
15.0 STRATEGIC PLANNING

- I N D E X -

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15.1.2 Reconsideration of Catalina Local Structure Plan and Farm Fresh Precinct Plan

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15.2.1 1999 Customer Satisfaction And Community Needs Market Research Project.

15.2.2 Quality Based Business Plans

15.3 PROJECT DEVELOPMENT

15.3.1 Heritage Partnership – City of Albany/Western Australian Museum

15.3.2 Heritage Walk Trails

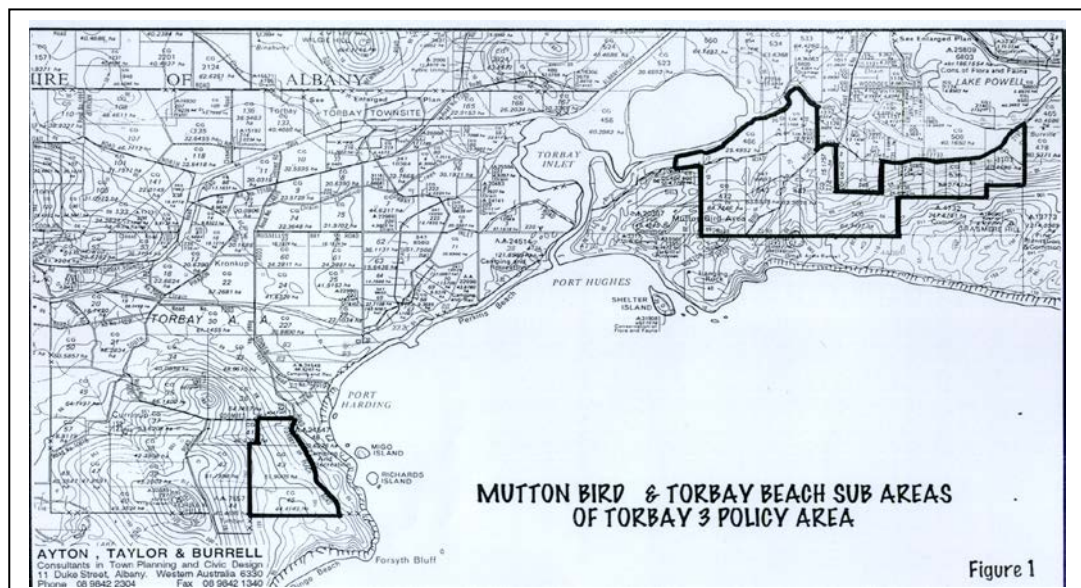
15.4 STRATEGIC PLANNING

- R E P O R T S -

15.1 COMMUNITY PLANNING

15.1.1 Local Rural Strategy - Minor Modification

File	:	PR
Proposal/Issue	:	Local Rural Strategy - Minor Modification
Subject Land/Locality	:	Various Lots - Torbay 3 Policy Precinct: Muttonbird, North, Elleker-Grassmere and Torbay Beach Roads.
Proponent	:	Ayton, Taylor and Burrell Town Planning and Civic Design
Owner	:	Various
Reporting Officer(s)	:	Manager Community Planning (Delma Baesjou)
Previous Reference	:	20 Aug 1996 P8/7 24 Jan 1996 P1/1 23 Dec 1996 13.3.13 13 Nov 1996 15.3.14 16 July 1996 P7/20
Summary Recommendation	:	Advertise Draft Modifications to Local Rural Strategy
Locality Plan	:	



Item 15.1.1 continued

BACKGROUND

1. Draft documents setting out minor modifications to the Local Rural Strategy have been submitted for consideration. It is proposed to modify the text relating to Torbay 3 Policy Area and to introduce an additional Policy Area.
2. In the course of processing a related TPS Amendment (144), the Western Australian Planning Commission (WAPC) had acknowledged that a review of this particular Policy Area was warranted.
3. The Local Rural Strategy was adopted in January 1996 and, following further input and comment from the Western Australian Planning Commission, the final Policy Document was endorsed by the former Shire of Albany in August 1996. The Strategy contains 61 General Policies, 28 Actions and Catchment Planning Precincts with a total of 41 Policy Areas. The Strategy provides a framework for decision making, sets direction and is used as a guide in assessing development and rezoning applications.
4. To ensure its successful implementation and provide the flexibility to deal with emerging and changing environmental and social issues, it was anticipated that the Strategy would be updated and reviewed every five years. This would involve a similar process of assessment, evaluation and public consultation to that used in preparing the Strategy.
5. Amendment 144 proposes to rezone Torbay Agricultural Area Lot 43 from “Rural” to “Conservation” zone to allow the creation of 8 lots ranging from approximately 2.7 to 19ha. The concept was considered by Council in July 1996, and in November the proposed Amendment was placed on preliminary Public Advertising. The Amendment was initiated by Council on 23 December 1996, subject to modifications and referred to the WAPC in February 1997.
6. In responding, the WAPC suggested that elements of the Amendment represented a departure from the Local Rural Strategy and that Council should either:
 - a) modify the proposal to more closely reflect the recommendations of the Strategy, (particularly in terms of lot size); or
 - b) provide justification for the proposal in terms of how the subject land differs from the remainder of the Torbay 3 Policy Area.
7. As a result of advice and on going discussions with Officers from the Ministry for Planning, the proposal was revised to address the issues raised by the WAPC. The Document was resubmitted to the Commission in January 1998.

Item 15.1.1 continued

8. In April 1998 Council was advised that the WAPC had given its consent for the Amendment to be advertised for public inspection, subject to a concurrent review of Torbay 3 Policy Area to more accurately reflect the characteristics and planning issues relating to the land and consider a more appropriate Policy Statement for the land. Council officers met with staff from the Ministry for Planning to establish the appropriate process for undertaking the review. The resultant review Document and modified Amendment Document have been prepared through consultation in accordance with the agreed procedure.
9. Parts 1, 2 and 3 of the document and Figures 2 and 3 summarise the proposal and follow this report. A copy of the review Document is included in the Bulletin.

STATUTORY REQUIREMENTS

10. The Local Rural Strategy was adopted as a Town Planning Policy under Town Planning Scheme No 3 and endorsed by the former Shire of Albany on 28 August 1996. Clause 6.9 of the Scheme provides Council with the Power to Make Town Planning Policies. Sub clause 6.9.3 sets out that a Policy may only be amended or rescinded by preparation and Final adoption of a new Policy, specifically worded to supersede the existing Policy, and publication of a formal notice twice in a newspaper circulating in the area.
11. It is proposed to advertise the modifications to the Local Rural Strategy concurrently with Amendment 144.

POLICY IMPLICATIONS

As above.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

12. The Local Rural Strategy is one of the key Town Planning tools for the Rural zoned land in the City of Albany.

Item 15.1.1 continued

COMMENT/DISCUSSION

13. Prior to the adoption of the Local Rural Strategy Council recognised the merit of retreat style development for the subject land. The site contains extensive areas of karri and is adjacent to Reserve, farmland and in the vicinity of existing Special Rural lots. Introducing development controls to protect vegetation and visual amenity and allowing sensitive “wilderness” type development was seen as preferable to conventional Rural land uses. An early request to rezone the land was considered by Council “as a submission on the Draft Local Rural Strategy”.
14. At the time the subject land was included in the Torbay 3 Policy Area, there was no specified minimum lot size for Conservation zones. Nomination of a 10ha minimum was a modification required by the WAPC prior to Final endorsement in 1996.
15. The review Document provides detailed assessment of the Torbay 3 Policy Area and gives justification for minor modifications to the Local Rural Strategy. Text changes include by rewording the Policy Statement, Justification and Identified Constraints and Land Management Needs. In recognition of the discrete site characteristics, a new Policy Area is also proposed.
16. Council officers support the proposed modifications which are considered to be a refinement of the Strategy and not a significant digression.

RECOMMENDATION

THAT Council endorses the draft modifications to the Local Rural Strategy and Advertise its intent to:

1. refine the Policy Statement, Justification and Identified Constraints and Land Management Needs for the Torbay 3 Policy Area (Muttonbird, North, Elleker-Grassmere Road);
2. introduce a New Policy Area for Torbay Beach Road; and
3. renumber the existing Torbay Policy Area 9 to 10.

Voting Requirement Simple Majority

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Item 15.1.1 continued

COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER EDMONDSON**

**THAT Council endorses the draft modifications to the Local Rural Strategy and
Advertise its intent to:**

- 1. Refine the Policy Statement, Justification and Identified Constraints and
Land Management Needs for the Torbay 3 Policy Area (Muttonbird, North,
Elleker-Grassmere Road);**
- 2. Introduce a New Policy Area for Torbay Beach Road; and**
- 3. Renumber the existing Torbay Policy Area 9 to 10.**

MOTION CARRIED 5 – 0

1.0 - INTRODUCTION

The Torbay No. 3 Policy applies to two discrete areas referred to as Muttonbird and Torbay Beach (Figure 1. and Attachment A refers).

Experience with the application of the policy has shown that it requires minor rewording to more appropriately reflect the characteristics, context and needs of the Torbay Beach sub area. As a result, this review comprises a minor modification or fine tuning of the specific policy area and not a major review of the strategy itself.

The purpose of this review is to assess the Policy Statement, Justification and Identified Constraints and Land Management Needs of the Torbay No. 3 Policy against the land characteristics, context and management needs of the Torbay Beach sub area. Where necessary, new/replacement policy provisions will be formulated that account for the characteristics of the Torbay Beach sub area specifically regarding capability, suitability and landuse context.

2.0 BACKGROUND

2.1 TORBAY 3 POLICY AREA

The existing Torbay 3 Policy (Attachment A) identifies that both sub areas may be suitable for a proposed "Environmental Protection" zoning (since created as the Conservation zone) and possibly wilderness retreat subdivision and development subject to a 10ha minimum lot size.

The need for this review has primarily arisen from the application of the Torbay No. 3 requirements to the Torbay Beach sub area. Applying the policy to the Torbay Beach sub area shows that many of the policy provisions seem to incorrectly note the capability, characteristics and context of the lots on Torbay Beach Road.

As a result, there is the need to modify the Local Rural Strategy to ensure that the justifications and the policy statement are relevant to the opportunities and constraints of both sub areas.

2.2 CONSERVATION ZONE

The Local Rural Strategy includes the Conservation zone within the definition of Rural Residential development.

The Strategy outlines that this zoning is to be used where special landscape or environmental features warrant a greater level of protection than that available under the Special Rural zone, particularly through the creation of "larger lots".

In terms of what is an appropriate lot size, the preamble to the Strategy defines rural residential development as generally comprising lots within the 2000m² to 10ha range with Conservation lots toward the upper end of this scale. General Policy 42 states that appropriate lot sizes for rural residential development are to be established by the assessment of land capability, the policy statement for the particular area and the identified constraints and land management needs. As a result, the policy statement is just one of the criteria to be taken into account when determining appropriate lot size and design priorities.

The main benefit of the GP42 approach is that a variety of lot sizes is the most likely result. In addition, the general policy ensures this variety is responsive to land capability, significant site features as well as the likely impact of providing the necessary services.

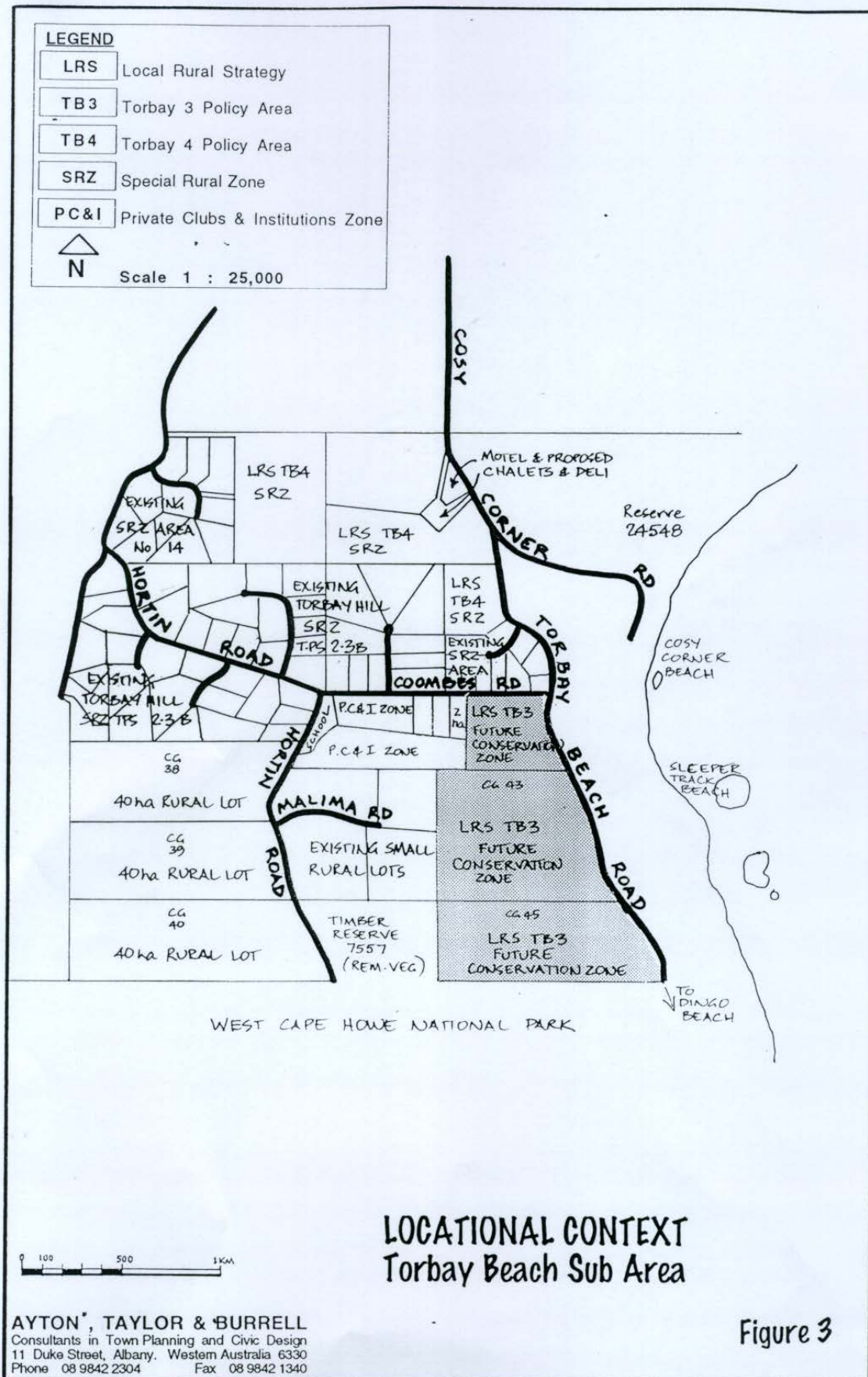
Both existing Conservation Zones (Areas 1 Nullaki Peninsula & 2 Torndirrup Road Big Grove) are good examples of responsive design leading to a variety of lot sizes. As GP42 operates effectively, it should be retained as the primary guidance for determining appropriate lot sizes. As a result, no modification to the overriding General Policies seems necessary and no modification is recommended. This allows specific focus on Torbay No. 3 and its two sub areas.

3.0 A COMPARISON: TORBAY BEACH vs MUTTONBIRD BEACH

3.1 EXISTING LANDUSE, SITE ACTIVITIES & LANDUSE CONTEXT

TABLE 1. EXISTING LANDUSE AND SITE ACTIVITIES	
Torbay Beach	Muttonbird
<ul style="list-style-type: none"> - Three lots of 20, 45 and 53ha - Smallest Lot undeveloped and vacant, largest Lot used for retreat and grazing activities (occupying ~3ha). Southern Lot used for small scale plantation, agricultural & retreat uses. - Wholly under the Rural Zone. 	<ul style="list-style-type: none"> - Approximately 27 Lots ranging from 4ha to 65ha with most around the 11ha to 15ha range. - Mainly retreat uses. Some (hobby) scaled grazing. - Wholly under the Rural Zone.

TABLE 2. LANDUSE CONTEXT	
Torbay Beach	Muttonbird
<ul style="list-style-type: none"> - Within one of the City's most popular area of retreat development. - Immediate area comprises three existing special rural zones, three future special rural zones, private clubs and institutions zones, motel and proposed special use site zones as well as small rural lots. - Adjoins Timber Reserve 7557, Coastal Reserve 24548 and the West Cape Howe National Park. - Plantation activities exist on private land adjacent to the National Park. - Torbay Beach Road defines boundaries with the Coastal reserve. 	<ul style="list-style-type: none"> - Within a secondary and informal area of retreat development. - Immediately surrounding private land is under the rural zone and is used for intensive and extensive agriculture. Defacto hobby farms exist on the smallest cleared lots in the locality. - Adjoins Reserves 13773, 4732, 1656, 2217 and 20367 which are mainly reserved for "common" and managed for conservation. These reserves abut the entire southern, western and eastern boundaries of the area. - Also abuts Gun Club Reserve 33103.



3.2 PHYSICAL QUALITIES, CRITICAL FEATURES & OPPORTUNITIES & CONSTRAINTS

TABLE 3. PHYSICAL QUALITIES	
Torbay Beach	Muttonbird
<ul style="list-style-type: none"> - Mostly endemic vegetation comprising Karri Forest and woodland and Jarrah and Sheoak low forest and woodland - Vegetation Associations are restricted to the Torbay Hill Area. - Landform described by Local Rural Strategy as hilly terrain based on granitic rocks, saddles, crests and slopes. - Soils described as gravelly yellow brown duplex soils and humus podzols (Kb and Ks). - Land comprises middle and lower slopes of the Torbay massif. - Very low microbial purification abilities of the Humus Podzols (Ks) are the only Class V limiting factor for capability. - Mapped as good Quality Agricultural land, mainly moderate capability for on site effluent disposal, generally high to very high capability for housing development and noted as potentially suitable for Rural Residential development. - Gently to Moderately sloping. - Creekline traverses the southern third of the area outfalling to the unconfined waters of Dingo Beach. - Within Visual Management Area A. Distantly visible from Mutton Bird Beach. Not exposed to other vantages due to vegetation and landform. - All Existing Lots enjoy direct linkages with and close proximity to local beaches (Dingo and Sleeper Track @ 500m – 1000m). - Approx. 400m boundary shared with Timber Reserve and approx. 1100m boundary shared with the West Cape Howe National Park. 	<ul style="list-style-type: none"> - Mostly endemic vegetation comprising coastal scrub and peppermint scrub-heath. Coastal Karri supported by peppermints exist in a narrow band on Elleker-Grassmere Road and in pockets mainly north of North Road. - Vegetation Associations are common on the inland side of the Coast Hills Formation. - Landform described by Local Rural Strategy as Dune Systems based on Coastal Aeolian and Fluvial sediments; Dunes, Old Dunes and Hind Dune Flats. - Soils described as calcareous sands and podzols (E, Ms, Mf, and Mp). - Land comprises the inland face and hind dune flats of the coast hill (consolidated dune) formation. - Class V limiting factors (VL/VH) comprise wind erosion risk (E, Ms, MP), topsoil nutrient retention (E, Ms, Mf, and Mp), moisture availability (E, Ms, Mf, and Mp), exposure factor (E, Ms, Mp) and microbial purification (Ms, Mp, Mf). - Low/Poor quality agricultural land, mainly moderate capability for on site effluent disposal, generally very low capability for housing development and noted as not suitable for rural residential development. - Northern portions generally flat, southern portions steeply sloping. - No surface water features on site but immediately abuts confined and nutrient enriched Lake Powell and "at risk" Torbay Inlet. - Within Visual Management Area A eastern portions potentially exposed to Lower Denmark Road and views over Lake Powell. Dearth of tall tree cover and undulating terrain make portions exposed to Mutton Bird Road - Few lots enjoy direct linkages and proximity to local beaches (Mutton Bird Beach @ 1500m – 6500m). - Approx. 6000m boundary shared with coastal reserve and approx. 3000m boundary shared with Torbay Inlet Reserve.

TABLE 4. CRITICAL FEATURES, OPPORTUNITIES AND CONSTRAINTS	
Torbay Beach	Muttonbird
<ul style="list-style-type: none"> - Relatively stable and robust granitic massif landform. - Few and relatively large holdings. - Within an established and approved hobby farm/retreat node. - Mainly intact vegetation cover of local importance. 	<ul style="list-style-type: none"> - Relatively unstable and fragile dunal landform. - Many and relatively fragmented holdings. - Within a defacto hobby farm and retreat area lacking conventional landuse and management controls - Mainly intact vegetation cover of local importance.

MINUTES – ORDINARY COUNCIL MEETING – 28/04/99

** REFER DISCLAIMER **

AYTON, TAYLOR & BURRELL

LOCAL RURAL STRATEGY
TORBAY NO. 3 POLICY AREA REVIEW

<ul style="list-style-type: none"> - Vegetation associations found on site are generally highly regarded due to regional rarity and true forest formation. - Good agricultural land quality mitigated against by vegetation protection objectives. - High to very high capability for housing development. - Potentially suitable for rural residential development. - Offers good on site nutrient retention prospects for future use. - Sheltered from wind erosion and significant visual exposure risks by vegetation and landform. - Some potential for reserve/national park additions in southwestern and southeastern corners at the time of subdivision. 	<ul style="list-style-type: none"> - The vegetation associations found in upland areas are often poorly valued due to good local representation and unimpressive form. - Poor quality agricultural land. Removal of rural use potential is not removing a high quality resource. - Low and very low capability for housing development - Unsuitable for conventional rural residential development as opposed to low density Conservation zone development on larger lots. - Offers mainly poor on site nutrient retention prospects for future use. - Offers very high wind erosion risks and areas of high risk of visual impact. - Potential for significant reserve addition in southern and western areas limited only by existing lot fragmentation, visual and environmental exposure and the consequential limits on future intensification of development. - Adjoins an area of existing intensive horticulture and thus off site impacts will need consideration.
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3.3 CONCLUSION

TABLE 5. CONCLUSION	
Torbay Beach	Muttonbird
<ul style="list-style-type: none"> - Rural zoning provides insufficient protection for critical site features and facilitates inappropriate development. - Land qualities, existing lot sizes and landuse context support further subdivision and the introduction of prudent use and management controls dealing with the above issues of which the most important is the need for vegetation protection. 	<ul style="list-style-type: none"> - Rural zoning provides insufficient protection for critical site features and facilitates inappropriate development. - Existing lot sizes and land qualities mitigate against rural use and further subdivision of most land in the area. Pocket clearings, gentle slopes and attractive and generally tall tree cover makes some intensification of retreat uses worthy of consideration in areas abutting North Road. - Existing lot sizes, land qualities and exposure to Lower Denmark Road mitigates against rural use and further intensification of development of those lots fronting Elleker-Grassmere Road. - The existing lot layout couples with land qualities to mitigate against significant subdivision and development on the lots abutting Muttonbird Road. - Location 506 at approximately 65ha is the largest holding in the area. Due to its size and lack of existing development, it has some subdivision potential. This is hampered by poor capability, need for clearing, distant exposure to Lower Denmark Road and lack of gazetted road frontage.

15.1.2 Reconsideration of Catalina Local Structure Plan and Farm Fresh Precinct Plan

File	:	PR
Proposal/Issue	:	Reconsideration of Catalina Local Structure Plan and Farm Fresh Precinct Plan
Subject Land/Locality	:	Various Lots - Chester Pass Rd Between Catalina and Mercer Roads, Lange
Proponent	:	Taylor Burrell Town planning and design
Owner	:	KingOpen Pty Ltd
Reporting Officer(s)	:	Manager Community Planning (Delma Baesjou) Executive Director Development Services (Robert Fenn)
Previous Reference	:	15.1.1 10/03/99
Summary Recommendation	:	Advertise Draft Plan
Locality Plan	:	



Item 15.1.2 continued

BACKGROUND

1. At its meeting on 10th March 1999, Council considered draft documents for the Catalina Local Structure Plan. After deliberation, and following a presentation of the proposal, Council resolved that consideration of this matter be deferred to a subsequent meeting and that staff provide additional information on:
 - the overall planning of the locality to verify that the subject application is consistent with that planning;
 - whether the City of Albany Town Planning Scheme No.3 provisions adequately address and can control mixed business and showroom activities; and
 - identification of acceptable land uses and the preferred mechanisms to control development of the subject land if the scheme amendment is pursued.
2. Part (i) relates strategic and structure planning and is addressed in the comment section of the report.
3. Part (ii) required information on the adequacy of existing Town Planning Scheme controls for mixed business and is dealt with under Statutory Requirements.
4. Part (iii) requires the evaluation of land uses and preferred control mechanisms. This issue is discussed in the comment section of the report.
5. The Structure Plan establishes an overall concept for future commercial development of the subject site, and introduces the mechanism for detailed planning and control. A mixed Business zone is proposed, within which Precinct Plans will be required. The Draft documents include concepts for the expansion of Farm Fresh, a Medical Centre/Offices, a Service Station and Showrooms within Proposed Precinct 1.
6. A copy of the previous Report and extracts from the document are contained in the Bulletin.

STATUTORY REQUIREMENTS

7. The bulk of the subject land is currently zoned 'Rural' under Town Planning Scheme No 3. Amongst the uses accommodated within that zoning are Professional Office (A use), Service Station (AA use) and Shop (A use). Showrooms are listed as a Prohibited use.
8. The Farm Fresh building is on land zoned 'Special Use' - Food Wholesaling/Plant Nursery. The range of activities which can be developed on the site are restricted to those specified in the scheme text and a maximum floor area is nominated for the retail component of the building.

Item 15.1.2 continued

9. Three lots fronting Chester Pass Road are zoned Light Industry.
10. In addition to the “Interpretations” set out in Clause 1.6, Scheme 3 relies upon the Town Planning Regulations 1967 for the purposes of defining land uses. Relevant definitions are:

‘Office’ means the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services and services of a similar nature or, where not conducted on the site thereof, the administration of or the accounting in connection with an industry.

‘Professional Offices’ means any building used for the purposes of his profession by an accountant, architect, artist, author, barrister, chiropodist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), or a town planner, and ‘professional person’ has a corresponding interpretation.

‘Shop’ means any building wherein goods are kept exposed or offered for sale by retail, and includes a café and a restaurant and receiving depot, but does not include a bank, fuel depot, marine store, timber yard, or land and buildings used for the sale of motor and other vehicles, or for any purpose falling within the definition of industry.

‘Showrooms’ means rooms in connection with warehousing or offices, and intended for the display of goods of a bulky nature.

11. Rezoning of the land is required prior to further development. Adoption of a Local Structure Plan will facilitate coordination between the various land owners and enable comprehensive planning of the area.

POLICY IMPLICATIONS

12. Clause 6.9 of the Scheme provides Council with the Power to Make Town Planning Policies. It is recommended that the Draft Plan be approved for advertising and ultimately adopted under the provisions of the Scheme. This process gives the Plan formal recognition and legislative backing under the Town Planning Scheme.

STRATEGIC PLANNING IMPLICATIONS

13. The proposal is consistent with The City of Albany Strategic Plan 1998 - 2000; in particular “Planning” Objective 2, within “Built and Natural Environment” which sets out “Undertake strategic land use planning to identify desirable patterns of development and servicing requirements”, and elements of “Industry and Commerce” Objective 5, “Public Places” Objective 1 and Governance Objective 1.

Item 15.1.2 continued

14. The Catalina Local Structure Plan is generally in accordance with both the Residential Expansion Strategy and the Commercial Strategy. The Plan is consistent with the Local Rural Strategy and the Draft Yakamia Structure Plan. This proposal meets relevant objectives of the City of Albany Strategic Plan.

(refer also to the previous Report)

COMMENT/DISCUSSION

15. There are a number of relevant Planning Studies which provide the framework and context for the current Precinct proposal. These are summarised below.
16. The Albany Regional Strategy was released in 1994. The strategy has a 20yr time frame consequently its goals and objectives are long term and broad based. The Strategy recognised that Albany had and will continue to experience solid and steady growth. It aims to provide for long term sustainable land use with the health of harbours and waterways being of particular importance. The Strategy includes the following objectives:
- to provide for urban growth and associated services;
 - to encourage frontal development/growth;
 - present and interim use of future urban lands should not be allowed to prejudice future urban development.
17. The emphasis is also placed on urban consolidation, with the direction of Albany's future growth being generally orientated to the north-east through Yakamia.
18. The Western Australian Planning Commission **Regional Rural Strategy** includes the following Guidelines:
- urban land to south-east of Chester Pass Road (ie. north-east of Albany);
 - all urban, hobby farm and industrial development subject to detailed studies;
 - subdivision should accord with structure plan framework.
19. The **Residential Expansion Strategy** released in June 1994 identifies the Yakamia locality as one of the key development areas which, together with Bayonet Head, will cater for the bulk of Albany's growth. The Study area is identified for "Future Development". The Residential Expansion Strategy reiterates that "present and interim use of future urban lands should not be allowed to prejudice future urban development".

Item 15.1.2 continued

20. The **Commercial Strategy for Albany** was adopted in 1994 and sets the strategy for commercial growth of Albany to the year 2021. It applies to the urban and urban frontal areas of Albany. The Strategy provides guidance for the long term growth of suburban shopping centres and includes recommendations for the development of existing suburban centres together with the provision of new centres as Albany grows and develops. In addition to preserving the dominance of the existing central area, the Strategy identified a hierarchy of neighbourhood and local centres, based of existing facilities and anticipated residential growth within the catchment areas. Highway commercial was examined and is addressed through the use of mixed business zones. The Strategy also provides guidance for specialised tourist developments, offices and home occupations.
21. The subject site is in the “North Central” catchment, which contains the North Road Shopping Centre and other minor specialist outlets. The Strategy allocated 4000sqm “shop retail net lettable area” (NLA) to the existing North Road Centre and identified a total of 3900sqm (NLA) for distribution to new centres within Yakamia/Lange. The Commercial Strategy was prepared and adopted prior to the development of the retail and commercial facilities at FarmFresh, but recognised that zoning was in place to allow for up to 2600sqm of retail floor space on the site. Consideration was given to a centre which would include community facilities and could be fully integrated with local open space.
22. Chapter 10 of the Commercial Strategy deals with Highway Commercial Development and use of “Mixed Business” zones is advocated. One of the principal findings of the Strategy states:
- “ Commercial developments in highway locations require particular controls because of the high visual profile. Development of this type should not be discouraged in appropriate locations but measures should be taken to ensure adequate standards are applied to such proposals in terms of setbacks, car parking, joint user rights of access and zoning.”*
23. Introduction of Policies and Guidelines/Performance Criteria are also recommended given the high visual profile of the roads/gateways into Albany.
24. The area is within “Oyster Harbour 1Policy Area” of the City’s **Local Rural Strategy**. The Policy Statement for this Area suggests rezoning to future urban and utilising associated zoning provisions to preclude interim uses which would prejudice future urban development within the area. Policy justifications include:
- identification of the area within the Residential Expansion Strategy;
 - the area is situated on the fringe of existing urban areas;
 - infrastructure necessary for urban development is or will become available; and
 - the area is close to Albany.

Item 15.1.2 continued

25. Relevant Constraints and Land Management Needs for the Oyster Harbour Policy Area include:
- protection of waterways, wetlands and remnant vegetation;
 - nutrient loss to Oyster Harbour; and
 - the need for structure plans to ensure efficient, well planned development.
26. The Draft **Yakamia Structure Plan** was prepared in 1995 and updated in 1998. Although the Plan is yet to be formally adopted it serves as the most comprehensive and detailed planning for the area. The Plan reflects the outcomes and findings of other Strategies, in particular the Commercial Strategy. In the medium to long term a possible District Shopping Centre (10-2000m² NLA including a Discount Department Store) is recommended near the intersection of Yakamia Drive and the re-aligned Mercer Rd (The Walmsley Centre). The Neighbourhood Centre (2000 – 5000m²) although originally proposed in the “Residential Village Area” is to be re-allocated following examination through future detailed planning and rezonings of the area. Small “corner stores” of 50-150 NLA would complement the higher order centres.
27. The Structure Plan and Commercial Strategy acknowledge that zonings were in place and approval had been granted for the development of up to 2600sqm of retail floor space at the intersection of Catalina and Chester Pass Roads. As a result of the recent development of the Farm Fresh site there is in effect, 1300sqm of retail floor space “available” for distribution within Yakamia/Lange. The Draft Structure Plan identifies two key options for satisfying demand for retail floor space:
- the Special Use Site (Farm Fresh) incorporating the Light Industry Composite zone; and
 - Reserve 27179 (Mercer/Mason Road) which is nominated as a possible education/cultural precinct.
28. The Plan recommends consolidation of two areas of light industrial development on Chester Pass Road. These areas take advantage of the good exposure and access to Chester Pass Road and will need to be carefully planned to ensure that they interface in an acceptable manner with adjacent residential areas. In this regard, it is recommended that industrial uses be orientated towards the highway, whilst showroom warehouse developments be orientated towards the interface with the residential area. The Plan refers to Councils support for concept of developing a composite industrial/residential area, following “Liveable Neighbourhood” principles. Given the proximity of industrial and residential uses in the area such an arrangement is considered ideal in this location.

Item 15.1.2 continued

29. With regard to acceptable land uses (Part (iii) of Councils Resolution), the proponent's report highlights a desire to incorporate into the local structure plan area land uses such as cultural and civic, retail (an existing land use), other commercial and office, recreation, community support facilities (eg. medical facilities), medium density residential and showrooms and bulky goods sale. Not all of these uses are proposed in stage 1 of the local structure plan area and, with Council approvals, some of the land uses being proposed can be developed under the existing zoning. To progress a rezoning could provide an appropriate context for the development of this site and limit development opportunities to those considered by the community to be appropriate to the site.
30. If the Catalina Central Local Structure Plan is to be adopted as a policy document by Council, and then progressed through a formal rezoning process, staff suggest that a Special Site zoning be applied. This zoning could restrict development to certain land uses, describe building form, bulk, articulation, finishes, and other site requirements such as car parking and landscaping.

