



MINUTES

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 18th November 2003
7.30pm
City of Albany - Mercer Road Office**

City of Albany

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Signed _____

Date: 20th November 2003

Andrew Hammond
Chief Executive Officer

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- 19.1 Prior Year Rates Issue**
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- 19.2 Leave of Absence – Her Worship the Mayor**
Section 5.23 (2) (b) of the Local Government Act 1995 – being the personal affairs of any person.
- 20.0 Next Ordinary Meeting Date**
- 21.0 Closure of Meeting**

1.0 DECLARATION OF OPENING

Deputy Mayor, Milton Evans opened the meeting at 7.40pm and extended a welcome to all present.

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

Deputy Mayor	-	MJ Evans, JP
Councillors	-	SM Bojcun
	-	AHM Demarteau
	-	DJ Wolfe
	-	DW Wellington
	-	JD Williams
	-	RH Emery
	-	J Waterman
	-	P Lionetti
	-	E Barton
	-	I West

Chief Executive Officer	-	AC Hammond
Executive Director Corporate & Community Services	-	WP Madigan
Executive Director Works & Services	-	G Edwards
Executive Director Development Services	-	M Selby
Minute Secretary	-	S Day
Approximately 15 members of the public		
2 media representatives		

Apologies / Leave of Absence:

Mayor	-	A Goode, JP
Councillors	-	G Sankey
	-	R Paver

3.0 OPENING PRAYER

Deputy Mayor Evans 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.

*** J Healy – Goode Beach**

Mr Healy addressed Council in regard to Item 11.1.1 and outlined the history on the subject site and would like to see that the Vancouver name remain at Wailers Beach.

*** R. Hensel – Adelaide Terrace, Albany**

Mr Hensel addressed Council in regard to items 11.3.2 and 11.3.7 and reiterated the recommendations in the Agenda.

*** J. Healy – Goode Beach**

Mr Healy addressed Council in regard to item 11.1.2 and asked that the French Bay Progress Association and South Coast Progress Association be invited to provide Community representatives for this issue.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

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

AMENDED DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 21st October 2003;

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

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR WILLIAMS**

THAT the following minutes:

- **Ordinary Council meeting held on 21st October 2003;**

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

MOTION CARRIED 11-0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

7.1 Application for Leave of Absence - Her Worship the Mayor

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR LIONETTI**

THAT this request be considered Behind Closed Doors.

MOTION CARRIED 11-0

7.2 Application for Leave of Absence - Councillor Bojcun

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WILLIAMS**

THAT Councillor Bojcun be granted leave of absence from the December ordinary meeting of Council.

MOTION CARRIED 11-0

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 Waterman – Item 12.2.2 – Extended Trading Hours within the City of Albany

Councillor Wellington – Item 12.2.2 – Extended Trading Hours within the City of Albany

Councillor Lionetti – Item 12.2.2 – Extended Trading Hours within the City of Albany

Councillor Barton – Item 12.2.2 – Extended Trading Hours within the City of Albany

Councillor Demarteau – Item 12.8.1 – City of Albany Audit Committee meeting minutes

Councillor West – Item 13.3.1 – Heavy Freight Services

Councillor Evans – Item 7.0 – Applications for Leave of Absence

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Item 19.1 - Prior Year Rates Issue

Section 5.23 (2) (e) (iii) of the Local Government Act 1995 – being the financial affairs

9.2 Item 19.2 - Leave of Absence – Her Worship the Mayor

[Section 5.23 (2) (b) of the Local Government Act 1995 – being the personal affairs of any person.

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

Development Services

REPORTS

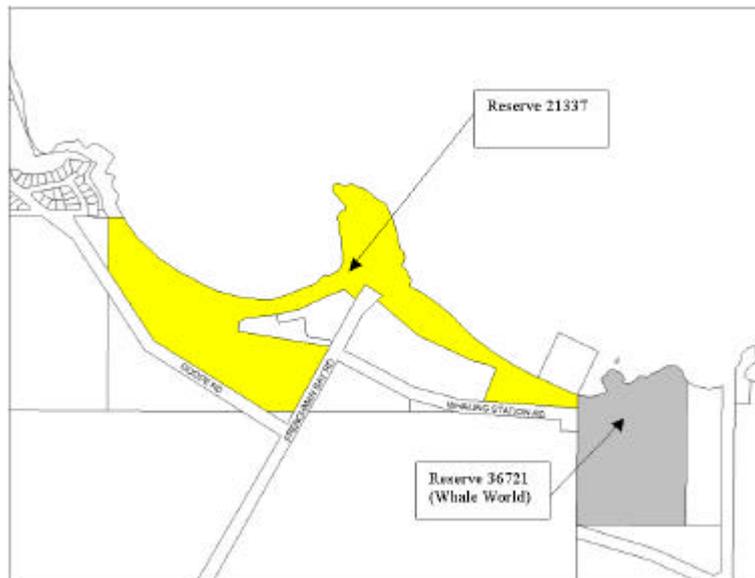
DEVELOPMENT SERVICES REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Vancouver’s Watering Point – Location of Spring

- File/Ward** : MAN 100 (Vancouver Ward)
- Proposal/Issue** : Renaming the existing ‘Vancouver Spring’ and applying this name to another spring within the grounds of Whaleworld
- Subject Land/Locality** : Reserve 21337 & Reserve 36721 (Whaleworld)
- Proponent** : Eric Harley & Frenchman Bay Progress Association
- Owner** : Crown
- Reporting Officer(s)** : Senior Planning Officer (G Bride)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 26/10/94 Item 19.4
OCM 29/03/95 Item P3/19
OCM 15/07/96 Item W7/7
- Summary Recommendation** : Rename ‘Vancouver Spring’ to ‘P&O Springs’ and apply the name ‘Vancouver Spring’ to the spring located on Reserve 36721.
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

BACKGROUND

1. The exact location of the spring used by Captain George Vancouver as a watering point during his journey along Albany's south coast in September 1791 has been contested for more than 50 years. Up until the 1950's, it was thought that Vancouver sourced water from the northern side of the entrance to Emu Point, however research undertaken by historians revealed that the site was on the southern side of King George Sound.
2. Given there was a prominent spring at Whalers Beach it was assumed that this spring was the watering point visited by Vancouver in 1791. The site was recognised through the placement of a plaque in 1982, and was listed in Council's Municipal Heritage Inventory as a site of historical significance.
3. In 1990 the Shire of Albany empowered Mr Harley to undertake research on this issue prior to the bicentenary celebration of Vancouver taking possession of this part of New Holland. In his research, which included the reading of Vancouver's logs and journals and detailed plotting work (undertaken by the British Royal Navy Hydrographical Services), Mr Harley discovered that the spring utilised by Vancouver was a further 2 kilometres to the west. Vancouver's logs made reference to a flat rock (known today as 'Flat Rock'), which was used to detail Vancouver's watering place anchorage. The distances mentioned by Vancouver led Mr Harley, a licensed surveyor, to the conclusion that the spring used for watering was within the grounds of Whaleworld.
4. As the remainder of the report will refer to the two different springs, the spring currently known as 'Vancouver Spring' will be referred to as the Whalers Beach Spring and the unnamed spring within the grounds of Whaleworld will be referred to as the Whaleworld Spring. This has been done for the purposes of clarity.
5. Mr Harley had his work verified by a number of sources including Ms Valerie Milne of the WA Museum, Les Johnson (local historian), Professor Reg Appleyard of the University of Western Australia (author of "The Beginning" an account of Vancouver's visit to Albany in 1791), Commander Andrew David of the British Royal Navy Hydrographical Service and Mr Adam Wolfe (Maritime archaeologist and heritage consultant).
6. In light of this research the former Shire of Albany raised the matter at it's meeting dated 26 October 1994 and resolved:

"That the proposed works to reconstruct the memorial on the Vancouver Spring be carried out on the spring identified by Mr Eric Harley as being visited by Captain Vancouver, VIZ; The one located adjacent to Whaleworld".
7. The historical importance of both springs was raised during the compilation of the Municipal Heritage Inventory, prepared under the Heritage Act 1995. At the former Shire of Albany meeting on the 13 March 1995, Council resolved:

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

“THAT –

- i) The information received from Dr Charles Nadin be noted and taken into account in the preparation of the Shire of Albany inventory of heritage places and the details noted for the preparation of appropriate memorials/plaques.*
- ii) The repair of the plaque/monument at the historic springs, Frenchman Bay, be referred to the works committee for further consideration.”*

8. On 15 July 1996, the matter was again brought before the former Shire of Albany whereby the following was resolved:

“THAT –

- i) The monument commemorating the site from which Commander George Vancouver R.N., first took water from the shores of King George Sound, be re-erected at the Whaleworld site, in consultation with Whaleworld management.*
- ii) The Albany Historical Society be contacted to discuss suitable acknowledgement of the Frenchman Bay spring as a fresh water source used by early mariners. A further report and costing to be presented to Council for consideration in the 1997/1998 budget.”*

9. In 2002, staff prepared a memo to City of Albany Council seeking guidance on whether to act on Council’s previous resolution or whether they wanted the item to be reconsidered at a future Council meeting. In the memo staff recommended the following:

“i) Remove existing directional signage to ‘Vancouver Spring’ and replace it with a new sign which more suitably identifies the Spring. A new name is to be arranged through consultation with the Progress Association, Historical Society and Heritage Council of WA for the spring;

ii) Have the existing plaque over the Spring changed to more accurately reflect the historical significance of the spring. This would read something like: “This spring was first identified by Capt. George Vancouver in 1791 and subsequently used by every explorer to the South Coast including: Flinders, etc, and most recently by P&O ships as a potable water supply. It has played a significant role in the exploration and settlement of the Albany area.

iii) Have the recently completed information boards at the Frenchman Bay Progress Association amended as appropriate in consultation with the progress association.”

10. No Councillor sought to have the issue brought before Council, so staff began to liaise with the Frenchman Bay Progress Association for the works to be carried out. As the costs to undertake the works were not included in the 2002/2003 budget, and the Frenchman Bay Progress Association had concerns about the downgrading of the existing site, Council’s instructions were not implemented.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

11. The Frenchman Bay Progress Association believes that the name applied to the spring at Whalers Beach, being “Vancouver Spring”, should be retained on the following basis:
 - The site and name appear on all current charts;
 - Captain Vancouver’s logs mention the fact he found better water at the current Vancouver Spring site than where he initially watered at the Whaleworld site;
 - The quality of the current Vancouver Spring site is further borne by it’s use by early settlers to Albany; and
 - Reserve 21337, where Vancouver Spring rises is also the site of the Federation Heritage Walk and they also link to the adjacent Norwegian Whaling Station
12. Whilst it has been ten years since Council formerly recognised that the Whaleworld spring was the spring visited by Vancouver on he’s visit in 1791, street signs, maps and plaques have not been altered to reflect this change. Given Whaleworld is moving ahead with plans to construct a memorial at the spring, as part of it’s multi-million dollar redevelopment, it is imperative that this issue be resolved as soon as possible for all parties.

STATUTORY REQUIREMENTS

13. To rename the Whalers Beach Spring and apply a name to the Whaleworld spring, Council is required to lodge a request with the Geographic Names Committee. The Committee has advised that, in order to process the request, feedback from the community on the proposal is required and all historical information is to be submitted with the application.
14. Section 6.8 of the Local Government Act requires an Absolute Majority vote to approve a re-allocation of municipal funds.

POLICY IMPLICATIONS

15. If Council resolves to recognise that the Whaleworld spring was Vancouver’s initial watering point, then amendments to the City of Albany Municipal Heritage Inventory will also need to be made.

FINANCIAL IMPLICATIONS

16. There will be a cost incurred to remove directional signage, amend information boards and replace the information plate on the memorial. Advertising the proposal in the local newspaper would also be at Council’s cost.
17. The memorial being built at the Whaleworld site is to be constructed by Whaleworld management at their own cost.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

19. Staff have no reason to question the research undertaken by Eric Harley, in consultation with a variety of experts in their field, and it appears to be the most accurate assessment of the location of Captain Vancouver's watering point of September 1791.

20. It is also acknowledged by staff that the Whalers Beach spring has played an important part in Albany's history and should not be downgraded in anyway. To this end it is recommended that the spring currently known as 'Vancouver Spring' be renamed to 'P&O Springs' with a new information plate being attached to the plaque stating the following:

"This spring was identified by Capt. George Vancouver in 1791, was subsequently used by early explorers to the South Coast (including Flinders) and most recently by P&O ships as a potable water supply. It has played a significant role in the exploration and settlement of the Albany area."

21. Prior to making a formal application to the Geographic Names Committee, it is recommended that an advertisement be placed in the local newspaper advising of the renaming of Vancouver Spring and the application of this name to the Whaleworld spring. Letters would also need to be sent to the Frenchman Bay Progress Association, the Albany Historical Society and Heritage Council of WA requesting comments on the proposal.

RECOMMENDATION

THAT Council resolves:

- i) to advertise in a local newspaper and write to relevant interest groups advising of its intention to rename the spring at Whalers Beach to 'P&O Springs' and apply the name 'Vancouver Spring' to that spring found within the grounds of Whaleworld (Reserve 36721);
- ii) to revisit the matter at the December meeting of Council, should any objections be received from the community and/or any interest groups; and

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

- iii) to instruct staff to undertake the following works, should no objections be received during the advertising period and the Geographic Names Committee agree to the name ‘Vancouver Spring’ being applied to the spring within the grounds of Whaleworld, and a new name of ‘P&O Springs’ being applied to the Whalers Beach spring (Reserve 21337):
- take down existing directional signage for Vancouver Spring;
 - replace the information plate on the existing memorial with a new plate and make funds available through a re-allocation, to undertake such work; and
 - modify the Municipal Heritage Inventory to recognise that Vancouver spring is located within the grounds of Whaleworld and modify the listing for the Whalers Beach spring accordingly.

Voting Requirement Absolute Majority

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**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR EMERY**

THAT Council resolves:

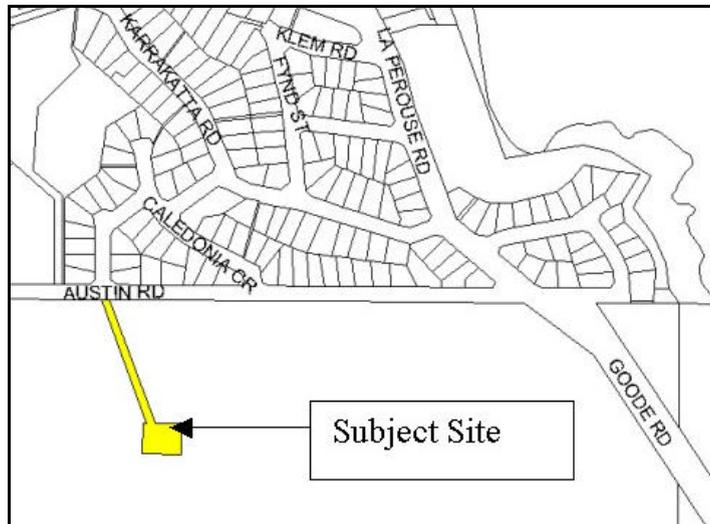
- i) to advertise in a local newspaper and write to relevant interest groups advising of its intention to rename the spring at Whalers Beach to ‘P&O Springs’ and apply the name ‘Vancouver Spring’ to that spring found within the grounds of Whaleworld (Reserve 36721);
- ii) to revisit the matter at the December meeting of Council, should any objections be received from the community and/or any interest groups; and
- iii) to instruct staff to undertake the following works, should no objections be received during the advertising period and the Geographic Names Committee agree to the name ‘Vancouver Spring’ being applied to the spring within the grounds of Whaleworld, and a new name of ‘P&O Springs’ being applied to the Whalers Beach spring (Reserve 21337):
- take down existing directional signage for Vancouver Spring;
 - replace the information plate on the existing memorial with a new plate and make funds available through a re-allocation, to undertake such work; and
 - modify the Municipal Heritage Inventory to recognise that Vancouver spring is located within the grounds of Whaleworld and modify the listing for the Whalers Beach spring accordingly.

**MOTION CARRIED 10-1
ABSOLUTE MAJORITY**

DEVELOPMENT SERVICES REPORTS

11.1.2 Mobile Phone Tower – Vancouver Peninsula

File/Ward	: A175091 (Vancouver Ward)
Proposal/Issue	: Access to Mobile Phone Coverage
Subject Land/Locality	: Vancouver Peninsula
Proponent	: City of Albany
Owner	: N/A
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: OCM 17/06/03 Item 11.1.1
Summary Recommendation	: Council advocate for improved mobile phone coverage
Bulletin Attachment	: Nil
Locality Plan	:



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued.

BACKGROUND

1. At the Council meeting on the 17th June 2003, an application from Telstra (Mobile Phone Services Division) to establish a 25 metre mobile phone tower on Reserve 34387 (Lot 7353) Austin Road, Frenchman Bay was considered.
2. The site considered at that time was a Reserve classified as “Parks and Recreation (Restricted)” within Town Planning Scheme No. 3, and vested with the Water Corporation for the purposes of ‘Water Supply’. That Reserve is surrounded on all sides by the Torndirrup National Park, which is managed by the Department of Conservation and Land Management (CALM). The tower was to be positioned directly behind an existing 4 metre high water tank, which provides the residents of Goode Beach with potable water.
3. Council resolved 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.
4. The Telecommunications Act 1997 requires all telecommunication providers to gain the necessary approvals from the relevant authorities in situations where a high impact facility is to be constructed. High impact facilities include mobile phone towers.
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 was made available to improve this service. The decision of Council to refuse the application on the Water Corporation site resulted in the Besley funding being withdrawn (all infrastructure had to be built before the 31st December 2003).
6. A recent loss of life from the cliffs on the southern side of Vancouver Peninsula has activated public debate on the need for improved mobile phone coverage into the area. The capacity for emergency service response calls to be activated, in the event of a person being swept into the ocean, is seen as a high priority.

STATUTORY REQUIREMENTS

7. Telstra has historically been responsible for establishing the mobile phone network and Council is one of several approval agencies consulted prior to a development occurring.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

POLICY IMPLICATIONS

8. Council has been requested to take on an advocacy role in the development of improved mobile phone coverage in this area.

FINANCIAL IMPLICATIONS

9. Council has no budget to support this project. The proposed tower for the Water Corporation site had planned to attract Federal Government funding support in the order of \$270,000.

