



MINUTES

ORDINARY MEETING OF COUNCIL

on
Tuesday, 15th October 2002
7.30pm
City of Albany - Mercer Road Office

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

City of Albany

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Signed _____

Date: 21st October 2002

Andrew Hammond
Chief Executive Officer

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Prior to the opening of the meeting Deputy Mayor Evans presented a Rangers' Association Certificate and medal to Senior Ranger, Mr Gary Turner for 15 years service to the Town of Albany/City of Albany.

Deputy Mayor Evans also presented a Rangers' Association Certificate and medal to Mr Joe Gimondo for 20 years service to the Town of Albany/City of Albany.

1.0 DECLARATION OF OPENING

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

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

Attendance:

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
	- I.W. Wilson
	- J. Cecil
	- J Walker
	- E.A. Barton

Chief Executive Officer	- A.C. Hammond
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Executive Director –

Development Services	- R. Fenn
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Executive Director –

Corporate & Community Services	- W.P. Madigan
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Executive Director –

Works & Services	- B Joynes
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Minute Secretary	- L J Lewis
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Approximately 17 members of the public

1 media representatives

Apologies/Leave of Absence:

Mayor	- A.E. Goode JP
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3.0 OPENING PRAYER

Deputy Mayor Evans read the opening prayer:

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

Deputy Mayor Evans asked that everybody remain standing and observe a minutes silence to remember the victims and families of the bomb blast in Bali which occurred on 12th October 2002.

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.

***Mr Brian Taylor**

Mr Taylor referred to Item 11.1.1 – Final Approval for Amendment – Lot 2 Hortin Roiad, Lot 5 Cosy Corner Road and Lot 130 Coombes Road, Kronkup.

Mr Taylor asked Council to review the matter further as he felt the report was not an accurate portrayal of the situation in Torbay.

The Executive Director of Development Services responded by saying that he has an amendment for approval by Council. He said that some issues have been addressed in the amended document and Council is under obligation to process this application under legislation and ensure the matter goes through to the Minister.

***Mr James O’Brien**

Mr O’Brien was speaking on behalf of the Apex Club of Albany in relation to Item 11.1.2 – Development Application – Gazebo & Information Board – Reserve 2682, Mount Clarence.

Mr O'Brien asked that the proposal be accepted by Council.

***Mr John O'Dea**

Mr O'Dea asked whether costings could be published in relation to Consultants' fees paid by the City to outside consultants.

Mr O'Dea also said he would like to see progress from the Progress Association of Albany, rather than criticism.

***Mr John Codee**

Mr Codee referred to Item 12.2.4 – Alteration to locality boundaries – Torbay and Napier.

Mr Codee said that he has been put in Hunwick, but he would rather it be named Torbay.

Mr Codee said he has a chalet on his farm. He said Torbay is important to tourism and he now has to advertise his property in Hunwick. He said he would like to stay in Torbay.

***Mr John Lyn**

Mr Lyn referred to Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway. A written letter from Mr Lyn was tabled.

Mr Lyn asked Council whether the Traffic Impact Study and the Economic Impact Study had been carried out, and if not, if the proposal could lay on the table until Council is satisfied with the outcome of the studies.

The Executive Director Development Services responded by saying that he would respond formally to Mr Lyn. He said that development cannot take place until all studies are completed.

The Executive Director Works & Services responded by saying that he agreed with Mr Lyn but that zoning was not appropriate at this time.

***Mr Gary Wilson**

Mr Wilson referred to Item 12.2.4 – Alteration to locality boundaries – Torbay and Napier.

Mr Wilson said he attended a meeting with Torbay residents who felt that if Council allows the proposal of Torbay Hill to become part of Torbay it creates a problem in that there will be two communities in the one district vying for Torbay.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

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

6.1.1 DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 17th September 2002;

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

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR EMERY**

THAT the following minutes:

- **Ordinary Council meeting held on 17th September 2002;**

as previously distributed be confirmed as a true and accurate record of proceedings, subject to the following amendment:

In Item 12.2.4 - Proposed Lease Renewal for Lockyer Community Kindergarten Inc on Reserve 25383 – the word “internal” be included in relation to the Lease.

MOTION CARRIED 14-0

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.]

Executive Director Development Services, Mr R Fenn – Item 11.2.1 – Riverview Golf Club – Concert and Temporary Camping Approval (Code of Conduct)

Councillor Barton – Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway.

Councillor Wellington - Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway.

Councillor Sankey - Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway.

Councillor Demarteau – Item 12.7.1 – City of Albany Audit Committee Minutes – 10th September 2002.

Under the Local Government Act, Councillors Barton, Wellington and Sankey asked leave of Council to remain in Chambers for the debate of Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway.

Councillors Barton, Wellington and Sankey left Chambers at 8.04pm.

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR WALKER**

THAT Councillors Barton, Wellington and Sankey be allowed to remain in Chambers for the debate of Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway.

MOTION CARRIED 11-0

Councillors Barton, Wellington and Sankey returned to Chambers at 8.05pm.

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 19.1 – Sale of Cocoa Beans from Bakers Junction Landfill Site.

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

Development Services

REPORTS

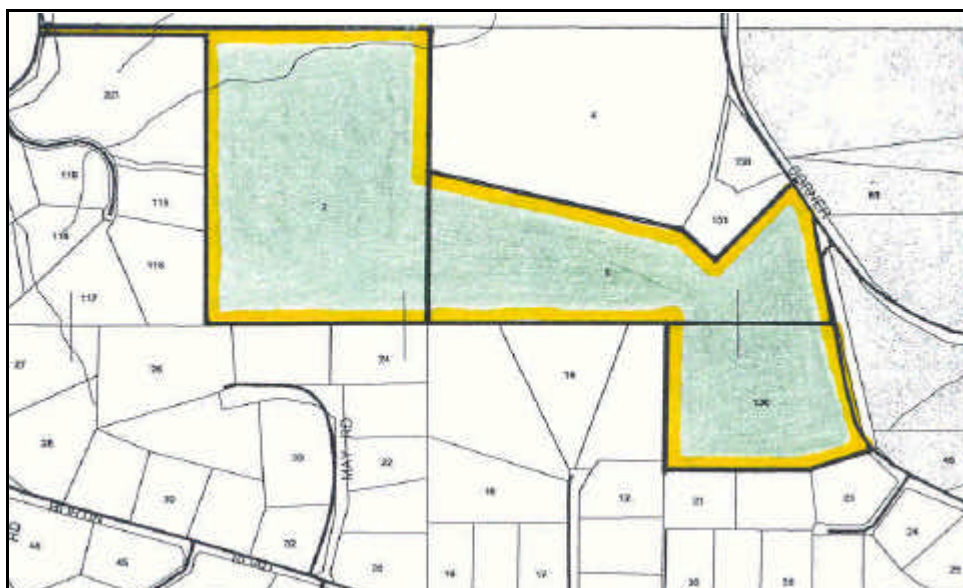
DEVELOPMENT SERVICES REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Final Approval for Amendment – Lot 2 Hortin Road, Lot 5 Cosy Corner Road, and Lot 130 Coombes Road, Kronkup

- File/Ward** : A54657A, A55708A & A64410 / AMD 225 (West Ward)
- Proposal/Issue** : Request for Final Approval to Rezoning Request
- Subject Land/Locality** : Lot 2 Hortin Road, Lot 5 Cosy Corner Road and Lot 130 Coombes Road, Kronkup
- Proponent** : Simon Thwaites
- Owner** : Barker, Rastrick & McLeod
- Reporting Officer(s)** : Planning Officer – Policy (R Hindley)
Senior Planning Officer (G Bride)
- Previous Reference** : OCM 20/11/2001 - Item 11.3.1
OCM 21/05/2002 - Item 11.3.5
- Summary Recommendation** : Grant Final Approval subject to modifications as outlined in Schedule of Submissions
- Bulletin Attachment** : Submissions
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

BACKGROUND

1. At the meeting on 21 May 2002, Council resolved:

THAT, Council in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended) resolves to amend the City of Albany's Town Planning Scheme 3 by rezoning Lot 2 Hortin Road, Lot 5 Cosy Corner Road and Lot 130 Coombes Road, Kronkup from the "Rural" zone to the "Special Rural" and requests the proponent, during the public consultation process, to provide justification for the retention of Clause 5.5 within the amending documents.

2. The amendment was assessed by the Environmental Protection Authority (EPA) as "Scheme Not Assessed – Advice Given" and was advertised for public inspection until 26 September 2002.
3. At the close of the advertising period thirteen submissions had been received (refer to the Elected Members Bulletin for a copy of each submission).
4. The amendment proposes to rezone Lot 2 Hortin Road, Lot 5 Cosy Corner Road and Lot 130 Coombes Road from the 'Rural' zone to the 'Special Rural' zone. The rezoning, if gazetted, would facilitate the creation of nineteen (19) lots ranging in size from 2ha to 7.8ha.

STATUTORY REQUIREMENTS

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

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

POLICY IMPLICATIONS

7. There are various policies and strategies that have relevance to this proposal. They include:
 - Western Australian Planning Commission Statement of Planning Policy No. 8 (SPP 8);
 - Western Australian Planning Commission Statement of Planning Policy No. 11 (SPP 11);
 - The Local Rural Strategy (Amended 2002);
 - The Draft Albany Local Planning Strategy.
8. The purpose of SPP 8 is to bring together existing State and regional policies that apply to land use and development in Western Australia.
9. The purpose of SPP 11 is to provide a standard set of criteria for the assessment of proposals on rural land and contains specific provisions pertaining to rural residential development. Local government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

12. Now that the advertising period has closed and submissions have been received on the amendment, Council's role is to assess the amendment against the submissions received.
13. In accordance with Council's resolution dated 21 May 2002 the applicant was invited to lodge a submission on the amendment to justify the retention of Clause 5.5 of the amendment documents (special provisions). Clause 5.5 reads as follows:

“All development, tree planting and landscaping on Lot I on the Subdivision Guide Plan shall be sited and designed such that it does not obstruct any views over Torbay and the ocean from the existing house on Lot F.”

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

14. No submission was provided by the applicant justifying the retention of the Clause. Staff believe that the developer (which plans to reside on Lot F) could protect his interests through a covenant which is placed outside of the planning process. If the Clause was kept as a scheme provision Council officers would be responsible for enforcement should the owner of Lot I obscure the view of Lot F in anyway. Staff consider the clause to be too vague and difficult to enforce.
15. Of the 13 submissions received the main concerns raised from authorities and surrounding residents related to:
- Planning for bush fires and fire fighting resources;
 - Retaining remnant vegetation;
 - Retaining views over Torbay and ocean;
 - Limiting building heights and materials;
 - Introducing effluent disposal guidelines;
 - Restricting stock on the new lots;
 - The size and positioning of building envelopes.
16. These issues and more have been included in the Schedule of Submissions whereby Staff have prepared a draft comment and recommendation for Council's consideration. Attached is a copy of the Schedule of Submissions on the scheme amendment.

RECOMMENDATION

THAT

- i) Council grant final approval to Amendment 225 to the City of Albany Town Planning Scheme No. 3 to rezone Lot 2 Hortin Road, Lot 5 Cosy Corner Road, and Lot 130 Coombes Road, Kronkup from 'Rural' to 'Special Rural' subject to the following modifications (which are detailed in the schedule of submissions):
- Inserting a new clause under Section 10.0 to reflect the issue of invasive weeds.
 - Modifying clause 10(b) to include information relating to the impact of feral animals.
 - Modifying clause 9.8(a) to refer specifically to the consolidated water supply already existing in Torbay.
 - Modifying the Subdivision Guide Plan to reduce the size of the building envelope on Lot H.
 - Requiring a fire management to be prepared as part of the amendment documents.
 - Inserting a new sub-clause under Clause 5.2 requiring that outbuildings and dwellings be positioned in close proximity to one another.
 - Modifying clause 3.3(a) to restrict dams within the landscape protection areas and within designated boundary setbacks.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued.

- Modifying clause 6.1 to refer to maximum building heights of 7.5 metres from natural ground level.
 - Providing additional strategic fire break links to further protect landowners in the Torbay locality.
 - Inserting a new section on effluent disposal.
 - Deleting clause 5.5 from the special provisions.
- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and
- iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning for execution and gazettal.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR BARTON**

THAT this matter lay on the table so it can be investigated further by Council.

**MOTION CARRIED 8-7
ON CASTING VOTE OF DEPUTY MAYOR**

Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 225

Schedule of Submissions

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommendation
1.	Main Roads Western Australia Chester Pass Road Albany	(a) No Objection	(a) No comment required	(a) Noted
2.	Department of Conservation and Land Management	(a) Owner/Occupier to take adequate action to prevent ingress of weeds into remnant bush and control feral or exotic animals.	(a) It is now standard that in instances where land is to be rezoned and is within close proximity to conservation reserves or considerable tracts of remnant vegetation that potential purchasers be advised of the impacts of weeds and feral animals and how they can be controlled.	(a) Upheld Insert new clause under Section 10.0 to read as follows: “(c) An information document discussing the management and control of invasive weeds. Modify clause 10(b) to read as follows: “(b) An information sheet explaining the fauna values of the adjacent and nearby reserve system and which discourages the keeping of cats and outlines measures that can be taken to minimise the impact of domestic cats on native fauna.
3.	Water Corporation PO Box 915 Albany	(a) No Objection	(a) No comment required	(a) Noted
4.	Department of Mineral and Petroleum Resources 100 Plain Street East Perth	(a) No Objection	(a) No comment required	(a) Noted
5.	J & S Clay RMB 9366 Torbay Hill	(a) Supportive proposal and is particularly happy with the way the developer has sought to conserve bush on the property.	(a) No comment required	(a) Noted

Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 225

Schedule of Submissions

6.	<p>Fire and Emergency Services Authority of WA 74 Chester Pass Road Albany</p>	<p>(a) An alternative water supply developed in the area to relieve the reliance on the facility located adjacent to the Woodbury Boston School; and</p> <p>(b) A commitment to develop a dedicated and comprehensive Fire Management Plan for the proposed area to detail the measures to be undertaken by the developers to mitigate the ongoing risk to potential residents and fire fighters.</p>	<p>(a) A reliable water supply has been developed in the area and could service this development. Previous subdividers have contributed funds towards the facility and it is expected that this developer would do the same.</p> <p>Clause 9.8(a) of the special provisions requires at the time of subdivision that a contribution towards fire fighting facilities be made. It is recommended that this clause is modified to include FESA's concerns with regard to the existing communal fire fighting facility.</p> <p>Clause 8.2(a) of the special provisions also requires the owner of a property at the development approval stage to supply a minimum of 10,000 litres of water for fire fighting purposes.</p> <p>(b) Whilst the applicant has provided information within the amending documents on fire related issues such as strategic fire breaks, fire-rating dwellings and hazard separation zones, there is still concern that those lots proposed on Lot 130 may not meet Best Practice fire safety measures, which requires that a dwelling be set back 100 metres from an extreme fire hazard. A fire management plan, including justification on this issue, would provide more assurance to Council and future land owners that the bushfire risk has been appropriately managed.</p>	<p>(a) Uphold</p> <p>Clause 9.8(a) of the special provisions being modified to read as follows: "A contribution towards the provision of fire-fighting facilities which may include the upgrade or development of a new consolidated water supply".</p> <p>(b) Uphold.</p> <p>A fire management plan being attached to the amendment documents as an appendix, and is to include justification that proposed lots situation on Lot 130 meet Best Practice fire safety requirements.</p>
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Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 225

Schedule of Submissions

7.	Department of Agriculture 444 Albany Highway Albany	<p>(a) Road alignment to be on the contour or as close to the contour as possible;</p> <p>(b) Need to address water management and safe water disposal on these sandy soils where roads and access ways are constructed;</p> <p>(c) Retain indigenous vegetation intact where possible and consider fencing to exclude livestock access.</p>	<p>(a) With exception to the western cul-de-sac the other roads cannot run with the contours due to the irregular lot shapes and the direction of the slope (running east-west) in the eastern portion of the subject land.</p> <p>(b) At the time of subdivision stormwater run-off from roads would need to be addressed. Roads designed to service special rural estates do not have stormwater connections and run-off from the roads would need to be captured so that private land is not affected. This is a standard engineering issue that needs to be addressed by the developer at the subdivision stage.</p> <p>(c) Clause 4.2(a) and (b) requires that where stock are to be kept, stock proof fencing of vegetated areas will be required. Clause 7.4 further states that on lots with areas designated as “Conservation of Flora and Fauna” on the subdivision guide plan, stock proof fencing would be required at the subdivision stage</p>	<p>(a) Noted</p> <p>(b) Noted</p> <p>(c) Noted</p>
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Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 225

Schedule of Submissions

8.	Mr & MRS GH Mounteney 81 Vincent Street Nedlands	<p>They object unless the following is applied to the development:</p> <p>(a) Trees are not planted in Lots H,I,J and L which may obstruct views;</p> <p>(b) The building envelope on lot H is restricted to the western half of the property so that views can be maintained;</p> <p>(c) Southern setbacks of Lots H, J and I are to be increased to 30m.</p>	<p>(a) There are no restrictions on the number and density of trees on private land, as planting for non-commercial purposes is not a form of development</p> <p>(b) The Building Envelope on Lot H is larger than other building envelopes shown on the Subdivision Guide Plan and should be of a size similar to other building envelopes (ie. around 4000m²). As the building envelopes are considerably large and staff discourage scattered development, it is proposed that a new clause be inserted requiring the location of the outbuilding to be within 40 metres of the dwelling. The positioning of the building envelope should be left to discretion of the developer as the protection of views is not a valid planning consideration.</p> <p>(c) The southern setbacks of Lots H, J and I are consistent with Clause 5.1 within the special provisions which states that a minimum setback of 20 metres be applicable.</p>	<p>(a) Dismiss</p> <p>(b) Uphold The Subdivision Guide Plan being modified to show a building envelope on Lot H being not more than 4000m² in area with dimensions and setbacks being delineated. A new clause being inserted into Clause 5.2 to read “5.2(d) An outbuilding is not to be any further than 40 metres from a dwelling, or vice versa, in order to facilitate consolidated development within building envelopes.”</p> <p>(c) Dismiss</p>
9.	B Taylor Lot 115 Forsyth Glade Torbay	<p>(a) Concern over proposed access running along the northern boundary of Lot 115 Forsyth Glade.</p> <p>(b) Concern over building materials.</p> <p>(c) Questions the need for northern strategic firebreak coming out onto Hortin Road.</p>	<p>(a) The road connecting the future subdivision to Forsyth Glade will be similar in construction to Forsyth Glade as it would service a similar amount of lots.</p> <p>(b) Building materials, in particular colours are dealt with in Section 6.0 of the special provisions.</p> <p>(C) The northern strategic fire break whilst not essential has the potential to give property owners an alternative access route in the advent of a fire and would provide fire emergency vehicles with access to the large tract of vegetation on Lot A and the rear of Lot B.</p>	<p>(a) Noted</p> <p>(b) Noted</p> <p>(c) Dismiss</p>

Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 225

Schedule of Submissions

10.	J & B Watson 1 Hay Street Albany	<p>Generally supportive however has concerns regarding:</p> <p>(a) Impact on views from sites external to the development;</p> <p>(b) Controls on reflective roofing materials;</p> <p>(c) Dams to be restricted to development areas;</p> <p>(d) Clarity on two storey high restriction (natural ground level or cut and fill level); and</p> <p>(e) Strategic firebreak to be established along southern boundary of Lot G and H.</p>	<p>(a) Refer submission No. 8 (a).</p> <p>(b) Refer submission No. 9 (b).</p> <p>(c) So long as dams are not proposed within landscape protection areas and Conservation of Flora and Fauna areas dams could be considered outside of designated building envelopes so long as development setbacks as stated in Clause 5.1 are being complied with. Clause 3.3(a) needs to include landscape protection areas as areas where dams and livestock should be prohibited.</p> <p>(d) Clause 6.1 should not refer to a particular number of storeys as the impact of a two-storey may differ depending on topography and design. Standard maximum of 7.5 metres from natural ground level should apply. The clause should also not include outbuildings as Council has an outbuilding policy which restricts the heights of sheds.</p> <p>(e) Strategic Firebreaks are allocated for under Town Planning Scheme No. 3.2B however a northern link providing access to Forsyth Glade and eventually Hortin Road would improve access for emergency access.</p>	<p>(a) Dismissed</p> <p>(b) Noted</p> <p>(c) Uphold Clause 3.3(a) being modified to read as follows: “(a) Livestock grazing and dams on Lots A-F and H-O inclusive as shown on the Subdivision Guide Plan subject to the provisions under “4.0” below and provided they are located outside of “Conservation of Flora and Fauna Protection Areas” and “Landscape Protection Areas” as shown on the Subdivision Guide Plan and, in the case of dams, within designated setbacks as detailed within Clause 5.1. These uses are prohibited on all other lots.”</p> <p>(d) Uphold Clause 6.1 being modified to read as follows: “6.1 Houses shall not exceed 7.5 metres in height which is measured vertically from the natural ground level. Dwellings and outbuildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Zincalume and pale “off-white” colours shall not be permitted.”</p> <p>(e) Uphold Modify Subdivision Guide Plan to show a strategic fire break as part of Amendment 225 with the established east-west break on land south of the subject lot.</p>
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Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 225

Schedule of Submissions

11.	A & P London Lot 4 Cosy Corner Rd Torbay	<ul style="list-style-type: none"> (a) Development of guidelines dealing with effluent disposal; (b) Protection of water supplies needs to be assured; (c) Access for fire vehicles to be compliant with relevant standards; (d) Improved fire water supply system; (e) Responsibility for long term protection of flora an fauna; and (f) Restriction of keeping stock on lots. 	<ul style="list-style-type: none"> (a) Standard effluent disposal clauses have not been provided in special provisions and should be included. (b) Each owner to have rainwater tank to provide water supply. (c) Refer submission No. 6. (d) Refer submission No. 6. (e) Addressed through retention of remnant vegetation and modified Clause 10(b). (f) Refer submission No. 7 (c). 	<ul style="list-style-type: none"> (a) Uphold Insert new Section 11.0 and Clauses 11.1, 11.2, 11.3 and 11.4 to read as follows: “Section 11.0 Effluent Disposal 11.1 Effluent disposal shall be the responsibility of the individual landowner. 11.2 The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by Council and the Health Department of Western Australia. 11.3 Effluent disposal systems to be located a minimum 50m from seasonal watercourses, and 100m where a conventional septic system is used. 11.4 No more than one effluent disposal system per lot.” (b) Noted (c) Noted (d) Noted (e) Noted (f) Noted
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Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 225

Schedule of Submissions

12.	Department of Environment, Water and Catchment Protection 5 Bevan Street Albany	<p>(a) Effluent disposal systems to be located a minimum 50m from seasonal watercourses, 100m where a conventional septic system is used;</p> <p>(b) Support retention of native vegetation with controls to prevent further clearing;</p> <p>(c) Proposed lot sizes for Lot 130 are not consistent with need to protect remnant vegetation, 2 lots of 6ha supported;</p> <p>(d) Proposed Building Envelopes on proposed Lots I and J to be located north of pedestrian access way.</p> <p>(e) No fencing along lot boundaries where removal of vegetation would occur;</p> <p>(f) Wildlife corridor may more appropriately use remnant vegetation areas; and</p> <p>(g) Lot 130 is extreme fire rating and proposed measures are not considered appropriate – increase in lot size recommended.</p>	<p>(a) Refer submission No. 11;</p> <p>(b) Adequately addressed under Clause 7.2 which states that clearing is only permitted for dwelling, access and for fire related purposes.</p> <p>(c) Over the entire development the applicant has retained vegetation wherever possible. Four lots are proposed over Lot 130 at a density of one lot per 3 hectares (significantly higher than special rural development to the south). Lot S has allowed for the protection of a large portion of vegetation and building envelopes on Lots P, Q and R have all been located to the east allowing vegetation to be conserved on the western third of each lot.</p> <p>(d) The building envelopes on proposed Lots I and J are located over regrowth which is in poor condition and contains a variety of weed species. The relocation of the building envelopes to the north is not considered necessary and potential dwellings are likely to be more visually prominent as detailed in the amending documents (Figure 9).</p> <p>(e) Where areas designated “Conservation of Flora and Fauna Area” Clause 5.3 states that fencing should not be permitted.</p> <p>(f) The Wildlife corridor adequately provides a connection between areas of “Conservation of Flora and Fauna”.</p> <p>(g) Refer to submission 6 (b).</p>	<p>(a) Noted</p> <p>(b) Noted</p> <p>(c) Dismiss</p> <p>(d) Dismiss</p> <p>(e) Noted</p> <p>(f) Noted</p> <p>(g) Noted</p>
13.	Health Department of Western Australia	(a) No objection	(a) No comment required.	(a) Noted

Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 225

Schedule of Submissions

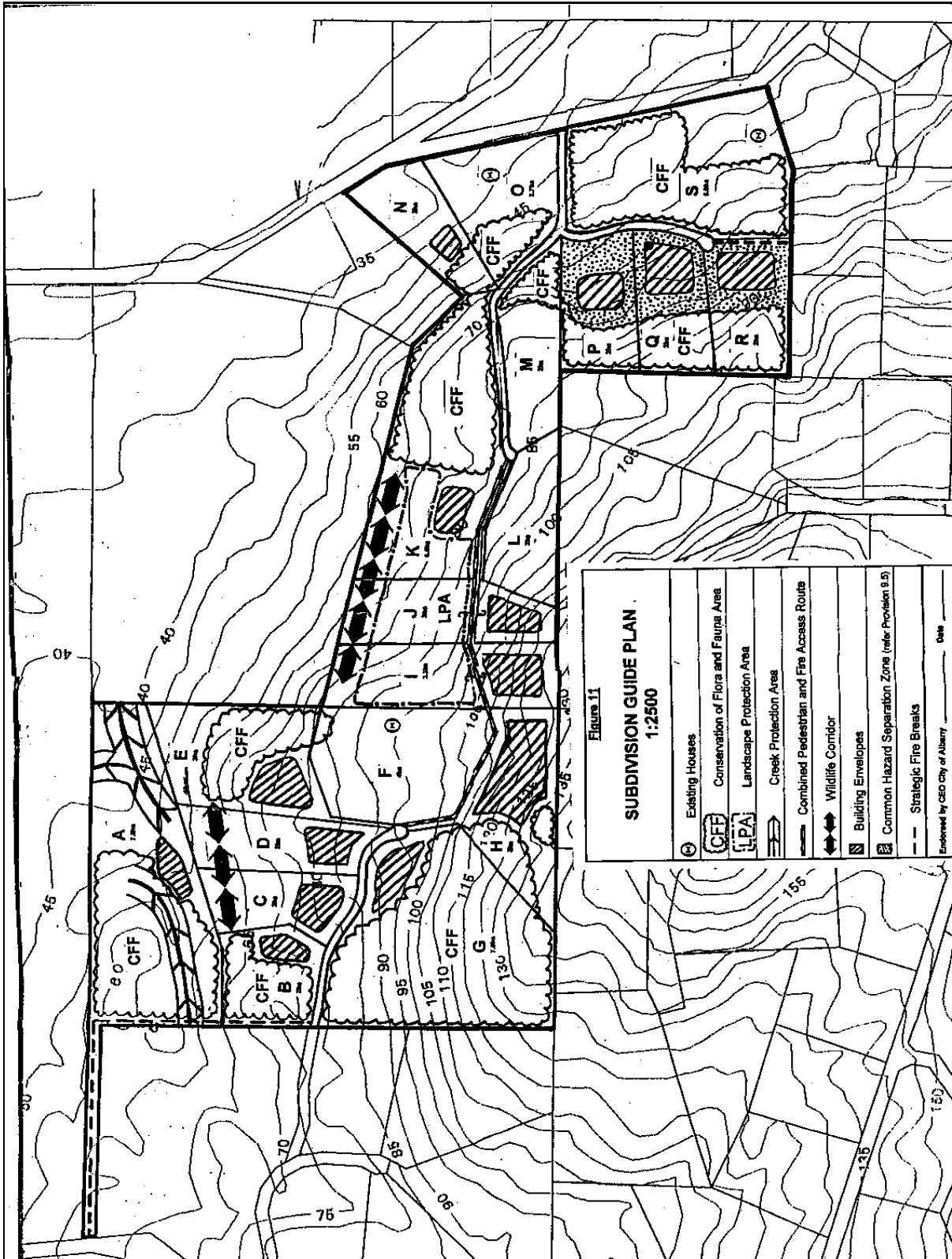
14.	City of Albany	(a) Applicant did not lodge submission on Clause 5.5 as referred to in Council's initiation of the amendment.	(a) That Clause 5.5 would better be utilised as a covenant, as retention of the clause has potential to cause considerable conflict between the owners of Lot F and I whereby Council officers would need to get involved.	(a) Uphold Clause 5.5 being deleted from the special provisions.
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.....
CHIEF EXECUTIVE OFFICER

.....
DATE

DEVELOPMENT SERVICES REPORTS

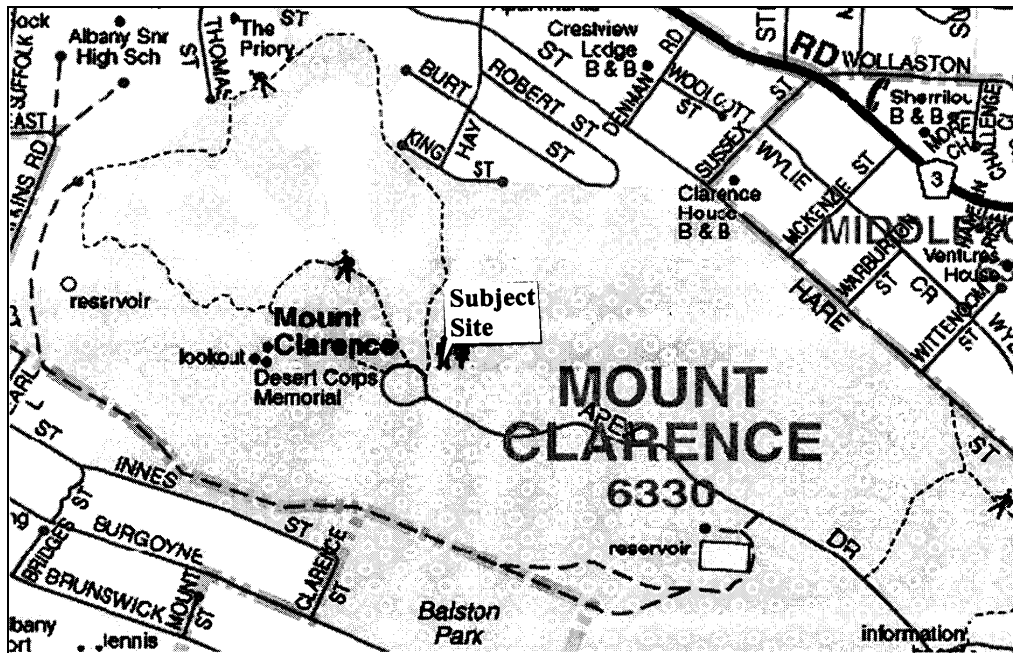
Item 11.1.1 continued



DEVELOPMENT SERVICES REPORTS

11.1.2 Development Application – Gazebo & Information Board – Reserve 2682, Mount Clarence.

- File/Ward** : A139613 (Frederickstown Ward)
- Proposal/Issue** : Gazebo & Information Board
- Subject Land/Locality** : Reserve 2682, Apex Drive, Mount Clarence
- Proponent** : Apex Club of Albany Inc.
- Owner** : The Crown – vested with the City of Albany
- Reporting Officer(s)** : Manager Development (C Pursey)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Issue Delegated Authority to approve the application.
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

BACKGROUND

1. An application for Planning Scheme Consent was received on the 26th June 2002 to develop a Gazebo and Information Board on Apex Drive, Mount Clarence. The proposed site is accessed from the northeast corner of the lower car park, which services the Anzac memorial and lookout. Details of the proposal are at the pages following this report.
2. The actual proposed site of the gazebo is relatively clear of vegetation with some expressions of granite. It is proposed to locate the gazebo adjacent to the existing memorial seat and access it from the same path. There are a number of jarrah trees close to the proposed gazebo site.
3. The gazebo is proposed as a lookout point for tourists to take advantage of the great views available from this vantage point. The information board is proposed to provide information to tourists and locals about the history of the Apex Club, the construction of Apex Drive and some information on the Anzac's.
4. The subject site, Reserve 2682, is reserved for Parks and Recreation under Town Planning Scheme 1A and vested with the City of Albany as a 'Public Park'. The site is part of the 115.1448 hectares that make up this portion of the Mount Clarence recreation reserve.
5. The application was advertised in a local newspaper (The Weekender) appearing once on the 5th September 2002. The advertising period ended on the 18th September 2002.
6. Two supportive comments were received in response to advertising the application, one from RAAFA South Coast Branch and the other from the City of Albany Subsection of the Naval Association of Australia. In addition to these the Apex Club arranged a petition of 59 signatures supporting the proposal. The copy of the submissions will be made available on request.

STATUTORY REQUIREMENTS

7. Under the provisions of Town Planning Scheme No. 1A reserved land is set-aside for the purpose shown on the Scheme Map. The proposal seems to be consistent with the Parks and Recreation reservation.
8. The proposed use would also appear to be compatible with the 'Public Park' vesting.
9. All structures require a Building Licence issued under the Building Code of Australia. If Council agrees to issue Planning Consent, a Building Licence will be issued and matters of safety and structural integrity will be dealt with.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

POLICY IMPLICATIONS

10. Staff are currently preparing a draft Flora and Fauna Conservation Plan for Mount Adelaide and Mount Clarence. Whilst this draft plan has no statutory power much of its content represents environmental Best Practice when constructing structures in reserve areas.

FINANCIAL IMPLICATIONS

11. Council would become responsible for the maintenance of the structures in the future. There are undefined costs involved with this; however ensuring that durable, easily replaced materials are used in the construction is essential.

STRATEGIC IMPLICATIONS

12. It is recognised that many developments within Reserves managed by Council have been handled in a relatively adhoc manner in the past. Staff are currently drafting a Reserve Design Manual which will set standards for infrastructure in our reserves and developing an ‘Interpretive Strategy’ for Mount Clarence, Adelaide and Melville to coordinate signage in these reserves.
13. The proposal is designed to a standard that would be acceptable to the draft Reserve Design Manual, as a Structural Engineer has certified it.
14. The Information Board may require some modifications to comply with the principles of the draft Interpretive Strategy so as to have more uniform signage in Council Reserves.

COMMENT/DISCUSSION

15. The proposed Gazebo and Information Boards have the potential to serve as a useful addition to the tourist facilities already available in the Mount Clarence Reserve. If approved, the impact of development on the Reserve will need to be carefully managed to prevent any environmental or visual impacts.
16. The gazebo and information board will help to educate tourists and open up another vista from Mount Clarence.
17. The draft Flora and Fauna Conservation Plan highlights the need to carefully consider the impact of any development upon the surrounding ecosystem. Table 1 in the draft plan contains “*Project Management Guidelines*” which are guidelines that show best management practices when developing in Reserves. These guidelines should be used to ensure that damage to the environment when the structures are built is kept to a minimum. A copy of *Table 1* is in the pages following this report.
18. There are a number of issues concerning the development of a gazebo and information board in this location, they are summarised in the following table along with possible solutions:

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

Issue	Potential Impact	Possible Solution/condition of approval
Excessive clearing of vegetation	On-site erosion and visual scarring.	Condition approval to require attendance of CALM & Council officers both before and during construction to supervise clearing. Require that none of the existing jarrah trees be removed from the site.
Accessibility for all users	Prevention of people with a disability from accessing the site and subsequent potential for legal implications.	Construct access to gazebo at a suitable grade and of appropriate materials.
Gazebo stands out against natural setting.	Visual scarring when viewed from surrounding suburbs.	Use materials and colours that blend with the surrounding vegetation and keep size of development modest. Re-vegetate the surrounding area in accordance with an approved Landscape Plan after construction is complete.
Long term maintenance of the structures	Structures cost Council money to maintain over time. Structures may be vandalised and become unsafe.	Durable, easily replaced materials are to be used in their construction. Apex Club are often involved with the maintenance of structures built by their Club after the event. The Apex Club has offered to assist with maintaining the structures. Have the gazebo in a position that is easily surveyed from the car park and have lighting installed if appropriate.
Impact upon the existing memorial chair	Views from the existing memorial chair may be affected and the chair may be dwarfed by the new development.	Locate the gazebo back and away from the memorial chair to retain predominant view to the north and east.
Safety for users.	Structure could collapse or people may fall from the viewing platform.	Durable, easily replaced materials are to be used in the construction. The construction meets the requirements of the Building Code of Australia particularly in regard to the balustrading height and separation. Have the structure certified by a practicing Structural Engineer.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

- 19. Many of the details listed in the above table need to be sorted out on-site, particularly the location of the gazebo in relation to the existing vegetation and memorial chair and the suitability of the materials used in the gazebo’s construction. Council is therefore requested to issue delegated authority to staff to approve the development. This will offer support to the project, subject to the appropriate details being sorted out on-site and in a Planning Scheme Consent.
- 20. It is acknowledged that many of the documents that would help guide the approval of this Gazebo are in a draft format and not officially adopted by Council. Staff have recognised this when assessing this proposal and have only applied the best practice aspects of these documents. That is, to ensure that the developer constructs the Gazebo in the most sustainable manner possible.
- 21. The foreseeable issues can be managed through conditions of approval and the agreement of the Apex Club of WA. The community benefits of the proposal for both locals and tourists appear to outweigh any concerns raised.

RECOMMENDATION

THAT delegated authority be issued to the Executive Director - Development Services to grant a conditional Planning Scheme Consent for a Gazebo and Information Board, subject to conditions including but not limited to:

- i) minimal clearance of vegetation;
- ii) maintenance agreements with the Apex Club;
- iii) best Practice construction techniques being used; and
- iv) the design and location of the Information Board being modified to conform with standard Council information boards of a similar nature.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WEST**

THAT delegated authority be issued to the Executive Director - Development Services to grant a conditional Planning Scheme Consent for a Gazebo and Information Board, subject to conditions including but not limited to:

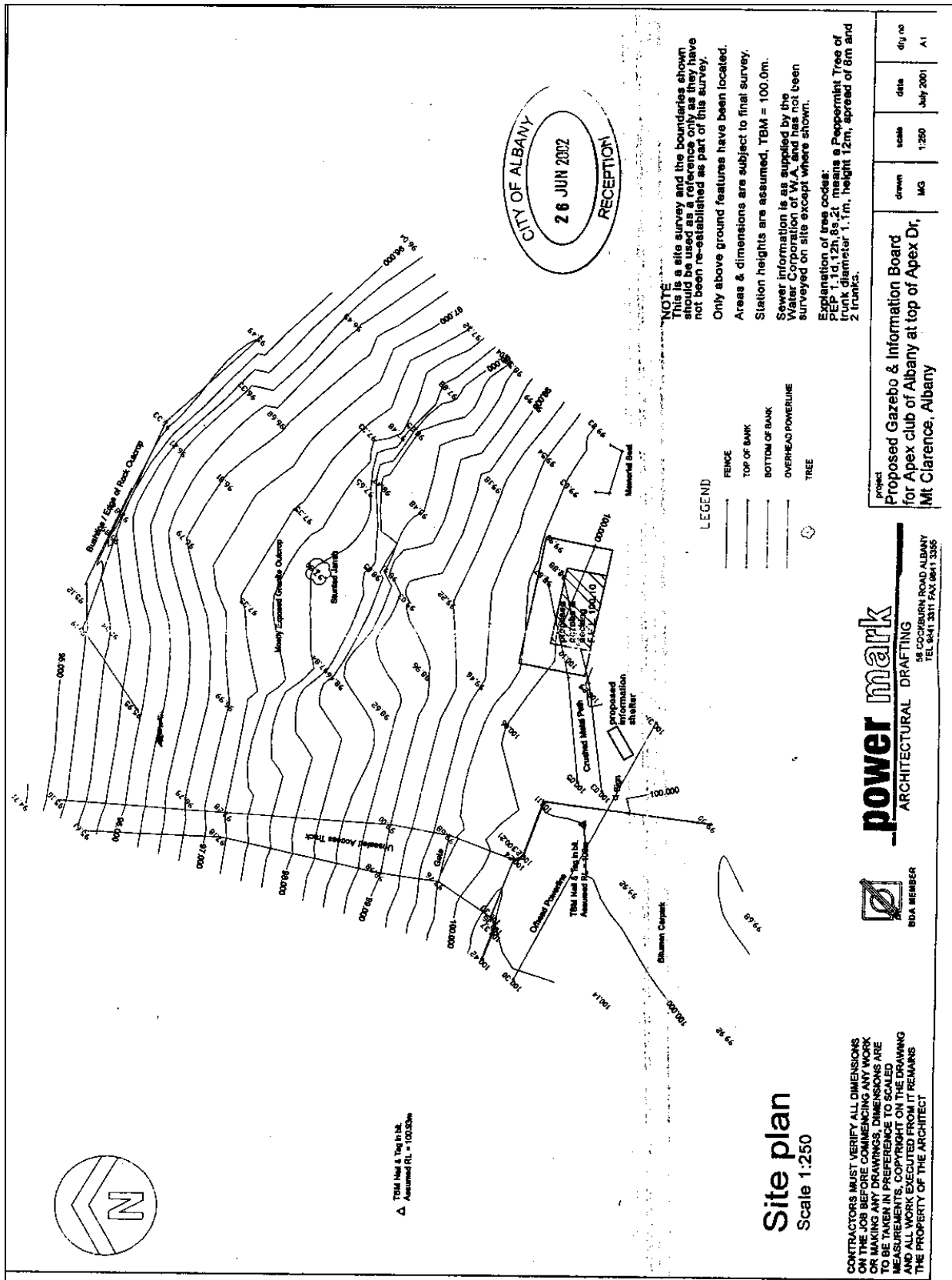
- i) minimal clearance of vegetation;**
- ii) maintenance agreements with the Apex Club;**
- iii) best Practice construction techniques being used; and**
- iv) the design and location of the Information Board being modified to conform with standard Council information boards of a similar nature.**

MOTION CARRIED 14-0

** REFER DISCLAIMER **

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued



Item 11.1.2 continued

South Elevation
Scale 1:100

East Elevation
Scale 1:100

North Elevation
Scale 1:100

West Elevation
Scale 1:100

Gazebo Floor plan
Scale 1:100

Information Shelter
Scale 1:100

selected weather-resistant sheeting @ 25° pitch
top of plate
feature stone wall
100x100 posts with selected timber balustrading to B.C.A. requirements

feature stone wall
100x100 posts with selected timber balustrading to B.C.A. requirements

selected weather-resistant sheeting @ 25° pitch
top of plate
feature stone wall
100x100 posts with selected timber balustrading to B.C.A. requirements

selected weather-resistant sheeting @ 25° pitch
top of plate
feature stone wall
100x100 posts with selected timber balustrading to B.C.A. requirements

2m wide timber needed decking
3m x 6m gazebo with 100mm cobcrete post
300mm wide feature rock wall

Apex club of Albany Information Shelter
top of plate
2700
2600
2300 sign
100
100
60

10000
6000
2000
2000
5000
3000
2000

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON THE JOB BEFORE COMMENCING ANY WORK OR MAKING ANY DRAWINGS. DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALES. MEASUREMENTS, COPYRIGHT ON THE DRAWING AND ALL WORK EXECUTED FROM IT REMAINS THE PROPERTY OF THE ARCHITECT

power mark
ARCHITECTURAL DRAFTING
BDA MEMBER
18 ESCORBURN ROAD ALBANY
TEL 9041 1211 FAX 9041 3365

project
Proposed Gazebo & Information Board for Apex club of Albany at top of Apex Dr, Mt Clarence, Albany
drawn
MG
scale
1:100
date
July 2001
drg no
A2

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

Section A-A
Scale 1:50

selected pine roof trusses @ 800 max c/s to manufacturers details & specifications

45x70 MGP10 roof battens

300mm wide feature stone wall

selected colorbond gable - triple grip all timber work

100x100 posts

100x100 posts with selected timber to comply to B.C.A. requirements

selected timber reeded decking

2170x45 MGP10 bearers

120x45 MGP10 floor joists

fermigated laminate treatment

500x300 atep footing with 3FS TM 50 cover

100x100 post

galvanised mild steel strap

rock footing

strap set into footing to manufacturer's specification

GENERAL NOTES:

VENTILATION - To comply Saverage (Lighting, Ventilation, and Construction) Regulations.

PLUMBING - To comply Water Authority requirements and National Plumbing Code. Identification of Lot Boundaries is the Responsibility of the Owner and/or Builder.

Submit a Satisfactory Penetration Test for Compacted Fill Prior to Pouring Concrete.

All External M.S. Linlets to be Hot - Dipped Galvanised.

All Timber Roof Framing to Comply with AS 1684.

Provide Additional Beams, or Trusses, where necessary (AS 1684-1979).

The Down Lightweight Roof to resist Wind Uplift.

Driveway and Crossover to be Constructed with a Stable Impervious Surface.

Roof Runoff to be Contained On-site and Disposed of to Council's Satisfaction.

A diaphragm notice indicating the method of protection of structural members from attack by subterranean termites to comply with the B.C.A. must be permanently fixed to the building in a prominent location.

Provide Flashing around all Openings.

All Wall area detailing to comply with B.C.A. part F.

All Masonry to comply with AS 3700.

Exhaust fan positions are approximate and are to be filled to suit ceiling joists and other roofing members

Post detail
Scale: 1:10

Floor layout
Scale 1:100

Roof layout
Scale 1:100

power mark
ARCHITECTURAL DRAFTING

16 SCOTCHBURN ROAD ALBANY
TEL: 0841 3311 FAX: 0841 3355

BDA MEMBER

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON THE JOB BEFORE COMMENCING ANY WORK OR MAKING ANY DRAWINGS. DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED MEASUREMENTS. COPYRIGHT ON THE DRAWING AND ALL WORK EXECUTED FROM IT REMAINS THE PROPERTY OF THE ARCHITECT

Notes: footings need to be certified by engineer, loadings over rock are to be pinned in, work with the engineer to engineer's details & specifications

Note: all timber work to be C.C.A. treated or painted with suitable water repellent finish

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

Front elevation
Scale 1:100

Side elevation
Scale 1:100

Roof layout
Scale 1:100

Section A-A
Scale 1:20

Information Shelter
Scale 1:100

power mark
ARCHITECTURAL DRAFTING
58 COCKBURN ROAD ALBANY
NSW 2604
BDA MEMBER

project	Proposed Gazebo & Information Board for Apex club of Albany at top of Apex Dr., Mt Clarence Albany	drawn	MG	scale	as shown	date	Aug 2001	drg no	A4
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CONTRACTORS MUST VERIFY ALL DIMENSIONS ON THE JOB BEFORE COMMENCING ANY WORK OR MAKING ANY DRAWINGS. DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED MEASUREMENTS. COPYRIGHT ON THE DRAWING AND ALL WORK EXECUTED FROM IT REMAINS THE PROPERTY OF THE ASSOCIATION.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

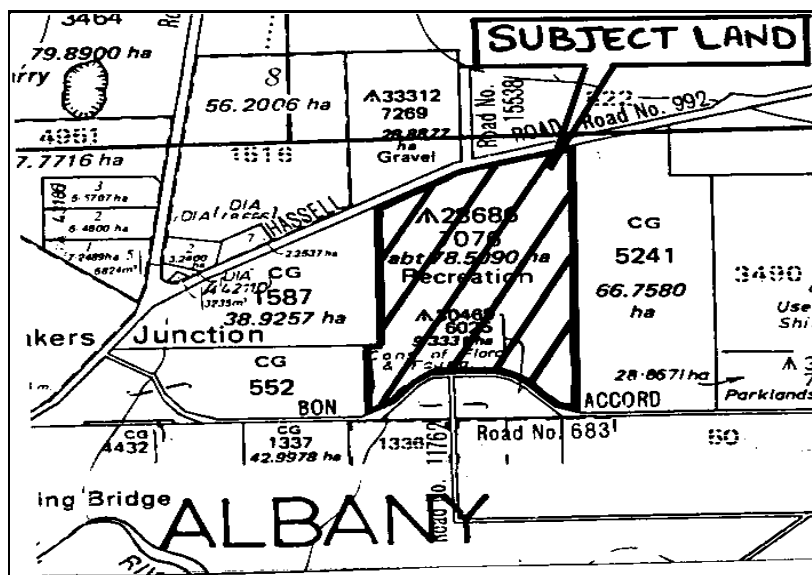
Item	Guidelines	Other advice needed	Budget notes
Construction materials	<ul style="list-style-type: none"> ➤ Store in cleared paved areas, not bushland ➤ Huts, ablutions blocks etc should be put in cleared areas and materials brought in must be clean to prevent spread of dieback. 		
Excavated material	<ul style="list-style-type: none"> ➤ Should be removed from the site. Do not dump on vegetation. ➤ Holes should be refilled with compatible dieback free material. 		
Removal of old infrastructure	<ul style="list-style-type: none"> ➤ Use due care in regard to dieback, drainage and erosion ➤ Rehabilitate or restore area. 	See notes in Recommendations/Revegetation	Include tidying up in budget.
Dieback	<ul style="list-style-type: none"> ➤ Machinery must be cleaned of mud, soil and vegetation before it comes on site ➤ Weed free sand, gravel etc must be from dieback free source and stored appropriately on bare ground ➤ Do not allow construction personnel's vehicles into bush 	Seek advice from CALM	May add to cost of construction, but will protect the vegetation of the park
Weed control	<ul style="list-style-type: none"> ➤ Map weeds before construction ➤ Remove weeds within disturbance area before pruning commences ➤ Use the Bradley Principles 	Friends of Mount Adelaide and Mount Clarence may be able to help	Weeds will increase due to disturbance. Allow a budget for weed control before and after.
Mulching	<ul style="list-style-type: none"> ➤ Use clean pruning from the Reserve. 	See notes in Recommendations/Revegetation	
Rehabilitation	<ul style="list-style-type: none"> ➤ Use only local native plants material sourced from within The Reserves for seed, cuttings and seed bearing brushing material. ➤ If non-local plants are to be used for stabilising, only non-seed bearing material be used, and only of species not likely to regenerate from cuttings or any other part of the plant used. 	Friends of Mount Adelaide and Mount Clarence may be able to help	Budget for remedial work.
Seed Collection	<ul style="list-style-type: none"> ➤ Seed collected from the reserve for restoration is the best option, Support the Friends with equipment is needed 	Friends of Mount Adelaide and Mount Clarence may be able to help	Budget for some specialist tools and equipment
Rubbish	<ul style="list-style-type: none"> ➤ Provide adequate facilities and clean up after the event to protect wildlife. 		
Fire	<ul style="list-style-type: none"> ➤ Risk could be enhanced, so careful attention to weather and monitoring hazards is needed 		

DEVELOPMENT SERVICES REPORTS

11.2 INSPECTION SERVICES

11.2.1 Riverview Golf Club – Concert and Temporary Camping Approval

- File/Ward** : A64799/REL 110 (Kalgan Ward)
- Proposal/Issue** : Temporary camping for 2 nights in association with a 3 day concert
- Subject Land/Locality** : Riverview Golf Course - Reserve 28686 Plantagenet Location 7076 Hassell Highway, King River
- Proponent** : Down South Festival Coordinator – Grant Simmons
- Owner** : City of Albany, property leased to Riverview Golf Course
- Reporting Officer(s)** : Environmental Health Officer (J Freeman-Smith)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Approve concert and temporary camping subject to compliance with Environmental Health conditions
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

BACKGROUND

1. The 'Down South Festival' is a proposed concert to be held at Riverview Golf Club, King River on 25, 26 and 27 January 2003. It is proposed the event would run over the three days and organisers would like to offer participants the option of camping at the site during the function. Accordingly, the organisers have approached Council for approval to hold the event and utilise some of the area for camping (see map following this report). A copy of the ir application follows this report.
2. The organisers anticipate up to 1000 patrons per day with up to 200 patrons camping at the site. Given the distance to town, camping at the site would discourage behaviour such as drink driving.

