



**STREETSCAPE ADVISORY COMMITTEE
MINUTES**

For the meeting held at 7.30am on Tuesday, 10 May 2011
In the Margaret Coates Boardroom
R.D.MEE.2/AM1118159

1.0 OPENING

Cr Joy Matla declared the meeting open at 7:35am

2.0 ATTENDANCE:

Cr Joy Matla

Chair

Mayor M Evans

(Member)

Councillors:

Cr Wellington

(Member)

Cr Duffy

(Member)

Community Members:

Liza Stewart

(Member) (from 7:40am)

Sally Malone

(Member)

Staff:

Faileen James

Chief Executive Officer

Kevin Ketterer

Executive Director Works and Services

Belinda Ohle

Minute Secretary

Apologies/Leave of Absence:

Mary Holt

Parks and Gardens Supervisor

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

ITEM 3.0 – COMMITTEE RECOMMENDATION

MOVED: Councillor Wellington

SECONDED: Councillor Duffy

THAT the minutes of the Streetscape Committee meeting held on Tuesday, 12 April 2011, previously distributed, be CONFIRMED as a true and accurate:

Carried 6-0

KEVIN KETTERER:

4.0 DECLARATION OF INTEREST

None

5.0 ARISING MATTERS FROM PREVIOUS MINUTES

5.1 Streetscape Entry Statements

The Committee reviewed and discussed suggestions submitted by ATMAC and agree that the photographs on the Entry Statements should be interchangeable.

A discussion was held on the wording "Western Australia's First European Settlement 1826".

ACTION: Faileen James to provide feedback at next meeting.

ITEM 5.1: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR WELLINGTON

SECONDED: SALLY MALONE

THAT the Committee recommend to Council that:

- i. The form of the entry statements as free standing 4m high road side structures as depicted on the sketches submitted be APPROVED
- ii. The wording as depicted on sketch be finalised at the next Streetscape Advisory Committee Meeting.
- iii. The photographs depicting be typical Albany scenery or from places of interest and be obtained from the PR Department; for consideration at the next Streetscape Advisory Committee Meeting.
- iv. \$31 000 has been included in the draft 2011/12 budget for consideration.

MOTION CARRIED 6-0

5.2 Wakes Wall

The Committee discussed the proposal as presented. A final cost estimate of \$22 000 is to be included in the 11/12 draft budget for council consideration.

ITEM 5.2: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR DUFTY

SECONDED: COUNCILLOR WELLINGTON

THAT the Committee recommend to Council that:

- i. A final detailed landscape sketch be presented at the next Streetscape Advisory Committee Meeting.
- ii. \$22 000 be included in the draft 2011/12 budget for the total project for consideration.

MOTION CARRIED 6-0

5.3 Footpath in Minna Street

The footpath does not form part of the asset management plans, but will be included in the budget deliberations for the consideration of Council.

Councillor Wellington requested a copy of the Asset Management Plan on Footpaths to be provided to him.

ACTION: Executive Director Works and Services to provide footpath plan to Councillor Wellington.

5.4 Sculpture placement

The Committee considered the information received from the Association of the Blind.

ITEM 5.4: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR WELLINGTON

SECONDED: SALLY MALONE

THAT the Committee recommend to Council that:

- i. Mills Park, Little Grove is as an appropriate location for the placement for the sculpture
- ii. The Little Grove community be canvassed regarding the placement of the sculpture in Mills Park, and the design of the sculpture.
- iii. Executive Director Works and Services confirm the Association of the Blind represented the blind community on this project.

MOTION CARRIED 6-0

5.5 Centenary Trees – Eyre park and Lawley park

The design of Eyre and Lawley Parks will be included in the 11/12 budgets for consideration by Council.

5.6 Flying Fish Sculpture

ITEM 5.6: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR WELLINGTON

SECONDED: SALLY MALONE

THAT the Committee recommend to Council that:

- i. The artist, Carlo Schiano Di Cola, be contacted if possible by the Executive Director Works and Services concerning the maintenance of the sculpture.
- ii. A more appropriate place (at the airport) be investigated for placement of the sculpture.
- iii. The relocation of the "flying fish" be discussed with Airport Staff.

MOTION CARRIED 6-0

6.0 NEW MATTERS FOR DISCUSSION

6.1 Signage for Peace Pole

ITEM 6.1: COMMITTEE RECOMMENDATION

MOVED: MAYOR EVANS

SECONDED: COUNCILLOR DUFTY

THAT the Committee recommend to Council that:

- i. The installation of the rock plinth and signage relating to the Albany Peace Pole in the Alison Hartman Gardens by the Albany Baha'i Community be APPROVED.

MOTION CARRIED 6-0

6.2 Selection of projects and prioritizing thereof

Sally Malone requested clarity on the protocol followed by Council when projects are selected and the prioritizing thereof. Faileen James explained the budget procedure and the processes followed by Council in making decisions on Streetscape items on the budget.

6.3 Weed Policy

Councillor Wellington requested a copy of the Asset Management Plan – Weed Control be provided to him.

ACTION: Executive Director Works and Services to provide plan to Councillor Wellington.

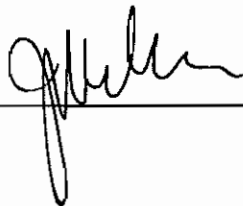
7.0 DATE OF NEXT MEETING

14 June 2011 at 7.30am in Margaret Coates Boardroom

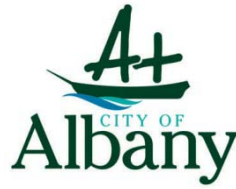
8.0 CLOSURE OF MEETING

Meeting closed and 8.20am

CONFIRMED: CHAIRPERSON



DATE: 14/6/11



**CITY OF ALBANY
SENIORS ADVISORY COMMITTEE**

CR.MEE.2 (AM1145577)

MINUTES

for the meeting to be held at 10.00am on Thursday, 21st April 2011
in the Civic Rooms

DECLARATION OF OPENING AT 10.00am

1. ATTENDANCES:

Cr Chris Holden	COA Councillor
Celia Barnesby	Senior Citizen Centre (Meals on Wheels)
David Mattinson	Association of Independent Retirees
Esme' Justins	Albany Breaksea Ladies Probus Club
Kim Buttfield	WA Country Health Service (Injury Prevention)
Michael Calton	National Seniors Australia
Middy Dumper	Seniors Community Representative
Linda Hill	Community Services Leader City of Albany
Rachel Oswald	COA Community Development Officer - Seniors

2. APOLOGIES:

Cr Don Dufty	COA Councillor
Colleen Tombleson	Lions Community Care Centre
Ruth Watson	Seniors Community Representative
Patsy Ranger	Over 50's Recreation Association

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Recommendation:

THAT the minutes of the previous meeting held on the 17th March 2011 are CONFIRMED to be a true and accurate record of proceedings with the following correction, the recommendation listed under 5.1.4 Lifestyle Housing Guidelines requests COUNCIL support not the Committees support.

Moved: Michael Calton

Seconded: Esme' Justins

Carried: _____ 7/0 _____

4. DISCLOSURE OF INTEREST:

NIL

5. ITEMS FOR DISCUSSION

5.1 BUSINESS ARISING FROM PREVIOUS MINUTES:

5.1.1 North Road Pedestrian Safety

Kevin Ketterer, Executive Director Works and Services and Andrew Duffield, Regional Manager Main Roads outlined their recommendations to improve pedestrian safety on North Road (attachment 2). The committee provided feedback on a suitable location for the pedestrian crossing point between Lions Road and Barnesby Drive.

5.1.2 Seniors Circuit (playground for seniors)

The committee agreed that the Centennial Precinct (near cricket grounds) would be the most suitable location due to the high senior's population in the area. It was also agreed that the exercise equipment be strategically places along footpath network to encourage existing walking groups and general public to use the equipment as part of their exercise routine. The Committee would like further consultation about the type of equipment before it is chosen.

Action: Rachel Oswald to investigate further the feasibility of the Seniors Circuit being located in the Centennial Precinct.

5.1.3 City of Albany's Policy on Alfresco Dining

Visits to the Venice took place at 10:30-11:00am, 12:40pm, 1:30-2:00pm and 3pm and to Sails 11:00am 1:00pm and 1:50pm. These visit took place on different days, each time both restaurants complied.

5.1.4 Know Your Neighbour Day

16 nominations were received, prizes were given to first, second and third place. Minister for Seniors and Volunteering, Hon. Robyn McSweeney and Mayor Evans presented a certificate and prize to the winner on Neighbour Day. Everyone who was nominated received a certificate. Good news stories will be published on the seniors page in the Weekender.

5.1.5 Lifestyle Housing Guidelines

Kim Buttfield drafted the Housing for Life terms of reference which has been approved by Rachel Oswald, Community Development and Tom Wenbourne, Senior Planner (please see attachment 8). The terms of reference state that there will only be three representatives from SAC plus one Councillor. Currently there are five volunteers from the Committee to sit on the working Party.

Action: Rachel Oswald to send out an email to the five members who have currently volunteered outlining the time commitment needed.

5.2 SENIORS ADVISORY COMMITTEE ACTION SHEET (ATTACHMENT 1)

5.2.1 Smoke Alarm Project

There has been feedback that HACC eligible clients have disputed the fact that they are required to pay to have their smoke alarms checked while non HACC eligible clients (those that can afford it) are receiving free services through the project. In light of this feedback the Committee were asked if the criteria needs to be reviewed. The Committee decided the criteria should stay the same based on the fact that HACC eligible clients pay a nominal fee that is included in a package of additional services.

5.2.2 ACROD Bays

Rachel Oswald to confirm if the 10 new ACROD Bays have been installed

- Four at Middleton Beach
- One at Peels Place Car Park at round about
- One at Stirling Terrace just before the car park at the roundabout
- One on York Street near the roundabout at Peels Place
- One on Serpentine Road near York Steert intersection (east side)
- One at the front of the Senior Citizen Building in bus bay

Four additional bays have been approved:

- Two at the Library
- One near York Street Post Office (angled parking Grey Street West)
- One on Peels Place near lane way entry to car park.

Action: Rachel Oswald to investigate the status on the ACROD Bay on Duke Street near the church. Also to investigate if the new ACROD bays will have signs that outline penalties.

5.2.3 Seniors Expo

Will be advertising for additional committee members and have asked that Committee members distribute through their networks. Please see draft Terms of Reference attachment 9.

Action: Rachel Oswald to advertise and distribute terms of reference when draft has been approved.

5.3 CORRESPONDENCE IN:

- Email from Kevin Ketterer, Executive Director of Works and Services, City of Albany – 06/04/2011 (attachment 2)
- Email Planning Needs Analysis Home and Community Care (HACC) Great Southern – 04/04/2011 (attachment 3)
- Letter from Minister Seniors and Volunteering Robyn McSweeney MLC - 04/04/2011 (attachment 4)
- Letter from Peter Watson MLA – 04/04/2011 (attachment 5)

5.4 CORRESPONDENCE OUT:

NIL

6. NEW AGENDA ITEMS

6.1 Home and Community Care (HACC) Services Feedback

Due to time constraints it was requested that Committee members send their feedback via email or phone call to Rachel by COB Friday the 22 May. Please see attachment 3 for more information.

6.2 Peace Park

There have been complaints about the footpath along the sea wall edge being dangerous as it is uneven and there are lots of loose stones. Complaints have been made to the City in the past and the response has been that this area is not a designated footpath.

Action: Rachel Oswald to investigate further and feedback to the Committee.

6.3 Gopher Workshops

Kim Buttfield wanted to gauge if there was interest in the community for future gopher workshops. The Committee agreed that they had not seen a need in the Albany community.

6.4 Seniors Week Event

The Seniors Expo is scheduled for March 2012 which means there is currently no event planned for Seniors Week 2011. If the Committee have any ideas to help celebrate Seniors Week we can discuss at the May meeting.

7.5 Advocacy and Media Workshop

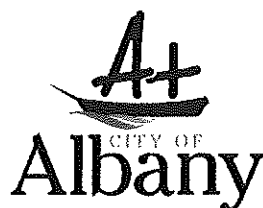
Please see attachment 6 and 7.

7. DATE OF NEXT MEETING

Thursday 19th May 2011 at 10.00am – Civics Room

8. CLOSURE OF MEETING

11:20am



**BUSHCARERS ADVISORY COMMITTEE
MINUTES**

For the meeting held at 3:30pm on Wednesday, 23 February 2011
In the Civic Centre

Meeting opened at 3:40 pm.

1.0 PRESENT

Committee Members: Cr Des Wolfe, Val Davies, Kim Stanton, Greg Freebury and
Nominated Members: Charlotte Powis and John Moore
City of Albany Staff: Sandra Maciejewski, Mark Ford and Jane Allen (Minute Taker)

2.0 APOLOGIES

Matthew Kennewell and Graham Blacklock

3.0 CONFIRMATION OF MINUTES

Moved: V Davies

Seconded: K Stanton

That the minutes of the meeting of the 24th November 2010 be confirmed as a true
and accurate record of the proceedings.

CARRIED 4-0

4.0 CORRESPONDENCE

Email to Martin Shuttleworth regarding recommendations from the Committee to improve
practices in regards to the weed issue at John Street.

5.0 BUSINESS ARISING

5.1 Vancouver Waste Facility – follow up on recommendations in 2010

In November 2010, Committee members visited the Vancouver Waste Facility at
John Street, preceding the last Bushcarers Advisory Committee Meeting. The
purpose of the site visit was to assess the composting procedure being used for the
green waste being collected from households within the City of Albany, and then
sold to customers. The Committee and the Bushcarers Group had received some
complaints indicating that weeds are growing out of the composted material.

Martin Shuttleworth, Director of Vancouver Waste, attended the site visit, and
explained how the green waste is being processed. He indicated that he did not
want to produce a product that was spreading weeds, and that he was happy to

work with the Bushcarers Advisory Committee and Bushcarers Group on improving his product.

Sandra has emailed the recommendations through to Martin Shuttleworth, but as yet has received no feedback. Mark Ford mentioned that he organised for the weeds to be mulched on the boundary verge at the John Street facility.

6.0 GENERAL BUSINESS

- 6.1 What will we do about Sydney Golden Wattle? This wattle is the biggest single threat to biodiversity in the Albany area. It is doubling in area every five years and will overtake 27% of our native bushland by 2020. Community and government action is required to stop its spread and impact (John Moore)**

John Moore reiterated the issues with the spread of the Sydney Golden Wattle. Recently a community busy bee was held on private properties at Goode Beach. The 12 Most Wanted Weeds Leaflet went out with the Community Newsletter, prior to the Meeting, and the response to the advertising proved to be very successful.

Discussion ensued and it was decided that Little Grove would be a good area to target next, with approximately twenty properties with Wattle issues.

ACTION: Kim Stanton/Mark Ford to meet to arrange for a pamphlet to go out with the Community Newsletter, with a view for a busy bee to be held in July.

ACTION: Charlotte Powis to look into SCNRM funding opportunities available

Moved: J Moore

Seconded: K Stanton

THAT the City of Albany supports the South Coast Natural Resource Management and South Coast Progress Association in sourcing funding for the control of Sydney Golden Wattle in the Little Grove area, bounded by Bald Head to Princess Avenue.

CARRIED 4-0

- 6.2 Access to north side of Yakamia drain. This area has heavy weed burdens and it is difficult to access. Can we get the north side of the drain mulched? (John Moore)**

John Moore discussed the difficulty in accessing the north side of the Yakamia drain. Areas need to be kept level, as work is carried out, to allow vehicle access.

ACTION: Sandra to check with Kevin Ketterer as to the future of Yakamia Creek.

6.3 Fire Management Requirements 2010-2011 (Kim Stanton)

Kim Stanton wished to clarify what "garden" is permitted on blocks less than 2000m², according to the Bush Fires Act 1954.

ACTION: Sandra to discuss with Rangers/Garry Turner

6.4 Lack of follow up at the Little Grove Sewerage pump station in Marine Terrace (Kim Stanton)

Kim Stanton expressed concerns as to the overgrown state of the pump station.

ACTION: Mark Ford will follow up

6.5 Reports from around the table

Natural Reserves

Mark Ford informed Meeting that the Reserves Team are involved in:

- Weed Control
- Infrastructure
- Trails
- Tracks
- Signage
- Greenskills

Department of Environment and Conservation

Greg Freebury mentioned DEC has been working on Voyager Park since handover from City of Albany.

South Coast Natural Resource Management

Charlotte Powis outlined that SCNRM are carrying out blackberry/gorse control on Yakamia Creek. She also had copies available of the Gorse Eradication Strategy 2011-2021.

Department of Food and Agriculture

John Moore outlined Department's involvement in gorse eradication programme. Also funding has been applied for re: breaking of seed coat – gorse and wattle.

John will send through details re: Course to be held in Perth in September, to Mark Ford and Charlotte Powis.


City of Albany

Sandra is going to review Weed Strategy for City of Albany and will include promotion of Bushcarers' work being done.

7.0 NEXT MEETING

8.0 CLOSURE

The meeting was closed at 5:05 pm.

CONFIRMATION: CHAIRPERSON:  DATE: 25. 5. 11.

CITY OF ALBANY

REPORT

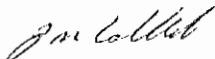
To : His Worship the Mayor and Councillors
From : Administration Officer - Development
Subject : Building Activity – May 2011
Date : 02 June 2011

1. In May 2011, Eighty Two (82) building licences were issued for building activity worth \$14,758,087. This included two (2) demolition licences and one (1) sign licences.

It is brought to Council's attention that these figures included building licence:

#301033 for a Additions & Alterations valued at \$5,300,000. The approval is for stage 1 only.

2. The two (2) attached graphs compare the current City activity with the past three (3) fiscal years. One compares the value of activity, while the other compares the number of dwelling units.
3. A breakdown of building activity into various categories is provided in the Building Construction Statistics form.
4. Attached are the details of the licences issued for May 2011, the eleventh month of activity in the City of Albany for the financial year 2010/2011.

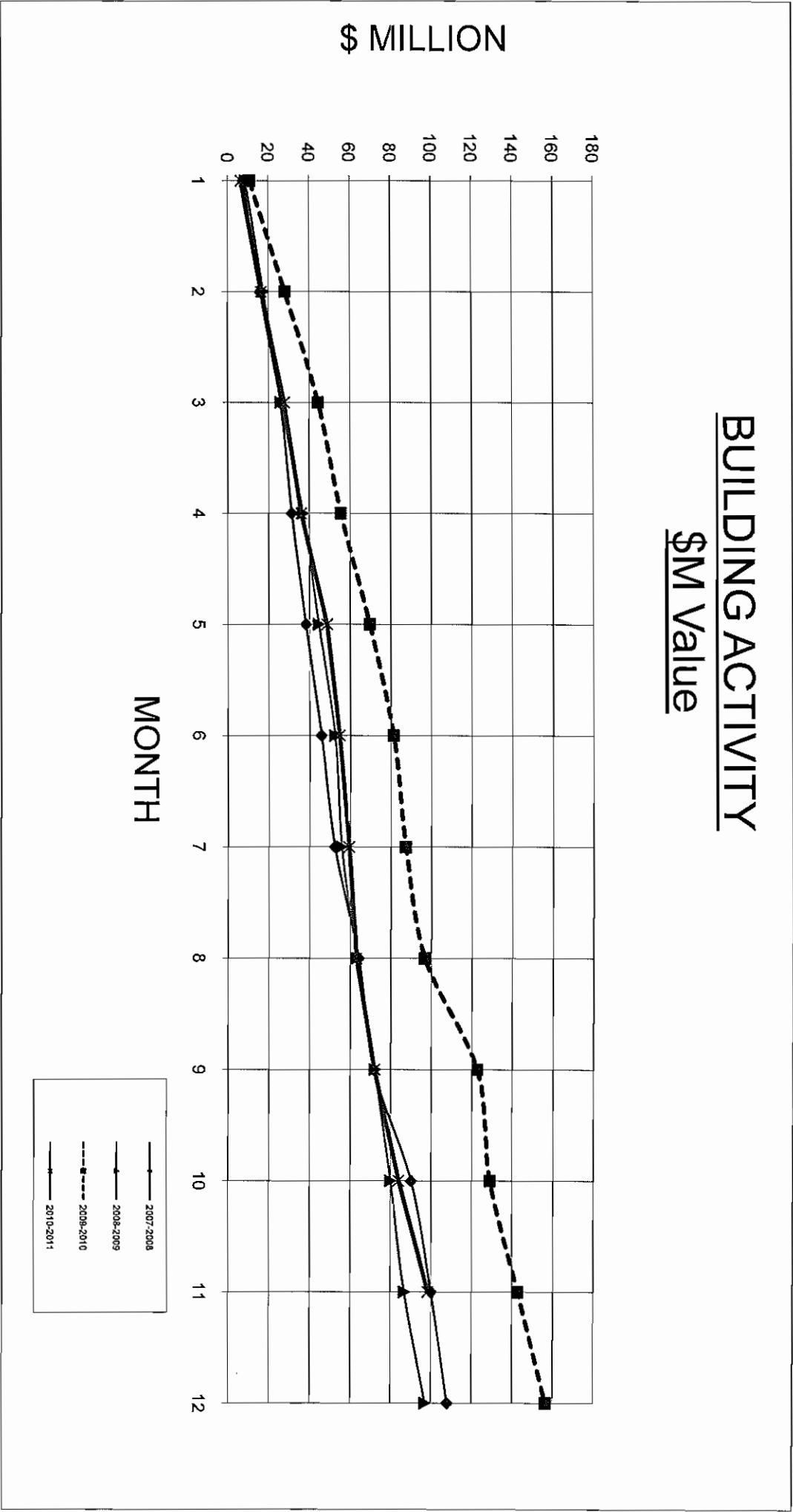


Jenny Cobbold
Administration Officer – Development

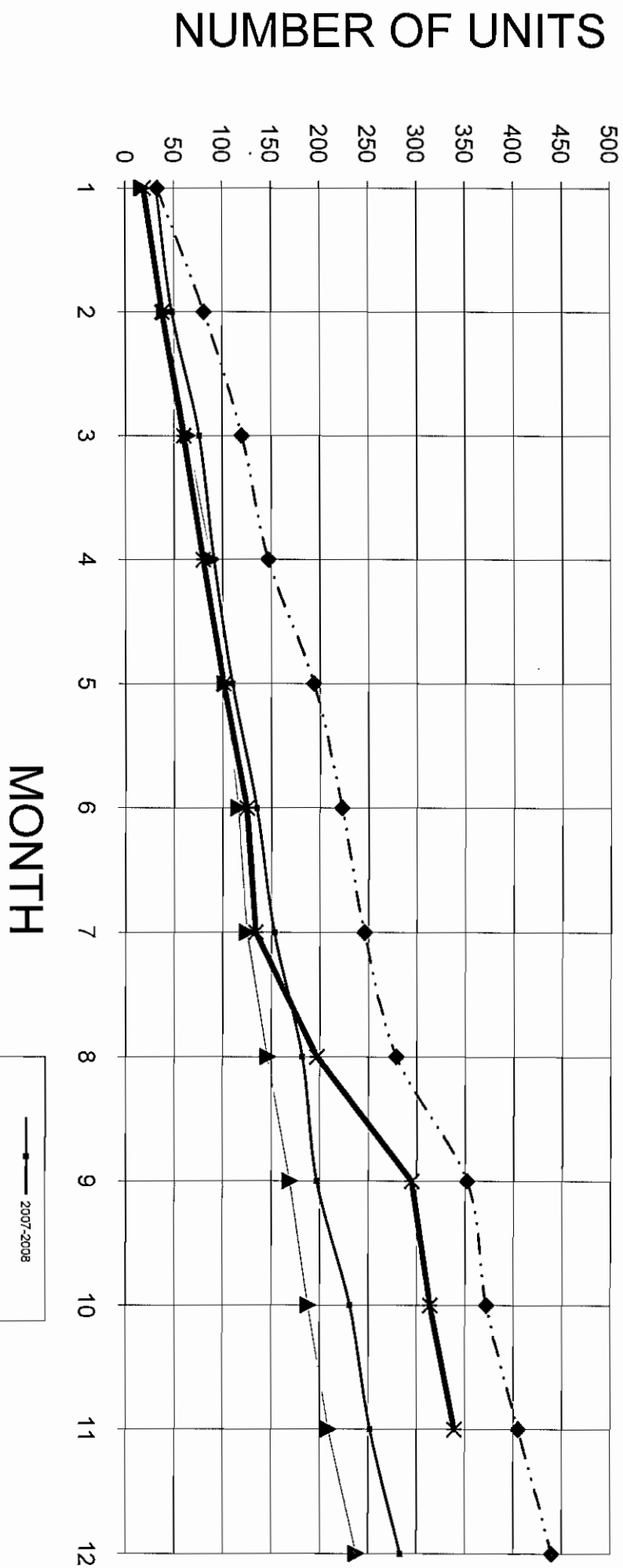
CITY OF ALBANY

BUILDING CONSTRUCTION STATISTICS FOR 2010 - 2011

2010/2011	SINGLE DWELLING		GROUP DWELLING		Total	DOMESTIC/ OUTBUILDINGS		ADDITIONS/ DWELLINGS		HOTEL/ MOTEL		NEW COMMERCIAL		ADDITIONS/ COMMERCIAL		OTHER		TOTAL \$ VALUE
	No	\$ Value	No	\$ Value		No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	
JULY	17	4,161,909	2	556,900	19	26	477,059	22	503,212	0	0			2	344,000	2	17,000	6,060,080
AUGUST	12	4,741,235	7	1,200,000	19	20	311,222	27	675,785	0	0			5	3,305,881	5	58,500	10,292,623
SEPTEMBER	21	5813739	1	2,400,000	22	32	460,285	6	771,657	3	1,200,000	1	366,600	1	45,000	8	157,641	11,214,922
OCTOBER	19	5,013,540	1	2,530,000	20	10	119,337	16	413,170	0	0			1	40,000	6	54,083	8,170,130
NOVEMBER	20	5,312,117	1	183,872	21	5	42,220	51	1,098,738	1	183,872	1	118,544	3	630,856	13	110,838	7,681,057
DECEMBER	24	4,878,678	0		24	21	344,498	19	642,557	0	0	0		1	104,753	14	125,868	6,096,354
2011																		
JANUARY	9	2,698,722	0	0	9	14	218,071	19	918,447	0	0	1	781,000	1	52000	7	64,300	4,732,540
FEBRUARY	8	2,232,941	0		8	21	399,945	24	604,979	0	0	1	146,000	1	60,000	8	117,430	3,561,295
MARCH	22	6,299,028			22	18	205,588	45	2,216,075	0	0	2	152,000	1	1,000	10	136,930	9,010,621
APRIL	16	5,077,759	3	1,200,000	19	25	226,306	13	3,829,500	0	0	2	1,319,780	1	43,000	10	230,099	11,926,444
MAY	24	5,543,579	1	118,000	25	23	451,254	23	1,556,016	0	0	1	92,103	4	6,061,048	6	936,087	14,758,087
JUNE					0					0	0							0
TOTALS TO DATE	192	51,773,247	16	8,188,772	208	215	3,255,785	265	13,230,136	4	1,383,872	9	2,976,027	21	10,687,538	89	2,008,776	93,504,153



DWELLING UNITS



BUILDING, SIGN & DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY

Applications determined for May 2011

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301433	Nigel John Gordon	PERPETUAL TRUSTEES AUSTRALIA LTD	SHOP FITOUT TO SHOP 24	42-68	Location ASL 32	ALBANY HIGHWAY	ALBANY
301033	MERVIN PTY LTD	Owners Name and address	BRA'S N THINGS UNIVERSITY OF WESTERN AUSTRALIA - OFFICES AND STUDENT FACILI	311	Location	STIRLING TERRACE	ALBANY
301382	WAUTERS ENTERPRISES	not shown at their request	PRIMEKING PTY LTD	112-140	RES48531 Lot B45 Location ALB	STIRLING TERRACE	ALBANY
301371	HARALD FEDDERSEN	Owners Name and address	VERANDAH	8	Location ATL 447	ROWLEY STREET	ALBANY
301321	DAMIEN STEVENS	not shown at their request	PATIO AND DECK	23	Location ATL 437	WATKINS ROAD	ALBANY
301359	WREN (W/A) PTY LTD	not shown at their request	NEW DWELLING (GROUPED	54	Location 359 Lot	ALISON PARADE	BAYONET HEAD
301394	CHRIS HANCOX	not shown at their request	X 2) AND RETAINING WALL FRONT FENCE	22	Location 1196 Lot	LOWER KING ROAD	BAYONET HEAD
301395	WA COUNTRY BUILDERS	not shown at their request	DWELLING & GARAGE	24	Location 3040 Lot	ELIZABETH STREET	BAYONET HEAD
301396	BRAYDEN DUNKELD	not shown at their request	SHED & PATIO	25	Location 1196 Lot	BAYONET HEAD ROAD	BAYONET HEAD
301400	SCOTT PARK HOMES	not shown at their request	DWELLING & GARAGE	10	Location 4790 Lot	LAMONT GRANGE	BAYONET HEAD
300564	MATSON FABRICATION LTD	not shown at their request	PATIO	3	Location 3470 Lot	HIAM STREET	BAYONET HEAD

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301389	WA COUNTRY BUILDERS	Owners Name and address	DWELLING	19	Location 3040 Lot	PAUL TERRY DRIVE	BAYONET HEAD
301387	PTY LTD ECOFIT HOMES	<i>not shown at their request</i> ALBANY LIFESTYLE VILLAGE	PARK HOME Site 20	406	Location 359 Lot	ALISON PARADE	BAYONET HEAD
301421	ECOFIT HOMES	PTY LTD ALBANY LIFESTYLE VILLAGE	PARKHOME TO SITE 16	500	Location 359 Lot	ALISON PARADE	BAYONET HEAD
301446	GARRY WAYNE	PTY LTD RD & L M DUNBAR	SHED	500	Location 283 Lot	JANDOO COURT	BAYONET HEAD
301347	WELLSTEAD ROBERT & LYNETTE	RD & L M DUNBAR	ADDITIONS AND ALTERATIONS	713	Location 283 Lot	JANDOO COURT	BAYONET HEAD
301434	DUNBAR ECOFIT HOMES	ALBANY LIFESTYLE VILLAGE	PARK HOME TO SITE 45	713	Location 359 Lot	ALISON PARADE	BAYONET HEAD
301448	TM STEEL	PTY LTD Owners Name and address	GARAGE & LEAN-TO	500	Location 283 Lot	SIBBALD ROAD	BAYONET HEAD
301413	CONSTRUCTION AND CONTRACTING PT EYERTE SIGNS	<i>not shown at their request</i> G A & H J TUTT	SIGN	838	Location ASL 08	NAKINA STREET	CENTENNIAL PARK
301406	DWAYNE TEN HAAF	Owners Name and address	PATIO	Lot 199	Location ALB	WELLINGTON STREET	CENTENNIAL PARK
301420	KENT CORPORATION PTY	<i>not shown at their request</i> KNIGHTS PARKS AND	PARK HOME Site 31	401	Location ALB	WELLINGTON STREET	CENTENNIAL PARK
301093	LTD TECTONICS	PROPERTIES PTY LTD V & P S SCHERINI	FACTORY	250	Location SLP3 Lot	ALBANY HIGHWAY	CENTENNIAL PARK
301458	PTY LTD GOOD SAMARITAN	INDUSTRIES IMDEE NOMINEES PTY LTD	SHOP FITOUT UNIT 2	27	Location 2	ALBANY HIGHWAY	CENTENNIAL PARK
301444	TRICOAST CIVIL	PORTSTYLE ENTERPRISES	STAGE NO.1 EARTHWORKS	33	Location ALBAN T	BARKER ROAD	CENTENNIAL PARK
301386	ANTHONY PERRELLA	PTY LTD CJ & B A HANDS	ONLY SHED	Lot 734	Location 43 Lot 60	COLLINGWOOD ROAD	COLLINGWOOD HEIGHTS

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
300770	OWNER BUILDER	R A & G A OAKLEY	GARAGE	2	Location 43 Lot	MATTLE COURT	COLLINGWOOD
301378	OWNER BUILDER	C & L REYNOLDS	HORTICULTURE HOTHOUSES	143	414 Location 401 Lot 14	OLD ELLEKER ROAD	HEIGHTS CUTHBERT
301304	NEW HORIZON HOMES	Owners Name and address	ANGLLARY	127	Lot 955	WOODIDES ROAD	ELLEKER
301393	(WA) PTY LTD GS & LA IRONMONGER	not shown at their request Owners Name and address	ACCOMMODATION SHORT TERM HOLIDAY	9	Location ALB	HUNTER STREET	EMU POINT
301353	GL & AM LEEDER	not shown at their request	ADDITIONS & ALTERATIONS DWELLING - 2 STOREY	23	TOWN Lot 926 Location ALB	MERMAID AVENUE	EMU POINT
301408	OWNER BUILDER	P R & J M WILLIAMSON	GARAGE	48	Location 288 Lot 26	BALSTON ROAD	GLEDDHOW
301410	OWNER BUILDER	Owners Name and address	SHED	16	Location 1032 Lot 8	HARROGATE ROAD	GLEDDHOW
301428	M & A STEEL	not shown at their request ALBANY ENVIRONMENTAL	SHED	944	Location 6502	BLUFF CREEK ROAD	GREEN RANGE
301373	FABRICATION KATIE WIGNALL	SERVICES PTY LTD E S WOODHAMS & K E WIGNALL	UNAPPROVED SHED	150	Location 2156 Lot	HENTY ROAD	KALGAN
301468	M & J WAUTERS	Owners Name and address	DWELLING	165	Location 730 Lot	WALFORD ROAD	KALGAN
301417	NOMINEES PTY LTD OWNER BUILDER	not shown at their request K & R W HALL	SHED	14	Location TAA 37	LEVARDIA ROAD	KRONKUP
301333	KOSTERS STEEL	C N & L S MOIR	PATIO	256	Location 7181 Lot	MASON ROAD	LANGE
301404	KOSTERS STEEL	I L M SEERY	CARPORT	47	Location 226 Lot 10	SOUTH COAST HIGHWAY	LOCKYER

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301443	MD PHILIP	J C SEYMOUR	GARAGE	7	Location 228 Lot	CLIFTON STREET	LOCKYER
301460	STUART WATTS	S Y & T G WARD	SHED	27	Location 123 Lot	DRUMMOND STREET	LOCKYER
301354	BRAYDEN DUNKELD	Owners Name and address	SHED EXTENSION	322	Location 50 Lot	BON ACCORD ROAD	LOWER KING
301161	T & W BRADE	not shown at their request Owners Name and address	SHED AND RETAINING WALL	528	Location 520 Lot	LOWER KING ROAD	LOWER KING
301397	OUTDOOR WORLD	not shown at their request Owners Name and address	CARPORT	16	Location 390 Lot	MCKAIL ROAD	MCKAIL
301402	FORMATION HOMES PTY LTD	not shown at their request Owners Name and address	DWELLING GARAGE &	22	Location 381 Lot	KITCHER PARADE	MCKAIL
301412	RYDE BUILDING	not shown at their request Owners Name and address	ALFRESCO DWELLING GARAGE &	12	Location 399 Lot	HOGARTH ROAD	MCKAIL
301391	COMPANY PTY LTD SCOTT PARK HOMES GREAT SOUTHERN PTY LTD	not shown at their request Owners Name and address	ALFRESCO DWELLING AND GARAGE	131	Location 492 Lot	LANCASTER ROAD	MCKAIL
301423	OWNER BUILDER	not shown at their request GREAT SOUTHERN COMMUNITY HOUSING ASSOC	SHED	18	Location 381 Lot	ORION AVENUE	MCKAIL
301426	OWNER BUILDER	D R & K L MCKEAG	PATIO	3	Location 492 Lot	ETHEREAL DRIVE	MCKAIL
301461	FORMATION HOMES PTY LTD	Owners Name and address	DWELLING AND GARAGE	23	Location 381 Lot	GERDES WAY	MCKAIL
301403	FORMATION HOMES PTY LTD	not shown at their request Owners Name and address	DWELLING GARAGE &	32	Location 2174 Lot	DONALD DRIVE	MCKAIL
	LTD	not shown at their request	ALFRESCO	272			

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301439	SCOTT PARK HOMES LTD	IGREAT SOUTHERN PTY LTD	DWELLING GARAGE & RETAINING WALL	17	Location 381 Lot 675	O'KEEFE PARADE	MCKAIL
301463	PULS PATIOS LTD	not shown at their request Owners Name and address	PATIO	30	Location 368 Lot 5	HAVOC ROAD	MILPARA
301407	HAYDEN GLADISH	not shown at their request H J GLADISH	ALTERATIONS & ADDITIONS & SHED	50	Location PL45 Lot 2	WOLLASTON ROAD	MIRA MAR
301363	Scott Rawson Homes Pty Ltd	NATIONAL TRUST OF AUSTRALIA (WA)	TRANSPORTABLE OFFICE AND TOILET FACILITY	13-17	Location 44 Lot 127	BEAUCHAMP STREET	MIRA MAR
301414	WAYNE WOOD	W B & E J K WOOD	ADDITIONS ALTERATION AND CARPORT	35	Location PL44 Lot 77	GREENSHIELDS STREET	MIRA MAR
301379	MALCOLM DOUGLAS	MUN LING IRENE CHIANG	PATIO AND DECK	188	Location 44 Lot 118	MIDDLETON ROAD	MIRA MAR
301425	WISHART HOMES PTY LTD	R S & J L GARDINER	ADDITIONS & ALTERATIONS	3	Location SB04 Lot 19	SLEEMAN AVENUE	MIRA MAR
301422	WA COUNTRY BUILDERS	WA COUNTRY BUILDERS & PTY LTD	RETAINING WALL	22	Location ASL 71 Lot 250	COCKBURN ROAD	MIRA MAR
301263	PAR & DA DOCKING	KENDI NOMINEES PTY LTD	ALTERATIONS AND ADDITIONS TO EXISTING	229	Lot 2	MIDDLETON ROAD	MT CLARENCE
301474	AD CONTRACTORS PTY LTD	& D P SMITH WATER CORPORATION	DOCTORS SURGERY DEMOLITION OF 2 X WATER TANKS		Location RES 16746 Lot 1439	WATKINS ROAD	MT CLARENCE
301375	KOSTERS STEEL	R F & R L BERRYMAN	PATIO	6	Location SL 117	GILLAM PLACE	MT MELVILLE
301399	CONSTRUCTION PTY LTD	S C LE COCQ	CARPORT	1	Location SL49/50 Lot 13	VERDI STREET	MT MELVILLE
301416	OWNER BUILDER	B M GAWNED	BOUNDARY WALL	1	Location ASL 54 Lot 6	IDURMAN PLACE	MT MELVILLE
301430	OWNER BUILDER	M PAPALIA & C T PURSEY	CARPORT	207	Location SL126	SERPENTINE ROAD	MT MELVILLE
				SL127	Lot 22 2		

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301362	JANICE MCNAMARA	J C MCNAMARA	ADDITIONS - BEDROOM ENSUITE GARAGE ALFRESCO & FRONT FENCE	44	Location 229 Lot	MCKAIL STREET	ORANA
301429	OWNER BUILDER	J A MCDUGALL	SHED	109	Location 222 Lot	MCGONNELL ROAD	ORANA
301440	OWNER BUILDER	B R & L E SIMMONS	SHED	16	Location PL222	SIERRA CRESCENT	ORANA
301441	OWNER BUILDER	P J & T F RICHARDS	CARPORT	101	Location 384 Lot	IWHIDBY STREET	ORANA
301158	JJ SPANDERMAN	Owners Name and address	DWELLING AND RETAINING	55	Location 231 Lot	MINOR ROAD	ORANA
301472	A D CONTRACTORS PTY LTD	not shown at their request Owners Name and address	WALLS DEMOLITION OF OFFICE	118	Location 64 Lot 54	ALBANY HIGHWAY	ORANA
301140	NORDIC HOMES PTY LTD	not shown at their request Owners Name and address	AND WORKSHOP TRANSPORTABLE DWELLING	Lot 100	Location AT381	BURGOWNE ROAD	PORT ALBANY
301453	OWNER BUILDER	not shown at their request Owners Name and address	VERANDAH AND DECK SHED	Lot 5	Location 7295 Lot	NORTON ROAD	REDMOND
301377	WAYNE WALKER	not shown at their request W F WALKER	UNAPPROVED CONVERSION OF CLASS 10A TO A 1A	6	Location 2785 Lot	REDMOND WEST ROAD	REDMOND WEST
301392	OWNER BUILDER	M P & J E RENAULT	DWELLING GARAGE & RETAINING WALL	4	Location 58C Lot 3	DREW STREET	SEPPINGS
301466	RYDE BUILDING	Owners Name and address	DWELLING GARAGE &	58C	Lot 3	DREW STREET	SEPPINGS
301381	COMPANY PTY LTD JR GOMM	not shown at their request KJ BOLT	ALFRESCO GARAGE & PATIO	165	Location PL43 Lot	RYCRAFT DRIVE	SPENCER PARK
301370	OWNER BUILDER	Owners Name and address	PATIO	77	Location 0 Lot 72	PREMIER CIRCLE	SPENCER PARK
not shown at their request							

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301274	Paul & Rosemarie Mackey	Owners Name and address	ADDITION & ALTERATIONS	21	Location 42 Lot	COLLINGWOOD ROAD	SPENCER PARK
301405	KOSTERS STEEL	not shown at their request	PATIO	202	Location PL42 Lot	HUGEL PLACE	SPENCER PARK
301445	KOSTERS STEEL	CRIEDYK	SHED	7	Location 42 Lot 25	DICKSON STREET	SPENCER PARK
301415	PULS PATIOS	Owners Name and address	PATIO	6	Location PL42 Lot	TRIMMER ROAD	SPENCER PARK
301431	SALBON PTY LTD	not shown at their request	DWELLING	73A	Lot 202	LANGOVE ROAD	SPENCER PARK
301432	King Michael Douglas	not shown at their request	DWELLING	73	Lot 201	LANGOVE ROAD	SPENCER PARK
301457	TURPS STEEL FABRICATIONS	not shown at their request	SHEDS X 2	4	Location 43 Lot 68	HEWETT RISE	SPENCER PARK
301380	WA COUNTRY BUILDERS	Owners Name and address	RACING CLUB OFFICES AND LABUTIONS/CHANGE	261	Location RES29094 Lot	ROBERTS ROAD	TORNDIRUP
301390	WA COUNTRY BUILDERS	not shown at their request	ROOMS	7083	Location 203	DELORAINE DRIVE	TRENUUP
301462	KOSTERS STEEL	not shown at their request	PATIO	174	Lot 305	DELORAINE DRIVE	TRENUUP
301385	SCOTT PARK HOMES	Owners Name and address	DWELLING & DOUBLE		Location 439 Lot	RIVERWOOD ROAD	WILLYUNG
	GREAT SOUTHERN PTY LTD	not shown at their request	GARAGE	235			

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301302	MATT TAYLOR	W C M & P M MAXTON	ADDITIONS TO EXISTING	777	Location 245 Lot 6	CHESTER PASS ROAD	WILLYUNG
301438	OUTDOOR WORLD	Owners Name and address	NON-HABITABLE SUNROOM		Location 439 Lot	RIVERWOOD ROAD	WILLYUNG
301345	IAN DAVID REID	not shown at their request Owners Name and address	PATIO	235	Location 230 Lot	TARGET ROAD	YAKAMIA
301427	M & A STEEL	not shown at their request	SHED	236	Location 42 Lot 82	BOND ROAD	YAKAMIA
301467	FABRICATION KOSTERS STEEL	G F BERG	PATIO	50	Location 474 Lot	SUSAN COURT	YAKAMIA
301480	CONSTRUCTION PTY LTD JOHN BOCCAMAZZO	J I PIWONSKI	DWELLING & ALFRESCO	383	Location AT356	NOTLEY STREET	YAKAMIA
301398	OWNER BUILDER	EDEN ROAD FARM PTY LTD	CHANGE OF CLASSIFICATION OF EXISTING DISPLAY AREA LAND OFFICE	3591	Location 1141 Lot	LOWER DENMARK ROAD	YOUNGS SIDING
				13			

CITY OF ALBANY

REPORT

To : His Worship the Mayor and Councillors

From : Administration Officer - Planning

Subject : Planning Scheme Consents – May 2011

Date : 3 May 2011

1. The attached report shows Planning Scheme Consents issued under delegation by a planning officer for the month of May 2011.
2. Within the period there was a total of twenty four (24) decisions made on active Planning Scheme Consents ;
 - Twenty one (21) Planning Scheme Consents were approved under delegated authority;
 - One (1) Planning Scheme Consent was cancelled;
 - Two (2) Planning Scheme Consents were withdrawn.

Melissa Marwick
Administration Officer – Planning

PLANNING SCHEME CONSENTS ISSUED UNDER DELEGATED AUTHORITY

Applications determined for May 2011

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P295183	6/07/2009	Great Southern Sands	Anthony Road	Albany	Industry - Extractive - Gravel	Cancelled	5/05/2011	Tom Wenbourne
P2115110	17/05/2011	T. Duong	Albany Highway	Albany	Office (consolidate and expand existing office use of no.21 to amalgamate with no.19	Delegate Approved	26/05/2011	Adrian Nicoll
P2115070	1/04/2011	R. Darnell	Bayonet Head Road	Bayonet Head	Change of Use - Shop (Pharmacy)	Delegate Approved	3/05/2011	Taylor Gunn
P2115098	29/04/2011	J. Knowles	Albany Highway	Centennial Park	Op Shop - Service Industry	Delegate Approved	17/05/2011	Jessica Anderson
P2115048	28/02/2011	Arthur Johnston Snowball	Minna Street	Centennial Park	Warehouse Sales Outlet	Delegate Approved	18/05/2011	Adrian Nicoll
P2115087	14/04/2011	H&H Architects	Ashford Street	Centennial Park	Education Establishment / Office	Delegate Approved	26/05/2011	Adrian Nicoll
P2105228	6/09/2010	R. Oakley	Wattle Court	Collingwood Heights	Single House - Outbuilding - Design Code Relaxation (Within Front Setback)	Delegate Approved	25/05/2011	Deb Delury
P2115114	17/05/2011	R. Slobe	Wilson Street	Little Grove	Grouped Dwelling x 2 (second dwelling to be located at northwest corner of lot)	Delegate Approved	24/05/2011	Adrian Nicoll
P2115094	20/04/2011	D. Bagley	Gordon Street	Little Grove	Family Day Care	Delegate Approved	30/05/2011	Adrian Nicoll
P2115105	10/05/2011	Powerhouse Architectural	Goddard Way	Mckail	Single House - Design Code Relaxation - Front setback relaxation side setback relaxation (garage parapet wall) rear setback relaxation (alfresco)	Delegate Approved	19/05/2011	Jessica Anderson
P2115082	12/04/2011	B. Madden	Golf Links Road	Middleton Beach	Holiday Accommodation	Delegate Approved	5/05/2011	Jessica Anderson

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2115084	13/04/2011	M. Pocock	Adelaide Crescent	Middleton Beach	Single House	Delegate Approved	31/05/2011	Adrian Nicoll
P2115065	25/03/2011	Alzheimer's Australia WA	Henry Street	Milpara	Residential Building - Alzheimers Australia Office Meeting Place & Respite Facility	Delegate Approved	9/05/2011	Tom Wenbourne
P2115106	12/05/2011	C. Pursey	Serpentine Road	Mt Melville	Single House - Addition (Carport)	Delegate Approved	17/05/2011	Jessica Anderson
P2115079	5/04/2011	Vrban Homes	Chester Pass Road	Orana	Warehouse x 3 (addition to existing storage units)	Delegate Approved	18/05/2011	Taylor Gunn
P2115083	13/04/2011	P. & D. T'Hart	Minor Road	Orana	Single House - design code relaxation - fill greater than 500mm in front setback retaining wall on boundary and setback relaxation	Delegate Approved	23/05/2011	Deb Delury
P2115078	5/04/2011	Pinelock Systems	Bramwell Road	Robinson	Use not Listed - Ancillary Accommodation	Delegate Approved	31/05/2011	Taylor Gunn
P2115092	19/04/2011	T. Roberts	Gairdner Road	Spencer Park	Home Business (Sewing Machine Repairs)	Delegate Approved	31/05/2011	Adrian Nicoll
P2115096	21/04/2011	WA Country Builders	Roberts Road	Torndirrup	Public Assembly - Additions (Change Rooms & Office)	Delegate Approved	16/05/2011	Jessica Anderson
P295369	7/12/2009	Concept Building Design	Randell Crescent	Warrenup	Wind Turbine	Withdrawn	30/05/2011	Tom Wenbourne
P105178	16/07/2010	Concept Building Design	Randell Crescent	Warrenup	Wind Turbine	Withdrawn	30/05/2011	Adrian Nicoll
P2115112	20/05/2011	Ranbuild	Riverwood Road	Willyung	Single House - Outbuilding (relaxation of scheme requirement - boundary setback)	Delegate Approved	31/05/2011	Adrian Nicoll
P2115099	2/05/2011	KPA Architects	Beaufort Road	Yakamia	Institutional Home - Additions (new two-storey lift shaft)	Delegate Approved	9/05/2011	Adrian Nicoll
P2115095	20/04/2011	Ryde Building Company	Hume Corner	Yakamia	Single House - Design Code Relaxation (Relax Open Space Requirement)	Delegate Approved	18/05/2011	Taylor Gunn

NCSR1118063 AMD296

COPY OF COMMON SEAL

ITEM: 1.8 OCM 17/08/2010 AND ITEM 13.2.3 OCM 17/11/2009

REF: AMD296-REZONING OF LOTS 2, 3, 5, 7, 9-16 SOUTH COAST HIGHWAY, LOTS 1, 2, 5, 6, 7, 26, 27, 85 BALSTON ROAD, LOTS 24 & 25 CUMING ROAD, LOTS 20 & 23 MOORTOWN ROAD, LOT 4 MIDDLE STREET AND LOTS 17-19 & 21 SYDNEY STREET , GLEDHOW FROM THE 'RURAL' ZONE AND LOT 10 MOORTOWN ROAD, GLEDHOW FROM THE 'PUBLIC PURPOSES RESERVE' TO THE 'RESIDENTIAL DEVELOPMENT' ZONE-FINAL APPROVAL GRANTED 17/08/2010.

PARTIES: CITY OF ALBANY AND VARIOUS OWNERS

MAYOR AND CEO F JAMES 1 COPY

NCSR1118069 CO5026

COPY OF COMMON SEAL

ITEM: 6.1 SCM 5/04/2011

REF: HEADS OF AGREEMENT IN RELATION TO THE SALE AND PURCHASE OF THE ACCOMMODATION AND BOOKING SERVICE AND OTHER ASSETS (AGREEMENT PREPARED BY LATRO LAWYERS ON BEHALF OF THE CITY OF ALBANY)

PARTIES: CITY OF ALBANY AND ALBANY INBOUND AND TAYSON PTY LTD (MR RAYMOND HAMMOND) SELLER

MAYOR AND CEO F JAMES 1 COPY

NCSR1118077 A216047

COPY OF COMMON SEAL

ITEM: N/A MADE UNDER DELEGATION

REF: SECTION 70A REQUIRING THAT THE ANCILLARY ACCOMMODATION CAN ONLY BE OCCUPIED BY FAMILY MEMBERS OCCUPYING THE MAIN DWELLING AS PER THE DEVELOPMENT GUIDELINES FOR TPS3. REQUIRED BY CONDITION 1A OF PLANNING SCHEME CONSENT P2115040 SIGNED UNDER DELEGATION BY JESSICA ANDERSON, PLANNING OFFICER.

PARTIES: CITY OF ALBANY AND RICHARD CHARLES PIERCY AND AMANDA JEAN PIERCY

MAYOR AND CEO F JAMES 1 COPY

NCSR1118138 136379

COPY OF COMMON SEAL

ITEM: N/A

REF: SECTION 70A ADVISING OF GRAVEL AND SAND MINING ACTIVITIES ON NEARBY LOT 125 THAT MAY AFFECT THE AMENITY OF THE LOTS. CONDITION NUMBER 32 OF SUBDIVISION APPROVAL WAPC136379. MADE UNDER DELEGATED AUTHORITY.

PARTIES: CITY OF ALBANY AND GOLDMAP CORPORATION (DW JOHNSTON) AND RIDGECITY (DM AND JR KINNEAR)

MAYOR AND CEO F JAMES 1 COPY

NCSR1118139 138798

COPY OF COMMON SEAL

ITEM: N/A

REF: SECTION 129BA DEED OF RESTRICTIVE COVENANT-RESTRICTING THE CONSTRUCTION OF A SINGLE HOUSE ON LOT 151 UNTIL A STRUCTURE PLAN IS IN PLACE AND ENDORSED BY WAPC. THIS RESTRICTIVE COVENANT CORRECTS ERRORS MADE AND SUPERSEDES A PREVIOUS VERSION SIGNED ON 23 MARCH 2011. CONDITION NUMBER 3 OF SUBDIVISION APPROVAL WAPC 138798 MADE UNDER DELEGATED AUTHORITY.

PARTIES: CITY OF ALBANY AND D M WILLIAMS AND JD WILLIAMS

MAYOR AND CEO F JAMES 4 COPIES

NCSR1118142 AMD285

COPY OF COMMON SEAL

ITEM: 13.2.1OCM 20/10/2009

REF: AMD285-REZONING OF LOTS 870 AND 873-877 JOHN STREET AND MORRIS ROAD, MILPARA FROM THE 'RURAL' ZONE TO THE 'LIGHT INDUSTRY' ZONE AND THE 'PARKS AND RECREATION RESERVE'. SECTION 75 OF THE PLANNING AND DEVELOPMENT ACT 2005 AND REGULATION 17(2) OF THE TOWN PLANNING REGULATIONS 1962.

PARTIES: CITY OF ALBANY AND HYSNEX PTY LTD, SJ FRANEY, EM FRANEY AND PG FRANEY

MAYOR AND CEO F JAMES

NCSR1118145 ED.PJT.2

COPY OF COMMON SEAL

ITEM: 3.2 OCM 19/10/2010

REF: MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF ALBANY AND SHIRE OF DENMARK RELATING TO 2010-11 COUNTRY LOCAL GOVERNMENT FUND REGIONAL GROUP FUNDING ALLOCATION FOR WORKS TO COMPLETE ANZAC PEACE PARK. FUNDING TOTALS \$897,773

PARTIES: CITY OF ALBANY AND SHIRE OF DENMARK, DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS

MAYOR AND CEO F JAMES 2 COPIES

NCSR1118146 PRO065

COPY OF COMMON SEAL

ITEM: 2.6 OCM 19/10/2010

REF: NEW DEED OF LEASE AND LICENCE FOR WATER CORPS EXISTING SCADA TELECOMMUNICATION EQUIPMENT LOCATED AT THE MOUNT MELVILLE LOOKOUT, RESERVE 2681.

