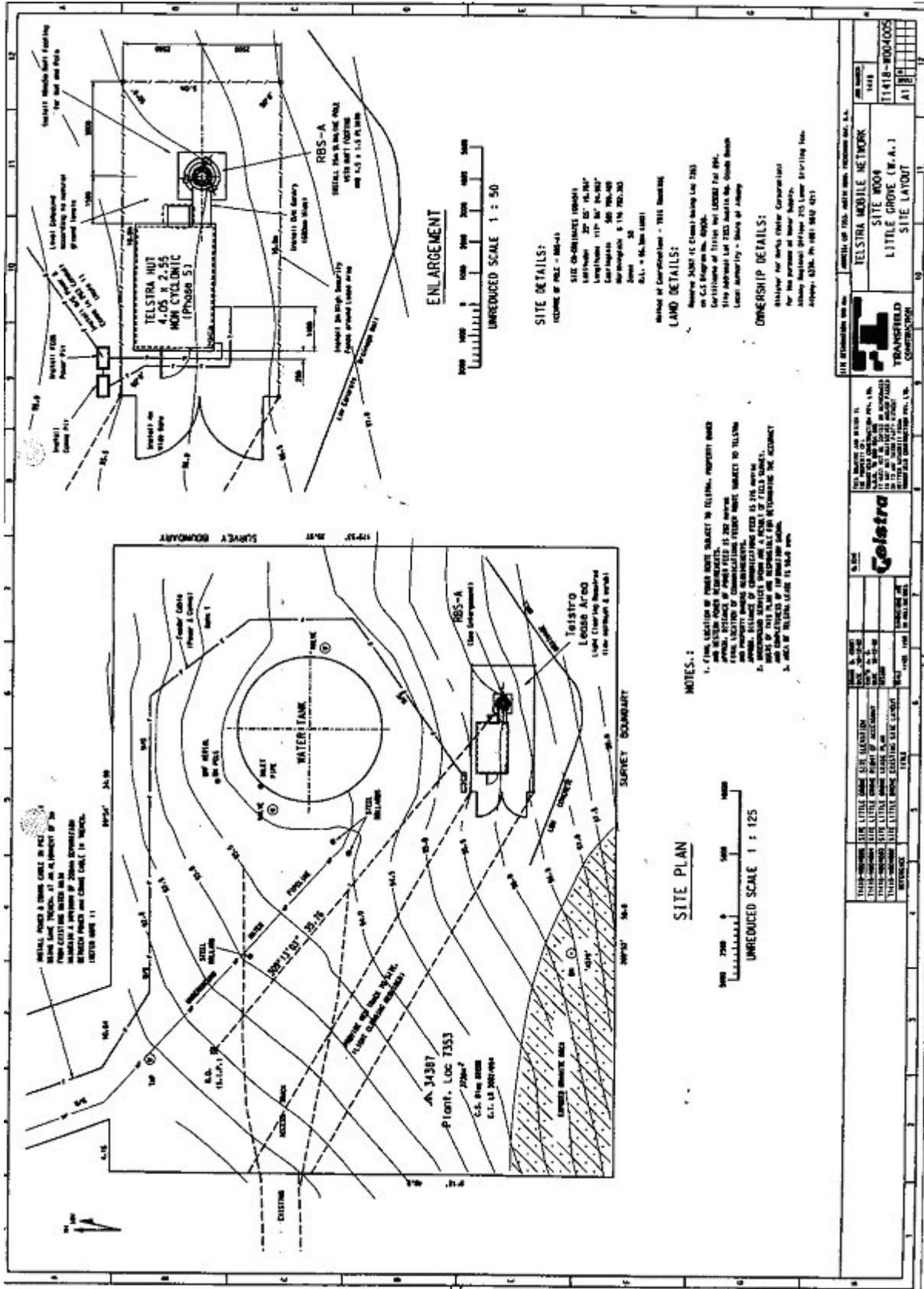
- i) the tower is to be located within a visually sensitive area, being positioned on elevated land and surrounded on all sides by national park, and is therefore likely to have a detrimental affect on the visual qualities of the natural landscape; and**
- ii) the community benefits associated with increased mobile phone coverage resulting from the proposed tower, as advised by Telstra, do not compensate for the loss of amenity many residents will endure as a result of the proposed development.**

MOTION CARRIED 9-5

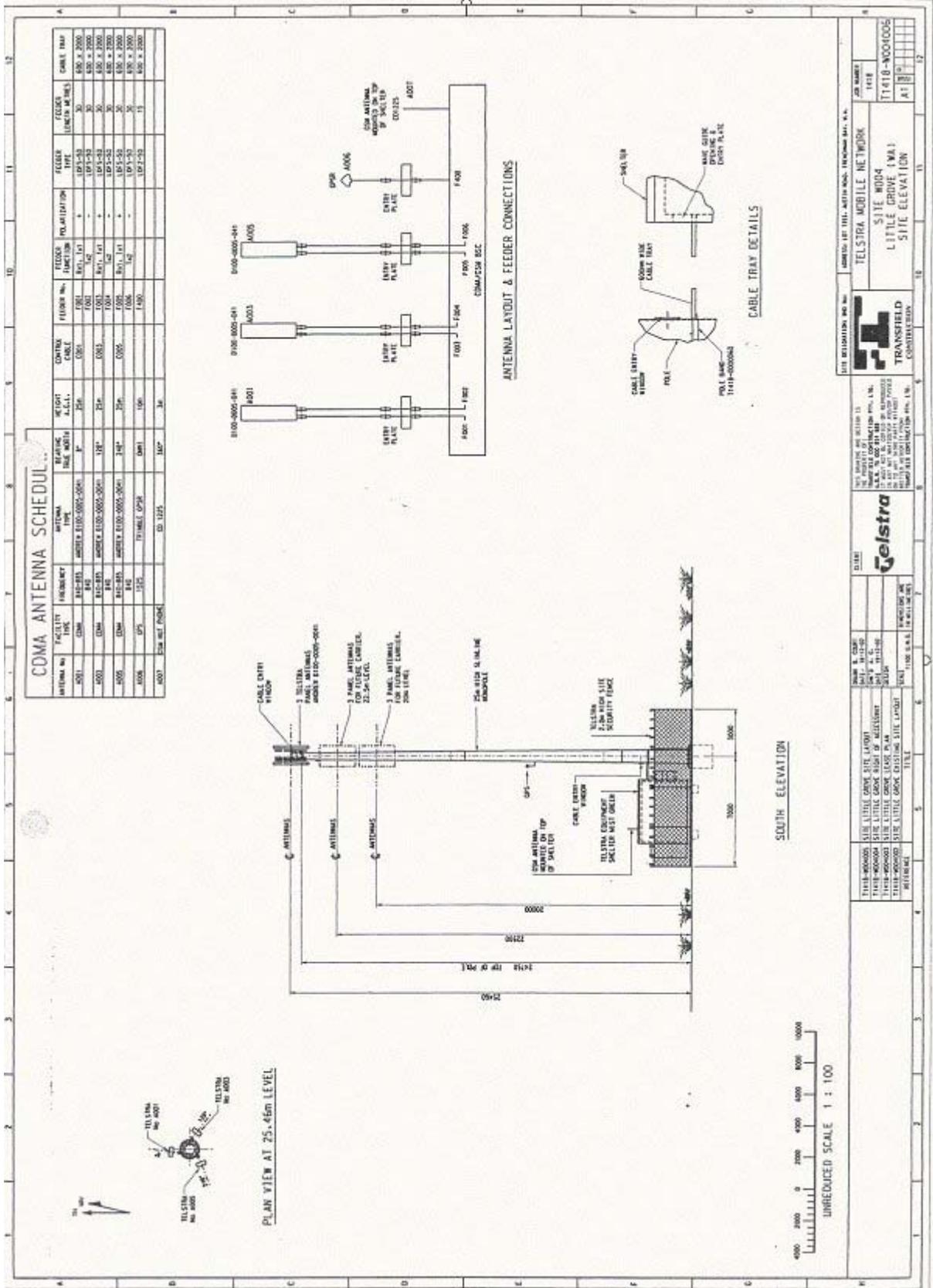
Reason:

Reserve 34387 is located adjacent to the Torndirrup National Park and is in an elevated position relative to the Goode Beach townsite, the proposed tower will be highly visible from various vantage points within Goode Beach and the local community has voiced their opposition to the proposed development on this site.

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11.1.2 Application for Planning Scheme Consent – Signage – Lot 27 (112-140) Stirling Terrace, Albany.

File/Ward : A74057 (Frederickstown Ward)

Proposal/Issue : Corporate signage – Rivers

Subject Land/Locality : Albany Town Site Lot 27 (112-140) Stirling Terrace, Albany

Proponent : Rivers

Owner : Prime King Pty Ltd

Reporting Officer(s) : Planning Officer (A Nicoll)

Disclosure of Interest : Nil

Previous Reference : OCM 17/12/02 - Item 11.1.5
OCM 21/1/03 – Item 11.1.1

Summary Recommendation : Grant conditional Planning Scheme Consent for signage - Rivers

Bulletin Attachment : Nil

Locality Plan :



Item 11.1.2 continued

BACKGROUND

1. The Development Services Team has received an application for a sign licence dated 14th May 2003, and a Planning Scheme Consent, dated 19th May 2003, for three signs to be erected on the “Rivers Store” located at 112-140 Stirling Terrace.
2. Two of the three signs proposed are to be erected as ‘horizontal signs’ (4.8m x 4.8m and 15m x 0.9m) on the facia of the first story, with the third sign to be erected as an ‘under veranda sign’ (2.4m x 0.5m).
3. Council previously considered a report item at its January 2003 meeting, relating to corporate signage on the “Rivers” building at Stirling Terrace. At that meeting it was decided that Council grant a Planning Scheme Consent subject to conditions including the following:
 - i) *“signage on the building façade shall be restricted to those areas on the building shown as ‘Gable Sign’ and ‘Facia Sign’...plus the two fascia returns and the area on the eastern wall”.*
4. Planning Scheme Consent, was issued by the Executive Director for Development Services with conditions including:
 - i) *“the proponent shall not further modify the building façade or affix signage to the exterior of the building adjacent to Stirling Terrace without first obtaining Council approval”.*
5. Please refer to the attached diagrams, which illustrate the existing signage and proposed signage on the ‘Rivers’ store.

STATUTORY REQUIREMENTS

6. The subject land is zoned “Central Area” and included as a “Place of Heritage Value” within the City of Albany’s Town Planning Scheme 1A. Within the Scheme under clause 6.2.(b) the following is stated:

“Despite any other provision of the Scheme a person is not to...erect any advertising sign, unless in accordance with planning consent granted by the Council.”
7. The proposal is subject to the By Laws No.38 (Signs, Hoardings and Bill Postings -Local Government Act 1960) which state:
 - i) *“No person shall erect, or maintain a sign or advertising device...except pursuant to a license issued in the form of the first schedule to these by-laws.”*

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

- ii) a 'Horizontal Sign' is defined as a: *“sign fixed parallel to the wall of a building to which it is attached with its largest dimension horizontal.”*
- iii) *“where the distance between the bottom of a horizontal sign and the ground below that sign is less than 7.5 metres, the maximum permitted height of that sign is 900 millimetres; and*
- iv) *“there shall be not more than one line of horizontal signs facing any one street on any building. (Can have horizontal and fascia sign though).”*

POLICY IMPLICATIONS

- 8. Pursuant to Clause 6.3 of the City of Albany Town Planning Scheme 1A, the City of Albany has adopted the “City of Albany Design Guidelines: Stirling Terrace Heritage Area” as a policy document to assist Council in the processing of applications for the development in the Stirling Terrace Places of Heritage Value. Part three in the guidelines state:
 - i) *“Stirling Terrace is of cultural heritage significance to the City of Albany and to Western Australia. The conservation of the general spirit of Stirling Terrace and significant buildings within the heritage area is important and property owners have responsibility to the community at large and Council, on behalf of the community, to comply with some limits on the development potential of a site. The objectives of the guidelines include:*
 - 1. *Conserving significant aspects of Stirling Terrace identified in the Statement of Significance;*
 - 2. *Encouraging infill development that conserves significant aspects of Stirling Terrace identified in the Statement of Significance; and*
 - 3. *Ensuring that alterations to significant places respects and conserves significant fabric and aspects of those place.”*

STRATEGIC IMPLICATIONS

- 9. The City of Albany’s 2020 – Charting our Course Strategic Plan, prepared by the City of Albany, lists as one of its primary Ports of Call;
 - i) *“Outstanding Municipal and privately owned heritage assets”; and states that:*
 - ii) *“The City of Albany appreciates our history and respects its role as the landlord of many heritage facilities, as well as educating and promoting good heritage practices. The objectives under this Port of Call have been designed to focus the City’s attention and resources on the importance of the City’s heritage and to ensure future generations continue to benefit from Albany’s unique position.”*

Item 11.1.2 continued

10. Council’s Design Guidelines for the Stirling Terrace Heritage Area” state:

- i) *“Stirling Terrace is a townscape of exceptional cultural heritage significance, with many fine buildings that are intrinsically of considered significance. The heritage of Stirling Terrace is valuable because it helps people understand what kind of community we live in, it defines what is distinctive about our local areas and it establishes identity. These guidelines are intended to guide conservation and development in this heritage area so as to accommodate change sensitively, not to prevent it. They are designed to protect and reinforce character and significance.”*

COMMENT/DISCUSSION

11. Further to Council’s adopted guidelines for Stirling Terrace, a draft document titled ‘Stirling Terrace Conservation Plan’ was written (Oct 2000) as a guide for the conservation and use of the places along the terrace. Section 6, (p21) states that: *“Signs fixed to heritage buildings and in the Stirling Terrace are not to visually dominate the building or area.”* Current signage on the building already significantly advertises the Rivers store, which can be viewed from up and down Stirling Terrace and the footpath. All the signs can be seen at a considerable distance from the site.
12. The Rivers store (primarily the upper storey) is listed on the City of Albany Municipal Heritage Inventory with a high rating and assessment value, for its aesthetic, architectural, rarity and value as part of a group/precinct along Stirling Terrace. Traditionally shopfronts along Stirling Terrace display elements of low impact and designs sympathetic to face brickwork, stucco brickwork or stone or a combination of these elements. The application for proposed signage in its boldness detracts from these elements of value and traditional design.
13. New development should fit into the established development patterns with only sensitive change being considered for approval. Staff are of the opinion that maintaining the street pattern and the pattern of development is one of the most important factors in the conservation of the areas character. As outlined in the Stirling Terrace Albany Conservation Plan, Oct 2000, Draft (section 6, p21): *“Sign posting is an integral part of good urban design, and it is essential that it is compatible with the overall character of the area that is being promoted. Signs have a considerable impact on the visual quality of a building and an area.”*
14. The ‘under verandah sign’ does comply with requirements for size and traditional display as defined within the City of Albany by-laws and the Stirling Terrace Albany Conservation Plan and therefore should be approved. The application for the ‘horizontal signs’ does not comply with the City of Albany by-laws for size or the Stirling Terrace Albany Conservation Plan for visual character and therefore should be refused.

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Item 11.1.2 continued

15. In conclusion, staff are of the opinion that signage for this heritage building along Stirling Terrace should be confined to traditional locations such as the fascia areas and under the veranda/awning, with advertising signage confined to internal display. Approval should therefore be granted for the ‘under veranda sign’ and not the additional ‘horizontal signs’.

RECOMMENDATION

THAT Council issue the Executive Director Development Services, under Clause 7.21 of the Town Planning Scheme 1A, with delegated authority to:

- i) grant a conditional Planning Scheme Consent for the ‘under verandah sign’ at Lot 27, Stirling Terrace, Albany; and
- ii) issue a Notice of Planning Scheme Refusal for the two ‘horizontal signs’.

Voting Requirement Simple Majority

.....

The Executive Director Development Service advised that Paragraph 14 of this item should read “... *The application for the ‘horizontal signs’ could be supported under the City’s by-laws however it is contrary to the spirit and aesthetic objectives of the Stirling Terrace Albany Conservation Plan and staff strongly recommend that it be refused.*”

Councillor Lionetti declared an interest in this item as he is the owner of the building and left the Chambers at 8.17pm.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EMERY**

THAT Council issue the Executive Director Development Services, under clause 7.21 of the Town Planning Scheme 1A, with delegated authority to:

- i) grant a conditional Planning Scheme Consent for the ‘Under Verandah Sign’ and the horizontal sign above the shop windows at Lot 27 Stirling Terrace, Albany; and**
- ii) issue a notice of Planning Scheme refusal for the ‘horizontal sign’ on the Western side of the Lower Floor façade.**

MOTION CARRIED 12-1

Councillor Lionetti returned to the Chambers at 8.22pm.

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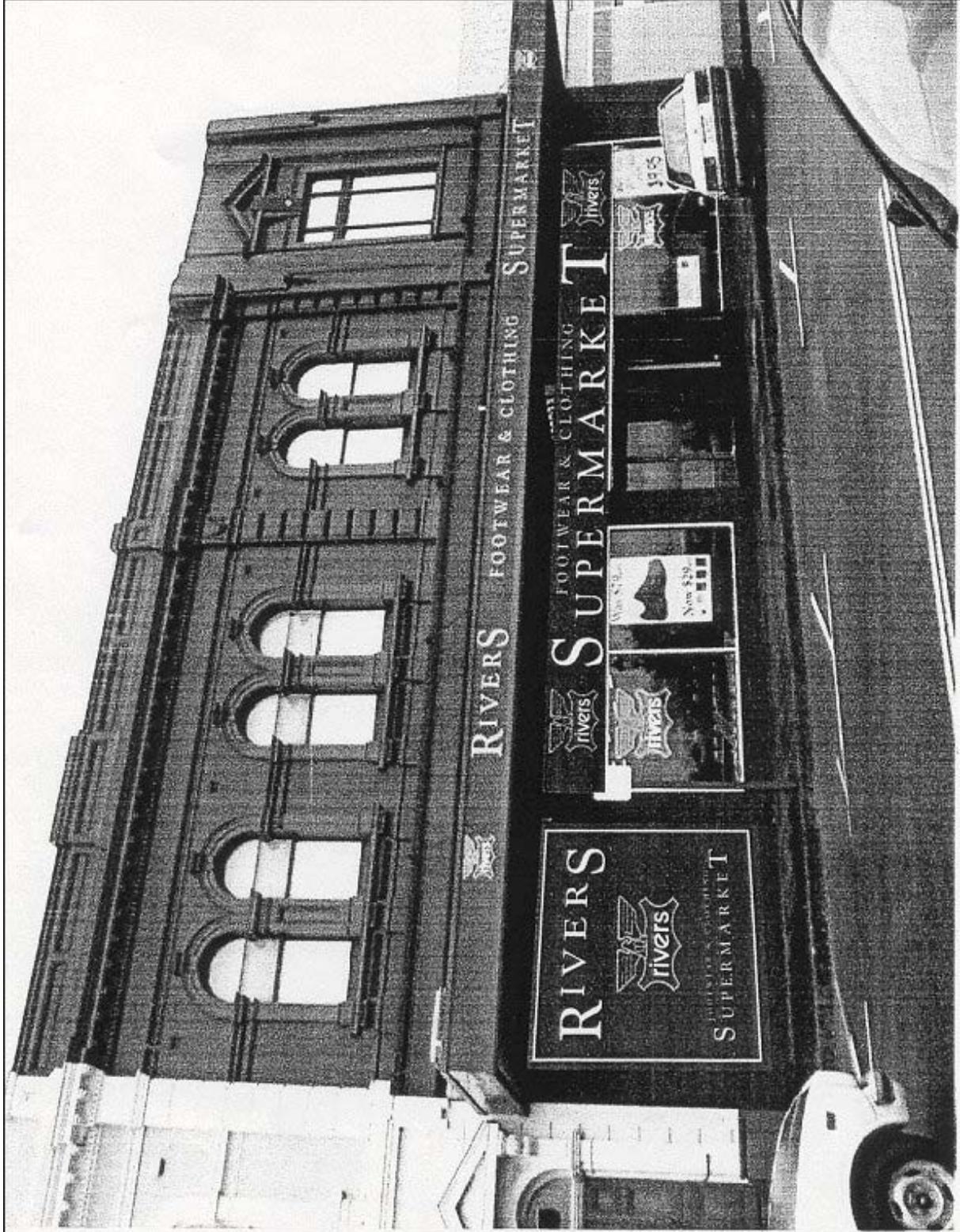
Item 11.1.2 continued

EXISTING SIGNS



Item 11.1.2 continued

PROPOSED HORIZONTAL SIGN



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Item 11.1.2 continued

**PROPOSED UNDER
VERANDAH SIGN**



**PROPOSED
HORIZONTAL SIGN**

11.2 INSPECTION SERVICES

11.2.1 Policing of Roadside Signage

File/Ward	: MAN 052 (All Wards)
Proposal/Issue	: Policing of Council’s Local Laws
Subject Land/Locality	: Road Reserves within City of Albany
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	: Current Policing Practices be Maintained
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. Councillor Lionetti has requested that the issue of policing of roadside signs be brought before Council for debate and an assessment of current practices. This agenda item responds to that request.
2. In March 2000, Council finalised procedures for the handling of signs on Council reserves and a copy of those procedures follows this report item. That document was released to the Albany Chamber of Commerce and Industry, the Real Estate Institute of WA (Albany Branch) and the general public (by the printing of the total policy in the Weekender newspaper) for comment and advice on the implementation of the protocols. A two week education program followed the notification, followed by a period where confiscated signs could be claimed back upon payment of a minor fee. The policy was fully implemented as from the 1st July 2000.
3. Councillor Lionetti is concerned that the current policing methods are ineffective and/or discriminatory, the controls on footpath signage are inappropriate and a review of the current practices is required.