CONCLUSION

31. The Catalina Structure Plan provides a framework for the future development of the subject land and will serve as a guide to the general road layout, land use distribution and open space. The Plan is consistent with existing Strategies and current planning practice. The use of Precinct Plans to allow detailed planning and use of design controls is a similar mechanism to that which applies in the Foreshore Development zone. Introduction of a "Mixed Business" zone is a recommendation of the Commercial Strategy and is consistent with preliminary work undertaken for the review of the City of Albany Town Planning Scheme. This "Mixed Business" zoning is an increasingly popular planning tool as it provides clear guidance to developers, but has flexibility to meet the changing needs of the community. A subsequent Scheme Amendment will be required to introduce the new zone and control mechanisms, and to rezone the subject land.
32. Council officers support advertising of the draft Planning Policy which shall include public exhibition for a minimum of 21 days, formal referral to land owners within the study area and relevant government agencies.

RECOMMENDATION

THAT the draft Catalina Local Structure Plan for the lots fronting Chester Pass Road between Catalina Road and Mercer Rd, be adopted for advertising, which as a minimum shall include Public exhibition for a period of three weeks, referral to all affected land owners and referral to relevant Government agencies.

Voting Requirement Simple Majority

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Item 15.1.2 continued

Commissioner Winterton declared a financial interest in this item and left the Council Chambers at 7:12pm – see Item 8.0 of these minutes.

Commissioner Dawson noted this major planning proposal was discussed during Open Forum and said he was inclined to disagree with Mr Ciemitis that Council would not be bound by a decision to proceed with the matter, and believed the matter should be referred to the newly elected Council for consideration.

The Executive Director Development Services advised there appears to be some confusion over terminology, and suggested that this should be clarified and definitions be provided to ensure all parties know exactly what each term means.

Commissioner McGowan spoke in favour of the officer recommendation, saying that on 10th March Commissioners had sought clarification of several points, and it was his belief that the points had been addressed. He said he was in favour of the motion as presented to the Council, and supported the public being allowed to comment on the proposal.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER EDMONDSON**

THAT the draft Catalina Local Structure Plan for the lots fronting Chester Pass Road between Catalina Road and Mercer Rd, be referred to the incoming Council for consideration of advertising, which as a minimum shall include Public exhibition for a period of three weeks, referral to all affected land owners and referral to relevant Government agencies.

MOTION CARRIED 3 – 1

Commissioner Winterton returned to the Council Chambers at 7:20pm.

15.2 MARKETING & COPORATE PLANNING

15.2.1 1999 Customer Satisfaction And Community Needs Market Research Project.

File	:	STR021
Proposal/Issue	:	Topline Findings
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Project Officer Corporate Development (C Grogan)
Previous Reference	:	Item 19.2 Ordinary Council 27/1/99
Summary Recommendation	:	That the findings be received.
Locality Plan	:	N/A

BACKGROUND

1. At it is meeting on the 27th January 1999 Council endorsed the appointment of “Research Solutions” to undertake the 1999 City of Albany Customer Satisfaction & Community Needs market research project.
2. The research has been designed to explore the Community’s current level of satisfaction with existing services but also the community’s needs and priorities for future service delivery.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

3. The results of this market research may be used to guide the preparation of the 1999/2000 budget.

Item 15.2.1 continued

STRATEGIC PLAN IMPLICATIONS

4. Under the 'Local Government Operations' section of the 1998-2000 City of Albany Strategic Plan is an objective to "understand the social needs of our community". This initiative is directly geared to working towards that objective.
5. As well as directly supporting Council's existing Strategic Plan, the data gathered through this initiative will greatly assist in any future review of the City's Strategic Plan.

COMMENT/DISCUSSION

6. The objective of the market research is to assist Council understand:
 - a) Customers' perceptions of **quality of service** delivered by staff measuring aspects of service such as the *responsiveness* (willingness of staff to help); *reliability* (do the staff do what they say they will do?); *assurance* (do our staff and their service inspire confidence?); *empathy* (do they provide individual attention?); *timeliness* (does the speed of responses/service satisfy customers' expectations and needs?) and *tangibles* such as how knowledgeable and effective our staff are;
 - b) Community satisfaction with the **range of service** provided by Council;
 - c) Community desires for changes in the **level of services** provided by Council;
 - d) Identification of any significant **perceived gaps in local facilities** and whether the Community wish Council to help facilitate the creation of those facilities.
7. A number of important factors were taken into consideration in the design of the market research:
 - 1) It was recognised that measuring customer satisfaction with Council services is not entirely compatible with research into community needs, and as such the two issues need to be addressed in such a way as to avoid confusion;
 - 2) Involvement of key stakeholders in the development of the market research framework was necessary to ensure the research is relevant and appropriate;

Item 15.2.1 continued

- 3) The City of Albany is a geographically large municipality, and the resident community lives in a range of rural, urban and suburban areas. The market research incorporated 100 respondents from each of 'Inner Albany', 'Outer Albany' and 'Rural Albany' and as such provides for fair representation from across the full range of geographical areas of the City of Albany (see below for explanation of the different sectors);
 - 4) The sample size has been chosen so as to provide demonstrably reliable data to be used as an indicator of community views and priorities. The sample size provides 95% confidence that the range of error will not exceed 5.8% ie if 50% of respondents gave a particular answer then we could expect between 44.2% and 55.8% of the entire population to give the same answer;
 - 5) The data is in a form to allow comparisons/benchmarks over a number of years; and
 - 6) The results will inform decision-making.
8. As mentioned above respondents were grouped geographically into inner, outer and rural Albany sectors. These were determined using the following breakdown of telephone numbers:

SECTOR	TELEPHONE Nos & AREAS COVERED
Inner Albany	98410 to 98418; 98420 to 98425; 98428; 98429; 98441 numbers includes City Centre, Middleton Beach, Emu Point, Lockyer, Yakamia, Spencer Park, Orana etc.
Outer Albany	98443; 98444; 98446 to 98448; 98464; 98466 numbers inc King River, Little Grove, Elleker, Oyster Harbour, Kalgan & Green Range
Rural Albany	98451; 98452; 98453; 98461; 98468; 98471 to 98473; 98477 includes Kronkup, Youngs Sidings, Redmond, Manypeaks & Manypeaks North, Gnowellen, Wellstead, Mettler & Kojaneerup (with checks in the system to ensure only City of Albany ratepayers/residents participated in the survey).

9. During February stakeholder interviews were conducted across the City to help guide the design of the survey which was completed by the third week in March. The survey was implemented over a two week period up to the Easter weekend and involved a number of stages:

Item 15.2.1 continued

- (a) 300 residents across the City were randomly selected, and invited to participate in the market research. If the respondent agreed to participate they were asked to think about their last involvement with a City employee (at any of the City's offices or facilities) and to rate the service they received by considering a series of statements related to that occasion. Respondents were also asked to give an overall rating of the service they received.
 - (b) The respondents were also asked to indicate how many Council services they were aware of; to identify any additional services or facilities they thought the Albany Community needed and to indicate the role they thought the Council should play in the achievement of those services and facilities.
 - (c) The respondents were then mailed a package of information relating to 27 service areas and possible levels of service within those areas.
 - (d) The respondents were asked to consider the information provided and answer three questions:
 - i. What level of service do you think the City of Albany currently provides?
 - ii. What level of service do you think a good Council would provide?
 - iii. If you could change service levels, and incur no more than an overall \$10 rate increase what changes would you make? (The survey information included an indication of the impact that changes in service level would incur on the average City of Albany rates charge.)
 - (e) Respondents then took part in a telephone discussion through which the respondents reported their answers.
 - (f) The responses were then typed into a database, collated and analysed.
10. The findings of this market research will be presented to Council as part of a briefing to be delivered by Nicky Munro, the Principal of 'Research Solutions' the Market Research Company which undertook this Community Survey. It is proposed that a full report will be presented to Council during May.

RECOMMENDATION

THAT Council receive the findings of the 1999 City of Albany Customer Satisfaction and Community Needs Survey.

Voting Requirement Simple Majority

.....

Item 15.2.1 continued

COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER EDMONDSON**

THAT Council receive the findings of the 1999 City of Albany Customer Satisfaction and Community Needs Survey.

MOTION CARRIED 5 – 0

15.2.2 Quality Based Business Plans

File	:	STRO25
Proposal/Issue	:	Quality Based Business Plans
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Project Officer Corporate Development (C Grogan)
Previous Reference	:	Item 15.2.1 Council 14 th April 1999
Summary Recommendation	:	That Council endorses the Albany Leisure & Aquatic Centre Business Plan, subject to a period of local advertising for public comment.
Locality Plan	:	N/A

BACKGROUND

1. During 1998, the former Town of Albany & Shire of Albany undertook a resource sharing project through which four Service Teams undertook a customised business planning course, based on Quality Management principles. Over the past year Business Plans have been developed for the Albany Regional Day Care Centre, Harry Riggs Albany Regional Airport, the Albany Leisure & Aquatic Centre, and the Rainbow Coast Waste Management Service.
2. The first two of these plans were considered by Council at its meeting on the 14th April and are now open to the public for comment. The Albany Leisure & Aquatic Centre plan is presented through this report, prior to being advertised locally for public comment. The Rainbow Coast Waste Management Service Business Plan is being amended to take on board the recommendations of the recent audit undertaken by BSD consultants. Once these amendments have been finalised the plan will be presented to Council prior to a public advertising period.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Nil.

Item 15.2.2 continued

FINANCIAL IMPLICATIONS

3. The submitted document is a five year Business Plan, and as such it includes proposals that will be dependent upon future funding decisions. The plan will be the base framework upon which the Team prepares future budget submissions, however it is understood that Council will consider any future funding requests on their merits within the context of the availability of overall resources at that time.
4. The use of the Business Plan as a base framework for funding submissions will assist Council to ensure operational expenditure is geared to delivering value for money and achieving the Council's strategic objectives articulated within the City of Albany Strategic Plan.

STRATEGIC PLAN IMPLICATIONS

5. Under Local Government Operations the 'Strategic Planning' section includes Objective 2 'to implement a Strategic Plan for the City of Albany which is realistic, achievable and measurable'. One of the strategies under this objectives is to 'develop annual business plans including appropriate performance assessment to achieve measurable objectives and actions'. The 'Quality Service' Section includes an objective to 'Provide excellence in service delivery to internal and external customers' by 'systematically planning and continuously improving Council services and processes'.
6. This Business Plan is the embodiment of these elements of the City of Albany Strategic Plan.

COMMENT/DISCUSSION:

7. The Business Planning program has been designed to specifically link the City's Strategic Plan to five year operational plans and to provide a sound basis on which financial planning can be undertaken. However the key benefit of the plans is to focus quality improvement around creating enhanced customer value ie they have been developed in such a way to help the teams serve their customers better. In this way the Quality Based Business Planning program goes beyond traditional business planning..
8. The Business Plans for the Albany Leisure and Aquatic Centre is shown in full in the bulletin.

Item 15.2.2 continued

9. The format of this Business Plans includes

An Executive Summary

- **The Business Overview** (Business Background, Business Values, Mission & Vision, Performance Objectives, Business Resources, Product & Service range, Customer/Supplier base, Customer Satisfaction & Loyalty and Business Planning.)
 - **5 Year Business Objectives** (Business Relationships, Financial, Human Resources, Marketing & Sales, Products & Services, Production /Servicing & Business Performance).
10. The plan has been designed to be reviewed and updated each year to ensure they remain a relevant and valuable organisational resource, and to ensure the operational plans of the service team continue to be geared to meet changing customer needs and changing external forces as well as to achieving the City's Strategic Plan.
11. It is proposed that this plan be made available for public comment for a six week period, whereby the Business Plan will be advertised in local newspapers. The Business Plan will be on public display at the Albany Regional Public Library and the York Street & Mercer Road Administration Offices.
12. It is proposed that Council receive a further report summarising the range of public comments received prior to full adoption of the Business Plan.

RECOMMENDATION:

THAT Council:

1. provides an endorsement in principle for the Albany Leisure & Aquatic Centre Business Plan; and
2. approves a six-week advertising period for local public comment.

Voting Requirement Simple Majority

.....

The Executive Director Strategic Planning advised it was never intended that Council's Business Plans meet the requirements of Section 3.59 of the Local Government Act. He said this exercise had been undertaken to help the teams put in place planning which would implement the objectives of Council's Strategic Plan. A large part of this focus has been training of staff in quality to help them continually improve the services they provide.

Item 15.2.2 continued

COUNCIL RESOLUTION:

**MOVED COMMISSIONER McGOWAN
SECONDED COMMISSIONER WINTERTON**

THAT Council:

- 1. Provides an endorsement in principle for the Albany Leisure & Aquatic Centre Business Plan; and**
- 2. Approves a six-week advertising period for local public comment.**

MOTION CARRIED 5 – 0

15.3 PROJECT DEVELOPMENT

15.3.1 Heritage Partnership – City of Albany/Western Australian Museum

File	:	SER083
Proposal/Issue	:	Council is requested to consider a draft memorandum of understanding between the City of Albany and the Western Australian Museum regarding the development of cultural heritage partnerships.
Proponent	:	Council and the Museum are joint proponents.
Subject Land/Locality	:	N/A.
Proponent	:	N/A.
Owner	:	N/A.
Reporting Officer(s)	:	Paul Needham
Previous Reference	:	Nil
Summary Recommendation	:	Indicate in principle endorsement of the draft memorandum of understanding.
Locality Plan	:	N/A

BACKGROUND

1. Over recent months there have been a number of meetings between representatives of the City and representatives of the WA Museum (there has been representation from both organisations at both staff and Commissioner/Trustee level). One of the key recommendations that has flowed out of these meetings is that a memorandum of understanding (MOU) between the two organisations. A draft MOU has now been prepared and endorsed in principle by the Trustees of the WA Museum. A copy of the draft MOU is attached.
2. The key elements of the draft MOU are summarised below:
 - Develop a cooperative partnership to coordinate, provide mutual advice, identify resources, encourage broader partnerships and identify opportunities for new activities, industries and employment in relation to cultural heritage.

Item 15.3.1 continued

- Resources will be contributed by both partners by mutual agreement and the two parties will collaborate to establish funding and other resources from third parties.
- Three initial projects are identified, namely, the establishment of a reference panel to advise on heritage issues, establishment of a regional conservation facility in Albany (some preliminary work has already been done on this project) and establishing the position of a cultural education and interpretation officer in Albany.
- A working committee consisting of two members from each of the partner organisations will manage the ongoing progress of the MOU.
- The partners will actively seek the involvement of other parties in cultural heritage projects.
- The MOU will be reviewed after a period of 18 months.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

3. If endorsed, the draft MOU will set a framework for the development of policy, strategies and Council's relationship with the Western Australian Museum. As a document, the MOU is consistent with other relevant policies/strategies and will support and enhance a number of other initiatives, notably, the ongoing review of the Municipal Heritage Inventory, the Albany Lotteries Duyfken Boatshed project (that involves extensive cooperation between the City, Museum and others) and the proposed Heritage Walk Trails project (addressed elsewhere in this agenda).

FINANCIAL IMPLICATIONS

4. The development of the initial projects identified in the draft MOU and the establishment of the working committee to manage the ongoing progress of the MOU will require the allocation of staff resources. In addition, whilst the establishment of resources from third parties is identified in the draft MOU, Council may be asked to make direct cash contributions to projects at a future date. Each proposal put forward would have to be considered on its individual merit and would be subject to Council's normal budgeting process.

Item 15.3.1 continued

STRATEGIC PLAN IMPLICATIONS

5. The draft MOU is consistent with and will help achieve the following objectives of the Strategic Plan:
 - Economic Development, Industry and Commerce, Objective 2.
 - Economic Development, Role as a Regional Centre, Objective 1.
 - Economic Development, Tourism and Special Events, Objective 1.
 - Built and Natural Environment, Heritage, Objective 1.
 - Services for the People, Arts and Culture, Objective 1.

COMMENT/DISCUSSION

6. It is understood that an MOU of this nature (i.e. concerned with a long term partnership rather than specific project/s) between a local government and a state museum will be an Australian first.
7. The MOU represents a significant step in establishing broad recognition by the State of Albany's heritage significance at a statewide level and will assist in achievement of recognition of Albany's national heritage significance at the Commonwealth level.
8. The representatives of each organisation are seeking in principle endorsement of the draft document and any comments, additions or amendments, to enable a formal document to be prepared which can then be put forward for consideration and adoption by the future Council.

RECOMMENDATION

THAT Council indicates its in principle endorsement of the draft memorandum of understanding between the City of Albany and the Western Australian Museum regarding the development of cultural heritage partnerships.

Voting Requirement Simple Majority

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The Chairman of Commissioners advised he has a minor interest in this item, as he is Chairman of the WA Museum's Board of Trustees, however the Chief Executive Officer advised this would not preclude him from taking part in discussion and voting on the item as it was an involvement in the matter but not a financial interest.

The Executive Director Strategic Planning advised this is the first formal State recognition of Albany as a heritage centre, and the Memorandum of Understanding had the potential to deliver huge benefits to the area.

The Chairman of Commissioners thanked the Strategic Planning Team for their work in bringing this project to fruition.

Item 15.3.1 continued

COUNCIL RESOLUTION:

MOVED COMMISSIOENR McGOWAN

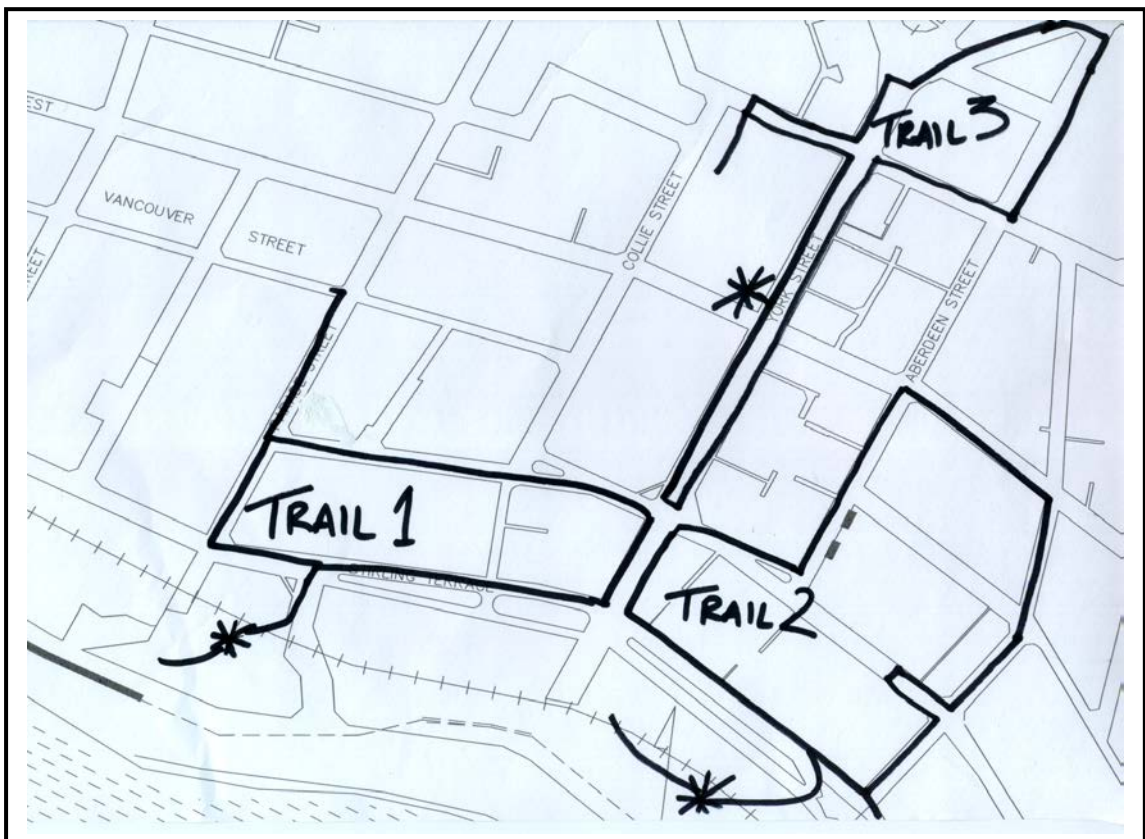
SECONDED COMMISSIONER WINTERTON

THAT Council indicates its in principle endorsement of the draft memorandum of understanding between the City of Albany and the Western Australian Museum regarding the development of cultural heritage partnerships.

MOTION CARRIED 5 – 0

15.3.2 Heritage Walk Trails

File	:	SER083
Proposal/Issue	:	Council is requested to consider- i) endorsing the initiation and ongoing development of a project to establish three heritage walk trails around the Albany City Centre. ii) allocating funds (\$9,122) to the implementation of the project.
Subject Land/Locality	:	Albany City Centre
Proponent	:	Council and the WA Museum are joint proponents.
Owner	:	N/A
Reporting Officer(s)	:	Sarah Dadd/Paul Needham
Previous Reference	:	Nil
Summary Recommendation	:	Endorse project and allocate funds.
Locality Plan	:	



Item 15.3.2 continued

BACKGROUND

1. As stated in an accompanying report (Heritage Partnership), over recent months there have been a number of meetings between representatives of the City and representatives of the WA Museum. At these meetings there has been enthusiastic support for the concept of developing a network of high quality heritage trails within the City, beginning with the development of a small number of walk trails around the Albany City Centre (where the highest concentration of heritage assets are found).
2. Similar trails in other cities have proved highly successful as tourist attractions and as means of developing an appreciation of the heritage of the city (Boston in the United States is a particularly well known example, however, Fremantle also has a well developed network of heritage trails).
3. A small working group has been formed to further develop the concept. Some preliminary work has been undertaken with regard to the mapping of three heritage walk trails around the Albany City Centre (see locality plan on previous page) and the assembling of historical information relating to the points of interest along each trail. The three proposed walk trails are all circuits based around the Albany Residency Museum, Albany Tourist Bureau and Albany Town Hall respectively. All three of the walk trails meet at the junction of York Street and Stirling Terrace, potentially allowing users to link all three walks together.
4. There have been some earlier walk trails developed in Albany (most notably as a Bicentennial project) the emphasis of the current project is, however, substantially different. The working group is, nevertheless, reviewing this previous work to see what can be learnt.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

5. Implementation of the first stage of the project depends on allocation of the required funds (\$9,122). It is proposed that these funds be reallocated from the funds previously allocated to business planning. A surplus currently exists in the business planning budget as a result of a payment from the Department of Local Government to assist with the costs of meeting National Competition Policy requirements.

Item 15.3.2 continued

6. Options for funding future stages of the project will need to be explored. Whilst external sources of funding are likely to be pursued, there may in future be a need for Council to consider making further cash contributions.
7. Once implemented, the project will create costs in terms of ongoing maintenance.

STRATEGIC PLAN IMPLICATIONS

8. The proposal is consistent with and will help achieve the following objectives of the Strategic Plan:
 - Economic Development, Role as a Regional Centre, Objective 1.
 - Economic Development, Tourism and Special Events, Objective 1.
 - Built and Natural Environment, Heritage, Objective 1.
 - Services for the People, Arts and Culture, Objective 1.

COMMENT/DISCUSSION

9. It is proposed that only one trail be developed initially. This will serve as a model for future trails which can be developed as sources of funding are identified. It is felt that Trail 1, centred around the Albany Residency Museum, be developed first as this will benefit from the tourist and heritage infrastructure already in place at the Residency Museum, Old Gaol and Patrick Taylor Cottage.
10. A draft budget for development of Trail 1 is below:

• Signage (trailhead signage, plaques at points of interest)	\$3,000
• Trail marking	\$2,500
• Design (logo, signage, trail marking & brochure design)	\$2,500
• Printing	\$1,000
• Contingencies	\$122
• TOTAL	\$9,122
11. Discussions and research to date suggest that all the above elements are necessary for the development of successful heritage walk trails.

Item 15.3.2 continued

RECOMMENDATION

THAT Council resolves to:

1. endorse the initiation and ongoing development of a project to establish three heritage walk trails around the Albany City Centre; and
2. allocate \$9,122 toward the implementation of stage 1 of the project.

Voting Requirement Simple Majority

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COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER EDMONDSON**

THAT Council resolves to:

- 1. Endorse the initiation and ongoing development of a project to establish three heritage walk trails around the Albany City Centre; and**
- 2. Allocate \$9,122 toward the implementation of stage 1 of the project.**

MOTION CARRIED 5 – 0

15.4 STRATEGIC PLANNING

Nil.

12.0 DEVELOPMENT SERVICES

- I N D E X -

12.1 DEVELOPMENT

- 12.1.1 Rezoning of Location 492 Lancaster Road and Lots 1 & 2 South Coast Highway
- 12.1.2 Rezoning of Lot 7, Location 416 Nanarup Road, Nanarup
- 12.1.3 Rezoning of Lot 126 Cuming Road, Gledhow
- 12.1.4 Rezoning of Lot 14 South Coast Highway, Gledhow from Rural to Special Rural
- 12.1.5 Clarification of Name – Youngs or Youngs Siding
- 12.1.6 Sandpatch Reserve – Request to do Exploratory Drilling
- 12.1.7 Proposed Change of Use to Nightclub – 338 Middleton Road, Albany
- 12.1.8 Proposed Three Storey Dwelling – 20 Hay Street, Mount Clarence
- 12.1.9 Proposed Piggery – Location 6449 Dempster Road, Manypeaks
- 12.1.10 Rezoning Application Lot 102 Neilson Road and Lot 71 Pinaster Road, Willyung
- 12.1.11 Subdivision of Reserves - Albany Golf Club reserve.

12.2 EDUCATION & COMPLIANCE

- 12.2.1 North Albany Football Club - Proposed Extension To Licensed Area

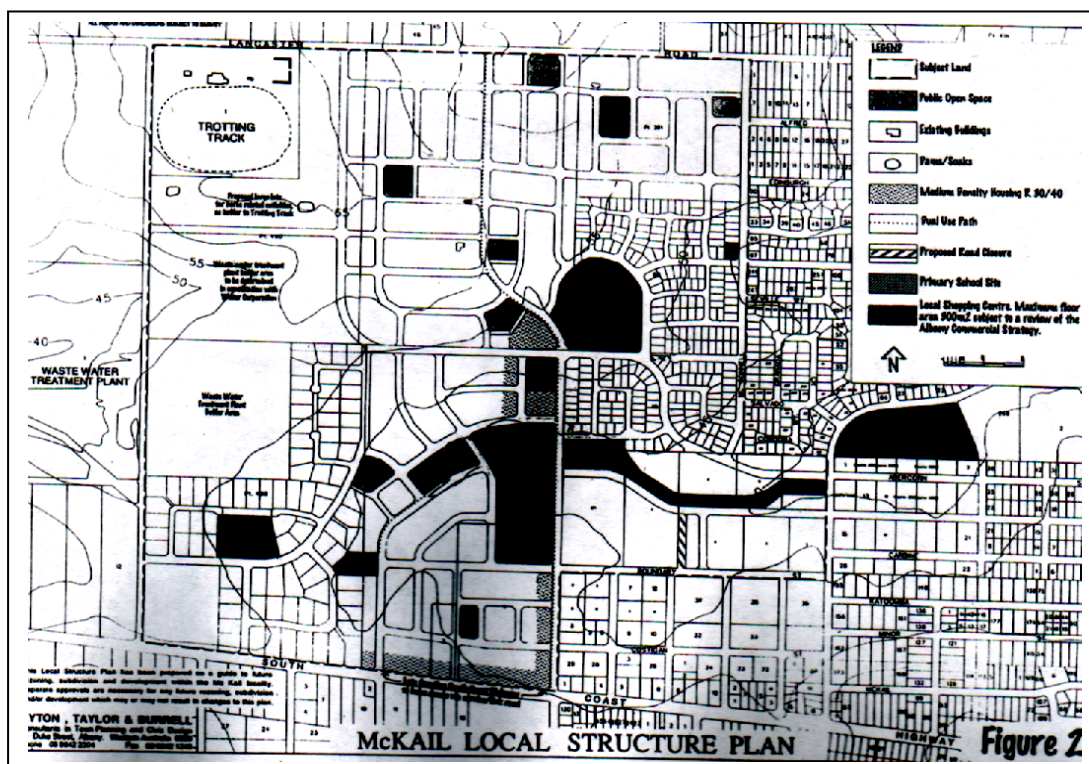
MINUTES - ORDINARY COUNCIL MEETING - 28/4/99
** REFER DISCLAIMER **

- R E P O R T S -

12.1 DEVELOPMENT

12.1.1 Rezoning of Location 492 Lancaster Road and Lots 1 & 2 South Coast Highway, McKail

File	:	SAR 4
Proposal/Issue	:	Rezone Location 492 Lancaster Road and Lots 1 and 2 South Coast Highway, McKail from Special Residential and Rural to Residential, Parks and Recreation, and Public Purposes
Subject Land/Locality	:	Location 492 Lancaster Road Lots 1 and 2 South Coast Highway, McKail.
Proponent	:	Ayton, Taylor and Burrell
Owner	:	Homeswest and Peet and Co.
Reporting Officer(s)	:	(Consultant) Chris Warrener
Previous Reference	:	N/A
Summary Recommendation:	Advise proponent that Council is prepared to initiate rezoning.	
Locality Plan	:	



Item 12.1.1 continued

BACKGROUND

1. On 19 January, 1999 Council received a request from Ayton, Taylor and Burrell to amend Town Planning Scheme 3.
2. The proponent seeks Council support to rezone land that is affected by the McKail Local Structure Plan.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

3. A Number of Strategic documents apply to the subject lots and, in summary:
 - Proposal is in accordance with the McKail Local Structure Plan
 - Residential Expansion Strategy identifies the land as “Future Residential”, and “Future Special Rural, or Special Residential”.
 - The City of Albany Local Rural Strategy includes the lots within Oyster Harbour 2 and 3 Policy Precincts and promotes development for Future Urban

COMMENT/DISCUSSION

4. The concept submitted by the proponent is consistent with the McKail Local Structure Plan which was adopted by Council at its meeting held on 27 January, 1999 and endorsed by the WA Planning Commission in March 1999.
5. This proposal for rezoning is consistent with the various strategies and the McKail Structure Plan. A copy of the proponent’s report follows.

Item 12.1.1 continued

RECOMMENDATION

THAT Council, resolves to advise the proponent that it is prepared to receive amending documents for the purpose of initiating an amendment to TPS 3 to rezone Location 492 Lancaster Road, and Lots 1 and 2 South Coast Highway, McKail, consistent with the McKail Local Structure Plan.

Voting Requirement Simple Majority

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COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER EDMONDSON**

THAT Council, resolves to advise the proponent that it is prepared to receive amending documents for the purpose of initiating an amendment to TPS 3 to rezone Location 492 Lancaster Road, and Lots 1 and 2 South Coast Highway, McKail, consistent with the McKail Local Structure Plan.

MOTION CARRIED 5 – 0

REZONING REQUEST REPORT: LOCATION 492 LANCASTER ROAD AND PT LOT 1 & 2 SOUTH COAST HIGHWAY, M^CKAIL

1.0 INTRODUCTION

Location 492 Lancaster Road and Lots 1 and 2 South Coast Highway are all located within the McKail Local Structure Plan Area. As the structure plan is currently being considered for final approval by both the City of Albany and the Western Australian Planning Commission, the landowners wish to proceed with rezoning of the land from the rural zone to the residential zone. A portion of Lot 1 is to be reserved for Public purposes (Primary School).

The following report provides background information and justification for the proposed rezoning in order to gain Council's agreement to prepare the necessary rezoning documents.

