



MINUTES

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 15th April 2003
7.30pm
Mercer Road Council Chambers**

City of Albany

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Signed _____

Andrew Hammond
Chief Executive Officer

Date: 17th April 2003

TABLE OF CONTENTS

1.0	Declaration of Opening	3
2.0	Record of Attendance/Apologies/Leave of Absence (Previously Approved)	3
3.0	Opening Prayer	3
4.0	Response to Previous Public Questions Taken On Notice	3
5.0	Public Question Time	4
6.0	Confirmation Of Minutes of Previous Minutes	7
7.0	Applications For Leave Of Absence	8
8.0	Disclosure of Financial Interest	8
9.0	Matters for Which Meeting May Be Closed	8
10.0	Petitions/Deputations/Presentations	8
11.0	Reports – Development Services	9
11.1	Development	9
11.1.1	Proposed Alfresco Area – Premier Hotel	10
11.1.2	Proposed Change of Use – 59 Burt Street, Mt Clarence “The Priory”	19
11.1.3	Building Licence Fee for 2003 Telethon Trek Home	25
11.2	Inspection Services	
	Nil.	27
11.3	Development Policy	
11.3.1	Scheme Amendment Request – Lot 8034, Loc 7646 Mercer Road, Walmsley	28
11.3.2	Modifications to Local Rural Strategy – Homestead Lots and General Rural Subdivision Requirements	32
11.3.3	Draft Policy – Building Envelopes within Special Residential Area No. 8 – La Perouse Road, Frenchman Bay	45
11.4	Development Service Committee	
	Nil.	59
12.0	Reports – Corporate & Community Services	60
12.1	Finance	
12.1.1	List of Accounts for Payment – City of Albany	61
12.2	Administration	
12.2.1	Proposed New Lease for Railways Football & Tigers Sporting Club Inc	63
12.3	Library Services	
	Nil.	66
12.4	Day Care Centre	
	Nil.	66
12.5	Town Hall	
	Nil.	66
12.6	Albany Leisure & Aquatic Centre	
	Nil.	66

12.7	Corporate & Community Services Committee	
	Nil.	66
13.0	Reports – Works & Services	67
13.1	Waste Management	
	13.1.1 Waste Oil Facility	68
13.2	Asset Management	
	13.2.1 Widening of Bolt Terrace	71
	13.2.2 Lot 1, Loc 1517 Riverside Road – provision of access	74
	13.2.3 Emu Point Local Area Traffic Management	78
13.3	Works	
	13.3.1 C02059 - Lockyer Avenue Upgrade – Provision of Labour and Plant	82
	13.3.2 C02060 - Lockyer Avenue Upgrade – supply and Delivery of Brick Pavers	84
	13.3.3 C02015, C02041- Replacement of Trucks – P93 & P2102	87
	13.3.4 C02038 - Replacement of Tractor – P10	94
	13.3.5 C02037 - Replacement of Truck – P28	98
	13.3.6 C02040 - Replacement of Truck – P2096	102
13.4	Airport Management	
	Nil.	105
13.5	Reserves Planning & Management	
	13.5.1 Multiple Use Trail – Request for Support from Youngs Siding Progress Association	106
13.6	Works & Services Committee	
	13.6.1 Bushcare Advisory Committee Meeting – 19 th March 2003	113
14.0	Reports – General Management Services	114
14.1	Strategic Development	
	14.1.1 Additional Funding for the Albany Visitors Centre	115
14.2	Organisational Development	
	Nil.	118
14.3	Economic Development	
	Nil.	118
14.4	General Management Services Committees	
	Nil.	118
15.0	Elected Members Monthly Report/Information Bulletin	119
16.0	Motions of Which Previous Notice has Been Given	119
17.0	Mayors Report	119
18.0	Closed Doors	120
19.0	Next Ordinary Meeting Date	120
20.0	Closure of Meeting	120

1.0 DECLARATION OF OPENING

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

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

Mayor	- A E Goode, JP
Councillors	- M J Evans, JP
	- S M Bojcun
	- A H M Demarteau
	- D M Evers
	- D J Wolfe
	- D W Wellington
	- I A West
	- G Sankey
	- J D Williams
	- R H Emery
	- J Cecil
	- J Walker
	- E A Barton
Chief Executive Officer	- A C Hammond
Executive Director Corporate & Community Services	- W P Madigan
Manager Development Services	- M Selby
Executive Director Works & Services	- B Joynes
Minute Secretary	- S M Day
Approximately 35 members of the public	
2 media representative	

Apologies / Leave of Absence

Nil.

3.0 OPENING PRAYER

Mayor Goode read the opening Prayer.

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

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.0 PUBLIC QUESTION TIME

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

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

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

* **K Stanton**

Addressed the Council in regard to item 11.3.3 and sporting issues. As a member of the Albany Ratepayers Association, Mrs Stanton thanked the Council, and congratulated Council on the Albany 2020 document and the new Honour Board.

In regard to item 11.3.3, Mrs Stanton requested that the item be deferred until legal services / information had been obtained, she believed the DPI should be involved and firebreaks are necessary.

On behalf of Mr Tony Stanton, Mrs Stanton requested further clarification on some answered questions which had been raised at the March Ordinary Meeting of Council.

Mayor Goode advised the gallery that a special presentation was to be made and postponed open forum until this presentation had been made.

Mayor Goode, presented Mr Rob Hall (City of Albany Ranger) with a Certificate of Appreciation in the work he had conducted to produce a children's book "Ranger Rob" on how to look after your dog and the implementation of a school education program.

***John Healy – President, Frenchman Bay Progress Association**

Addressed Council on Item 11.3.3, Draft Policy – Building Envelopes within Special Residential area No. 8 - La Perouse Road, Frenchman Bay.

What concerns our Association is the number of changes that have taken place with this sub division since it was originally approved in 1999.

- Reduction 70m coast setback in Special Residential Zone;
- Reduction of public open space from 10.5ha to 6.82ha;
- No minimum lot size (formally 2000m2);
- Reduction of foreshore reserve (1.3h) being ceded to Crown at time of this sub division.

Pedestrian Access to Beach

Whilst Council still has no plans for its construction a very poor sketch by the developer is the only plan submitted in the report. No detail from the developer of material to be used. Where is Councils plan? How was this development undertaken and by whose authority?

Why is Council allowing a request from Council staff to depart from usual practice to modify the sub division guide plan via a Scheme Amendment, to using a Policy under clause 6.9, TPS No. 3.

Maps provided to Councillors in motion 11.3.2 meeting on 18/03/03 show old building envelopes with tracks leading from access road. These roads have already been put in. This is not reflected in maps for Building Envelopes in this application.

Sales brochure has a map which shows access roads into each lot – this contradicts developers assertion that they were put in over a contractor misunderstanding.

Planning seems to have been carried out by changes made ‘on the run’ throughout this development. This could be summed up as, Town Planning – No, City Shambles – Yes.

Now may be the time for Councillors to withdraw delegation of Authority over Lot 401 and assume responsibility for the rectifying of problems identified by Council staff in their recommendation attached to this application.

***John Rowe**

Mr Rowe addressed the council in regard to the Lease term for the Railways Football Club – Item 12.2.1. by seeking that Council extends the lease for a 10 year term rather than a 5 year term. Mr Rowe advised that the Club had sought this existing land and now owns the structures on the land freehold. The Club may have to move in the future as a result of the proposed Precinct Plan and the Club hopes for reimbursement. This Club hires staff to run the grounds, and other groups clubs such as cricket, softball and football utilising the grounds.

*** John Hawking – Good Beach**

Spoke on item 11.3.3, building envelopes within special residential araa No. 8 La Perouse Road, Frenchman Bay.

Town Planning and Development Act approval for a sub division on lot 401 La Perouse Court, Goode Beach, Albany has a condition number 17 which states:

“the sub divider shall provide a geotechnical report which certifies, to the satisfaction of the Western Australian Planning Commission, that the building envelopes for each lot are suitable for the construction of dwelling house/s.”

Mr Hawking raised two questions:

1. Does the City Council have the report for each lot covering each building envelope subject of this application?
2. Can Council approve this application for new envelopes without the necessary reports?

***Leanne Borstel – Young Siding Progress Association**

On behalf of the Young Siding Progress Association members we are requesting a no support from the Council for the request of a \$5,000 grant to carry out the feasibility study at Young Siding.

***Graham Whitehurst – Young Siding**

Mr Whitehurst expressed that he was not keen on the proposed trail. He stated that no consultation had been sought and from the people he had talked to. There was not a great deal of community support for such project.

***Mr Stevens – Young Siding**

Addressed the Council in relation to Item 13.5.1. Not supportive of the multi-use trail proposed, due to possible anti social behaviour and other concerns.

***Terry Walsh**

Mr Walsh addressed the Council in regard to Item 11.3.3 and advised that he fears for the appearance of the area. He believed Citizens can help. Sand dunes are currently blowing away, and the development is in a fragile area. This was recognised in the 1991 housing development report. Mr Walsh, asked if Council had ignored any legal advise in this regard and could the local Council be held responsible?

What is the minimum setback and time horizons for this development?

***Verna Goff (C/- Cummings family)**

Mrs Goff spoke on behalf of the Cummings family supporting the application, but objecting to the 12 month conditional approval and ask that Council remove this condition, as they believe it would be an expensive exercise to go through the approval process in 12 months time.

***Alan Broadachre – Premier Hotel**

Mr Broadachre addressed the Council in regard Item 11.1.1 - Premier Hotel and proposed Alfresco Dinng area. He also thanked the Councillors and staff for attending a recent site meeting. Mr Broadachre advised that he and other co-owners will be very happy to complete a design in accordance with Council's needs and would address any queries raised.

To date the owners have spent approx \$60,000 on upgrading and maintenance on the building and envisage restoring the building to/or as close to its original state with the aim of the Hotel becoming more inviting and appealing to the community and tourists.

Open forum concluded and finished at 8.10pm.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

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

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 18th March 2003;

as previously distributed be confirmed as a true and accurate record of proceedings, with a amendment to item 12.2.3 – Retail Trading Hours. Part two of the recommendation should read:-

“THAT the following motion be rescinded,

THAT the request that Permit No 1610 be varied and;

- i) operators of general retail shops within the former Town of Albany boundaries be authorised to open those general retail shops on Sunday’s between 8.00am and 6.00pm and on Public Holidays, other than Christmas Day and Good Friday during the hours prescribed throughout the Christmas and Easter School holiday; and*
- ii) operators of general retail shops within the former Shire of Albany boundaries be authorised to open those general retail shops on Sunday’s between 8.00am and 6.00pm and on Public Holidays, other than Christmas Day and Good Friday, during the hours as prescribed,*

be submitted for a 30 day public consultation prior to consideration by Council.”

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WILSON**

THAT the following minutes:

- **Ordinary Council meeting held on 18th March 2003;**

as previously distributed be confirmed, as a true and accurate record of proceedings with a amendment to item 12.2.3 – Retail Trading Hours. Part two of the recommendation should read:-

“THAT the following motion be rescinded,

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than Christmas Day and Good Friday during the hours prescribed throughout the Christmas and Easter School holiday; and
ii) *operators of general retail shops within the former Shire of Albany boundaries be authorised to open those general retail shops on Sunday's between 8.00am and 6.00pm and on Public Holidays, other than Christmas Day and Good Friday, during the hours as prescribed,*

be submitted for a 30 day public consultation prior to consideration by Council.”

MOTION CARRIED 15-0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8.0 DECLARATIONS OF FINANCIAL INTEREST

[Members of Council are asked to use the forms prepared for the purpose, aiding the proceedings of the meeting by notifying the disclosure by 3.00pm on that day.]

Councillor West – Item 13.3.2 – Supply and Delivery of Brick Pavers (involved in the company)

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

Development Services

REPORTS

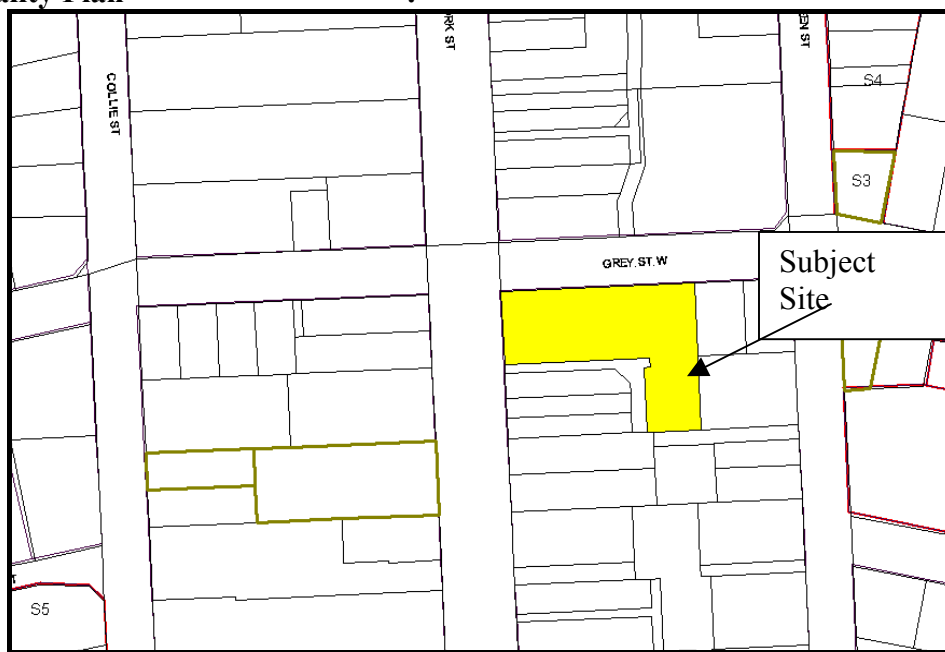
DEVELOPMENT SERVICES REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Proposed Alfresco Area – Premier Hotel

- File/Ward** : A143898 (Frederickstown Ward)
- Proposal/Issue** : Proposed Alfresco Area
- Subject Land/Locality** : 194 – 208 York Street, Albany.
- Proponent** : RASPA Nominees
- Owner** : Crown
- Reporting Officer(s)** : Planning Officer (W Carter)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Issue conditional Planning Consent for the alfresco area, and issue a Liquor Licence Act, Section 40 Certificate for the serving of alcohol in this area.
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

BACKGROUND

1. Council has been requested to consider an application for an alfresco dining area outside of the Premier Hotel at 194 – 208 York Street, Albany.
2. 194 – 208 York Street is 3125m² in area, is zoned ‘Central Area’ and located on the corner of Grey Street West and York Street.
3. The application for the alfresco dining area is part of a larger application for major renovations to the Premier Hotel, including reinstating of the verandahs. As staff are currently negotiating with the applicant on many aspects of the redevelopment, the applicant has requested that the alfresco dining area be processed separately.
4. The alfresco dining area is approximately 80m² in area and is to be wholly located on Council’s road reserve. Under the proposal, pedestrian movement will be maintained with at least 2 metres of path remaining. A site plan and floor plan follow this report, along with a section plan for stage one of the proposed development.
5. The dining area will incorporate a raised timber decking area, 400mm above ground level, which will match the existing floor level of the hotel. The deck will also incorporate visually permeable balustrading at a height of 700mm above finished floor level.
6. The raised deck area has been designed to complement the proposed renovations to the façade. Bollards surrounding the decking have been proposed to protect and separate patrons and pedestrians from vehicular traffic.
7. The proponent has also requested that the serving of alcohol be permitted within the alfresco dining area.

STATUTORY REQUIREMENTS

8. As the development is proposed within a road reserve, Council’s support in addition to the approval of the Minister for Local Government is required.
9. Section 400 of the Local Government (Miscellaneous Provisions) Act 1960 states the following in regard to building over upon a road reserve:

“(1) Except to the extent permitted, and in the manner prescribed, by any regulations made under this Part, a person shall not, without the permission of the local government granted only with the approval of the Minister –

- (i) erect a building so as to encroach on, over, or under a street, way, or other public place, in it’s district.”*

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

10. The applicant requires a Liquor Licence Act, Section 40 Certificate to be issued by Council, in regards to the serving of alcohol within the alfresco dining area. Should Council issue such a certificate, the proponent would then need to apply to the Department of Racing, Gaming and Liquor to modify their current licence arrangements to include the alfresco area.

POLICY IMPLICATIONS

11. The Premier Hotel is listed in the City of Albany Municipal Heritage Inventory as a Management Category ‘B’ building. The City of Albany MHI states that this building: *“Requires a high level of protection: provide maximum encouragement of the owner under the City of Albany Town Planning Scheme to conserve the significance of the place. A more detailed Heritage Assessment/Impact Statement to be undertaken before approval given for any development. Incentives to promote conservation should be considered”*

FINANCIAL IMPLICATIONS

12. In order to protect Council from any liability should an accident occur within the alfresco area, the proponent would be required to take out public liability cover to the value of \$10 million.
13. Council can charge an annual fee for alfresco areas of \$20 application plus \$35 per m² of Crown land used.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

15. Staff have referred the application to the City’s Works and Services Department and the Heritage Council of WA for comment.
16. Advice has been received from the Heritage Council WA, stating that they have no objection to the establishment of an alfresco area subject to further design detail being submitted.
17. Staff do not believe that this development will compromise the heritage value of the building and will otherwise enhance the remainder of the development.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

18. Council's Works and Services have supported the application subject to:
- the bollards matching those on the opposite corner (NW corner of York Street/Grey Street intersection);
 - at least 2 metres clearance, being maintained between the deck and any obstructions (ie. trees signs);
 - sections of the floor being removable for cleaning and access to service lids; and
 - any Council infrastructure removed being returned to Council.
19. In relation to the serving of alcohol, staff support the application subject to serving of alcohol with meals only. The alfresco area for the Albany Hotel is similarly located on the road reserve and alcohol can be served with meals.

RECOMMENDATION

THAT Council resolves to:

- i) seek approval from the Minister for Local Government under the Local Government (Miscellaneous Provisions) Act 1960, Section 400, to utilise the road reserve for alfresco dining;
- ii) subject to approval from the Minister for Local Government being granted, and subject to approval from servicing authorities, issue a Planning Scheme Consent for the Alfresco Dining Area on the road reserve adjacent to the Premier Hotel at #194-208 York Street, Albany subject to, but not limited to, the following conditions:
 - a. the bollards, inclusive of chains, matching those on the opposite corner and should extend to pedestrian crossing points;
 - b. at least 2 metres clearance being maintained between the deck and any obstructions so that pedestrian access can be maintained (ie. trees, signs);
 - c. sections of the floor being removable for cleaning and access to service lids;
 - d. any Council infrastructure removed being returned to Council;
 - e. clearances being obtained from service authorities;
 - f. compliance with Council's Health Regulations for alfresco dining; and
 - g. should the use cease, removal of alfresco area and reinstatement of infrastructure; and
- iii) grant delegation to the Manager Development Services in accordance with the provisions of the Town Planning Scheme 1A, to issue a Liquor Licence Act, Section 40 Certificate for the Alfresco Dining Area at 194-208 York Street, Albany restricting the sale of alcohol with the serving of meals only, once confirmation is received that the Minister for Local Government has approved the use of the land for that purpose.

Voting Requirement Simple Majority

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued.

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WALKER**

THAT Council resolves to:

- i) seek approval from the Minister for Local Government under the Local Government (Miscellaneous Provisions) Act 1960, Section 400, to utilise the road reserve for alfresco dining;**
- ii) subject to approval from the Minister for Local Government being granted, and subject to approval from servicing authorities, grant delegation to the Manager Development to issue a Planning Scheme Consent for the Alfresco Dining Area on the road reserve adjacent to the Premier Hotel at #194-208 York Street, Albany subject to, but not limited to, the following conditions:**
 - a. the structure to be free standing;**
 - b. permitting the decked area to be covered with a solid pitched roof;**
 - c. the roof of the structure to protrude over the pedestrian area to a minimum width of 1500mm;**
 - d. the structure to be constructed and painted using materials sympathetic with its location;**
 - e. provision and installation (at no cost to Council) of bollards and chain on the south eastern intersection of Grey St and York Street which are to match those already in place at the roundabout, to the satisfaction of the Director Works and Services;**
 - 1. Advice to applicant – the bollards shall be installed with a maximum span of 3.0 metres and setback from the kerbface no more than 900 mm to the back edge of the bollard (as per existing bollards);**
 - f. at least 2.5 metres clearance shall be provided between the proposed bollards and the raised deck, including any protruding object sitting on the deck and/or handrail;**
 - g. sections of the floor being removable for cleaning and maintenance of the existing public utilities. The removable floor shall be constructed adjacent to the existing north wall of the “Premier Hotel” with a minimum width of 2.0m;**
 - h. any Council infrastructure to be removed and relocated to the satisfaction of the Director Works and Services;**
 - i. clearances being obtained from service authorities;**
 - j. compliance with Council’s Health Regulations for alfresco dining;**
 - k. should the use cease, removal of alfresco area and reinstatement of infrastructure;**
 - l. the provision of disabled access to the alfresco area in accordance with Australian Standards; and**

DEVELOPMENT SERVICES REPORTS

Item 11.1.1

m. the shape and dimensions of the alfresco deck to be approved by the Director of Works and Services prior to the issuing of a Planning Scheme Consent; and

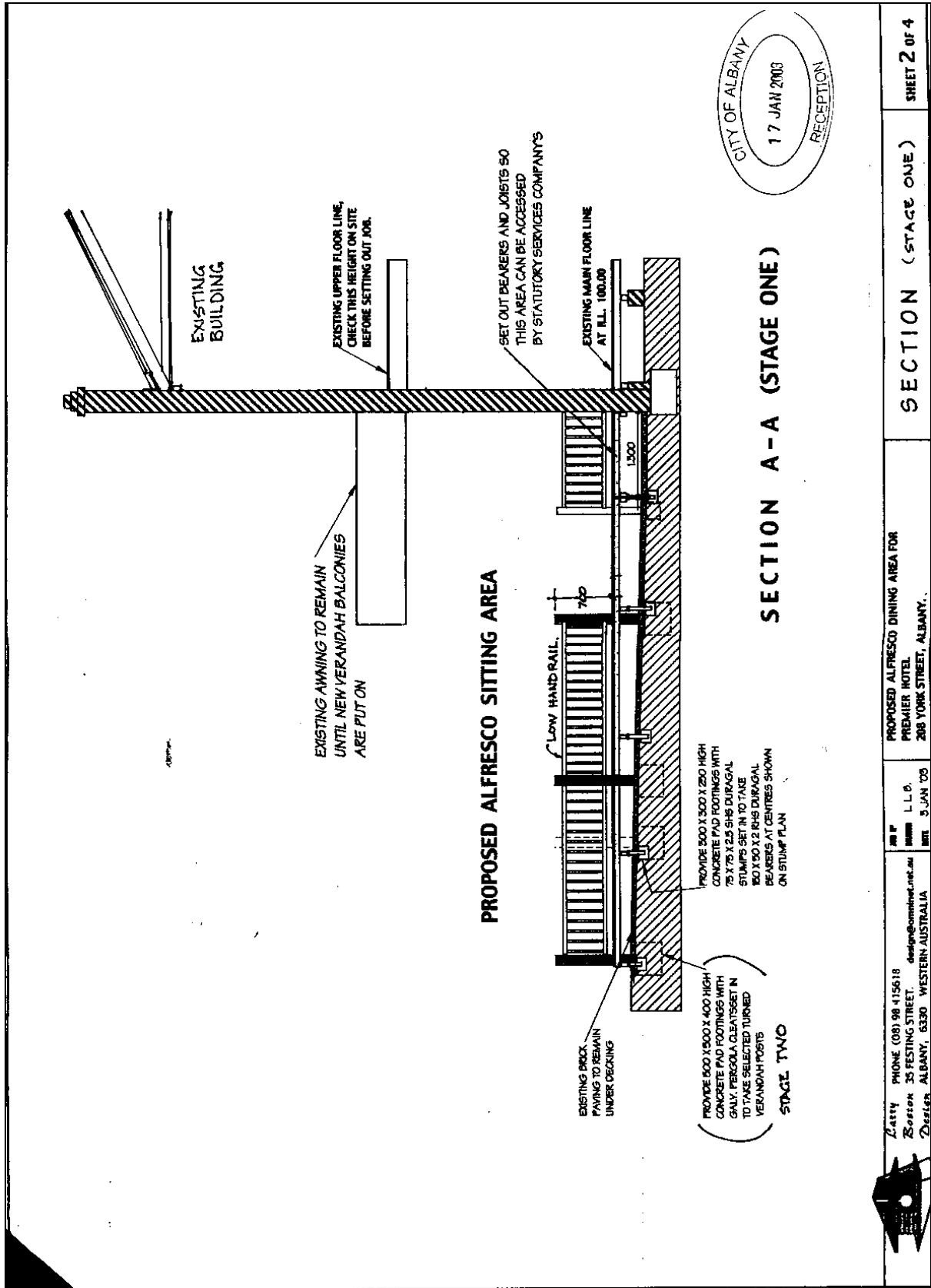
- iii) grant delegation to the Manager Development Services in accordance with the provisions of the Town Planning Scheme 1A, to issue a Liquor Licence Act, Section 40 Certificate for the Alfresco Dining Area at 194-208 York Street, Albany restricting the sale of alcohol with the serving of meals only, once confirmation is received that the Minister for Local Government has approved the use of the land for that purpose.**

MOTION CARRIED 15-0

Reason:

Further clarification provided by Works and Services Department and after discussions with the proponent.