Item 11.2.1 continued

STATUTORY REQUIREMENTS

4. Council’s “Activities in Thoroughfares and Public Places and Trading Local Law 2001” states in part;
- “3.2 Advertising Signs**
- (1) A person shall not, without a permit –*
- (a) erect or place an advertising sign on a thoroughfare; or*
 - (b) post any bill or paint, place or affix any advertisement on a thoroughfare.*
- (2) Notwithstanding subclause (1), a person shall not erect or place an advertising sign –*
- (a) on a footpath;*
 - (b) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2.5m;*
 - (c) on or within 3 metres of a carriageway;*
 - (d) in any location where, in the opinion of the local government, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or*
 - (e) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.”*
5. The guidelines adopted by Council in March 2000 related to early By-Laws, but they remain as an essential tool for staff to define those signs which are acceptable in a thoroughfare.

POLICY IMPLICATIONS

6. If clause 3.2 of the City’s Local Law was applied rigidly, all real estate agents, weekend market holders, etc would need to apply for permission every time a sign was to be placed on a road verge. To enforce a Local Law to that level would be time consuming, cost prohibitive and unworkable. The guidelines have provided clear definition to the public and businesses on what is acceptable and what level of signage on thoroughfares will be tolerated.
7. Council has the capacity to easily modify the guidelines, if it is felt that they are inadequate or excessive. A simple resolution of Council can correct that situation. If however, Council feels that it does not wish to retain its Local Law, a more complex procedure is involved.

Item 11.2.1 continued

FINANCIAL IMPLICATIONS

8. The City's rangers perform a number of tasks as part of their daily activities, including the enforcement of parking restrictions, the removal of temporary signs from road verges and the inspection of property fire breaks. The City has deliberately decided not to employ a dedicated parking officer or inspector, notwithstanding that the wages of that officer could potentially be minimized through the increased income derived from breaches of Local Laws. Currently, the community heavily subsidizes the inspection service provided by the rangers and those officers have been encouraged to issue warnings for initial breaches of Council laws, as well as promote to visitors that Albany is a welcoming destination.
9. A person who fails to comply with clause 3.2 of the Local Law may receive a \$100 modified penalty, via an infringement, or they may be fined up to \$5,000, with a daily penalty of \$500, if the matter is brought before the Court.

STRATEGIC IMPLICATIONS

10. Under Western Australia's legal system, Acts, Regulations and then Local Laws form the descending chain of law with each piece of legislation having to be checked by the Parliamentary draftsman and then gazetted. Council's Local Law is also a slightly modified version of the "Model Local Laws" prepared by the West Australian Local Government Association that most local authorities have adopted.
11. Council can decide to revoke its Local Law however that would leave the City with a legislative vacuum and no control over the placement of signs on footpaths or in road reserves.

COMMENT/DISCUSSION

12. The City's rangers undertake random checks of footpaths and they either personally remove or warn shop-keepers to remove temporary signs on the footpaths and verges. Where offending signs are drawn to the attention of staff, they are also investigated and a random inspection of the locality is carried out concurrently with that enforcement action. Needless to say, there are times when only an individual sign is removed, or an offending sign is missed during the inspection, which would appear to the individual to be a targeted response.

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Item 11.2.1 continued

13. The City’s Local Laws are drafted to protect the public and to provide direction to individuals on appropriate standards and behaviour. The fact that the Local Laws are not rigidly enforced does not negate the reason why they were originally drafted or provide justification for them to be revoked. As an example, random policing of parking is as effective as a rigid enforcement regime because motorists are unaware of when a City ranger will be conducting parking checks. The issuing of the subsequent infringement is not invalidated by the fact that the driver may have parked illegally in the spot in the past or because the individual had a special reason for breaching the Local Law on the day.
14. Several retailers have been repeatedly warned that their temporary signage on the footpath will not be tolerated and the rangers have allowed the signs to be taken in or they have confiscated them. To date no infringements have been issued to the serial offenders.

RECOMMENDATION

THAT Council maintain its policy of requiring the removal of temporary signage placed on Council verges and footpaths, that exemptions to the City’s Activities in Thoroughfares and Public Places and Trading Local Law 2001 be allowed in accordance with the “Policing of Signs on Council Reserves – 2000” guidelines and that the City’s rangers be instructed to issue infringements to future serial offenders.

Voting Requirement Simple Majority

**MOVED COUNCILLOR LIONETTI
SECONDED COUNCILLOR WELLINGTON**

THAT a review of Council’s policy on the policing of signs on Council reserves be undertaken following a briefing of Councillors on their signage requirements by retail traders and by Council staff on the City’s capacity to maintain an effective policing campaign.

MOTION LOST 6-8

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WOLFE**

THAT Council maintain its policy of requiring the removal of temporary signage placed on Council verges and footpaths, that exemptions to the City’s Activities in Thoroughfares and Public Places and Trading Local Law 2001 be allowed in accordance with the “Policing of Signs on Council Reserves – 2000” guidelines and that the City’s rangers be instructed to issue infringements to future serial offenders.

MOTION CARRIED 8-6

Item 11.2.1 continued



POLICING OF SIGNS ON COUNCIL RESERVES

Issued: March 2000

Objective:

Within the City of Albany there has been a continuous build up of A framed and portable signs within Council road and recreational reserves. Those signs are owned by private citizens and by businesses and they pose a threat to motorists and pedestrians using the reserves. In addition, they detract from the amenity of an area and they become ineffective when the messages on the sign are too complicated or there is a proliferation of signage along a road.

An ad hoc approach has been taken by the City of Albany to policing of unauthorised signs on reserves and the following operational guidelines will be applied and enforced as of the 13th March 2000. Persons (whether they are businesses or residents) placing signs on reserves without the appropriate license also face a potential fine of \$500 if found guilty of an offence under the Sign Local Laws existing within the City of Albany.

General Principles:

1. The use of protruding metal objects (including star pickets and anchoring pins) on sign on a reserve, creating the potential for injury to a pedestrian, will result in the sign being removed from the reserve, notwithstanding that it may comply with other guidelines.
 2. A sign located on private property which is blown onto a reserve will be treated as a sign on the reserve for the purposes of these guidelines.
 3. A shopping trolley will be treated as sign for the purposes of these guidelines. Persons caught depositing a trolley on a reserve may be subject to the penalty provisions of the Litter Act.
 4. No sign shall obstruct a footpath or be located within 600 mm of the kerb, or where no kerb exists the edge of the road, where the sign is displayed.
 5. These guidelines do not apply to a sign(s) located on private property. That sign may require a licence pursuant to the City of Albany's Signs Local Laws.
 6. A person wishing to place a sign on a reserve which does not comply with these guidelines shall apply to Council and have the non complying sign registered.
 7. Council reserves the right to relocate or remove signs placed in accordance with these guidelines where an officer considers that traffic or public safety may be compromised.
 8. No balloons, flagging or bunting shall be attached to a sign on a road reserve.
-

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Item 11.2.1 continued

Properties For Sale:

All real estate "For Sale" signs are to be located on private property and they must relate to the property for sale. Council does not support signs which encroach upon reserves to increase exposure of the property to potential purchasers, including those located in minor cul-de-sacs.

A maximum of three (3) only "Home Open for Inspection" signs are permitted to be displayed on road reserves 2 hours prior to the published time the home is to be open and for a period of 30 minutes after the published closing time. The signs are to be located in positions which provide guidance to the site and multiple signage at a single road intersection by a real estate company is not permitted.

Vehicles Used for Advertising:

Vehicles deliberately left on reserves for the purpose of advertising a business or product contravene the Local Law and can be subject to an infringement notice.

Vehicles, boats and household items placed on reserves for the purposes of being offered for sale can also be subject to an infringement notice.

Special Events:

Signage for all special events shall comprise a maximum of 3 individual signs which can be a combination of banners or temporary signs.

Clubs which run regular meeting programmes (trotting, speedway, etc.) and organisers of annual events should register their programmes with Council and arrange for a fixed location to display upcoming events. Organisers of regular sporting (eg. speedway) and occasional community events (eg. car park sales) may display upcoming events 4 days prior to the event and the signs must be removed within 1 day of the event concluding.

Organisers of "One Off" events (eg. jazz festival) may display the upcoming event 14 days prior to the event and the sign must be removed within 3 days of the event concluding.

Weekend Activities:

Service Stations may be permitted to place 3 signs no larger than 0.5 sq. m. in area advising that they are open on the day that they are open. The signs are to acknowledge the name of the service station (by brand or name) and its location. Any sign carrying ancillary advertising will be removed.

Churches may place a maximum of 2 signs no greater than 1.0 sq.m. in area upon a reserve 2 hours prior to a Sunday Service and the signs are to be removed within 30 minutes of the service concluding.

DEVELOPMENT SERVICES REPORTS

Persons conducting Garage Sales are encouraged to use published signs affixed to solid items (mobile garbage bins, plastic crates, etc.). A maximum of 3 signs are permitted for a single sale site. (Note: where a landowner holds more than 3 garage sales per annum they will be treated as a business and require Council approval.) Failure to remove damaged signs, or the cardboard or paper containers they are attached to, at the conclusion of the garage sale constitutes a littering offence.

Weekend Traders (selling bread, milk, papers, tackle, nursery items etc.), other than those in the Central Business District and Local Shopping Centres, may display one sign no greater than 1.0 sq. m. advising motorists of the name of the business and that the business is open. The sign is to be located in front of the business, it is to be displayed only on Saturday afternoons and Sundays when the business is open and it shall contain no advertising of products sold in the business.

Rural Activities:

The advertising and selling of commodities produced in rural areas requires Council approval.

Policing:

Policing of these guidelines will commence on the 13th March 2000 and Council officers will remove offending signs from reserves without referral to the offending party. The Signs will be stored and disposed off after 60 days. Up until the 1st July 2000 a "phasing in" period will apply and offenders can claim their signs upon payment of a storage fee of \$15 per sign. No offending signs will be returned after the close of the "phase in" period.

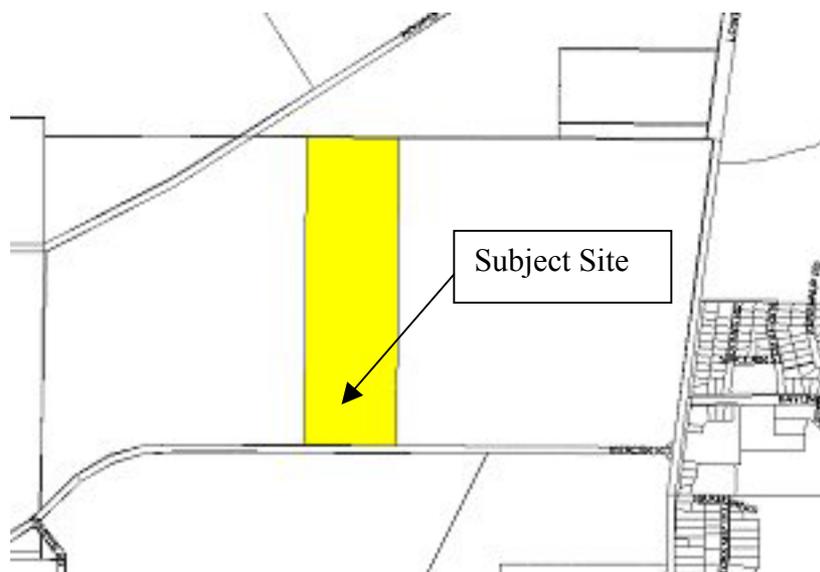
Contact Information:

All inquiries should directed to the City of Albany, P.O. Box 484, ALBANY. 6331.
Telephone 9841 9333 Facsimile 9841 9222.

11.3 DEVELOPMENT POLICY

11.3.1 Initiate Scheme Amendment – Lot 8034, Loc 7646 Mercer Road, Walmsley

File/Ward	: A164074A (Kalgan Ward)
Proposal/Issue	: Initiate Amendment to rezone Lot 8034, Loc 7646 Mercer Road, Walmsley from ‘Public Purposes’ reserve to ‘Rural’.
Subject Land/Locality	: Lot 8034, Loc 7646 Mercer Road, Walmsley
Proponent	: Ayton Taylor Burrell
Owner	: DJ Engledow
Reporting Officer(s)	: Planning Officer – Policy (R Hindley)
Disclosure of Interest	: Nil
Previous Reference	: OCM 15/4/2003 – Item 11.3.1
Summary Recommendation	: Initiate Amendment.
Bulletin Attachment	: Scheme Amendment Documents
Locality Plan	:



Item 11.3.1 continued

BACKGROUND

1. At it's meeting of the 15 April 2003 Council resolved:

“THAT Council advise the applicant that it is prepared to support the request for an Amendment to Town Planning Scheme No. 3, to rezone Lot 8034, Loc 7646 Mercer Road, Walmsley from ‘Public Purposes’ reserve to ‘Rural’ subject to the Scheme Amendment Report addressing the following items to the satisfaction of Council:

- i) details being provided on the proposed uses of the land; and*
- ii) details being provided on what, if any, vegetation is to be retained.”*

2. The applicant has prepared amendment documents to rezone the site from the ‘Public Purposes’ reserve to ‘Rural’.
3. Council is now requested to resolve to amend Town Planning Scheme No 3.
4. A copy of the amending documents is included in the Elected Members’ Report/Information Bulletin.

STATUTORY REQUIREMENTS

5. Council’s resolution under the Town Planning & Development Act 1928 and the Town Planning Regulations 1967 is required to amend the scheme.
6. An amendment to a Town Planning Scheme adopted by resolution of a local government is to be referred to the Environmental Protection Authority (EPA) for assessment.
7. Advertising of an amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the amendment is environmentally acceptable.
8. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

POLICY IMPLICATIONS

9. There are various policies and strategies that have relevance to this proposal. They include:
 - The State Planning Strategy
 - The Western Australian Planning Commission Statement of Planning Policy No. 8 (SPP 8)
 - The Albany Regional Strategy (1994)
 - The Local Rural Strategy (1996)
 - Yakamia Structure Plan (1998)

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 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.
11. The Local Rural Strategy seeks to encourage and facilitate development which is sympathetic to community and environmental considerations, but also does not impact upon surrounding rural pursuits.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

13. The proposed rezoning has the potential to set a precedent for other spot rezonings, which have been opposed on the basis of orderly planning.

COMMENT/DISCUSSION

14. The site is heavily vegetated with discrete areas being cleared for vehicle access, walk tracks and firebreaks. There is some limited degradation of vegetation in the vicinity of these cleared areas however the overall condition of the site is considered to be good.
15. Any proposal to clear in excess of 1 hectare of vegetation on the site will require a 'Notice of Intention to Clear' to be lodged with the Department of Agriculture and the subsequent approval of the Commissioner of Soil and Land Conservation.
16. Scheme No. 3 requires planning approval for the felling of timber therefore the clearing of vegetation on the site will be the subject of Council approval.
17. The Yakamia District Structure Plan identifies the subject site as falling within Cell D. The Structure Plan states that vegetation cover is to be surveyed and vegetation priority areas identified prior to further subdivision.
18. It has been identified in the amendment documents that there is no immediate proposal for the development of the site. The only development identified is a single dwelling and associated clearing in accordance with existing Scheme controls.
19. Based on the amendment documents that have been submitted it is considered that adequate details are provided for the future use of the site.
20. A 'Rural' zoning will allow for the removal of the Public Purpose reservation and would not prejudice the future rezoning of the land in that manner could allow for subdivision.

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Item 11.3.1 continued

RECOMMENDATION

THAT Council in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended) resolves to amend the City of Albany's Town Planning Scheme No. 3 by:

- i) removing Lot 8034, Loc 7646 Mercer Road, Walmsley from 'Public Purposes' reserve;
- ii) including Lot 8034, Loc 7646 Mercer Road, Walmsley within the 'Rural' zone; and
- iii) amending the Scheme Maps accordingly.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WILLIAMS**

THAT Council in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended) resolves to amend the City of Albany's Town Planning Scheme No. 3 by:

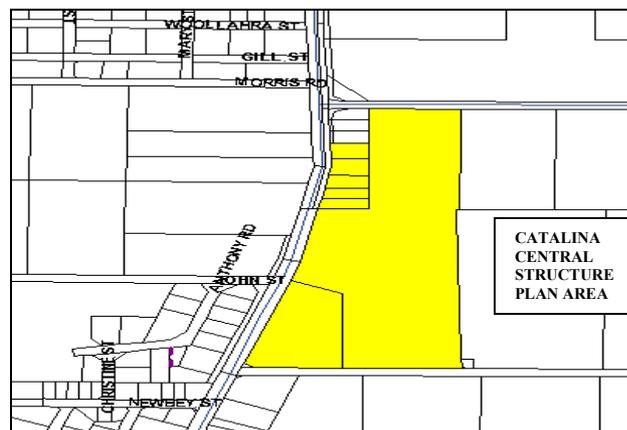
- i) removing Lot 8034, Loc 7646 Mercer Road, Walmsley from 'Public Purposes' reserve;**
- ii) including Lot 8034, Loc 7646 Mercer Road, Walmsley within the 'Rural' zone; and**
- iii) amending the Scheme Maps accordingly.**

MOTION CARRIED 14-0

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11.3.2 Amendment to Town Planning Scheme Policy – Catalina Central Structure Plan

- File/Ward** : STR 049 (Yakamia Ward)
- Proposal/Issue** : To adopt the modifications proposed for the Catalina Central Structure Plan
- Subject Land/Locality** : Lots 6, 7, 8, 12, 13, 39, 40, 101 & 293 Chester Pass/Catalina/Mercer Roads, Lange
- Proponent** : Taylor Burrell
- Owner** : Kingopen Pty Ltd
- Reporting Officer(s)** : Strategic Planning Officer (P Shephard)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 18/03/03 Item 11.3.1
OCM 18/02/03 Item 11.3.3
OCM 16/10/01 Item 11.3.2
OCM 26/06/01 Item 11.1.2
OCM 23/01/01 Item 11.1.10
OCM 05/09/00 Item 11.3.3
OCM 14/12/99 Item 15.1.1
OCM 01/06/99 Item 15.1.3
OCM 28/04/99 Item 15.1.1
OCM 10/03/99 Item 15.1.1
- Summary Recommendation** : Adopt modifications to the Catalina Central Structure Plan as final Town Planning Scheme Policies in accordance with Clause 6.9 of Town Planning Scheme No. 3
- Bulletin Attachment** : Copy of Submissions
- Locality Plan** :



Item 11.3.2 continued

BACKGROUND

1. At its March 2003 meeting (Item 11.3.1), Council resolved as follows:

“THAT Council, pursuant to Clauses 6.9.3 and 6.9.2 of Town Planning Scheme No. 3, approves the advertising of a superceded policy on the Catalina Central Structure Plan, subject to King Open Pty Ltd submitting a consolidated document which addresses the following matters:

- i) consistency between the Structure Plan, the Town Planning Scheme (following gazettal of Amendment 220) and the retail/traffic modelling;*
- ii) a built form consistent with the concept plan prepared by James Coulter Young Pty Ltd (inclusive of the façade treatments);*
- iii) land uses which are self buffering within the CCSP area;*
- iv) buffering and landscaping of the carparking area fronting Chester Pass Road as detailed by James Coulter Young Pty Ltd;*
- v) defined access roads within the CCSP area which are safely integrated with the local road network;*
- vi) planning reasons and justification for a departure of the current proposal away from the “New Urbanism” design philosophy in the CCSP, with particular reference to the retail modelling and the outcomes of the Commercial Strategy Review (2000);*
- vii) commitments (such as by legal agreement and caveat on title) regarding the ongoing development and maintenance of landscaped areas and water bodies situated on private land; and*
- viii) broad principles on the built form proposed within the CCSP and the control of signage.”*

2. The draft Policy was advertised for a period of 21 days and copies sent to relevant government agencies for comment.

STATUTORY REQUIREMENTS

3. The Catalina Central Structure Plan (CCSP) was adopted by Council as a Town Planning Scheme Policy in accordance with Clause 6.9 of Town Planning Scheme No. 3 at its December 1999 meeting (Item 15.1.1).

4. To amend the adopted CCSP Town Planning Scheme Policy, Council is required to undertake the following procedures in accordance with Clause 6.9 of Town Planning Scheme No. 3:

- i) Adopt and advertise a summary of the draft amended Policy for a period of 21 days;*
- ii) Consider any submissions received as a result of the advertising and resolve to finally adopt the draft amended Policy with or without amendment, or not proceed to adopt the draft amended Policy;*
- iii) Advertise the adopted final Policy, advising that it supersedes the existing Policy, and keep a copy with the scheme documents for public inspection purposes.*

Item 11.3.2 continued

5. The CCSP Policy adopted in December 1999 currently provides guidance for the development of the subject property. These Policies will be superseded upon adoption of the new Town Planning Scheme Policy.
6. Any adopted Town Planning Scheme Policy does not bind Council in making a decision, although the objectives and provisions of the Policy must be considered when determining an application for a development affected by the Policy.