STATUTORY REQUIREMENTS

3. Riverview Country Club Inc is located on Reserve 28686 and is managed by the City of Albany for the purpose of 'Recreation'. A review of the lease document indicates that the purpose for which the premises is to be used is for "the establishment and maintenance of grounds and club house suitable for the conduct of a Golf Club". Taking into consideration that this is a one-off event and that it is for community purposes, it is recommended that the event be allowed to proceed, whilst ensuring the compliance of Environmental Health conditions.
4. The Caravan Parks and Camping Grounds Regulations 1997 allow a person to camp for up to 3 nights in any period of 28 consecutive days provided they have the permission of the party that has the legal right to occupy the land. Riverview Golf Club has granted their permission for the camping to occur.
5. The abovementioned regulations also state that a person may camp on any land which is reserved under the Land Administration Act 1997 that is under the control of a state instrumentality (i.e. City of Albany) with the permission of that instrumentality. Approval is now sought.
6. Where there is to be more than one caravan/campsite on a lot, the permission of the local government is also required. The local government is to be satisfied that the land is suitable for camping with respect to health and safety, and access to services. Requirements relating to fire safety, lighting, ablution facilities, potable water and electricity supply, refuse disposal and area per campsite will be imposed. The applicant has already addressed some requirements.

POLICY IMPLICATIONS

7. There is no statutory requirement for Council to grant approval for a three day concert, however, given the size of the event it may be worthwhile. City of Albany officers will address public issues as part of the approval for a large public event. The applicant proposes that this concert become an annual event. It is likely that the event will grow larger as it becomes more well-known.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

10. The impact of a concert in this location should be minimal so long as conditions are met and the event is managed properly. The event organisers are writing to everyone within a 1km radius to enquire as to any concerns they may have so they may be addressed prior to the concert. A hotline will be setup to receive any noise complaints and then sound levels can be adjusted accordingly. The area will be very quiet at night-time but there is significant amounts of vegetation to act as a buffer. The event would continue to midnight but the quieter groups are planned after 10pm. It appears the nearest residence is about 900m away.
11. Some business will be lost to nearby accommodation providers as a result of the proposal, however, by allowing a proportion of the people attending the function to camp on the site will minimise the risk of drink driving.

RECOMMENDATION

THAT Council, pursuant to Regulations 11(1)(d) and 12 (2) of the Caravan Parks and Camping Grounds Regulations 1997 (as amended), grant its approval for use of part of Riverview Golf Club, Reserve 28686, Plantagenet Location 7076 Hassell Highway, King River by more than one caravan/campsite on the nights of 25 and 26 January 2003, subject to compliance with the relevant Environmental Health requirements in relation to:

- Noise
- Fire safety
- Lighting
- Ablution facilities
- Potable Water supply
- Electricity supply
- Refuse disposal
- Setbacks between each caravan/campsite
- Area provided for each caravan/campsite
- Dust control
- Food stalls

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

Under the City of Albany Code of Conduct, the Executive Director Development Services, Mr Robert Fenn, declared an interest in this Item.
Mr Fenn declared that he is a member of the Riverview Country Club.

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR EVERS**

THAT:

- (i) **Council, pursuant to Regulations 11(1)(d) and 12 (2) of the Caravan Parks and Camping Grounds Regulations 1997 (as amended), grant its approval for use of part of Riverview Golf Club, Reserve 28686, Plantagenet Location 7076 Hassell Highway, King River by more than one caravan/campsite on the nights of 25 and 26 January 2003, subject to compliance with the relevant Environmental Health requirements in relation to:**
- **Noise**
 - **Fire safety**
 - **Lighting**
 - **Ablution facilities**
 - **Potable Water supply**
 - **Electricity supply**
 - **Refuse disposal**
 - **Setbacks between each caravan/campsite**
 - **Area provided for each caravan/campsite**
 - **Dust control**
 - **Food stalls**
 - **Public Safety**
- (ii) **the Applicant be advised that Council reserves the right to terminate its consent for the proposed camping arrangements and may request the closure of the Down South Festival if there are serious breaches of the aforementioned consent or the Festival creates unacceptable impacts beyond the boundary of the subject land.**

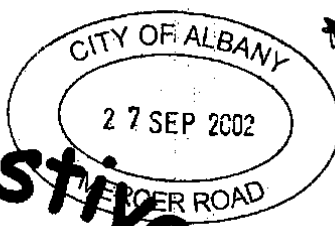
MOTION CARRIED 14-0

Reason:

Similar events have been held in Albany without incident. In the event that the Festival, or people attending the event create a nuisance, appropriate measures need to be available to protect patrons and residents in the locality.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued



Down South Festival

A community music festival

for the people - by the people -

25, 26 & 27 January, 2003

Celebrating Life in Australia

CITY OF ALBANY - RECEIVED
RECORDS OFFICE

- 1 OCT 2002

FILE	CORR NO.	OFFICER
REN10	E208193	FHD1
CC	ATTACHMENTS	OFFICER
	MAP	2

P.O Box 372
Albany 6331
26th September 2002

Judy Freeman- Smith
Environmental Health Officer
City of Albany

Dear Judy,

As you are aware, we intend to hold the above event at the Riverview Country Club, Baker's Junction. After some preparation and research, we would now like to formally apply to the City of Albany for approval. We have been keen to address the various issues that you have raised with us, and we list them below:

- **Noise.** The event is being held 14kms from Albany City Centre, to minimise disturbance to the majority of residents. The nearest residence to the event is. We have canvassed all residents within area 1km of the site (see map)1 and given them the flier attached 2. To date we have not received any objections. The noise generated by the event will be from three sources.
- a) **Music.** The music will be live, played both acoustically and with amplifiers. The stages for the performances are indicated on the map of the event 3. The genre of the music is of such a nature (e.g.; Celtic, world and folk) that it is not likely to be excessive. The level of noise will be monitored by the acoustic team at the event. Also acts which include heavy bass will be scheduled to end before 10pm. Performances will take place between 10am and midnight 25th and 26th, and 10am to 3pm 27th Jan.
- b) **Patrons.** We are expecting between 700 and 1000 patrons to attend daily, and up to 200 patrons to camp onsite (see map 3). Camping will be managed by prepaid ticketing, and campers allocated delineated areas. As the patrons will be predominantly there to listen to the performances, and the event is aimed at a family audience, we expect the noise levels here to be no more than normal for that amount of people. Around the bar area (see map 3) would be the biggest area of risk, but this is adjacent to the main office, and will be monitored by both security personnel and festival committee staff constantly.
- c) **Vehicles.** The cars belonging to both patrons and artists will be directed immediately to the adjacent car parks, and there is no driving onsite, apart from service vehicles, so we anticipate vehicular noise to be minimal.

A telephone line will be available at the festival office to handle enquiries regarding noise.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

will be processed quickly through a herringbone marshalling system, which will ensure there is no build up of traffic. From there they will be directed straight to the parking areas. As you can see, (see map 3) there are separate entrances for parking and service/emergency vehicles, the latter using the main existing entrance to the clubhouse. The entrance to the parking area will be wide enough to allow for access and egress simultaneously. Parking attendants will be present on all event days, in addition to star picket fencing and signage. The stages will be within marquees, to provide shade. They will be enclosed on three sides, with one whole side left open for easy entry and exit. As the festival is predominantly an outdoor event in the summer, we do not intend to close the marquees in completely. However, should this prove necessary due to inclement weather, we will station volunteers to ensure that no more than the recommended number of people are allowed inside.

- **Logistics.** Toilets and showers (for campers) will be hired by the festival committee, at the appropriate quantity as per the regulations you have provided. Maintenance and waste disposal will form part of the service contract. Water will be provided to service the above by way of regular water truck deliveries. We are currently in negotiation with the Water Corporation to have potable water made available. Rubbish collection will be addressed by way of hire bins/skips from local sources, placed around the site and disposal will be handled by festival volunteers and service contractors. We have an agreement with the Riverview Country Club to leave the site as found.
- **Security.** We have addressed the security issue in two ways: a) SES are providing 10 staff daily to assist with traffic direction, crowd management, ticket collection and first aid. b) To comply with liquor license regulations we will employ security officers to patrol the licensed areas and the rest of the venue. We will have communication between festival staff, SES and security by radio, and liase with emergency services by landline from the festival office if necessary.
- **Food.** We anticipate at least 5 fresh food vendors will be present at our event. They will be issued a copy of the guidelines that you have provided, upon acceptance.
- **Dust.** Should the dust levels prove hazardous, we have a facility for a water truck to hose down the worst affected areas.
- **Safety.** We have an appointed health and safety officer who is responsible for addressing any other issues that arise before and during the festival. She has already prepared a risk assessment plan 4, which we are applying to the planning and management of this event. With regard to fire, a fire unit is stationed permanently at the site, and we are arranging for a tandem trailer unit to be loaned from the Kalgan Brigade. Garry Turner, senior Ranger has agreed to do a full fire inspection beforehand.

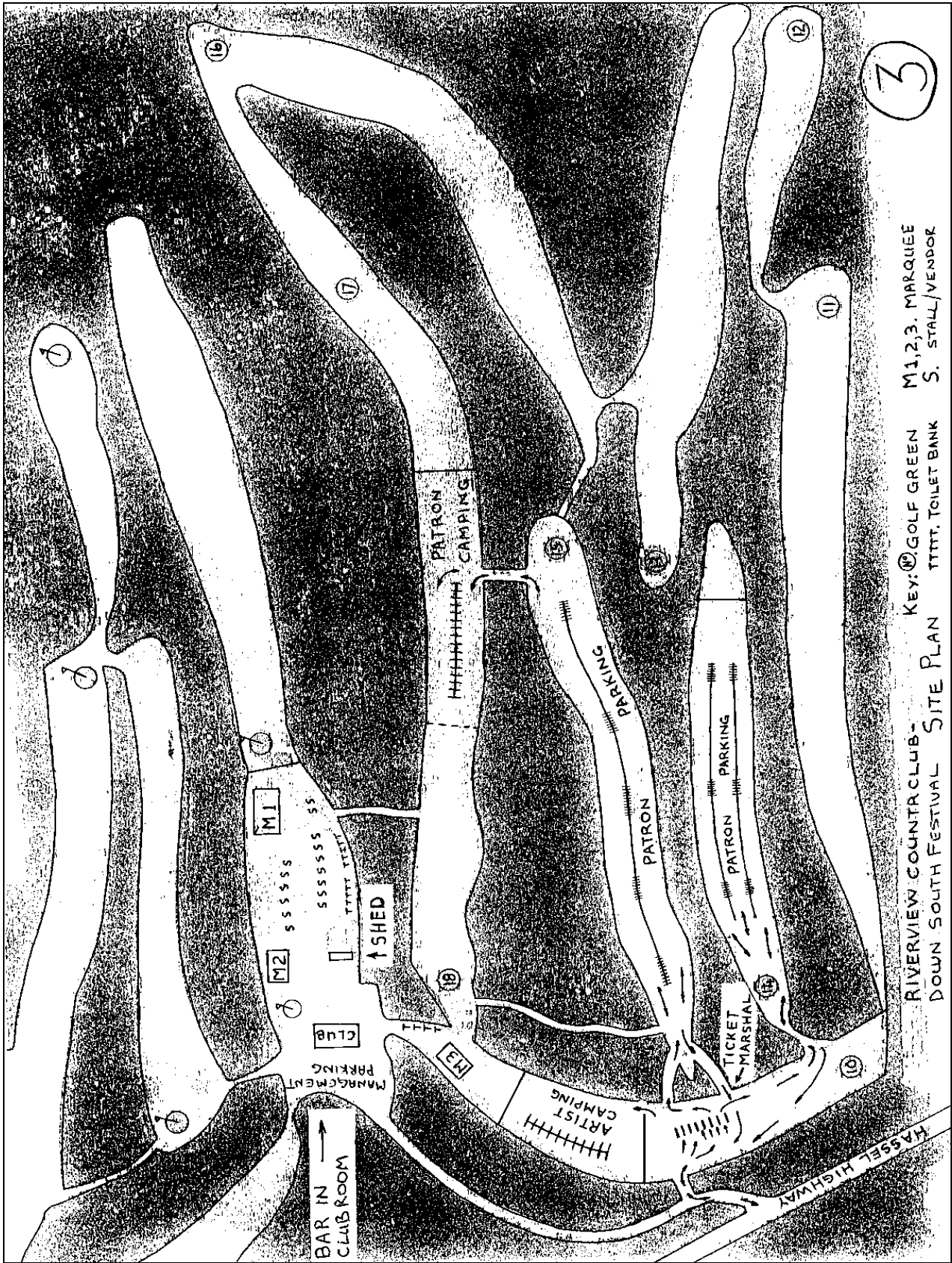
Hopefully this addresses all of the issues that you identified, if I can be of any further assistance please contact me. The festival committee is keen to continue the development of the event, and would appreciate an early response to this matter if at all possible.

Yours sincerely, 
Grant Simmons. Festival Co ordinator.

- Enc: 1. Tax map showing area canvassed within 1km of site.
2. Copy of Flier issued to all residents within 1km.
3. Plan of site layout.
4. Risk Assessment .

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued



DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

11.3.1 Review of Local Rural Strategy Policy 7 – Agricultural Protection/Rural Subdivision.

File/Ward	: STR 194 (All Wards)
Proposal/Issue	: Review of Local Rural Strategy Policy 7 – Agricultural Protection/Rural Subdivision
Subject Land/Locality	: All Wards
Proponent	: City of Albany
Owner	: N/A
Reporting Officer(s)	: Strategic Planning Officer (M Papalia)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: Request that policy changes be advertised for 35 days for public comment.
Locality Plan	: N/A

BACKGROUND

1. The Hon Minister for Planning wrote to the City of Albany earlier this year to advise that there was some ambiguity with the City’s Rural Subdivision Policy, GP 30 – Criteria for Support for Subdivision of Rural Land. This report and the review of the policy seek to address the Minister’s concerns.
2. Policy GP 30 is found in Policy 7 – Agricultural Protection/Rural Subdivision of Council’s Local Rural Strategy and sets out four criteria where Council may support the subdivision of rural land. These are:

“Council may support the subdivision of rural land where:

- (a) The subdivision is within a rural residential or environmental protection zone and appropriate land use provisions are in place;*
- (b) The subdivision is for farm consolidation purposes and complies with Policy GP31;*
- (c) The purpose of the subdivision is to excise an approved intensive agricultural enterprise and Policy GP32 is complied with; and*
- (d) The purpose of the subdivision is to excise an approved tourist or industrial development, or for other uses which would be ancillary to the legitimate rural use of land, and Policy GP33 is complied with.”*

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

3. The basis of the Minister's letter related to an appeal she had considered for the subdivision of rural land in the City and states:

“...I am concerned at the wording of the City's Policy GP 30. The premise that subdivision can be supported on the basis of an approved intensive agricultural enterprise is far too open to interpretation and lends itself to the possible abuse of the process, by merely securing an approval for the purpose of subdividing. The City appears to have recognised this as it has stated that it would normally require an intensive agricultural enterprise to have been in operation. There is also ambiguity as to whether it is mandatory to satisfy all of the criteria listed in GP30 or whether satisfaction of only one of the criteria is necessary.”

4. Council Officers are aware of the ambiguity as outlined in the Minister's letter and staff had anticipated that the concerns raised by the Minister would be addressed through the current review of the Local Rural Strategy. However it was decided to review this policy as a matter of urgency given the Minister's letter and the fact that it will be some time until the Local Planning Strategy and Town Planning Scheme are finalized.
5. Council Officers engaged consultants, Landvision, to review Policy 7 of the Local Rural Strategy in light of the Minister's letter. It was also decided to review the whole policy, which includes GP28 to GP33.
6. Initial discussions with the Western Australian Planning Commission have taken place, as the policy will need to be endorsed by the Commission as an amendment to the Local Rural Strategy.

STATUTORY REQUIREMENTS

7. The City of Albany Local Rural Strategy was adopted as a Town Planning Scheme policy in 1996.
8. Clause 6.9 within Town Planning Scheme No. 3 states:

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

- (a) The Council having prepared and having resolved to adopt a Draft Town Planning Scheme Policy, shall advertise a summary of the Draft Policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the Draft Policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
- (b) The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the Draft Policy with or without amendment, or not proceed with the Draft Policy.*

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

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

6.9.3 *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 Recision by the Council twice in a newspaper circulating the area.”*

9. In addition, the Western Australian Planning Commission (WAPC) administers the subdivision process. Through the subdivision process applications are referred to Local Governments together with other relevant agencies and comments are invited. It is at this stage that Council staff rely on Policy 7 for direction as to how these referrals should be handled.

POLICY IMPLICATIONS

10. The review of this policy will provide a clearer understanding to both landowners and Council staff when considering applications for subdivision.
11. Upon finalisation of the process to review the Policy, the Local Rural Strategy will need to be amended accordingly.

FINANCIAL IMPLICATIONS

12. The financial commitments at this stage include the costs associated with the preparation of the review of the Policy and associated advertising costs.

STRATEGIC IMPLICATIONS

13. The review of Policy 7 – Agricultural Protection/Rural Subdivision will ensure protection of agricultural land and confirm Council’s commitment to “Albany 2020 – Charting Our Course”. The review of this Policy is relevant to a number of Ports of Call but predominantly fits into the following Port of Call:

“Managed healthy land/harbour environment identify desirable patterns of development and servicing requirements”.

14. The Local Rural Strategy states *“the broad objective of the rural zone is to ensure that high quality agricultural land is retained for primary production, to regulate uses which may conflict with farming interests and to foster uses which are complimentary to farming interests”.*

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

15. The above objective accords with the WAPC's, Statement of Planning Policy 11 – Agricultural and Rural Land Use Planning.
16. The review of Policy 7 has been considered in light of the above objective together with the intent of the Statement of Planning Policy 11.

COMMENT/DISCUSSION

17. Applications for subdivision are referred to City staff from the Western Australian Planning Commission. Staff have noticed for some time now, that many applications that use the intensive agricultural activity as basis for subdivision, are based on hypothetical scenarios, rather than based on existing and established intensive agricultural activities. This has been considered a loophole to create de facto rural residential lots in the rural area. Using Policy GP30 in these circumstances generally did not assist with providing a clear direction as to which applications should be supported and which should not.
18. The Subdivision Policy Review report considers Policy 7 with a discussion and recommendation on each sub policy (GP). The report can be found in the Elected Members Bulletin for Council consideration.
19. Of particular note is that the review recommends that GP 30 – Criteria for Support for Subdivision of Rural Land and GP32 –Subdivision for Intensive Agricultural Purposes warrant some major changes. These changes relate to the need to ensure that when referrals are received from the Western Australian Planning Commission, Council's position on the subdivision of rural land is very clear.
20. The report suggests that GP30 (c) be re-worded to include the following:
21. *“The purpose of the subdivision is to excise an existing approved intensive agricultural enterprise where it can be shown that the enterprise has been operating in a sustainable and economically viable manner for at least two years, or in the case of trees/orchards/vineyards, etc. which take some years to become productive they should have been planted and are still growing after two years since planting. Introduce the clause for the Model Scheme Text for Unauthorised Existing Developments (8.4) to the satisfaction of the local government and Policy GP32 is complied with”.*
22. The changes to GP 32 are very extensive in terms of what is required to demonstrate the legitimacy of an intensive agricultural activity. It would be fair to say that the issue of establishing minimum lots sizes for the subdivision of rural land for intensive agricultural purposes is the most controversial issue introduced into this policy. There are a number of schools of thought on lot sizes and opinions vary throughout the state. This policy nominates that a minimum lot size of 15ha is required for the subdivision of land for intensive agriculture including the resulting lot. This is an issue that requires careful consideration.
23. It is proposed to advertise the review of the policy for 35 days, two weeks longer than the usual time given for policies as to ensure that the community and relevant Government agencies have ample time to consider the proposed changes to the policy.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

24. Notification letters inviting comments on the review of this policy will be sent out to key stakeholders together with the placement of advertisements in the local newspapers.

CONCLUSION

25. The proposed changes to Policy 7 as outlined in the report are well thought out and will ensure the protection of rural land from de facto rural residential subdivisions amongst other things. However further discussion and debate is required before Council considers endorsing the proposed changes to the Local Rural Strategy. As such the proposed changes will be advertised for community scrutiny and a report to Council prepared on any submissions received during the public comment period.

RECOMMENDATION

THAT Council adopts the “Subdivision Review Policy” report and instructs staff to advertise the policy changes for public comment for a period of 35 days and in accordance with Clause 6.9 of Town Planning Scheme No. 3.

Voting Requirement Simple Majority

.....
AMENDED RECOMMENDATION

THAT Council in accordance with Clause 6.9 of Town Planning Scheme No. 3:

- (i) adopts the “Subdivision Review Policy” report;
- (ii) instructs staff to refer the “Subdivision Review Policy” report to the Western Australian Planning Commission for comment; and
- (iii) upon receiving comments from the Western Australian Planning Commission instructs staff to advertise the policy changes for public comment for a period of 35 days..

Voting Requirement Simple Majority

.....
Reason:

The Department of Planning and Infrastructure has requested Council refer the “Subdivision Review Policy” to the Western Australian Planning Commission prior to advertising the Policy.

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR BARTON**

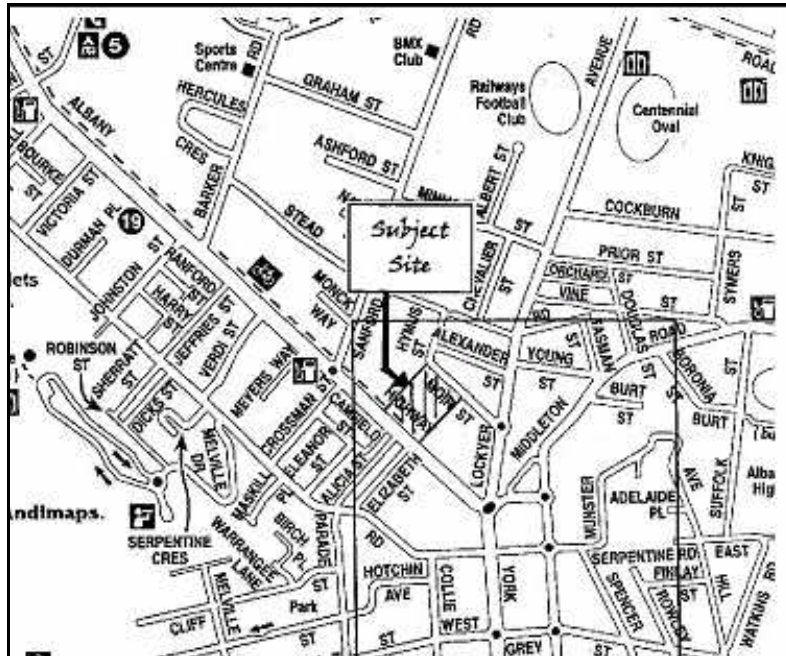
THAT this matter lay on the table for a period of one (1) month for Council to receive further information.

MOTION CARRIED 14-0

DEVELOPMENT SERVICES REPORTS

11.3.2 Modifications to Amendment – Lot 1274 Albany Highway, Centennial Park.

- File/Ward** : A131518A/ AMD 127 (Frederickstown Ward)
- Proposal/Issue** : Request to modify final amendment documents.
- Subject Land/Locality** : Lot 1274 Albany Highway, Centennial Park (Reserve 34020)
- Proponent** : Macquarie Asset Services Limited
- Owner** : Macquarie Asset Services Limited
- Reporting Officer(s)** : Manager Development (C Pursey)
- Previous Reference** : OCM 21/08/01 - Item 11.1.2
OCM 18/12/01 - Item 11.1.4
- Summary Recommendation** : Request formal modifications to the amending documents.
- Bulletin Attachment** : Nil.
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

BACKGROUND

1. Council has received a request to consider modifications to Amendment 127 of Town Planning Scheme 1A from the new owners of the former Primary School Site, Macquarie Asset Services Limited. A copy of their request is at the pages following this report.
2. Amendment 127 is the application to rezone the former Albany primary school site from Public Purposes to Central Area and Special Site. The Special Site conditions included the prohibition of the development of Showroom and Showroom Sales on this site. A full description of the scheme amendment follows:

Property Detail	Additional Use	Conditions
Lot 1274 Albany Highway, Centennial Park (Reserve 34020)	As per the Central Area zone with the exception of the following uses: <ul style="list-style-type: none"> • Light industry • Night club • Service industry • Service station • Showroom • Showroom Sales and/or hire • Warehouse 	Despite anything else in the Scheme a Development Guide Plan is to be prepared by the proponent and approved by the local government before any subdivision or development. The Development Guide Plans is to consider: <ul style="list-style-type: none"> • The proposed layout of land uses and movement systems; • Provision of linkages to the adjoining Albany Plaza • Traffic impact, and location of vehicular access points • Preparation of design guidelines having regard for the heritage place, building bulk and materials for development, and the relationship to the residential area on the northern side of Moir Street; and • Such other matters considered appropriate by Council.

3. The new owners wish to remove the prohibition of Showroom and Showroom Sales to allow them to develop Harvey Norman or Retravisation type stores on this site for the reasons described in their submission found in the pages following this report.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

4. By requesting these late modifications the owners are seeking to avoid having to go through the whole rezoning process for a request that may be entirely acceptable to Council. If Council supports their request it would save the applicant having to instigate another rezoning (and another 12-18 months processing time).
5. Amendment 127 of Town Planning Scheme 1A was adopted for final approval at Council's meeting of the 18 December 2001. The amending documents were forwarded to the Minister for Planning and Infrastructure for *execution and gazettal*. The Amendment remains with the Minister and has not been gazetted as yet.
6. Macquarie Asset Services Limited have approached Council to support these last minute modifications to the documents. The Minister's Office have also been notified that Council has been requested to make these changes and they are prepared to give Council time in which to make a decision before progressing the Amendment.

STATUTORY REQUIREMENTS

7. Council adopted the scheme amendment for final approval on the 18th December 2002. The Minister has had the scheme amendment for ~~her~~ consideration since that time. The Minister received a request from Macquarie Asset Services Limited on the 6th September 2002 to allow modifications to the Amendment. The Minister has allowed for this provided both Council and the Western Australian Planning Commission (WAPC) agree to the modifications.
8. Under normal circumstances the Minister has the right to require final modifications to Scheme Amendment documents. The WAPC or the Minister usually initiate these and then the documents are forwarded to Council for the final modifications to be made prior to gazettal.
9. However, in this case the Minister's office has consented to Council considering the Macquarie Asset Services Limited requested modifications to the documents. If Council supports the modifications they must then also be approved by the WAPC.