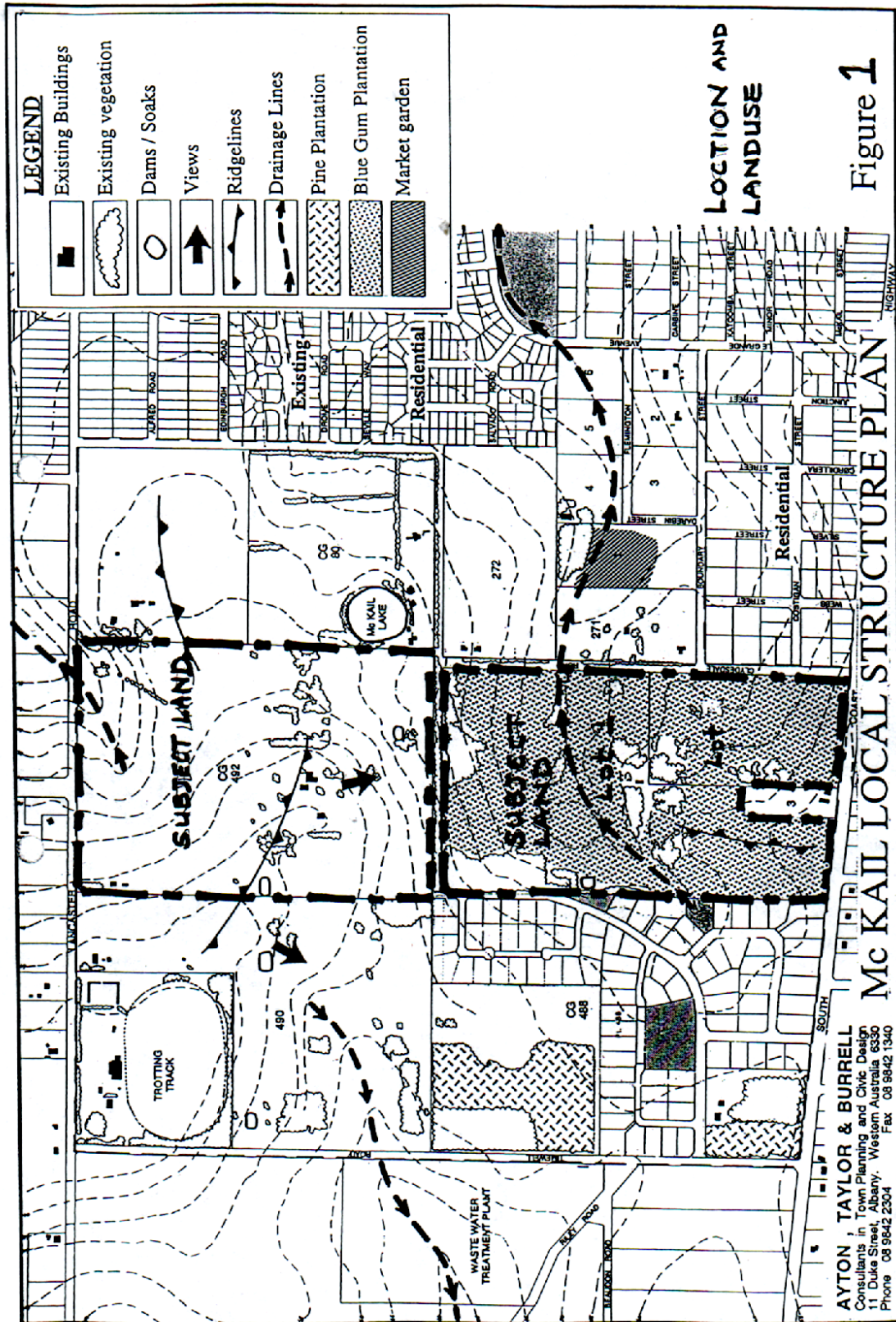
2.0 LOCATION, ZONING AND LANDUSE

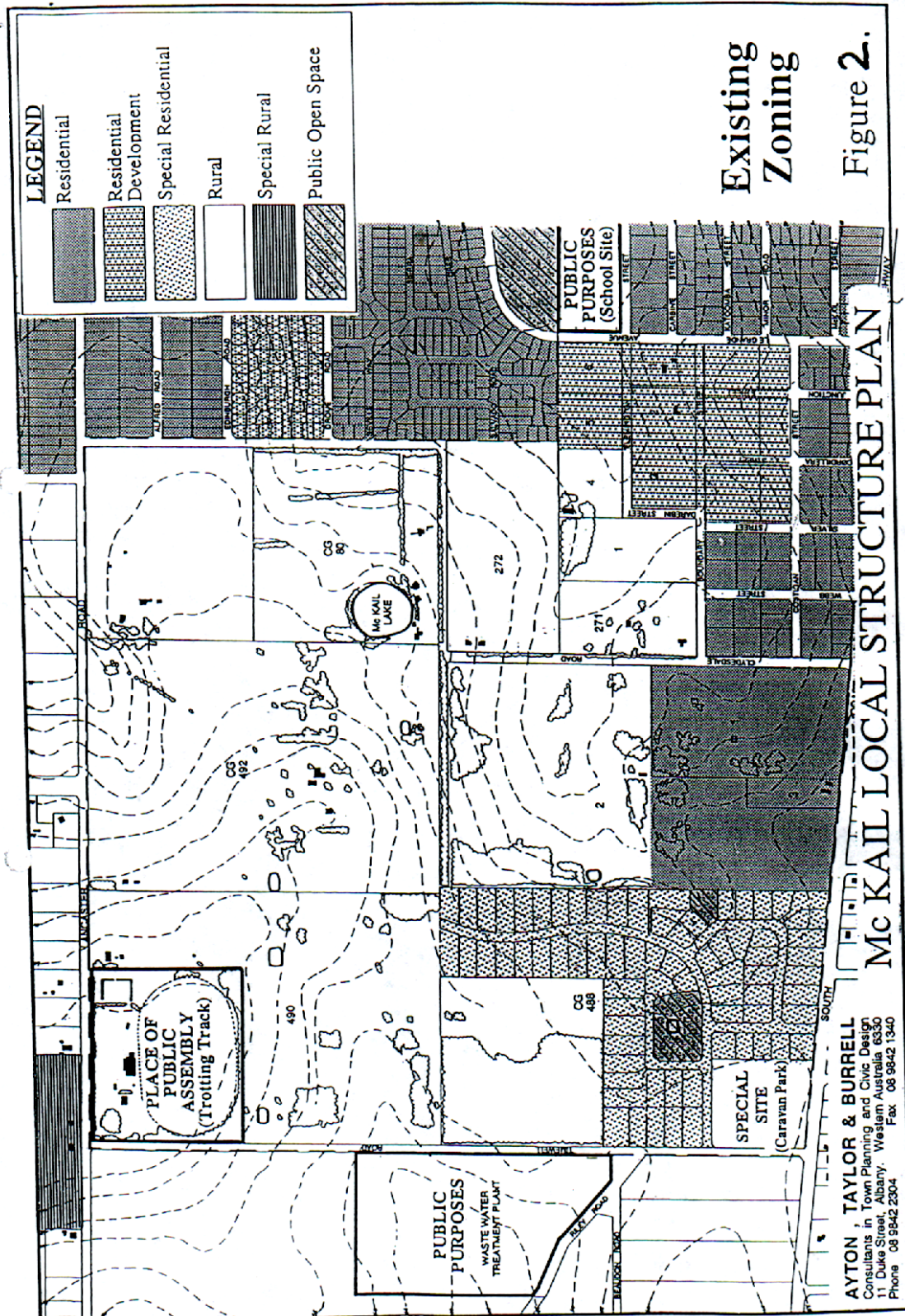
Location 492 is approximately 40ha in area and is located on the southern side of Lancaster Road, some 5 kilometres from the Albany City Centre. Lots 1 and 2 are located on the northern side of South Coast Highway, immediately to the south of Location 492 and are 9.9ha and 28.9ha in area respectively. Figure 1 refers.

Location 492 is zoned rural and Lot 2 is zoned partly residential (8.2ha) and partly rural (20.7ha). Lot 1 is zoned Residential.

Application has previously been made to rezone the northern portion of Location 492 to Special Residential zone (Amendment No 146, Shire of Albany Town Planning Scheme No. 3). The landowners now wish to rezone the whole of Location 492 for residential purposes. Difficulties with conditions for on-site effluent disposal is the main reason for the proponents deciding not to proceed with Special Residential zoning.

Figures 1 & 2 indicate existing zoning and landuse for the subject and surrounding land.





3.0 PLANNING CONTEXT

The McKail Local Structure Plan is the most relevant planning document for the subject land and provides detailed background information in relation to the physical site conditions, service availability and provision, planning issues and proposed development guidelines.

Key issues and proposals identified in the structure plan are summarised below:

- Location 492 is predominantly set aside for residential development with public open space being allocated to protect stands of trees, water bodies and provide an even distribution of facilities.
- Lot 2 incorporates residential land, a local shopping centre, public purpose (primary school) and a portion of a proposed linear park. A portion of the proposed primary school site also falls within adjoining Lot 1.
- All services can be independently provided to the subject land, however, coordination with adjoining landowners will help to minimise costs.
- The structure plan provides an overall road layout which will ensure subdivision of each property is coordinated. There is some scope for variation in the design of major local streets and minor subdivisional roads.
- The size of the local shopping centre proposed on Lot 2 needs to be reviewed as part of the review of the Albany Commercial Centres Strategy which is currently being initiated by Council.
- The owner of Lot 1 and 2, Homeswest, has agreed to a primary school site designated on portion of Lots 1 and 2. Cost sharing arrangements for the acquisition of this site by the Education Department are set out in the structure plan.
- The structure plan sets out cost sharing arrangements in relation to public open space provision, dual use paths and roads. This will ensure such facilities are provided in a coordinated and equitable manner.
- It is anticipated that development within the McKail structure plan area will be staged from east to west based on the existing sewer catchment area. Location 80 and Lot 302 are currently being rezoned to facilitate residential development and their development will bring the services through to the land the subject of this rezoning proposal. Lot 1 and 2 are currently developed with a blue gum plantation, which will delay any development consideration for at least six years.

- Figure 3 is a copy of the M^cKail Structure Plan and outlines the proposed zoning and reservations, which will form the basis of the rezoning documentation for the land the subject of this application.

4.0 CONCLUSION

In view of the imminent adoption of the M^cKail Local Structure Plan, which addresses all the key issues that need to be incorporated into rezoning of land in the area, Council's agreement for the owners of Location 492 Lancaster Road and Lots 1 and 2 South Coast Highway to prepare rezoning documentation in accordance with the structure plan is requested

MINUTES - ORDINARY COUNCIL MEETING - 28/4/99
** REFER DISCLAIMER **

12.1.2 Rezoning of Lot 7, Location 416 Nanarup Road, Nanarup

File	:	SAR 5
Proposal/Issue	:	Rezone Lot 7, Location 416 Nanarup Road, Nanarup from Rural to Rural-Additional Use Site
Subject Land/Locality	:	Lot 7, Location 416 Nanarup Road, Nanarup.
Proponent	:	Ayton, Taylor and Burrell
Owner	:	DK & DO Ball
Reporting Officer(s)	:	(Consultant) Chris Warrener
Previous Reference	:	N/A
Summary Recommendation:		Advise proponent that Council is prepared to initiate rezoning.
Locality Plan	:	



Item 12.1.2 continued

BACKGROUND

1. On 5 February, 1999 Council received a request from Ayton, Taylor and Burrell to amend Town Planning Scheme 3.
2. The proponent seeks Council support to rezone the subject land to permit additional chalets to be constructed on the property.
3. The property comprises 11ha and enjoys frontage to Nanarup Road, close to Nanarup Beach and Taylor Inlet.
4. The owner has already developed 3 chalets, and demand for this type of accommodation in this area is strong enough to warrant development of more chalets.
5. Expansion of the chalet development beyond 3 units, where the land is zoned “Rural” is restricted under the current City of Albany Local Rural Strategy.
6. According to the proponent the property is suitable for the proposed use, given prevailing site characteristics (suitability of soils, availability of water and power, road access and proximity to points of interest for visitors to the area). A copy of the proponent’s report follows.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

7. Within the City of Albany Local Rural Strategy the subject land is identified in the Eastern Coastal Catchment Planning Precinct.
 - General Policies 46, 47 of that strategy require rezoning to “Additional Use” or “Special Use” where more than 3 chalets are proposed. The policies state:

GP46 Processing of Tourist Development Proposals

- a) *Tourist development proposals affecting areas currently zoned rural will be processed in accordance with Table 1 on pages 35-36.*

Item 12.1.2 continued

- b) If more than one tourist development is proposed or when a tourist development would become the predominant use, Council may require the land to be appropriately zoned.*

GP47 Assessment Criteria

- a) Comply with Council's Local Rural Strategy Policies;*
- b) Satisfactory address any constraints listed in Table 2 on page 37; and*
- c) Not have an adverse impact on the quality of life of the local community.*

COMMENT/DISCUSSION

8. Expansion of the chalet development will likely result in further improvements to the property.(ie landscaping and general environmental).
9. The proposed use of the land for additional rural and tourist purposes is probably appropriate given its location, size and current development.

RECOMMENDATION

THAT Council resolves to advise the proponent that it is prepared to receive amending documents for the purposes of initiating an amendment to TPS 3 to rezone Lot 7, Location 416 Nanarup Road from "Rural" to "Rural-Additional Use".

Voting Requirement Simple Majority

.....

COUNCIL RESOLUTION:

**MOVED COMMISSIONER McGOWAN
SECONDED COMMISSIONER EDMONDSON**

THAT Council resolves to advise the proponent that it is prepared to receive amending documents for the purposes of initiating an amendment to TPS 3 to rezone Lot 7, Location 416 Nanarup Road from "Rural" to "Rural-Additional Use".

MOTION CARRIED 5 – 0

REZONING REQUEST REPORT

LOT 7, LOCATION 416 NANARUP ROAD

1.0 INTRODUCTION

Lot 7 is a 11 ha lot located on the southern side of Nanarup Road, some 20 kilometres from the Albany City Centre and 2.5 kilometres from Nanarup Beach. Figure 1 Refers.

The property is currently zoned Rural under the provisions of the Shire of Albany Town Planning Scheme No. 3, and has been developed with three holiday chalets, a managers residence and associated outbuildings and animal paddocks.

The property is subject to an offer to purchase and the proponents wish to rezone the land in order to develop a further three chalets and ultimately up to a total of ten chalets.

The purpose of this report is to provide background information and demonstrate the suitability for the intended use so that approval can be granted to proceed with preparation of the necessary rezoning documentation.

2.0 SURROUNDING LANDUSE

Surrounding land is zoned Rural and predominantly used for grazing and pasture. Immediately to the east a 1ha lot has been created and is effectively a de facto rural residential lot. Location 918 to the east is largely uncleared and contains the main drainage line which feeds in to the Taylor Inlet. The inlet is located approximately 800 metres south east of the subject land. A private airstrip is located immediately to the south of the property. Refer to aerial photo.

3.0 PHYSICAL DESCRIPTION

The property has largely been cleared but retains remnant trees around the existing residence and trees have been replanted along boundaries of the lot.

The land slopes gently to the north with a slope of approximately 1:20, increasing to 1:10 in the vicinity of the southern boundary.

Landform/Soil map units provided by the Local Rural Strategy indicate that the land falls within the DC map unit which is described as gravelly yellow duplex soils. On site inspection confirms this description.

Based on the capability mapping provided in the Local Rural Strategy, the site is considered to have a moderate to high capability for housing development, nutrient retention and on-site effluent disposal.

4.0 PLANNING CONTEXT

The Local Rural Strategy is the main planning document which provides general guidelines for landuse in the rural areas of the City.

The subject land is located within the Eastern Coastal Catchment Planning Precinct. Relevant issues identified include:

- Visual resource protection along Nanarup Road;
- Tourist signposting.

Prevention of nutrients leaching into the Taylor Inlet is also an issue which needs to be addressed.

The policy statement for the precinct indicates that landuse proposals will be determined in accordance with general policies.

General Policy 46 and 47 are the relevant general policies and essentially require:

- Rezoning to Additional Use Site or Special Use Zone for more than 3 chalets.
- Provision of a development guide plan.
- Constraints be addressed in relation to protection of vegetation, water resources, agriculture, fire risk, visual impact, surrounding landuse and availability of water supply.

5.0 SUITABILITY ASSESSMENT

While the site does not have spectacular views, it is located adjacent to Nanarup Road which is the main tourist route to beaches immediately to the east of Albany. Taylor Inlet and Nanarup Beach are located 1.5 to 2.5 kilometres to the southeast by road.

Currently, the only other provision for holiday accommodation is on the eastern side of Taylor Inlet where Nanarup Road terminates. There is clearly a need for good quality accommodation to service the tourist industry in this particular area. Rezoning the site to allow for up to ten chalets will consolidate an existing use on the property which, given its size, (11ha) has little scope to be used for agricultural purposes. Given the limited provision for holiday accommodation in the area, consolidation will help to reduce pressure to develop other rural land in the locality.

The site itself is sheltered and revegetation has already reduced the impact of the existing chalets from Nanarup Road. Additional revegetation will further enhance the appearance of the site.

Soil types are generally conducive to the installation of on-site effluent disposal and no problems have been encountered with the existing chalets. Use of appropriate on-site effluent disposal systems and revegetation will address any concerns in relation to export of nutrients into the waterways.

A potable water supply has been developed for the existing chalets based on underground water supply and can be readily extended to serve additional chalets.

AYTON, TAYLOR & BURRELL

REZONING REQUEST REPORT
LOT 7, LOCATION 416 NANARUP ROAD

Power lines run through the property and can also be extended to service more chalets. Bushfire management does not present a major problem in this area and will be addressed in detail should rezoning be supported.

Figure 2 indicates the proposed area for the new chalets which will be set back from Nanarup Road and downstream from the borewater supply. Provision is also proposed for a possible house. Extensive revegetation is proposed adjacent to Nanarup Road. An indicative site layout will be provided with the rezoning documentation.

6.0 CONCLUSION

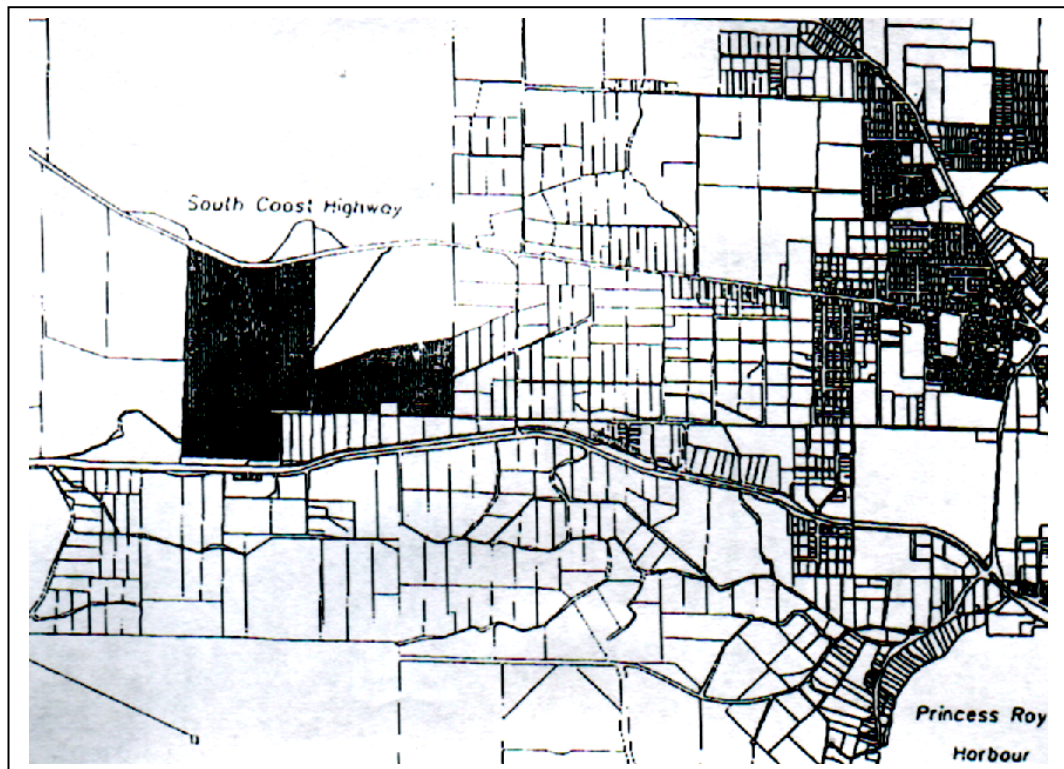
The extension of the existing chalet development on Lot 7 is considered a logical proposal given the scenic locality, capability and suitability of the site. Further development will enable the existing development to be enhanced through the provision of additional amenities, such as a proposed playground, and landscaping which will further reduce visual impacts from Nanarup Road. Appropriate controls can be incorporated into the scheme to ensure the site is appropriately managed.

Council's agreement to the preparation of rezoning documentation to facilitate the rezoning of the site is respectfully requested.

MINUTES - ORDINARY COUNCIL MEETING - 28/4/99
** REFER DISCLAIMER **

12.1.3 Rezoning of Lot 126 Cuming Road, Gledhow

File	:	AMD 196
Proposal/Issue	:	Rezone Lot 126 Cuming Road, Gledhow from "Rural" to 'Special Rural and Landscape Protection"
Subject Land/Locality	:	Lot 126 Cuming Road, Gledhow
Proponent	:	Harley, Hedderwick and Webber
Owner	:	J & J VanDerSchaaf
Reporting Officer(s)	:	Chris Warrener (Consultant)
Previous Reference	:	Agenda Item 12.1.3, 12 August, 1998
Summary Recommendation:		To initiate the Amendment and refer to the DEP
Locality Plan	:	



12.1.3 continued

BACKGROUND

1. At its Ordinary Meeting on 12 August, 1998 Council resolved:

“THAT, Council advise the applicant that it is prepared to initiate an amendment to Town Planning Scheme No. 3 by rezoning Lot 126 Cuming Road, Gledhow, and adjacent lots 44 and part 16, Cuthbert, from the RURAL zone to the SPECIAL RURAL zone and LANDSCAPE PROTECTION zone, subject to:

- i) Payment of Council’s application and processing fees for a minor scheme amendment.*
- ii) A redrawn Development Outline Plan providing a sealed road system which includes:*
 - Access via road frontage to all lots*
 - Internal road access to Cuming Road*
 - Internal road access to the unmade road reserves on the western side of the subject lots*
- iii) Satisfactory lodgement of the Scheme amendment documentation, with the inclusion of the special provisions for the proposed SPECIAL RURAL ZONE.”*

2. The proponent submitted amended documents together for the rezoning, with the amendment fee, on 11 February, 1999.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

3. **Local Rural Strategy**, Shire of Albany, January, 1996 land is included in policy area Policy Area Torbay 8 which states the locality may be suitable for rural residential development subject to demonstration by proponents that the constraints and land management needs are overcome

Item 12.1.3 continued

COMMENT/DISCUSSION

4. The documents submitted by the proponent satisfactorily address the matters raised in Council's 12 August resolution. The documents are in order for Council endorsement and referral to the DEP for assessment, prior to advertising.

RECOMMENDATION

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

- i) Rezoning Lot 126 on plan 16119 and portions of lots 44 and Pt 19 of Plantagenet Location 401, lot A6 of Pt Plantagenet Location 401, Pt Plantagenet Location 6874, Pt Plantagenet Location 77 from the Rural zone to the Special Rural zone.
- ii) Including in Schedule 1 – Special Rural zones, provisions which apply to the above lots being Special Rural area No. 28.
- iii) Amending the Scheme maps accordingly.

Voting Requirement Simple Majority

.....

COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER McGOWAN**

RECOMMENDATION

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

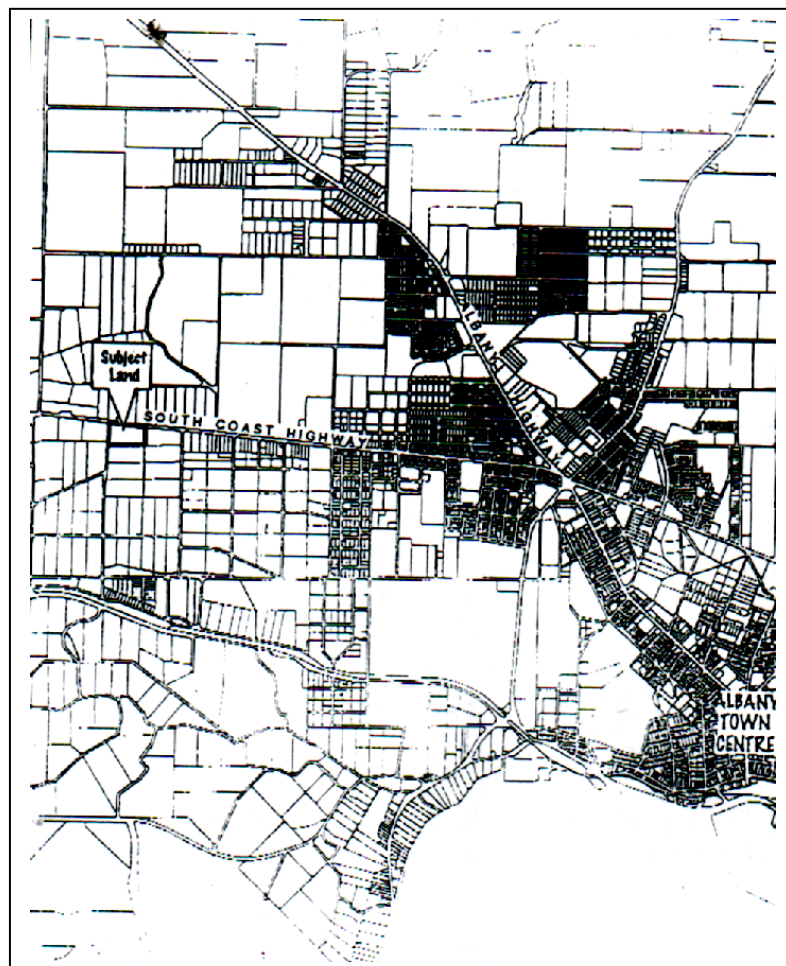
- iv) Rezoning Lot 126 on plan 16119 and portions of lots 44 and Pt 19 of Plantagenet Location 401, lot A6 of Pt Plantagenet Location 401, Pt Plantagenet Location 6874, Pt Plantagenet Location 77 from the Rural zone to the Special Rural zone.**
- v) Including in Schedule 1 – Special Rural zones, provisions which apply to the above lots being Special Rural area No. 28.**
- vi) Amending the Scheme maps accordingly.**

MOTION CARRIED 5 – 0

MINUTES - ORDINARY COUNCIL MEETING - 28/4/99
** REFER DISCLAIMER **

12.1.4 Rezoning of Lot 14 South Coast Highway, Gledhow from Rural to Special Rural

File	:	SAR 7
Proposal/Issue	:	Rezone Lot 14 South Coast Highway, Gledhow, from Rural to Special Rural
Subject Land/Locality	:	Lot 14 South Coast Highway, Gledhow
Proponent	:	Ayton, Taylor and Burrell
Owner	:	D & V Zambonetti
Reporting Officer(s)	:	Chris Warrener (Consultant) Robert Fenn (Executive Director of Development Services)
Previous Reference	:	N/A
Summary Recommendation:		To advise the proponent that Council is not prepared to initiate rezoning without adequate structure planning of locality.
Locality Plan	:	



Item 12.1.4 continued

BACKGROUND

1. On 23 February, 1999 Council received a request from Ayton, Taylor and Burrell to amend Town Planning Scheme 3.
2. The proponent seeks Council support to rezone the subject land to permit its subdivision into 5 lots ranging in size from 1.0ha to 1.2ha.(Attachment 1)
3. The property comprises 5.81ha and enjoys frontage to South Coast Highway. It is located approximately 7km from the Albany town centre.
4. Services available include overhead electricity, underground telecommunications and reticulated water.
5. Local/neighbourhood shopping facilities are available at the Lockyer/Orana shopping centre, which is located approximately 3km from the subject land.
6. Included with the rezoning request is a copy of a letter addressed to the proponent from Council, regarding the subject land. It is dated 12 October, 1998.
7. The contents of this letter include the following:

“As you have stated, Council would be unlikely to support subdivision of the land given its RURAL zoning.

Rezoning of the lot and adjacent lots within the policy area would be preferred. If adjacent landowners do not favour this approach, single lot rezoning would most likely be supported,(as is being undertaken via Amendments 161 and 192) if the single lots have capability to support more intense development.”

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

Item 12.1.4 continued

STRATEGIC PLAN IMPLICATIONS

8. Within the City of Albany Local Rural Strategy the land is included in the Torbay No. 2 Policy Area wherein:

“Council will rezone the area to rural residential or special residential with appropriate zoning provisions based on the constraints and land management needs identified below.” [POLICY STATEMENT (a)]

Policy Justification

- a) The existing lots generally have areas under 10 hectares and their use is inconsistent with the objectives of the rural zone;*
- b) There is a lack of controls under the rural zone to protect environment and the amenity of the area;*
- c) The area generally has high land capability for housing development;*
- d) The area is close to Albany;*
- e) Some of the existing larger lots have good views; and*
- f) The high level of fragmentation that has occurred.*

Identified Constraints and Management needs

- a) The area is predominantly serviced with unsealed roads;*
- b) Portion of the area is located within Visual Management Area A and therefore visually sensitive (particularly when viewed from the South Coast Highway and George Street);*
- c) There are some areas with low land capability for housing development due to their lowlying nature;*
- d) There is a need to protect remnant vegetation;*
- e) There is a need to consider a possible future ring road; and*
- f) A structure plan(s) need to be prepared to ensure efficient, well planned development.*

Item 12.1.4 continued

COMMENT/DISCUSSION

-
9. Attention is drawn to point (f) of the identified constraints and management needs specified in the Local Rural Strategy for the Torbay 2 policy area and replaced in paragraph
 10. Unless and until there is an endorsed Structure Plan in place for appropriate planning cells within the Torbay 2 policy area, Council should not be initiating further rezonings in this area.
 11. The proponent has submitted a “Notional Outline Plan”(Attachment 2), which indicates how other properties adjacent to, and south of the subject land may be further subdivided.
 12. The boundary of the Torbay 2 policy area(Attachment 3) is quite irregular, and mainly includes properties that lie to the west of the subject land, and north of the South Coast Highway.
 13. The boundary of the Notional Outline Plan submitted by the proponent does not correlate with the boundary of the Torbay 2 policy area. The policy area also excludes a small portion of the north east corner of the property.
 14. Given the nature of the advice provided to the proponent by Council in October, (ie support for the rezoning) and the fact that other amendments have been progressed in this locality without structure planning, it could be argued that the current proposal should be progressed. Also the proposed subdivision design is simple and logical, and may not prejudice the opportunities available for other landowners in the area to similarly subdivide.
 15. However, the proponent’s plan will propose multiple driveway crossovers to the South Coast Highway it takes a limited view of the overall planning of the locality, pays little regard for the servicing of the locality and the proposed Albany Ring Road.
 16. Before Council considers this proposal, advice needs to be obtained from Main Roads WA to determine whether the subject land is located within or outside the alignment of the future Ring Road.
 17. A provisional budget allowance has been included in the 1999/2000 budget to undertake comprehensive structure planning of this locality. Staff consider that no further fragmentation of lots should occur until that planning is completed.

RECOMMENDATION

THAT Council resolves to advise the proponent that it is not prepared to initiate an amendment to TPS 3 to rezone Lot 14 South Coast Highway, Gledhow from “Rural” to “Special Rural” until Council has prepared a Structure Plan for land contained within the boundary of the Torbay 2 policy area south of the South Coast Highway. This Structure Plan will address the following matters:

- Access to South Coast Highway
- Effluent disposal
- Visual Landscape Assessment

- Demand for urban services-shopping, employment, education, community facilities
- Future subdivision layout and landowner contributions for roads and drainage

Voting Requirement Simple Majority

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The Executive Director Development Services advised the summary recommendation on Page 27 should include the word “not”, so it reads – “To advise the proponent that Council is not prepared to initiate rezoning without adequate structure planning of locality”.

Commissioner Dawson referred to the need for Council to prepare a Structure Plan and inquired whether a broad time frame had been decided upon for completion of this.