POLICY IMPLICATIONS

7. There are various policies and strategies that have relevance to the CCSP including:
 - State Planning Strategy
 - WA Planning Commission Statement of Planning Policy No. 8 (SPP 8)
 - Albany Regional Strategy (1994)
 - Residential Expansion Strategy (1994)
 - Albany Commercial Centres Strategy 2001-2021 (1994)
 - Commercial Strategy Review (2000)
 - Albany Local Planning Strategy (being prepared)
 - Yakamia Structure Plan (1998 - being revised)
8. The CCSP will be a Town Planning Scheme Policy adopted by Council under the provisions of Clause 6.9 of Town Planning Scheme 3.

FINANCIAL IMPLICATIONS

9. The proponents are required to advertise the final adoption of the Town Planning Scheme Policy in the local newspaper at it's own cost.

STRATEGIC IMPLICATIONS

10. Development of the subject property is required to be consistent with the objectives and provisions of the Albany Commercial Centres Strategy 2001-2021 (1994), Commercial Strategy Review (2000) and CCSP.
11. Amendment No. 220 to Town Planning Scheme No. 3 is presently with the Hon. Minister for Planning for final approval. This amendment when finalised will create a mixed business zone and include the subject land into this zone. The amendment will enable the development of the land for mixed business and neighbourhood centre uses (5,000m² maximum net lettable area of shop) in accordance with the CCSP.

Item 11.3.2 continued

COMMENT/DISCUSSION

12. Due to the submissions received, modifications to the draft text/plans, including some additional points are required, to clarify certain aspects of the development and provide additional commitments to address some matters raised in the submissions. These changes are outlined in the Schedule of Submissions that follows this report and do not change the intent of the draft Policy.
13. All individuals will be advised in writing of the outcome of their submissions and the resultant changes to the draft Policies.
14. The CCSP Town Planning Scheme Policy contains the commitments agreed to by the proponents to produce a desirable visual entrance to Albany along Chester Pass Road that includes the following elements:
 - The proposed built form and treatments to the building facades and roof detailing will provide an attractive development and address the visual concerns of large ‘box-type’ buildings
 - The provision of landscaping utilising raised beds along Chester Pass Road will address the visual concerns of a large expanse of car parking between the building and the road being seen from the road
 - The provision of mature trees within the car park area will also assist in addressing the visual concerns of a large expanse of car park from within the site
 - A designated theme of ‘Brooks Gardens’ incorporating water features within the proposed landscaping areas from Mercer Road through to Catalina Road and throughout the site (including the adjoining proposed aged persons and residential components) will be incorporated.
15. For these commitments to be realised, Council will be required to use various methods of implementation, including subdivision conditions, development approval conditions, caveat/covenant/memorials, easements, contracts etc. This will require the proponents to also provide significant ongoing resources to ensure that the standards contained in the Policy are implemented and maintained over the long-term.

RECOMMENDATION

THAT:

- i) the Schedule of Submissions be received, the comments on the individual submissions be tabled and the recommendations contained therein be either Noted, Upheld in Part or Upheld as detailed;
- ii) those modifications as outlined in the Schedule of Submissions are undertaken by Kingopen Pty Ltd to the satisfaction of the Executive Director Development Services; and

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Item 11.3.2 continued

- iii) Council, pursuant to Clause 6.9 of Town Planning Scheme No. 3, resolves to adopt the final Catalina Central Structure Plan (CCSP) as a Town Planning Scheme Policy to supersede the previous Policy adopted in December 1999 (Item 15.1.1) and advertise as such in accordance with the Scheme.

Voting Requirement Simple Majority

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Councillor Sankey declared an interest in this item as her daughter works at Woolworths and left the chambers at 8.29pm.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BOJCUN**

THAT:

- i) the Schedule of Submissions be received, the comments on the individual submissions be tabled and the recommendations contained therein be either Noted, Upheld in Part or Upheld as detailed;
- ii) those modifications as outlined in the Schedule of Submissions, together with those adjustments needed to ensure consistency between the Scheme and the policy, are undertaken by Kingopen Pty Ltd to the satisfaction of the Executive Director Development Services;
- iii) Council, pursuant to Clause 6.9 of Town Planning Scheme No. 3, resolves to adopt the final Catalina Central Structure Plan (CCSP) as a Town Planning Scheme Policy to supersede the previous Policy adopted in December 1999 (Item 15.1.1) and advertise as such in accordance with the Scheme; and
- iv) Council raise concerns with the Minister for Planning and Infrastructure over the planned changes to Scheme 3 resulting from the Minister’s Schedule of Modifications for Amendment 220 and in particular:
- a) Item 7 – by deleting “shop” from the list of discretionary land uses, the proposed development control provisions become ineffectual. The words “with uses as defined in SPP 9” needs to be inserted after “Neighbourhood Centre” wherever it appears; and
- b) Item 4 – rewording clause 5.22 has resulted in confusion over the extent and location of potential office developments. The words “and all office developments are to remain incidental land uses to the predominant activity in the Mixed Business zone” therefore “Office” should be listed as an “IP” use in the Use Class Table.

MOTION CARRIED 13-0

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Item 11.3.2 continued.

Councillor Sankey returned to the chambers at 8.31pm

Reason:

The subtle changes requested by the Minister have the potential to compound development control decisions if amendment 220 proceeds to gazettal.

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Item 11.3.2 continued

Schedule of Submissions

Town Planning Scheme No. 3 – Draft Modified Town Planning Scheme Policy for Catalina Central Structure Plan

No.	Submitter	Submission	Comment	Recommendation
1	Graham Melrose Frenchmans Bay Road Albany WA 6331	Supports the proposed modifications to the Catalina Central Structure Plan.	No modifications required from the submission.	Noted.
2	Donald Main Bon Accord Road Lower King WA 6330	Supports the proposed modifications to the Catalina Central Structure Plan.	No modifications required from the submission.	Noted.
3	Ronice Loveland Lower Denmark Road Albany WA 6330	Supports the proposed modifications to the Catalina Central Structure Plan.	No modifications required from the submission.	Noted.
4	Matthew & Robyn Pouwelsen Catalina Road Albany WA 6330	Supports the proposed modifications to the Catalina Central Structure Plan.	No modifications required from the submission.	Noted
5	Denise Hamilton Adelaide Street Milpara WA 6330	Supports the proposed modifications to the Catalina Central Structure Plan.	No modifications required from the submission.	Noted.
6	Helen Hawley Millbrook Road Albany WA 6330	Supports the proposed modifications to the Catalina Central Structure Plan.	No modifications required from the submission.	Noted.
7	R & Y Parkin Yokanup Road Bayonet Head WA 6330	Supports the proposed modifications to the Catalina Central Structure Plan.	No modifications required from the submission.	Noted.
8	Anne Maroni Erindale Street Albany WA 6330	Supports the proposed modifications to the Catalina Central Structure Plan.	No modifications required from the submission.	Noted.

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9	G Wright & C Waugh Catalina Road Albany WA 6330	<p>No objection to the proposed modifications to the Catalina Central Structure Plan provided that the development “ does not adversely impact in any way on the existing amenity and lifestyle opportunities .. “.</p> <p>Raises concerns about the document lacking detail in regards to impacts of the development on surrounding properties that will result following construction.</p> <p>Recommends that off-site buffers should also be considered and provided for within the development.</p> <p>Requests input at the Development Application stage.</p>	<p>The submitter has discussed the proposal with the author of this report. The concerns raised are in relation to impacts such as light spill, noise from plant rooms and loading/unloading activities that will result from the day-to-day operations. These issues are more appropriately dealt with at the Building Licence stage when this level of detail will need to be provided.</p> <p>As the adjoining residential component to the commercial development (located within the proposed Special Development Area) is built, these impacts will be negated, as they will buffer the commercial development from the subject property.</p> <p>It is not appropriate to require the development to be formally referred to the submitter as part of the approval process based on the above comments.</p> <p>The document should be modified to address the short-term impacts from activities following construction of the buildings on adjoining properties.</p>	<p>Upheld in part and the following modification be made:</p> <p>1) Clauses 4.7.11 ‘Loading’, 4.7.17 ‘Lighting of Building Edges’ of Schedule 1 to include additional commitments to ensure that the issues associated with the short-term off-site impacts following construction of the buildings including light spill, loading/unloading activities, noise from plant rooms etc. onto the adjoining properties will be addressed.</p>
10	Department for Planning and Infrastructure Coach House Peels Place Albany WA 6330	<p>Notes that the Structure Plan is Council Policy and has not been endorsed by the WA Planning Commission.</p> <p>1. Roads</p> <ul style="list-style-type: none"> • Chester Pass Road is under Main Roads WA control and design is required to their standards not the City of Albany as shown on the Plan Figures. • Advises that the creation and construction of the realigned Catalina Road is required in conjunction with the development of Catalina Central. <p>2. Neighbourhood Centre</p> <ul style="list-style-type: none"> • Advises that Commercial Strategy restricts 	<p><i>(Note: Comment No’s same as submission)</i></p> <p>1. The document should be modified as follows:</p> <ul style="list-style-type: none"> • Correct all plans to state that Chester Pass Road is required to be designed in accordance with Main Roads WA specifications. • Commit to the realignment of Catalina Road when required as a result of the Catalina Central development within Clause 2.1.1. <p>2. The document should be modified as follows:</p> <ul style="list-style-type: none"> • Change ‘nominate’ to ‘restricts’ in Clause 1.3. • Delete ‘shop’ from net lettable floor area statement in Clauses 2.2.1 & 4.2. 	<p>Upheld and the following modifications be made:</p> <p>1) Correct all plans/figures to state that Chester Pass Road is to be designed in accordance with Main Roads WA specifications.</p> <p>2) Clause 2.1.1 (paragraph 5) to be reworded to state: “Development of the Yakamia urban area and/or the development of the proposed commercial activities necessitates the realignment of Catalina Road, which will be undertaken as a result of subdivision and/or development.”</p> <p>3) Clause 1.3 (paragraph 4 2nd sentence) to be reworded to state: “The scheme</p>

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		<p>NLA (Net Lettable Area) to 5000m² for the proposed Neighbourhood Centre.</p> <ul style="list-style-type: none"> The Plan Figures should more clearly distinguish the proposed uses and buildings so that it cannot be misinterpreted as a major shopping centre, which is contrary to Commercial Strategy. Delete 'shop' from net lettable area floor area statement in Clauses 2.2.1 and 4.2. <p>3. Main Street Development Comments that the Main Street design philosophy could have still been achieved with the realignment of Catalina Road.</p> <p>4. Office Floorspace Advises that office floorspace is restricted to 200m² under Amendment No. 220, whilst 500m² is allocated in Clause 4.2.</p> <p>5. Residential Development Comments on security issues that may arise from the interface between the commercial/residential uses given the proposal to screen the dwellings by dense screen plantings and solid fencing.</p> <p>6. Service Station Recommends that Clause 4.2.3 include statement to reinforce that no direct access/egress from Service Station onto Chester Pass Road is permitted.</p> <p>7. Further Actions Advises that Clause 5.3 is incorrect in regards to level of statutory precedent for Amendment No. 220 and subsequent subdivision applications.</p>	<p>3. No comment.</p> <p>4. The document should be modified to restrict office floorspace to 200m² to ensure consistency between Amendment No. 220 and the Town Planning Scheme Policy.</p> <p>5. Further consideration is required at the time of Development Application being considered to ensure that security issues are addressed.</p> <p>6. The document should be modified to include statement that reinforces no direct access/egress from the Service Station onto Chester Pass Road is permitted.</p> <p>7. Noted.</p>	<p>provisions restricts the maximum retail floorspace to 5000m² (net lettable area) within the Additional Use site.”</p> <p>4) Clauses 2.2.1 (paragraph 3 line 3) and 4.2 (paragraph 1 line 2) to be reworded to delete the word 'shop'.</p> <p>5) Clause 4.2 (paragraph 1 dot point 2) to be reworded to state “200m² office floorspace”.</p> <p>6) Clause 4.2.3 to be reworded to include the statement that “No direct access/egress from the Service Station to Chester Pass Road is permitted”.</p> <p>7) Clause 5.3 to be reworded to clarify that this town planning scheme policy has no direct bearing on the Hon. Minister for Planning and Infrastructure decisions regarding scheme amendments or subsequent subdivision application(s).</p>
11	Strategic Land Planning Water Corporation Newcastle Street Leederville WA 6007	<p>Requests that the document include reference to water supply and sewerage in accordance with their submission.</p> <p>Notes that no reference to drainage is contained in the document.</p>	<p>Agreed. The original Structure Plan document contained details regarding water, sewerage and drainage services for the development.</p> <p>To assist in achieving the objective of consistency, the document should be modified to include</p>	<p>Upheld and the following modifications be made:</p> <p>1) The document is reworded to add an additional Clause that provides a summary of servicing details, including the comments in the Water</p>

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			summaries of the servicing details from the original Structure Plan, including the comments contained in the submission from the Water Corporation.	Corporation submission.
12	Main Roads WA Chester Pass Road Albany WA 6330	<p>Requests the at the following be noted:</p> <ol style="list-style-type: none"> 1. The comment on the figures that Chester Pass Road is required to be designed to the City of Albany Regulations needs to be corrected to state ‘Design to MRWA specification’ as the road is under the control of Main Roads WA. 2. Clause 2.1.1 may need to be altered such that the realignment of Catalina Road will be required as a condition of subdivision by Main Roads WA. 3. Clause 4.7.1 of Schedule 1 should ensure that setbacks allow for possible future road widening along Chester Pass Road. <p>Advise that all development should take into account the proposed widening of Chester Pass Road to dual carriageway with 4 lanes and associated intersection treatments and a Concept Plan should be available within a few weeks.</p>	<p><i>(Note: Comment No’s same as submission)</i></p> <ol style="list-style-type: none"> 1. Agreed, see comment 1. in DPI submission above. 2. Agreed. Clause 2.1.1 is required to be modified to state either subdivision and/or development. (See comment 1. in DPI submission above. 3. Agreed. Clause 4.7.1 is required to be modified to ensure that setbacks are determined from any new boundary that results from road widening requirements determined by Main Roads WA. This plan will be referred to the City for comment when available in the next few weeks. 	<p>Upheld and the following modifications be made:</p> <ol style="list-style-type: none"> 1) Clause 4.7.1 ‘Setbacks’ of Schedule 1 to be reworded to state: “Buildings shall be setback from Chester Pass Road as per the Town Planning Scheme No. 3, incorporating any future road widening of Chester Pass Road as determined by Main Roads WA’, and the associated rationale be modified accordingly.

11.3.3 Initiation of Local Planning Policy – Signs, Hoardings and Bill Posting

File/Ward	: MAN 047 (All Wards)
Proposal/Issue	: Local Planning Policy – Signs, Hoardings & Bill Postings
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Manager Development (M Selby)
Disclosure of Interest	: Nil
Previous Reference	: N/A
Summary Recommendation	: Advertise a new Local Planning Policy which creates the ability to exempt certain signs from requiring a Planning Scheme Consent approval to be issued by Council.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. The Hon. Minister for Planning and Infrastructure recently granted approval to gazette Amendment 131 to Town Planning Scheme No 1A and Amendment 221 to Town Planning Scheme No 3, which, amongst other things, modified the exempted development clause associated with these Schemes. The modification to the relevant clause (Town Planning Scheme No 1A clause 7.1 and Town Planning Scheme No 3 clause 5.1), has created a situation where a Planning Scheme Consent is required for all Signs within the City area, whilst the Sign by-laws for the Town and Shire have certain exemptions. This has created an unworkable situation for the sign industry.
2. Council in 2001, adopted a new Local Law for Signs, however this has not been through the full process for gazettal and hence operation, as outlined in the Local Government Act 1995 under clause 3.12.

STATUTORY REQUIREMENTS

Town Planning Schemes 1A & 3

3. The relevant clauses of the Schemes are:

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Item 11.3.3 continued

Clause 7.1 in Town Planning Scheme No 1A reads as follows:

“7.1 Requirement for Approval to Commence Development

Subject to clause 7.2, all development on land zoned and reserved under the Scheme requires the prior approval of the Council. A person must not commence or carry out any development without first having applied for and obtained the planning consent of the Council pursuant to the Scheme.

Note: 1 The planning approval of the Council is required for both the development of land (subject of this Part) and the use of land (subject of Part III).

2. Development includes the erection, placement and display of any advertisement.”

Clause 5.1.1 in Town Planning Scheme No 3 reads:

“5.1.1 Requirement for Approval to Commence Development

Subject to clause 5.1.2, all development on land zoned and reserved under the Scheme requires the prior approval of the Council. A person must not commence or carry out any development without first having applied for and obtained the planning consent of the Council pursuant to the Scheme.

Note: 1 - The planning approval of the Council is required for both the development of land (subject of this Part) and the use of land (subject of Part III).

Note: 2 - Development includes the erection, placement and display of any advertisement.”

4. Neither Town Planning Scheme has identified signs as a “Permitted Development” and there is no capacity for an individual to erect any sign without having first gained Planning Scheme approval from Council.
5. The proposal is to create a Local Planning Policy under the Schemes, which relates to the following clauses:

Town Planning Scheme No 1A

“7.21 Power To Make Policies

7.21.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme policies relating to parts or all of the Scheme area and relating to one or more of the aspects of the control of development.

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- 7.21.2 *A Town Planning Scheme policy shall become operative only after the following procedures have been completed:*
- (a) *The Council having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
 - (b) *The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.*
 - (c) *Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.”*

Town Planning Scheme No 3

“6.9 *Power To Make Policies*

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

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Item 11.3.3 continued

- (c) *Following Final Adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the Scheme Documents for inspection during normal office hours.”*

6. Local Government Act 1995

Council is operating By-Laws for the former Shire and Town area for the control of Signs, Hoardings and Billposting. These By-Laws provide certain exemptions where Council approval is not required to erect a sign. The former Town By laws exempts the following:

- *A sale sign not exceeding 1 square metre in area;*
- *A plate not exceeding 0.6 square metres in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;*
- *An advertisement affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;*
- *A sign used solely for the direction and control of people, animals or vehicles or to indicate the name or street number of a premises, if the area of the sign does not exceed 0.2m²;*
- *The name and occupation of any occupier of business premises painted on a window or wall of those premises;*
- *Signs within a building;*
- *Signs not larger than 0.7m x 0.9m on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notices for information;*
- *Building name signs on residential flats or home units where they are of a single line of letters not exceeding 600mm in height, fixed to any facade of the building;*
- *Newspaper posters*
- *A Sign Painted directly on to the outer or return fascia of a verandah.*

7. The By-Law in the former Shire exempts the following signs:

- *A Sale sign*
- *A plate, not exceeding 1860 square centimetres in area, erected, or affixed, on the street alignment, or between that alignment and the building line, to indicate the name and occupation or profession of the occupier of the premises;*
- *Of an area not exceeding 3700 square centimetres and is affixed to a dwelling or erected, or affixed, behind the building line, to indicate the name of the occupier and his trade or occupation.*

Item 11.3.3 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

9. Council will not gain revenue with these proposed exemptions, however the expected income levels would be minimal.

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.”*

11. Under this Port of Call is an objective:

- To support local investment through the professional & expedient delivery of development approval processes and by providing guidance, which protects Albany's natural environment, heritage and uniqueness.

COMMENT/DISCUSSION

12. The current situation of inconsistency between Council’s Town Planning Schemes and By-Law’s needs to be addressed in order to facilitate development within Albany and not prolong the business community’s desire to erect appropriate signage.

RECOMMENDATION

THAT Council;

- adopt the draft Local Planning Policy – Signs, Hoardings and Bill Posting dated June 2003 pursuant to clause 7.21 of Town Planning Scheme No 1A and clause 6.9 of Town Planning Scheme No 3;
- advertise the draft Local Planning Policy in accordance with clause 7.21 of Town Planning Scheme No 1A and clause 6.9 of Town Planning Scheme No 3;
- consider the Local Planning Policy after advertising for final adoption; and
- use the Local Planning Policy as a guide until such time as the Local Planning Policy has been finally adopted by Council.

Voting Requirement Simple Majority

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Item 11.3.3 continued.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WOLFE**

THAT Council;

- i) adopt the draft Local Planning Policy – Signs, Hoardings and Bill Posting dated June 2003 pursuant to clause 7.21 of Town Planning Scheme No 1A and clause 6.9 of Town Planning Scheme No 3;**
- ii) advertise the draft Local Planning Policy in accordance with clause 7.21 of Town Planning Scheme No 1A and clause 6.9 of Town Planning Scheme No 3;**
- iii) consider the Local Planning Policy after advertising for final adoption; and**
- iv) use the Local Planning Policy as a guide until such time as the Local Planning Policy has been finally adopted by Council.**

MOTION CARRIED 14-0

Item 11.3.3 continued



**LOCAL PLANNING POLICY
SIGNS, HOARDINGS AND BILL POSTING
JUNE 2003**

1. PURPOSE OF POLICY

To establish exemptions under the Council's, Town Planning Scheme 1A and 3, which are consistent with the exemptions to outlined in the Shire and Town's By-laws.