STRATEGIC IMPLICATIONS

10. Council's Strategic Plan advises that Council will advocate for improved services for the community.

COMMENT/DISCUSSION

11. Telstra State and National representatives are currently negotiating with the Federal Government to have the funding for the Besley TSI-1 Telecommunications Services projects extended to June 2004. If that request is unsuccessful, the construction of an additional phone tower on the peninsula in the near future is unlikely. If successful, the necessary approvals would need to be in place by mid March 2004 in order for the construction to be completed within the funding timeframes.
12. The Water Corporation tank site at Goode Beach is already documented and Telstra would need to lodge a second development application for Council's consideration. A rescission motion would also need to be passed by Council to accept this siting option.
13. Stoney Hill has also been suggested as a suitable site. The Telstra representatives acknowledge that this prominent location would meet the service parameters imposed by the Federal Government for funding and provide a high level of CDMA and GSM coverage.
14. In discussing this siting option with the regional manager of CALM, gaining the necessary approvals for this site before April 2004 is likely to be problematic. Stoney Hill is a visually prominent feature in the landscape, it forms part of a heritage trail, has declared flora on its slopes and it is located within an "A" class National Park reserve system. A detailed Environmental Management Plan (EMP) would need to be prepared by Telstra for the project, that EMP would then be assessed by officers within the Department for Environment, Heritage Council and CALM before their recommendations could be submitted to the Conservation Council of WA for a decision on releasing a site to Telstra.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

15. Community members have also suggested that there may be alternate sites in the locality where a tower could be located with less visual intrusion. Early indications from Telstra staff is that an elevated site within two kilometres of Stoney Hill may be feasible, however a detailed evaluation of each option would need to be undertaken before Besley funding could be assumed. Many of those sites are located within the Tordirrup National Park and the approval from the Conservation Council will be needed. Whilst those sites are less problematic than Stoney Hill, the approval process is similar.
16. Since Council last considered this matter, there has been additional comments made within the community that;
 - The police and emergency services may be interested in adding their respective communication equipment to a potential tower to improve service delivery.
 - A device could be manufactured to support a person in the water, with the device activating a communications system to warn emergency services that it is in use.
17. The accuracy of the comments has not been substantiated by staff.
18. The loss of a life is a tragic event and the lack of suitable mobile phone coverage on the southern side of Vancouver Peninsula is well documented. After Council's earlier decision, Telstra investigated the option of building a phone tower in the Torbay / Bornholm area to improve coverage along the cliff face however that project was rejected for Besley funding.
19. A tower at the Water Corporation tank site or on Stoney Hill would not necessarily result in improved coverage into the tourism sites and use of a mobile phone may remain an issue during a future emergency situation. Telstra has developed systems along Perth's freeway network which allow emergency calls to be routed to a central call facility and a similar solution may need to be employed in this situation.
20. This report was requested, to allow Council the opportunity to activate discussion on a telecommunications solution to the recent disaster. If Besley funding is to be used in a possible "solution", an advocate needs to be found to progress the debate and the application through the various agencies within the tight timeframes available.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

RECOMMENDATION

THAT Council;

- i) urgently communicate with Telstra to determine the availability of sites and funding opportunities to construct a mobile phone tower at the eastern extremity of Vancouver Peninsula before June 30th, 2004;
- ii) seek the support of the Albany Police, State Emergency Services personnel, officers of the Department of Conservation and Land Management and the Department for Environment and the Albany Visitor Centre to a proposal to, by the end of March 2004, achieve the identification, documentation and approval of an application to construct a mobile phone tower on Vancouver Peninsula; and
- iii) advocate with the State and Federal Governments, on behalf of the community, for improved telecommunication systems to be put in place on the southern coastline of Vancouver Peninsula.

Voting Requirement Simple Majority

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<p>MOVED COUNCILLOR BOJCUN SECONDED COUNCILLOR WELLINGTON</p> <p>THAT Council;</p> <ul style="list-style-type: none">i) urgently communicate with Telstra to determine the availability of sites and funding opportunities to construct a mobile phone tower at the eastern extremity of Vancouver Peninsula before June 30th, 2004;ii) seek the support of the Albany Police, State Emergency Services personnel, officers of the Department of Conservation and Land Management and the Department for Environment and the Albany Visitor Centre to a proposal to, and representative from the South Coast Progress Association, Frenchman Bay Progress Association be invited to participate, by the end of March 2004, achieve the identification, documentation and approval of an application to construct a mobile phone tower on Vancouver Peninsula; andiii) advocate with the State and Federal Governments, on behalf of the community, for improved telecommunication systems to be put in place on the southern coastline of Vancouver Peninsula. <p style="text-align: right;">MOTION CARRIED 11-0</p>
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Reason:

The tower is to be located within the vicinity and the Progress Association Committees have shown interest in the past and should be involved in the siting of the tower.

11.2 INSPECTION SERVICES

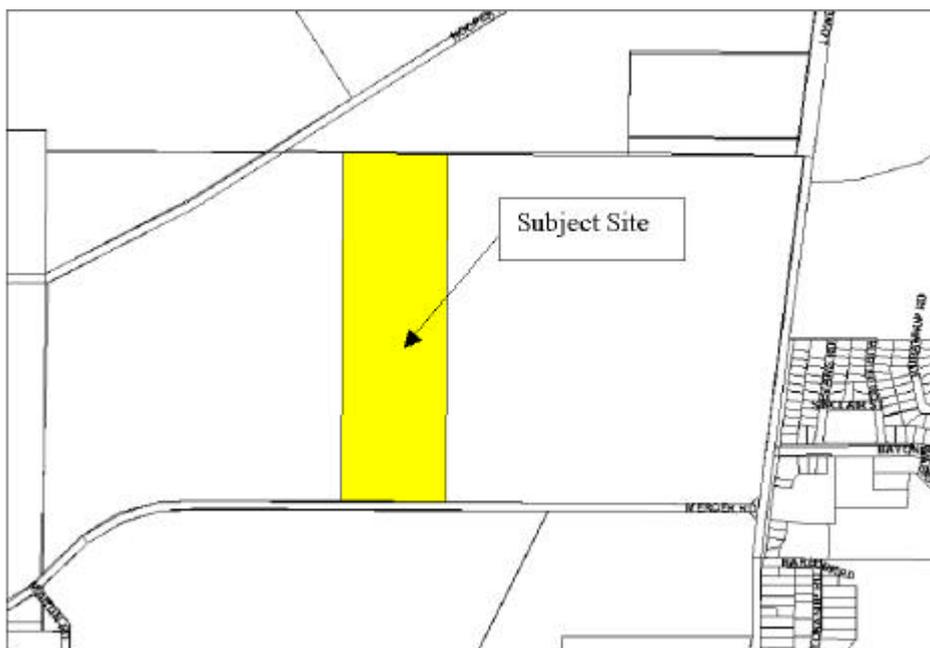
Nil.

DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

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

- File/Ward** : A164074A (Kalgan Ward)
- Proposal/Issue** : Request for Final Approval 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 15/04/2003 – Item 11.3.1
OCM 17/06/2003 – Item 11.3.1
- Summary Recommendation** : Grant Final Approval
- Bulletin Attachment** : Scheme Amendment Documents and submissions
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

BACKGROUND

1. At it's meeting on the 17 June 2003 Council resolved:

“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.”*
2. The amendment was assessed by the Environmental Protection Authority (EPA) as “Scheme Not Assessed – Advice Given” and was advertised for public inspection until 16th October 2003.
 3. At the close of the advertising period, four submissions had been received (refer to the Elected Members Report/Information Bulletin for a copy of each submission).
 4. The amendment proposes to rezone Lot 8034 Mercer Road from 'Public Purposes' reserve to the 'Rural' zone. The rezoning, if gazetted, would facilitate the development of a single dwelling and rural uses as permitted under Town Planning Scheme No. 3.

STATUTORY REQUIREMENTS

5. Section 7 of the Town Planning and Development Act provides the mechanism for a Town Planning Scheme to be amended. Council must resolve to initiate a scheme amendment and then place the amending documents on public display. Council must consider any comments received and a recommendation made to the Minister for Planning and Infrastructure on the course of action Council wishes to pursue (this is where this application currently sits in the process). Council can seek to progress the amendment without change, it can modify the amending documents to reflect the submissions received or it can recommend that the rezoning not proceed.
6. If Council resolves to decline to proceed with the rezoning or to grant final approval to the amendment, with or without modifications, the documents are then referred to the Minister for Planning and Infrastructure. The Minister can accept Council's recommendation or she can require her own modifications to the documents prior to them being gazetted and coming into force. The Minister can also decline to withdraw from the rezoning if she considers Council's decision is not consistent with orderly planning.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

POLICY IMPLICATIONS

7. 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. 1 (SPP 1)
 - The Albany Regional Strategy (1994)
 - The Local Rural Strategy (1996)
 - Yakamia Structure Plan (1998)
8. The purpose of SPP 1 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.
9. 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

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

STRATEGIC IMPLICATIONS

11. 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

12. Now that the advertising period has closed and submissions have been received on the amendment, Council's role is to assess the amendment against the submissions received.
13. The advice received from the EPA advised that any proposed clearing would be the subject of an application for Planning Consent as well as notice of intent being lodged with the Commissioner for Soil and Land Conservation where the proposed area of clearing is in excess of 1 hectare.
14. Proposed amendments to the Environmental Protection Act 1986 will require further permits to be obtained for clearing on the site. The EPA have advised that assessment of flora and fauna can be deferred until a request for clearing is received when the site should be assessed in both its local and regional context.
15. 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.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

16. Of the remaining four submissions, all expressed no objection to the proposed amendment. One request was made in relation to notification being given for any application for an extractive industry, a use that requires referral to neighbours under the provisions of Town Planning Scheme No. 3.
17. There was ambiguity in the submission from Western Power. It has been clarified that Western Power have no objection to the proposal.
18. A Schedule of Submissions has been prepared and attached in which Staff have prepared a draft comment and recommendation for Council's consideration.
19. A 'Rural' zoning will allow for the removal of the Public Purpose reservation and would not prejudice the future rezoning of the land for urban subdivision.

RECOMMENDATION

THAT;

- i) Council grant final approval to Amendment 229 to the City of Albany Town Planning Scheme No. 3 to rezone Lot 8034 Mercer Road, Walmsley from 'Public Purposes' Reserve to 'Rural';
- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and
- iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning and Infrastructure for execution and gazettal.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WELLINGTON**

THAT;

- i) Council grant final approval to Amendment 229 to the City of Albany Town Planning Scheme No. 3 to rezone Lot 8034 Mercer Road, Walmsley from 'Public Purposes' Reserve to 'Rural';**
- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and**
- ii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning and Infrastructure for execution and gazettal.**

MOTION CARRIED 11-0

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 229

Schedule of Submissions

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommendation
1.	Water Corporation PO Box 915 Albany WA 6331	(a) No Objection	(a) No comment required	(a) Noted
2.	Western Power 363 Wellington Street Perth WA 6000	(a) No Objection	(a) No comment required	(a) Noted
3.	Department of Health PO Box 8172 Perth Business Centre WA 6849	(a) No Objection	(a) No comment required	(a) Noted
4.	Allambie Park Cemetery & Crematorium PO Box 469 Albany WA 6331	(a) No Objection (b) Request notification of any application for an extractive industry	(a) No comment required (b) Neighbour referral is a standard component of an application for extractive industry so this concern is addressed.	(a) Noted (b) Noted

DEVELOPMENT SERVICES REPORTS

11.3.2 Initiate Scheme Amendment – Lot 6 Kooyong Avenue, Warrenup

File/Ward	:	A66919A (Kalgan Ward)
Proposal/Issue	:	Initiate Amendment to rezone Lot 6 Kooyong Avenue, Warrenup from 'Rural' to 'Special Residential'.
Subject Land/Locality	:	Lot 6 Kooyong Avenue, Warrenup
Proponent	:	Harley Survey Group
Owner	:	AP & RM May
Reporting Officer(s)	:	Planning Officer – Policy (R Hindley)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Initiate Amendment.
Bulletin Attachment	:	Scheme Amendment Documents
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

BACKGROUND

1. Council is requested to amend Town Planning Scheme No. 3 by rezoning Lot 6 Kooyong Avenue, Warrenup, which has an area of 8.4135 hectares, from the 'Rural' Zone to 'Special Residential Zone No. 12'.
2. The proposal covers land that is surrounded by Special Residential Zone No. 12 to the south, Special Residential Zone No. 3, Kooyong Avenue to the west and 'Rural' zoned land to the east.
3. A copy of the amending documents is included in the Elected Members' Report/Information Bulletin.

STATUTORY REQUIREMENTS

4. Council's resolution under the Town Planning & Development Act 1928 and the Town Planning Regulations 1967 is required to amend the scheme.
5. 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.
6. 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.
7. 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

8. There are various policies and strategies that have relevance to this proposal. They include:
 - The State Planning Strategy;
 - Statement of Planning Policy No. 1 - State Planning Framework Policy (Variation No. 1) (SPP 1);
 - Draft Albany Local Planning Strategy;
 - Draft Community Planning Scheme A;
 - The Albany Regional Strategy (1994); and
 - The Local Rural Strategy (1996).
9. The purpose of SPP 1 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.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

10. The subject site is located within Oyster Harbour Precinct 3 of the City’s Local Rural Strategy. The policy statement for this precinct states that Council may initiate / consider proposals for the rezoning of the area to rural residential, special residential or residential in accordance with the availability of sewer and existing lot sizes.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

13. The subject site represents the residual ‘Rural’ zoned land between two ‘Special Residential’ zoned areas. The proposal will not form a precedent, rather it ‘rounds off’ the zoning in the area.
14. A Precinct Structure Plan is in place for the area contained within ‘Special Residential Zone No. 12’ which recognises special residential subdivision potential on the subject site.
15. The amendment modifies the existing provision for ‘Special Residential Zone No. 12’ to reflect the inclusion of the subject land, as well as modifying the permitted uses in the zone to better reflect the residential nature of the area. The only use to be removed has been ‘Livestock Grazing’, a use not suited to this style of subdivision.
16. Should Council resolve to initiate this amendment and the EPA determine that the amendment is environmentally acceptable, notice will be forwarded to all relevant agencies and affected landowners inviting comment.
17. Based on the details contained within the amending documents, the initiation of this amendment can be supported.

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 6 Kooyong Avenue, Warrenup from the ‘Rural’ Zone;
- ii) including Lot 6 Kooyong Avenue, Warrenup within the ‘Special Residential’ Zone No. 12;
- iii) modifying the provisions for ‘Special Residential’ Zone No. 12; and
- iv) amending the Scheme Maps accordingly.

Voting Requirement Simply Majority

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR BOJCUN**

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:

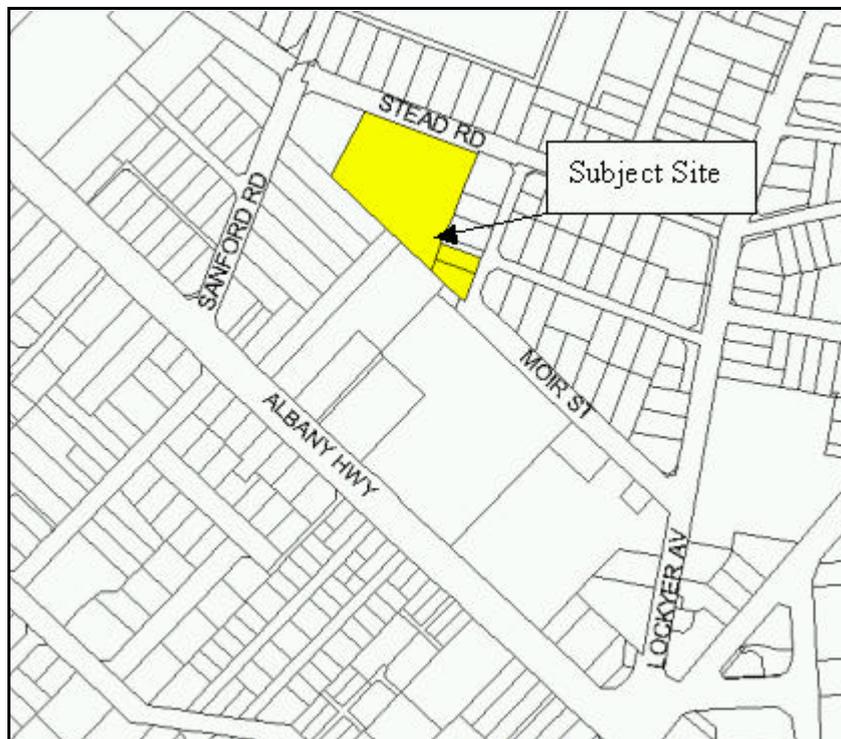
- i) removing Lot 6 Kooyong Avenue, Warrenup from the 'Rural' Zone;**
- ii) including Lot 6 Kooyong Avenue, Warrenup within the 'Special Residential' Zone No. 12;**
- iii) modifying the provisions for 'Special Residential' Zone No. 12; and**
- iv) amending the Scheme Maps accordingly.**

MOTION CARRIED 11-0

DEVELOPMENT SERVICES REPORTS

11.3.3 Development Guide Plan for Lot 1342 (69-77) Stead Road

File/Ward	:	STR 018 (Frederickstown Ward)
Proposal/Issue	:	Development Guide Plan for former Albany Primary School Oval site.
Subject Land/Locality	:	Lot 1342 (69-77) Stead Road & Lot 1513 and 1514 Hymus St (1-3), Centennial Park
Proponent	:	Howard and Associates
Owner	:	Goldyield Investments Pty Ltd
Reporting Officer(s)	:	Planning Officer (Policy) (R Hindley)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 16/09/2003 - Item 11.3.2
Summary Recommendation	:	The Development Guide Plan be Adopted
Bulletin Attachment	:	Nil.
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

BACKGROUND

1. At it's meeting dated 16 September 2003 Council reviewed the draft 'Development Guide Plan' for the former Albany Primary School Oval site and resolved:

“THAT Council adopts the 'Development Guide Plan for Lot 1342 (69-77) Stead Road, Centennial Park' and agrees to advertise it as a policy for public comment in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A subject to:
 - i) *details being given on the management of traffic impacts generated by the proposed use of the land on Stead Road; and*
 - ii) *incorporation of the economic impact statement into the Development Guide.”*
2. The amended policy was advertised for comment for a period of 21 days, no submissions were received in this period.

STATUTORY REQUIREMENTS

3. Clause 7.21.2 of Town Planning Scheme No. 1A requires the following procedure to be undertaken to make a Town Planning Scheme Policy operative.
 - (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.
4. Appendix II – Schedule of Special sites lists the subject site as Special Site Number 37. As a condition of development a Development Guide Plan is to be prepared which addresses:
 - The management of traffic impacts generated by the proposed use of the land on Stead Road;
 - Provision for the mixed land uses that are compatible with uses on adjoining land and land on the opposite side of Stead Road;
 - Preparation of design guidelines for the frontage to Stead Road to require buildings with a residential scale.
 - If more than 200m² Net Leaseable Area of office space is proposed across the whole Special Site, incorporation of an impact assessment in accordance with Section 11.5 of the Albany Commercial Centres Strategy of January 1994

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

(these impacts will be considered in the assessment of the DGP and modification to the DGP may be required as a result);

- Proposed subdivision (if any) of the site; and
- Such other matters considered appropriate by Council.

5. The Development Guide Plan is to be approved before any subdivision or development can occur.

POLICY IMPLICATIONS

6. The Development Guide Plan for Lot 1274 (70-88) Albany Highway, Centennial Park will be a Town Planning Scheme policy adopted by Council under the provisions of Clause 7.21 of Town Planning Scheme 1A.

FINANCIAL IMPLICATIONS

7. Council is required to advertise the adoption of the policy in a local newspaper at it’s own cost.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

9. The proponent modified the draft policy in accordance with Council resolution prior to commencing advertising.

10. A traffic management plan, prepared by BSD consultants, was submitted. This plan outlined the traffic impacts of the proposed development and satisfied the requirements of Council’s earlier resolution.

11. The economic impact assessment was incorporated into the report and meets the requirements stipulated in the special conditions for the site.

12. The proposed policy will provide a framework for a residential and office development on Lot 1342 (69-77) Stead Road & Lot 1513 and 1514 Hymus St (1-3), Centennial Park.

RECOMMENDATION

THAT Council, pursuant to clause 7.21 of the City of Albany Town Planning Scheme No. 1A resolves to adopt the “Development Guide Plan” for Lot 1342 (69-77) Stead Road, Centennial Park’ as a Town Planning Scheme policy and advertise as such in accordance with the Scheme.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WELLINGTON**

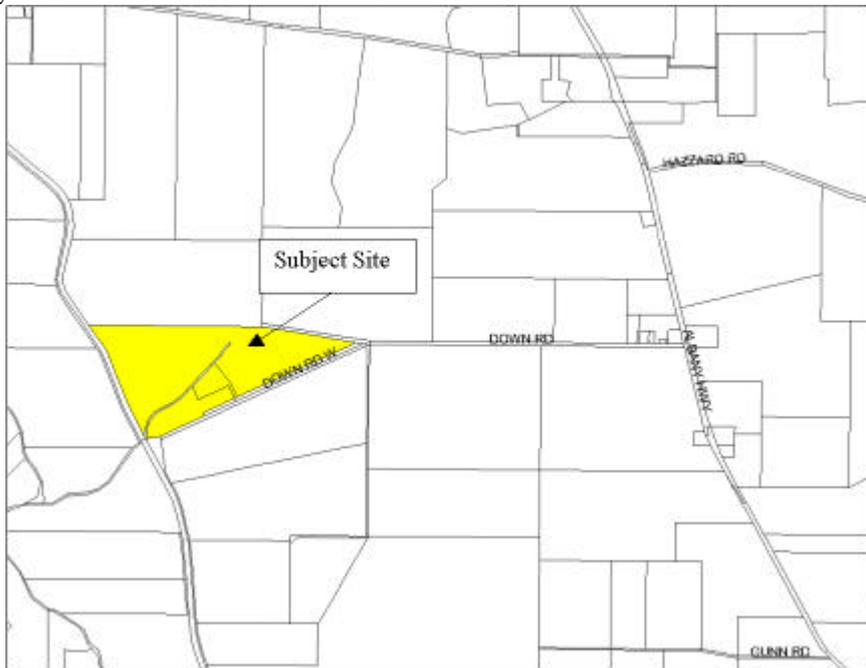
THAT Council, pursuant to clause 7.21 of the City of Albany Town Planning Scheme No. 1A resolves to adopt the “Development Guide Plan” for Lot 1342 (69-77) Stead Road, Centennial Park’ as a Town Planning Scheme policy and advertise as such in accordance with the Scheme.