The Executive Director Development Services advised the work is included in the draft budget for 1999/2000 and the Development Team will be promoting an allocation for the work to be carried out, however this will ultimately be a decision of the newly elected Council.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER WINTERTON
SECONDED COMMISSIONER EDMONDSON**

THAT Council resolves to advise the proponent that it is not prepared to initiate an amendment to TPS 3 to rezone Lot 14 South Coast Highway, Gledhow from “Rural” to “Special Rural” until Council has prepared a Structure Plan for land contained within the boundary of the Torbay 2 policy area south of the South Coast Highway. This Structure Plan will address the following matters:

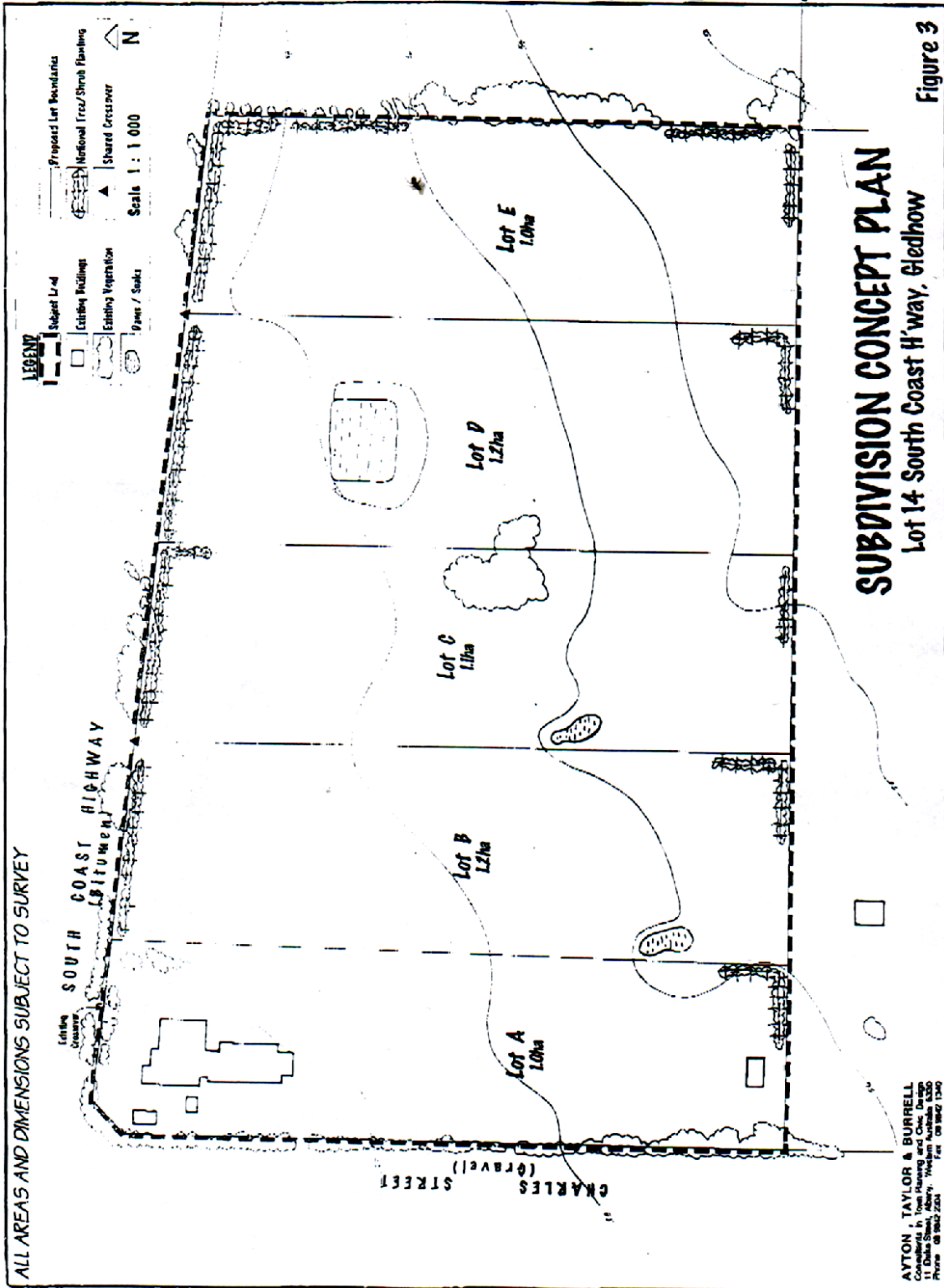
- **Access to South Coast Highway**
- **Effluent disposal**
- **Visual Landscape Assessment**
- **Demand for urban services-shopping, employment, education, community facilities**
- **Future subdivision layout and landowner contributions for roads and drainage**

MOTION CARRIED 5 – 0

14-Apr-99 10:20

P.03

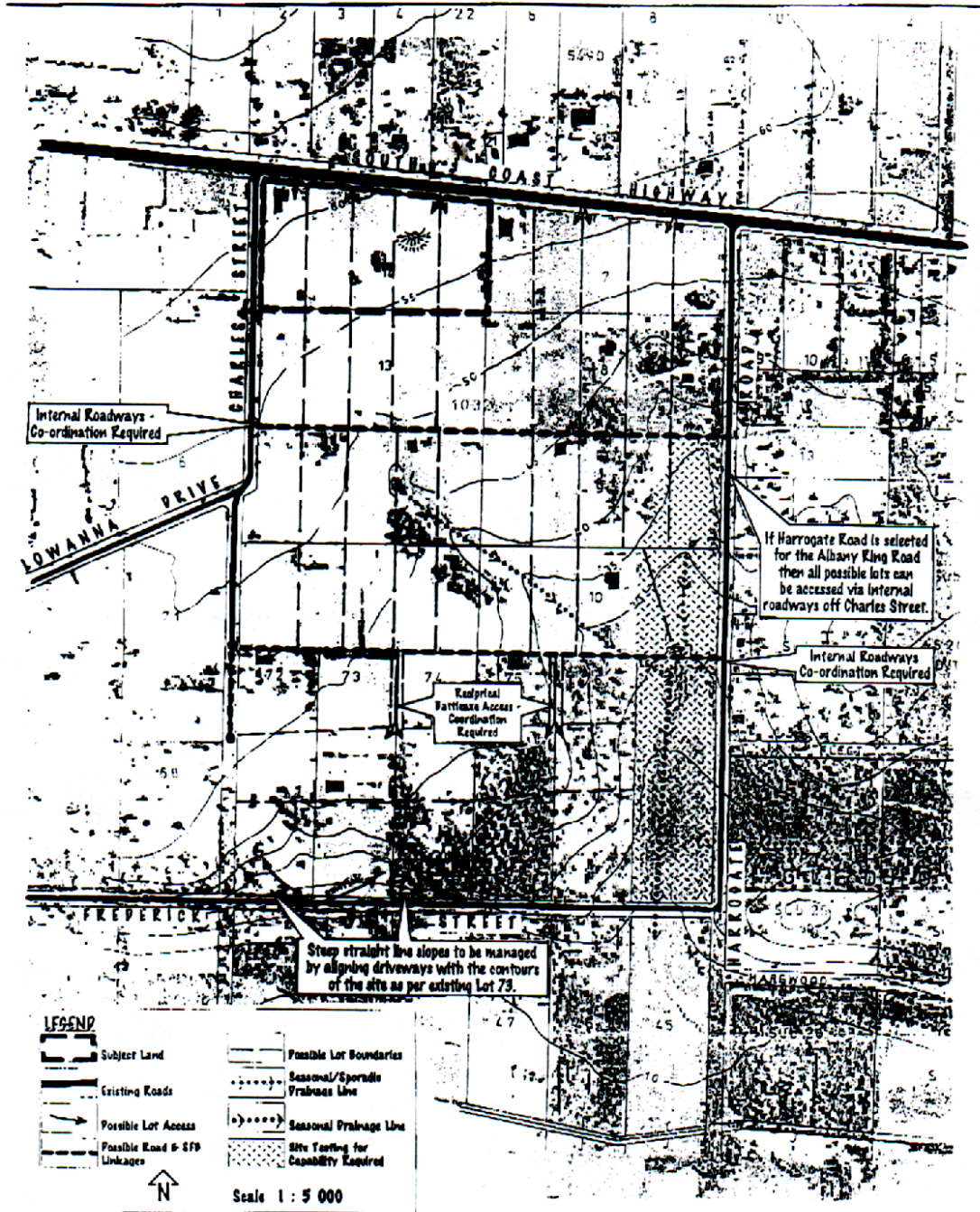
ATTACHMENT 1.



14-Apr-99 10:20

P.04

ATTACHMENT 2.



NOTIONAL OUTLINE PLAN

Lot 14 South Coast H'way, Gledhow

Figure 4

14-Apr-99 10:21

P.05

Shire of Albany Local Rural Strategy

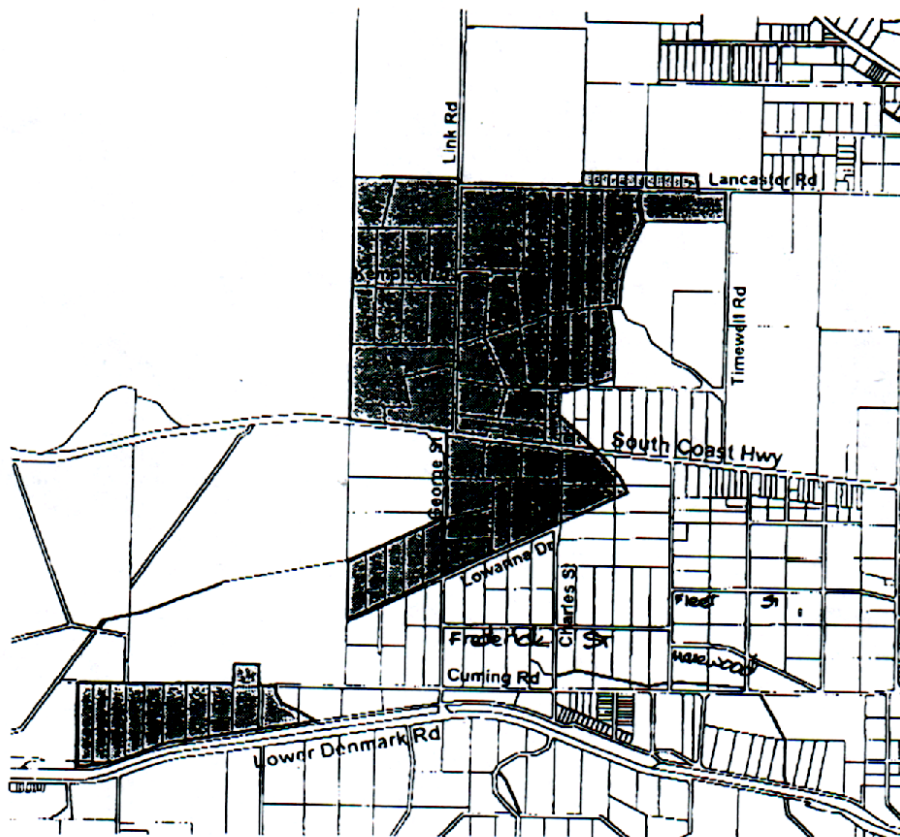
ATTACHMENT 3.

TORBAY 2

POLICY STATEMENT

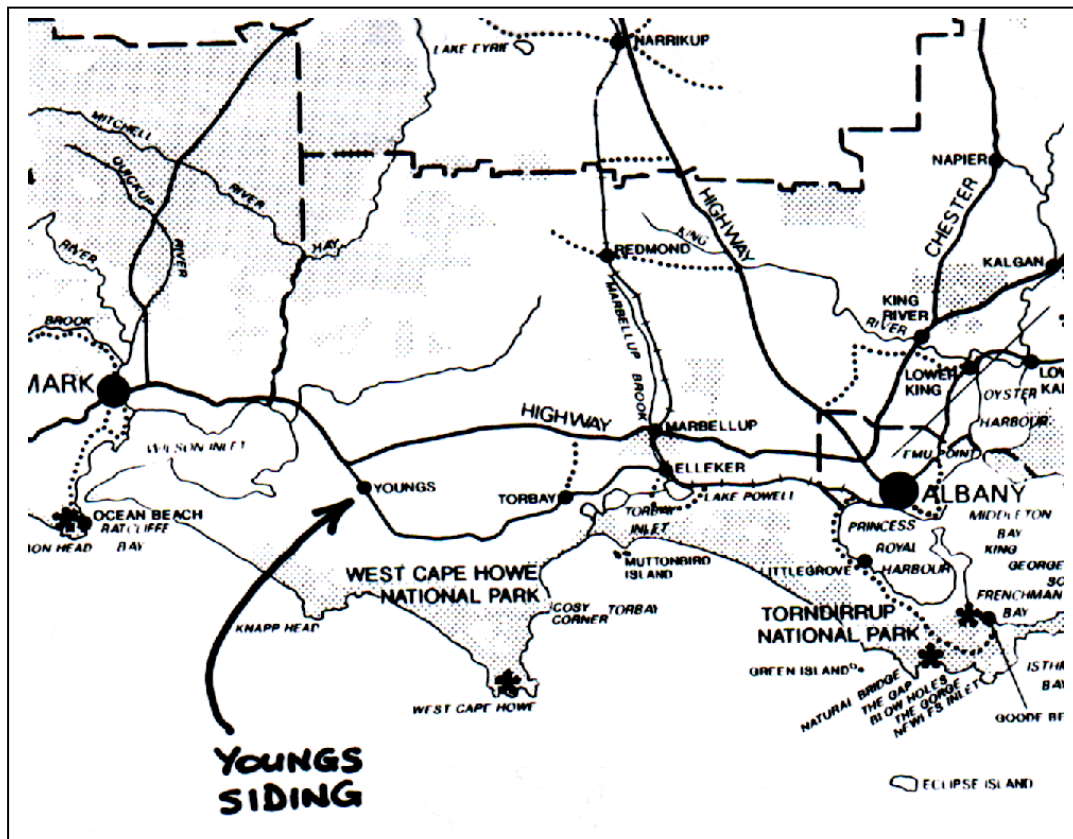
- (a) Following consultation with landowners Council will rezone the area to rural residential or special residential with appropriate zoning provisions based on the constraints and land management needs identified below.
- (b) Council will assess the potential of larger lots to create additional rural residential lots.

LOCATION



12.1.5 Clarification of Name – Youngs or Youngs Siding

File	:	REL083
Proposal/Issue	:	Clarification of Official Name for Rural Townsite.
Subject Land/Locality	:	N/A
Proponent	:	Youngs Siding Progress Association Inc.
Owner	:	N/A
Reporting Officer(s)	:	R Fenn (Executive Director Development Services)
Previous Reference	:	Nil
Summary Recommendation:		Adopt name “Youngs Siding”
Locality Plan	:	



Item 12.1.5 continued

BACKGROUND

1. The Department of Land Administration (DOLA) has advised the community of Youngs Siding that their rural townsite is officially recognised as “Youngs” by the Geographic Names Committee of the DOLA. The townsite is known locally as “Youngs Siding” and is shown on maps as both Youngs and Youngs Siding, depending on the producer of the map.
2. The Youngs Siding Progress Association has petitioned residents at “Youngs” and has forwarded a request that the name be officially changed to “Youngs Siding”. That request follows this report.

STATUTORY REQUIREMENTS

3. The Geographic Names Committee of DOLA officially applies names to townsites, localities, streets and recognised features. Requests to apply or change names through that Committee are usually channelled through the relevant Local Authority.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

Nil.

COMMENT/DISCUSSION

4. The request from the residents of Youngs Siding is self explanatory and is a reasonable request.

RECOMMENDATION

THAT Council endorse the request from the Youngs Siding Progress Association Inc to rename “Youngs” to “Youngs Siding” and that the Geographic Names Committee of the Department of Land Administration be requested to formalise that change.

Voting Requirement Simple Majority

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COUNCIL RESOLUTION:

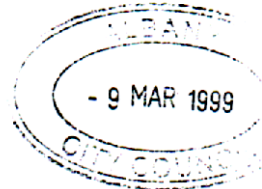
**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER McGOWAN**

THAT Council endorse the request from the Youngs Siding Progress Association Inc to rename “Youngs” to “Youngs Siding” and that the Geographic Names Committee of the Department of Land Administration be requested to formalise that change.

MOTION CARRIED 5 – 0

Youngs Siding Progress Association Inc.
c/o Youngs Siding General Store
Station Street
Youngs Siding WA 6330
March 5th 1999

Mr J. Kelly
Chief Executive Officer
City of Albany
P.O.Box 484
Albany WA 6331



Dear Sir,

Attached is a petition addressed to the Geographic Names Committee of DOLA. The petition is from the residents of Youngs Siding requesting that the local townsite be renamed from Youngs to Youngs Siding.

The letter addressed to Ms D.Crake explains the background to the petition, and should explain our position.

The Youngs Siding Progress Association, on behalf of the local residents is seeking the support of the City of Albany in this matter. Would you please raise this at the appropriate forum, and if support is forthcoming forward the petition to DOLA. Should the City be unwilling to support our petition please return it and we will pursue the matter directly with DOLA.

Yours sincerely,

G.J. Luke
G.J. Luke
President.

CITY OF ALBANY RECEIVED		
10 MAR 1999		
FILE RELO83	CORRO NO 9903180	OFFICER CEO
REPLY (Y/N)	ACKNOV SENT	CNL/BLTN

Handwritten: to EDD S. with copy to MCP. *Initials:* JKL

Handwritten: (Rob, if this is Rob Fears item please pass on. *Signature:* Jm)

Handwritten: Tonia 9/3/99 15/3/99

Youngs Siding Progress Association Inc.
c/o Youngs Siding General Store
Station Street
Youngs Siding WA 6330
March 5th 1999

Geographic Names Committee
Department of Land Administration
Midland Square
Midland WA 6056

Att: Ms D Crake

Dear Ms Crake,

Thank you for the information regarding the official name of the townsite at Youngs Siding, between Albany and Denmark. We also acknowledge your suggestion that the residents should work with the City of Albany to have the name Youngs Siding used to identify the Locality, and are at this moment pursuing that objective.

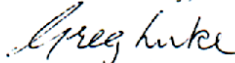
However we are also interested in having the name of the townsite changed from Youngs to Youngs Siding. While we understand that this may require work changing property title details, we feel that as there are only a dozen or so blocks in private ownership within the townsite that this task should not be too arduous.

The community's desire for the change is demonstrated in the attached petition signed by 129 local residents and landowners. The petition arose from a Community Opportunity Workshop held in Youngs Siding on November 27th 1998. At that workshop there was overwhelming, almost unanimous support for the name Youngs Siding, as a vital statement of the community's identity.

Older residents reported that when the name of the townsite was being determined in 1917 that the residents of the time were not given the opportunity to comment on the choice. As you report the name Youngs Siding was in use before the townsite was gazetted. In fact the old Siding is within the existing town boundary. The community wishes to recognise the historical linkage to the Siding by using the name Youngs Siding for the townsite. This will become a central feature of a townscape renewal project currently being developed.

Additionally many government agencies, both State and Federal use the name Youngs Siding in their dealings with local residents. The local community considers that they live in and around the townsite of Youngs Siding, and request that the Geographic Names Committee approve our petition to have the townsite renamed to Youngs Siding.

Yours sincerely,



G.J. Luke
President

PETITION

We the undersigned landowners and residents of the area known locally as Youngs Siding request that the Geographic Names Committee of DOLA change the name of the local townsite from Youngs to Youngs Siding to reflect historical fact and current useage.

NAME	SIGNATURE	ADDRESS
N. ADAMS	<i>N. Adams</i>	15 LESKIE ST. ALBANY
A Young	<i>A Young</i>	130 5TH COAST Hwy ALBANY
R.D. WRAY	<i>R.D. Wray</i>	29 BEDWELL ST. EMU POINT. ALBANY.
K.A. Knapp	K.A. KNAPP	21 Leslie St ALBANY
V FREIND	<i>V Freind</i>	88 Hillman St Albany.
S. ROBINSON	<i>S. Robinson</i>	52 Hudson Rd Albany.
G.M. Robinson	<i>G.M. Robinson</i>	52 Hudson Rd Albany.
M. ADAMS	<i>M. Adams</i>	5 Kingston Rd Albany WA 6330
F. WHEELER	F.9. Wheeler	262 NORTH RD ALBANY 6330
B. Ryleveld	B.M. Ryleveld	21 Alfred St Albany W.A. 6330
S.S. Griffiths	S.S. GRIFFITHS	21 ALFRED ST, ALBANY. WA 6330
R. ADAMS.	<i>R. Adams</i>	18 WINSTON ST ALBANY 6330
S.E. MORLEY	<i>S.E. Morley</i>	12 PARK ROAD ALBANY 6330
RMCUMMINGS	<i>R. Cummings</i>	30 TURNER ST ALBANY. 6330
ZACUMMINGS	<i>Z. Cummings</i>	30 TURNER ST ALBANY 6330
G. I GRAHAM	G. I GRAHAM	313 ALBANY H'wy ALBANY 6330
M. L. MINCHIN	M. L. MINCHIN	13 WILLIAM ST ALBANY 6330
A. L. MINCHIN	<i>A. L. Minchin</i>	13 Victoria St Albany -
Marsden	<i>Marsden</i>	RMB9023 Lower Denmark Rd 6330

PETITION

We the undersigned landowners and residents of the area known locally as Youngs Siding request that the Geographic Names Committee of DOLA change the name of the local townsite from Youngs to Youngs Siding to reflect historical fact and current usage.

NAME	SIGNATURE	ADDRESS
Howard Shaplin	A.L. Shaplin	RMB 9052A
Lothar Oppermann	Lothar Oppermann	RMB 9090 B Youngs Siding
Kim DABY	K Daby	RMB 9095 LOWER DENMARK RD
LIZ TURNBULL	Liz Turnbull	PO Box 526 DENMARK
L.A. SELEPAK	L.A. Selepak	RMB 9272 YOUNGS
Richard Rees	Richard Rees	RMB 9317
A. KITSON	A. Kitson	Eden Rd. Youngs Siding
A. McKenna	A. McKenna	RMB 9101 Mt Denmark Rd Boro
DARREN BARROW	Darren Barrow	P.O. Box 5480 Assnt.
Rendia Shakespeare	Rendia Shakespeare	PO Box 611, Denmark
Bob Garbutt	Bob Garbutt	P.O. Box 301 Denmark
Christine King	Christine King	RMB 9092D Youngs Siding
Tom Stenroos	Tom Stenroos	P.O. Box 573 Albany 6331
A. TRENDALL	A. Trendall	P.O. Box 5373 Albany 6331
Kate TRENDALL	Kate Trendall	Loc 295, Knapp Head P.
Lind Leggett	Lind Leggett	Knapp Head P.d. Youngs
PAULINE BUTCHER	Pauline Butcher	RMB 9094 B
Nadia Watkins	N. Watkins	Lower Denmark R.
KEVIN WATKINS	Kevin Watkins	Lower Denmark Rd
JOHN A JAMESON	John A Jameson	Mountain East Road, Boro 6330

MINUTES - ORDINARY COUNCIL MEETING - 28/4/99
** REFER DISCLAIMER **


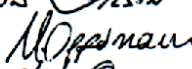

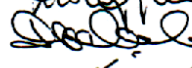


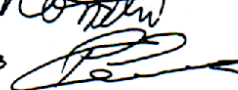
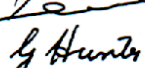
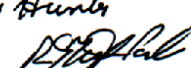


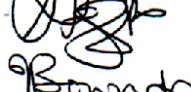
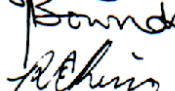
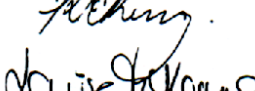
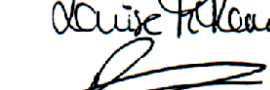


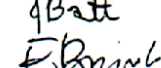
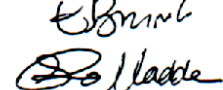
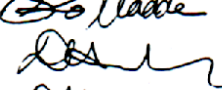
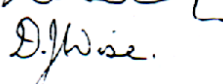
PETITION

We the undersigned landowners and residents of the area known locally as Youngs Siding request that the Geographic Names Committee of DOLA change the name of the local township from Youngs to Youngs Siding to reflect historical fact and current useage.

NAME	SIGNATURE	ADDRESS
RS Ayres	[Signature]	Barnholm
Paul Anderson	[Signature]	Youngs Siding
Katherine Malcolm	[Signature]	Youngs Siding
Mark Wylele	[Signature]	Youngs Siding
DEWSE BYLUND	[Signature]	Youngs Siding
Lisa Crosthwaite	[Signature]	3 Clarke Ave Denmark
C. HISSON	[Signature]	AM 9080 EDEN RD
MARK LAMNELL	[Signature]	YOUNG SIDING
PAUL TOGNOLINI	[Signature]	RMB THOMPSON ROAD
M. OPPERMAN	[Signature]	9281
H. FLOTTMANN	[Signature]	LOT 5 STATION ST YOUNG SIDING
L. KEY	[Signature]	RMB 9275 LAKE SADIE RD
C. S. CLARKE	[Signature]	YOUNG SIDING
N. PHIPPS	[Signature]	RMB 9278 Youngs Siding
Pat Barter	[Signature]	Loc 2959 Thompson Rd Youngs Siding
Pat Barter	[Signature]	RMB 9299A Youngs Siding
Pat Barter	[Signature]	PO Box 506 Albany
J. Macknay	[Signature]	W.A.
S. LANGHAM	[Signature]	Youngs Siding
M. LEHANE	[Signature]	Youngs Siding
T. Donaldson	[Signature]	Y.S.
L. RANSLEY	[Signature]	YOUNGS SIDING

PETITION

We the undersigned landowners and residents of the area known locally as Youngs Siding request that the Geographic Names Committee of DOLA change the name of the local townsite from Youngs to Youngs Siding to reflect historical fact and current usage.

NAME	SIGNATURE	ADDRESS
Ron Wilson		Post Office Box 583 APPLECROSS WA 6953
Margaret Oppermann		WOLFES PUMP RD Youngs Siding
Lothar Oppermann		Youngs Siding
Donna Malcolm		5TH COAST HWY Youngs Siding
Martyn M'Kenna		Freebrough Youngs Siding
Ross Gurner		ANGLO ST SOUTH PERTH.
PETER EDWARDS		LOWER DENMARK RI
GEORGE HUNTER		LOWER DENMARK ROAD
ROD TAYLOR PARLAW.		MOUNTAIN RD EAST.
Chelina Knuckey.		Gilge Rd Youngs Siding
Ling Leggett		Knapp Road. Lower Denmark
June Bounds		Thompson Rd Youngs Siding
R. King.		Gilge Rd, Youngs Siding
Louise McCreano		GRIFFIN MOSS FREEBROUGH
David Clarke		Youngs Siding.
Cheryl Batt		THE SOUTH BARNHOLM
J BATT		Nth Peninsula Rd Barnholm
A+E Brink		Lower Denmark Rd Youngs Siding
Zak Madden		Gilge Rd youngs siding
Dianne Howard		North Barnholm Rd, Barnholm
DAVID WISE.		Livingstone Rd Youngs Siding
		South coast Hwy

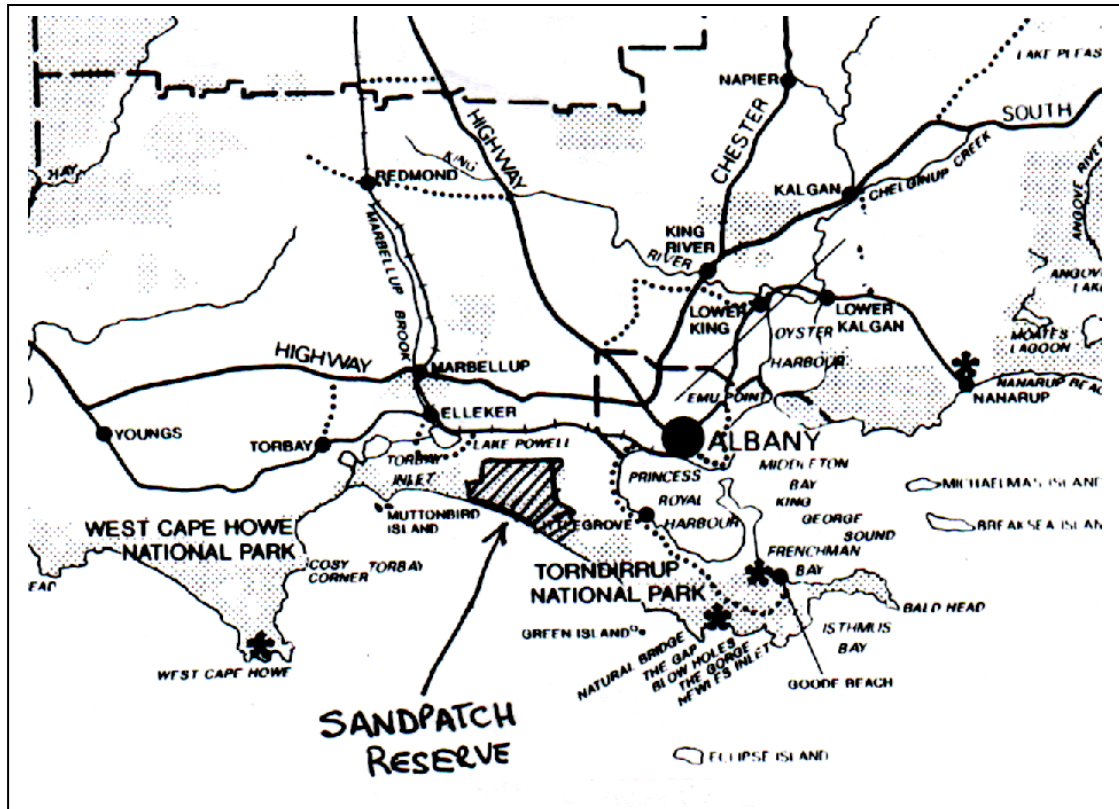
PETITION

We the undersigned landowners and residents of the area known locally as Youngs Siding request that the Geographic Names Committee of DOLA change the name of the local townsite from Youngs to Youngs Siding to reflect historical fact and current usage.

NAME	SIGNATURE	ADDRESS
G. J. LUKE	<i>G. J. Luke</i>	Loc 2543 EDEN ROAD YOUNGS SIDING
S.A.M. CARTER	<i>S.A.M. Carter</i>	LOT 1 STATION ST, YOUNGS SIDING
JOY PAVEY	<i>J. Pavey</i>	9435 RMB TORBAY
N. H. M.	<i>N. H. M.</i>	10761 COMINGS RD TORBAY
R. PHIPPS	<i>R. Phipps</i>	Lot 2727 DAWSON Rd Youngs Siding
SOA GEORGE	<i>SOA George</i>	9080A GARDEN RD YOUNGS SIDING
Annette Inns	<i>Annette Inns</i>	TENNESSEE 15TH RD YOUNGS SIDING
R. A. CARTER	<i>R. A. Carter</i>	LOT 1 STATION ST YOUNGS SIDING
J. SNOW	<i>J. Snow</i>	R.M.B 9277 YOUNGS SIDING
C. L. ROSE	<i>C. L. Rose</i>	Rmb 9277 YOUNGS SIDING
M. GRISKONIS	<i>M. Griskonis</i>	PO BOX 1189 YOUNGS SIDING
N. LEE	<i>N. Lee</i>	PO BOX 2007 YOUNGS SIDING
K. DAVIES	<i>K. Davies</i>	RMB 9282A YOUNGS SIDING
M. AINSWORTH	<i>M. Ainsworth</i>	RMB 9279A RYAN RD YOUNGS SIDING
S. GOATER	<i>S. Goater</i>	Lot 51 NHTENSEE YOUNGS SIDING
Rob Martin	<i>Rob Martin</i>	RMB 9299 Bernholm
DAVID WOLFE	<i>David Wolfe</i>	RMB 9108 Bernholm
Jennifer Lyde	<i>Jennifer Lyde</i>	RMB 9255 Minchin Bellwinds Rd
R. LOVELAND	<i>R. Loveland</i>	RMB 9091A Lower DENMARK RD
W. SHAIKESPEARE	<i>W. Shakespeare</i>	Pindar 1104 Youngs Siding
J. PHIPPS	<i>J. Phipps</i>	RMB 2727 DAWSON Rd Youngs
C. L. MARR	<i>C. L. Marr</i>	Rmb 9271A Youngs Siding
Heather Marr	<i>Heather Marr</i>	Rmb 9297 Bernholm 6330
B. C. GIBBS	<i>B. C. Gibbs</i>	PO Box 1256 Bernholm

12.1.6 Sandpatch Reserve – Request to do Exploratory Drilling

File	:	GOV061
Proposal/Issue	:	Council Approval sought to undertake exploratory drilling
Subject Land/Locality	:	Reserves 13773 and 4732 (Sandpatch Reserve)
Proponent	:	Water Corporation
Owner	:	Crown (vested with City of Albany)
Reporting Officer(s)	:	R Fenn (Executive Director Development Services)
Previous Reference	:	Nil
Summary Recommendation:		Grant Conditional Approval
Locality Plan	:	



Item 12.1.6 continued

BACKGROUND

1. The Water Corporation currently extracts water from the Werillup Borefield to the west of Albany for the town's domestic water supply. The borefield extends from Big Grove to the Sandpatch Reserve, with 2 permanent bores located on Reserve 2903 which adjoins the Albany Regional Prison and the Sandpatch Reserve.
2. The Corporation currently extracts more than the 3.05 Gigalitres of water per annum from the borefield which the current Waters and Rivers Commission licence provides for. To meet the needs of the community into the immediate future the Corporation is seeking to augment the scheme by a further 0.8 GL/a.
3. To determine the capacity of the borefield, a request was lodged with Council to drill 10 test bores over the Sandpatch Reserve. After some preliminary discussions, the proposal has been modified to reduce the number of test bores to 5 and to include only those sites alongside existing tracks. A plan of the proposed sites and the Corporation's request follows this report.

STATUTORY REQUIREMENTS

4. Reserve 13773 has an area of approximately 1650ha., it is vested with the City of Albany and set aside for the purpose of "Pine plantation". The City has made an initial approach to the Department of Land Administration (DOLA) to have the purpose of the reserve changed to Conservation and Recreation. That action has been placed 'on hold' pending Council's deliberations on the pending wind farm proposal by Western Power.

POLICY IMPLICATIONS

5. The Sandpatch Reserve is included in the Priority 1 Groundwater area of the South Coast Groundwater basin and identified in the City of Albany Local Rural Strategy as a Visual Landscape resource.

FINANCIAL IMPLICATIONS

6. The Water Corporation is to meet all costs associated with gaining access to the reserve for the drilling of the test bores and they will then liaise with Council on infrastructure and tenure if a viable water supply is proven.

STRATEGIC PLAN IMPLICATIONS

7. The ability of the City to expand its residential and business areas into the future is dependent upon the capacity of the Corporation to supply adequate potable water for the community. The City of Albany Strategic Plan promotes the development of service infrastructure to a level which supports the future growth of the City.

Item 12.1.6 continued

COMMENT/DISCUSSION

8. The Water Corporation needs to move large drilling rigs within the reserve in order to bore test holes of adequate depth and diameter to test the capacity of the resource. If one or more test bores can provide adequate water to meet the Corporation's needs, a request would be submitted for it/them to become permanent bore(s). The local power supply and reticulation mains would then need to be extended through the reserve.
9. The attached report highlights that roadside vegetation can be trimmed without impacting upon declared plant species and a copy of that report was referred to CALM for comment and checking; the report's findings were accepted by CALM. The slashing of the vegetation will result in short term visual impacts and potential increases in the speed of vehicles using the access tracks. That vegetation will grow back over time if the resource is not proven. If further drilling is required, the Corporation will be seeking to extend tracks within the reserve to undertake the second stage exploration program.
10. The Corporation needs to complete the exploration program as a matter of some urgency in order to develop the borefield for the 1999/2000 summer. The Water Corporation and Western Power have been asked to liaise directly with each other to jointly document environmental impacts upon the reserve and to integrate access and service arrangements, should either or both projects proceed.

RECOMMENDATION

THAT Council grant, without prejudice, consent for the Water Corporation to undertake the Stage 1 program of exploratory drilling of 5 bores upon the Sandpatch Reserve, being Reserve 13773, for the purpose of determining the extent of the Werillup Borefield subject to;

- (a) minimal levels of track upgrading and roadside vegetation slashing occurring;
- (b) vehicle movements by Corporation staff and contractors within the reserve being restricted to minimal levels and confined to existing tracks;
- (c) the Corporation meeting all costs associated with providing access for the exploratory drilling program and rehabilitation of the drilling sites after drilling;
- (d) all road making materials to be carted on-site are to be checked by Council staff and to be free of dieback; and
- (e) no development of the exploratory bores is to occur without Council's further approval and adequate documentation of the service corridors through the reserve.