This policy has been made in accordance with clause 7.21 of Town Planning Scheme No 1A and clause 6.9 of Town Planning Scheme No 3. The Policy does not bind the Council in respect of any application for Planning Scheme Consent, but Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

2. OBJECTIVES

To facilitate development which is exempt from the Council approval process and make the erection of a sign easier for the development/business community.

3. EXEMPTED SIGNS

The following signs under Town Planning Scheme No 1A, are exempt from gaining Planning Scheme Consent:

- A sale sign not exceeding 1 square metre in area;
- A plate not exceeding 0.6 square metres in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;
- An advertisement affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
- A sign used solely for the direction and control of people, animals or vehicles or to indicate the name or street number of a premises, if the area of the sign does not exceed 0.2m²;
- The name and occupation of any occupier of business premises painted on a window or wall of those premises;
- Signs within a building;
- Signs not larger than 0.7m x 0.9m on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notices for information;
- Building name signs on residential flats or home units where they are of a single line of letters not exceeding 600mm in height, fixed to any facade of the building;
- Newspaper posters;
- A sign painted directly on to the outer or return fascia of a verandah.

The following signs under Town Planning Scheme No 3, are exempt from gaining Planning Scheme Consent:

- A Sale sign;
- A plate, not exceeding 1860 square centimeters in area, erected, or affixed, on the street alignment, or between that alignment and the building line, to indicate the name and occupation or profession of the occupier of the premises;
- Of an area not exceeding 3700 square centimeters and is affixed to a dwelling or erected, or affixed, behind the building line, to indicate the name of the occupier and his trade or occupation.

11.4 DEVELOPMENT SERVICES COMMITTEES

Nil.

Corporate & Community Services

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- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment – City of Albany

File/Ward	:	FIN 022 (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
Bulletin Attachment	:	List of Accounts
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		
Cheques	totalling	382,477.93
Electronic Fund Transfer	totalling	1,816,912.85
Payroll	totalling	660,495.09
TOTAL		<u>\$2,859,885.87</u>

2. As at 30th May 2003 the total outstanding creditors, stands at \$459,972.28.
3. Cancelled cheques 17526, 17531 & 17548. Cancelled EFT 10305.

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Item 12.1.1 continued.

RECOMMENDATION

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

Municipal Fund	totalling	<u>\$2,859,885.87</u>
TOTAL		<u>\$2,859,885.87</u>

Voting Requirement Simple Majority

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BARTON**

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

Municipal Fund	totalling	<u>\$2,859,885.87</u>
	TOTAL	<u>\$2,859,885.87</u>

MOTION CARRIED 14-0

12.1.2 Write off Uncollectible Debts

File/Ward	:	FIN 047 (All Wards)
Proposal / Issue	:	Council requested to write off uncollectible debts.
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer	:	Manager – Finance (S Goodman)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council agree to write off selected uncollectible debts and grant the Chief Executive Officer delegated authority to authorise the write off of accounts.
Bulletin Attachment	:	Nil
Locality Plan	:	N/A

BACKGROUND

1. Council Officers have reviewed current debtors, and identified three uncollectible debts.

STATUTORY REQUIREMENTS

2. Section 6.12 (1) (c) of the Local Government Act 1995 states that subject to subsection (2) and any other written law, a Local Government may write off any amount of money.
3. Under Section 5.42 of the Local Government Act, Council may delegate to the Chief Executive Officer delegated authority to act on its behalf and this decision requires an absolute majority.

POLICY IMPLICATIONS

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

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Item 12.1.2 continued.

FINANCIAL IMPLICATIONS

5. There is no impact as provisions for doubtful debts were provided for in 2001/2002. There was no doubtful debt write-off required in 2002/2003.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

7. Council is requested to review the following long outstanding debts and authorize action to write them off.

Debtor: Patrick Daniels
Amount: \$ 1605.00
Account: 195100 - Provision for Doubtful Debts
Service: Jetty Berthing Fees
Additional Information: Debtor cannot be found by Dept of Transport (now Planning & Infrastructure)

Debtor: Power Factor #72
Amount: \$ 74.25
Account: 195100 - Provision for Doubtful Debts
Service: Jetty Berthing Fees
Additional Information: as above

Debtor: Saxon Ranger
Amount: \$ 1228.78
Account: 195100 - Provision for Doubtful Debts
Service: Jetty Berthing Fees
Additional Information: as above

Debtor: RR Green Kiama 11
Amount: \$ 2,485.75
Account: 195100 - Provision for Doubtful Debts
Service: Jetty Berthing Fees
Additional Information: Owner denies liability. Insufficient evidence of debt to support legal action.

Debtor: Classics Cafe
Amount: \$ 999.90
Account: 195100 - Provision for Doubtful Debts
Service: Health Licence
Additional Information: In liquidation

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Item 12.1.2 continued.

Debtor: Mandy’s 360
Amount: \$ 219.10
Account: 195100 - Provision for Doubtful Debts
Service: Health Licence
Additional Information: In liquidation

8. It is proposed that the CEO be granted delegated authority to authorise the write-off of accounts up to \$ 2000 on debtors who have gone into receivership with an anticipated return of a few cents in the dollar; in cases which the debtor has absconded and legal action is not viable, or minor charges where legal action is not financially viable; it would cover all of the above cases except the RR Green Kiama charge from 2001, where the Officer (no longer employed) failed to obtain adequate authorisation.

RECOMMENDATION

THAT;

- i) Council agree to write off the following long outstanding accounts:

Patrick Daniels	\$1605.00
Power Factor #72	74.25
RR Green – Kiama 11	2485.75
Saxon Ranger	1228.78
Classics Café	999.90
Mandy’s 360	219.10
	<u>\$6,612.78;</u> and

- ii) the Chief Executive Officer be granted delegated authority to authorise the write-off of accounts up to \$2,000 on debtors who have gone into receivership with an anticipated return of a few cents in the dollar; cases in which the debtor has absconded and legal action is not possible; or minor charges where legal action is not financially viable

Voting requirement Absolute Majority

.....

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR PAVER**

THAT points i) and ii) be split into two separate recommendations.

MOTION LOST 6-8

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Item 12.1.2 continued.

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WELLINGTON**

THAT;

i) Council agree to write off the following long outstanding accounts:

Patrick Daniels	\$1605.00
Power Factor #72	74.25
RR Green – Kiama 11	2485.75
Saxon Ranger	1228.78
Classics Café	999.90
Mandy’s 360	219.10
	<u>\$6,612.78;</u> and

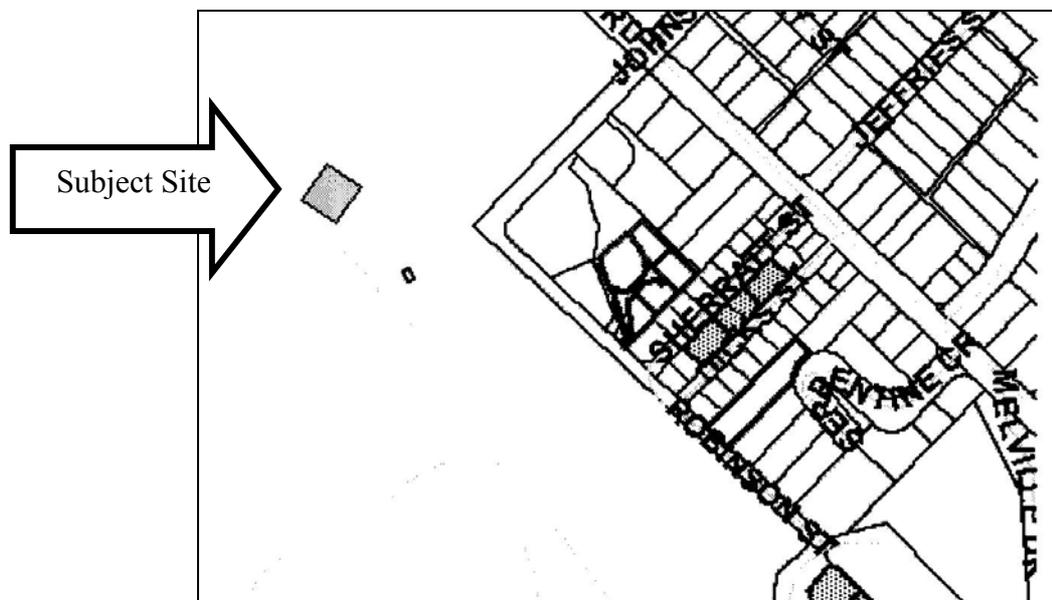
ii) the Chief Executive Officer be granted delegated authority to authorise the write-off of accounts up to \$2,000 on debtors who have gone into receivership with an anticipated return of a few cents in the dollar; cases in which the debtor has absconded and legal action is not possible; or minor charges where legal action is not financially viable.

**MOTION CARRIED 11-3
ABSOLUTE MAJORITY**

12.2 ADMINISTRATION

12.2.1 New Lease for Mt Melville Kiosk – Portion of Reserve 2681

File/Ward	:	PRO 060 (Frederickstown Ward)
Proposal/Issue	:	New lease
Subject Land/Locality	:	Reserve 2681 Mt Melville Kiosk
Proponent	:	Megan Peckham
Owner	:	Crown Land (Managed by City of Albany)
Reporting Officer(s)	:	Administration Officer (J Twaddle)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 18/01/00 Item 13.2.6
Summary Recommendation	:	That Council agree to a new lease being prepared from 1 July 2003 for a 5 year term.
Bulletin Attachment	:	Nil
Locality Plan	:	See below map



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Item 12.2.1 continued.

BACKGROUND

1. Reserve 2681 is situated at Mt Melville, which includes the Lookout and kiosk area. The City of Albany has a Management Order for the purpose of “Public Park” with power to lease for periods up to and including 21 years.
2. Megan Peckham is the current lessee of the premises known as “The Mt Melville Kiosk” which is situated on only a portion of the Mt Melville Lookout on Reserve 2681. This lease was for a period of 4 years from 1 July 1999 to 30 June 2003.
3. A request has been received for a new lease to be entered into for a 5 year period commencing on 1 July 2003. Approval from the Minister for Lands will also be required on the lease documentation being a Reserve owned by the Crown.

STATUTORY REQUIREMENTS:

4. Section 18 (1) of the Land Administration Act 1997 states that a person must not without the prior approval in writing of the minister assign, sell, transfer or otherwise deal with interests on crown land. A preliminary approval for this sub lease has been sought and the Department of Land Administration has advised that they have no objection to the sublease agreement in principle.
5. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue a lease over a property, however it must first give statewide public notice of its intention to do so and therein invite submissions from interested persons.
6. Council must then give consideration to those submissions before resolving whether or not to proceed with the lease.
7. Section 3.58 further requires that the reasons for a Council’s decision also to be recorded in the minutes of the meeting at which a decision to issue a lease is made.

POLICY IMPLICATIONS

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

Item 12.2.1 continued.

FINANCIAL IMPLICATIONS

9. Council at present receives \$117.70 per annum in rent (subject to GST), and subject to annual movements in CPI. The Valuation report received from Albany Valuation Services indicates that the rental should remain at \$117.70 per annum subject to GST and annual movements in CPI.
10. All costs associated with the preparation of the new lease will need to be borne by the lessee.

STRATEGIC IMPLICATIONS

11. This request complies with Council’s Albany 2020, which in part states as follows:
“Managed healthy land/harbour environment – To manage reserves for environmentally sustainable use, community enjoyment and benefit.”

COMMENT/DISCUSSION

12. Council has received correspondence from Megan Peckham who wishes to enter into a new lease for a 5 year term on 1 July 2003.
13. As this request should have no impact on any possible future use of the Reserve during the period until 2008, it is considered that for the security of tenure for the lessee, this lease be approved.

RECOMMENDATION

THAT subject to approval from the Minister for Lands and in accordance with Section 3.58 of the Local Government Act 1995 Council agree that should no submissions be received as a result of advertising:

- i) to approve the request from Megan Peckham for a new lease for a period of 5 years from 1 July 2003 until 30 June 2008 on portion of Reserve 2681, subject to approval from the Minister for Lands;
- ii) the rental remain at \$117.70 per annum, subject to GST, with CPI reviews being carried out annually on 1 July 2004, 1 July 2005, 1 July 2006, and 1 July 2007;
- iii) all fees associated with this lease be payable by the Lessee; and
- iv) the Common Seal of the City of Albany be affixed to the documentation.

Voting Requirement Simple Majority

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Item 12.2.1 continued.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR DEMARTEAU**

THAT subject to approval from the Minister for Lands and in accordance with Section 3.58 of the Local Government Act 1995 Council agree that should no submissions be received as a result of advertising:

- i) to approve the request from Megan Peckham for a new lease for a period of 5 years from 1 July 2003 until 30 June 2008 on portion of Reserve 2681, subject to approval from the Minister for Lands;**
- ii) the rental remain at \$117.70 per annum, subject to GST, with CPI reviews being carried out annually on 1 July 2004, 1 July 2005, 1 July 2006, and 1 July 2007;**
- iii) all fees associated with this lease be payable by the Lessee; and**
- iv) the Common Seal of the City of Albany be affixed to the documentation.**

MOTION CARRIED 14-0

12.2.2 Feasibility Study for Indoor Recreation and Aquatic Facilities & Centennial Park and Yakamia Recreation Precinct Plan

File/Ward	: MAN 105 (All Wards)
Proposal/Issue	: Feasibility Study for Indoor Recreation and Aquatic facilities. (Inc Supplementary Report) and Centennial Park and Yakamia Recreation Precinct Plan.
Subject Land/Locality	: Barker Road Albany (ALAC) Centennial Park and Yakamia Recreation Precinct, Albany.
Proponent	: City of Albany
Owner	: City of Albany
Reporting Officer(s)	: Recreation Development Officer (M Weller)
Disclosure of Interest	: N/A
Previous Reference	: Nil.
Summary Recommendation	: That Council receives the Feasibility Study and Precinct Plan and makes a determination on the recommendations contained within this item.
Bulletin Attachment	: Plans tabled at meeting
Locality Plan	: N/A

BACKGROUND

1. Fulfilling actions contained in the Albany Recreation Strategy (February 2001), the Feasibility Study for Indoor Recreation and Aquatic Facilities and Centennial Park and Yakamia Recreation Precinct Plan were commissioned in June 2002.
2. Consultants George Vassiliou, John Furman and Basil Worner of Strategic Leisure Planning successfully tendered to undertake these studies simultaneously.
3. The Feasibility Study and Recreation Precinct Plan report was developed by the Consultants following an extensive community consultation period, numerous council briefing sessions and consultation with City of Albany senior staff undertaken by the consultants.

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Item 12.2.2 continued.

4. The Draft report was completed and released for public comment in February 2003.
5. During the public comment period the Recreation Development Officer engaged in discussions with members of the public and key stakeholders. At the conclusion of this period, community workshops were held to further discuss the issues involved.
6. As a result of this process, amendments were made to the report. A supplementary report was developed to further detail the financial implications of aquatic options in order that Council and community can make an informed decision regarding future development options.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

8. Albany 2020 – Charting Our Course

“To plan and provide for equity of access to, and the continual development of activities within the Leisure and Aquatic Centre, which enhances the quality of life for a growing and active Community.”

“To encourage a healthy and active Community through the development of a range of recreational and cultural pursuits”

9. Albany Recreation Strategy

Feasibility study “North Road and Centennial Park” (to be completed by June 2002).

“Future facility needs reflect the actual community needs and are confirmed/justified through the conduct of Feasibility studies that comply with the CSRFF and Feasibility study guidelines produced by Department of Sport & Recreation and have sustainable facility planning processes.”

FINANCIAL IMPLICATIONS

10. Selection of the options in the report does not commit Council to fund the entire project. It is anticipated that external funding will be sourced and given projects will generate some revenue, this may be offset against some of the capital costs.

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Item 12.2.2 continued.

11. Feasibility Study for Indoor Recreation and Aquatic Facilities
This report provides estimates of capital works items and gives an indication of potential deficits loan repayment options and possible funding scenarios. It is anticipated that more detailed modelling would occur at the next stage of the project including the development of a business plan.
12. Centennial Park Recreation Precinct Plan
This report gives cost estimates of capital works only. It is anticipated that at the next stage of each project component more detailed financial modelling would occur and estimates of operating costs provided.
13. 2003/2004 Budget implications (will be addressed as part of the budget process). Recreation Planning- \$30,000 for design stage Albany Leisure and Aquatic Centre

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

15. The Feasibility Study for Indoor Leisure and Aquatic facilities (including supplementary report) and Centennial Park Recreation Precinct Plans contain the information necessary to make determination on the recommendations.
16. These documents were made available to Councillors prior to the meeting and will be tabled at the meeting.
17. At the request of Council, further investigation is occurring into the funding and other implications regarding the synthetic surface. Despite the need for further information and given that:
 - The consultants have recommended this facility be retained in its current location;
 - The facility is projected to reach the end of its useful life in 2-3 years;
 - The information being investigated will affect only the responsibility for funding of this facility; and
 - The consultant and senior staff have given the synthetic surface the highest priority in the Centennial Park Recreation Precinct Plan.

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Item 12.2.2 continued.

RECOMMENDATION 1

THAT Council, subject to establishing:-

- the financial capacity to accommodate capital expenditure (including the sourcing of sufficient external funding);
- annual cost of asset management;
- annual cost of service delivery; and
- receives the Feasibility Study for Indoor Recreation and Aquatic Facilities and makes a determination to either;

a) retain, upgrade and extend the Albany Leisure and Aquatic Centre, to be staged in accordance with the following, including the provision of a 25m indoor leisure pool;

OR

b) retain, upgrade and extend the Albany Leisure and Aquatic Centre to be staged in accordance with the following, including the provision of an 25m indoor leisure pool. The design to provide sufficient space to allow future development in the form of a 50m indoor swimming pool, at a time when Council and the community are willing and able to sustain the additional operational and capital deficit associated with a 50m indoor pool.

Staging Order:

Stage 1 – Components: 25m indoor heated leisure pool and an additional 600m2 of ancillary areas that comprise – entry, foyer, café, staff offices, change rooms, first aid, spa and sauna. Stage 1 parking and Yakamia Creek engineering. Capital Cost: \$5.5 m

Stage 2 – Components: Upgrade existing sport hall including lining of internal walls, upgrade to change rooms and program facilities. Capital Cost: \$0.42 m

Stage 3 – Components: Ancillary areas, which comprise – 600m2 of shared resource centre, function room, meeting rooms and gymnasium. Stage 2 Parking and Yakamia creek engineering. Capital Cost: \$1.75 m

Stage 4 – Components: New indoor 4 court sports hall including timber floor and feature centre court. Capital Cost: \$2.2m

Stage 5 – Hydrotherapy Facility: (Footprint to be included in the design stage). This would be constructed when the need for this facility is proven, given the current level of provision within other Albany facilities. Capital Cost: \$1.0 m

Voting Requirement Simple Majority

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Her worship the Mayor congratulated Mark Weller on his efforts in regard to this item.

Item 12.2.2 continued.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EVERS**

THAT Council, subject to establishing:-

- **the financial capacity to accommodate capital expenditure (including the sourcing of sufficient external funding);**
- **annual cost of asset management;**
- **annual cost of service delivery; and**
- **receives the Feasibility Study for Indoor Recreation and Aquatic Facilities and makes a determination to retain, upgrade and extend the Albany Leisure and Aquatic Centre to be staged in accordance with the following, including the provision of an 25m indoor leisure pool. The design to provide sufficient space to allow future development in the form of a 50m indoor swimming pool, at a time when Council and the community are willing and able to sustain the additional operational and capital deficit associated with a 50m indoor pool.**

Staging Order:

Stage 1 – Components: 25m indoor heated leisure pool and an additional 600m² of ancillary areas that comprise – entry, foyer, café, staff offices, change rooms, first aid, spa and sauna. Stage 1 parking and Yakamia Creek engineering. Capital Cost: \$5.5 m

Stage 2 – Components: Upgrade existing sport hall including lining of internal walls, upgrade to change rooms and program facilities. Capital Cost: \$0.42 m

Stage 3 – Components: Ancillary areas, which comprise – 600m² of shared resource centre, function room, meeting rooms and gymnasium. Stage 2 Parking and Yakamia creek engineering. Capital Cost: \$1.75 m

Stage 4 – Components: New indoor 4 court sports hall including timber floor and feature centre court. Capital Cost: \$2.2m

Stage 5 – Hydrotherapy Facility: (Footprint to be included in the design stage). This would be constructed when the need for this facility is proven, given the current level of provision within other Albany facilities. Capital Cost: \$1.0 m

MOTION CARRIED 14-0

RECOMMENDATION 2

THAT Albany Leisure and Aquatic Centre upgrade project proceeds to the design phase, including:-

- **appointment of an architect/ design company;**
- **extensive community involvement including a tour of other Western Australian facilities with the aim of utilising successful design ideas and recognizing and preventing design faults/limitations;**

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Item 12.2.2 continued.