Item 11.1.1 continued

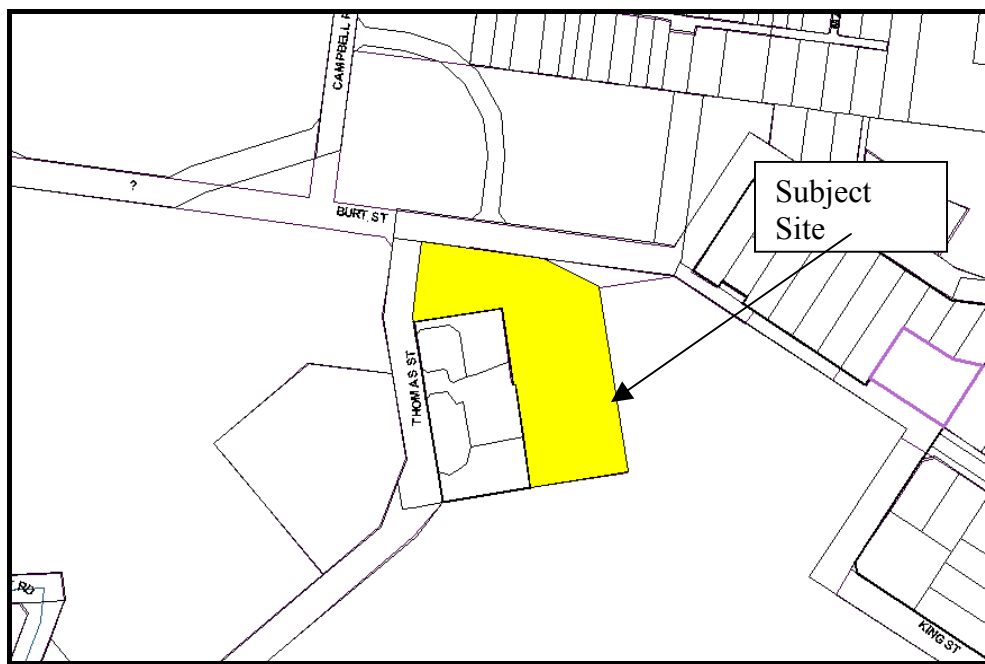


<p>PHONE (08) 98 415618 35 FESTING STREET, ALBANY, 6330 WESTERN AUSTRALIA</p>	<p>design@omninet.net.au L.L.D. DATE 5 JAN '03</p>	<p>PROPOSED ALFRESCO DINING AREA FOR PREMIER HOTEL 208 YORK STREET, ALBANY.</p>	<p>SECTION (STAGE ONE)</p> <p>SHEET 2 OF 4</p>
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DEVELOPMENT SERVICES REPORTS

11.1.2 Proposed Change of Use – 59 Burt Street, Mt Clarence “The Priory”

File/Ward	: A126232 (Frederickstown)
Proposal/Issue	: Proposed change of use to Residential Building
Subject Land/Locality	: 59 Burt Street, Mount Clarence
Proponent	: R.S. & A. Cummings
Owner	: R.S. & A. Cummings
Reporting Officer(s)	: Planning Officer (W Carter)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: Delegate to the Manager Development Services authority to issue a conditional Planning Scheme Consent for a 12 month period.
Bulletin Attachment	: Correspondence
Locality Plan	:



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

BACKGROUND

1. Council has received an application for Residential Building (Holiday Accommodation) for 59 Burt Street, Mount Clarence.
2. 59 Burt Street is 12 555m² in area and is zoned ‘Residential’ under Town Planning Scheme 1A.
3. The use ‘Residential Building’ is classed as an “SA” use within the Residential zone which means: *“a use that is not permitted unless special consent to it is granted by the Council after notice has been given in accordance with Clause 7.5”*. Council has undertaken the necessary advertising in accordance with Clause 7.5 of the Town Planning Scheme 1A.
4. The application is proposing to allow the applicants to use their home for holiday accommodation for a maximum of 12 guests. Two floor plans follow this report.
5. Two objections were received during the advertising period, which are summarized as:
 - the use of land in a residential zone for non-residential activities;
 - the additional noise that may be created by the change of use;
 - the potential loss of vegetation from the overflow parking area for the building; and
 - concerns over the additional traffic that may be generated.

Copies of the two objections and the owners’ responses are included in the Elected Members Report/Information Bulletin.

STATUTORY REQUIREMENTS

6. The use is permitted with the consent of Council

POLICY IMPLICATIONS

7. 59 Burt Street, or ‘The Priory’, is listed in the City of Albany Municipal Heritage Inventory (MHI) as a Management Category ‘B*’ building. The City of Albany MHI states Council should: *“provide maximum encouragement to the owner under the City of Albany Town Planning Scheme to conserve the significance of the place. A more detailed Heritage Assessment/Impact Statement to be undertaken before approval given to any development. Incentives to promote conservation should be considered.”*

FINANCIAL IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

10. Staff have referred the application to the Health Services Department, Building Department and the Heritage Council WA for comment.

11. Verbal advice has been received from the Heritage Council WA, stating that they have no objection for the building to be used for a Residential Building. Staff believe that the proposal will not compromise the heritage value of the house.

12. Council's Health Services and Building Department have conditionally supported the proposal. The applicant will be required to apply for a lodging house licence and will be monitored by Council on an ongoing basis.

13. 'The Priory' has historically been used as a boarding house in the past, which is noted in the City of Albany's Heritage Profile of the building. Activities have also been undertaken in the area previously, which has raised residents' concerns. The use proposed is however, one that can be considered within a Residential area.

14. Due to the size of the building and the comparatively large setbacks to the neighbouring properties, staff support the applicant's request, as the noise impacts would appear to be minimal.

15. The applicant has further clarified that the parking area to be used does not include any clearing and that there is no intention for commercial vehicles to enter the site. Council staff believe that the increase in traffic will be minimal and therefore would have little impact on the area.

RECOMMENDATION

THAT Council:

- i) in accordance with the provisions of Town Planning Scheme 1A, delegate to the Manager Development Services to conditionally grant approval for the use of 59 Burt Street as a Residential Building (Holiday Accommodation) for a twelve (12) month period, and advise the applicant that if no reasonable/substantive complaints are received in the next 12 months, then Council will favourably consider a future application; and
- ii) note the submissions lodged against the proposal and advise the objectors that the issues raised are not of a significant enough nature to refuse the application.

Voting Requirement Simple Majority

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued.

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT Council:

- i) in accordance with the provisions of Town Planning Scheme 1A, delegate to the Manager Development Services to conditionally grant approval for the use of 59 Burt Street as a Residential Building (Holiday Accommodation) for a twelve (12) month period, and advise the applicant that if no reasonable/substantive complaints are received in the next 12 months, then Council will favourably consider a future application; and**
- ii) note the submissions lodged against the proposal and advise the objectors that the issues raised are not of a significant enough nature to refuse the application.**

MOTION LOST 0-15

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR CECIL**

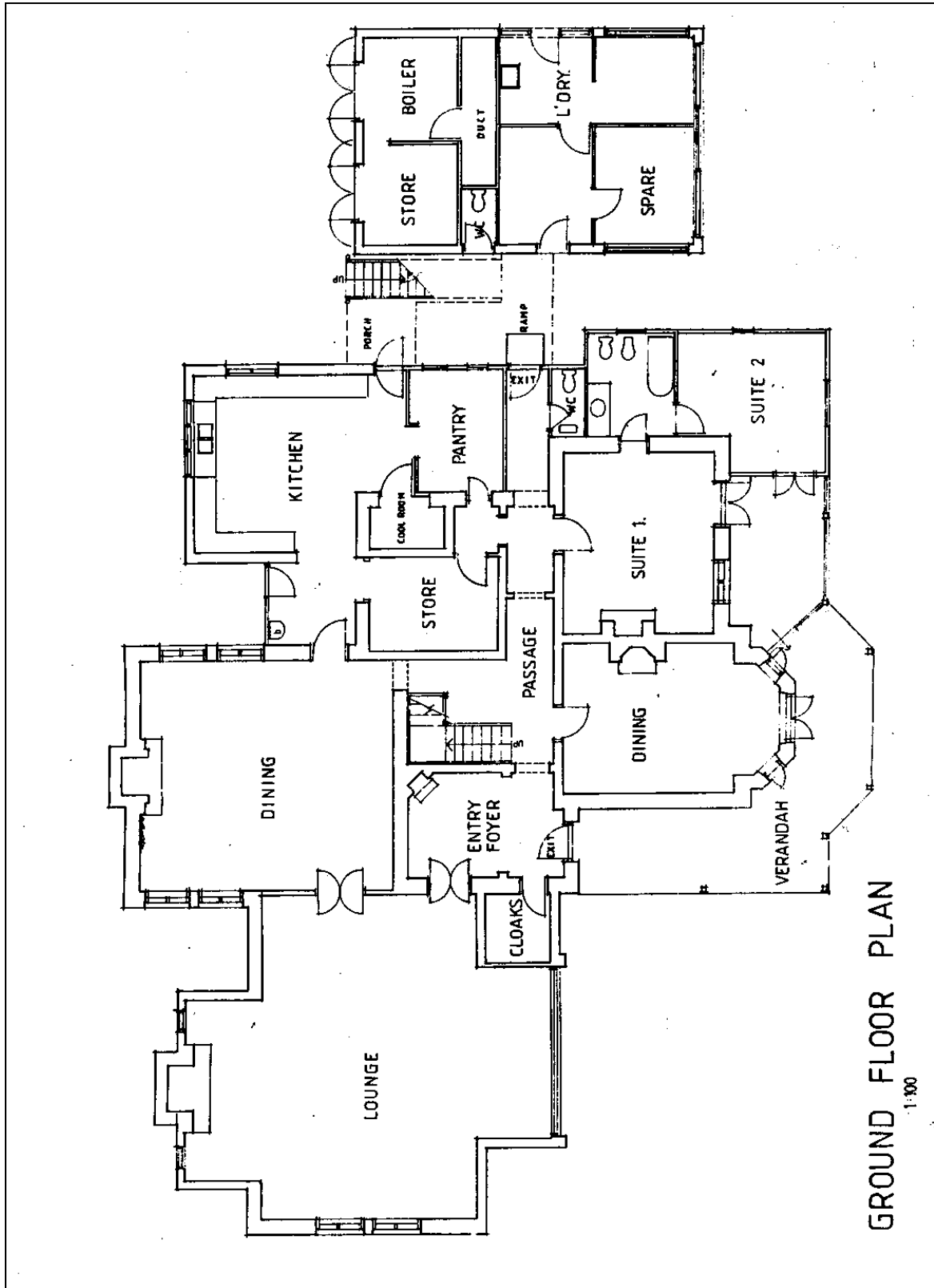
THAT Council:

- i) in accordance with the provisions of Town Planning Scheme 1A, delegate to the Manager Development Services to grant approval for the use of 59 Burt Street as a Residential Building (Holiday Accommodation); and**
- ii) note the submissions lodged against the proposal and advise the objectors that the issues raised are not of a significant enough nature to refuse the application.**

MOTION CARRIED 15-0

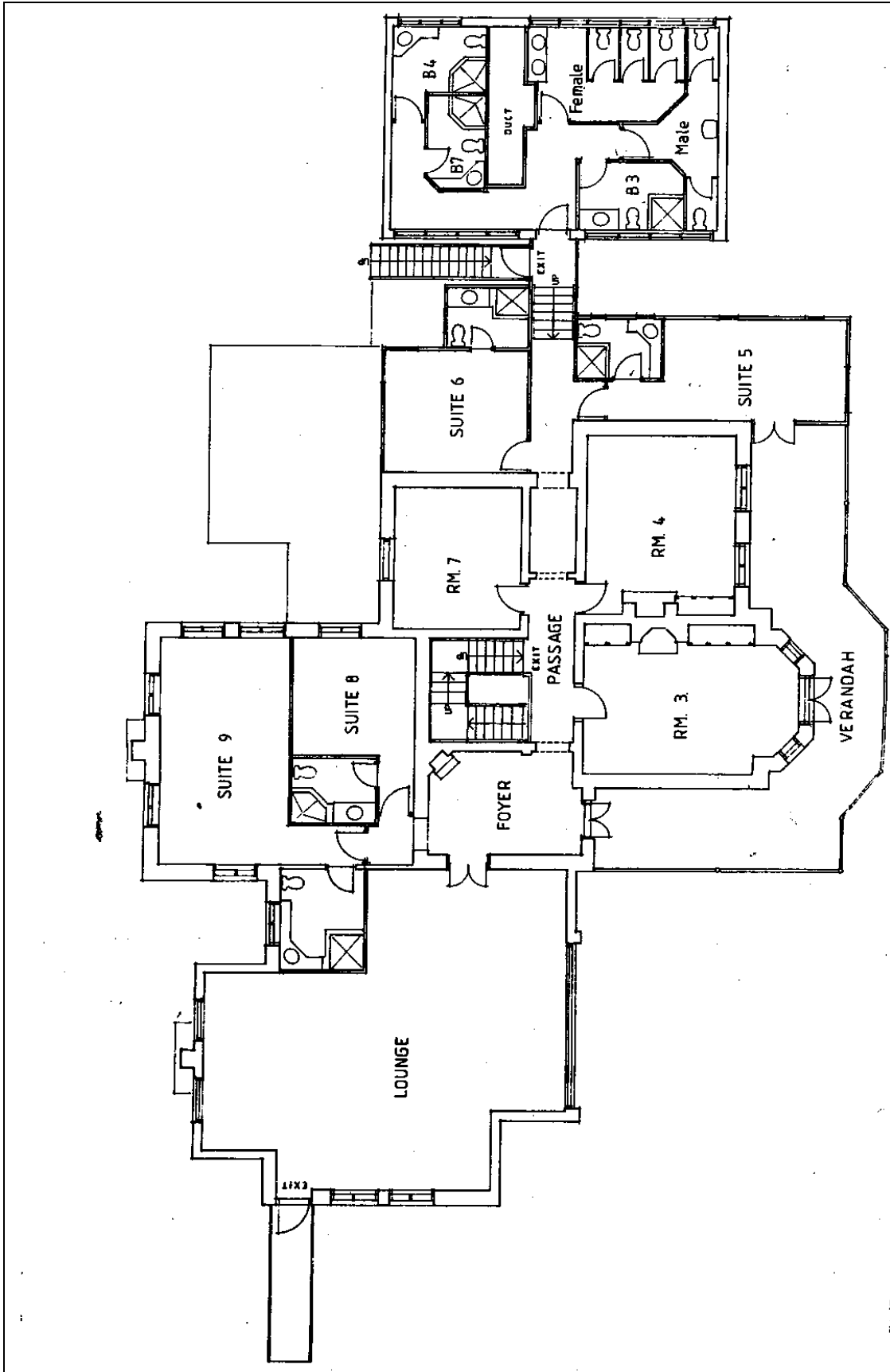
ORDINARY COUNCIL MEETING MINUTES- 15/04/03
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DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued



ORDINARY COUNCIL MEETING MINUTES- 15/04/03
** REFER DISCLAIMER **
DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued



DEVELOPMENT SERVICES REPORTS

11.1.3 Building Licence Fee for 2003 Telethon Trek Home

File/Ward	: A172621 and PTY 001 (All Wards)
Proposal/Issue	: Building Licence fee for Telethon Trek Home.
Subject Land/Locality	: Lot 641 Crispe Way, McKail
Proponent	: City of Albany
Owner	: J Corp Great Southern
Reporting Officer(s)	: Executive Director Development Services (M Selby)
Disclosure of Interest	: Nil
Previous Reference	: OCM 18/03/03 – Item 11.1.1
Summary Recommendation	: Provide a donation equal in value to the Building Licence fee of \$254.55.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. A request had been received from J Corp Great Southern on the 6th February 2003, that the City of Albany waive the building fee for the 2003 Telethon Trek Home at 72 Drome Road, McKail.
2. Initial communications from J Corp Great Southern to Council implied that they were seeking a refund for the building licence fee when in fact, J Corp had not yet paid the fee. The amount of \$327.73 was made up of Council's building licence fee as well as the BCITF and BRB fees.
3. The location referred to in the original resolution of 72 Drome Road, McKail is J Corp Great Southern's display home. The Telethon Trek Home is being constructed at Lot 641 Crispe Way (Lakeside) McKail.
4. The construction of the home is proposed to start in March and will be auctioned in September, with all funds raised being donated through Telethon to the refurbishment of the Albany Hospital's Childrens' Ward.

STATUTORY REQUIREMENTS

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

Item 11.1.1 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

- 5. Under Section 5.42 of the Local Government Act, the Chief Executive Officer has delegated authority to approve sundry donations to the value of \$200.00 in accordance with the Community Financial Assistance Program Policy.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

- 7. To validate the building licence, the fee is required to be paid. The building industry in Albany is contributing materials and labour for this project and the land has been donated by the developer.

RECOMMENDATION

THAT Council provide a donation from the Community Financial Assistance Program, equal to the value of the building licence fee of \$254.55, to J Corp Great Southern to expedite the construction of the 2003 Telethon Trek Home at Lot 641 Crispe Way, McKail.

Voting Requirement Simple Majority

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Her Worship the Mayor announced this item had been withdrawn and would be handled administratively.

11.2 INSPECTION SERVICES

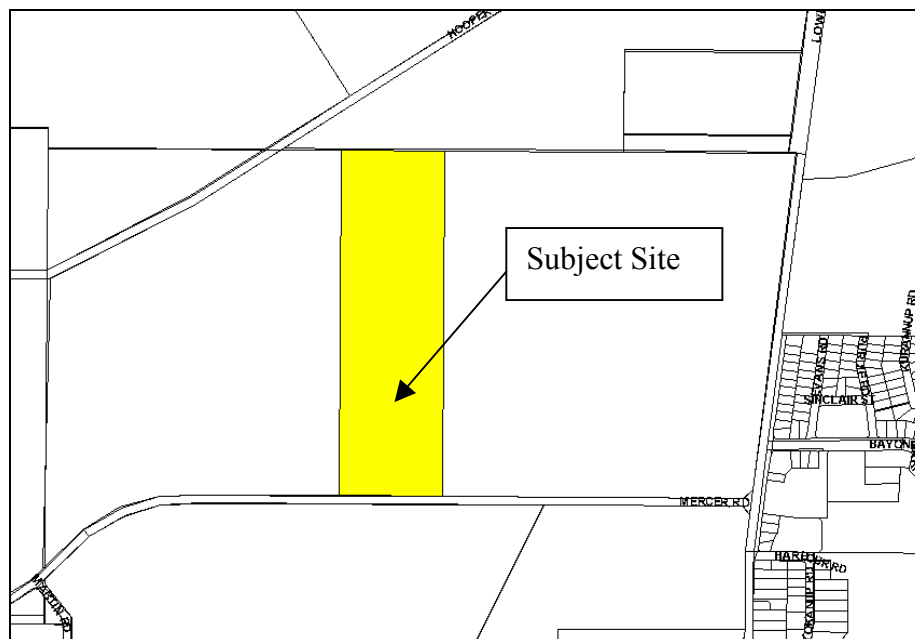
Nil.

DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

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

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



DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

BACKGROUND

1. An application was received from Ayton Taylor Burrell seeking Council's preliminary support to rezone Lot 8034, Loc 7646 Mercer Road, Walmsley from 'Public Purposes' reserve to 'Rural'. A copy of the applicant's proposal is contained in the Elected Members Report/Information Bulletin.
2. The proponent has given no clear indication of what use is proposed but it is highlighted that all development will be subject to approval under Town Planning Scheme No. 3.
3. Although the subject site is in private ownership it has retained its 'Public Purposes' reservation. A Scheme Amendment is required to apply a suitable zone to the site.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

6. There are various policies and strategies that have relevance to this proposal. They include:
 - The State Planning Strategy
 - The Western Australian Planning Commission Statement of Planning Policy No. 8 (SPP 8)
 - The Albany Regional Strategy (1994)
 - The Local Rural Strategy (1996)
 - Yakamia Structure Plan (1998)
7. The purpose of SPP 8 is to bring together existing State and Regional policies that apply to land use and development in Western Australia. Local Government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.
8. The Local Rural Strategy seeks to encourage and facilitate development which is sympathetic to community and environmental considerations, but also does not impact upon surrounding rural pursuits.