POLICY IMPLICATIONS

10. 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 Albany Commercial Strategy (1994)*
 - *The Albany Commercial Strategy Review (2000)*
 - *The Local Planning Strategy (Draft).*

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

11. 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.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

13. The Albany Commercial Centres Strategy of 1994 (Commercial Strategy) and its Review in 2000 (Review) and Town Planning Scheme 1A are relevant to this proposal.
14. The Commercial Strategy identifies Albany as a traditional regional service centre for the Great Southern Region and performs many functions in this role. The Central Area provides the main retail and commercial functions with a diversity of activities including retail, office, cultural, civic, residential, community, entertainment and tourist developments.
15. The Central Area zone generally comprises a variety of land uses throughout the zone. However the proposed modifications to permit showrooms on the subject site could potentially mean the whole site is developed for this land use. This could be considered to be out of the ordinary for Central Area developments and inconsistent with the variety of land uses currently found. It is preferred that a mixture of land uses develop on the site to ensure synergies are maximised with other Central Area land uses.
16. Notwithstanding this, the development of showrooms will add to the variety of land uses when considered across the entire Central Area.
17. The Review states that showroom type developments have tended to develop in highway locations in the past but goes on to state that they should be encouraged into Mixed Business zones.
18. On the other hand Town Planning Scheme No. 1A normally lists a Showroom as a permitted use in the Central Area zone. In normal circumstances it is unlikely that a Central Area zoned portion of land of this size would be developed entirely for Showroom purposes because of the higher rents that this zone attracts and the lack of available large tracts of land within the area. Potentially this could be one of the largest areas of the Central Area to be re-developed.
19. The Central Area zone does normally allow for the development of Showroom and Showroom Sales, it was prohibited in this case largely to suit Urban Design considerations. The concern here related to the potential development to be out of character with the Central Area and to appear to be a stand alone development.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

COMMENT/DISCUSSION

20. The issue before Council is to consider whether or not to support removing the prohibition of Showroom and Showroom Sales from the current scheme amendment. The reason that this was included in the amending documents is stated in detail above but was primarily to ensure that the scale of development was suitable for the site and the Central Area rather than for any commercial implications.
21. Council must consider whether it is appropriate to allow development of this nature and still retain the goals stated in the current amendment documents for the future development on the site; i.e. “...*having regard for the existing heritage place...*” and that future development is sensitive to “...*the relationship to the residential area on the northern side of Moir Street...*”.
22. Additionally, development should be at a human scale and pedestrian friendly, similar to the rest of the Central Area. It should allow for pedestrians to flow through and around the site and not be a “Big Box” development that is entirely car orientated.
23. The owner has lodged concept plans for the site showing how they believe that the site could be acceptably developed. An assessment of these plans against the stated objectives follows:

Objective	Element of Plan	Comment
Development on the site having regard for the existing heritage place	Open space around the Heritage listed building.	<ul style="list-style-type: none"> • The bulk of the development being located at the other end of the lot recognises the need for a curtilage around the building. • The car parking surrounding building reflects the former playgrounds in this area.
	Retention of the former school building for an alternative use.	<ul style="list-style-type: none"> • Heritage principles encourage the use of heritage buildings for alternative uses as ways of ensuring that they are well maintained. • The building is kept largely for its architectural value as a school building, having an alternative use occupy the building will add character to the future use and not affect the heritage qualities.
	Formal landscaping around the building.	<ul style="list-style-type: none"> • The trees fronting Albany highway should be retained. • Formal landscaping would suit the heritage nature of the building.
	Access located a reasonable distance from buildings.	Access points should be located as far from the building as possible to respect the curtilage of the building

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued.

<p>Future development is sensitive to the relationship with the residential area on the northern side of Moir Street</p>	<p>Height of future buildings of a more residential scale at street level.</p>	<ul style="list-style-type: none"> • The development is lower than the adjoining Albany Plaza. • The buildings would be set back from Moir Street to prevent a large wall being adjacent to the street. • Future development to the northwest would be at a residential scale and a lower building will blend with this future development rather than create a sharp edge to urban development.
	<p>Truck access to the development from Moir Street.</p>	<ul style="list-style-type: none"> • The development would be serviced from Moir Street, which would mean additional heavy vehicles using Moir Street. • The houses on Moir Street will have to deal with the noise of the servicing of the future stores. • The service yards would require screening from the street to reduce noise and visual impacts. • It is noted that Showroom activity requires less servicing than Shops and Supermarkets.
	<p>Retain the existing trees along Moir Street & introduce additional landscaping.</p>	<p>A strong landscaping element will help screen the development from the houses on Moir Street and passing pedestrian and vehicular traffic.</p>
	<p>Building Bulk.</p>	<p>One building is shown on the concept plans, must be articulated using façade treatment with appropriate finishes and materials to appear as smaller tenancies rather than one large uniform building on Moir Street..</p>
	<p>Bulk of development at northern end of lot.</p>	<ul style="list-style-type: none"> • The fall in the lot from Albany Highway to Moir Street helps keep the development lower when viewed from Albany Hwy. • Allows development to follow contours of the land, reduces need for big cut and fill and allows the car parking areas between the Plaza and the site to link.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued.

<p>Human scale and pedestrian friendly development.</p>	<p>There are large areas of car parking and little permeability through the site for pedestrians.</p>	<ul style="list-style-type: none"> • Pedestrian links with the Albany Plaza should be developed to allow reciprocal use of parking areas and for pedestrians accessing the site from the surrounding residential areas to access the Albany Plaza. • Pedestrian links through the car park from Albany Highway and Moir Street should be developed to encourage and allow for safe pedestrian movements through the site and not have development create a barrier to people. If this is not developed pedestrians approaching from the west will have to walk all the way to Lockyer Avenue to get the rest of the Central Area. • Development should be predominantly at eye level with extensive use of veranda's and shop fronts rather than blank brick walls.
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24. Overall the concept plan appears to show due regard to the existing heritage building whilst allowing the development of a Showroom type of activity. Whilst there are some questions over the relationship of Showroom type development to the residential area on the northern side of Moir Street the applicant has shown that many of these issues can be designed for using; generous setback of buildings from the street, judicious use of landscaping and the breaking up of building bulk.
25. The development of a Central Area site entirely for Showroom type development has risks to the urban form and the functionality of the site. If it is to be entertained on this site then conditions listed in the Special Site must be explicit regarding development at a human scale and ensuring that the development is pedestrian friendly.
26. If Council wishes to support this approach, modifications will need to be made to Scheme Amendment 127 documents to allow for the development of Showrooms and Showroom Sales. Proposed amended zoning provisions are at the pages following this report for Council consideration.
27. Should Council support this modification the documents will need to be modified and forwarded to the WAPC. The WAPC will then either; decide to accept the modifications, decide the extent of the modifications require re-advertising or chose not to accept the modifications.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

RECOMMENDATION

THAT Council seek to modify Scheme Amendment 127 to Town Planning Scheme 1A prior to its final determination by the Minister for Planning and Infrastructure by:

- i) The removal of the uses *Showroom and Showroom Sales* from the Additional Use list of the Special Site clauses;
- ii) Changing the second dot point of point 1 of the Special Site Conditions to read “*Provision of both vehicular and pedestrian linkages through the site and to the adjoining Albany Plaza, Moir Street and Albany Highway*”; and
- iii) Adding Point 2 to the Special Site Conditions stating: *Showrooms and Showroom Sales and/or Hire will only be permitted where the use is for bulky goods retailing and the development is designed in a scale sympathetic to the adjacent scale of residential development and at a human scale similar to that of the rest of the Central Area.*

AND

THAT the Scheme Amendment modification request be forwarded to the Western Australian Planning Commission and the Minister for Planning and Infrastructure for consideration.

Voting Requirement Simple Majority

.....

AMENDED RECOMMENDATION

THAT Council seek to modify Scheme Amendment 127 to Town Planning Scheme 1A prior to its final determination by the Minister for Planning and Infrastructure by:

- i) The removal of the uses *Showroom and Showroom Sales* from the Additional Use list of the Special Site clauses;
- ii) Changing the second dot point of point 1 of the Special Site Conditions to read “*Provision of both vehicular and pedestrian linkages through the site and to the adjoining Albany Plaza, Moir Street and Albany Highway*”; and
- iii) Adding Point 2 to the Special Site Conditions stating: *Showrooms and Showroom Sales and/or Hire will only be permitted where the use is for bulky goods retailing and the development is designed in a scale sympathetic to the adjacent scale of residential development and at a human scale similar to that of the rest of the Central Area.*

AND

THAT the Scheme Amendment modification request be forwarded to the Western Australian Planning Commission and the Minister for Planning and Infrastructure for consideration and that the Minister be requested to advertise the proposed changes prior to considering them for final adoption.

Voting Requirement Absolute Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

Councillors Barton, Wellington and Sankey declared an interest in this Item (refer Item 8.0).

Councillors Barton, Wellington and Sankey remained in Chambers.

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WILSON**

THAT Council not seek to modify Scheme Amendment 127 to Town Planning Scheme 1A prior to its final determination by the Minister for Planning and Infrastructure.

MOTION CARRIED 9-5

Reason:

This was an eleventh hour bid to amend the amendment that was currently with the Minister for finalisation.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

4 October 2002

Mr Robert Fenn
City of Albany
PO Box 484
Albany WA 6330

Dear Mr Fenn

I am writing on behalf of Macquarie CountryWide Management Limited, (M.C.W) (the owners of the Albany school site) to request modifications to the City of Albany Town Planning Scheme N01A – Amendment No. 127.

We have taken this extraordinary step in requesting this modification because we believe that the development of the school site can comply with Council's planning requirements.

We understand that the planning requirements relate to the built environment and the proposed scale and architectural presentation.

To support our request we have prepared plans and elevations to identify the scale and format for the proposed development and concurrence with the City of Albany's Planning Scheme.

It is important to note that the proposed amendment modifications confirm that the Albany School site development will not be the same height and bulk as the Albany Plaza Development.

As you are aware BSD on behalf of MCW requested that the Minister's office not finalise the Amendment because MCW believed that after discussion with council the development of the site could comply with councils requirements and that the amendment if finalised would enforce severe commercial restrictions for any future development of the site.

We understand that the Minister has written to council requesting further advice regarding the amendment.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

To assist with the planning amendment review we offer the following comments.

The planning amendment proposes to rezone the School Site to central area and to also introduce additional Use Provisions to prohibit certain uses.

The City's Scheme 1A has a specific definition for Showroom and Showroom sales which includes Bulky goods retailing. These two uses can be approved in the Central Area Zone.

Amendment 127 proposes to prohibit Showroom and Showroom sales, notwithstanding the zoning would otherwise permit them.

We understand that Council did not want a development of similar scale to Albany Plaza and car yards presenting to Albany highway, MCW agree with this approach.

The proposed amendment review offers the following benefits to council:-

1. Council can agree with MCW a development proposal that
 - a. Integrates the Albany School site development and the Albany Plaza development.
 - b. Co-ordinate pedestrian movements in this precinct and between the Plaza and School Sites.
 - c. Integrate and Co ordinate traffic movements between the Plaza and School Site.
 - d. Provide a built form that complies with council planning requirements with an acceptable bulk and type of construction.
 - e. Provide a development that will develop a form of retailing on the site which is currently not available in a centralised conveniently accessible location, thus strengthening the Albany Town Centre.
 - f. MCW is committed to development of a quality facility in keeping with the Albany plaza redevelopment.
 - g. MCW can assist with the implementation of a traffic management plan.
 - h. MCW are committed to building a development which has an appropriate interface with Moir St and the links to the highway and adjoining streets and developments.
 - i. MCW will address the old school building with regard for the heritage value of the building.
2. We believe that the opportunity to agree a development that provides a building that complies with councils planning requirements, considers the heritage significance of the old school site, provides a building that is constructed of size and appearance to present as smaller tenancies rather than a big box development and has regard for the relationship to the residential area on the northern side of Moir St justifies council's review and consideration of our proposed modifications to the current Town Planning Scheme no.1A. Amendment No. 127.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

Finally I would like to thank council for considering our request for review and modification of the amendment. If I can provide any further information or need to address council regarding our request I am available.

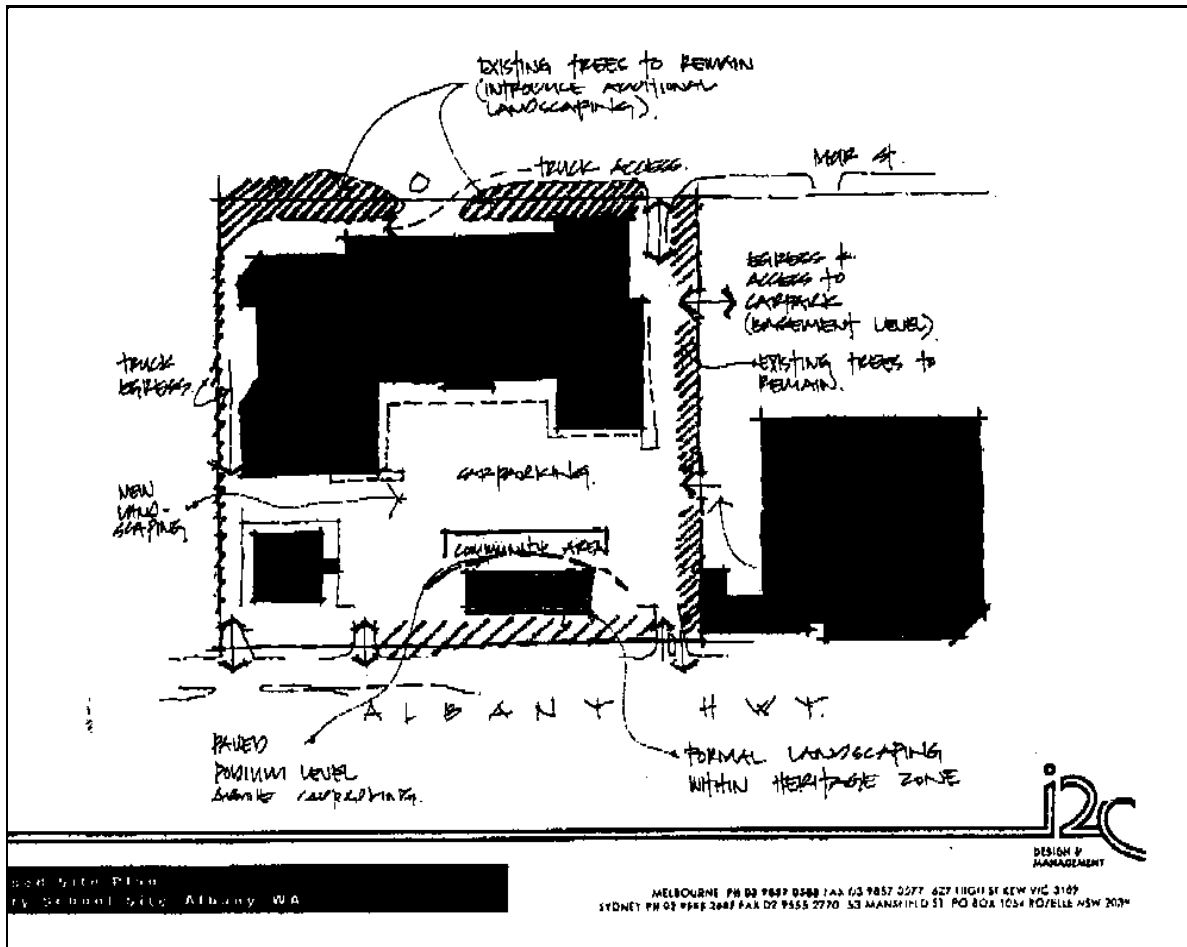
Please advise council's requirements in this matter.

Yours sincerely

Geoffrey Hill

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

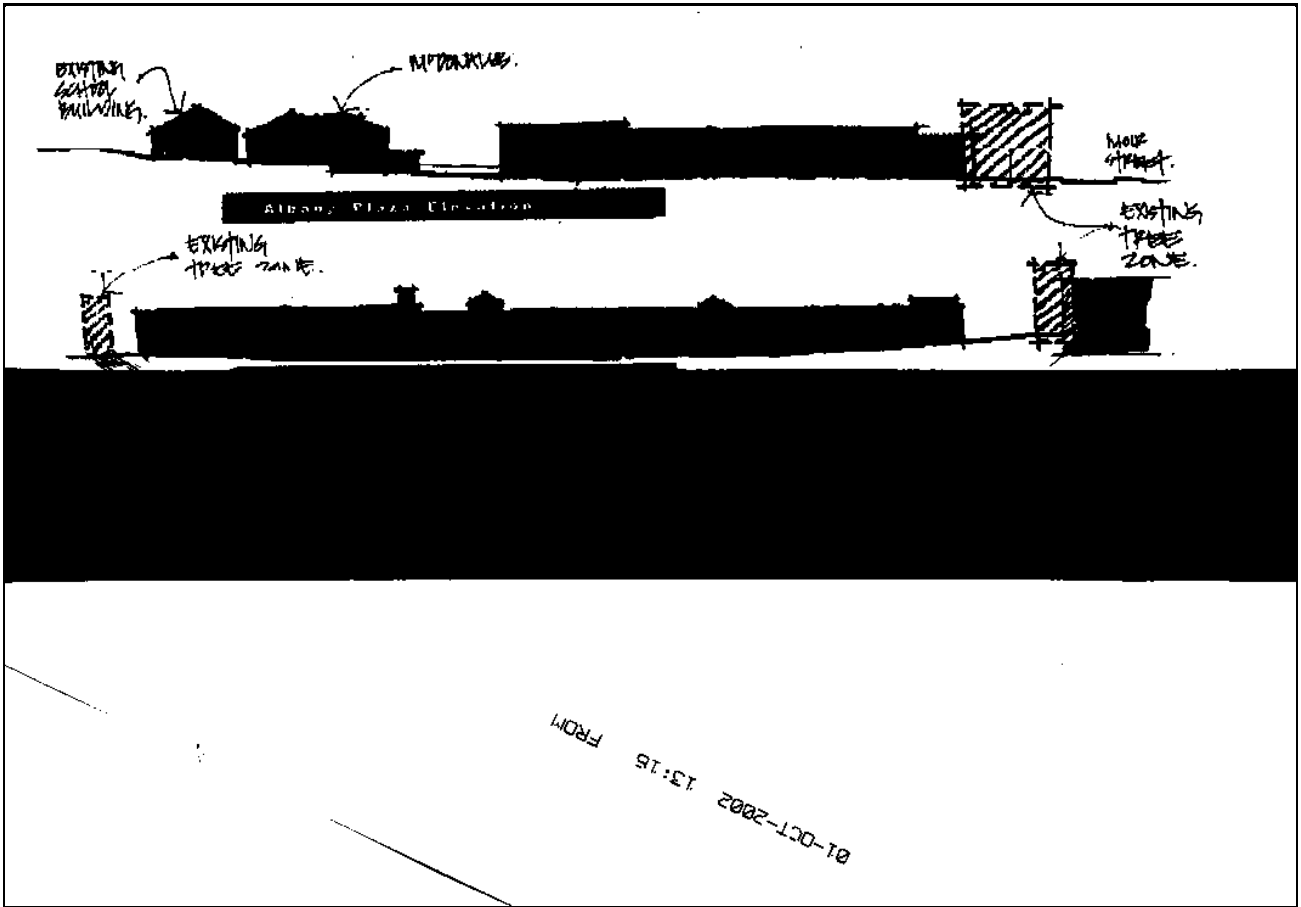


Site Plan
Albany WA

MELBOURNE PH 03 957 0588 FAX 03 957 0277 627 HIGH ST KEW VIC 3102
SYDNEY PH 02 949 2648 FAX 02 955 2770 53 MANHILD ST PO BOX 1034 ROSELLE NSW 2034

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

No	Property Detail	Additional Use	Conditions
36.	Lot 1274 Albany Highway, Centennial Park (Reserve 34020)	<p>As per the Central Area zone with the exception of the following uses:</p> <ul style="list-style-type: none"> • Light industry • Night club • Service industry • Service station • Warehouse 	<p>Despite anything else in the Scheme a Development Guide Plan is to be prepared by the proponent and approved by the local government before any subdivision or development. The Development Guide Plans is to consider:</p> <ul style="list-style-type: none"> • The proposed layout of land uses and movement systems; • <i>Provision of both vehicular and pedestrian linkages to the adjoining Albany Plaza, Moir Street and Albany Highway.</i> • Traffic impact, and location of vehicular access points • Preparation of design guidelines having regard for the heritage place, building bulk and materials for development, and the relationship to the residential area on the northern side of Moir Street; and • Such other matters considered appropriate by Council. <p><i>2. Showrooms and Showroom Sales and/or Hire will only be permitted where the use is for bulky goods retailing and the development is designed in a scale sympathetic to the adjacent scale of residential development and at a human scale similar to that if the rest of the Central Area.</i></p>

ORDINARY COUNCIL MEETING MINUTES – 15/10/02
** REFER DISCLAIMER **
DEVELOPMENT SERVICES REPORTS

11.4 DEVELOPMENT SERVICES COMMITTEE

Nil.

Corporate & Community Services

REPORTS

- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment – City of Albany

File/Ward	:	FIN 022 (All wards)
Proposal/Issue	:	N/A
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager of Finance (S Goodman)
Disclosure of Interest	:	Nil.
Previous Reference	:	N/A
Summary Recommendation	:	Approve accounts for payment
Bulletin Item	:	Nil.
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		\$278,348.11
Electronic Fund Transfer	totalling		\$1,214,189.58
Payroll	totalling		\$560,448.87
Investment Transfers	totalling		\$3,000,000.00
TOTAL			<u><u>\$5,052,986.56</u></u>

2. As at 27th September 2002, the total outstanding creditors, stands at \$754,950.88
3. Cancelled cheques 16492, 16528, 16542 & 16577.

ORDINARY COUNCIL MEETING MINUTES – 15/10/02
** 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	\$5,052,986.56
Total		<u>\$5,052,986.56</u>

Voting Requirement Simple Majority

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WOLFE**

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

Municipal Fund	totalling	\$5,052,986.56
Total		<u>\$5,052,986.56</u>

MOTION CARRIED 14-0

**12.1.2 Community Sporting and Recreation Facilities Fund (CSRFF) 2002/03 – 2004/05
Triennium Applications**

File/Ward	:	FIN 022 (All Wards)
Proposal/Issue	:	Assessment of CSRFF Applications – 2003/04
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Community Development Officer (R Shanhun)
Disclosure of Interest	:	N/A
Previous Reference	:	N/A
Summary Recommendation	:	That consideration be given to the CSRFF applications received by Council and these be ranked in priority.
Bulletin Attachment	:	N/A
Locality Plan	:	N/A

BACKGROUND

1. The CSRFF is administered by the Department of Sport and Recreation, with applications being called each year. Part of the assessment process involves Council consideration of the applications with a priority ranking being given to the applications received. The applications are then submitted to the Ministry of Sport and Recreation be behalf of the applicants.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

Item 12.1.2 continued.

FINANCIAL IMPLICATIONS

4. The following table indicates the ‘Local Government contribution’ as detailed on each of the CSRFF applications. While no Council decision has been made, or will be made, in relation to any of these contributions, the Department of Sport and Recreation’s CSRFF guidelines require Council to provide an indicative priority ranking and to assess the projects financial viability.

Organisation	Project	CSRFF Grant requested	Proposed Council contribution (inc GST)
City of Albany	Synthetic hockey surface replacement Total Cost \$TBA	\$325,000	\$650,000
City of Albany	Netball equipment Total Cost \$TBA	\$2,180	\$4,360
Lawley Park Tennis Club	Resurfacing Tennis Courts Total Cost \$66,495	\$20,000	\$22,000
Albany Equestrian Centre	Installation of new arena surface Total Cost \$27,330	\$9,110	\$9,110
Albany Bowling Club	Synthetic greens and lighting Total Cost \$346,500	\$121,000	\$10,000
Manypeaks Community & Recreation Association	Resurfacing of Tennis Courts	\$10,450	\$10,450
Elleker Sporting & Progress Association	Upgrade of recreation facilities	\$7,855	\$7,855

5. Projects which involve CSRFF grants of \$50,000 or more are subject to triennium funding approval. That is approval may be granted, however funds becoming available in one year of the following 3 year period. As such any proposed Council contribution would need to be considered in that year.

STRATEGIC IMPLICATIONS

6. Council’s ‘Albany 2020 Charting Our Course’ strategic plan provides for ‘the continual development of Council services and facilities to meet the needs of all stakeholders’.

Item 12.1.2 continued.

COMMENT/DISCUSSION

7. Applications have been received from:
- The City of Albany - synthetic Hockey surface replacement;
 - The City of Albany – Netball equipment;
 - Lawley Park Coast Tennis Club – resurfacing Tennis courts;
 - Albany Equestrian Centre – new arena surface;
 - Albany Bowling Club – synthetic greens and lighting;
 - Manypeaks Community & Recreation Association - resurfacing Tennis courts; and
 - Elleker Sporting & Progress Association – upgrade of recreation facilities.

Copies of all applications will be tabled at the meeting.

8. The grant guidelines require Council to provide a priority ranking for the projects ie first, second, third etc. as well as providing an assessment of how well the applicants have addressed the following criteria.

	Satisfactory	Unsatisfactory	Not Relevant
Project justification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned approach	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community input	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access and opportunity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial viability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-ordination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential to increase physical activity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Project Rating:

- Well planned and needed by municipality
 - Well planed and needed by applicant
 - Needed by municipality, more planning required
 - Needed by applicant, more planning required
 - Idea has merit, more preliminary work needed
 - Not recommended.
9. It is suggested that Council rank the applications in priority order and refer the completion of assessment criteria to the Community Development Officer, for completion of the criteria assessment section of the applications and submission to the Department of Sport and Recreation.

Item 12.1.2 continued.

RECOMMENDATION

THAT:

- i) Council rank the five CSRFF applications received in the following order:-
 - The City of Albany - Synthetic Hockey Surface replacement;
 - The City of Albany – netball equipment;
 - Elleker Sporting & Progress Association – upgrade of recreation facilities
 - Manypeaks Community & Recreation Association - resurfacing Tennis courts
 - Albany Bowling Club – synthetic bowling greens & lighting;
 - Lawley Park Coast Tennis Club – court resurfacing; and
 - Albany Equestrian Centre – new arena surface installation;
- ii) all applications be referred to the Community Development Officer for completion of the criteria assessment section of the applications and submission to the Department of Sport and Recreation; and
- iii) those organisations seeking a Council contribution towards their CSRFF projects be advised that any Council funding will be subject to an application under the Community Financial Assistance Program and Council’s budget process for the year of CSRFF funding approval.