- detailed design and construction cost estimates and external funding submissions including a CSRFF application. This will allow for more detailed estimates of bottom line ongoing costs; and
- the preparation of a business plan.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WELLINGTON**

THAT Albany Leisure and Aquatic Centre upgrade project proceeds to the design phase, including:-

- **appointment of an architect/ design company;**
- **extensive community involvement including a tour of other Western Australian facilities with the aim of utilising successful design ideas and recognizing and preventing design faults/limitations;**
- **detailed design and construction cost estimates and external funding submissions including a CSRFF application. This will allow for more detailed estimates of bottom line ongoing costs; and**
- **the preparation of a business plan.**

MOTION CARRIED 13-1

RECOMMENDATION 3

THAT Council subject to establishing:

- Financial capacity to accommodate capital expenditure (including the sourcing of sufficient external funding);
- Annual cost of asset management;
- Annual cost of service delivery; and
- Receives the Centennial Park Recreation Precinct Plan and adopts the following priority order:

Priority 1

Component: Hockey Turf - Capital cost: \$0.8million.

Priority 2

Component: Youth Centre (subject to current budget process) - Capital cost: \$2.2 million.

Component: Youth precinct elements comprising open current BMX track, new skate track, freeform dirt jumping track. - Capital cost: \$0.3 million.

Component: Roads and Parking (leisure centre side) - Capital cost: \$0.5 million.

Priority 3

Component: Centennial Oval Project - Capital cost: \$2.5 million.

Priority 4

Component: Ovals west of Albany Leisure and Aquatic Centre. Capital Cost: \$2.0 million.

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Priority 5

Component: North of Albany Leisure and Aquatic. Capital cost: \$0.5 million.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EVERS**

THAT Council subject to establishing:

- **Financial capacity to accommodate capital expenditure (including the sourcing of sufficient external funding);**
- **Annual cost of asset management;**
- **Annual cost of service delivery; and**
- **Receives the Centennial Park Recreation Precinct Plan and adopts the following projects as worthwhile proposals:-**

Component: Hockey Turf - Capital cost: \$0.8million.

Component: Youth Centre (subject to current budget process) - Capital cost: \$2.2 million.

Component: Youth precinct elements comprising open current BMX track, new skate track, freeform dirt jumping track. - Capital cost: \$0.3 million.

Component: Roads and Parking (leisure centre side) - Capital cost: \$0.5 million.

Component: Centennial Oval Project - Capital cost: \$2.5 million.

Component: Ovals west of Albany Leisure and Aquatic Centre. Capital Cost: \$2.0 million.

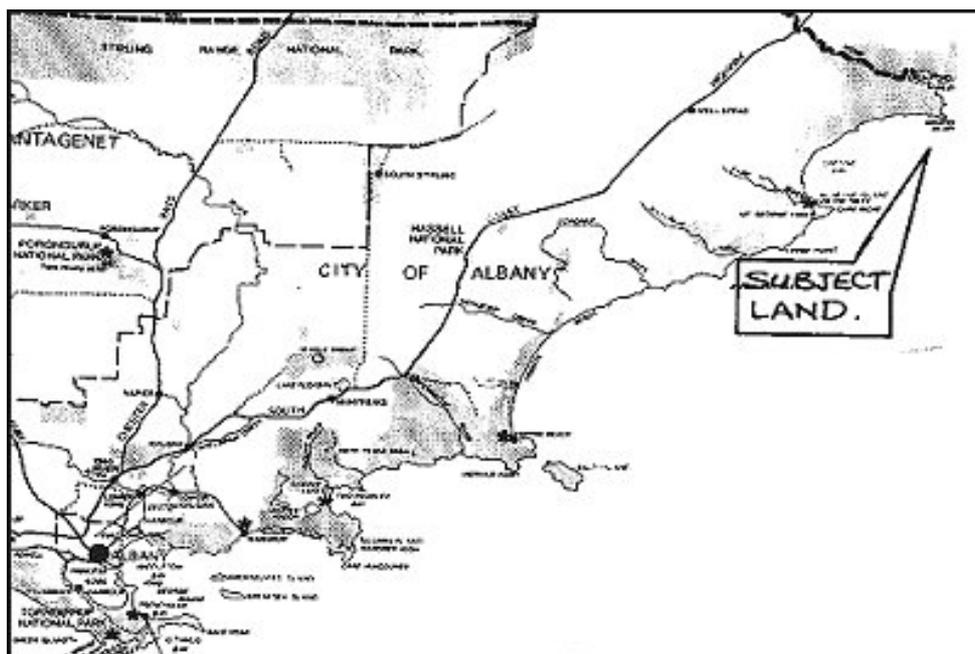
Component: North of Albany Leisure and Aquatic. Capital cost: \$0.5 million.

MOTION CARRIED 14-0

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12.2.3 Vesting of Reserves - Pallinup River

- File/Ward** : PRO 132 (Hassell Ward)
- Proposal/Issue** : Request for City of Albany to accept Management Order for Reserves
- Subject Land/Locality** : Reserves 14986 and 14987 Boat Harbour Road, Wellstead
- Proponent** : Department of Conservation and Land Management
- Owner** : Crown
- Reporting Officer(s)** : Executive Director Development Services (R Fenn)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 17/09/02 – Item 13.5.2
 OCM 19/03/02 – Item 11.4.2
- Summary Recommendation** : Council conditionally support request to accept Management Orders for Reserves
- Bulletin Attachment** : Nil
- Locality Plan** :



Item 12.2.3 continued

BACKGROUND

1. At the most eastern portion of the City of Albany is 2,000 hectares of Crown reserves which have frontage to the Beaufort Inlet and the Southern Ocean. The reserves are a regular holiday spot for residents living to the east of Albany, as well as a popular fishing spot. Access to the reserves is gained via approximately 12kms of gravel road, (located on the Boat Harbour Road road reserve) and then via approximately 11kms of tracks which traverse Reserves 31240, 14987 and 14986 (refer to attached plan no. 1). Also located on the beach where Beaufort Inlet discharges water into the Southern Ocean is a shack from which commercial fishermen operate during certain times of the year.
2. The Bush Fire Management Committee, at its March 2002 meeting, recommended to Council that:
“Council endorse the recommendation to re-vest Reserves 14987 and 14988 on the western side of the Pallinup River from the Shire of Jerramungup to the City of Albany, as detailed in item 8.4 of the Bush Fire Advisory Committee meeting of 11th February 2002.”
3. Information was sourced from the Department of Land Administration on the current vesting of reserves in the vicinity of the Pallinup River within the City of Albany. Attached plan no. 2 shows those reserves vested with the Shire of Jerramungup and it should be noted that that Shire currently has the management responsibility for large tracts of Crown Land within the City of Albany (approximately 1,400 hectares) as well as the Beaufort Inlet itself; the Shire of Jerramungup has written to DOLA requesting that DOLA divest the Shire of that management responsibility. Attached plan no. 3 shows those reserves which currently are Unallocated Crown Land, and the areas that are marked represent approximately 25,000 hectares of reserve. Plan no. 4 identifies the existing reserves for which the City of Albany and the National Parks Authority have management responsibility.
4. In April 2002, the Department of Conservation and Land Management contacted the City of Albany to advise that Reserves 14986 and 14987 form part of a proposal to establish a Conservation Park around the Pallinup River and Beaufort Inlet. Several reserves on the east side of the Pallinup River, within the Shire of Jerramungup, are also included in that proposal. CALM has identified that the proposed Conservation Park would allow for recreation, as well as conservation of the area’s environmental values.

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Item 12.2.3 continued.

5. CALM then requested Council's agreement for Reserves 14986 and 14987 to be vested in the Conservation Commission of Western Australia as part of the Conservation Park, to be managed by the Department of Conservation and Land Management. It also suggested that the City of Albany may prefer that Reserves 14986 and 14987 remain as a separate Conservation Park, vested in the Conservation Commission of WA and that they not be amalgamated with the reserves on the eastern side of the Pallinup River. This alternate proposal would simplify the ability's for CALM to continue liaison with the City regarding management issues such as fire management, and would also simplify ongoing local community involvement in the reserve network: CALM then indicated that it would fully support joint management of the reserves in the Pallinup / Cape Riche area. The extent of a potential Conservation Park is shown on plan no. 5.
6. At the September 2002 meeting of Council, a report was tabled dealing with the rationalisation of Crown reserves to the west and at the mouth of the Pallinup River.
7. At that September 2002 Ordinary Meeting of Council, it was resolved;

“THAT based upon the additional information provided, Council advise the Department of Conservation and Land Management that it may be prepared to conditionally support the request from the Department of Conservation and Land Management to have the management order for Reserves 14986 and 14987 allocated to the Conservation Commission of WA on the clear understanding that:

- (i) the purpose for the reserves remain as “Recreation, Camping and Conservation Purposes”;*
- (ii) management plans for the Reserves be developed in close consultation with the Pallinup/Cape Riche community; and*
- (iii) the Department of Conservation and Land Management agrees to maintain unrestricted public access to Beaufort Inlet and the Southern Ocean through the proposed Conservation Park;*

AND

THAT a period of 90 days be provided to the Department of Conservation and Land Management and to the residents in the Pallinup / Cape Riche area and that the residents of the Pallinup / Cape Riche area be invited to nominate a representative to examine Council's proposal and to provide effective mechanism to achieve the stated outcome.”

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8. A number of community based groups in the Wellstead area and the Department of Conservation of Land Management were contacted after that meeting. CALM has verbally reinforced its earlier comments that it has limited resources to manage reserves in this locality and would welcome community involvement in the planning and management of the reserve. The Wellstead Progress Association has highlighted that the community has actively developed and cared for the reserves over a number of years and is seeking future access to the recreational and camping facilities thereon; their response fails to address the key issues sought by Council and follow up conversations have failed to provide any further clarification on those issues. The Association's letter follows this report.

STATUTORY REQUIREMENTS

9. The ongoing care and maintenance of Unallocated Crown Land rests with the Department of Land Administration and that department arranges with other government agencies to undertake periodic weed spraying, fire control etc. on those reserves.
10. If a Management Order is issued for the reserve(s), the receiving agency accepts all the rights and responsibilities that would normally be associated with the freehold ownership of the land, with the exception that the land must be used in accordance with the purpose and under the management regimes that are attached to that order by DOLA. However, it should be noted that, if CALM was to obtain the management order for the reserve(s), there may be times when that department's obligations, under the state and federal legislation relating to the protection of wildlife and flora or to protect public safety, could result in departures from the order, or result in the closure of portion of the reserve network, or produce differences of opinions (with the community) on management practices.

POLICY IMPLICATIONS

11. Council has no policy framework dealing with accepting management orders for Crown reserves. There are also no strategic documents prepared by the City of Albany which highlight a strategic requirement for Council to assume management control or divest itself of Crown reserves.

Item 12.2.3 continued.

FINANCIAL IMPLICATIONS

12. Should Council accept the management order for the reserve, there may be an expectation that the 23kms of gravel track providing access to Beaufort Inlet and the Southern Ocean will receive additional upgrading and/or maintenance attention. Council is also poorly placed to provide ranger services, weed management, litter control, wildlife protection and land management for the combined 2,000 hectare reserve which is located approximately 120kms from Albany. There are also legal and financial implications associated with appointing temporary rangers and/or managers to assist the City of Albany in the ongoing management of the reserve network.
13. The rural community to the east of Albany has recently constructed composting toilets upon Reserve 14987 to reduce the impact of camping on that reserve, the community has developed over 20 kilometres of gravel roads into Boat Harbour, the Beaufort Inlet and the mouth of the Pallinup River and they have managed “patch burning” across the reserves. Not surprisingly, they will want to retain some connection to that infrastructure and the reserves.

STRATEGIC IMPLICATIONS

14. Under the City of Albany’s Port of Call “Managed Healthy Land / Harbour Environment” there is an objective to manage reserves for environmental sustainable use, community enjoyment and benefit. This objective never intended to imply that the City actually own or assume control of all of the region’s reserves.
15. The mouth of the Pallinup River is an area where residents throughout the Great Southern seek to recreate and holiday. As shown on plan no. 1 following this report, access to Beaufort Inlet and the Southern Ocean is gained through the City of Albany and the Shire of Jerramungup to the points marked with an asterisk.

COMMENT/DISCUSSION

16. Experience gained through the management of the Sandpatch Reserve, which is located less than 10kms from Albany’s CBD, clearly demonstrates that the City of Albany’s resources and expertise in bush management are limited. The Great Southern Region is renowned for the bio-diversity that exists within the Crown reserve network. It is highly probable that the reserve network in proximity to Beaufort Inlet contains a broad diversity of flora and fauna which is worthy of conservation and active management. The Department of Conservation and Land Management is seeking the Management Order for over 20,000 hectares of Crown reserve surrounding Beaufort Inlet. It would be therefore be difficult for Council to manage and maintain approximately 2,000 hectares of land which is totally surrounded by conservation estate.

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Item 12.2.3 continued.

17. The ability of residents within the Great Southern to have access to coastal reserves is of concern to rural communities. There has historically been a high level of mistrust expressed by residents when CALM seeks to manage coastal reserves on behalf of the State. Irrespective of who is responsible for the reserve's management, to provide long term land sustainability and to protect bio-diversity there will always be times when portions of reserves will need to be closed to the public; that action is often in conflict with the recreational desires of those individuals who have enjoyed unrestricted access to that reserve in the past and who often do not take a long term approach to land management.
18. The original request from the Bush Fire Advisory Committee reflected the community's desire for Council to be maintaining coastal reserves, rather than the Department of Conservation and Land Management. However, Council is ill equipped to take on the management role of such a large tract of land that is remotely located. The information supplied recently by the Wellstead Progress Association also indicates that the Association does not wish to manage the entire reserve and that a joint management regime has been in place for a number of years.
19. The offer from the Department of Conservation and Land Management to have Reserves 14986 and 14987 remain as separate components within the Conservation Park, clearly identified as having recreational opportunities, may be a suitable alternative to protect the region's bio-diversity and to put in place an effective management regime for the land.

RECOMMENDATION

THAT based upon the additional information provided, Council advise the Department of Land Administration, the Shire of Jerramungup and the Department of Conservation and Land Management that it conditionally supports the request from the Department of Conservation and Land Management and the Shire of Jerramungup to have the Management Order for Reserves 14986 and 14987 allocated to the Conservation Commission of WA on the clear understanding that:

- i) the purpose for the reserves remain as "Recreation, Camping and Conservation Purposes" and the reserves not be attached to the adjoining Conservation Park;
- ii) the management order require the Conservation Commission of WA to prepare management plans for the Reserves in close consultation with the Pallinup / Cape Riche community; and
- iii) the Conservation Commission of WA agrees to obtain and maintain unrestricted public access to Beaufort Inlet and the Southern Ocean from

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the Department of Conservation and Land Management through the adjoining Conservation Park and Reserves 14986 and 14987.

Voting Requirement Simple Majority

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The Executive Director Development Services advised Council that at the request of community groups, this item lay on the table.

**MOVED COUNCILLOR BARTON
SECONDED COUNCILLOR EVERS**

THAT this motion lay on the table for 1 month and be presented to the July 2003 Ordinary Meeting of Council.

MOTION CARRIED 14-0

Item 12.2.3 continued



The Wellstead Progress Association
C/- Post Office
Wellstead WA 6238

CITY OF ALBANY - RECORDS	
FILE:	PRO316
DOC:	1305004
15 MAY 2003	
OFFICER:	EDDS
ADDRESS:	

Mr R Fenn
Executive Director Development Services
City of Albany
PO Box 484
Albany 6331

Dear Mr Fenn

RESERVES AT MOUTH OF PALLINUP RIVER

The Wellstead Coastforce group who comes under the umbrella of the Wellstead Progress Association is already managing the reserves on the western side of the Pallinup River to some degree.

There was a major fire in this area in November 1994, which the local bush fire brigade helped bring under control.

The upgrade of the road to the Pallinup was initiated by the Progress Association in 1999. A community person has graded this road on occasions when the City graders haven't been available.

Signs have been erected to remind people to take their rubbish with them or place it in the skip bins placed at the junction of Boat Harbour Rd and the Pallinup Estuary Road. In 2001 two community members were made honorary Rangers.

As you can see the Wellstead Community have been involved with the management of these reserves at a local level in consultation with CALM and the City of Albany for some time. We are unsure what level or depth of management would be expected by the local community and what exactly would we be responsible for if it came under our care.

At the last Wellstead Progress Association meeting a decision was made to have two representatives from the Association attend any meetings to do with this matter. Bella Bamford, Albany Eastern Hinterland Community Landcare Coordinator and Anna Gorman, Community Representative are the two delegates to get in contact with. Bella's contact number is 98472079 mobile 0428810234; Anna can be contacted on 98472021.

Thankyou for inviting the Wellstead Community to be involved in the management process of these reserves.

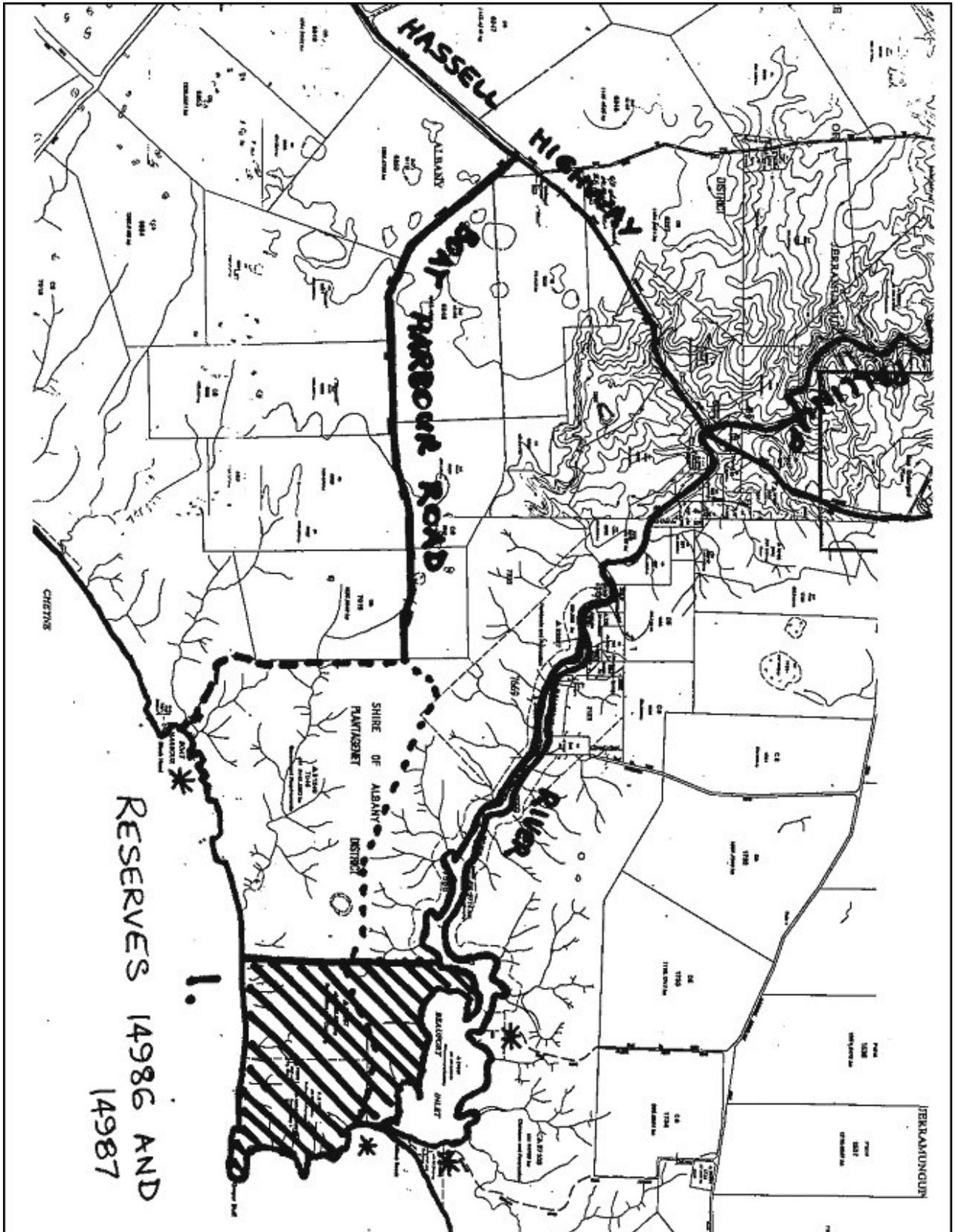
Yours Sincerely

Anna Gorman
Anna Gorman (secretary, Wellstead Progress Association)