FINANCIAL IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

STRATEGIC IMPLICATIONS

9. The proposed rezoning is correcting an anomaly in Town Planning Scheme 3, affecting private land zoned “Public Purposes” (Reserve).

COMMENT/DISCUSSION

10. A copy of the proposal was referred to the Western Australian Planning Commission for preliminary comment (A copy of this submission is located at the rear of this report). The major issues identified by the Commission and Council staff include:
 - The land is no longer a crown reserve and an appropriate zone is required;
 - There is no correlation between the proposal and the sites characteristics such as the vegetation;
 - Other zoning options are available and include Landscape Protection, Conservation or possibly a Special Site catering for tourist uses that can capitalise on the sites assets; and
 - The proposed zone will not prejudice the future development potential of the land.
11. The Landscape Protection zone is not considered adequate in this instance, as it does not allow the site to be used for any uses other than ‘Public Utility’.
12. The site is heavily vegetated with discrete areas being cleared for access, tracks and firebreaks. There is some limited degradation of vegetation in the vicinity of clear areas however the overall condition of the site is considered to be good.
13. If an amendment is initiated for this proposal, the documentation will be referred to the Environmental Protection Agency prior to the commencement of advertising.
14. Given the vegetated nature of the site there needs to be some consideration given to what, if any, vegetation will be retained and how this is to occur. This is particularly important as the site is highly visible from Lower King Road.
15. Any proposal to clear in excess of 1 hectare of vegetation on the site will require a ‘Notice of Intention to Clear’ to be lodged with the Department of Agriculture and the subsequent approval of the Commissioner of Soil and Land Conservation.
16. Scheme No. 3 requires planning approval for the felling of timber therefore the clearing of vegetation on the site will be the subject of Council approval.
17. The Yakamia District Structure Plan identifies the subject site as falling within Cell D. The Structure Plan states that vegetation cover is to be surveyed and vegetation priority areas identified prior to further subdivision.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

18. A 'Rural' zoning will allow for the removal of the Public Purpose reservation and would not prejudice the future rezoning of the land in that manner could allow further subdivision.
19. Based on the above the preliminary request to rezone the land is supported.

RECOMMENDATION

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

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

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR BOJCUN**

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

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

MOTION CARRIED 15-0

DEVELOPMENT SERVICES REPORTS

11.3.2 Modifications to Local Rural Strategy - Homestead Lots and General Rural Subdivision Requirements

File/Ward	: STR017 (Kalgan & Hassell Wards) STR194 (All Rural Wards)
Proposal/Issue	: i) Modify the criteria for the subdivision of rural land contained in existing Local Rural Strategy Policies GP28-GP33; and ii) Facilitate the creation of Homestead Lots in the eastern parts of the Municipality by adopting new Local Rural Strategy Policy GP62.
Subject Land/Locality	: Entire district
Proponent	: City of Albany
Owner	: N/A
Reporting Officer(s)	: Strategic Planning Officer (P Shephard)
Disclosure of Interest	: Nil
Previous Reference	: OCM 21/01/03 - Item 11.3.2 OCM 15/10/02 - Item 11.3.1 OCM 21/05/02 - Item 11.3.4 OCM 17/07/01 - Item 11.3.1
Summary Recommendation	: Adopt final Town Planning Scheme policies in accordance with Clauses 6.9 of Town Planning Scheme No. 3.
Bulletin Attachment	: Copy of Submissions & Final Draft of Policies
Locality Plan	: N/A

BACKGROUND

1. At its January 2003 meeting, Council resolved as follows:

“THAT Council, pursuant to Section 6.9.2(A) of the City of Albany’s Town Planning Scheme 3, adopt a draft Town Planning Scheme policy to modify the City of Albany’s Local Rural Strategy by:

- i) Modifying general policies GP28 to GP33 of the Local Rural Strategy as per the schedule detailed in the Elected Members’ Report/Information Bulletin;*
- ii) Introducing a new section 16 into the City of Albany’s Local Rural Strategy entitled “Homestead Lots” as detailed in the Elected Members Report/Information Bulletin; and*

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

iii) Inserting a new figure 4 into the City of Albany's Local Rural Strategy and renumbering the existing figure 4 to figure 5 and making the appropriate adjustments to the wording throughout the Strategy."

2. The draft Policies were advertised for a period of 21 days and copies sent to relevant government agencies and community groups for comment. A total of seven (7) submissions were received and are included in the Elected Members Report/Information Bulletin.

STATUTORY REQUIREMENTS

3. The Local Rural Strategy is adopted as a Policy under Clause 6.9 of the City of Albany Town Planning Scheme No. 3. All modifications to existing policies and/or adoption of new policies are required to comply with the requirements of Clause 6.9.

4. In respect to the proposed new Homestead Lot Policy, Clause 6.9.2 of Town Planning Scheme No. 3 states:

"6.9.2 A Town Planning Scheme Policy shall be become operative only after the following procedures have been completed:

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

5. In respects to the proposed modified Policies GP28-GP33 as follows:

- GP28 Impact of Land Uses on Agriculture
- GP29 Treatment of Land Use Proposals in Agricultural Areas
- GP30 Criteria for Support for Subdivision of Rural Land
- GP31 Subdivision for Farm Consolidation and Broadacre Farming
- GP32 Subdivision for Intensive Agricultural Pursuits
- GP33 Subdivision for Tourist, Industrial and Rural Related Development,

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

Clause 6.9.3 of Town Planning Scheme No. 3 states:

“6.9.3 A Town Planning Scheme Policy may only be altered or rescinded by:

- (a) Preparation and final adoption of a new Policy pursuant to this Clause, specifically worded to supersede an existing Policy.*
- (b) Publication of a formal Notice of Rescission by the Council twice in a newspaper circulating in the area.”*

POLICY IMPLICATIONS

- 6. Under the provisions of Clause 6.9 of Town Planning Scheme No. 3, modifications to the City of Albany’s Local Rural Strategy will become Town Planning Scheme policies adopted by Council.

FINANCIAL IMPLICATIONS

- 7. Council is required to advertise the adoption of these policies in the local newspaper at its own cost.

STRATEGIC IMPLICATIONS

- 8. The adopted policies will need to be reflected within the Lower Great Southern Regional Strategy, Albany Local Planning Strategy and new Town Planning Scheme.

COMMENT/DISCUSSION

- 9. Minor changes to the text and inclusion of additional points to improve clarification of the advertised draft policy on Homestead Lots (GP62) are required as a result of the submissions received. These changes are outlined in the Schedule of Submissions that follows this report and do not change the intent of the draft policy.
- 10. There are no changes required to the advertised draft modified policies GP28-GP33 as a result of the submissions.
- 11. All respondents will be advised in writing of the outcome of their submissions and, if applicable, any changes to the draft policies.
- 12. The WA Planning Commission has previously endorsed the Local Rural Strategy and their endorsement of these final policies is also required.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

RECOMMENDATION

THAT Council;

- i) adopt the amendments to policies GP28-GP33 as Town Planning Scheme policies within the City of Albany Local Rural Strategy and rescind previous Policies GP28-GP33, pursuant to Clause 6.9 of Town Planning Scheme No. 3;
- ii) adopt new policy GP62 as Town Planning Scheme policies within the City of Albany Local Rural Strategy, pursuant to Clause 6.9 of Town Planning Scheme No. 3;
- iii) receive the Schedule of Submissions;
- iv) table the comments on the individual submissions;
- v) note or uphold in part recommendations contained therein;
- vi) request the WA Planning Commission endorse the final Policies GP28-GP33 and GP62; and
- vii) upon endorsement of the final Policies GP28-GP33 and GP62 by the WA Planning Commission, advertise the policies accordingly.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR BARTON**

THAT Council;

- i) adopt the amendments to policies GP28-GP33 as Town Planning Scheme policies within the City of Albany Local Rural Strategy and rescind previous Policies GP28-GP33, pursuant to Clause 6.9 of Town Planning Scheme No. 3;**
- ii) adopt new policy GP62 as Town Planning Scheme policies within the City of Albany Local Rural Strategy, pursuant to Clause 6.9 of Town Planning Scheme No. 3;**
- iii) receive the Schedule of Submissions;**
- iv) table the comments on the individual submissions;**
- v) note or uphold in part recommendations contained therein;**
- vi) request the WA Planning Commission endorse the final Policies GP28-GP33 and GP62; and**
- vii) upon endorsement of the final Policies GP28-GP33 and GP62 by the WA Planning Commission, advertise the policies accordingly.**

MOTION CARRIED 15-0

DEVELOPMENT SERVICES REPORTS

Schedule of Submissions

- 1) **New City of Albany Local Rural Strategy Policy on Homestead Lots (GP62)**
- 2) **Modifications to the Existing City of Albany Local Rural Strategy Policies:**
 - GP28 ‘Impact of Land Uses on Agriculture’**
 - GP29 ‘Treatment of Land Use Proposals in Agricultural Areas’**
 - GP30 ‘Criteria for Support for Subdivision of Rural Land’**
 - GP31 ‘Subdivision for Farm Consolidation and Broadacre Farming’**
 - GP32 ‘Subdivision for Intensive Agricultural Pursuits’**
 - GP33 ‘Subdivision for Tourist, Industrial and Rural Related Development’**

No.	Submitter	Submission	Comment	Recommendation
1	Fire and Emergency Services Authority of WA 74 Chester Pass Road Albany WA 6330	Fire Services notes the fire protection measures contained within the proposed policy for Homestead Lots.	Nil.	Noted.
2	Department of Health 227 Stubbs Terrace Shenton Park WA 6008	The Department of Health has no objection to the policies proposed.	Nil.	Noted.
3	David Wettenhall Plantall Forestry Consultants PO Box 5093 Albany WA 6332	<p>The City of Albany has become the focal point of rapid expansion of plantation forestry over the last decade. The environmental and economic benefits of these developments are emerging with declining salinity in land drainage and rising land values. The impending plantation harvesting industry will provide many benefits by justifying infrastructure development and maintenance, employment directly and indirectly in the industry, opportunities for new processing industries and community stability through expansion and diversification.</p> <p>We are supportive of proposed changes to GP28, GP29, GP30, GP31, GP32 & GP33 provided that plantations for timber production are explicitly regarded as an agricultural use. <i>(See Comment (1))</i></p> <p>We also recommend that any new developments including dwelling construction and tourist developments be required to provide reciprocal setbacks from existing neighbouring land uses as is required by those neighbouring land uses. For example, if a plantation development requires a setback from an existing dwelling then any new dwelling proposal be required to have the same setback from an existing</p>	<p>(1) In respect to the applicability of the Draft Policies GP28-GP33 to tree plantations the following information is provided:</p> <ul style="list-style-type: none"> • Draft Policy GP28 does apply to tree plantations as they are considered to be an agricultural land use for the purposes of the Policy. • Draft Policy GP29 does apply to tree plantations as they are considered to be an agricultural land use for the purposes of the Policy. • Draft Policy GP30 would not specifically apply to tree plantations, as it is considered that they would not meet the criteria established in the Policy. • Draft Policy GP31 would not specifically apply to tree plantations, as the Policy deals with subdivision of rural land for farm consolidation purposes and maintenance of broadacre farming activities. • Draft Policy GP32 does not apply to tree plantations, as they are not considered to be intensive agriculture for the purposes of the Policy. 	<p>Upheld in part and the following modifications be made:</p> <p>i) Include setbacks for buildings and structures within the Planning Criteria of the Homestead Lot Policy (GP62).</p>

DEVELOPMENT SERVICES REPORTS

		<p>plantation. <i>(See Comment (2))</i></p> <p>We are supportive of the intent of GP62 for homestead lots. We point out that there are numerous reasons for declining populations on rural areas of the region. It is not appropriate to single-out plantations in the preamble as the cause of this unfortunate phenomenon. <i>(See Comment (3))</i></p> <p>We recommend a suitable minimum setback of habitable dwellings from proposed boundary of a homestead lot be provided in the criteria. This will provide reduced risk of exposure to any adverse effects from events including fire and use of agricultural chemicals on the neighbouring land. <i>(See Comment (2))</i></p> <p>We are aware that the WA Planning Commission is proposing a new Farm Forestry Planning Policy which will require plantation developments to comply with the provisions of the Code of Practice for Timber Plantations in WA (the Code of Practice). This policy also proposes that plantations be a Discretionary Use. <i>(See Comment (4))</i></p> <p>We are supportive of excellent land management practice and agree that plantations should comply with the Code of Practice. However, we are concerned that to discriminate between other broad acre agricultural land uses as Permitted Uses and plantations as a Discretionary Use will impose an unnecessary impediment to the development of well managed plantations. To this end we recommend that the City of Albany define plantations to be an agricultural land use for the purposes of the draft town planning scheme policies. We also recommend that while the City of Albany is considering these matters, it takes the opportunity to classify plantations as a Permitted Use in the General Agricultural Zone and require that they comply with the Code of Practice. <i>(See Comment (4))</i></p> <p>We seek the support of the City of Albany in promoting these changes as appropriate to the WA Planning Commission. <i>(See Comment (4))</i></p>	<ul style="list-style-type: none"> • Draft Policy GP33 does not apply to tree plantations, as it is considered that they would not meet the criteria established in the Policy, which deals with the subdivision of tourist, industrial and rural related developments. <p>(2) The issue of setbacks is addressed within the Draft Policy GP62 documentation as follows:</p> <p>a) i) 50 metres from any building/structure to the nearest trees in a plantation (planted or to be planted).</p> <p>ii) 15 metres from any building/structure to the boundary where there is no plantation.</p> <p>b) Draft Policies GP28 and GP29 requires Council to consider the impacts of non-rural development on existing or permitted agricultural land uses (including tree plantations) when addressing an application.</p> <p>Council may refuse to approve or place conditions on the approval of a non-rural land use to minimise any conflicts with the existing or permitted agricultural land use accordingly.</p> <p>The above setback requirements should be included within the Planning Criteria of the Draft Policy on Homestead Lots (GP62).</p> <p>(3) Whilst it is acknowledged that tree plantations are not the sole reason for the present situation in the eastern area, the increase in plantings, both in terms of numbers and sizes, combined with farm amalgamation etc. has sped up the depopulation issue now being faced by Council and the respective communities.</p> <p>(4) The advice contained within the WA Planning Commission Planning Bulletin No. 56 on Farm Forestry is separate to this Draft Policy, which deals with the creation of Homestead Lots to arrest the present depopulation occurring in the eastern area.</p> <p>The advice contained within the Planning Bulletin on Farm Forestry is not binding on Council and it is not</p>	
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DEVELOPMENT SERVICES REPORTS

			<p>proposed to amend the present town planning scheme or alter the present requirement for tree plantations to require approval by Council at this stage.</p> <p>The requirement for approval of tree plantations by Council will be dealt with during the preparation of the new Town Planning Scheme and Council will be required to determine their permissibility within the various rural zones to be created. It is likely that there will be different levels of permissibility dependent on the particular zone such as ‘P’ in General Agriculture Zone, ‘D’ in Priority Agriculture Zone, ‘S’ in Special Control (Landscape Protection) Zone.</p>	
<p>4</p>	<p>Rose Easton Sth Stirling Volunteer Bushfire Brigade RMB 1008 Sth Stirling via Mt Barker WA 6324</p>	<p>Our Bushfire Brigade members have no problem with the proposed policies other than GP62 Planning Criteria for Homestead Lots.</p> <p>Due to the bluegum plantations in the southern parts of the brigade area and farm amalgamations in the remainder, we certainly have suffered a decline in population. Homestead lots may slow down further depopulation and so our brigade members are in favour of the creation of these lots. We do however have some concerns.</p> <p>The first concern is that a small percentage, probably about 10% of the farm dwellings are sited well away from their boundaries and are therefore over one kilometre from a constructed public road. We hope that Council would look favourably on a long battleaxe leg access roadway for these properties and not require the road area to impinge on the five-hectare minimum lot size nor the maximum size of ten hectares. <i>(See Comment (5))</i></p> <p>Our second concern is the requirement for a fifty metre minimum cleared area on each side of the access road. Many access roads to farm dwellings have tree lines planted along these roads and certainly a number of roadways passing swamps have flat-topped yates, paperbarks etc well within the fifty metre required cleared distance. We feel it unnecessary to clear this vegetation and provided there is an alternate exit road from the homestead, this brigade is not adverse to bluegums being planted close to the driveway and even to be in favour of bluegums being included within the ten-hectare maximum lot size. <i>(See Comments (6 & 8))</i></p>	<p>(5) In the case of a situation as described, there is flexibility in the Draft Policy to support an application subject to the applicant providing sufficient detail and justification to show that the application complies with the objectives and intent of the criteria contained in the Draft Policy.</p> <p>(6) The Draft Policy was advertised stating incorrectly that a 50 metre wide minimum cleared area along each side of the access road is required when it should have stipulated a ‘6 metre wide area’ to match the examples shown in Appendix 1. This needs to be corrected accordingly.</p> <p>It is acknowledged that some access roads have existing natural or planted areas along them and these should be acceptable subject to them being maintained in a low fuel state.</p> <p>The minimum requirements for the access road should be included within the Planning Criteria of the Draft Policy on Homestead Lots (GP62).</p>	<p>Upheld in part and the following modifications be made:</p> <p>i) The minimum cleared area along the access road be corrected to state ‘6 metres wide’.</p> <p>ii) The minimum requirements for access roads be included within the Planning Criteria of the Homestead Lot Policy (GP62) and the words ‘and these areas are to be maintained in a low fuel state’ be added.</p>

ORDINARY COUNCIL MEETING MINUTES– 15/04/03

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DEVELOPMENT SERVICES REPORTS

<p>5</p>	<p>Peter Drygan Timbercorp Forestry Ltd 2/205 Chester Pass Road Albany WA 6330</p>	<p>Issue With increased planting of tree farms in the eastern portion of the municipality, there has been a continual decline in population, which is now seriously eroding the capacity of the remaining community to maintain social infrastructure, to handle major fire incidents and to carry on traditional community activities. <i>(See Comment (3))</i></p> <p>Objective In the eastern portion of the municipality, the opportunity will be provided to create Homestead Lots around the existing farm dwellings and infrastructure.</p> <p>Comments Timbercorp comments address the dot points as they appear below.</p> <ul style="list-style-type: none"> • Homestead Lots will only be supported within the area identified on Figure 4. Timbercorp Comment Timbercorp suggests that the Homestead Lots should be supported where properties have frontage to the roads that form the boundaries identified within Figure 4 rather than applying the policy to one side of the road and not the other. <i>(See Comment (7))</i> • Homestead Lots will only be supported where it includes an existing habitable dwelling, constructed prior to the adoption of this policy. Timbercorp Comment Yes we support this criterion. • The new lot may include sheds and other infrastructure, together with the dwelling. Timbercorp Comment Yes we support this criterion. • The dwelling shall be connected to power and the telecommunications network. Timbercorp Comment Yes we support this criterion. • The lot should have access to a water supply for fire fighting and land management purposes although rainwater tanks will be sufficient for domestic purposes requiring a potable water supply. 	<p>(7) In the case of a situation as described, there is flexibility in the Draft Policy to support an application subject to the applicant providing sufficient detail and justification to show that the application complies with the objectives and criteria contained in the Draft Policy.</p> <p>(8) It is acknowledged that due to Draft Policy impacting on existing situations where the maximum area available on properties has been planted by tree companies, there will need some flexibility applied by Council in regards to the lot sizes criteria.</p> <p>In certain situations, to meet the minimum 5 hectare lot size, the homestead lot will include part of an existing tree plantation. This is considered appropriate, subject to the applicant providing sufficient justification to show that the application complies with the objectives and criteria contained in the Draft Policy, and addresses any additional fire control matters that arise as a result of the subdivision.</p> <p>(9) The requirement for frontage to a public road is set by the Department for Land Administration. Council has historically not accepted access easements as satisfactory as they do not offer the level of security of tenure/ownership over the land to satisfy this requirement.</p> <p>The requirement for the road to be constructed is necessary to allow for traffic to and from the homestead and it is highly unlikely that there will be a situation where this is not already in place given the Policy requires that the homestead already exists.</p>	<p>Upheld and the words ‘and these areas are to be maintained in a low fuel state’ be added into the setback criteria for lots adjacent to tree plantations</p>
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DEVELOPMENT SERVICES REPORTS

		<p>Timbercorp Comment Yes we support this criterion.</p> <ul style="list-style-type: none"> • Subdivision of Homestead Lots to comply with Planning for Bush Fire Protection December 2001 and Guidelines for Plantation Fire Protection 2001. Timbercorp Comment Yes we support this criterion. • The lot should have frontage to a constructed public road. Timbercorp Comment In most situations this would be the case however there may be instances where only an access easement is available. <i>(See Comment (9))</i> • The minimum lot size is 5.0 hectares and maximum lot size is 10 hectares unless the proponent can demonstrate the lot: <ul style="list-style-type: none"> a) will be retained for agricultural production or conservation purposes; and b) has suitable characteristics (soil, water, topography etc.) for the proposed use. Timbercorp Comment Yes we support this criterion. • The balance of the parent lots should be a minimum of 40 hectares in area after the subdivision of the Homestead Lot, or be amalgamated with an adjacent lot at the time of subdivision. Timbercorp Comment Yes we support this criterion. • The subdivision must have a minimum cleared area 50 metres wide on each side of the access road. Timbercorp Comment This requirement is confusing and inconsistent with the examples shown in the Appendix 1 of the Homestead Lot Policy. <p>As it reads in its current form it appears both excessive and unnecessary. Timbercorp does not support this criterion.</p> <p>If in fact it were meant to read a 50 metre setback from a plantation to any building or structure then Timbercorp would support the criteria. <i>(See Comment (6))</i></p>		
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DEVELOPMENT SERVICES REPORTS

		<ul style="list-style-type: none"> Where a tree plantation has been, or is to be, established the developer of the tree plantation must establish a Good Neighbour Agreement between the two parties. Although the Policy is proposed to deal with farm amalgamation and tree plantations, it is not considered essential to prove this and therefore should not be a pre-requisite to justify a homestead in the agreed area if all other criteria can be satisfied. <p>Additional Timbercorp Comments If the Homestead Subdivision Policy is adopted some of the proposed Homestead Lots may include a small component of plantation trees within the new lot. The reason being when the plantations were established the main consideration was to maximise plantable areas. So in order to comply with the minimum lot sizes some of the Homestead Lot designs may include some forestry.</p> <p>This should be viewed positively as the new landowner will have an interest or stake in the trees on their land by lease back from the timber company or direct ownership of the trees. Either way a common interest is a solid basis for building a good relationship. <i>(See Comment (8))</i></p> <p>Timbercorp currently has tenants in all of the houses that exist on its freehold properties. As the rents on these houses are relatively modest only essential repairs are undertaken. Over time the houses will require substantial work to maintain them in reasonable condition. Without the Homestead Lot subdivision option some houses will lose their viability and be relocated or dismantled for salvage. This will add to the decline in rural population.</p>		
6	Stephen Quain Manypeaks Volunteer Bushfire Brigade & Spokesperson Eastern Hinterland Communities	<p>On behalf of the Eastern Hinterland community of the City of Albany I would like to congratulate the City of Albany to responding to our communities concerns regarding population and infrastructure loss. We think this Homestead policy will contribute to maintaining our population and important infrastructure to help maintain volunteer groups, sporting clubs, schools, businesses and most importantly support the current community members.</p> <p>One questionable point relates to the subdivision having to have a minimum cleared area of 50 metres wide on each side of the access road. I think this point should in fact relate to the minimum distance a tree plantation can exist from a residence not access road. There are already</p>		Noted.