PARTIES: CITY OF ALBANY AND WATER CORPORATION

MAYOR AND CEO F JAMES 3 COPIES

NCSR1118367 PRO357

COPY OF COMMON SEAL

ITEM: 4.6 OCM 15/03/2011

REF: TRANSFER OF LAND DOCUMENT FOR SEALING BY THE CITY FOR THE SALE OF LOT 408 (16) GIFFORD STREET, LOCKYER

PARTIES: CITY OF ALBANY AND HUDSON, HENNING AND GOODMAN LEGAL GROUP

MAYOR AND CEO F JAMES 1 COPY

NCSR1118368 PRO357

COPY OF COMMON SEAL

ITEM: 4.5 OCM 15/03/2011

REF: CONTRACT FOR THE SALE OF LOT 448 (44) CULL ROAD, LOCKYER

PARTIES: CITY OF ALBANY AND HUDSON, HENNING AND GOODMAN LEGAL GROUP

MAYOR AND CEO F JAMES 1 COPY

NCSR1118369 PRO357

COPY OF COMMON SEAL

ITEM: 4.6 OCM 15/03/2011

REF: CONTRACT FOR THE SALE OF LOT 442 (2) RAYBOLD STREET, LOCKYER

PARTIES: CITY OF ALBANY AND HUDSON HENNING AND GOODMAN LEGAL GROUP

MAYOR AND CEO F JAMES 1 COPY

NCSR1118371 PRO357

COPY OF COMMON SEAL

ITEM: 4.6 OCM 15/03/2011

REF: TRANSFER OF LAND DOCUMENT FOR SEALING BY THE CITY FOR THE SALE

OF LOT 407 (14) GIFFORD STREET, LOCKYER

PARTIES: CITY OF ALBANY AND HUDSON HENNING AND GOODMAN LEGAL GROUP

MAYOR AND CEO F JAMES 1 COPY

NCSR1118374 PRO288

COPY OF COMMON SEAL

ITEM: 2.3 OCM 15/02/2011

REF: SURRENDER OF LEASE HELD BY WESTERN AUSTRALIAN MUSEUM FOR

MOUCHEMORES COTTAGE AT LOT 1297, NO 1 PARADE STREET, ALBANY

PARTIES: CITY OF ALBANY AND WESTERN AUSTRALIAN MUSEUM

MAYOR AND CEO F JAMES 3 COPIES

NCSR1118375 PRO224

COPY OF COMMON SEAL

ITEM: 2.7 OCM 19/10/2010

REF: DEED OF UNDERTAKING AND INDEMNITY-CHEYNE BEACH HOLIDAY

ACCOMMODATION LEASE-PORION OF RESERVE 878 LOT 27 BAXTERI ROAD

CHEYNE BEACH.

PARTIES: CITY OF ALBANY AND MARLENE EVELYN LENSTRA, SYLVIA DEMAN,

ERICK RONALD BROUWER, JILLIAN CYNTHIA BROUWER, DOROTHEA HELEN

BROUWER, MAREE WILMA DIEMEL AND JOHN CHRISTIAN BROUWER

MAYOR AND CEO F JAMES 2 COPIES

NCSR1118376 PRO162

COPY OF COMMON SEAL

ITEM: 4.3.15 OCM 14/12/2010

REF: DEED OF ASSIGNMENT OF LEASE FOR AIRPORT HANGAR SITE 18, ALBANY
AIRPORT

PARTIES: CITY OF ALBANY AND BURNLEE PARK PTY LTD AS TRUSTEE FOR THE

BURNETT FAMILY TRUST (ASSIGNOR) AND SIMON DAVID STONE (ASSIGNEE)

MAYOR AND CEO F JAMES 3 COPIES

NCSR 1118421 PS.ACQ.1
COPY OF COMMON SEAL

ITEM: N/A

REF: FESA ESL GRANTS SCHEME CAPITAL ITEM OF A PHYSICAL NATURE-NEW
LANDCRUISER FAST ATTACK FOR THE KING RIVER FIRE BRIGADE.

PARTIES: CITY OF ALBANY AND FIRE AND EMERGENCY SERVICE OF WA
MAYOR AND CEO 1 COPY

NCSR1118422 PS.ACQ.1
COPY OF COMMON SEAL

ITEM: N/A

REF: FESA ESL GRANTS SCHEME CAPITAL ITEM-NEW LANDCRUISER FAST ATTACK
FOR THE BORNHOLM BUSH FIRE BRIGADE

PARTIES: CITY OF ALBANY AND FIRE AND EMERGENCY SERVICE AUTHORITY OF
WA
MAYOR AND CEO F JAMES 1 COPY

NCSR1118449 C05026
COPY OF COMMON SEAL

ITEM: 6.3 SCM 05/04/2011 AND 4.6 OCM 15/03/2011

REF: DEED OF ASSIGNMENT OF LICENCE AND AGREEMENT

PARTIES: CITY OF ALBANY AND TAYSON PTY LTD (MR RAYMOND HAMMOND) AND
QUEENSBERRY IT PTY LTD
DEPUTY MAYOR AND CEO F JAMES 2 COPIES

NCSR1118450 C05026
COPY OF COMMON SEAL

ITEM: 6.3 SCM 05/04/2011, ITEM 4.6 OCM 15/03/2011

REF: HEADS OF AGREEMENT IN RELATION TO THE SALE AND PURCHASE OF THE
ACCOMMODATION BOOKING SERVICE AND OTHER ASSETS -ALBANY VISITOR
CENTRE

PARTIES: CITY OF ALBANY AND TAYSON PTY LTD (MR RAYMOND HAMMOND) AND
ALBANY INBOUND PTY LTD
DEPUTY MAYOR AND CEO F JAMES 2 COPIES

EDR1118061 A37843
SIGNING/EXECUTION FORM
ITEM: N/A

REF: PLANNING ENFORCEMENT DIRECTION PURSUANT TO S214(3) OF PLANNING AND DEVELOPMENT ACT 2005-UNAUTHORISED EARTHWORKS (EXCAVATION AND FILL) IN EXCESS OF 600MM. REQUIRES PLANNING SCHEME CONSENT-NONE SOUGHT AND NONE GIVEN. SIGNED UNDER DELEGATION BY CEO F JAMES
PARTIES: CITY OF ALBANY AND MR RUSSELL BARKER
CEO F JAMES 1 COPY

EDR1118068 GR.STL.2
SIGNING/EXECUTION FORM
ITEM: N/A

REF: ANNUAL REPORT TO WALGA ON ROADS EXPENDITURE FOR 2009/10 FINANCIAL YEAR.
PARTIES: CITY OF ALBANY AND WALGA
CEO F JAMES 1 COPY

EDR1118075 RD.PRG.2
SIGNING/EXECUTION FORM
ITEM: 6.1 OCM 29/06/2010-SIGNED UNDER DELEGATED AUTHORITY BY CEO F JAMES
REF: REGIONAL ROAD GROUP FUNDING CLAIM FOR LOWER KING ROAD.
PARTIES: CITY OF ALBANY AND MAIN ROADS
CEO F JAMES 1 COPY

EDR1145932 GR.STL.9
NATIONAL YOUTH WEEK 2011 GRANTS ACQUITTAL FORM AND REPORT

EDR1118136 MAN257
SIGNING/EXECUTION FORM
ITEM: N/A
REF: NOTIFICATION OF ADJUSTMENT OF USE OF LOTTERYWEST GRANT, ACKNOWLEDGEMENT OF USE OF GRANT FUNDS AS PER GRANT AGREEMENT
PARTIES: CITY OF ALBANY AND LOTTERYWEST
CEO F JAMES 1 COPY

EDR1118217 RD.ACQ.1
SIGNING/EXECUTION FORM
ITEM: 3.1 OCM 15/03/11
REF: RE ALIGNMENT OF SECTION OF PALMDALE ROAD.
PARTIES: CITY OF ALBANY AND DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS
CEO SIGNED UNDER DELEGATION

EDR1118218 RD.ACQ.1
EXECUTED DOCUMENT
ITEM: 3.1 OCM 15/03/2011
REF: RE ALIGNMENT OF SECTION OF PALMDALE ROAD
PARTIES: CITY OF ALBANY AND WESTERN AUSTRALIAN PLANNING COMMISSION
SIGNED UNDER DELEGATION BY CEO

EDR1118423 RD.PRG.2
SIGNING/EXECUTION FORM
ITEM: N/A
REF: STATE BLACKSPOT CLAIM FOR LOCKYER AVENUE/COCKBURN ROAD. 2909.
SIGNED UNDER DELEGATION.
PARTIES: CITY OF ALBANY AND MAIN ROADS
CEO F JAMES 1 COPY

EDR1118424 RD.DEC.2
SIGNING/EXECUTION FORM
ITEM: 5.1 OCM 17/05/2011
REF: LAND TO BE TAKEN FROM LOTS 2 AND 50 ULSTER ROAD AS A PUBLIC ROAD
FOR THE PURPOSES OF WIDENING ULSTER ROAD, THROUGH THE LODGEMENT OF
A SUBDIVISION APPLICATION. SIGNED UNDER DELEGATION.
PARTIES: CITY OF ALBANY, WESTERN AUSTRALIAN PLANNING COMMISSION AND
THE ROMAN CATHOLIC BISHOP OF BUNBURY
1 COPY CEO F JAMES

EDR1118425 RD.DEC.2
SIGNING/EXECUTION FORM
ITEM: 5.1 OCM 17/05/2011
REF: TAKING BY AGREEMENT PROVISIONS SIGNED UNDER DELEGATION.
PARTIES: CITY OF ALBANY AND THE ROMAN CATHOLIC BISHOP OF BUNBURY
CEO F JAMES 1 COPY

EDR1118426 PE.AUT.1
SIGNING/EXECUTION FORM
ITEM: 4.6 OCM 15/03/2011
REF: APPLICATION FOR CLEARING PERMIT
PARTIES: CITY OF ALBANY AND DEPARTMENT OF ENVIRONMENT AND
CONSERVATION
CEO F JAMES 1 COPY

EDR1118427 CP.PLA.1
SIGNING/EXECUTION FORM
ITEM: N/A
REF: ACQUITTAL REQUIREMENT FOR COUNTRY LOCAL GOVERNMENT FUNDING
FOR BUILDING FORWARD CAPITAL WORKS PLAN PREPARATION. SIGNED UNDER
DELEGATION.
PARTIES: CITY OF ALBANY AND DEPARTMENT OF REGIONAL DEVELOPMENT AND
LANDS.
CEO F JAMES 1 COPY

DRAFT

MEMORANDUM OF UNDERSTANDING

Governing the

A partnership between

THE CITY OF ALBANY,

THE CITY OF BUNBURY,

THE CITY OF GERALDTON,

THE CITY OF KALGOORLIE-BOULDER

and

THE UNIVERSITY OF WESTERN AUSTRALIA

OCTOBER, 2010

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) dated October, 2010, records the entire agreement between:

- (a) The City of Albany,
- (b) The City of Bunbury,
- (c) The City of Geraldton
- (d) The City of Kalgoorlie-Boulder and
- (e) The University of Western Australia

in relation to the establishment of a professorial position named as the **Western Australia Regional Cities Alliance Professor** administered through the School of Earth and Environment (**the School**) at the University of Western Australia (**the University**).

The Western Australia Regional Cities Alliance (**the Alliance**), comprising the cities of Albany, Bunbury, Geraldton and Kalgoorlie-Boulder, has agreed to fund, establish and operate the Regional Cities Alliance Professor in partnership with the University under the terms set out in this MOU.

The Partnership and its Objectives:

The Alliance will develop a research partnership to build on the University's capacity in regional development, urban planning, and spatial analysis, with the aim of providing an explicit focus on the research needs of the Alliance. These needs are concentrated in:

- Economic, demographic and social analysis;
- Service and infrastructure planning and delivery;
- Strategic urban and regional planning; and
- Governance

and it is recognized that the partnership would provide opportunities for the Alliance to engage with a range of groups across the University including in the environmental sciences, architecture and built environment, population health, and education.

The partnership's specific objectives are:

- Analysis and modeling of demographic, social and economic indicators;
- The definition of current and future service and infrastructure needs and standard;
- Collaboration on the analysis of strategic planning needs, and in the development of responses;
- Engagement in research and strategy related to the distribution of population and economic activity within the broader context of Western Australia;
- Development education and research capacity in areas relevant to the needs of regional cities.

Within the specific objectives there are a number of priority research areas as listed in APPENDIX 1

The partnership has a number of apparent benefits to the Alliance including:

- A research programme dedicated to the specific strategic needs of Western Australia's regional cities;
- The development of further partnerships with individual research groups and individuals within the University according to their needs;
- The opportunity to leverage additional research funds through sources such as the Australian Research Council and the new Super Science fund on the Built Environment;
- The opportunity to have PhD and advanced students engage in research on Western Australia's regional cities.

The benefits of the partnership to the University include:

- Enhanced research capacity in regional development;
- Increased publications and research income in regional development;
- The development of an innovative research programme not being conducted by other Australian universities;
- Enhanced teaching capacity in regional development;
- Increased engagement with regional Western Australia.

Management of the Research Programme

The partnership will be managed by a Research Management committee that will meet bi-annually to provide guidance to the overall programme, represented by:

- One representative from each of the Alliance members;
- The Director of the University's regional development programme;
- Dean of the Faculties of Science (or nominee).

In addition there will be an annual 'Research Roundtable' that will coincide with Alliance meetings. This will include the Alliance membership and the University representatives. The Roundtable will be used to report on progress, and to collaboratively set priority research areas and activities.

Key Outcomes and Deliverables:

The Partnership would aim to achieve:

- An increase in Honours and Masters students engaged in research on the regional cities;
- A minimum of four (4) PhD students working on topics related to the regional cities within three (3) years.

The partnership would deliver:

- A minimum of four short *Regional City Bulletins* per year. These would be a short (ca 10 page) briefing paper on various aspects of the research programme (as agreed by the Research Management Committee);
- One major report per year that incorporates all member cities (on a topic agreed to by the Research Management Committee);
- Two (2) presentations per year to the Alliance updating the research progress or reporting on a particular topic;
- A minimum of one (1) ARC Linkage research funding bid biannually that incorporates all member cities (negotiated through the research Management Committee);
- A minimum of two (2) papers submitted to refereed journals per year.

Funding Arrangements:

The University and the Alliance will each contribute 50 percent to the costs of direct salary, salary on-costs and position overheads for a five (5) year appointment at professorial level (the University Academic Salary Scale level D) at an approximate cost between \$569k and \$579k to the University and between \$140k and \$145k to each member of the Alliance over the five year period as set out in Schedule 1 of the MOU.

The University will provide funding in total sufficient to cover recruitment, relocation, insurances, administrative support, facilities access support (library, IT support, internet, finance and HR systems, telephone) at an approximate cost of \$393,000 over five years .

The Alliance will provide funding in full to support travel and operating expenses of the research programme in the amount of \$15,000 per annum indexed by an annual increase of \$500 over five years.

The alliance will provide funding in full to provide research support equivalent to the appointment of a half time Research Associate (the University Academic Salary Scale level A) over a period of two (2) years at an approximate cost between \$32k and \$36k to each member of the Alliance over the five year period as set out in Schedule 1 of the MOU.

The Estimated cost over the full five year term provided in Schedule 1 of the MOU is based on assumptions and best known information at the time of formulating. It is agreed by the University and the Alliance that the minimum contributions to salaries will equate to the actual costs incurred through the course of employment of the Professor and Research Associate over the period of the MOU.

It is possible that a suitable appointee cannot commence until later in 2011. In that event the Alliance and the University will maintain their respective commitment to contribute to the full cost of the five year appointment for the professor and a two year half-time term for a Research Associate.

The members of the Alliance will each make contributions in one tranche each year, in about May and prior to 30 June of each calendar year. These funds will be paid to the Hackett Foundation, and designated for the **Western Australia Regional Cities Alliance Professor Account** of the University's School of Earth and Environment. At the time that the appointment is made, the Alliance may elect to make its payments according to the actual estimated cost for each 12 month period, or on a time averaged basis.

Administrative Procedures:

The University will be responsible for all matters concerned with the appointment of the successful applicant; however, the Alliance will each be invited to have one representative on the Selection Committee.

The University will also be solely responsible for the employment and supervision of the appointee, within the School; however, the Alliance will participate in an annual review of the achievements and future objectives of the appointee.

Governance:

The following arrangements are agreed:

- The University will establish a dedicated account to receive donations under the umbrella account of the Hackett Foundation which will receipt funds from the Alliance membership.
- The progress and future objectives of the appointee will be reviewed annually by a panel comprising a representative of the Alliance and the School. This arrangement will be reviewed at the conclusion of funding by the Alliance.
- On request, the Alliance can access the records of the Western Australia Regional Cities Alliance Professor Account at each annual review.

Signed for and on behalf of the **City of Albany**

Witness:

Date: -----

Signed for and on behalf of the **City of Bunbury**

Witness:

Date: -----

Signed for and on behalf of the **City of Geraldton**

Witness:

Date: -----

Signed for and on behalf of the **City of Kalgoorlie-Boulder**

Witness: _____

Date: -----

Signed for and on behalf of **The University of Western Australia**

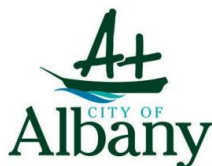
Witness: _____

Date: -----

APPENDIX 1

PRIORITY RESEARCH AREAS

- Demographic analysis & modeling:-
 - Population planning and demographic analysis;
 - Review of ABS and DoP/WAPC (WA Tomorrow) population modeling and estimates;
 - Population-economic-social linkages modeling to define service needs
- Economic analysis and modeling:-
 - Labour market analysis/modeling;
 - Local/regional comparative and competitive advantage assessment for business and economic activity;
 - Labour force attraction and retention;
 - Skilled labour auditing and planning scenarios;
 - Analysis of enterprise performance and constraints/opportunities
- Infrastructure and land-use planning:-
 - Framework for regional centre plans and statutory plans;
 - Land supply analysis, including existing capacity and required release provisioning;
 - Key infrastructure requirements over short and long timescales, including water, sewerage, roads, public transport, electricity, gas etc.
- Technology linkage planning:-
 - Planning on impact of NBN;
 - Defining key possibilities and obstacles to maximizing on the NBN rollout
- Key services planning and provision:-
 - Health education and welfare;
 - Recreation and leisure;
 - Public administration;
 - Public housing.



AUDIT COMMITTEE MINUTES

for the meeting held on Tuesday 12 April 2011
in the Margaret Coates Boardroom

(File Ref: FM.MEE.1 Synergy Ref: AM1117895)

The Chair declared the meeting open at 5.51pm.

1.0 ATTENDANCE:

Mayor	M Evans, JP (Member)
Councillors:	
Cr Wellington	(Chair)
Cr Leavesley	(Member)
Cr Hammond	(Member) (left at 8.15pm)
Cr Matla	(Member)
Cr D Bostock	(Observer)
Cr J Bostock	(Observer)
Cr D Dufty	(Observer)
Cr C Holden	(Observer)
Staff:	
Chief Executive Officer	F James
Executive Director Works & Services	K Ketterer (arrived at 5.59 pm)
Executive Director Planning & Development Services	G Bride
Team Leader Community Services	L Hill
Finance Manager	D Olde
Executive Manager Business Governance	S Jamieson (Secretariat)
Apologies/Leave of Absence:	
Executive Director Corporate & Community Services	WP Madigan
Acting Executive Director Corporate Services	P Wignall

2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Councillor Leavesley queried the time detailed at Item 7.0. Note: The Committee meeting time was brought forward for this meeting as the proposed Finance Committee meeting scheduled at 5.30pm was not held.

ITEM 2.0 – COMMITTEE RESOLUTION

MOVED: MAYOR EVANS

SECONDED: COUNCILLOR WELLINGTON

The minutes of the Audit Committee meeting held on 1 March 2011, as previously distributed, be confirmed as a true and accurate record of proceedings (Attachment A).

MOTION CARRIED 5-0

Presiding Member	Councillor Wellington
EMT Member Responsible for Committee:	Chief Executive Officer (F James)

3.0 DISCLOSURE OF INTEREST

Name	Item Number	Nature of Interest
Mayor Evans	4.13	Impartiality. Mayor's wife is a member of the Eisteddfod Committee. Mayor remained in the meeting and participated in the discussion and vote for this item.
Councillor Hammond	4.14	Financial. Direct financial interest as Councillor is the owner of Albany Inbound Pty Ltd. Councillor left the meeting and did not participate in the discussion, debate or vote for this item.
Councillor Leavesley	4.14	Impartiality. Councillor gains income from the Tourist Industry. Councillor remained in the meeting and participated in the discussion and vote for this item.
Councillor D Bostock	5	Financial, Proximity, Impartiality. Plaintiff in the legal action. Councillor left the meeting and did not participate in the discussion, debate or vote for this item.
Councillor J Bostock	5	Proximity. Councillor J Bostock is the wife of plaintiff. Councillor left the meeting and did not participate in the discussion, debate or vote for this item.
Councillor Wellington	5	Proximity. Councillor Wellington is the first defendant to writ. Councillor remained in the meeting and participated in the discussion and vote for this item.

4.0 ITEMS FOR DISCUSSION

4.1 REPORT ON ALAC OPERATIONS

Reporting Officer: Chief Executive Officer

Update:

Chief Executive Officer advised the Committee that the report on the Albany Leisure & Aquatic Centre (ALAC) operations will be presented to the May Ordinary Meeting.

Councillor Leavesley requested the Chief Executive Officer to investigate if his Rescission Motion, being:

"That the restrictions imposed on the Albany Leisure & Aquatic Centre (ALAC) Gymnasium Operations detailed at report item 16.1 which was moved at an ordinary meeting of council held on 16 January 2007 and later detailed in the Memorandum of Understanding (MOU) made between the City of Albany and Local Health & Fitness Centre Operators be reconsidered."

is still required.

Action: Question taken on Notice by Chief Executive Officer.

4.2 LIQUID WASTE TENDER (CITY OF ALBANY & WATERCORPORATION)

Reporting Officer: ED Works & Services

Background

The Audit Committee on 1 March 2011 considered the verbal feedback on the above matter and requested the Chief Executive Officer to:

- draft a follow up letter to the Water Corporation requesting specific information and documents in support of the appropriateness of the tender process; and
- circulate the Water Corporation response to all Councillors, once received.

Discussion

A Copy of the letter to Water Corporation is detailed in Annexure B.

The Water Corporation response is detailed in Annexure B.

For completeness, copies of previous correspondence with the Water Corporation is attached as Annexure B.

The response from the Water Corporation in summary:

- Affirms the City's involvement in this process through having a staff member on the panel;
- Maintains that the unsuccessful bidder was provided every opportunity to meet the tender requirements in terms of financial information relating to the pass/fail criteria stated in the tender documentation;
- Confirms that a relationship exists between the preferred bidder and an employee, but states that the Water Corporation has not yet taken a decision regarding the administration of the contract, and this person's possible involvement; and
- Maintains that the information requested by Council is Confidential, and it is inferred that this would not be made available.

Conclusion

The Water Corporation is of the opinion that their tender evaluation has been substantively and procedurally fair in all respects. It is also of the opinion that the minimum financial returns stipulated by Council will be met once the tender has been formally awarded.

Recommendation

That the City not pursue this matter further, but assess its own involvement in the tender process, and implement system improvements to ensure matters do not reach this stage of Council discontent in the future.

The Committee accepted the Recommendation.

Action: The Chief Executive Officer is requested to write a letter to Mr Len Abbott, copying in the Mayor and Ward Councillors, explaining the steps taken by Council and the outcome.

Executive Director Works & Services entered the meeting at 5.59 pm.

4.3 GSDC GRANT (\$200,000 ALLOCATED TO PADRE WHITE LOOKOUT IMPROVEMENTS)

Reporting Officer: ED Works & Services.

Status: At the 15 February 2011 OCM, Council resolved:

“That the Chief Executive Officer undertake further investigation of the Padre White Lookout project, including a detailed budget analysis for project scope and provide further advice to Council at the March 2011 OCM.”

Update:

The Executive Director Works & Services advised the Committee that the City had been verbally requested by the Great Southern Development Commission (GSDC) to provide more information regarding the funding grant application and proposed CoA contribution.

A \$50,000 amendment is included in the Third Quarter Budget Review to support this application. Copies of letters to the GSDC are attached as Annexure C.

The City is awaiting further advice from GSDC.

4.4 BUDGET - STATUS OF THE EBA AGREEMENT NEGOTIATIONS

Reporting Officer: Chief Executive Officer.

Status: On 1 March 2011 the Committee were advised that the Inside Workers Agreement negotiations have recommenced. The Staff Committee and management have now met twice.

Update:

The Chief Executive Officer advised the Committee that salary comparisons and other investigative work in response to the employees' wage claim will be finalised shortly and an initial management proposal will be presented to all affected staff. The proposal includes back pay to the 1 September 2010.

4.5 INTERNATIONAL MONETARY FUND (IMF) LEGAL ACTION

Reporting Officer: Chief Executive Officer

Status: At the 1 February 2011 Audit Committee, the Manager Finance advised information was still being received in regards to the City's Collateralised Debt Obligations (CDOs).

Update:

The Chief Executive Officer advised the Committee that the matter has been heard at trial, and a decision is awaited. A copy of the correspondence from the IMF is attached at Annexure D (Lehman Australia: claims in relation to structured financial products: Update on Court hearing).

4.6 ISO9001 SURVEILLANCE INTERNAL AUDIT & FOUR YEARLY INTERIM AUDIT
Reporting Officers: EM Business Governance, Acting ED Corporate Services

ISO 9001 Surveillance Internal Audit

Update: At the 1 March 2011 meeting the Committee was advised that the ISO9001 Surveillance Audit Report would be reported to this meeting.

The Executive Director Planning & Development Services advised the Committee that the report was still being finalised at the time of producing this agenda.

Action: On receipt of report that a copy be provided in the Councillors' Work Station.

City of Albany Interim Audit

Update: The Executive Manager Business Governance advised the Committee that the City's appointed Auditor, Grant Thornton Australia, has confirmed that the Four Yearly Interim Audit will start the week commencing 23 May 2011.

The Auditor advised that when a Local Government client requests their four yearly review of the financial management systems this instruction is treated as a separate review and report.

This report will be conducted independently by a separate Grant Thornton Staff team to the work conducted for the interim and yearend audit.

4.7 GREAT SOUTHERN COMMUNITY HOUSING ASSOCIATION (GSCHA) UPDATE
Reporting Officer: Chief Executive Officer

Status: GSCHA has paid rates in full for recently rated GSCHA owned properties. It states it made the payment under protest and forwarded an objection via lawyers Jackson McDonald.

Update:

As previously reported to the Committee, the City received an objection to the removal of rates exemption from GSCHA in September 2010. In accordance with s. 6.76 (3) of the *Local Government Act 1995*, the City requested that the objection be lodged by the Department of Housing (the owner of the properties). The City has not received an objection from the Department of Housing.

In 2009-10 the GSCHA accessed over \$8 million under a Social Housing Initiative Project Agreement. This initiative was funded by the Federal Department of Families, Housing, Community Services and Indigenous Affairs and enabled the GSCHA to fund the purchase of land and construct dwellings in its own right. The City has not allowed rates exemptions on these properties and received an objection to the rate records from GSCHA in March 2011. The City has recently received legal advice which concludes that the GSCHA land is being used for charitable purposes and is therefore not rateable.

Item 4.7 continued.

Discussion

The City may now:

1. Allow the objection relating to GSCHA owned properties, and
2. Accept all land managed by GSCHA as being rateable, but insist on objection coming from the Department of Housing for land owned by the Department of Housing; or
3. Accept all land managed by GSHA as being rateable and not insist on the objection coming from the Department.

Conclusion

As the ultimate outcome of this process has a significant financial implication. It may be appropriate to approach the Minister for Housing regarding compensation for the loss of revenue resulting from providing rates exemptions, given that the Water Corporation and Western Power are reimbursed for providing concessions made for charitable purposes.

ITEM 4.7: COMMITTEE RECOMMENDATION

MOVED: MAYOR EVANS

SECONDED: COUNCILLOR WELLINGTON

- (i) That Council **ACCEPT** that land owned by the Great Southern Community Housing Association (GSCHA) is being used for a charitable purpose and not rateable in accordance with Section 6.26(2)(g) of the *Local Government Act 1995*, being land used exclusively for charitable purposes.
- (ii) That in relation to properties owned by the Department of Housing, Council **ENDORSE** the application of Section 6.76 (3) of the *Local Government Act 1995* and only consider objections to the rate record from: "... the person named in the rate record as the owner of land or by the agent or attorney of that person", being the Department of Housing.

MOTION CARRIED 5-0

4.8 FINANCIAL INVESTMENT OF SURPLUS FUNDS

Reporting Officer: EM Business Governance

Background

The Minister released the below proposal in November 2010, which WALGA sent to all local governments seeking feedback on the Minister's *Local Government Act 1995* amendment proposals:

"...At this stage, the following forms of investment are being considered to be included in this regulation:

1. *a deposit with the Western Australian Treasury Corporation or an investment facility of the Western Australian Treasury Corporation;*
2. *any public funds or securities issued by, or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory; and*
3. *interest bearing deposits with, and/or debentures or bonds issued by, an authorised deposit-taking institution (as defined in the Banking Act 1959 (Cwth)) where the Institution has a Standard & Poor's Rating of A-1+ (short-term) or AA (long term, but excluding subordinated obligations)"*

Item 4.8 continued.

On 28 March 2011, the City was advised that the Minister for Local Government is currently considering drafting legislation to impose restrictions on local government investments.

One option being considered would restrict investments to AAA rated institutions, which pose the lowest risk to local government and community funds. However, this would effectively exclude deposit-taking institutions such as the Bendigo and Adelaide Bank, and others which do not meet the required AAA standard.

The Department of Local Government (LG), in order to gauge an understanding of the level on investment in sub-AAA rated institutions, with specific attention to the Bendigo and Adelaide Bank, sought investment information from regional local governments where a branch of the Bendigo Bank exists.

Clarification of the Minister's position was sought regarding the intent to restrict investments to only AAA rates investments, noting that Lehman's Brothers was rated AAA.

The Department of LG (Manager Legislation) advised that there is no intention to:

- *“ restrict local government investments to only those rated as AAA; and*
- *tighten up any further than this suggested. If anything, there appears to be an appetite for other forms of investments to be permitted. However, this is ultimately the decision of the Minister.”*

Discussion

Concern has been expressed by a Councillor in regards to the City's investments with Bendigo Bank.

A summary of the concerns and opinion in regards to that investment is as follows:

- Bendigo Bank is rated a BBB+ investment;
- The business banking model operated by Bendigo in the event of further global financial difficulties is nowhere near as robust as the 'Big 4';
- The local branch according to the published annual report (on the web) has used its seeding capital and has never made a profit since its opening;
- Council should consider restricting ongoing investments to Treasury and the big four banks; and
- Council should consider investment strategy in line with Minister Castrilli's proposed legislation on local government investment.

The following Council policies apply to investment:

Council Policy – Investment of Surplus Funds. extract:

“That, under section 6.10 of the Local Government Act 1995, and as prescribed in regulation 19 of the Local Government (Financial Management) Regulations 1996, the Chief Executive Officer be delegated to administer the Investment of Surplus Funds Policy.”

“...Investments shall be restricted to term deposits or commercial bills offered by the following banks or government institutions:

- *Commonwealth Bank of Australia*
- *Bendigo Bank*
- *BankWest*
- *Australia and New Zealand bank*
- *National Australia Bank*
- *Westpac banking Corporation*
- *WA Treasury Corporation...*”

Item 4.8 continued.

Council Policy – Cash/Investment Backing for Reserve Accounts, extract:

“ Although there is no statutory requirement, it is the policy of the City of Albany that where possible, Reserve Accounts will be 100% backed by either cash, or investments made under the “Policy on Investment of Surplus Funds”

Recommendation

In response to the Minister’s proposed legislation and concerns raised by Councillors, Council should review the City of Albany Investment Policies.

ITEM 4.8: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HAMMOND

SECONDED: MAYOR EVANS

- (i) That the Chief Executive Officer **AMEND** the Investment of Surplus Funds Policy to limit the investment of funds to be no more than \$1 million, or 10 percent (which ever is the greater) across the total investment portfolio with the Bendigo Bank, at any one time, and the investment term to be no more than 30 days.
- (ii) That Council request the Chief Executive Officer to further review the investment of Surplus Funds Policy through the Finance Strategy Committee, prior to recommendation to Council.

CARRIED 4-1

Record of Vote: Against the Motion: Councillor Leavesley.

4.9 LETTER FROM THE DEPARTMENT OF LOCAL GOVERNMENT (DLG) IN REGARDS TO 2010/11 BUDGET FINANCIAL STATEMENT

Reporting Officer: Chief Executive Officer

Update:

The Chief Executive Officer advised the Committee that as a result of correspondence received from the Department of Local Government the City will liaise with its Auditor to ensure a financial statement is develop which will address the Departments’ concerns and be presented for the next budget. (Annexure E).

The Acting Executive Director Corporate Services will be liaising with the Auditor to ensure the recommendations from the Department of Local Government are implemented.

4.10 UPDATE OF AUDIT COMMITTEE TERMS OF REFERENCE

Reporting Officer: EM Business Governance

Update:

The Executive Manager Business Governance advised the Committee that the Terms of Reference for the Committee has been submitted to the April OCM for adoption.

4.11 REVIEW OF SERVICE DELIVERY

Reporting Officer: Chief Executive Officer

Status: This matter will form part of budget consideration.**4.12 ALBANY LEISURE & AQUATIC CENTRE OPERATIONS REPORT**

Reporting Officer: Chief Executive Officer

Update: See Item 4.1.**4.13 EISTEDDFOD AGREEMENT**

Reporting Officer: Chief Executive Officer.

Update:

The Chief Executive Officer provided the Committee an update on the proposed Eisteddfod Agreement.

4.14 UPDATE ON ROYALTIES FOR REGIONS – LOCAL GOVERNMENT FUND & CITY OF ALBANY FESA REFUND CLAIM

Reporting Officer: Executive Director Works & Services (EDWS)

Update:

Royalties for Regions (R4R) Funding. The EDWS advised the Committee that the City was successful in security R4R funding for construction of pathways.

FESA Refund Claim. The EDWS advised the Committee that the refund application has been submitted to the Department of Main Roads and the City has budgeted for a \$650,000 refund.

5 URGENT BUSINESS RAISED**5.1 THIRD QUARTERLY REVIEW – 2010/11**

Reporting Officer: Manager Finance

Update:

The Chief Executive Officer presented the proposed Third Quarter 2011-11 Budget Review as follows:

	Original Budget	Current Budget	Proposed Q3 Budget	Variance from Current Budget
General Management	1,322,458	1,322,458	1,276,695	(45,763)
Corporate & Community Serv.	7,558,921	7,813,481	9,502,741	1,679,260
Development Services	1,751,112	1,769,612	1,859,119	89,507
Works & Services	13,799,472	13,740,471	13,557,541	(182,930)
General Purpose Income	(27,665,689)	(27,924,548)	(27,959,052)	(34,504)
Loans	3,233,726	3,233,726	1,733,726	(1,500,000)
Total (Surplus)/Deficit	0	(34,800)	(29,230)	5,570

Item 5.1 continued.

The Committee queried the following items in the Third Quarter Budget Review (Annexure F):

- Budget Overrun for Special Projects/Events, page 3
Response: Additional costs associated with provision of fireworks display not anticipated.
- Cost of the ALAC Energy Audit, page 4
Response: Energy Audits have been conducted in the past and will be taken into account. This Audit is looking at all factors associated with energy consumption in the centre (i.e. Airflow, Heating, Cooling, Pumping System, and Lighting).
- Airport Landing Fees, page 4
Response: Airport landing fees have not fully been received from SkyWest for this reporting period.
- Albany Leisure & Aquatic Centre (ALAC) (income down), page 4
Response: ALAC revenue and costs are currently under review. The broken boiler had a significant impact on income.
- Hydrology/land capability study Candyup, page 5
Response: Independent advice was budgeted for to evaluate the claims made by the applicant's professional hydrologist report.
- Work Overheads (increase in sick leave claims), page 6
Response: A number of ongoing claims, in some cases in excess of 12 months, have been finalised in the third quarter.

Item 5.2 was dealt with after Item 6 to allow Councillor Hammond to remain in the meeting for the discussion and vote on Item 6.

6 CLOSED MEETING SESSION – LEGAL CLAIM AGAINST THE CITY

Reporting Officer: Chief Executive Officer

7.48pm. Councillor D Bostock declared a Financial, Proximity and Impartiality Interest in item 6 and left the meeting.

7.48pm. Councillor J Bostock declared a Proximity Interest in item 6 and left the meeting.

Councillor Wellington declared a Proximity Interest, remained in the meeting and participated in the discussion and vote for this item.

Update:

A confidential update was provided by the Chief Executive Officer.

The Committee requested the CEO to finalise the wording of the Committee recommendation to ensure all necessary steps are taken to protect the interest of the City in respect to legal claims against the City.

ITEM 6.0: COMMITTEE RECOMMENDATION

MOVED: MAYOR EVANS

SECONDED: COUNCILLOR WELLINGTON

That Council delegate the power to the Chief Executive Officer to take all steps necessary to protect the interests of the City in respect of the legal claim against the City.

MOTION CARRIED 4-1

Record of Vote: Against: Cr Leavesley.

8.15pm. Councillors D Bostock and J Bostock returned to the meeting as observers.

5.2 UPDATE ON ALBANY VISTORS CENTRE

Reporting Officer: Chief Executive Officer.

Councillor Hammond having declared a Financial Interest left the meeting and did not return.

Update:

The Chief Executive Officer advised the Committee of recent negotiations with Albany Inbound.

The Committee agreed with the Chief Executive Officer that her negotiations conducted on behalf of the City with Albany Inbound (AI) and Tayson Pty Ltd (under previous delegated authority) should include:

- The transfer date of operations to the City to be 1 June 2011 (with transitional support to be negotiated between AI and the Chief Executive Officer);
- A Staff member verifying the saleability of the stock;
- Existing AI Staff become City Staff with no liability to the City (Leave entitlements: Sick Leave, Long Service Leave, Recreational Leave etc are to be paid out by AI/Tayson Pty Ltd); and
- Negotiations on forward bookings held in trust account.

The Committee supported the Chief Executive Officer's negotiations and conditions of transfer (conducted under previous delegated authority) and put to the support to the vote. (Moved by Councillor Wellington, Seconded by Mayor Evans, Carried 4-0)

7 ITEMS TO BE DISCUSSED AT NEXT MEETING

8 **DATE OF NEXT MEETING:** In accordance with the City of Albany Meeting, Briefing and Key Date Calendar Tuesday 10 May 2011 at 7.00 pm.

9 **CLOSURE OF MEETING:** The Chair declared the meeting closed at 8.48pm.

ACTION LIST

Item	Actions
4.1	REPORT ON ALAC OPERATIONS Councillor Leavesley requested the Chief Executive Officer to investigate if his Rescission Motion, being: <i>"That the restrictions imposed on the Albany Leisure & Aquatic Centre (ALAC) Gymnasium Operations detailed at report item 16.1 which was moved at an ordinary meeting of council held on 16 January 2007 and later detailed in the Memorandum of Understanding (MOU) made between the City of Albany and Local Health & Fitness Centre Operators be reconsidered."</i> is still required.
4.2	LIQUID WASTE TENDER (CITY OF ALBANY & WATERCORPORATION) The Chief Executive Officer is requested to write a letter to Mr Len Abbott, copying in the Mayor and Ward Councillors.
4.6	ISO9001 SURVEILLANCE INTERNAL AUDIT & FOUR YEARLY INTERIM AUDIT On receipt of the ISO9001 Internal Audit Report a copy be made available in the Councillor's Workstation.

Annexure:

- A. Minutes of the 01 February 2011 Audit Committee
- B. Correspondence – RE: Liquid Waste Tender **(Confidential)**
- C. Correspondence – RE: Mount Clarence Infrastructure Improvements (Padre White)
- D. Correspondence – RE: IMF Fund Legal Action **(Confidential)**
- E. Correspondence – RE: Annual Statement, Auditors Report and Management Report
- F. Third Quarter Budget Review 10-11 (OCM 19 April 2011 Item 2.5 refers)



ALBANY HISTORICAL SOCIETY (INC)

CUSTODIANS OF THE BIRTHPLACE OF A STATE



Our Ref:

Your Ref:

Postal Address:
P.O Box 411
Albany 6331
Western Australia

Ph: 08 9841 5403
Fax: 08 9841 5403

Web Site:
www.historicalbany.com.au

Email:
admiralbhist@bigpond.com

Monday, 14 March 2011

City of Albany Records
Doc No: ICR1132533
File: CM.MEE.5
Date: 18 MAR 2011
Officer: CEO4

Chief Executive Officer
City of Albany
PO Box 484
Albany, WA 6331

Attach:
Box:
Vol:
Box+Vol:

Dear Ms James,

18 MAR 2011

The Albany Historical Society (Inc) wishes to nominate a representative to sit on the Steering Committee for the Review of the City of Albany Heritage Inventory, as per the advertisement in The Weekender of March 10, 2011.

As the primary body associated with matters of heritage and history in the City of Albany, the Albany Historical Society (Inc) believes that it is essential that we be represented on the committee.

Our nominee for the Committee is Mr Crispin Travers. Mr Travers has a B.A. in History from the University of Western Australia (1978). He has a keen interest in, and broad knowledge of, the history of Albany and Western Australia generally. He has been a volunteer attendant at Albany's Old Gaol Museum for a number of years and has also been a volunteer researcher for this Society. Mr Travers researched and wrote the first history of the WA Police, published as "Police Review 1829 - 1979". He has also compiled a history of the Vancouver Arts Centre, located in the Old Cottage Hospital. He has previously volunteered for the Albany Library History collection and currently he is a volunteer for the Library project digitising the maps and plans held in the their History Collection. Mr Travers has a particular interest in architectural history and is familiar with the variety of architectural styles present in Albany.

Mr Travers has extensive experience on community committees, having sat on, and chaired, many local committees during his 25 year residence in Albany, the most relevant being the Consultative Committee for the Albany Courthouse and Police Station when that building was being planned. Mr Travers sat on that committee with the principal intention of ensuring the retention of the old "Kookas" building, an objective that was achieved.

Apart from his history qualifications, Mr Travers is also skilled in community consultation and consensus building with individuals, having worked for over 20 years as a professional Social Worker in the contentious area of Child Protection. These skills may well be valuable to the Committee in negotiating any community conflict that may arise in relation to the Heritage Inventory.

Mr Travers' contact details are as follows:

38 Festing St

Albany WA 6330

Ph 0488 24 55 99

Email traverstrish@yahoo.com.au

We are grateful for your consideration in regard to Mr Travers as our nominee for the Committee and look forward to hearing from you in this regard.

Yours truly,



Andrew Eyden

Chief Executive Officer

Albany Historical Society (Inc)

Veronica Dayman

From: albanyj@inet.net.au
Sent: Tuesday, 5 April 2011 9:45 AM
To: Veronica Dayman
Subject: EF1133657 - LP.PRG.1 - Re: FW: EF1133613 - LP.PRG.1 - FW: Feedback form

SynergySoft: EF1133657

many thanks Veronica - I was told the closing date was last friday so got a bit hassled. Please could you forward the details below to the appropriate person.

I cant do a full application from here but my details briefly are as follows:

an initial degree from the UK in Historic Geography - the study of landscapes and settlements;
 nearly 8 years teaching secondary upper school geography etc mainly in private schools;
 a second degree from Curtin University in Industrial Design but I actually wrote my own course and majored in environmental design as the study of townscapes;
 then I had 7.5yrs with the City of Perth as their senior urban designer (the first such post in WA) and was responsible for controlling all development in King street as well as being the coordinating designer for the King Street Enhancement stage one and two - I was project manager for Stage three.

I also advised Council on all development proposals for heritage buildings in the CBD during this time. I then joined the Ministry for Planning and ran the WAPC s Townscape Program which focused on the upgrade of country towns with particular emphasis upon reusing heritage and old buildings in a sympathetic manner.

I was with the department (later DPI) for 12 years. I then had a brief 18months with Plantagenet Shire before retiring from full time work. I am currently working with Lynne Farrow Architect on a project for Broomehill.

I hope this helps and apologise for the informaility of my application.

Kind regards

Juliet Albany

On Mon Apr 4 15:27 , Veronica Dayman sent:

Hi Juliet

Thank you for your email below, which is acknowledged. Expressions of interest for the Heritage Inventory Steering Committee close on Friday 8th April, so we will be in touch with you again after that date.

In the meantime, should you need to refer to this email please quote the above reference number (EF1133613).

Kind regards

Veronica Dayman
 Personal Assistant to Executive Director Planning & Development Services
 City of Albany
 102 North Road | PO Box 484 | ALBANY WA 6330
 P: 08 9841 9366 | F: 08 9841 4099
 E: veronicad@albany.wa.gov.au
www.albany.wa.gov.au

-----Original Message-----

From: City of Albany mailer [root@localhost']>root@localhost

Sent: Monday, 4 April 2011 10:54 AM

The City of Albany

**REVIEW OF THE CITY OF ALBANY MUNICIPAL HERITAGE INVENTORY
STEERING COMMITTEE MEMBERSHIP - NOMINATIONS SOUGHT**

The City of Albany has commenced the review of the Municipal Heritage Inventory and is seeking nominations from residents, business proprietors, and other stakeholders and/or interests groups to sit on the Steering Committee that will assist the City to undertake the preparation of a new Heritage Inventory.

The Steering Committee membership (1 Councillor, HCWA Regional Heritage Advisor and up to 5 community members) will be appointed by the City and the Committee will be chaired and assisted by a Consultant (specialising in heritage/urban design/town planning) during the project.

The project will be managed by the City and is expected to take between 12-18 months (commencing in June 2011). Nominations must be in writing and lodged with the Chief Executive Officer, City of Albany, PO Box 484, Albany WA 6331, on or before the close of business on Friday 1 April 2011.

For any further enquiries please contact Tom Wenbourne at the City of Albany on 9841 9268.

Nominations should include information on any relevant qualifications or experience you may have; your reasons for seeking a position on the Steering Committee; outline your interest in heritage, what you can contribute to the review etc.

CHIEF EXECUTIVE OFFICER

I hereby nominate for the position of Community Member.

I bring your attention to the following;

- I have a long and continuous association (57 years) with Albany. I was born at the old maternity hospital previously known as Nurse Andersons Private Hospital which used to exist in Cliff Street (cnr Melville Street) and I have lived continuously but not exclusively at 36 Cliff Street since 1953.
- I own a property which is unique in Albany, 36 Cliff Street, in that it is one of the only pair of twin /like houses still existing from its era each house having been built at the turn of the last century in 1898 by the same owner, and each house still in fair to good condition.
- I have contributed to recent debate on the Albany Historic Design Policy (see correspondence with Graeme Bride)

- I have degrees in Geography and Psychology (UWA). I studied urban design and morphology as part of the Geography degree.
- I have met with and discussed Heritage issues with the City and with Helen Munt.
- Helen Munt has assessed my house as being worthy of inclusion on the Municipal Inventory.
- I believe that Albany's unique heritage unites and defines the City and as such must be protected and or preserved and or enhanced wherever and whenever possible.
- I *firmly* believe that Albany's unique heritage in creating a sense of place and perspective on the local, national and international stage *requires a strand of HERITAGE governance for the City that underpins and defines the City's growth.*
- I believe local governments should have particular regard to heritage places and areas in formulating planning schemes and strategies. Care should be taken to minimise the extent to which land use zoning and other planning controls conflict with, or undermine, heritage conservation objectives.
- I have eight years experience in Local Government having been popularly elected to the position of Councillor to represent the people in the Manning and Como wards of the City of South Perth in the mid to late 1980's.
- I assisted with the successful representation of the CoSP's views/ decisions defending City judgements when appeals were made to the then Planning Tribunal/ Minister in the role of City Councillor

Please be advised that I would be unable to attend some meetings. I live between Albany and Perth. I spend 12 weeks a year in Albany.

Warren Marshall

Address for correspondence
22A Pepler Avenue
Salter Point 6152.

alice@iinet.net.au

Veronica Dayman

From: Tom Wenbourne
Sent: Thursday, 7 April 2011 11:39 AM
To: Veronica Dayman
Subject: EF1133949 - LP.PRG.1 - FW: Municipal Heritage Inventory Steering Committee

SynergySoft: EF1133949

Hi Veronica,

Please register this nomination with the others in the MHI file that was created.
I have replied to acknowledge receipt.

Many thanks,

Tom.

-----Original Message-----

From: edwin [<mailto:ed@iinet.net.au>]
Sent: Thursday, 7 April 2011 11:33 AM
To: Tom Wenbourne
Subject: Municipal Heritage Inventory Steering Committee

Hi Tom,

I would like to nominate for inclusion on the Municipal Heritage Inventory Steering Committee.
I have much unique experience that I believe would make my input invaluable for such a committee.

Thank you
Edwin McLean
0409883177

ROSLYN FITZPATRICK
52 Greenshields Street

MIRA MAR

[ABN 0926641475]
WA 6330

TEL: 0429 895 773

E: roslyn_f@bigpond.com

City of Albany
102 North Road
PO BDox 484
ALBANY WA 9841 9383

4 April 2011

Attention: Planning Department

Dear Sir / Madam

Re: Application for Grant of Planning Scheme Consent – Home Business (Counselling Service at 52 Greenshields Street, Mira Mar WA 6330)

I seek council approval to operate a home business at the above address. Prior to moving to 52 Greenshields Street, Mira Mar, I sought and gained Shire Council approval to operate a counselling service for the community at 34 Frederick Street, Albany. During this time (approx. 3yrs) there have been no client disturbances requiring police assistance; no traffic problems; and no complaints from any neighbours. I operate a safe work environment and contribute my success to mindfulness of risk factors. Accordingly, as a clinician working in isolation with members of the community (apart from peer consultation etc.) I am conscious of risk factors to myself, my family and neighbours. Therefore, prior to accepting a referral I already have in place on record with the referrer sources what type of clientele I will and won't accept.

I receive referrals directly by GPs in the community and by the Great Southern GP Network under Medicare Australia ATAPS programs - Better Access Initiative and Better Outcomes Program. My formal qualifications (BA in Justice Studies; BA in Social Work; Masters in Human Services Counselling) as an Accredited Mental Health Practitioner certified with the Australian Association of Social Workers enables me to be a registered Medicare Allied Health provider for ATAPS services.

In my opinion the neighbours would not be impacted by increased traffic as clients are spread out through the day and week. I anticipate no more than three clients per day over a 6 day period. Hours of operation are - 9am to 7pm Monday to Friday and 9am to 12pm Saturday. These are similar hours when at 34 Frederick Street, Albany. However, in actuality – I have never worked on a Saturday and the total of clients per week varies enormously. For example, sometimes I have no clients, or two clients or ten clients over a week. I also provide to screened clients an outreach consultancy in their homes. The hours requested are broad to enable delivery of a professional and flexible service for a diverse client demographic (I see children and adults) allowing for after school and after work appointments.

Please feel free to contact me at anytime on my mobile number 0429895773 to discuss any information required further this application.

Thanking you in anticipation.

Kind regards

Roslyn Fitzpatrick

OFFICE COPY

Roof Runoff To Be Contained
On-Site And Disposed Of To
Council's Satisfaction.

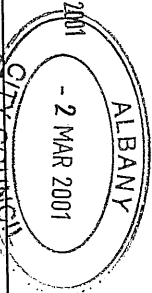
Tie Down Lightweight Roof to
Resist Wind Uplift.

GRAHAM COOK
CIVIL & STRUCTURAL DESIGN CONSULTANTS
40 Allison Pde., Lower King 6330
Ph: (08) 9844 1990 A/n: (08) 9844 1724
Mobile: 04-19 045 297

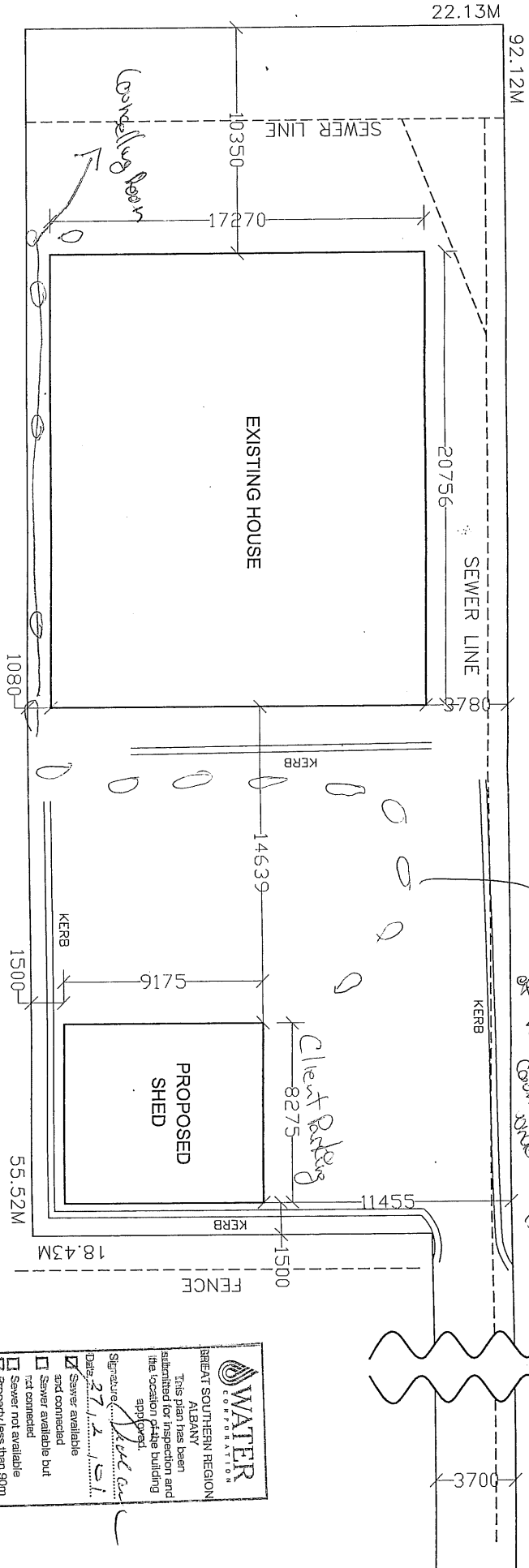
REFER TO
ATTACHED
CONDITIONS

CITY OF ALBANY
Approved in accordance with
the Building Regulations 1989
(as amended)

Building Surveyor
B.L. 29 6/6/2... Date... 19 MAR 2001



WATER
CORPORATION
GREAT SOUTHERN REGION
ALBANY
This plan has been
submitted for inspection and
the location of the building
approved.
Signature: *[Signature]*
Date: 27.2.01
☒ Sewer available
and connected
☐ Sewer available but
not connected
☐ Sewer not available
☐ Property less than 90m
from sewer
☐ Service within 10 days
Or:



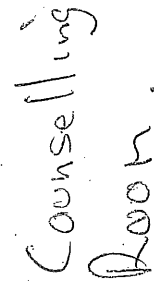
SCALE
1:200
PAGE
2 OF 2

DRAWN BY
B WALLIS
BUILDER
A-Z
COMMERCIAL
STEEL
CONSTRUCTIONS
16 MERRIFIELD ST
ALBANY WA 6330
TEL: (08) 9841 6055

DATE
7 FEBRUARY 2001
BLOCK PLAN
PROPOSED SHED FOR
MICK JONES
52 GREENSHEILD ST ALBANY

must fan positions are approximate and are to be used to suit ceiling jobs and roofing members.

CITY OF ALBANY
(VARIATIONS) approved
per Regulation 17 of the
Building Regulations 1989
(as amended)



AGENDA ITEM 2.2 REFERS

Lower Floor Plan

Adrian Nicoll

From: Planning (External Use ONLY)
Sent: Thursday, 5 May 2011 9:29 AM
To: Adrian Nicoll
Subject: FW: EF1135731 - A144246 - planning consent for 52 greenshields St

SynergySoft: EF1135731

Hi Aido,
 Email for you ☺

Regards, Mel

Gayle Sargeant
 Administration Officer
 Planning and Development Services
 City of Albany
 PO Box 484
 Albany WA 6330
 Phone: (08) 9841 9383
 Fax : (08) 9841 4099

From: Brad McDougall and Annette Stewart [<mailto:annettebrad@oceanbroadband.net>]
Sent: Wednesday, 4 May 2011 10:47 AM
To: Planning (External Use ONLY)
Subject: EF1135731 - A144246 - planning consent for 52 greenshields St

Dear Adrian

Further to our conversation re the notice for application of planning consent at 52 greenshields st, I still have concerns about the potential for increased vehicle movement into and out of the property. This is particularly of concern due to the battleaxe layout of the block with the driveway running down the length of the neighbouring property. This potentially creates issues of annoyance, noise, privacy and security.