Voting Requirement Simple Majority

.....

The Executive Director Development Services suggested an amendment to part (d) of the recommendation, to read as follows:

“(d) That all vehicles and road making materials to be carted on site are to be free of dieback and to be inspected by CALM.”

Item 12.1.6 continued

COUNCIL RESOLUTION:

**MOVED COMMISSIONER EDMONDSON
SECONDED COMMISSIONER McGOWAN**

THAT Council grant, without prejudice, consent for the Water Corporation to undertake the Stage 1 program of exploratory drilling of 5 bores upon the Sandpatch Reserve, being Reserve 13773, for the purpose of determining the extent of the Werillup Borefield subject to;

- (f) minimal levels of track upgrading and roadside vegetation slashing occurring;**
- (g) vehicle movements by Corporation staff and contractors within the reserve being restricted to minimal levels and confined to existing tracks;**
- (h) the Corporation meeting all costs associated with providing access for the exploratory drilling program and rehabilitation of the drilling sites after drilling;**
- (i) all road making materials to be carted on-site are to be checked by Council staff and to be free of dieback; and**
- (j) no development of the exploratory bores is to occur without Council's further approval and adequate documentation of the service corridors through the reserve.**

MOTION CARRIED 5 – 0

Your Ref:
Our Ref: Richard Forrest
Enquiries
Direct Tel: 9842 4284



Robert Fenn
Executive Director Development Services
City of Albany
221 York Street
Albany, W.A. 6331

30 March 1999

CITY OF ALBANY RECEIVED		
31 MAR 1999		
FILE 600061	CORRO No 9904887	OFFICER EDS
REPLY YJS	ACKNOWLEDGMENT SENT	CNLT/BLTN

Great Southern
Regional Office

63 Serpentine Road,
Albany 6330
Western Australia

P.O. Box 915,
Albany, W.A. 6331

Tel: (08) 9842 4211
Fax: (08) 9842 4255

Dear Robert

Proposed Investigation Drilling Programme for Werillup Borefield

Thank you for your fax dated March 19, 1999 confirming the issues raised and actions agreed to be undertaken at the meeting between the City of Albany, CALM, W&RC and the Water Corporation on Wednesday 17 March 1999, to enable investigation drilling in the Werillup area to proceed.

I have attached a strategy document outlining the proposed methodology and approval process to undertake the drilling programme, for your approval.

As agreed, the investigation drilling programme will be undertaken in two stages. The first stage will consist of a limited investigation drilling programme, starting with sites along the existing tracks. The methodology is outlined in the strategy document. A flora survey undertaken by Libby Sandiford found no rare and endangered flora species on or adjacent to the track. A copy of the survey is attached.

If the proposal is acceptable, I will arrange for slashing along the existing tracks to commence immediately. The drilling work will commence shortly after.

The second stage of the programme will not commence until approval from the City of Albany has been obtained. The Corporation will supply the City of Albany with the necessary documentation, as outlined in the fax dated March 19, 1999 to enable the proposal to be assessed and an agreement reached.

A meeting was held on the 22 March 1999, with Adrian Chegvidden and Dr Paul Ebert from Western Power and Soliman Allam and Les Belicke from the Corporation regarding sharing access tracks within the reserve. It was agreed that the tracks selected by the Water Corporation would be adopted wherever possible in the Western Power plans. The proposed track to site-D could be used for either windfarm option being considered. The track linking sites E, I and J would however be more suitable for the larger windfarm option. I will continue discussions with Western Power to ensure this part of the project is co-ordinated.



- 2 -

I apologise for the tight timeframe and appreciate your efforts in assisting to progress this project. I wish to assure you no work will be undertaken without obtaining the necessary approvals, including those from the City of Albany.

I will keep you fully briefed on the status of this project on an on-going basis. If you wish to discuss this project at any time please don't hesitate to call myself, Michael Thurner on 9842 4204 or the Project Manager Soliman Allam on 9420 2090.

Yours sincerely



Richard Forrest
Infrastructure Planning Engineer
Great Southern Region



PROPOSED DEVELOPMENT OF WERILLUP BOREFIELD STRATEGY DOCUMENT

BACKGROUND

The Lower Great Southern Towns Water Supply Scheme (LGSTWS) is sourced from the South Coastal Borefield, Two Peoples Bay, Bolganup and Limeburners Creek and supplies water to Albany, Mt Barker, Kendenup and Porongorups. The South Coastal borefield provides approximately 70 % of the scheme requirement.

The Corporation is licensed by the Water and Rivers Commission to abstract 3.05 GL/a from the South Coast. Over the past three years (including 1998/99) this allocation has been exceeded. Continued over abstraction from the borefield is also likely to affect the sustainability of the groundwater resource.

In late 1998, planning for the source upgrade of the LGSTWS investigated a number of groundwater and surface water options. Expansion of the South Coast borefield was the least expensive and most expedient option as it had the advantage of utilising the existing collector main system. It was also considered to have the least environmental and social impact.

The requirement is to augment the scheme by a further 0.8 GL/a, to meet the anticipated growth in domestic and commercial demand in the region over the next 4 years.

PROPOSAL

The development of the Werillup borefield will require the construction of between 4 to 6 production bores. All bores would be located in hollows. Bores that prove successful will be developed as production bores and an area at the top of the well head would be fenced for security purposes. An underground pipeline and an above ground power line will be constructed and connected to the existing borefield infrastructure. The powerline and pipeline will be constructed adjacent to the access tracks wherever possible.

Those bores that do not contain water of a suitable quality or quantity will be left as monitoring bores, for monitoring groundwater and salinity levels within the aquifer. Monitoring bores will only require limited 4 wheel drive access.

ENVIRONMENTAL ISSUES

Preliminary advice received from the DEP indicated that it was likely that the project would be given an informal level of assessment provided that the necessary requirements were complied with and the necessary approvals obtained from the City of Albany, CALM, WRC and Native Title Claimants. A review of heritage sites would also need to be undertaken.

The average depth to the static water level in the area is in excess of 40 metres. It is considered that abstraction on a sustainable basis from the groundwater resource will not significantly affect the water table level and will not affect the vegetation.

INVESTIGATION DRILLING

The investigation drilling programme is necessary to locate sufficient bores to supply an additional 0.8 GL/a of groundwater. The intention of the programme is also to determine the extent and groundwater flow characteristics of the aquifer to assist in developing a strategy to extend the borefield in the future.

Preliminaries to drilling, drilling programme and proposed methodology for extensions to the Albany borefield are detailed below:

The program will be undertaken in 2 stages:

- Stage1) Drilling of bore sites A, B, C, E and H
- Stage2) Drilling of bore sites D, F, G, J, and I

Stage 1

Drilling stage 1 will only require utilising existing tracks in the reserve. The Corporation engaged Libby Sandiford, a botanist, to conduct a flora survey either side of the tracks to determine if there are any Declared Rare Flora (DRF) and priority species. No DRF or priority species were found. A copy of the report is attached.

The proposed method to complete the drilling works are detailed below:

- Slashing of the existing track edges, and drill pad area.

Slashing will only occur in areas where tall vegetation impedes access of the drilling rig. This is anticipated to be where peppermint thickets overhang the track. The slashing will extend 1 to 1.5 metres beyond the track edge. The estimated length of slashing is most likely less than 20% of the total track length. The existing tracks are of sufficient width and generally will not require further widening, the exception may be on tight corners that cannot be negotiated by the drilling rig.

- Impacts of machinery on existing tracks

It is envisaged that the impacts on the existing tracks is most likely to occur in areas where there is no limestone base (estimated at 10%). There could also be some damage to stabilised sections.

If any sections of the existing tracks are damaged due to passage of drilling equipment, the Corporation will repair the damage prior to completion of the drilling works to the satisfaction of the City of Albany.

- Limestone for repair of existing tracks

It is anticipated that some sections of the track will need to be repaired at the completion of the drilling programme. Due to limited availability of limestone from the City of Albany pit, the Water Corporation has made arrangements with the Main Roads Western Australia (MRWA) to supply the quantity of limestone required. The limestone is quality approved by MRWA and will be carted on site after receiving City of Albany clearance for the source and quality of material.

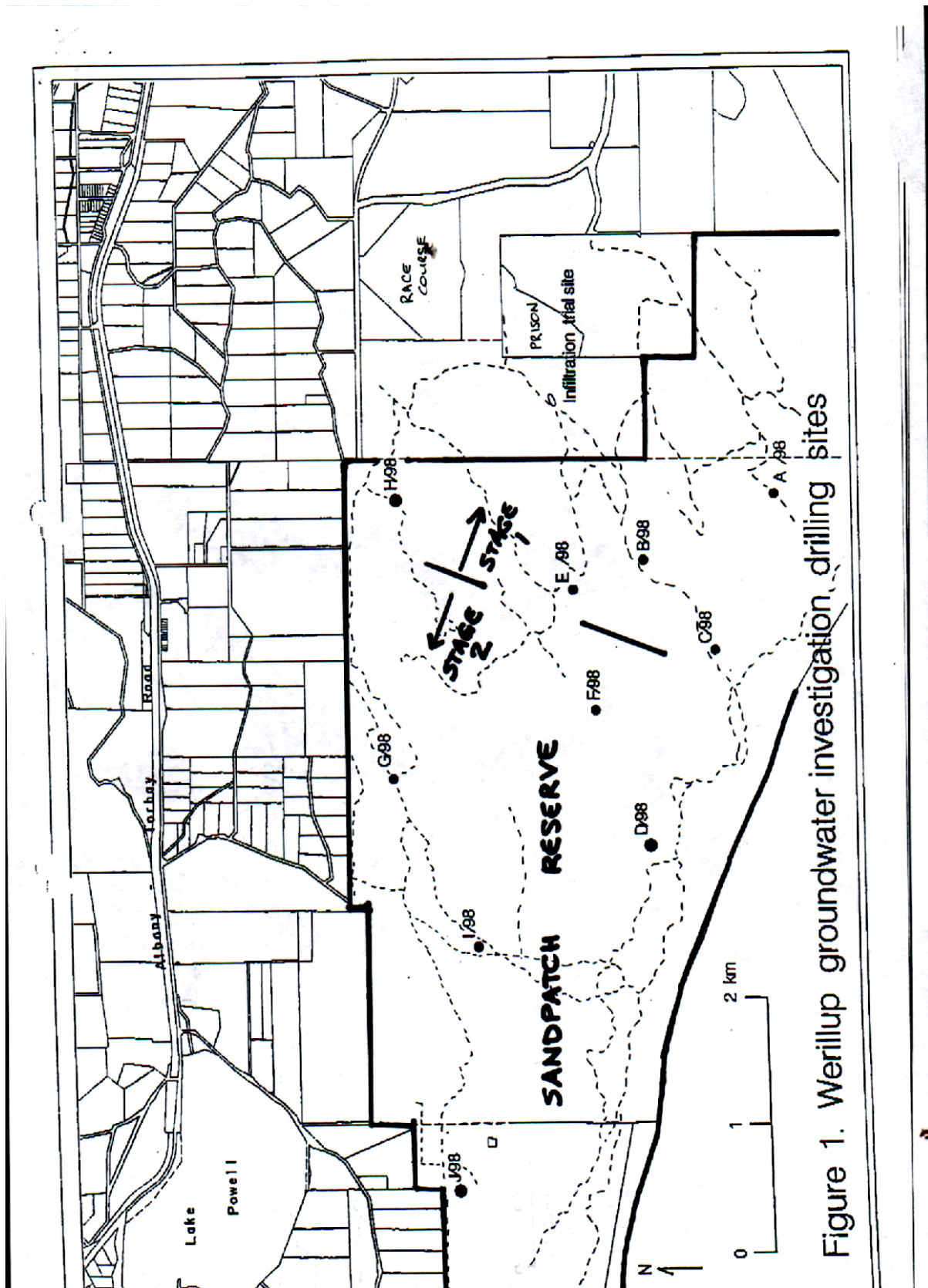


Figure 1. Werillup groundwater investigation drilling sites

- Drilling Pads

Drilling pads are immediately adjacent to existing tracks and may require some limestone stabilisation, this would be dependent on the vegetation type. Any investigation hole that fails to produce ground water of acceptable quality and quantity will be completed as a monitoring bore to measure variations in water levels and water quality. Any dry bore will be back-filled and the site rehabilitated as near as practicable to its former state.

- Rehabilitation

Rehabilitation will involve the removal of any limestone, if required, and the sowing of native flora seeds, indigenous to the area. The abandoned drill sites may require some form of rotary hoeing prior to spreading the flora seeds. This work will be undertaken in consultation with the City of Albany's Parks and Gardens Manager.

- Die-Back Hygiene

Dieback hygiene will be observed at all times. Wash down procedures will be conducted with chlorine solution before any machinery enters the reserve. Wash down procedures will be as per CALM guidelines.

- Investigation bores

Investigation bores will be drilled to depths of up to 180m with strata type, water quality and quantity measured at 3m intervals.

- Large Diameter Aquifer Test Bores

Investigation bores sites that are completed as large diameter aquifer test bores require no further access improvements at this time. The Aquifer test bores will be test pumped for a continuous period of 24 hours at the highest sustainable rate.

When the aquifer test bores are converted to production bores the access for power-lines and pipeline installation may require some further upgrading in the form of gravel over the tops of the hilly sections. This will be implemented in consultation with the City of Albany after ground water supplies have been proven.

Stage 2

Bore sites proposed for stage 2 will require the creation of some new tracks within the reserve. The Corporation will provide the City of Albany with a report addressing the issues outlined on page 2 of the City of Albany's fax (items a) to e)) and on page 3 (items 2 to 4), in the near future. No work will commence until approval is obtained from the City of Albany.

WERRILUP BOREFIELD PROJECT - FLORA SURVEY

E.M. Sandiford B.Sc.(Hons.)

Declared Rare Flora and Priority Species

Tracks to, and sites around Bores A, B, C, E and H (see Map 1) were surveyed for Declared Rare Flora (DRF) and Priority species on 23/3/99.

No DRF or Priority species were found in the vicinity of the bores or 4 metres either side of the tracks.

The vegetation at the bore sites and along the tracks is typical of vegetation found between Sandpatch Road and Mutton Bird Island Road and is described briefly below.

One DRF species - *Adenanthos cunninghamii* has been recorded in the general area but is limited to the upper slopes and tops of limestone ridges and does not occur within 50 metres of the above mentioned tracks, or bores.

Vegetation Descriptions

Bore A Low *Cyathochaeta clandestina* Sedgeland over Open Low Mixed Shrubs. Common species include *Pimelea rosea*, *Hakea prostrata*, *Hibbertia racemosa*, *Kennedia coccinea*, *Jacksonia horrida*, *Allocasuarina humilis*, *Lysinema ciliatum*, *Gompholobium tomentosum*, *Dryandra nivea*, *Lepidosperma squamatum* and *Desmocladius flexuosa*.

The track to Bore A traverses vegetation similar to that at the bore, as well as Open *Agonis flexuosa*/Eucalyptus *angulosa* Woodland over Open Mixed Scrub (*Bossiaea linophylla*/Acacia *cochlearis*) and Sedgeland (*Cyathochaeta clandestina*). There are small pockets of *Allocasuarina lehmanniana* Scrub.

Bore B Low Mixed Sedgeland (*Cyathochaeta clandestina*/Lepidosperma *squamatum*/Desmocladius *flexuosus*) over Open Low Shrubs. Common species include *Melaleuca thymoides*, *Allocasuarina humilis*, *Hibbertia racemosa* and *Astroloma baxterii*.

Bore C Low Mixed Sedgeland (*Cyathochaeta clandestina*/Lepidosperma *squamatum*/Desmocladius *flexuosa*) over Very Open Low Mixed Shrubs (*Leucopogon reflexus*/Pimelea *rosea*).

The vegetation along track to Bore B and C is predominantly Low Mixed Sedgeland over open Low Mixed Shrub, like the sites at Bore B and C. Open *Agonis flexuosa* Woodland over either *Adenanthos sericeus* Shrub or Low Mixed Shrubland mixed Sedgeland is also present. Quite a large area of introduced *Leptospermum laevigatum* is present at the start of the track to Bores B, C and E.

Bore E Low Open *Cyathochaeta clandestina* Sedgeland over Low Open Mixed Scrub. Common species include *Desmocladius flexuosa*, *Lysinema ciliatum*, *Leucopogon* sp and *Melaleuca thymoides*.

The vegetation along the track to Bore E is predominantly Open *Agonis flexuosa* Woodland over Mixed Low Shrubs. Common species include *Bossiaea linophylla*, *Pultenaea reticulata*, *Adenanthos cuneatus*, *Hakea prostrata*, *Hibbertia racemosa*, *Acacia cochlearis*, *Melaleuca thymoides*, *Cyathochaeta clandestina*, *Lepidosperma squamatum*, *Desmocladius flexuosa*, *Lysinema ciliatum* and *Leucopogon* sp.

Bore H Open *Allocasuarina fraseriana*/Agonis *flexuosa* Woodland over Open Shrubs and Open Sedgeland. Common species include *Bossiaea linophylla*, *Jacksonia horrida*, *Acacia cochlearis*, *Lepidosperma squamatum*, *Desmocladius flexuosa*, *Dryandra nivea*, *Gompholobium confertum*, *Adenanthos cuneatus*, *Lysinema ciliatum*, and *Conostylis aculeata*.

The vegetation along the track to Bore H is similar to that at Bore H except for the initial proposed alignment across a Mixed Sedgeland. Common species in this sedgeland include: *Cyathochaeta clandestina*, *Schoenus* sp, *Lepidosperma squamatum*, *Pultenaea reticulata*, *Boronia crenulata*, *Melaleuca thymoides* and *Adenanthos obovatus*.

12.1.7 Proposed Change of Use to Nightclub – 338 Middleton Road, Albany

File : A158615

Proposal/Issue : Proposed Change of Use from “Restaurant” to ‘Nightclub’

Subject Land/Locality : Lot 17 (338 – 340) Middleton Road, Albany

Proponent : Autingo Pty Ltd

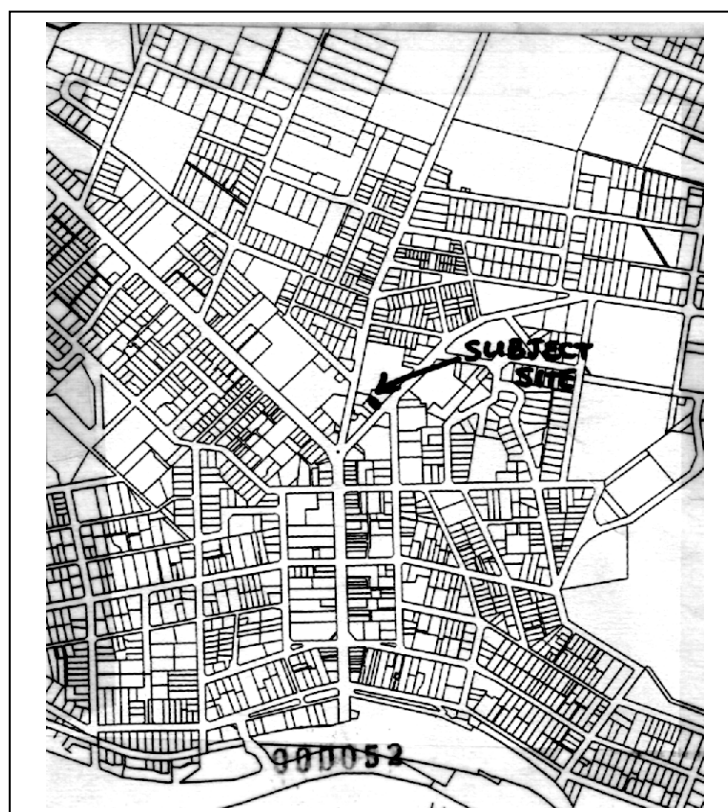
Owner : F Forgione

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

Previous Reference : Cncl Item 14/04/99
Cncl Item 12.1.1 25/11/98
TofA TS&DC 19/09/95

Summary Recommendation: Nil Pending Discussion

Locality Plan :



Item 12.1.7 continued

BACKGROUND

1. At the meeting of Council on the 14th April 1999 Council resolved that it would consider the application lodged by Autingo Pty. Ltd. at this meeting, based upon the available information. A copy of the officer's report to the meeting of the 24th February 1999, setting out the history, various requirements and officer's comments at that time, is included in the Commissioners Report / Information Bulletin for reference.

STATUTORY REQUIREMENTS

2. Refer to copy of officer's report in the Commissioners Report / Information Bulletin.

POLICY IMPLICATIONS

3. Refer to copy of officer's report in the Commissioners Report / Information Bulletin.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

Nil.

COMMENT/DISCUSSION

4. The Minister for Local Government approved the application to place an accoustical curtain across and along the footpath in the Middleton Road reserve in front of the Club NRG premises on the 9th April 1999. That decision was relayed to the applicant who issued instructions for the curtain to be manufactured. The contractor indicated that the curtain may be installed by Friday the 23rd April 1999; if so, monitoring of noise from the premises could be carried out by Council officers over the Anzac long weekend (24th – 26th April).
5. Council may wish to consider 2 matters. Firstly whether a development consent should be issued for the change in land use and secondly whether Council wishes to re-evaluate its position on the land use since it commenced in September 1998. (ie whether legal action should be commenced).
6. The original officer recommendation was in support of the application and a positive recommendation is provided. Staff have also provided a negative recommendation should Council wish to adopt that course of action.

Item 12.1.7 continued

RECOMMENDATION

THAT Council,

- a) Grant a conditional Planning Scheme Consent for a change in land use at Lot 17 (338 – 340) Middleton Road, Albany from “Restaurant and Function Centre” to “Nightclub (without meals)” subject to:
 - i) the proponent continually maintaining noise levels external to the site at the standards prescribed in the Environmental Protection (Noise) Regulations.
 - ii) The proponent maintaining noise levels internally to the site at the standards prescribed in Occupational Health and Safety Regulations.

OR

- b) REFUSE the Application for a Planning Scheme Consent for a change in land use at Lot 17 (338 – 340) Middleton Road, Albany from “Restaurant and Function Centre” to “Nightclub (without meals)” on the grounds that;
 - i) the proposed land use creates unacceptable impacts, particularly noise, upon adjoining existing lawful land uses.
 - ii)
 - iii)

Voting Requirement Simple Majority

.....

AMENDED RECOMMENDATION

THAT Council,

1. Grant a conditional Planning Scheme Consent for a change in land use at Lot 17 (338-340) Middleton Road, Albany from “Restaurant and Function Centre” to “Nightclub (without meals)” subject to:
 - a) The proponent continually maintaining maximum noise levels external to the site of 42 db(A) L₉₅ (measured 15m from the nearest noise sensitive premises) pursuant to the Environmental Protection (Noise) Regulations 1997.
 - b) The external noise curtain being maintained in a serviceable condition and with the curtain fully extended during the hours that the Nightclub is open for business.
 - c) The proponent continually maintaining maximum noise levels internal to the site at 90 dB(A) L₉₀ pursuant to Occupational Health and Safety Regulations.

-
- d) The proponent reducing internal and external noise levels set by the Environmental Protection (Noise) Regulations 1997 and the Occupational Health and Safety Regulations in the future if those standards are amended to reduce noise levels.
 2. Conduct random noise monitoring of the locality surrounding Club NRG, plus internally within Club NRG, to determine compliance with the Planning Scheme Consent and that delegated authority be granted to the Executive Director of Development Services to enforce compliance with the consent and the appropriate regulations.
 3. Club NRG be encouraged to assist St Josephs Lodge in providing additional noise attenuation (eg double glazing and/or wall insulation) to the unit occupied by Mr Lange.

Voting Requirement Simple Majority

.....

The Executive Director Development Services advised the results of the noise monitoring indicated noise levels with the curtain in place were down to 42dB. The officer had later measured general noise levels in the area and this reading had been 40dB, therefore it was evident that the measures in place have addressed the noise problem.

The amended recommendation supports the proposed change of use, confirms random noise monitoring will be undertaken in the future to ensure the recent measurements are adhered to, and grants delegated authority to the Executive Director Development Services to enforce compliance with the consent and appropriate regulations.

It also includes the addition that Club NRG be encouraged to assist St Joseph's Lodge in providing additional noise attenuation to the unit occupied by Mr Lange.

Commissioner Dawson commented this had been a contentious issue over a lengthy period of time, and the proponents have achieved a substantial reduction in the noise level. He said the amended recommendation provides for random noise monitoring by the City of Albany and he hoped the owners of Club NRG would assist St Joseph's Lodge to provide any additional noise attenuation measures required.

Commissioner Dawson also said the owners of Club NRG should exercise strong external control over their patrons to reduce anti-social behaviour, however it was recognised neither they nor the City of Albany could have absolute control over this issue.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER McGOWAN**

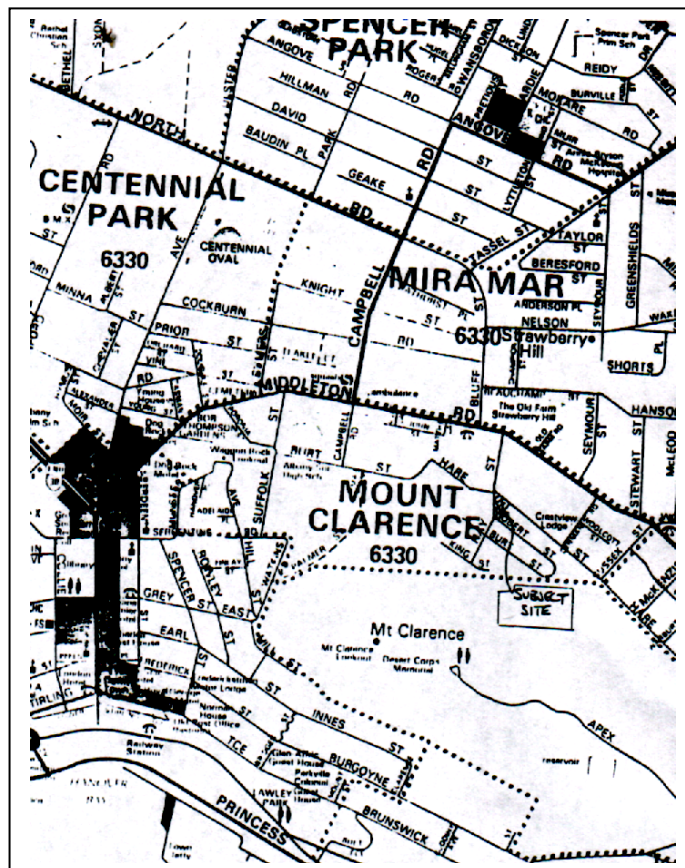
THAT Council,

- 1. Grant a conditional Planning Scheme Consent for a change in land use at Lot 17 (338-340) Middleton Road, Albany from “Restaurant and Function Centre” to “Nightclub (without meals)” subject to:**
 - a) The proponent continually maintaining maximum noise levels external to the site of 42 db(A) L₉₅ (measured 15m from the nearest noise sensitive premises) pursuant to the Environmental Protection (Noise) Regulations 1997.**
 - b) The external noise curtain being maintained in a serviceable condition and with the curtain fully extended during the hours that the Nightclub is open for business.**
 - c) The proponent continually maintaining maximum noise levels internal to the site at 90 dB(A) L₉₀ pursuant to Occupational Health and Safety Regulations.**
 - d) The proponent reducing internal and external noise levels set by the Environmental Protection (Noise) Regulations 1997 and the Occupational Health and Safety Regulations in the future if those standards are amended to reduce noise levels.**
- 2. Conduct random noise monitoring of the locality surrounding Club NRG, plus internally within Club NRG, to determine compliance with the Planning Scheme Consent and that delegated authority be granted to the Executive Director of Development Services to enforce compliance with the consent and the appropriate regulations.**
- 3. Club NRG be encouraged to assist St Josephs Lodge in providing additional noise attenuation (eg double glazing and/or wall insulation) to the unit occupied by Mr Lange.**

MOTION CARRIED 5 – 0

12.1.8 Proposed Three Storey Dwelling – 20 Hay Street, Mt Clarence

File	:	A81535
Proposal/Issue	:	Council is requested to consider a proposal for a Three Storey Dwelling.
Subject Land/Locality	:	Lot 12 (20) Hay Street, Mount Clarence.
Proponent	:	Smithson Planning
Owner	:	Mr Colin Trichilo
Reporting Officer(s)	:	Planning Officer (C Pursey)
Previous Reference	:	Cncl: 14 April 1999, Item 12.1.4
Summary Recommendation:		Issue a conditional planning scheme consent.
Locality Plan	:	



Item 12.1.8 continued

BACKGROUND

1. On the 23 March 1999 an application was lodged with Council's Development Services Team for a Three Storey Dwelling at Lot 12 (20) Hay Street, Mount Clarence.
2. Council previously considered the application at it's 14th April 1999 meeting where it was resolved as follows:

"THAT consideration of this matter be deferred to the next Ordinary Council Meeting on 28th April 1999 to allow Officers to negotiate a height reduction of ½ - 1 metre with the owner of the property."

3. A meeting was arranged between the designer, owner and Council planning officers on Monday 19th April 1999. The designer and owner made a commitment at that meeting to comply with the above Council resolution.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

Nil.

COMMENT/DISCUSSION

Nil.

RECOMMENDATION

THAT Council delegate to the Executive Director – Development Services the power to issue a conditional Planning Scheme Consent upon receipt of appropriate plans which comply with Council's resolution dated 14th April 1999 and other relevant control relating to the development of the subject land.

Voting Requirement Simple Majority

.....

COUNCIL RESOLUTION:

**MOVED COMMISSIONER WINTERTON
SECONDED COMMISSIONER EDMONDSON**

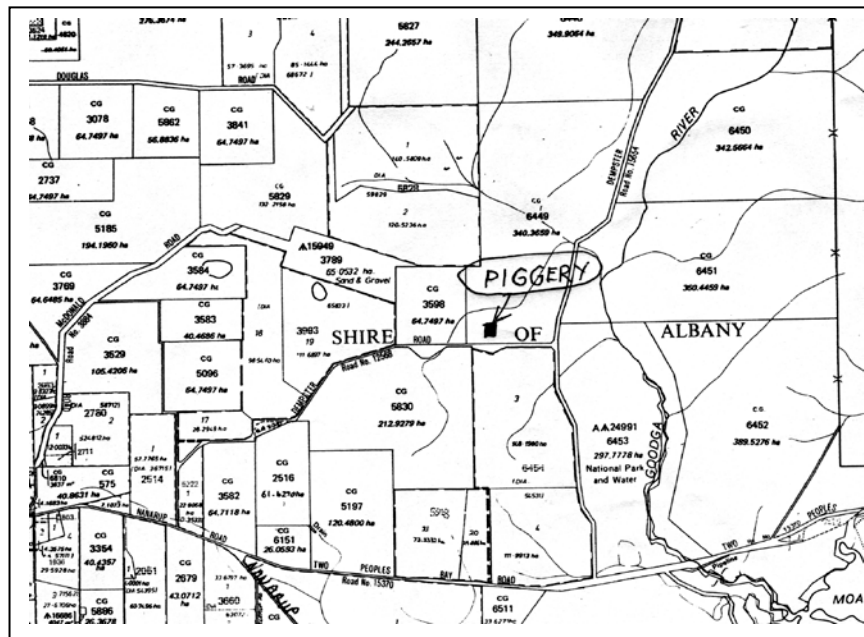
RECOMMENDATION

THAT Council delegate to the Executive Director – Development Services the power to issue a conditional Planning Scheme Consent upon receipt of appropriate plans which comply with Council’s resolution dated 14th April 1999 and other relevant control relating to the development of the subject land.

MOTION CARRIED 5 – 0

12.1.9 Proposed Semi Intensive Piggery – Location 6449 Dempster Road, Manypeaks

File	:	A1822
Proposal/Issue	:	Semi Intensive Piggery
Subject Land/Locality	:	Location 6449 Dempster Road, Manypeaks
Proponent	:	J & D Bocian
Owner	:	JC & MW Bocian
Reporting Officer(s)	:	Planning Assistant (Alan Augustson)
Previous Reference	:	Item 12.2.1 Ordinary Council Meeting 23/12/98
Summary Recommendation:		Grant Planning Scheme Consent
Locality Plan	:	



Item 12.1.9 continued

BACKGROUND

1. A piggery has been operating on Location 6449 Dempster Road for a number of years. The operation began with a small member of pigs kept in stys and has grown over time into an intensive operation.
2. A proposal to grant formal approval to the intensive piggery was first considered by Council in 1996 where it was resolved to defer making a decision pending further advice from government agencies.
3. Council recently considered an application for an offensive trade licence and an intensive piggery on the property at its meeting on 23rd December, 1998. At the meeting, Council resolved:-

That J & D Bocian be required by the 31st March, 1999 to either:-

- a) Reduce the number of pigs upon the property to a level which does not contravene Section 191 of the Health Act; or*
 - b) Upgrade the effluent disposal operations for the existing piggery to meet the minimum requirements for the draft offensive trade licence for the site; and*
 - c) Obtain an offensive trade licence for the site.*
4. Council has now received an application for a semi intensive piggery to be operated from an alternative location within the property. The current operation of 40 breeding sows would cease and a new facility erected to allow up to 800 pigs to be housed on the property in a deep litter "grow out" facility, referred to in the pig industry as an ECOSHELTER.

STATUTORY REQUIREMENTS

5. A Piggery in the rural zone is a 'A' use; (ie a use that is not permitted unless approval is granted by the Council). There is no statutory requirement to advertise the application unless Council considers there are potential external impacts from the development. Given the nature of the operation, and previous concerns from neighbours and agencies, the proposal has been advertised with the comment period closing on the 15th April, 1998.
6. Offensive Trades are licensed under Section 191 of the Health Act and are renewed annually on payment of a licence fee.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

7. Dempster Road is constructed to a gravel road standard only. The frequency of vehicle movements resulting from the piggery and from other intensive land uses along the road (eg Strawberry farm) may lead to a need for future upgrading of the road surface.