Voting Requirement Absolute Majority

.....
AMENDED RECOMMENDATION

THAT:

- i) Council rank the eight CSRFF applications received in the following order:-
 - The City of Albany - Synthetic Hockey Surface replacement;
 - The City of Albany – netball equipment;
 - Elleker Sporting & Progress Association – upgrade of recreation facilities;
 - Manypeaks Community & Recreation Association - resurfacing Tennis courts;
 - Albany Bowling Club – synthetic bowling greens & lighting;
 - Lower King Community Association – new toilet facilities;
 - Lawley Park Coast Tennis Club – court resurfacing; and
 - Albany Equestrian Centre – new arena surface installation;

Contd...

Item 12.1.2 continued.

- ii) all applications be referred to the Community Development Officer for completion of the criteria assessment section of the applications and submission to the Department of Sport and Recreation; and
- iii) those organisations seeking a Council contribution towards their CSRFF projects be advised that any Council funding will be subject to an application under the Community Financial Assistance Program and Council's budget process for the year of CSRFF funding approval.

Voting Requirement Absolute Majority

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WILLIAMS**

THAT:

- i) **Council rank the eight CSRFF applications received in the following order:-**
 - **The City of Albany - Synthetic Hockey Surface replacement;**
 - **The City of Albany – netball equipment;**
 - **Elleker Sporting & Progress Association – upgrade of recreation facilities;**
 - **Manypeaks Community & Recreation Association - resurfacing Tennis courts;**
 - **Albany Bowling Club – synthetic bowling greens & lighting;**
 - **Lower King Community Association – new toilet facilities;**
 - **Lawley Park Coast Tennis Club – court resurfacing; and**
 - **Albany Equestrian Centre – new arena surface installation;**
- ii) **all applications be referred to the Community Development Officer for completion of the criteria assessment section of the applications and submission to the Department of Sport and Recreation; and**
- iii) **those organisations seeking a Council contribution towards their CSRFF projects be advised that any Council funding will be subject to an application under the Community Financial Assistance Program and Council's budget process for the year of CSRFF funding approval.**

**MOTION CARRIED 10-4
ABSOLUTE MAJORITY**

Reason:

An additional application was received from Lower King Community Association for a new toilet block at Gomm Park.

Project cost is \$41,580.00

CSRFF Grant request is for \$13,860.00

Council contribution is \$13,860.00

12.2 ADMINISTRATION

12.2.1 Annual Electors Meeting

File/Ward	:	FIN 047 (All Wards)
Proposal/Issue	:	Council requested to set a date for the Annual Electors Meeting
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Disclosure of Interest	:	Nil
Reporting Officer	:	Manager Finance (S Goodman)
Previous Reference	:	Nil
Summary Recommendation	:	That Council hold the Annual Electors Meeting on 12 th November 2002
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. Council is required to convene an Annual Meeting of Electors each year and publicly advertise its intention of holding such a meeting

STATUTORY REQUIREMENTS

2. Section 5.27 of the Local Government Act 1995 requires that a General Meeting of the electors of a district be held once every financial year, not more than 56 days after the Local Government accepts the annual report for the previous financial year, and any other nominated general business.
3. The Chief Executive Officer is required to give at least 14 days local public notice of an electors meeting.

POLICY IMPLICATIONS

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

Item 12.2.1 continued.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

7. It is proposed that the Annual Meeting of Electors for the City of Albany be held at 7:30pm on Tuesday 12th November 2002 in the reception room of the City's Mercer Road Office and that the meeting be advertised locally.

RECOMMENDATION

THAT in accordance with the requirements of Section 5.27 of the Local Government Act, an Annual General Meeting of Electors be held in the Mercer Road Chambers at 7:30pm on 12th November 2002, for the purpose of receiving the 2001/2002 Annual Report of the City of Albany and other General Business as listed.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR WELLINGTON**

THAT in accordance with the requirements of Section 5.27 of the Local Government Act, an Annual General Meeting of Electors be held in the Mercer Road Chambers at 7:30pm on 12th November 2002, for the purpose of receiving the 2001/2002 Annual Report of the City of Albany and other General Business as listed.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

12.2.2 Council Representation – Albany Visitor Centre Board

File/Ward	:	REL 115 (All Wards)
Proposal/Issue	:	Council representation on Albany Visitor Centre Board
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Corporate Community Services (WP Madigan)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Council accept the resignation from Councillor Tony Demarteau and nominate a new Councillor as a representative of the Albany Visitor Centre Board.
Bulletin Attachment	:	N/A
Locality Plan	:	N/A

BACKGROUND

1. Resignation from the Albany Visitor Centre Board has been received from Councillor Tony Demarteau, effective from 27th September 2002.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

Item 12.2.2 continued.

STRATEGIC IMPLICATIONS

- 5. The request complies with Council’s Albany 2020 Plan which states as follows:

“A reputation for professional excellence – Civic Leadership and Corporate Image”

COMMENT/DISCUSSION

- 6. Councillor Tony Demarteau has formally resigned from the Albany Visitor Centre Board effective from 27th September 2002, due to significant changes in his workload.
- 7. Nominations now need to be called from all Councillors for a new representative on this Board.

RECOMMENDATION

THAT Councillor _____ be nominated to represent Council as a member of the Albany Visitor Centre Board.

Voting Requirement Simple Majority

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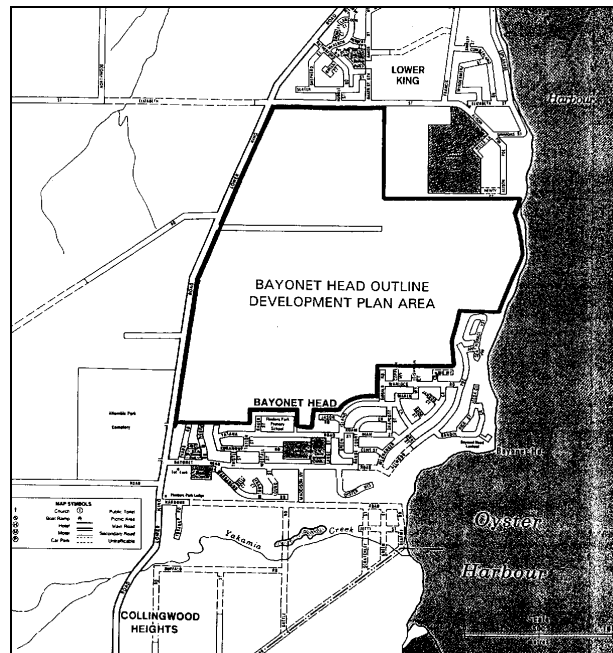
**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR BOJCUN**

THAT Councillor Emery be nominated to represent Council as a member of the Albany Visitor Centre Board.

MOTION CARRIED 14-0

12.2.3 Establish Bayonet Head Infrastructure Reserve

- File/Ward** : FIN 009 (Yakamia Wards)
- Proposal/Issue** : Establish the Bayonet Head Infrastructure Reserve
- Subject Land/Locality** : Bayonet Head Outline Development Plan area
- Proponent** : City of Albany
- Owner** : Various
- Reporting Officer(s)** : Manager – Finance (S Goodman)
Strategic Planning Officer (M Papalia)
- Disclosure of Interest** : Nil
- Previous Reference** : N/A
- Summary Recommendation** : That Council Establish the Bayonet Head Infrastructure Reserve.
- Bulletin Attachment** : Nil
- Locality Plan** :



Item 12.2.3 continued.

BACKGROUND

1. The Bayonet Head Outline Development Plan advocates a co-ordinated approach to development between the various landowners to ensure that implementation is effective on the ground.
2. Clause 5.2.4 – Provisions relating to the Bayonet Head Outline Development Plan (BHODP) Area, in Town Planning Scheme No. 3 (Scheme) ensures that development costs are shared equitably between the subdividing landowners within the area. This clause was introduced into the Scheme as an interim measure to collect funds until the Guided Development Scheme was in place. The rationale for this was to ensure that Council was not unnecessarily holding up development whilst the Guided Development Scheme was being established.
3. Landowners within the Bayonet Head Outline Development Plan area have commenced development within the area and Council is in a position to receive money for shared cost items in accordance with Clause 5.2.4 of the Scheme.
4. Conditions have been placed on subdivisions requiring contributions for shared costs to be paid in accordance with Clause 5.2.4 of Scheme 3.
5. The money collected for the shared costs at the subdivision stage needs to be deposited into a cash backed reserve fund for a specific purpose in accordance with the Local Government Act.
6. The purpose of this report is to establish the reserve fund for the “Bayonet Head Infrastructure Reserve”.

STATUTORY REQUIREMENTS

7. Under Section 6.11 (1) of the Local Government Act 1995, “where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose”.
8. Clause 5.2.4 of the City of Albany’s Town Planning Scheme No. 3 sets out the requirements for development within the BHODP area and the process to require developer contributions for infrastructure items and works in accordance with a Schedule of Shared Costs.

POLICY IMPLICATIONS

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

Item 12.2.3 continued.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

- 11. The BHODP will assist the development of the remaining Bayonet Head locality and confirms Council’s commitment to “Albany 2020 – Charting Our Course”. The BHODP is relevant to a number of Ports of Call but predominantly fits into the following Port of Call:

“Managed healthy land/harbour environment identify desirable patterns of development and servicing requirements”.

- 12. More specifically the BHODP fulfils the Port of Call Code, ENV 2 – Land Use Planning and Objective Four:

“To develop an integrated plan for long-term land use planning Albany”

COMMENT/DISCUSSION

- 13. Whilst the Guided Development Scheme is yet to be formalised the interim measure as set out in Clause 5.2.4 adequately covers the requirement for Council to collect funds from developers within the BHODP area. This clause was inserted into the Scheme to ensure that Council was not unnecessarily holding up development but could allow development to occur prior to the Guided Development Scheme being established.
- 14. As development is occurring in the BHODP area a reserve account needs to be established immediately.
- 15. It is proposed that Council establish the following reserve:

Reserve Title: Bayonet Head Infrastructure Reserve
Purpose : To hold owner funding for infrastructure items & works within the Bayonet Head Outline Development Plan Area
Funding : Developers’ contributions.

RECOMMENDATION

THAT Council establish the Bayonet Head Infrastructure Reserve to hold owner funding for infrastructure projects within the Bayonet Head Outline Development Plan Area

Voting Requirement Absolute Majority

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ORDINARY COUNCIL MEETING MINUTES – 15/10/02
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Item 12.2.3 continued.

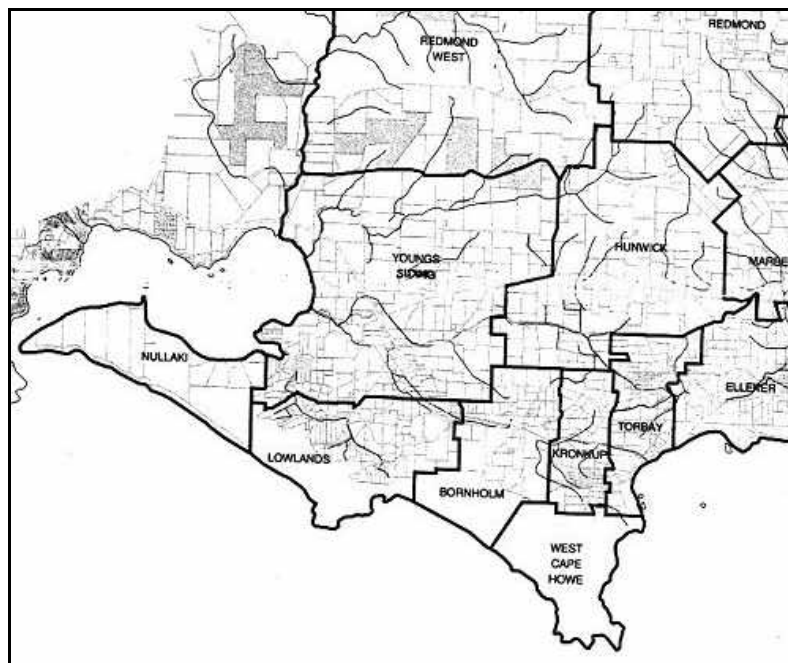
**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT Council establish the Bayonet Head Infrastructure Reserve to hold owner funding for infrastructure projects within the Bayonet Head Outline Development Plan Area

**MOTION CARRIED 14-0
BY ABSOLUTE MAJORITY**

12.2.4 Alteration To Locality Boundaries – Torbay and Napier

File/Ward	:	GOV 037 (West and Kalgan Wards)
Proposal/Issue	:	Alteration to Locality boundaries
Subject Land/Locality	:	N/A
Proponent	:	Various land owners
Owner	:	N/A
Reporting Officer(s)	:	Executive Director of Development Services (R Fenn)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 16/07/02 – Item 12.2.4 OCM 23/01/01 – Item 12.2.3
Summary Recommendation	:	Seek Geographic Names Committee support for change in locality names and boundaries.
Bulletin Attachment	:	Previous Council Item
Locality Plan	:	



Item 12.2.4 continued

BACKGROUND

1. At the August 2002 meeting of Council, a report was submitted to consider the alteration of locality boundaries as they applied to the districts of Torbay, Kronkup, Hunwick and others. In response to community concerns over the proposed boundaries, Council resolved:

“THAT Council:
 - i) *lay this item on the table;*
 - ii) *survey residents within “Torbay Hill” to determine their preference for the use of the names “Torbay Hill” or “Torbay” to describe their locality;*
 - iii) *survey landowners east of Cosy Corner Road, south of Lower Denmark Road, to determine their preference for the locality names of “Torbay” or “Kronkup”; and*
 - iv) *gather limited available historical information to guide Council in the decision.”*
2. Staff proceeded to prepare a survey of residents and landowners in the area identified by Council and that survey was distributed by personal post to over 100 owners of property within the survey area. Each landowner was asked three questions:
 - a. How do you currently describe to people the locality where your property is located?
 - b. If provided with an option, what preferred locality would you choose to describe where your property is located?
 - c. I selected this locality name because ...
3. A total of 72 forms were completed and returned and the result indicated that 76% of respondents currently use the name that they have identified in the survey and they do not wish to change the description they provide for their property. 29% of respondents, when they purchased their land, were provided with the designated name and assumed it had legal status. 15% chose the name because of the historic links to the land and 4% selected the name because it sounded better.
4. On the plan following this agenda item marked “G” is an analysis of the feedback received to Council’s independent survey of land owners. The survey clearly shows that the rural land holders surrounding “Torbay Hill” identify themselves within the locality of Kronkup and those residents which have moved into the recently created special rural lots are divided over whether they live in “Torbay Hill” or “Torbay”.

Item 12.2.4 continued

5. With the publicity which surrounded the locality names to the west of Albany, several residents in the Napier area also raised concerns over the boundary locations for localities to the north of Albany. As a result, requests have been received from several individual land owners and the Napier Progress Association to have the boundary on the eastern side of the locality of Napier adjusted.

STATUTORY REQUIREMENTS

6. The Minister for Lands approved the current localities on the 29th August 2001 and those localities are now in official use, albeit that many rural landowners may still be using unofficial and historical data to identify where they are located.
7. In the Geographical Names Committee (GNC) procedures, it is stated that locality boundaries should;
 - Have strong local government support.
 - Not be confusing with another name or create mail delivery problems.
 - Have a long-standing association with the locality.
 - Have broad community support.
 - Be retained within and adjusted to be wholly located in a local government district boundary.
8. The procedures then go on to state that locality boundaries can be changed where the proposal is supported by local government, the above criteria are achieved and the new name has relevance to the area.

POLICY IMPLICATIONS

9. The proposal has no impact upon Council policies. The issue of responsive governance and responding to community concerns is part of the City's 2020 Strategic document.

FINANCIAL IMPLICATIONS

10. There may be some costs associated with informing the public and agencies of a change in locality boundaries, if changes are accepted by the GNC.

STRATEGIC IMPLICATIONS

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

Item 12.2.4 continued

COMMENT/DISCUSSION

History

12. From information supplied by the various groups, the Torbay District and Torbay Hill first appeared on Government maps in the early 1830s. The railway to the west of Albany was developed in the 1880s and urbanization along the rail line followed shortly thereafter. The Torbay Estate (now referred to as Torbay Townsite) appears to have been developed in the late 1890s and the Torbay Agricultural Area, to the south west of the Torbay Townsite was created in the late 1890s. The independent siding of Kronkup was created in 1907 and features such as the Kronkup Hall (1912) the Kronkup Anglican Church (1947) and the Kronkup Post Office and Telephone Exchange followed at various times as the population grew.
13. Following the Second World War and the closure of the railway line in the late 1950s, the railway settlements of Kronkup and Torbay began to de-populate. The Kronkup Rifle Range fell into disrepair, the Kronkup Post Office was converted into a private residence, the Kronkup War Memorial and Hall was moved to Bornholm in 1965 and the Kronkup Anglican Church was also moved to Denmark in the early 1980s. Where previously small railway settlements existed, the landscape took on a more agricultural appearance and bitumen roads replaced railway tracks for carting the rural commodities back to Albany.
14. With the creation of the then Shire of Albany Town Planning Scheme 3 in the early 1980s, approximately 400 hectares of land surrounding Torbay Hill began to be sub-divided into special rural size allotments and the sub-division and urbanization of that discreet area has continued for approximately two decades. A plan showing the relevant historic features will be supplied to Councillors and tabled at the meeting.

Hunwick

15. From previous surveys carried out by the Torbay Agricultural Hall Committee, there is overwhelming opposition from the residents that live within the locality of Hunwick (refer to attached plan “E”) over the decision to create the locality of Hunwick (refer to plan “D” attached). Residents within Hunwick refer to themselves as Torbay land owners and a request has been submitted to Council by the Torbay Agricultural Hall Committee to extend the locality of Torbay to the north and north-west to incorporate the former Hunwick locality. The request from residents is also that the outer boundaries of the new locality be adjusted slightly and that request has direct impact upon the existing localities of Young Siding, Redmond West, Marbellup and Elleker. The land owner requests do not appear to be unreasonable.

Item 12.2.4 continued

Kronkup

16. There are a number of multiple generation farmers who clearly want their properties recognized as being within the locality of Kronkup. As shown on attached plans “D” and “F”, landowners to the north-west of the original Kronkup siding wish to be removed from the current Hunwick locality and identified within Kronkup. If the request from the Torbay Agricultural Hall Committee (proposal F) is accepted, adjustments to the existing Elleker, Hunwick, Young Siding and Borholm locality boundaries will be required.
17. Unfortunately, if the Torbay Agricultural Hall Committee is accepted, there will be a high dissatisfaction rating amongst those landowners who purchase special rural allotments on Torbay Hill. The Torbay Hill remains as an independent cell within the locality of Kronkup in regards to existing preference for nomenclature.

Torbay Hill

18. The survey results (see plan “G”) show that the residents in the Torbay Hill special rural area do not see themselves as being Kronkup residents are there is a divergence of opinion on whether the land owners are “Torbay” or “Torbay Hill” land owners. The survey results also clearly indicate that the rationale for electing the locality name amongst those land owners is primarily personal choice, rather than historical links or land owners being misled.
19. In order to agree to the land owners request for residents on Torbay Hill to be recognized as an independent locality or as part of the existing locality of Torbay either:
 - a. 1,000 hectares of agriculture land (approximately the entire area shown on plan “G” would need to be identified as “Torbay Hill” in order for the Geographic Names Committee to accept that area as an independent rural locality. In this case, many of the generational land owners surrounding Torbay Hill would be forced to accept that they no longer live in Kronkup, or
 - b. the Torbay Hill Estate would be connected to the expanded locality of Torbay and an appropriate boundary (say Pikadon Road) would need to be identified for the new locality. If this option was selected, the number of existing multiple generation land owners affected would be substantially reduced and the new suburb of Kronkup would take on a very irregular shape.

Item 12.2.4 continued

Napier

20. With the creation of the current locality boundaries, the locality of Mindijup was created. Landowners within the new locality of Mindijup clearly see themselves as being associated with the district of Napier and have sought Council's approval to abolish the new locality. Also, those landowners north of Bakers Junction Reserve, fronting Chester Pass Road identify themselves with the Napier district as they have raised concerns over their properties being included within the locality of Kalgan. Attached plan "A" shows the existing locality boundaries in this area, plan "B" identifies the areas under dispute and plan "C" shows the adjustments to the boundaries of the localities of Napier, Palmdale and Kalgan being sought by landowners. Those requests do not appear to be unreasonable.

General

21. Western Australia resides with the Minister for Land, who in 1987 established the Geographic Names Committee. Under the provisions of the Land Administration Act the Minister for Land has the authority to approve the naming, renaming or cancellation of any town site, district, feature, street, road or locality. Also, under Section 295 of the Local Government (Miscellaneous Provisions) Act,

"a person is not entitled to:

- 1. assign a name to an area or street unless the name is first approved by the Minister for Lands, and*
 - 2. alter or change a name that has been so assigned whether initially or from time to time to the area or street unless the Minister for Lands first approves of the alteration or change that name."*
22. Prior to 2001, no name had been assigned to properties in the rural areas of the City of Albany and therefore the names in use by residents to describe where they lived reflected long standing historical links, personal preferences or association with other detail (eg: survey description, drainage district, catchment area etc). Several landowners have been extremely critical of Council over the methodology used to establish the inaugural locality names throughout the City of Albany and some of that criticism may be well founded. Nonetheless, staff are concerned that over the coming months and years, Council may be bombarded with requests from individual land owners who would want locality boundaries adjusted to meet their personal needs.

Item 12.2.4 continued

23. The Geographic Names Committee will not consider a request for the re-naming of a locality unless the proponent has strong local government support, there is a rationale to the change of boundary (eg: new urban area to be created or a locality is divided by a newly constructed road or highway) or the proposal is supported by a “broad based community survey” indicating very strong community support for the name change. Continual adjustments to the locality boundaries will seriously erode the effectiveness of the locality boundaries and incur considerable disruption to agencies to change mapping and property records.

CONCLUSION

24. The recommendation which follows gives considerable weight to the criteria established by the Geographic Names Committee for the renaming of a locality, it acknowledges that any decision taken by Council will be politically unacceptable to certain members of the community and it acknowledges that locality names were proclaimed over the City of Albany and those names currently exist. Furthermore, the Local Government Act clearly states that the only person who has the authority to assign a name to an area or street is the Minister for Land.

RECOMMENDATION

THAT Council submit to the Geographic Names Committee of the Department of Land Administration a request that the Minister for Land adjust the locality boundaries within the City of Albany for the existing localities of Napier, Palmdale, Mindijup, Kalgan, Bornholm, Youngs Siding, Redmond West, Hunwick, Kronkup, Torbay, Elleker and Marbellup to redefine the locality boundaries as detailed on plan “C” and “F” attached.