MOTION CARRIED 10-1

DEVELOPMENT SERVICES REPORTS

11.3.4 Scheme Amendment Request – Lots 100, 102 & 103 Down Road, Drome

- File/Ward** : A171237A (West Ward)
- Proposal/Issue** : Preliminary request to rezone Lots 100, 102 & 103 Down Road from ‘Rural’ to ‘General Industry’
- Subject Land/Locality** : Lots 100, 102 & 103 Down Road, Drome
- Proponent** : Allerding Burgess
- Owners** : Landcorp
- Reporting Officer(s)** : Planning Officer – Policy (R Hindley)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Support the request subject to modifications.
- Bulletin Attachment** : Scheme Amendment Request
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

BACKGROUND

1. An application was received from Allering Burgess seeking Council's preliminary support to rezone Lots 100, 102 & 103 Down Road from 'Rural' to 'General Industry'. A copy of the applicant's proposal is contained in the Elected Members Report/Information Bulletin.
2. The application seeks to facilitate the development of a fixed woodchip mill, laminated lumber plant and a biomass fuelled 30 MW power station. A woodchip mill currently exists on the site and it is proposed to include this use in the new zone.

STATUTORY REQUIREMENTS

3. A Scheme Amendment Request (SAR) is not a statutory process under the Town Planning and Development Act 1928. The purpose of the SAR process is to give an applicant feedback as to whether an amendment is likely to be supported or not, and the issues to be addressed in the Scheme Amendment documents.
4. If an applicant decides to pursue a Scheme Amendment, the Council will be required to formally consider that request.

POLICY IMPLICATIONS

5. There are various policies and strategies that have relevance to this proposal. They include:
 - The State Planning Strategy;
 - Statement of Planning Policy No. 1 - State Planning Framework Policy (Variation No. 1) (SPP 1);
 - The Albany Regional Strategy (1994);
 - The Local Rural Strategy (1996); and
 - Draft Local Planning Strategy (2001).
6. The purpose of SPP 1 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.
7. The subject site is located within Torbay Precinct 9 of the City's Local Rural Strategy. The policy statement for this precinct states that land use proposal are to be determined in accordance with the general policies.
8. 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

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

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

11. A copy of the proposal was referred to the Western Australian Planning Commission and Department of Environment for preliminary comment. The major issues and concerns that were identified include:
- The proposal is consistent with the strategic direction for the area;
 - Given the proximity of land to the Albany Groundwater Area, close liaison with the Department of Environment will be essential;
 - Details need to be provided in relation to water supply;
 - Land is in proximity to Marbellup Creek – a potential drinking water supply;
 - There needs be no pollution or contamination occurring as a result of the proposed uses;
 - Buffer requirements need to be established;
 - Proposal is consistent with the expansion policy of the Draft Albany Local Planning Strategy;
 - Land capability does not appear to be ideal from a preliminary assessment, consideration must be given to the site constraints;
 - Support a ‘Timber Related’ or other specialty zone – not ‘General Industry’; and
 - The use ‘Power Station’ is not compatible with a Priority 3 water area.
12. The proposed zoning of ‘General Industry’ is considered inappropriate and may allow incompatible land uses to occur on the site should the proposed uses not be developed. A “Special Site” zoning will accommodate the proposed development as well as preventing the establishment of other incompatible uses.
13. The proposed development creates the potential for a timber themed industrial area. By making other incidental timber related industries permissible within the zone this theme can be maintained.
14. A non-perennial minor watercourse traverses the site. This watercourse feeds into Marbellup Creek, which is identified as a potential future source of potable water. The proposal needs to demonstrate how any potential impact will be minimised and managed.
15. Advice from the Department of Environment has identified that a ‘Power Station ‘ is not considered a compatible use within a Priority 3 area. The proposed power station is to be fuelled with biomass and is unlikely to have any of the impacts associated with more traditional forms of power generation.
16. Given the nature of the development it is likely that there will be some limited office development to support the activities. Offices should only be permitted where they are incidental to the uses on the site.

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

17. The proposed woodchip mill can already be accommodated under this zoning as a 'Rural Industry'. The proposed amendment would not affect the permissibility of this land use.
18. The transfer of these uses to existing zoned land in the Mirrambeena Industrial Estate is problematic. Heat generated from two of the proposed industries will impact upon airport operations and there is a substantial cost penalty in extending rail to the existing zoned lots. Chimney heights would also need to be restricted within the existing zone.
19. Subject to the applicant addressing the issues mentioned above, to the satisfaction of Council, the preliminary request to rezone the land does not compromise existing strategic planning directions and is supported.

RECOMMENDATION

THAT Council, advise the applicant that it is prepared to support the request for an Amendment to Town Planning Scheme No. 3 to rezone Lots 100, 102 & 103 Down Road, Drome from 'Rural' to 'Special Use' subject to the Scheme Amendment addressing the following to the satisfaction of Council:

- i) detailed Land Capability Assessment;
- ii) detail of any potential pollutants as a result of the proposed activities;
- iii) details as to how any potential off site impacts will be managed with particular reference to Marbellup Creek;
- iv) details of infrastructure and servicing requirements and how they are proposed to be provided;
- v) preparation of a development guide plan; and
- vi) protection of remnant vegetation.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WOLFE**

THAT Council, advise the applicant that it is prepared to support the request for an Amendment to Town Planning Scheme No. 3 to rezone Lots 100, 102 & 103 Down Road, Drome from 'Rural' to 'Special Use' subject to the Scheme Amendment addressing the following to the satisfaction of Council:

- i) detailed Land Capability Assessment;**
- ii) detail of any potential pollutants as a result of the proposed activities;**
- iii) details as to how any potential off site impacts will be managed with particular reference to Marbellup Creek;**
- iv) details of infrastructure and servicing requirements and how they are proposed to be provided;**
- v) preparation of a development guide plan; and**
- vi) protection of remnant vegetation.**

MOTION CARRIED 10-1

DEVELOPMENT SERVICES REPORTS

11.3.5 Proposed Aboriginal Heritage Survey Project

File/Ward	: REL 114 (All Wards)
Proposal/Issue	: Undertake an Aboriginal Heritage Survey within the City of Albany.
Subject Land/Locality	: City of Albany
Proponent	: City of Albany/Department for Indigenous Affairs
Owner	: Various.
Reporting Officer(s)	: Strategic Planning Officer (P Shephard)
Disclosure of Interest	: Nil.
Previous Reference	: Nil.
Summary Recommendation	: To reallocate funding to undertake the Aboriginal Heritage Survey.
Bulletin Attachment	: Nil.
Locality Plan	: Nil.

BACKGROUND

1. The City of Albany signed the Aboriginal Accord with local Aboriginal representatives in March 2003. The Department of Indigenous Affairs has sought Council involvement in the preparation of a heritage survey report, see attached letter.
2. The Aboriginal Heritage Survey project seeks to identify and incorporate opportunities to better integrate consultation with local Aboriginal stakeholders into planning strategies and reserve management works undertaken within the City.

STATUTORY REQUIREMENTS

3. The project is not a statutory requirement for a heritage survey, however the Aboriginal Heritage Act imposes substantial penalties where heritage sites are disturbed.
4. Section 6.8 of the Local Government Act requires an Absolute Majority to approve a re-allocation of funds.

POLICY IMPLICATIONS

5. The consultancy component of the project will produce recommendations covering the planning, development control and reserve management functions of the City.

DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

6. The recommendations are advisory only and will be used to develop new policies and mechanisms to incorporate the findings as determined by Council.

FINANCIAL IMPLICATIONS

7. The Department of Indigenous Affairs is proposing that the City match their contribution of \$10,000 towards the project on a \$1 for \$1 basis.
8. Reallocation of a portion of the Development Services budget is required to facilitate the City's contribution.
9. The proposed project budget is \$20,000.

STRATEGIC IMPLICATIONS

10. The Aboriginal Heritage Survey will provide strategic advice on matters affecting Aboriginal heritage for incorporation within the City's land use planning instruments and reserve management functions.
11. The completion of the project to investigate, document and map Aboriginal cultural places within the City, and progress the consultation processes with local Aboriginal families on developments that may impact on these places, is a positive progression and significant contribution to the Accord.

COMMENT/DISCUSSION

12. Staff have assisted with the preparation of the Consultant's Brief for the project, in consultation with the Department's of Indigenous Affairs Albany Regional Manager.
13. The main objectives of the Aboriginal Heritage Survey are:
 - i) Identify places of Aboriginal cultural heritage that may be affected by development in the future.
 - ii) Make recommendations to the City, suitable for incorporation into land use planning instruments.
 - iii) Inform proponents of the existence of Aboriginal heritage cultural places that need to be considered as part of their developments.
 - iv) Recommend changes to existing management processes for Aboriginal sites.
14. The project is supported by the Department of Indigenous Affairs and they recognise the proactive approach being taken by the City in considering Aboriginal heritage issues.
15. The project has the capacity to deliver a model and provide an example of best practice for use by other Authorities on the incorporation of Aboriginal heritage matters within local planning strategies.

DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

RECOMMENDATION

THAT Council allocate expenditure from the City's Town Planning Scheme (Job No. 4003) in the 2003/2004 Budget to match the Department of Indigenous Affairs contribution on a \$1 for \$1 basis up to a maximum value of \$10,000 to complete the Aboriginal Heritage Survey.

Voting Requirement Absolute Majority

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<p>MOVED COUNCILLOR WELLINGTON SECONDED COUNCILLOR BOJCUN</p> <p>THAT Council allocate expenditure from the City's Town Planning Scheme (Job No. 4003) in the 2003/2004 Budget to match the Department of Indigenous Affairs contribution on a \$1 for \$1 basis up to a maximum value of \$10,000 to complete the Aboriginal Heritage Survey.</p> <p>MOTION CARRIED 11-0 ABSOLUTE MAJORITY</p>
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DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued



Department of Indigenous Affairs
Government of Western Australia
Southern Region



ENQUIRIES: Anthony Galante 9842 3347
OUR REF: I:\dms\open\asg\asg03521.doc
YOUR REF:

CITY OF ALBANY - RECORDS	
FILE:	REL114
DOC:	F310639
03 NOV 2003	
OFFICER:	CEO, FDOS, SPLD1
Attach:	

Mr Andrew Hammond
Chief Executive Officer
City of Albany
PO Box 484
ALBANY WA 6331

Dear Andrew

City of Albany Aboriginal Accord

I wish to commend the City of Albany on progress to date in implementing the Aboriginal Accord since the signing on 27 March 2003.

The Heritage training that was provided to your Rangers and Planning division received a positive response and I was pleased with the keen interest that was displayed over the course of this training. Efforts in relation to planning and development in relation to Robinson Road and the Black Stump Burial site have been equally pleasing. Whilst it is only early in the piece, I can say with confidence that we have got off to a positive start.

I refer to my recent discussions with Mr Robert Fenn and Mr Phil Shephard of your office in relation to the development of a new town planning scheme and strategy. I believe that an ethnographic and archaeological Aboriginal Heritage investigation would be a valuable exercise and contribute significantly to planning and development within the City of Albany and contribute more broadly to the Accord. Key objectives of this project would include:

- Raising community awareness of Aboriginal settlement patterns;
- Identifying areas and places of Aboriginal cultural heritage that may be affected by development in the future;
- Recommending to the City suitable development objectives for incorporation into land use planning instruments;
- Informing proponents of the existence of Aboriginal heritage cultural places that need to be considered as part of their developments; and
- Recommending changes to existing management processes for land that may be an Aboriginal heritage site.

Albany Regional Office:
129 Aberdeen Street, Albany, Western Australia 6330

Bunbury District Office:
Unit 6, 101 Spencer Street, Bunbury, Western Australia 6230

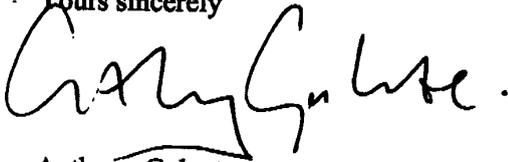
DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

I believe that the project would provide a significant opportunity for the City of Albany, under the Albany Aboriginal Accord, to demonstrate to other local governments a proactive approach to managing Aboriginal heritage issues with local government and provide an example of best practice. To this end, I would like to facilitate this by providing up to \$10,000 on matching basis with the City towards this project.

I invite you to consider this offer and I would be happy to discuss this matter with you further.

Yours sincerely



Anthony Galante

REGIONAL MANAGER

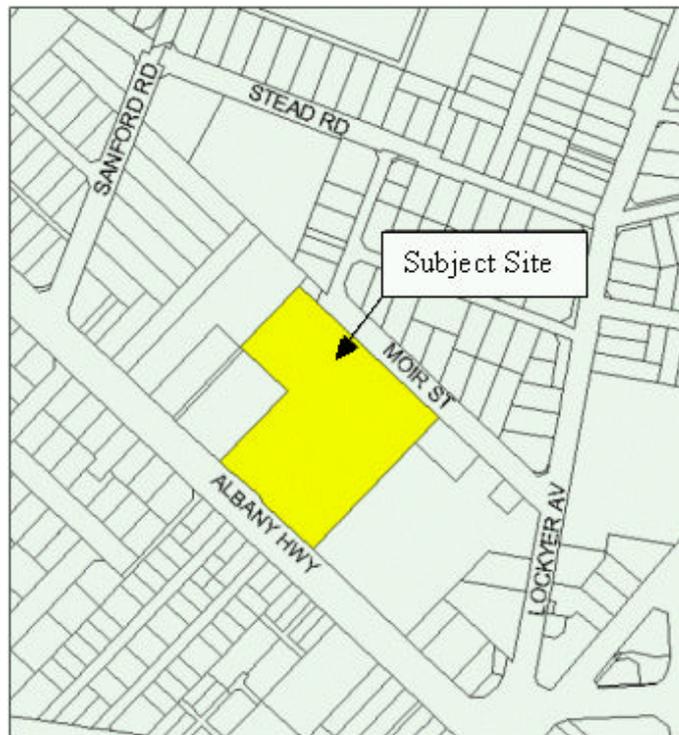
30/10/2003

cc Pam Thorley, Assistant Director, Heritage and Culture

DEVELOPMENT SERVICES REPORTS

11.3.6 Development Guide Plan for Lot 1274 (70-88) Albany Highway

File/Ward	:	STR 018 (Frederickstown Ward)
Proposal/Issue	:	Development Guide Plan for former Albany Primary School site.
Subject Land/Locality	:	Lot 1274 (70-88) Albany Highway, Centennial Park
Proponent	:	BSD Consultants
Owner	:	Macquarie Asset Services Ltd
Reporting Officer(s)	:	Planning Officer (Policy) (R Hindley)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Request that the Development Guide Plan is advertised in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A
Bulletin Attachment	:	Design Report and Draft Development Guide Plan
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

BACKGROUND

1. The proponent lodged an application for Planning Scheme Consent for the development of a Bulky Goods Outlet on the subject site on the 29 August 2003.
2. A Development Guide Plan was lodged with Council as part of the Planning Scheme Consent for the proposed development.
3. To meet statutory requirements, the Development Guide Plan needs to be adopted as a Scheme policy.

STATUTORY REQUIREMENTS

4. Clause 7.21.2 of Town Planning Scheme No. 1A requires the following procedure to be undertaken to make a Town Planning Scheme Policy operative.
 - (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.*
5. Appendix II – Schedule of Special sites lists the subject site as Special Site Number 36. As a condition of development a Development Guide Plan is to be prepared which addresses:
 - *The proposed mix, extent and layout of land uses and the layout of movement systems;*
 - *Consideration of provision of linkages to the adjoining Albany Plaza;*
 - *Traffic impact and location of vehicular access points;*
 - *Preparation of design guidelines by a suitably qualified heritage professional in consultation with the Heritage Council that address the Conservation Plan, building scale, form and materials, and the relationship to the residential area on the northern side of Moir Street;*
 - *Proposed subdivision (if any) of the site;*
 - *Incorporation of an impact assessment in accordance with section 11.5 of the Albany Commercial Centres Strategy of January 1994 (these impact will be considered in the assessment of the DGP and modifications to the DGP may be required as a result); and*
 - *Such other matters as considered appropriate by Council.*

DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

6. The Development Guide Plan is to be approved by the Western Australian Planning Commission, in addition to its adoption by the City, before any subdivision or development can occur.

POLICY IMPLICATIONS

7. The Development Guide Plan for Lot 1274 (70-88) Albany Highway, Centennial Park will be a Town Planning Scheme policy adopted by Council under the provisions of Clause 7.21 of Town Planning Scheme 1A.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

10. The Scheme outlines the factors that need to be considered in developing a Development Guide Plan.
11. The plan that has been submitted shows the proposed mix, extent and layout of land uses and the layout of movement systems.
12. The proposed uses are considered 'P' or permitted uses under the provisions of Town Planning Scheme No. 1A.
13. The special conditions for the development of the site make reference to the inclusion of an economic impact assessment prepared in accordance with the requirements of Section 11.5 of the Albany Commercial Centres Strategy 1994. The proponent has supplied this statement and it meets this requirement.
14. The proposed development guide plan show two new access points to the under croft car park in Albany Plaza with an access point on each level of the car park. A new pedestrian access point is also proposed in the Albany Plaza building, on it's western wall towards the southern side of the site (Albany Highway).
15. A report has been prepared by the proponent supporting the design of the proposed development. The report outlines the commercial rationale for the orientation of the centre towards the parking area adjacent to Albany Highway.
16. A heritage consultant has been engaged by the proponent to prepare a plan addressing the heritage aspects of the site. The Primary School building is on the State Register and the Development Guide Plan will be referred to the Heritage Council for comment.

DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

17. Based on the content of the submission, it is considered that there is sufficient detail in the Development Guide Plan to proceed to advertising.
18. Development of the site cannot proceed, irrespective of Council adoption of the 'Development Guide Plan', until such time as the Western Australian Planning Commission has also endorsed the plan.
19. A copy of the draft policy and report is included in the Elected Members Report/Information Bulletin.

RECOMMENDATION

THAT Council, adopts the 'Development Guide Plan for Lot 1274 (70-88) Albany Highway, Centennial Park' and agrees to advertise it as a policy for public comment in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A.