Item 12.1.9 continued

STRATEGIC PLAN IMPLICATIONS

8. Council Strategic Plan support new rural development, value adding and diversification of agricultural industries where they do not have a detrimental impact on the environment.
9. GP1 of the City of Albany Local Rural Strategy indicates that Council shall only support rural land uses that do not adversely affect natural resources. GP4 of that strategy requires the proponent to demonstrate that measures will be taken to prevent, reduce or minimise nutrient losses to waterways.
10. The Department of Environmental Protection buffer distance from adjoining land uses to a piggery is 500m. The proposed pig shelter site is located within approximately 120m of an approved subdivisional boundary (WAPC ref 103170) and may have some impact upon neighbouring land. That land is currently held by the Bocian family and trees have been planted immediately to the north of the piggery site and are 8-10 years from harvesting.

COMMENT/DISCUSSION

11. The proposal was advertised as stated. Three responses have been received from adjoining landowners highlighting a wide range of concerns. Issues raised in the submissions are:-
 - Odour
 - Location of the shelters
 - Numbers of pigs
 - Nutrient runoff to the nearby watercourse
 - Management of the straw, manure and composting/spreading
 - Ongoing management and monitoring of the operation
 - Decommissioning of the existing unlicensed piggery operation
12. The semi intensive piggery application, if approved, would allow up to 800 pigs to be housed in straw-bedded shelters on the property. It is proposed to grow out weaners (3 to 22 weeks old) and cease the current breeding and rearing operation conducted in the intensive piggery on the site.
13. The Department of Environmental Protection classes the proposed piggery as semi-intensive and does not require formal licensing of the operation. There is a requirement for the semi intensive piggery to operate in accordance with the Environmental Code of Practice for Piggeries. The code identifies that:- *"...the most serious problem confronting piggeries is the potential for the pollution of surface and ground waters to occur. Piggery wastes contain significant quantities of nitrogen and phosphorus."*

Item 12.1.9 continued

14. Since 1998, trees (totalling 97ha) have been planted on the 341ha property. The site for the proposed pig shelters has tree plantings to its northern and southern sides but will be visible along the creek line from Dempster Road (to the east). Access to the site is proposed via a new driveway constructed on the northern side of the creek from Dempster Road.
15. The ECOSHELTERS are proposed to be located approximately 40-50 m from a permanent creek (to the north). The Department of Environmental Protection's recommended buffer for piggeries from a watercourse is 300m. A setback of 300m would allow for nutrient retention on-site and reduce the risk of pollution of the watercourse. Stormwater runoff from the ECOSHELTERS and hardstand areas would also need to be controlled to prevent potential export of nutrients from the piggery site. The proponent has not addressed this requirement.
16. Straw bedding from the shelters will be replaced following each rotation of pigs (approximately 20 weeks). This straw will be dispersed over the property in designated paddocks on a rotational basis, dependent upon soil conditions and cropping patterns. DEP requirements specify that waste should not be deposited on any land within 300m of a watercourse or 50 m of the property boundary. Stockpiling of the straw waste material is not proposed by the applicant, however if it was to occur it would need to be undercover or in an area where runoff from the site could be contained.

RECOMMENDATION

THAT Council grant Planning Scheme Consent for a Semi Intensive Piggery (using ECOSHELTERS to grow out pigs) on Location 6449 Dempster Road, Manypeaks subject to conditions, that address inter alia, the following:-

- Monitoring of effluent and waste disposal areas.
- Installation of measures to contain stormwater runoff from the pig housing area.
- No breeding of pigs is to occur on the land.
- No "free ranging" of pigs on the site.
- No pigs are to be transferred to the ECOSHELTERS until the shelters and the required site works are completed.
- Fencing of the piggery area.
- Applicant to comply with the farm management plan which accompanied the application.
- Accessways being constructed and maintained to Councils satisfaction.
- Submission of an accurate amended site plan showing the piggery and all proposed buildings and associated infrastructure in a location that satisfies the requirements of the Department of Environmental Protection - Code of Practice for Piggeries.
- No storage/composting areas are to be developed on-site for used straw or piggery effluent.

Item 12.1.9 continued

- The operation of the piggery and waste disposal areas is to be in accordance with the Department of Environmental Protection - Code of Practice for Piggeries.
- No relocation or addition to shelters is to occur without specific Council approval.

AND

THAT pursuant to clause 6.5 of the City of Albany Town Planning Scheme 3 and Section 10.4 (a)(ii) of the Town Planning and Development Act notice be served upon JC & MW Bocian to cease the operation of an intensive piggery upon Location 6449 and within 30 days, the owner shall ensure:

- i) All pigs and their litter in the intensive piggery are to be removed from the piggery.
- ii) The intensive piggery buildings are to be removed from the land.
- iii) The effluent ponds associated with the intensive piggery are to be drained and the ponds backfilled.
- iv) The site of the intensive piggery is to be cleared of all building materials and infrastructure and the site made good.

Voting Requirement Simple Majority

.....

ADDITIONAL INFORMATION

Additional submissions have been received from the Waters and Rivers Commission, the Department of Environmental Protection and the Department of Conservation and Land Management highlighting that the proposed development does not comply with the DEP Code of Practice for Piggeries, particularly as it relates to the setback of piggeries from permanent streams.

AMENDED RECOMMENDATION

THAT,

1. Pursuant to clause 6.5 of the City of Albany Town Planning Scheme 3 and Section 10.4 (a)(ii) of the Town Planning and Development Act notice be served upon JC & MW Bocian to cease the operation of an intensive piggery upon Location 6449 and within 30 days, the owner shall ensure:
 - i) All pigs and their litter in the intensive piggery are to be removed from the piggery.
 - ii) The intensive piggery buildings are to be removed from the land.
 - iii) The effluent ponds associated with the intensive piggery are to be drained and the ponds backfilled.
 - iv) The site of the intensive piggery is to be cleared of all building materials and infrastructure and the site made good.

2. Council decline at this meeting to grant Planning Scheme Consent for a Semi Intensive Piggery on Location 6449 Dempster Road, Manypeaks due to the proposal not meeting the guidelines in the Code of Practice for piggeries and that the proponent be requested to resubmit a proposal in accordance with that Code.

Voting Requirement Simple Majority

.....

The Executive Director Development Services advised that since the Officer's report item was prepared, additional comments had been received from Waters and Rivers, the Environmental Protection Authority and the Department of Conservation and Land Management, all of which highlighted the code of practice for piggeries and expressed concern that this application had not taken on board those requirements. He also advised the applicants had requested an extension of time until September/October to comply with the requirements, and this was not considered reasonable.

Commissioner McGowan noted the applicants have had 4 months to either obtain a licence or reduce the number of pigs and action must now be taken by Council as the piggery does not comply with the guidelines. Commissioner Dawson noted the applicants have a right of appeal if they wish to take the matter further.

COUNCIL RESOLUTION:

MOVED COMMISSIONER McGOWAN

SECONDED COMMISSIONER EDMONDSON

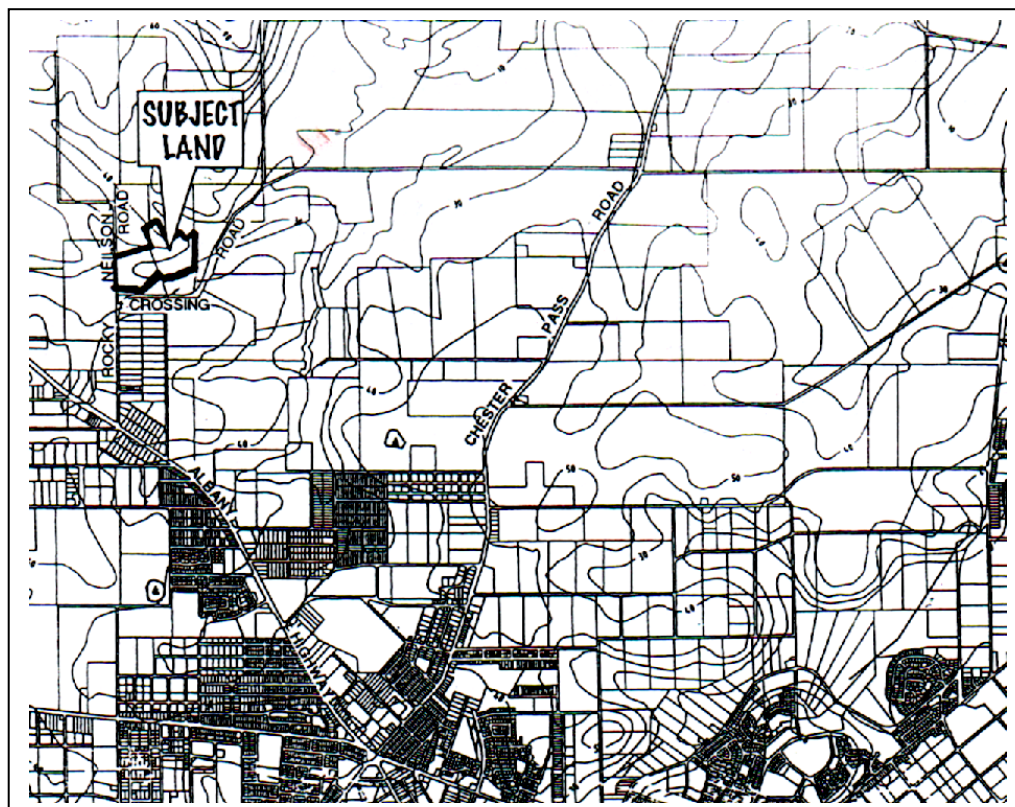
THAT:

1. Pursuant to clause 6.5 of the City of Albany Town Planning Scheme 3 and Section 10.4 (a)(ii) of the Town Planning and Development Act notice be served upon JC & MW Bocian to cease the operation of an intensive piggery upon Location 6449 and within 30 days, the owner shall ensure:
 - i) All pigs and their litter in the intensive piggery are to be removed from the piggery.
 - ii) The intensive piggery buildings are to be removed from the land.
 - iii) The effluent ponds associated with the intensive piggery are to be drained and the ponds backfilled.
 - iv) The site of the intensive piggery is to be cleared of all building materials and infrastructure and the site made good.
2. Council decline at this meeting to grant Planning Scheme Consent for a Semi Intensive Piggery on Location 6449 Dempster Road, Manypeaks due to the proposal not meeting the guidelines in the Code of Practice for piggeries and that the proponent be requested to resubmit a proposal in accordance with that Code.

MOTION CARRIED 5 – 0

12.1.10 Rezoning Application - Lot 102 Neilson Rd & Lot 71 Pinaster Road, Willyung

File	:	AMD 200
Proposal/Issue	:	Rezone Lot 102 Neilson Road & Lot 71 Pinaster Road, Willyung from "Rural" to "Special Rural".
Subject Land/Locality	:	Lot 102 Location 441 Neilson Road & Lot 71 Location 441 Pinaster Road, Willyung
Proponent	:	Ayton Taylor & Burrell
Owner	:	A & B Carter, Nottle P/L
Reporting Officer(s)	:	Alan Augustson (Planning Assistant)
Previous Reference	:	N/A
Summary Recommendation:	Support request to initiate rezoning	
Locality Plan	:	



Item 12.1.10 continued

BACKGROUND

1. On the 2nd September, 1998 Council received a request to rezone lots 102 & 71 Neilson Road.
2. The proponent originally requested to create 27 “Special Residential” lots on the land but following discussions with Council officers have submitted an amended proposal.
3. The revised proposal seeks to rezone the 19ha parcel of ‘Rural’ zoned land to the develop 15 “Special Rural” lots ranging in size from 1.0 to 1.9ha.
4. Special Rural Zone No.12 abuts the northern boundary of the subject land. The subject portions of lots 71 & 102 were originally included in Amendment No 125 to Schedule 3 (that created Special Rural Zone No.12) however the subject area was withdrawn prior to final approval by the Minister due to possible conflict with the Albany Ring Road.

STATUTORY REQUIREMENTS

5. Council must resolve to initiate a Town Planning Scheme Amendment before the statutory processes under the Town Planning Act can commence.

POLICY IMPLICATIONS

6. The subject land is located within the Oyster Harbour 7 Policy area of the City of Albany’s Local Rural Strategy where Council may support proposals for rural residential development if the proponents are able to demonstrate that the constraints and land management needs can be satisfied.

FINANCIAL IMPLICATIONS

7. Neilson road is constructed to a gravel standard only. Council is currently undertaking works to upgrade Neilson Road across the road frontage of Lot 102.

STRATEGIC PLAN IMPLICATIONS

Nil

COMMENT/DISCUSSION

8. The Local Rural Strategy sets down a 1ha minimum lot size for “Special Rural” lots where they are connected to reticulated water. The proposed lots will be serviced by reticulated water and power and are therefore consistent with the requirements of the Local Rural Strategy.

Item 12.1.10 continued

9. A small strawberry farm exists on lot 102 however this is expected to cease operation in the near future. The remaining portion of land is used for the grazing of livestock. A restriction on the number and type of stock is included in the provisions for Special Rural Zone No. 12. This provision seeks to prevent further degradation of the land and pollution of the watercourse.
10. Development of the land is restricted by Willyung Creek that runs through the northern portion of the land. A 50m development exclusion buffer would be required to protect the watercourse from the adverse impacts of development. Weed control, revegetation and public access are ongoing management issues for the creek.
11. Whilst some lots could be reduced in area by the development exclusion areas, suitable building sites are available on the balance of those lots. Further on-site testing of soil permeability will be carried out over the coming winter period.
12. The applicant cites a number of reasons in support of the proposal including:-
 - The proximity to the “Special Residential” development to the south of Rocky Crossing Road,
 - The land’s capability to support on-site effluent disposal,
 - Minimal visual impact of the development; and
 - The land is no longer required for the proposed Albany Ring Road.
13. Special Rural Zone No. 12 exists immediately to the north of the land and special provisions are in place to control land uses within that zone. An extension of the zone to include the subject land would allow a more consistent approach to land use planning in the locality. Some minor modification of these provisions may be required, given the proposed lot sizes and the need to protect of the creek line.

RECOMMENDATION

THAT Council resolves to advise the proponent that it is prepared to receive amending documents for the purposes of initiating Amendment No. 200 to rezone lot 102 Neilson Road & Lot 71 Pinaster Road, Willyung from the ‘Rural’ zone to “Special Rural” zone.

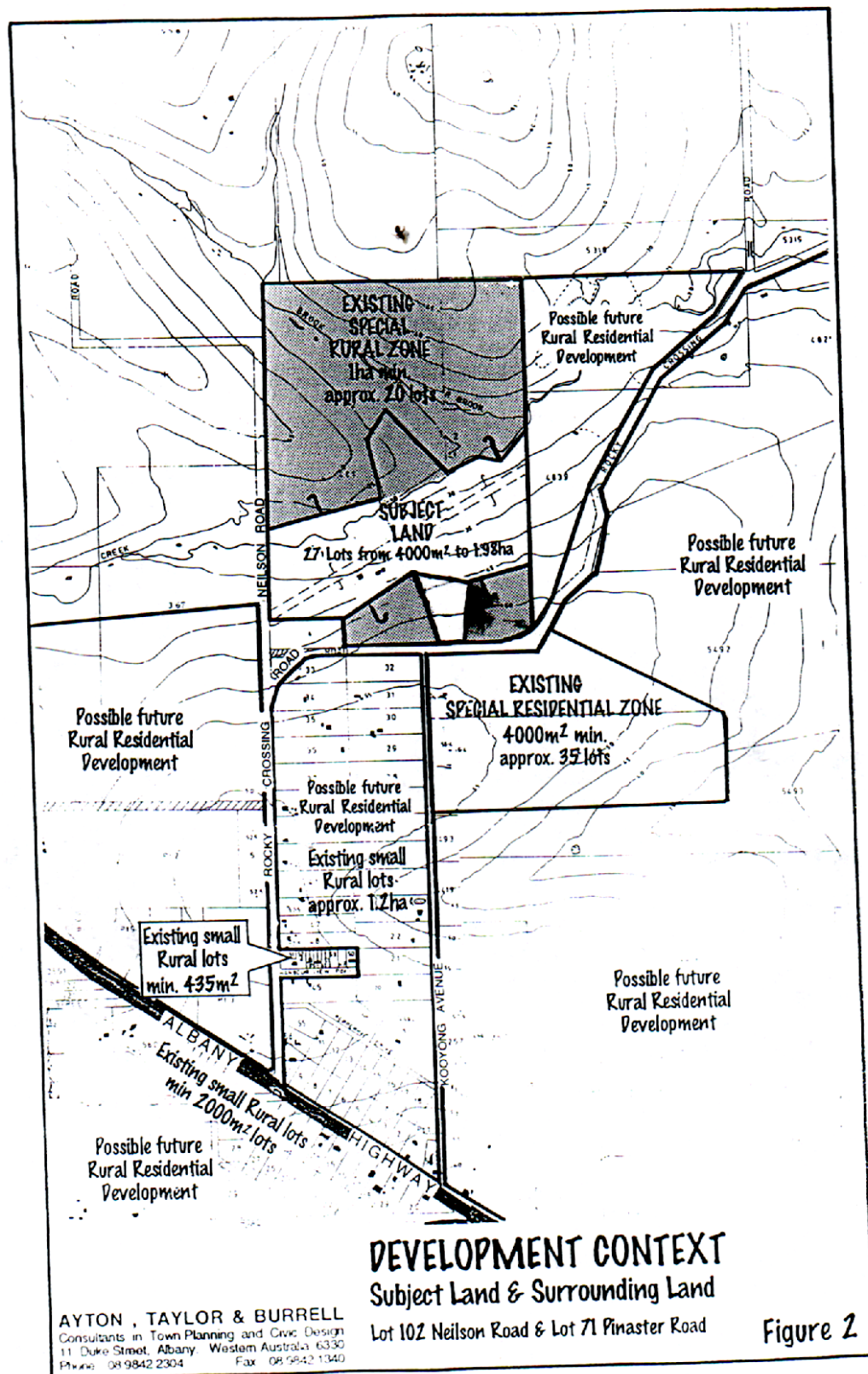
Voting Requirement Simple Majority

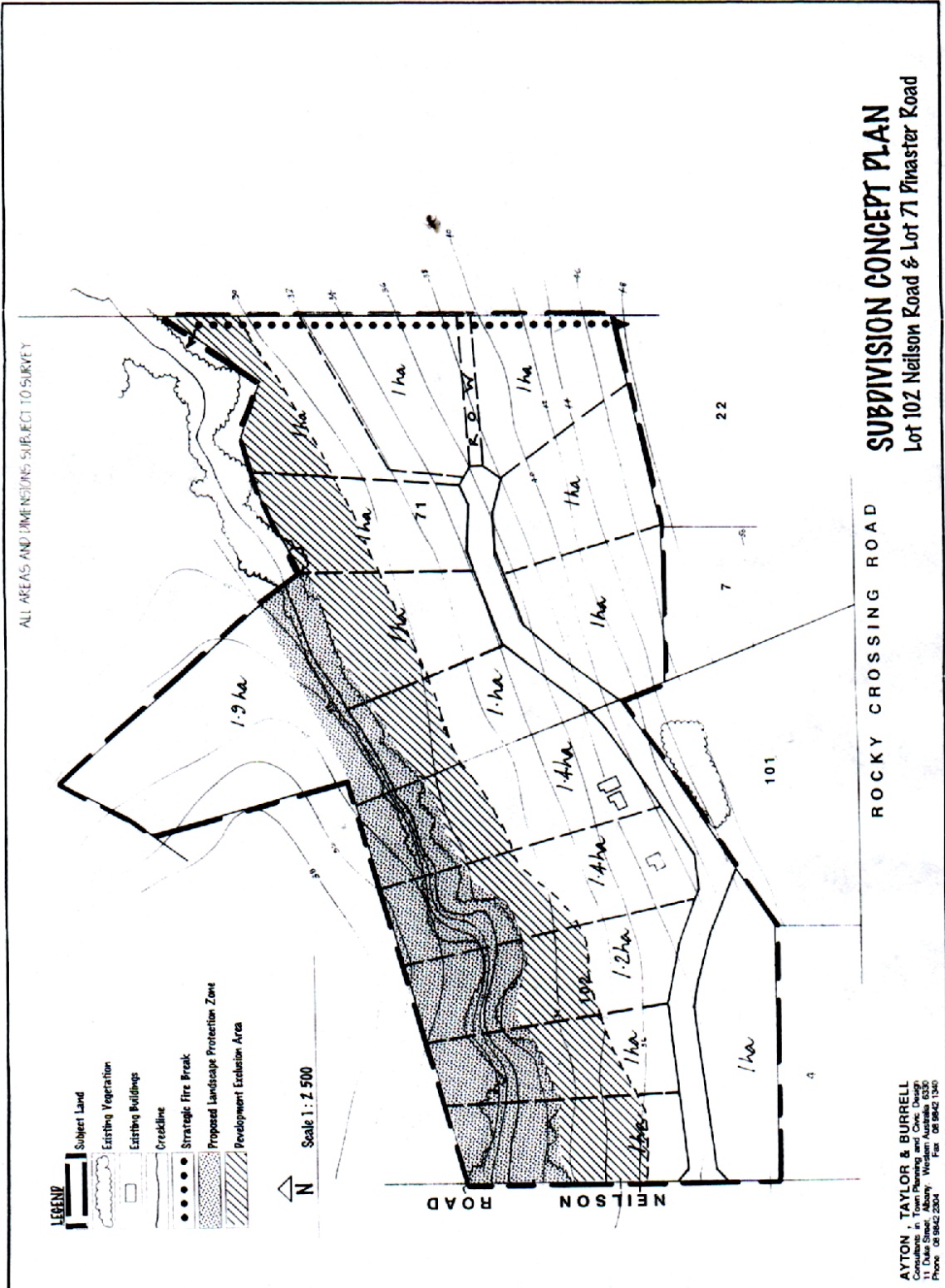
COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER McGOWAN**

THAT Council resolves to advise the proponent that it is prepared to receive amending documents for the purposes of initiating Amendment No. 200 to rezone lot 102 Neilson Road & Lot 71 Pinaster Road, Willyung from the ‘Rural’ zone to “Special Rural” zone.

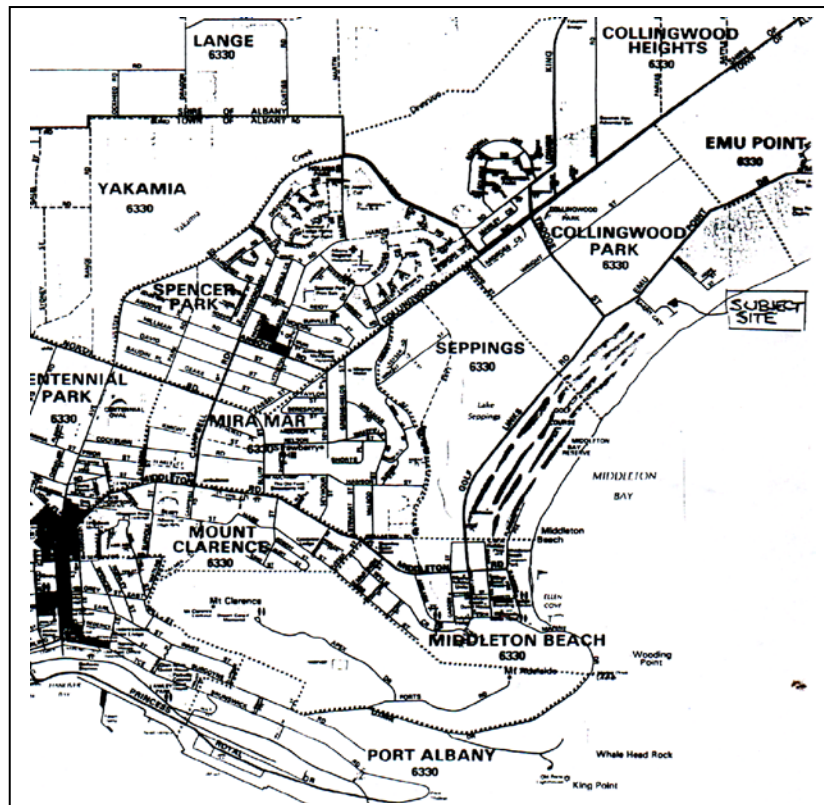
MOTION CARRIED 5 – 0





12.1.11 Subdivision of Reserves - Albany Golf Club reserve.

File	:	A136752
Proposal/Issue	:	Proposal to subdivide land from the Albany Golf Club reserve to create separate lots to accommodate Service Authority requirements in the locality.
Subject Land/Locality	:	Reserve 27629 - Lots 1130 & 1154 (42-164) Golf Links Road, Middleton Beach.
Proponent	:	Department of Land Administration.
Owner	:	Crown (Vested with of City of Albany)
Reporting Officer(s)	:	Planning Officer (C Pursey).
Previous Reference	:	Nil
Summary Recommendation:		Grant approval to the excision of Crown land for use by service authorities.
Locality Plan	:	



Item 12.1.11 continued

BACKGROUND

1. On the 29 March 1999 Council received a request from the Department of Land Administration (DOLA) on behalf of the Albany Golf Club Inc. to excise two portions of land from Reserve 27629. The portions of reserve (detailed on the plans following this report) are required by the Water Corporation for a pump station and by Western Power from a transformer site.
2. Reserve 27629 is vested in Council with power to lease and it is leased by Council to the Albany Golf Club Inc. The Albany Golf Club has raised no objection to the excision of the land required.
3. The service authority's proposed infrastructure will service the previously approved Golf Club House development, the 'Barry Court' development and the surrounding locality.

STATUTORY REQUIREMENTS

4. If the applicant is to be supported, DOLA is to be notified and provided with Statutory Declarations from Council and the Albany Golf Club that have no further interests over the land.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC PLAN IMPLICATIONS

Nil.

COMMENT/DISCUSSION

5. The location of the proposed Western Power transformer site will have negligible impact upon the amenity of the locality. The lot area required is only 14.8m² and the infrastructure proposed for the site is small and can be easily screened from Golf Links Road.
6. The location of the proposed Water Corporation site has potential to detrimentally effect the amenity of the locality as it is proposed to be located adjacent to the entry statement for the 'Barry Court' development. The site will interrupt the continuous line of vegetation that exists along Golf Links Road. That vegetation effectively screens the golf course and future urban development from Golf Links Road. In addition to this, the infrastructure proposed is sizeable and clearing of existing vegetation will be required.

Item 12.1.11 continued

7. On the other hand, the site is an ideally located pump station site to effectively service the locality and the site has potential to be screened from the road (resulting in short term loss of vegetation only). A landscaping plan has been submitted by Wood and Grieve Engineers on behalf of the proponents which clearly shows the potential of the site to be effectively screened. A copy of this plan to follow this report.

RECOMMENDATION

THAT Council agree to the request from the Department of Land Administration to excise portion of Reserve 27629 for the creation of Water Corporation and Western Power infrastructure reserves subject to an undertaking from these service authorities to re-vegetate the lots once the infrastructure has been constructed to effectively screen the infrastructure from the adjoining street.

Voting Requirement Simple Majority

.....

The Executive Director Development Services advised the recommendation had been amended to deal with procedural matters relating to preparation of lease documents.

AMENDED RECOMMENDATION

THAT Council agree to the request from the Department of Land Administration to excise portion of Reserve 27629 for the creation of Water Corporation and Western Power infrastructure reserves subject to an undertaking from these service authorities to re-vegetate the lots once the infrastructure has been constructed to effectively screen the infrastructure from the adjoining street.

AND

THAT Council prepare a lease variation document to delete the proposed excised portion of Reserve 27629 from the current lease agreement between the Albany Golf Club and the City of Albany, with all costs for the documentation to be borne by the Albany Golf Club.

Voting Requirement Simple Majority

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COUNCIL RESOLUTION

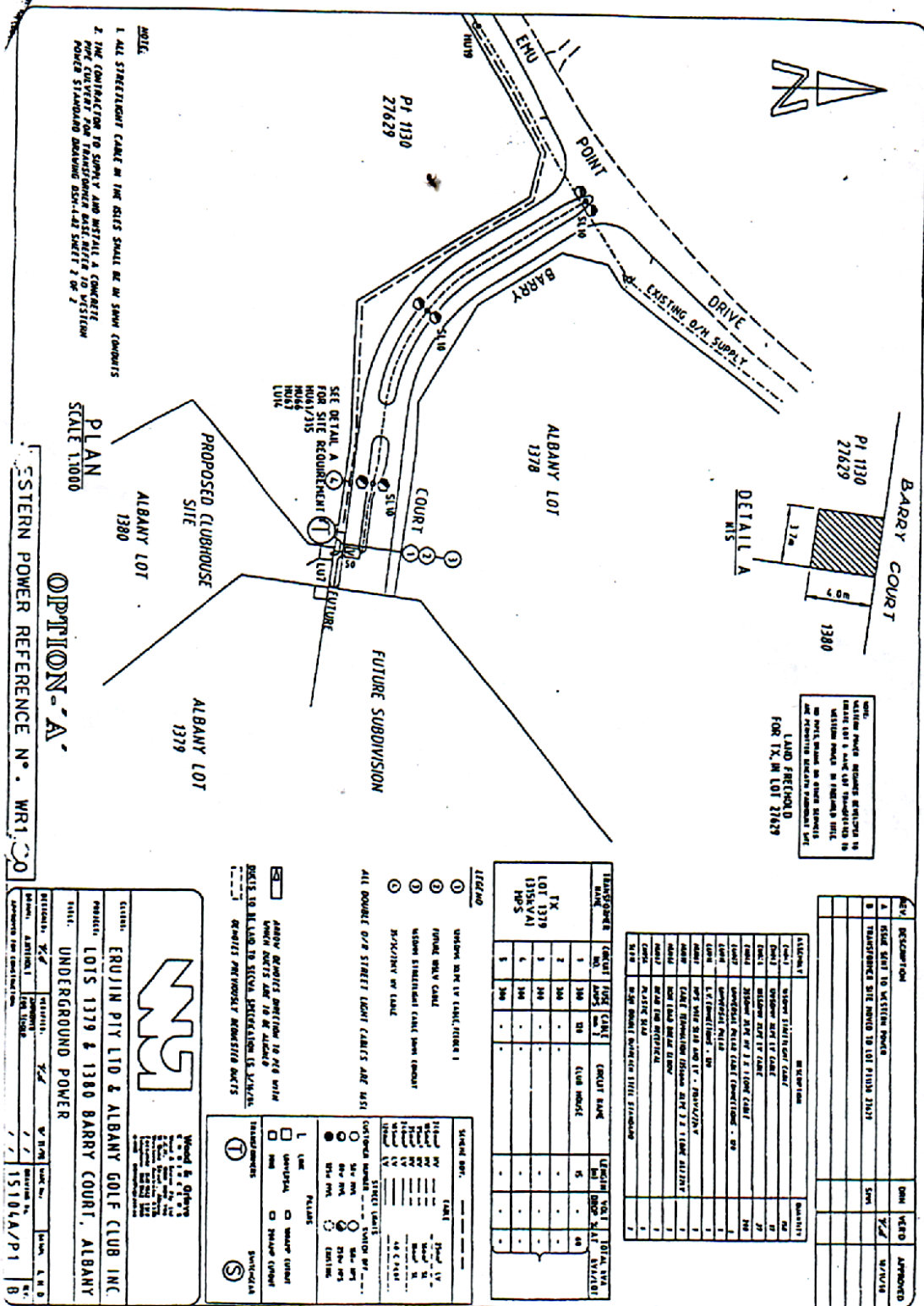
**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER WINTERTON**

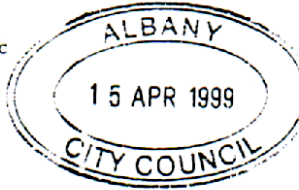
THAT Council agree to the request from the Department of Land Administration to excise portion of Reserve 27629 for the creation of Water Corporation and Western Power infrastructure reserves subject to an undertaking from these service authorities to re-vegetate the lots once the infrastructure has been constructed to effectively screen the infrastructure from the adjoining street.

AND

THAT Council prepare a lease variation document to delete the proposed excised portion of Reserve 27629 from the current lease agreement between the Albany Golf Club and the City of Albany, with all costs for the documentation to be borne by the Albany Golf Club.

MOTION CARRIED 5 - 0



DOCUMENT: MATECH\151004A_AU_Memo_001.DOC
GPSWood & Grieve
ENGINEERS**MEMO**

TO: Craig Pursey
FROM: Geoff Steed
PROJECT: Lots 1379 & 1380 BARRY COURT
JOB NUMBER: 15104A DATE: 14 April 1999

SUBJECT: SEWER PUMP STATION - LANDSCAPING

Just a quick line to say that the attached plan indicates the extent of landscaping that can be achieved along the Emu Point Drive frontage to the proposed pump station.

This would provide a fairly dense barrier and should satisfy your requirements.

Please also note that the 4 lines of underground storage indicated will not be installed for a very long time, ie this is a Water Corp requirement to ensure that enough land is set aside for future storage requirements should they decide to close the Troode Street pump station and gravitate everything down to Barry Court. In our opinion this will probably be in about 30 to 50 years time.