Voting Requirement Simple Majority

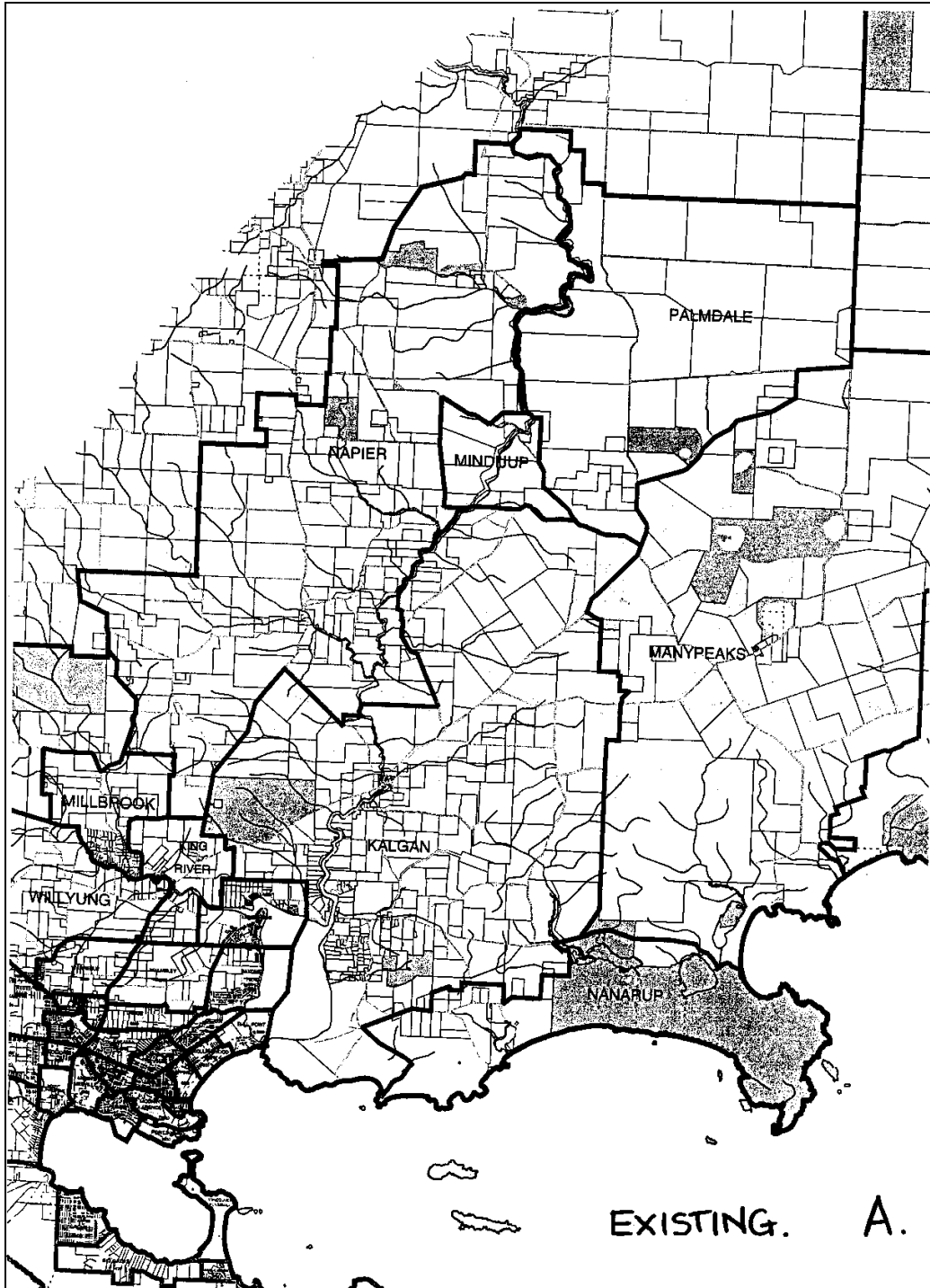
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**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EVERS**

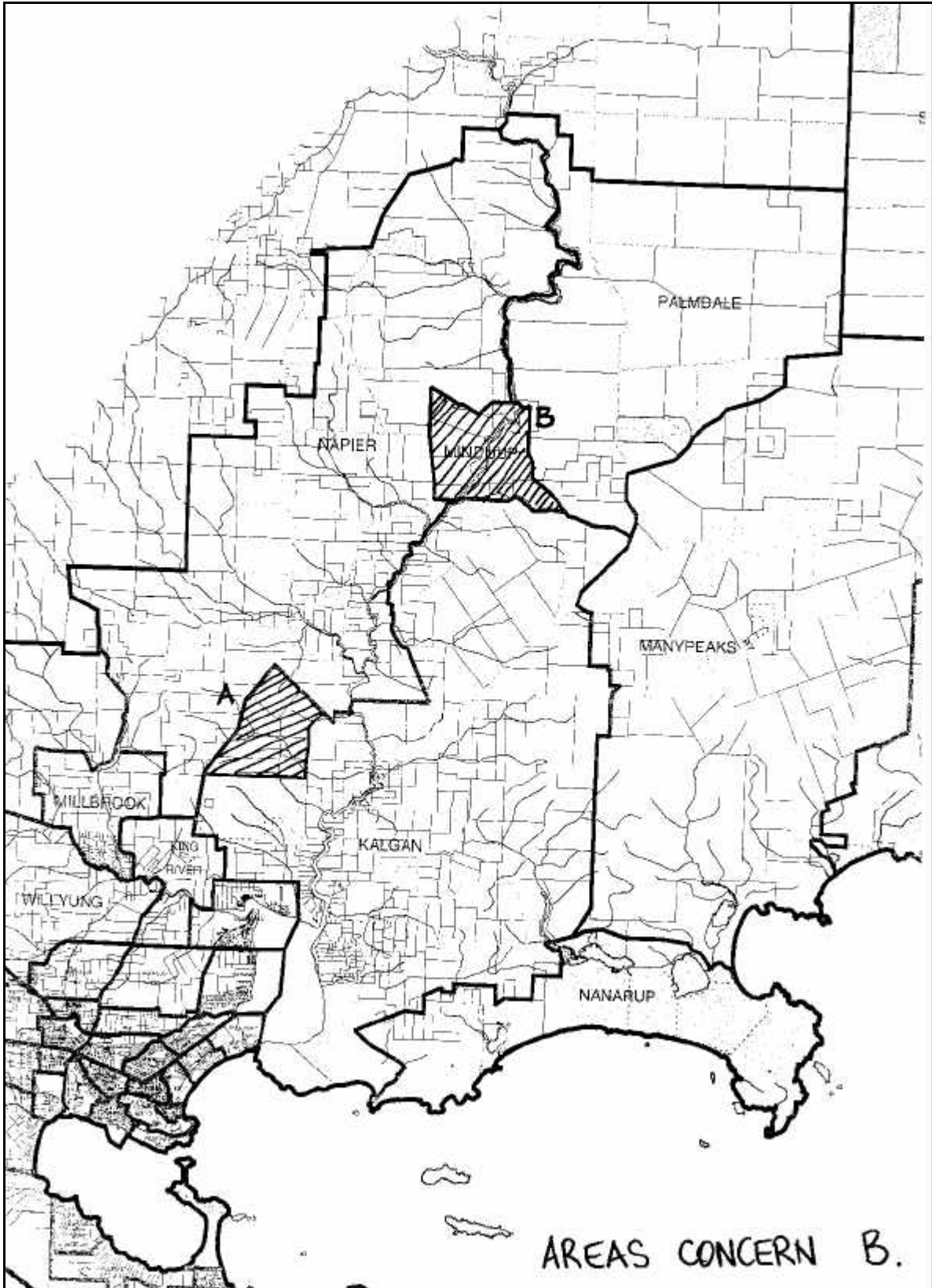
THAT Council submit to the Geographic Names Committee of the Department of Land Administration a request that the Minister for Land adjust the locality boundaries within the City of Albany for the existing localities of Napier, Palmdale, Mindijup, Kalgan, Bornholm, Youngs Siding, Redmond West, Hunwick, Kronkup, Torbay, Elleker and Marbellup to redefine the locality boundaries as detailed on plan “C” and “F” attached.

MOTION CARRIED 14-0

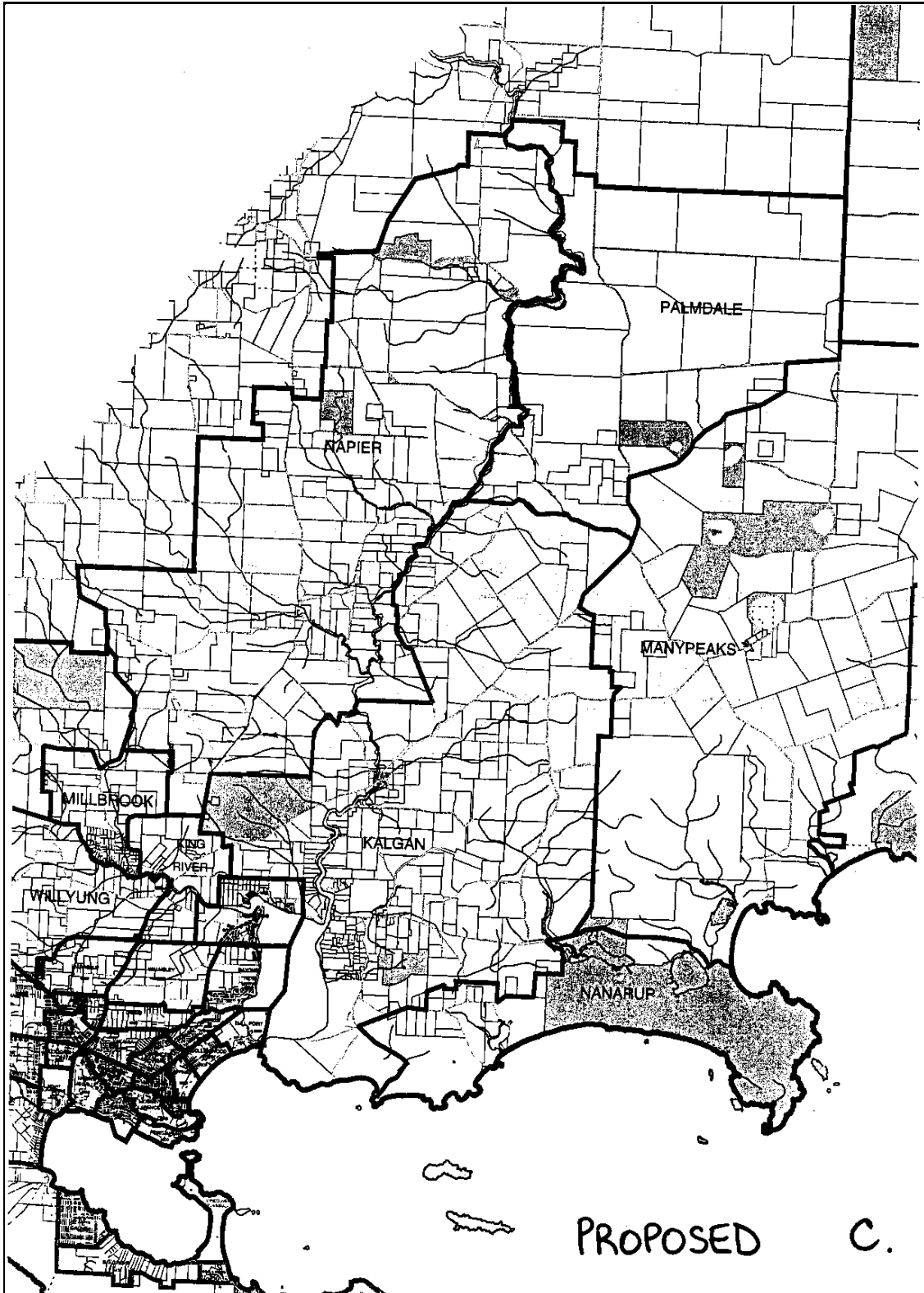
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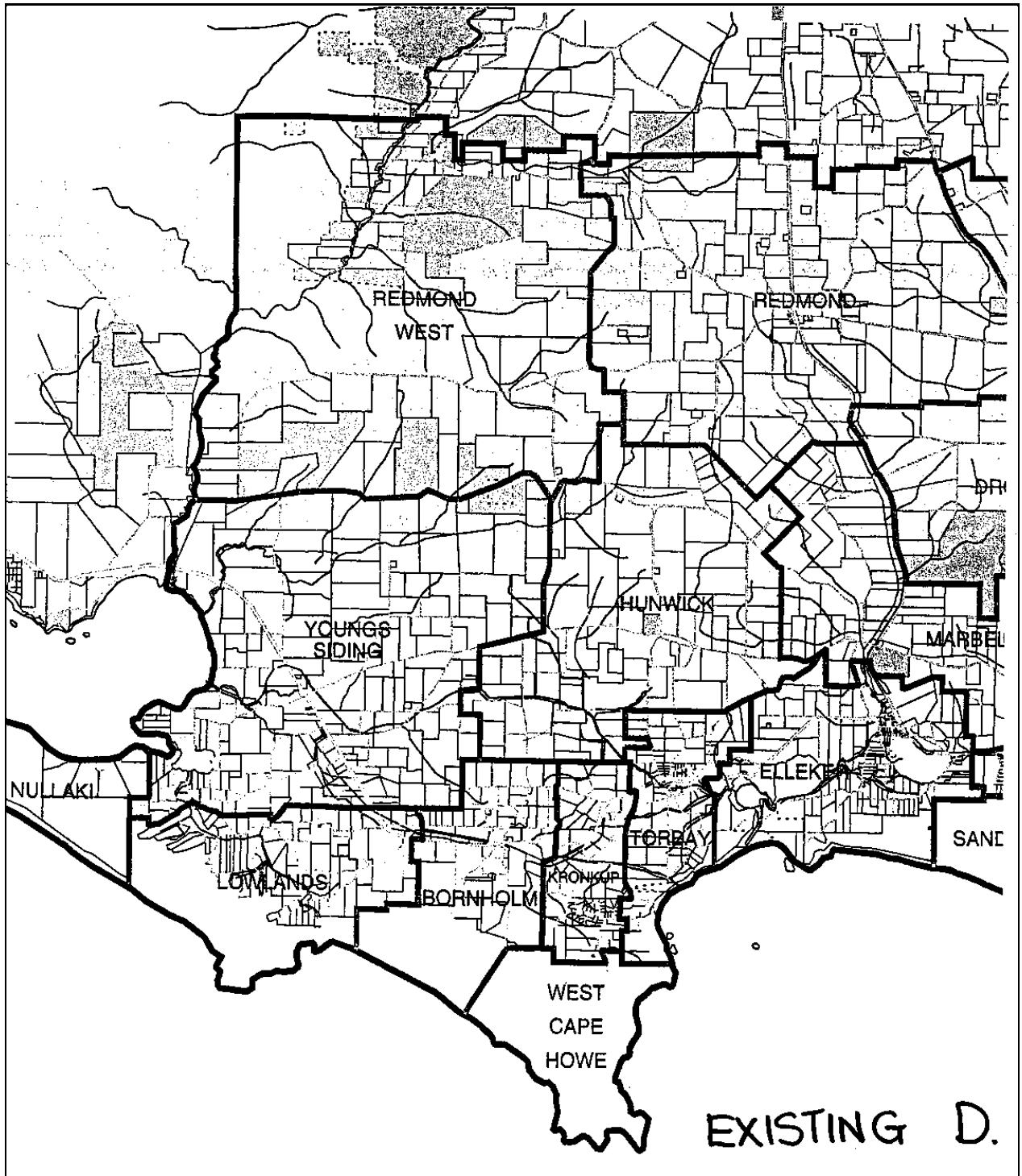
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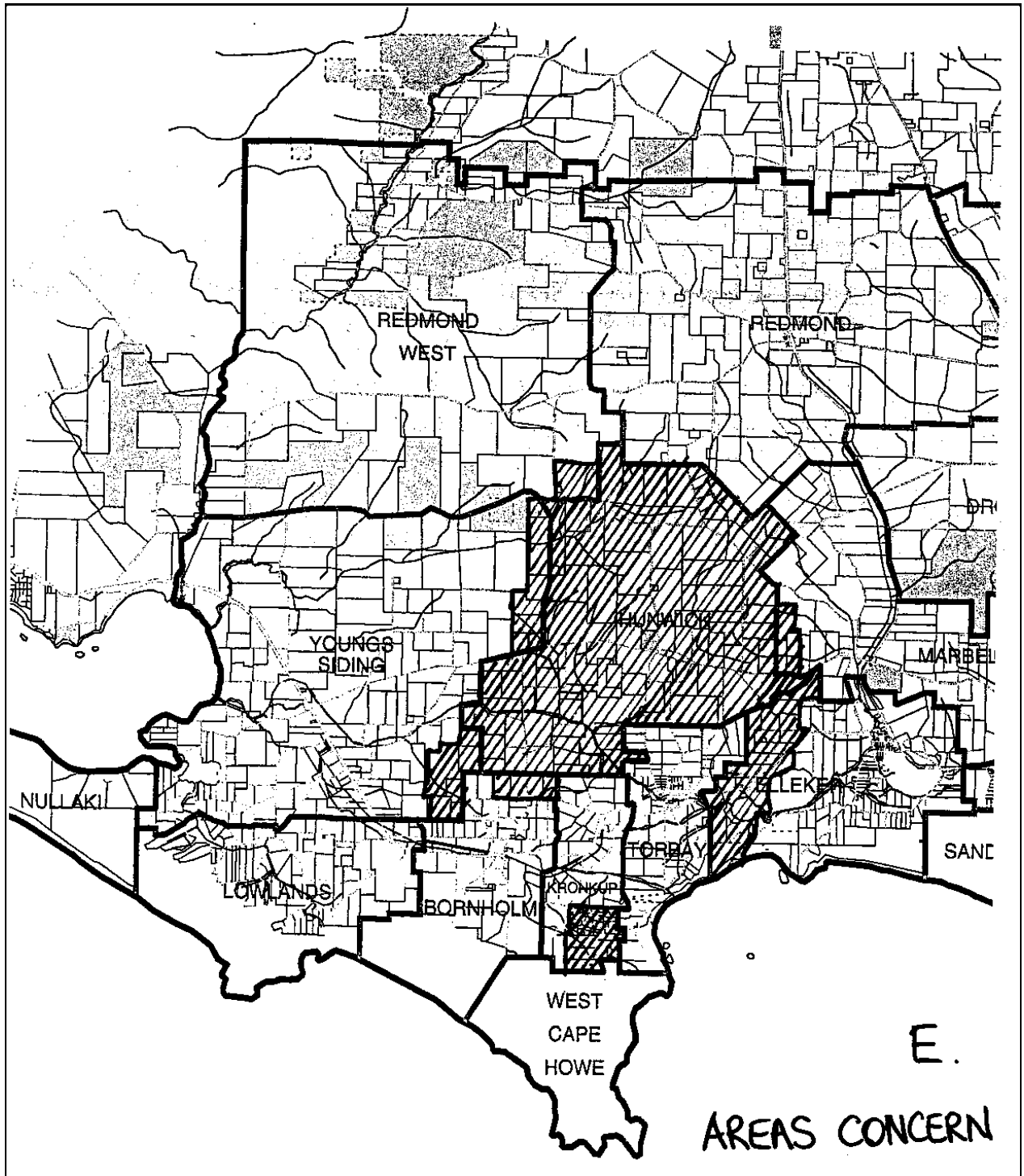
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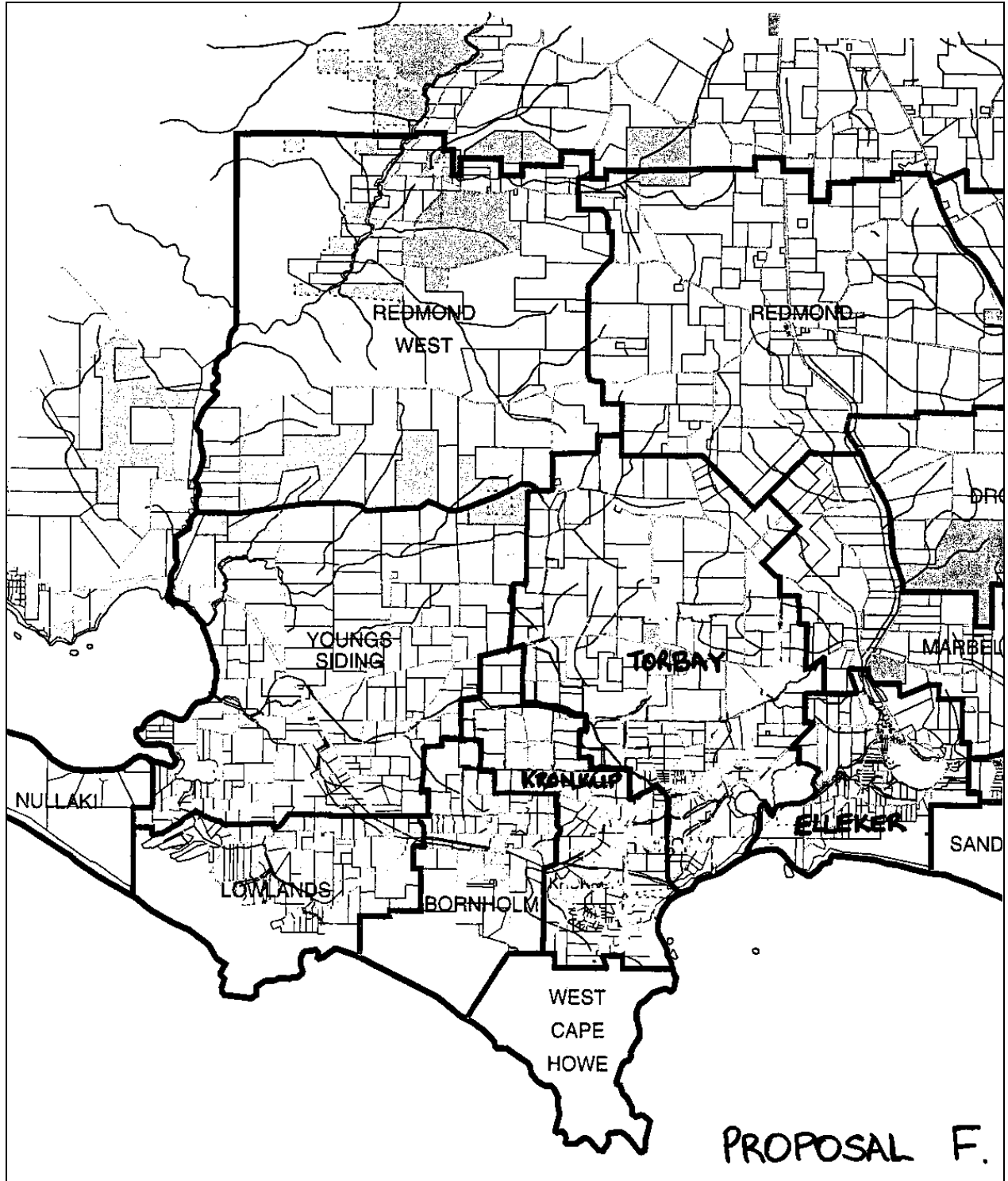
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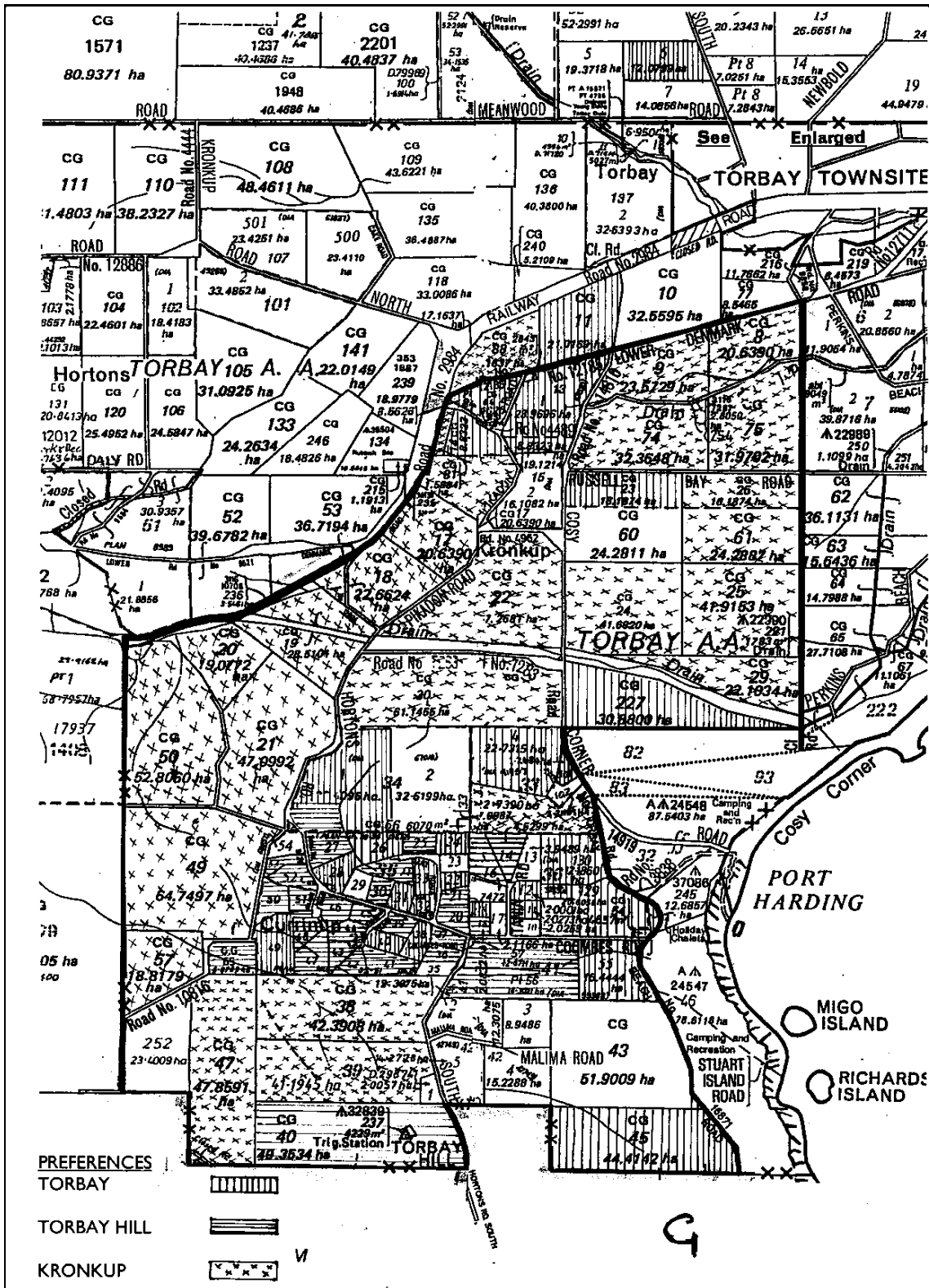
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12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 ALBANY LEISURE AND AQUATIC CENTRE

Nil.

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

12.7.1 City of Albany Audit Committee Minutes – 10th September 2002

- File/Ward** : FIN 022 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of City of Albany Audit Committee held on 10th September 2002 be adopted.

Confirmation of the minutes of the City of Albany Audit Committee of 10th September 2002.

RECOMMENDATION

THAT the minutes of City of Albany Audit Committee held on 10th September 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following items be adopted.

Item 3.0 – Review of 2001/02

RECOMMENDATION

THAT in accordance with the requirements of Section 5.54 of the Local Government Act, Council accept the City of Albany Audited Financial Statements as tabled at the meeting.

Item 4.0 – Appointment of Auditor

RECOMMENDATION

THAT Mr Russell Harrison (Lincoln Accountants) be appointed the City of Albany external auditor for the financial years 2002/03, 2003/04 and 2004/05.

Voting Requirement Simple Majority

.....

Councillor Demarteau declared an interest and left the Chambers at 8.27pm
The nature of Councillor Demarteau's interest is that his wife is employed by Lincolns Accountants, which is the business Mr Russell Harrison, the recommended Auditor, is a business partner.

ORDINARY COUNCIL MEETING MINUTES – 15/10/02
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CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.7.1 continued

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR EMERY**

THAT the minutes of City of Albany Audit Committee held on 10th September 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following items be adopted.

Item 3.0 – Review of 2001/02

RECOMMENDATION

THAT in accordance with the requirements of Section 5.54 of the Local Government Act, Council accept the City of Albany Audited Financial Statements as tabled at the meeting.

Item 4.0 – Appointment of Auditor

RECOMMENDATION

THAT Mr Russell Harrison (Lincoln Accountants) be appointed the City of Albany external auditor for the financial years 2002/03, 2003/04 and 2004/05.

MOTION CARRIED 13-0

Councillor Demarteau returned to the Chambers at 8.28pm.

12.7.2 Seniors Advisory Committee Minutes – 19th September 2002

- File/Ward** : MAN 197 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of the Seniors Advisory Committee held on 19th September 2002 be adopted.

Confirmation of minutes of the Seniors Advisory Committee of 19th September 2002.

RECOMMENDATION

THAT the minutes of Seniors Advisory Committee held on 19th September 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendations be adopted:-

Item 5.2 Albany Highway Pedestrian Crossover

RECOMMENDATION

THAT Council write to Main Roads WA on behalf of the Seniors Advisory Committee, expressing the Committees concern over pedestrian vehicle conflict on the crossover and requesting that the process of assessing the crossover for crosswalk status be carried out as a matter of urgency.

Item 7.6 Promotion of Seniors Issues

RECOMMENDATION

THAT Council, on behalf of the Seniors Advisory Committee, write to both local newspapers and seek the promotion of seniors issues and inviting attendance at Seniors Advisory Committee meetings.

Item 7.9 K-Mart Store Seating

RECOMMENDATION

THAT Council, on behalf of the Seniors Advisory Committee, write to K-Mart Albany, expressing the Committees appreciation and commending them on the provision of seating throughout the store.

Voting Requirements Simple Majority

.....

Item 12.7.2 continued

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WELLINGTON**

THAT the minutes of Seniors Advisory Committee held on 19th September 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendations be adopted: -

Item 5.2 Albany Highway Pedestrian Crossover

RECOMMENDATION

THAT Council write to Main Roads WA on behalf of the Seniors Advisory Committee, expressing the Committees concern over pedestrian vehicle conflict on the crossover and requesting that the process of assessing the crossover for crosswalk status be carried out as a matter of urgency.