12 May 2003

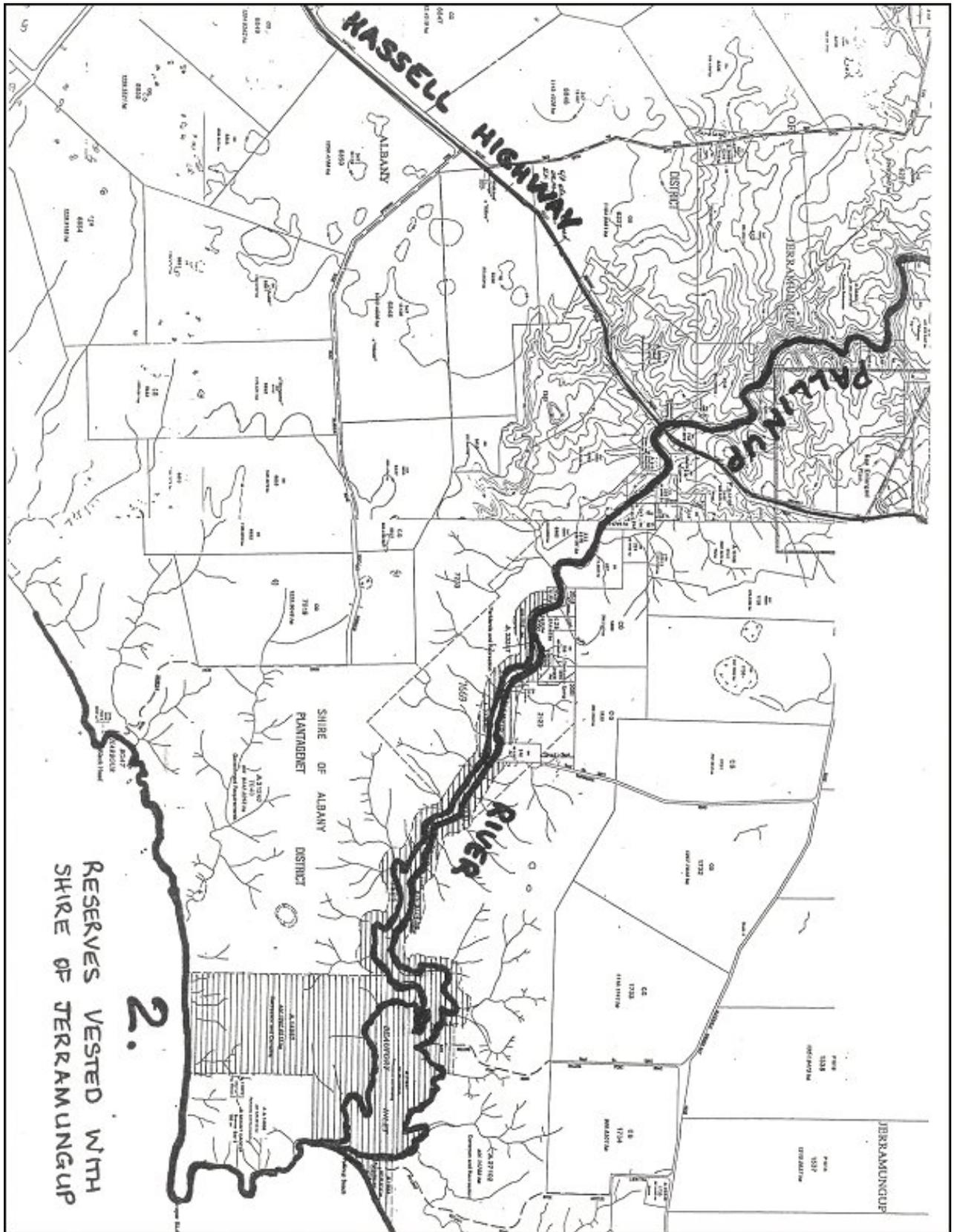
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Item 12.2.3 continued



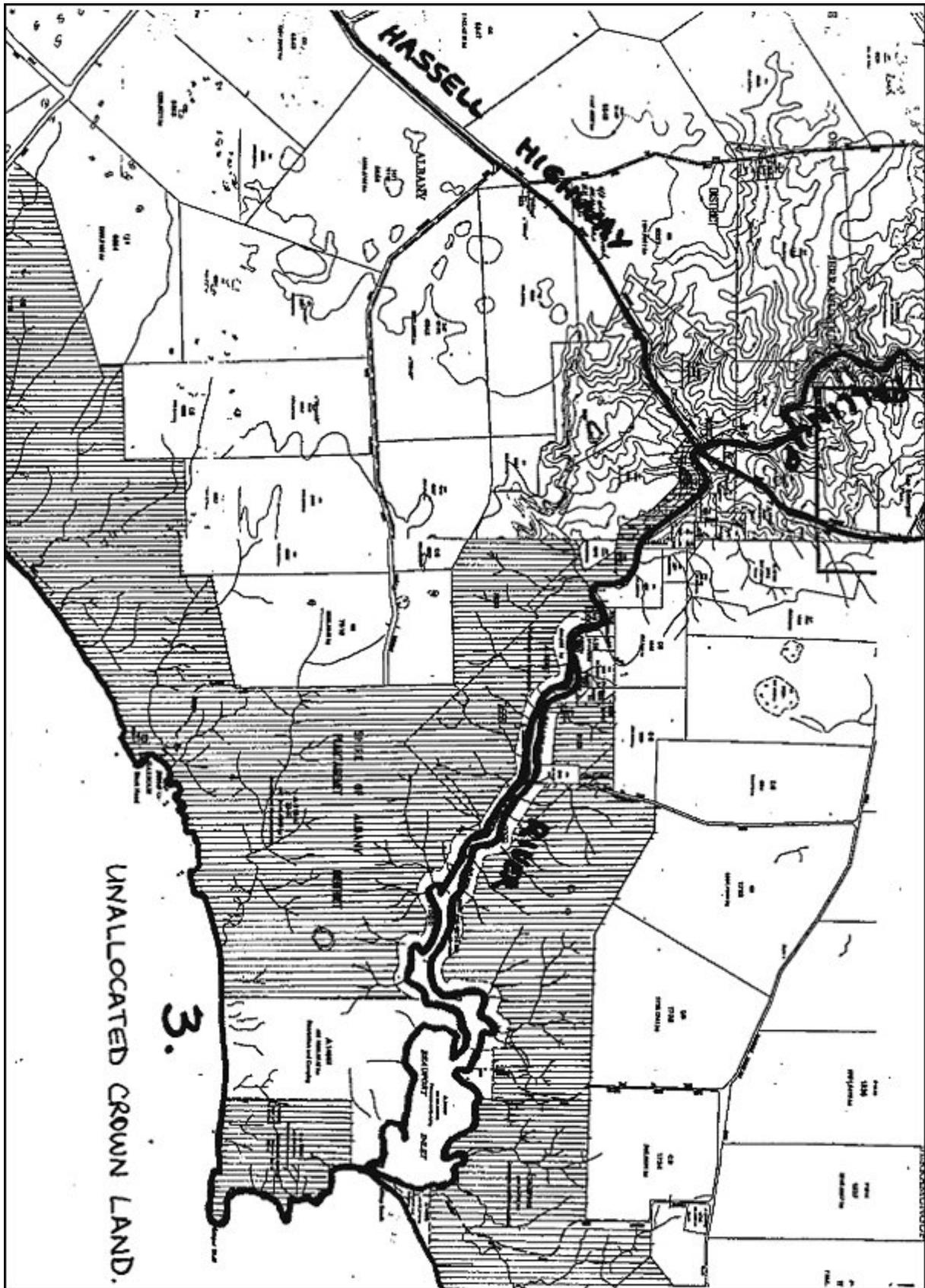
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Item 12.2.3 continued



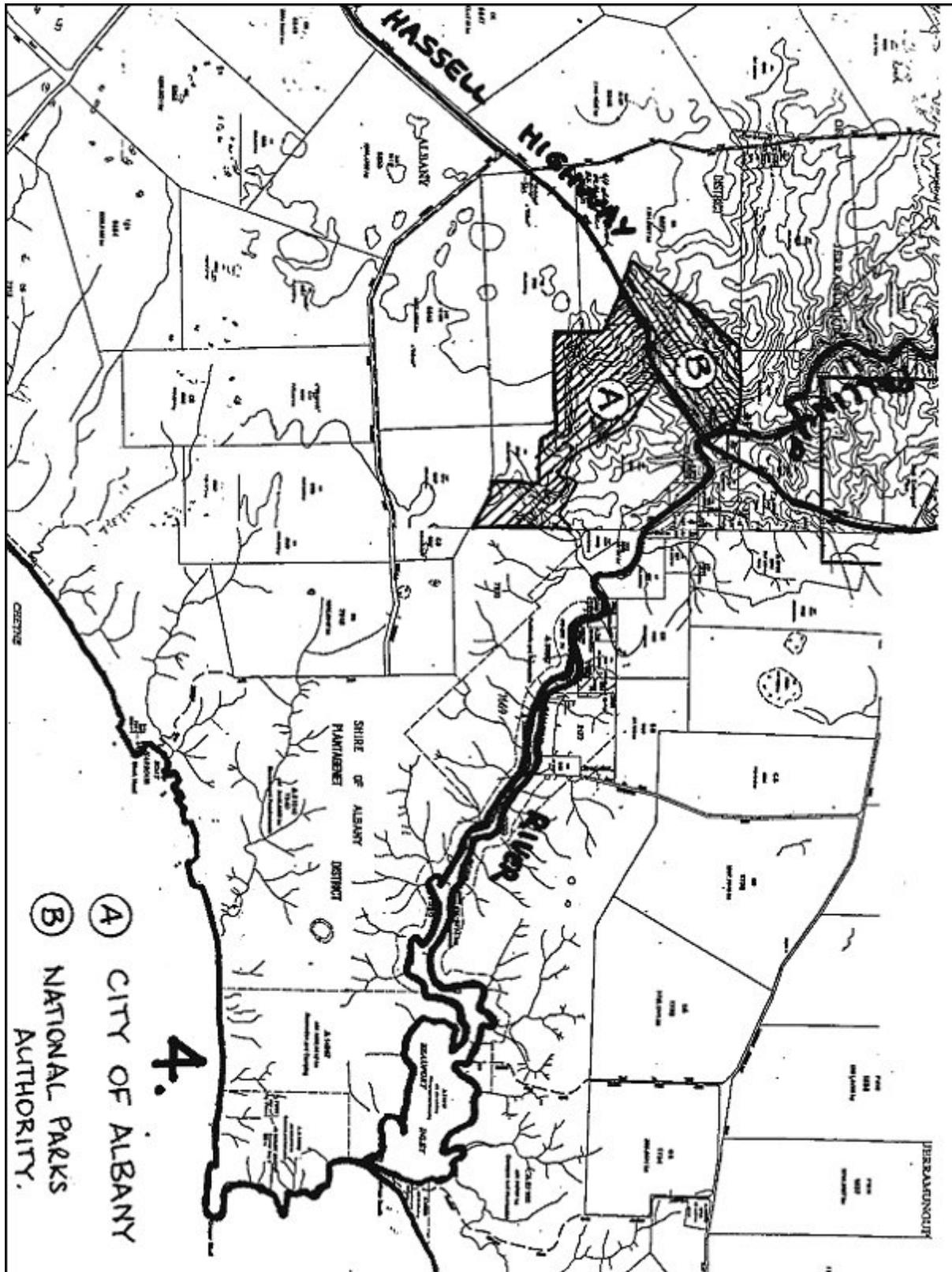
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Item 12.2.3 continued



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Item 12.2.3 continued



12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 ALBANY LEISURE AND AQUATIC CENTRE

Nil.

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEES

Nil.

Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 WASTE MANAGEMENT

13.1.1 Waste Minimisation and Green Waste Expressions of Interest

File/Ward	: SER 154 (All Wards)
Proposal/Issue	: Expressions of Interest in Waste Minimisation Contract and Green Waste Collection and Processing
Subject Land/Locality	: City of Albany
Proponent	: City of Albany
Owner	: City of Albany
Reporting Officer(s)	: Manager City Services (S Massimini)
Disclosure of Interest	: Nil
Previous Reference	: OCM 16/07/02 Item 13.1.1 OCM 17/12/02 Item 13.1.1
Summary Recommendation	: THAT Council requests that the organizations detailed be invited to tender for the provision of the waste minimisation and greenwaste contracts.
Bulletin Attachment	: Nil
Locality Plan	: Nil

BACKGROUND

1. Following the report into Waste Minimisation tabled by Sinclair Knight Merz in July 2002, Council has been progressing to meet the requirements identified in the report. Council's resolution dated the 17th December 2002 is as follows:

“THAT Council:

- i) adopt the Waste Management Plan, scenario two (2) as tabled;*
- ii) include the following points in addition to scenario two:*
 - a) A rebate to Households that purchase a Compost Bin or Worm farm (one per Household) of \$20 per unit, to encourage at-source recycling;*

WORKS & SERVICES REPORTS

Item 13.1.1 continued.

- b) *Use a different Coloured Bin for domestic refuse Collections (red or blue), and use a sticker or heat brand on to the existing 240l bin to clearly label it Recycling only;*
 - c) *Build in as much flexibility in the Green Waste Collections as possible within budget limits;*
 - d) *Begin an Education Campaign prior to the full launch (and ongoing during the Contract Period), including an education area in the recycling shed itself for groups, tours and schools; and*
- iii) *formulate tender documents and call tenders for the supply of the Waste Minimisation Contract, and Green Waste Collection and Processing Contract, as soon as possible.”*
2. In order to determine which organizations maybe interested, Council’s officers have requested for Expressions of Interest, and a number of organizations have put their names forward. These contractors have been assessed based on the criteria contained within the Expression of Interest, and assessments and recommendations have been made as to who should be invited to tender.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. Financial implications will depend upon the Tender price received for the supply of services. Whilst this has been estimated to cost the ratepayer \$216 per urban household and \$30 per rural rate holding for all waste services, this may vary by up to 20%. For this reason, Tenders will be evaluated and reported to Council, as per the Local Government Tender Regulations, for final adoption prior to proceeding.
6. The cost for the rural landfill operations, conversion to transfer stations, and the commencement of the closure of Hanrahan Road, amongst others, have already been included in the 2002/03 budget.

Item 13.1.1 continued

STRATEGIC IMPLICATIONS

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

Port of Call

Managed healthy land / harbour environment

Objective:

Waste Management

- To participate in a regional waste program, which is environmentally responsible, cost efficient and effective.

Port of Call

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

Objective:

Waste Collection

- To provide a clean, efficient and effective waste collection service.

8. The Asset Management Strategy - Waste links the objectives of Albany 2020 to cost-effective expenditure programs.

COMMENT/DISCUSSION

9. The implementation of these contracts will provide a long term reduction in waste to landfill. Alternative disposal methods are also required due to changing requirements to the burning of green waste by the Department of Environmental Protection.
10. Advertisements were placed in the local paper and the West Australian in April inviting expressions of interest to provide Waste Minimisation Services incorporating the following requirements;
- kerbside waste collection;
 - recyclables collection, sorting and disposal;
 - operation of waste transfer stations including gate keeping services.
11. It was also requested as a separate expression of interest to provide a green waste collection service based on:
- options for green waste collection .ie. for example minimum 3 times per year kerbside pickup, user pays based MGB collection service etc;
 - collection of green waste from transfer stations;
 - processing of green waste and other organics;
 - plant / facility establishment.
12. In establishing this service the Contractor is expected to show initiative and to:
- create sustainable markets for end products;
 - investigate opportunities to link with other organics producers.

WORKS & SERVICES REPORTS

Item 13.1.1 continued

13. Submissions were required by the 13th of May 2003. The following organizations submitted Expressions of Interest:

Waste Minimisation Services

- Vancouver Waste Services
- Albany Waste Disposal
- Green Skills Inc.
- Recycling Company of WA
- SULO
- SITA Environmental Solutions
- Cleanaway

Green Waste Collection and Processing

- Vancouver Waste Services
- Steann Pty Ltd
- AD Contractors
- Beacons
- Cleanaway

14. A detailed summary of the scores and criteria used to assess the applicants are attached.
15. The applications were assessed by a committee comprising of the Executive Director of Works and Services, the Executive Director of Corporate and Community Services, Manager of City Services and Steve Gore from Buckland Cross Pty Ltd, Council's consultant in this process. Lincolns Accounting firm have also been used to assist Council officers in reviewing the financial information provided by the organizations.
16. Green Skills and Sulo were omitted from the waste minimization assessment due to their applications advising that they would only undertake limited parts of the overall service. The remainder of the organisations warranted an invitation to tender as they had shown sufficient interest in undertaking the bulk of the services.
17. Beacons and Steann did not meet the requirements of the green waste service. Steann is predominantly a supplier of equipment and is not in the field of services required for the proposed tender. Little, if any, relevant details have been provided in their submission. Beacons' main experience relates to promotion of major projects, and as such, does not directly relate to the required service. The remainder of the organisations warrant an invitation to tender as they have demonstrated their ability to provide the services required.

WORKS & SERVICES REPORTS

Item 13.1.1 continued

RECOMMENDATION

THAT Council requests that the following organizations be invited to tender for the provision of the following services:

- i) Waste Minimisation Service
 - Vancouver Waste Services
 - Albany Waste Disposal
 - Recycling Company of WA
 - SITA Environmental Solutions
 - Cleanaway; and
- ii) Green Waste Collection and processing
 - Vancouver Waste Services
 - AD Contractors
 - Cleanaway

Voting Requirement Simple Majority

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR SANKEY**

THAT Council requests that the following organizations be invited to tender for the provision of the following services:

- i) Waste Minimisation Service**
 - **Vancouver Waste Services**
 - **Albany Waste Disposal**
 - **Recycling Company of WA**
 - **SITA Environmental Solutions**
 - **Cleanaway; and**
- ii) Green Waste Collection and processing**
 - **Vancouver Waste Services**
 - **AD Contractors**
 - **Cleanaway**

MOTION CARRIED 14-0

ORDINARY COUNCIL MEETING AGENDA – 17/06/03

** REFER DISCLAIMER **

WORKS & SERVICES REPORTS

C02061 – WASTE MINIMISATION SUMMARY REQUEST FOR EXPRESSION OF INTEREST							
	Cleanaway	Sita Environmental Solutions	Sulo	Recycling Company of WA	Green Skills Inc	Albany Waste Disposal	Armogedin Pty Ltd T/AS Vancouver Waste Services
Compliance Criteria Fully Complies with all criteria. If No then EOI fails.	Yes	Yes	No	Yes	No	Yes	Yes
Qualitative Criteria							
Demonstrated experience in completing similar projects	20.5	22.5	0	9.75	0	14.25	12.75
Demonstrated Customer Service systems and response to service users	23.75	21.25	0	9.5	0	16.87	13.75
Skills and experience of key personnel	22.25	21.25	0	10.5	0	16.12	12.75
Tenderer's resources	21.25	20.25	0	11	0	21	18
Consideration given to Buy Local Policy	Yes	Yes		Yes		Yes	Yes
Total out of 100	87.75	85.25	0	40.75	0	68.24	57.25

C02062 – GREEN WASTE COLLECTION AND PROCESSING SUMMARY REQUEST FOR EXPRESSION OF INTEREST					
	Cleanaway	Beacons	A D Contractors Pty Ltd	Steann Pty Ltd	Armogedin Pty Ltd T/AS Vancouver Waste Services
Compliance Criteria Fully Complies with all criteria. If No then EOI fails.	Yes	No	Yes	No	Yes
Qualitative Criteria					
Demonstrated experience in completing similar projects	17.5	0	11	0	13
Demonstrated Customer Service systems and response to service users	22	0	13.5	0	14.25
Skills and experience of key personnel	21	0	5	0	12.25
Tenderer's resources	22.5	0	18	0	17.75
Consideration given to Buy Local Policy	Yes		Yes		Yes
Total out of 100	83	0	47.5	0	57.25

WORKS & SERVICES REPORTS

13.2 ASSET MANAGEMENT

13.2.1 Proposed Road Closure – Portion Bayview Drive Little Grove

- File/Ward** : SER 088 (Vancouver Ward)
- Proposal/Issue** : Closure of a portion of unmade road reserve on Bayview Drive, Little Grove.
- Subject Land/Locality** : Bayview Drive, Little Grove
- Proponents** : I.R Coombe, G.S Woodall and K. Bishop
- Owner** : Crown
- Reporting Officer(s)** : Asset Coordinator (S Broad)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Advertise the proposal to close a portion of unmade road reserve on Bayview Drive, Little Grove, invite comments from the community and service authorities, and consider all submissions prior to resolving the closure.
- Bulletin Attachment** : Nil
- Locality Plan** :



WORKS & SERVICES REPORTS

Item 13.2.1 continued

BACKGROUND

1. Council has received an application from Mr I.R. Coombe, G.S. Woodall and K. Bishop for the closure of a portion of unformed road reserve adjoining their properties, Lots 2, 3 and 4 Bay View Drive, Little Grove.
2. The closure of this portion of Bay View Drive and the re-gazettal of the land to private property would relieve Council of the requirement to maintain the road reserve.

STATUTORY REQUIREMENTS

3. In accordance with Section 58 of the Land Administration Act 1997, the proposal will need to be advertised for a period of 35 days for public comment and referred to all affected agencies. Following advertising, Council is to consider the proposal in light of any submissions received.
4. Given further support from Council, the proposal is then submitted to the Department of Land Administration (DOLA) who processes the proposal and administers the closure and disposal of the land.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. There are no financial implications relating to this item. The proponents have paid the administration fees pertaining to the road closure.

STRATEGIC IMPLICATIONS

7. In the City of Albany's strategic document Albany 2020 - Charting Our Course, the following Port of Call is identified:

Transport systems and services designed to meet current and future needs

Objective:

- To plan Albany's transport infrastructure to meet future needs complimentary to the City's form and sense of place.