If the planning submission is to be approved I would request that a limit of clients per day be capped at 4 and or a number of vehicle movements per day be stipulated. This would be the average number per household (I think you said this was 8 movements, four in and four out)) plus the traffic required for up to 4 clients. This would be a maximum of another 8 movements per day (four in and four out). This would total 16 movements (8 in and 8 out per day).

I would appreciate your consideration of this request and can be contacted on 98451561 or by email if you require further information.

Regards
 Annette Stewart

Neighbour #2

717 Mt Shadforth Rd
Denmark, WA 6333
Australia

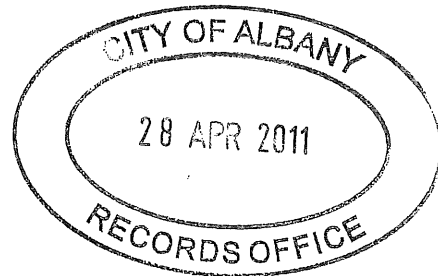
AGENDA ITEM 2.2 REFERS

Doc No: City of Albany Records
File: ICR1135388
Date: A144246
Officer: 28 APR 2011
SPPLAN

Attach:
Box:
Vol:
Box+Vol:

20 July 2007

The Chief Executive Officer
PO Box 484
Albany WA 6331



Dear Sir,

NOTICE OF APPLICATION FOR PLANNING CONSENT: 52 GREENSHIELDS ST, MIRA MAR, ALBANY

Thank you for your letter of 12 April 2011 (Your reference A144246/PA34343/P2115077).

You have provided us with a copy of an application for a home business (counselling service) at 52 Greenshields St & have given us the opportunity to state our views on it.

We strongly oppose the application on two grounds:

- a. our right to expect quiet enjoyment of our property at 54 Greenshields St, and
- b. adverse effects on future value.

Quiet Enjoyment

Our property is in a residential area and we have provided it as a home for our ninety year old mother. She should be entitled to quietly enjoy the amenities which such a location would normally be expected to provide. 52 Greenshields St is immediately behind our house on a battleaxe block and access to it is by a driveway that immediately abuts our property boundary, is unfenced and passes directly by our kitchen window and along the full length of our side boundary. This business proposal would create increased traffic, either by vehicle or by foot, of strangers to our neighbourhood who would pass immediately by the house and would have unrestricted access to our house. Thus our mother could expect increased noise and intimate intrusion which she does not experience at present.

Furthermore, from the nature of the business – counselling – one could legitimately infer a risk to safety and security which does not exist presently as there is currently no incentive for potentially disturbed strangers to pass that way. The application gives no hint as to the types of persons to be counselled; whether drug or alcohol addicts, mentally disturbed persons or persons with relationship or behavioural problems. This is the nub of the problem: without knowledge as to who the people passing close by might be, a sense of fear and insecurity is created.

It would not be sufficient for the applicant to guarantee the conduct of her clients as she would be incapable of acting or thinking for them and therefore any such guarantee on her part would be hollow.

It is also not sufficient for the applicant to argue that, as she had previously obtained Council approval to operate a similar business at her previous address, she should expect similar treatment at Greenshields St.

Potential Loss of Future Value

Greenshields St is in a residential area and this confers a certain monetary value on the home. One could reasonably expect that a change of use to mixed residential and business to accommodate this type of activity would cause a loss of future value. We regard this as an unacceptable imposition.

We believe you should give more weight to our comments, and to those of our immediate neighbour to our left, than to any others you might or might not receive, on the grounds that it is primarily us and our neighbours who would be most intimately affected.

Yours faithfully,



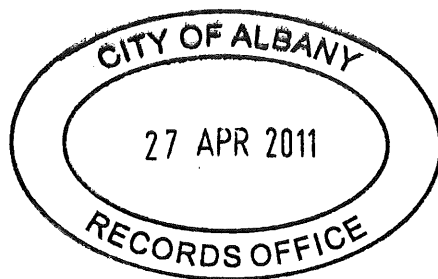
Christopher Richard Prickett



Sally Patricia Prickett

Neighbour #3

20 April 2011



AGENDA ITEM 2.2 REFERS
A144246
SPPLAN

The Chief Executive Officer

PO Box 484

ALBANY WA 6331



Doc No: City of Albany Records
ICR1135200
File: A144246
Date: 27 APR 2011
Officer: SPPLAN

Attach:
Box:
Vol:
Box+Vol:

Dear Sir/Madam

YOUR REF A144246/PA34343/P2115077

I am writing in response to your recent communication relating to the proposed use of 52 Greenshields Street. On the face of things, we have no major concerns relating to the request to use part of these premises for an at home counselling service.

However, counselling is a very generic term. Our concern would relate to what type of counselling services are offered, ie we would not like people with sex offence convictions of any kind (but particularly relating to children) being counselled across the road from our home. Children regularly play on the street and in their front gardens.

Equally, we would prefer that group counselling sessions are not offered within a private residential street. We would need confirmation that this or the above would not be planned in the use of the premises.

We would also request that a sign advertising the business is not on display on the street and that clients are directed to drive down the driveway and park in the available parking behind the front house and in front of the proposed premises.

We hope you will consider the above when discussing this application and prior to approval.

Kind regards

A handwritten signature in black ink, appearing to read "Peter and Noreen Les".

Peter and Noreen Les

47 Greenshields Street

MIRAMAR WA 6330



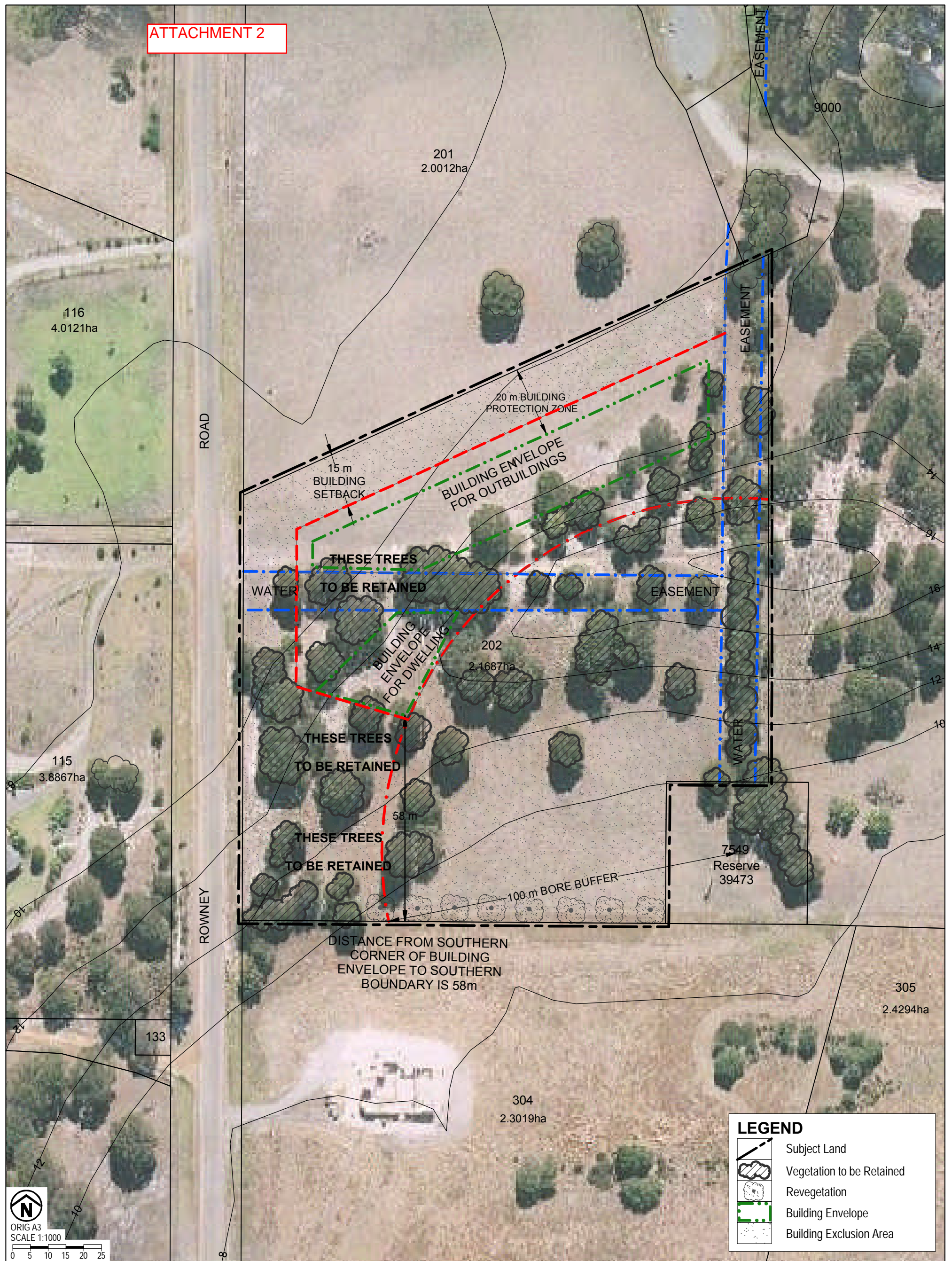
Subdivision Guide Plan

Special Rural Zone No. 10
Almore Drive, Rowney Road & Princess Avenue
Robinson, City of Albany

AYTON BAESJOU
PLANNING
11 Duke Street
Albany WA 6330
Ph 9842 2304 Fax 9842 8494

SCALE
1: 7500
Orig A3
09-48-SGP(a)





ATTACHMENT 3

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AMENDMENT No. 302

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Environmental Protection Authority Locked Bag 33 Cloisters Square PERTH WA 6850	The Environmental Protection Authority (EPA) has determined that the scheme amendment should not be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i> (EP Act), and did not deem it necessary to provide any advice or recommendations.	The submission is noted.	The submission is noted.
2	Water Corporation PO Box 915 ALBANY WA 6331	No objections on condition that; <ul style="list-style-type: none"> • The minimum lot size remain 2 Ha or greater. • The proposed building envelope and location of all other structures, including any on-site effluent disposal system must not encroach onto the existing water pipeline easement. • The proposed building envelope and onsite effluent disposal system must not encroach into the 100 m wellhead protection zone. 	The submission is noted.	The submission is noted.
3	Department of Water PO Box 525 ALBANY WA 6331	No objection.	Nil.	The submission is noted.

AMENDMENT No. 302

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
4	Department of Environment and Conservation 120 Albany Highway ALBANY WA 6330	No objection.	Nil.	The submission is noted.
5	Mr. R Tilbury 51 Rowney Rd ROBINSON WA 6330	<p>Objects to the proposal for the following reasons:</p> <p>The Amendment does not more accurately reflect the alignment of the ridgeline. The existing building site is on the same crossfall as the proposed building envelope meaning that the same amount of impact on the ridgeline will occur on either development, as both have a crossfall of 2.5 metres.</p> <p>The new building envelope is on top of the ridgeline and in no way at all provides for any further protection of the ridgeline within the Ridgeline Protection Area. In fact, the proposed envelope is fully vegetated, where as the existing has only two trees on it.</p> <p>The site of the new building envelope will be on the very precipice of the ridgeline and will have a dramatic impact on the visual amenity of the entire locality as it will now</p>	<p>The Amendment does identify an anomaly in the Ridgeline Protection Area, as it presently extends over lower, sloping land below the highest part of the ridge. The intent of the Ridgeline Protection Area is to avoid the location of buildings atop ridges, primarily to ensure that they are not visually intrusive in the landscape through skylining, to reduce the risk from bushfire in vegetated areas and to reduce the susceptibility of ridgelines from wind erosion through the clearing of existing vegetation. It is therefore considered reasonable to permit the construction of buildings on lower, sloping land below ridgelines as these effects and risks are significantly reduced.</p> <p>However, it must be acknowledged that in this instance the intended location of a new development area,</p>	<p>The submission is noted.</p> <p>Modifications required:</p> <p>A modified Subdivision Guide Plan (SGP) shall incorporate a notation referring to the supplementary guide plan.</p> <p>The modified supplementary guide plan (Attachment 2 in Council Report) submitted by the proponent, which depicts a reduced new development area, shall be adopted along with the modified SGP to further inform the development of Lot 202 Rowney Road, Robinson.</p>

AMENDMENT No. 302

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>be seen from all locations covering a large area. The original building site was screened by the ridgeline and surrounding knoll, and was not at the pinnacle of the ridgeline.</p> <p>When we purchased we were fully aware of the DEVELOPMENT EXCLUSION AREA restrictions in place on our land and the adjoining block.</p> <p>This information was crucial in the positioning and layout of our home.</p> <p>Should this Amendment be passed the repositioning and increase in size of the building envelope, as per the proposed site plan for Lot 202, would allow a dwelling to be built that completely compromises all the reasons why we built where we have and the reason for living in a designated RURAL ZONE.</p> <p>Due to its much higher position this will create the situation of someone having an almost unrestricted view of my property totally compromising our privacy. It would also create the possibility of two homes</p>	<p>while on lower sloping land below the ridgeline, is in an elevated position relative to much of the surrounding land, including 51 Rowney Road.</p> <p>Clearing around the proposed development area would have to be strictly controlled to minimise visual impact. Even with the best of intentions there may be additional clearing required to meet the requirements of the Planning for Bushfire Protection Guidelines, although this should be minimal and can be controlled through the development approval process. By contrast, the present development area has been largely cleared and although it has an open aspect to the north, any development here would be backgrounded against the ridge.</p> <p>It is acknowledged that the present Subdivision Guide Plan will have been used by the existing residents when planning the development of their properties, including the location and orientation of their homes. Although,</p>	

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 2.3 REFERS

AMENDMENT No. 302

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>being within 80 metres of each other, which would completely defeat the reason for buying and living on a large rural block.</p> <p>It will also without doubt have a major negative effect on the value of our property and our ability to attract a future buyer.</p> <p>I cannot see any real benefits for the local community beside the present landowner as it would make this block more attractive to sell.</p>	<p>it should be noted that this area is in fact within the 'Special Rural' zone and is intended for rural-residential purposes, which does not typically afford the residents the same degree of remoteness and privacy that they may enjoy on a larger 'Rural' zoned property.</p> <p>The amending document does concede that this proposal has been brought about as a result of most potential purchasers expressing a desire to build a dwelling in the proposed new development area, hence the desire to affect changes to the Subdivision Guide Plan, which would in turn lead to a likely increase in the marketability and perceived value of the lot.</p> <p>While potential effects on property values as a result of development are not material planning considerations, it is important to consider the likely effects on the amenity of adjoining properties and the amenity of the development itself.</p>	

AGENDA ITEM 2.3 REFERS

AGENDA ITEM 2.3 REFERS

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 2.3 REFERS

AMENDMENT No. 302

SCHEDULE OF SUBMISSIONS

No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
				<p>Any future dwelling within the proposed new development area would likely enjoy an improved outlook over that of the present development area. However, a more detailed site inspection has revealed that there is a possibility of any new development in this location may be visible from 51 Rowney Road.</p> <p>If a dwelling were to be constructed in the proposed new development area, it could have a largely unobstructed view towards the northern side of the house on 51 Rowney Road, which has the windows to the main living areas and the outdoor living area oriented to the north to take advantage of the available solar gain. This would potentially have an impact on the privacy and amenity currently enjoyed by the residents of this house. However, there would still be a significant separation distance of approximately 100m, which would go some way toward mitigating this effect.</p>	

AGENDA ITEM 2.3 REFERS

AGENDA ITEM 2.3 REFERS

AMENDMENT No. 302

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			<p>Following further discussions with the proponent and Mr. Tilbury, it has been agreed that the proposed new development area could be pulled away from the common boundary, reducing the need for clearing of vegetation and increasing the separation distance. It has also been agreed that clearing of vegetation and appropriate revegetation, as may be necessary to protect visual amenity and privacy, can be controlled through the development approval process. A modified supplementary guide plan has been provided by the proponent illustrating modified development areas and vegetation retention in line with the above.</p> <p>It is acknowledged that care must be taken not to undermine the certainty offered by the Special Provisions of Special Rural zones that are bought into, especially where those changes are for individual gain and not to the benefit of the broader community. However, on balance, it is considered that the proposed new development</p>	

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

AGENDA ITEM 2.3 REFERS

AMENDMENT No. 302**SCHEDULE OF SUBMISSIONS**

No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
				area would not be more visually intrusive than the present development area, indeed it may be less so, and that the effects on the amenity and privacy of 51 Rowney Road would be minimal, if any, and can be suitably mitigated.	

X LOT 14 SPENCER STREET, CITY OF ALBANY DESIGN POLICY**Objective:**

To ensure development of Lot 14 Spencer Street, Albany is sympathetic to the built form of the former Activ Building (Building 1), Thrift Shop (Building 2), Cheyne Cottage and surrounding heritage properties and maintains existing view corridors from Frederick Street through the use of appropriate controls addressing building height, bulk, location, form, colour and materials.

A1 Relationship to Other Planning Instruments

This Policy is to be read in conjunction with the following planning instruments with relevant provisions of these instruments applied as appropriate to development of Lot 14:

- Albany Historic Town Design Policy
- Residential Design Codes of Western Australia

Where a provision of this Policy is inconsistent with a provision of the abovementioned planning instruments, this Policy will prevail to the extent of the inconsistency.

A2 Policy Statement

The specific policy requirements for development of Lot 14 are outlined in the provisions below.

A2.1 Development Guide Plan and Staging and Land Tenure Plan

A2.1.1 The Development Guide Plan and Staging and Land Tenure Plan for Lot 14 Spencer Street, Albany and adopted by the City of Albany forms part of this Policy.

A2.1.2 In order to meet the requirements of this Policy, development is to be in accordance with the Development Guide Plan and Staging and Land Tenure Plan.

A2.2 Building Setbacks

A2.2.1 The building setbacks to be used for new development on the site are shown on the Development Guide Plan.

A2.2.2 Street and driveway setbacks shown on the Development Guide Plan are fixed and not subject to reduction.

A2.2.3 Side and rear setbacks shown on the Development Guide Plan are the minimum permitted. Greater setbacks than provided on the Development Guide Plan are permissible, except in relation to nil setbacks.

A2.2.4 In order to maximise solar access, ventilation, streetscape and privacy buildings are to be built on the boundary where shown.

A2.2.5 All balconies, roofed patios and decks raised above 0.5m from the courtyard ground level are to be located within the building envelope shown on the Development Guide Plan.

A2.3 Streetscape

- A2.3.1 The facade of any building fronting Spencer Street is to be designed to complement the appearance of the existing Buildings 1 and 2 in a manner consistent with “recognised heritage conservation guidelines and principles”. The facade is to be built on the property line with the parapet wall height varied to accommodate the slope as shown by the existing buildings (see Figure 1).
- A2.3.2 Dwellings fronting Frederick Street (Lots C1 – C4 as depicted on the Development Guide Plan) are to be single storey in height at the street frontage (northern boundary) and be complementary to the bulk and character of the adjoining dwelling to the east.
- A2.3.3 All buildings are to have living areas (indoor or outdoor) overlooking the street and internal driveways.
- A2.3.4 Fencing along the Frederick Street boundary is to be of uniform construction, visually permeable (see through) and a maximum 0.9m above footpath height in front of any dwelling and 1.8m above footpath height elsewhere.
- A2.3.5 All garages and on-site parking areas are to be accessed from the internal driveway. No garages or carports are permitted on the Frederick Street frontage.
- A2.3.6 Buildings fronting Frederick or Spencer Street are to provide direct pedestrian access from the street elevation.
- A2.3.7 A view corridor looking across Norman House to the Penny Post and Existing Oak Tree on Lot 1 is to be maintained as shown on the Development Guide Plan.
- A2.3.8 Garages / carports are to be located as shown on the Development Guide Plan.
- A2.3.9 Garage doors are to be of uniform colour and materials for each group of buildings to ensure a consistent facade. Where carports are to be used, this must be done for each of the dwellings within the group.
- A2.3.10 Non-residential uses are to have direct frontage to Spencer Street with windows looking out onto the street.
- A2.3.11 The existing facades of Building 1 (Figure 2) are to remain unaltered with the exception of the removal of the later and intrusive verandah and window additions. Any restoration of the building (i.e. replacement of the verandah or windows, repainting, etc) should be authentic, based on documentary and physical evidence.

A2.4 Built Form

- A2.4.1 Colours and materials are to be complementary to the existing Buildings 1 and 2 and should be based on documentary and physical evidence. The full range of external materials, including masonry, iron, timber weatherboard and cement cladding will be considered. Development should be sympathetic in form, size, bulk and setback to surrounding properties.
- A2.4.2 Use of unpainted or non-rendered face brick is not permitted.

- A2.4.3 Roof pitch is to be less than 10°, for all new buildings with the exception of houses fronting Frederick Street where a 25° roof pitch is permitted to complement surrounding roof styles.
- A2.4.4 Use of unpainted 'Zincalume' or light-coloured 'Colorbond' custom-orb roofing is required for all buildings, except housing fronting Frederick Street.
- A2.4.5 Roofing tiles are not permitted, except on the houses fronting Frederick Street, where natural-coloured terracotta clay tiles may be used as a substitute to custom-orb roofing to complement the adjoining residence to the east.
- A2.4.6 The facade of Building 2 is permitted to be rationalised, such that only the windowed section of the facade, as well as the original timber trusses and south facing skylight windows, are retained. The remainder of the facade fronting Spencer Street is to incorporate design elements of Building 2 in order to provide visual cues back to the retained structure.
- A2.4.7 The design of any building fronting Spencer Street will be subject to assessment and comment by the City's Heritage Advisor prior to issue of any development approval.
- A2.4.8 Except for Lots A and B1, Upper floors are to extend 0.5m in front of the garage building line in order to provide an element of articulation to the frontages of the dwellings facing the internal driveway.

A2.5 Height and Bulk

- A2.5.1 Finished floor and ground levels are not to exceed the maxima shown on the Development Guide Plan without Council approval.
- A2.5.2 When considering varying the maximum finished level of a building from that shown on the Development Guide Plan, the Council is to ensure the following matters are appropriately addressed prior to granting approval to the varied finished level:
- Impact on the amenity of adjoining dwellings within the complex and adjoining the site.
 - Ensuring the increased finished levels do not detract from the scale and bulk of the overall development.
 - Impact on the view corridor from Frederick Street.
 - Need to ensure appropriate operation of drainage and sewer.
 - Need for retaining walls and the impact on adjoining properties.
 - Impact on solar access to adjoining dwellings, overlooking and overshadowing.
 - Impact on the preservation and amenity of Cheyne Cottage.
- A2.5.3 Building height will be generally in accordance with Category B of Table 3 of the *Residential Design Codes*, except as otherwise varied by this Policy. 'Natural ground level' will be considered the FFL for the lower floor of each building as depicted on the Development Guide Plan, or as varied under clause A2.5.2.
- A2.5.4 Notwithstanding clause A2.5.3, the maximum building height for dwellings fronting Frederick Street will be in accordance with Category A of Table 3 of the *Residential Design Codes* with 'natural ground level' being the FFL for the upper floor as shown on the Development Guide Plan. The purpose of this clause is to ensure a single storey scale and bulk for these buildings when viewed from Frederick Street, whilst

allowing for use of the existing fall of the site to establish an undercroft area under the FFL of the upper floor.

A2.5.5 Upper floor balconies on Lots C1-C4 are to be un-roofed within 4m of the southern strata boundary of these lots to protect the solar access of Lots D1-D3 and to provide adequate light and ventilation.

A2.5.6 Courtyards are to remain un-roofed to within 4m of the southern boundary on Lots B2-B4 and D1-D3 to protect the solar access of properties to the south and to provide adequate light and ventilation.

A2.6 Privacy and Outdoor Living Areas

A2.6.1 Second storey windows on dwellings that face another dwelling are to be designed so that the two sets of windows are offset and do not directly face one-another.

A2.6.2 Balconies are to be screened to 1.7m above the finished level of the balcony where adjoining another balcony or as otherwise shown on the Development Guide Plan.

A2.6.3 Each dwelling is to be provided with a courtyard / outdoor living area as depicted on the Development Guide Plan. In the case of Lots C1 – C4, this is to be located as a balcony area on the southern side of the dwelling as depicted on the Development Guide Plan.

A2.6.4 Each dwelling is to be provided with a clothes drying area screened from the view of the street or internal driveway. In the case of Lots B1 and C1-C4, installation of a clothes dryer will be accepted in lieu of a outdoor clothes drying area.

A2.6.5 With the exception of Lot B1, each dwelling is to incorporate a minimum 4m² lockable storage room directly accessible from the garage / carport with a minimum internal dimension of 1.5m.

A2.7 Landscaping

A2.7.1 Landscaping in common property areas are to be established and maintained by the Strata Company at all times.

A2.7.2 Trees selected at maturity are not to exceed the height of the Frederick Street footpath at the view point marked on the Development Guide Plan (10m RL).

A2.7.3 Use of deciduous trees to provide shade in summer and light / heat in winter is recommended for the common property areas.

A2.7.4 Boundary fencing (except for street fencing) is to be of a uniform colour and a maximum of 1.8m high.

A2.8 Access and Car Parking

A2.8.1 Driveways are to be constructed in a uniform material as depicted on the Development Guide Plan and located within Common Property.

A2.8.2 The existing Right of Carriageway easement to Cheyne Cottage is to be modified to follow the new driveway route with the existing access point into the Cheyne Cottage site to remain.

- A2.8.3 The main driveway will be subject to a Right of Carriageway easement to the benefit of Lot A (office use) to ensure access in perpetuity.
- A2.8.4 Each dwelling is to have two (2) car parking spaces contained in either a carport or garage as shown on the Development Guide Plan.
- A2.8.5 A minimum of two (2) visitor parking spaces are to be provided within the common property and located separately from parking spaces associated with the office use. These spaces are to be marked for residential visitor use only.
- A2.8.6 A minimum of eight (8) on-site parking spaces for the office use on Lot A are to be provided as shown on the Development Guide Plan. It is noted that the minimum required parking spaces for the office of ten (10) spaces has been offset by the ability to provide two (2) on-street spaces immediately in front of the site.
- A2.8.7 A minimum of three (3) on-site parking spaces for the office /studio on Lot B1 are to be provided as shown on the Development Guide Plan. It is noted that the minimum required parking spaces for the office and single bedroom studio of six (6) spaces has been offset by the ability to provide three (3) on-street spaces immediately in front of the site.

A2.9 Non-residential uses

- A2.9.1 Lot A as depicted on the Development Guide Plan is to be used for office accommodation or other non-residential use approved by the Council. Car parking has been provided on the Development Guide Plan for a maximum of 300m² gross floor area (GFA). Any increase in GFA will require the provision of additional car parking to the satisfaction of Council.
- A2.9.2 Lot B1 as depicted on the Development Guide Plan is to be used for office accommodation or other non-residential use approved by the Council on the ground floor. A single bedroom studio residence can be incorporated into the upper floor. Development of the upper floor must take into account the existing heritage elements of the building including two internal trusses, south facing windows and the need to let light in through these windows. Development of the upper storey is to minimise impact on the streetscape and must be setback appropriately from the Spencer Street frontage. Car parking has been provided on the Development Guide Plan for a maximum of 150m² gross floor area (GFA) of office space and a single studio residence. Any increase in GFA will require the provision of additional car parking to the satisfaction of Council.

A2.10 Servicing

- A2.10.1 Provision is to be made for centralised letter boxes at the entrance to the main driveway from Spencer Street.
- A2.10.2 Rubbish collection is to occur via standard domestic 'wheelie bins' placed on Spencer Street or by alternative arrangement with the agreement of Council. Bins are to be stored at each unit outside of pick up days.
- A2.10.3 Provision is to be made for centralised electricity meters for the residential units. This is to be located within Common Property at the entrance to the main driveway from Spencer Street.

A2.10.4 A 1.5m wide service easement is to be provided along the southern boundary of Lots B1 – B4 to provide access for drainage and sewerage services.

A2.10.5 Stormwater drainage is to be managed on site and released into the surrounding drainage system in accordance with Better Urban Water Management Guidelines, as approved by the Council.

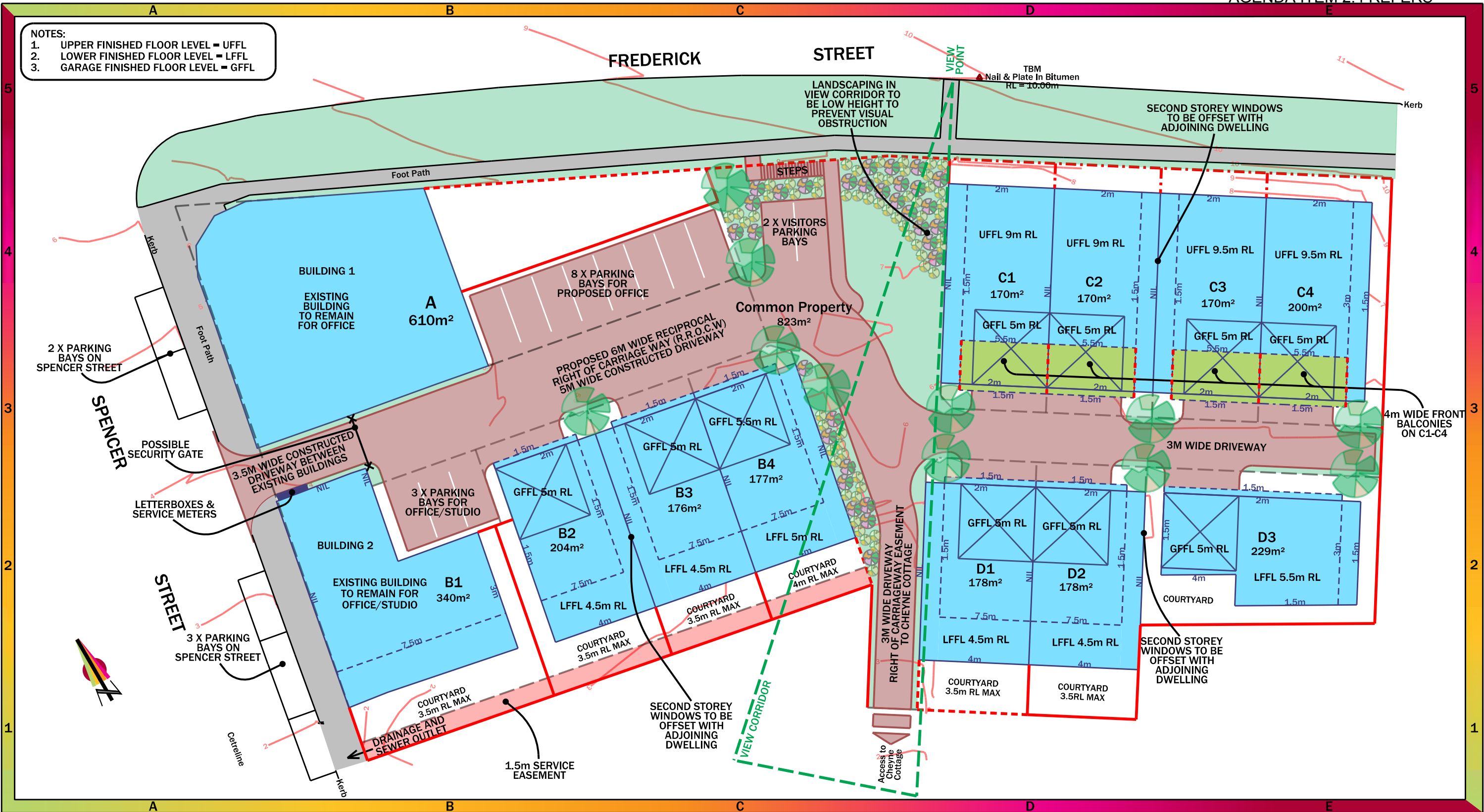
A3 Figures



Figure 1



Figure 2



- NOTES:
1. UPPER FINISHED FLOOR LEVEL = UFFL
 2. LOWER FINISHED FLOOR LEVEL = LFFL
 3. GARAGE FINISHED FLOOR LEVEL = GFFL

Development Guide Plan

LOT 14 SPENCER STREET ALBANY



- LEGEND
- Lot Boundaries
 - Maximum 1.8m High Open Fence
 - Maximum 1.8m High Closed Fence
 - Maximum 0.9m High Open Fence
 - Privacy Screening
 - First Storey Setback
 - Second Storey Setback (if varied from first storey)
 - Compulsory Balcony Courtyard
 - Building Envelope
 - Designated Garage Location

This Detailed Area Plan has been adopted by Council and signed by the Manager of Planning for the City of Albany

Chief Executive Officer.....Date.....

SCALE AT A3 1:300

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ALL DISTANCES ARE IN METRES

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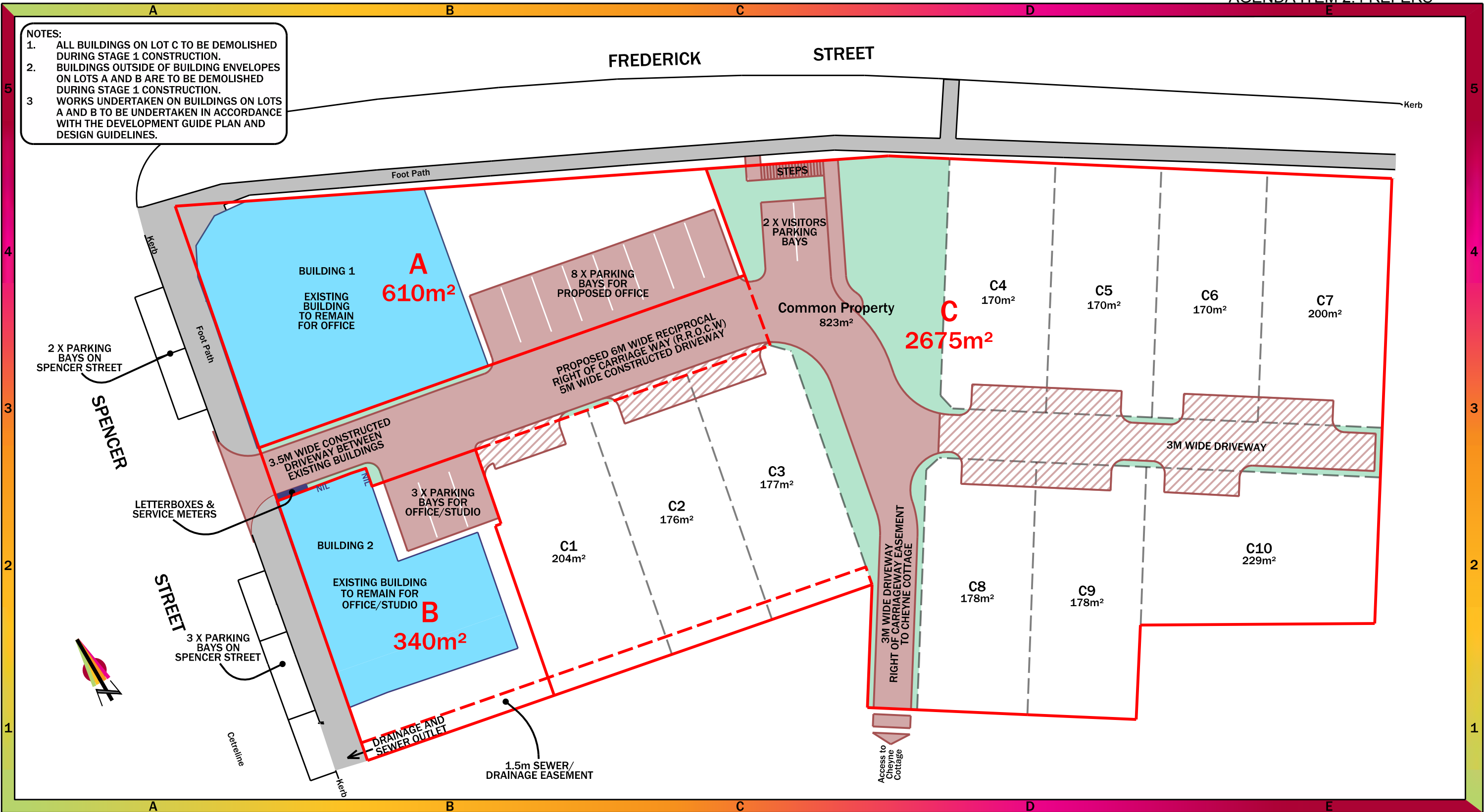
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note:

This plan has been prepared for planning purposes. Areas, Contours and Dimensions shown are subject to survey

Drawn SDP 23-05-11 Checked SJB 23-05-11





Staging and Land Tenure Plan
LOT 14
SPENCER STREET
ALBANY



LEGEND

- Stage 1 Green Title Lots
- Stage 1 Easements
- Stage 2 Survey/Built Strata Lots
- Stage 1 Driveway
- Stage 2 Driveway
- Landscaping
- Building Envelope for Lots A & B (Building Envelopes for Lot C as per Development Guide Plan)

This Staging and Land Tenure Plan has been adopted by Council and signed by the Chief Executive Officer for the City of Albany

Chief Executive Officer.....Date.....

SCALE AT A3 1:300

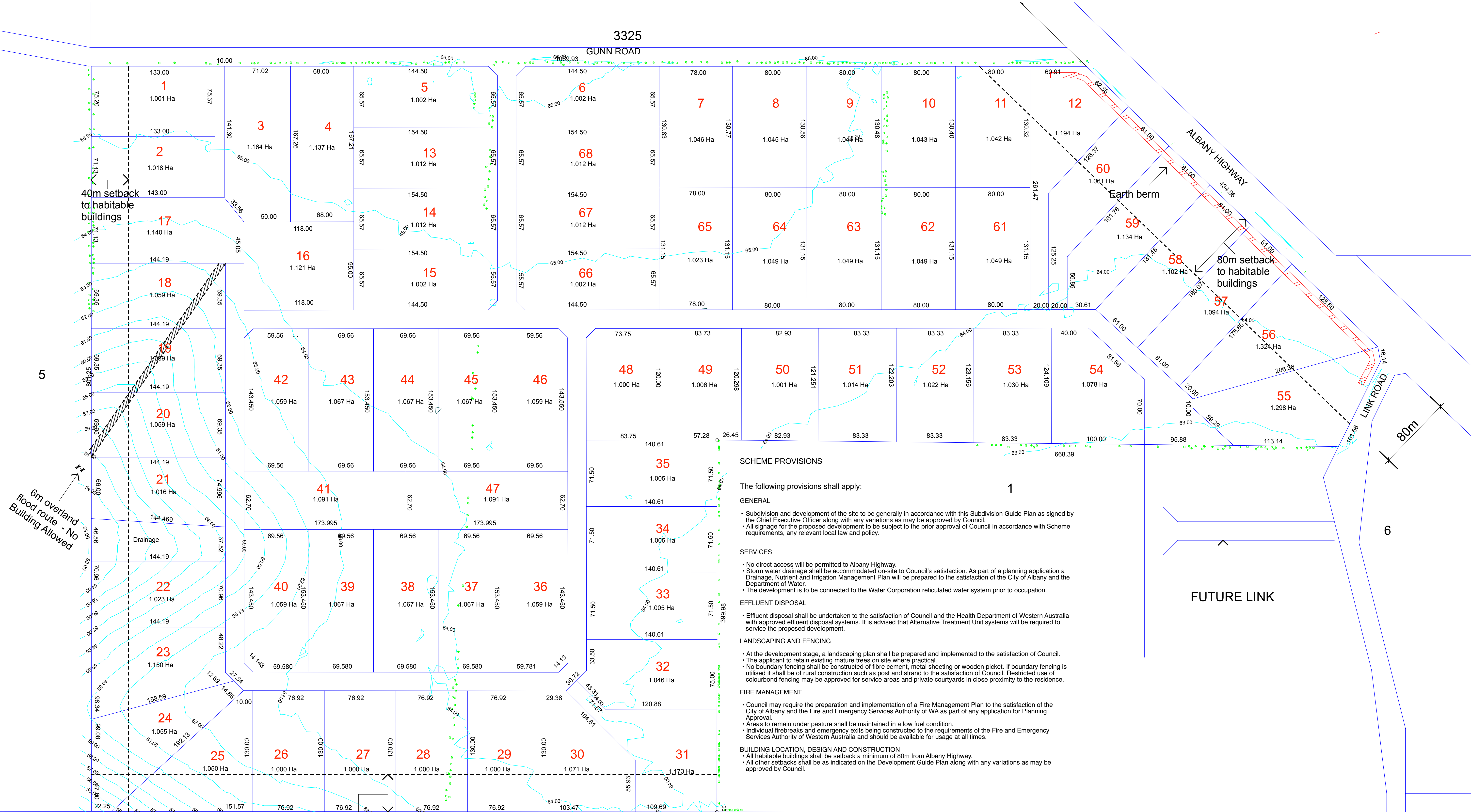
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Drawn SDP 27-05-11 Checked SJB 27-05-11

harley global

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T: 08 9841 7333 F: 08 9841 3643
E: hgalb@harleyglobal.com.au



SCHEME PROVISIONS

The following provisions shall apply:

GENERAL

- Subdivision and development of the site to be generally in accordance with this Subdivision Guide Plan as signed by the Chief Executive Officer along with any variations as may be approved by Council.
- All signage for the proposed development to be subject to the prior approval of Council in accordance with Scheme requirements, any relevant local law and policy.

SERVICES

- No direct access will be permitted to Albany Highway.
- Storm water drainage shall be accommodated on-site to Council's satisfaction. As part of a planning application a Drainage, Nutrient and Irrigation Management Plan will be prepared to the satisfaction of the City of Albany and the Department of Water.
- The development is to be connected to the Water Corporation reticulated water system prior to occupation.

EFFLUENT DISPOSAL

- Effluent disposal shall be undertaken to the satisfaction of Council and the Health Department of Western Australia with approved effluent disposal systems. It is advised that Alternative Treatment Unit systems will be required to service the proposed development.

LANDSCAPING AND FENCING

- At the development stage, a landscaping plan shall be prepared and implemented to the satisfaction of Council.
- The applicant to retain existing mature trees on site where practical.
- No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. If boundary fencing is utilised it shall be of rural construction such as post and strand to the satisfaction of Council. Restricted use of colourbond fencing may be approved for service areas and private courtyards in close proximity to the residence.

FIRE MANAGEMENT

- Council may require the preparation and implementation of a Fire Management Plan to the satisfaction of the City of Albany and the Fire and Emergency Services Authority of WA as part of any application for Planning Approval.
- Areas to remain under pasture shall be maintained in a low fuel condition.
- Individual firebreaks and emergency exits being constructed to the requirements of the Fire and Emergency Services Authority of Western Australia and should be available for usage at all times.

BUILDING LOCATION, DESIGN AND CONSTRUCTION

- All habitable buildings shall be setback a minimum of 80m from Albany Highway.
- All other setbacks shall be as indicated on the Development Guide Plan along with any variations as may be approved by Council.

ALL DIMENSIONS SUBJECT TO SURVEY

40m setback to habitable buildings

401

51

ADOPTION

Adopted by resolution of the Council for the City of Albany at the Ordinary Meeting of the Council held on the day of 2011 and the Seal of the Municipality was pursuant to that resolution hereto affixed in the presence of;

MAYOR

CHIEF EXECUTIVE OFFICER

DATE

LOCAL GOVERNMENT AUTHORITY

Shire of Albany

Lot 2 Gunn Road
Albany

Subdivision Guide Plan
Version 2

DRAWING TYPE

Plan

DRAWING NUMBER

0602-SGP03

AMEND.

No.	DATE	DESCRIPTION	APPROVED

CLIENT
Loughton Patterson Pty Ltd
P.O.Box 398 South Perth 6951
08 94742126

REFERENCES
TYPE OF GROUND SURVEY:
DATE OF CAPTURE:
ACCURACY:
RELEVANT PROJECT GRID:

DESIGNED / DRAWN	-
VERIFIED	-
DIRECTOR	-



SHAWMAC PTY. LTD.
P.O. Box 937. SOUTH PERTH
Phone: 9355 1300 Fax: 9355 1922
Email: shawmac@upnaway.com

FILE NUMBER
APPROVED



Enquiries: Don Parker on 9892 0559
 Our Ref: 04/13070-12 D11#77155
 Your Ref: AMD270/PA4209, ICR7035588



ABN: 50 860 676 021

4 April 2011



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

City of Albany Records
 ICR1134004
 AMD270
 07 APR 2011
 SPLAN2

ATTENTION: Jan Van Der Mescht
 Senior Planning Officer

Attach.
 OX
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 OX+Vol.

AMD270
 SPLAN2

Dear Sir,

SUBDIVISION GUIDE PLAN FOR DEVELOPMENT OF LOT 2 GUNN ROAD, DROME.

Thank you for your letter dated 29 March 2011 seeking Main Roads comment on the proposed Subdivision Guide plan for Lot 2 Gunn Road.

Main Roads agrees in principal to this proposal but will seek to ensure that land development adjacent to Albany Highway will not significantly impact the safe and efficient operation of this important regional highway and for this reason Main Roads impose the following conditions upon this development.

1. Access into this development is to be from Gunn Road only to reduce traffic conflict points on the Albany Highway.
2. A point to point Restrictive Covenant for the benefit of Main Roads WA being registered on the Certificates of Title of all Lots fronting the Albany Highway pursuant to section 129BA of the Transfer of Land Act, to prohibit vehicular access from these lots onto Albany Highway and notice of this restriction to be placed on the Diagram or Plan of Survey (Deposited Plan) at the expense of the applicant.
3. Suitable turn treatments which have been approved by Main Roads are to be installed at the intersection of Albany Highway and Gunn Road. The intersection treatments must comply with the requirements of the AUSTROADS Guide to Traffic Engineering Practice – Part 5: Intersections at Grade. All associated works would be at the proponents cost. To limit conflict points, Link Road shall not be considered a future connecting access, unless the proponent is intending to upgrade the Link Road /Albany Highway intersection. Link Road may be closed to future traffic, with access to Link Road via Gunn Road.
4. No stormwater is to be discharged from this development into the Albany Highway drainage system.
5. A suitable noise abatement buffer and buffer zone shall be provided by the proponent along the Albany Highway. The design and effectiveness must meet Main Roads standards as applied to the Albany Ring road.

6. Gunn Road shall be sealed to a minimum of 200m to mitigate dust blowing across the Albany Highway causing a traffic hazard. The City of Albany should require the proponent to seal Gunn Road from the Albany Highway to the subdivision entrance.

Main Roads has undertaken a traffic demand assessment as part of the Albany Ring Road planning design. The assessment has shown that local traffic demand as a result of proposed residential development adjacent to the Ring Road has the potential to prevent the Ring Road from fulfilling the intended primary function as an uninterrupted heavy transport route to the Port of Albany, instead, becoming a congested urban distributor road. Main Roads opposed the amendment to the planning scheme.

If you require any further information please contact Don Parker on (08) 9892 0559.
In reply please quote file reference 04/13070-12.

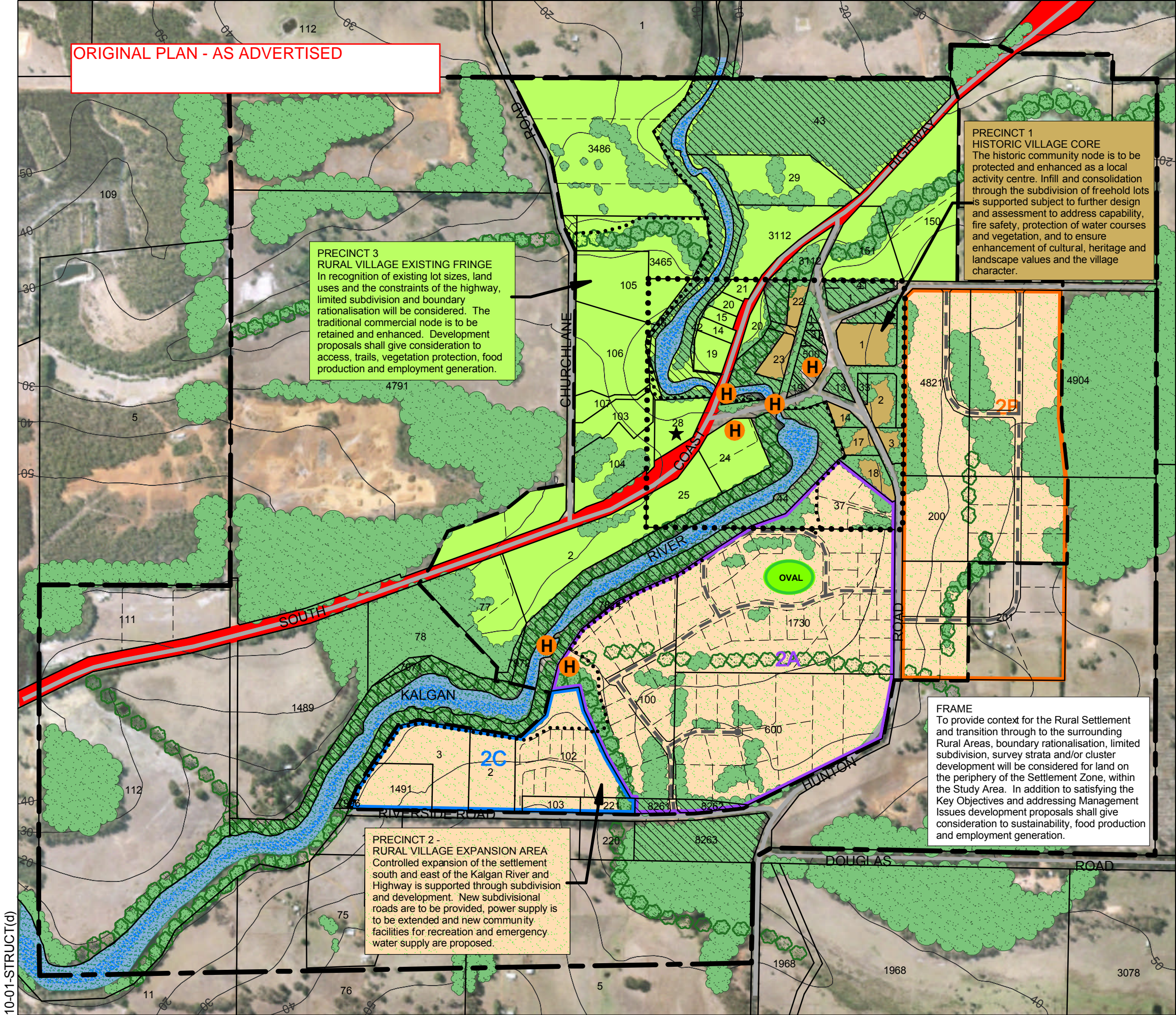
Yours sincerely



ARJ Duffield

REGIONAL MANAGER

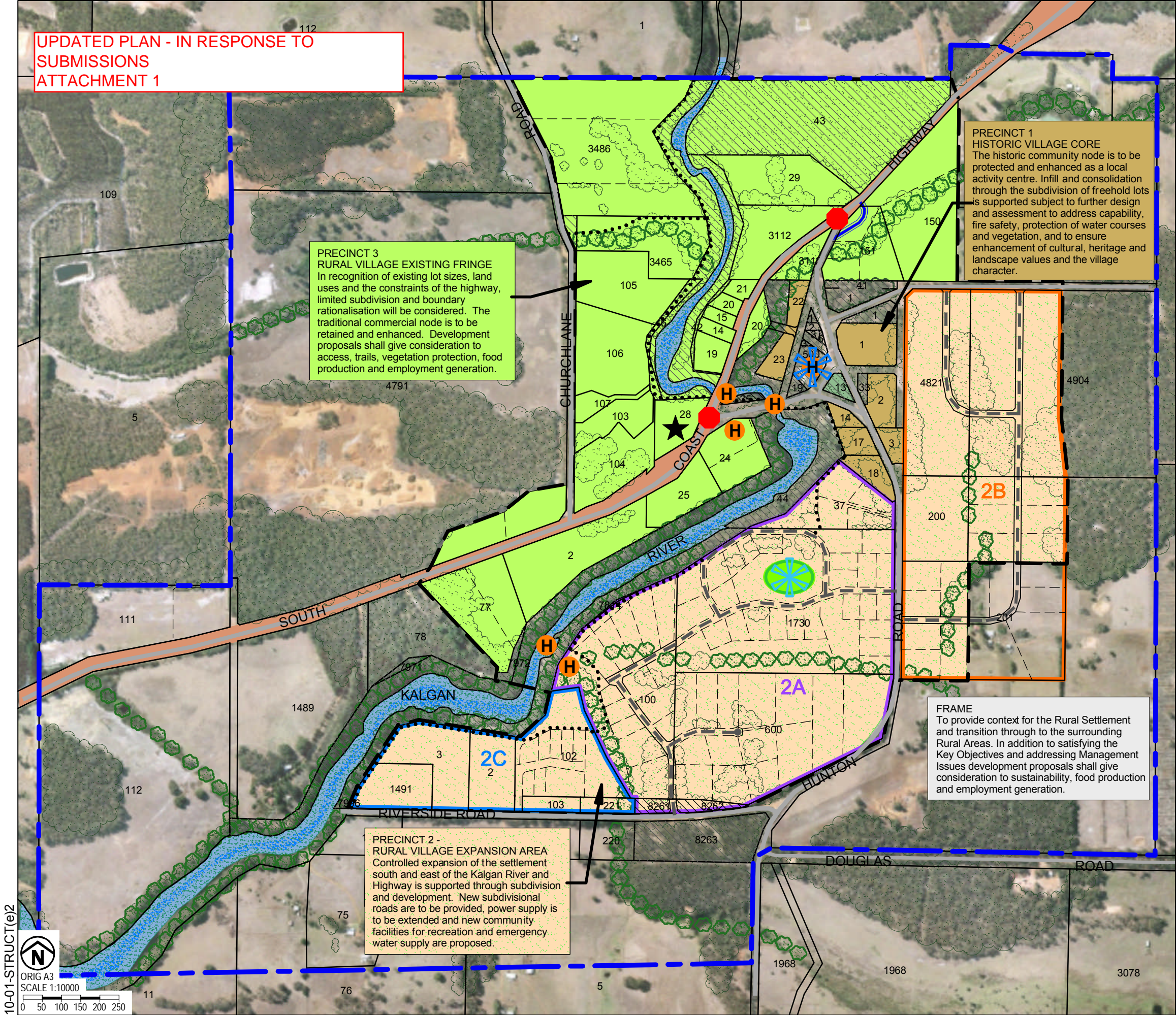
KALGAN RURAL VILLAGE
STRUCTURE PLAN
Kalgan, City of Albany



NOTES

- Opportunities exist for subdivision and development, in accordance with the endorsed Structure Plan for the Kalgan Rural Village, subject to Key Objectives, Recommended Actions and Management Issues relevant to the precinct being addressed.
- Eastern portion of Lot 300 Hunton Road requires rezoning prior to subdivision.

KALGAN RURAL VILLAGE
STRUCTURE PLAN
Kalgan, City of Albany



Kalgan Rural Village Structure Plan

Sustainable and co-ordinated growth and development is supported. Opportunities exist for subdivision and development, in accordance with the endorsed Structure Plan for the Kalgan Rural Village.