Voting Requirement Simple Majority

.....
MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EMERY

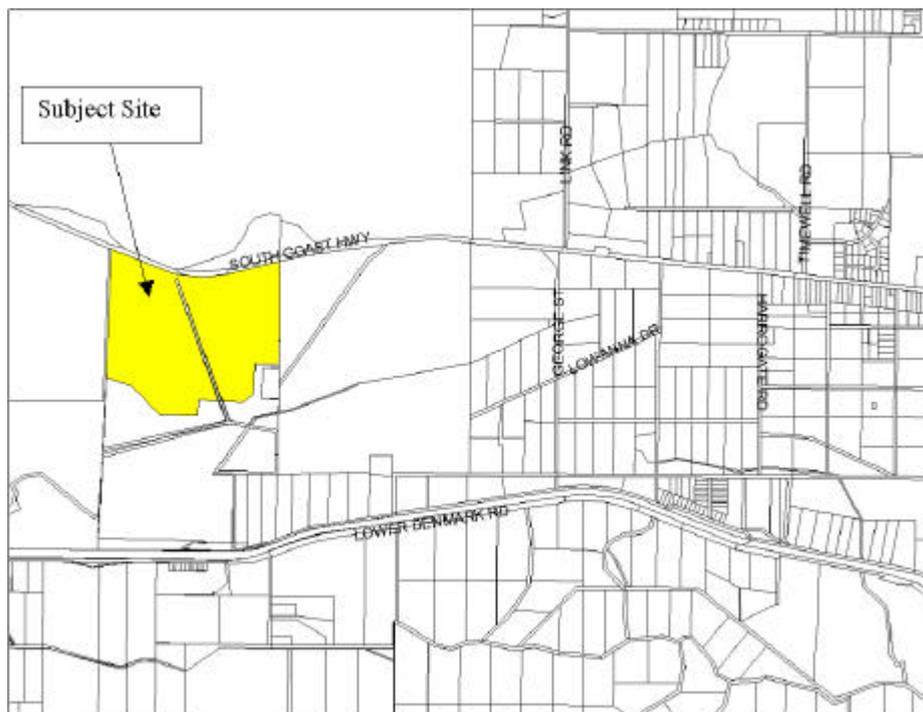
THAT Council, adopts the 'Development Guide Plan for Lot 1274 (70-88) Albany Highway, Centennial Park' and agrees to advertise it as a policy for public comment in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A.

MOTION CARRIED 11-0

DEVELOPMENT SERVICES REPORTS

11.3.7 Final Approval Scheme Amendment – Rural to Special Rural

- File/Ward** : A8826A & A7117A & AMD 196 (West Ward)
- Proposal/Issue** : Request for Final Approval to Rezoning for Location 401 South Coast Highway
- Subject Land/Locality** : Lot 126 Cuming Road, Gledhow and portion of Lots 44 and Part Lot 19 of Location 401, Portion Lot A6 of Location 401, Part Location 6874 and Part Location 77 South Coast Highway, Cuthbert.
- Proponent** : Harley Survey Group
- Owner** : AB & LS Chivers
- Reporting Officer(s)** : Planning Officer – Policy (R Hindley)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 12/08/1998 – Item 12.1.3
OCM 28/04/1999 – Item 12.1.3
OCM 24/08/1999 - Item 12.1.10
OCM 26/10/1999 - Item 12.1.5
- Summary Recommendation** : Grant Final Approval Subject to Modifications
- Bulletin Attachment** : Modifications
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

BACKGROUND

1. At it's meeting of 26th October 1999 a report was presented to Council supporting the Final Approval of Amendment No. 196. At this meeting the following was resolved by Council:

“THAT Council:

- i) *Pursuant to Regulation 17(2) of the Town Planning Regulations (as amended), resolves that it does not wish to proceed with Amendment 196 to the City of Albany Town Planning Scheme No.3 as the requirements outlined in the Schedule of Submissions at 4, 9, 13(a) and 13(d) may require substantial alterations to the amending documents and further community consultation;*
 - ii) *Receives the Schedule of Submissions, the comments on individual submissions be tabled and the recommendations contained therein be either noted, upheld or dismissed as detailed.”*
2. Pursuant to Section 11 (da) of the Local Government Administration Regulations 1996, the reason for this decision is as follows:

“Council’s decision of the 24th August 1999, at agenda Item 12.1.10, sought to progress the amendment only after Council was satisfied that site constraints (such as the Ring Road alignment and the suitability of some lots for on-site effluent disposal) could be documented and the plan of subdivision adjusted accordingly. These constraints need to be fully documented before Council agrees to progress the amendment.”
3. This resolution was forwarded to the Western Australian Planning Commission who agreed to hold the amendment until such time as issues relating to the Ring Road were resolved.
4. On the 12th December 2002 the owners of Location 126 consented to the removal of their land from this amendment.
5. The proposed modifications to the Amendment, including the alteration of the internal road network satisfies the requirements of Council’s resolution dated 26th October 1999.

STATUTORY REQUIREMENTS

6. Council has already resolved not to support this amendment. This earlier resolution must be rescinded prior to the adoption of a new resolution giving final approval to the amendment. The modified documents now before Council allow this matter to be reconsidered as a normal agenda item without the procedural requirements listed in Regulation 10 of the Local Government (Administration) Regulations 1996.

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

7. Section 7 of the Town Planning and Development Act provides the mechanism for a Town Planning Scheme to be amended. Council resolves to initiate a scheme amendment and then places the amending documents on public display. Any comments received must be considered by Council and a recommendation is then made by Council to the Minister for Planning & Infrastructure on the course of action Council wishes to pursue (this is where this application currently sits in the process). Council can seek to progress the amendment without change, it can modify the amending documents to reflect the submissions received or it can recommend that the rezoning not proceed.
8. If Council resolves to decline to proceed with the rezoning or to grant final approval to the amendment, with or without modifications, the documents are then referred to the Minister for Planning & Infrastructure. The Minister can accept Council's recommendation or she can require her own modifications to the documents prior to them being gazetted and coming into force. The Minister can also decline to withdraw from the rezoning if she considers Council's decision is not consistent with orderly planning. Council's resolution under the Town Planning & Development Act 1928 and the Town Planning Regulations 1967 is required to amend the scheme.

POLICY IMPLICATIONS

9. There are various policies and strategies that have relevance to this proposal. They include:
 - The State Planning Strategy;
 - Statement of Planning Policy No. 1 - State Planning Framework Policy (Variation No. 1) (SPP 1);
 - Draft Albany Local Planning Strategy;
 - Draft Community Planning Scheme A;
 - The Albany Regional Strategy (1994); and
 - The Local Rural Strategy (1996).
10. The purpose of SPP 1 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 subject land is zoned 'Rural', and is included in the Torbay 8 policy area of the City of Albany Local Rural Strategy which promotes "Rural Residential" development subject to the proposal overcoming identified constraints and satisfying relevant land management needs.

FINANCIAL IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

14. The modifications submitted by the proponent satisfactorily address the matters raised in Council's 26th October 1999 resolution. The documents are in order for Council to give final approval and be forwarded to the Minister for Planning and Infrastructure for execution and gazettal.
15. The following modifications are proposed to be made to the Amendment Documents to satisfy Council's Resolution of the 26th October 1999:
- Removal of Lot 126 Cuming Road from the amendment; and
 - Realignment of entry to South Coast highway to meet Main Roads WA requirements.
16. The exclusion of Lot 126 Cuming Road addresses many of the issues that were raised during the formal advertising process.
17. Concern was raised over the ability of the smaller lots proposed on Lot 126 to dispose of wastewater on site. This has been resolved with the minimum lot size on Location 401 being 2.0ha and the smaller lots on damper land being removed from the proposal.
18. Comments on the initial proposal required the preparation of a vegetation management plan in relation to the creek/drainage line. Those areas are not included in this proposal. Revegetation areas are shown on the development guide plan.
19. The proposed modifications were referred to Council's Senior Ranger for comment on the strategic firebreaks. The Subdivision Guide Plan has been modified to incorporate a new layout for these firebreaks.
20. It was identified during the advertising process that there was inadequate provision for fire fighting in the amending document. A provision is required to be incorporated into the amendment to satisfy this shortfall.
21. Whilst the proposed modifications are significant, they are generally in accordance with the early requirements of Council and represent a scaling down of the original proposal. Based on the nature of the modifications it is not considered necessary to readvertise the amendment.

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

RECOMMENDATION

THAT Council rescind its resolution for Item 12.1.5, passed at the ordinary meeting of Council dated 26 October 1999 which reads:

“THAT Council:

- i) Pursuant to Regulation 17(2) of the Town Planning Regulations (as amended), resolves that it does not wish to proceed with Amendment 196 to the City of Albany Town Planning Scheme No.3 as the requirements outlined in the Schedule of Submissions at 4, 9, 13(a) and 13(d) may require substantial alterations to the amending documents and further community consultation;*

- ii) Receives the Schedule of Submissions, the comments on individual submissions be tabled and the recommendations contained therein be either noted, upheld or dismissed as detailed.”*

Voting Requirement Absolute Majority

RECOMMENDATION

THAT

- i) Council grant final approval to Amendment 196 to the City of Albany Town Planning Scheme No. 3 to rezone Loc 401 South Coast Highway, Cuthbert from ‘Rural’ to ‘Special Rural’ subject to the following modifications:

 - Modifications as outlined in the report prepared by Harley Survey Group; and
 - The inclusion of a clause requiring the provision of a 25,000 litre fire tank hardstand area and stand pipe capable of delivering 450 litres per minute where reticulated water is not available. Where reticulated water is available, hydrants shall be installed at 200m intervals;

- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and

- iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning for execution and gazettal.

Voting Requirement Simple Majority

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WELLINGTON**

THAT

- i) Council grant final approval to Amendment 196 to the City of Albany Town Planning Scheme No. 3 to rezone Loc 401 South Coast Highway, Cuthbert from ‘Rural’ to ‘Special Rural’ subject to the following modifications:**
- Modifications as outlined in the report prepared by Harley Survey Group; and**
 - The inclusion of a clause requiring the provision of a 25,000 litre fire tank hardstand area and stand pipe capable of delivering 450 litres per minute where reticulated water is not available. Where reticulated water is available, hydrants shall be installed at 200m intervals;**
- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and**
- iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning for execution and gazettal.**

MOTION CARRIED 11-0

Chief Executive Officer advised the Council that the motion was ultra-vires and could be dealt with at this point.

Councillors Emery, Bojcun, Williams, West and Demarteau brought forward the motion that the motion moved at the Ordinary Meeting of Council on 26th October 2003 be rescinded.

“THAT Council:

- i) Pursuant to Regulation 17(2) of the Town Planning Regulations (as amended), resolves that it does not wish to proceed with Amendment 196 to the City of Albany Town Planning Scheme No.3 as the requirements outlined in the Schedule of Submissions at 4, 9, 13(a) and 13(d) may require substantial alterations to the amending documents and further community consultation;*
- ii) Receives the Schedule of Submissions, the comments on individual submissions be tabled and the recommendations contained therein be either noted, upheld or dismissed as detailed.”*

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued.

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR WOLFE**

THAT Council rescind its resolution for Item 12.1.5, passed at the ordinary meeting of Council dated 26 October 1999 which reads:

“THAT Council:

- i) Pursuant to Regulation 17(2) of the Town Planning Regulations (as amended), resolves that it does not wish to proceed with Amendment 196 to the City of Albany Town Planning Scheme No.3 as the requirements outlined in the Schedule of Submissions at 4, 9, 13(a) and 13(d) may require substantial alterations to the amending documents and further community consultation;***
- ii) Receives the Schedule of Submissions, the comments on individual submissions be tabled and the recommendations contained therein be either noted, upheld or dismissed as detailed.”***

**MOTION CARRIED 11-0
ABSOLUTE MAJORITY**

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR LIONETTI**

THAT

- i) Council grant final approval to Amendment 196 to the City of Albany Town Planning Scheme No. 3 to rezone Loc 401 South Coast Highway, Cuthbert from ‘Rural’ to ‘Special Rural’ subject to the following modifications:**
 - Modifications as outlined in the report prepared by Harley Survey Group; and**
 - The inclusion of a clause requiring the provision of a 25,000 litre fire tank hardstand area and stand pipe capable of delivering 450 litres per minute where reticulated water is not available. Where reticulated water is available, hydrants shall be installed at 200m intervals;**
- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and**
- iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning for execution and gazettal.**

MOTION CARRIED 11-0

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

**Town Planning & Development Act 1928 (As Amended) TPS3
Proposed Amendment No. 196
Schedule of Submissions**

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
1.	B & D Lloyd Lot 82 Lowanna Drive GLEDHOW WA 6330	<ul style="list-style-type: none"> a) Loss of rural outlook. b) Increase in traffic noise and increase in danger on Lowanna Drive due to more traffic. c) If Lowanna Drive used as access to subdivision then proper drainage should be provided. 	<ul style="list-style-type: none"> a) Land is identified for Rural Residential development in the Local Rural Strategy b) Lowanna Drive is not proposed to be used as part of this modification. c) Lowanna Drive is not proposed to be used as part of this modification. 	DISMISS DISMISS DISMISS
2.	D Lloyd Lot 82 Lowanna Drive GLEDHOW WA 6330	<ul style="list-style-type: none"> a) Loss of tranquility and rural outlook. b) Increase in traffic noise and danger on Lowanna Drive due to more traffic. c) Possible loss of groundwater. d) Request for at least 20 metre buffer zone from boundary to be planted with trees. e) Object to ROW access to Lot 125, access should be from South Coast Hwy 	<ul style="list-style-type: none"> a) Refer to submission 1(a). b) Refer to submission 1(b). c) Ground water extraction is controlled by licensing under Waters & Rivers Commission legislation. d) A revegetation plan forms part of the Subdivision Guide Plan. e) The ROW access to lot 125 will provide emergency access for future rural/residential development 	DISMISS DISMISS DISMISS NOTED DISMISS
3.	BW & KV McGillis Lot 79 Lowanna Drive GLEDHOW WA 6330	Access should be from South Coast Hwy not Lowanna Drive. Suggest that Lowanna Drive becomes a cul-de-sac.	Lowanna Drive is not proposed to be used as part of this modification.	DISMISS

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
4.	Health Department of WA PO Box 8172 Stirling Street PERTH WA 6849	No Objection, however recommend that following provision, or similar is included in scheme text: <i>“Support for subdivision applications would be based on the capability of each lot to dispose wastewater on site. This will need to be demonstrated to the satisfaction of Council and the Health Department of WA by means of a site specific and suitably detailed geotechnical report. Details should include soil profile and permeability, and depths to late winter water table.”</i> The proposed large lot sizes at the low lying areas on the valley floor should have available portions of land that can achieve a minimum clearance of 500mm between natural ground surface and winter water table for the disposal of wastewater.	The removal of Lot 126 as part of this modification addresses this concern. All Lot are in excess of 2.0ha in area.	DISMISS
5.	K Palmer Lot 61 Lowanna Drive GLEDHOW WA 6330	a) Use of Lowanna Drive as entry point to subdivision will “severely affect the existing amenity of the area”. b) Suggest that the existing western portion of Lowanna Drive be developed into a cul-de-sac with access to the new development being from South Coast Hwy.	a) Refer to submission 1(b) b) Refer to submission 3(b)	DISMISS DISMISS
6.	J & S Bishop PO Box 770 ALBANY WA 6331	a) In principle support subdivision. b) Currently there exists a gazetted road along the back of lots 9-11 Old Elleker Road. This would provide access for future subdivision to Lot 12. The rezoning includes the gazetted road in the Special Rural zone and therefore removes the access to Lot 12. c) Request firebreak proposed on northern boundary of lot remains as access for future subdivision of the lot.	a) Noted b) The land referred to is a former road/drainage reserve. This land is freehold title in private ownership. c) Strategic firebreaks are incorporated in the individual lots. Future development will need to provide road access for all lots created	NOTED DISMISS DISMISS
7.	SA Sims	a) No objections.	a) Noted	NOTED

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
8.	PO Box 1477 ALBANY WA 6331	b) Prefer that the southern boundary of subdivision where it adjoins Lot 10-16 Old Elleker Road be a usable road allowing any future subdivisions of adjoining lots.	b) Refer to Submission 6(b)	DISMISS
		a) On Subdivision Guide Plan it appears there is no access to two lots abutting South Coast Hwy.	a) Access to these lots would be from South Coast Highway. Access points and crossovers are subject to the requirements of Main Roads.	DISMISS
		b) The area next to South Coast Hwy has clay subsoil and can be very wet on the surface after heavy rain. "I would say the conditions proposed for drainage, on site effluent disposal etc need to be strictly enforced".	b) Refer to Submission 4	DISMISS
		c) There is a possibility the Ring Road will run along the eastern boundary of Stage 2, to Lower Denmark Road.	c) The proposal is no longer affected by the Ring Road.	DISMISS
9.	Main Roads WA PO Box 503 ALBANY WA 6331	Oppose rezoning until such time as the alignment of the Ring Road has been determined. One of the alternative alignment options affects the proposal.	The removal of Lot 126 from the proposal removes any potential impact from the siting of the Ring Road.	NOTED
10.	R & H Van PO Box 1598 ALBANY WA 6331	a) Object to rezoning. The proposal does not comply with the Albany Regional Strategy Planning Study.	a) The land has been included within Torbay 8 policy area of the Local Rural Strategy that identifies the land for rural/residential development.	DISMISS
		b) Many of the existing ROW's contain the only remnants of natural vegetation or regrowth. These will be cleared under the proposal for strategic firebreaks.	b) Strategic firebreaks are positioned to minimise the clearing of vegetation.	DISMISS
		c) Subdivision Guide Plan shows Lot 1 as having a large area of natural vegetation, this is incorrect as except for a small area at the front the remainder is completely cleared.	c) The modified Subdivision Guide Plan uses an aerial photograph to show areas of existing vegetation.	DISMISS
		d) The firebreaks/roads/service areas should be within the land, which is the subject of the rezoning.	d) All land considered under this proposal is in private ownership.	DISMISS

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
11.	Bush Fire Service of WA 74 Chester Pass Road ALBANY WA 6330	<p>The proposal addresses fire safety requirements in part only. Recommend the following minimum fire safety requirements are incorporated into the document.</p> <p>a) Water supply for fire fighting purposes shall be available.</p> <p>b) Strategic firebreaks shall be established in suitable locations.</p> <p>c) Low fuel buffers, at least 20 metres wide, shall be established and maintained around each building.</p> <p>d) Bush fire fuel levels within each lot shall be maintained low by grazing, slashing or other means.</p> <p>e) An agreement shall be reached between the developer and the Local Government on a contribution towards the provision or upgrade of fire protection equipment and service in the area.</p> <p>f) The development shall comply with fire safety requirements for new developments as outlined in the Local Government's policy documents.</p>	<p>a) Modifications are required to the documents to incorporate suggested provision</p> <p>b) Strategic Breaks are shown on the subdivision guide plan.</p> <p>c) Refer to Special Provision 10.1</p> <p>d) Controls for maintaining fuel loading on properties are covered under Councils Bush Fire Notice.</p> <p>e) Refer to Special Provision 10.2</p> <p>f) Fire safety requirements are enforced by Councils Chief Fire Control Officer</p>	<p>UPHOLD: Add new Special Provision 10.5 to require the provision of a 25,000 litre fire tank hardstand area and stand pipe capable of delivering 450 litres per minute where reticulated water is not available. Where reticulated water is available, hydrants shall be installed at 200m intervals.</p> <p>NOTED</p> <p>NOTED</p> <p>DISMISS</p> <p>NOTED</p> <p>DISMISS</p>
12.	E Lewis	a) Purchased lot with future subdivision in mind as	a) Refer to Submission 6(b)	DISMISS

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
13.	Lot 11 Old Elleker Road CUTHBERT WA 6330 Waters & Rivers Commission PO Box 525 ALBANY WA 6330	<p>gazetted road existed at rear boundary. The rezoning includes the gazetted road in the Special Rural zone and therefore removes the access to lot.</p> <p>b) There is a possibility the Ring Road will affect the proposal.</p> <p>a) Rezoning documents provide insufficient information to allow detailed assessment. Further details are required include:-</p> <ul style="list-style-type: none"> • The delineation of Five Mile Creek on the SGP • Occurrence of the highest known ground water depths • Waterway floodplains as defined by the 1 in 100 year flood event • Type and condition of remnant vegetation occurring within the subject land and in particular the creekline <p>b) Development to the north of Lowanna Drive may be flood prone.</p> <p>c) All dwellings are to be constructed above the 2.9m Australian Height Datum.</p> <p>d) Setback Provisions are required for development from waterbodies and creeklines to reduce the export of nutrients into waterways.</p> <p>e) Vegetation Management Plan and Landscape assessment required addressing remnant vegetation and proposed revegetation strategy.</p>	<p>b) Refer to Submission 9</p> <p>a) The removal of Lot 126 from the proposal addresses these concerns.</p> <p>b) The removal of Lot 126 from the proposal addresses this concern.</p> <p>c) Subject land is above 10m AHD</p> <p>d) The removal of Lot 126 from the proposal addresses this concern.</p> <p>e) Revegetation areas are shown on the Subdivision Guide Plan.</p>	<p>DISMISS</p> <p>NOTED</p> <p>DISMISS</p> <p>DISMISS</p> <p>DISMISS</p> <p>NOTED</p>
14.	M & J Corripton	a) Density of development in area A is too great.	a) Area A has been removed from the	DISMISS

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
	81 Lowanna Drive GLEDHOW WA 6330	<ul style="list-style-type: none"> b) Lot size in Area B should be a minimum 4ha c) Lots to the north of proposed Lowanna Drive extension are low-lying and subject to inundation during winter months. d) Density of development will lead to pollution of Five Mile Creek and Lake Powell. e) Do not support the upgrading of Lowanna Drive due to loss of amenity. f) Land to the south east of Area A incorrectly denoted as Future Special Rural. g) Need to enforce the preservation of trees in Area A 	<ul style="list-style-type: none"> proposal. b) 2ha is considered adequate for this site. c) The removal of Lot 126 from the proposal addresses this concern. d) The removal of Lot 126 from the proposal addresses this concern. e) Lowanna Drive is not proposed to be used as part of this modification. f) Area A has been removed from the proposal. g) Area A has been removed from the proposal. 	<ul style="list-style-type: none"> DISMISS DISMISS DISMISS NOTED DISMISS DISMISS

DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT SERVICE COMMITTEES

Nil.