DEVELOPMENT SERVICES REPORTS

		<p>fire regulations relating to residences within tree farms, which Tree Farm Companies must abide by. It makes no sense otherwise as the majority of existing homesteads within the region would have some sort of native vegetation or tree plantation on the access into the residence within 50 metres making it impossible to create a Homestead Lot. It seems to me to be illogical to apply this point as the residences already exist under the current arrangement and meet the existing Fire Regulations of the City of Albany. From a fire perspective the native vegetation within the region is a far greater fire risk than hardwood plantations. <i>(See Comment (6))</i></p> <p>A great number of properties in our region are already established tree farms with infrastructure on them such as houses. Under the new policy would the City of Albany support a homestead lot under the following conditions? A Treefarm Company owns the existing title proposes to sell up to 10ha of land with house and sheds with approximately 7ha of trees already established. The new owner would receive a lease fee for the trees on the homestead lot though no firebreaks would exist around the homestead lots because the tree farm was established previously under the City of Albany Firebreak Regulations. There would be no additional fire risk created than already exists. Please find sketch 1 to illustrate the example. <i>(See Comment (5))</i></p> <p>Currently the land under pasture/native vegetation available around existing homesteads with tree farms is minimal <2ha. The Treefarm Companies planted as much of the land possible under the City of Albany Fire Regulations resulting in little pasture remaining around the homesteads. It does not meet the required minimum size of 5ha. So the majority if not all homesteads on tree farms would be unable to be subdivided which was not the original idea by the Eastern Hinterland Communities. The Eastern Hinterland Communities wish to preserve as many residences as possible and the minimum lot size of 5ha without some trees would preclude this from happening. Please find sketch 2 to illustrate this point. <i>(See Comments (5 & 8))</i></p> <p>It would seem logical to support a larger homestead lot with trees to support intensive agricultural opportunities into the future rather than a number of very small homestead lots with minimal opportunities for further agricultural opportunities. The above situation with a new landowner leasing his land for trees would limit neighbour conflicts about land use and create larger lots for future generations to use for intensive agriculture.</p>		
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ORDINARY COUNCIL MEETING MINUTES– 15/04/03

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DEVELOPMENT SERVICES REPORTS

7	<p>Barbara Blechynden A B Blechynden & Co RMB 197 Manypeaks WA 6328</p>	<p>Since my last submission some 12 months ago more families have left and more houses have been removed and I wonder if this is a time wasting exercise because by the time anything is done the area will be decimated of people eg. the Green Range Country Club is struggling to survive and the bowling club is forced to use members from opposition clubs to make up the numbers for its pennant team. The women's pennant team has gone into recession due to the lack of numbers.</p> <p>The Anglican Church at Manypeaks has closed due to lack of families, when 10 years ago it has a congregation of 50 members and the Uniting Church had similar numbers. The Anglican Church had several young families who loved the lifestyle our area offered and wished to purchase homestead lots but as this seems like a pipe dream they have moved on and purchased elsewhere. A sad loss to our community. So it is important that the Council doesn't delay with this proposal and leaves it so long that the remaining housing is either shifted or deteriorates to an extent that the tree companies and farmers demolish the remaining houses.</p> <p>The flexibility of lots should be considered on the merit of each block and be not a hard and fast rule of 5 to 10 hectare lots as some properties have natural boundaries that may be under or over this size. A suitable size would be 2 to 40 hectares in size, which would make it viable for small type farming. Odd shaped blocks may need to cover areas were for instance a persons bore may be situated some distance from the house and need to be covered by title or a shed may be at an unusual direction from the homestead and a small laneway may be needed to join it to the homestead title, so each title needs to be looked at on its merits not a hard and fast rule. <i>(See Comments (5, 8 & 10))</i></p> <p>The 50 metre wide clearing on each side of the access road may not be able to be adhered to in all cases as some farms might have smaller entrances. If the rules are too strict we will stay exactly were we are now with a declining community and a dying district. <i>(See Comment (6))</i></p> <p>Good neighbour agreements should be implemented on the titles so as each homestead block is sold, now or in years to come, the new owners must sign an agreement that they realise this is a farming, tree growing community and the original agriculturalist has the right to farm.</p>	<p>(10) The minimum and maximum lots sizes for Homestead Lots were stipulated by the WA Planning Commission and it is highly unlikely that lots of 40 hectares would be considered appropriate as they would be small rural lots and be dealt with in accordance with Draft Policies GP30, GP31 & GP32.</p>	<p>Noted.</p>
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DEVELOPMENT SERVICES REPORTS

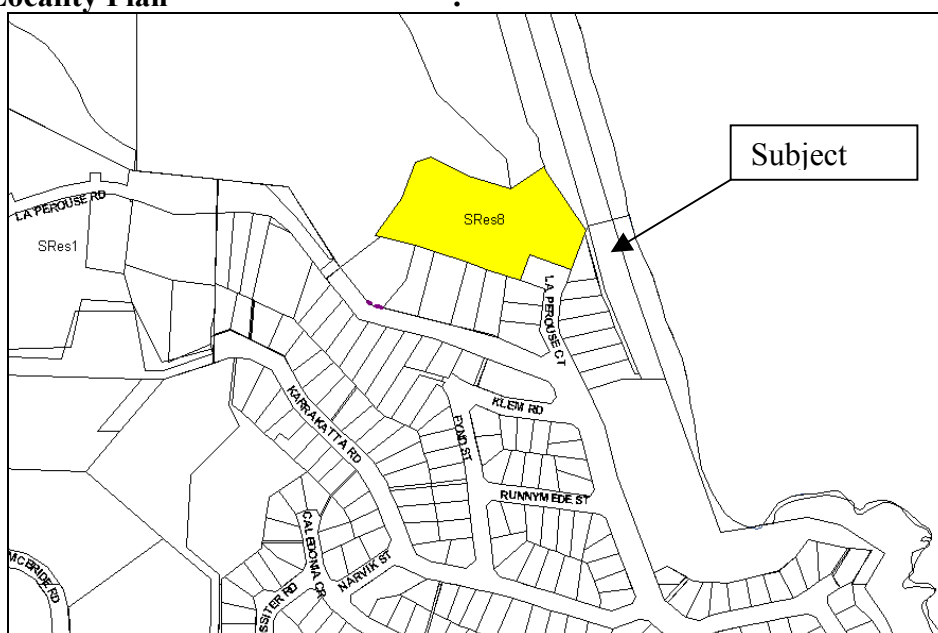
		<p>Hoping this submission will give some insight into what a great community we could become with many types of lifestyle and farming co-existing together in harmony including hobby farming with a little give and take on both sides. Most homesteads are at least 5 kilometres apart so I don't expect any neighbourhood problems eg, noisy roosters or loud parties.</p> <p>Our own enterprise has co-existed with tree companies since 1989 without any problems. In fact, tree companies have employed us to prune their trees and do firebreaks. We have a successful poultry enterprise which we have run for over 21 years and raise 12,000 pullets and 30,000 second lay hens which are delivered state-wide, we also run a few pigs and sheep and are the top silky breed show hens in Western Australia, winning Grand Champion at both the Albany and Royal Show several times over the last 21 years and send silky hens all over Australia commanding top prices.</p> <p>We successfully grew commercial strawberries for a few years and I visualise a number of industries out here like lavender, avocado, herbs, piggeries, poultry, specialist sheep, goats and cattle. I could see some show poultry people living out here as they could breed their roosters and no-one would hear them which is a real problem in the towns forcing many breeders to quit their hobby.</p>		
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DEVELOPMENT SERVICES REPORTS

11.3.3 Draft Policy – Building Envelopes within Special Residential Area No. 8 – La Perouse Road, Frenchman Bay

- File/Ward** : A5810 (Vancouver Ward)
- Proposal/Issue** : Proposed policy allocating building envelopes to land within Special Residential Area No. 8 (Lot 401 La Perouse Road, Frenchman Bay).
- Subject Land/Locality** : Lot 401 La Perouse Road, Frenchman Bay
- Proponent** : Harley Survey Group
- Owner** : Nildara Pty Ltd
- Reporting Officer(s)** : Senior Planning Officer (G Bride)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 18/3/03 - Item 11.3.2
- Summary Recommendation** : To advertise a draft policy, and advise proponent that pedestrian access and reinstatement of vegetation should be undertaken prior to Council granting clearance to the subdivision.
- Bulletin Attachment** : Nil

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

BACKGROUND

1. At its previous meeting dated 18 March 2003, Council resolved to defer a decision on the location of building envelopes upon Lot 401 La Perouse Road, Frenchman Bay until such time as:
 - Councillors have undertaken a site inspection of the proposed building envelopes;
 - the City of Albany has assessed the planning and financial implications of creating beach access through the coastal reserve (eg boardwalk);
 - the reinstatement of vegetation and ridgelines has occurred to the satisfaction of Council staff; and
 - re-assessment of the location of firebreaks is undertaken.
2. On 31 March 2003, a site inspection involving Councillors, staff and representatives for the developer was undertaken to discuss the issues mentioned above. At this meeting it was concluded that:
 - A strategic firebreak was not required in the fore-dune area, as per the Subdivision Guide Plan, due to the potential for wind erosion and the ability of fire fighters to lay hoses from the existing break to the beach in the event of a bush fire.
 - The pedestrian access down to the beach needed to be narrowed and windy, and meet the beach at a different orientation rather than 90°. A copy of the applicant's proposed alignment plan for the access follows this report.
 - The amount of clearing associated with pedestrian access to the beach is excessive and would need to be reinstated to reduce the impact of wind erosion and dune destabilisation.

STATUTORY REQUIREMENTS

3. Clause 6.9.2 of Town Planning Scheme No. 3 requires the following procedure to be undertaken to make a Town Planning Scheme Policy operative:
 - “(a) The Council, having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area, giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
 - (b) The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.*
 - (c) Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.”*

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

4. It should also be noted that the current building envelopes allocated on the Subdivision Guide Plan as part of Amendment No. 143, do allow for development to be located on the ridge tops of Lots 652 and 653. In the event that Council resolves to relocate these building envelopes to the gully, via a policy under the Scheme, a refusal based on this policy may not hold weight if appealed and brought before the Town Planning Appeals Tribunal. In an appeal situation, if a policy directly conflicts with a Scheme requirement, the scheme requirement is likely to prevail.

POLICY IMPLICATIONS

5. Should this policy be adopted, it will guide the location of development within Special Residential Area No .8 (Lot 401 La Perouse Road, Frenchman Bay).

FINANCIAL IMPLICATIONS

6. In instances where Council prepares a new policy, the cost of advertising is usually at Council's own expense. In this situation, Council is responding to a request from Harley Survey Group to undertake policy work over nine special residential lots and therefore, the cost of advertising should be recovered from the applicant.
7. In order to establish pedestrian access, which will require only periodic maintenance by Council, the construction of a boardwalk and stairs is recommended in comparison to a limestone path. As a higher standard of construction is being sought to that contained in the Foreshore Management Plan, there is an issue over who should pay for this additional cost. It is expected that the boardwalk will cost approximately \$10,000 to construct and staff are currently in negotiation with the developer. It is considered that a path of this nature would add to the attraction of the lots and its cost could be recouped from a small increase in the sale price of each lot (approximately \$1100 per lot).
8. Council's Reserve Coordinator has recommended that construction of the path be a combination of crushed and compacted limestone, in addition to a raised boardwalk, with steps orientated at a 45 degree angle towards the beach.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

10. In relation to the issues expressed by Council at it's previous meeting, staff provide the following information:

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

REALIGNMENT OF STRATEGIC FIRE BREAK

11. As discussed in the previous report, staff are concerned with the future development on Lots 652 and 653 as the proposed building envelopes are located on a high, narrow ridge line, which would be highly visible from locations in, and external to, the subdivision. Council requested that staff investigate the possibility of realigning the constructed strategic firebreak, to the rear boundary of Lots 653, 654 and 655 so that building envelopes could be located within the gully.
12. Council's Rangers had previously supported the alignment of the strategic firebreak and the developer has constructed the break in accordance with this advice. Staff have revisited the site and concluded that the strategic firebreak could be repositioned to the north, behind the large ridge located within the Lake Vancouver Reserve (refer attached plan). Whilst the Lake Vancouver Reserve is currently in private ownership, it will be ceded to Council as part of the subdivision of Lot 401.
13. Staff believe the break will provide fire fighters with an adequate defence position in the event of a fast moving fire fuelled by high winds. Construction of the break should be undertaken by the developer and will be maintained by Council thereafter to ensure that it is kept in a trafficable condition. As the break will be located behind the ridge, little or no scarring of the landscape will be visible from within Goode Beach.
14. The locality of Goode Beach has been designated within the 'City of Albany Fire Prevention Plan' as a bush fire prone area. Given the undulating topography, the heavily vegetated reserves and only one access road out of the area, the potential for life and property loss from a bushfire is a real concern. The Plan also shows that portions of land within Lot 401 are classified as extreme fire risk, given the slope exceeds 10% in many circumstances. As the risk is extreme on top of and around the ridge within the Reserve, fuel load reduction from the strategic break to the special residential development may need to be undertaken by Council, through it's local fire brigades.
15. It is also recommended that development on Lot 655 be fitted with an effective sprinkler system, in addition to meeting the Australian Standard 3959 (building in bushfire prone areas), to provide additional protection against a bushfire threat.

REVEGETATION OF CLEARED AREAS AND STABILISATION OF SOIL

16. A condition of the subdivision approval granted by the Western Australian Planning Commission was that access ways to the approved building envelopes be constructed from the road reserve to the external boundary of the building envelope. As the Subdivision Guide Plan depicts the approved building envelopes, the construction of these access ways, in the most part, has been undertaken in accordance with the requirements of the subdivisional approval.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

17. Concern has been expressed in instances where the access way has been carried through to the central position of the building envelope, whereby vegetation has been cleared and the soil has been pushed up onto the ridge. The proponent has advised that the over-clearing occurred due to a breakdown in communication between the contractor and his dozer driver.
18. It is recommended that, prior to Council granting subdivision clearance to the lots, those areas cleared of vegetation be stabilised with mulch or woodchips and the topography of the building envelopes be returned to their natural level where alteration has occurred.
19. Staff believe there is little merit in requesting that those building envelopes that have been partially cleared be revegetated, as development on the lots is likely to occur within 6 months to 5 years. Indeed the special provisions for Lot 401 allows parkland clearing of building envelopes to occur, subject to Council approval, so long as significant vegetation is retained.
20. In the event that any of the building envelopes are marginally repositioned so that already cleared portions fall outside the approved development areas, staff can request as a condition of Planning Scheme Consent, that these areas be revegetated. A Planning Scheme Consent application would be required for all dwellings within the special residential area. In relation to Lot 654, as it is proposed to reposition this building envelope to the gully, it is recommended that the clearing and filling of this lot be reinstated to its natural level and revegetated with native species.
21. The developer has also laid woodchips over those areas exposed by subdivisional works, which would help to stabilise the soil and assist in any revegetation efforts. The consultant has advised that seeding of these areas will be undertaken to promote a long term solution to soil stabilisation in the area.

PLANNING JUSTIFICATION FOR PEDESTRIAN ACCESS

22. The issue of most concern raised at the site meeting on 31st March, was the amount of clearing that had taken place to accommodate public access from the Pedestrian Access Way (PAW) to the beach. Whilst the Subdivision Guide Plan and Foreshore Management Plan had identified the requirement for pedestrian access to the permanent vegetation line of the beach, the developer had cleared a section of reserve approximately 8 metres in width, which met the beach at an easterly orientation.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

23. The Foreshore Management Plan recommended that the strategic firebreak/public access be constructed to a limestone standard, fenced on both sides, and followed the alignment set out within the Subdivision Guide Plan for Lot 401. The site visit revealed that any pedestrian access should be narrow, windy, at its end orientated at 45 degrees and constructed to a boardwalk standard (with steps down to the beach) to reduce the impact of erosion and dune destabilisation. The reinstatement of those areas previously cleared, outside of the fenced path, would also need to be undertaken.
24. In terms of the need of the path, staff consider that the provision of a PAW pre-empts beach access and believes that a consolidated access point would promote improved environmental incomes in the longer term. The nearest consolidated access point to the beach is located approximately 400m to the south, and it is considered that this additional access point will reduce the need and temptation to traverse other areas of the dunes to access residential areas.

RECOMMENDATION

THAT Council:

- i) resolves to advertise the draft Local Planning Policy titled ‘Building Envelopes within Special Residential Area No 8’ for a period of 21 days in accordance with Clause 6.9.2(b) of Town Planning Scheme No. 3, including the requirement on Lot 655 to install an effective sprinkler system to protect the dwelling, and the repositioning of building envelopes on Lots 653 and 654 to the gully;
- ii) advises the proponent that the following would need to be undertaken prior to Council issuing subdivision clearance for the nine special residential lots:
 - a) the design and construction of the boardwalk and stairs down to the beach being undertaken in accordance with the specifications outlined by Council;
 - b) measures being undertaken to stabilise those areas adjacent to the path which have been cleared, which should include the revegetation of the area to promote a long term solution to erosion;
 - c) any cleared areas, outside the requirements of the subdivision condition relating to limestone driveways, to be stabilised by way of mulch or woodchips;
 - d) any fill within the proposed building envelopes being removed so that the level of the site is returned to its natural level;
 - e) the strategic firebreak being provided on an alignment similar to that shown in the plan within this report, and ground-truthed with a representative of Council’s Planning and Rangers Departments;
 - f) the clearing and fill on Lot 654 being reinstated to its natural level and revegetated with local, endemic species; and

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued.

- g) a consolidated access point, serving lots 653 and 654 be identified and submitted to council for approval with reciprocal rights of access being apportioned to this singular access point to legitimise access for both lot owners.

Voting Requirement Simple Majority

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Councillor Wilson declared an impartial interest being a member of the Frenchman Bay Progress Association.

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR EVANS**

THAT Council:

- i) resolves to advertise the draft Local Planning Policy titled ‘Building Envelopes within Special Residential Area No 8’ for a period of 21 days in accordance with Clause 6.9.2(b) of Town Planning Scheme No. 3, including the requirement on Lot 655 to install an effective sprinkler system to protect the dwelling, and the repositioning of building envelopes on Lots 653 and 654 to the gully;
- ii) advises the proponent that the following would need to be undertaken prior to Council issuing subdivision clearance for the nine special residential lots:
- a. the design and construction of the boardwalk and stairs down to the beach being undertaken in accordance with the specifications outlined by Council;
 - b. measures being undertaken to stabilise those areas adjacent to the path which have been cleared, which should include the revegetation of the area to promote a long term solution to erosion;
 - c. any cleared areas, outside the requirements of the subdivision condition are to have:-
 - i. the ridgelines reinstated to their original topography;
 - ii. revegetation with indigenous native vegetation; and
 - iii. any fill being removed so that the natural ground level is returned;
 - d. any fill within the proposed building envelopes being removed so that the level of the site is returned to it’s natural level;
 - e. the strategic firebreak being provided on an alignment similar to that shown in the plan within this report, and ground-truthed with a representative of Council’s Planning and Rangers Departments;
 - f. the clearing and fill on Lot 654 being reinstated to its natural level and revegetated with local, endemic species;

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued.

- g. a consolidated access point, serving lots 653 and 654 be identified and submitted to council for approval with reciprocal rights of access being apportioned to this singular access point to legitimise access for both lot owners; and**
- h. the revegetation with indigenous native species of the areas which have been cleared adjacent to the PAW and strategic firebreak;**
- iii) require staff to refer all Planning Scheme Consents to Council for determination for lots 401 and 402;**
- iv) request that the Hon. Minister for Planning and the Hon Minister for Environment investigate all the subdivision approvals issued for Lot 401 by the WAPC in particular addressing the following issues:-**
 - i. reduction of 70m coastal setback in Special Residential Zone;**
 - ii. reduction of Public Open Space from 10.5ha to 6.82ha;**
 - iii. no minimum lots size (was 2000m²); and**
 - iv. reduction of foreshore reserve (1.3ha) being ceded to crown at time of this subdivision.**
- v) request staff to re-examine the position of the building envelopes prior to final adoption of the draft LPP;**
- vi) request the Executive Director for Development Services to prepare a report to re-examine the Subdivisional Guide Plan and Scheme Provisions for a potential scheme amendment; and**
- vii) Council revise / revisit the Foreshore Management Plan and require endorsement by all relevant government agencies.**

MOTION CARRIED 11-4

It was requested that names be recorded:

For: Mayor Goode, Councillors Evans, Barton, Bojcun, Demarteau, Evers, Sankey, West, Williams, Wilson and Wolfe

Against: Councillors Emery, Cecil, Wellington and Walker.

Reason:

1. Before determining the location of building envelopes on Lot 401 Frenchman Bay, Council should conduct a review and be fully briefed on all past and current planning decisions. The current proposal is significantly different to that approved in 1999 due to number of amendments and applications that have not been consider by Councillors or the public.
2. At it's previous meeting dated 18th March 2003, Council resolved to defer a decision on the location of building envelopes until such time as: - *“the reinstatement of vegetation and ridgelines has occurred to the satisfaction of Council staff”*. There has been no reinstatement of ridgelines and only promises to revegetate.
3. Developers have not complied with a number of approval conditions, including Condition 23 that states:

DEVELOPMENT SERVICES REPORTS

“Subdivisional works shall be undertaken in a manner which to the satisfaction of the WAPC:

- a) is sympathetic to landform and topography;*
- b) minimise impacts on vegetation and the foreshore and coastal dunes;
&*
- c) minimises the need for rehabilitation, the spread of weeds into reserves, the introduction of dieback, the risk of erosion, visual impacts and site disturbance.”*

TPC3, Schedule IV, Area 8 – Lot 401 Frenchman Bay conditions requires:

Clearing of Indigenous Vegetation

All clearing of indigenous vegetation shall require Planning Scheme Consent including that required for approved driveway access, approved building and fence line construction, and parkland clearing.

The construction of buildings including associated site works such as filling, excavation, construction of retaining walls and fencing, and the removal of vegetation in accordance with special provision (7), shall require Planning Scheme Consent.