In assessing proposals, the decision making authorities shall give consideration to the principles of:

- Ecologically Sustainable Development;
- Social Advancement; and
- Economic Prosperity.

Proposals for subdivision and/or land use changes within Kalgan shall be evaluated against the KEY OBJECTIVES, the RECOMMENDED ACTIONS set out in the Structure Plan and MANAGEMENT ISSUES relevant to the precinct.

Key Objectives for the Kalgan Rural Village are to:

- Create a strong sense of community by providing for residents to work, live and recreate within Kalgan;
- Recognise, Protect and Enhance the rich and diverse Natural and Cultural Heritage of Kalgan;
- Accommodate controlled expansion and growth within and adjacent to existing rural townsite to support the community, through staged coordinated development;
- Provide for a range of lot sizes and activities in response to site characteristics and capability;
- Allow for a mix of residential, commercial, industrial and other uses appropriate to the needs of the community;
- Achieve self-sustaining settlement by encouraging self reliance of individual lots in drainage management, the provision of water supplies and effluent disposal and other infrastructure needs.

Due regard is to be given to the measures to be undertaken on the land to achieve long term sustainable land uses, inclusive of:

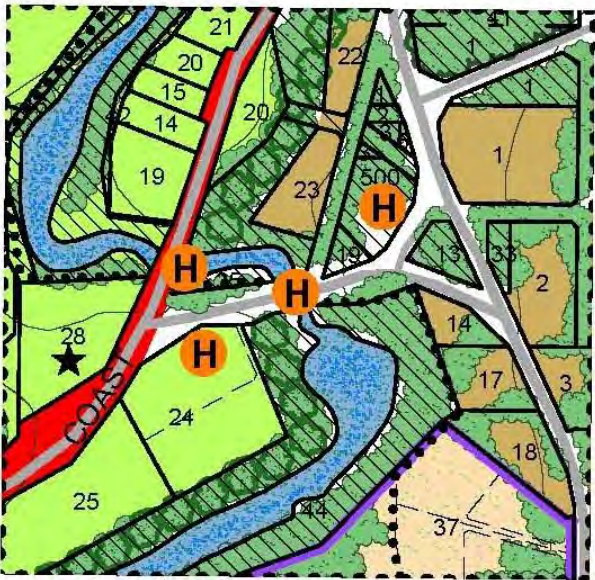
- The method of collecting and storing potable water on-site;
- the method of disposing of solid and liquid wastes generated by the proposed land use and the level of recycling of solid and liquid wastes to be undertaken on the land;
- The provision of infrastructure to generate energy, to store energy on-site and to export energy from the site;
- The design, location and finishes to be applied to buildings and structures on the land where the design, location or finish provides a reduction in the energy demands required to use or maintain that building or structure.

PRECINCT 1 - HISTORIC VILLAGE CORE

The historic community node is to be protected and enhanced as a local activity centre.

Infill and consolidation through the subdivision of freehold lots (formerly zoned Residential) is supported subject to capability assessment and detailed design to address the following additional specific constraints and Management Issues:

- Preferable lot size is 1000 – 2000sqm, subject to detailed soil testing to verify capability for on-site effluent disposal;
- Protection, Enhancement and recognition of Cultural Heritage Assets;
- Review and rationalisation of Crown Reserves - boundaries, tenure and purpose;
- Establishment of a road hierarchy, review of traffic safety, access and intersection treatments;
- Strengthening of trails network;
- POS contributions between 5% and 10% may be required, in accordance with WAPC and Council Policy Credit shall be given for significant areas of bushland and riparian vegetation which is retained;
- Impact on riparian and remnant vegetation – Retention of remnant native vegetation is supported. Removal of significant vegetation is not supported and is subject to relevant Clearance of Native Vegetation Regulations; and
- Preferred landuses include residential, commercial (tourism and business), industrial, civic and cultural.



Notwithstanding the consolidation and efficiency objectives, given the extent of remnant vegetation, proximity to the water courses and the position of existing structures any intensification of development in the historic village core will need to be sensitively managed to address fire safety, water management, protection of landscape values and enhancement of village character.

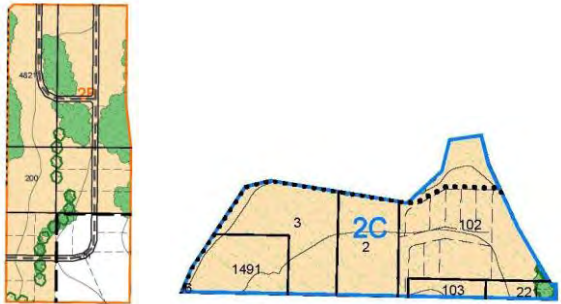
PRECINCT 2 - RURAL VILLAGE Expansion Area

Consolidated growth of the settlement south and east of the Kalgan River and Highway is supported through staged subdivision and development, subject to the following criteria and Management Issues being addressed:

- Preferable lot size is 2000 – 5000sqm, based on vegetation & site characteristics;
- Foreshore/Creekline Setbacks, Care and Control;
- Protection and enhancement of Cultural Heritage;
- Visual Amenity and Identified Local Character;
- Provision of subdivisional roads and review of Highway access, safety and intersection treatment;
- Upgrading/extension of Infrastructure and provision of community facilities;
- POS contributions up to 5% are advocated for future subdivisions which create lots below 4000sqm. Credit shall be given for significant areas of retained bushland and riparian vegetation.
- Fire Protection; and
- Preferred landuses include residential, rural living, employment generators/commercial (tourism and business), industrial, civic, cultural and intensive rural (horticulture, viticulture, equestrian).



Anticipated Stages A, B and C



PRECINCT 3 – RURAL VILLAGE Existing Fringe

In recognition of existing lot sizes, land uses and the constraints of the highway, limited subdivision and rationalisation of boundaries will be considered.

Development proposals shall address the following constraints and Management Issues:

- Controlled access onto South Coast Highway and no additional access without the prior approval of Main Roads WA;
- Coordinated movement networks (Multi-use trail/SFB) to be provided/strengthened;
- Commercial node at existing Tea Room/Local Store and immediate surrounds to be enhanced as local activity centre;
- Ultimate lot sizes to be based on capability;
- Provision of stock proof fencing of areas of Riparian and Remnant Vegetation; and
- Preferred landuses include food production (horticulture, viticulture, equestrian, aquaculture, keeping of livestock), rural living, commercial (tourism and rural industry), home business

FRAME

To provide context for the Rural Settlement and transition through to the surrounding Rural Areas, boundary rationalisation, limited subdivision, survey strata and/or cluster development will be considered for land on the periphery of the Settlement Zone, within the Study Area.

In addition to satisfying the Key Objectives development proposals shall address the following constraints and Management Issues:

- Coordinated movement networks (Multi-use trails, SFB and the like);
- No additional direct access onto South Coast Hwy;
- Ultimate lot sizes to be based on capability, but generally not below 2ha;
- Rural Small Holdings to be located in areas suitable and capable of supporting food production, agriculture/horticulture;
- Tree planting within vegetation corridors and provision of stock proof fencing of Remnant Vegetation; and
- Preferred landuses include rural (small scale agriculture, horticulture, viticulture, animal husbandry) rural industry, value adding enterprises, tourism (winery, cellar sales) and cultural.

KALGAN RURAL VILLAGE PRECINCTS - KEY OBJECTIVES, MANAGEMENT ISSUES and RECOMMENDED ACTIONS

Kalgan Rural Village Structure Plan

Sustainable and co-ordinated growth and development is supported.

Opportunities exist for subdivision and development, in accordance with the endorsed Kalgan Rural Village Structure Plan. In assessing proposals, the decision making authorities shall give consideration to the principles of:

- **Ecologically Sustainable Development;**
- **Social Advancement;** and
- **Economic Prosperity.**

Proposals for subdivision and/or land use changes shall be evaluated against the following Key Objectives, Management Issues and Recommended Actions set out in Chapter 10 of the Structure Plan Report and criteria relevant to the precinct.

Key Objectives for the Kalgan Rural Village are to:

- Create a strong sense of community by providing for residents to work, live and recreate within Kalgan;
- Recognise, Protect and Enhance the rich and diverse Natural and Cultural Heritage of Kalgan. Proposals to comply with Aboriginal Heritage Act, SPP 3.5, applicable State and Local Policies and referral to relevant agencies;
- Accommodate controlled expansion and growth of the existing rural townsite to support the community, through staged coordinated development;
- Recognise the function of South Coast Hwy as a State Haulage Route,;
- Address traffic Safety through the preparation and implementation of a Local Traffic Plan.
- Relocation of Hunton Road intersection to be a priority. Land requirements and widening of reserves to be contributed by subdividers on a pro rata basis, upgrading of the South Coast Highway intersection to be the responsibility of Main Roads.
- Provide for a range of lot sizes and activities in response to site characteristics and capability;
- Allow for a mix of residential, commercial, industrial and other uses appropriate to the needs of the community;
- Achieve self-sustaining settlement, encourage self reliance of lots in drainage management, water supplies and effluent disposal and infrastructure needs.

Due regard is to be given to the measures to be undertaken on the land to achieve long term sustainable land uses, inclusive of:

- The method of collecting and storing potable water on-site;
- The method of disposing of solid and liquid wastes generated and the level of recycling of solid and liquid wastes to be undertaken on the land;
- The provision of infrastructure to generate, store and export energy;
- The design, location and finishes to be applied to buildings and structures where this reduces energy demands required for use or maintenance.

Foreshore Management, where applicable, may include biophysical assessment, ceding of land, fencing riparian vegetation, tree planting and appropriate measures to mitigate nutrient export.

A comprehensive and detailed capability assessment is required for those Lots not previously the subject of the capability assessment (refer Assessment Areas Plan and Fig 3 by Landform Research). This may include soil testing and analysis of hydrology, vegetation, fire safety and visual amenity and is to be undertaken prior to consideration of subdivision. The results of any such assessment may reduce land use, subdivision and/or development potential of the land currently afforded by existing provisions in the Structure Plan.

PRECINCT 1 - HISTORIC VILLAGE CORE

The historic community node is to be protected and enhanced as a local activity centre.

Infill and consolidation through the subdivision of freehold lots (formerly zoned Residential) is supported, subject to capability assessment and detailed design to address the following additional specific constraints and Management Issues:

- Preferable lot size is 1000 – 2000sqm, subject to detailed soil testing and site assessment to verify capability for on-site effluent disposal;
- Protection, enhancement and recognition of Cultural, Indigenous and Natural Heritage Assets by retaining the community hall and establishing interpretive information node/terminus;
- Review and rationalisation of Crown Reserves, boundaries, tenure and purpose;
- Establishment of a road hierarchy, review of traffic safety, access and intersection treatments;
- Strengthening of trails network within this precinct and the linkages to Precinct 2. Enhance and complement the proposed Kinjarling Trail;
- POS contributions between 5% and 10% may be required, in accordance with WAPC and Council Policy. Credit shall be given for significant areas of bushland and riparian vegetation which is retained and provides ecological benefit to the community;
- Impact on riparian and remnant vegetation – Retention of remnant native vegetation is supported. Removal of significant vegetation is not supported and is subject to relevant Clearance of Native Vegetation Regulations; and
- Preferred landuses include residential, commercial (tourism and business), industrial, civic and cultural.

Notwithstanding the general consolidation and efficiency objectives, given the extent of remnant vegetation, proximity to the water courses and the position of existing structures any intensification of development in the historic village core will need to be sensitively managed to address fire safety, water management, protection of landscape values and enhancement of village character.

FRAME

The frame provides the context for the Rural Village and serves as a transition through to the surrounding Rural Areas.

In addition to satisfying the Key Objectives applicable to Kalgan, all applications are to take account of sustainability objectives and give due consideration existing lot sizes and land uses. Development proposals are to address the following constraints and Management Issues:

- Coordinated movement networks (Multi-use trails, SFB and the like);
- No additional direct access onto South Coast Hwy;
- Rural Small Holdings to be located in areas suitable and capable of supporting food production, intensive agriculture, horticulture and eco ventures;
- Tree planting within vegetation corridors and provision of stock proof fencing of Remnant Vegetation; and
- Preferred landuses include rural (small scale agriculture, horticulture, viticulture, animal husbandry) rural industry, value adding enterprises, tourism (winery, cellar sales) and cultural.

PRECINCT 2 - RURAL VILLAGE Expansion Area

Consolidated growth of the settlement south and east of the Kalgan River and Highway is supported through staged subdivision and development of sub-precincts A B and C, generally in accordance with the road network and indicative lot layout shown on the Structure Plan. Proposals are to address the following constraints and Management Issues:

- Preferable lot size is 2000 – 5000sqm, based on vegetation & site characteristics;
- Lots not previously assessed are subject to detailed capability assessment and planning prior to subdivision;
- Foreshore/Creekline Setbacks, Care and Control;
- Protection and enhancement of Cultural Heritage;
- Visual Amenity and Identified Local Character;
- Provision of subdivisional roads and review of Highway access, safety and intersection treatment;
- Upgrading/extension of Infrastructure;
- Provision of community facilities. Options include relocation of the Fire Brigade Shed and emergency Water supply, development of Country Club, Sports Pavilion, Oval or the like;
- POS contributions up to 5% are advocated for future subdivisions which create lots below 4000sqm. Credit shall be given for significant areas of retained bushland and riparian vegetation.
- Fire Protection; and
- Preferred landuses include residential, rural living, employment generators/commercial (tourism and business), industrial, civic, cultural and intensive rural (horticulture, viticulture, equestrian).

PRECINCT 3 – RURAL VILLAGE Existing Fringe

Limited subdivision and rationalisation of boundaries will be considered and will have due regard to existing lot sizes, land uses and the constraints of the Highway. Subdivision to create Rural Living lots (generally 1-2ha) will be considered provided it is generally in accordance with the road network and indicative lot layout shown on the Structure Plan.

Development proposals shall address the following constraints and Management Issues:

- Controlled access onto South Coast Highway and no additional access without the prior approval of Main Roads WA;
- Coordinated movement networks (Multi-use trail/SFB) to be provided and/or strengthened;
- Commercial node at existing Tea Room/Local Store and immediate surrounds to be enhanced as local activity centre;
- Ultimate lot sizes to be based on capability, existing land uses, size and configuration of surrounding lots and site characteristics. Lots not previously assessed are subject to detailed capability assessment and planning prior to subdivision;
- Provision of stock proof fencing of areas of Riparian and Remnant Vegetation; and
- Preferred landuses include food production (horticulture, viticulture, equestrian, aquaculture, keeping of livestock), rural living, commercial (tourism and rural industry), home business

KALGAN RURAL VILLAGE
PRELIMINARY LOCAL TRAFFIC PLAN
Kalgan, City of Albany

Notations and Advice
The Kalgan Rural Village is serviced by South Coast Hwy (Hassell Hwy) and Hunton Road. The Highway is part of the State Arterial Road Network and functions as a primary freight route. It is under the care and control of Main roads WA. The posted speed limit within the townsite is 90km/hr. Main Roads does not intend to reduce speed limits on South Coast Highway as this would diminish the effectiveness of the highway as a priority heavy haulage route and increase costs to industry.

The Highway currently carries in excess of 150,000 tonnes of grain per annum through the Kalgan Townsite and is experiencing rapid growth in freight tonnage as the blue gum plantation timber industry progressively matures. On the evidence available it is likely that total freight tonnage on the route will exceed 1.5 million tonnes per annum, or 60,000 multi-combination vehicle movements per year within the next few years.

Hunton Road is predominantly a two lane bitumen road developed to rural major road standard. Wheeldon Rd, which connects the Hwy to Hunton Road, via the 'Old Kalgan Bridge' is sealed and is, in places, single lane. The posted speed limit within the townsite is 60km/hr.

Churchlane and Riverside Roads are both constructed to gravel standard. The local roads are under the care and control of the City of Albany

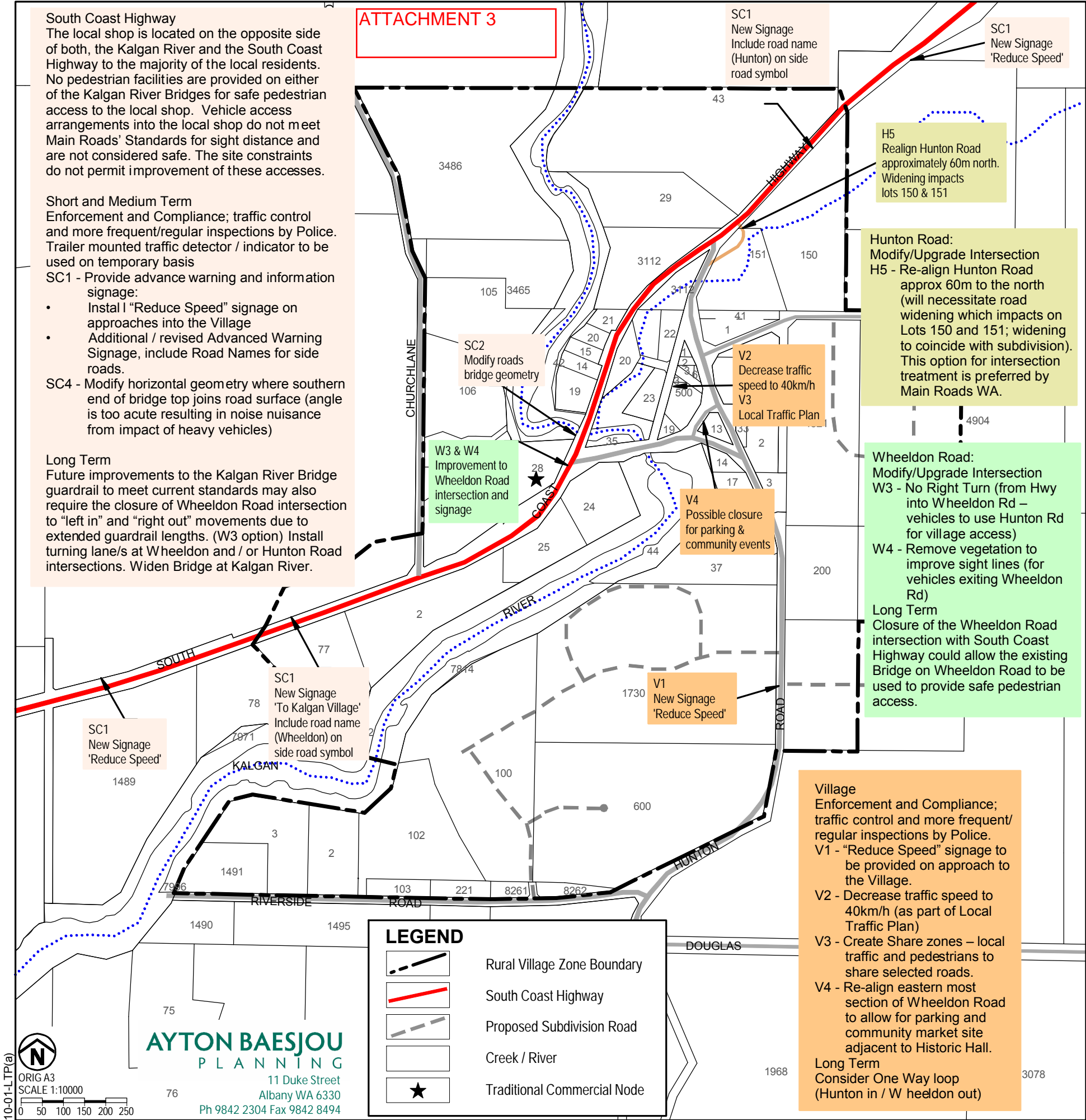
With intensification of development, some improvements to the road network, upgrading of selected intersections, improved signage and review of speed and other traffic calming techniques are to be to considered to accommodate growth and address existing traffic safety issues. (Refer Sections 8.1 and 10.5 of the Structure Plan Report).

Main Roads is opposed to any proposal to increase linear residential development along South Coast Highway because of increased traffic conflict between local residents and heavy vehicles, increased community road safety concerns and diminished effectiveness of the South Coast Highway as a priority heavy haulage route. However, Main Roads is not opposed in principle to the extension of the Kalgan Townsite to the south and east. Accordingly the Structure Plan concentrates village development south of the River and introduces controls to limit direct access onto the Highway.

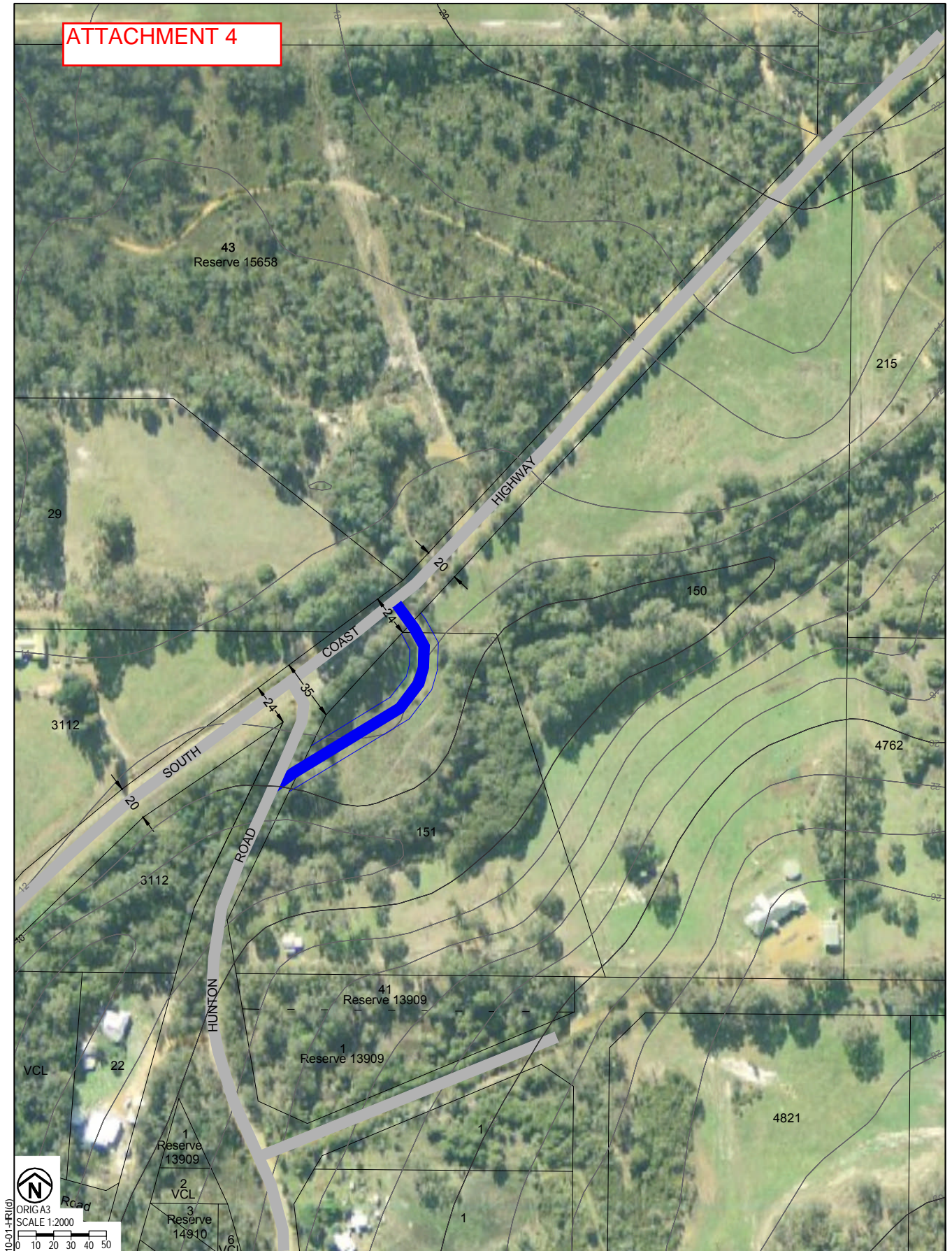
The existing Hunton Road intersection with South Coast Highway is not considered suitable to handle the increase in traffic which would result from development. Given the current configuration of the intersection, the speed environment, current traffic volumes and the anticipated rate of heavy vehicle growth on South Coast Highway the intersection must be realigned to the east and suitable turn treatments provided. This preferred option is shown as H5 and is reflected on the Structure Plan.

The existing Wheeldon Road intersection with South Coast Highway is unsafe for right turning vehicles off South Coast Highway. As a result, a "Type C" intersection treatment is required by Main Roads, however the cost of this treatment will be substantial as widening of the Kalgan River Bridge will be required. An alternate option is to ban "right turn in" movements from South Coast Highway.

This preliminary Local Traffic Plan identified is the culmination of consultation with representatives from Main Roads WA, City of Albany, engineering consultants and the community. The various improvements are categorised by location and management responsibility and listed in order of likely implementation, from immediate through to long term. The Kalgan Rural Village Structure Plan, together with the endorsed Local Traffic Plan and the subsequent subdivision of land, in combination with State and Local Government infrastructure/works programs, will provide the means and mechanism for implementation.



ATTACHMENT 4



AYTON BAESJOU
PLANNING

11 Duke Street
Albany WA 6330
Ph 9842 2304 Fax 9842 8494

AGENDA ITEM 2.6 REFERS

HUNTON ROAD INTERSECTION
Preferred Option

Kalgan Townsite
Kalgan, City of Albany
AGENDA ITEM 2.6 REFERS

Craig McMurtrie

From: FLETT Murray (AMO) [murray.flett@mainroads.wa.gov.au]
Sent: Thursday, 26 May 2011 1:44 PM
To: Craig McMurtrie
Cc: Delma Baesjou; STRINGER Peter (Con); Jendrzejczak, Mark
Subject: EF1137229 - ODP011 - Kalgan Traffic Solutions

SynergySoft: EF1137229

Hi Craig

We had not received an amended copy of the Kalgan Rural Village Preliminary Local Traffic Plan.

The document will need three (3) amendments to satisfy Main Roads requirements as listed below.

Under the heading – Village - Long Term

"Consider one way loop (Hunton in / Wheeldon out)"

This view is not supported by Main Roads due to the existing sight distance (for right turn vehicles exiting from Wheeldon Road) not meeting current standards. As a result, turn movements at Wheeldon Road will be restricted to "left turn out" only.

Under the heading – South Coast Highway – Long Term.

"Future improvements to the Kalgan River Bridge guardrail to meet current standards may also require the closure of Wheeldon Road intersection to "left in" and "right out" movements due to extended guardrail lengths. (W3 option) Install turning lane/s at Wheeldon and or Hunton Road intersections. Widen Bridge at Kalgan River".

This view is not supported by Main Roads due to the existing sight distance (for right turn vehicles exiting from Wheeldon Road) not meeting current standards. As a result, turn movements at Wheeldon Road will be restricted to "left turn out" only.

These two "long term" views will need to be deleted from the document.

SC1 – New Signage

"To Kalgan Village – include road name (Wheeldon Road) on side road symbol".

Reference to Wheeldon Road as a side road access to the Village will need to be deleted.

Regards

Murray Flett

*Asset Management Officer
Great Southern Region*



Telephone: (08) 9892 0549 Fax: (08) 9892 0577
 Email: murray.flett@mainroads.wa.gov.au

From: Craig McMurtrie [mailto:craigm@albany.wa.gov.au]
Sent: Monday, 23 May 2011 1:29 PM

To: FLETT Murray (AMO)
Subject: Kalgan Traffic Solutions

Hello Murray,

I am uncertain if Delma has sent this to you or not, but I have attached a final draft of her Traffic Solutions Plan for Kalgan, which incorporates both MRWA and CoA advice.

Can you please confirm if this now satisfies Main Roads' requirements?

I would be very grateful if you could provide a response at your earliest opportunity, as I am trying to finalise the Council item in the first half of this week.

Best regards,

Craig McMurtrie
Planning Officer

City of Albany
102 North Road
Yakamia WA 6330

(08) 9841 9322

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CITY OF ALBANY TOWN PLANNING SCHEME No. 3**OUTLINE DEVELOPMENT PLAN (ODP011)****ATTACHMENT 6****SCHEDULE OF SUBMISSIONS**

No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Water Corporation PO Box 915 ALBANY WA 6331	No objections. All of the land contained within this development proposal is outside the Water Corporation's Water and Wastewater Operating License Areas and as such neither of the Corporation's water or wastewater services are available. Each lot will be required to be self-sufficient with respect to the provision of potable water and on-site effluent disposal.	Nil.	The submission is noted.
2	Western Power Locked Bag 2520 PERTH WA 6001	No objections.	Nil.	The submission is noted.
3	Department of Water PO Box 525 ALBANY WA 6331	<ul style="list-style-type: none">• The Dept of Water (DoW) supports the designation of waterways protection on the structure plan. Buffer widths will be determined at the time of subdivision, on an individual basis after site inspection and a bio-physical assessment of the waterway.• The (DoW) is satisfied that the water management issues of the area have been addressed in Section 7 of the planning report. Additional, more detailed information and design may be required at subdivision stage, depending	Nil.	The submission is noted.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>on the scale of development.</p> <ul style="list-style-type: none"> Given the low density of the proposed development and the information provided in the planning report, the DoW is satisfied that the ODP area is capable of supporting the proposed land uses. Some sites in the ODP identified as having some physical constraints to development will require more detailed assessment at the time of the subdivision. The DoW supports the requirement for self supply of potable water. 		
4	Department of Environment and Conservation 120 Albany Highway ALBANY WA 6330	<p>DEC acknowledge that previous advice provided has now been addressed and incorporated into the current ODP, however they advise that the following aspects still appear to be understated:</p> <ul style="list-style-type: none"> Weeds: There is a risk from weed incursion, in particular Sydney Golden Wattle. There is no mention of the <i>Pinus radiata</i> removal programme along the Kalgan River, which has been co-sponsored by the City. Cockatoos: The Kalgan area is important for various threatened cockatoo species; Baudin's Black Cockatoo, Carnaby's Black Cockatoo 	<p>As land is subdivided, additional foreshore reserves will be ceded to the City of Albany, which will manage the land in conjunction with community conservation groups.</p> <p>Large stands of remnant vegetation will be preserved throughout the ODP area, revegetation will be undertaken to create new ecological linkages and additional foreshore reserves will be ceded to the City of Albany as land is subdivided. These measures should ensure that many of the habitats used by Black Cockatoos are preserved.</p>	The submission is noted.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>and the Red-Tailed Black Cockatoo. These birds use native vegetation for roosting and feeding.</p> <ul style="list-style-type: none"> • Bush Fire Protection: In areas where residual native vegetation occurs, the fire protection building standards for new housing may need to be increased to a higher classification level in order to reduce the width of hazard separation zones (HSZ). Routine 5-7 year burning cycles in a HSZ will result in vegetation change and deterioration of conservation values over time. 	While a broad Fire Management Plan has been included with the ODP report (Appendix B), it does not look at detailed fire management measures, as the final subdivisional layout has not yet been determined. More detailed fire management planning can be undertaken and suitable controls implemented at the subdivision and development stages.	
5	Fire and Emergency Services Authority 5 Hercules Crescent CENTENNIAL PARK WA 6330	FESA expects that the methodology included in the <i>Planning for Bushfire Protection</i> document is applied to the subject development.	See submission 4 above.	The submission is noted.
6	Heritage Council of WA PO Box 6201 EAST PERTH WA 6892	<p>The Heritage Council has no objections to the proposal and provide the following comments:</p> <ul style="list-style-type: none"> • They support the recommended actions relating to heritage. • The proposal identifies places of heritage significance within the Kalgan Town Site and notes that 'the historic community node is to be protected and enhanced as a local activity centre'. 	Nil.	The submission is noted.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<ul style="list-style-type: none"> State Planning Policy 3.5, Historic Heritage Conservation, offers clear guidance on planning for heritage places and should be noted as a policy driver for the plan. 		
7	Department of Indigenous Affairs PO Box 5091 ALBANY WA 6332	<p>The DIA has provided the following heritage comments and advises that it does not have authority to give approval on proposals. Given the cultural and archaeological significance of this area, the local Noongar community encourage further archaeological investigation of this important Aboriginal heritage area, in direct consultation with the Noongar community. Specific comments are that:</p> <ul style="list-style-type: none"> Clause 9.1 should include protection of the area's heritage values (Aboriginal and European) Non deleterious work, management work (including environmental management work) within a site can be carried out under the less onerous Regulation 10 process. Recommendation that the Structure Plan be reviewed by the Albany Heritage Reference Group Aboriginal Community and the Southwest Land and Sea Council. 	<p>It is agreed that due to the Aboriginal and European heritage significance around the Kalgan townsite area, it would be valuable to include the protection of the area's heritage values as an aim of the ODP under Clause 9.1.</p> <p>The draft modified Precinct guidelines that have been provided by the proponent following the public advertising process and community meeting on 9 February 2011 includes the following statement as a key objective of the ODP:</p> <p><i>"Recognise, Protect and Enhance the rich and diverse Natural and Cultural Heritage of Kalgan. Proposals to comply with Aboriginal Heritage Act, SPP 3.5, applicable State and Local Policies and referral to relevant agencies".</i></p>	<p>The submission is upheld.</p> <p><u>Modification required:</u></p> <p>Clause 9.1 of the ODP report shall be modified to include the following additional aim:</p> <p><i>"To protect the heritage values, both Aboriginal and European, of the area".</i></p>

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
8	Main Roads WA PO Box 503 ALBANY WA 6330	<p>Main Roads are opposed to the proposed Outline Development Plan and state:</p> <ul style="list-style-type: none"> Any costs associated with improving State Assets as a result of the development should be paid for by the proponent, and should be at no cost to Main Roads. An increase in residential density north of South Coast Highway will inevitably result in increased traffic conflict between local residents and heavy vehicles, increased community road safety concerns and diminished effectiveness of South Coast Highway as a priority heavy haulage route. The development would also be affected by traffic noise and vibration. If the Townsite is extended to the south and east, issues would include the Hunton Road and Wheeldon Road intersections with South Coast Highway; improvements would be required to the Kalgan River Bridge, including pedestrian facilities; and, safe vehicle access into the local shop would be required. The lack of passing opportunities available to traffic on South Coast 	<p>Main Roads' comments are acknowledged and further discussions have taken place to address these concerns. A draft Traffic Solutions Plan has been submitted in support of the ODP documentation and incorporates various recommendations based on feedback from Main Roads and the City of Albany.</p> <p>The ODP documentation identifies limited subdivision potential to the north of South Coast Highway, subject to land capability and limited access opportunities to the highway.</p> <p>The draft Traffic Solutions Plan has identified the need to substantially upgrade the intersections of Wheeldon Road and Hunton Road with South Coast Highway. It is proposed to reduce the Wheeldon Road intersection to a left in/right out arrangement in the short-term and likely close the intersection to motor vehicles in the longer term. Realignment of the Hunton Road</p>	<p>The submission is upheld.</p> <p><u>Modifications required:</u></p> <ol style="list-style-type: none"> The draft Traffic Solutions Plan shall be modified by: <ul style="list-style-type: none"> Deleting the 'Long Term' section under the 'Village' notations; Deleting the 'Long Term' section under the 'South Coast Highway' notations; and Deleting the notation proposing "New Signage 'To Kalgan Village' include road name (Wheeldon) on side road symbol". The draft Traffic Solutions Plan (subject to modification) and the draft Realignment Plan for Hunton Road shall be incorporated into the ODP documentation and the ODP updated to reflect the recommendations of these supporting plans.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
			<p>Highway between the Kalgan Townsite and Albany has already been raised as an area of concern.</p> <ul style="list-style-type: none">• Main Road has no intention of reducing the speed limits on South Coast highway as this would diminish the effectiveness of the highway as a priority heavy haulage route and increase costs to industry.	<p>intersection, by approximately 60m to the north, allowing for significant improvements to geometry and sightlines has been proposed and would be implemented concurrently with subdivision of land to the south of the highway.</p> <p>It is acknowledged in the draft Traffic Solutions Plan that there is no direct pedestrian access to the local shop and that the vehicle access points are not capable of upgrade. However, it should be noted that the shop site is identified in the ODP documentation as the 'Traditional Commercial Node'. This designation is silent on long-term options and does not preclude the possibility of identifying a new shop site in future.</p> <p>The draft Traffic Solutions Plan acknowledges the importance of South Coast Highway as a road haulage route and does not seek to reduce the speed limit on the highway through the Kalgan townsite.</p>	

CITY OF ALBANY TOWN PLANNING SCHEME No. 3
OUTLINE DEVELOPMENT PLAN (ODP011)
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			Main Roads have reviewed the draft Traffic Solutions plan and the proposed realignment for Hunton Road and have confirmed that they would be able to support the proposed ODP on the strength of these additional supporting documents, subject to the deletion of the 'Long Term' proposals under the 'Village' and 'South Coast' Highway notations and the deletion of the notation proposing <i>"New Signage 'To Kalgan Village' include road name (Wheeldon) on side road symbol"</i> .	
9	Department of Regional Development and Lands – Lands Division PO Box 1575 MIDLAND WA 6936	No objections.	Nil.	The submission is noted.
10	Ms A Dixon 45528 South Coast Highway KALGAN WA 6330	<ul style="list-style-type: none"> Ms Dixon refers to her letter to Council dated 16 March 2008 in which she sought inclusion in the proposed Kalgan Rural Village Structure Plan group application being prepared by Ayton Baesjou Planning for approval to subdivide. Ms Dixon originally proposed lots no smaller than one acre but now seeks 	45528 South Coast Highway is included within Precinct 3 of the ODP. Any application for subdivision would be considered on its individual merits, with particular consideration given to land capability and the ability to provide safe access to South Coast Highway, to the satisfaction of Main Roads WA.	The submission is noted.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
			<p>subdivision approval for lots no smaller than two acres. The rationale is that properties larger than two acres have the potential to impact on people's retirement plans, pensions and benefits.</p> <ul style="list-style-type: none"> • Whilst aware that her property is not within the current townsite, as shown on the maps, the five properties to the west of her property were subdivided from one block that was purchased at the same time as her property. • In her opinion, houses on 4 or 5 blocks, with some facing on to South Coast Hwy, would complement the existing houses, provide lifestyle for potential purchasers and increase the value of her property should she decide to sell. • Landgate maps and proposals are included to support her application for subdivision. 		
11	Mr & Mrs J Bird 64 Lillburne Road DUNCRAIG WA 6023 Owner of: 60 Riverside Road KALGAN WA 6330		Supportive of the proposal but concerned about the increase in red dust generated by more traffic using Riverside Drive and the subsequent impact on health, residue on their house roof, runoff into their rainwater tank and shadowing on solar panels. Recommends sealing of the road.	60 Riverside Road lies within Precinct 2 of the ODP, which will support the bulk of subdivision and development within the townsite. There would be a requirement to seal Riverside Road prior to subdivision of the adjoining land.	The submission is noted.
12	Mr R Varden		Mr Varden has no objection to the proposed	The proposed multi-use trails are	The submission is noted.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
	<p>210 Varden Street KALGOORLIE WA 6430</p> <p>Owner of: 60/70 Churchlane Road KALGAN WA 6330</p>	<p>plan but has the following concerns:</p> <ul style="list-style-type: none"> The proposed multi-use trail passing through Lot 3465 (70 Churchlane Road) will cause damage to the flora and fauna, raises possible security and insurance issues and would lead to disruption of privacy and his animals and pets. Where will the proposed multi-use trail along the river be located, what security risk will it pose and will there be a need to put in a new fence at additional cost to him? In addition the riverbank is in delicate condition and further traffic will add to that damage and be detrimental to flora and fauna. In relation to the Gazetted Townsite, the boundary of Precinct 1 cuts through his property (Lot 105) rather than following the boundary of their property, as it does on adjoining properties. Their property is split into Precinct 1 and 3 – how will this affect rates, further use of the land and future regulations/rules imposed on the townsite? Recommends adjusting the boundary of the plan so that all of Lot 105 falls within Precinct 3. 	<p>shown indicatively on the ODP as a long term goal and would only be required at time of subdivision, when they would be ceded to the City of Albany as reserve land. Until such time there would be no development and no impact on private land holdings.</p> <p>Any multi-use trail along the riverbank would be similar to the Luke Pen walk and fenced off from private property. If this takes place, appropriate fencing will be required as a condition of subdivision.</p> <p>The Gazetted Townsite boundary cuts through Lot 105 (60) Churchlane Road, which is a historic anomaly. However, the Precinct boundaries set out in the ODP do not. 60/70 Churchlane Road is entirely contained within Precinct 3, as set out in the ODP.</p>	
13	Mr & Mrs M Reeves	Generally supportive of some subdivision	The majority of lots created under the	Submission Upheld in part.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
	<p>Via e-mail</p> <p>Owners of: 45724 South Coast Highway KALGAN WA 6330</p>	<p>within the Kalgan area but raised the following concerns regarding this ODP:</p> <ul style="list-style-type: none"> • Inappropriate high density, which would have an impact on the values of the river, the foreshore reserve and the local character sense of place of Kalgan. • The low land capability of the area of high density development on the west side of Hunton Road and the north side of Riverside Road would not support the proposed number of blocks on Lots 1730, 100, 102 & 600. • These lots would not have sewerage or water supply and due to the waterlogging of this area, it would be difficult to appropriately treat waste water on site. • Larger size lots would provide more opportunity for employment generation, food production, waste water treatment, water collection and reduce the impacts on the Kalgan River and its foreshore. • Traffic issues that currently exist would be increased by such a high density development and would cause danger on the two single lane bridges. • The 90 km/h speed limit through the Kalgan townsite is already considered to 	<p>provisions of the ODP will range in size from 2000-5000m², which is generally considered low density development. In addition, the Albany Local Planning Strategy (ALPS) only supports the development of up to 100 lots within the townsite.</p> <p>An extensive land capability study has been undertaken over much of the subject land, particularly the area to the west of Hunton Road and the north of Riverside Road, which demonstrates that there is adequate land capability to support subdivision and accommodate on-site effluent disposal. However, final lot sizes and layout will be determined on the basis of detailed land capability investigations and stormwater drainage requirements.</p> <p>Under the 'Rural Village' zoning, a number of land uses can be considered, which will provide opportunities for employment generation and food production. The larger (circa 4000m²) lots within Precinct 2 should be able to</p>	<p><u>Modifications required:</u></p> <ol style="list-style-type: none"> 1. Refer Submission 8 in relation to traffic issues. 2. Modify the designation on the ODP for the oval to 'Future Community Facilities Site'.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3
OUTLINE DEVELOPMENT PLAN (ODP011)
SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>be too fast.</p> <ul style="list-style-type: none"> Local non-vehicle trails to encourage walking and cycling within the community should be included. These could act as firebreaks and fire access tracks. Local recreation and foreshore protection, including increased width of the foreshore reserve. The proposed oval is not supported. 	<p>accommodate many of these uses, as would the lots in Precinct 3. Waste water treatment will be by means of on-site systems, while stormwater drainage will be managed within the development, prior to discharge into watercourses. Water collection for drinking supplies can be accommodated on all lots.</p> <p>The potential problems that could be created by additional traffic volumes will be mitigated by improved access to and from South Coast Highway. Following discussions with Main Roads WA, it is likely that in time, the intersection of Wheeldon Road and South Coast Highway will be closed and the intersection of Hunton Road and South Coast Highway will be realigned approximately 60m to the north and substantially upgraded. Bridge upgrades could also be considered at this time.</p> <p>It is proposed to reduce the speed limit to 40km/h through the centre of the townsite to reduce traffic hazard.</p>	

CITY OF ALBANY TOWN PLANNING SCHEME No. 3
OUTLINE DEVELOPMENT PLAN (ODP011)
SCHEDULE OF SUBMISSIONS

No.	Name/Address Submitter	of Summary of Submission	Officer Comment	Staff Recommendation
			<p>An indicative pedestrian trail network has been included within the ODP and would be incorporated into foreshore reserves ceded to the City of Albany as subdivision takes place.</p> <p>See comment above regarding foreshore reserves. The proposed oval has been superseded by a 'Future Community Facilities Site' in the draft modified ODP. This could be used for a number of different community purposes, whether a sports ground, relocation of the community hall or fire shed, or an entirely new community facility.</p>	
14	Mr & Mrs A Glass 55 Hunton Road KALGAN WA 6330	<p>Although not against the development Mr & Mrs Glass are concerned that:</p> <ul style="list-style-type: none"> • There has been no consultation with residents in formulating this structure plan proposal. • The proposal is too dense. • The proposed roads marked on Mr Andrews' property should have been deleted as he is no longer involved. • The land designated as an oval is very water logged and would not be used. 	It was the understanding of City of Albany staff that the proponent had engaged with the local community in preparing the ODP through community meetings. In addition, the public advertising period provides the local community with an opportunity to view the plan and provide feedback, raise concerns, etc. A community meeting was also held on 9 February 2011 to give residents a further	See submission 13 above.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<ul style="list-style-type: none"> • Main Roads have stated they do not support the development and would not be upgrading bridges or roads. Who is going to? • No wildlife corridors have been included in the plans. The Kalgan area is home to the endangered Ringtail Possum and a wide range of other fauna. • Insufficient public comment period and inappropriate timing over Christmas/New Year. 	<p>chance to air their views and ask questions about the proposal.</p> <p>The majority of lots created under the provisions of the ODP will range in size from 2000-5000m², which is generally considered low density development. In addition, the Albany Local Planning Strategy (ALPS) only supports the development of up to 100 lots within the townsite.</p> <p>Although Mr. Andrews may no longer wish to develop his land (85-87 Hunton Road), it has been rezoned to the 'Rural Village' zone and must be included within the ODP. The subdivisional roads shown on the plan should be treated as indicative at this stage.</p> <p>The proposed oval has been superseded by a 'Future Community Facilities Site' in the draft modified ODP. This could be used for a number of different community purposes, whether a sports ground, relocation of the community hall or fire</p>	

CITY OF ALBANY TOWN PLANNING SCHEME No. 3
OUTLINE DEVELOPMENT PLAN (ODP011)
SCHEDULE OF SUBMISSIONS

No.	Name/Address Submitter	of Summary of Submission	Officer Comment	Staff Recommendation
			<p>shed, or an entirely new community facility.</p> <p>Following further discussions with Main Roads and the development of the draft Traffic Solutions Plan and proposed realignment of Hunton Road, they have withdrawn their objection to the proposals. A contributions plan will be developed, which will allow the City to take contributions from developers as the subdivide land to fund the necessary improvements to local infrastructure.</p> <p>Although not specifically detailed on the plan as 'wildlife corridors', a number of vegetation corridors have been set out in the ODP, which will function as ecological linkages between the foreshores of the Kalgan River and Chelgiup Creek and stands of remnant native vegetation across the townsite.</p> <p>An ODP is typically advertised for a period of 28 days. However, in this instance, the advertising period was</p>	

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
			extended to 42 days, on account of the Christmas and New Year period.	
15	Kalgan Settlers' Association Inc 45724 South Coast Highway KALGAN WA 6330	<ul style="list-style-type: none"> Due to insufficient public comment period and inappropriate timing over Christmas/New Year, request made to extend the deadline for submissions until after the Community Meeting on 9th Feb 2011. There has been no community consultation or involvement in the development of the structure plan. Two community workshops held in 2008 were prior to rezoning and did not provide the opportunity to discuss detailed structure plans. <p>Community concerns to be noted:</p> <ul style="list-style-type: none"> Increased traffic volume. The current bridges are under-engineered to cope with extra traffic. Traffic generation study to be undertaken. Potential acid sulphate soils Potential impact of development on adjacent river. The Structure Plan should be consistent with community visions, retain existing avenue of trees on local roads and incorporate pedestrian access across 	<p>A meeting was held with the Kalgan Settlers' Association on 9 February 2011. The meeting was well attended. It was advised at the meeting that the City would accept a late submission, if there was anything further that they wanted to add to their earlier submission. However, no further submissions have been received.</p> <p>The draft Traffic Solutions Plan details a number of proposed improvements to local roads infrastructure to cope with additional traffic, including the recommended imposition of a 40km/h speed limit in the centre of the townsite, realignment of the Hunton Road/South Coast Highway intersection and partial or complete closure of the Wheeldon Road/South Coast Highway intersection. It should also be noted that gravel roads, such as Riverside Road, would be sealed as subdivision of adjoining land takes place.</p>	See submission 13 above.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3
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No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>the Kalgan River South Coast Highway Bridge.</p> <ul style="list-style-type: none"> There is an opportunity to consolidate reserves and unmade roads, with the community involved in discussion. 	<p>An extensive land capability study has been undertaken over much of the subject land, particularly the area to the west of Hunton Road and the north of Riverside Road, which has identified a low risk of acid sulphate soils. Further detailed land capability investigations will be required in some areas prior to subdivision.</p> <p>In terms of likely impacts on the Kalgan River, the Department of Water are the competent authority who have reviewed the ODP documentation and are satisfied with the proposals.</p> <p>The ODP is intended to provide a broad framework for the development of the Kalgan townsite, but the City will remain mindful of the community's vision.</p>	
16	Mr F R Douglas 26 Riverside Road KALGAN WA 6330	<p>As one of the property owners and developers of the proposal, Mr Douglas puts forward the following comments;</p> <ul style="list-style-type: none"> The structure plan endorsed by Council in December is the best plan that could 	Nil.	The submission is noted.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3

OUTLINE DEVELOPMENT PLAN (ODP011)

SCHEDULE OF SUBMISSIONS

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		<p>be produced to satisfy the property owners, Planners and Departments. This is confirmed in the Landform Research study.</p> <ul style="list-style-type: none"> Significant delays have been caused over the years in the process of rezoning and preparing this Structure Plan, which has resulted in several land owners incurring extra costs. Mr Douglas hopes there will be no further delays. An indigenous name will be used for the subdivision road once heritage subdivision approval has been granted by DPI. 		
17	<p>Mrs C Salmon PO Box 385 ALBANY WA 6331</p> <p>Owner of: 36 Churchlane Road KALGAN WA 6330</p>	<p>Mrs Salmon strenuously opposes the multi-use walking trail proposed for the western shoreline of the river, for the following reasons:</p> <ul style="list-style-type: none"> Unavoidable destruction of the native vegetation which hangs on precariously along the river bank. Unavoidable destruction of native breeding grounds for ducks, ibis, shags and many other forms of bird life. Introduction of unwanted weeds/grass secondary to the necessity of keeping the native vegetation down to maintain the trail. 	<p>The proposed multi-use trails are shown indicatively on the ODP as a long term goal and would only be required at time of subdivision, when they would be ceded to the City of Albany as reserve land. Until such time there would be no development and no impact on private land holdings.</p> <p>Any multi-use trail along the riverbank would be similar to the Luke Pen walk and fenced off from private property. If this takes place, appropriate fencing</p>	The submission is noted.

CITY OF ALBANY TOWN PLANNING SCHEME No. 3
OUTLINE DEVELOPMENT PLAN (ODP011)
SCHEDULE OF SUBMISSIONS

No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<ul style="list-style-type: none"> • Major reduction in the security of the entire waterfront and loss of privacy for residents who purchased their properties for this reason. • Disruption, noise and litter that may result from members of the public using the area. • Significant monetary devaluation of her property. 	<p>will be required as a condition of subdivision, to ensure the security of the waterfront.</p> <p>Any land ceded to the City of Albany as reserves would be managed by the City, in conjunction with local community conservation groups, which should ensure the continued conservation of habitats and the flora and fauna that inhabit them.</p> <p>Any effect that the proposal may have on the value of adjoining land, whether positive or negative is not a valid planning consideration.</p>	

AGENDA ITEM 2.6 - ODP011 - KALGAN - 21/06/11 OCM

ATTACHMENT 7

ITEM 2.6 REFERS

SCHEDULE OF LAND TENURE

Assess No	Init	Name	Lot No	House No.	Street Name	Street Type	Suburb
A72855		AD CONTRACTORS PTY LTD		45720	SOUTH COAST	HIGHWAY	KALGAN WA
A50320	ML	ANDERSON	20	45554	SOUTH COAST	HIGHWAY	KALGAN WA
A1610	CJ	ANDREWS		85	HUNTON	ROAD	KALGAN WA
A1624	KH	ANDREWS	200	87	HUNTON	ROAD	KALGAN WA
A162755	A	BERNIK	2	78	RIVERSIDE	ROAD	KALGAN WA
A6053	JW	BIRD	103	60	RIVERSIDE	ROAD	KALGAN WA
A3781	IC	BISHOP	29	45510	SOUTH COAST	HIGHWAY	KALGAN WA
A1903	L	BUKTENICA		156	HUNTON	ROAD	KALGAN WA
A1606, A2072	CA	BUTLER	17 & 18	60	HUNTON	ROAD	KALGAN WA
A159356		CADENCE PTY LTD	77		SOUTH COAST	HIGHWAY	KALGAN WA
A174986		CITY OF ALBANY (VESTED CROWN LAND)	8262, 8263, 8261,		RIVERSIDE	ROAD	KALGAN WA
A174940, A174972, A184753		CROWN LAND	8109, 2979, 2979, 2978, 6542, 7649, 7650, 8119		CARONIA	ROAD	NAPIER WA
A50299	DE	DALY	19	45562	SOUTH COAST	HIGHWAY	KALGAN WA
A184735	S	DAVIS	101, 102, 103, 104	34	CHURCHLANE	ROAD	KALGAN WA
A2040	AJ	DIXON		45528	SOUTH COAST	HIGHWAY	KALGAN WA
A162741, A196871	FR	DOUGLAS	100, 102	26	RIVERSIDE	ROAD	KALGAN WA
A2117	LE	DOUGLAS	201, 301, 300	115	HUNTON	ROAD	KALGAN WA
A188620, A188634	BW	DOWSETT	104		CHURCHLANE	ROAD	KALGAN WA
A2068	E	FLETCHER	3	63	HUNTON	ROAD	KALGAN WA
A1589	NA	GIBBONS	23	17	WHEELDON	ROAD	KALGAN WA
A65408	AT	GLASS	2	55	HUNTON	ROAD	KALGAN WA
A3286	LJ	GRINSTEAD	28	45594	SOUTH COAST	HIGHWAY	KALGAN WA
A1804	BB	HAMBLEY	21	45544	SOUTH COAST	HIGHWAY	KALGAN WA
A2446	AD	HAWKSWORTH (THE ESTATE OF)	2	45647	SOUTH COAST	HIGHWAY	KALGAN WA
A1890	NG	HEWITT	37	84	HUNTON	ROAD	KALGAN WA
A65098	OE	HOLMES	1	37	HUNTON	ROAD	KALGAN WA
A51651	BA	JAMES	20	45559	SOUTH COAST	HIGHWAY	KALGAN WA
A54463	AP	JAMES	3	82	RIVERSIDE	ROAD	KALGAN WA
A4058	JW	JONES	25	45593	SOUTH COAST	HIGHWAY	KALGAN WA

AGENDA ITEM 2.6 REFERS

AGENDA ITEM 2.6 REFERS

AGENDA ITEM 2.6 - ODP011 - KALGAN - 21/06/11 OCM

AGENDA ITEM 2.6 REFERS

SCHEDULE OF LAND TENURE

A65836		KALGAN SETTLERS ASSOCIATION	500	29	WHEELDON	ROAD	KALGAN WA
A167787, A193118	AA	LANE			CHURCHLANE	ROAD	UPPER KALGAN WA
A168987	JK	LITTLE		92	CHURCHLANE	ROAD	KALGAN WA
A3777	HJ	MACKENZIE	22	22	HUNTON	ROAD	KALGAN WA
A187385, A187632	AS	MAXTON	150, 151	116	SOUTH COAST	HIGHWAY	KALGAN WA 6330
A2086	TA	MCGREGOR		114	HUNTON	ROAD	KALGAN WA
A50302	JH	PICKLES	14	45560	SOUTH COAST	HIGHWAY	KALGAN WA
A50316	PG	PRIDEAUX	15	45556	SOUTH COAST	HIGHWAY	KALGAN WA
A3858	A	ROMANOFF	24	6	WHEELDON	ROAD	KALGAN WA
A190045	CE	SALMON	106	36	CHURCHLANE	ROAD	KALGAN WA
A6051	CRE	SCHILIZZI	221	48	RIVERSIDE	ROAD	KALGAN WA
A196885		SEASIDE BAY PTY LTD	102		RIVERSIDE	ROAD	KALGAN WA
A190059	AS	SOLOMON	107	34	CHURCHLANE	ROAD	KALGAN WA
A187628	D	TOMLINSON	150	31	ANDREWS	ROAD	KALGAN WA
A184749, A201513	RP	VARDEN	105	60	CHURCHLANE	ROAD	KALGAN WA
A54459	RT	WALKER		110	RIVERSIDE	ROAD	KALGAN WA
A2090	MS	WESTERBERG	14	58	HUNTON	ROAD	KALGAN WA

AGENDA ITEM 2.6 REFERS

AGENDA ITEM 2.6 REFERS



Our Reference: 2152Ltr54A
Enquiries: Phillida Rodic or Tony Lambert

15 June 2011

City of Albany
PO Box 484
ALBANY WA 6331

ATTENTION: GRAEME BRIDE

Dear Sir,

RE: BIG GROVE WEST OUTLINE DEVELOPMENT PLAN – REPORT ON OUTCOMES OF ADVERTISING

Thank you for your on-going liaison regarding the reporting on the Big Grove Outline Development Plan. We appreciate the consultative approach you have taken. Whilst we have communicated our views on the outcomes of advertising of the Plan to you verbally, and through various email exchanges, we would like, at this stage, to more formally document our position on what we consider to be the key issues. This letter is provided on behalf of both ODP proponents, P&B Corporation and PEET.