COMMENT/DISCUSSION

8. Closure of the road reserve will enable rationalisation of the southern (unconstructed) portion of Bay View Drive, which is approximately 52 metres wide. In addition, the closure will enable a more practical alignment of Bay View Drive with a 25 metre road reserve.

WORKS & SERVICES REPORTS

Item 13.2.1 continued

9. The proponents will be required to negotiate with DOLA regarding the cost of surveying and purchasing the existing unformed crown road reserve.

RECOMMENDATION

THAT Council:

- i) in accordance with Section 58 of the Land Administration Act 1997, advertise the proposal to close a portion of road reserve formally known as Bay View Drive and invite comments from the community and service authorities; and
- ii) consider all submissions prior to resolving the closure.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WOLFE**

THAT Council:

- i) in accordance with Section 58 of the Land Administration Act 1997, advertise the proposal to close a portion of road reserve formally known as Bay View Drive and invite comments from the community and service authorities; and**
- ii) consider all submissions prior to resolving the closure.**

MOTION CARRIED 13-1

WORKS & SERVICES REPORTS

13.3 WORKS

13.3.1 Replacement of Plant – Hino Truck P6

File/Ward	: C02039 (All Wards)
Proposal/Issue	: Replacement of Truck Hino P6.
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Depot Services Coordinator (J Harbach)
Disclosure of Interest	: Nil
Previous Reference	: N/A
Summary Recommendation	: That Council accepts the tender from Albany City Isuzu for the cab/chassis, the purpose built tray from Allroad Motor Body Builders, and the emulsion unit from Flocon Engineering.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. Council has conducted a detailed investigation of current techniques in bitumen patch sealing to determine the most suitable truck replacement and tray layout before calling for tenders to replace the existing vehicle.

STATUTORY REQUIREMENTS

2. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
3. Regulation 19 requires Council to advise each tenderer is writing the result of Council's decision.

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.3.1 continued

FINANCIAL IMPLICATIONS

5. \$157,000.00 has been allocated in the 2002/2003 budget for the replacement of this truck. Should Council choose to purchase the recommended truck, purpose built body and emulsion unit at a cost of \$112,242.70 with a total trade of \$4,545.45, the actual nett cost to the City of Albany will be \$107,697.25, providing an under expenditure of \$49,302.75 (all prices exclude GST).

STRATEGIC IMPLICATIONS

6. In the City of Albany's 2020 Plan Charting Our Course, the following Port of Call is identified:

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

- Objective:

To effectively and efficiently manage the City's transport infrastructure:

- To provide a high quality service;
- To meet community expectations;
- To minimise whole life costs;
- In alignment with transport plans.

COMMENT/DISCUSSION

7. A request for tenders was published in the Albany Advertiser on 8th May 2003 and the West Australian on 10th May 2003 for the replacement of the current rural maintenance truck (P6), licence AL10632, purchased in 1984.
8. Specifications were issued to eighteen possible tenders, with four tender submissions from truck suppliers and two tender submissions from motor body manufacturers received by the close of the tender period.
9. A panel comprising the operators, Workshop Leading Hand and Coordinators evaluated the submissions received from suppliers.
10. As the emulsion unit is a critical component of this vehicle, the submissions for this unit were assessed separately.
11. Tenders were received from registered companies as tabled below:

Tenderer – Cab/Chassis	Model	Changeover Tender Price (ex GST)	Weighting
Albany City Isuzu	Isuzu FTR 900 Long	\$83,551.80	3.32
Skipper Trucks – Option 1	Mitsubishi Fighter 10 – FM65FP1	\$85,610.00	2.78
WA Hino	Ranger Pro 9 Long	\$86,298.00	2.74
Skipper Trucks – Option 2	Mitsubishi Fighter 10 – FM65FP2	\$90,350.00	2.59
AV Truck Services	Nissan UDPK245	\$85,380.00	2.56

WORKS & SERVICES REPORTS

Item 13.3.1 continued

Tenderer – Body Manufacturer	Tender Price (exc. Gst)	Weighting
Allroad Motor Body Builders	\$13,090.90	3.87
Evertrans	\$22,500.00	2.44

Tenderer – Emulsion Unit Only	Tender Price (exc. Gst)	Weighting
Allroad Motor Body Builders	\$6,000.00	4.16
Evertrans – approx. cost only given	\$8,000.00	3.64
Flocon Engineering	\$15,600.00	1.64

12. All the tenders submitted were weighted in accordance with the evaluation criteria as specified in the contract. The criteria used for this tender is detailed below:
- | | |
|---|-----|
| Price | 60% |
| Relevant Maintenance/Operations Suitability | 30% |
| Reliability of Tenderer | 10% |
13. Factors included in the suitability for task requirements included Occupational Health & Safety, practicality, serviceability and after sales service and warranty.
14. A whole life comparative costing was conducted on the tenders submitted. This included annual maintenance costs, utilisation, depreciation based on purchase costs, and disposal values based on the current average usage of 1,000 hours per year.
15. The truck used by the rural maintenance crew has evolved over the years into the current format. It has been determined that this is the most suitable layout for the type of work that this unit performs.
16. Staff spent a considerable amount of time researching and inspecting other types of units that perform similar tasks before determining the proposed design.
17. An engineering firm was consulted to ensure that the layout and specific requirements for this unit were practical, functional, could meet OH&S requirements and achieve the anticipated outcomes.
18. In relation to the emulsion unit, staff assessed both submissions from the body manufacturers for the supply of this part of the tender. Neither of the local body manufacture suppliers have produced the type of unit required by Council.

WORKS & SERVICES REPORTS

Item 13.3.1 continued

19. Detailed discussions were held with both suppliers, and they in turn have had to consult other suppliers of this type of equipment to get a more comprehensive understanding of the process required for this type of unit.
20. Staff believe that Council should source the emulsion unit from Flocon Engineering. Even though the evaluation results favour the unit from Allroads, given the importance of the emulsion unit to the success of the type of work that this truck will be required to do, the Flocon unit would be the preferred option by Council's officers.
21. Flocon Engineering is a specialist company whose business is bitumen road maintenance.
22. The unit will use an air compressor that is driven from a hydraulic motor working of the cab chassis PTO pump. There will be less working parts therefore reduced breakdowns, reduced clogging of spray nozzles. The unit can be operated either from the cabin or out of the cabin if required.
23. There will be less connections, air lines etc. and the unit will be easier to operate by installation on the back passenger side of the truck adjacent to a rear tipping tray that contains the metal aggregate.
24. After sales service, support and advice from a company that is in this business is a distinct advantage.
25. The new unit will allow current methods of seal maintenance to continue and have the capacity to incorporate new and evolving methodologies in seal maintenance techniques, resulting in increased productivity and efficiencies within this team.
26. The panel concluded that the tender submitted by Albany City Isuzu with a purpose built body excluding the emulsion unit by Allroad Motor Body Builders was acceptable. The emulsion unit is to be supplied by Flocon Engineering Pty Ltd.

RECOMMENDATION

THAT Council accepts the tender C02039 from Albany City Isuzu to supply an Isuzu FTR 900 truck for \$83,551.80 with a trade in of \$4,545.45, that the purpose built tray be supplied by Allroad Motor Body Builders for \$13,090.90 with the emulsion unit supplied by Flocon Engineering, at a cost of \$15,600.00. The actual nett cost to the City of Albany will be \$107,697.25 providing an under expenditure of \$49,302.75 (all prices excluding GST).

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.3.1 continued.

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR PAVER**

THAT this item lay on the table until the July 2003 Ordinary Meeting of Council to allow a site inspection.

MOTION WITHDRAWN

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WELLINGTON**

THAT Council accepts the tender C02039 from Albany City Isuzu to supply an Isuzu FTR 900 truck for \$83,551.80 with a trade in of \$4,545.45, that the purpose built tray be supplied by Allroad Motor Body Builders for \$13,090.90 with the emulsion unit supplied by Flocon Engineering, at a cost of \$15,600.00. The actual nett cost to the City of Albany will be \$107,697.25 providing an under expenditure of \$49,302.75 (all prices excluding GST).

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.3.2 Replacement of Plant P2027 & P5

File/Ward	: C02031 (All Wards)
Proposal/Issue	: Replacement of Isuzu FVR 900 Truck P2027 & UD Nissan Truck P5.
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Depot Services Coordinator (J Harbach)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council accepts tenders from Albany City Isuzu for the replacement of Isuzu Truck P2027 and UD Nissan Truck P5.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. Council has traditionally used external contractors to supplement our fleet of trucks to cart gravel, sand, blue metal and general construction materials. By altering the configuration of the replacement trucks, Council can increase the efficiency of its truck fleet and reduce the cost of transporting material.

STATUTORY REQUIREMENTS

2. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
3. Regulation 19 requires Council to advise each tenderer is writing the result of Council's decision.

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.3.2 continued

FINANCIAL IMPLICATIONS

5. \$120,500.00 has been allocated in the 2002/2003 budget for the replacement of the Isuzu truck (P2027), and \$103,500 has been allocated in the 2002/2003 budget for the replacement of the UD Nissan truck (P5).
6. Should Council choose to purchase the recommended truck and ‘pig’ trailers at a combined cost of \$373,943.60, with a total trade in of \$59,545.45, the actual nett cost to the City of Albany will be \$314,398.20, resulting in an over expenditure of \$90,398.20 (all prices exclude GST) on these combined line items.
7. Under expended funds in the overall Capital Works budget to date is \$169,298. With the above additional expenditure, the truck plant replacement budget will be under by \$78,900, which will allow for this additional expenditure.

STRATEGIC IMPLICATIONS

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

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

- Objective:
To effectively and efficiently manage the City’s transport infrastructure:
 - To provide a high quality service;
 - To meet community expectations;
 - To minimise whole life costs;
 - In alignment with transport plans.

COMMENT/DISCUSSION

9. A request for tenders was published in the Albany Advertiser on 8th May 2003 and the West Australian on 10th May 2003 for the supply and delivery of two truck and pig trailers, to replace two trucks - Isuzu FVR 900 truck (P2027), licence A28917, purchased in 1993 and the UD Nissan Prime Mover truck (P5), licence AL12093, purchased in 1990.
10. Specifications were issued to nineteen possible tenders, with five tender submissions from truck suppliers and six tender submissions from motor body manufacturers received by the close of the tender period. Of the submissions received from motor body builders, one was considered a non conforming tender.
11. A panel comprising of the operators, Workshop Leading Hand and Coordinators evaluated the submissions received from the suppliers.

WORKS & SERVICES REPORTS

Item 13.3.2 continued

12. Tenders were received as tabled below:

Tenderer Cab/Chassis	Model	Changeover Tender Price (ex GST)	Weighting
Albany City Isuzu	Giga 385 CXZ	\$133,821.80	4.15
WA Hino	Ranger 50 Pro	\$140,900.00	3.31
Max Winkless	Volvo FM9	\$162,985.45	2.87
Skipper Trucks	Mitsubishi FV54	\$166,890.00	2.71
AV Truck Services	Nissan UDCW440e	\$178,639.10	1.89

Tenderer – Body Manufacturer	Tender Price (ex GST)	Weighting
Evertrans	\$53,150.00	3.65
SFM Engineering	\$53,600.00	3.30
Park MB Builders	\$51,070.00	3.02
Allroad Fabrication	\$62,727.30	2.87
P&G Body Builders	\$55,514.00	2.63

*** Pricing based on submitted costs per unit**

13. All the tenders submitted were weighted in accordance with the evaluation criteria as specified in the contract. The criteria used for this tender is detailed below:
- | | |
|--|-----|
| Cost | 60% |
| Relevant Maintenance/Operational Suitability | 30% |
| Reliability of Tenderer | 10% |
14. Factors included in the suitability for task requirements included Occupational Health & Safety, practicality, serviceability and after sales service and warranty.
15. A whole life comparative costing was conducted on the tenders submitted. This included annual maintenance costs, utilisation, depreciation based on purchase costs and disposal values based on the current average usage of 1,300 hours per year.
16. The panel concluded that the tender submitted by Albany City Isuzu for the supply of two cab/chassis trucks with Evertrans Motor Body Builders as the preferred manufacturer of the truck bodies and trailers was acceptable.
17. Albany City Isuzu have previously been unable to supply this size truck. Recent changes to the company have now allowed them to do so. The purchase of this combination of truck and 'pig' trailer will allow a more versatile fleet of trucks for carting both long and short distances.

WORKS & SERVICES REPORTS

Item 13.3.2 continued

18. The proposed combination will increase the overall capacity of each load, increase the efficiency of its truck fleet and reduce the cost of transporting material.

RECOMMENDATION

THAT Council accept the tender C02031 from Albany City Isuzu to supply two Isuzu Giga 385 CXZ trucks at a cost of \$373,943.60, with a total trade in of \$59,545.45 the actual nett cost to the City of Albany will be \$314,398.20 (all prices exclude GST).

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR DEMARTEAU**

THAT Council;

- i) accept the tender C02031 from Albany City Isuzu to supply two Isuzu Giga 385 CXZ trucks at a cost of \$366,443.60, with a total trade in of \$59,545.45, with the actual nett cost to the City of Albany to be \$306,898.15 (all prices exclude GST); and**
- ii) purchase of two metal spreaders, as detailed in C02031, be deferred until options are further investigated to ascertain the most cost and operationally effective choice.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.3.3 Emu Point Swimming Jetty

File/Ward	: PRO 109 (Breaksea Ward)
Proposal/Issue	: Emu Point Swimming Jetty
Subject Land/Locality	: Emu Point
Proponent	: City of Albany
Owner	: City of Albany
Reporting Officer(s)	: Manager of City Services (S Massimini)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council, subject to budgetary consideration, reconstruct the Emu Point Swimming Jetty in 2004/2005.
Bulletin Attachment	: Letter from GHD detailing options for Jetty.
Locality Plan	: Nil

BACKGROUND

1. As part of its asset management program, the City of Albany engaged a consultant to inspect and develop a 10 year maintenance plan for Marine Infrastructure under the control of the City, that was received in September 2002.
2. One of the items that was assessed was the Emu Point Swimming Jetty, which has been found to be in urgent need of attention. This report looks at the options available and what course of action should be taken on this matter.
3. The report will be tabled at this Council meeting.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.3.3 continued

FINANCIAL IMPLICATIONS

6. Council would be required to include approximately \$330,000 to undertake the required works.

STRATEGIC IMPLICATIONS

7. In the City of Albany’s 2020 Plan Charting Our Course, the following Port of Call is identified:

Port of Call

- Quality parks, gardens, and reserves maintaining their feature status.

COMMENT/DISCUSSION

8. Following investigations by GHD it was discovered that a number of the timber piles at the jetty have severely deteriorated. GHD provided Council officers with an estimate to replace the jetty and a cost estimate for replacing the piles and other remedial works on the structure. These figures may be viewed on the attachment to this report.
9. The cost to demolish and completely replace the existing structure is estimated to be \$330,000.
10. The second option was to replace the damaged piles over two stages which would mean that approximately 50% of the overall structure would be replaced over a four year period for a total cost of \$200,000, including minor works.
11. Discussions with GHD has shown that replacement could be deferred for a further 18 months, subject to Council not allowing any boating access (tie-up) to the jetty.
12. Whilst the replacement of individual piles option (\$200,000) is less in cost to to the full reconstruction (\$330,000), the replacement pile option does not address long term structural issues with the entire structure. This option would require other works within the next 5-10 years, at a further estimated cost of \$250,000, along with additional maintenance over this period.

RECOMMENDATION

THAT Council;

- i) subject to budgetary consideration, fully reconstruct the Emu Point Swimming Jetty in the 2004/2005 financial year; and
- ii) immediately install appropriate signage on the jetty to prevent boats mooring against the jetty.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.3.3 continued.

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR DEMARTEAU**

THAT Council;

- i) subject to budgetary consideration, fully reconstruct the Emu Point Swimming Jetty in the 2004/2005 financial year; and**
- ii) immediately install appropriate signage on the jetty to prevent boats mooring against the jetty.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.3.4 Hire of Waste Compaction Unit

File/Ward	: C02064 (All Wards)
Proposal/Issue	: Hire of Waste Compactor for Twelve Months.
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Depot Services Coordinator (J Harbach) Manager City Services (S Massimini)
Disclosure of Interest	: N/A
Previous Reference	: N/A
Summary Recommendation	: That Council accepts the tender from Armogedin Pty Ltd trading as Vancouver Waste Services.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. Council has recently been using a rubbish compactor at the Hanrahan Road landfill site and other landfill sites within the City. The use of a rubbish compactor has greatly improved compaction at these sites and will lead to an increased life for the landfill. Given the level of use and the total cost associated with the hire of the plant, Council was required to go to tender.

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions & General) Regulations 1996 requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$50,000.
3. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
4. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

WORKS & SERVICES REPORTS

Item 13.3.4 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

7. In the City of Albany’s 2020 Plan Charting Our Course, the following Port of Call is identified:

Managed healthy land/harbour environment.

- Objective:
To participate in a regional waste program, which is environmentally responsible, cost efficient and effective.

COMMENT/DISCUSSION

8. A request for tenders was published in the West Australian on 17th May 2003 and the Albany Advertiser on 20th May 2003 for the hire of a waste compactor for a twelve month period (1 July 2003 – 30 June 2004).
9. Specifications were issued to seven possible tenders, with two tender submissions received by the close of the tender period. Of the submissions received, one was from a local supplier.
10. Tenders were received from registered companies as tabled below:

Tenderer	Hire Rate/Week (inc. Gst)	Weighting
Armogedin Pty Ltd, trading as Vancouver Waste Services	\$1,270.00	2.25
Twigg Plant Hire Pty Ltd	\$1,989.00	0.95

11. All the tenders submitted were weighted in accordance with the evaluation criteria as specified in the contract. The criteria used for this tender is detailed below:

Price	80%
Track Record/Management	10%
Operations	10%

WORKS & SERVICES REPORTS

Item 13.3.4 continued

12. After evaluation, it was concluded that the submission from Armogedin Pty Ltd was acceptable. It should be noted that the results from the evaluation favour the supplier with the highest weighting.
13. This local company is well able to supply service and back up as necessary. Council staff are familiar with and have used the proposed model of compactor previously.

RECOMMENDATION

THAT Council accepts the tender C02064 from Armogedin Pty Ltd. trading as Vancouver Waste Services, for the 'dry' hire of a Cat 826C Waste Compaction unit at the rate of \$1,270.00 (inc. GST) per week for a twelve month period from 1 July 2003 until 30 June 2004.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR BARTON**

THAT Council accepts the tender C02064 from Armogedin Pty Ltd. trading as Vancouver Waste Services, for the 'dry' hire of a Cat 826C Waste Compaction unit at the rate of \$1,270.00 (inc. GST) per week for a twelve month period from 1 July 2003 until 30 June 2004.

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.3.5 Emu Point Toilet Refurbishment

File/Ward	: PRO 109 (Breasksea Ward)
Proposal/Issue	: Reallocation of unexpended funds- Emu Point Toilet Refurbishment.
Subject Land/Locality	: Reserve 22698
Proponent	: N/A
Owner	: City of Albany
Reporting Officer(s)	: Manager City Services (S Massimini)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council approves the reallocation to carry out the tiling of the Public Convenience adjoining the Japanese Restaurant at Emu Point; and invoice the lessees of the building for their half share of the cost to undertake the tiling work.
Bulletin Attachment	: Nil
Locality Plan	: Nil

BACKGROUND

1. Council officers have received concerns from the public regarding the condition of the public toilets adjoining the Japanese Restaurant.
2. An inspection was undertaken by Council staff, and it was found that the cement floors are becoming highly polished and pose a slip hazard. Given the level of use that the facility receives, it was considered appropriate that tiling of the floors and some of the walls would improve safety and the general amenity of the facility.
3. Under the terms of the lease of the building any maintenance works on the facilities are to be half shares between the City and the lessee. Discussions were held with the lessee of the building and written confirmation has been received from them to contribute their half share to the project.

WORKS & SERVICES REPORTS

Item 13.3.5 continued

STATUTORY REQUIREMENTS

4. Section 6.8 (1) (b) of the Local Government Act 1995 requires that proposed Municipal Fund expenditure which is not included in the Annual Budget must be authorised in advance by a resolution of Council (Absolute Majority required).

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. Transfer of the balance of funds from Job No. 6145, and any extra monies to meet the City Council's share coming from Job No. 9008 Building Maintenance - Emu Point.

STRATEGIC IMPLICATIONS

7. In the City of Albany's 2020 Plan Charting Our Course, the following Port of Call is identified:
 - The continual development of Council services and facilities to meet the needs of all stakeholders.

Public Conveniences & Community Rest Rooms

 - Objective:
To provide well serviced and maintained public convenience and Community rest room facilities.

COMMENT/DISCUSSION

8. A quote for the works was sought by Council's officers and the total came to \$10,606 (excluding GST). This comprised of:
 - \$4,711 – Tiles and Grout
 - \$5,895 – Labour to prepare surfaces and apply tiles.
9. Council's half share contribution comes to \$5,303.
10. Given the condition of the Toilets situated on Reserve 22698, the City is provided with an opportunity to carry out much needed maintenance work.