Corporate & Community Services

REPORTS

- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment – 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	:	Summary 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	307,766.55
Electronic Fund Transfer	totalling	2,012,053.27
Payroll	totalling	970,246.30
TOTAL		3,290,066.12

2. As at 3rd November 2003, the total outstanding creditors, stands at \$1,275,236.83.

CORPORATE & COMMUNITY SERVICES

Item 12.1.1 continued.

RECOMMENDATION

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

Municipal Fund	totalling	\$3,290,066.12
Total		<u>\$3,290,066.12</u>

Voting Requirement Simple Majority

MOVED COUNCILLOR BOJCUN		
SECONDED COUNCILLOR EVANS		
Municipal Fund	totalling	\$3,290,066.12
Total		<u>\$3,290,066.12</u>
MOTION CARRIED 11-0		

CORPORATE & COMMUNITY SERVICES

12.1.2 First Quarter 2003/2004 Budget Review

File/Ward	:	FIN 047 (All Wards)
Proposal/Issue	:	Council requested to adopt the 1 st Quarter Review
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Finance (SR Goodman)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council adopt the 1st Quarter Review
Bulletin Attachment	:	List of proposed reallocations Summary – YTD Cost vs Budget
Locality Plan	:	N/A

BACKGROUND

1. Council officers have reviewed the quarterly operating results for their areas together with determinations by Council for the first three months of the 2003/2004 financial year.
2. Variances in the anticipated full year results have been identified.

STATUTORY REQUIREMENTS

3. Section 6.4 of the Local Government Act 1995 requires that financial reports be prepared and presented in the manner and form prescribed and contain the prescribed information. Clause 35 (d) of the Local Government (Financial Management) Regulations 1996 states: “A quarterly report is to be in a form, which identifies any significant variations between the year-to-date income and expenditure totals and identifies areas where the activities of the local government are not in accordance with the estimates set forth in the annual budget that year”. 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).

CORPORATE & COMMUNITY SERVICES

Item 12.1.2 continued.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. Council has adopted a balanced budget for 2003/2004. Any surplus for the financial year can be used to fund the following year's budget with the balance to be reviewed by Council and transferred to reserves for specified purposes. An end of year deficit would require funding from the following year's budget.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

7. The quarterly review conducted by officers in October 2003 identified savings, deferred projects and additional costs, resulting in a projected net deficit of \$4,427. It is anticipated that future budget savings will more than offset this amount. A comprehensive list of the proposed reallocations by responsibility is contained in the Elected Members' Report / Information Bulletin.

8. The following is information on significant proposed reallocations:

a. General Purpose Income

The actual General Purpose Grant and Local Roads Funding which were agreed, exceeded budget by \$11,223. An additional \$100,000 was received for bridge funding projects, which will be carried out by the Main Roads Department

b. Roads to Recovery Funding

The City has received an unexpected payment of \$1,368,974 from the Roads to Recovery Fund for works on Lower Denmark Road. It is proposed that an equivalent amount be transferred to the Roadworks reserve account pending review of the payment.

c. Budget Carryovers – 2002/03

A number of expenditure commitments (purchase orders), which were funded out of the 2002/2003 operating budget failed to be completed by the 30th June 2003 although they had been expected to be completed when the 2003/04 budget was finalised. This meant that the 2002/2003 surplus was effectively overstated by \$106,847. As any surplus is transferred to reserves, it is proposed that this amount be segregated within the reserve accounts, and be used to pay the outstanding purchase orders when the invoices arrive in 2003/2004.

d. TIRES Funding

The timber industry has agreed to contribute \$320,000 for road funding. The specific projects are Mettlers Lake Road (\$200,000), and Takenup Road (\$120,000)

CORPORATE & COMMUNITY SERVICES

Item 12.1.2 continued.

e. Grant for Waste Oil Facilities (\$60,000)

The 2003/2004 budget included a fully grant funded project to provide waste oil facilities at three tip sites. The funding was actually received late in June 2003, and under Local Government Act Regulations, Council is required to take such revenue into the financial year in which it is received. An equivalent amount was transferred into reserves for 2002/2003 to ensure that the surplus for that year was not overstated. This reallocation recognises that the project funding will come from reserves rather than grant funding in 2003/04.

RECOMMENDATIONS

THAT Council adopt the 1st Quarter Review.

Voting Requirement Absolute Majority

.....

<p>MOVED COUNCILLOR WOLFE SECONDED COUNCILLOR BOJCUN</p> <p>THAT Council adopt the 1st Quarter Review.</p> <p>MOTION CARRIED 11-0 ABSOLUTE MAJORITY</p>

CORPORATE & COMMUNITY SERVICES

12.2 ADMINISTRATION

12.2.1 Contract C03021 – Installation of Photocopiers

File/Ward	:	FIN 022 (All Wards)
Proposal/Issue	:	Proposal to enter into a lease agreement for the provision of two new photocopiers.
Subject Land/Locality	:	All Areas
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Personal Assistant to EDCCS (S Day) Contracts Officer (H Harvey)
Disclosure of Interest	:	Nil
Previous Reference	:	N/A
Summary Recommendation	:	That Council accepts the Tender from Best Office Systems for the provision of two Ricoh photocopiers.
Bulletin Attachment	:	Nil
Locality Plan	:	N/A

BACKGROUND

1. The City of Albany currently has two photocopiers which, a Ricoh 650 and a Ricoh 550, are supplied under contract by Best Office Systems.
2. Due to the extreme high usage, wear and tear, the machines are now becoming a high maintenance responsibility and not producing the required quality. Since October 1999, the photocopiers, have produced over 3,820,156 copies.
3. Tenders were called by advertising in the West Australian newspaper on 20th September 2003 and the Albany Advertiser on 18th September 2003. Tenders closed on Friday 3rd October 2003 and of the eight tenders requested, three were received at the tender box opening.

STATUTORY REQUIREMENTS

4. Regulation 18 of the Local Government (Functions and General) Regulations 1996 makes provisions for the administration of the tender process. Council may decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.

CORPORATE & COMMUNITY SERVICES

Item 12.2.1 continued.

5. Regulation 19 requires Council to advise each tender or tenderer in writing as to the result of Council's Tender process.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

7. The City of Albany currently has an expenditure budget of \$35,000 allocated to the lease and other photocopier expenses for the York Street and Mercer Road Administration buildings. The calculations as shown within the attached table indicate that the current expenditure budget will cover these costs.

STRATEGIC IMPLICATIONS

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

Port of Call

A reputation for professional excellence.

- Objective
To creation a quality environment in which to work and develop / deliver services to the community.

COMMENT/DISCUSSION

9. Our current Ricoh 650 produces approximately 65,000 copies per month. The proposed new black and white photocopier was based on these figures.
10. The current Ricoh 550 produces approximately 46,000 copies per month and the existing colour lazer printer produces approximately 8,500 copies per month. The proposed new black and white/colour photocopier was based on these figures.
11. Photocopiers located at York Street Administration, Mercer Road Administration, Albany Leisure & Aquatic Centre and the Depot are all Ricoh machines.
12. Evaluation has been carried out in two separate parts, to take into account the separate charges for monthly rental commitment and the service components based on price per page print. It is desirable to have both photocopiers supplied by the same company therefore the rental prices have been added together to make one monthly rental costing. The price per page has also been added together (one cost for black and white page [downstairs copier] and one black and white page and one colour page [upstairs copier]).
13. The results of this assessment is attached to this item.

CORPORATE & COMMUNITY SERVICES

Item 12.2.1 continued.

14. Evaluation: On monthly rental alone, the best rated tenderer was Storm Office National, the lowest was Best Office Systems. On price per copy, the best rated was Best Office Systems and the lowest rated was Storm Office National. In both instances, SOS Office Equipment prices were between the other two. The cumulative result of these calculations, is that the Best Office Systems tender will provide the best value to Council.

RECOMMENDATION

THAT Council accepts the tender submission from Best Office Systems for the provision of a Ricoh black and white photocopier and a Ricoh black/white and colour photocopier and enter into a lease agreement as of November 2003.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR DEMARTEAU SECONDED COUNCILLOR EVANS</p> <p>THAT this item lay on the table until the December Ordinary Meeting of Council, enabling officers to research and present detailed information about:-</p> <ul style="list-style-type: none">• the period of the lease;• possible lease options that can be considered;• comparisons to outright purchases;• details of copy costs for all lease period options from all tenderers; and• details of where any extra funding will come from if required. <p style="text-align: right;">MOTION CARRIED 6-5</p>

Reason:

- The current recommendation does not detail what lease period is being considered, nor does it offer enough information in relation to comparisons of leasing verses buying of the photocopy machines. This information is necessary for Councillors to make an informed decision.

ORDINARY COUNCIL MEETING – 18/11/03
 ** REFER DISCLAIMER **
 CORPORATE & COMMUNITY SERVICES REPORTS

Evaluation Calculations For Photocopier Tenders Costs Per Month

Business Name	Score for Monthly Rental	Score for per page calculation	Total	Total multiplied by 60% (weighted score)
Best Office Systems	Black & White	938.77	Black & White (downstairs)	.0088
	B/W & Colour	<u>1012.33</u>	Black & White (upstairs)	.0165
	TOTAL	1951.10	Colour	<u>.0660</u>
			TOTAL	.0913
	SCORE	4.39	SCORE	10.63
SOS Office Equipment	Black & White	879.97	Black & White (downstairs)	.011
	B/W & Colour	<u>963.47</u>	Black & White (upstairs)	.011
	TOTAL	1843.44	Colour	<u>.240</u>
			TOTAL	.262
	SCORE	4.98	SCORE	6.18
Storm Office National	Black & White	865.42	Black & White (downstairs)	.0165
	B/W & Colour	<u>859.61</u>	Black & White (upstairs)	.0165
	TOTAL	1725.03	Colour	<u>.2400</u>
			TOTAL	.273
	SCORE	5.62	SCORE	1.92

12.2.2 Extended Trading Hours within the City of Albany

File/Ward	:	LEG 005 (All Wards)
Proposal/Issue	:	Extended Trading Hours
Subject Land/Locality	:	City of Albany Municipality
Proponent	:	City of Albany
Owner	:	City of Albany
Reporting Officer(s)	:	Administration Officer (J Twaddle)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 21/10/03 - Item 12.2.2 OCM 19/08/03 – Item 12.2.3 OCM 19/03/03 - Item 12.2.3
Summary Recommendation	:	THAT Council recommend to the Minister for Consumer and Employment Protection to extend retail trading hours for the Christmas shopping period.
Bulletin Attachment	:	Incoming submissions
Locality Plan	:	Nil

BACKGROUND

1. At the Ordinary Council Meeting on 19th August 2003, it was resolved:

“THAT as a two-year trial period of extended trading hours is currently being undertaken and will continue until June 2004 when it will be reviewed, Council decline to recommend the application from Coles Supermarket for extended trading hours.”
2. General retailers around Albany have requested extended trading hours in the two weeks proceeding Christmas Day and in lieu of Christmas night (Thursday).

STATUTORY REQUIREMENTS:

4. Under the Retail Trading Hours Act 1987, Section 15 empowers the Minister to vary trading hours.

Item 12.2.2 continued.

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 Port of Call is identified:

- *A reputation for professional excellence*
- *Governance*
- *To comply with statutory requirements of the organisation*

COMMENT/DISCUSSION

8. The two year extended retail trading trial period, which commenced on 22nd December 2002 allows for the following extended retail trading before Christmas:

Sunday, 21st December 2003 9.00am – 5.00pm

9. Retailers have expressed concerns over the lack of extended trading prior to Christmas compared to those available post-Christmas under the current trial arrangement.

10. The Minister for Consumer and Employment Protection has approved the following times for the Metropolitan area:

Sunday 14 th December 2003	10.00am – 5.00pm
Friday 19 th December 2003	5.00pm – 9.00pm
Sunday 21 st December 200	10.00am – 5.00pm
Monday 22 nd December 2003	5.00pm – 9.00pm
Tuesday 23 rd December 2003	5.00pm – 9.00pm
Friday 2 nd January 2004	5.00pm – 9.00pm

11. Complete or varied Metropolitan hours can be extended to the Municipality of Albany upon approval by the Minister.

12. If no variation is sought by the City of Albany, then the Metropolitan hours will be applied.

13. This proposal would affect all retailers within the Municipality of Albany, however it will not be compulsory to trade on these days.

ORDINARY COUNCIL MEETING – 18/11/03
** REFER DISCLAIMER **
CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.2 continued.

RECOMMENDATION

THAT Council recommend to the Minister for Consumer and Employment Protection to extend the retail trading hours for the Christmas shopping period as follows:

Monday 22 nd December 2003	5.00pm – 9.00pm
Tuesday 23 rd December 2003	5.00pm – 9.00pm

Voting Requirement Simple Majority

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Councillors' Waterman, Wellington, Lionetti and Barton declared an interest item, as they work within the retail industry.

The Chief Executive Officer advised that if the Councillors departed after declaring an interest there would be no quorum present and the item would not be discussed, and confirmed the status quo in relation to the trial period for retail trading would continue to apply.

12.2.3 Townsite Boundaries – Rural Settlements

File/Ward	: STR 044 & A160210 (All Wards)
Proposal/Issue	: Retention of Townsite Boundaries
Subject Land/Locality	: N/A
Proponent	: City of Albany
Owner	: N/A
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: Rural Townsite Boundaries be Deleted
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. With recent subdivisions adjacent to the boundary of the Kalgan townsite, it became necessary to adjust the townsite boundary to resolve problems with property description, which in turn produced a rating anomaly for the City. After six months of correspondence with the Department of Planning and Infrastructure (previously the Department of Land Administration) the City is no closer to have the Kalgan Townsite boundary adjusted to reflect the new lot configuration.
2. Within the City of Albany there are townsite boundaries declared for the rural settlements of Wellstead, Manypeaks, South Stirling, Kalgan, Cuthbert, Torbay, Elleker, Youngs Siding, Redmond and Gledhow. In several cases, the actual urban populations are located on zoned land outside the designated townsite boundary. There is no rating imperative to have the lots located inside a designated townsite boundary.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

Item 12.2.3 continued.

FINANCIAL IMPLICATIONS

- 5. The rural townsites are rated as UV properties and they are re-valued every five years by the Valuer General’s office because of their townsite status. With the removal of the townsite status, they will be subject to annual valuation adjustments.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

- 7. The justification to retain a townsite boundary for the rural settlements in the City has been eroded over time. Once thriving rural townsites are now either little more than a cluster of houses on the side of a road or the equivalent of a special residential development.
- 8. To reduce on-going administrative tasks to adjust townsite boundaries in the future, it is suggested that the townsite boundaries for the ten rural townsites be deleted.

RECOMMENDATION

THAT Council request the Department of Planning and Infrastructure to delete the townsite boundaries from the rural settlements of Wellstead, Manypeaks, South Stirling, Kalgan, Cuthbert, Torbay, Elleker, Youngs Siding, Redmond and Gledhow.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR WILLIAMS SECONDED COUNCILLOR WOLFE</p> <p>THAT Council request the Department of Planning and Infrastructure to delete the townsite boundaries from the rural settlements of Wellstead, Manypeaks, South Stirling, Kalgan, Cuthbert, Torbay, Elleker, Youngs Siding, Redmond and Gledhow.</p> <p style="text-align: right;">MOTION CARRIED 11-0</p>
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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 GREAT SOUTHERN REGIONAL CATTLE SALEYARDS

Nil.

12.8 CORPORATE & COMMUNITY SERVICES COMMITTEES

12.8.1 City of Albany Audit Committee Minutes – 3rd November 2003

- File/Ward** : FIN 022 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of City of Albany Audit Committee held on 3rd November 2003 be adopted.

Confirmation of the minutes of the City of Albany Audit Committee of 3rd November 2003.

RECOMMENDATION

THAT the minutes of City of Albany Audit Committee held on 3rd November 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following item be adopted.

Item 4.0 – Review of 2002/03

MOTION

THAT in accordance with the requirements of Section 5.54 of the Local Government Act, Council accept the City of Albany Audited Financial Statements for 2002/2003.

Voting Requirement Simple Majority

.....
Councillor Demarteau declared an interest and left the chambers at 8.16pm. Councillor Demarteau's interest is that his partner works at Lincolns Chartered Accountants.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EMERY**

THAT the minutes of City of Albany Audit Committee held on 3rd November 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following item be adopted.

Item 4.0 – Review of 2002/03

MOTION

THAT in accordance with the requirements of Section 5.54 of the Local Government Act, Council accept the City of Albany Audited Financial Statements for 2002/2003.

MOTION CARRIED 10-0

Councillor Demarteau returned to the Chambers at 8.17pm.

CORPORATE & COMMUNITY SERVICES REPORTS

12.8.2 Great Southern Regional Saleyard Joint Venture Committee meeting minutes – 3 November 2003

- File/Ward** : REL 087 (Shire of Plantagenet)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Great Southern Regional Saleyard Joint Venture Committee meeting minutes – 3 November 2003 be adopted.

Confirmation of the minutes of the Great Southern Regional Saleyard Joint Venture Committee meeting minutes – 3 November 2003

RECOMMENDATION

THAT the minutes of Great Southern Regional Saleyard Joint Venture Committee meeting held on 3rd November 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) with the exception of item 6.1 – Computers being deferred for further consideration.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WILLIAMS**

THAT this item be deferred until the next Ordinary Meeting of Council to allow further clarification in relation to the number of cattle sold.

MOTION CARRIED 11-0

ORDINARY COUNCIL MEETING – 18/11/03
** REFER DISCLAIMER **
CORPORATE & COMMUNITY SERVICES REPORTS

12.8.3 Albany Arts Advisory Committee Meeting Minutes – 9th September 2003

- File/Ward** : MAN 116 (Vancouver Ward)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Albany Arts Advisory Committee held on 9th September 2003 be adopted.