Firstly, and most importantly, we support the adoption of the Plan, and the recommendations relating to outstanding issues that allow them to be resolved following Council endorsement. The majority of these we have no issue with (subject to a number of minor amendments detailed under separate email correspondence) and are working to address as quickly as possible.

Recommended Modification 8: Residential Densities:

We are, however, concerned regarding the recommendation to reduce densities across the site (to limit potential traffic generation) particularly with the recommendation to reduce the R20 coding to R15. Whilst we understand the motivation behind this and the absolute security it affords the City regarding potential lot yield, we maintain that actual yields would, in any event, be exceedingly unlikely to come close to those theoretically possible if minimum average lot sizes were applied to each site. The application of a reduced density guarantees this, but also reduces the flexibility to provide a slightly greater range of lot size (notwithstanding the variation to minimum lot size proposed, which we appreciate). Our preference is to maintain the R20 zoning. Alternatively, application of an R17.5 would be a compromise, which would still reduce potential yields but provide slightly greater flexibility.

T O W N P L A N N I N G + U R B A N D E S I G N

LEVEL 2 - 36 ROWLAND STREET SUBIACO WA 6008 PO BOX 796 SUBIACO WA 6904
TELEPHONE: (08) 9382 1233 FAX: (08) 9382 1127 EMAIL: admin@cleplan.com.au WEB: www.cleplan.com.au
DIRECTORS - PT CHAPPELL MP/IA TJ LAMBERT MP/IA IJ EVERETT MP/IA JM BENNETT MP/IA

CHAPPELL LAMBERT EVERETT PTY LTD ABN 56 614 050 606 AS TRUSTEE FOR THE CLE TRUST

We appreciate the City's concern with traffic potential but point out that estimations still remain just that, and that whilst Austroads provides very useful guidance on traffic capacity and design, it itself recognises that these are guidelines and so inherently flexible. Some slight variation one way or the other in terms of traffic numbers should not, we think, be viewed as critical and should not compromise the provision of a reasonable range of densities in this location.

Recommended Modification 5: Environmental Notation:

The second issue of concern relates to the recommended notation pertaining to Lots 7 and 109. As previously advised, the affected landowner does not endorse the proposed modification, nor any amendment to the plan affecting those two lots and maintains their objection to DEC's interpretation of their environmental significance. They therefore request deletion of the modification. Should, however, Council be inclined to maintain such a modification, a more accurate form of wording may read "*Area of interest to DEC for vegetation protection to be reviewed at subdivision*". A specific requirement for formal referral to the EPA is considered unnecessary, as this is not the only mechanism available to discuss the issue with the DEC and EPA.

Thank you for your consideration of our position.

Should you have any queries regarding this matter, please contact Phillida Rodic or Tony Lambert of this office on 9382 1233 (in relation to P & B landholdings), or Matt Zuvela or Scott Vincent of RPS on 9211 1111 (in relation to PEET Ltd landholdings)

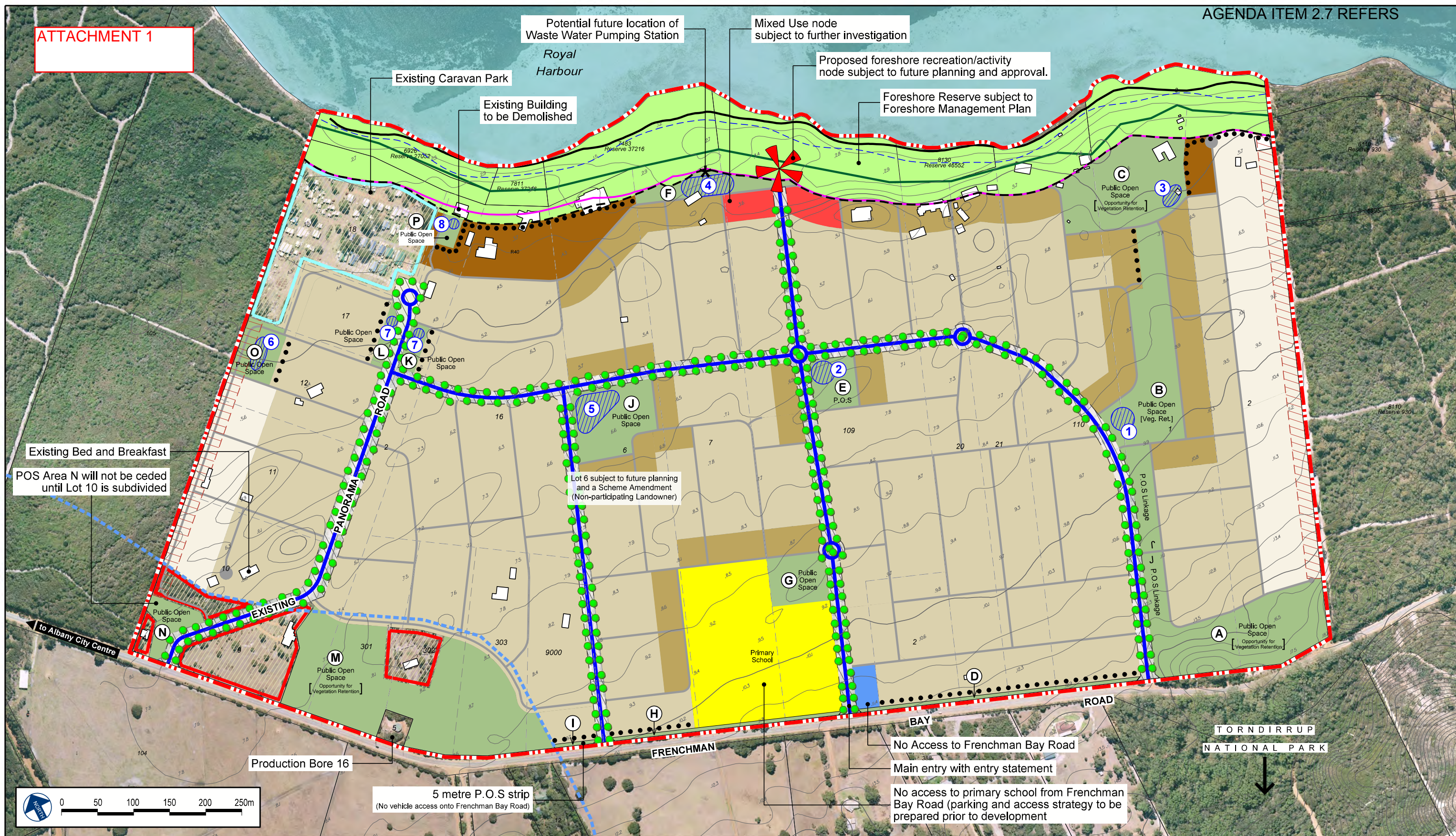
Yours faithfully,

Chappell Lambert Everett

CHAPPELL LAMBERT EVERETT

CC: Barry Humfrey
Ben Pervan
Matt Zuvela & Scott Vincent
Delma Baesjou
Melanie Price
Greg Basden & Travis Demeza
Stephen Petersen

P & B Corporation C/- HLD
PEET Ltd.
RPS
Ayton Baesjou Planning
Aurora Environmental
Wood & Grieve
Dept of Planning (Great Southern)



OUTLINE DEVELOPMENT PLAN (O.D.P.) Big Grove, ALBANY

LEGEND

Outline Development Plan Boundary

Land Use:

- Low Density Residential (R10)
- Low Density Residential (R20)
- Low Density Residential (R25)
- Medium Density Residential (R40)
- Village Centre (R40 - R60)

Open Space:

- Public Open Space (Cash in Lieu at subdivision stage for those lots that do not provide 10% open space of land)
- Foreshore Reserve
- POS / Drainage
- Existing Parks and Recreation Reserve Boundary (as shown on TPS maps)
- HSD - Horizontal Setback Datum
- Original Physical Processes Setback (M.P. Rogers)
- Physical Process and Foreshore Reserve Setback Required by the Department of Planning (M.P. Rogers / Coffey)

- Mixed Use R30
- Primary School
- Rural Residential
- Tourism
- Fire Protection
- Infrastructure:**
- Neighbourhood Connector
- Access Street

Other:

- South Coast Water Reserve - Priority 2 Protection Area
- Existing Buildings / Houses
- Dual Use Path (2m wide) Indicative alignment only - refer to Foreshore Management Plan
- Foreshore Node
- Detailed Area Plan (DAP) for lots adjoining POS / Foreshore Reserve (permeable fencing, habitable room orientation etc)
- POS Identifier
- Drainage Identifier

Peet Tristate syndicate Ltd,
P & B Corporation : CLIENT
1:5,000@A3 : SCALE
6 May 2011 : DATE
3066-4-009n.dgn : PLAN No
n : REVISION
M.Z. : PLANNER
R.F. : DRAWN
N.T. : CHECKED

FIGURE 9

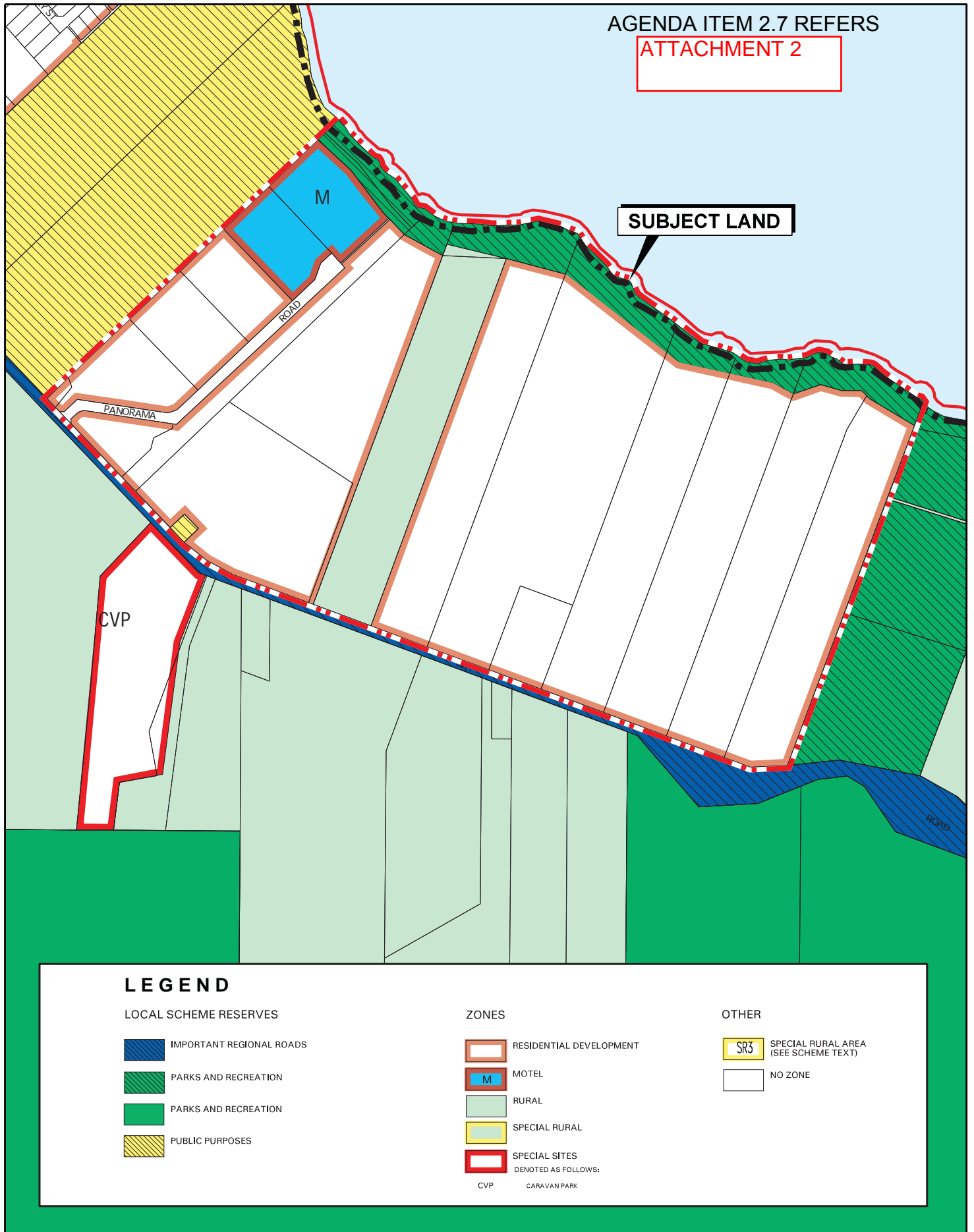


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AGENDA ITEM 2.7 REFERS



LEGEND

--- Boundary of Outline Development Plan



0 10 20 30 40 50km

Not To Scale
Source: WMAF 11
3066-5-007c.ai
October 2010
Chapell Lambert RPS

AGENDA ITEM 2.7 REFERS

FIGURE 5

CITY OF ALBANY T.P.S. No. 3

Big Grove, ALBANY



CHAPPELL
LAMBERT
RPS

RPS

AGENDA ITEM 2.7 REFERS

ATTACHMENT 3

AGENDA ITEM 2.7 REFERS

MODIFICATION 10:
To the extent the creation of any road shown on the ODP requires any easement or other interest in that land to be extinguished, the proponent must at its cost (including any compensation that may be payable) arrange for the interest to be extinguished.

MODIFICATION 1:
Should the owner of Lot 17 wish to develop their landholding for residential purposes a rezoning from 'Motel' to 'Residential Development' zone prior to any residential subdivision or development would be required. Any rezoning requires separate approval by the Minister for Planning.

MODIFICATION 9:
Change Tables 5b and 6 of ODP Report (Section 8.6) to identify a maximum of 10% public open space.

Existing Bed and Breakfast
POS Area N will not be ceded until Lot 10 is subdivided

MODIFICATION 6:
The southern portion of Lot 10 shall be;
(i) Combined with one residential lot located outside of the P2 area (with no further subdivision potential);
(ii) Shown as residential to reflect the lot size and ensure only residential uses occur;
(iii) Show the P2 area as a 'building exclusion' area and 'vegetation retention' area.

MODIFICATION 5:
Area identified by DEC for public open space / vegetation retention. Area and land uses to be reviewed at subdivision stage by EPA.

MODIFICATION 7:
As per Traffic Report all intersections with Frenchman Bay Road are to be constructed in accordance with the Traffic Assessment Report.

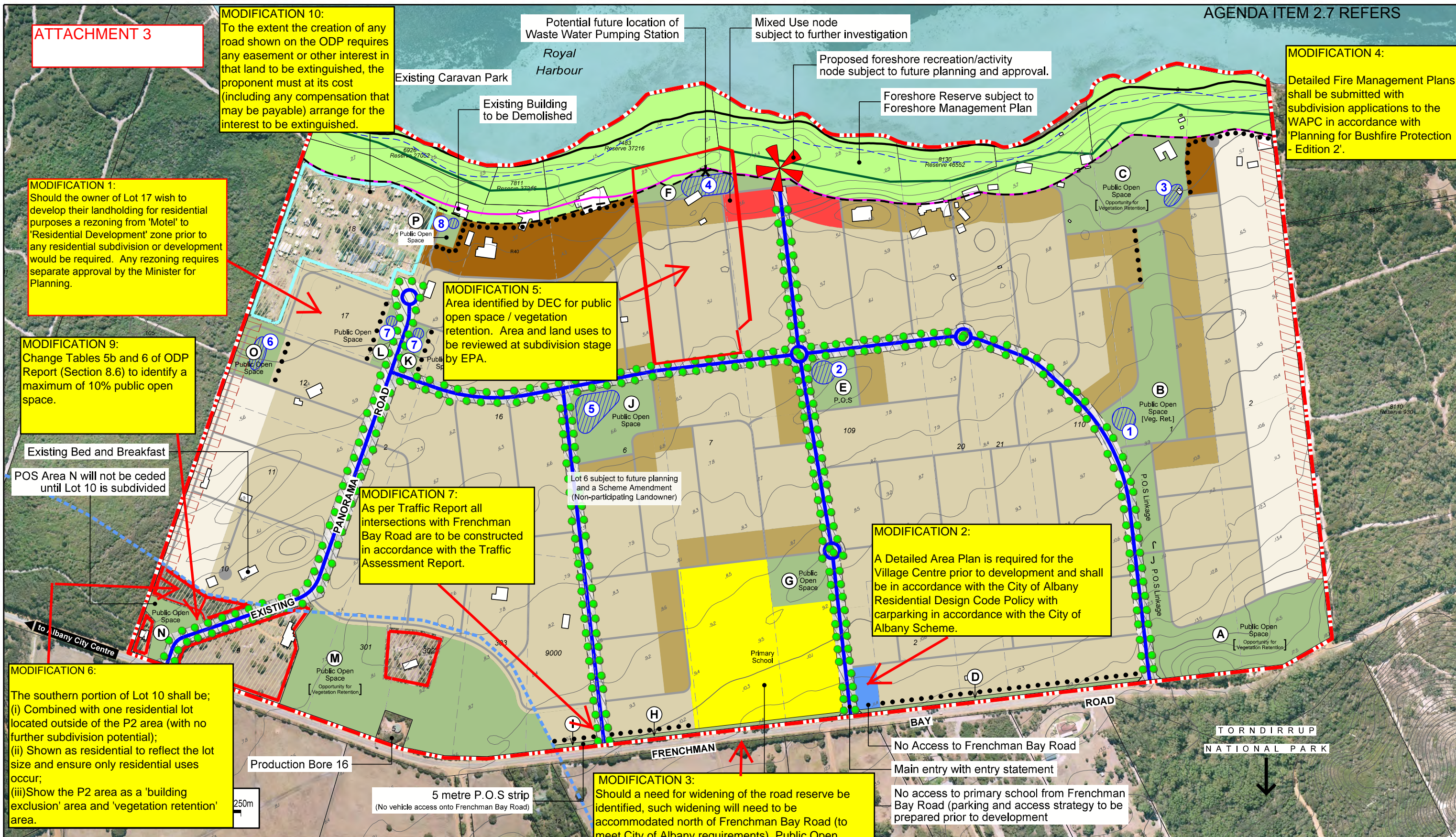
Lot 6 subject to future planning and a Scheme Amendment (Non-participating Landowner)

MODIFICATION 2:
A Detailed Area Plan is required for the Village Centre prior to development and shall be in accordance with the City of Albany Residential Design Code Policy with carparking in accordance with the City of Albany Scheme.

MODIFICATION 3:
Should a need for widening of the road reserve be identified, such widening will need to be accommodated north of Frenchman Bay Road (to meet City of Albany requirements). Public Open Space schedule may require adjustment at subdivision.

MODIFICATION 8:
Modification to R-Code densities to modify R40 to R30, R20 to R17.5 and retain R25 (except that an increased average site area of 400m²) in accordance with Section 9.3 of the ODP.

MODIFICATION 4:
Detailed Fire Management Plans shall be submitted with subdivision applications to the WAPC in accordance with 'Planning for Bushfire Protection - Edition 2'.



Base data supplied by Harley Survey Group \ Landgate
Aerial Photography Dated March 2007 (Latest available from Landgate)
Projection MGA Zone 50
Areas and dimensions shown are subject to final survey calculations.
All cartageways are shown for illustrative purposes only and are subject to detailed engineering design.
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LEGEND

Outline Development Plan Boundary
Land Use:
Low Density Residential (R10)
Low Density Residential (R20)
Low Density Residential (R25)
Medium Density Residential (R40) - Requires Detailed Area Plan
Village Centre (R40 - R60) - Requires Detailed Area Plan and POS Calculation Review

Open Space:
Public Open Space (Cash in Lieu at subdivision stage for those lots that do not provide 10% open space of land)
Foreshore Reserve
POS / Drainage
Existing Parks and Recreation
Reserve Boundary (as shown on TPS maps)
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Original Physical Processes Setback
Physical Process and Foreshore Reserve Setback Required by the Department of Planning (M.P. Rogers / Coffey)

Infrastructure:
Neighbourhood Connector
Access Street
habitable room orientation etc)
POS Identifier
Drainage Identifier

INE DEVELOPMENT PLAN (O.D.P.) Big Grove, ALBANY

Peet Tristate syndicate Ltd, P & B Corporation : CLIENT
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FIGURE 9



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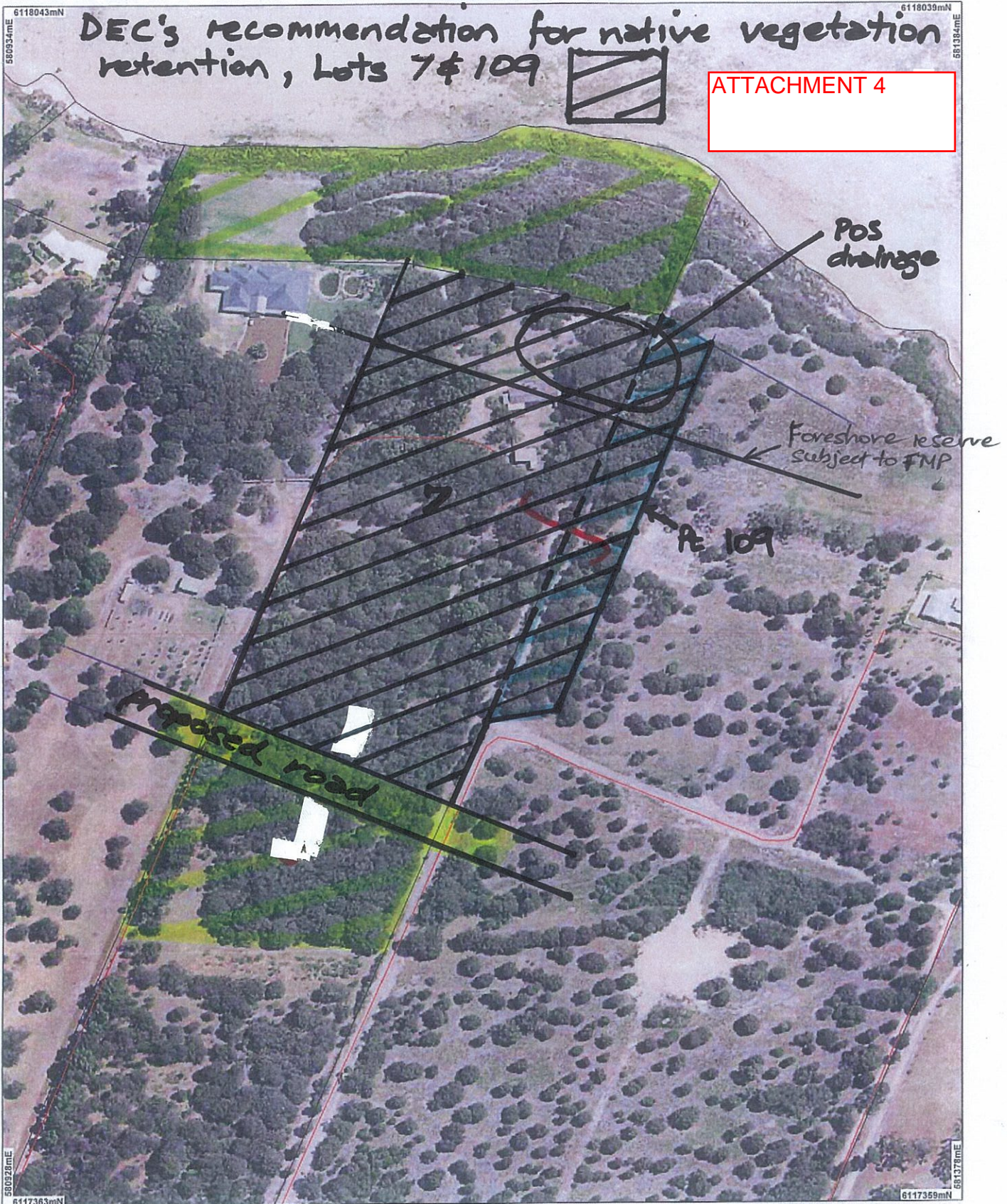


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LAMBERT
EVERETT

AGENDA ITEM 2.7 REFERS

ATTACHMENT 3 - SUMMARY OF MODIFICATIONS



LEGEND

Albany Mount Warner 1:4m Unorthographic - Landgate 2002

Swan River Trust Act, Swan River Trust Management Area

Road Centrelines Cadastre (cont)

- ☐ Private
- ☐ Crown Reserve
- ☐ State Forest / Timber Reserve
- ☐ Marine Park
- ☐ Crown Lease
- ☐ Lease / Reserve
- ☐ Lease on State Forest / Timber Reserve (cont)

- ☐ Public Roads
- ☐ Unallocated Crown Land
- ☐ Water
- Albany Townsite 20cm Orthomosaic - Landgate 2007
- Albany 50cm Orthomosaic - Landgate 2007

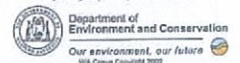
Scale 1:1944
(Approximate when reproduced at A3)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Prepared by: John W
Prepared for:
Date: 28/03/2011 10:59:02 AM

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



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6 May 2011

Our Ref: 3066 (RPS) and 2152 (CLE)
Enquiries: Scott Vincent (RPS for PEET)
Phillida Rodic (CLE for HLD)

City of Albany
PO Box 484
ALBANY WA 6331

Attn: Mr Graeme Bride, Executive Director Planning and Development Services

Dear Graeme

BIG GROVE OUTLINE DEVELOPMENT PLAN – RESPONSE TO SUBMISSIONS

Thank you for providing the Schedule of Submissions received during advertising of the Big Grove Outline Development Plan (ODP). Having reviewed these in consultation with the project team, yourself and your planning consultant, Liz Bushby, we have prepared the attached table providing a brief response to each. Also enclosed is an updated version of the ODP report (excluding appendices) reflecting those amendments referred to below.

The key points set out in our response are summarised as follows:

1. Submissions can be broken down into three basic groups: those from government agencies, those from non-participant landowners within the ODP area and those from the general public;
2. Those from government agencies generally raise no major objections, although the Department of Environment and Conservation has requested further vegetation to be retained and several agencies have asked for additional information or minor modification. In this regard, we advise as follows:

- a) **DEPT. OF WATER:** 12 months of groundwater monitoring has been completed and is being documented for inclusion in an updated version of the Local Water Management Strategy (LWMS). This monitoring has identified no anomalies in groundwater condition, with finalisation of the updated LWMS occurring in consultation with the Department of Water and should be completed by June. Whilst the modifications being made are of a minor nature, a condition requiring finalisation of the document prior to WAPC endorsement would secure this point.

Inclusion of the notional location of the Sewer Pump Station has also been made on the ODP plan.

- b) **MAIN ROADS WA:** Main Roads WA has suggested that the development will require both the widening of Frenchman Bay Road and the upgrade of its intersection with Hanrahan Road. Our analysis (detailed in Wood & Grieve's traffic report) has concluded that whilst anticipate total traffic volumes along Frenchman Bay Road may, by 2031, justify widening of the eastern end of the road, this is for a relatively limited

portion, is at the discretion of Council and is contributed to by overall demand, not just this development. Discussions between Wood and Grieve and the City's traffic engineer are continuing with a view to determining the precise level of upgrade the City wishes to pursue, its approximate timing (given that demand is building only slowly) and its cost. A per lot contribution from the development proportionate to the level of demand for widening that the development contributes can then be levied as a condition of subdivision. A statement reflecting this position has been included in the updated ODP (refer section 5.3).

Our review of the intersection of Frenchman Bay Road with Hanrahan Road has concluded that only the AM peak movement right out of Frenchman Bay Road will require upgrading by 2031 to maintain a reasonable level of service. Importantly, this upgrading will be justified under Austroad Guidelines irrespective of the Big Grove development. As such, it cannot be apportioned to the development. As has been discussed, it appears that improvement of the intersection taking into account the access it provides to the port will be best served through implementation of MRWA's 'Ring Road' design. This is, however, a regional upgrade, to cater for freight demand, not to serve development along Frenchman Bay Road. Responsibility for it must therefore remain with the State. However, given the uncertainty over its timing, we appreciate that some interim upgrade may be required. Again, our traffic consultant continues to liaise with the City to determine its preferences with proportionate contributions leviable upon subdivision. Again, this position has been reflected in the updated ODP (refer section 5.3). We appreciate the City's desire to resolve these matters and will continue to work with your engineering department to resolve the details as a matter of priority.

- c) **DEPT. OF ENVIRONMENT AND CONSERVATION:** The Department of Environment and Conservation (DEC) have had on-going input into the ODP with resolution of most aspects agreed prior to advertising, with the exception of the extent of vegetation to be retained on Lot 7. We note that the DEC has maintained its position and requested preservation of vegetation on this lot north of the central east-west road, through to the foreshore. The rationale for this is not supported by our environmental consultants and has been extensively debated with the DEC. A comprehensive response to those matters raised in DEC submissions is provided within the attached schedule, and further written advice confirming the affected proponent's (PEET) position will be provided to the City of Albany separately in the coming days.

Additional detailed consideration of vegetation type representation in the region (as per the Albany Regional Vegetation Study) have also been provided as requested, confirming that these are adequately provided for.

- 3. Those submissions received from non-participant landowners generally raise no objection to the general thrust of the ODP, but several request modifications to it in relation to their site. Wherever feasible, these have been accommodated. In particular:
 - a) Submission 15: Kirby: provision has been made to limit drainage provision on the Kirby's lot to their own site. All drainage from other lots will be accommodated elsewhere. This is to be confirmed in the updated LWMS to be submitted.
 - b) Submission 18: Hillis: the development layout shown in the advertised ODP reflects that submitted by this landowner prior to advertising. However, we have no objection to the inclusion of Rural Residential area within the South Coast Water Reserve provided this is supported by the Department of Water. We look to the City to determine the best approach to this request.

- c) Submission 19: Vasiliu: The refinements to the reserve areas requested by Mr Vasiliu after survey have been reflected in the revised ODP document.
- d) Submission 30 and 31: Grist: ODP modifications have been made with regard to retained lots (including Lot 110).

A number of other changes requested have not been accommodated because they conflict with the directions of approval agencies and / or planning policy.

4. The majority of those submissions from the general public (12 in total) are from those concerned about what they perceive as potential over-development. These vary in length and content but generally suggest that no or only limited development should occur in this location, citing character, environmental impact, serviceability and the existence of other preferable locations for development in support of their arguments. In response, we have noted that:
 - a) The City has been through a comprehensive process of determining the best locations to accommodate development. This resulted in the identification in the City's Local Planning Strategy of Big Grove, amongst other locations, as an appropriate site for urban development. Whilst this recommendation may not be universally supported by the community, it was based on sound and comprehensive area planning and resulted in the rezoning of most of the area to 'Development';
 - b) The ODP and studies which inform and support it demonstrate that the plan is environmentally appropriate. Albany is a significant area and the community's sensitivity to environmental impact is understood. However an important part of sound environmental management is to allow appropriately located, designed and managed development to occur in order to protect more sensitive areas. The plan provides for retention of most significant areas, and incorporates a number of design provisions and management mechanisms aimed at ensuring an appropriate environmental outcome;
 - c) Provision of service infrastructure is a routine requirement for development and will be provided at Big Grove. Investigations in conjunction with service authorities have indicated that water, sewer, power and telecommunications can be provided and will be conditions of subdivision;
 - d) Traffic investigations undertaken for the site similarly don't raise any concerns which preclude development.

We trust this information is of satisfactory and supports a positive recommendation in relation to the ODP. Should you have any queries or concerns, please do not hesitate to contact us.

Yours sincerely

RPS



SCOTT VINCENT
Senior Planner

CC: Liz Bushby – Gray & Lewis (City of Albany Planning Consultant)
Phillida Rodic – Chappell Lambert Everett
Ben Pervan – PEET Ltd.
Barry Humfrey – Humfrey Land Development (for P&B Corporation)
Delma Baesjou – Ayton Baesjou Planning (Albany)
Melanie Price – Aurora Environmental (Albany)
Travis Demeza – Wood & Grieve (Albany)

15 December 2008

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BY EMAIL & POST

Mr David Schober
Manager, Albany Leisure and Aquatic Centre
City of Albany
PO Box 484
ALBANY WA 6331

Dear David

Potential liability in relation to Albany Leisure and Aquatic Centre

We refer to your telephone conversations with Mark Gregory and Stephen Willey on 8 and 10 December 2008 respectively.

The City of Albany (City) seeks our advice on the City's potential exposure to civil liability in relation to the gym facilities at Albany Leisure and Aquatic Centre (Centre).

1. Executive summary

- (a) The ordinary principles of the law of negligence apply to public authorities including local governments.
- (b) As owner and operator of the Centre, the City owes a common law duty of care to persons using the gym, and a concurrent duty under the *Occupiers' Liability Act 1985* (WA) (*Occupiers' Liability Act*).
- (c) In our opinion, there is a reasonably foreseeable risk that unsupervised gym users will suffer injury or harm *unless* the City issues an appropriate risk warning.
- (d) The City can remove its duty of care in relation to gym users at the Centre, and hence also any legal obligation to supervise such persons, by giving a risk warning in satisfaction of section 51 of the *Civil Liability Act 2002* (WA) (*Civil Liability Act*). This warning can be given orally or in writing.

2. Background

On the basis of the City's instructions, we understand the relevant background facts to be as follows.

- (a) There is one manager for the Centre.

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- (b) Whilst there will be staff in the common areas of the Centre, it is proposed that there be no staff on the gym floor to specifically supervise patrons using the Centre's gym facilities.

We also note that the City seeks this advice for the purposes of revoking a motion to operate the gym facilities in the absence of any supervisor on the gym floor. We are not instructed to provide advice in relation to any known injury or threat of litigation; therefore this advice is general only, and not tailored to specific circumstances that may arise.

3. Duty of care

It is well established that the ordinary principles of the law of negligence apply to public authorities, including local governments: *Sutherland Shire Council v Heyman* (1985) 157 CLR 424; *Wyong Shire Council v Shirt* (1980) 146 CLR 40; *Shaddock and Associates Pty Ltd v Parramatta City Council (No. 1)* (1981) 150 CLR 225.

There are three main elements to a claim of negligence – those elements being:

- (a) the owing of a duty of care;
- (b) a breach of that duty of care; and
- (c) a causal relationship between the breach and the claimed injury or loss.

As the owner and operator of the Centre, it is clear that the City owes a common law duty of care to persons using the gym, as it is reasonably foreseeable that such persons are likely to suffer injury or damage if the City does not take reasonable care in the operation of the gym.

A duty concurrent with the common law duty of care also arises pursuant to section 5(1) of the *Occupiers' Liability Act 1985* (WA), which requires an occupier of premises to show 'such care as in all the circumstances of [a] case is reasonable' to see that persons entering on the premises will not suffer injury or damage on account of 'dangers which are due to the state of the premises or to anything done or omitted to be done on the premises ...'. This duty imposes a general standard of reasonable care which is now owed to all entrants both in respect of the static condition of premises and active operations or activities carried out in premises: See *Thompson v Woolworths (Qld) Pty Ltd* (2005) 221 CLR 234.

In short, the City has a duty to take reasonable steps to prevent foreseeable injury or damage to gym users arising from their use of gym equipment, or due to the state of the premises. '[A] risk of injury which is remote in the sense that it is extremely unlikely to occur may nevertheless constitute a foreseeable risk. A risk which is not far-fetched or fanciful is real and therefore foreseeable': *Wyong Shire Council v Shirt* (1980) 146 CLR 40.

4. Discharging the City's duty of care

Section 5B of the Civil Liability Act provides guidance on the circumstances in which the City could be liable for incidents occurring at the gym.

A duty of care is breached only if a defendant's conduct falls below that expected of a reasonable person. Section 5B(1) provides:

'A person is not liable for harm caused by that person's fault in failing to take precautions against a risk of harm unless —

- (a) the risk was foreseeable (that is, it is a risk of which the person knew or ought to have known);
- (b) the risk was not insignificant; and
- (c) in the circumstances, a reasonable person in the person's position would have taken those precautions'.

Subsection 5B (2) provides guidance on the notion of a 'reasonable person' and their actions:

'In determining whether a reasonable person would have taken precautions against a risk of harm, the court is to consider the following (amongst other relevant things) —

- (a) the probability that the harm would occur if care were not taken;
- (b) the likely seriousness of the harm;
- (c) the burden of taking precautions to avoid the risk of harm;
- (d) the social utility of the activity that creates the risk of harm'.

General considerations relevant to determining reasonable measures for preventing or minimising risk can be extracted from the numerous High Court authorities on local government negligence (such as *Nagle v Rottnest Island Authority* (1993) 177 CLR 423; *Graham Barclay Oysters Pty Ltd v Ryan* (2002) 211 CLR 540, for instance). These include:

- (a) how obvious or hidden the risk is;
- (b) whether the risk is only 'activated' when someone engages in particular conduct;
- (c) whether the risk is only a risk to those who ignore the obvious;
- (d) the cost involved in removing or reducing the risk;
- (e) the difficulty of removing or reducing the risk; and
- (f) the resources available to the City.

Similarly, section 5(4) of the Occupiers' Liability Act provides guidance on the content of the City's duty under that Act:

'Without restricting the generality of subsection (1), in determining whether an occupier of premises has discharged his duty of care, consideration shall be given to —

- (a) the gravity and likelihood of the probable injury;

...

- (c) the nature of the premises;
- ...
- (e) the age of the person entering the premises;
- (f) the ability of the person entering the premises to appreciate the danger; and
- (g) the burden on the occupier of eliminating the danger or protecting the person entering the premises from the danger as compared to the risk of the danger to the person'.

In our opinion, there is a reasonably foreseeable risk that unsupervised gym users will suffer injury or harm *unless* the City issues an appropriate risk warning satisfying the Civil Liability Act.

5. Use of a risk warning

By reason of the Civil Liability Act, it is possible to use a risk warning to avoid a duty of care arising in relation to persons engaged in 'recreational activities'. Section 5I(1) provides:

'[A] person (the *defendant*) does not owe a duty of care to another person who engages in a recreational activity (the *plaintiff*) to take care in respect of a risk of the activity if the risk was the subject of a risk warning to the plaintiff'.

Section 5I(6) states that '[a] risk warning can be given orally or in writing (including by means of a sign or otherwise)', and section 5I(7) states that '[a] risk warning need not be specific to the particular risk and can be a general warning of risks that include the particular risk concerned ...'.

'Recreational activity' is defined in broad terms by section 5E, to include 'any sport (whether or not the sport is an organised activity)', and 'any pursuit or activity engaged in for enjoyment, relaxation or leisure ...'.

In our view, gym usage at the Centre is a 'recreational activity' for the purposes of section 5I(1) of the Civil Liability Act, and therefore the City can relieve itself of its common law duty of care to gym users, and hence also any legal obligation to supervise such persons, by giving a sufficient risk warning.

Section 5I removes both the common law duty of care and that under the Occupiers' Liability Act: See section 5A(1) of the Civil Liability Act. Section 5I will apply if a gym user alleging harm chooses not to bring an action in negligence and instead brings an action 'for breach of contract or any other action': See section 5A(2) of the Civil Liability Act.

The effect of section 5I is perhaps strengthened by the proposition that the 'reasonableness' of the City's actions are always assessed on the assumption that gym users will take reasonable care for their own safety: See *Romeo v Conservation Commission (NT)* (1998) 192 CLR 431; *Brodie v Singleton Shire Council* (2001) 206 CLR 512; Occupiers' Liability Act section 5(2).

6. Conclusion and recommendations

On our reading of the Civil Liability Act, the City can remove its duty of care in relation to gym users at the Centre by erecting a sign – perhaps in conjunction with the issuing of other written warnings and/or verbal warnings – sufficient to amount to a risk warning satisfying section 51 of that Act.

By way of example, the following format for a sign warning of the risks associated with indoor cricket was suggested in the High Court decision of *Woods v Multi-Sport Holdings Pty Ltd* (2002) 208 CLR 460 (and could be adopted for the City's purposes):

'WARNING – INJURIES

Indoor cricket exposes players to a much higher risk of severe head and eye injury than outdoor cricket because:

- the game is played in a confined space
- without protective headgear or a face shield and
- with a softer ball that can enter the eye-socket.

You play at your own risk'.

If the City opts to use a sign to warn persons of the risks associated with gym use, the sign must be displayed prominently and possibly in multiple positions to best minimise risk.

We trust that this advice is of assistance. Please contact Mark Gregory if you have any further queries.

Yours faithfully
MINTER ELLISON



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Partner responsible: Mark Gregory Direct phone: +61 8 9429 7567
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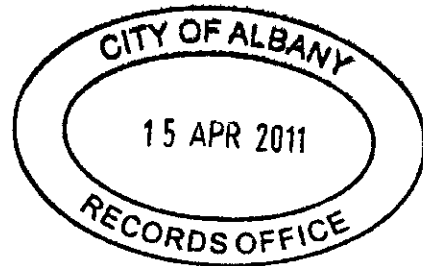
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14 April 2011

Attach:
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By Email: pamelaw@albany.wa.gov.au

Ms P Wignall
Corporate & Commercial Services
City of Albany
PO Box 484
ALBANY WA 6331



Dear Pamela,

EXCLUDING LIABILITY AT THE ALBANY LEISURE AND AQUATIC CENTRE

We refer to the City of Albany's (City) instructions for advice on the exclusion of liability for personal injuries and deaths occurring at the Albany Leisure and Aquatic Centre (ALAC). You have asked that our advice include:

- (a) the precise wording for signs to be displayed at ALAC;
- (b) the location of the signs;
- (c) a review the existing membership form (**Membership Form**) for the ALAC gym; and
- (d) a consideration of issues relating to casual users of the ALAC gym.

1. EXECUTIVE SUMMARY

Although ALAC cannot completely reduce its liability to ALAC users, ALAC can significantly limit its liability using effective signage and exclusion clauses in its membership contract and other contracts. The City should:

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WESTERN AUSTRALIA

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- a) erect signs in the foyer and other entry and exit points with specific wording excluding contractual liability to ALAC patrons, particularly to casual users of ALAC and more specifically, to casual users of the gym;
- b) erect appropriate signs in each area of ALAC, including better detailed risk warnings specific to those areas, to limit the City's liability in negligence;
- c) erect those risk warnings in locations so that the warnings are properly communicated to patrons before those patrons begin engaging in recreational activity; and
- d) amend its existing Membership Form so that it includes an express, unambiguous and legally effective exclusion of liability clause.

Although the current signage covers some foreseeable risks, a number of risks are not limited or excluded. Our specific recommendations for signage are set out at section 4 of this letter. Appropriate wording suggestions and sign locations are detailed there.

The current Membership Form has no express or implied exclusion of liability whatsoever. Accordingly, the City is not covered for a breach of contract or negligence claim arising from a personal injury. We would be pleased to provide assistance to the City in drafting appropriate terms. Our recommendations for casual gym users are discussed at section 6 of this letter. The recommendations made at section 4, in relation to the signage, also apply to the gym.

During our review of the matter, we identified other risk issues outside of the scope of our original brief. These issues are set out in a separate advice.

2. FACTUAL BACKGROUND

We have conducted an interview with ALAC's Manager Tricia White and physically inspected the ALAC facility. We have also spoken to Carrie Barclay of ALAC. We understand that ALAC's main service areas are the aquatic facilities, the gym facilities, the courts and the hockey turf. Other services offered at ALAC and which are ancillary to the main sporting activities are a rock wall, a crèche, a cafe and the car park. ALAC accommodates casual users, member users, school users, sporting clubs and other user groups. There are five ways in which a person can gain entry into ALAC facilities:

- a) by joining as a member;

- b) paying a one off fee;
- c) paying for a block of 'Multi-Visits';
- d) entering as a spectator; and
- e) as a member of an association or participant in a sporting event.

Entry fees for members of associations or participants in events are generally built into the association's registration fees or ALAC will invoice the association or group at a later stage. ALAC's policy is to never waive entry fees to any ALAC patron, except spectators. ALAC proposes to incorporate the 'Team Sheet' system in its dealings with all sporting associations that run their season at ALAC.

Signs are located at various places around ALAC and the wording varies depending on the location and purpose of the sign. See section 2.1 below.

You provided us with a copy of a letter of advice from Minter Ellison, drafted in 2008, addressing a past request for advice on the City's potential exposure to liability in relation to ALAC's gym facilities (**Minter Ellison Letter**). The Minter Ellison Letter set out detailed advice about the effect of risk warnings on your duty of care to ALAC patrons. The Minter Ellison Letter also defined "recreational activity" under the CLA. We do not object to the advice contained in the Minter Ellison Letter.

2.1 Signs

We noted that signs were in these locations and detailing the following:

- a) a "Look, Lock & Leave" at the entry to the main car park and car park closest to the hockey turf;
- b) terms and conditions for entry to the aquatic facilities, but not to any other area within ALAC, outside the entry to ALAC's main foyer;
- c) a Department of Communities notice advising of the crèche's licence status on the door to the crèche facility;
- d) a general warning about ALAC's right to eject court users from the premises for misuse of hoops, at the end of the corridor allowing entry into the 4-court area;
- e) a warning of risks arising from misuse of the hoops around the 4-court and 3-court areas, behind each court;

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- f) 'no diving' pictures all around the pool areas in the aquatic centre, including the shallow splash pools, the slide pool, the spa and the deeper lap pools;
- g) depth signs all around the pool areas in the aquatic centre, including the shallow splash pools, the slide pool, the spa and the deeper lap pools;
- h) terms and conditions for entry to the spa which is fenced off, next to the spa;
- i) terms and conditions for entry to the sauna, next to the entry to the sauna;
- j) terms and conditions for use of the water-slide, next to the stairs leading to the water slide;
- k) several no climbing over walls signs placed on top of various walls in the splash pool;
- l) a no running sign by the splash pools near the entry to the aquatic facilities, on the way to the change rooms;
- m) a Royal Lifesaving Society of Australia sign supervision of children sign at the entry to the aquatic facility, just inside the automatic doors;
- n) a set of rules for use of the aerobics room on the notice board just inside the entry to the aerobics rooms;
- o) an "at user's own risk" sign inside the gym, on the wall just near the entry door; and
- p) "Synthetic Surfaces Use" signs at two locations near the hockey turf, one being next to the fence closest to the pool and the other being next to the fence closest to the club rooms.

Except for the depth indicator signs, locations of these signs are set out on the map attached at Annexure A1 and A2. We obtained all of the maps used in this advice from the City, which were supplied by Tricia White.

We have had to set out the location of the signs on two maps as we were unable to obtain a map with both sufficient detail and enough space to set out all the locations. Therefore, the bulk of the signs are noted on A1. Signs located in the outlying areas of ALAC are noted in A2.

2.2 Entry

The main entry to ALAC is through the foyer facing the car park. Entry to the gym is only achievable through one door near the foyer. Entry to the court areas are either through the corridor which passes the staff and meeting rooms, or through the main double entry doors outside the 3-court area. Patrons can move in between the 4-court and 3-court area

through the double entry doors adjoining these two areas. We understand these doors are sometimes locked. Entry to the aquatic area is through the main entry automatic doors inside the foyer. Other doors to the aquatic centre are usually locked. On occasion these other doors, including the emergency exits, are opened and used for entry and egress. ALAC does not possess any signs forbidding entry or warning of any risks in the event that these doors are left unlocked and open.

Apart from the hockey turf, all areas can only be accessed by passing through the foyer and the electronically operated gates. Doors between the hockey turf and the rest of ALAC are usually locked. However, we understand that a door between the hockey turf and the main ALAC building is generally left unlocked during the hockey season. We understand that spectators and players can move in between the turf and the main building during the hockey season, despite being able to access the turf from the grass fields and, in the case of spectators, without paying an entry fee.

2.3 ALAC Membership

There are two types of ALAC membership: a general membership and an aquatic membership. Members pay an upfront fee and sign the Membership Form prior to gaining entry to ALAC's facilities. The Membership Form is the same for general members as it is for aquatic members. General members are entitled to use all the facilities available at ALAC, including the gym, and aquatic members are entitled to use the pools, spa, sauna, cafe and crèche but no other facilities.

A copy of the current Membership Form is attached at Annexure B.

According to the terms of the Membership Form, members are not required to undertake a fitness appraisal or to provide a medical clearance. However, members are encouraged to make use of the fitness appraisal programme offered by ALAC and if they do, ALAC can request a medical clearance as condition of continuation of membership. There is no express or implied exclusion of liability for harm, whether for personal injury or otherwise. This should be remedied.

2.4 Casual users

Casual users pay a one off entry fee. The vast majority of ALAC users are casual users, paying the fee to use the pools, gym facilities or courts. "Casual users" includes customers who purchase Multi-Visits, as Multi-Visit users are not required to read and sign the Membership Form. Multi-Visit users receive a card from ALAC, which does not detail terms and conditions applying to use of ALAC facilities.

The present casual entry system involves receiving a paper ticket from the reception desk after payment of the relevant fee. This ticket operates the three separate electronic entry gates. It does not detail any terms and conditions of entry. We are informed that the ticket is considered the most effective means of processing customer entries, due to the large volume of casual users at ALAC.

If any of the instructions we have detailed are incorrect, would you please tell us immediately as this may affect our final advice to you.

3. OVERVIEW OF THE LEGAL ISSUES

If an ALAC patron suffers a personal injury or loss of life while using ALAC's facilities, the patron or the patron's family could be entitled to pursue claims in contract and tort. To do this, the patron must show that the City has breached the contract between the patron and the City, or that the City has breached its duty of care to the patron. The City needs to consider the following issues in order to exclude or limit its liability in that situation.

3.1 Contract

If an ALAC patron suffers personal injury or death from use of ALAC's facilities, the patron may pursue a claim in contract against the City. To do this, the patron would have to prove that the City has breached a term of the contract between the patron and ALAC.

Duties of care under the law of negligence are generally separate to the law of contract. However, parties can contract to exclude liability arising from this duty of care. See sections 3.1(a) and (b) below.

Both contract and negligence law have been modified by statute. The implications of the relevant statutes are discussed below.

a) *Competition & Consumer Act 2010*

The CCA is silent on the definition of 'contract'. This means the common law will apply when deciding whether or not a contract exists. Under the common law, a contract can be in oral or written form and it can be an express or an implied contract.

However, under the terms of the *Competition & Consumer Act 2010 (CCA)*, previously the *Trade Practices Act 1974*, a term is incorporated into all consumer contracts that services will be rendered with due care and skill. Under the CCA, these terms are known as 'consumer guarantees'. The CCA defines 'consumer contract' to include the purchase of services for personal use, such as the right to use a fitness centre for exercise.

Usually, parties cannot exclude the consumer guarantees under the CCA from the terms of a consumer contract. However, there is an exception under section 139A of the CCA. Section 139A says that where the service provider supplies recreational activities, a term in the supplier's contract attempting to exclude, restrict or modify consumer guarantees is not necessarily void, provided exclusion is limited to death and personal injury. A term excluding or limiting liability is known as an 'exclusion clause'. It provides a party with a possible, partial or complete defence, depending on the wording and efficacy of the clause, if the party is found liable for breach of contract or to have a common law duty of care.

There is some uncertainty about the application of the CCA to some contracts. In our view, it is likely that section 139A will apply to all contracts for the supply of recreational services, regardless of whether the contract is written or implied. In many situations, appropriate signs or notices will successfully incorporate an exclusion clause into implied contracts. It is essential that the supplier ensures the exclusion clause is effectively communicated to the consumer *before* the consumer enters into the contract (*Olley v Marlborough Court Ltd* [1949] 1 KB 532; [1949] 1 All ER 127; *Thornton v Shoe Lane Parking Ltd* [1971] 2 QB 163; [1971] 1 All ER 686; [1971] 2 WLR 585).

However, new laws were recently introduced under the CCA regarding “unfair contracts”. These new laws, found in Schedule 2 of the CCA and known as the *Australian Consumer Law (ACL)*, state that a term of a contract is void if:

- i) the term is unfair; and
- ii) the contract is a standard form contract.

A court can consider anything that it considers relevant in deciding what is unfair. However, two things the court must consider are whether the term is transparent (which is to say, the meaning of the term is clear and is clearly presented to the party affected by the term) and the effect of the contract as a whole.

The ACL goes on to say that contract terms that attempt to avoid or limit the performance of the contract by one party are an example of unfair contract terms (Section 25(1)(a), Schedule 2 CCA). This is new law and there is no case history to provide guidance on how these provisions will be applied to any fact situation. However, as noted above, section 139A of the CCA also expressly allows for exclusions and limitations of liability in contracts relating to recreational services.

It is not clear from the wording of the ACL whether the new provisions regarding ‘unfair contract’ are intended to override the old common law principles governing the construction of exclusion clauses into contracts. The Explanatory Memorandum on the ACL is also silent on this issue.

One interpretation is that exclusion clauses are now entirely governed by the terms of the CCA through the ‘unfair contract’ provisions in the ACL. This would mean that a party seeking to rely on an exclusion clause need only show that the term is not unfair within the meaning of section 23 of the ACL. Common law rules regarding the construction of an exclusion clause would be, in our opinion, applicable to the question of what is ‘unfair’.

The other interpretation is that common law principles governing the construction of exclusion clauses still stand. According to this interpretation, if it is established that the contract term is not ‘unfair’, the party disadvantaged by the exclusion clause could still seek a declaration that the exclusion clause is void. Currently this law is untested, but

our advice is based on a conservative view, as this involves issues of risk minimisation and mitigation. The conservative view is that the party relying on the exclusion clause must show that:

- i) the contract term is not unfair; *and*
- ii) the term is not void under common law principles construing exclusion clauses.