Item 7.6 Promotion of Seniors Issues

RECOMMENDATION

THAT Council, on behalf of the Seniors Advisory Committee, write to both local newspapers and seek the promotion of seniors issues and inviting attendance at Seniors Advisory Committee meetings.

Item 7.9 K-Mart Store Seating

RECOMMENDATION

THAT Council, on behalf of the Seniors Advisory Committee, write to K-Mart Albany, expressing the Committees appreciation and commending them on the provision of seating throughout the store.

MOTION CARRIED 14-0

12.7.3 Albany Arts Advisory Committee Minutes – 19th September 2002

- File/Ward** :
Proposal/Issue : Committee Items for Council Consideration.
Reporting Officer(s) : Executive Director Corporate & Community Services (P Madigan)
Summary Recommendation : That the Minutes of Albany Arts Advisory Committee held on 19th September 2002 be adopted.

Confirmation of the minutes of the Albany Arts Advisory Committee of 19th September 2002.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 19th September 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

Voting Requirement Simple Majority

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WILLIAMS**

THAT the minutes of Albany Arts Advisory Committee held on 19th September 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

MOTION CARRIED 14-0

Works & Services

REPORTS

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WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 WASTE MANAGEMENT

Nil

13.2 ASSET MANAGEMENT

Nil

WORKS & SERVICES REPORTS

13.3 WORKS

13.3.1 Spray Seal Surfacing Works

File/Ward	:	C02026 (All Wards)
Proposal/Issue	:	Spray Seal Surfacing Works by Public Tender.
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Engineering Contracts Co-ordinator (M Dale)
Disclosure of Interest	:	Nil
Previous Reference	:	N/A
Summary Recommendation	:	Accept tender from CSR Emoleum for spray seal works.
Bulletin Attachment	:	Nil.
Locality Plan	:	N/A

BACKGROUND

1. Tenders were called for sprayed seal surfacing works of streets for the 2002/03 road construction and maintenance works program within the City of Albany.
2. A total of seven specifications were issued, with five submissions received by close of tender.

STATUTORY REQUIREMENTS

3. The tendering process for Goods & Services must be in accordance with sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 of the Local Government Act 1995.
4. In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council and it may also decline any tender.

WORKS & SERVICES REPORTS

Item 13.3.1 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. An allocation of \$861,755.00 has been made in the 2002/2003 Budget for spray seal resurfacing works.
7. The total budget allowed for preparation works to be carried out before sealing was undertaken. A decision has been made that Council staff will now undertake these preparation works. This will result in a more effective and efficient use of resources allowing for a higher standard of work. The resealed roads will now be upgraded to 100% of their asset value.
8. Tenderers were required to provide prices for spray seal, together with schedules of rates for additional works. A total of five tenders were submitted for Council's consideration. The attached table outlines those prices and rates submitted by all five tenderers; these include Goods and Services Tax (GST).

STRATEGIC IMPLICATIONS

9. Albany 2020 – Charting Our Course includes the following Port of Call:
 - ◆ *Transport infrastructure and services management*
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

Tender Process

10. A request for Tenders was published in the West Australian on 7 September 2002, with closing date on 25 September 2002.

Item 13.3.1 continued

Tender Evaluation – Criteria Applied

11. The tender documents included tender evaluation criteria, using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tenderer. The criteria are:

- ◆ Financial Accounting (40%)
- ◆ Relevant Skills and Experience (40%)
- ◆ Program (10%)
- ◆ Traffic Management Plan (10%)

Tender Evaluation

12. Following the opening of tenders, the Manager City Works and Engineering Contracts Co-ordinator assessed the tenders in accordance with the set of evaluation criteria for the contract.

13. The City of Albany’s regional price preference policy was applied to this tender. See attached table detailing adjusted price for evaluation.

14. A listing of the final overall rankings for the tenderers is as follows:

- | | |
|----------------------|-------|
| 1. CSR Emoleum | 69.6% |
| 2. Pioneer | 67.6% |
| 3. Boral Asphalt | 64.5% |
| 4. RNR Contracting | 60.4% |
| 5. Bitumen Emulsions | 53.1% |

15. It is recommended that Council accept the tender from CSR Emoleum for spray seal surfacing work. It is considered that this company has the necessary capacity, experience, skills and expertise to undertake works for the City of Albany.

WORKS & SERVICES REPORTS

Item 13.3.1 continued

RECOMMENDATION

THAT Council accept the tenders from CSR Emoleum and award the spray seal surfacing works contract C02026 for the lump sum price of \$448,472.65 and all additional works at the following rates.

ADDITIONAL WORKS (while mobilised in Albany)	
Spray seal surfacing (\$ rate/m2)	
less than 500m2	\$2.15
500m2 - 5000m2	\$2.15
greater than 5000m2	\$2.15
ADDITIONAL WORKS (requiring mobilisation to Albany)	
Mobilisation/Demobilisation Price	\$6,600.00
Spray seal surfacing(\$ rate/m2)	
less than 500m2	\$10.78
500m2 - 5000m2	\$5.17
greater than 5000m2	\$2.15
Supply and spray bitumen in 12,000 litre lots (including mobilisation and demobilisation)	\$0.81 per litre

Voting Requirement Simple Majority

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR DEMARTEAU**

THAT Council accept the tenders from CSR Emoleum and award the spray seal surfacing works contract C02026 for the lump sum price of \$448,472.65 and all additional works at the following rates.

ADDITIONAL WORKS (while mobilised in Albany)	
Spray seal surfacing (\$ rate/m2)	
less than 500m2	\$2.15
500m2 - 5000m2	\$2.15
greater than 5000m2	\$2.15
ADDITIONAL WORKS (requiring mobilisation to Albany)	
Mobilisation/Demobilisation Price	\$6,600.00
Spray seal surfacing(\$ rate/m2)	
less than 500m2	\$10.78
500m2 - 5000m2	\$5.17
greater than 5000m2	\$2.15
Supply and spray bitumen in 12,000 litre lots (including mobilisation and demobilisation)	\$0.81 per litre

MOTION CARRIED 14-0

ORDINARY COUNCIL MEETING MINUTES– 15/10/02

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WORKS & SERVICES REPORTS

Item 13.3.1 continued.

TENDER SUBMISSIONS - CONTRACT C02026 – SPRAY SEALING SURFACING WORKS (2002/03)

	TENDERER	TENDERER	TENDERER	TENDERER	TENDERER
	CSR Emoleum	Pioneer	Boral Asphalt	RNR Contracting	Bitumen Emulsions
SCHEDULES OF PRICES SUMMARY (PRICE \$)					
Spray seal surfacing sub-total	\$448,472.65	\$473,567.29	\$488,419.00	\$555,727.15	\$648,344.81
ADDITIONAL WORKS (while mobilised in Albany)					
Spray seal surfacing (\$ rate/m2)					
less than 500m2	\$2.15	\$6.05	\$8.35	\$5.65	\$8.60
500m2 - 5000m2	\$2.15	\$2.75	\$3.67	\$2.85	\$5.85
greater than 5000m2	\$2.15	\$2.42	\$2.62	\$2.35	\$3.11
ADDITIONAL WORKS (requiring mobilisation to Albany)					
Mobilisation/Demobilisation	\$6,600.00	\$8,800.00	\$6,050.00	\$2,900.00	\$4,250.00
Spray seal surfacing (\$ rate/m2)					
less than 500m2	\$10.78	\$6.05	\$8.35	\$5.65	\$8.60
500m2 - 5000m2	\$5.17	\$5.17	\$3.67	\$2.85	\$5.85
greater than 5000m2	\$2.15	\$2.42	\$2.62	\$3.35	\$3.11
Supply and spray bitumen in 12,000 litre lots including mob./demob.	\$0.81/litre	\$0.86/litre	\$0.70/litre	\$0.59/litre	\$0.90/litre

Note: Prices and rates are GST inclusive.

ORDINARY COUNCIL MEETING MINUTES– 15/10/02

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WORKS & SERVICES REPORTS

Item 13.3.1 continued.

REGIONAL PRICE PREFERENCE APPLICATION - CONTRACT C02026 – SPRAY SEAL SURFACING WORKS (2002/03)

CONTRACTOR	TENDER PRICE	ADJUSTED PRICE FOR EVALUATION PURPOSES	REGIONAL TENDERER (CLAIM)	REGIONAL CONTENT	PRICE REDUCTION AT 5% RATE OF PREFERENCE (IF REGIONAL TENDERER)	PRICE REDUCTION AT 5% RATE OF PREFERENCE (IF REGIONAL CONTENT)	TOTAL PRICE REDUCTION AT 5% RATE OF PREFERENCE
CSR EMOLEUM	\$448,472.65	\$445,398.90	NO	\$61,475.00	\$0.00	\$3,073.75	\$3,073.75
PIONEER	\$473,567.29	\$469,642.29	NO	\$78,500.00	\$0.00	\$4,925.00	\$4,925.00
BORAL ASPHALT	\$488,779.00	\$482,799.00	NO	\$112,800.00	\$0.00	\$5,640.00	\$5,640.00
RNR CONTRACTING	\$555,727.15	\$550,802.15	NO	\$98,500.00	\$0.00	\$4,925.00	\$4,925.00
BITUMEN EMULSIONS	\$648,344.81	\$637,894.81	NO	\$209,000.00	\$0.00	\$10,450.00	\$10,450.00

Note: Prices are GST inclusive.

WORKS & SERVICES REPORTS

13.3.2 Hotmixed Asphalt Surfacing Works

File/Ward	:	C02025 (All Wards)
Proposal/Issue	:	Hotmixed Asphalt Surfacing Works by Public Tender.
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Engineering Contracts Co-ordinator (M Dale)
Disclosure of Interest	:	Nil
Previous Reference	:	N/A
Summary Recommendation	:	Accept tender from CSR Emoleum for hotmixed asphalt works.
Locality Plan	:	N/A

BACKGROUND

1. Tenders were called for hotmixed asphalt surfacing works of streets for the 2002/03 road construction and maintenance works program within the City of Albany.
2. A total of seven specifications were issued, with three submissions received by close of tender.

STATUTORY REQUIREMENTS

3. The tendering process for Goods & Services must be in accordance with sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 of the Local Government Act 1995.
4. In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council and it may also decline any tender.

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.3.2 continued

FINANCIAL IMPLICATIONS

6. An allocation of \$267,823.00 has been made in the 2002/2003 Budget for hotmixed asphalt resurfacing works.
7. Tenderers were required to provide prices for hotmixed asphalt work, together with schedules of rates for additional works. A total of three tenders were submitted for Council's consideration. The attached table outlines those prices and rates submitted by all three tenderers; these include Goods and Services Tax (GST).

STRATEGIC IMPLICATIONS

8. Albany 2020 – Charting Our Course includes the following Port of Call:
 - ◆ *Transport infrastructure and services management*
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

Tender Process

9. A request for Tenders was published in the West Australian on 7 September 2002, with closing date on 25 September 2002.

Tender Evaluation – Criteria Applied

10. The tender documents included tender evaluation criteria, using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tenderer. The criteria are:
 - ◆ Financial Accounting (40%)
 - ◆ Relevant Skills and Experience (40%)
 - ◆ Program (10%)
 - ◆ Traffic Management Plan (10%)

Tender Evaluation

11. Following the opening of tenders, the Manager City Works and Engineering Contracts Co-ordinator assessed the tenders in accordance with the set of evaluation criteria for the contract. The quantity of asphalt corrector to be applied to each road was nominated by the tenderer. As these nominated quantities varied considerably between the tenderers, it was decided to omit the corrector from the total tendered price and consider it as a rate only to be used as required.

WORKS & SERVICES REPORTS

Item 13.3.2 continued

12. The City of Albany regional price preference policy was applied to this tender. See attached table detailing adjusted price for evaluation.

13. A listing of the final overall rankings for the tenderers is as follows:

14. CSR Emoleum	70.6%
15. Pioneer	67.5%
16. Boral Asphalt	46.5%

17. It is recommended that Council accept the tender from CSR Emoleum for hotmixed asphalt surfacing work. It is considered that this company has the necessary capacity, experience, skills and expertise to undertake works for the City of Albany.

RECOMMENDATION

THAT Council accept the tenders from CSR Emoleum and award the hotmixed asphalt surfacing works contract C02025 for the lump sum price of \$239,060.40 and all additional works at the following rates (GST inclusive).

ADDITIONAL WORKS (while mobilised in Albany)	
Black Asphalt Corrector	\$180.00/tonne
Red Asphalt Corrector	\$205.00/tonne
Hotmixed Black Asphalt Surfacing (25mm thick)	Rate/m2
Less than 500m2	\$10.80
500m2 - 5000m2	\$10.80
greater than 5000m2	\$10.80
Hotmixed Red Asphalt Surfacing (30mm thick)	
Less than 500m2	\$14.76
500m2 - 5000m2	\$14.76
greater than 5000m2	\$14.76
Hotmixed Red Asphalt Surfacing (40mm thick)	
Less than 500m2	\$19.68
500m2 - 5000m2	\$19.68
greater than 5000m2	\$19.68
ADDITIONAL WORKS (requiring mobilisation to Albany)	Rate
Mobilisation/Demobilisation Price	\$6,600.00
Hotmixed Black Asphalt Surfacing (25mm thick)	Rate/m2
Less than 500m2	\$13.20
500m2 - 5000m2	\$11.70
greater than 5000m2	\$10.80
Hotmixed Red Asphalt Surfacing (30mm thick)	
Less than 500m2	\$17.76
500m2 - 5000m2	\$16.66
greater than 5000m2	\$14.76

WORKS & SERVICES REPORTS

Item 13.3.2 continued

Hotmixed Red Asphalt Surfacing (40mmt hick)	
Less than 500m2	\$22.68
500m2 - 5000m2	\$21.58
greater than 5000m2	\$19.68

Voting Requirement Simple Majority

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR WILSON**

THAT Council accept the tenders from CSR Emoleum and award the hotmixed asphalt surfacing works contract C02025 for the lump sum price of \$239,060.40 and all additional works at the following rates (GST inclusive).

ADDITIONAL WORKS (while mobilised in Albany)	
Black Asphalt Corrector	\$180.00/tonne
Red Asphalt Corrector	\$205.00/tonne
Hotmixed Black Asphalt Surfacing (25mm thick)	Rate/m2
Less than 500m2	\$10.80
500m2 - 5000m2	\$10.80
greater than 5000m2	\$10.80
Hotmixed Red Asphalt Surfacing (30mm thick)	
Less than 500m2	\$14.76
500m2 - 5000m2	\$14.76
greater than 5000m2	\$14.76
Hotmixed Red Asphalt Surfacing (40mm thick)	
Less than 500m2	\$19.68
500m2 - 5000m2	\$19.68
greater than 5000m2	\$19.68
ADDITIONAL WORKS (requiring mobilisation to Albany)	Rate
Mobilisation/Demobilisation Price	\$6,600.00
Hotmixed Black Asphalt Surfacing (25mm thick)	Rate/m2
Less than 500m2	\$13.20
500m2 - 5000m2	\$11.70
greater than 5000m2	\$10.80
Hotmixed Red Asphalt Surfacing (30mm thick)	
Less than 500m2	\$17.76
500m2 - 5000m2	\$16.66
greater than 5000m2	\$14.76

Contd....

WORKS & SERVICES REPORTS

Item 13.3.2 continued

Hotmixed Red Asphalt Surfacing (40mmt hick)	
Less than 500m2	\$22.68
500m2 - 5000m2	\$21.58
greater than 5000m2	\$19.68

MOTION CARRIED 14-0

ORDINARY COUNCIL MEETING MINUTES – 15/10/02

** REFER DISCLAIMER **

WORKS & SERVICES REPORTS

Item 13.3.2 continued.

TENDER SUBMISSIONS - CONTRACT C02025 – HOTMIXED ASPHALT SURFACING WORKS (2002/03)

	TENDERER CSR Emoleum	TENDERER Pioneer	TENDERER Boral Asphalt
SCHEDULES OF PRICES SUMMARY (PRICE \$)			
Hotmixed Asphalt Surfacing-total	\$239,060.40	\$260,119.46	\$372,744.00
ADDITIONAL WORKS (while mobilised in Albany)			
	\$/tonne	\$/tonne	\$/tonne
Black Asphalt Corrector	\$180.00	\$192.50	\$216.70
Red Asphalt Corrector	\$205.00	\$236.50	\$360.80
Hotmixed Black Asphalt Surfacing (25mm thick)			
	\$/m2	\$/m2	\$/m2
less than 500m2	\$10.80	\$16.50	\$30.43
500m2 - 5000m2	\$10.80	\$11.55	\$14.89
greater than 5000m2	\$10.80	\$11.55	\$14.42
Hotmixed Red Asphalt Surfacing (30mm thick)			
	\$/m2	\$/m2	\$/m2
less than 500m2	\$14.76	\$19.80	\$41.01
500m2 - 5000m2	\$14.76	\$13.75	\$29.26
greater than 5000m2	\$14.76	\$13.75	\$28.49
Hotmixed Red Asphalt Surfacing (40mm thick)			
	\$/m2	\$/m2	\$/m2
less than 500m2	\$19.68	\$26.40	\$50.36
500m2 - 5000m2	\$19.68	\$18.15	\$38.12
greater than 5000m2	\$19.68	\$18.15	\$37.46
ADDITIONAL WORKS (requiring mobilisation to Albany)			
	\$	\$	\$
Mobilisation/Demobilisation	\$6,600.00	\$10,000.00	\$67,386.00
Hotmixed Black Asphalt Surfacing (25mm thick)			
	\$/m2	\$/m2	\$/m2
less than 500m2	\$13.20	\$16.50	\$30.34
500m2 - 5000m2	\$11.70	\$11.55	\$14.89
greater than 5000m2	\$10.80	\$11.55	\$14.42
Hotmixed Red Asphalt Surfacing (30mm thick)			
	\$/m2	\$/m2	\$/m2
less than 500m2	\$17.76	\$19.80	\$41.01
500m2 - 5000m2	\$16.66	\$13.75	\$29.26
greater than 5000m2	\$14.76	\$13.75	\$28.49
Hotmixed Red Asphalt Surfacing (40mm thick)			
	\$/m2	\$/m2	\$/m2
less than 500m2	\$22.68	\$26.40	\$50.36
500m2 - 5000m2	\$21.58	\$18.15	\$38.12
greater than 5000m2	\$19.68	\$18.15	\$37.46

Note: Prices and rates are GST inclusive.

WORKS & SERVICES REPORTS

Item 13.3.2 continued.

**REGIONAL PRICE PREFERENCE APPLICATION - CONTRACT C02025 – HOTMIXED ASPHALT SURFACING WORKS
(2002/03)**

CONTRACTOR	TENDER PRICE	ADJUSTED PRICE FOR EVALUATION PURPOSES	REGIONAL TENDERER (CLAIM)	REGIONAL CONTENT	PRICE REDUCTION AT 5% RATE OF PREFERENCE (IF REGIONAL TENDERER)	PRICE REDUCTION AT 5% RATE OF PREFERENCE (IF REGIONAL CONTENT)	TOTAL PRICE REDUCTION AT 5% RATE OF PREFERENCE
CSR EMOLEUM	\$239,060.40	\$231,257.90	NO	\$156,050.00	\$0.00	\$7,802.50	\$7,802.50
PIONEER	\$260,119.46	\$254,094.46	NO	\$120,500.00	\$0.00	\$6,025.00	\$6,025.00
BORAL ASPHALT	\$372,744.00	\$368,594.00	NO	\$83,000.00	\$0.00	\$4,150.00	\$4,150.00

Note: Tender prices are GST inclusive.

WORKS & SERVICES REPORTS

13.4 AIRPORT MANAGEMENT

Nil

13.5 RESERVES PLANNING & MANAGEMENT

Nil

WORKS & SERVICES REPORTS

13.6 WORKS AND SERVICES COMMITTEES

13.6.1 Bushcare Advisory Committee Minutes – 1st October 2002

- File/Ward** : MAN 097 (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 1st October 2002 be adopted.

Confirmation of the minutes of the Bushcare Advisory Committee meeting of 1st October 2002.

RECOMMENDATION

THAT the minutes of the Bushcare Advisory Committee meeting held on the 1st October 2002 be received (copy of minutes are in the Elected Members' Report/Information Bulletin) and the following recommendation adopted:

- 5.1 The Bushcare Advisory Committee would encourage the Albany City to proceed with the development of an Environmental Code of practice for Road works, consistent with the recent resolution made by the City of Albany regarding the development of an integrated sustainability strategy and the City's plan Albany 2020 "Charting Our Course".

Voting Requirement Simple Majority

**MOVED COUNCILLOR SANKEY
SECONDED COUNCILLOR EVERS**

THAT the minutes of the Bushcare Advisory Committee meeting held on the 1st October 2002 be received (copy of minutes are in the Elected Members' Report/Information Bulletin) and the following recommendation adopted:

- 5.1 The Bushcare Advisory Committee would encourage the Albany City to proceed with the development of an Environmental Code of practice for Road works, consistent with the recent resolution made by the City of Albany regarding the development of an integrated sustainability strategy and the City's plan Albany 2020 "Charting Our Course".**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.6.2 Airport Advisory Committee Minutes – 2nd September 2002

- File/Ward** : MAN 007 (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 Airport Advisory Committee meeting held on 2nd September 2002 be adopted.

Confirmation of the minutes of the Airport Advisory Committee meeting of 2nd September 2002.

RECOMMENDATION

THAT the minutes of the Airport Advisory Committee meeting held on the 2nd September 2002 be received (copy of minutes in the Elected Members' Report/Information Bulletin) and the following recommendation adopted.

RECOMMENDATION

THAT Council apply to the GSDC for financial assistance to undertake the proposed regional products and tourism display assessment and allocate up to \$5,000 from within existing 2002 / 03 budget resources as a contribution to the study.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR WILLIAMS**

THAT the minutes of the Airport Advisory Committee meeting held on the 2nd September 2002 be received (copy of minutes in the Elected Members' Report/Information Bulletin) and the following recommendation adopted.

RECOMMENDATION

THAT Council apply to the GSDC for financial assistance to undertake the proposed regional products and tourism display assessment and allocate up to \$5,000 from within existing 2002 / 03 budget resources as a contribution to the study.

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.6.3 Mt Martin Regional Botanic Park Committee Minutes – 11th September 2002

- File/Ward** : MAN 072 (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 Mt Martin Botanic Park Committee meeting held on 11th September 2002 be adopted.

Confirmation of the minutes of the Mt Martin Botanic Park Committee meeting of 11th September 2002.

RECOMMENDATION

THAT the minutes of the Mt Martin Botanic Park Committee meeting held on the 11th September 2002 be received (copy of minutes in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

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**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WALKER**

THAT the minutes of the Mt Martin Botanic Park Committee meeting held on the 11th September 2002 be received (copy of minutes in the Elected Members' Report/Information Bulletin) subject to:

- **Matters relating to fire control being referred to the Bush Fire Advisory Committee for consideration.**
- **Matters relating to the Noongyar nomenclature of Mt Martin being explained in the pamphlet with reference to the draft City of Albany Aboriginal Accord.**
- **The order of business as described in the minutes be regularised.**

MOTION CARRIED 14-0

General Management Services

REPORTS

14.1 STRATEGIC DEVELOPMENT

14.1.1 Development of Prototype Moored Floating Device (Coastal Life Saving Device)

File/Ward	: MAN 063 (All Wards)
Proposal/Issue	: Development of Prototype Moored Floating Device (Coastal Life Saving Device)
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Project/Administration Officer (B Parker)
Disclosure of Interest	: N/A
Previous Reference	: OCM May 2002 - Item 14.1.2
Summary Recommendation	: Due to the lack of financial support from the Minister, the City of Albany will pursue alternative means to secure funding.
Bulletin Attachment	: Ministers Letters
Locality Plan	: N/A

BACKGROUND

1. Albany has an unfortunate history of drownings, particularly at popular tourist locations such as the Gap, Blowholes and Natural Bridge.
2. Council officers have convened several meetings with FESA, SES, Department of Transport, Albany Sea Rescue and the Albany Police. The common consensus was to develop a prototype moored floating device capable of supporting a person until emergency services arrive.
3. The City of Albany in conjunction with the Shire of Esperance was able to contribute \$5,000.00 towards the prototype development. The additional \$5,000.00 was requested from the Hon Michelle Roberts MLA, Minister for Emergency Services. The Minister was reluctant to provide financial support given the public liability factor associated with this project.

STATUTORY REQUIREMENTS

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

Item 14.1.1 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. The City of Albany has budgeted for a total contribution of \$2,500.00. The Shire of Esperance has agreed to also contribute \$2,500.00. From the Minister, the City of Albany requested an additional \$5,000.00 for a total project development cost of \$10,000.00.
7. As the Minister is reluctant to provide these additional funds, the project has a development deficit of \$5,000.00.

STRATEGIC IMPLICATIONS

8. The Albany 2020: Charting our Course strategic plan includes the Port of Call “*A reputation for professional excellence*” under which fall the following objectives.
 - *Organisational Development: “The attraction and development of a broad range of social, cultural and economic entities”.*
 - *Recreation Planning: “To encourage a healthy and active community through a range of recreational and cultural pursuits”.*

COMMENT/DISCUSSION

9. On receipt of the Ministers second letter, again outlining concerns about the project, the City of Albany investigated other funding sources. Recently another funding body has become available, assigning funding to cross regional projects.
10. The Western Australian Government has established the Western Australian Regional Initiatives Scheme for cross regional projects. As the City of Albany and the Shire of Esperance are working together on this project, it would appear that this would be a good example of cross regional cooperation.