Applications for Planning Scheme Consent shall require the submission of a completed ‘Application for Grant of Planning Scheme Consent form’.

Council staff have confirmed that no planning scheme consents have been applied for or granted.

4. Staff have chosen not to follow the usual practise to modify the subdivisional Guide Plan via a scheme amendment. If the proposed policy is adopted, it will only guide the location of development.
5. Staff believe there is little merit in requesting that those building envelopes that have been partially cleared be revegetated, as development on the lots is likely to occur within 6 months to 5 years.
6. There are significant strategic implications including:
 - a) City of Albany Strategic Plan: Albany 2020 Charting Our Course – Port of Call. A managed healthy land and harbour environment;
 - Reserve Management – to manage reserves for environmentally sustainable use, Community enjoyment and benefit;
 - Land Use Planning and Control – to take an integrated and strategic approach to land use planning;
 - Environmental, Education and Promotion – to promote the health of the City’s land and harbour through the raising of Community environmental awareness.
 - b) City of Albany: Draft Coastal Management Plan

DEVELOPMENT SERVICES REPORTS

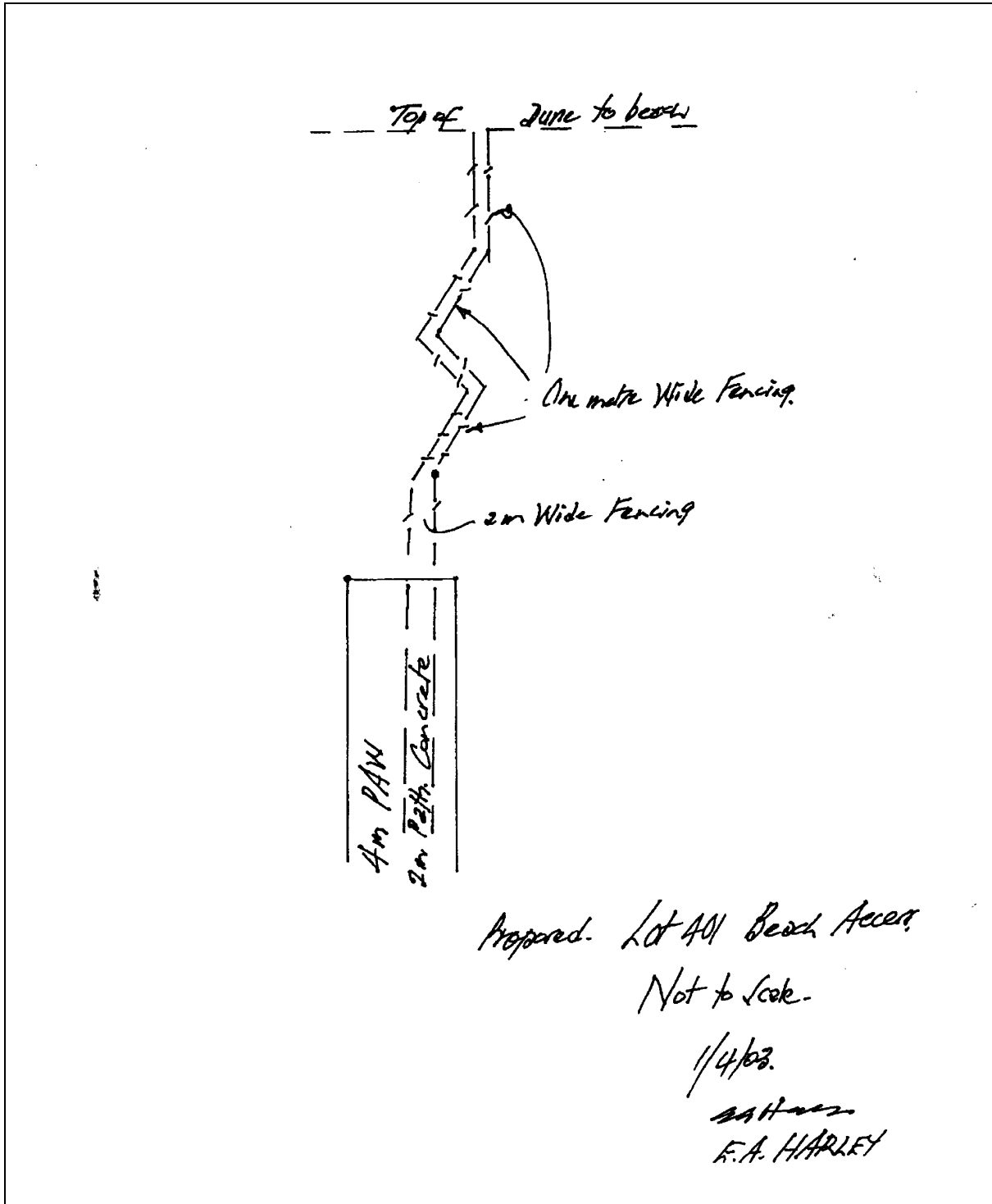
7. A precedent has been set by Council (eg Nullaki Peninsula) in applying and adhering to sensible guidelines for sensitive coastal land, and regardless of the zoning these same principles should apply throughout the City of Albany.
8. Firebreaks that are required as a result of subdivision should be on the developers land and be maintained at their expense.
9. Council officers report that the proposed pathway, boardwalk and steps are required to be ‘narrowed and windy (winding), and meet the beach at a different orientation rather than 90°’. A copy of the applicants proposed alignment plan is attached. The proposed plan attached (prepared by the developer) shows what is already constructed at an angle of 90°. The water and Rivers Commission is still to consider and report on this matter.

DEVELOPMENT SERVICES REPORTS



ORDINARY COUNCIL MEETING MINUTES- 15/04/03
** REFER DISCLAIMER **
DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued



DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

DRAFT POLICY

**BUILDING ENVELOPES
SPECIAL RESIDENTIAL AREA NO. 8**

PREAMBLE

The southern portion of Lot 401 La Perouse Road, Frenchman Bay is included within Special Residential Area No. 8. Due to environmental reasons, relating to the protection of a prominent ridge, the plan of subdivision approved by the Western Australian Planning Commission (WAPC 113574) differs from the Subdivision Guide Plan contained within Amendment No. 143 to Town Planning Scheme No. 3.

Due to this occurrence, there is a discrepancy between the designated building envelopes and the lot boundaries associated with the revised plan.

This policy seeks to apply new building envelopes to the revised lot layout as approved by the Western Australian Planning Commission.

OBJECTIVES

Within Special Residential Area No. 8, the purpose of the zone is to create a special residential living environment which preserves the landscape quality and visual amenity of the locality, with particular attention given to:

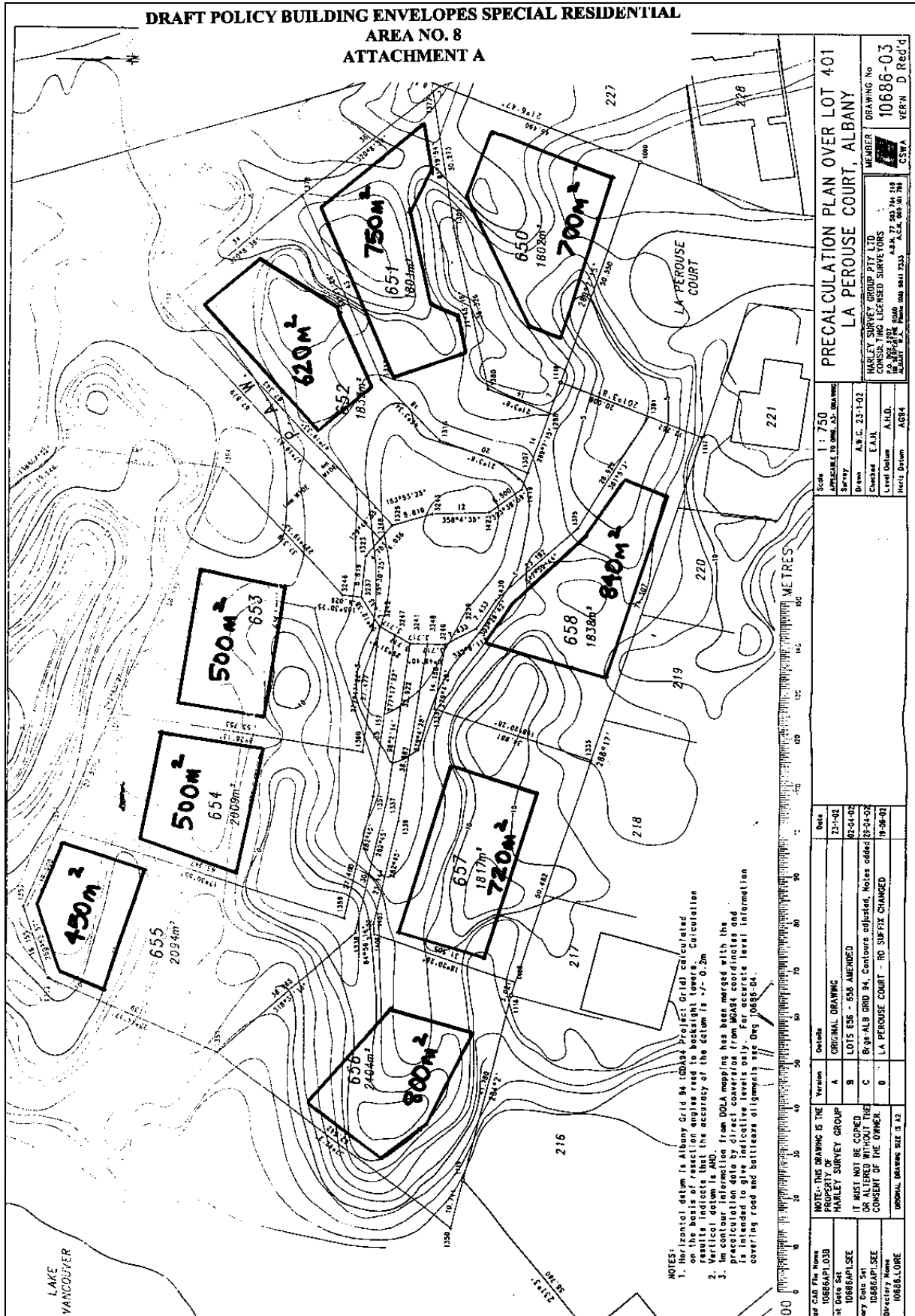
- The minimisation of erosion, soil and vegetation disturbance;
- Ensuring that building envelopes do not conflict with, or detract from, the landscape in terms of their design, location, scale, height or otherwise; and
- Minimising the impact of the development on the physical environment, particularly in terms of foreshore management, bushfire control, on-site effluent disposal and other servicing requirements.

GUIDELINES

1. All buildings are to be located wholly within the designated building envelopes as shown on the attached plan (attachment A).
2. Upon Lots 653 and 654 the following requirements are applicable:
 - (a) Cut and fill of the site shall be kept to a minimum with preference to split level development so as to minimise disturbance through earthworks.
 - (b) On application a front elevation being provided showing the proposed development in relation to the landscape on and off the site (particularly its relationship with the ridge to the North).
 - (c) A drainage strategy being submitted to control run-off from the ridges down into the gully, in order to maintain the structural integrity of the dwelling.
3. Upon Lot 655 the dwelling is to be constructed to Australian Standard 3959 – Construction of dwellings in bushfire prone areas, and have installed an effective bush fire sprinkler system.

ORDINARY COUNCIL MEETING MINUTES- 15/04/03
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 DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued



**DRAFT POLICY BUILDING ENVELOPES SPECIAL RESIDENTIAL
 AREA NO. 8
 ATTACHMENT A**

PRECALCULATION PLAN OVER LOT 401
 LA PEROUSE COURT, ALBANY

HARLEY SURVEY GROUP PTY LTD
 CONSULTING LICENSED SURVEYORS
 MEMBER 10686-03
 A.S.N. 27 563 744 218
 A.C.N. 609 049 794
 100 WILSON ROAD
 ALBANY W.A. 6171
 A.S. 4411 2343 A.C.S.A. D Red'd

Scale 1:750
 Applicable to only A3 drawing
 Drawn A.S.C. 23-103
 Checked E.A.H.
 Level Datum A.H.D.
 North Datum AGR4

DATE: 23-02-02
 DATE: 02-04-02
 DATE: 02-04-02
 DATE: 18-08-02

Notes	Revision	Details	Date
1. Vertical datum is Albany Grid M. CGDA92. All heights calculated on the basis of section angles read to best sight lines. Circulation results indicate that the accuracy of the datum is +/- 0.2m	A	ORIGINAL DRAWING	23-02-02
2. Vertical datum is A.H.D.	B	LOT 535 - 538 AMENDED	02-04-02
3. All contour information from DOLA mapping has been merged with the precalculation data by direct conversion from MGA92 coordinates and is intended to give indicative levels only. For accurate level information covering road and setbacks alignments see DOLA 1000-04.	C	Br-Alb Grid 94, Contours adjusted, Notes added OR ALTERED WITHOUT THE CONSENT OF THE OWNER.	02-04-02
	D	LA PEROUSE COURT - RD SUFFIX CHANGED	18-08-02

NOTE: THIS DRAWING IS THE PROPERTY OF HARLEY SURVEY GROUP. IT MUST NOT BE COPIED OR ALTERED WITHOUT THE CONSENT OF THE OWNER.

USUAL DRAWING SIZE IS A2

11.4 DEVELOPMENT SERVICES COMMITTEES

Nil.

Corporate & Community Services

REPORTS

- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment – City of Albany

File/Ward	:	FIN 022 (All Wards)
Proposal/Issue	:	N/A
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager of Finance (S Goodman)
Disclosure of Interest	:	Nil.
Previous Reference	:	N/A
Summary Recommendation	:	Approve accounts for payment
Locality Plan	:	N/A

COMMENT/DISCUSSION

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

Municipal Fund		
Cheques	totalling	138,098.99
Electronic Fund Transfer	totalling	1,997,816.75
Payroll	totalling	648,748.71
TOTAL		<u>\$2,784,664.45</u>

2. As at 3rd March 2003, the total outstanding creditors, stands at \$356,158.81.

ORDINARY COUNCIL MEETING MINUTES – 15/04/03
** REFER DISCLAIMER **
CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.1 continued.

RECOMMENDATION

THAT the following City of Albany accounts be passed for payment: -
Municipal Fund totalling \$2,784,664.45
Total \$2,784,664.45

Voting Requirement Simple Majority

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**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR SANKEY**

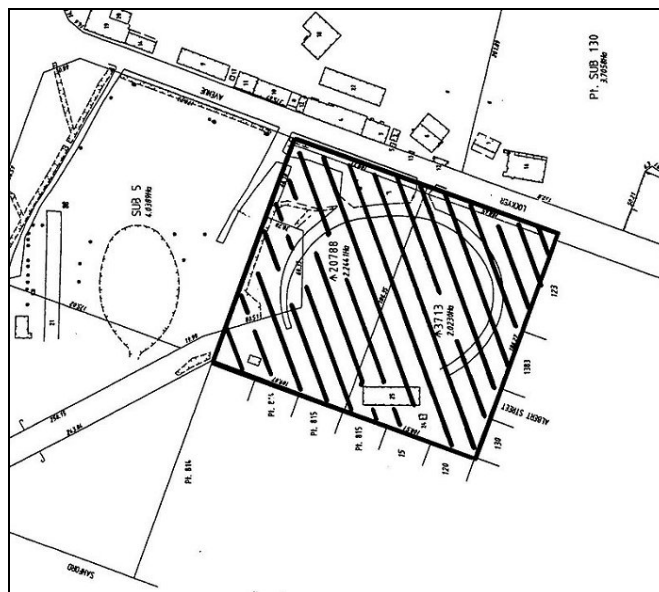
**THAT the following City of Albany accounts be passed for payment: -
Municipal Fund totalling \$2,784,664.45
Total \$2,784,664.45**

MOTION CARRIED 15-0

12.2 ADMINISTRATION

12.2.1 Proposed New Lease for Railways Football & Tigers Sporting Club Inc

File/Ward	:	PRO 083 (Frederickstown Ward)
Proposal/Issue	:	New Lease
Subject Land/Locality	:	Reserve 3713 and portion of Reserve 20788
Proponent	:	Railways Football & Tigers Sporting Club Inc
Owner	:	City of Albany
Reporting Officer(s)	:	Administration Officer (A Wiseman)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council approve the request for a new lease to be prepared for a 5 year term from 1 July 2003.
Bulletin	:	Nil
Locality Plan	:	See map below



Item 12.2.1 continued.

BACKGROUND

1. A request has been received from the Railways Football and Tigers Sporting Club Inc for Council to consider renewing their lease agreement which is due to expire on 30 June 2003. The current lease is for a term of 21 years, which commenced on 1 July 1982.
2. The Club is located on Lockyer Avenue on Reserve 3713 and portion of Reserve 20788. The City of Albany has a Crown Grant in Trust from the Department of Land Administration, which basically gives us the right to use to land for whatever purpose we see fit. It is similar to freehold land, except that we still need approval from the Minister for Lands and must register the lease on the Crown Land Title.

STATUTORY REQUIREMENTS:

3. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue a lease over a property, however it must first give statewide public notice of its intention to do so and therein invite submissions from interested persons.
4. Council is however able to dispose of property by other means, provided that it gives Statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
5. Clause 30 of the Local Government (Function and General) Regulations 1996 provides an exemption to Council from the application of Section 3.58 of the Act if the land is being disposed of is a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.
6. The Railways Football and Tigers Sporting Club Inc is a sporting body and therefore the proposed disposition of land is exempt from the provisions of Section 3.58 of the Act.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. The current rent is \$413.00 per annum (subject to GST) and is reviewed annually by an amount equivalent to the minimum gross rental value land rate to all non-profit sporting, and community groups. The rental is reviewed in accordance with Council’s budget and is subject to GST.

Item 12.2.1 continued.

9. All costs associated with this proposed new lease are to be borne by the applicant.

STRATEGIC IMPLICATIONS

10. This request complies with Council's 'Albany 2020', which in part states as follows:

"Quality Parks, gardens and reserves maintaining their feature status – A diverse range of passive & active recreational areas that are creative, attractive, safe and enjoyable to use."

COMMENT/DISCUSSION

11. The Railways Football and Sporting Club Inc has written to Council requesting a lease for 21 years, commencing from 1 July 2003.
12. Based on further discussions with Mark Weller (Recreational Development Officer), it has been agreed to offer the Club a lease term of only 5 years. The reason for this is the Centennial Park and Yakamia Recreation Precinct Plan identifies that Railways Football Club Inc will relinquish facilities at the current location and move to a collocation situation at the planned multi-sport facility at Centennial Oval or at Collingwood Park.
13. It is the intention that this lease is an interim agreement until sufficient facilities are developed at a new location.
14. It is also the intention of this agreement that Railways Football Club Inc will work with Council officers in pursuing the recommendations of the Centennial Park and Yakamia Recreation Precinct Plan (relating to their club) in the event that the City of Albany accept these recommendations.

RECOMMENDATION

THAT subject to approval from the Minister for Lands, Council agree:

- i) to a new lease for the Railways Football and Tigers Sporting Club Inc being prepared for a period of 5 years, from 1 July 2003 to 30 June 2008 on Reserve 3713 and portion of Reserve 20788 Lockyer Avenue;
- ii) the rental be set at \$413.00 per annum, subject to GST, in accordance with Council's 2002/2003 minimum GRV land rate figure, with rent reviews being carried out annually based on the minimum GRV land rate set by Council;
- iii) the lease be prepared in accordance with Council's standard leasing terms and conditions, with all maintenance and repairs being carried out by the Club;

ORDINARY COUNCIL MEETING MINUTES – 15/04/03
** REFER DISCLAIMER **
CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.1 continued.

- iv) all fees associated with this lease be payable by the Railways Football and Tigers Sporting Club Inc; and
- v) the Common Seal of the City of Albany be affixed to the documentation.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WOLFE**

THAT subject to approval from the Minister for Lands, Council agree:

- i) to a new lease for the Railways Football and Tigers Sporting Club Inc being prepared for a period of 10 years, from 1 July 2003 to 30 June 2013 on Reserve 3713 and portion of Reserve 20788 Lockyer Avenue;**
- ii) the rental be set at \$413.00 per annum, subject to GST, in accordance with Council's 2002/2003 minimum GRV land rate figure, with rent reviews being carried out annually based on the minimum GRV land rate set by Council;**
- iii) the lease be prepared in accordance with Council's standard leasing terms and conditions, including the provision of an early termination clause to accommodate the possible relocation of the Club, with all maintenance and repairs being carried out by the Club;**
- iv) all fees associated with this lease be payable by the Railways Football and Tigers Sporting Club Inc; and**
- v) the Common Seal of the City of Albany be affixed to the documentation.**

MOTION CARRIED 14-1

Reason:

The recreation precinct plan is still seeking public comment, and has not been formally adopted by Council. The proposed 10 year term would save the Club the necessity of renegotiating the agreement in the near future, and the early termination provision would accommodate the relocation of the club if necessary.

12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 ALBANY LEISURE AND AQUATIC CENTRE

Nil.

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

Nil.

Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 WASTE MANAGEMENT

13.1.1 Waste Oil Facility

File/Ward	: SER 065 (All Wards)
Proposal/Issue	: Construct Waste Oil Handling Facilities
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Manager – City Works (L Hewer)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That the City Construct Waste Oil Facilities at three (3) Sites.
Bulletin Attachment	: Nil
Locality Plan	: Nil

BACKGROUND

1. Since January 2002, 11,000 litres of oil has been collected from the Hanrahan Road Waste site alone, and the existing waste oil collection facilities at the Hanrahan Road site are outdated.
2. Unknown quantities of waste oil are being disposed of at rural landfill sites, which are currently unstaffed. All unstaffed landfill sites are to be closed and replaced with transfer stations, and at that time, the disposal of all wastes including oil will have to be dealt with in such a manner that it can be removed completely from the sites.

STATUTORY REQUIREMENTS

3. The Department of Environmental Protection requires that waste oil be properly disposed of.

WORKS & SERVICES REPORTS

Item 13.1.1 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. There are no net financial implications relating to this item. The full capital cost would be covered by a Local Government Waste Oil Facility Grant, and the availability of the facility will mean a reduction of waste oil handling costs in the future.

STRATEGIC IMPLICATIONS

6. This service falls under the Albany 2020 Port of Call:

A managed healthy land and harbour environment

Waste Management

• Objective:

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

COMMENT/DISCUSSION

7. It is proposed that Council construct waste oil handling facilities at the Hanrahan Road landfill site, and Wellstead and Kronkup Transfer Stations. The projected facilities, costed at a total of \$60,000 (including GST) for the three sites would include the purchase of three Skid Mounted Waste Oil facilities as follows:

Supply & installation of drum derrick	\$ 10,965
Construction of bunded area	5,700
Lay down area and mechanical drum	
Lifting device	<u>3,335</u>
	\$ 20,000

8. The Department of the Environment and Heritage has offered 100% funding through the Local Government Waste Oil Collection Infrastructure Small Grants Programme. All funds must be expended by 30th June 2003.