The provisions in section 139A do not apply to the supplier of the service's 'reckless conduct'. Section 139A(5) of the CCA defines reckless conduct as conduct where the supplier:

- i) is aware, or should reasonably have been aware, of a significant risk that the conduct could result in personal injury to another person; and
- ii) engages in the conduct despite the risk and without adequate justification.

b) *Civil Liability Act 2002*

The Western Australian *Civil Liability Act 2002 (WA) (CLA)* applies to any claim for damages based on fault, including a claim for damages based in contract (Section 5A(2)). Pursuant to section 4A, the CLA allows parties to contract out of liability where there is a written and signed agreement. The CLA also provides, at section 5J, that a valid exclusion clause cannot be declared void under any other law.

c) *Interplay between the Civil Liability Act and the Competition & Consumer Act*

State legislation cannot override Commonwealth legislation. Where the West Australian CLA and the federal CCA are inconsistent, the CCA will prevail. The Western Australian government has also legislated, under the *Fair Trading Act 2010*, to repeal the old *Fair Trading Act 1987* and to enact the ACL. Under the ACL, an exclusion clause can be held void if a court considers the clause 'unfair'. In our opinion, if the CCA prevails over the CLA and a Court determines that a term in a consumer contract is deemed 'unfair', the term will be declared void.

3.2 Duty of Care - Negligence

a) Duty of care

At common law, the City has a duty of care to all the patrons using ALAC's facilities. This duty is founded in the principles of negligence. This common law duty extends to the City's role as a gratuitous bailee of patrons' goods. As an occupier of premises, the City also has a duty of care to its patrons under the *Occupiers' Liability Act 1985 (WA)* (OLA). The Minter Ellison Letter advised you at length on the City's duty of care at both common law and under the OLA. The law in this area has not changed materially in the last two or three years, so you should review that letter if you need to revisit the principles surrounding your duty of care. That advice was given prior to the enactment of the CCA. The implications of the CCA on your common law duty of care are considered at section 3.1(c).

b) *Civil Liability Act 2002*

In summary Section 5I(1) of the CLA provides that "a defendant does not owe a duty of care to another person who engages in a recreational activity (the plaintiff) to take care in respect of a risk if the risk was the subject of a risk warning". In addition to section 5I, section 5H of the CLA provides that a defendant is not liable where a plaintiff is harmed during the pursuit of a dangerous recreational activity, if the harm was an obvious risk. This is regardless of whether a risk warning was in place. A dangerous activity is an activity that involves "a significant risk of harm". An obvious risk is that "would have been obvious to a reasonable person in the position of [the plaintiff]" and includes risks that are patent or a matter of common knowledge.

However, if the activity is not dangerous and the risk of harm is not obvious, the supplier of the recreational activity will need to implement appropriate risk warnings.

The risk warning can be a sign or any other form of communication, provided it is given in a manner that is reasonably likely to result in people being warned of the risk (Section 5I(4)). The risk warning can be given orally or in writing (Section 5I(6)). The warning "does not need to be specific to the particular risk and can be a general warning of risks

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that include the particular risk concerned (so long as it warns of the general *nature* of the particular risk)" (Section 51(7)).

If appropriate risk warnings are in place, the supplier of the recreational activity limits its liability in negligence. However, the CLA does not allow parties to exclude liability for harm arising from the defendant's acts or omissions that amount to 'reckless disregard' for consequences. 'Reckless disregard' is not defined.

4. SIGNAGE

4.1 Appropriate Wording

If worded and situated properly, signs are an effective means of limiting the City's liability both in contract and negligence. Because ALAC is a centre which exists primarily to provide recreational activities, pursuant to section 139A of the CCA and section 51 of the CLA, the City can limit its liability to its patrons. In a case of contract, an appropriately worded and situated sign expressly excluding liability can be incorporated into the terms of the contract. In a case of negligence, an appropriately worded and situated sign giving a risk warning can limit liability for injuries arising from the risks canvassed in the sign.

The City should note that there is not a prescriptive list in law of what the law requires in an effective sign. Therefore, we cannot guarantee that any particular wording will be appropriate. However, we have given the examples below due consideration. In our view, these examples are appropriate.

a) Foyer & Entry

Due to the wide variety of activities offered at ALAC, our view is that it is impractical to completely satisfy the requirements of the CLA using risk warnings in the foyer or the entry. The possible risks and injuries inherent to the use of ALAC's facilities are too multifarious. However, a general risk warning would partially satisfy the requirements of the CLA. The general warning should then be supplemented by more detailed risk warnings relevant to each area of ALAC.

At the point of entry, the City may be able to effectively manage possible breaches of contract claims. To avoid a claim, the City should give particular attention to the way it

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'contracts' with casual users at the point of entry – the foyer. The patron may have suffered harm because the City did not render its service with 'due care and skill', thereby breaching an implied term of the contract with the patron. The wording of the sign should attempt to exclude this implied term. We have included a discussion on the appropriate locations at section 4.2(a) of this letter.

The sign should include some general wording in this area. The consumer will need to understand at this point that ALAC's terms of entry require the consumer to accept that:

- i) sections 61 to 62 of the CCA incorporate terms into all consumer contracts that the service provider guarantees that the service is rendered with due care and skill, that the service is fit for its purpose and that the service will achieve the result the consumer wishes to achieve;
- ii) despite this, the City is not guaranteeing that the service ALAC provides will be carried out with due care and skill, that it will be fit for its purpose or that it will achieve the consumer's desired result; and
- iii) that if injury occurs because the City did not render its services with due care and skill, the City will not be held liable.

The sign will also need to address the provisions of the CLA, so that a general risk warning is included. We suggest this by way of an example:

"RISK WARNING
Exclusion of Right to Sue

There are inherent risks in any physical activity you may participate in at ALAC. These risks include but are not limited to drowning, slipping, dehydration, exacerbation of pre-existing medical conditions, impact from projectiles and injury from incorrect use of facilities and equipment. By entering ALAC, you agree to observe the risk warnings in place around ALAC.

ALAC does not guarantee that you will not be injured while using the facilities at ALAC, either as a participant or as a spectator. By entering ALAC and using the facilities at

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ALAC, you are agreeing that your rights to sue ALAC if you are killed or injured are entirely excluded.

You use these facilities at your own risk"

By operation of section 139A(4), the exclusion clause cannot exclude liability for the City's "reckless conduct" or for harm arising from the City's 'reckless disregard' for consequences.

b) Hockey Turf Entry

We understand that ALAC patrons can also enter ALAC through the gates at the hockey turf, while hockey is playing. This system is specifically for the benefit of the hockey clubs but there is no registration or check system to ensure that other non-hockey associated people use this entry to access ALAC's main building. Signs should be in place to manage liability to patrons' entering ALAC's facilities through the hockey turf area.

The City should use the same wording for these signs as it uses for the foyer, being:

"RISK WARNING

Exclusion of Right to Sue

There are inherent risks in any physical activity you may participate in at ALAC. These risks include but are not limited to drowning, slipping, dehydration, exacerbation of pre-existing medical conditions, impact from projectiles and injury from incorrect use of facilities and equipment. By entering ALAC, you agree to observe the risk warnings in place around ALAC.

ALAC does not guarantee that you will not be injured while using the facilities at ALAC, either as a participant or as a spectator. By entering ALAC and using the facilities at ALAC, you are agreeing that your rights to sue ALAC if you are killed or injured are entirely excluded.

You use these facilities at your own risk"

c) Gym & Aerobics Room

The sign currently placed near the entry of the gym, beginning "Use of this facility is at your own risk..." is unlikely to satisfy the requirements of the CLA.

The City needs to consider the different factual scenarios that create risks of injury. The sign should include warnings that contemplate each of these factual scenarios as the CLA requires the risk warning to warn, as a bare minimum, of the "general nature of the particular risk" (Section 51(7)).

The warning should include words that state that use of the gym facilities "is risky because..." and then detail some of the main dangers: for example, that the equipment is dangerous when not used properly or that exercise can aggravate pre-existing medical conditions. The current sign *may* be adequate to address injury from misuse of the equipment, but the City would be liable in all other respects because it is not clear to patrons that other possible risks exist. In our opinion, the High Court of Australia's suggestion in *Woods v Multi-Sport Holdings Pty Ltd* (2002) 208 CLR 460, is a suitable format which can be applied to the gym.

We suggest the following risk warning as a guide only:

"RISK WARNING

Using the gymnasium equipment and participating in fitness programs creates risk of injury, and sometimes loss of life, because:

- i) use of equipment is dangerous, particularly when not used properly;*
- ii) exercise causes dehydration and places the body under stress;*
- iii) exercise causes the body to produce fluids such as sweat, which can create hazards like slipping; and*
- iv) exercise can exacerbate pre-existing medical conditions or injuries.*

You use these facilities at your own risk".

An appropriate sign for the gym could also be used in the aerobics room. We have included a discussion on the appropriate locations at section 4.2(c) of this letter.

d) Aquatic area

Some risks are currently managed with existing signs in the aquatic area. Risks that were not well covered include:

- i) spinal and other injury arising from patrons jumping on other swimmers;
- ii) running and its inherent dangers in a wet area; and
- iii) the fact of surfaces becoming slippery, including stairs.

The City should erect signs to the effect of "Running near pools is dangerous". This is important given the large number of children that use the facilities. Although the lifeguards warn people not to run, this can prove an onerous burden on the lifeguards when the centre is busy. It may also prove administratively unworkable at the time of greatest risk. Consequently, the City might be liable if the lifeguard is unable to verbally warn every person found running. As risk warnings are not effective against children, it is also important that parents are made to realise it is dangerous when people run around the pool area.

The City should also erect signs in the grandstand and near the stairs reminding patrons that those surfaces are "Slippery when wet" or that patrons should "Hold Hand Rails".

Our views on the appropriate locations are set out at section 4.2(d) of this letter.

e) Courts

The wording of the signs warning of risk from misuse of the hoops appears to satisfy the requirements of the CLA.

However, other risks in the court area are not covered. Some specific modifications would be required. As no warning currently exists regarding risks from flying balls, and given that some dangerous sports are played in the court area (such as indoor hockey),

the City should consider wording its signs in a similar manner to the kind suggested by the High Court of Australia in *Woods v Multi-Sport Holdings*.

We suggest the following:

"RISK WARNING

A wide variety of sports are played at ALAC's courts, some of which are more dangerous than others. Using ALAC's courts or participating as a spectator creates risk of injury, and sometimes loss of life, because:

- v) the sports take place in a confined space;*
- vi) spectators and participants do not necessarily use protective gear;*
- vii) the sports use various sized and shaped balls, some of which are harder, more likely to become airborne or more likely to come into injurious contact with your head or body; and*
- viii) floors become slippery from patron's sweat during games or during wet weather.*

You use these facilities at your own risk".

We have included a discussion on the appropriate locations at section 4.2(e) of this letter.

f) Hockey Turf

Currently, there are no risk warnings erected on or near the hockey turf. It is possible that the risks inherent to a hockey turf or 'obvious risks' for the purpose of the CLA. Although the meaning of 'obvious risk' is defined in the CLA, it is not yet settled how the Courts will interpret what is and is not an 'obvious risk'. This means the City should consider erecting risk warnings specific to the game of hockey turf if it means to limit liability as much as possible.

We suggest the following:

"RISK WARNING"

Using ALAC's hockey turf or participating as a spectator creates risk of injury, and sometimes loss of life, because:

- i) the ball used in hockey is hard;*
- ii) spectators and participants do not necessarily use protective gear; and*
- iii) the sports use hard balls, which can become airborne and come into injurious contact with your head or body.*

You use these facilities at your own risk".

We have included a discussion on the appropriate locations at section 4.2(f) of this letter.

g) Cafe

Given that the cafe is situated in the pool area and that swimmers do not need to towel off before entering the cafe, the City should also erect signs reminding patrons that the floors are "Slippery when wet".

h) Car Park

If theft occurs in the car park, patrons may bring a claim in negligence or under the OLA against the City for loss of property. To limit its liability, the City should warn patrons of thieves. In our opinion, the Look, Lock and Leave sign currently in use is appropriate for the car park.

i) Lockers

The City is a gratuitous bailee to patrons' goods stored in the free-of-charge lockers. Because the City must take reasonable care of the goods and may be responsible to patrons for theft of these goods, the City should warn patrons of possible theft. This will help minimise the City's liability. A sign like the "Look, Lock & Leave" sign but tailored for

the lockers is appropriate. Alternatively, a sign stating "Beware of thieves" is also appropriate.

4.2 Proposed Locations for Signs

Proposed locations for signs are detailed in the map attached at Annexure A1 and A2. We have had to set out the proposed locations on two maps as we were unable to obtain a map with both sufficient detail and enough space to set out all the locations. Therefore, the bulk of the proposed locations are noted on A1. Where we propose placing signs in the outlying areas of ALAC, we have noted these at A2.

Please also note that we were unable to obtain a map with an accurate depiction of the car park. Consequently, the City should take particular note of our comments at 4.2(h) and contact us if it is any queries on this point.

a) Foyer & Entry

The City should minimise its liability in both tort and contract by placing the sign suggested at 4.1(a) in the main foyer.

The City effectively 'contracts' with patrons using ALAC's facilities at the point of entry – the foyer. A Court is likely to declare terms of a contract void if the patron can show it was not made aware of ALAC's terms *prior* to entering into the contract with ALAC. It is necessary to place an effective exclusion sign in the foyer because this is the point at which casual users 'accept' the terms of your offer by paying the required fee. A spectator can also be required to agree to ALAC's terms and conditions before entry is permitted.

During discussions with Tricia White, we ascertained that the bulkhead above the reception desk may be an appropriate place to give notice of exclusion of liability. Patrons can view the terms prior to paying your fees and prior to proceeding through the electronic entry gates. A notice on the back or front of the entry tickets reminding patrons that they accept the terms and conditions on display would reinforce the validity of the exclusion.

The suggested wording for the sign included a general risk warning about activities that take place in ALAC. However, in our view, the City cannot completely satisfy the terms of the CLA by placing a general risk warning in the foyer. This means the City will need to supplement the general risk warning in the foyer with more signs, placed within the vicinity of the activity concerned. This will aid the City in maximising the limitation of its liability.

b) Hockey Turf Entry

The City should place the same sign from the foyer at all the entry points to the hockey turf. Because the doors adjoining the main ALAC building to the hockey turf area are sometimes left open during the hockey season, we also recommend placing the same sign next to this entry point. This will reinforce the existence of risks that occur inside ALAC's main building, as well as those that occur in and around the hockey turf.

c) Gym & Aerobics Room

It is doubtful whether the sign currently in place in the gym would satisfy section 51 of the CLA. Patrons are not likely to notice the current sign as they enter the gym. Consequently, patrons might not read the warning until after they commence their recreational activity, if at all. The risk warning must be communicated before the patron engages in recreational activity.

The City should either place the risk warning sign in a place that is more prominent, such as outside the entry door as you walk in and on the lockers which you face as you walk in to the gym. A sign-in system may be appropriate, requiring gym users to read and acknowledge understanding of a risk warning. We are not sure whether a sign-in system is a pragmatic solution.

d) Aquatic area

In some respects, the aquatic area is well signed. In regards to the risk warnings that we noted at section 4.1(d), we recommend that signs are placed all around the aquatic area. See the attached map at Annexure C. Our recommendation is based on the view

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that the possible risk of injuries from running and slipping around the pools are significant.

No risk warnings are in place in the grandstand. We strongly recommend placing "slippery when wet" and "no running" signs in the grandstand and at the foot each staircase. The City has a "duty to take reasonable steps to prevent foreseeable injury...". It is foreseeable that some ALAC patrons will not exercise reasonable care for their own personal safety around the grandstand and may incur serious injuries. This is despite the fact that no accidents have occurred there in recent years. From a Court's point of view, although no accident has occurred there in recent years, it does not follow that such an accident is not foreseeable.

e) Courts

Warning signs regarding the misuse of hoops are already in place behind the hoops of each court. These appear to satisfy section 51(4) of the CLA. The size of these warnings signs *may* be an issue. If a patron successfully proves, given the size of the court areas, that the warnings are too small to satisfy the requirement that risks warnings be "...given in a manner that is reasonably likely to result in people being warned of the risk...", the risk warning would fail in excluding the duty of care. Therefore the risk warning would fail in excluding liability.

There is a notable absence of risk warnings relating to other risks inherent to use of the court areas. Airborne objects are of particular concern and pose a threat not only to court users but to spectators. Risks surrounding the rock wall are also not covered.

For those reasons, we recommend placing risk warnings at each entry to the courts. For example, the wall of the main entry to the 3-court area is an appropriate place to provide the risk warning because the majority of patrons using the courts will observe this wall. We suggest the same risk warning should be placed at the end of the corridor near the entry to the 4-court area. We understand there are no other entries to the court areas. Placing signs in these two places should therefore satisfy the requirements of section 51(4) of the CLA. See the map attached at Annexure C.

f) Hockey Turf

The City should place the hockey-specific risk warning closer to the hockey turf. We understand that spectators convene at the hockey club rooms and that players can only enter the turf from the club rooms. Therefore, the City should place the risk warning next to the players' entry, facing the club rooms.

g) Cafe

The City should place risk warnings on both entries, given that the cafe is accessible to all users of ALAC and can be accessed from two different entry points.

h) Car Park

The current Look, Lock and Leave sign in the car park, the current sign at the entry to the car park would probably satisfy the OLA. However, the terms of the OLA are more onerous than the CLA, so the City would be wise to include some additional signs within the car park area. The car park is not covered by provisions for recreational activities.

We have not marked proposed locations on the maps. We recommend the City place signs on posts in between the bays, facing both directions.

i) Lockers

A sign placed anywhere on the lockers is appropriate. Patrons should have to view this sign before they begin operating the lockers.

4.3 Reckless disregard or conduct

Note that the City cannot exclude liability in negligence or contract for its acts or omissions done with 'reckless disregard' for consequences or for 'reckless conduct'. The City will need to carefully review its risk management policies. We would be happy to assess the policies and provide you with further advice.

5. GYM MEMBERSHIP FORM

Currently, the Membership Form does not exclude or limit liability in any way. The Membership Form currently meets obligations under the *Fitness Industry (Code of Practice) Regulations* but gives no thought to protecting the City from personal injuries claims.

To avoid claims from ALAC members for breach of an implied contract term or negligence, the City should incorporate an appropriate exclusion clause into all its Membership Forms. An appropriately drafted exclusion clause will limit or exclude the City's liability in both contract and negligence. Our view is that the provisions of the CCA and the CLA leave it open to the City to include exclusion clauses in its Membership Form. We would be happy to draft this clause for you.

Based on our discussion of the CCA at section 3.1, our view is that there is some risk that an exclusion clause in your Membership Form would fail as an 'unfair' contract term under the CCA. The exclusion clause would be part of a standard form contract and only the City will receive the benefit of the exclusion clause. In our view, the specific exceptions under section 139A of the CCA make this risk small. Currently, the law in this area is untested and we cannot say with any more certainty whether a Court would uphold any specific exclusion clause.

If the City does not incorporate an exclusion clause into the current Membership Form, exclusion of liability signs around the foyer and ALAC generally will not protect the City from claims arising from injuries incurred in the gym. The terms of the contract between the ALAC member and the City will be read from the written contract only. If the City does not write an exclusion clause into the Membership Form, the operation of the CCA will imply a term that the City guarantees to render its services with due care and skill.

6. CASUAL USERS OF THE GYM

We understand it is not practical for the City to attempt to exclude liability to casual users, in either contract or negligence, by using written agreements. The large volume of casual users of ALAC's facilities and the large congregations that form in the foyer at peak periods make this option administratively unworkable and cost prohibitive.

Appropriate signage is the most efficient way of minimising exposure to possible claims from casual users. To avoid a claim in contract, the City should adopt the recommendations at sections 4.1(a) and 4.2(a) of this letter. To avoid a claim in negligence, the City should adopt the recommendations at sections 4.1(b) to (i) and 4.2(b) to (i) of this letter.

The CCA still applies to contracts with casual users, despite there being no formal written agreement. There is some risk that signs excluding liability may fail as 'unfair' contract terms under the CCA. This is because casual users will not sign anything to acknowledge agreement and only the City will receive the benefit of the exclusion clause.

8. OTHER LIABILITY ISSUES

During our meetings with you, other areas of liability were brought to our attention. The additional work we have identified follow.

8.1 Membership Form

We have identified that there is no exclusion of liability clause in the existing membership form. We would be happy to re-draft the form and incorporate this clause for the City.

8.2 Service Agreement

We were provided with a copy of the current Service Agreement, which ALAC uses to govern its relationship with each sporting association that book's ALAC's facilities. We have reviewed the document and note that it is not legally binding. We also noted that there are a number of key issues centring around control, exclusion of liability, insurance subrogation, and recovery of costs for wilful damage, that are not included in the existing agreement. We would be happy to draft a 'use of facilities' or 'service level agreement' between the City and entities who use ALAC's facilities for recreational activities, including hockey associations, netball associations and basketball associations. Some time with Tricia White to ascertain the City's management approach to these issues will be required.

8.3 The Crèche

The Crèche creates different issues of liability not covered within the scope of our original instructions. We would be happy to advice on the exclusion of liability in the Crèche and to draft a contract for the use of the Crèche.

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8.4 Hockey Association Lease

The Hockey Association Lease creates overlapping, but in many cases different, issues of liability to those covered within the scope of our original instructions. We recommend conducting a review of the Hockey Association lease.

8.5 Disabilities

We recommend seeking advice on the specific liability issues in relation to disabled people and incompetent persons.

8.6 Risk Management Procedures

If a patron claimed in negligence against the City, it is likely that ALAC's risk management procedures would come under scrutiny. We would be happy to review and provide advice on ALAC's risk management procedures, practices and policies.

8.7 Entertainment events

The City raised issues surrounding entertainment events held at ALAC, such as music events. There is considerable doubt that these events meet the definition of 'recreational activity' under the CLA or the CCA.

We recommend that the City obtains advice on liability issues relating to these entertainment events. The City may wish to draft an agreement for the use of the facility for these events.

8.8 Public liability issues arising from the cafe

Other public liability issues arise from the use of the cafe than the issues described in this letter, such as food health and safety issues.

8.9 Insurance Policies

We would be happy to review the City's existing insurance policies to identify if there are any gaps in coverage, exclusions that should be brought to the City's attention, or 'closed out in contract arrangements' with third party users of the ALAC facility.

Would the City please confirm whether it wishes us to provide the legal work identified within the additional scope of works.

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9. CONCLUSION

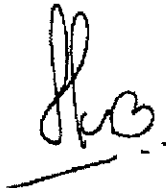
Because there is no prescriptive definition at law of what constitutes an effective sign, there is no 'perfect' sign to minimise liability. We cannot guarantee that the examples contained in this letter will minimise the City's liability.

However, if the City follows the recommendations contained in this letter, the City's liability for injuries arising from breach of contract claims as well as negligence claims should be minimised. It will not be possible to exclude liability for acts or omissions that amount to 'reckless disregard' for consequences under the CLA or 'reckless conduct' under the CCA. For this reason, the City should also review its risk management policies as the scope of contracts and risk warnings will only extend to protect the City from failure to exercise due care and skill or from failing to tell patrons to take care for their own safety.

There are a number of outstanding liability issues, as described at section 8 of this letter. We recommend that the City obtains advice on these outstanding issues.

Should you have any queries, please do not hesitate to contact Cameron Syme or Kerrigan Mercer of this office.

Yours sincerely

A handwritten signature in black ink, appearing to be 'CS', with a horizontal line underneath.

for
Cameron Syme
LATRO LAWYERS

"A1"

INDEX – A1

The existing signage is described in full at section 2.1 of the covering letter of advice. The markings noted on the map correspond to the paragraph numbering at section 2.1 in that advice. The proposed signage is described in full at sections 4 of the covering letter of advice. The markings noted on the map correspond to the paragraph numbering at section 4 in that advice.

Please note that these are suggestions for location only. The City should contact Latro Lawyers if it has any concerns regarding our suggested placement of signs.

MAP

- Existing signage is noted in red.
- Proposed signage is noted in blue.

Foyer & Entry

- b) Existing aquatic centre entry terms and conditions.
- A) Proposed risk warning (general) sign (see sections 4.1(a) and 4.2(a)).

Hockey Turf and Hockey Turf Entry

- p) Existing "Use of Synthetic Surface" sign, also noted on map A2 and Index – A2.
- B) Proposed risk warning (general) sign (see sections 4.1(b) and 4.2(b)), also noted on map A2 and Index – A2.

Gym & Aerobics Room

- n) Existing Aerobics Room rules sign.
- o) Existing "At User's Own Risk" sign.
- C) Proposed risk warning (specific) sign (see sections 4.1(c) and 4.2(c)).
- l) Proposed "Beware of thief" sign (see sections 4.1(i) and 4.2(i)).

Aquatic Centre

NOTE: Depth signs (g) are not noted.

- f) Existing "No Diving" signs.
- h) Existing spa entry terms and conditions.
- i) Existing steam room entry terms and conditions.
- j) Existing water-slide entry terms and conditions.
- k) Existing 'No Climbing over Walls' signs.

- l) Existing 'No running' sign.
- m) Existing Royal Life Saving Society of Australia sign.
- D1) Proposed risk warning (specific) sign – "No running" (see sections 4.1(d) and 4.2(d)).
- D2) Proposed risk warning (specific) sign – "Slippery when Wet" (see sections 4.1(d) and 4.2(d)).
- l) Proposed risk warning (specific) sign (see sections 4.1(i) and 4.2(i)).

Courts

- d) Existing general ejection warning sign, also noted on map A2 and Index – A2.
- e) Existing use of hoops risk warning sign, also noted on map A2 and Index – A2.
- E) Proposed risk warning (specific) sign (see sections 4.1(e) and 4.2(e)), also noted on map A2 and Index – A2.

Cafe

- G) Proposed risk warning (specific) sign (see sections 4.1(g) and 4.2(g)).

Other

- c) Existing crèche DC sign.

INDEX – A2

The existing signage is described in full at section 2.1 of the covering letter of advice. The markings noted on the map correspond to the paragraph numbering at section 2.1 in that advice. The proposed signage is described in full at sections 4 of the covering letter of advice. The markings noted on the map correspond to the paragraph numbering at section 4 in that advice.

Please note that these are suggestions for location only. The City should contact Latro Lawyers if it has any concerns regarding our suggested placement of signs.

MAP

- Existing signage is noted in red.
- Proposed signage is noted in blue.

Hockey Turf and Hockey Turf Entry

- p) Existing “Use of Synthetic Surface” sign, also noted on map A1 and Index – A1.
- B) Proposed risk warning (general) sign (see sections 4.1(b) and 4.2(b)), also noted on map A1 and Index – A1.
- F) Proposed risk warning (specific) sign (see sections 4.1(f) and 4.2(f)).

Courts

- d) Existing general ejection warning sign, also noted on map A1 and Index – A1.
- e) Existing use of hoops risk warning sign, some of which are also noted on map A1 and Index – A1.
- E) Proposed risk warning (specific) sign (see sections 4.1(e) and 4.2(e)) some of which are also noted on map A1 and Index – A1.

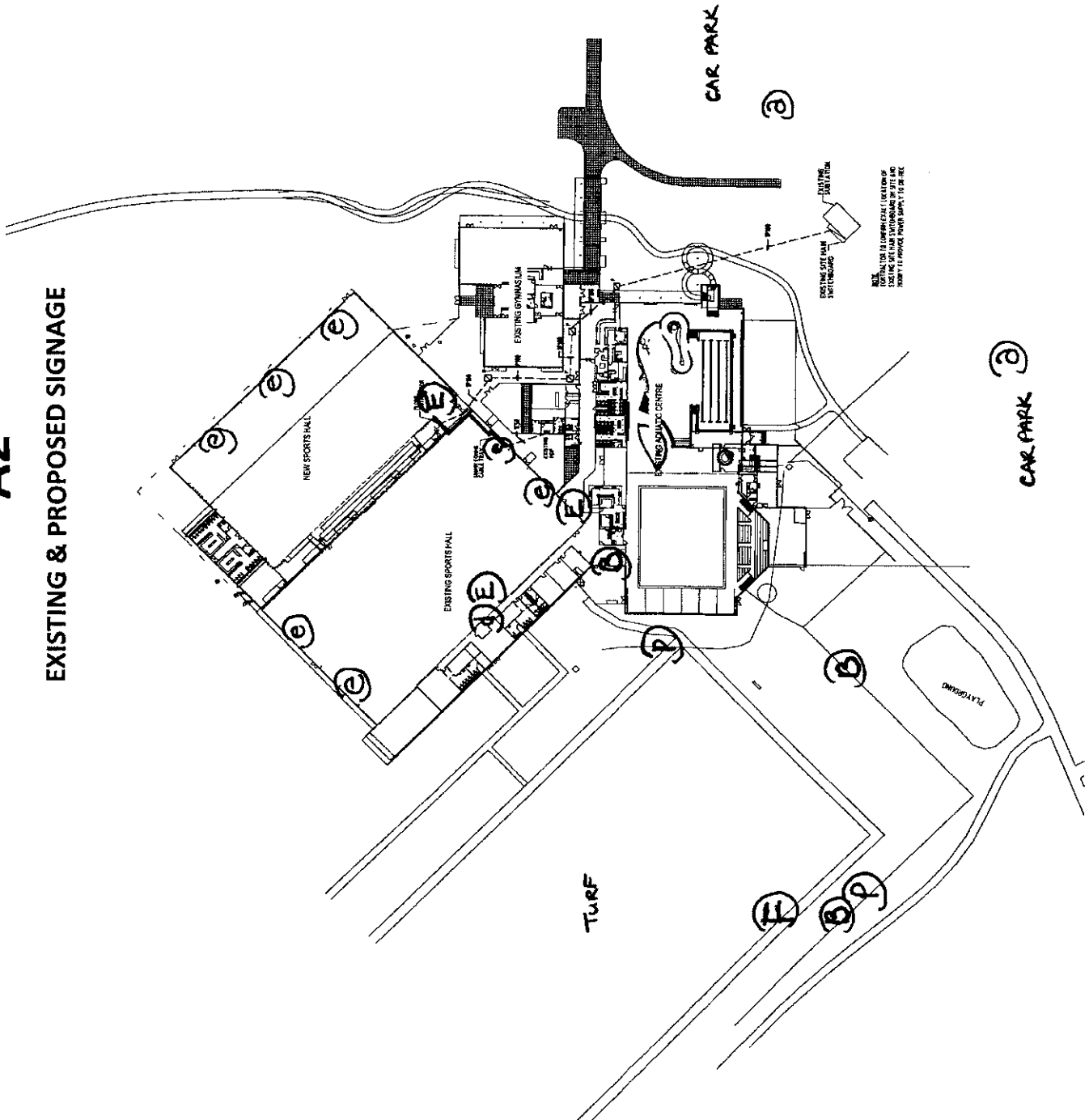
Car Park

- a) Existing ‘Look, Lock & Leave’ signs.
- NOTE: Proposed signs for the car park are not noted. The maps provided did not appear to accurately depict the current lay out of the car park. See sections 4.1(g) and 4.2(g).

EXISTING & PROPOSED SIGNAGE



1. CONTRACTOR TO CHECK ALL CONDUITS OR ARCHITECTURAL DRAWINGS PRIOR TO COMMENCEMENT OF WORKS.
2. FINAL LOCATIONS OF ELECTRICAL SERVICES TO BE COMPLETED ON SITE
3. CONTRACTOR TO CONDUCT A SCAN FOR EXISTING SERVICES AND LOCATIONS PRIOR TO COMMENCEMENT OF WORKS
4. CONTRACTOR TO CONSIDER SPACE, LOCATION OF SILE MARS, WETLANDS OR SILE, MOOSE, THE SITE, MAIN SWITCHBOARD TO PROVIDE POWER SUPPLY TO DISBURSE
5. REFER TO WESTERN POWER DESIGN FOR CUSTOMER/CONTRACTOR SCHEME OF WORK.



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TENDER ISSUE

BOLLO DESIGN GROUP
B D G
 15, COOCHIN
 PONDICHERRY - 605 006
 Tel: 0413-2421111, 2421112
 Fax: 0413-2421113, 2421114
 E-mail: bdg@bdggroup.com

ALBANY LEISURE AND
AQUATIC CENTRE
STAGE 2

ELECTRICAL SERVICES

SITE PLAN
SHEET 1

BCA CONSULTANTS

100, SOUTH BRIDGE ROAD, #10-01, SINGAPORE 059120
 Tel: 6733 3333, Fax: 6733 3344, E-mail: bca@singapore.com.sg
 Website: www.bca.com.sg

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Membership Terms and Conditions

AGENDA ITEM 3.1 REFERS

APPRAISALS/PROGRAMS AND PERSONAL TRAINING

New members are encouraged to undertake a fitness appraisal/program with an authorised Centre staff member before using the gymnasium, and must disclose any medical conditions which could be affected by exercising at the Centre during this appraisal. They must supply a medical clearance if requested by the City as a condition of continuation of membership. Failure to do so upon request may result in termination or suspension of membership at the absolute discretion of the City.

- Members are entitled to four complimentary appraisals and programs as requested per year.

7. ACCESS TO CENTRE

- Members are to comply with the Royal Life Saving "WATER AROUND WATER" policy. Children under the age of 5 must wear a wrist band and be in contact with a parent or guardian at all times.
- Members under the age of 16 are restricted from using the spa, steam room, gymnasium and all group fitness classes due, to health and safety regulations.
- ALAC reserves the right to decline entry to those displaying behaviour that may jeopardize the safety of patrons and staff.
- Membership cards remain the property of the City and may be withheld from un-financial patrons.
- A replacement fee of \$2.00 will be charged for lost or stolen cards. You may be refused entry to the Centre until such time as your membership card is replaced.
- The City reserves the right to restrict members' access (at any time without prior notice to the members) to any part of the Centre. Areas may be closed or have restricted access during peak times to the general public for other programmed activities.
- You are to present your membership card each and every time you enter the Centre.
- Your membership is unique to you and shall not be shared with other persons.

8. CONCESSIONS

- Visit pass holders are entitled to a discount, in accordance with the current Fee Schedule, upon presentation of a current Pension Card held by them. Concession cards other than those listed will be accepted at the sole discretion of the City. Discounts offered will be at the sole discretion of the City.

9. CRÈCHE

- A crèche enrolment form must be completed on your child's first visit. All children must be signed in and out of crèche.
- No individual child will attend for more than 3 hours in one session.
- No individual child will attend for more than two care sessions in one day, separated by at least one hour
- No individual child will attend for more than 12 hours in any week.
- Parents/guardians must remain on the premises while children are in the crèche.
- All children that attend crèche must be at least 3 months of age or older.
- Children with contagious illness will not be admitted into crèche.

MISCELLANEOUS

- The City reserves the right to alter the form or type of fitness programs and classes offered by it from time to time.
- Timetabled programs and classes may be cancelled at the absolute discretion of the City during Christmas, Easter, public and school holidays.
- Changes in hours of operation of the Centre will be notified, but are at the discretion of the City.

MEMBERSHIP PURCHASED

TOTAL MEMBERSHIP COST

MEMBER SIGNATURE

1. MEMBERSHIP

- Memberships are non refundable after the 48 hour cooling off period has expired.
- Members must adhere to these Terms and Conditions at all times.
- The City reserves the right to terminate or suspend the membership of any person not complying with any of these Terms and Conditions.
- Cancellation during the cooling off period will incur a \$25.00 administration fee and the Centre reserves the right to impose a fee for any services provided to you during the cooling off period which has not been paid for. All other membership fees will be refunded. Cheque refunds will be posted and are to be received within 14 days.
- This Membership does NOT include general fees as charged by relevant clubs or associations.
- A member agrees to show their membership card each and every time they enter the Centre, and at any other time requested by an authorised staff member.
- Whilst every effort is made to advise of your membership date, the manager or any staff member has no obligation in the rules or by-laws to do so. It is therefore the responsibility of members to ensure their membership cards are current.

2. DIRECT DEBIT

- Your membership involves a one-off \$50 start up fee and an ongoing membership fee which is payable on a monthly basis.
- Payments shall continue as agreed regardless of frequency attendance at the Centre.
- All direct debit members will be subject to incremental price rises on the adoption of the new City of Albany budget every year. Members will be advised in writing of price rises 30 days beforehand.
- Monthly memberships may be cancelled by giving notice 7 days prior to the next scheduled debit.
- If notification is received after this date, your membership will not be cancelled until the following month.
- You will not be reimbursed for the joining or debited monthly membership fee upon cancellation of a monthly membership.
- Memberships cannot be transferred to any other person at any time.
- When direct debits are rejected by the bank, an alternative payment including any late payment fees must be made to avoid cancellation of membership by the City.
- Cancellation of membership will require another start up fee if another membership is purchased after the cancellation date.

3. TIMESTOP & OTHER CHANGES TO MEMBERSHIP

- Membership will restart automatically after the requested Timestop period has finished.
- Applications for Timestop must be made in writing prior to your absence from the Centre. Retrospective suspension is not permitted.
- Members must notify the City in writing of any change of address, name, phone and e-mail details.

4. TEN PASS MULTI-VISIT

- Ten Pass Multi-Visit must be fully paid up front.
- Ten Pass Multi-Visits are transferable.
- Ten Pass Multi-Visits are not refundable.

5. CHANGES TO TERMS AND CONDITIONS

- The City reserves the right to increase prices or alter the terms and conditions in the future.
- 30 days notice in writing will be provided prior to any price increase.
- You will be informed in writing of any change to the Terms and Conditions of membership outlined in this agreement. The new conditions will become effective automatically after the date outlined in any correspondence.

EXISTING & PROPOSED SIGNAGE

$$dP(\cdot)$$

ER
GENERAL FLOOR PLAN
BUILDER MUST CHECK ALL DIMENSIONS, MATERIALS, AND FINISHES AGAINST THE ARCHITECT'S INTENT.

© All drawings are Architects copy: not
LEVELS OR SITE ELEVATIONS COMMENCING AT 0
DIMENSIONS TO GROUND SCALE

AS SHOWN
16-10-06
DWS NO
AP02

03.13.1968

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AGENDA ITEM 3.1 REFERS

AGENDA ITEM 4.1 REFERS

TRUST CHEQUES AND ELECTRONICS FUNDS TR/

EFT/CHQ	Date	Name	Description	Amount
27307	28/04/2011	PL & D GOODE	REFUND OF SUBDIVISION BOND FROM 1998	200.00
27334	12/05/2011	ANTHONY GOAD	RETURN OF HOUSING BOND	5,000.00
27367	26/05/2011	BROOK, G	RETURN OF SUBDIVISION/DEFECTS BOND FOR WAPC 105619 LODGED WITH CITY 28/2/2000	3000.00
EFT67553	12/05/2011	DL & JG BOURKE	RETURN OF SUBDIVISION BOND WAPC 103126 MAY '00	3,225.00
TOTAL				\$ 8,425.00

MASTERCARD TRANSACTIONS - APRIL 2011

Date	Payee	Description	Amount
29/03/2011	Institute of Public Works	2011 IPWEA State Conference - K. Ketterer	990.00
07-April-2011	Dept of Interesse Bearing	Environmental Protection Act 1986	1,215.00
07-April-2011	Country Comfort, Belmont	Accommodation F. James & Mayor - RCA Meeting	450.46
15-April-2011	Ocean Centre Hotel, Geraldton	Accommodation F. James & Mayor - RCA Meeting	300.00
26-March-2011	Amcoll Pty Ltd	IT equipment - Antenna	1,155.35
31-March-2011	Esplanade Hotel	Accommodation S. Gartland - West Australian Cruise Forum	236.20
05-April-2011	SkyWest Airlines	Air Fare - B. Wellstead SLWA Exchange	348.54
09-April-2011	Rydges Canberra	Accommodation J. A. Gray - Media Relations Conference	621.18
09-April-2011	Dog Rock Motel	Accommodation J. McPhee - Albany Art Prize	543.15
09-April-2011	Albany Harbourside	Accommodation A. Barrett-Lennard - Albany Art Prize	525.00
11-April-2011	Hanover Bay Studio	Accommodation B. Cobby - Albany Art Prize	400.00
18-April-2011	SkyWest Airlines	Air Fare - N. Marke - Due diligence and transition plan for Albany Visito	438.85
Various	Sundry < \$ 200.00		1,091.90
TOTAL			\$ 8,315.63

Payroll - 27TH APRIL - 25TH MAY 2011

27-April-2011	Sundry Pay	738.42
04-May-2011	Payroll	409,733.55
09-May-2011	Sundry Pay	629.88
12-May-2011	Sundry Pay	4,144.33
18-May-2011	Payroll	415,494.92
19-May-2011	Sundry Pay	4,475.08
20-May-2011	Sundry Pay	4,809.13
TOTAL		\$ 840,025.31

Chq	Date	Name	Description	Amount
27308	28/04/2011	DEPARTMENT OF MINES & PETROLEUM	DANGEROUS GOODS LICENCE	192.00
27309	28/04/2011	ALBANY PUBLIC LIBRARY	TEA MONEY FOR STAFF JAN - MAR 2011	216.00
27310	28/04/2011	AMP FLEXIBLE LIFETIME SUPER PLAN	Superannuation contributions	887.60
27311	28/04/2011	HESTA SUPER FUND	Superannuation contributions	552.23
27312	28/04/2011	HOSTPLUS PTY LTD	Superannuation contributions	430.53
27313	28/04/2011	MLC NOMINEES PTY LTD	Superannuation contributions	216.77
27314	28/04/2011	MLC NOMINEES PTY LIMITED	Superannuation contributions	298.20
27315	28/04/2011	NATIONAL MUTUAL RETIREMENT FUND	Superannuation contributions	345.40
27316	28/04/2011	PERPETUAL WEALTH FOCUS SUPER PLAN	Superannuation contributions	795.38
27317	28/04/2011	PETTY CASH - FORTS	PETTY CASH REIMBURSEMENTS	132.40
27318	28/04/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	304.40
27319	28/04/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	759.60
27320	28/04/2011	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	193.88
27321	28/04/2011	TOWER TRUST LIMITED	Superannuation contributions	293.56
27322	28/04/2011	UNI SUPER	Superannuation contributions	239.80
27323	28/04/2011	WATER CORPORATION	WATER USAGE	10.80
27324	05/05/2011	ALBANY SURF & SKATE	PRIZES FOR SK8 COMPETITION	209.86
27325	05/05/2011	CITY OF GOSNELLS	LOST LIBRARY ITEMS	16.50
27326	05/05/2011	INGAL CIVIL PRODUCTS	CURVED W BEAMS POSTS AND FITTINGS ALAC CARPARK	1,760.01
27327	05/05/2011	KAYE EMBLETON	ART CLASSES SCHOOL HOLIDAY PROGRAM	600.00
27328	05/05/2011	PETTY CASH - ALBANY PUBLIC LIBRARY	PETTY CASH REIMBURSEMENTS	254.40
27329	05/05/2011	PETTY CASH - CITY OF ALBANY	PETTY CASH REIMBURSEMENTS	361.45
27330	05/05/2011	PETTY CASH - VANCOUVER ARTS CENTRE	PETTY CASH REIMBURSEMENTS	55.80
27331	05/05/2011	TELSTRA CORPORATION LIMITED	TELEPHONES COSTS	11,952.35
27332	05/05/2011	WATER CORPORATION	WATER CHARGES - VARIOUS LOCATIONS	12,605.15
27336	12/05/2011	BELINDA COBBY	JUDGE DUTIES COA ART PRIZE	200.00
27337	12/05/2011	NANETTE KEEN	REIMBURSEMENT FEE FOR P2115103	75.00
27338	12/05/2011	PETTY CASH - ALBANY AQUATIC AND LEISURE CENTRE	UMPIRE FEES	1,500.00
27339	12/05/2011	PETTY CASH - VANCOUVER ARTS CENTRE	PETTY CASH REIMBURSEMENT	226.80
27340	12/05/2011	WATER CORPORATION	WATER CHARGES OFFICES AT 222 CHESTERPASS RD	2,584.75
27341	12/05/2011	GRAHAM DELACEY	REIMBURSE PLANNING APPLICATION FEE P2115100 261 SOUTH COAST HWY	250.00
27342	19/05/2011	MELANIE MEARS	NETBALL MEMBERSHIP REFUND	376.77

AGENDA ITEM 4.1 REFERS

27343	19/05/2011 KATHY GOODLIFFE	NETBALL MEMBERSHIP REFUND	95.57
27344	19/05/2011 R & DG CEKEREVAC	REFUND FOR B/L EXTENSION - B/L 280126	290.91
27345	19/05/2011 CHESTERS CONSTRUCTIONS	REIMBURSE APPLICATION FEE FOR P295365 PLANNING CONSENT FOR LOT 370 LANCASTER ROAD - WHICH IS NOT REQUIRED	75.00
27347	19/05/2011 THE BUSH FAIRY	VOLUNTEERS DAY EVENT - BALLOONS	94.00
27348	19/05/2011 CASTLE ROCK ESTATE	WINE PURCHASES ALBANY ART PRIZE	648.00
27349	19/05/2011 LAUBMAN AND PANK	INSURANCE COSTS PRESCRIPTION GLASSES - IAN GROCOE	345.00
27350	19/05/2011 STEPHANIE MORRIGAN	EAP SERVICES CONSULTATION FEES	300.00
27351	19/05/2011 SENSIS PTY LTD	YELLOW ONLINE BUSINESS BASICS VISITORS CENTRE	48.40
27352	19/05/2011 PETTY CASH - VANCOUVER ARTS CENTRE	PETTY CASH REIMBURSEMENTS - VAC	96.15
27353	19/05/2011 REDMOND GENERAL STORE	REDMOND BUSH FIRE BRIGADE FUEL PURCHASES	105.88
27354	19/05/2011 COMMISSIONER OF STATE REVENUE	REFUND PENSIONER ESL REBATE CLAIM FOR A101878 - VAN EUK. CLAIMED TWICE IN ERROR	8.61
27355	19/05/2011 TELSTRA CORPORATION LIMITED	TELSTRA LANDLINE CHARGES	11,765.57
27356	19/05/2011 TOWN OF VINCENT	LIBRARY LOST DAMAGED ITEMS	12.10
27357	19/05/2011 WATER CORPORATION	WATER USAGE CHARGES VARIOUS LOCATIONS	471.75
27358	26/05/2011 MICHELLE TROTT	REFUND SWIM LESSONS - CALEB WILLIS	54.00
27359	26/05/2011 KYM MEATON	CROSSOVER SUBSIDY LOT 109 ALBERT STREET LITTLE GROVE	238.06
27360	26/05/2011 MS LINZIE ELLIS	ALBANY ART PRIZE 2011: SALE OF ARTWORK TITLED: UNTITLED (BLUE DOT)	536.00
27362	26/05/2011 DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION - P3274	136.90
27363	26/05/2011 OCP SALES	HANDHELD FESA RADIOS AND ACCESSORIES	1,377.17
27364	26/05/2011 UNIVERSITY OF WESTERN AUSTRALIA	REIMBURSEMENT PRINTING COSTS FOR CURATORS CHOICE CATALOGUE	1,927.50
27365	26/05/2011 VODAFONE PTY LTD	VODAFONE CHARGES	48.99
27366	26/05/2011 WATER CORPORATION	WATER USAGE CHARGES VARIOUS LOCATIONS	806.10
TOTAL			58,379.05

AGENDA ITEM 4.1 REFERS

EFT	Date	Name	Description	Amount
EFT67047	28/04/2011	ALBANY COMMUNITY HOSPICE	Payroll deductions	36.00
EFT67048	28/04/2011	AMP SUPERANNUATION LIMITED	Superannuation contributions	1,498.35
EFT67049	28/04/2011	AUSTRALIAN TAXATION OFFICE	Payroll deductions	212,100.73
EFT67050	28/04/2011	AUSTRALIAN SERVICES UNION WA BRANCH	Payroll deductions	2,963.60
EFT67051	28/04/2011	AUSTRALIAN PRIMARY SUPERANNUATION FUND	Superannuation contributions	304.40
EFT67052	28/04/2011	AUSTRALIAN SUPER	Superannuation contributions	1,274.65
EFT67053	28/04/2011	AUSTRALIAN ETHICAL SUPERANNUATION FUND	Superannuation contributions	345.78
EFT67054	28/04/2011	BT SUPER FOR LIFE	Superannuation contributions	326.54
EFT67055	28/04/2011	BT SUPER FOR LIFE	Superannuation contributions	46.10
EFT67056	28/04/2011	BT SUPER FOR LIFE	Superannuation contributions	354.52
EFT67057	28/04/2011	CHILD SUPPORT AGENCY	Payroll deductions	191.80
EFT67058	28/04/2011	COLONIAL FIRST STATE ROLLOVER & SUPER FUND	Superannuation contributions	128.66
EFT67059	28/04/2011	COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER	Superannuation contributions	644.26
EFT67060	28/04/2011	COLONIAL FIRST STATE WHOLESALE SUPER FUND	Superannuation contributions	50.39
EFT67061	28/04/2011	GENERATIONS PERSONAL SUPER FUND	Payroll deductions	517.45
EFT67062	28/04/2011	GENERATIONS PERSONAL SUPER FUND	Superannuation contributions	37.64
EFT67063	28/04/2011	HBF OF WA	Payroll deductions	1,210.95
EFT67064	28/04/2011	ING INTEGRA SUPER	Superannuation contributions	92.21
EFT67065	28/04/2011	ING ONE ANSWER PERSONAL SUPER	Superannuation contributions	428.83
EFT67066	28/04/2011	MACQUARIE BANK	Payroll deductions	3,653.96
EFT67067	28/04/2011	MACQUARIE BANK LIMITED	Superannuation contributions	4,885.72
EFT67068	28/04/2011	MLC NOMINEES PTY LTD	Superannuation contributions	293.56
EFT67069	28/04/2011	REST SUPERANNUATION	Superannuation contributions	3,137.75
EFT67070	28/04/2011	MARITIME SUPER	Superannuation contributions	176.91
EFT67071	28/04/2011	SPECTRUM SUPER	Superannuation contributions	223.01
EFT67072	28/04/2011	SUMMIT MASTER TRUST PERSONAL SUPERANNUATION PLAN	Superannuation contributions	65.69
EFT67073	28/04/2011	WA LOCAL GOVT SUPERANNUATION	Superannuation contributions	103,898.08
EFT67074	28/04/2011	WAYNE JOHN STEAD PTY LTD SUPERANNUATION FUND	Superannuation contributions	379.70
EFT67075	28/04/2011	WESTSCHEME	Superannuation contributions	3,126.60
EFT67076	28/04/2011	AD CONTRACTORS PTY LTD	PROGRESS CLAIM 2 LOWER KING RD	182,390.20
EFT67077	28/04/2011	AECOM	CUBE CONVERSION - TRANSPORT MODELLING PROJECT	20,801.29
EFT67078	28/04/2011	ALBANY ADVERTISER LTD	ADVERTISING - VANCOUVER ARTS	2,783.00
EFT67079	28/04/2011	ALBANY INDUSTRIAL SERVICES PTY LTD	SEMI TIPPER HIRE	1,636.80
EFT67080	28/04/2011	ALBANY SOIL AND CONCRETE TESTING	MATERIALS TESTING	566.50
EFT67081	28/04/2011	ALBANY SWEEP CLEAN	Sweeping of carparks, pathways & boardwalks for March 2011	2,425.50
EFT67082	28/04/2011	ALBANY STATIONERS	STATIONERY ITEMS	55.55

AGENDA ITEM 4.1 REFERS

EFT67083	28/04/2011 ALBANY PEST & WEED CONTROL	PEST CONTROL	180.00
EFT67084	28/04/2011 ALBANY INDOOR PLANT HIRE	INDOOR PLANT HIRE	980.31
EFT67086	28/04/2011 ALBANY RETRAVISION	REPLACEMENT URN FOR CIVIC ROOMS	94.95
EFT67087	28/04/2011 ALBANY REFRIGERATION	AIRCONDITIONER REPAIR	214.50
EFT67088	28/04/2011 ALBANY SKIPS AND WASTE SERVICES	SKIP BIN HIRE	480.00
EFT67089	28/04/2011 ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY ITEMS	95.20
EFT67090	28/04/2011 ALBANY CENTRAL CABINETS	CONSTRUCTION OF TABLETOPS FOR COUNCIL CHAMBERS	56.00
EFT67091	28/04/2011 ALBANY QUALITY LAWNMOWING	LAWN MOWING LOTTERIES HOUSE	100.00
EFT67092	28/04/2011 ALBANY KAWASAKI	OIL FILTER P2223	19.95
EFT67093	28/04/2011 ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	349.80
EFT67094	28/04/2011 ALBANY CLEANING SERVICE	CLEANING OF BOND STORE	231.00
EFT67095	28/04/2011 ALLFLOW INDUSTRIAL	SEPARATOR SERVICES - OIL/WATER SEPARATOR - MERCER ROAD	323.35
EFT67096	28/04/2011 ANGUS AND ROBERTSON BOOK WORLD	NEWSPAPERS/BOOKS/MAGAZINES/STATIONERY	285.42
EFT67097	28/04/2011 ASCOT QUAYS APARTMENT HOTEL	ACCOMODATION FOR JANET HARBACH 30/3/2011	245.80
EFT67098	28/04/2011 BANKSIA BROOK HOLDINGS	TURF SUPPLIES	15,312.00
EFT67099	28/04/2011 BENNETTS BATTERIES	BATTERY PURCHASES - P221	281.60
EFT67100	28/04/2011 ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	969.12
EFT67101	28/04/2011 BEST OFFICE SYSTEMS	STATIONERY	173.00
EFT67102	28/04/2011 BIO DIVERSE SOLUTIONS	SITE SURVEY	1,826.00
EFT67103	28/04/2011 BLACKWOODS	MAINTENANCE SUPPLIES	221.17
EFT67104	28/04/2011 ALBANY BOBCAT SERVICES	The spreading of mulch and the removal of paradoxlin from BTG	600.00
EFT67105	28/04/2011 P AND F BOCCAMAZZO PTY LTD	CLEARING OF YAKAMIA DRAIN	2,000.00
EFT67106	28/04/2011 BUNNINGS BUILDING SUPPLIES PTY LTD	Peels Place (confidor)	69.40
EFT67107	28/04/2011 CAMLYN SPRINGS WATER DISTRIBUTORS	ANNUAL WATER COOLER RENTAL (CEO KITCHEN & COUNCIL CHAMBERS) AND REFILLS	1,368.00
EFT67108	28/04/2011 CARDNO (WA) PTY LTD	DRAINAGE ASSETT	14,529.21
EFT67109	28/04/2011 J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL SERVICES - CORNER SANFORD ROAD	2,739.01
EFT67110	28/04/2011 MAX CASEY	STAFF REIMBURSEMENT - IPWEA DIPLOMA	65.40
EFT67111	28/04/2011 SYNERGY GRAPHICS	ARTWORK FOR CENTENNIAL ART PRIZE	632.00
EFT67112	28/04/2011 COCA-COLA AMATIL PTY LTD	SOFT DRINKS FOR ALAC	2,455.08
EFT67113	28/04/2011 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES ALAC	205.24
EFT67114	28/04/2011 COVENTRYS	VEHICLE PARTS - P83	699.60
EFT67115	28/04/2011 JENNIFER CROWE	CASUAL LABOUR	2,840.00
EFT67116	28/04/2011 HOLCIM (AUSTRALIA) PTY LTD	TONNES OF WASHED METAL	1,338.88
EFT67117	28/04/2011 DATACOM INFORMATION TECHNOLOGIES PTY LTD	Equipment purchased through Lotterywest grant # 20100539 - 1 x DatacomIT STViewScan micrographics scanner	22,348.00
EFT67118	28/04/2011 LANDGATE	TITLE SEARCHES	798.00
EFT67119	28/04/2011 G & M DETERGENTS & HYGIENE SERVICES ALBANY	SANITARY SERVICES	1,492.81
EFT67120	28/04/2011 DICK SMITH ELECTRONICS	FLASHDRIVES FOR LIBRARY	99.90
EFT67121	28/04/2011 DIGITAL EDUCATION SERVICES	BOOKS	132.00