Confirmation of the minutes of the Albany Arts Advisory Committee of 9th September 2003.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 9th September 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WATERMAN**

THAT the minutes of Albany Arts Advisory Committee held on 9th September 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) subject to an amendment to the Christmas Pageant meeting minutes (Councillor Waterman represented the Council at the meeting and not Albany City Heart)

MOTION CARRIED 11-0

ORDINARY COUNCIL MEETING – 18/11/03
** REFER DISCLAIMER **
CORPORATE & COMMUNITY SERVICES REPORTS

12.8.4 Albany Arts Advisory Committee Meeting Minutes – 14th October 2003

- File/Ward** : MAN 116 (Vancouver Ward)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Albany Arts Advisory Committee held on 14th October 2003 be adopted.

Confirmation of the minutes of the Albany Arts Advisory Committee of 14th October 2003.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 14th October 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EMERY**

THAT the minutes of Albany Arts Advisory Committee held on 14th October 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

MOTION CARRIED 11-0

Works & Services

REPORTS

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- R E P O R T S -

13.1 WASTE MANAGEMENT

Nil.

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13.2 ASSET MANAGEMENT

13.2.1 Engineering Conditions of Subdivisions

File/Ward	:	STR 097 (All Wards)
Proposal/Issue	:	Adopt the Policy - Engineering Conditions of Subdivisions.
Subject Land/Locality	:	N/A
Proponent	:	City of Albany
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Works & Services (B Joynes)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That the Policy - Engineering Conditions of Subdivisions be adopted.
Bulletin Attachment	:	Engineering Conditions of Subdivisions
Locality Plan	:	N/A

BACKGROUND

1. A policy has been developed to clarify the City's process with relation to subdivision approvals.
2. The purpose of this policy is to define principles and procedures for the administration of engineering conditions of subdivision approval within the City. The policy aims to provide a transparent and consistent process for the application of Engineering Conditions for subdivisional development, leading to increased ratepayer protection through sustainable assets that meet the needs of the Community. The policy is for the advice of developers, planners, engineers and contractors. Occasionally variations may be required to meet community expectations and the document will therefore be reviewed annually.
3. The objective of this policy is to ensure that subdivision development in the City of Albany should meet acceptable standards, produce a beneficial asset for the Albany community and satisfy the needs of residents in the subdivision area. The service provided by Council through a supported, clear and specific policy will include a 10-day turnaround and communication through the client's representative, the client and the contractor.

WORKS & SERVICES REPORTS

Item 13.2.1 continued

STATUTORY REQUIREMENTS

4. The subdivision of land in Western Australia is regulated by legislation, which includes:
 - i) Town Planning and Development Act 1928;
 - ii) State Planning Commission Act 1985;
 - iii) Local Government Act 1995;
 - iv) Local Government (Miscellaneous Provisions) Act 1960.
5. The Local Government (Miscellaneous Provisions) Act 1960, Section 295, concerns the provision of streets in subdivisions pursuant to the Town Planning and Development Act 1928.
6. Where the conditions of subdivision approval require the construction and drainage of streets shown on the plan of subdivision then, pursuant to Section 295 of the Local Government (Miscellaneous Provisions) Act 1960, the City of Albany requires that the developer employ a consulting engineer to design and a superintendent to supervise the construction of the civil engineering works for the subdivision.
7. Section 6.16 of the Local Government Act (1995) allows a Local Government to impose fees and charges and amend such fees and charges from time to time during a financial year. Section 6.19 requires a Local Government to give local public notice of its intention to impose or adopt fees if such fees are imposed after the annual budget has been adopted. Section 1.7 (2) specifies a local public notice period of 7 days.

POLICY IMPLICATIONS

8. This is a new policy of Council that clarifies existing procedures and standards.

FINANCIAL IMPLICATIONS

9. The adoption of a slightly increased fee for subdivisional supervision (from 1.5% to 2% with local engineering supervision and 3% with non local engineering supervision), may lead to an increase in fees received although this is expected to be minor (less than \$1000).

STRATEGIC IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.2.1 continued

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

Objective:

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

COMMENT/DISCUSSION

11. The current minimum applicable standards for engineering works in the City of Albany have been the Local Government Guidelines for Subdivisional Development produced by the Institute of Municipal Engineering Australia, WA Division (IMEA) Edition 1 - 1997. This has not altered for six years.
12. These guidelines were originally produced to address the concerns expressed about unnecessary work designated by Councils and the frustration for developers, consultants and contractors when faced with the varied requirements of individual local governments.
13. These guidelines cover typical urban and rural engineering elements and are to apply, unless specifically varied by the City of Albany, for subdivision development throughout the City of Albany. The Consultant Engineer can propose variations (to differentiate the product or to experiment with alternative construction techniques), which may be beneficial to the developer, provided the Consultant Engineer is able to demonstrate that the standard is adequate for the site in question. If the proposal is not reasonable, the IMEA Guidelines are applied to resolve the matter.
14. Some of the issues that have been proposed for clarification through the policy are that Council :
 - does not allow construction to commence without approved drawing and specifications;
 - requires the developer to lodge a 'maintenance bond' for a period of twelve months (includes defects for works performance);
 - will respond to all written queries and applications within 10 days, and send copies of all correspondence to all parties (from the developer to the contractor);
 - requires staging to be nominated prior to subdivisional approval, and that this ties all infrastructure requirements to each stage;
 - requires a building license for all retaining walls and structures on the subdivision;
 - receives all testing and inspection records, and as constructed information prior to clearance;

WORKS & SERVICES REPORTS

Item 13.2.1 continued

- requires all works to be completed prior to practical completion, and discourages bonding of works,
- sets an application fee of \$500 for early clearances where works are more than 90% complete, and applies a loading of 50% on estimates of the costs of works to ensure that the works are completed and / or there is sufficient funds to ensure works can be completed into the future;
- sets fees for engineering supervision at 2% (of all civil works) for appropriate engineering supervision or 3% (of all civil works) for engineering supervision that is not appropriate and requires Council staff to spend considerably more time on the site;
- will assess all contributions to infrastructure outside of the subdivisional area on a pro-rata basis (including headworks, roadways, pathways, etc.).

RECOMMENDATION

THAT Council:

- i) adopt the Policy “Engineering Conditions of Subdivisions”;
- ii) adopt the following fees:
 - a. \$500 application for early subdivisional clearance (uncompleted works prior to clearance),
 - b. engineering supervision fee of 2% (of all civil works) where an appropriately qualified local engineer supervises works, or
 - c. engineering supervision fee of 3% (of all civil works) where an appropriately qualified engineer is not locally based, that supervises works; and
- ii) gives seven days local public notice of its intention to levy these fees.

Voting Requirement Absolute Majority

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WORKS & SERVICES REPORTS

Item 13.2.1 continued.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WILLIAMS**

- i) adopt the Policy “Engineering Conditions of Subdivisions”;**
- ii) adopt the following fees:**
 - a) \$500 application for early subdivisional clearance (uncompleted works prior to clearance),**
 - b) engineering supervision fee of 2% (of all civil works) where an appropriately qualified local engineer supervises works, or**
 - c) engineering supervision fee of 3% (of all civil works) where an appropriately qualified engineer is not locally based, that supervises works; and**
- ii) gives seven days local public notice of its intention to levy these fees.**

**MOTION CARRIED 11-0
ABSOLUTE MAJORITY**

WORKS & SERVICES REPORTS

13.3 WORKS

13.3.1 Contract C03020 – Heavy Freight Services (2003/2005)

File/Ward	: C03020 (All Wards)
Proposal/Issue	: Heavy Freight Services by Public Tender
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Depot Services Co-ordinator (J Harbach)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council accepts the tender C03020 from Camtrans Albany for the Provision of Heavy Freight Services Biennial 2003/2005.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. The City of Albany has previously used individual quotations for the provision of heavy freight services. As the value of this service is expected to exceed \$50,000 this year, Council is required to put this to tender.
2. A request for tenders was published in the Albany Advertiser on 18th September 2003 and the West Australian on 20th September 2003. A total of four tender specifications were issued, with only two tender submissions received by close of tender.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

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

WORKS & SERVICES REPORTS

Item 13.3.1 continued

STATUTORY REQUIREMENTS

4. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
5. 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.
6. Regulation 19 requires Council to advise each tenderer in writing the result of Council’s decision.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. The cost of freight charges on various products to be delivered to Albany are budgeted for each year within budgeted capital works and maintenance items as well as in the cost estimates for Capital Works projects.

STRATEGIC IMPLICATIONS

9. In the City of Albany’s 2020 Plan “Charting Our Course”, the following Port of Call is identified:
The continual development of Council services & facilities to meet the needs of all stakeholders
 - Objective:
To provide excellent service to those serving our external customers.

COMMENT/DISCUSSION

10. The following table summarizes those rates and charges (including GST) submitted by prospective tenderers for the provision of heavy freight services.

DETAILS	TENDERED RATES	
	CAMTRANS ALBANY	SQUIRES TRANSPORT
COST/CUBIC METRE	No Cubic Metre Rate	\$30.80
COST/TONNE	\$40.00	\$52.80
MINIMUM NOTICE REQUIRED	1 DAY	2 DAYS
MINIMUM LOAD	No Minimum	4 Tonne
MAXIMUM LOAD	50 Tonne	25 tonne per trailer
CRITERIA WEIGHTING	310	240

WORKS & SERVICES REPORTS

Item 13.3.1 continued

11. Council is currently using Rules Haulage, although no tender was issued or received by this company.
12. After evaluation of the tender submissions received, it was concluded that the submission by Camtrans Albany was most acceptable to Council. Camtrans has occasionally undertaken work for the City, and has provided good service to date.

RECOMMENDATION

THAT Council accepts the tender C03020 from Camtrans Albany for the Provision of Heavy Freight Services Biennial 2003/2005 at the listed rates.

DETAILS	TENDERED RATES CAMTRANS ALBANY
COST/CUBIC METRE	No Cubic Metre Rate
COST/TONNE	\$40.00
MINIMUM NOTICE REQUIRED	1 DAY
MINIMUM LOAD	No Minimum
MAXIMUM LOAD	50 Tonne

Voting Requirement Simple Majority

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Councillor West declared an interest and left the chambers at 8.25pm.
The nature of Councillor West's interest is that his family is involved with the subject business.

MOVED COUNCILLOR WOLFE SECONDED COUNCILLOR DEMARTEAU	
THAT Council accepts the tender C03020 from Camtrans Albany for the Provision of Heavy Freight Services Biennial 2003/2005 at the listed rates.	
DETAILS	TENDERED RATES CAMTRANS ALBANY
COST/CUBIC METRE	No Cubic Metre Rate
COST/TONNE	\$40.00
MINIMUM NOTICE REQUIRED	1 DAY
MINIMUM LOAD	No Minimum
MAXIMUM LOAD	50 Tonne
MOTION CARRIED 10-0	

Councillor West returned to the chambers at 8.26pm.

WORKS & SERVICES REPORTS

13.3.2 Contract C03010 – Supply & Delivery of Fuel (2003/2005)

File/Ward	: C03010 (All Wards)
Proposal/Issue	: Fuel Supplies by Public Tender
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Depot Services Co-ordinator (J Harbach)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council accepts the tender C03010 from R & JK Petroleum for the Supply & Delivery of Fuel 2003/2005
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. The current contract for the supply & delivery of fuel has expired, and Council is required to re-tender for this service as it is valued at more than \$50,000.
2. A request for tenders was published in the Albany Advertiser on 25th September 2003 and the West Australian on 27th September 2003. A total of two tenders were issued, with only one tender submission received by close of tender.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	60
Relevant Skills & Experience	10
Safety Management	15
Reliability of Tenderer	15

WORKS & SERVICES REPORTS

Item 13.3.2 continued

STATUTORY REQUIREMENTS

4. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
5. 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.
6. Regulation 19 requires Council to advise each tenderer in writing the result of Council’s decision.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

- Objective:
To provide excellent service to those serving our external customers.

COMMENT/DISCUSSION

10. The only submitted tender was from R & JK Petroleum. The following table summarizes those rates and charges (including GST) submitted by R & JK Petroleum for the supply & delivery of bulk diesel and ex-bowser fuel. (T.G.P. is the price charged for bulk fuel purchases direct from the applicable Caltex terminal).

Fuel per litre	R & JK Petroleum
Diesel – cost per litre	T.G.P. plus 3c litre
ULP – cost per litre	Ex bowser less 2c litre
Cost of card maintenance – monthly card fee	\$2.50 per card
Cost for new or replacement cards – per card	\$2.50 per card

WORKS & SERVICES REPORTS

Item 13.3.2 continued

- 11. R & JK Petroleum has provided an acceptable level of service during the current contract. They have been pro active in their service delivery and have worked with Council staff on effective solutions to maintain the current level of service to all areas of Council.
- 12. R & JK Petroleum is a locally owned company and the only distributor currently using the Albany Port for fuel shipments.
- 13. The tendered rates are consistent with current charges.

RECOMMENDATION

THAT Council accept the tender C03010 from R & JK Petroleum for the Supply & Delivery of Fuel Biennial 2003/2005 at the listed rates.

Fuel per litre	R & JK Petroleum
Diesel – cost per litre	T.G.P. plus 3c litre
ULP – cost per litre	Ex bowser less 2c litre
Cost of card maintenance – monthly card fee	\$2.50 per card
Cost for new or replacement cards – per card	\$2.50 per card

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR EVANS**

Fuel per litre	R & JK Petroleum
Diesel – cost per litre	T.G.P. plus 3c litre
ULP – cost per litre	Ex bowser less 2c litre
Cost of card maintenance – monthly card fee	\$2.50 per card
Cost for new or replacement cards – per card	\$2.50 per card

MOTION CARRIED 11-0

WORKS & SERVICES REPORTS

13.3.3 C03015 - Replacement of Freightliner Plant P11 & P12

File/Ward	: C03015 (All Wards)
Proposal/Issue	: Replacement of Trucks by Public Tender – Freightliner P11 & Freightliner P12.
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 the tender from Albany City Isuzu to supply two cab/chassis trucks and Evertrans Motor Body Builders for the manufacture of the truck bodies and trailers to replace Freightliner FL80 Trucks P11 & P12.
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.
2. A request for tenders was published in the Albany Advertiser on 25th September 2003 and the West Australian on 27th September for the supply and delivery of two truck and pig trailers, to replace two trucks – Freightliner FL80 (P11), licence AL1184, purchased in 1995 and Freightliner FL80 (P12), licence AL2451, purchased in 1995.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

WORKS & SERVICES REPORTS

Item 13.3.3 continued

Criteria	% Weight
Cost	60
Relevant Maintenance & Operational Suitability	30
Reliability of Tenderer	10

STATUTORY REQUIREMENTS

4. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
5. 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.
6. Regulation 19 requires Council to advise each tenderer is writing the result of Council's decision.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. \$324,000.00 has been allocated in the 2003/2004 budget for the replacement of these trucks.
9. Should Council choose to purchase the recommended truck and pig trailers at a combined cost of \$377,598.20, with a total trade in of \$103,636.35, the actual nett cost to Council will be \$273,961.85 resulting in an under expenditure of \$50,038.15 (excluding GST) on these combined line items.

STRATEGIC IMPLICATIONS

10. 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.

WORKS & SERVICES REPORTS

Item 13.3.3 continued

COMMENT/DISCUSSION

11. A total of fourteen specifications were issued. The following table summarizes those submissions received by the close of the tender period. The pricing is based on submitted costs for both units.

Tenderer Cab/Chassis	Model	Changeover Tender Price (exc. GST)	Weighting
Albany City Isuzu	Giga 385 CXZ	\$162,216.80	330
WA Hino**	Ranger 50 Pro	\$260,389.10	312
Skipper Trucks	Iveco Powerstar 6300	\$215,305.00	270
Max Winkless	Volvo FM9	\$220,607.30	258
Max Winkless	Volvo FM12	\$264,405.45	216

**** NO TRADE OFFERED**

Tenderer – Truck Body & Trailer Manufacturer	Tender Price (exc. GST)	Weighting
Evertrans Body Builders	\$111,745.00	296
Allroad Fabrications	\$96,909.10	294
P&G Body Builders	\$122,440.00	180

12. The Isuzu Giga 385CXZ trucks submitted by Albany City Isuzu with the truck bodies and trailers manufactured by Evertrans represent the highest weighted scores for the change over.
13. The truck & trailer specifications submitted by Evertrans for this tender are compatible with the existing units ie: longer bodies, equivalent hoist capacity. Units previously built by Evertrans have met the requirements of the work for which they were purchased. The quality of workmanship has been acceptable and there have been no major problems with the implementation of this type of truck and trailer combination into Council's fleet.
14. Allroads bodies were vastly different sizes to existing trucks (not allowing tailgates to be standardised for metal spreading) and offered a significantly reduced hoist capacity (18 tonne versus 24 tonne for Evertrans).
15. The purchase of this combination of truck and 'pig' trailer will continue to provide Council with a more versatile fleet of trucks for carting both long and short distances.
16. The proposed combination will increase the overall capacity of each load, increase the efficiency of Council's truck fleet and reduce the cost of transporting material.

WORKS & SERVICES REPORTS

Item 13.3.3 continued

RECOMMENDATION

THAT Council accept the tender C03015 from Albany City Isuzu to supply two Isuzu Giga 385CXZ cab/chassis's at a cost of \$265,853.20 with a trade in of \$103,636.35, with the truck bodies and trailers built by Evertrans Body Builders at a cost of \$111,745.00. The actual nett cost to the City of Albany will be \$273,961.85 (all prices exclude GST).

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR DEMARTEAU**

THAT Council accept the tender C03015 from Albany City Isuzu to supply two Isuzu Giga 385CXZ cab/chassis's at a cost of \$265,853.20 with a trade in of \$103,636.35, with the truck bodies and trailers built by Evertrans Body Builders at a cost of \$111,745.00. The actual nett cost to the City of Albany will be \$273,961.85 (all prices exclude GST).

MOTION CARRIED 11-0

WORKS & SERVICES REPORTS**13.3.4 Contract C03016 - Replacement of Grader**

File/Ward	:	C03016 (All Wards)
Proposal/Issue	:	Replacement of Grader by Public Tender
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Depot Services Co-ordinator (J Harbach)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tender C03016 from CJD Equipment for the replacement of the Cat 12G Grader P26
Bulletin Attachment	:	Nil.
Locality Plan	:	N/A

BACKGROUND

1. Council's plant replacement strategy identified that the Caterpillar grader P26 has passed the optimum time for replacement.
2. A Request for Tenders was published in the Albany Advertiser on 25th September 2003 and the West Australian on 27th September 2003 for the replacement of the current CAT 12G Grader, licence AL13162, purchased second hand in 1993.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	60
Relevant Maintenance & Operational Suitability	30
Reliability of Tenderer	10

WORKS & SERVICES REPORTS

Item 13.3.4 continued

STATUTORY REQUIREMENTS

4. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
5. 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.
6. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.
7. Under 6.8 of the Local Government Act an absolute majority is required to approve a re-allocation of funds.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

9. \$240,000.00 has been allocated in the 2003/2004 budget for the replacement of this grader.
10. Should Council choose to purchase the recommended grader at a cost of \$334,976.35, with a trade in of \$70,000.00, the actual nett cost to the City of Albany will be \$264,976.35 resulting in an over expenditure of \$24,976.35 (all prices exclude GST). However, there will be no impact on the nett budget position as the over-budgeted expenditure could be offset against savings on the purchase of the new truck and pig trailers of \$50,038 (replacements for P11 & P12 – see item 13.3.3).

STRATEGIC IMPLICATIONS

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

Port of Call:

- Transport systems & services designed to meet current & 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 and
 - In alignment with transport plans

WORKS & SERVICES REPORTS

Item 13.3.4 continued

COMMENT/DISCUSSION

12. A total of five tenders were issued, with four tender submissions received by close of tender. The following table summarizes those submissions received.