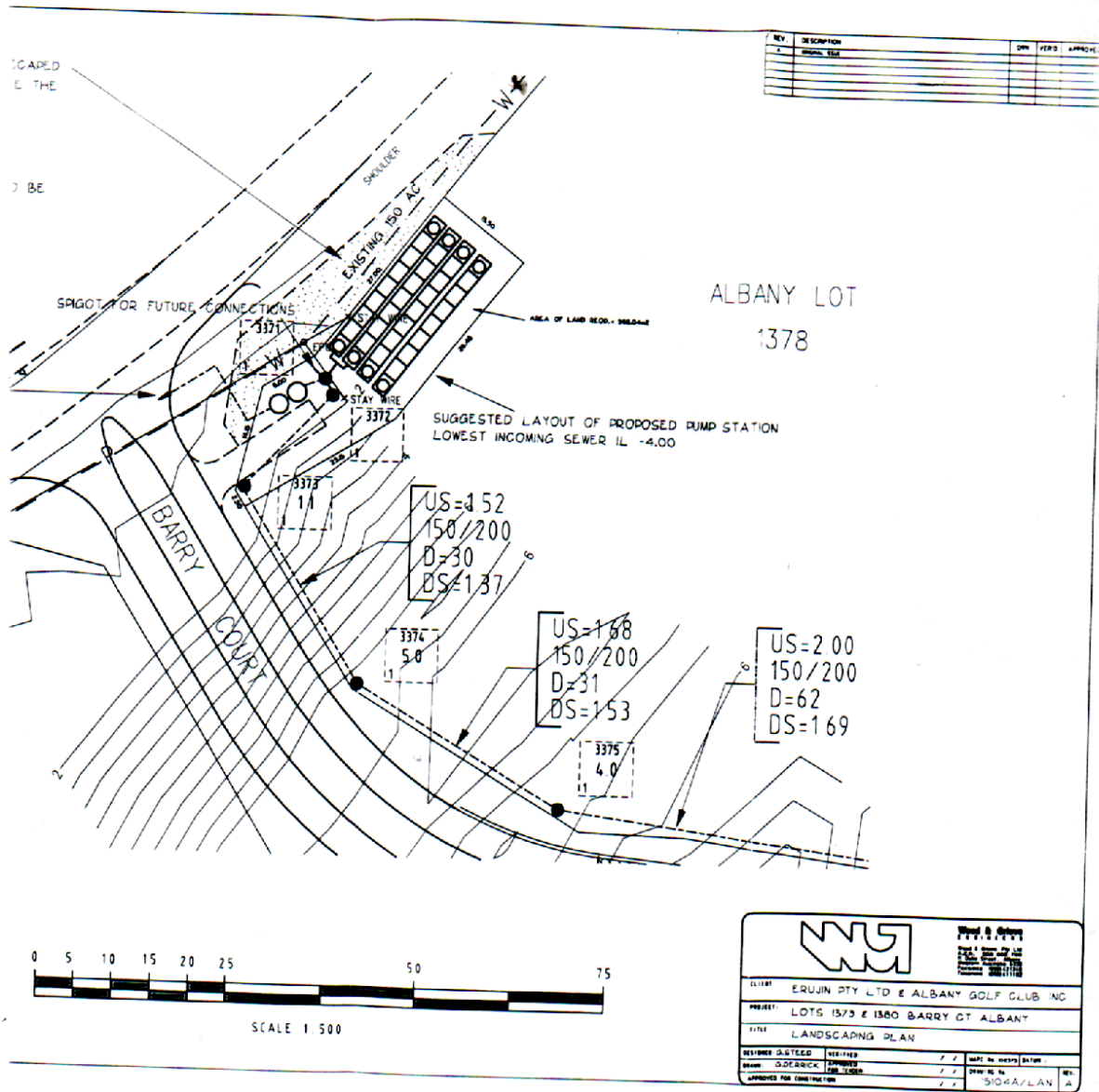
In the first instance I have been advised that only the first line (nearest the road) will be required. This will of course lessen the initial impact on the vegetation.

A handwritten signature in black ink, appearing to read 'Geoff'.

CITY OF ALBANY RECEIVED		
16 APR 1999		
FILE PR	CORR No 9905335	OFFICER PLAN1
REPLY Y/N	ACKNOW SENT	CNCLBLTN

MINUTES - ORDINARY COUNCIL MEETING - 28/4/99

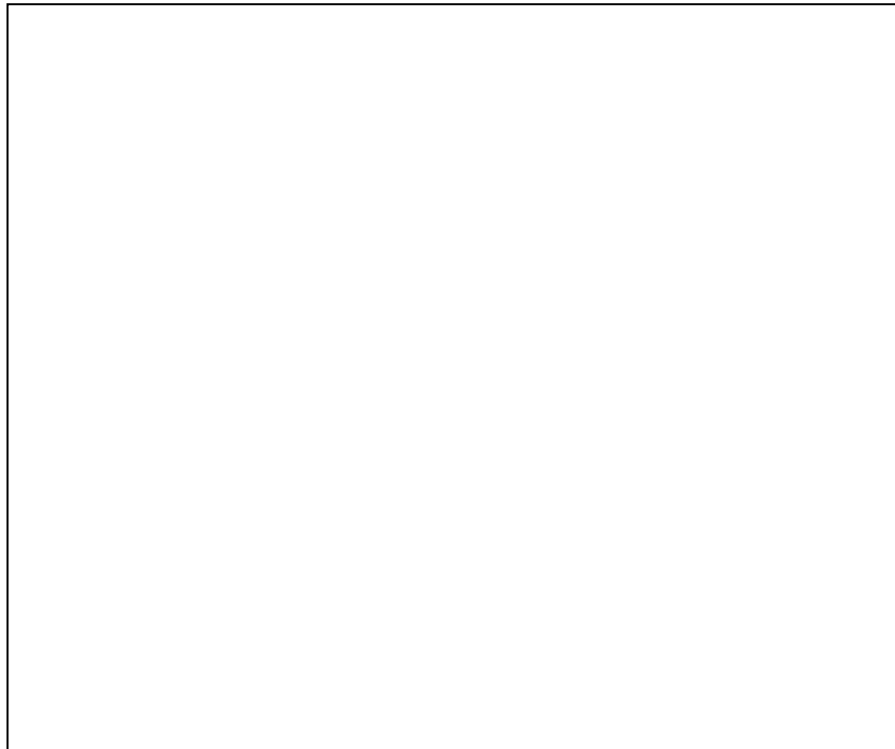
** REFER DISCLAIMER **



12.2 EDUCATION & COMPLIANCE

12.2.1 North Albany Football Club - Proposed Extension To Licensed Area

File	:	A116479
Proposal/Issue	:	Request to extend the licenced area of the North Albany Football & Sporting Club
Subject Land/Locality	:	Lot 0 (180-218) Collingwood Road, Collingwood Park
Proponent	:	North Albany Football & Sporting Club
Owner	:	City of Albany
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Previous Reference	:	Cncl 14 April 1999, Item 12.2.1
Summary Recommendation:		Nil pending discussion.
Locality Plan	:	



Item 12.2.1 continued

BACKGROUND

1. At Council's meeting of the 14th April 1999 a request from the North Albany Football and Sporting Club for approval to extend their liquor licence area was considered. Council deferred consideration of the application to this meeting to allow staff time to investigate the proposed method of segregating the licensed area from the general public facilities.

STATUTORY REQUIREMENTS

2. Refer to previous report included in the Commissioners Report / Information Bulletin

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

COMMENT/DISCUSSION

3. The details on the method of segregation were not available at the time the agenda was prepared . An inspection of the site has been programmed for Commissioners and the details will be available at that time.

RECOMMENDATION

THAT Council,

- i) Advises the North Albany Football and Sporting Club that it does not support the request to extend the licensed area where liquor can be consumed at their Collingwood Road clubrooms at lot 0 (180-218) Collingwood Road, Collingwood Park.

OR

- ii) Advises the North Albany Football and Sporting Club that it supports the request to extend the licensed area where liquor can be consumed at their Collingwood Road clubrooms at lot 0 (180-218) Collingwood Road, Collingwood Park and requires the placement of a permanent barrier between the licensed and public areas of the grandstand, plus the installation of appropriate signage to delineate the respective areas.

Voting Requirement Simple Majority

.....

AMENDED RECOMMENDATION

THAT Council,

Advises the North Albany Football and Sporting Club that it supports the request to extend the licensed area where liquor can be consumed at their Collingwood Road clubrooms at lot 0 (180-218) Collingwood Road, Collingwood Park and requires;

- a) The placement of lockable barriers between the licensed area and public areas of the grandstand.
- b) The placement of appropriate signage to delineate the licensed and public areas.
- c) All alcoholic beverages in the external licensed area are to be served in soft containers.

Voting Requirement Simple Majority

.....

The Executive Director Development Services advised the Commissioners had today inspected the site and the amended recommendation re-configures the original recommendation by the addition of point (c) which covers how alcohol will be distributed in the licensed area.

Commissioner Dawson asked whether there would be any advantage in placing a time limit on the approval, and the Executive Director Development Services advised this was not necessary because Council is the owner of the land and can request the conditions to be varied or modified at any time.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER McGOWAN
SECONDED COMMISSIONER EDMONDSON**

THAT Council,

Advises the North Albany Football and Sporting Club that it supports the request to extend the licensed area where liquor can be consumed at their Collingwood Road clubrooms at lot 0 (180-218) Collingwood Road, Collingwood Park and requires;

- d) The placement of lockable barriers between the licensed area and public areas of the grandstand.**
- e) The placement of appropriate signage to delineate the licensed and public areas.**
- f) All alcoholic beverages in the external licensed area are to be served in soft containers.**

MOTION CARRIED 5 - 0

13.0 CORPORATE & COMMUNITY SERVICES

- I N D E X -

13.1 FINANCE

13.1.1 List of Accounts for Payment – City of Albany

13.1.2 Quarterly Review

13.2 ADMINISTRATION

13.2.1 City of Albany and Shire of Plantagenet Great Southern Regional Cattle Saleyards Working Group – Minutes 6th April 1999

13.2.2 Report by Chairman of Commissioners for Period 1st July 1998 to 30th April 1999 to Elected Council

13.3 LIBRARY SERVICES

13.4 DAY CARE CENTRE

13.5 TOWN HALL

13.6 ALBANY LEISURE & AQUATIC CENTRE

- R E P O R T S -

13.1 FINANCE

13.1.1 List of Accounts for Payment – City of Albany

File : FIN 022

Reporting Officer(s) : Manager of Finance (S Goodman)

Summary Recommendation : Approve accounts for payment

COMMENT/DISCUSSION

1. The list of accounts for payment for the City of Albany is attached and contains the following:-

Municipal Fund Vouchers		
4610 to 4812	totalling	654,989.78
Municipal Fund Direct Debits		
Payroll	totalling	260,005.65
Loan Repayments	totalling	
Other Direct Debits	totalling	3,465.00
Total Municipal Fund		<u>918,460.43</u>
Trust Fund Vouchers		
35 & 36	totalling	30,753.95
Trust Fund Direct Debits	totalling	
Total Trust Fund		<u>30,753.95</u>
TOTAL		<u>949,214.38</u>

RECOMMENDATION

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

Municipal Fund	totalling	\$918,460.43
Trust Fund	totalling	<u>\$ 30,753.95</u>
Total		<u>\$946,214.38</u>

Voting requirement simple majority

.....

The Executive Director Corporate and Community Services advised the total figure shown in the recommendation was incorrect, and should read “\$949,214.38”.

Item 13.1.1. continued.....

He also advised that a question had been raised regarding voucher 4365 for the purchase of a Fairmont Sedan in excess of \$31,000. This cheque had been drawn in error and had since been re-banked. The change over price for this vehicle was in fact zero.

COUNCIL RESOLUTION

**MOVED COMMISSIONER EDMONDSON
SECONDED COMMISSIONER McGOWAN**

**THAT subject to the figure “\$946,214.38” being amended to read “\$949,214.38”
the following City of Albany accounts be passed for payment: -**

Municipal Fund	totalling	\$918,460.43
Trust Fund	totalling	<u>\$ 30,753.95</u>
Total		<u>\$949,214.38</u>

MOTION CARRIED 5 – 0

13.1.2 Quarterly Review

File	:	
Proposal / Issue	:	Council to adopt the Third Quarter Review
Subject land	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer	:	Manager - Finance
Previous Reference	:	N/A
Summary Recommendation	:	That Council adopt the Third Quarter Review
Locality Plan	:	N/A

BACKGROUND

1. Council Officers have reviewed the operating results for their areas and submitted projections to the end of 1998/99 and reasons for major variances. The summary indicates an operating surplus in excess of \$ 460,000.
2. Major projects which were included in the 1998/99 budget, but have been fully or partially delayed until 1999/00 are:
 - Regional Saleyards - Under review by Council – project may proceed as early as May 1999. – primarily funded by loans
 - Liquid Waste Facility - \$ 100,000 – Scope of project is under review
 - Lockyer Precinct Major Road –\$ 600,000 - Finalising land acquisition – Main Roads Department funding deferred until 1999/2000
 - Boat ramp - \$ 55,000 - Deferred pending community input
 - Library Lift - \$ 129,586 - ordered from overseas supplier
3. Projects cancelled due to lack of external funding were:
 - Chester Pass Roundabout Landscaping - \$ 50,000
 - Mt Melville Walk Trails - \$ 110,000
 - Natural Heritage Project - \$ 122,000
4. Major cost over-runs were:
 - Legal expenses - \$ 51,000 - Emu Point Chalet rental – possible action for recovery of costs is under review
 - Replacement of motor vehicles - \$ 100,000 – reduction in used car values, national changes in fleet concessions, and model changes

Item 13.1.2 continued.....

STATUTORY REQUIREMENTS

5. Section 6.4 of the Local Government Act 1995 requires that financial reports be prepared and presented in the manner and form prescribed and contain the prescribed information.
6. Clause 35 of the Local Government (Financial Management) Regulations 1996 states:
“(1) A quarterly report is to be in a form which sets out:
 - a) The annual budget estimates; and*
 - b) The operating revenue, operating income, and all other income & expenses*
 - c) Identifies any significant variations between the year to date areas where the activities of the local government are not in accordance with the estimates set forth in the annual budget that year;”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC PLAN IMPLICATIONS

Nil

COMMENT / DISCUSSION

6. The financial statements and budget review for the period ended 31 March 1999 are included in the Commissioners' Report / Information Bulletin.

RECOMMENDATION

THAT the budget review for the period ended 31 March 1999 be adopted.

Voting requirement absolute majority

.....

The Executive Director Corporate and Community Services advised the review indicated a surplus at the end of the financial year of \$460,000 which he considered a very satisfactory result and one which would stand the Council in good stead for the 1999/2000 financial year.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER WINTERTON**

THAT the budget review for the period ended 31 March 1999 be adopted.

MOTION CARRIED 5 – 0

13.2 ADMINISTRATION

Commissioner McGowan declared an interest in this item – refer Item 8.0 of these minutes.

13.2.1 City of Albany and Shire of Plantagenet Great Southern Regional Cattle Saleyards Working Group – Minutes 6th April 1999

File	:	PRO 136
Proposal / Issue	:	Proposed Regional Saleyards
Subject land	:	Lot 3 of Location 4900, Shire of Plantagenet
Proponent	:	N/A
Owner	:	N/A
Reporting Officer	:	Manager Administration (R Boardley)
Previous Reference	:	CNCL 9/9/98 – Item 13.2.7 CNCL 20/10/98 – Item 19.1 CNCL 23/12/98 – Item 13.2.7
Summary Recommendation	:	That the minutes be received and the recommendations be adopted.
Locality Plan	:	N/A

BACKGROUND

1. In accordance with the requirements of Section 3.59 of the Local Government Act 1995, Council has previously prepared a “Business Plan” for the proposed Regional Cattle Saleyards facility and at the meeting of Council held on 23rd December 1998, the following resolution was passed:-

“*THAT:*

- i) *In accordance with Section 3.59(5) of the Local Government Act 1995, Council proceed with the establishment of the proposed Regional Cattle Saleyards facility at Lot 3 of Plantagenet Location 4900 situated 7km South of Mount Barker on Albany Highway, on a joint venture basis with the Shire of Plantagenet and endorse the recommendation of the Saleyards Working Group to proceed with the calling of tenders for construction of the facility; and*
- ii) *Subject to the completion of the land transaction, acceptance of a tender and the saleyards project proceeding the proposed “Joint Venture Agreement” between the City of Albany and Shire of Plantagenet for the development and management of the proposed Regional Cattle Saleyards be entered into and the Common Seal of the Council be affixed to this document,”*

Item 13.2.1 continued.....

2. Tenders for construction of the facility were subsequently called and closed on 18th February 1999.

STATUTORY REQUIREMENTS

3. Clause 18 of the Local Government (Functions and General) Regulations 1996, states as follows:-

“Choice of tender

18. (1) *A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.*

(2) *A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.*

(3) *If, under regulation 23(4), the local government has prepared a list of acceptable tenderers for the supply of goods and services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.*

(4) *Tenders that have not been rejected under sub-regulation (1), (2) and (3) are to be considered by the local government and it is to decide which of them it thinks it would be most advantageous to the local government to accept.*

(5) *The local government may decline to accept any tender.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

4. Provision has been made in the 1998/99 budget for saleyards construction amounting to \$1,900,000 and the raising of a loan of \$1,800,000 to finance the majority of this expenditure. The remaining \$100,000 is to be financed from Reserve Funds.

STRATEGIC IMPLICATIONS

5. One of the “Primary Production” objectives of Council’s Strategic Plan is to “support the development, value adding and diversification of agriculture industries”, by co-operating with regional partners to achieve a cost effective sales venue for livestock.

Item 13.2.1 continued.....

COMMENTS / DISCUSSION

6. Tenders received were evaluated by consultants Gutteridge Haskins & Davey Pty Ltd and three (3) tenderers were selected for interview. Representatives of the City of Albany and Shire of Plantagenet were in attendance at the interviews.
7. Following the tender evaluation process a report was prepared by GHD Pty Ltd and was considered at a meeting the City of Albany and Shire of Plantagenet Great Southern Regional Cattle Saleyards Working Group held on 6th April 1999. A copy of the minutes are included in the Commissioners Report and Information Bulletin.
8. The following recommendations to the Council's were passed at the meeting of the Saleyards Working Group:-
 - 8.1 *"That the working group recommends to the City of Albany and Shire of Plantagenet to accept the revised budget and accept the following arrangements with the Agents:*
 1. *all stock agents to provide confirmation of acceptance of \$1.00 per head of cattle through the yards over a maximum of 15 years for loan repayments and an entry fee of*
 2. *a) \$2,000pa, for 10,000 and under head of cattle through the yards based on the previous year*
b) and \$4,000pa for 10,000 and over head of cattle through the yards based on the previous year.
 3. *that the Agents agree to administer a buyers levy to initially be set at 40 cents per head on all cattle sold through the yards.*
and for a formal agreement to be entered into with the Agents."
 - 8.2 *"That the working group recommends to the City of Albany and Shire of Plantagenet to accept the tender of Doric Building Pty Ltd for construction of the Great Southern Regional Cattle Saleyards subject to confirmation of funding from the State Government through the Cabinet Submission (Contract No 5350/02/A)."*
 - 8.3 *"That the working group recommends to the City of Albany and Shire of Plantagenet not to accept any tender for construction of the buildings, but to re-tender the complex based on a different design and construction (Contract No 5350/02/B)."*
 - 8.4 *"That staff from the Shire of Plantagenet and City of Albany investigate salary requirements for a Manager of the new Great Southern Regional Cattle Saleyards and for the position to be advertised immediately following the acceptance of the Tender by the City of Albany and Shire of Plantagenet."*

Item 13.2.1 continued.....

- 8.5 *“That it is recommended that the Shire of Plantagenet and City of Albany proceed with the raising of loan funds for this project immediately following acceptance of tender in accordance with the adopted budget, as follows:
\$1.4m each over a period of 20 years to meet Councils agreed contributions.

\$325,000 each over a period of 15 years to meet the agents contributions.”*

9. It is anticipated that advice will be received from the Department of Commerce and Trade, prior to the council meeting, as to the result of the application for funding from the State Government.

RECOMMENDATION

THAT the minutes of the meeting of the City of Albany and Shire of Plantagenet Great Southern Regional Cattle Saleyards Working Group held on 6th April 1999, be received and the recommendations adopted as follows:-

- 8.1 “That the working group recommends to the City of Albany and Shire of Plantagenet to accept the revised budget and accept the following arrangements with the Agents:
1. all stock agents to provide confirmation of acceptance of \$1.00 per head of cattle through the yards over a maximum of 15 years for loan repayments and an entry fee of
 2. a) \$2,000pa, for 10,000 and under head of cattle through the yards based on the previous year
b) and \$4,000pa for 10,000 and over head of cattle through the yards based on the previous year.
 3. that the Agents agree to administer a buyers levy to initially be set at 40 cents per head on all cattle sold through the yards.
and for a formal agreement to be entered into with the Agents.”
- 8.2 That the working group recommends to the City of Albany and Shire of Plantagenet to accept the tender of Doric Building Pty Ltd for construction of the Great Southern Regional Cattle Saleyards subject to confirmation of funding from the State Government through the Cabinet Submission (Contract No 5350/02/A).”
- 8.3 “That the working group recommends to the City of Albany and Shire of Plantagenet not to accept any tender for construction of the buildings, but to re-tender the complex based on a different design and construction (Contract No 5350/02/B).”

Item 13.2.1 continued.....

8.4 “That staff from the Shire of Plantagenet and City of Albany investigate salary requirements for a Manager of the new Great Southern Regional Cattle Saleyards and for the position to be advertised immediately following the acceptance of the Tender by the City of Albany and Shire of Plantagenet.”

8.5 “That it is recommended that the Shire of Plantagenet and City of Albany proceed with the raising of loan funds for this project immediately following acceptance of tender in accordance with the adopted budget, as follows:

\$1.4m each over a period of 20 years to meet Councils agreed contributions.

\$325,000 each over a period of 15 years to meet the agents contributions.

Voting requirement simple majority

.....

The Chairman of Commissioners invited Council’s Manager of Administration Mr Ron Boardley to comment on this matter and respond to the concerns expressed by Mr Davis during Open Forum in relation to the Regional Saleyard project.

Mr Boardley advised the business plan had not been amended to allow for the areas of land being taken out of primary production for tree farming. He said current cattle sale numbers to the end of February 1999 were 32,000 for Albany and over 31,000 for Mt Barker, therefore it was considered the forecast figure of 70,000 in the business plan could be considered conservative.

He referred to the apparent conflicting recommendations in the minutes of the Working Group, and explained that tenders were called for two phases of the project – one for the saleyards themselves and one for the amenities building. He said Council has before it tonight a recommendation to accept a tender for construction of the saleyards, but not to accept tenders for the amenities buildings and re-call this tender based on a transportable style of building of a similar size.

Mr Boardley advised that following one of the Special Electors’ Meetings, extensive discussions were held with the Deputy Premier, the Minister for Primary Industry, the Department of Transport and agents, and the Committee believed the project does come together from a funding point of view, subject to a successful application for a headworks grant from the State Government. If the headworks funding application is not successful, the project will not proceed.

Commissioner McGowan commented the Regional Saleyards project had been under consideration for some eight years now, and due to the state of the current saleyards at Albany and Mt Barker the new yards were required without delay on grounds of both employee safety and animal welfare.

Item 13.2.1 continued.....

He said he believed cattle numbers will be at least maintained at the figures shown in the Business Plan, however that plan will be reviewed during the life of the saleyards.

Commissioner McGowan said that as he had been involved in this project for a number of years, he was delighted to be able to move the following motion:

COUNCIL RESOLUTION:

**MOVED COMMISSIONER McGOWAN
SECONDED COMMISSIONER DAWSON**

THAT the minutes of the meeting of the City of Albany and Shire of Plantagenet Great Southern Regional Cattle Saleyards Working Group held on 6th April 1999, be

received and the recommendations adopted as follows:-

8.1 “That the working group recommends to the City of Albany and Shire of Plantagenet to accept the revised budget and accept the following arrangements with the Agents:

- 1. all stock agents to provide confirmation of acceptance of \$1.00 per head of cattle through the yards over a maximum of 15 years for loan repayments and an entry fee of**
- 2. a) \$2,000pa, for 10,000 and under head of cattle through the yards based on the previous year
b) and \$4,000pa for 10,000 and over head of cattle through the yards based on the previous year.**
- 3. that the Agents agree to administer a buyers levy to initially be set at 40 cents per head on all cattle sold through the yards.
and for a formal agreement to be entered into with the Agents.”**

8.2 That the working group recommends to the City of Albany and Shire of Plantagenet to accept the tender of Doric Building Pty Ltd for construction of the Great Southern Regional Cattle Saleyards subject to confirmation of funding from the State Government through the Cabinet Submission (Contract No 5350/02/A).”

8.3 “That the working group recommends to the City of Albany and Shire of Plantagenet not to accept any tender for construction of the buildings, but to re-tender the complex based on a different design and construction (Contract No 5350/02/B).”

8.4 “That staff from the Shire of Plantagenet and City of Albany investigate salary requirements for a Manager of the new Great Southern Regional Cattle Saleyards and for the position to be advertised immediately following the acceptance of the Tender by the City of Albany and Shire of Plantagenet.”

Item 13.2.1. continued.....

8.5 “That it is recommended that the Shire of Plantagenet and City of Albany proceed with the raising of loan funds for this project immediately following acceptance of tender in accordance with the adopted budget, as follows:

\$1.4m each over a period of 20 years to meet Councils agreed contributions.

\$325,000 each over a period of 15 years to meet the agents contributions.

MOTION CARRIED 5 – 0

13.2.2 Report by Chairman of Commissioners for Period 1st July 1998 to 30th April 1999 to Elected Council

File	:	
Proposal/Issue	:	Report from Commissioners to elected Council on Council affairs from 1 st July 1998 to 30 th April, 1999.
Subject Land/Locality	:	N/A
Proponent	:	Chairman and Commissioners
Owner	:	N/A
Reporting Officer	:	Chief Executive Officer E.H. (Jim) Kelly
Previous Reference	:	Nil.
Summary Recommendation:		That the Report be adopted and submitted to the Special Council Meeting on 3 rd May, 1999.

BACKGROUND

1. The City of Albany was proclaimed on 1st July 1998 and Commissioners KC Michael AM (Chairman), W. McGowan (Deputy Chairman), B.J. Winterton, R. Dawson AM and R. Edmondson were appointed as the Council to administer the affairs of the City until elections were held on 1st May, 1999.
2. A detailed report of the operations of the City has been documented for the period from 1st July 1998 to 30th April 1999 (for practical purposes some information in the report is only up to 31st March 1999).
3. The objectives of this report are:
 - (a) To provide an important and comprehensive information document for the personal benefit of the Mayor and Councillors;
 - (b) To formally provide the Council with an up to date summary of the status of the entire operations of the City;
 - (c) To enable the Chairman and Commissioners to formally “hand over” the affairs of the City to the new Council;
 - (d) To satisfy the relevant elements of a “due diligence” report to demonstrate the integrity of the procedures used and the information provided for the benefit of the City and the Council.

STATUTORY REQUIREMENTS:

Nil

Item 13.2.2 continued.....

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC PLAN IMPLICATIONS:

Nil.

COMMENT/DISCUSSION:

4. From day 1 (1st July, 1998) in the life of the City of Albany the Commissioners, working as the Council, were strong and clear in their intention to ensure that it was **business as usual**. This meant that local government services provided by the former Town and Shire of Albany were to be the same or better with the new City.
5. The report on the past 10 months documents:
 - (a) The structure and operations of the new City;
 - (b) Important key statistical information;
 - (c) Major issues and challenges within each area of operation which will possibly require the attention of the new Council in the early part of their term of office.
 - (d) An official interim financial audit report from Council's auditors.
6. The report will be of significant benefit to all members of the new Council as an information source.
7. There are many other reports and documents which supplement and expand on detail in the Report being presented by the Commissioners. The most important of course, are the official minutes of Council for the period under review.
8. The Commissioners will receive and note the report, however out of respect and courtesy for the Mayor and Councillors to be elected on 1st May the report will not be publicly released until it is made available to the new elected members and formally tabled at the Special Council Meeting on Monday 3rd May, 1999.

Item 13.2.2 continued.....

RECOMMENDATION

THAT:

- i) The Report by the Chairman and Commissioners to the new Council be received and noted;
- ii) The Report be referred to the Special Meeting of Council scheduled for 3rd May 1999, for information and consideration.

Voting Requirement Simple Majority

The Chief Executive Officer drew the attention of the gallery and media representatives to paragraph 8 of the Officer Report, which stated that out of courtesy to the new Council the contents of the handover report would not be made public until after it had been presented to the new elected Members at the Special Council Meeting on Monday 3rd May.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER McGOWAN**

THAT:

- iii) **The Report by the Chairman and Commissioners to the new Council be received and noted;**
- iv) **The Report be referred to the Special Meeting of Council scheduled for 3rd May 1999, for information and consideration.**

MOTION CARRIED 5 – 0

13.3 LIBRARY SERVICES

Nil.

13.4 DAY CARE CENTRE

Nil.

13.5 TOWN HALL

Nil.

13.6 ALBANY LEISURE & AQUATIC CENTRE

Nil.

14.0 WORKS & SERVICES

- I N D E X -

14.1 WASTE MANAGEMENT

14.1.1 Waste Systems Audit and Evaluation of Future Waste Disposal Sites

14.1.2 Refuse Contracts 18/96 and 34/96

14.1.3 Recycling Contracts 17/96 and 33/96

14.2 DESIGN SERVICES

14.3 OPERATIONS

14.3.1 Townsend Street – Street Tree

- R E P O R T S -

14.1 WASTE MANAGEMENT

14.1.1 Waste Systems Audit and Evaluation of Future Waste Disposal Sites

File	:	SER 132
Proposal/Issue	:	Formally table BSD Consultants report on the audit of the City of Albany waste collection disposal systems and evaluation of the options for future waste disposal sites.
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Works & Services (C Meeking)
Previous Reference	:	OCM 14/04/99 Item 14.1.1 OCM 25/11/98 Item 14.1.1
Summary Recommendation:		Endorse the report recommendations.
Locality Plan	:	N/A

BACKGROUND

1. Council at its meeting held on the 25th November 1998 resolved:

THAT Council:

- i) accepts the submission from BSD Consultants to audit the City of Albany's current waste collection and disposal systems and operations for the amount of \$12,440 and evaluate options for future waste disposal sites for the amount of \$6,675; and
- ii) pursuant to Section 5.42 of the Local Government Act 1995 delegates authority to the Chairman of Commissioners and the Chief Executive Officer to determine and accept the submission from BSD Consultants to prepare a Waste Minimisation & Management Plan for the amount of \$8,125 subject to the outcome of Stages 1 and 2.

Item 14.1.1 continued

2. BSD Consultants have finalised their audit of the City's current waste collection and disposal systems undertaken by the City's business unit, Rainbow Coast Waste Management Services and evaluation of the options for future waste disposal sites.

STATUTORY REQUIREMENTS

Nil.

POLICY IMPLICATIONS

3. The City of Albany does not currently have any adopted policies relating to the issue of waste, however, establishing agreements with our neighbouring Councils and the continual review of the collection and disposal services is part of the City of Albany's commitment to improve waste management in the region.

FINANCIAL IMPLICATIONS

4. Administration and technical support required by the Business Unit to prepare regular reports to Council is adequately provided for in the business unit's budget.
5. The costs to further investigate and develop an alternative landfill site will be included in a future report to Council.

STRATEGIC PLAN IMPLICATIONS

6. The City of Albany Strategic Plan 1998 – 2000 under sections Physical and Development Infrastructure and Economic Development states:

Waste Management

Objective 1:

Provide, improve and maintain environmentally responsible Waste Management.

Strategy:

- a) Undertake a feasibility study on regional waste management infrastructure needs; and
- b) Development and adopt a waste minimisation strategy.

Role as a Regional Centre

Objective 1:

Foster the promotion of Albany as a regional centre.

Strategy:

Continue involvement in the Rainbow Coast Regional Council and the Albany Economic Development Unit.

Item 14.1.1 continued

COMMENT/DISCUSSION

A. Audit of the City of Albany's Waste Collection and Disposal Systems

7. A copy of the report was distributed to members of the Waste Management Advisory Committee at their meeting held on the 13th April 1999.
8. The report from BSD included the following recommendations and conclusions:

The audit of the Rainbow Coast Waste Management Service has shown the Business Unit to be providing generally a good service to its clients at competitive rates. The Business Unit is operating at a small surplus, which can be used to offset increased plant operating costs as the plant ages.

The cost of the services are slightly more expensive than, but comparable to the equivalent cost of services in other parts of the State, allowing for the fact that provision of the mobile garbage bins is not included in the contract. The Business Unit is able to provide services at the current costs because of the high level of utilisation of its equipment, and relatively low overheads.

Growth in the area, or an extension in the services could readily result in the need to purchase an additional waste collection truck. This could dramatically change the utilisation figures and significantly increase the costs. This poses a potential threat to the Business Unit. The best available defence would be to increase the size of the operations by being part of a regional waste collection service. This could be achieved either through other local governments contracting their services to the Business Unit, or by the Business Unit being transferred to a Regional Council.

The low overheads result from the fact that staff involved in the management and administration of the Business Unit undertake other tasks within the City. Every effort should be made to retain this efficient use of staff, even if changes are made to ownership of the Business Unit.

The Business Unit should more clearly understand its relationship with the Council, particularly as its owner. The Business Unit should regularly report to the Council; both as its owner and as a client. Separate reports should be provided for these two purposes. These changes will assist the Business Unit to better appreciate its own role and responsibilities.

Item 14.1.1 continued

9. It is considered that, the organisational structure of the business unit should be amended to reflect the recommendations of BSD Consultants. The business unit will also provide regular reports to the Council. The recommendations will be included in the business unit's business plan which is currently being finalised.