WORKS & SERVICES REPORTS

Item 13.1.1 continued

RECOMMENDATION

THAT:

- i) Council accepts a \$60,000 grant from the Department of the Environment and Heritage –Local Government Waste Oil Collection Infrastructure Small Grants Program; and
- ii) Council authorize the expenditure of \$ 60,000 for construction of waste oil handling facilities at Hanrahan Road Landfill Site, Wellstead Transfer Station, and Kronkup Transfer Station.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EVERS**

THAT:

- i) Council accepts a \$60,000 grant from the Department of the Environment and Heritage –Local Government Waste Oil Collection Infrastructure Small Grants Program; and**
- ii) Council authorize the expenditure of \$60,000 for construction of waste oil handling facilities at Hanrahan Road Landfill Site, Wellstead Transfer Station, and Kronkup Transfer Station.**

MOTION CARRIED 15-0

WORKS & SERVICES REPORTS

13.2 ASSET MANAGEMENT

13.2.1 Widening of Bolt Terrace

File/Ward	: GOV 037 (Frederickstown Ward)
Proposal/Issue	: Widen Bolt Terrace
Subject Land/Locality	: N/A
Proponent	: Department of Land Administration
Owner	: City of Albany
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: Request Minister for Lands to declare that area of Reserve 34218 to be a public road for the purposes of widening Bolt Terrace.
Bulletin Attachment	: Nil
Locality Plan	: See attached plan at end of report.

BACKGROUND

1. Over the last two years, the Albany Port Authority, Westrail, City of Albany and the Department of Land Administration have examined the reserves located between Brunswick Road and Princess Royal Drive, east of York Street, and discovered that some of the public works of infrastructure is not located on the reserve dedicated for that purpose.
2. To allocate the land required for the Albany Working Boat Harbour, DOLA has indicated that the reserves in this locality need to be rationalised and the appropriate land assembled for the project. Agreements are now in place for that rationalisation to occur and DOLA requires a Council resolution to widen Bolt Terrace to progress that process.

STATUTORY REQUIREMENTS

3. Section 56 of the Land Administration Act 1997 sets out a process that the Local Government must follow to dedicate a road.

WORKS & SERVICES REPORTS

Item 13.2.1 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. The City of Albany, in a previous budget, provided funding for a survey of the area to be undertaken and it is on the basis of that survey that reserve rationalisation is now taking place.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

7. The Regional Manager of DOLA has indicated that land assembly in the foreshore/port area may take as long as 18 months to complete and it is essential that delays at the start of the process are minimised. On the attached plan, is an area marked for the widening of Bolt Terrace and Council is required, under Section 56 of the Land Administration Act, to resolve to request that the Minister declare that land to be a proposed road.

RECOMMENDATION

THAT pursuant to Section 56 of the Land Administration Act 1997, the City of Albany request the Minister for Lands to declare that area of Reserve 34218, as shown on Drawing 12305-01, to be a public road for the purposes of widening Bolt Terrace.

Voting Requirement Simple Majority

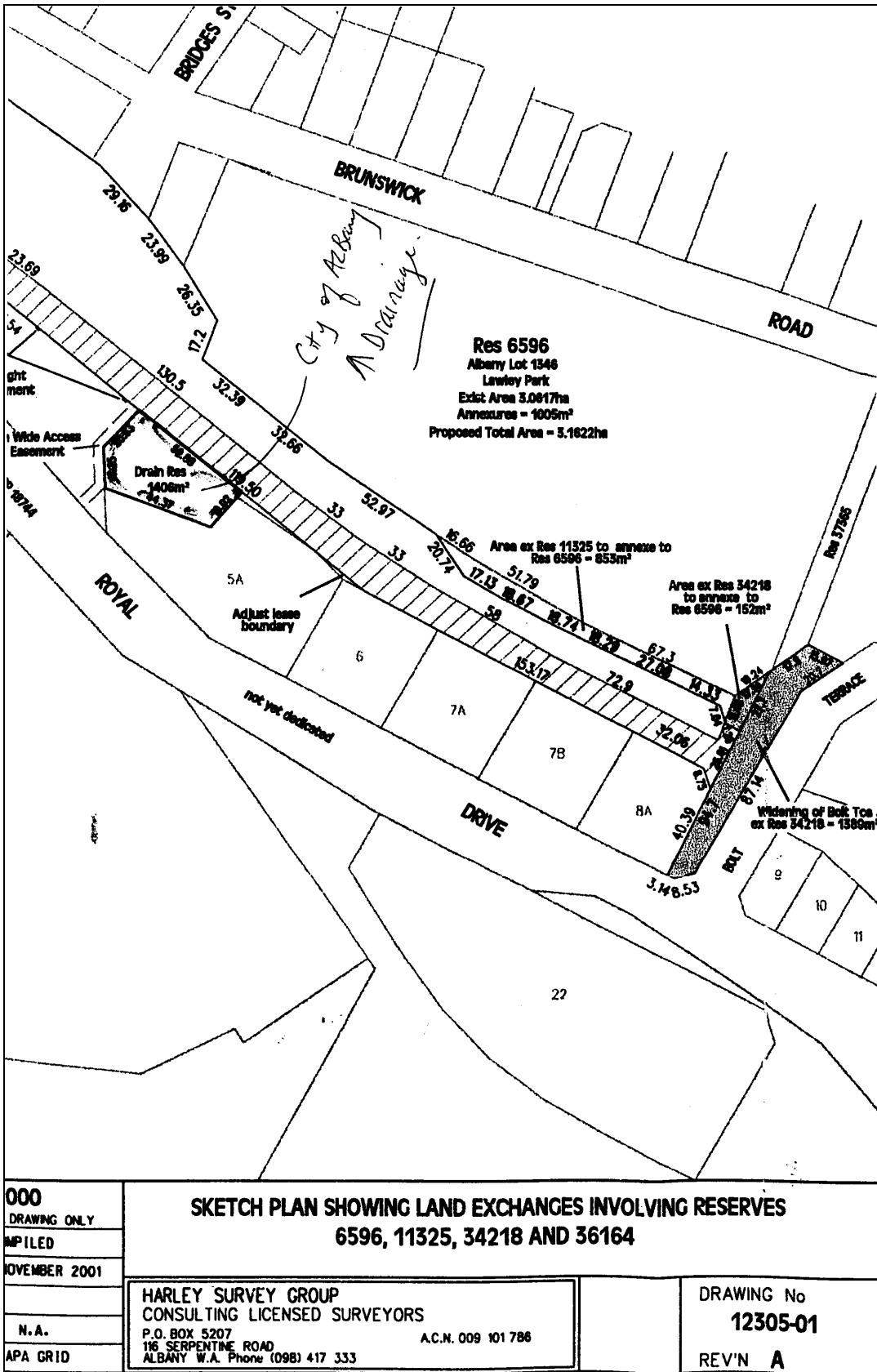
**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WELLINGTON**

THAT pursuant to Section 56 of the Land Administration Act 1997, the City of Albany request the Minister for Lands to declare that area of Reserve 34218, as shown on Drawing 12305-01, to be a public road for the purposes of widening Bolt Terrace.

MOTION CARRIED 15-0

WORKS & SERVICES REPORTS

Item 13.2.1 continued



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 DRAWING ONLY
 PREPARED
 NOVEMBER 2001
 N.A.
 APA GRID

**SKETCH PLAN SHOWING LAND EXCHANGES INVOLVING RESERVES
 6596, 11325, 34218 AND 36164**

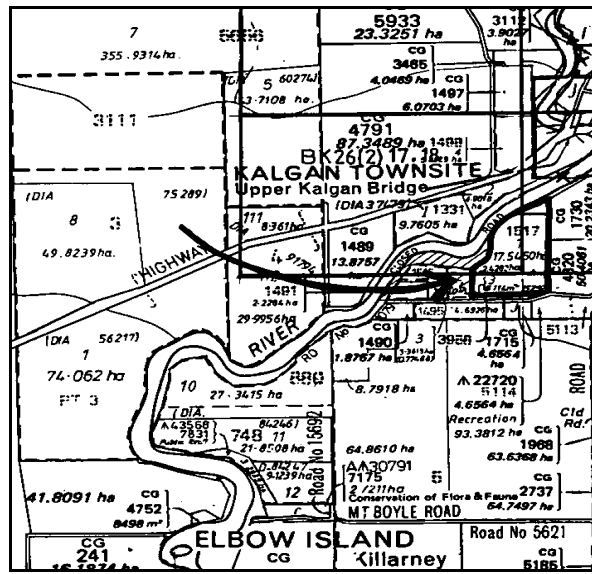
HARLEY SURVEY GROUP
 CONSULTING LICENSED SURVEYORS
 P.O. BOX 5207
 116 SERPENTINE ROAD
 ALBANY W.A. Phone (098) 417 333
 A.C.N. 009 101 786

DRAWING No
12305-01
 REV'N A

WORKS & SERVICES REPORTS

13.2.2 Lot 1 Loc 1517 Riverside Road – Provision of Access

File/Ward	: A162741S (Kalgan Ward)
Proposal/Issue	: Provide access to Lot 1 Loc 1517 Riverside Road
Subject Land/Locality	: Lot 1 Loc 1517 Riverside Road, Upper Kalgan
Proponent	: John Kinnear & Associates
Owner	: F Douglas
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: OCM 19/11/02 – Item 11.1.5
Summary Recommendation	: Request the Minister to declare section of Reserve 22720 to be a public road.
Bulletin Attachment	: Nil
Locality Plan	:



WORKS & SERVICES REPORTS

Item 13.2.2 continued

BACKGROUND

1. At the November 2002 Ordinary Council Meeting, support was provided to Mr Douglas in his quest to have the subdivision of Location 1517 supported by the Department of Planning and Infrastructure and concern was raised at that time over the provision of legal road frontage to one of the lots proposed within the subdivision.
2. Mr Douglas' surveyor, John Kinnear and Associates, has undertaken a survey of the alignment of Riverside Road, where it passes through Reserve 22720 and approximately 250 metres of Riverside Road has been constructed off the official road reserve.
3. Attached to this agenda item is a plan showing an area of land which is required to be excised from Reserve 22720 to place Riverside Road officially on the road reserve and to also provide legal and physical access to Location 1517.

STATUTORY REQUIREMENTS

4. Section 56 of the Land Administration Act 1997 sets out a process the Local Government must follow to dedicate a road.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. Approximately \$2,000 in survey costs is to be incurred by Mr Douglas, to survey the road reserve and provide the necessary diagrams of survey to the Department of Land Administration to allow the dedication to occur.
7. The City of Albany would be required to accept all costs associated with advertising the road closures etc to correct an anomaly which has been in place for many years.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

9. The process to close of road reserve is time consuming and a number of preliminary steps must be undertaken before Council can formally resolve both sections of Riverside Road shown on the attached plan and to have the closed road reserve incorporated back into Reserve 22720.

WORKS & SERVICES REPORTS

Item 13.2.2 continued

10. To expedite Mr Douglas’ subdivision proposal, it is possible for Council to proceed with the Department of Land Administration to have the road reserve dedicated on Reserve 22720 and it is that process which is currently be presented to Council.

RECOMMENDATION

THAT pursuant to Section 56 of the Land Administration Act 1997, the City of Albany request the Minister for Lands to declare that area of Reserve 22720, as shown on Drawing DWG5508E to be a public road for the purposes of realigning Riverside Road through that reserve.

Voting Requirement Simple Majority

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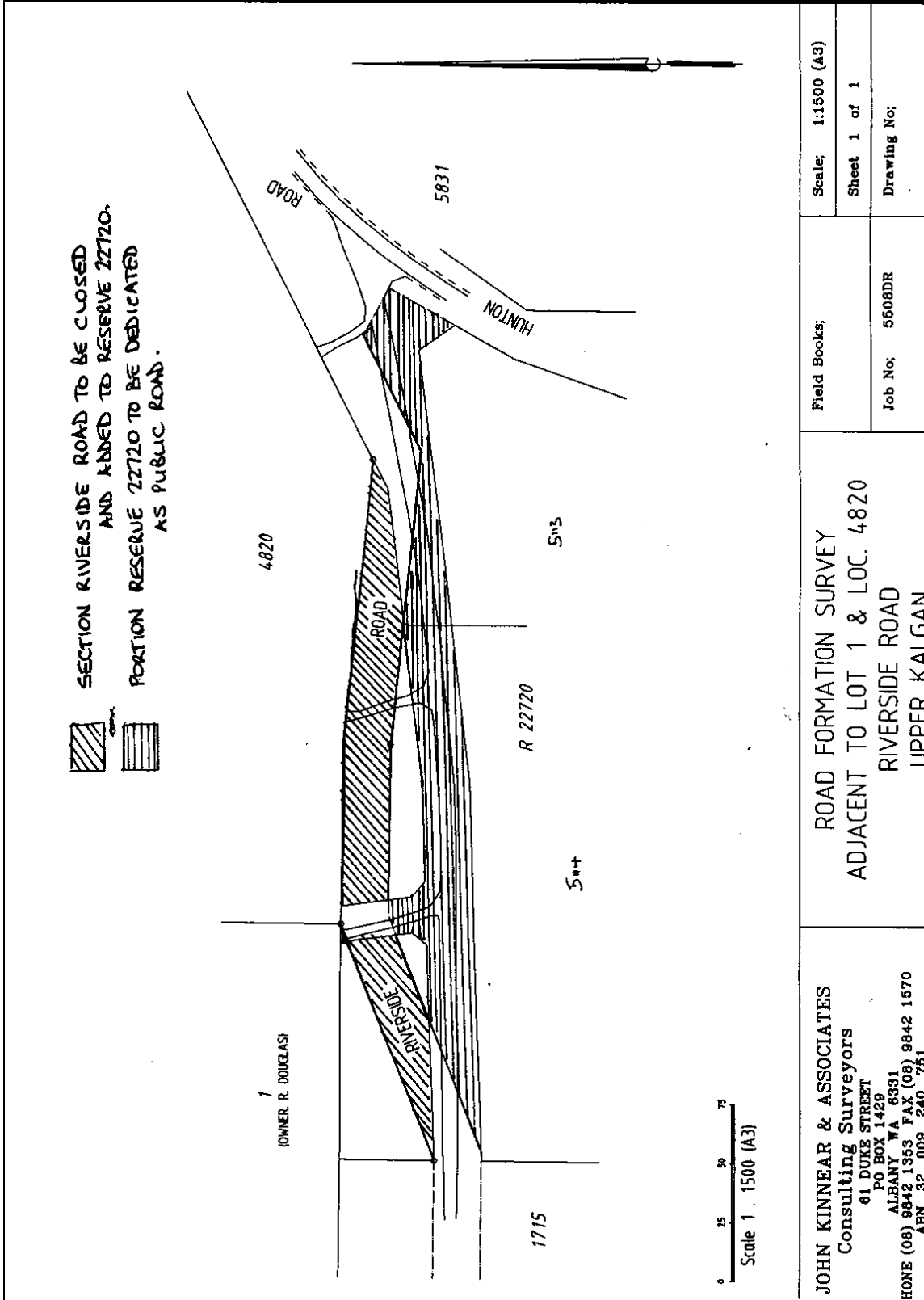
**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR CECIL**

THAT pursuant to Section 56 of the Land Administration Act 1997, the City of Albany request the Minister for Lands to declare that area of Reserve 22720, as shown on Drawing DWG5508E to be a public road for the purposes of realigning Riverside Road through that reserve.

MOTION CARRIED 15-0

WORKS & SERVICES REPORTS

Item 13.2.2 continued



WORKS & SERVICES REPORTS

13.2.3 Emu Point Local Area Traffic Management

File/Ward	: SER 092 (Breaksea Ward)
Proposal/Issue	: Emu Point Local Area Traffic Management
Subject Land/Locality	: Emu Point
Proponent	: City of Albany
Owner	: City of Albany
Reporting Officer(s)	: Manager Asset and Client Services (S Bell)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That the Emu Point Local Area Traffic Management plan be placed on exhibition for a period of 28 days for public comment.
Bulletin Attachment	: Nil.
Locality Plan	: Nil – Full plan will be available for viewing at the Ordinary Meeting of Council.

BACKGROUND

1. In 2002, the City of Albany engaged a Consultant to develop a Local Area Traffic Management (LATM) plan for Emu Point.
2. The need for the LATM plan arose from a general increase in multi purpose activity in the Emu Point area, and closure of vehicular access to the beach in order to minimize conflicts between vehicles and beach users.
3. A series of meetings were then convened with key stakeholders to enable in-depth feedback on local issues, which would drive design of the scheme. In addition, a public meeting was held on 4 April 2002 to involve the broader community in the decision-making process.

WORKS & SERVICES REPORTS

Item 13.2.3 continued

4. In general, the objectives of the LATM scheme are:
 - To improve safety and provide a sense of security to users, in particular small children, aged, and disabled persons;
 - To improve the physical environment by reducing traffic noise, vibration, and pollution; and
 - To create a streetscape environment that is conducive to social and recreational activities while maintaining an acceptable and equitable level of access for residents, commercial and sporting activities, emergency vehicles, and public transport.

STATUTORY REQUIREMENTS

5. There is no statutory requirement to report this issue to Council. However, it is considered important that the report be placed on exhibition to enable the community to comment on the preferred LATM scheme prior to adoption and implementation. This will allow the community to take ownership of the project.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

7. The 2002/2003 budget indicates that \$40,000 is available for this project. Following adoption of the LATM plan by Council, parts of the scheme will be implemented in line with the available budget.
8. The estimated cost to implement the scheme is \$1,376,400. Therefore, future budgets will be impacted should Council resolve to endorse the study report.

STRATEGIC IMPLICATIONS

9. This service falls under the Albany 2020 Port of Call:

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

- Objective:
To plan Albany's transport infrastructure to meet future needs complementary to the City's form and sense of place.
- Objective:
To effectively and efficiently manage the City's transport infrastructure:
 - To provide a high quality service;
 - To meet community expectations;
 - To minimise whole life costs;
 - In alignment with transport plans.

WORKS & SERVICES REPORTS

Item 13.2.3 continued

COMMENT/DISCUSSION

10. The LATM plan supports the concept of “Environmental Traffic Management”, which in simple terms encourages environmentally aware modes of transport such as walking and cycling. Such examples include:
 - Implementation of an area wide speed limit of 40 kilometers an hour. This was implemented in 2002;
 - Provision of a dual use path from Firth Street to Swarbrick Street;
 - Provision of a pathway in Mermaid Avenue for continuous linkage from one end of the village to the other; and
 - Provision of raised thresholds, refuges, raised entry statements, and the like.
11. In addition to the above, the Emu Point Local Area Traffic Management report recommends the following traffic calming and parking improvements:
 - Designation of a one-way road system along Roe Parade to improve traffic flow and parking in the vicinity of the reserve;
 - Provision of additional parking along Roe Parade and Cunningham Street;
 - Provision of a treatment at the intersection of Clark Street and Mermaid Avenue;
 - Modification of existing car parking bays at the Boat Harbour and Jetty;
 - Traffic calming measures along Mermaid Avenue and at various intersections within the residential precinct; and
 - Closure of Miller Street via construction of a cul-de-sac at Mermaid Avenue.
12. The consultants were required to investigate the connection of Roe Parade to Swarbrick Street in line with a previous resolution of Council. This connection is not supported in the study report.
13. As many of the improvements significantly impact residential amenity in the Emu Point area, it is therefore important that the community be consulted to determine their response to the proposal, if any. For this reason, it is recommended that the Emu Point LATM plan be placed on exhibition for a period of 28 days.

RECOMMENDATION

THAT Council, in principal, support the Emu Point Local Area Traffic Management plan and seek public comment prior to adoption.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.2.3 continued.

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR WILSON**

THAT Council, in principal, support the Emu Point Local Area Traffic Management plan and seek public comment prior to adoption.

MOTION CARRIED 15-0

Councillor Demarteau declared an impartiality interest in that he is a member of the Friends of Emu Point.

WORKS & SERVICES REPORTS

13.3 WORKS

13.3.1 Contract C02059 - Lockyer Avenue Upgrade – Provision of Labour and Plant

File/Ward	:	C02059 (Frederickstown Ward)
Proposal/Issue	:	Lockyer Avenue Upgrade - Provision of Labour and Plant to Lay Brick Paving
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager – City Works (L Hewer)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That the City accept the tender from W.P. Reid.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. The 2002/2003 Budget provided a Capital Works Program that, to be completed, will require the use of external construction contractors.
2. A request for tenders was published in the West Australian on 1st March 2003 and the Albany Advertiser on 27th February 2003 for the Contract No C02059 Lockyer Avenue Streetscape Redevelopment – Stage 2 for the Laying of Pavers. Tenders closed on 18th March 2003.

STATUTORY REQUIREMENTS

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

WORKS & SERVICES REPORTS

Item 13.3.1 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. There are no nett financial implications relating to this item. The full capital cost is under budget. The original estimate for this item was \$60,000.

STRATEGIC IMPLICATIONS

7. Albany 2020 – Charting Our Course includes the following Ports of Call:

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

- Objective:
To plan Albany’s transport infrastructure to meet future needs complementary to the City’s form and sense of place.
- Objective:
To effectively and efficiently manage the City’s transport infrastructure:
 - To provide a high quality service;
 - To meet community expectations;
 - To minimise whole life costs;
 - In alignment with transport plans.

COMMENT/DISCUSSION

8. During the tender period, six sets of documents were requested from Council. Of these, only one company, W.P Reid, submitted a tender for the works.
9. W.P Reid has carried out previous works with Council, and to date has performed on all occasions to deliver a satisfactory job on time.

RECOMMENDATION

THAT Council accepts Tender C02059 from W.P Reid for \$48,505.60 to supply labour and plant for the laying of pavers at Lockyer Avenue.

Voting Requirement Simple Majority

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR CECIL**

THAT Council accepts Tender C02059 from W.P Reid for \$48,505.60 to supply labour and plant for the laying of pavers at Lockyer Avenue.

MOTION CARRIED 15-0

WORKS & SERVICES REPORTS

13.3.2 Contract C02060 Lockyer Avenue Upgrade – Supply and Delivery of Brick Pavers

File/Ward	:	C02060 (Frederickstown Ward)
Proposal/Issue	:	Lockyer Avenue Upgrade – Supply and Delivery of Brick Pavers
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager – City Works (L Hewer)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That the City accept the Tender from Camtrans Albany Pty Ltd for the supply and delivery of Brick Pavers – Option 2.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. The 2002/2003 Budget provided a Capital Works Program that to be completed will require the provision of brick pavers as detailed in the Streetscape Plans.
2. A request for tenders was published in the West Australian on 15th March 2003 and the Albany Advertiser on 18th March 2003 for the Contact No C02060 – Supply and Delivery of Brick Pavers. Tenders closed on 1st April 2003.