AGENDA ITEM 4.1 REFERS

EFT67122	28/04/2011 DORMA AUTOMATICS PTY LTD	SCHEDULED SERVICE	170.50
EFT67123	28/04/2011 ENVISION WARE PTY LTD	WARRRANTY MAINTENANCE - ENVISIONWARE - LIBRARY	857.54
EFT67124	28/04/2011 FARM FRESH WHOLESALERS	CATERING SUPPLIES ALAC	286.75
EFT67125	28/04/2011 RICHARD EDMUND FENNY	Rates refund for assessment A88917 56 STEAD ROAD	22.37
EFT67126	28/04/2011 THE FIXUPPERY	WINDOW CLEANING	594.00
EFT67127	28/04/2011 FLOSS AND POPCORN SUPPLY COMPANY	POPCORN MACHINE HIRE 30/3 - 6/4/11	165.00
EFT67128	28/04/2011 FOLKLORE SKATEBOARDS (AUSTRALIA) PTY LTD	CORRECTION OF INCORRECT CODING USED	34.32
EFT67129	28/04/2011 GLASS SUPPLIERS	GLASS REPLACEMENT - LIBRARY	627.00
EFT67130	28/04/2011 GRACE REMOVALS GROUP	REMOVAL FEE	759.00
EFT67131	28/04/2011 GRAY & LEWIS	CONTRACT PLANNING SERVICES - BIG GROVE	433.40
EFT67132	28/04/2011 GRANDE FOOD SERVICE	CATERING SUPPLIES ALAC	457.26
EFT67133	28/04/2011 GREAT SOUTHERN GROUP TRAINING	CASUAL LABOUR	3,560.52
EFT67135	28/04/2011 GREAT SOUTHERN PERSONNEL	LIBRARY ASSISTANT SERVICES	107.12
EFT67136	28/04/2011 GREAT SOUTHERN PACKAGING SUPPLIES	STAFF AMENITIES SUPPLIES	118.80
EFT67137	28/04/2011 GSM AUTO ELECTRICAL	VEHICLE PARTS/MAINTENANCE	46.75
EFT67138	28/04/2011 HAYNES ROBINSON	LEASE EXTENSION ESTATE OF LATE HERBERT JACKMAN 22 BAXTERI RD	930.00
EFT67139	28/04/2011 RATTEN & SLATER MACHINERY	VEHICLE PARTS	307.69
EFT67140	28/04/2011 INFRASTRUCT CONTRACTING P/L	TREE REMOVAL - FORTS	1,573.00
EFT67141	28/04/2011 ISIS CAPITAL LIMITED	MONTHLY GYM EQUIPMENT PAYMENT	3,494.82
EFT67142	28/04/2011 LATRO LAWYERS	HEADS OF AGREEMENT	1,578.28
EFT67143	28/04/2011 LORLAINE DISTRIBUTORS PTY LTD	CLEANING GOODS	15.00
EFT67144	28/04/2011 ALBANY PARTY HIRE	HIRE OF GLASSES	84.50
EFT67145	28/04/2011 MERLE ANNE FLORIST	FLOWER ARRANGEMENTS FOR ALAC	110.00
EFT67146	28/04/2011 MODERN TEACHING AIDS PTY LTD	DAY CARE EXERCISE MATS	71.39
EFT67147	28/04/2011 MR MOO DAIRY DISTRIBUTORS	MILK DELIVERIES ALAC	578.10
EFT67148	28/04/2011 NEVILLES HARDWARE & BUILDING SUPPLIES	SHEETS OF PLY FOR ALAC	291.85
EFT67149	28/04/2011 ALBANY COMMUNITY PHARMACY	HUGGIES LITTLE SWIMMERS	328.40
EFT67150	28/04/2011 NOVOTEL LANGLEY PERTH HOTEL	CCC CONFERENCE 2011 - MAYOR ACCOMODATION AND BREAKFAST	272.00
EFT67151	28/04/2011 OKEEFE'S PAINTS	Blue 500 grams spray paint cans	71.05
EFT67152	28/04/2011 OPUS INTERNATIONAL CONSULTANTS LTD	LOWER DENMARK RD	14,989.00
EFT67153	28/04/2011 ORBANYS	PROTECTIVE CLOTHING ALTERATIONS	43.29
EFT67154	28/04/2011 ORICA AUSTRALIA P/L	CHEMICALS	332.48
EFT67155	28/04/2011 PFD FOOD SERVICES PTY LTD	CATERING SUPPLIES ALAC	412.55
EFT67156	28/04/2011 HANSON CONSTRUCTION MATERIALS PTY LTD	M3 25/14/80 FOOTPATH MIX DELIVERED	2,903.34
EFT67157	28/04/2011 PLASTICS PLUS	PURCHASE OF VARIOUS BOXES FOR P227	55.75
EFT67158	28/04/2011 REECE PTY LTD	ALAC URINAL CARTRIDGES	1,738.29
EFT67159	28/04/2011 SERENITY PARK	DISPOSAL OF DOGS	180.00
EFT67160	28/04/2011 SESCO SECURITY	QRTLY MONITORING	171.60
EFT67161	28/04/2011 G & L SHEETMETAL	S/STEEL STRIPS	71.50

AGENDA ITEM 4.1 REFERS

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EFT67162	28/04/2011 SIGNOFF PTY LTD	Rates refund for assessment A219944	1,398.15
EFT67163	28/04/2011 SITEART PTY LTD	SOFTFALL REPAIRS	9,317.00
EFT67164	28/04/2011 SKILL HIRE WA PTY LTD	LABOUR HIRE	584.98
EFT67165	28/04/2011 SKYWEST AIRLINES	AIRFARES FOR MAYOR & CEO 11/5/2011	995.40
EFT67166	28/04/2011 SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	91.70
EFT67167	28/04/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING SUPPLIES ALAC	2,989.22
EFT67168	28/04/2011 SPEEDO AUSTRALIA PTY LTD	SWIM EQUIPMENT	561.00
EFT67169	28/04/2011 STIRLING CONFECTIONERY PLUS	CATERING SUPPLIES ALAC	2,297.00
EFT67170	28/04/2011 ST JOHN AMBULANCE AUSTRALIA	SENIOR FIRST AID COURSE LIBRARY	330.00
EFT67171	28/04/2011 T & C SUPPLIES	HARDWARE SUPPLIES	652.62
EFT67172	28/04/2011 THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES ALAC	364.20
EFT67173	28/04/2011 THINKWATER ALBANY	RETICULATION SUPPLIES	5,526.17
EFT67174	28/04/2011 THOMPSON MCROBERT EDGELOE	LOWER KING ROAD UPGRADE DESIGN	759.00
EFT67175	28/04/2011 TOTAL EDEN	GARDEN SUPPLIES	557.73
EFT67176	28/04/2011 TRANSOFT SOLUTIONS (AUSTRALIA) PTY LTD	AUTO TURN & MAP UPGRADE	1,716.00
EFT67177	28/04/2011 THE TROPHY SHOP	GOLD PLATE	54.80
EFT67178	28/04/2011 ALBANY TYREPOWER	TYRE REPAIRS	172.00
EFT67179	28/04/2011 VANCOUVER WASTE SERVICES	BULK GREEN WASTE	18,309.52
EFT67180	28/04/2011 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	389.18
EFT67181	28/04/2011 WELLSTEAD COMMUNITY RESOURCE CENTRE INC.	FAXING	7.25
EFT67182	28/04/2011 WESTRAC EQUIPMENT PTY LTD	SET OF CUTTINGS EDGES FOR GRADER - P211	444.79
EFT67183	28/04/2011 LANDMARK LIMITED	Silvan Anemometer (hand held wind meter)	120.00
EFT67184	28/04/2011 WESTSHRED DOCUMENT DISPOSAL	DOCUMENT DISPOSAL	313.50
EFT67185	28/04/2011 YAKKA PTY LTD	PROTECTIVE CLOTHING	656.97
EFT67186	28/04/2011 YOUNGS SIDING PROGRESS ASSOCIATION INC	HALL HIRE	40.00
EFT67187	29/04/2011 AD CONTRACTORS PTY LTD	RANGE COURT DRIVE	67,602.00
EFT67188	05/05/2011 EXCLAIMER LTD	EXCLAIMER SIGNATURE MANAGER 2.0 350 USERS 1 YEAR SUPPORT	2,678.00
EFT67189	05/05/2011 EDENBORN PTY LTD	MOWING SERVICES - CONTRACT C10007	4,401.80
EFT67190	05/05/2011 ALBANY VALUATION SERVICES	PROFESSIONAL FEES - LAND RENTAL ASSESSMENT 198 HANRAHAN ROAD	150.00
EFT67191	05/05/2011 ALBANY CHAMBER OF COMMERCE & INDUSTRY	ADVERTISING	4,180.46
EFT67192	05/05/2011 ALBANY CAR STEREO	MAINTENANCE/PARTS	32.50
EFT67193	05/05/2011 ALBANY REFRIGERATION	AIR CONITIONER FOR HANRAHAN	3,842.25
EFT67194	05/05/2011 ALBANY HISTORICAL SOCIETY	MANNING & CLEANING BRIG AMITY	650.00
EFT67195	05/05/2011 HOME TIMBER & HARDWARE	CLEANING PRODUCTS	169.38
EFT67196	05/05/2011 ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY	167.75
EFT67197	05/05/2011 ALBANY NEWS DELIVERY	NEWSPAPER DELIVERIES	134.85
EFT67198	05/05/2011 ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	455.13
EFT67199	05/05/2011 ALBANY FILTERCLEAN	FILTERS CHANGED ALAC	28.00
EFT67200	05/05/2011 ALBANY OFFICE PRODUCTS - ALAC	STATIONERY SUPPLIES	29.00
EFT67201	05/05/2011 ALBANY OFFICE PRODUCTS - DAYCARE	STATIONERY SUPPLIES	40.00

AGENDA ITEM 4.1 REFERS

EFT67202	05/05/2011 ALBANY OFFICE PRODUCTS - WORKS DEPOT	DISPLAY DIVIDERS FOR SUPERVISORS OFFICE	1,298.00
EFT67203	05/05/2011 ALBANY OFFICE PRODUCTS - LIBRARY	STATIONERY SUPPLIES	112.20
EFT67204	05/05/2011 ALL EVENTS PROSOUND HIRE	MT ROMANCE CENTENNIAL ART PRIZE PRESENTATION PA SYSTEM HIRE	225.00
EFT67205	05/05/2011 ANGUS AND ROBERTSON BOOK WORLD	NEWSPAPERS/BOOKS MAGAZINES - LIBRARY	242.98
EFT67206	05/05/2011 ART ON THE MOVE	ART ON THE MOVE MEMBERSHIP	110.00
EFT67207	05/05/2011 ATC WORK SMART	CASUAL STAFF	9,992.40
EFT67208	05/05/2011 AUSTENITIC STEEL PRODUCTS	PLANT MAINTENANCE/REPAIRS	44.00
EFT67209	05/05/2011 BALL BODY BUILDERS	REFLECTOR SLAB RANGE COURT CRESENT	894.48
EFT67210	05/05/2011 BARRETT'S MINI EARTHMOVING & CHIPPING	CHIPPING AT BOB THOMPSON GARDENS AND 5 OTHER LOCATIONS	3,382.00
EFT67211	05/05/2011 WILLIAM THOMAS BARRASS (THE ESTATE OF)	Rates refund for assessment A73122	937.71
EFT67212	05/05/2011 ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	3,828.75
EFT67213	05/05/2011 BEST OFFICE SYSTEMS	PHOTOCOPY CHARGES - RANGERS	809.16
EFT67214	05/05/2011 BINDOON TRACTORS PTY LTD	PURCHASE OF NEW MCCONNELL PA7700T AS QUOTED	73,040.00
EFT67215	05/05/2011 ALBANY BITUMEN SPRAYING	BITUMEN SPRAYING - ALAC CARPARK	3,074.50
EFT67216	05/05/2011 BLACKWOODS	SAFETY EQUIPMENT AND SUPPLIES	105.40
EFT67217	05/05/2011 BLOOMIN FLOWERS	FLOWERS FOR DEB WALKER	55.00
EFT67218	05/05/2011 BOOEASY AUSTRALIA PTY LTD	BOOEASY BOOKING RETURNS COMMISSION/MONTHLY FEES - FEBRUARY 2011	1,582.18
EFT67219	05/05/2011 BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE SUPPLIES - VAC	200.27
EFT67220	05/05/2011 J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	4,214.38
EFT67221	05/05/2011 CLAW ENVIRONMENTAL	DRUM MUSTER	1,809.94
EFT67222	05/05/2011 SUE CODEE	CENTENNIAL ART PRIZE ASSISTANCE	704.00
EFT67223	05/05/2011 COFFEY ENVIRONMENTS PTY LTD	PREPARATION OF ER REPORT - YAKAMIA	100.52
EFT67224	05/05/2011 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES FOR DAYCARE	575.82
EFT67225	05/05/2011 CONSTRUCTION EQUIPMENT AUSTRALIA	VEHICLE PARTS	791.73
EFT67226	05/05/2011 ANN COPEMAN BVA	ALBANY ART GROUP EXHIBITION AT TOWN HALL	75.00
EFT67227	05/05/2011 COURIER AUSTRALIA	FREIGHT CHARGES	1,217.84
EFT67228	05/05/2011 COVENTRYS	VEHICLE PARTS - ASSORTED PLANT ITEMS	580.41
EFT67229	05/05/2011 C T MANAGEMENT GROUP	WASTE MANAGEMENT SERVICE REVIEW	11,328.63
EFT67230	05/05/2011 AL CURNOW HYDRAULICS	VEHICLE MAINTENANCE	235.01
EFT67231	05/05/2011 CYNERGIC COMMUNICATIONS	WEB SITE MAINTENANCE	493.90
EFT67232	05/05/2011 DATA #3 LIMITED	WINDOWS SERVER STANDARD 2008 RS SINGLE ACADEMIC LICENCE	162.67
EFT67233	05/05/2011 DEPARTMENT OF TRANSPORT	ANNUAL JETTY LICENCE - NO: 3507 41-51 MERMAID AVE EMU POINT	32.65
EFT67234	05/05/2011 DRAEGER SAFETY PACIFIC PTY LTD	SAFETY EQUIPMENT	4,458.63
EFT67235	05/05/2011 ECO HEALTH HOLDINGS	ENVIRONMENTAL HEALTH SERVICES APRIL 2011	3,045.00
EFT67236	05/05/2011 ECOTONES AND ASSOCIATES	ALBANY STREET TREE SURVEY	13,699.33
EFT67237	05/05/2011 SIMON EDWARDS	STAFF MILEAGE CLAIM	38.49
EFT67238	05/05/2011 EVERTRANS	VEHICLE REPAIRS	451.00
EFT67239	05/05/2011 EVERITE SIGNS	SIGNAGE MT ROMANCE ART PRIZE	24.20
EFT67240	05/05/2011 FARM FRESH WHOLESALERS	CATERING SUPPLIES FOR ALAC CAFE	154.03

AGENDA ITEM 4.1 REFERS

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EFT67241	05/05/2011 FREEMAN RYAN DESIGN PTY LTD
EFT67242	05/05/2011 GRANDE FOOD SERVICE
EFT67243	05/05/2011 GREAT SOUTHERN INSTITUTE OF TECHNOLOGY
EFT67244	05/05/2011 GREEN SKILLS INC
EFT67245	05/05/2011 GREAT SOUTHERN PACKAGING SUPPLIES
EFT67246	05/05/2011 GREAT SOUTHERN BEARINGS
EFT67247	05/05/2011 GREENMAN TRADING COMPANY
EFT67248	05/05/2011 PROTECTOR FIRE SERVICES PTY LTD
EFT67249	05/05/2011 HAYNES ROBINSON
EFT67250	05/05/2011 HUDSON HENNING AND GOODMAN
EFT67251	05/05/2011 INFRASTRUCT CONTRACTING P/L
EFT67252	05/05/2011 INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA
EFT67253	05/05/2011 JUST SEW EMBROIDERY
EFT67254	05/05/2011 KNOTTS PLUMBING PTY LTD
EFT67255	05/05/2011 LA FREEGARD
EFT67256	05/05/2011 LANDFILL GA5 AND POWER PTY LTD
EFT67257	05/05/2011 LATRO LAWYERS
EFT67258	05/05/2011 ALBANY CITY MOTORS
EFT67259	05/05/2011 MCLEODS BARRISTERS & SOLICITORS
EFT67260	05/05/2011 METROOF ALBANY
EFT67261	05/05/2011 MIDALIA STEEL PTY LTD
EFT67262	05/05/2011 AIRPORT SECURITY PTY LTD
EFT67263	05/05/2011 MIDWEST SECRETARIAL / LABOUR HIRE
EFT67264	05/05/2011 MISS MAUD SWEDISH HOTEL
EFT67265	05/05/2011 JOHN MOIR
EFT67266	05/05/2011 MR MOO DAIRY DISTRIBUTORS
EFT67267	05/05/2011 OCS SERVICES PTY LTD
EFT67268	05/05/2011 OPUS INTERNATIONAL CONSULTANTS LTD
EFT67269	05/05/2011 ORICA AUSTRALIA P/L
EFT67270	05/05/2011 CORR ART
EFT67271	05/05/2011 PERTH AMBASSADOR HOTEL
EFT67272	05/05/2011 AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LTD
EFT67273	05/05/2011 PETER GRAHAM AND COMPANY LTD
EFT67274	05/05/2011 HANSON CONSTRUCTION MATERIALS PTY LTD
EFT67275	05/05/2011 PLASTICS PLUS
EFT67276	05/05/2011 REPLICA MEDALS
EFT67277	05/05/2011 ELIZABETH RICHARDS PTY LTD
EFT67278	05/05/2011 RNR CONTRACTING PTY LTD
EFT67279	05/05/2011 ROYAL LIFE SAVING SOCIETY AUSTRALIA

FEES FOR ADDITIONAL WORKS & DRAWINGS FOR THE LONE PINE GROVE	1,980.00
CATERING SUPPLIES ALAC CAFE	181.34
STAFF TRAINING	5,661.20
CASUAL STAFF - BUSHCARE/WEED TREATMENT	19,592.93
CLEANING GOODS - ALAC	1,819.11
VEHICLE PARTS/REPAIRS/MAINTENANCE	150.17
STREET SURVEY & REPORT	17,130.43
FIRE SERVICES APRIL 2011	9,635.18
LEGAL COSTS - PHILLISKIRK ROAD - BARRY PANIZZA	1,827.69
LEGAL COSTS - LEASE - MIDDLETON BEACH HOLIDAY PARK	170.50
Removal of a large Gum Tree located at 5 Laperouse Cres in Goode Bch	4,741.58
DIPLOMA MODULE 4 PROJECT MANAGEMENT - CHRIS IDLE	660.00
EMBROIDERY - ALAC POLOS	215.60
PLUMBING REPAIRS/MAINTENANCE	565.65
SLASHING & MULCHING AT ALBANY AIRPORT	2,730.00
ELECTRICITY CHARGES 1/3/2011 - 1/4/2011	39,872.56
LEGAL COSTS	5,505.01
PURCHASE OF NEW HOLDEN CRUZE - P558	11,840.64
PROFESSIONAL SERVICES - GROUPED DWELLINGS LITTLE GROVE	1,339.55
CORODEK CLASSIC CREAM	70.22
STEEL SUPPLIES	19.82
AIRPORT SECURITY IDENTIFICATION CARDS	180.00
TEMPORARY STAFF - G BOONZAAIER	1,174.80
ACCOMODATION COSTS LIBRARY	202.25
RUBBISH REMOVAL FROM CAPE RICHE	1,080.00
CATERING SUPPLIES ALAC CAFE	263.95
CLEANING SERVICES APRIL 2011	20,146.88
STREET UPGRADES	21,361.78
MAINTENANCE SUPPLIES	990.00
ARTISTIC DEVELOPMENT CLASS	140.00
ACCOMMODATION CHARGES	495.00
LICENCE FEES - FITNESS & AEROBICS CLASS	1,599.26
VERGE MAINTENANCE/STREET TREES/MOWING (bi-active glyphosate)	367.40
FOOTPATH MIX DELIVERED	1,709.40
KT28R STASHAWAY 28LT	79.99
FORTS MERCHANDISE	86.35
MODELLING CLAY - LIBRARY	9.00
SUPPLY AND SPRAY EMULSION AND SPRAY TRUCK HIRE	15,924.25
SWIM CERTIFICATES - ALAC	794.75

AGENDA ITEM 4.1 REFERS

EFT67280	05/05/2011 KAITLYN SEYMOUR	VAC ADMIN ASSISTANCE	207.36
EFT67281	05/05/2011 SKILL HIRE WA PTY LTD	CASUAL STAFF	9,851.13
EFT67282	05/05/2011 SKILLED	LABOUR HIRE	323.88
EFT67284	05/05/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING SUPPLIES ALAC	904.01
EFT67285	05/05/2011 STAR SALES AND SERVICE	VEHICLE MAINTENANCE	20.75
EFT67286	05/05/2011 ST JOHN AMBULANCE AUSTRALIA	SENIOR FIRST AID COURSE	330.00
EFT67287	05/05/2011 LETITIA STONE	STAFF MILEAGE CLAIM	7.15
EFT67288	05/05/2011 STRUCTERRE CONSULTING ENGINEERS	SITE INSPECTION STIRLING ROAD SOUTH STIRLING	1,210.00
EFT67289	05/05/2011 SUNNY INDUSTRIAL BRUSHWARE	TRACTOR BROOMS	1,716.00
EFT67290	05/05/2011 ALBANY LOCK SERVICE	LOCKS/PADLOCKS	1,091.50
EFT67291	05/05/2011 SUPERSEALING PTY LTD	CRACK SEALING CONTRACT 2011	52,395.00
EFT67292	05/05/2011 SYNERGY	ELECTRICITY SUPPLIES - GROUPED ACCOUNT	10,146.58
EFT67293	05/05/2011 T & C SUPPLIES	GREY CEMENT & HARDWARE SUPPLIES	1,465.01
EFT67294	05/05/2011 DAVID THEODORE	MILEAGE CLAIM	190.24
EFT67295	05/05/2011 THE VEGIE SHOP	GROCERIES FOR DAYCARE	276.40
EFT67296	05/05/2011 TRADELINK PLUMBING SUPPLIES	LENGTHS OF SEWER PIPES & FITTINGS - RANGE ROAD	1,116.37
EFT67297	05/05/2011 UNITED BOOK DISTRIBUTORS	BOOKS FOUR VANCOUVER	341.25
EFT67298	05/05/2011 UPTOWN MUSIC	PARTS/EQUIPMENT	12.00
EFT67299	05/05/2011 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	480.50
EFT67300	05/05/2011 BILLY WELLSTEAD	TAXI CAB REIMBURSEMENTS	65.05
EFT67301	05/05/2011 WESTCARE INDUSTRIES	Label Library Outward Address Green	343.20
EFT67302	05/05/2011 WESTRAC EQUIPMENT PTY LTD	NEW 2011 CATERPILLAR PNEUMATIC COMPACTOR	204,646.95
EFT67303	05/05/2011 WESTERN AUSTRALIAN PLANNING COMMISSION	REVENUE REFUND - LOWLANDS COASTAL RESERVE	293.37
EFT67304	05/05/2011 WESTERN WORK WEAR	UNIFORMS	127.05
EFT67305	05/05/2011 THE WINDOW WASHER MAN	WINDOW CLEANING VAC	38.00
EFT67306	05/05/2011 WOOD AND GRIEVE ENGINEERS	EMU POINT BOAT TRAILER PARKING CONCEPT	2,200.00
EFT67307	05/05/2011 YAKKA PTY LTD	UNIFORMS	80.85
EFT67308	05/05/2011 ZENITH LAUNDRY	LAUNDRY/LINEN SERVICES - CENTENNIAL ART PRIZE	64.80
EFT67309	06/05/2011 MASTERY OF FX	FINDING MY PLACE WORKSHOP	570.00
EFT67310	12/05/2011 ABBOTTS LIQUID SALVAGE PTY LTD	LIQUID WASTE REMOVAL	185.00
EFT67311	12/05/2011 AD CONTRACTORS PTY LTD	HEAVY EQUIPMENT HIRE	39,965.25
EFT67312	12/05/2011 AIRSERVICES AUSTRALIA	QUARTERLY AIRPORT MAINTENANCE	35,386.40
EFT67313	12/05/2011 ALBANY VALUATION SERVICES	VALUATION FEES	370.00
EFT67314	12/05/2011 ALBANY PRINTERS	PRINTING OF ART PRIZE INVITATIONS	150.00
EFT67315	12/05/2011 ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS - ASSORTED PLANT	953.75
EFT67316	12/05/2011 ALBANY STATIONERS	STATIONERY SUPPLIES	33.45
EFT67317	12/05/2011 ALBANY PEST & WEED CONTROL	BEE HIVE TREATMENT - BMX TRACK SANFORD ROAD	140.00
EFT67318	12/05/2011 ALBANY CHAMBER OF COMMERCE & INDUSTRY	50% SHARE ADVERTISING COST "WHERE TO EAT IN ALBANY OVER EASTER GUIDE"	550.00
EFT67319	12/05/2011 ALBANY GATEWAY INCORPORATED	ONLINE ADVERTISING MAY 2011 - OCTOBER 2011	540.00

AGENDA ITEM 4.1 REFERS

EFT67320	12/05/2011	ALBANY DRILLING	BORE CONSTRUCTION SANFORD ROAD	8,637.48
EFT67321	12/05/2011	ALBANY CAR STEREO	PARTS/VEHICLE MAINTENANCE	109.00
EFT67322	12/05/2011	ALBANY REFRIGERATION	SERVICE/MAINTENANCE	101.75
EFT67323	12/05/2011	ALBANY MOBILE WELDING	WELDING SERVICES	1,793.00
EFT67324	12/05/2011	ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY ITEMS	1,863.70
EFT67325	12/05/2011	ALBANY NEWS DELIVERY	NEWSPAPER DELIVERY	33.60
EFT67326	12/05/2011	ALBANY CENTRAL CABINETS	DESK FOR CEO FOYER	1,045.00
EFT67327	12/05/2011	ALBANY OFFICE PRODUCTS - ALAC	STATIONERY ITEMS	60.30
EFT67328	12/05/2011	ALBANY OFFICE PRODUCTS - DAYCARE	STATIONERY ITEMS	44.00
EFT67329	12/05/2011	ALBANY OFFICE PRODUCTS - WORKS DEPOT	STATIONERY ITEMS FOR DEPOT	210.75
EFT67330	12/05/2011	ALLROAD MOTOR BODY BUILDERS	VEHICLE PARTS/MAINTENANCE	747.18
EFT67331	12/05/2011	AMITY PAINTING & DECORATING	PAINTING AT VAC & FORTS GUARD HOUSE AS QUOTED	10,035.00
EFT67332	12/05/2011	AMPAC DEBT RECOVERY (WA) PTY LTD	DEBT RECOVERY - RATES	2,790.02
EFT67333	12/05/2011	ARDESS NURSERY	GARDENING SUPPLIES	177.10
EFT67334	12/05/2011	ART ALMANAC	ADVERTISING - ART ALMANAC - ART PRIZE	203.50
EFT67335	12/05/2011	ARTCRAFT PTY LTD	STREET SIGNS & PAVEMENT MARKERS	7,106.55
EFT67336	12/05/2011	ATC WORK SMART	CASUAL LABOUR HIRE	3,785.23
EFT67337	12/05/2011	AUSTRALIA POST	POSTAGE CHARGES	2,825.26
EFT67338	12/05/2011	AUSTRALIAN AIR EXPRESS PTY LIMITED	FREIGHT CHARGES	261.58
EFT67339	12/05/2011	BENNETTS BATTERIES	BATTERY PURCHASES & RUBIA OIL	1,911.36
EFT67340	12/05/2011	ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	5,115.34
EFT67341	12/05/2011	BERTOLA HIRE SERVICES ALBANY PTY LTD	EXCAVATOR HIRE	382.80
EFT67342	12/05/2011	BEST OFFICE SYSTEMS	PHOTOCOPY CHARGES	90.00
EFT67343	12/05/2011	BLOOMIN FLOWERS	WREATHS FOR ANZAC SERVICE	195.00
EFT67344	12/05/2011	BOC GASES AUSTRALIA LIMITED	GAS SUPPLIES	198.48
EFT67345	12/05/2011	AIR BP	AVGAS PURCHASES	125.81
EFT67346	12/05/2011	BRANDNET PTY LTD T/AS MILITARY SHOP	1000 PENCILS FOR FORTS AS QUOTED	384.00
EFT67347	12/05/2011	BUILDING AND CONSTRUCTION IND TRAINING FUND	BCITF LEVIES APRIL 2011	15,955.47
EFT67348	12/05/2011	BUILDERS REGISTRATION BOARD	BRB LEVIES APRIL 2011	2,030.00
EFT67349	12/05/2011	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL SERVICES - MANYPEAK TOILETS	994.07
EFT67350	12/05/2011	CHRISTOPHER BURNELL	POND REPAIRS VICTORIA SQUARE GARDENS LOWER STIRLING TCE	880.00
EFT67351	12/05/2011	CJD EQUIPMENT PTY LTD	VEHICLE PARTS - P2012	443.23
EFT67352	12/05/2011	BIS CLEANAWAY LIMITED	WASTE REMOVAL CONTRACT	232,797.17
EFT67353	12/05/2011	COLQUHOUNS FREMANTLE BAG COMPANY	UV POLY SAND BAGS	693.00
EFT67354	12/05/2011	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	310.69
EFT67355	12/05/2011	CONSTRUCTION EQUIPMENT AUSTRALIA	VEHICLE PARTS - P21	358.62
EFT67356	12/05/2011	ANN COPEMAN BVA	CITY OF ALBANY ART PRIZE	450.00
EFT67357	12/05/2011	COVENTRYS	VEHICLE PARTS - P70/P2170 & P62	368.11
EFT67358	12/05/2011	DOWNER EDI WORKS PTY LTD	COLDMIX	1,906.92
EFT67359	12/05/2011	MICHAEL CUDDIHY	TRAVEL EXPENSE REIMBURSEMENT	167.75

AGENDA ITEM 4.1 REFERS

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EFT67360	12/05/2011	CYNDAN CHEMICALS	STAINLESS STEEL CLEANER ALAC	413.33
EFT67361	12/05/2011	D & K ENGINEERING	REPAIRS/MAINTENANCE	1,045.00
EFT67362	12/05/2011	DATATRAX PTY LTD	ADVERTISING	770.00
EFT67363	12/05/2011	DEPARTMENT OF TRANSPORT	ANNUAL SEA BED LEASE	2,200.00
EFT67364	12/05/2011	G & M DETERGENTS & HYGIENE SERVICES ALBANY	SANITARY SERVICES	1,492.81
EFT67365	12/05/2011	DON DUFTY	REIMBURSEMENT MILEAGE CLAIM	232.15
EFT67366	12/05/2011	DVA FABRICATIONS	SIGN HOLDER	131.60
EFT67367	12/05/2011	ELLEKER GENERAL STORE	FUEL PURCHASES	149.94
EFT67368	12/05/2011	MILTON EVANS	EXPENSES REIMBURSEMENT	492.56
EFT67369	12/05/2011	EVERTRANS	VEHICLE PARTS/MAINTENANCE	222.20
EFT67370	12/05/2011	EYELINE AUSTRALIA PTY LTD	SPORTS STORE EQUIPMENT	1,254.83
EFT67371	12/05/2011	FARMERS CENTRE (1978) PTY LTD	VEHICLE PARTS	18.00
EFT67372	12/05/2011	FRANEY & THOMPSON	TIMBER SUPPLIES	1,123.90
EFT67373	12/05/2011	GODFREYS THE VACUUM CLEANER SPECIALISTS	VACUUM CLEANER TOOLS	99.80
EFT67374	12/05/2011	GORDON WALMSLEY PTY LTD	KERBING ON LOCKYER AVE	300.00
EFT67375	12/05/2011	GREAT SOUTHERN GROUP TRAINING	CASUAL LABOUR HIRE	3,560.53
EFT67376	12/05/2011	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING PRODUCTS	1,040.74
EFT67377	12/05/2011	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	187.00
EFT67378	12/05/2011	HARLEY GLOBAL	PROFESSIONAL FEES	65.00
EFT67379	12/05/2011	JG & EL HERRING	Rates refund for assessment A184258	1,624.02
EFT67380	12/05/2011	JOHN HOBBS	FORTS TRAVELLING ALLOWANCE	24.00
EFT67381	12/05/2011	HR SETTLEMENTS	Rates refund for assessment A27143	280.87
EFT67382	12/05/2011	JUST A CALL DELIVERIES	DAILY DELIVERY SERVICE	786.50
EFT67384	12/05/2011	KELYN TRAINING SERVICES	TRAINING COURSE	820.00
EFT67385	12/05/2011	KEN FREEGARD FILTER CLEANING	FILTERS CHANGED/CLEANED	22.00
EFT67386	12/05/2011	KLB SYSTEMS	PURCHASE OF PC'S	2,700.50
EFT67387	12/05/2011	KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	4,307.65
EFT67388	12/05/2011	LEADING EDGE HIFI-ALBANY	PHONE REPAIRS	299.00
EFT67389	12/05/2011	STATE LIBRARY OF WA	DAMAGED AND LOST LIBRARY BOOKS	137.50
EFT67390	12/05/2011	CALTEX ENERGY WA	FUEL PURCHASES	52,406.64
EFT67391	12/05/2011	LORLAINE DISTRIBUTORS PTY LTD	BANNISTER BRUSHES & SPRAY BOTTLES FOR DEPOT	136.20
EFT67392	12/05/2011	MARSHALL MOWERS	VEHICLE SERVICING CRICKET WICKET MOWER	340.65
EFT67393	12/05/2011	MIDALIA STEEL PTY LTD	MILD STEEL	19.77
EFT67394	12/05/2011	MIDWEST SECRETARIAL / LABOUR HIRE	CASUAL LABOUR HIRE	1,774.44
EFT67395	12/05/2011	MIRA MAR VETERINARY SERVICES	ANIMAL EUTHANASIA	125.00
EFT67396	12/05/2011	MOTEL LE GRANDE	ACCOMMODATION CHARGES	250.00
EFT67397	12/05/2011	MT BARKER COMMUNICATIONS	RADIO REPAIRS/MAINTENANCE	49.50
EFT67398	12/05/2011	PN & ER NEWMAN QUALITY CONCRETE PRODUCTS	LINERS	478.50
EFT67399	12/05/2011	NEW HORIZON HOMES (WA) PTY LTD	Rates refund for assessment A198271	214.70
EFT67400	12/05/2011	OCS SERVICES PTY LTD	CLEANING SERVICES	764.00

AGENDA ITEM 4.1 REFERS

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EFT67401	12/05/2011 OKEEFE'S PAINTS	PAINT SUPPLIES	168.78
EFT67403	12/05/2011 PAUL ARMSTRONG PANELBEATERS	INSURANCE EXCESS	300.00
EFT67404	12/05/2011 PENNANT HOUSE	AUSTRALIAN NATIONAL FLAG	107.80
EFT67405	12/05/2011 HANSON CONSTRUCTION MATERIALS PTY LTD	SLUMP CONCRETE TO LOCKYER AVE WORK SITE	872.08
EFT67406	12/05/2011 R & L BITUMEN REPAIR SERVICES	ROAD MAINTENANCE	14,072.30
EFT67407	12/05/2011 W P REID	EQUIPMENT HIRE	17,323.50
EFT67408	12/05/2011 REPLICA MEDALS	FORTS MERCHANDISE	937.11
EFT67409	12/05/2011 RICOH	PHOTOCOPIER CHARGES	12,986.05
EFT67410	12/05/2011 ROBINSON BUILDTECH	PROGRESS CLAIM - WOMENS REST CENTRE CONSERVATION WORKS	51,060.23
EFT67411	12/05/2011 ROSMECH SALES AND SERVICE PTY LTD	MAIN BROOM DRIVE MOTOR P219	683.38
EFT67412	12/05/2011 ROYAL LIFE SAVING SOCIETY AUSTRALIA	SWIM CERTIFICATES	187.50
EFT67413	12/05/2011 SCHWEPES AUSTRALIA	SOFT DRINK FOR FORTS	99.20
EFT67414	12/05/2011 SKILL HIRE WA PTY LTD	CASUAL LABOUR HIRE	2,244.32
EFT67415	12/05/2011 SONIC CIVIL	PROVIDE LABOUR AND EQUIPMENT FOR RANGE COURT	6,632.00
EFT67416	12/05/2011 SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	5,386.97
EFT67417	12/05/2011 SOUTHERN TOOL & FASTENER CO	HEDGETRIMMER	1,179.33
EFT67418	12/05/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING SUPPLIES - ALAC CAFE	540.87
EFT67419	12/05/2011 SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	9,902.77
EFT67420	12/05/2011 STATEWIDE BEARINGS	PARTS/VEHICLE MAINTENANCE	28.58
EFT67421	12/05/2011 SAI GLOBAL LTD	INTERNET DOWNLOAD	65.35
EFT67422	12/05/2011 POSITION PARTNERS	REPAIRS/MAINTENANCE	379.50
EFT67423	12/05/2011 STIRLING FREIGHT EXPRESS	FREIGHT CHARGES	136.98
EFT67424	12/05/2011 ST JOHN AMBULANCE AUSTRALIA	SENIOR FIRST AID	495.00
EFT67425	12/05/2011 SYNERGY	ELECTRICITY ACCOUNT	38,764.92
EFT67426	12/05/2011 T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	532.29
EFT67427	12/05/2011 THE VEGIE SHOP	GROCERIES	208.31
EFT67428	12/05/2011 TOTAL GREEN RECYCLING	E WASTE RECYCLING	5,034.82
EFT67429	12/05/2011 TRAILBLAZERS	PROTECTIVE FOOTWEAR DEPOT WORKER	173.78
EFT67430	12/05/2011 TRAFFIC SAFETY CONSULTANTS PTY LTD	ROAD SAFETY REVIEW	4,953.25
EFT67431	12/05/2011 TRUCKLINE	VEHICLE PARTS/MAINTENANCE	2,036.10
EFT67432	12/05/2011 TRU-BLU GROUP PTY LTD	MINI EXCAVATOR	1,122.86
EFT67433	12/05/2011 TRUCK CENTRE WA PTY LTD	VEHICLE PARTS - P2012	57.62
EFT67434	12/05/2011 ALBANY TYREPOWER	TYRE REPAIRS/MAINTENANCE - P807	1,222.90
EFT67435	12/05/2011 VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	SCREENED TOP SOIL	269.00
EFT67436	12/05/2011 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING - ALBANY ART PRIZE	1,215.40
EFT67437	12/05/2011 LANDMARK LIMITED	CHAIN MESH FOR LOCKYER AVE	798.25
EFT67438	12/05/2011 WESTERN WORK WEAR	SAFETY WEAR	548.47
EFT67439	12/05/2011 ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	117.14
EFT67440	19/05/2011 ABA SECURITY	REPLACEMENT VIDEO RECORDER AS PER QUOTE 8993 - AIRPORT	4,405.50
EFT67441	19/05/2011 AD CONTRACTORS PTY LTD	CATERMOL SUPPLIES	1,104.00

AGENDA ITEM 4.1 REFERS

EFT67442	19/05/2011 ADVERTISER PRINT	PRINTING COSTS FORTS BROCHURES & BUSINESS CARDS	856.00
EFT67443	19/05/2011 AEG OGDEN (PERTH) PTY LTD	CATERING COSTS - COA RECONCILIATION MORNING TEA	1,810.20
EFT67444	19/05/2011 EDENBORN PTY LTD	CONTRACT MOWING SERVICES APRIL 2011	4,401.80
EFT67445	19/05/2011 ALBANY TOYOTA	VEHICLE CHANGEOVER 9009A	4,675.25
EFT67446	19/05/2011 ALBANY FARM TREE NURSERY	PLANTS/NURSERY SUPPLIES	5,100.00
EFT67447	19/05/2011 ALBANY SOIL AND CONCRETE TESTING	MATERIALS TESTING ON SUBMITTED SAMPLES	253.00
EFT67448	19/05/2011 ALBANY REFRIGERATION	QUARTERLY AIR CONDITIONING MAINTENANCE - MERCER ROAD DEPOT	231.00
EFT67449	19/05/2011 ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONERY ITEMS	237.15
EFT67450	19/05/2011 ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	4,156.68
EFT67451	19/05/2011 BAILEYS FERTILISERS	LIQUID FERTILISER - SPORTING COMPLEXES	902.00
EFT67452	19/05/2011 BAIL SAND & GRAVEL SUPPLIES	METRES OF SAND	1,320.00
EFT67453	19/05/2011 BAKERS JUNCTION ENGINEERING	REPAIRS/MAINTENANCE RUBBISH BIN STANDS	231.00
EFT67454	19/05/2011 BARKERS TRENCHING SERVICES	TRENCHING SERVICES	2,816.00
EFT67455	19/05/2011 BENNETTS BATTERIES	RED GREASE SUPPLIES/ COMPRESSOR OIL/BATTERY PURCHASES	991.32
EFT67456	19/05/2011 BICUBIC	ALBANY ART PRIZE HARD COVER	2,346.30
EFT67457	19/05/2011 BIO DIVERSE SOLUTIONS	PREPARATION OF EMP REPORT FOR GREAT SOUTHERN MOTORPLEX	2,420.00
EFT67458	19/05/2011 BOOKEASY AUSTRALIA PTY LTD	BOOKING RETURNS	3,850.05
EFT67459	19/05/2011 C&C MACHINERY CENTRE	VEHICLE MAINTENANCE/REPAIRS - P216/P229 & 93244	873.55
EFT67460	19/05/2011 CABCHARGE AUSTRALIA LIMITED	CAB CHARGES	634.92
EFT67461	19/05/2011 PH & AM CAMERON	Rates refund for assessment A210338	672.81
EFT67462	19/05/2011 CAMPBELL CONTRACTORS	CONSTRUCTION OF CONCRETE PATHWAY ALAC	4,225.00
EFT67463	19/05/2011 J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL SERVICES AIRPORT	176.00
EFT67464	19/05/2011 SYNERGY GRAPHICS	ARTWORK FOR SENIORS DIRECTORY	3,695.00
EFT67465	19/05/2011 COCA-COLA AMATIL PTY LTD	SOFT DRINK SUPPLIES ALAC	775.58
EFT67466	19/05/2011 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	701.34
EFT67467	19/05/2011 COURIER AUSTRALIA	FREIGHT CHARGES	348.08
EFT67468	19/05/2011 DOWNER EDI WORKS PTY LTD	HOTMIX FOR DIVOT REPAIRS SANFORD ROAD	616.52
EFT67469	19/05/2011 CYNERGIC COMMUNICATIONS	SERVICE CHARGES	66.00
EFT67470	19/05/2011 DATA #3 LIMITED	LYNC 2010 SERVER	15,518.33
EFT67471	19/05/2011 MICHELLE DAYMAN EVENTS	EVENT CO-ORDINATION FEES FOR 2011 CLASSIC MOTOR EVENT - THIRD INSTALMENT	2,500.00
EFT67472	19/05/2011 LANDGATE	TITLE SEARCHES/GRV INTERIM VALUES	3,346.73
EFT67473	19/05/2011 DEPARTMENT OF ENVIRONMENT AND CONSERVATION	ALBANY REFUSE SITE LICENCE FEE RENEWAL	8,966.88
EFT67474	19/05/2011 DEPARTMENT OF TRANSPORT	SEARCH OF VEHICLE OWNERSHIP	120.00
EFT67475	19/05/2011 SIMON EDWARDS	STAFF MILEAGE CLAIM FORM	10.10
EFT67476	19/05/2011 EYERITE SIGNS	SIGNAGE FOR STAFF OFFICE DOORS	258.50
EFT67477	19/05/2011 FARM FRESH WHOLESALERS	CATERING GOODS ALAC CAFE	252.40
EFT67478	19/05/2011 KLARA & JAN FERENCZ	BOOK STOCKS	20.00
EFT67479	19/05/2011 GALLERY 500	ART SUPPLIES/EQUIPMENT VAC	353.38
EFT67480	19/05/2011 GRACE REMOVALS GROUP	ART REMOVAL	2,497.00

AGENDA ITEM 4.1 REFERS

EFT67481	19/05/2011 GRANDE FOOD SERVICE	CATERING GOODS ALAC CAFE	152.63
EFT67482	19/05/2011 GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	FIRST AID TRAINING COSTS	328.50
EFT67483	19/05/2011 GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING ITEMS	401.78
EFT67484	19/05/2011 GREAT SOUTHERN TURF	KIKUYU ROLL ON LAWN	110.00
EFT67485	19/05/2011 GREENMAN TRADING COMPANY	TREE HAZARD ASSESSMENT REPORT	715.00
EFT67486	19/05/2011 HARVEY NORMAN ELECTRICAL ALBANY	CAMERA SCANDISK MEMORY STICK	56.95
EFT67487	19/05/2011 HARVEY NORMAN COMPUTERS ALBANY	CAMERA SONY CYBERSHOT	390.00
EFT67488	19/05/2011 AJ & SL HASSALL	Rates refund for assessment A209000	764.25
EFT67489	19/05/2011 HAYNES ROBINSON	CHEYNES BEACH LEASES LEGAL FEES	3,563.42
EFT67490	19/05/2011 HEAVY AUTOMATICS PTY LTD	FILTER FOR TIP TRUCK	173.80
EFT67491	19/05/2011 HELEN LEEDER-CARLSON	CREATIVE SENIORS CLASSES	240.00
EFT67492	19/05/2011 RATTEN & SLATER MACHINERY	VEHICLE PARTS - P220	451.48
EFT67493	19/05/2011 HUDSON HENNING AND GOODMAN	LEASE - MIDDLETON BEACH HOLIDAY PARK	220.55
EFT67494	19/05/2011 HUDSON SEWAGE SERVICES	QUARTERLY MAINTENANCE AIRPORT TERMINAL	131.50
EFT67495	19/05/2011 IBM AUSTRALIA LTD	MONTHLY SCHEDULE	1,307.08
EFT67496	19/05/2011 JACK THE CHIPPER	CHIPPING AT BURGOYNE ROAD & EYRE PARK	2,800.00
EFT67497	19/05/2011 KEY2DESIGN	ALBANY ART PRIZE WEBSITE UPDATE	143.00
EFT67498	19/05/2011 KNOTTS PLUMBING PTY LTD	PLUMBING REPAIRS/MAINTENANCE	3,825.50
EFT67499	19/05/2011 LA FREEGARD	BOULDER HILL TRACK	1,890.00
EFT67500	19/05/2011 LANDFILL GAS AND POWER PTY LTD	ELECTRICITY COSTS APRIL 2011	36,886.26
EFT67501	19/05/2011 LATRO LAWYERS	ROSE GARDENS CARAVAN PARK LEASE	1,964.60
EFT67502	19/05/2011 LEASE CHOICE	MONTHLY LEASE RICOH PHOTOCOPIER - V1691100006	970.20
EFT67503	19/05/2011 M2 TECHNOLOGY PTY LTD	MESSAGES ON HOLD	754.01
EFT67504	19/05/2011 ALBANY PARTY HIRE	TABLE HIRE MOTHERS DAY MARKETS	123.00
EFT67505	19/05/2011 ALBANY CITY MOTORS	VEHICLE PARTS/MAINTENANCE	270.14
EFT67506	19/05/2011 MASTERY OF FX	FINDING MY PLACE WORKSHOP	400.00
EFT67507	19/05/2011 MERRIFIELD REAL ESTATE	RENT MR & MRS MACDONALD	400.00
EFT67508	19/05/2011 METROOF ALBANY	ROOFING CLIPS - LOTTERIES HOUSE	25.39
EFT67509	19/05/2011 MR MOO DAIRY DISTRIBUTORS	MILK SUPPLIES ALAC CAFE	349.85
EFT67510	19/05/2011 MORVEN RURAL DEVELOPMENTS PTY LTD	Rates refund for assessment A208549	916.78
EFT67511	19/05/2011 NATALIE RADIVOJEVIC	MT ROMANCE CENTENNIAL ART PRIZE	1,092.00
EFT67512	19/05/2011 NEVILLES HARDWARE & BUILDING SUPPLIES	LOCK JOINT FOR CONCRETE FOOTPATHS	287.10
EFT67513	19/05/2011 SANDRA O'DOHERTY	INSTALLATION OF ARTWORKS	975.00
EFT67514	19/05/2011 CORR ART	ARTISTIC DEVELOPMENT	140.00
EFT67515	19/05/2011 PAULS PET FOODS	DOG KIBBLES FOR POUND	57.00
EFT67516	19/05/2011 PAUL G ROBERTSON AND ASSOCIATES	C10018 PAYMENT CLAIM 4	18,055.75
EFT67517	19/05/2011 HANSON CONSTRUCTION MATERIALS PTY LTD	FOOTPATH MIX LOCKYER AVE	1,551.55
EFT67518	19/05/2011 PRE-EMPTIVE STRIKE PTY LTD	HOSTING OF WWW.ALBANYCLASSIC.COM.AU INTERNET DOMAIN	693.00
EFT67519	19/05/2011 QI CONSULTING	MENTORING - CONTRACT MANAGEMENT GAP ANALYSIS	1,980.00
EFT67520	19/05/2011 REECE PTY LTD	TOOLS/HARDWARE SUPPLIES	13.53

AGENDA ITEM 4.1 REFERS

EFT67521	19/05/2011 GR & SA ROWE	Rates refund for assessment A194390	1,092.64
EFT67522	19/05/2011 ANGELA SANDERS	PREPARATION OF THREATENED FAUNA ASSESSMENT OF THE PARKER BROOK	2,100.00
		RESERVE FOR GREAT SOUTHERN MOTOR COMPLEX GROUP	
EFT67523	19/05/2011 KAITLYN SEYMOUR	VAC ADMIN ASSISTANCE	126.72
EFT67524	19/05/2011 SHEILAH RYAN	GARDENING SERVICES	390.00
EFT67525	19/05/2011 SIGNS PLUS	STAFF NAME BADGES	42.40
EFT67526	19/05/2011 SKILL HIRE WA PTY LTD	CASUAL STAFF	1,200.54
EFT67527	19/05/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD	CATERING SUPPLIES - ALAC CAFE	1,858.70
EFT67528	19/05/2011 SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	247.50
EFT67529	19/05/2011 SAI GLOBAL LTD	INTERNET DOWNLOAD	155.65
EFT67530	19/05/2011 STABILISATION TECHNOLOGY	PAVEMENT REHABILITATION YORK STREET	15,479.50
EFT67531	19/05/2011 STIRLING CONFECTIONERY PLUS	CATERING SUPPLIES ALAC CAFE	374.83
EFT67532	19/05/2011 SUNNY SIGN COMPANY	ROAD SIGNS	1,938.20
EFT67533	19/05/2011 ALBANY LOCK SERVICE	LOCK SUPPLIES	462.20
EFT67534	19/05/2011 SYNERGY	ELECTRICITY CHARGES	1,683.50
EFT67535	19/05/2011 T & C SUPPLIES	HARDWARE TOOL/SUPPLIES	75.98
EFT67536	19/05/2011 THE NAKED BEAN COFFEE ROASTERS	COFFEE SUPPLIES ALAC CAFE	406.00
EFT67537	19/05/2011 THE VEGIE SHOP	GROCERIES	178.58
EFT67538	19/05/2011 TOLL PRIORITY	COURIER SERVICES	510.96
EFT67539	19/05/2011 TOTAL GREEN RECYCLING	E WASTE RECYCLING	2,089.34
EFT67540	19/05/2011 TRUCKLINE	VEHICLE PARTS - P70	122.76
EFT67541	19/05/2011 ALBANY TYREPOWER	TYRE REPAIRS/MAINTENANCE - P87/P8/P220/P629/P68	5,736.00
EFT67542	19/05/2011 VANCOUVER CAFE & STORE	CATERING FOR CENTENNIAL ART PRIZE	1,000.00
EFT67543	19/05/2011 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	1,753.84
EFT67544	19/05/2011 WA LOCAL GOVERNMENT ASSOCIATION	RETURN OF FUNDS ULYSSES CLUB 2010 AGM	1,004.73
EFT67545	19/05/2011 WESTERN STABILISERS PTY LTD	PROGRESS CLAIM - APRIL 2011 CONTRACT C10018	1,249,549.49
EFT67546	19/05/2011 WEST AUSTRALIAN NEWSPAPERS LIMITED	ADVERTISING	193.60
EFT67547	19/05/2011 WESTERN WORK WEAR	SAFETY FOOTWEAR	391.66
EFT67548	19/05/2011 WILLOUGHBY PARK WINERY	CHARDONNAY & REISLING	420.00
EFT67549	19/05/2011 WIZID PTY LTD	TUFF BAND ALAC	279.40
EFT67550	19/05/2011 YAKKA PTY LTD	UNIFORM ORDERS	387.33
EFT67551	19/05/2011 ALINTA	GAS USAGE CHARGES	36.00
EFT67552	19/05/2011 ALBANY EISTEDDFOD COMMITTEE INCORPORATED	PROVISIONS FOR A PETTY CASH FLOAT FOR THE EISTEDDFOD	500.00
EFT67554	26/05/2011 ABA SECURITY	SECURITY SERVICES	416.00
EFT67555	26/05/2011 ABBOTTS LIQUID SALVAGE PTY LTD	CAPE RICHE PUMP OUT ECOMAX	2,197.00
EFT67556	26/05/2011 ACTIV FOUNDATION INC.	INDUSTRIAL BROOM HEADS	1,100.00
EFT67557	26/05/2011 AD CONTRACTORS PTY LTD	LOADER HIRE	2,090.00
EFT67558	26/05/2011 DORA ADELINE	REIMBURSEMENTS - FMP PROGRAM CATERING	124.58
EFT67559	26/05/2011 ADVANCED PERSONNEL MANAGEMENT	CASE NUMBER 495223	161.33
EFT67560	26/05/2011 ALBANY ADVERTISER LTD	ADVERTISING	3,309.46