Tenderer –	Model	Changeover Tender Price (exc. GST)	Weighting
CJD Equipment	Volvo 726B	\$264,976.35	286
CJD Equipment	Volvo 720B	\$246,927.30	274
Westrac	Cat 140H	\$250,600.00	264
Hitachi	John Deere 770	\$230,023.60	238
BT Equipment	Mitsubishi MG460	\$222,000.00	224
CJD Equipment	Volvo 710B	\$227,712.70	208
BT Equipment	Mitsubishi MG560	\$255,000.00	188
Westrac	Cat12H	\$240,400.00	186

13. The Volvo Grader G726B submitted by CJD represents the highest weighted score for the change over. After sales service and support received from the supplier has been excellent over the past five (5) years, and this has given weight to the current selection.
14. The 726B represents the first 6-wheel drive grader made available to Council to incorporate into its fleet. This would give significant advantages in terms of drain cleaning, pushing grip, all terrain access, final trim from front wheel drive only, etc.
15. Council staff viewed and demonstrated the grader under consideration. It has been determined that as a construction grader, the Volvo 726B will improve the productivity and efficiencies of the road construction team.
16. A whole life comparative costing was also conducted on the tenders submitted. This included annual maintenance costs, utilisation together with depreciation based on purchase costs and disposal values based on the current average usage of 1,100 hours per year.
17. The current CAT 12G Grader is seventeen (17) years old and well past replacement whole of life costs. Maintenance costs are increasing exponentially, decreasing utilisation and productivity. The proposal is to upgrade the grader fleet to bring all City equipment to be within current NPV cycles. Useful life has been calculated on 8,000 hours.
18. The purchase of this grader will reduce long-term maintenance costs through wear and tear.

WORKS & SERVICES REPORTS

Item 13.3.4 continued

RECOMMENDATION

THAT Council accepts the tender from CJD Equipment to supply a Volvo G726B All Wheel Drive Grader at a cost of \$334,976.35 with trade-in allowance on Council's current CAT 12G Grader of \$70,000.00, providing an actual nett cost to the City of Albany of \$264,976.35 (all prices are excluding GST).

Voting Requirement Absolute Majority

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**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WEST**

THAT Council accepts the tender from CJD Equipment to supply a Volvo G726B All Wheel Drive Grader at a cost of \$334,976.35 with trade-in allowance on Council's current CAT 12G Grader of \$70,000.00, providing an actual nett cost to the City of Albany of \$264,976.35 (all prices are excluding GST).

**MOTION CARRIED 11-0
ABSOLUTE MAJORITY**

WORKS & SERVICES REPORTS

13.3.5 C03006 - Mowing Plant Rationalisation

File/Ward	: C03006 (All Wards)
Proposal/Issue	: Improvement and rationalisation of mowing plant
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Parks and Reserves Coordinator (M Richardson)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council approves the outright sale of P2119 & P137, allocating funds for the purchase of a finishing mower and changeover of P662 and reallocating funds from the budgeted changeover of P2129
Bulletin Attachment	: Nil
Locality Plan	: Nil

BACKGROUND

1. Council's Parks and Reserves staff are responsible for the mowing of 166.5 hectares of grassed areas within its parks, sporting fields, road reserves, picnic areas and undeveloped public open space. Sporting fields comprise 41.4 hectares of this figure and are mowed on a weekly basis with the majority of the remaining area mowed on a monthly schedule.
2. Council has an operational budget of \$327,750 for the mowing of its public open space at an overall average cost of \$1,968/hectare per year.
3. A recent 6-month review has highlighted that there are several plant items that are currently under utilized and are therefore not being managed efficiently.

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. Asset Management Strategy – Plant.
Objective:
 - Continually striving for more efficient and effective plant utilisation.

FINANCIAL IMPLICATIONS

6. The purchase of a finishing mower and the changeover of Mitsubishi Triton utility will be funded from the sale of the Toro Reelmaster and the Toro 60” Ride-On plant. The remaining amount of \$8,500 is to be reallocated from the budgeted changeover of the Superior Mower.

STRATEGIC IMPLICATIONS

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

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

Objective:

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

Quality parks, gardens and reserves maintaining their feature status.

Objective:

- A diverse range of passive and active recreational areas that are creative, attractive, safe and enjoyable to use.

COMMENT/DISCUSSION

8. The review of mowing plant examined the operating hours of machinery as well as examining their purchase cost and depreciation. Several items were highlighted as being under-utilised and another item having significant replacement and depreciation costs.
9. Toro Reelmaster P2119
Although well utilised, the Reelmaster has a \$100,000 change over cost and depreciation of approx \$16,000/year over 5 years. A finishing mower at a purchase cost of \$20,000 could undertake the work performed by the Reelmaster, and save Council significant funds in terms of depreciation and replacement costs.

WORKS & SERVICES REPORTS

Item 13.3.5 continued.

10. Toro 60” Ride-on P137
The Toro 60” ride-on is under-utilised and is forecast to work approx 300 hours/year. It is also the oldest mower in the fleet with a planned changeover in 2004/05. The work performed by the Toro 60” could be undertaken by the John Deere ride-on mower, which is also under-utilised. The John Deere is due for changeover in 2005/06.
11. To mobilise the John Deere mower, a current Council utility requires upgrading to a larger towing capacity. The changeover to a suitable vehicle would cost an estimated \$21,000.
12. It is proposed to sell outright the Toro Reelmaster and the Toro 60” ride-on to partly fund the purchase of a finishing mower and the changeover of Mitsubishi Triton utility P662. The remainder of funds is to be reallocated from the budgeted changeover of the Superior mower P2129. The Superior mower has had a recent rebuild, which has extended its serviceability by 12 months. A second slasher no longer needs to be purchased.

		Estimated Sale Price	Purchase Cost 03/04
Sell Outright:	Toro Reelmaster	\$23,000	
	Toro 60”	\$9,600	
Reallocation:	Superior Mower Changeover	\$8,400	
Purchase:	Finishing Mower		\$20,000
	Towing Vehicle Upgrade		\$21,000
Total		\$41,000	\$41,000

13. It is expected that the benefits of this proposal for Council will be reduced plant purchase, depreciation and running costs. The proposal should also improve the management of labour resources.

RECOMMENDATION

THAT Council:

- i) approve the outright sale of P2119 Toro Reelmaster and P137 Toro 60” Ride On Mower;
- ii) allocate funds from the sale of these plant items to contribute to the purchase of a finishing mower and to the changeover of P662 Mitsubishi Triton utility; and
- iii) re-allocate \$8,500 from the changeover of the Superior Mower P2129 to contribute to the purchase of a finishing mower and to the changeover of P662 Mitsubishi Triton.

Voting Requirement Absolute Majority

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WORKS & SERVICES REPORTS

Item 13.3.5 continued.

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WILLIAMS**

THAT Council:

- i) approve the outright sale of P2119 Toro Reelmaster and P137 Toro 60” Ride On Mower;**
- ii) allocate funds from the sale of these plant items to contribute to the purchase of a finishing mower and to the changeover of P662 Mitsubishi Triton utility; and**
- iii) re-allocate \$8,500 from the changeover of the Superior Mower P2129 to contribute to the purchase of a finishing mower and to the changeover of P662 Mitsubishi Triton.**

**MOTION CARRIED 11-0
ABSOLUTE MAJORITY**

WORKS & SERVICES REPORTS

13.3.6 Contract C03024 – Delivery of Pre-Mixed Concrete Biennial (2003/05)

File/Ward	:	C03024 (All Wards)
Proposal/Issue	:	Supply and delivery of pre-mixed concrete.
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager City Works (L Hewer)
Disclosure of Interest	:	Nil
Previous Reference	:	N/A
Summary Recommendation	:	That Council accept the tender submitted by Pioneer Construction Materials Pty Ltd.
Bulletin Attachment	:	Nil
Locality Plan	:	N/A

BACKGROUND

1. Tenders were called for the supply and delivery of an estimated 300 cubic metres over a two year period of pre-mixed concrete, used for the construction of footpaths, kerbing and general works. The contract will expire on the 30th June 2005.
2. A request for Tenders was published in the West Australian on 20th September 2003 and the Albany Advertiser on 18th September 2003, with a closing date of 3rd October 2003.
3. Two specifications were issued, with one tender submission received by close of tender. Another tender was received two hours after the closing time and was subsequently returned unopened.

STATUTORY REQUIREMENTS

4. The tendering process for Good & Services must be in accordance with sections 11, 18, and 19 of the Local Government Act (Functions and General) Regulations 1996 of the Local Government Act 1995.

WORKS & SERVICES REPORTS

Item 13.3.6 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

7. In the City of Albany’s 2020 Strategic 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.

COMMENT/DISCUSSION

8. There are only two (2) suppliers in operation within the municipal boundaries.
9. Evaluation of the one tender received by closing time has revealed that the cost per cubic metre of pre-mix concrete has risen from \$123.00 to \$162.00 since the previous tender of 2002/03. This is a rise of 32%.
10. The explanation from the supplier for this increase is that material costs have risen significantly over the past two years and the price reflects the current situation.

Supply & Delivery of Pre-Mixed Concrete – All to Specification					
Description	Nominal slump	Approximate % need	Provisional cubic metres per annum	Unit	Rate per cubic metre \$
1. N20 – 10mm stone	80mm	20%	100	m3	162.80
2. N20 – 14mm stone	80mm	60%	200	m3	162.80
3. N20 – 20mm stone	80mm			m3	156.20
4. N25 – 20mm stone	80mm			m3	161.15
5. N32 – 20mm stone	80mm			m3	169.95

WORKS & SERVICES REPORTS

Item 13.3.6 continued

RECOMMENDATION

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

Supply & Delivery of Pre-Mixed Concrete – All to Specification					
Description	Nominal slump	Approximate % need	Provisional cubic metres per annum	Unit	Rate per cubic metre \$
1. N20 – 10mm stone	80mm	20%	100	m3	162.80
2. N20 – 14mm stone	80mm	60%	200	m3	162.80
3. N20 – 20mm stone	80mm			m3	156.20
4. N25 – 20mm stone	80mm			m3	161.15
5. N32 – 20mm stone	80mm			m3	169.95

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WOLFE**

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

Supply & Delivery of Pre-Mixed Concrete – All to Specification					
Description	Nominal slump	Approximate % need	Provisional cubic metres per annum	Unit	Rate per cubic metre \$
1. N20 – 10mm stone	80mm	20%	100	m3	162.80
2. N20 – 14mm stone	80mm	60%	200	m3	162.80
3. N20 – 20mm stone	80mm			m3	156.20
4. N25 – 20mm stone	80mm			m3	161.15
5. N32 – 20mm stone	80mm			m3	169.95

MOTION CARRIED 11-0

13.4 AIRPORT MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.5 RESERVES PLANNING & MANAGEMENT

13.5.1 Lowlands Coastal Reserve Management Plan

File/Ward	: STR 108 (West Ward)
Proposal/Issue	: Lowlands Coastal Reserve Management Plan
Subject Land/Locality	: Lowlands Reserve (17464)
Proponent	: City of Albany
Owner	: City of Albany
Reporting Officer(s)	: Bushcare Coordinator
Disclosure of Interest	: Nil
Previous Reference	: OCM 15/7/03 - Item 13.5.1
Summary Recommendation	: Council adopt the Lowlands Coastal Reserve Management Plan
Bulletin Attachment	: Summary of Submissions Copy of Final Draft of the Lowlands Coastal Reserve Management Plan (to be tabled)
Locality Plan	: Nil

BACKGROUND

1. At the meeting of 15 July 2003, Council resolved to:

“Advertise the Draft Lowlands Coastal Reserve Management Plan for public comment, for a period of 35 days, before being brought back to Council for adoption.”
2. Following a request from the Youngs Siding Progress Association, the public consultation period was extended until Monday, 29th September 2003.
3. The Draft Lowlands Coastal Reserve Management Plan was distributed to various stakeholders and copies provided at the Youngs Siding Store, Public Library & Council Offices. Submissions were invited from 21 July 2003 to 26 September 2003. A total of 21 submissions were received and the submissions are individually summarised in the bulletin.
4. This management plan provides a framework to guide the direction of on-ground management of Lowlands Reserve. Increased visitation is leading to the degradation of natural, cultural and aesthetic values of the reserve.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

5. Through a process of community consultation, recommendations made should ensure there is a balanced and sustainable approach between a wide range of users.
6. Key issues that have been addressed in this plan include
 - off-road vehicle management,
 - visitor safety,
 - signage,
 - weed management,
 - fire management and
 - land tenure

STATUTORY REQUIREMENTS

7. Under Section 3.18 of the Local Government Act 1995, it states that a local government is to satisfy itself that the services and facilities that it provides are managed efficiently and effectively.

POLICY IMPLICATIONS

8. Management of Lowlands Reserve has been identified in the Reserves Masterplan in priority order.

FINANCIAL IMPLICATIONS

9. In accordance with the Reserves Masterplan, the 2003/2004 budget incorporates the implementation of Lowlands Coastal Reserve Management Plan. An application for a Coastcare/Coastwest grant to assist in the implementation was unsuccessful. It is envisaged that staff would be able to apply for further grant funds in this current financial year for coastal reserve management.
10. An allocation of \$10,000 will be used to implement priority recommendations made in the Lowlands Coastal Reserve Management Plan.

STRATEGIC IMPLICATIONS

11. The successful adoption and implementation of this plan will positively contribute to the City of Albany's overall strategic direction, as outlined in "Albany 2020 Charting our Course". It directly contributes to the following Ports of Call:

Managed Healthy Land/Harbour Environment

Reserve Management

- To manage reserves for environmental sustainability use, community enjoyment and benefit.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

Environmental Monitoring

- To identify and monitor, human and environmental hazards at the source.

Environmental Education and Promotion

- To promote the health of the City's land and harbour through the raising of community environmental awareness.

COMMENT/DISCUSSION

12. Following a review of the submissions received in the public comments period, amendments have been incorporated into the Final Draft Lowlands Coastal Reserve Management Plan. The Final Draft is being tabled.

13. The main issues identified as a result from the public period include vehicle access, fire management, land tenure and levels of public consultation.

Vehicle access:

14. Eight submissions received disagree with the proposal to keep the Tennessee South Road access "boggy" and to make Knapp Head Road the main access point into the reserve. The submissions prefer to see Tennessee South Road remain the main access route into the reserve.

15. This opposition is based on the following concerns:

- Safety issue as many children play along Knapp Head Road
- Knapp Head Road would require upgrade if made the main access
- Tennessee South Road is currently the popular access route

16. Following the comments received, section 5.3 "4WD Vehicle Track Plan" of the draft management plan has been changed to recommend that Tennessee South Road access be upgraded and maintained as the main access point into the reserve. The Knapp Head Road access will still need to be maintained with special consideration given to emergency vehicle access.

Fire Management:

17. Five submissions received disagree with recommendation 4.8. This opposition was based on the following:

- During the community consultation process, fire management was identified as a main issue to be considered, but it is not reflected accurately in the draft management plan.
- The draft management plan does not include an actual fire management plan.
- The development of a fire management plan is not given a higher enough priority.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

18. A community meeting was held on Wednesday, 24th September at the Youngs Siding Progress Association (YSPA) to discuss fire management issues and the draft Lowlands Coastal Reserve Management Plan. This was attended by the local residents, Youngs Siding Volunteer Bushfire Brigade, City of Albany staff and Department of Conservation and Land Management staff.
19. It was outlined at the community meeting that the purpose of the Lowlands Coastal Reserve Management Plan is to provide a framework to undertake specific on-ground management activities. A specific fire management plan was omitted because it is considered a flexible working document and therefore, should not be bound to a rigid document like the Lowlands Coastal Reserve Management Plan.

Land Tenure/Management Order:

20. Four submissions disagree with recommendation 4.7, which recommends changing the management order of the reserve. The reasons for this opposition include:
 - Restrictions not wanted in use of the reserve
 - Concern over lack of consultation
 - Concern that the Department of Conservation and Land Management will resume management over the reserve
 - Identified as Low priority during community consultation, but given a “Short” priority in the draft management plan.
21. The overall aim of the draft management plan is to:

‘Promote the conservation and protection of all natural values, whilst providing for a sustainable, low impact use with special consideration to coastal safety’
22. The current purpose of the Lowlands reserve is “common”. In the past, in times of drought, this has enabled local farmers to access to the reserve for the grazing of cattle. This can have negative implications to the sustainable management of the reserve and does not reflect current recreational and environmental values. The proposed purpose of “Recreation and Landscape Protection” would more accurately reflect the reserve’s natural and cultural values. It is important to mention, that the change to the proposed purpose of ‘Recreation and Landscape Protection’ will not restrict current recreational activities within the reserve.

Community consultation:

23. Six submissions received expressed concerns over the lack of community consultation, including a petition containing 33 signatures requesting the plan be redrafted and further community consultation to take place.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

24. A process of community consultation was carried in the preparation of the draft management plan. This included a community workshop in March 2002 and the coordination of the Management Plan Committee, which contained local community representatives. There was also an extended public comment period.
25. The main issues identified in the public comment period have been considered with amendments made to the draft management plan accordingly. There would be little benefit in redrafting the management plan and delaying the progress with further public consultation.
26. The management plan provides a framework for on-ground management, which will occur with on-going consultation with the local and broader community.

RECOMMENDATION

THAT Council:

- i) adopt the Final Draft Lowlands Coastal Reserve Management Plan;
- ii) identify any urgent fire management requirements and prepare a five-year fire protection program for the Lowlands reserve within 12 months;
- iii) continue on-going liaison with environmental and community groups and the Youngs Sidings Volunteer Bushfire Brigade to establish a long term fire management plan for the Lowlands reserve and adjoining private properties; and
- iv) review the Lowlands Coastal Reserve Management Plan in 12 months to consider any changes that are identified through a process of on-going community consultation.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.5.1 continued.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EVANS**

THAT Council:

- i) adopt the Final Draft Lowlands Coastal Reserve Management Plan;**
- ii) identify any urgent fire management requirements and prepare a five-year fire protection program for the Lowlands reserve within 12 months;**
- iii) continue on-going liaison with environmental and community groups and the Youngs Sidings Volunteer Bushfire Brigade to establish a long term fire management plan for the Lowlands reserve and adjoining private properties; and**
- iv) review the Lowlands Coastal Reserve Management Plan in 12 months to consider any changes that are identified through a process of on-going community consultation.**

MOTION CARRIED 11-0

13.6 WORKS & SERVICES COMMITTEES

Nil

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
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Corporate Planning & Development Officer (C Grogan)
Disclosure of Interest	: Nil
Previous Reference	: OCM 17/06/2003 - Item 14.1.1.
Bulletin Attachment	: N/A
Summary Recommendation	: Adoption of the proposed “Albany’s 3D Future” strategic planning framework
Locality Plan	: N/A

BACKGROUND

1. At its meeting on the 17th June 2003 Council endorsed the proposal to commence a community driven strategic planning process to determine the new priorities for the future of Albany.
2. The new strategic planning process commenced with 500 Albany residents being randomly selected and invited to attend “Future Dimensions” Community Workshops that were held on the 24th July at Motel Le Grande. Three local High Schools were also contacted and invited to send up to three Year 11 and Year 12 students to represent their schools.
3. Invitees were given the option of attending three different workshops to be facilitated by Norman Venus (an independent facilitator). 120 people accepted the invitations, with a total of 102 participants actually attending. The purpose of the workshops was to find out what the Albany community see as key priorities for the future.
4. City of Albany Mayor, Councillors and Executive staff attended the workshops as observers only.

Item 14.1.1 continued.