STATUTORY REQUIREMENTS

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

WORKS & SERVICES REPORTS

Item 13.3.2 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. There are no nett financial implications relating to this item. The full capital cost is under the budget. The original budget estimate for this item was \$140,000.

STRATEGIC IMPLICATIONS

7. Albany 2020 – Charting Our Course includes the following Ports of Call:

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

- Objective:
To plan Albany’s transport infrastructure to meet future needs complementary to the City’s form and sense of place.
- Objective:
To effectively and efficiently manage the City’s transport infrastructure:
 - To provide a high quality service;
 - To meet community expectations;
 - To minimise whole life costs;
 - In alignment with transport plans.

COMMENT/DISCUSSION

8. During the tender period, five sets of documents were requested from Council. Two of the enquiries came from Perth contractors.
9. Of these, only two companies submitted a tender for the works. Camtrans Albany Pty Ltd and Midland Brick Company Pty Ltd (see Table).

Description of paver	Equivalent	Camtrans Option 1 Amount	Camtrans Option 2 Amount	Midland Brick Amount
BGC 80 Charcoal		\$22,709.22	\$22,709.22	\$23,069.41
BGC 60 Grey		\$34,344.91	\$34,344.91	\$43,884.10
Urbanstone 1304 mix	BGC Flagpave	\$38,405.40	\$24,490.40	N/A
Urbanstone 1314 mix		\$ 3,965.00	\$ 3,965.00	N/A
	TOTAL	\$99,424.53	\$85,509.53	\$66,953.51

WORKS & SERVICES REPORTS

13.3.2 continued

10. Camtans Albany Pty Ltd submitted two options for the supply of pavers. The second option was for an alternative supply of pavers equivalent to the brand name requested; replacing the Urbanstone 1304 mix with BGC Flagpave. The pavers have been inspected, and it is confirmed that they will not conflict with the streetscape theme.
11. Midland Brick Company Pty Ltd submitted higher pricing than Camtrans Albany Pty Ltd. They were also unable to supply an equivalent to the Urbanstone.

RECOMMENDATION

THAT Council accepts the tender C02060 from Camtrans Albany Pty Ltd, Option 2, for Supply and Delivery of Brick Pavers at a cost of \$85,509.53.

Voting Requirement Simple Majority

.....
Councillor West declared an interest in this item and left the Chambers at 8.40pm
The nature of interest – Cllr West interest was being that he has an involvement in the company.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR CECIL**

**THAT Council accepts the tender C02060 from Camtrans Albany Pty Ltd,
Option 2, for Supply and Delivery of Brick Pavers at a cost of \$85,509.53.**

MOTION CARRIED 14-0

Councillor West returned to the Chambers at 8.42pm

WORKS & SERVICES REPORTS

13.3.3 C02015, C02041 - Replacement of Trucks - P93 & P2102

File/Ward	: C02015 & C02041 (All Wards)
Proposal/Issue	: Replacement of Trucks P93 & P2102
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Depot Services Coordinator (J Harbach)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council accepts the tender from Albany City Isuzu for the replacement of two trucks - Isuzu 1.5 tonne truck (P2102) & Isuzu 3 tonne truck (P93).
Bulletin Attachment	: Financial Summary
Locality Plan	: N/A

BACKGROUND

1. A Request for Tenders was published in the West Australian on 15 February 2003 and the Albany Advertiser on 13 February 2003 for the replacement of the current Parks & Reserves Truck, licence A12608, purchased in 1996 and the current Rural Maintenance Truck, licence AL13759 purchased in April 1995.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.3.3 continued

FINANCIAL IMPLICATIONS

5. \$81,300 has been allocated in the 2002/2003 budget for the replacement of these trucks. Should Council choose to purchase the recommended trucks at a cost of \$106,192.20 with a trade in allowance of \$48,213.35, the actual nett cost to the City of Albany will be \$57,978.85 (excluding GST), providing an under expenditure of \$23,321.15. The trade-in allowance is comprised of a trade to Albany City Isuzu and outright purchase to Smith Broughton & Sons, Auctioneers.

STRATEGIC IMPLICATIONS

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

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

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

COMMENT/DISCUSSION

7. A panel comprising of the plant operators, Workshop Leading Hand, and Coordinators evaluated the submissions received from suppliers.
8. Tenders were received from registered companies as tabled below:

C02015

TENDERER	MODEL	TENDER PRICE (EXC GST)
Albany City Isuzu	Isuzu NPR400 Long	\$52,401.10
WA Hino	Hino Dutro 7500 Long	\$53,586.00
Skipper Trucks	Mitsubishi Canter 4T	\$55,853.65
Skipper Trucks	Mitsubishi Canter 4.5T	\$57,053.65

C02041

TENDERER	MODEL	TENDER PRICE (EXC GST)
Albany City Isuzu	Isuzu NPR400 Long	\$53,791.10
WA Hino	Hino Dutro 7500 Long	\$54,976.00
Skipper Trucks	Mitsubishi Canter 4T	\$57,243.65
Skipper Trucks	Mitsubishi Canter 4.5T	\$58,443.65

WORKS & SERVICES REPORTS

Item 13.3.3 continued

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

Price	70%
Suitability for task requirements	30%

10. Factors included in the suitability for task requirements included Occupational Health & Safety, practicality, serviceability and after sales service and warranty.
11. A whole life comparative costing was conducted on the tenders submitted. This included annual maintenance costs, utilisation, depreciation based on purchase costs and disposal values based on the current average usage of 1,200 hours per year.
12. The panel concluded that the tenders submitted by Albany City Isuzu for two 4 tonne trucks were acceptable.
13. This larger size truck for the Parks & Gardens staff will enable those staff to be more efficient and productive in their day-to-day works programs. This size vehicle will serve a dual purpose – it will have the capacity to carry the required equipment and can be utilized for the cartage of materials such as mulch, turf and soil and the removal of tree loppings from those smaller pruning tasks at the same time.
14. This more efficient use of a truck will reduce the requirement for additional resources to complete these tasks without impacting on other maintenance programs.
15. The truck for the Rural maintenance staff with the dual tray option – a fixed front tray and a tip tray at the rear will improve the efficiencies within this team. Tools, equipment and road materials can be transported at the same time, reducing the requirement for additional resources to complete work schedules.

RECOMMENDATION

THAT Council accepts the tenders C02015 and C02041 from Albany City Isuzu to supply two Isuzu NPR400 trucks at a cost of \$106,192.20 with a trade in allowance of \$48,213.35, the actual nett cost to the City of Albany will be \$57,978.85 (excluding GST), providing an under expenditure of \$23,321.15. The trade-in allowance is comprised of a trade to Albany City Isuzu and outright purchase to Smith Broughton & Sons, Auctioneers.

Voting Requirement Simple Majority

.....

WORKS & SERVICES REPORTS

- AMENDED ITEM -

13.3.3 Replacement of Plant – P2015 & P2102

File/Ward	: C02015 & C02041 (All Wards)
Proposal/Issue	: Replacement of Trucks P2015 & P2102
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Depot Services Coordinator (J Harbach)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council dispose of the Isuzu 6.5t truck (P2015) in the current budget and delay the disposal of the Isuzu 3tonne truck (P93) subject to budgetary considerations; and accept tenders C02015 and C02041 from Albany City Isuzu to supply two Isuzu NPR400 trucks.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. The Isuzu 3tonne truck (P93) has been scheduled for replacement in the current financial year's budget. Since the formulation of the budget, it has become apparent that the Isuzu 6.5tonne day truck (P2015) is under utilised. Given this, it is recommended that the Isuzu 6.5 tonne day truck (P2015) be replaced by a Isuzu 4tonne truck which will be better utilised. This will provide Council with an increased nett benefit for this year's budget (2002/03). It is suggested that the surplus vehicle (P93) be disposed of in the 2003/04 budget. This will benefit Council by rationalizing the fleet (reduction of fleet by one vehicle) whilst maintaining operational effectiveness.

WORKS & SERVICES REPORTS

Item 13.3.3 continued

2. A Request for Tenders was published in the West Australian on 15 February 2003 and the Albany Advertiser on 13 February 2003 for the replacement of the current Parks & Reserves Truck (P2102), licence A12608, purchased in 1996 and the current day truck (P2015), licence A46293 purchased in June 1996.

STATUTORY REQUIREMENTS

3. In accordance with Section 6.8 of the Local Government Act, expenditure from the municipal fund which is not included in the annual budget requires an absolute majority.
4. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
5. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

7. \$81,300 has been allocated in the 2002/2003 budget for the replacement of these trucks. The trade-in for the trucks consist of \$14,577 (ex GST) for P2102 and \$33,636.35 (ex GST) for P2015. Should Council choose to purchase the recommended trucks at a cost of \$106,192.20, with a total trade in of \$48,213.35, the actual nett cost to the City of Albany will be \$57,978.85 (ex GST), providing an under expenditure of \$23,321.15. The trade-in is comprised of a trade to Albany City Isuzu and outright purchase to Smith Broughton & Sons, Auctioneers.

STRATEGIC IMPLICATIONS

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

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

- Objective:

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

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

WORKS & SERVICES REPORTS

Item 13.3.3 continued

COMMENT/DISCUSSION

9. A panel comprising of the plant operators, Workshop Leading Hand, and Coordinators evaluated the submissions received from suppliers.
10. Tenders were received from registered companies as tabled below:

C02015

Tenderer	Model	Tender Price (Exc Gst)	Weighting %
Albany City Isuzu	Isuzu NPR400 Long	\$52,401.10	3.58
WA Hino	Hino Dutro 7500 Long	\$53,586.00	3.25
Skipper Trucks	Mitsubishi Canter 4T	\$55,853.65	2.95
Skipper Trucks	Mitsubishi Canter 4.5T	\$57,053.65	2.81

C02041

Tenderer	Model	Tender Price (Exc Gst)	Weighting %
Albany City Isuzu	Isuzu NPR400 Long	\$53,791.10	3.86
WA Hino	Hino Dutro 7500 Long	\$54,976.00	3.32
Skipper Trucks	Mitsubishi Canter 4T	\$57,243.65	2.88
Skipper Trucks	Mitsubishi Canter 4.5T	\$58,443.65	2.46

11. All the tenders submitted were weighted in accordance with the evaluation criteria as specified in the contract. The criteria used for this tender is detailed below:
 - Price 70%
 - Suitability for task requirements 30%
12. Factors included in the suitability for task requirements included Occupational Health & Safety, practicality, serviceability and after sales service and warranty.
13. A whole life comparative costing was conducted on the tenders submitted. This included annual maintenance costs, utilisation, depreciation based on purchase costs and disposal values based on the current average usage of 1,200 hours per year.
14. The panel concluded that the tenders submitted by Albany City Isuzu for two 4 tonne trucks were acceptable.
15. The four tonne truck (C02015) for the Parks & Gardens staff will enable those staff to be more efficient and productive in their day to day works programs. This size vehicle will serve a dual purpose – it will have the capacity to carry the required equipment and can be utilized for the cartage of materials such as mulch, turf and soil and the removal of tree loppings from those smaller pruning tasks at the same time.

WORKS & SERVICES REPORTS

Item 13.3.3 continued

16. This more efficient use of a truck will reduce the requirement for additional resources to complete these tasks without impacting on other maintenance programs.
17. The smaller four tonne truck (C02041) for the Rural maintenance staff will improve the efficiencies within this team. This truck will have a dual tray option – a fixed front tray and a tip tray at the rear. Work tools, equipment and road materials can be transported at the same time, reducing the requirement for additional resources to complete work schedules.

RECOMMENDATION

THAT Council:

- i) dispose of the Isuzu 6.5tonne truck (P2015) in the current 2002/2003 budget and delay the disposal of the Isuzu 3tonne truck (P93), subject to budgetary considerations.
- ii) accept Tenders C02015 and C02041 from Albany City Isuzu to supply two Isuzu NPR400 trucks at a cost of \$106,192.20 including trade in of \$48,213.35; the actual nett cost to the City of Albany will be \$57,978.85 (excluding GST); providing an under expenditure of \$23,321.15.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR DEMARTEAU**

THAT Council:

- i) dispose of the Isuzu 6.5tonne truck (P2015) in the current 2002/2003 budget and delay the disposal of the Isuzu 3tonne truck (P93), subject to budgetary considerations.**
- ii) accept Tenders C02015 and C02041 from Albany City Isuzu to supply two Isuzu NPR400 trucks at a cost of \$106,192.20 including trade in of \$48,213.35; the actual nett cost to the City of Albany will be \$57,978.85 (excluding GST); providing an under expenditure of \$23,321.15.**

**MOTION CARRIED 15-0
ABSOLUTE MAJORITY**

WORKS & SERVICES REPORTS

13.3.4 C02038 - Replacement of Tractor - P28

File/Ward	:	C02038 (All Wards)
Proposal/Issue	:	Replacement of Tractor P28
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Depot Services Coordinator (J Harbach)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tender from C&C Machinery for the replacement of the Deutz Tractor P28.
Bulletin Attachment	:	Financial Summary
Locality Plan	:	N/A

BACKGROUND

1. A Request for Tenders was published in the West Australian on 15 February 2003 and the Albany Advertiser on 13 February 2003 for the replacement of the current Parks & Reserves Tractor, licence AL14399, purchased in 1997.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.3.4 continued

FINANCIAL IMPLICATIONS

5. \$60,000 has been allocated in the 2002/2003 budget for the replacement of this tractor. Should Council choose to purchase the recommended tractor at a cost of \$63,608.00 with a trade in allowance of \$20,270.00, the actual nett cost to the City of Albany will be \$43,338.00 (excluding GST), providing an under expenditure of \$16,662.00. The trade-in allowance is an outright purchase to Smith Broughton & Sons, Auctioneers.

STRATEGIC IMPLICATIONS

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

Port of Call:

Transport systems & services designed to meet current & future needs

Objective:

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

COMMENT/DISCUSSION

7. A panel comprising of the plant operator, Workshop Leading Hand and Parks & Reserves Co-ordinator evaluated the submissions received from suppliers.
8. Tenders were received from registered companies as tabled below:

TENDERER	MODEL	TENDER PRICE (EXC GST)
Western Ag	Daedong DK75	\$49,420.00
Wanneroo Agricultural	Case JX75	\$52,871.00
Wanneroo Agricultural	Case JX85	\$56,461.00
Farmers Center	Case JX 75	\$56,790.00
Western Ag	Landini Ghibli 80	\$61,470.90
C&C Machinery	Massey Ferguson 4235	\$63,608.00
Wanneroo Agricultural	Case JX80U	\$64,811.00
Western Ag	Landini Vision 80	\$64,896.00
Wanneroo Agricultural	Case JX90U	\$68,301.00
Western Ag	McCormick CX85	\$68,338.00
Great Southern Tractors	Kubota M8200 DHC	\$69,043.00
DA Slee & Co	New Holland TL80	\$71,174.00
WesTrac	Challenger MT455	\$78,100.00

WORKS & SERVICES REPORTS

Item 13.3.4 continued

9. Of the submissions received, two were considered non-complying, as they did not meet the minimum requirements of the tender.
10. All the tenders submitted were weighted in accordance with the evaluation criteria as specified in the contract. The criteria used for this tender is detailed below:

Price	70%
Suitability for task requirements	30%
11. Factors included in the suitability for task requirements included Occupational Health & Safety, practicality, serviceability and after sales service and warranty.
12. A whole life comparative costing was conducted on the tenders submitted. This included annual maintenance costs, utilisation, depreciation based on purchase costs and disposal values based on the current average usage of 1,200 hours per year.
13. The panel concluded that the tender submitted by C&C Machinery was the preferred option.
14. Preference was given to this model tractor due to the improved efficiencies that can be gained with the power shuttle – this provides ease of operation for cutting around trees and other obstacles whilst mowing Council’s parks and reserves.
15. This added advantage together with the tapered bonnet and large glass area for excellent visibility, fully adjustable seat and ergonomically designed cabin will contribute to reducing operator fatigue.
16. After sales service, availability of spare parts and warranty is available to Council through a local dealer.

RECOMMENDATION

THAT Council accepts the tender C02038 from C&C Machinery to supply a Massey Ferguson 4235 Tractor at a cost of \$63,608.00 with a trade in allowance of \$20,270.00, the actual nett cost to the City of Albany will be \$43,338.00 (excluding GST), providing an under expenditure of \$16,662.00. The trade-in allowance is an outright purchase to Smith Broughton & Sons, Auctioneers.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.3.4 continued.

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT Council accepts the tender C02038 from C&C Machinery to supply a Massey Ferguson 4235 Tractor at a cost of \$63,608.00 with a trade in allowance of \$20,270.00, the actual nett cost to the City of Albany will be \$43,338.00 (excluding GST), providing an under expenditure of \$16,662.00. The trade-in allowance is an outright purchase to Smith Broughton & Sons, Auctioneers.

MOTION CARRIED 15-0

WORKS & SERVICES REPORTS

13.3.5 C02037 - Replacement of Truck - P10

File/Ward	:	C02037 (All Wards)
Proposal/Issue	:	Replacement of Truck P10
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Depot Services Coordinator (J Harbach)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tender from Albany City Isuzu for the replacement of the Parks & Gardens Truck – Hino 9 tonne (P10).
Bulletin Attachment	:	Financial summary
Locality Plan	:	N/A

BACKGROUND

1. A Request for Tenders was published in the West Australian on 15 February 2003 and the Albany Advertiser on 13 February 2003 for the replacement of the current Parks & Gardens Truck, licence AL12502, purchased in 1991.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.3.5 continued

FINANCIAL IMPLICATIONS

5. \$67,500 has been allocated in the 2002/2003 budget for the replacement of this truck. Should Council choose to purchase the recommended truck at a cost of \$102,690.00 with a trade in allowance of \$28,636.00, the actual nett cost to the City of Albany will be \$74,054.00 (excluding GST), providing an over expenditure of \$6,554.00. The trade-in allowance is an outright purchase to Freo Van Man (used vehicle dealer).
6. It is recommended, the \$6,554.00 budget shortfall be funded out of savings on the purchase of the tractor (replacement for P28).

STRATEGIC IMPLICATIONS

7. In the City of Albany’s 2020 Plan Charting Our Course, the following Port of Call is identified:
Transport systems and services designed to meet current and future needs.
 - Objective:
 To effectively and efficiently manage the City’s transport infrastructure:
 - To provide a high quality service;
 - To meet community expectations;
 - To minimise whole life costs;
 - In alignment with transport plans.

COMMENT/DISCUSSION

8. A panel comprising of the plant operator, Workshop Leading Hand and Parks & Reserves Co-ordinator evaluated the submissions received from suppliers.
9. Tenders were received from registered companies as tabled below:

TENDERER	MODEL	TENDER PRICE (EXC GST)
Albany City Isuzu	Isuzu FTR 900	\$102,689.95
WA Hino	Hino Ranger Pro 9 Long	\$103,708.00
Skipper Trucks	Mitsubishi Fighter 8	\$106,860.00

10. All the tenders submitted were weighted in accordance with the evaluation criteria as specified in the contract. The criteria used for this tender is detailed below:
 - Price 70%
 - Suitability for task requirements 30%
11. Factors included in the suitability for task requirements included Occupational Health & Safety, practicality, serviceability and after sales service and warranty.

WORKS & SERVICES REPORTS

Item 13.3.5 continued

12. A whole life comparative costing was conducted on the tenders submitted. This included annual maintenance costs, utilisation, depreciation based on purchase costs and disposal values based on the current average usage of 1,200 hours per year.
13. The panel concluded that the tender submitted by Albany City Isuzu was acceptable.
14. The air suspension driver's seat, adjustable steering column and power assisted steering are contributing factors in reducing operator fatigue.
15. The six metre long tray will have the additional safety feature of being fitted with an under body prop with variable heights.
16. The truck is integral to street tree pruning activities and works requests. The vehicle is utilized for the removal of street tree prunings as well as cartage of materials such as mulch, turf and soil.

RECOMMENDATION

THAT;

- i) Council accepts the tender C02037 from Albany City Isuzu to supply a Isuzu FTR 900 long truck at a cost of \$102,689.95 with a trade in allowance of \$28,636.35, the actual nett cost to the City of Albany will be \$74,053.60 (excluding GST), providing an over expenditure of \$6,553.60. The trade-in allowance is an outright purchase to Freo Van Man; and
- ii) the \$6,553.60 budget shortfall be funded out of savings on the purchase of the tractor (replacement for P28).

Voting Requirement Absolute Majority

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WORKS & SERVICES REPORTS

Item 13.3.5 continued.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR DEMARTEAU**

THAT;

- i) Council accepts the tender C02037 from Albany City Isuzu to supply a Isuzu FTR 900 long truck at a cost of \$102,689.95 with a trade in allowance of \$28,636.35, the actual nett cost to the City of Albany will be \$74,053.60 (excluding GST), providing an over expenditure of \$6,553.60. The trade-in allowance is an outright purchase to Freo Van Man; and**
- ii) the \$6,553.60 budget shortfall be funded out of savings on the purchase of the tractor (replacement for P28).**

**MOTION CARRIED 15-0
ABSOLUTE MAJORITY**

WORKS & SERVICES REPORTS

13.3.6 C02040 - Replacement of Truck - P2096

File/Ward	: C02040 (All Wards)
Proposal/Issue	: Replacement of Truck P2096
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Depot Services Coordinator (J Harbach)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council accepts the tender from WA Hino for the replacement of the truck – Ford Trader 4 tonne (P2096).
Bulletin Attachment	: Financial summary
Locality Plan	: N/A

BACKGROUND

1. A Request for Tenders was published in the West Australian on 15 February 2003 and the Albany Advertiser on 13 February 2003 for the replacement of the current Urban Maintenance Truck, licence A43497, purchased in 1996.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.3.6 continued

FINANCIAL IMPLICATIONS

5. \$55,100 has been allocated in the 2002/2003 budget for the replacement of this truck. Should Council choose to purchase the recommended truck at a cost of \$74,461.90 with a trade in allowance of \$19,545.45, the actual nett cost to the City of Albany will be \$54,916.45 (excluding GST), providing an under expenditure of \$183.55. The trade in allowance is an outright purchase to Freo Van Man (used vehicle dealer).