AGENDA ITEM 4.1 REFERS

AGENDA ITEM 4.1 REFERS

AGENDA ITEM 4.1 REFERS

EFT67561	26/05/2011 ALBANY TOYOTA	VEHICLE CHANGEOVERS	9,350.50
EFT67562	26/05/2011 ALBANY HYDRAULICS	HYDRAULIC PARTS - P70	73.66
EFT67563	26/05/2011 ALBANY PRINTERS	PURCHASE ORDER BOOKS	515.00
EFT67564	26/05/2011 ALBANY SWEEP CLEAN	SWEEPER CONTRACT	5,314.50
EFT67565	26/05/2011 ALBANY INDOOR PLANT HIRE	INDOOR PLANT HIRE	980.31
EFT67566	26/05/2011 ALBANY REFRIGERATION	NORTH ROAD AIRCONDITIONING QUARTERLY MAINTENANCE APRIL 2011	1,232.00
EFT67567	26/05/2011 ALBANY HISTORICAL SOCIETY	CLEANING & MANNING THE BRIG AMITY FOR THE MONTH OF: APRIL 2011	650.00
EFT67569	26/05/2011 ALBANY SKIPS AND WASTE SERVICES	HIRE OF SKIP BIN - APRIL 2011	240.00
EFT67570	26/05/2011 ALBANY OFFICE PRODUCTS - NORTH ROAD	OFFICE CHAIR FOR NORTH ROAD STAFF	1,113.00
EFT67571	26/05/2011 ALBANY NEWS DELIVERY	NEWS PAPER DELIVERIES	136.35
EFT67572	26/05/2011 ALBANY QUALITY LAWNMOWING	LAWN MOWING LOTTERIES HOUSE	100.00
EFT67573	26/05/2011 ALBANY COMBINED CABS PTY LTD	TAXI FARES YAC	21.20
EFT67574	26/05/2011 ALBANY KAWASAKI	4 WD MOTORBIKE MAINTENANCE & OIL	121.90
EFT67575	26/05/2011 ALBANY FILTERCLEAN	FILTERS CHANGES AND CLEANED ALAC	28.00
EFT67576	26/05/2011 ALBANY OFFICE PRODUCTS - ALAC	STATIONERY SUPPLIES	63.45
EFT67577	26/05/2011 ALBANY OFFICE PRODUCTS - WORKS DEPOT	STATIONERY SUPPLIES	199.00
EFT67578	26/05/2011 ALINTA	GAS USAGE CHARGES ALAC 11/4/2011 - 6/5/2011	11,553.60
EFT67579	26/05/2011 ARTCRAFT PTY LTD	SIGNAGE	587.40
EFT67580	26/05/2011 ATC WORK SMART	CASUAL LABOUR	4,156.68
EFT67581	26/05/2011 AUDIOCOM ALBANY	MOBILE PHONES PURCHASE	2,496.00
EFT67582	26/05/2011 BALL BODY BUILDERS	REPAIRS TO SOUTHCOAST 3.4	2,838.00
EFT67583	26/05/2011 BARNESBY FORD	VEHICLE REPAIRS	1,359.94
EFT67584	26/05/2011 BARRETT'S MINI EARTHMOVING & CHIPPING	TREE PRUNING	18,770.00
EFT67585	26/05/2011 BATTERY WORLD	MOBILE PHONE BATTERY	40.00
EFT67586	26/05/2011 BENNETTS BATTERIES	DYNATRANS OIL SUPPLIES	107.36
EFT67587	26/05/2011 ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	3,982.79
EFT67588	26/05/2011 BERTOLA HIRE SERVICES ALBANY PTY LTD	TILLER HIRE	49.50
EFT67589	26/05/2011 BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	419.00
EFT67590	26/05/2011 BICUBIC	ART PRIZE PROMOTIONAL CARDS	480.70
EFT67591	26/05/2011 BINDOON TRACTORS PTY LTD	PARTS/REPAIRS MAINTENANCE	4,454.56
EFT67592	26/05/2011 BLACKWOODS	HARDWARE/TOOL SUPPLIES	1,037.40
EFT67593	26/05/2011 ALBANY BOBCAT SERVICES	BOULDER HILL TRACK BETTY'S BEACH - CARTING AND SPREADING OF LIME RUBBLE	7,080.00
EFT67594	26/05/2011 BRANDNET PTY LTD T/AS MILITARY SHOP	FORTS MERCHANDISE	758.55
EFT67595	26/05/2011 CARDNO (WA) PTY LTD	LANDFILL LANDFORMS	49,291.95
EFT67596	26/05/2011 BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE SUPPLIES	73.02
EFT67597	26/05/2011 CAMTRANS ALBANY PTY LTD	FREIGHT	103.84
EFT67598	26/05/2011 J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	351.62

AGENDA ITEM 4.1 REFERS

EFT67599	26/05/2011 JOHN CECIL	INTERVIEW TRAINING	1,000.00
EFT67600	26/05/2011 CITY OF ALBANY BAND INCORPORATED	INSURANCE REIMBURSEMENT FOR DAMAGED EUPHONIUM	137.96
EFT67601	26/05/2011 CITY OF NEDLANDS LIBRARY SERVICE	LOST LIBRARY ITEM	2.20
EFT67603	26/05/2011 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	546.09
EFT67604	26/05/2011 REBECCA COMMONS	REFUND OF FEE FOR MOTHERS DAY STALL (MEMBERS RATE)	35.00
EFT67605	26/05/2011 ALBANY SIGNS	SIGNAGE - FORTS	220.00
EFT67606	26/05/2011 COVENTRYS	VEHICLE PART/MAINTENANCE/REPAIRS	366.75
EFT67607	26/05/2011 JENNIFER CROWE	RECORDS UPGRADING	900.00
EFT67608	26/05/2011 CROKER LACEY GRAPHIC DESIGN	STIDWELL BRIDLE TRAIL GRAPHICS	1,034.00
EFT67609	26/05/2011 HOLCIM (AUSTRALIA) PTY LTD	TONNES METAL DUST	596.11
EFT67610	26/05/2011 C T MANAGEMENT GROUP	WASTE MANAGEMENT SERVICE REVIEW	7,059.47
EFT67611	26/05/2011 35 DEGREES SOUTH	LR GRANDE AVE FEATURE SURVEY	4,012.00
EFT67612	26/05/2011 LANDGATE	RURAL UV GENERAL REVALUATIONS 2011/2012	19,585.50
EFT67613	26/05/2011 DRAGON MARTIAL ARTS ALBANY	FMP SESSION 3 - SELF PRESERVATION	225.00
EFT67614	26/05/2011 SIMON EDWARDS	AIR BP CALLOUT FUEL REIMBURSEMENTS	30.46
EFT67615	26/05/2011 FARM FRESH WHOLESALERS	CATERING GOODS ALAC CAFE	120.20
EFT67616	26/05/2011 THE FIXUPPERY	WINDOW CLEANING NORTH ROAD	1,424.50
EFT67617	26/05/2011 GALLERY 500	ART SUPPLIES VAC	70.55
EFT67618	26/05/2011 BILL GIBBS EXCAVATIONS	HIRE OF 20 TON EXCAVATOR FOR RESERVES MAINTENANCE	1,875.50
EFT67619	26/05/2011 GRAY & LEWIS	CONSULTING SERVICES - BIG GROVE	2,227.50
EFT67620	26/05/2011 GREAT SOUTHERN GROUP TRAINING	CASUAL LABOUR	6,229.19
EFT67621	26/05/2011 GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	TRAINING COURSE FEES	250.00
EFT67622	26/05/2011 GREEN SKILLS INC	CASUAL STAFF	7,304.00
EFT67623	26/05/2011 GREAT SOUTHERN PEST & WEED CONTROL	PEST CONTROL	198.00
EFT67624	26/05/2011 SOUTHERN SHARPENING SERVICES (FORMERLY SOUTHERN BLADE WORKS)	GUILLOTINE SHARPENING	44.00
EFT67625	26/05/2011 GREAT SOUTHERN PERSONNEL	GARDENING SERVICES LOTTERIES HOUSE	150.38
EFT67626	26/05/2011 GREAT SOUTHERN SAND AND LANDSCAPING SUPPLIES	SEMI HIRE BOULDER HILL TRACK BETTY'S BEACH	4,500.00
EFT67627	26/05/2011 GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	740.36
EFT67628	26/05/2011 GREAT SOUTHERN BEARINGS	SEAL FOR SEMI TRAILER (PIG) - P629	10.34
EFT67629	26/05/2011 GREAT SOUTHERN TURF	METRES KIKUYU ROLL ON LAWN	165.00
EFT67630	26/05/2011 GSM AUTO ELECTRICAL	VEHICLE REPAIRS/MAINTENANCE	512.00
EFT67631	26/05/2011 GT BEARING AND ENGINEERING SUPPLIES	VEHICLE PARTS	12.00
EFT67632	26/05/2011 PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE - ALAC	363.00
EFT67633	26/05/2011 HELEN LEEDER-CARLSON	CREATIVE SENIORS ART CLASSES	240.00
EFT67634	26/05/2011 HISTORY COUNCIL OF WA INC	CORPORATE MEMBERSHIP 2011-12	100.00
EFT67635	26/05/2011 HUDSON HENNING AND GOODMAN	LEGAL COSTS	5,956.50
EFT67636	26/05/2011 CHRIS IDLE	IPWEA MODULE 4 PROJECT MANAGEMENT	150.00
EFT67637	26/05/2011 INFRASTRUCT CONTRACTING P/L	REMOVAL OF TREE BELMORE ROAD	2,212.80
EFT67638	26/05/2011 ALBANY WORKLINK INC.	CUSTOMER SERVICE TRAINING FOR VOLUNTEERS	1,254.00

AGENDA ITEM 4.1 REFERS

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EFT67639	26/05/2011 INTERCON MILLAR LOGISTICS	TRANSPORT COSTS SODA ASH SUPPLIES FOR ALAC	260.39
EFT67640	26/05/2011 ISIS CAPITAL LIMITED	MONTHLY GYM EQUIPMENT REPAYMENT	3,494.82
EFT67641	26/05/2011 JACK THE CHIPPER	CHIPPING OF MATERIALS SOUTH STIRLING AND MANYPEAKS	1,312.50
EFT67642	26/05/2011 FAILEEN JAMES	INTERVIEW & RELOCATION EXPENSES DEC 2010 & FEB 2011	9,000.00
EFT67643	26/05/2011 JOHN KINNEAR AND ASSOCIATES	VOLUME SURVEY HANRAHAN ROAD WASTE MANAGEMENT FACILITY	660.00
EFT67644	26/05/2011 JOLLY JOHNS	TANKS, SHINGLES & PIPES COLLECTED FROM MERCER RD AND DELIVERED VARIOUS SITES	1,188.00
EFT67645	26/05/2011 JUST SEW EMBROIDERY	LOGOS FOR DAYCARE UNIFORMS	79.20
EFT67646	26/05/2011 KANDOO WINDSCREENS	WINDSCREEN REPAIRS - P145	70.00
EFT67647	26/05/2011 KEN STONE MOTOR TRIMMERS	REPAIR PARACHUTE	33.00
EFT67648	26/05/2011 KLB SYSTEMS	COMPUTER COSTS	5,324.00
EFT67649	26/05/2011 KNOTT'S PLUMBING PTY LTD	WIND FARM TOILETS PLUMBING REPAIRS	801.20
EFT67650	26/05/2011 CHRISTINE BERTHA ROSE KOWALD	Rates refund for assessment A120226	449.49
EFT67651	26/05/2011 LA FREEGARD	TREE PRUNING WITH TRACTOR	800.00
EFT67652	26/05/2011 LANYON COOK FAMILY TRUST	CHEYNES BEACH TOILET EXTERNAL RENDER OF TOILET	6,908.60
EFT67653	26/05/2011 LAWRENCE AND HANSON	CONDUIT FOR LOCKYER AVE WORKS	825.17
EFT67654	26/05/2011 LIVING PATHWAYS	WORKSHOP DEVELOPMENT WITH COMMUNITY DEVELOPMENT OFFICER AND DISABILITY SERVICES COMMISSION	1,140.00
EFT67655	26/05/2011 LORLAINE DISTRIBUTORS PTY LTD	CLEANING SUPPLIES	148.35
EFT67657	26/05/2011 MINNA ENGINEERING	AE2 COMMEMORATIVE PLAQUE	3,718.00
EFT67658	26/05/2011 MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINTENANCE	1,124.70
EFT67659	26/05/2011 NATSPEC CONSTRUCTION INFORMATION	AUS-SPEC ROADWORKS & BRIDGES SUBSCRIPTION RENEWAL	1,518.00
EFT67660	26/05/2011 NIKANA CONTRACTING PTY LTD	WASTE REMOVAL BOAT HARBOUR SKIP BINS	614.24
EFT67661	26/05/2011 ALBANY COMMUNITY PHARMACY	FIRST AID KIT SUPPLIES	38.70
EFT67662	26/05/2011 OCS SERVICES PTY LTD	SPECIAL CLEANING SERVICES	422.00
EFT67663	26/05/2011 OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY CABINET	642.93
EFT67664	26/05/2011 OKEEFE'S PAINTS	PAINT SUPPLIES	264.77
EFT67665	26/05/2011 ORICA AUSTRALIA P/L	POOL SUPPLIES	306.90
EFT67666	26/05/2011 CORR ART	ARTISTIC DEVELOPMENT CLASS	140.00
EFT67667	26/05/2011 RADICAL FITNESS	POWER CERTICATIONS	598.00
EFT67668	26/05/2011 RAINBOW 7 CARPET CARE	CARPET & UPHOLSTERY CLEANING LOTTERIES HOUSE	385.00
EFT67669	26/05/2011 REECE PTY LTD	TOOLS/HARDWARE SUPPLIES	54.05
EFT67670	26/05/2011 REXEL AUSTRALIA	TUBE REPLACEMENTS TOWN HALL	288.64
EFT67671	26/05/2011 SERENITY PARK	DISPOSAL OF DOGS	300.00
EFT67672	26/05/2011 G & L SHEETMETAL	COLOURBOND BOX GUTTER, SUMPS & OUTLETS ALAC ROOF	2,695.00
EFT67673	26/05/2011 SHENTON ENTERPRISES	CARTRIDGE FILTERS FOR ALAC	189.90
EFT67674	26/05/2011 SIGNS PLUS	MAGNETIC NAME BADGES	65.45
EFT67675	26/05/2011 SITEART PTY LTD	WANSBOROUGH PARK REPAIRS TO SOFTFALL	213.40
EFT67676	26/05/2011 SKAL INTERNATIONAL ALBANY	SKAL FUNCTION LE GRANDE MOTEL ADM - FEB 2011	35.00
EFT67677	26/05/2011 SKILL HIRE WA PTY LTD	CASUAL LABOUR	1,513.16

AGENDA ITEM 4.1 REFERS

EFT67678	26/05/2011 SOUTHERN ELECTRICS
EFT67679	26/05/2011 SOUTHERN TOOL & FASTENER CO
EFT67680	26/05/2011 SOUTHWAY DISTRIBUTORS (WA) PTY LTD
EFT67681	26/05/2011 STAR SALES AND SERVICE
EFT67682	26/05/2011 SAI GLOBAL LTD
EFT67683	26/05/2011 T & C SUPPLIES
EFT67684	26/05/2011 THE VEGIE SHOP
EFT67685	26/05/2011 THINKWATER ALBANY
EFT67686	26/05/2011 THE TROPHY SHOP
EFT67687	26/05/2011 TRUCKLINE
EFT67688	26/05/2011 ALBANY TYREPOWER
EFT67689	26/05/2011 VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)
EFT67690	26/05/2011 IT VISION AUSTRALIA PTY LTD
EFT67691	26/05/2011 ALBANY & GREAT SOUTHERN WEEKENDER
EFT67692	26/05/2011 WESTCARE INDUSTRIES
EFT67693	26/05/2011 WESTRAC EQUIPMENT PTY LTD
EFT67694	26/05/2011 WA LOCAL GOVERNMENT ASSOCIATION
EFT67695	26/05/2011 WESTSHRED DOCUMENT DISPOSAL
EFT67696	26/05/2011 WESTERN WORK WEAR
EFT67697	26/05/2011 WIZID PTY LTD
EFT67698	26/05/2011 WOOD AND GRIEVE ENGINEERS
EFT67699	26/05/2011 YAKKA PTY LTD

COFFEE MACHINE REPAIRS/MAINTENANCE	449.22
HARDWARE SUPPLIES	81.92
CATERING GOODS ALAC CAFE	1,441.66
HARWARE/PARTS	483.30
INTERNET DOWNLOAD	57.44
RAPID SET CONCRETE/HARDWARE AUPPLIES	814.51
GROCERIES FOR DAYCARE	205.50
15 X BORECLEAN 20L AND ASSORTED RETICULATION ITEMS	2,428.36
ALBANY EISTEDDFOD	145.20
VEHICLE PARTS	107.48
VEHICLE PARTS/MAINTENANCE	3,136.00
BULK GREEN WASTE	15,431.88
CREATE DAILY MAIL REPORT	693.00
ADVERTISING	752.89
LIBRARY LABELS	79.20
VEHICLE PARTS P236	700.84
ADVERTISING RECRUITMENT OF CEO	1,142.45
DOCUMENT DISPOSAL SERVICE	313.50
PROTECTIVE UNIFORMS	116.02
25MM TUFF BANDS	257.40
DESIGN OF PARKER STREET UPGRADE	26,820.00
UNIFORMS/SFAETY WEAR	182.62

TOTAL 3,860,927.43

Tanya

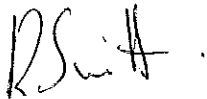
This is an extract of the minutes of the SSAA Albany Branch WA Inc held on 24 May 2011

That the pedestrian gates leading into the range remained locked until the following conditions are met.

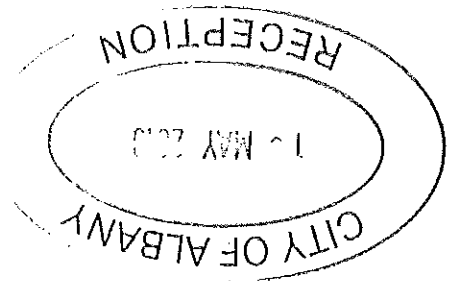
- a. That a 4 metre width of approximately 350 metres length that forms part of the Bibbulman track be excised from the lease held by the SSAA Albany Branch Inc.*
- b. That a permanent new fence conforming to minimum legal requirements for a range fence is erected on the new lease boundary.*
- c. That all legal expenses for the boundary change, including the fencing, be paid for by the city of Albany and/or DEC.*
- d. That a new firebreak be cleared inside the new fence to be paid for by the City of Albany and/or DEC.*

Additionally the DEC proposal for a temporary fence is not accepted.

This resolution was passed unanimously.



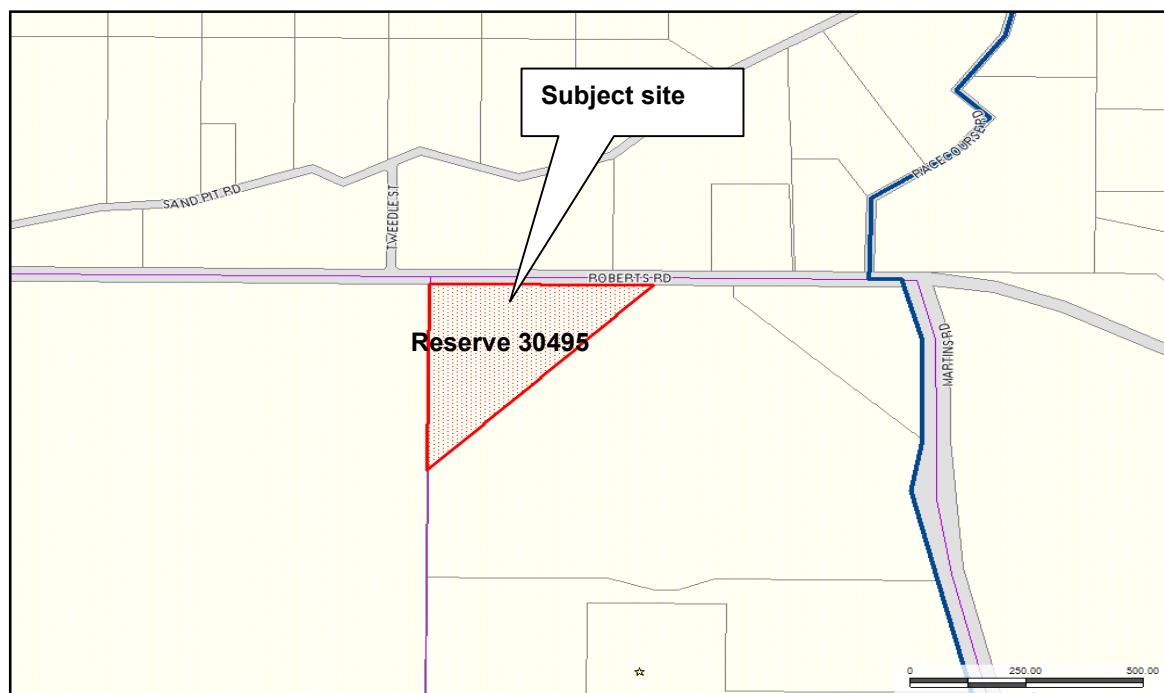
Harry Smith
Secretary
SSAA Albany WA Branch Inc.



**2.3: ALBANY MOTORCYCLE CLUB INC – SURRENDER LEASE OVER
RESERVE 30495 AND NEW LEASE OVER PORTION OF RESERVE
1947**

- Land Description** : Lot 7153 on Plan 210841 and being whole of land contained
in Certificate of Title LR3082 Folio 763 – Reserve 30495
Roberts Road, Robinson
Lot 8122 on Plan 26510 and being whole of the land
contained in Certificate of Title LR3124 Folio 121 – Crown
Reserve 1947 Parker Brook Road, Willyung
- Proponent** : Albany Motorcycle Club Inc.
- Owner** : Crown
- Attachment(s)** : Letter of Request – Albany Motorcycle Club Inc.
- Appendices** : Great Southern Motorplex concept plan
- Responsible Officer** : Acting E/Director Corporate & Community Services (P
Wignall)

Maps and Diagrams



CEO:

RESPONSIBLE OFFICER:



IN BRIEF

- Consider request to surrender existing lease for Albany Motorcycle Club Inc. over Reserve 30495 located at Roberts Road, Robinson.
- Consider request for a new lease for Albany Motorcycle Club Inc. over portion of Reserve 1947 located at Parker Brook Road, Willyung.
- Lease term to be 10 years for purpose of establishment of grounds suitable for the riding of motorcycles and conducting motorcycle events.

ITEM 2.3: RESPONSIBLE OFFICER RECOMMENDATION

The request from the Albany Motorcycle Club Inc. to surrender existing lease over Reserve 30495 and a new lease over portion of Reserve 1947 be **SUPPORTED** subject to:

1. Lease surrender date to be as soon as practical.
2. Lease surrender subject to remediation of Reserve 30495 to the satisfaction of the City of Albany.
3. All costs associated with the remediation of Reserve 30495 to be payable by the proponent.
4. Lease term being 10 years commencing as soon as practical.
5. Lease purpose being establishment of grounds suitable for the riding of motorcycles and conducting motorcycle events.
6. Lease rental being equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum.
7. All relevant approvals including Planning Scheme Consent being obtained prior to development or riding activities within the leased area.
8. Lease area being approximately 5 hectares, and not encroaching on Aboriginal Heritage listed creek site.

9. The Club received the approval of the appropriate Departments (State and Commonwealth) regarding usage of land next to an Aboriginal Heritage listed site.
10. Lease is subject to a 5 metre access easement for Grange Resources pipeline.
11. Lease special condition will provide for the relinquishment of the lease once the Great Southern Motorplex Group has obtained all necessary approvals and is in a position to undertake the responsibility for the lease and management over the entire Reserve 1947 for development of the Motorsport complex.
12. Section 3.58 of the *Local Government Act 1995*, advertising requirements.
13. Section 18 of the *Lands Administration Act 1997*, Minister for Lands consent.
14. All costs associated with the development, maintenance and operations of the leased area to be payable by the proponent.
15. All costs associated with the development, execution and completion of the surrender and new lease to be payable by the proponent.

ITEM 2.3: RESOLUTION (Responsible Officer Recommendation)

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR WOLFE

THAT the Responsible Officer Recommendation be ADOPTED.

CARRIED 10-0

BACKGROUND

1. Reserve 30495 is under a Management Order H645992 and Reserve 1947 is under a Management Order H680343 issued to the City of Albany (the City) with the power to lease, sub-lease or licence for the purpose of "Recreation" for any term not exceeding 21 years and subject to the consent of the Minister for Lands.
2. Reserve 30495 is located at Lot 7153 Roberts Road, Robinson and is west of the Albany Town centre. The surrounding area is predominately rural in nature with houses well spread out.
3. Reserve 1947 is located at Lot 8122 Parker Brook Road, Willyung, adjacent to, and south of, Albany Regional Airport. The surrounding area is also rural in nature with houses well spread out.
4. In 1992 the former Shire of Albany granted a new lease to the Albany Motorcycle Club Inc. (the Club) over Reserve 30495 for the purpose of the establishment of grounds suitable for the riding of motorcycles and conducting other motorcycle events.
5. The leased area is commonly referred to as Miniup Park.
6. The lease term of 21 years commencing 1 July 1992 and expiring 30 June 2013 returns a nominal rental of \$10.00 per annum.

7. The Club developed the motocross track and infrastructure upon the Reserve. This includes the 1.7 km riding track, toilet block, timing tower and canteen facilities with undercover patio. Both timing tower and canteen are designed so that they are easily demountable.
8. In recent years the City has received numerous complaints regarding various aspects of the Club's operations. Several of those complaints related to noise.
9. In 2008 the City, with the support of the Department of Environment and Conservation undertook noise measurements of the Club's motocross activities. On the basis of the results the City issued the Club with an Environment Protection Notice (EPN) on 14 November 2008.
10. The EPN prevents the Club from using the site and the Notice provisions required the Club to reduce noise emissions so that they meet the requirements of the *Environmental Protection (Noise) Regulations* by way of preparation and implementation of a plan to abate noise and monitor the effectiveness of the actions taken.
11. The Club appealed the Notice to the Minister for Environment, the Minister in determining the appeal allowed the Club to operate for ten days in the 2009 calendar year. This provided the opportunity for the Club to further monitor noise and to prove to the City and Minister that the Club's activities could be carried out in compliance of the regulations.
12. The report provided on by Lloyd George Acoustics Pty Ltd in December 2009 on further noise monitoring confirmed earlier investigations by the City that the level of noise emanating from the site is well in excess of the noise levels prescribed under the regulations.
13. The EPN remains in force until the Notice is removed or complied with.
14. At OCM 20 April 2010, Council supported the Club operating a further ten days in the 2010 calendar year on the same basis as 2009.
15. In January 2011, the Club wrote to the City requesting approval to hold two non-complying events under Regulation 18 of the *Environmental Protection (Noise) Regulations 1997* within their existing lease area on Reserve 30495, Roberts Road, Robinson.
16. Council considered the request at OCM 15 February 2011 and resolved to undertake community consultation with residents and property landowners within a radius of 1.5km. This matter will be reported to this Council meeting under separate Planning and Development Services Item 1.9.
17. Following a meeting with City staff and subsequent discussions with the Great Southern Motorplex Group, on 21 February 2011 the City received written correspondence from the Club formally requesting a new lease over portion of Reserve 1947 for a term of 10 years and the surrender the existing lease over Reserve 30495. The date of surrender of the lease will be subject to the outcome of Council Item 1.9 decision regarding the two non-complying events being held in 2011 on the existing lease area.
18. Pursuant to the existing lease obligations the Club will be required to remediate the lease area including removal of infrastructure, tyres and revegetate the site prior to lease being

surrendered. The Club is aware of this obligation and have been in discussion with City staff on this matter.

19. The Club has requested the new lease area of approximately 5 hectares be in accordance with the Great Southern Motorplex concept plan which was supported by Council at OCM 15 February 2011.
20. The Club have advised that the proposed lease area will not encroach on the Aboriginal Heritage listed creek site which runs through the middle of Reserve 1947 from Albany Highway to Parker Brook Road boundaries. Planning Scheme Consent condition will require the Club to consult with the Department of Indigenous Affairs and gain approval under Section 18 of the *Aboriginal Heritage Act 1972*, if required.
21. The Albany City Kart Club lease area is currently located partially over the Aboriginal Heritage listed creek site. Minister for Indigenous Affairs approval under Section 18 of the *Aboriginal Heritage Act 1972* forms part of the Planning Scheme Consent P2105312 conditions, issued by the City's Planning team on 22 February 2011.
22. At OCM 15 February 2011, associated resolution of Council approved, subject to Minister for Lands consent, the Albany City Kart Club Inc. surrender of their existing lease over the whole of Reserve 1947 and simultaneously replace with a new lease over a portion of Reserve 1947 for a term of ten years. The Albany City Kart Club must obtain all approvals prior to commencing any track extension works.
23. The Albany City Kart Club surrender of lease over the whole of Reserve 1947 facilitates the relocation of the Albany Motorcycle Club from their existing location on Reserve 30495 to Reserve 1947, subject to conditions and Council and Minister for Lands consent.
24. Both the Albany City Kart Club and Albany Motorcycle Club agree to relinquish their leases over Reserve 1947 once the Great Southern Motorplex Group Inc. has obtained all necessary approvals and is in a position to undertake the responsibility for the lease and management over the entire Reserve for development of the Motorsport complex.
25. The Great Southern Motorplex Group Inc. is a incorporated body consisting of the following four motorsport entities:
 - i. Albany City Kart Club Inc.
 - ii. Albany Motorcycle Club Inc.
 - iii. Great Southern Street Machine Association Inc.
 - iv. Albany Motorsport Group Inc.
26. Council in 2009 provided in-principle support for the concept of the development of the Motorsport Complex subject to achievement of conditions and Council's satisfaction. This support was again confirmed at OCM 15 February 2011.

DISCUSSION

27. Any new lease for the Albany Motorcycle Club and proposed future Great Southern Motorplex Group will include a provision for a 5 metre access easement that is required over the northern boundary of Reserve 1947 for the approved Grange Resources pipeline.

28. The Albany Motorcycle Club and Great Southern Motorplex Group have been made aware of and agree to this requirement.
29. In addition, the proposed new lease to the Albany Motorcycle Club will be subject to Minister for Lands consent and City of Albany as local authority Planning Scheme Consent approval.
30. Planning Scheme Consent will also address all of the following conditions resolved by Council at OCM 17 February 2009 and confirmed at OCM 15 February 2011:
- a. *'Environmental Noise Impact Assessment' demonstrating the design and management/ operational measures required and the ability of the concept to meet:*
 - *Environmental Protection Authority (EPA) Environmental Impact Assessment Requirements;*
 - *Requirements of the Environmental Protection Act 1986; and*
 - *Requirements of the Environmental Protection (Noise) Regulations 1997.*
 - b. *Site Design and Full 'Environmental Management Plan' of sufficient detail to be submitted to the EPA for Environmental Impact Assessment Approval.*
 - c. *Approval of the Site Design and 'Environmental Management Plan' by the EPA.*
 - d. *A facility/ operational management plan specifying and demonstrating the sustainable operation of the facility including but not limited to:*
 - *operation and functionality of the site management group*
 - *responsibilities and entitlements of co-located tenants*
 - *driver education and training facilities*
 - *noise management*
 - *waste management*
 - *water management*
 - *facility access and security management*
 - *asset maintenance and management*
 - *reserve flora and fauna management*
 - *principles for major event management at the site*
31. The Club has been advised that no development and or riding of motorcycles within the new lease area will be allowable until all approvals and Planning Scheme Consent conditions have been satisfied and the lease has been agreed and executed by all parties.
32. After reviewing the Reserve it was determined that it is preferable for the Albany Motorcycle Club to access the proposed new lease area from Parker Brook Road as the Albany City Kart Club Inc. will retain lease access from their existing front access off Albany Highway. This reduces the traffic directly from and to Albany Highway and avoids any sharing of access roads and gates
33. The proposed new lease will be negotiated in line with Council's Policy – Property Management – Leases for this category of lease.

PUBLIC CONSULTATION / ENGAGEMENT

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

35. This Section requires there to be local public notice of the proposal for a period of two weeks inviting submissions from the public. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
36. Section 30 of the *Local Government (Functions & General) Regulations 1996* deals with dispositions to which the advertising requirements of section 3.58 of the Act does not apply. Section 30 (2) (b) (i & ii) states that Section 3.58 of the Act is exempt if:
- (b) *The land is disposed of to a body, whether incorporated or not –*
- (i) *the object of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
- (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*
37. The Albany Motorcycle Club is a not for profit sporting association, therefore exempt from the advertising requirements of Section 3.58 of the *Local Government Act 1995*.
38. However, given the nature of the request and implications for residents and landowners within the vicinity it is recommended the proposed lease be advertised for a period of two weeks inviting submissions from the public. Any submissions received will be considered by Council.
39. An application for Planning Scheme Consent for a permitted use does not require advertising however public comments can be sought if deemed appropriate.

STATUTORY IMPLICATIONS

40. Section 18 (1) of the *Land Administration Act 1997* states that a person must not, without the prior approval in writing of the Minister assign, sell, transfer or otherwise deal with interests on crown land.
41. As this is Crown land, under a Management Order H680343 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation", Minister for Lands consent will be required.
42. Section 3.58 of the *Local Government Act 1995* deals with the disposal of property, including leased land and buildings.
43. Under the City's Town Planning Scheme 3, the area is zoned "Parks and Recreation". The proposed use for motorcycle riding activities and events is permitted use in accordance with the Scheme.
44. The Western Australian Planning Commission (WAPC) consent is not required as this is Crown land.

FINANCIAL IMPLICATIONS

45. All costs associated with the development, execution and completion of the new lease documentation including but not limited to legal, advertising, survey and market valuation (if required) will be borne by the proponent.
46. The new lease rental fee will be equivalent to Minimum Land Rate as set by Council per annum. This is currently \$725.00 plus GST per annum.
47. The new lease rental will be directed to COA 190430 Income – Other Leases.

POLICY IMPLICATIONS

48. Council adopted a Property Management - Leases Policy in 2007. This policy aims to ensure that all requests for leases, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
49. The Policy section relevant to this category of lease – Sporting Associations requires the following:
 - Crown Reserve leases with or without City owned buildings on site, will incur a rental based on minimum land rate as set by Council per annum;
 - Must be Incorporated bodies and a copy of their Articles of Association/Constitution be provided;
 - Lease to be for a term not greater than 21 years;
 - Rental/Sublease agreements must be approved by the landlord;
 - Must have appropriate insurance pertaining to their particular sport, as a minimum; and
 - Maintenance of grounds/leased area is to be undertaken by the Lessee at the Lessee's cost.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

50. Council has the following options in relation to this item, which are:
 - a. Approve the request for a new lease over portion of Reserve 1947 subject to Planning Scheme Consent conditions being satisfied; and
 - b. Approve the request to surrender the existing lease over Reserve 30495 subject to lease obligations to remediate the lease area being fulfilled; or
 - c. Decline the request for a new lease; and
 - d. Decline the request to surrender the existing lease.
51. Council has previously provided in-principle support for the Motorsport Complex proposal on Reserve 1947 which requires the relocation of the Albany Motorcycle Club to this site subject to conditions.
52. Should Council decline the request for a new lease, the Albany Motorcycle Club could request Council to approve additional limited use of the existing track subject to community consultation, however this option does not provide the Club with sufficient use for rider training and events.

53. The Club has indicated if a new lease is not approved they may be forced to disband as the EPN prevents the Club from using the Miniup Park track and remains in force until removed or complied with.
54. Should Council decline the request to surrender the existing lease, the Albany Motorcycle Club Inc lease would remain static until expiry on 30 June 2013, however the Club is prevented from using the track.

SUMMARY CONCLUSION

55. Given Council has previously provided in-principle support for Motorsport Complex, which provides for the relocation of the Albany Motorcycle Club to Reserve 1947 and the opportunity for the Club to be situated in a more suitable location, the Albany Motorcycle Club Inc. request to surrender the existing lease over Reserve 30495 and a new lease over portion of Reserve 1947 for a term of 10 years is recommended, subject to conditions.

Consulted References	<ul style="list-style-type: none"> • Council's Policy – Property Management – Leases • <i>Local Government Act 1995</i> • <i>Land Administration Act 1997</i>
File Number (Name of Ward)	PRO176 (West & Kalgan Ward)
Previous Reference	OCM 01.07.1992 OCM 17.02.2009 Item 12.8.2 Recommendation 6 OCM 16.06.2009 Item 18.2 OCM 16.02.2010 Item 13.6.1 Recommendation 4 OCM 24.04.2010 Item 19.5 OCM 15.02.2011 Item 2.6

CITY OF ALBANY				
ALBANY MOTORCYCLE CLUB INC. – PROPOSED LEASE ON PORTION OF RESERVE 1947 PARKER BROOK ROAD, WILLYUNG				
SCHEDULE OF SUBMISSIONS				
No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1.	Mr John and Mrs Diana Reed 39 Federal Street MCKAIL WA 6330	<p>Mr & Mrs Reed provide the following comments in relation to the proposed Lease:</p> <ul style="list-style-type: none"> • Agree that the Club requires a safe environment but not so close to the City of Albany as there is a high demand for small farm residential blocks in that area. • Expensive to relocate the Club again in a couple of years due to urban sprawl. <ul style="list-style-type: none"> • Suggest a more suitable location would be at the back of Bakers Junction at the rear of the refuse site as there would be less noise and dust impact on local residences and traffic would be kept to major roads. <ul style="list-style-type: none"> • They enclosed a letter dated 23 March 2002 from the Albany Community Environment Centre (ACEC) with attached letters from the Department of Environment 	<p>Bakers Junction Nature Reserve 30463 is vested with the Conservation Commission of WA for the purpose of conservation of flora & fauna. Motorsport activities are not a permitted use.</p>	<p>The Albany Local Planning Strategy (ALPS) does not identify future urban or rural-residential development encroaching into this area. It's also affected in part by the Albany Airport Noise Buffer Zone.</p> <p>Reserve 1947 Parker Brook Road was identified as the most suitable location in the Albany Motorsport Complex Feasibility Study which was supported and adopted by Council at OCM 12.12.2008 and 17.02.2009.</p> <p>As part of the Planning Scheme Consent application the proponent</p>

CITY OF ALBANY

ALBANY MOTORCYCLE CLUB INC. – PROPOSED LEASE ON PORTION OF RESERVE 1947 PARKER BROOK ROAD, WILLYUNG

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		Protection, Waters and Rivers Commission commenting on environmental issues regarding the proposed Motorsport Complex on Reserve 1947 Parker Brook Road.		will need to address the following: <ul style="list-style-type: none"> • Noise management • Waterway management • Waste management • Dust management • Effluent disposal • Vegetation clearing.
2.	Mr Phillip Attwell 14 Attwell Road CUTHBERT WA 6330	<p>Mr Attwell considers the following issues that need to be addressed before proceeding with the proposed AMC Lease:</p> <ul style="list-style-type: none"> • There was no mention of the reserve location. • City should consider the background as it was a noise complaint that forced the Club to be removed from the existing lease area to the proposed new location where the Club and the City will face the same problems. • What steps will be taken in order for this not to occur again or will it be a case of wait and see who complains next time before stating legal proceedings against the Club for alleged noise breaches? • The Airport/Speedway/Port all have noise buffer zone policies protecting them. Under ALPS document 	<p>It is acknowledged that historically there has been noise complaints and non compliance to noise regulations which culminated in the current Environmental Protection Notice (EPN).</p>	<p>Noted.</p> <p>Planning Scheme Consent will address noise management in accordance the Environmental Protection (Noise) Regulations 1997.</p> <p>It will be a requirement that as part of the Planning Scheme Consent noise</p>

CITY OF ALBANY

ALBANY MOTORCYCLE CLUB INC. – PROPOSED LEASE ON PORTION OF RESERVE 1947 PARKER BROOK ROAD, WILLYUNG

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>category Major Sports Groups it has been noted that this Policy (Noise Buffer Zone) will be adopted for the trotting track once this becomes a problem. Maybe this is an option for the City as a step towards protection to the Club against further action.</p> <ul style="list-style-type: none"> The proposed location comes within the Millbrook catchment stream area. How does this affect the Club or surrounding Leaseholders for legal action against them and what steps can be taken to prevent actions against these Clubs? The term of 5 years is clearly not enough. 	<p>The Department of Water will be consulted regarding the protection of waterways within and in the vicinity of the lease area.</p> <p>Council resolved at OCM 15.03.2011 to support the recommended lease term of 10 years.</p>	<p>buffers to surrounding sensitive premises will need to be addressed. Unlike the trotting track which was constructed in the 1960's , new noise generating proposals should ensure noise impacts are retained within property boundary, therefore negating the need for the imposition of a buffer for surrounding private land parcels.</p> <p>It will be a requirement that as part of the Planning Scheme Consent waterway management will be addressed.</p> <p>Adopt proposed lease term of 10 years.</p>

CITY OF ALBANY

ALBANY MOTORCYCLE CLUB INC. – PROPOSED LEASE ON PORTION OF RESERVE 1947 PARKER BROOK ROAD, WILLYUNG

SCHEDULE OF SUBMISSIONS

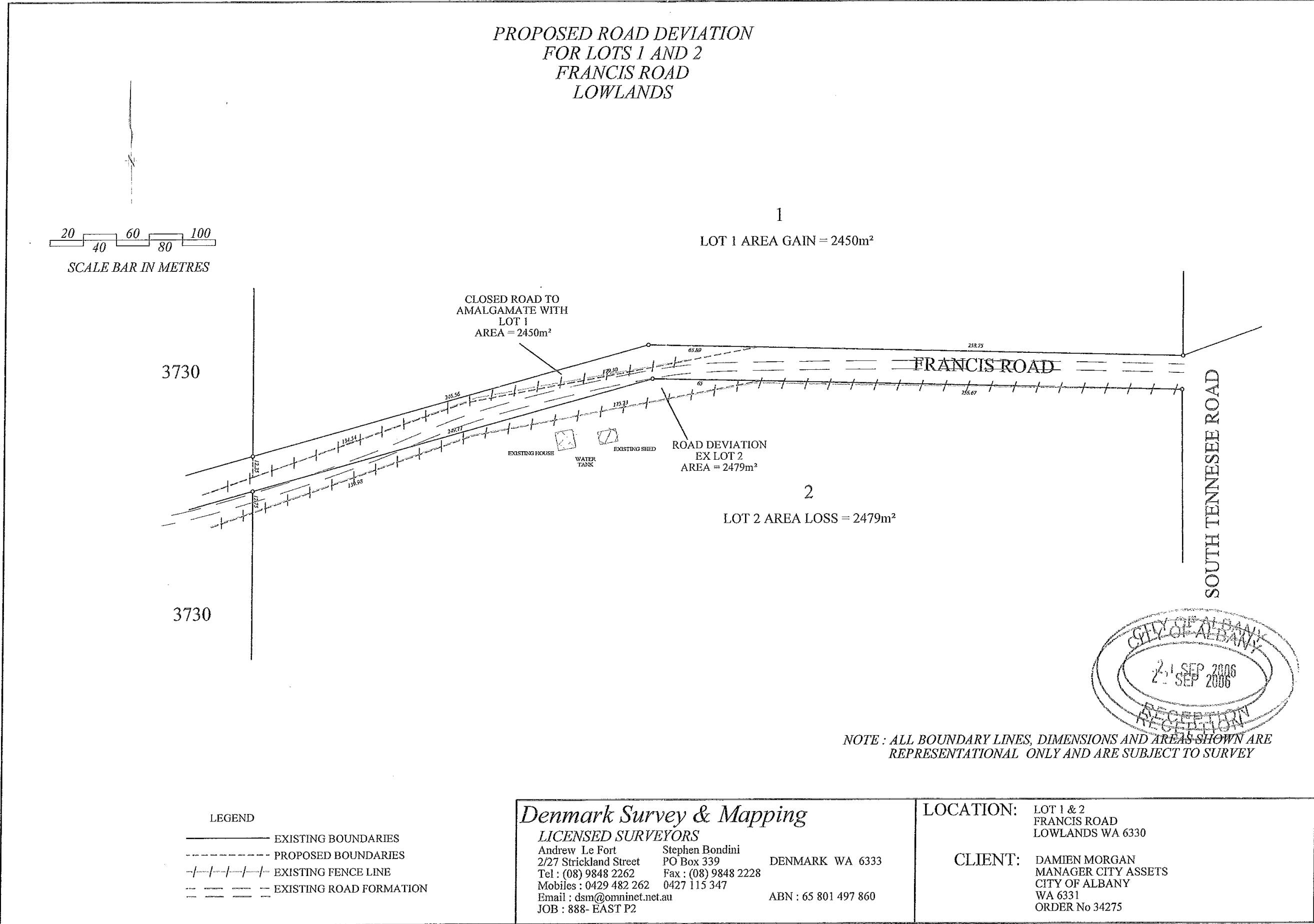
No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
3.	Mr Peter and Kim White 27 Parker Brook Road DROME WA 6330	<p>Mr & Mrs White as immediate neighbours to Reserve 1947 Parker Brook Road are against the proposed lease and provide the following comments:</p> <ul style="list-style-type: none"> • They are concerned with noise pollution. • During prior meeting with the City they were assured that Council would not enter into such a lease with the Motorcycle Club unless firstly they had EPA approval which would protect them and the environment. • Currently experiencing noise problems with the Kart Club with the noise from the Motorcycle Club being even louder and invasive. They are still waiting on the installations of noise barriers as promised by the Kart Club. • They are entitled to live in their own home in peace and quiet. 	<p>This matter has been referred to the Albany City Kart Club and City's Environmental Health team for action.</p>	<p>It will be a requirement that as part of the Planning Scheme Consent noise management in accordance the Environmental Protection (Noise) Regulations 1997 will be addressed.</p> <p>It will be a requirement that as part of the Planning Scheme Consent application EPA approval will be addressed.</p> <p>Noted.</p>

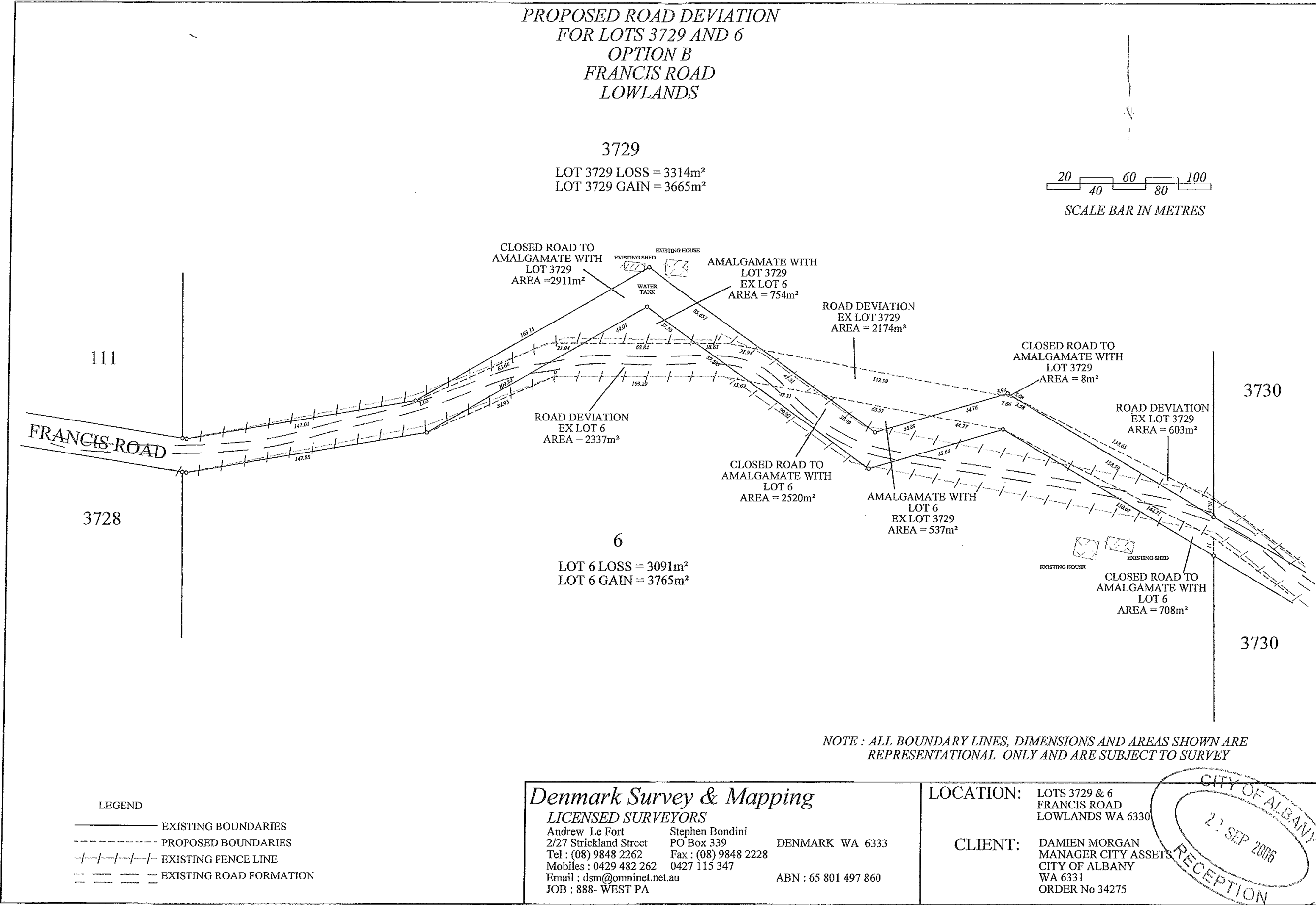
CITY OF ALBANY

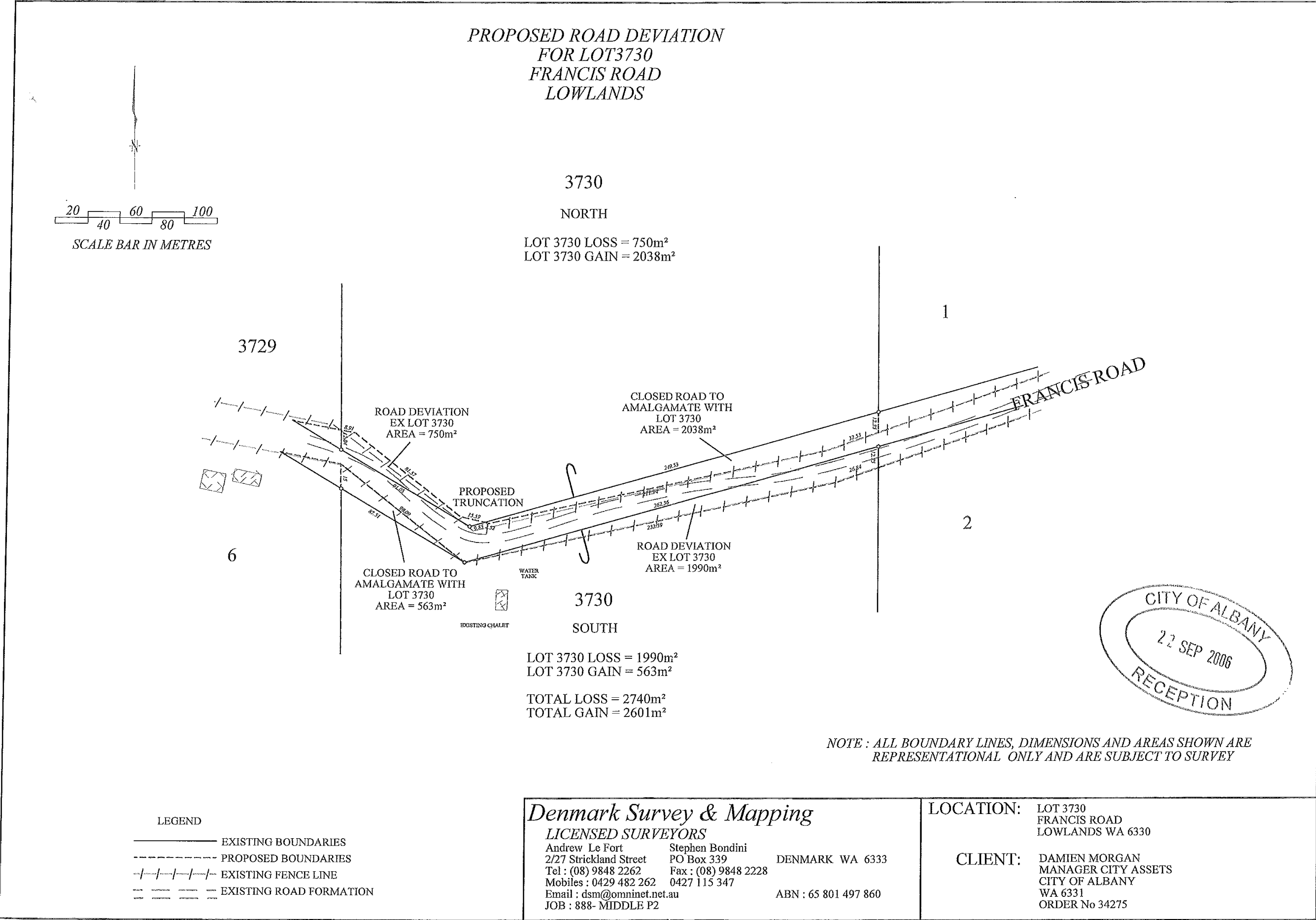
ALBANY MOTORCYCLE CLUB INC. – PROPOSED LEASE ON PORTION OF RESERVE 1947 PARKER BROOK ROAD, WILLYUNG

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<ul style="list-style-type: none"> Mr White as young boy was a member of the Motorcycle Club when they were relocated from the Parker Brook Reserve to Roberts Rd because of environmental issues that are still of importance today. Agree that a venue of this sort is needed but not located less than 350 metres away from their home. Propose that Council relocate the Motorcycle Club and other planned groups to Bakers Junction Reserve near the tip where pollution and degradation or land will have less impact on the environment and neighbours. 	<p>Bakers Junction Nature Reserve 30463 is vested with the Conservation Commission of WA for the purpose of conservation of flora & fauna as such Motorsport would not be permitted.</p>	<p>Noted.</p> <p>Noted.</p> <p>Reserve 1947 Parker Brook Road was identified as the most suitable location in the Albany Motorsport Complex Feasibility Study which was supported and adopted by Council at OCM 12.12.2008 and 17.02.2009.</p>









AGENDA ITEM 5.6 REFERS

SCHOOL OVAL

SCHOOL OVAL

DESIGN PHILOSOPHY

The design for Mills Park is based on nature play concepts which include variations of texture, materials and colour. Research has shown these to enhance children's development, interest, imagination and connection with nature. Nature play philosophy includes the use of natural, loose materials and equipment that can be used in more than one way. It also focuses on a diversity of features beyond the play experience including mounds, trees, grass, seats, sculptural art and the adjacent bushland. These, together with the natural surroundings and plantings of native vegetation, extend play opportunities by being un-prescriptive in their roles. For example, a log on the ground could be a tightrope, a bench, a rocket or a bus.

The plan includes a diversity of play experiences appropriate for a range of ages, abilities and interests.

It addresses the four main types of play, being physical, cognitive, creative/imaginative and social, and the cross over experiences that may occur within and between them. Each type of play assists in the development of invaluable life skills including dexterity and judgement, questioning and understanding, innovation and experiment, and negotiation and participation.

The design also incorporates the value of loose materials such as sand, mulch and pebbles in play experiences. These have been described as the experiences as they are used in a variety of ways. whole.

It is also important to include quiet and passive areas as well as active play features, together with all-abilities Playspaces for inclusion of the whole community.

The design features raised sandpits for the less mobile, and tactile and sensory features to engage the community. Sculptural art also plays an enormous part in connecting the community and providing meaning in a manner beyond simple need or function. It is hoped that sculptural art celebrating local Aboriginal heritage and connection with nature will be included within the park.

Subtle fencing of the southern edge of the Park is proposed to improve safety for young children. It is not always practical to visually supervise children and fencing for younger children (2-5) can act as a back up for supervision in that area of the park, although it will still be necessary for carers' to follow their children through the park if necessary.

By lightly screen planting the fence with native vegetation, seasonal changes in colour and growth can be observed, and niche spaces for resting and enjoying nature or reading books created.

Because Playspaces are not used exclusively by children and young people, but by the whole community, social and recreational opportunities need to be considered. The design therefore also includes the need for provision of BBQs, shelter, pathways and seating, which also encourage longer term stay at the park. These features combine to make the park user friendly for other members of the community.

It is our vision that by creating a diverse, interesting and functional space, Mills Park will serve Amy Mills proudly as it brings together the community of Little Grove and Albany as a whole.

02 CONCEPT PLAN - PARK & PLAYSPACES

MILLS PARK LITTLE GROVE

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