5. Future Dimensions Workshop Invitees were also invited to nominate as one of three Community Workshop Representatives to join Councillors & the City of Albany Executive team in more detailed '3D' strategic planning workshops. Workshop participants were invited to vote for the candidate that they would most like to see represent them in the City's '3D' planning sessions.
6. The independent facilitator Norman Venus counted the votes on Friday 25th July and the successful candidates were Mrs Dale Carter (a resident from Serpentine Rd), Mr Bill Payne (a resident from Frenchman Bay Rd), and Miss Druella McTavish (a High School student from NASHS and resident from Greenshields St).
7. On the 7th and 14th August the City of Albany's 3D Planning group consisting of Her Worship the Mayor, Councillors, the three Community Workshop reps (Dale Carter, Bill Payne and Druella McTavish), Chief Executive Officer and the City's three Executive Directors worked through a strategic analysis of Albany's strengths, weaknesses, opportunities and threats (SWOT).
8. Using the results of the SWOT and the Community Workshop information the group created the new Vision for Albany and identified the priority major goals to be achieved for Albany by 2025.
9. On the 29th August the draft 3D plan was released for comment from a range of key stakeholders including local parliamentary members, local representatives of State and Federal Government departments, Albany Ratepayers and Residents Association and Albany Chamber of Commerce and Industry. The feedback from this key stakeholder consultation process was used to refine the draft plan, which was subsequently released for public comment.
10. Public comment on the draft plan was sought in several ways:-
 - Surveys (with pre paid envelopes) were issued to 500 randomly selected residents (a different random selection from those invited to the July Future Dimensions Workshops);
 - An on-line survey was accessible through the City of Albany's web site;
 - Feedback forms were available at the City of Albany York Street and Mercer Road Administration Offices;
 - The Albany Plus community newsletter issued by the City of Albany to 15000 households across Albany in early October featured a one-page cut out feedback form (again with the facility for fee free mail-back); and
 - Each high school was directly issued with a pack of feedback forms and requested to encourage feedback from their students. An extension of the public comment closing date was offered, to take the recent school holidays into consideration.
11. A total of 175 feedback forms were received,.

Item 14.1.1 continued

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

13. 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:-

“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

14. The implementation of the Albany 3D Future Strategic Plan and City of Albany Corporate Strategic Plan must be budget compliant.

STRATEGIC IMPLICATIONS

15. 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.”
16. The proposed new strategic planning processes are designed to ensure the City maintains its reputation for professional excellence.
17. 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

18. The draft plan released for public comment comprises of a new Vision for Albany and a number of priority objectives as shown below:

"Historic Albany - A vibrant, learning, and culturally diverse City, nestled around a spectacular natural harbour in a region of unique beauty, enhanced by a spirit of generosity, enterprise and opportunity."

Item 14.1.1 continued.

19. By 2025 Albany will be:-

A Learning City: Albany will be Western Australia's premier Learning City, through:-

- Learning City Accreditation;
- Recognition of education, research and training as an economic development driver;
- Strong links with knowledge-based organisations;
- A well-educated work force that recognises and commits to life long learning;
- International University Town recognition;
- Wide availability of technical skills development through TAFE and other training organisations;
- Excellent Primary and Secondary schooling options; and
- A collaborative education, research and training environment that allows seamless pathways to professional and workplace skills.

A Healthy City: Albany's community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through:-

- Diverse and affordable cultural, recreational and sporting opportunities;
- Major regional health services providing a complete range of quality health services, for all ages;
- Encouraging alternative forms of transport and implementing an effective public transport system; and
- Restoration and protection of areas of high biodiversity within land, river and sea ecosystems.

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

- Excellent community infrastructure and services;
- Dynamic promotion & marketing of Albany's advantages and opportunities;
- Innovative development complementing Albany's unique character, natural environment and heritage;
- Being the regional retailing and services hub;
- Providing a complete tourism experience; and
- A unique economically sustainable waterfront facility providing a functional boat harbour and shore based facilities accessible to the community and attractive to investment.

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Item 14.1.1 continued

20. A total of 175 responses were received from the Albany community. The comments on the new Vision were overwhelmingly supportive, and as shown from the breakdown of results below 83% of respondents either strongly agreed or agreed with the *Learning City* objective; 87% either strongly agreed or agreed with the *Healthy City* objective and 81% either strongly agreed or agreed with the *Thriving City* objective.

	Strongly Agree	Agree	Disagree	Strongly Disagree	Don't Know	Not Listed
Learning City	85	60	10	4	3	13
%	48.57%	34.29%	5.71%	2.29%	1.71%	7.43%
Healthy City	94	58	5	5	2	11
%	53.71%	33.14%	2.86%	2.86%	1.14%	6.29%
Thriving City	79	63	6	6	5	16
%	45.14%	36.00%	3.43%	3.43%	2.86%	9.14%

21. The feedback on the draft plan demonstrates a significant level of support from across the community for these community-identified priorities and provides a mandate for Council to now pursue the new Vision and Objectives.
22. Clearly the City of Albany's role in addressing these objectives will vary from active implementers, facilitators, lobbyists or simply monitors depending on the issue.
23. The majority of the underlying issues related to these objectives fall into the roles and responsibilities of a wide range of public and private agencies. The positive feedback and support that was apparent in the key stakeholder consultation phase suggests that a number of these objectives are already at least partially aligned to the strategic objectives of many agencies.
24. The process to determine Council's strategy to further engage the support of other parties and to clearly define Council's own role in relation to each of these objectives will be determined as part of the Corporate Planning process which will commence following adoption of "Albany's 3D Future" plan.

RECOMMENDATION

THAT Council endorse "Albany's 3D Future" strategic planning framework.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WOLFE
 SECONDED COUNCILLOR EMERY**

THAT Council endorse "Albany's 3D Future" strategic planning framework.

MOTION CARRIED 11-0

14.2 ORGANISATIONAL DEVELOPMENT

Nil.

14.3.1 ECONOMIC DEVELOPMENT

14.3.1 Request Nomination for Committee – Directions for Albany Youth in Education and Training (DAYET) Project Consultative Committee

File/Ward	: GOV 023 (All Wards)
Proposal/Issue	: The Department of Education and Training is seeking a Council representative on a Consultative Committee for the ' <i>Directions for Albany Youth in Education and Training (DAYET)</i> ' Project.
Subject Land/Locality	: N/A
Proponent	: Department of Education and Training
Owner	: N/A
Reporting Officer(s)	: Manager, Economic Development (J Berry)
Disclosure of Interest	: N/A
Previous Reference	: N/A
Summary Recommendation	: THAT Councillor _____ be nominated to represent the City of Albany on the ' <i>Directions for Albany Youth in Education and Training (DAYET)</i> ' Consultative Committee
Bulletin Attachment	: Brochure - Directions for Albany Youth in Education and Training Initiative
Locality Plan	: N/A

BACKGROUND

1. 'Local Area Education Planning' is an established Department of Education and Training process that has proven successful in providing students with improved access to a better range of curriculum choices, specialist programs and quality facilities.
2. In 2003 a number of local area education planning projects are occurring across Western Australia that address the provision of education and training for 15 to 19 year olds.

Item 14.3.1 continued.

3. The intention is to increase the retention rate of 15 to 19 year olds for the achievement of Year 12 or equivalent to 80% by 2008 and 90% by 2010. The flexible provision of appropriate curriculum across sectors is a strategy to support this aim. A key element of this Albany based project is the coordinated involvement of Albany District Education office, Albany Senior High School, North Albany Senior School, Great Southern TAFE and the University of Western Australia Albany Centre. The focus of the project is to ensure access, curriculum choice and shared facilities and resources between schools, Great Southern TAFE, the University of Western Australia Albany Centre, and Curtin and Murdoch Universities.
4. The objectives of the '*Directions for Albany Youth in Education and Training*' (DAYET) is to develop:
 - A clear plan for education and training in the Albany precinct that addresses retention and participation of 15-19 year olds over a five year period from 2004 to 2008;
 - Details of the opportunities for partnerships between schools, TAFE, and Universities;
 - An outline of the opportunities for inter-agency cooperation and involvement in supporting the education and training of students in the Albany precinct; and
 - An outline of the opportunities for the business community of Albany to be involved in and contribute to strategies for promoting life-long learning in the workforce.
5. These objectives will be achieved through extensive consultation and collaboration between the key stakeholders, the Director Schools, Albany Senior High School, North Albany Senior High School, Great Southern TAFE, the Universities of WA, Curtin and Murdoch and the Albany Community.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

Item 14.3.1 continued.

STRATEGIC IMPLICATIONS

9. As part of the review of the City of Albany Strategic Plan '*3D Planning the Future*', the emergence of a key strategic objective is to position Albany as a Learning City. The City is currently working with the Great Southern Area Consultative Committee, the Great Southern Development Commission and Educational institutions to develop a strategy and action plan to achieve this objective. The DAYET project compliments very well the City of Albany – Learning Cities concept and will contribute to the City achieving its longer term goals for this vision.
10. The objectives of the current strategic plan Albany 2020 - Charting Our Course states:

Attraction and Development of a broad range of social cultural and economic entities:-
 - “*Community Development, to encourage a vibrant community where all are encouraged to participate*”.
 - “*Economic Development to identify and facilitate outstanding economic development opportunities for the City of Albany*”.

COMMENT/DISCUSSION

11. The Department of Education and Training is seeking a City of Albany representative for the Consultative Committee on the '*Directions for Albany Youth Education and Training*' Project.
12. The Committee currently consists of:-
 - The Managing Director of the Great Southern TAFE
 - Director of UWA Albany Centre
 - The Principals of both Government Senior High Schools
 - Director Schools Albany Education District and
 - Invited representatives from other business and Government Agencies and Community organisations.
13. The existing committee feels that the initiative would benefit greatly from City of Albany representation.
14. Early survey results from the 'Albany 3D Future' strategic planning process has indicated an 87% support rate either agreeing or strongly agreeing to the strategic objective:

“*By 2025 Albany will be renowned for being 'A Learning City'*”

It states Albany will prosper through:-
 - Strong links with knowledge-based organisations
 - A well educated workforce

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Item 14.3.1 continued.

- Uniting diverse learning opportunities
 - Offering a full range of educational and training opportunities for all
 - Recognising learning achievement
15. The DAYET project compliments this objective very strongly and is an important project in achieving the long-term vision articulated above.

RECOMMENDATION

THAT Council nominate Councillor_____ to the '*Directions for Albany Youth in Education and Training*' Consultative Committee.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR WEST**

THAT Council nominate Councillor Bojcun to the '*Directions for Albany Youth in Education and Training*' Consultative Committee

MOTION CARRIED 11-0

14.4 GENERAL MANAGEMENT SERVICES COMMITTEES

Nil.

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

15.1 Elected Members' Report/Information Bulletin

DRAFT MOTION

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

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WELLINGTON**

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

MOTION CARRIED 11-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17.0 DEPUTY MAYORS REPORT

"Fellow Councillors

Firstly, I extend the sincere best wishes of Council to Mayor – Alison Goode, on the recurrence of a serious illness which she is fighting. I wish her a speedy recovery and look forward to her return to duties in the not too distant future.

During the month, Mayor Goode attended a number of memorial services which November is particular noted for – the Desert Mounted Corp Memorial Service on the 1st, Nurses Memorial Service on the 2nd and of course Remembrance Day on the 11th. All services are growing in attendance numbers which demonstrates the importance of remembering all our war heroes from the past and present.

It is also the time of year for school graduation ceremonies and presentations. Mayor Goode attended the St Josephs College and Albany Residential College presentation nights and during the next few weeks I will be attending the Albany Senior High School, North Albany Senior High School, University of WA – Albany Centre, Mt Lockyer Primary School and Little Grove Primary School presentation and graduation ceremonies. It is important that we recognise the young people in our community who will be our future leaders and ceremonies such as these provide the students with encouragement and the motivation to continue to excel.

During the month, I deputised for Mayor Goode to open the Over 50's Recreation Association's annual Have a Go Day at the Albany Leisure & Aquatic Centre. The day was well attended by seniors keen to try something new and challenge themselves

a little. It was also an opportunity to present nine certificates to merit to our very own George Audley who has achieved notoriety with his endurance running sport and set numerous age, state, national and world records along the way. Well done George and the Over 50's Recreation Association.

On Tuesday 4th November, we were pleased to host visitors from Tomioka – Japan who were in Albany as part of an International Business Exchange Tour. It was an important event which reinforces our commitment to the Friendship Agreement that the City of Albany holds with Tomioka aimed at promoting educational, cultural and economic exchange between our two cities.

Another welcome visitor to Albany was De Spense Havelick whose discussions with many groups about sustainable transport and town planning options certainly sparked interest throughout the community. I am sure that even if a small portion of his ideas were followed through, there would be enormous benefit to all.”

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WELLINGTON**

THAT the Mayor's report be received.

MOTION CARRIED 11-0

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

18.1 Support for Surveillance of Illegal Fishing in the Southern Ocean

File/Ward	:	All Wards
Proposal/Issue	:	Council support an advocacy program to increase surveillance of illegal fishing in the Southern Ocean and further investigate economic development opportunities arising from logistical supplies and aviation infrastructure support for Australia's Antarctic program
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager, Economic Development (J Berry)
Disclosure of Interest	:	N/A
Previous Reference	:	N/A
Summary Recommendation	:	That Council support extension of the National Coastal Surveillance Program and seek State and Federal funding for construction of required infrastructure.
Bulletin Attachment	:	N/A
Locality Plan	:	N/A

BACKGROUND

1. The incidences of illegal fishing in the Southern Ocean appear to be on the increase. This is due to over-fishing and declining fish stocks in the northern hemisphere, which is driving fishing fleets south in search of more productive fisheries and more lucrative catches, in particular Patagonian toothfish. Illegal fishing fleets are also becoming increasingly organized in order to avoid detection and are more prepared to take calculated risks including sacrificing vessels to Australian fisheries patrol vessels in order for the fleet to get away with the majority of its catch. It is estimated 12,000 tonnes of fish worth \$120 million per year are illegally caught in the Southern Ocean.

Item 18.1 continued.

2. Due to the proximity of Albany to Australia's sub-Antarctic exclusive economic zone around Heard and McDonald Islands there are strong arguments to base naval and air surveillance efforts utilizing the port and airport infrastructure at Albany. Albany based Austral Fisheries is investigating options to purchase an aircraft to be based in Albany to fly surveillance missions each week. The plane would be equipped with sophisticated radar equipment and a photographer would be available to record suspect activity. Their proposal is to base the aircraft at the Harry Riggs Regional Airport. A new hangar of approximately 1600m² would be required to accommodate the aircraft.
3. There are also further opportunities for naval patrols using Albany port, which are being considered by the Australian Government.
4. The City of Albany has previously advocated strongly for the use of its facilities for Australia's proposed air service to the Antarctic continent. The Antarctic Division has selected a preferred operator which is based in Sydney and has proposed operating a service from Hobart to Casey with a series of intra-continental trips to service outlying bases such as Davis and Mawson. The flights have not yet commenced and the capability of the successful tenderer is not yet proven.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

7. If Austral fisheries proceed with the purchase of a surveillance aircraft Council will need to consider the construction of a new hangar and would seek financial assistance from State and Federal sources for capital works. Further investigation into the requirements, capital cost and lease arrangements will be provided at a later date.

STRATEGIC IMPLICATIONS

8. PORT OF CALL - The attraction & development of a broad range of social, cultural and economic entities
Economic Development
To identify & facilitate outstanding economic development opportunities for the City of Albany

Item 18.1 continued.

PORT OF CALL - Transport systems & services designed to meet current & future needs

Transport Infrastructure Planning

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

Ensure the Airport accommodates aviation requirements to support regional growth

COMMENT/DISCUSSION

9. An economic development opportunity for Albany exists as a result of the servicing requirements of activities associated with Antarctica scientific expeditions and also from the surveillance needs for Australia's sub-Antarctic exclusive economic zone around Heard and McDonald Islands.
10. There are strong arguments to base naval and air surveillance efforts utilizing the port and airport infrastructure at Albany and to consider synergies resulting from the latest efforts by Austral Fisheries to base an aircraft in Albany.
11. As owner and operator of the Albany airport the City of Albany wishes to attract new business to its business unit and also to advocate for associated economic spin-offs to be directed to the local community.
12. The Joint Standing Committee on The National Capital and External Territories is currently undertaking an inquiry into the adequacy of funding for Australia's Antarctic Program and the Committee is chaired by WA Senator Ross Lightfoot. The City of Albany is working with the Great Southern Development Commission on a formal submission highlighting possible synergies with the surveillance issue and air services to Antarctica. Meetings with Senator Lightfoot and Chief of Staff of Federal Fisheries Minister Ian MacDonald is scheduled for 4 December 2003 in Canberra as part of a City/GSDC delegation in early December 2003.

RECOMMENDATION

THAT Council strongly advocate for the National Coastal Surveillance Program to be extended to cover the Southern Ocean Sub-Antarctic fishery and that Albany be proposed as a base for southern coastal surveillance activities. Further that funding be sought at a State and Federal level to assist in the construction of airport infrastructure capable of housing the surveillance aircraft.

Voting Requirement Simple Majority

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Item 18.1 continued.

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR LIONETTI**

THAT Council strongly advocate for the National Coastal Surveillance Program to be extended to cover the Southern Ocean Sub-Antarctic fishery and that Albany be proposed as a base for southern coastal surveillance activities. Further that funding be sought at a State and Federal level to assist in the construction of airport infrastructure capable of housing the surveillance aircraft.

MOTION CARRIED 11-0

19.0 CLOSED DOORS

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WILLIAMS**

THAT Council go behind closed doors.

MOTION CARRIED 11-0

Members of the Gallery and staff left the Council Chambers at 8.35pm.

Members of the Gallery and staff returned to the Council Chambers at 9.40pm.

Chief Executive Officer reported the following formal motions were considered behind closed doors.

1. THAT the Standing Orders 6.5 and 5.5 apply to allow an open discussion prior to voting on the rescinding motion.
2. THAT Council resume Standing Orders.
3. THAT Council come out from Behind Closed Doors.

19.1 Prior Year Rates Issue

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WILLIAMS**

THAT Council agree to amend its rates records for the Department of Agriculture building for the period 1997/98 to 2001/2002 and authorize the Chief Executive Officer to negotiate the terms of a refund of the Department of Agriculture rates overpayment.

MOTION CARRIED 11-0

19.2 Leave of Absence – Her Worship the Mayor

**MOVED COUNCILLOR BARTON
SECONDED COUNCILLOR WOLFE**

THAT Her Worship the Mayor be granted leave of absence for November and December 2003 meetings.

MOTION LOST 4-7

Deputy Mayoral allowance increase

Deputy Mayor Evans declared an interest in this item and left the chambers at 9.40pm.

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR BARTON**

THAT Councillor Wolfe act as Chair in the Deputy Mayors absence.

MOTION CARRIED 10-0

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR EMERY**

THAT the Deputy Mayor's allowance be increased to the same level as the Mayoral allowance whilst performing that role.

**MOTION CARRIED 10-0
ABSOLUTE MAJORITY**

Councillor Wolfe vacated the chair and Deputy Mayor Evans returned to the chambers at 9.42pm.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WILLIAMS**

THAT the proposed delegation to visit Gallipoli for Anzac Day 2004 be deferred for 12 months.

MOTION CARRIED 11-0

20.0 NEXT ORDINARY MEETING DATE

Tuesday 16th December 2003, 7.30pm

21.0 CLOSURE OF MEETING

9.44pm.

Confirmed as a true and correct record of proceedings.

M Evans, JP
DEPUTY MAYOR

APPENDIX A

WRITTEN NOTICE OF DISCLOSURES OF INTEREST

MINUTES OF THE ORDINARY COUNCIL MEETING – 18th NOVEMBER 2003

Name	Item	Nature of Interest
Councillor J Waterman	Item 12.2.2 - Extended Trading Hours within the City of Albany	Local retailer
Councillor D Wellington	Item 12.2.2 - Extended Trading Hours within the City of Albany	Local retailer
Councillor P Lionetti	Item 12.2.2 - Extended Trading Hours within the City of Albany	Local retailer
Councillor M Evans	Item 7.0 (refer Item 19.2) – Applications of Leave of Absence	Interest regarding the elected members allowance
Councillor I West	Item 13.3.1 – Heavy Freight Services	Family involved in business
Councillor T Demarteau	Item 12.8.1 – City of Albany Audit Committee meeting minutes	Spouse works with Lincolns Chartered Accountants
Councillor E Barton	Item 12.2.2 – Extended Trading Hours	Works within the retail industry

APPENDIX B

INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING

MINUTES OF THE ORDINARY COUNCIL MEETING – 18th NOVEMBER 2003

Nil.

INTERESTS DISCLOSED BY OFFICERS

Nil.