STRATEGIC IMPLICATIONS

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

Port of Call:

Transport systems & services designed to meet current & future needs

Objective:

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

COMMENT/DISCUSSION

7. A panel comprising of the plant operator, Workshop Leading Hand, and Urban Maintenance Co-ordinator evaluated the submissions received from suppliers.
8. Tenders were received from registered companies as tabled below:

TENDERER	MODEL	TENDER PRICE (EXC GST)
WA Hino	Hino Ranger Pro 5 Short	\$71,699.00
Albany City Isuzu	Isuzu FRR 500 Medium	\$74,461.90
WA Hino	Hino Ranger Pro 6	\$76,527.00
Skipper Trucks	Mitsubishi Fighter 6	\$84,610.00

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

Price 70%
Suitability for task requirements 30%

WORKS & SERVICES REPORTS

Item 13.3.6 continued

10. Factors included in the suitability for task requirements included Occupational Health & Safety, practicality, serviceability and after sales service and warranty.
11. A whole life comparative costing was conducted on the tenders submitted. This included annual maintenance costs, utilisation, depreciation based on purchase costs and disposal values based on the current average usage of 1,200 hours per year.
12. The panel concluded that the tender submitted by Albany City Isuzu for a five tonne truck (FRR 500) was acceptable.
13. The power capability of the Isuzu FRR 500 exceeded its nearest competitor by 16kw. The additional horsepower will enable staff to be more efficient and productive in their day-to-day works programs. The additional power of this truck will serve a dual purpose – it will have the capacity to carry the required equipment and road building materials in addition to towing a skid steer/plant trailer. This more efficient use of a truck will reduce the requirement for additional resources to complete these tasks without impacting on other maintenance programs.

RECOMMENDATION

THAT Council accepts the tender C02040 from Albany City Isuzu to supply a Isuzu FRR 500 medium truck at a cost of \$74,461.90 with a trade in allowance of \$19,545.45, the actual nett cost to the City of Albany will be \$54,916.45 (excluding GST), providing an under expenditure of \$183.55. The trade-in allowance is an outright purchase to Freo Van Man.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR WOLFE**

THAT Council accepts the tender C02040 from Albany City Isuzu to supply a Isuzu FRR 500 medium truck at a cost of \$74,461.90 with a trade in allowance of \$19,545.45, the actual nett cost to the City of Albany will be \$54,916.45 (excluding GST), providing an under expenditure of \$183.55. The trade-in allowance is an outright purchase to Freo Van Man.

MOTION CARRIED 15-0

WORKS & SERVICES REPORTS

13.4 AIRPORT MANAGEMENT

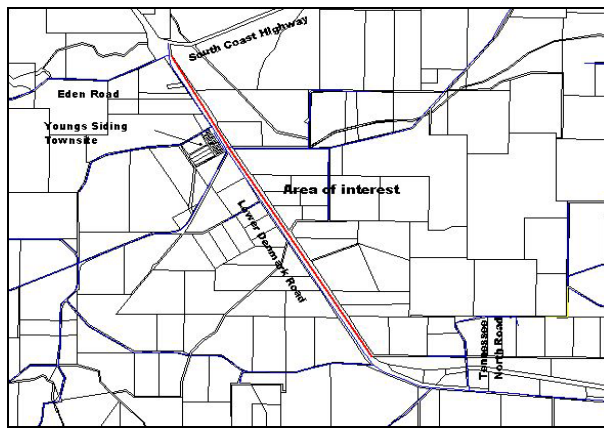
Nil.

WORKS & SERVICES REPORTS

13.5 RESERVES PLANNING & MANAGEMENT

13.5.1 Multiple Use Trail - Request for Support from Youngs Siding Progress Association

- File/Ward** : STR 105 (West Ward)
- Proposal/Issue** : Request from the Youngs Siding Progress Association for the City of Albany to support a grant application to carry out a feasibility study for provision of a multiple purpose trail on Lower Denmark Road at Youngs Siding.
- Subject Land/Locality** : Lower Denmark Road between Eden Road and Tennessee North Road
- Proponent** : Youngs Siding Progress Association and the Department of Sport and Recreation
- Owner** : City of Albany
- Reporting Officer(s)** : Manager Asset & Client Services (S Bell)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 18/01/00 Item 15.5.1
- Summary Recommendation** : That at this time, Council does not support the Youngs Siding Progress Association’s grant application to carry out a feasibility study for the provision of a multi purpose trail in the Youngs Siding area.
- Bulletin Attachment** : Nil
- Locality Plan** :



WORKS & SERVICES REPORTS

Item 13.5.1 continued.

BACKGROUND

1. The Youngs Siding Progress Association recently approached the City of Albany for support in applying for a grant application to TrailsWest and the Lotteries Commission (refer to letter attached). If successful, the grant would be used to carry out a feasibility study and community consultation for a proposed multi purpose trail at Youngs Siding, which would follow the alignment of the Mundibiddi Trail. At this stage however, the Youngs Siding community are only looking to construct a relatively short section of the trail with no connectivity to other trails and / or pathways in the area.
2. The Youngs Siding Progress Association convened a public meeting on 10 March 2003 to canvas community reaction to the proposal. Chris Thompson, from the Department of Sport and Recreation, facilitated the meeting. Community members who attended the meeting were divided in their opinions and more than half did not support the provision of a trail at Youngs Siding. Particularly vocal, were those residents whose properties abutted the proposed multi purpose trail.
3. The issues raised at the meeting are summarized below:

Opportunities	Constraints
Safe access needed for pedestrians, cyclists and horse riders as Lower Denmark Road is perceived as busy and dangerous.	Concerns about use of the trail by motorbikes.
Trail would link Youngs Siding Town site with the outlying community.	Concerns about widths and construction of trail.
Youngs Siding Fire Brigade sees the trail as an opportunity for a strategic firebreak.	Concerns about risks of mixing users such as cyclists and horses.
	Concerns about who is responsible for maintenance of driveways that the trail crosses.
	Concerns about loss of vegetation.
	Concerns that other options have not been considered.
	Concerns about increased risk of fire.
	Concerns about weed and disease invasion.
	Concerns about loss of privacy.
	Concerns about safety issues of trail users crossing driveways.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

STATUTORY REQUIREMENTS

4. The City of Albany is the authority responsible for management of Lower Denmark Road. As such, the Youngs Siding Progress Association requires Council's consent for the provision of a multi purpose trail within the road reserve.
5. There are no statutory requirements for the City of Albany to support the grant application. However, for the grant application to be successful, the Youngs Siding Progress Association will require the support of Council.

POLICY IMPLICATIONS

6. The Albany Trails Masterplan, which was adopted by Council in 2000, considers provision of a multi purpose trail from Elleker to the Hay River inclusive. Given other more urgent priorities, the construction of a trail in the vicinity of Youngs Siding will be some time away and is heavily reliant upon funding by external agencies.

FINANCIAL IMPLICATIONS

7. The grant application does not require any financial contribution from the City of Albany. However, it is anticipated that Council will be required to assist the Youngs Siding community with the planning and resultant community consultation for provision of the trail. Therefore, there is likely to be an impact on staff time and resources generally.
8. Notwithstanding the above, once the feasibility study has been completed, there will be an expectation that the trail will be implemented within a relatively short timeframe, and hence, pressure placed on future Council budgets to fund construction of the trail.
9. Under the Albany Trails Masterplan, it was assumed that the multi purpose trail would be wholly funded by the State Government as part of the provision of the proposed Mundibiddi Track, which extends from Perth to Albany.

STRATEGIC IMPLICATIONS

10. The Albany Trails Masterplan supports Albany 2020 – Charting our Course under the following Ports Of Call:

'Managed healthy land and harbour environment'

- Objective:
To manage reserves for environmentally sustainable use, community enjoyment and benefit.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

‘Transport Systems and Services designed to meet current and future needs’

• Objective:

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

COMMENT/DISCUSSION

11. If the grant is successful, the feasibility study will:

- Assist to work through items of community concern;
- Consider options for the alignment of the proposed multi purpose trail;
- Be used by the State Government for the next phase of planning for the proposed Mundibiddi Trail;
- Be a catalyst for future grant applications and construction activities once the preferred route of the multi purpose trail is known.

12. The multi purpose trail at Youngs Siding is not identified as a high priority project in the Albany Trails Masterplan (2000). Rather, the facility is ranked 16 out of 16 projects identified in the plan.

13. The State Government has long discussed the feasibility of constructing a multi purpose trail from Perth to Albany to encourage greater connectivity between regional centers by alternative modes of transport (walking, cycling etc). Informally, the multi purpose facility is called the Mundibiddi Track and is progressively being implemented as funding permits.

14. The State Government is currently implementing and funding both the maintenance and construction of the Mundibiddi Track, which will in time pass through Youngs Siding. For this reason, it is recommended that Council not become involved in the project at this stage.

RECOMMENDATION

THAT Council does not support at this time the Youngs Siding Progress Association’s grant application to carry out community consultation and a feasibility study for the provision of a multi purpose trail in the Youngs Siding area.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.5.1 continued.

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR WELLINGTON**

THAT Council support the Young Siding Progress Association Grant Application to carry out Community Consultation and a feasibility study for the provision of a multi purpose trail in the Young Siding area, subject to Council making final determination on the project after considering outcome of community consultation and feasibility study, noting that Council does not support the construction of a multi purpose trail at this stage, but does support a feasibility study being conducted.

MOTION CARRIED 13-2

WORKS & SERVICES REPORTS

Item 13.5.1 continued

Attachment 1

Andriew Hammond,
C.E.O.
City of Albany
P/o Box 484
Albany, 6330

Sharon Pearson
PMB 9266,
Youngs Siding
6330

CITY OF ALBANY - RECEIVED		
RECORDS OFFICE		
27 MAR 2003		
FILE	CORR. NO.	OFFICER
SIR	2302912	CPD
CC	ATTACHMENTS	OFFICER
		2

Dear Andriew,

On behalf of the multi-use trail committee of Youngs Siding, we are requesting a letter of support from council for the application of a \$5000 grant to carry out a feasibility study, so our group can gather more information on the planning of this community project. A group member attended the last meeting (18/3/03) & requested support from council & we will attend the next council meeting on the 3/4/03 to hear their decision. As our grant deadline is Friday 28th March we are needing to hand our application in on time to the Lotteries Commission. Trusting that council will support this project & your letter of support will be sent A.S.A.P.

Yours sincerely
Sharon Pearson.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

Attachment 2

Albany Trails Masterplan- Potential New Trails- Elleker to Denmark Rail -Trail (Pg 45)

A multi-use trail, catering for hikers, mountain bikers and horse riders, is feasible on significant sections of the disused railway reserve between Elleker and Hay River. This proposed trail could ultimately connect with the existing Coalmine Beach Heritage Trail (a rail-trail) within the Shire of Denmark. Current plans of the Denmark Trails Committee are for a westward extension of the Heritage Trail between Denmark and Nornalup. Unfortunately several kilometres of the disused railway reserve is now in private ownership, thus making a contiguous trail along the route of the former railway impossible.

An alternative route would be to use quiet back roads through the Bornholm Hills, effectively bypassing the privately owned sections of the former railway reserve. The significance of this potential rail-trail is that it would re-create the historic link between Albany and Denmark, and ultimately to Nornalup (potentially). This historic link existed between 1929 and 1957, until the closure of the railway.

Construction Details: N/A.

Estimated Construction Costs:

Not costed – requires significant additional investigative research

Long Distance Mountain Bike Trail (pg 48)

A proposal for a long-distance mountain bike trail currently being put forward by WAMBA (WA Mountain Bike Association) has the potential to be a significant new addition to the trails network in the Albany region. The proposed trail is likely to run from the eastern outskirts of the Perth metropolitan region to the south coast, with Albany as its southern terminus. It is being promoted as the cyclist's alternative to the Bibbulmun Track. Such a trail would be of enormous benefit to both local residents and the tourist industry alike.

While the alignment of this trail is as yet unknown, it is likely to utilise existing forest tracks perhaps entering the City of Albany via the Coalmine Beach Heritage Trail (and the disused railway reserve between Denmark and Elleker).

Construction Details:

It is anticipated that minimal construction will be necessary, with directional signposting and trail marking being the key elements. Mapping and guide books will be critical to success of route. Trail will utilise forest tracks, management access roads, disused railway reserves and logging railway formations, and quiet back roads.

Estimated Construction Costs: N/A

Priority and Rationale:

Priority 1. A significant demand exists within WA for a long mountain bike trail. Currently many mountain bikers ride (albeit unlawfully) on the Bibbulmun Track in other areas. The proposed long distance route will cater for the existing and latent demand for mountain biking, and a long mountain bike trail.

WORKS & SERVICES REPORTS

13.6 WORKS AND SERVICES COMMITTEES

13.6.1 Bushcare Advisory Committee Minutes – 19th March 2003

- File/Ward** : MAN 121 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration
- Reporting Officer** : Executive Director Works and Services (B Joynes)
- Summary Recommendation** : That the minutes of the Bushcare Advisory Committee meeting held on 19th March 2003 be adopted.

Confirmation of the minutes of the Bushcare Advisory Committee meeting of 19th March 2003.

RECOMMENDATION

THAT the minutes of the Bushcare Advisory Committee meeting held on the 19th March 2003 be received (copy of minutes in the Elected Members' Report/Information Bulletin) and the following recommendation adopted.

THAT the following member be included into the Bushcare Advisory Committee:

- Kelvin Flugge as a community representative.

Voting Requirement Absolute Majority

**MOVED COUNCILLOR SANKEY
SECONDED COUNCILLOR EVERS**

THAT the minutes of the Bushcare Advisory Committee meeting held on the 19th March 2003 be received (copy of minutes in the Elected Members' Report/Information Bulletin) and the following recommendation adopted.

THAT the following member be included into the Bushcare Advisory Committee:

- Kelvin Flugge as a community representative.**

**MOTION CARRIED 15-0
ABSOLUTE MAJORITY**

General Management Services

REPORTS

14.1 STRATEGIC DEVELOPMENT

14.1.1 Additional Funding for the Albany Visitors Centre

File/Ward	: REL 121 (All Wards)
Proposal/Issue	: Additional Funding – Albany Visitor Centre
Subject Land/Locality	: Nil
Proponent	: Nil
Owner	: Nil
Reporting Officer(s)	: Project Administration Officer (B Parker)
Disclosure of Interest	: Nil
Previous Reference	: OCM 20/08/02 – Item 12.2.5 SCM 27/08/02 – Item 8.1
Summary Recommendation	: That Council provides the Albany Visitor Centre with an additional \$23,000.00 this financial year.
Bulletin Attachment	: Incoming correspondence
Locality Plan	: Nil

BACKGROUND

1. The City of Albany has received a request from the Albany Visitor Centre to contribute further funding this financial year. Without further funding the Albany Visitor Centre could experience severe financial distress.
2. Albany Visitor Centre Manager, Ian Osborne, addressed Council at the March Briefing Session. The information presented to Council outlined that the Albany Visitor Centre is predicting a \$23,000.00 budget deficit this financial year.
3. A number of factors have contributed to this current financial situation.
 - Work for the Dole provisional income of \$7,500.00 is expected to have an actual income of \$1,700.00.
 - Sponsorship provisional income of \$10,000.00 for the VIP/VIP promotion bag has been reduced, due to an unsuccessful grant application and the unavailability of the sales consultant.
 - A \$6,500.00 increase in wages resulting from staff moving to employment contracts.

Item 14.1.1 continued.

4. The Albany Visitor Centre has taken action to address this budget problem. Changes to the Constitution, dispute resolution, increased efficiency in regards to staff issues, increased marketing exposure and improvements to sales performance will allow the Albany Visitor Centre to continue to provide an essential public service.
5. The effort made to address these budget issues will lead to a positive outcome for the Albany Visitor Centre, whereby it will experience growing revenues resulting in reduced dependence on Council funding.
6. The City of Albany contributed \$100,000.00 to the Albany Visitor Centre this financial year. The funding required in this circumstance is in addition to this payment

STATUTORY REQUIREMENTS

7. In accordance with Section 6.8 of the Local Government Act, expenditure from the Municipal Fund, which is not included in the Annual Budget requires an Absolute Majority.

POLICY IMPLICATIONS

8. There are no policy implications relating to this item

FINANCIAL IMPLICATIONS

9. The Albany Visitor Centre currently receives \$125,000.00 per annum in financial contributions from the City of Albany.
10. The Albany Visitor Centre requires an addition \$23,000.00 this financial year. Therefore, the City of Albany has been asked to contribute a \$23,000.00 ex gratia payment.

STRATEGIC IMPLICATIONS

11. The City of Albany's Strategic Plan states under the Port of Call: The attraction and development of a broad range of social, cultural and economic entities.

“To lead key tourism industry groups in establishing an integrated approach to visitor servicing, district and area promotion and product development”

COMMENT/DISCUSSION

12. In the information received from the Albany Visitor Centre at the March Council Briefing Session, it became apparent that this business unit is making every effort to address the current budget situation. By incorporating all of its business strategies, the Albany Visitor Center is predicting increased revenue resulting in less dependence on Council contributions.

ORDINARY COUNCIL MEETING MINUTES – 15/04/03
REFER DISCLAIMER
GENERAL MANAGEMENT SERVICES REPORTS

Item 14.1.1 continued.

13. The Albany Visitor Centre provides an important information service for the region. The effectiveness of the Albany Visitor Centre impacts on a number of businesses within the City of Albany including cafes, restaurants, air services, retail traders, accommodation houses and tourist operators.

RECOMMENDATION

THAT Council approves the application from the Albany Visitor Centre to contribute a further \$23,000.00 funding for this financial year.

Voting Requirement Absolute Majority

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**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WILLIAMS**

THAT Council approves the application from the Albany Visitor Centre to contribute a further \$23,000.00 funding for this financial year.

**MOTION CARRIED 14-1
ABSOLUTE MAJORITY**

14.2 ORGANISATIONAL DEVELOPMENT

Nil.

14.3 ECONOMIC DEVELOPMENT

Nil.

14.4 GENERAL MANAGEMENT SERVICE COMMITTEE

Nil.

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

Elected Members' Report/Information Bulletin

DRAFT MOTION

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

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WOLFE**

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

MOTION CARRIED 15-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17.0 MAYORS REPORT

"Fellow Councillors:

As we gather tonight we do so for the last time in our present quorum. The elections to be held in a couple of weeks time will determine the future for many of us. However, there are two Councillors who we farewell tonight having decided for their own personal reasons to not seek re-election - Councillors Judy Cecil and Ian Wilson. I wish to express my personal thanks to them both for the contributions they have made to Council during the first four years as the City of Albany. Being a Councillor is no easy job as I think both Ian and Judy will attest, however, there are many intangible rewards that come from serving the community, the memory of which will stay with them for the rest of their lives.

I wish all Councillors who have chosen to re-nominate my sincere best wishes and I hope also to continue to work for the community to the best of my ability.

During the last month there have been some exciting developments for Albany's Youth, Arts and Aboriginal communities. It was my pleasure to attend a handover of a \$500,000 Lotteries Commission grant to the Albany PCYC as a contribution to the new Youth centre project which is now well on it's way to becoming a reality. I congratulate PCYC and Southern Edge Arts for their commitment, perserverance and energy in securing the grant funding.

It was a very proud moment for me to sign the Aboriginal Accord along with the Minister for Aboriginal Affairs – Hon Alan Carpenter and members of the Aboriginal community. The accord and its associated action plan are history making documents being the first to be adopted by a West Australian Local Government and Council is to be congratulated on its commitment to reconciliation and to our indigenous community.

The 41st City of Albany Art Prize was opened last week and is again a huge success cementing its place in the art world as a competition of distinction. I sincerely thank

Annette Grant and her trusted team of volunteers for the huge effort it takes to get the Art Prize staged every year. Well done.

Last Friday night, I was pleased to host a get together for our highly valued Volunteer Fire Brigades to thank them for their incredible efforts in maintaining the safety of the community during the summer season. The evening was well attended by more than 60 people representing most of the local brigades and I was thrilled to be able to present each brigade with a Certificate of Appreciation as a token of our gratitude. I hope that this event will become a regular tradition as it is important to recognise the work that this group do for us all.

Next week will be a busy week for Albany with a host of memorial services surrounding ANZAC Day. This year we are fortunate to welcome to Albany, the Mayor of Gallipoli – Mr Cihat Bingol who will be attending the Dawn Service and main parade and will also be signing a Friendship Agreement between the City of Gallipoli and the City of Albany. The agreement is aimed at uniting our two communities in friendship to remember our ancestors with honour and to lay the foundations for moving on to a prosperous future together. It is an agreement which promotes the exchange of cultural, educational and economic ideas for the benefit of both communities.

I wish the local RSL club all the best for their preparations for the series of services and commemorations that are planned and ask that all in attendance do so with the dignity that befits the day. It is a time to remember and reflect on our past and to be proud of our service men and women who are committed to protecting our freedom.

Thankyou Councillors and staff of the City of Albany for supporting me during the last four years and I have faith that you will continue to provide support for whoever is in this chair after May the third.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR DEMARTEAU**

THAT the Mayors Report be received.

CARRIED 15-0

18.0 CLOSED DOORS

Nil.

19.0 NEXT ORDINARY MEETING DATE

Tuesday 20th May 2003, 7.30pm
Mercer Road Council Chambers

20.0 CLOSURE OF MEETING

8.55pm

Confirmed as a true and correct record of proceedings.

A E Goode, JP
Mayor

APPENDIX A

**WRITTEN NOTICE OF DISCLOSURE OF INTEREST
MINUTES OF THE ORDINARY COUNCIL MEETING 15th APRIL 2003**

Name	Item	Nature of Interest
Councillor West	Item 13.3.2 – Supply of Brick Pavers	Associate of the Supplier

APPENDIX B

**INTEREST DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 15th APRIL 2003**

Name	Item	Nature of Interest
Councillor Demarteau	Item 13.2.3 – Eum Point Area Traffic Management	Impartial Interest – Member of the Friends of Emu Point.
Councillor Wilson	Item 11.3.3 – Draft Policy – Special Residential Area No. 8 – La Perouse Road, Frenchman Bay	Impartial Interest – member of the Frenchman Bay Progress Association

APPENDIX C

**CODE OF CONDUCT – INTERESTS (OTHER THAN FINANCIAL)
DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 18TH MARCH 2003**

Name	Item	Nature of Interest
Nil		



SUMMARY OF ACCOUNTS

Municipal Fund			
Cheques	totalling	138,098.99	
Electronic Fund Transfer	totalling	1,997,816.75	
Payroll	totalling	648,748.71	
TOTAL			<u>\$2,784,664.45</u>

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$2,784,664.45 which was submitted to each member of the Council on 15th April 2003 has been checked and is fully supported by vouchers and invoices which are submitted to herewith and which have been fully certified as the receipt of goods and the rendition of services and as to prices, computations and costings and the amounts shown are due for payment.

CHIEF EXECUTIVE OFFICER
(A Hammond)

MAYOR

I hereby certify that this schedule of accounts covering municipal and trust fund payments totalling \$2,784,664.45 which was submitted to the Council on 15th April 2003 and that the amounts are recommended to the Council for payment.

MAYOR
(A Goode JP)