WORKS & SERVICES REPORTS

Item 13.3.5 continued

RECOMMENDATION

THAT Council:

- i) approves the reallocation of \$3,459 from Job No. 6145 and the balance to meet the City Council’s share coming from Job No. 9008 Building Maintenance - Emu Point, to carry out the tiling of the Public Convenience situated within Reserve 22698, adjoining the Japanese Restaurant at Emu Point; and
- ii) direct Council’s officers to invoice the lessees of the building for \$5,303, being their share of the cost to undertake the tiling work.

Voting Requirement Absolute Majority

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**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR EMERY**

THAT Council:

- i) approves the reallocation of \$3,459 from Job No. 6145 and the balance to meet the City Council’s share coming from Job No. 9008 Building Maintenance - Emu Point, to carry out the tiling of the Public Convenience situated within Reserve 22698, adjoining the Japanese Restaurant at Emu Point; and**
- ii) direct Council’s officers to invoice the lessees of the building for \$5,303, being their share of the cost to undertake the tiling work.**

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

13.4 AIRPORT MANAGEMENT

Nil

13.5 RESERVES PLANNING & MANAGEMENT

Nil

WORKS & SERVICES REPORTS

13.6 WORKS & SERVICES COMMITTEES

13.6.1 Bushcare Advisory Committee

- File/Ward** : MAN 097 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Works & Services
(B Joynes)
- Summary Recommendation** : That the Minutes of Bushcare Advisory
Committee held on 15th May 2003 be
adopted.

Confirmation of the minutes of the Bushcare Advisory Committee held on 15th May 2003.

RECOMMENDATION

THAT the minutes of the Bushcare Advisory Committee held on 15th May 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

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MOVED COUNCILLOR SANKEY
SECONDED COUNCILLOR EVERS

THAT the minutes of the Bushcare Advisory Committee held on 15th May 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 14-0

General Management Services

REPORTS

14.1 STRATEGIC DEVELOPMENT

14.1.1 Albany's 3D Future and City of Albany Corporate Strategic Planning Process

File/Ward	: STR 070 /All Wards
Proposal/Issue	: Albany's 3D Future and City of Albany Corporate Strategic Planning Process
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Corporate Planning & Development Officer (C Grogan)
Disclosure of Interest	: N/A
Previous Reference	: N/A
Summary Recommendation	: Adoption of the proposed "Albany 3D Future" Planning process and City of Albany Corporate Strategic Planning Process.
Bulletin Attachment	: Draft Planning Process
Locality Plan	: N/A

BACKGROUND

1. This report outlines a proposed process for the development of an "Albany's 3D Future" Plan and a supporting City of Albany Corporate Strategic Plan, to build upon the "Albany 2020 Charting Our Course" strategic plan.
2. The purpose of an organisation's strategic plan is to provide the medium to long-term direction, to provide guidance for decision making towards achieving the stated goals and to promote unity amongst the stakeholders of the organisation. Strategic Plans require regular review to ensure that the direction an organisation takes and the major objectives that it focuses on remain relevant and appropriate.
3. Albany 2020 Charting Our Course was first developed in 1999 and was adopted on the 4th July 2000 following the first City of Albany Mayoral & Council Elections. A minor review was undertaken in June 2001, following the second City of Albany Council Elections. It has always been the intention to undertake a major review every 4th year (following Mayoral Elections) and a minor review after each mid term Councillor election.

Item 14.1.1 continued.

4. Following the May 2003 Mayor & Councillor elections a major review of the City of Albany strategic direction is now due.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

6. This item relates directly to the ‘Strategic Functions’ section of the Human Resources Operational Policies, adopted by Council at its meeting on the 5th June 2001... see extract below

“The Chief Executive Officer is directed and delegated authority to achieve the strategic objectives of the Council as provided for in Albany 2020 Charting Our Course – or any other strategic document as Council so decides”

FINANCIAL IMPLICATIONS

7. The 2002/03 budget includes an allocation of \$7,500 for the review of the City’s strategic plan. Only a small proportion of this will be required for some preparatory work before the 30th June 2003.
8. The 2003/04 draft budget includes a submission for \$12000, which will provide \$4500 for workshops (venue hire, catering, and facilitator fees), stationery, postage, advertising etc, and the remaining \$7500 will be used to fund the design and publication of brochures. Existing City of Albany staff will undertake all other tasks associated with the Albany’s 3D Future and City of Albany Corporate Strategic Planning processes.
9. The implementation of the Albany 3D Future Strategic Plan and City of Albany Corporate Strategic Plan must be budget compliant.

STRATEGIC IMPLICATIONS

10. Albany 2020: Charting Our Course, with particular reference to the ***Reputation for Professional Excellence*** Port of Call key result area. Within this Port of Call is the Strategic Focus objective to “create a suite of strategies, plans and programs that:
 - Are transparent, results orientated and not duplicated;
 - Are constantly and dynamically reviewed;
 - Serve the City’s Vision, Mission and Values above all else; and
 - Form the basis of decision making and service delivery.”
11. The proposed new strategic planning processes are designed to ensure the City maintains its reputation for professional excellence.

Item 14.1.1 continued.

12. It is imperative that the adopted Albany 2020 Charting our Course Strategic Plan continues to guide Council's strategic decision making until such time as Council has endorsed the Albany's 3D Future plan and the supporting City of Albany Corporate Strategic Plan.

COMMENT/DISCUSSION

13. The "Albany's 3D Future" plan will be a community driven process which will aim to provide an agreed Vision of the future Albany and a number of priority big objectives for Albany for the next 10 to 15 years.
14. The City of Albany Corporate Strategic Plan will be developed *after* the plan for Albany and will include:
 - A Vision for the organisation;
 - Core Mission & Values for the organisation; and
 - A set of strategic objectives for the organisation to pursue over the next five years, designed to support the implementation of the "Albany 3D Future" plan.
15. It is proposed that the "Albany's 3D Future" Plan be a community driven plan and commence with Community Workshops entitled "Future Dimensions" workshops to be held during July. Participants will be identified by random selection to ensure that a representative group are involved. 500 residents from the electoral register will be invited to attend one of three workshops (held at different times – early morning, mid day & evening). In addition, invitations will be sent to Albany high schools to nominate under-18s to participate.
16. The purpose of the "Future Dimensions" Workshops is to provide Councillors with 'market research' information, to guide the detailed strategic planning sessions and will be designed to identify the key aspirations of the community.
17. Councillors and the City's Executives will be invited to attend the workshops as observers.
18. In addition it is proposed that one representative from each workshop (a total of 3) be nominated to participate in the detailed strategic planning sessions with Councillors and the City's Executive.
19. During August, the 3D Planning Group consisting of Councillors, Community Workshop Representatives, CEO & Executive Directors will then work with Norman Venus (our key strategic workshops facilitator) to determine a new 'Vision' for Albany and to identify a core set of priority big goals, using the results of the Future Dimensions Community Workshops as a guide.

Item 14.1.1 continued.

20. The outcomes from the 3D Planning sessions will then be subject to consultation with key stakeholders (eg State Govt Agencies, City of Albany Advisory Committees). Community consultation will be undertaken through community survey, involving the random selection of Albany residents. In addition feedback from the general community will also be invited. This consultation and draft plan refinement phase is expected to take about 6 weeks to complete.
21. At this stage it is anticipated that the Albany 3D Future plan will be presented to Council for endorsement in October.
22. Following adoption of Albany’s 3D Future plan, the City will then prepare a Corporate Strategic Plan. It’s proposed that, in addition to Councillors and the Executives, the corporate strategy planning group will also involve Managers and a limited number of staff representatives.
23. The core objective of the Corporate Strategic Plan is to ensure the implementation of the Albany’s 3D Future Plan. It is envisaged that the City plan will include...
 - A Vision, Mission & Values for the organisation (complementary to the 3D Futures vision)
 - A set of key objectives for the organisation (again aligned to the BIG GOALS for Albany, plus any supporting objectives that the City needs to pursue to ensure it is capable of focusing on those goals)
 - An implementation plan to be pursued over the subsequent five years.
24. Before adoption of the City of Albany Corporate Plan there would need to be public, key stakeholder and staff consultation.
25. It’s expected that preparation of Albany’s 3D Future Plan will commence in July and be completed by end of October. The City of Albany Corporate Strategic Plan would then commence and is expected to be ready for adoption by end of February 2004.

RECOMMENDATION

THAT Council endorse the proposals to undertake:

- i) the “Albany 3D Future” planning process as outlined above; and
- ii) the City of Albany Corporate Strategic Planning Process also outlined in this report.

Voting Requirement Simple Majority

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BOJCUN**

THAT Council endorse the proposals to undertake:

- i) the “Albany 3D Future” planning process as outlined above; and**
- ii) the City of Albany Corporate Strategic Planning Process also outlined in this report.**

MOTION CARRIED 14-0

14.2 ORGANISATIONAL DEVELOPMENT

14.2.1 Review of Financial Assistance and Community Events Policies

File/Ward	:	FIN 022 (All Wards)
Proposal/Issue	:	Review of Financial Assistance and Community Events Policies
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	:	N/A
Summary Recommendation	:	That Council Adopt New Policies
Bulletin Attachment	:	Draft Policies
Locality Plan	:	N/A

BACKGROUND

1. The City of Albany adopted the Community Financial Assistance and the Community Events Policies on 23rd May 2002.
2. The Community Financial Assistance Committee has administered both policies in terms of approving minor grants and rate rebates under delegated authority and making recommendations to Council on major grants and community events.
3. The Chief Executive Officer has delegated authority to make donations to not-for-profit organisations and individuals up to \$200.00.
4. The Committee has expressed concern as to the subjective nature of the grant determination process and also considered the consideration of events funding to be more aligned with the economic development functions of the City.
5. At a debrief of the 2002 grant determinations held in December of last year it was agreed by the Committee that the Chief Executive Officer review the policies and bring them back to Council for further consideration.

Item 14.2.1 continued

STATUTORY REQUIREMENTS

6. Section 5.16(1) of the Local Government Act 1995 provides Local Governments with the powers to delegate to the Community Financial Assistance Committee authority to approve grants.
7. Section 5.42(1) of the Local Government Act 1995 provides Local Governments with the power to delegate to the Chief Executive Officer the power to approve donations.

POLICY IMPLICATIONS

8. Adoption of the recommendation will change the administration and allocation aspects of both policies.

FINANCIAL IMPLICATIONS

9. Annual Budget allocation determines magnitude of both programs.

STRATEGIC IMPLICATIONS

10. Alignment with Albany 2020 Charting our Course is provided in both policy documents.

COMMENT/DISCUSSION

11. Major changes in the policies are as follows:
 - The funding pool now carries disbursement limits for more grants with the policy imperative of directing the majority of funding to Community Facilities situated upon Council land.

Disbursement limits are:
 - 50% Community Facilities on Council land
 - 30% Community Services
 - 10% Economic Development
 - 10% Emergency Services
 - The Manager Economic Development will advise the Committee on the Economic Development component of the fund and also make recommendations direct to Council on Community Events funding.
 - The principle criteria used in evaluating events funding will be the ability of an event to increase economic yield from tourism activity.

Item 14.2.1 continued

RECOMMENDATION

THAT;

- i) the Community Events Policy and the Financial Assistance Program Policy be endorsed and adopted;
- ii) delegated authority be granted to the Chief Executive Officer to approve / decline donations in relation to the Financial Assistance Program Council Policy; and
- iii) delegated authority be granted to the Financial Assistance Committee to approve / decline applications for minor grants and rate rebates in relation to the Financial Assistance Program Council Policy.

Voting Requirement Absolute Majority

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**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR DEMARTEAU**

THAT;

- i) the Community Events Policy and the Financial Assistance Program Policy be endorsed and adopted;**
- ii) delegated authority be granted to the Chief Executive Officer to approve / decline donations in relation to the Financial Assistance Program Council Policy; and**
- iii) delegated authority be granted to the Financial Assistance Committee to approve / decline applications for minor grants and rate rebates in relation to the Financial Assistance Program Council Policy.**

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

14.3 ECONOMIC DEVELOPMENT

Nil.

14.4 GENERAL MANAGEMENT SERVICE COMMITTEE

Nil.

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

DRAFT MOTION

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

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR BOJCUN**

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

MOTION CARRIED 14-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17.0 MAYORS REPORT

"Fellow Councillors

Since the previous Council meeting on May the 20th, I have been busy throughout the community attending a very broad range of engagements which proves how diverse the community of Albany is becoming.

The annual US Submariners Memorial Services was held on 25th May at the Princess Royal Fortress. The event was well again attended although sadly the numbers of World War II veterans able to attend is declining as time passes by. I would like to sincerely thank the MC and Minister for the day – Ken Uwers-Verge, the TS Vancouver Cadets and the 505 Regional Cadets for their proficiency in performing the ceremonial duties, the Albany City Band and the talented ladies from the Albany City Chorus for their polished musical accompaniments, and the students from Great Southern Grammar and St Josephs' College for providing the bible readings. We were blessed with a crystal clear, bright and warm Albany morning which ensured that the service was memorable.

In contrast the Albany Classic Car Race held the following weekend, this year attracted a record number of entries and a great time was had by all despite the appalling weather conditions.

WA Week which follows Foundation Day proved a busy week for community work. Early in the week, I attended the launch of a new community radio show – The Positive Aging Hour and spoke on air about a significant achievements for the City of Albany in the development of a Seniors Policy which is blueprint for the future of a significant sector of Albany's community. The Seniors Policy is a first to be developed by a local government in Western Australia and possibly the first in the Country.

Later in the week I enjoyed getting my hands dirty joining school children in planting trees at Lake Seppings in celebration of Arbor Day. Later that day I was proud to swear in and welcome 13 new Australians at a citizenship ceremony held at the Town Hall.

On Monday the 9th June, I was happy to meet the Perth based US Consul General – Oscar De Soto during his brief informal first visit to Albany. He was particularly impressed with our beautiful town, surrounding environment and rich history and we look forward to developing a fruitful relationship with the aim of bringing trade and tourism rewards for Albany and the Great Southern.

On Wednesday last week, I attended the launch of the Albany Chapter of the Junior Chamber which provides an exciting opportunity for the many young and enthusiastic business people in Albany. The Junior Chamber provides the avenue for young people to develop all the business acumen and social skills necessary to truly excel in their chosen profession. I sincerely wish the Junior Chamber every success and look forward to witnessing our young people flourish.”

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR PAVER**

THAT the Mayor’s Report be received.

CARRIED 14-0

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

18.1 To Approve City Crest Design Concepts Prior To Public Consultation

File/Ward	:	MAN 005 (All Wards)
Proposal/Issue	:	To approve City Crest design concepts prior to public consultation.
Subject Land/Locality	:	N/A
Proponent	:	City of Albany
Owner	:	City of Albany
Reporting Officer(s)	:	Mayoral Liaison Officer (G Clarke)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council endorse and adopt the minutes of the Mayoral Regalia and City Crest Committee meeting , approve the Crest design concepts for public consultation for a six week period in accord with the promotional plan.
Bulletin Attachments:		Nil
Locality Plan	:	N/A

BACKGROUND

- 1 On 19th November 2002, Council appointed designer, Ellen Hickman, to prepare six preliminary design concepts for a City of Albany Crest in accord with the submission guidelines prepared by the Mayoral Regalia and City Crest Committee.
- 2 The designer has undertaken a period of research and has been working with the Mayoral Regalia and City Crest Committee members to finalise six design concepts, which were accepted by the Committee at a meeting held on Tuesday 10th June 2003. (Attached Mayoral Regalia and City Crest Promotional Plan and Minutes).
- 3 The design concepts for the City of Albany Crest now require approval by Council prior to being placed on public display for the community to view and to lodge their votes.

Item 18.1 continued.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

7. In the City of Albany’s 2020 – Charting our Course, the following Ports of Call are identified:

*“A reputation for professional excellence
Civic and Corporate Image – to ensure that visitors to the City of Albany
become our Ambassadors.*

*A reputation for professional excellence
Civic Leadership – to be recognized by the Community as leaders.”*

COMMENT/DISCUSSION

8. In the submission guidelines provided to the crest designer the following condition was incorporated:

“The Crest designer, once appointed, should be prepared to submit a number of concepts to the City of Albany which will then be put on public display for the community to view and vote upon. Council reserves the right to reject any or all of the concepts prior to public display should they be inappropriate or Council feels that they do not comply with the Albany 2020 strategies.”

9. The Mayoral Regalia and City Crest Committee has prepared a promotion plan which will be implemented upon approval of the design concepts to ensure that as many members of the community are involved in a process to select a preferred design.
10. Following the consultation and promotion process, the design concept selected most often will be recommended to Council for final adoption. In the event of a tied vote the Council will make the final selection or they may ask the designer to merge the tied design concepts into one if this is practical.

Item 18.1 continued.

RECOMMENDATION

THAT Council endorse and adopt the minutes of the Mayoral Regalia and City Crest Committee meeting held on the 10th of June, 2003 and;

- i) approve the six City Crest design concepts for public consultation;
- ii) commence the City of Albany Crest promotion plan on the 1st of July 2003 for a six week period; and
- iii) Council to deliberate upon final selection at the September 2003 ordinary Council meeting.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WOLFE**

THAT Council endorse and adopt the minutes of the Mayoral Regalia and City Crest Committee meeting held on the 10th of June, 2003 and;

- i) approve the six City Crest design concepts for public consultation;**
- ii) commence the City of Albany Crest promotion plan on the 1st of July 2003 for a six week period; and**
- iii) Council to deliberate upon final selection at the September 2003 ordinary Council meeting.**

MOTION CARRIED 14-0

19.0 CLOSED DOORS

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR EVANS**

THAT Council go behind closed doors to discuss the following items:-

19.1 Structural Adequacy – Retaining Wall – 11 Festing Street, Albany

19.2 Proposed Agreement with Western Power for First Option to Lease Sand Patch Reserve.

MOTION CARRIED 14-0

The public gallery left the Chambers at 9.10pm .

The public returned to the Chambers at 9.50pm.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR BARTON**

THAT Council come out from behind closed doors.

MOTION CARRIED 14-0

19.1 Structural Adequacy – Retaining Wall – 11 Festing Street, Albany

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR EVANS**

THAT Council:

- i) require M & L Roberts to:-**
 - a) within 30 days to provide Council with evidence of an agreement executed by themselves and Crugnale Nominees engaging an independent engineer to specify the work that is required to remedy the deficiencies in the retaining wall at Location AT67 (11) Festing Street as identified in the Cook report;**
 - b) within six months to complete the remedial work so specified under the supervision of the independent engineer;**
- ii) lodge a caveat upon the title to Location AT67 (11) Festing Street, Albany;**
- iii) authorise the Chief Executive Officer to issue a Section 401 (i) Notice under the Local Government (Miscellaneous Provisions) Act 1960 in the event that:**
 - a) evidence of the agreement referred to in i) a) is not provided to Council within 30 days; or**
 - b) the remedial work specified by the engineer is not carried out within six months;**

AND

- iv) advise the Minister for Local Government of the actions taken by Council.**

**MOTION CARRIED 8-6
ABSOLUTE MAJORITY**

19.2 Proposed Agreement with Western Power for First Option to Lease Sand Patch Reserve

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR EVANS**

THAT Council enters into a First Option to Lease Agreement with Western Power for the consideration of \$250,000 for 10 years subject to:

- The payment being an offset against any future lease rentals being based upon market valuation;**
- Any future development being still subject to standard Council development approval processes;**

MOTION CARRIED 14-0

20.0 NEXT ORDINARY MEETING DATE

Tuesday 15th July 2003, 7.30pm
Mercer Road Council Chambers

21.0 CLOSURE OF MEETING

10.00pm

Confirmed as a true and correct record of proceedings.

A E Goode, JP
Mayor

APPENDIX A

**WRITTEN NOTICE OF DISCLOSURE OF INTEREST
MINUTES OF THE ORDINARY COUNCIL MEETING 17th JUNE 2003**

Name	Item	Nature of Interest
Councillor Lionetti	Item 11.1.2	Owner of property of discussion
Councillor Sankey	Item 11.3.2	Daughter works at Woolworth. May be involved in future development.

APPENDIX B

**INTEREST DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 17th JUNE 2003**

Name	Item	Nature of Interest
Nil		

APPENDIX C

**CODE OF CONDUCT – INTERESTS (OTHER THAN FINANCIAL)
DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 17th JUNE 2003**

Name	Item	Nature of Interest
Nil		



SUMMARY OF ACCOUNTS

Municipal Fund			
Cheques	totalling		382,477.93
Electronic Fund Transfer	totalling		1,816,912.85
Payroll	totalling		660,495.09
TOTAL			<u><u>\$2,859,885.87</u></u>

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$2,859,885.87 which was submitted to each member of the Council on 17th June 2003 has been checked and is fully supported by vouchers and invoices which are submitted to herewith and which have been fully certified as the receipt of goods and the rendition of services and as to prices, computations and costings and the amounts shown are due for payment.

CHIEF EXECUTIVE OFFICER
(A Hammond)

MAYOR

I hereby certify that this schedule of accounts covering municipal and trust fund payments totalling \$2,859,885.87 which was submitted to the Council on 17th June 2003 and that the amounts are recommended to the Council for payment.

MAYOR
(A Goode JP)