B. Evaluation of the Options for Future Waste Sites

10. The City of Albany's two major waste disposal sites at Hanrahan Road and Bakers Junction are nearing the end of their lives. A recent survey of the Hanrahan Road Refuse site and Bakers Junction sites indicated that they have an expected life expectancy of approximately 6 and 4 years respectively. The City is therefore in the process of assessing its future waste disposal options.
11. Together with the Shires of Plantagenet, Denmark, Cranbrook and Gnowangerup, the City is part owner of Lot 6781, Chillinup road, South Stirling, referred to as the proposed Great Southern Landfill site. The purchase was made by the former Town of Albany prior to the amalgamation. The former Shire of Albany did not participate in the purchase of the proposed Great Southern Landfill Site, but instead investigated the possible purchase of an alternative site, located 20 to 25 kilometres from the Albany City centre (referred to as the City of Albany Alternative Site), which is significantly closer to the Albany City centre than the proposed Great Southern Landfill Site.
12. In addition to the two major waste disposal facilities at Hanrahan Road and Bakers Junction, the City operates eight smaller, local disposal sites throughout its extensive district for the convenience of smaller communities. The operations and options for these sites need to be analysed to meet future needs of the community, and legislation and environmental issues.
13. The following conclusions are included in the BSD report.

This study has shown that there are longer term financial advantages to the City of Albany and the Shires of Denmark and Plantagenet (the other two local governments analysed) in developing a regional waste disposal facility at the City of Albany Alternative Site, rather than the proposed Great Southern Landfill Site. Despite the fact that the City of Albany Alternative Site is more expensive than the proposed Great Southern Landfill Site, its closer proximity to the towns of Albany, Denmark and Mount Barker produces travel cost savings that more than offset the higher purchase price over the life of the site.

The City of Albany Alternative Site has 30% more capacity than the proposed Great Southern Landfill Site, even though the capacity of both sites is very large (more than thirty years).

Item 14.1.1 continued

The cost savings are such that consideration should be given to the feasibility of developing a regional disposal facility at the City of Albany Alternative Site, rather than at the proposed Great Southern Landfill Site. Discussions should be held with the other local governments involved in that site to determine their support for such a move. As the City produces approximately 80% of the waste in the region, the position of the City is critical to the viability of a regional facility. Conversely, there are cost advantages to the City in being involved in a regional facility. These could be greater if regional waste collection is introduced.

In considering the feasibility of developing the waste facility at the City of Albany alternative landfill site, the following factors should be considered:

- *the delay in getting an approval for the site, by having to recommence the process;*
- *the need for negotiations with the current owner of the site;*
- *the possible reaction of the local community;*
- *the disposal of the proposed Great Southern Landfill Site and funding for the City of Albany Alternative Site;*
- *the management structure for the site, eg the creation of a Regional Council.*

If a delay in getting approval for the City of Albany Alternative Site creates a difficulty for one or more of the local governments through a lack of available tip space, existing tips in the region (ie Bakers Junction and Hanrahan Road) could be used to receive their waste during the intervening period. This will have the added advantage of accelerating the filling and closure of these sites.

BSD Consultants with regard to future waste disposal site recommend that:

- a) The City agrees in principle to joining with the Shires of Plantagenet, Denmark, Cranbrook and Gnowangerup to create a Regional Council to provide waste services.*
- b) Consideration be given to including waste disposal and waste collection in the designated functions of the Regional Council, if it is created.*
- c) The City commences discussions with the other owners of Lot 6781 Chillinup Road with the view of securing agreement to develop a regional waste disposal facility at City of Albany Alternative Site as an alternative to the proposed Great Southern Landfill Site.*

14. In the interests of genuine and open communication a copy of the BSD report has been provided to the Shires of Plantagenet and Denmark as the report recommendations have an effect on the future plans of these two Councils as well as the City of Albany.

15. The importance of carefully and comprehensively working through the waste disposal issue with Plantagenet and Denmark is obviously linked to the possible establishment of a regional council for all waste management needs.

Item 14.1.1 continued

16. Also, if we enter into harmonious and mutually agreeable regional waste management arrangements, the benefits will flow to other proposed regional facilities and services, eg the cultural centre and saleyards.
17. Preliminary discussions have been held with representatives from the Shire of Denmark and Plantagenet on the 14th April 1999 regarding the BSD report.
18. Council at its meeting held on the 14th April 1999 offered the Hanrahan Road and Bakers Junction Refuse sites as alternative landfill sites for the Shires of Denmark and Plantagenet until a regional landfill site is operational.
19. Discussions will continue with our neighbouring Councils at the Great Southern Landfill Committee which includes representatives from the Shires of Cranbrook and Gnowangerup.
20. It is considered that Council officers should further investigate the development of the City of Albany Alternative Landfill site. Consideration should be given to the estimated reduction in costs (approximately \$500,000 over 30 years) and increased site capacity of the Alternative Landfill site. However, consideration will also need to be given with regard to timing, land acquisition and other social issues. A future report that details the schedule for developing the alternative site, including investigations, public consultation, licencing and costs will be submitted to the new elected Council within the next 2 months. At that time Council can decide whether it wants to proceed in full with the process of developing an alternative site.

RECOMMENDATION

THAT:

- a) Council receive and adopt the following recommendations contained in the report from BSD Consultants for the audit of the City of Albany's waste collection and disposal systems:
 - i) the organisational structure of the City be modified so that the Rainbow Coast Waste Management Service business unit is directly answerable to the Executive Director Works & Services; and
 - ii) the Rainbow Coast Waste Management Service business unit provides separate regular reports to the Council of the City addressing matters relevant to the City as a client and matters to the City as the owners of the unit.
- b) Council receive and note BSD Consultants recommendations contained in the report for future waste sites; and

Item 14.1.1 continued

- c) further meetings are held with the Shires of Plantagenet, Denmark, Cranbrook and Gnowangerup to investigate the creation of a Regional Council;
 - i) Council officers prepare a future report to Council detailing the timing and costs to investigate and develop the Alternative Landfill site; and
 - ii) BSD Consultants recommendations be discussed at the next meeting of the Great Southern Landfill Site Committee.

Voting Requirement Simple Majority

.....

The Executive Director Works and Services tabled a copy of the BSD Consultants' Report on this matter and advised copies will be made available at the Albany Public Library.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER McGOWAN
SECONDED COMMISSIONER WINTERTON**

THAT:

- a) Council receive and adopt the following recommendations contained in the report from BSD Consultants for the audit of the City of Albany's waste collection and disposal systems:
 - i) the organisational structure of the City be modified so that the Rainbow Coast Waste Management Service business unit is directly answerable to the Executive Director Works & Services; and
 - ii) the Rainbow Coast Waste Management Service business unit provides separate regular reports to the Council of the City addressing matters relevant to the City as a client and matters to the City as the owners of the unit.
- b) Council receive and note BSD Consultants recommendations contained in the report for future waste sites; and
- c) further meetings are held with the Shires of Plantagenet, Denmark, Cranbrook and Gnowangerup to investigate the creation of a Regional Council;
 - i) Council officers prepare a future report to Council detailing the timing and costs to investigate and develop the Alternative Landfill site; and
 - ii) BSD Consultants' recommendations be discussed at the next meeting of the Great Southern Landfill Site Committee.

MOTION CARRIED 5 - 0

14.1.2 Refuse Contracts 18/96 and 34/96

File	:	SER 048
Proposal/Issue	:	Review of Remuneration (Rise & Fall)
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Works & Services (C Meeking)
Previous Reference	:	Shire of Albany Council Meeting 22/07/97 OCM 09/09/98 Item 14.1.1 OCM 14/04/99 Item 14.1.2
Summary Recommendation:		Approve Rise & Fall variations for Contracts 18/96 and 34/96
Locality Plan	:	N/A

BACKGROUND

1. The Manager of Council's Business Unit, Rainbow Coast Waste Management Service, is seeking a review of the remuneration (Rise and Fall) for the Refuse Contracts 18/96 and 34/96 as provided in section 4.19 of those contracts for rise and fall provisions for labour, fuel and other material costs (refer attached).

STATUTORY REQUIREMENTS

2. The contracts state that the review of remuneration payable by Council shall be effective on the 1st day of July in each year of the Term ("the Review Date): the first review being on the 1st day of July 1997.
3. Adjustments to the remuneration payable by Council from the review date shall be in accordance with the provisions of Appendix A of the above contracts (refer attached).
4. Not less than 2 (two) months prior to the review date the Contractor shall give notice to Council of the amount by which the Contract Rates should vary.
5. In all cases the remuneration shall be payable at the times specified in clause 4.18.

POLICY IMPLICATIONS

Nil.

Item 14.1.2 continued
FINANCIAL IMPLICATIONS

6. The business unit manager has submitted a claim for Rise and Fall, increasing the 1998/99 rate per service by \$0.0003 for 1999/00. This equates to an increase of \$77.55 per annum for the City of Albany.

Contract	Original Contract Rate \$	Rise & Fall Variation \$	Proposed 1999/2000 Rate \$	Existing 1998/99 Rate \$
18/96	0.5506	0.0332	0.5838	0.5835
34/96	0.5793	0.0349	0.6142	0.6139

STRATEGIC PLAN IMPLICATIONS

Nil.

COMMENT/DISCUSSION

7. The contract provides for rise and fall provisions for labour, fuel and other material variations for the period from the commencement of the contract to 30th June 1999. The contractor has substantiated the claims (copy attached). The following increases are recommended for approval.

- Contract 18/96 - increase of 3.32 cents per service
 - 1999/00 rate per service 58.38 cents
 - representing a rise per service in 99/00 of 0.03 cents
- Contract 34/96 - increase of 3.49 cents per service
 - 1999/00 rate per service 61.42 cents
 - representing a rise per service in 1999/00 of 0.03 cents

RECOMMENDATION

THAT Council approves of the rise and fall, for labour, fuel and other material variations submitted by the business unit and as provided in refuse contracts 18/96 and 34/96, and the new rates to apply from 1st July 1999, as follows:

- i) Recycle Contract 18/96 of 3.32 cents resulting in a new charge of 58.38 cents per service, representing a rise of 0.03 cents per service in 1999/2000;
- ii) Recycle Contract 34/96 of 3.49 cents, resulting in a new charge of 61.42 cents per service, representing a rise of 0.03 cents per service in 1999/2000.

Voting Requirement Simple Majority

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The Executive Director Works and Services acknowledged Mr Boulger's comments in open forum and agreed the word "Recycle" should be changed to "Refuse" in parts i) and ii) of the recommendation.

Item 14.1.2 continued

Also, under Paragraph 6, third line the amount should read \$165.00, not \$77.55.

He further explained the rise and fall figures are calculated back to the original tender, and this was done by Council officers when preparing this agenda item, and that the computer programme used for the calculations makes calculations to 8 decimal places, which could account for minor variations. He invited Mr Boulger to meet with him at a mutually convenient time to discuss his concerns.

COUNCIL RESOLUTION:

MOVED COMMISSIONER McGOWAN

SECONDED COMMISSIONER WINTERTON

THAT subject to confirmation of the figures, Council approves of the rise and fall, for labour, fuel and other material variations submitted by the business unit and as provided in refuse contracts 18/96 and 34/96, and the new rates to apply from 1st July 1999, as follows:

- i) Refuse Contract 18/96 of 3.32 cents resulting in a new charge of 58.38 cents per service, representing a rise of 0.03 cents per service in 999/2000;**
- ii) Refuse Contract 34/96 of 3.49 cents, resulting in a new charge of 61.42 cents per service, representing a rise of 0.03 cents per service in 1999/2000.**

MOTION CARRIED 5 – 0



Our Ref:
Enquiries: M Zhuang

16 March 1999

Dear Colin

WASTE & RECYCLING CONTRACTS (17/96 & 18/96 and 33/96 & 34/96)

I attach calculations for the 1998/99 Rise and Fall adjustments, as provided for and in accordance with the formulae contained in the abovementioned Contracts.

In summary the new rates, effective from 1 July 1999, will be:

Contract	Proposed Rate \$	Contract Rate \$	Variation to Contract Rate \$	Market Variation \$
Recycling 17/96	0.7435	0.5555	0.0335	0.1545
Recycling 33/96	0.7379	0.5706	0.0344	0.1329
Waste 18/96	0.5838	0.5506	0.0332	-
Waste 34/96	0.6142	0.5793	0.0349	-

You will particularly note from the attached calculations that the "12 Month Increase" has been limited to just **\$0.0003**.

Should you require any further information or have any queries do not hesitate to contact myself or Council's Technical Administration Officer, Richard Henley.

Yours sincerely


Mandy Zhuang
Waste Services Coordinator

MINUTES - ORDINARY COUNCIL MEETING - 28/04/99

** REFER DISCLAIMER **

refuse rise & fall 98-99 (2)

SoA REFUSE CONTRACT (34/96)

LABOUR	$R=T \times A/B \times C$	0.5793	1.93	14.66	36	0.0274
FUEL & OILS	$R=T \times D/E \times C$	0.5793	0.11	0.74	8	0.0070
OTHER MATERIALS	$R=T \times F/G \times C$	0.5793	2.10	123.90	5	0.0005
VARIATION FROM CONTRACTED RATE						0.0349
PROPOSED RATE PER SERVICE (CONTRACTED RATE + "RISE & FALL")						0.6142
CURRENT RATE PER SERVICE						0.6139
12 MONTH INCREASE						0.0003

ToA REFUSE CONTRACT (18/96)

LABOUR	$R=T \times A/B \times C$	0.5506	1.93	14.66	36	0.0260
FUEL & OILS	$R=T \times D/E \times C$	0.5506	0.11	0.74	8	0.0067
OTHER MATERIALS	$R=T \times F/G \times C$	0.5506	2.10	123.90	5	0.0005
VARIATION FROM CONTRACTED RATE						0.0332
PROPOSED RATE PER SERVICE (CONTRACTED RATE + "RISE & FALL")						0.5838
CURRENT RATE PER SERVICE						0.5835
12 MONTH INCREASE						0.0003

refuse rise & fall 98-99 (2)

LABOUR COMPONENT - 1996/97		
BASE WAGE = LEVEL 4 + 1%		428.74
EB		28.50
INDUSTRY ALLOWANCE		13.80
		471.04
<i>OVERALL COSTS</i>		
AWARD WAGE		24,494.08
LEAVE LOADING (4 WEEKS @ 17.5%)		329.73
LONG SERVICE LEAVE PROVISION		408.25
WORKERS COMPENSATION (2.29%)		560.91
SUPERANNUATION (4% ON WAGES)		979.76
DIVIDED BY 52 WEEKS (TOTAL COST PER WEEK)		483.71
DIVIDED BY 38 HOURS (TOTAL COST PER HOUR)		12.73
LABOUR COMPONENT - 1998/99		
BASE WAGE = LEVEL 4 + 1%		428.74
EB		49.40
INDUSTRY ALLOWANCE		13.80
		491.94
<i>OVERALL COSTS</i>		
AWARD WAGE		25,580.88
LEAVE LOADING (4 WEEKS @ 17.5%)		344.36
LONG SERVICE LEAVE PROVISION (2.5%)		639.52
WORKERS COMPENSATION (2.36%)		603.71
SUPERANNUATION (7% ON WAGES)		1,790.66
		28,959.13
DIVIDED BY 52 WEEKS (TOTAL COST PER WEEK)		556.91
DIVIDED BY 38 HOURS (TOTAL COST PER HOUR) (B)		14.66
LABOUR VARIATION (= \$14.66 - \$12.73) (A)		1.93

FUEL & OIL COMPONENT		
FUEL COST MAR99	(E)	0.7425
FUEL COST JAN97		0.6300
VARIATION	(D)	0.1125

FUEL AVERAGE (3MAR99)		
R & JK PETROLEUM		0.7574
BP ALLWAY		0.7270
ALBANY FUEL		0.7430
AVERAGE FUEL PRICE	(E)	0.7425

OTHER MATERIALS & MAINTENANCE		
(FROM AUSTRALIAN BUREAU OF STATISTICS)		
OTHER MATERIALS INDEX DEC98	(G)	123.90
OTHER MATERIALS INDEX JAN97		121.80
VARIATION	(F)	2.10

APPENDIX A

RISE AND FALL

1. Rise and fall adjustments to the remuneration payable by the Principal shall be made in accordance with this item to cover all increases or decreases in costs incurred by the Contractor in carrying out the Services including increases or decreases caused by an alteration to the disposal site.
2. The percentage proportions of the rates payable at the commencement of the term of this agreement shall be calculated by the Contractor as follows:

Labour	36%
Fuels and oils	8%
Other materials and maintenance	5%
3. For the purpose of calculating rise and fall adjustments the following formula shall be applied in relation to the labour, fuels and oils, other materials and maintenance. Capital and investment return components will not be subject to rise and fall.
 - (a) Labour $R = T \times \frac{A}{B} \times C$
 - (b) Fuel and oils $R = T \times \frac{D}{E} \times C$
 - (c) Other materials & maintenance $R = T \times \frac{F}{G} \times C$

Where -

 - R is the rise or fall adjustment;
 - T is the amount payable under this agreement at the commencement of the term;
 - A is the variation in the award rate per net nominal working hour;
 - B is the award rate per net nominal working hour;
 - C is the percentage specified in paragraph (2) of this item which is applicable to the component to be adjusted;
 - D is the variation in the cost of supply of fuel and oil;
 - E is the average of 3 local, diesel prices, being BP Allway; R & JK Petroleum, Chester Pass Road; and Albany Fuel, Albany Highway;
 - F is the variation in the cost of other materials and maintenance;
 - G is the official price of other materials adopted under the index provided by the Commonwealth Statistician in the category of transport equipment.
4. For the purposes of this item the net nominal working hour rate shall be calculated according to the rate fixed under the relevant award applicable to the Contractor's employees employed for the purposes of the Contract and shall include allowances for workers' compensation premiums, payroll tax, leave loadings, incremental pay, sick leave, annual leave, long service, statutory leave, wet money and shoe money.

14.1.3 Recycling Contracts 17/96 and 33/96

File	:	SER 048
Proposal/Issue	:	Review of Remuneration (Rise & Fall)
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Works & Services (C Meeking)
Previous Reference	:	Shire of Albany Council Meeting 22/07/97 OCM 09/09/98 Item 14.1.2 OCM 14/04/99 Item 14.1.3
Summary Recommendation:		Approve Rise & Fall variations for Contracts 17/96 and 33/96
Locality Plan	:	N/A

BACKGROUND

1. The Manager of Council's Business Unit, Rainbow Coast Waste Management Service, is seeking a review of the remuneration (Rise and Fall) for the Recycling Contracts 17/96 and 33/96 as provided in section 4.15 of those contracts for rise and fall provisions for labour, fuel and other material costs (refer attached).

STATUTORY REQUIREMENTS

2. The contracts state that the review of remuneration payable by Council shall be effective on the 1st day of July in each year of the Term ("the Review Date): the first review being on the 1st day of July 1997.
3. Adjustments to the remuneration payable by Council from the review date shall be in accordance with the provisions of Appendix A of the above contracts (refer attached).
4. Not less than 2 (two) months prior to the review date the Contractor shall give notice to Council of the amount by which the Contract Rates should vary.
5. In all cases the remuneration shall be payable at the times specified in clause 4.14.

POLICY IMPLICATIONS

Nil.

Item 14.1.3 continued
FINANCIAL IMPLICATIONS

6. The business unit manager has submitted a claim for Rise and Fall, increasing the 1998/99 rate per service by \$0.0003 for 1999/00. This equates to an increase of \$77.55 per annum for the City of Albany.

Contract	Original Contract Rate \$	Market Variation \$	Rise & Fall Variation \$	Proposed 1999/2000 Rate \$	Existing 1998/99 Rate \$
17/96	0.5555	0.1545	0.0335	0.7435	0.7432
33/96	0.5706	0.1329	0.0334	0.7379	0.7376

STRATEGIC PLAN IMPLICATIONS

Nil.

COMMENT/DISCUSSION

7. The contract provides for rise and fall provisions for labour, fuel and other material variations for the period from the commencement of the contract to 30th June 1999. The contractor has substantiated the claims (copy attached). The following increases are recommended for approval.

- Contract 17/96 - increase of 3.35 cents per service
 - 1999/00 rate per service 74.35 cents
 - representing a rise per service in 99/00 of 0.03 cents
- Contract 33/96 - increase of 3.34 cents per service
 - 1999/00 rate per service 73.79 cents
 - representing a rise per service in 1999/00 of 0.03 cents

RECOMMENDATION

THAT Council approves of the rise and fall, for labour, fuel and other material variations submitted by the business unit and as provided in recycle contracts 17/96 and 33/96, and the new rates to apply from 1st July 1999, as follows:

- i) Recycle Contract 17/96 of 3.35 cents resulting in a new charge of 74.35 cents per service, representing a rise of 0.03 cents per service in 1999/2000;
- ii) Recycle Contract 33/96 of 3.34 cents, resulting in a new charge of 73.79 cents per service, representing a rise of 0.03 cents per service in 1999/2000.

Voting Requirement Simple Majority

.....

Item 14.1.3 continued

The Executive Director Works and Services acknowledged that the table in Paragraph 6 and in the recommendation point ii) the figures should read 0.0344 and 3.44 cents respectively, and not 0.0334 and 3.34 cents.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER DAWSON
SECONDED COMMISSIONER WINTERTON**

THAT subject to confirmation of the figures, Council approves of the rise and fall, for labour, fuel and other material variations submitted by the business unit and as provided in recycle contracts 17/96 and 33/96, and the new rates to apply from 1st July 1999, as follows:

- i) Recycle Contract 17/96 of 3.35 cents resulting in a new charge of 74.35 cents per service, representing a rise of 0.03 cents per service in 1999/2000;**
- ii) Recycle Contract 33/96 of 3.44 cents, resulting in a new charge of 73.79 cents per service, representing a rise of 0.03 cents per service in 1999/2000.**

MOTION CARRIED 5 – 0



Our Ref:
Enquiries: M Zhuang

16 March 1999

Dear Colin

WASTE & RECYCLING CONTRACTS (17/96 & 18/96 and 33/96 & 34/96)

I attach calculations for the 1998/99 Rise and Fall adjustments, as provided for and in accordance with the formulae contained in the abovementioned Contracts.

In summary the new rates, effective from 1 July 1999, will be:

Contract	Proposed Rate \$	Contract Rate \$	Variation to Contract Rate \$	Market Variation \$
Recycling 17/96	0.7435	0.5555	0.0335	0.1545
Recycling 33/96	0.7379	0.5706	0.0344	0.1329
Waste 18/96	0.5838	0.5506	0.0332	-
Waste 34/96	0.6142	0.5793	0.0349	-

You will particularly note from the attached calculations that the "12 Month Increase" has been limited to just \$0.0003.

Should you require any further information or have any queries do not hesitate to contact myself or Council's Technical Administration Officer, Richard Henley.

Yours sincerely

A handwritten signature in dark ink, appearing to read "Mandy", is written over a horizontal line.

Mandy Zhuang
Waste Services Coordinator

MINUTES - ORDINARY COUNCIL MEETING - 28/04/99

** REFER DISCLAIMER **

recycle rise & fall 98-99 (2)

SoA RECYCLE CONTRACT (33/96)

LABOUR	R=T x A/B x C	0.5706	1.93	14.66	36	0.0270
FUEL & OILS	R=T x D/E x C	0.5706	0.11	0.74	8	0.0069
OTHER MATERIALS	R=T x F/G x C	0.5706	2.10	123.90	5	0.0005
VARIATION FROM CONTRACTED RATE						0.0344
RATE PER SERVICE (CONTRACTED RATE + "RISE & FALL")						0.6050
PROPOSED RATE (INCLUDING MARKET VARIATION OF \$0.1329)						0.7379
CURRENT RATE (INCLUDING MARKET VARIATION OF \$0.1329)						0.7376
12 MONTH INCREASE						0.0003

ToA RECYCLE CONTRACT (17/96)

LABOUR	R=T x A/B x C	0.5555	1.93	14.66	36	0.0263
FUEL & OILS	R=T x D/E x C	0.5555	0.11	0.74	8	0.0067
OTHER MATERIALS	R=T x F/G x C	0.5555	2.10	123.90	5	0.0005
VARIATION FROM CONTRACTED RATE						0.0335
RATE PER SERVICE (CONTRACTED RATE + "RISE & FALL")						0.5890
PROPOSED RATE (INCLUDING MARKET VARIATION OF \$0.1545)						0.7435
CURRENT RATE (INCLUDING MARKET VARIATION OF \$0.1545)						0.7432
12 MONTH INCREASE						0.0003

MINUTES - ORDINARY COUNCIL MEETING - 28/04/99

** REFER DISCLAIMER **

recycle rise & fall 98-99 (2)

LABOUR COMPONENT - 1996/97		
BASE WAGE = LEVEL 4 + 1%		428.74
EB		28.50
INDUSTRY ALLOWANCE		13.80
		471.04
<i>OVERALL COSTS</i>		
AWARD WAGE		24,494.08
LEAVE LOADING (4 WEEKS @ 17.5%)		329.73
LONG SERVICE LEAVE PROVISION		408.25
WORKERS COMPENSATION (2.29%)		560.91
SUPERANNUATION (4% ON WAGES)		979.76
DIVIDED BY 52 WEEKS (TOTAL COST PER WEEK)		483.71
DIVIDED BY 38 HOURS (TOTAL COST PER HOUR)		12.73
LABOUR COMPONENT - 1998/99		
BASE WAGE = LEVEL 4 + 1%		428.74
EB		49.40
INDUSTRY ALLOWANCE		13.80
		491.94
<i>OVERALL COSTS</i>		
AWARD WAGE		25,580.88
LEAVE LOADING (4 WEEKS @ 17.5%)		344.36
LONG SERVICE LEAVE PROVISION (2.5%)		639.52
WORKERS COMPENSATION (2.36%)		603.71
SUPERANNUATION (7% ON WAGES)		1,790.66
		28,959.13
DIVIDED BY 52 WEEKS (TOTAL COST PER WEEK)		556.91
DIVIDED BY 38 HOURS (TOTAL COST PER HOUR) (B)		14.66
LABOUR VARIATION (= \$14.66 - \$12.73) (A)		1.93

FUEL & OIL COMPONENT		
FUEL COST MAR99	(E)	0.7425
FUEL COST JAN97		0.6300
VARIATION	(D)	0.1125

FUEL AVERAGE (3MAR99)		
R & JK PETROLEUM		0.7574
BP ALLWAY		0.7270
ALBANY FUEL		0.7430
AVERAGE FUEL PRICE	(E)	0.7425

OTHER MATERIALS & MAINTENANCE		
(FROM AUSTRALIAN BUREAU OF STATISTICS)		
OTHER MATERIALS INDEX DEC98	(G)	123.90
OTHER MATERIALS INDEX JAN97		121.80
VARIATION	(F)	2.10

APPENDIX A

RISE AND FALL

1. Rise and fall adjustments to the remuneration payable by the Principal shall be made in accordance with this item to cover all increases or decreases in costs incurred by the Contractor in carrying out the Services including increases or decreases caused by an alteration to the disposal site.
2. The percentage proportions of the rates payable at the commencement of the term of this agreement shall be calculated by the Contractor as follows:

Labour	36%
Fuels and oils	8%
Other materials and maintenance	5%
3. For the purpose of calculating rise and fall adjustments the following formula shall be applied in relation to the labour, fuels and oils, other materials and maintenance. Capital and investment return components will not be subject to rise and fall.
 - (a) Labour $R = T \times \frac{A}{B} \times C$
 - (b) Fuel and oils $R = T \times \frac{D}{E} \times C$
 - (c) Other materials & maintenance $R = T \times \frac{F}{G} \times C$

Where -

 - R is the rise or fall adjustment;
 - T is the amount payable under this agreement at the commencement of the term;
 - A is the variation in the award rate per net nominal working hour;
 - B is the award rate per net nominal working hour;
 - C is the percentage specified in paragraph (2) of this item which is applicable to the component to be adjusted;
 - D is the variation in the cost of supply of fuel and oil;
 - E is the average of 3 local, diesel prices, being BP Allway; R & JK Petroleum, Chester Pass Road; and Albany Fuel, Albany Highway;
 - F is the variation in the cost of other materials and maintenance;
 - G is the official price of other materials adopted under the index provided by the Commonwealth Statistician in the category of transport equipment.
4. For the purposes of this item the net nominal working hour rate shall be calculated according to the rate fixed under the relevant award applicable to the Contractor's employees employed for the purposes of the Contract and shall include allowances for workers' compensation premiums, payroll tax, leave loadings, incremental pay, sick leave, annual leave, long service, statutory leave, wet money and shoe money.

14.2 DESIGN SERVICES

Nil.

14.3 OPERATIONS

14.3.1 Townsend Street – Street Tree

File	:	SER 100
Proposal/Issue	:	Tree in verge adjacent to the Lockyer Uniting Church, Townsend Street
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Works & Services (C Meeking)
Previous Reference	:	N/A
Summary Recommendation:		To retain the tree on the verge adjacent to the Lockyer Uniting Church, Townsend Street.
Locality Plan	:	N/A

BACKGROUND

1. A petition has been submitted by Mrs Eileen Greenway on behalf of 26 members of the Lockyer Uniting Church requesting the removal of the eucalyptus tree sited on the verge of Townsend Street, Lockyer adjacent to the church (refer attached petition).
2. The petition states:
The said tree is and has been causing severe problems with its roots damaging the bitumen driveway and car park adjacent. In addition, fallen branches, bark and leaves from the tree cause great untidiness which is an impossible task for our members to keep under control. The fallen debris poses a hazard to people entering and exiting the Lockyer Uniting Church, more particularly to our large elderly membership.

STATUTORY REQUIREMENTS

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

Item 14.3.1 continued

POLICY IMPLICATIONS

4. The City of Albany currently does not have any adopted policies relating to the issue of removing or pruning street trees, however, current work practices are based on safety issues and the following criteria is applied:
 - interference with power lines;
 - interference with traffic ie. Encroachment onto the carriageway;
 - reduced sight distance of drivers;
 - susceptibility of tree to storm damage;
 - disease.

FINANCIAL IMPLICATIONS

5. The pruning and removal of trees within the road verge is provided by Council's Parks & Reserves Team and is provided for in the budget.
6. Damage to infrastructure caused by the root system of indigenous and Council planted trees within the road verge is repaired by Council's Maintenance Teams and is provided for in the budget.

STRATEGIC PLAN IMPLICATIONS

7. The City of Albany Strategic Plan 1998 – 2000 under the section Built & Natural Environment states:
Public Places
Objective 1:
Ensure public places are individual and complementary to their setting.
Strategy:
Undertake a strategically planned street tree planting programme to reinforce the road hierarchy, the importance of heritage areas and characteristics of the region.

COMMENT/DISCUSSION

8. The root system of the eucalyptus tree has previously caused minor damage to the adjacent car park, vehicle crossing and verge. Council's Maintenance Team have previously repaired the verge and vehicle crossing. The Maintenance Team have programmed the following works for the church's car park; removal of the intruding root and reinstatement of a small section of the asphalt surface.
9. The Parks & Reserves Team have previously thinned the trees canopy to reduce the incidence of falling branches.
10. Trees within the verges of urban streets are inspected regularly to ensure public safety is maintained.

Item 14.3.1 continued

11. An inspection by Council's Acting Team Leader, Parks & Reserves has revealed that the tree is structurally sound, however, the canopy requires to be thinned out. This will be undertaken in next month's program.
12. The tree within the verge in Townsend Street adjacent to the Uniting Church is considered to be an excellent specimen with good health and shape. The urban streetscape of Albany does not have an abundance of trees of this calibre and it is therefore considered not appropriate to remove the tree.

RECOMMENDATION

THAT:

- i) Council receive and note the petition forwarded by members of the Lockyer Uniting Church regarding the tree within the street verge adjacent to the church; and
- ii) Mrs Eileen Greenway on behalf of the members of the Lockyer Uniting Church be advised:
 - a) Council does not consider it appropriate to remove the eucalyptus tree within the street verge adjacent to the uniting church;
 - b) works have been scheduled for the thinning of the trees canopy and repair of the car park; and
 - c) the Parks & Reserves Team will continue to inspect the tree.

Voting Requirement Simple Majority

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The Executive Director Works and Services advised the tree in question is not a blue gum, however it is a eucalypt and the Parks and Reserves team are currently trying to ascertain exactly what type it is.

COUNCIL RESOLUTION:

**MOVED COMMISSIONER WINTERTON
SECONDED COMMISSIONER EDMONDSON**

THAT:

- i) Council receive and note the petition forwarded by members of the Lockyer Uniting Church regarding the tree within the street verge adjacent to the church; and**
- ii) Mrs Eileen Greenway on behalf of the members of the Lockyer Uniting Church be advised:**
 - a) Council does not consider it appropriate to remove the eucalyptus tree within the street verge adjacent to the uniting church;**
 - b) works have been scheduled for the thinning of the trees canopy and repair of the car park; and**
 - c) the Parks & Reserves Team will continue to inspect the tree to ensure public safety is maintained.**

MOTION CARRIED 5 – 0

CITY OF ALBANY RECEIVED		
31 MAR 1999		
FILE SER100	CORRO No. 9904883	OFFICER EDWS
REPLY JONKE	ACKNOWLEDGMENT 22/1/1	CNL/BLTN

MR.

C.E.O.

ALBANY CITY COUNCIL.

70RK ST. ALBANY.

Dear Sir,

Herewith is a petition on behalf of Lockyer Uniting Church, Townsend St, Lockyer.

I, Eileen Greenway of above address have organised and hereby present this petition. Trusting your attention will be given to our request.

My phone number is 9841 3419.

We await your considerations and outcome of same.

Yours Faithfully
E. Greenway

Handwritten: Please sign mark for BOH