Item 14.1.1 continued

RECOMMENDATION

THAT Council;

- i) support the application to the Western Australian Regional Initiatives Scheme for \$5,000.00; and
- ii) in the event of the application being unsuccessful, Council will resolve to not proceed with this project.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WOLFE**

THAT Council:

- ii) support the application to the Western Australian Regional Initiatives Scheme for \$5,000.00; and**
- ii) reapproach the Minister for Police and Emergency Services regarding the initial funding request for the moored floating device given the apparent misunderstanding that the Minister has regarding the aims and objectives of the process.**

MOTION CARRIED 14-0

14.1.2 Joint Local Government Deputation to Premier

File/Ward	:	REL 032 (All Wards)
Proposal/Issue	:	To participate in joint deputation to meet with the Premier.
Subject Land/Locality	:	Nil
Proponent	:	Shire of Broome
Owner	:	Nil
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council agree to participate in joint discussions with the larger local governments of Western Australia with a view to forming a joint deputation to meet with the Premier.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. The Chief Executive Officer of the Shire of Broome wrote to a number of regional local governments including, the City of Bunbury, City of Geraldton, City of Kalgoorlie-Boulder, Shire of Roebourne and the City of Albany, seeking their views on the merits of forming a joint deputation to meet with the Premier.
2. Some of the issues of concern that were identified as affecting regional Western Australia included resolving native title matters, approving Town Planning Scheme amendments and initiating development and infrastructure strategies.
3. The City of Kalgoorlie-Boulder responded supporting the proposal and added two further issues, public safety and minimum grant payments to metropolitan Local Governments which goes against the spirit of Horizontal Fiscal Equalisation. Kalgoorlie-Boulder also suggested inviting the Shire of Carnarvon to ensure representation of the whole of regional Western Australia.

Item 14.1.2 continued

4. Strategic regional frameworks such as region plans have been developed in other regional and metropolitan centres. The Lower Great Southern Regional Strategy is still being drafted and this has resulted in delaying the City's own strategic planning processes. This lack of information from a regional and state level hampers Albany's potential growth and development.
5. The Great Southern and Albany also suffer from the lack of presence from the Builders Registration Board and Worksafe WA in the region. Council inspection officers and building surveyors providing information on issues that are not part of our legal responsibilities, resulting in additional strain on Council's resources.
6. There are issues in respect to a lack of police staffing numbers in Albany to provide a 24 hour coverage. Several metropolitan local authorities have resorted to funding their own security patrols. However this is not a viable option for regional local government and in particular for the smaller authorities (such as Denmark, Plantagenet and Jerramungup).
7. Housing for people with physical and mental disabilities is currently provided by Homeswest who pay rates to local government to cover the cost of services. Community Housing Association organizations lease the properties from Homeswest and claim an exemption from rates on the basis that they are charitable organizations. This situation is increasing and resulting in more and more exemptions. Both private companies and "charitable" organisations such as church groups currently run aged care facilities as businesses. Again, an anomaly exists in that private companies pay rates and church bodies do not. There needs to be a clear and acceptable definition of references to "charity organizations".
8. The State Government needs to ensure there are strong regional development programs available to support local government and community projects. Many of the previous government programs, such as the Regional Headworks Scheme and many of the Information and Communications Technology scheme programs, have been abolished. The Regional Investment Fund is a step in the right direction but does not provide enough financial resources on a State-wide basis to assist major projects. Tourist and community culture projects, such as the proposed \$10 million convention and entertainment centre, need strong State support to get them off the ground. Other local initiatives include:
 - Proposed youth centre
 - New recreation centre
 - Tourist interpretive centre

STATUTORY REQUIREMENTS

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

Item 14.1.2 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

11. At this time there are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

12. This request complies with Council’s ‘Albany 2020’, which in part states as follows:
“Attraction and development of a broad range of social, cultural and economic entities – To identify and facilitate outstanding economic development opportunities for the City of Albany” and “To encourage a vibrant community where all are encouraged to participate and contribute.”

COMMENT/DISCUSSION

13. If the City of Albany were to participate, we would be seeking Council support for form a joint deputation and staff suggest adding that there were issues arising out of the City’s amalgamation processes which could be appropriate for inclusion in the discussions.
14. Although Native Title concerns may be outside the province of a resolution of the State Government, issues pertaining to Town Planning Scheme amendments and development and infrastructure strategy issues are major concerns for the City of Albany. For example, there have been a number of amendments that have been delayed, pending completion of other studies/work being done by State Government authorities.

RECOMMENDATION

THAT Council support the proposal to participate in joint discussions with the larger local governments of Western Australia with a view to forming a joint deputation to meet with the Premier.

Voting Requirement Simply Majority
.....

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR EVERS**

THAT Council support the proposal to participate in joint discussions with the larger local governments of Western Australia with a view to forming a joint deputation to meet with the Premier.

MOTION CARRIED 14-0

14.2 ORGANISATIONAL DEVELOPMENT

14.2.1 Provision of Meals and Refreshments at Council Meetings and Civic Functions.

File/Ward	:	MAN 006 (All Wards)
Proposal/Issue	:	Review the provision of Meals and Refreshments at Council Meetings and Civic Functions
Subject Land/Locality	:	N/A
Proponent	:	City of Albany
Owner	:	N/A
Reporting Officer(s)	:	Executive Assistant (L Freegard)
Disclosure of Interest	:	N/A
Previous Reference	:	Nil
Summary Recommendation	:	That Council agrees to continue with the provision of Meals and Refreshments at Council Meetings and Civic Functions
Bulletin Attachment	:	N/A
Locality Plan	:	N/A

BACKGROUND

1. Correspondence has been received from a local community group expressing concern in regard to the expense of the provision of meals and refreshments during the Council meeting format, and various civic functions that Council is required to host.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

4. Council budgets for the provision of meals for elected members and senior staff each month. Annual cost is approximately \$4224 (including GST) for meals and \$1440 (including GST) for refreshments.

Item 14.2.1 continued

STRATEGIC IMPLICATIONS

5. This request complies with Council's "Albany 2020", which in parts states as follows:

"Civic Leadership

To be recognised by the Community as leaders".

and

"Civic and Corporate Image

To ensure visitors to the City of Albany become our Ambassadors".

COMMENT/DISCUSSION

6. Council provides a meal and refreshments to Councillors and Senior Staff involved in Council meetings. Currently most elected members and Senior Staff involved, have completed a normal working day prior to attending the evening meetings. Council's ordinary meeting commences with a briefing session at 5pm, followed by a simple meal for senior staff and Councillors with the Council meeting commencing at 7.30pm. Given the limited time available and in some cases the considerable distance from Council Chambers involved, it is impractical for Councillors and Senior Staff to return home between the briefing session and Council meeting to partake in their evening meal. It has proven effective to cater in house for the 20 senior staff and Councillors with the meal time also allowing for further discussion and preparation time.
7. It is recognised that Councillors are not paid a wage, although they do receive a small allowance. The allowance does not cover the many hours spent each week dealing with the concerns and issues of members of the public. These hours are often times when most of the community is involved with family time. Councillors play an important role in our community, and are responsible for ensuring the effective use of ratepayers funds.
8. Research has proven that the majority of Council throughout Australia also provide similar meals and refreshments preceding and post meetings. Some Councils also have a Councillors dining room which provides free and subsidized meals and refreshments to Councillors and Staff all day. The City of Albany feels that it is being comparatively frugal in its current practices.
9. At the conclusion of the meeting Councillors invite members of the public to join with refreshments, this is merely a gesture in order for members of the public to enjoy casual unrestricted access with all Councillors, at minimal cost. Council is fully cognizant of its obligations as a responsible host ensuring that there are both alcoholic and non-alcoholic options available.

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REFER DISCLAIMER
GENERAL MANAGEMENT SERVICES REPORTS

Item 14.2.1 continued

10. Council also has a civic duty to the community to ensure that visiting dignitaries and groups are welcomed to Albany in a way which reflects our positive image. Sometimes this may involve Council expenditure in hosting these functions. Council has adopted a hospitality policy which ensures that any of these functions comply with guidelines controlling such items as expenditure.

RECOMMENDATION

THAT Council continue to provide meals and refreshments during and after Council meetings and also times when the Civic duty requires the hosting of a function.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR CECIL**

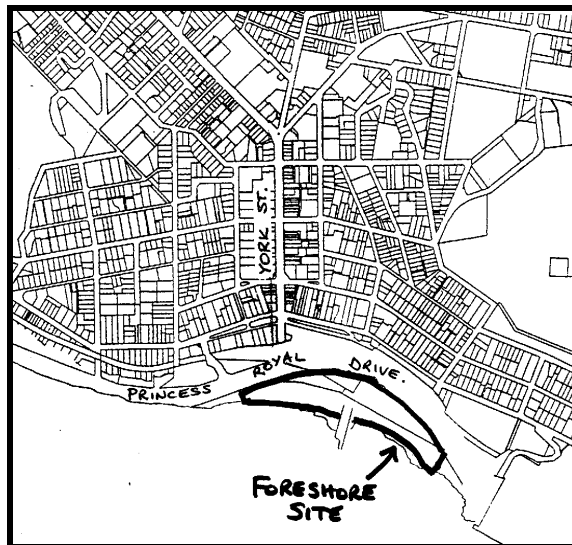
THAT Council continue to provide meals and refreshments during and after Council meetings and also times when the Civic duty requires the hosting of a function.

MOTION CARRIED 11-3

14.3 ECONOMIC DEVELOPMENT

14.3.1 Albany Boat Harbour – Strategic Project Management Plan

- File/Ward** : STR 013 (Frederickstown Ward)
- Proposal/Issue** : Proposed Albany Boat Harbour
- Subject Land/Locality** : Various (Department Planning Infrastructure, Department of Land Administration, Albany Port Authority)
- Proponent** : City of Albany, Great Southern Development Commission, Department for Planning and Infrastructure
- Owner** : Crown
- Reporting Officer(s)** : Economic Development Manager (J Berry)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 16/04/02 - Item 14.4.1
OCM 26/07/00 - Item 11.1.6
- Summary Recommendation** : Council adopt the draft strategic project management plan for the Albany Boat Harbour and appoint a Councillor to the project management selection panel
- Bulletin Attachment** : Strategic Project Management Plan
- Locality Plan** :



Item 14.3.1 continued

BACKGROUND

- 1 The Western Australian Government has committed over \$12.7 million in capital funding to establish a Boat Harbour on the Albany foreshore. The boat harbour will provide a safe protected space for commercial vessels in the fishing and tourism industries and a facility for recreational vessels unable to berth at Emu Point and the Princess Royal Sailing Club. The boat harbour will include land development adjacent to the town jetty in an effort to transform the southern end of the city into a smart, exciting and bustling marine precinct.
2. The concept of establishing a boat harbour has previously received the unanimous support of Council guided by strong support from the wider community. Local leadership by the City of Albany and the Great Southern Development Commission has provided the driving force for significant public investment earmarked in State Treasury estimates for the years 2004/05 (\$4.345m) and 2005/06.(\$8.115m)
3. Consideration of the redevelopment of Albany's foreshore has been ongoing since 1982 with some development occurring in recent times such as the Duyfken Shed, a boat launching adjacent to the Albany Port and the establishment of an ANZAC Park at the western end of the area. The overall redevelopment plan for the area was highly contentious, particularly land uses such as residential and commercial enterprises that may require undesirable building heights to obtain an acceptable commercial yield. There was also the issue of Port access being incompatible with residential development.
- 4 The City of Albany established a foreshore focus group in 2000 to review and comment on the land use strategies initially proposed for the foreshore and to make recommendations to Council on appropriate uses. On 26 September 2000, Council considered the report of the Foreshore Focus Group and adopted an amended version, which included the development of a working marina. Recommendation Three provided 'in-principle' support to the concept of a 'working marina' to the east of the Town jetty. The working marina concept had strong support from the Focus Group and was included in the final list of recommendations formally adopted by Council.
5. Other recommendations by Council included development of the foreshore for mixed use including a town square, mixed business activity (with limited height restrictions) and parkland. The parkland recommendation was acted on in early 2001 with ANZAC Park created at a cost of approximately \$90,000; and was dedicated as a memorial site during the 2001 Centenary of Federation celebrations. The Minister for Lands has since issued the City of Albany with a Management Order over the Park with stringent restrictions on further development.

Item 14.3.1 continued

6. In May 2000, consultants to the Great Southern Development Commission completed the Vancouver Waterways Study, which recommended a high level strategy for infrastructure improvements to enable improved water based access to Whaleworld and other key tourist sites in the Albany region. It also identified tourism and other commercial benefits resulting from the provision of new and upgraded infrastructure at key strategic sites including the Albany foreshore. Council has adopted this report ‘in-principle’ and will consider the merits of each element on a case-by-case basis as they are further developed.
7. A key element of the Vancouver Waterways Project was the establishment of a small boat harbour near the Town Jetty, which would provide a safe-haven for vessels in the fishing and marine tourism industries. The Vancouver Waterways plan is predicated on land based and near-shore facilities on the Albany foreshore being the hub of the improved water based access. The boat harbour is likely to be a catalyst in attracting new investment in land-based support businesses such as marine and tourist related ventures, including cafes and restaurants, and stimulate a review of land uses over the remainder of the foreshore area.
8. Council established the Albany Boat Harbour Reference Group at its 16 September 2000 Ordinary Meeting “To facilitate an assessment of the feasibility of establishing a boat harbour in Princess Royal Harbour and (subject to sufficient evidence of demand), facilitate the establishment of a Concept plan that guides land and water based development proposals associated with the boat harbour.
9. In March 2001, the City of Albany commissioned International Marina Consultants Pty Ltd to assess the requirements of commercial vessel operators and larger recreational vessel owners for new marine and associated land based infrastructure at Albany. The study was funded in a partnership approach between the City of Albany, Albany Port Authority; Department for Planning and Infrastructure; Fisheries WA and the Great Southern Development Commission. The resulting study recommended that the urgent need was for the establishment of a ‘protected space’ around the town jetty and that a breakwater be built to form a harbour for commercial and larger recreational vessels unable to berth at other facilities. Council formally adopted the Albany Boat Harbour Demand Study report at its Ordinary meeting on 20 November 2001. (*Unanimous support*) as follows:-

“Council supports the establishment of the Albany Boat Harbour in Princess Royal Harbour in line with the recommendations of the Albany Boat Harbour Demand Study Final Report, and seeks financial assistance from State and Commonwealth Government Agencies to prepare:

Item 14.3.1 continued

- a detailed master plan for land and marine uses associated with the proposed boat harbour area and the mixed business and marine industrial zone as adopted at the Ordinary Council Meeting of 26/9/2000;
- a detailed boat harbour design options, capital cost estimates and relevant environmental, technical and engineering studies for further consideration by Council following consultations with the community and relevant government agencies; and
- a concept design plan for Anzac Park, Town Square and the mixed business, parkland and open space zone as adopted at the Ordinary Council Meeting of 26/9/2000; incorporating linkages with the detailed master plan for the mixed business and marine industrial zone”

STATUTORY REQUIREMENTS

10. The proposed project management arrangements outlined in the strategic project management plan will maintain the Albany Boat Harbour Reference Group, which is a formal sub-committee of Council under the Local Government Act 1995. Terms of reference and membership are adopted by Council.

POLICY IMPLICATIONS

11. The draft Strategic Project Management Plan recommends the preparation of a Structure Plan and Precinct Plans over the foreshore that are consistent with Councils recommended land uses following the deliberations of the Foreshore Focus Group.
12. The City of Albany Town Planning Scheme (TPS) 1A makes provision for a development zone on the Albany foreshore, which is divided into precincts. The TPS allows for the existing structure plan prepared by Landcorp to be substituted by an alternative plan.
13. Upon completion and acceptance of the Local Structure Plan, detailed Precinct Plans would be developed over the areas where there is general community and Council agreement. The City of Albany TPS 1A states the following regarding the development and adoption of Precinct Plans in the Foreshore Development Zone.

“4.43 *‘No person shall carry out any development within the Foreshore Development Zone unless such development is in accordance with a Precinct Plan which has first been adopted by the Council’.*

Item 14.3.1 continued

- 4.44 *A Precinct Plan may be prepared by the Council, or by any other person who may then submit the Precinct Plan to the Council for its approval and adoption*
- 4.45 *The Council shall neither approve nor adopt a Precinct Plan unless it complies with or is substantially in accordance with, the Structure Plan*
- 4.46 *The Council shall neither approve nor adopt a Precinct Plan unless the Precinct Plan shows or otherwise clearly describes the following:-*
- a) The proposed use of all land within the precinct, including both public and privately owned land*
 - b) The location and dimensions of any roads, pedestrian and cycle paths, car-parking areas, public open spaces and other reserves*
 - c) The number of cars which any car parking areas are designed to accommodate;*
 - d) The boundaries and approximate dimensions of any lots to be created through the subdivision of land within the Precinct.*
 - e) The planned disposition of buildings in terms of heights and setbacks from lot or reserve boundaries*
- 4.47 *The Council may also require that a Precinct plan show or otherwise describe the following:-*
- a) The type and colour of the paving materials which are proposed to be used in the construction of roads, paths and public open spaces;*
 - b) Indicative designs of any buildings to be constructed;*
 - c) The location and form of outdoor furniture or any other artefact proposed to be placed within any public space*
 - d) The location, quantities and species of any plants which are to be used for landscaping the Precinct;*
 - e) Any other detail which the Council, at its discretion considers necessary or desirable for the Precinct Plan to show or describe.*
- 4.48 *The Council shall not adopt a Precinct plan until after the following procedures have been completed*
- a) The Council, having first approved the Precinct Plan, shall publish a notification once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the Precinct Plan may be inspected, and in what form and during what period submissions may be made*

Item 14.3.1 continued

- b) *The Council shall review the Precinct Plan in the light of any submissions received and shall then resolve either to formally adopt the Precinct Plan in the light of any submissions received and shall then resolve either to formally adopt the Precinct Plan with or without modification, or not to adopt the Precinct plan.*
- c) *Following final adoption of a precinct plan, notification of the final adoption shall be published once in a newspaper circulating within the Scheme area.*

4.49 *A Precinct Plan may be amended or another plan substituted for it in the same manner as provided for the approval and adoption of a Precinct Plan in Clause 4.48 and the provisions of that clause shall apply with the necessary changes to an amendment or substitution*

4.50 *Where, in the opinion of the Council, an amendment to a Precinct Plan is minor and of little co-occurrence, the Council may approve the amendment without first carrying out the requirements of clause 4.49.”*

FINANCIAL IMPLICATIONS

14. Implementation of the Strategic Project Management plan will be funded in a partnership arrangement between the City of Albany (\$50,000), Department for Planning and Infrastructure (\$90,000), Great Southern Development Item

Commission (\$60,000) and the Commonwealth Department for Transport and Regional Services (\$70,000).

15. Capital funding from the State Government has been committed in 2003/04 (\$302,000); 2004/05 (\$4.145 million); 2005/06 (\$8.115 million)

STRATEGIC IMPLICATIONS

16. Strategic planning for the Albany Boat Harbour forms an important component of the City of Albany’s overall strategic direction, as outlined in ‘Albany 2020 Charting Our Course’. It directly contributes to the City’s Port of Call –

“Attraction and development of a broad range of social, cultural and economic entities”

by addressing the following objectives: -

- ***Economic Development*** – *“To identify and facilitate outstanding economic development opportunities for the City of Albany”* and;
- ***Transport Infrastructure Planning*** – *“To plan Albany’s transport infrastructure to meet future needs complementary to the City’s form and sense of place”*.

Item 14.3.1 continued

COMMENT/DISCUSSION

17. The draft Strategic Project Management Plan, (included in the Elected Members Report/Information Bulletin) provides a suggested course of action for project management along with an outline of the likely scope of works for planning and construction. This information will be used for the project brief to appoint a project manager in late 2002.

Organisation Structure

18. The document provides a framework for agreement on roles and responsibilities between the City of Albany, the Great Southern Development Commission and the Department for Planning and Infrastructure and recommended organization structure. Detailed operational and management arrangements for the Boat Harbour will be prepared as sub-consultancies of project management and will be considered by Council upon recommendations from the Albany Boat Harbour Reference Group.
19. Section 3.0 of the Project Management Plan (refer Bulletin) proposes an organization structure that will consist of a Management Steering Committee to provide ongoing strategic management advice and co-ordination of the project and will be responsible for appointment of the project manager who will be appointed to provide day-to-day management of the project and co-ordinate the appointment of a multi-disciplinary team of consultants. The Management Steering Committee will consist of officers from the City of Albany, Department for Planning and Infrastructure and Great Southern Development Commission. A broader Selection Panel made up of 5-7 members will recruit and select the Project Manager and will include an elected Member of Council and a member of the GSDC Board.
20. The management steering committee may second relevant staff as necessary. GSDC will provide executive support to the Management Steering Committee.
21. The Council Reference Group will provide a conduit between the Management Steering Committee and the Albany City Council. It will make recommendations to Council on master and statutory planning, based on technical advice from the Management Steering Committee and Project Manager. The current group is chaired by Member for Albany Mr Peter Watson MLA and has representatives from the Albany Port Authority, GSDC, Planning and Infrastructure, Fisheries WA and Cr Elizabeth Barton representing Council.
22. A schematic representation of this arrangement is made in Section 3 of the project management plan in the Bulletin.

Item 14.3.1 continued

Project Management

23. Two Major stages and seven phases of the project are set out in the draft plan as follows:-

Stage One – Planning And Consultation

1. Boat Harbour Concept Plan, Foreshore Land Use Structure Plan and Strategic Environmental Assessments (Preliminary public consultation)
(November 2002 to March 2003)
2. Prepare Precinct Plans for Strategic Areas of the Foreshore
(September 2003 to November 2003)
3. Detailed Public Consultation
(May 2003 to July 2003)
4. Revise Boat Harbour Concept and Land Use Structure Plan Incorporating Community Comment
(August 2003 to September 2003)

Stage Two – Commercial Assessment, Detailed Planning And Construction

5. Demand Assessment for Commercial Involvement
(September 2003 to December 2003)
6. Detailed Engineering, Environmental, Design and Operational Studies
(December 2003 to June 2004)
7. Construction of Boat Harbour and Associated Land Development
Stage One (December 2004 to June 2005)
Stage Two (July 2005 to June 2006)

Item 14.3.1 continued

RECOMMENDATION

THAT Council:

- i) endorse the draft Strategic Project Management Plan for the Albany Boat Harbour and authorise sign off by the Chief Executive Officer in a strategic partnership arrangement with the Great Southern Development Commission and the Department for Planning and Infrastructure.
- ii) appoint Councillor _____ to the Selection Panel which will appoint the Project Manager.
- iii) appoint the following persons to the Albany Boat Harbour Reference Group:-
 - Mrs Jo Hummerston, CEO of Albany Chamber of Commerce and Industry;
 - Councillor _____ as an additional Council member;
 - Mr Brad Williamson (New CEO of Albany Port Authority); and
 - Mr Geoff Findlay (Regional Services Manager, Planning and Infrastructure).

Voting Requirement Absolute Majority

**MOVED COUNCILLOR BARTON
SECONDED COUNCILLOR SANKEY**

THAT Council:

- i) endorse the draft Strategic Project Management Plan for the Albany Boat Harbour and authorise sign off by the Chief Executive Officer in a strategic partnership arrangement with the Great Southern Development Commission and the Department for Planning and Infrastructure.**
- ii) appoint Councillor Evans to the Selection Panel which will appoint the Project Manager.**
- iii) appoint the following persons to the Albany Boat Harbour Reference Group:-**
 - Mrs Jo Hummerston, CEO of Albany Chamber of Commerce and Industry;**
 - Councillor Evans as an additional Council member;**
 - Mr Brad Williamson (New CEO of Albany Port Authority); and**
 - Mr Geoff Findlay (Regional Services Manager, Planning and Infrastructure)**

MOTION CARRIED 14-0

14.4 GENERAL MANAGEMENT SERVICE COMMITTEE

Nil

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

DRAFT MOTION

THAT the elected Members' Report/Information Bulletin, as circulated, be received and the contents noted.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WILSON**

**THAT the elected Members' Report/Information Bulletin, as circulated,
be received and the contents noted.**

MOTION CARRIED 14-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17.0 DEPUTY MAYORS REPORT

“Fellow Councillors:

I would like to start by offering our sincere best wishes to our Mayor – Alison Goode who is unfortunately taking longer to recover from her back surgery than we had all previously hoped. Under her doctor's professional advice, she will not be returning to her official duties until early November.

In my capacity as Deputy Mayor I have attended many engagements and appointments on behalf of the Mayor and advise here of a cross selection of these.

On September the 26th I attended the Active Aging Taskforce community meeting held to allow interested community members express their views and have input into ensuring that the older people in our community are adequately supported and valued for their contributions to the Western Australian society. The meeting was convened by the Department of Premier and Cabinet and is one of many regional community consultative meetings which were held around the state. I appreciate the time that the taskforce spent in Albany and I am confident that the strategies and policies which will be developed as a result of these meetings will go a long way to ensuring that our seniors are well catered for in the future.

On Saturday the 28th of September I attended a vocal spectacular at the Albany Town Hall. We were treated to two concerts by the biggest and best womens' barbershop chorus when the 120 strong multiple gold winning Perth Harmony Chorus came to town. I know that our local Albany City Chorus listened, learned and were thrilled to join in under the directorship of Australia's only Master Director – Cathy Rainey. It

was a fantastic performance and I thank the ladies for bringing the joy of music to Albany.

Friday the 4th of October, 2002, I had the somewhat unusual pleasure of welcoming a group of penguins to Albany at a welcome reception hosted by the City of Albany. The national ladies speaking club – the Penguin Club of Australia held their annual State Spring Fair in Albany. The group whose motto is “Communicate with Confidence”, had a weekend of workshops designed to improve communication and presentation skills for their members from all over the state. From the reports I have heard since, it was a great success and they fell in love with our wonderful city.

Last Wednesday, the Hon Michelle Roberts – Minister for Emergency Services was in Albany and I attended two important meetings with her. The first was the launch of a project involving the State Emergency Services and the Department of Health’s Home and Community Care Service. The project aims to provide priority assistance to the frail, aged and disabled members of the community during severe storms, floods, earthquakes or cyclones. The project will make sure those in need get the appropriate assistance quickly. The second part of the Ministers visit was to discuss the proposed Emergency Services Levy with the City of Albany. The levy is aimed at ensuring that there is consistency in the emergency services funding mechanisms throughout the state.

The City of Albany have submitted a series of entries into the WA Local Government Best Practice Awards. On Friday last week the City of Albany offices were visited by a panel of judges who were conducting the site assessments which are an essential component of the judging process. The awards are an industry system which recognises the quality of Local Government operations throughout the state. The City of Albany was assessed for Best Practice in Customer Service, Communications, Innovation, Performance Measurement and Process Management. The award winners will be announced on the 8th of November, 2002 and we certainly hope to once again be amongst the winners of this important measurement tool. The City is the first regional finalist in the Western Australian Leadership in Best Practice Awards. Essentially WA’s best Local Government Organisation.

Thursday the 10th of October, 2002, hailed the arrival of the two newest Royal Australian Navy vessels - the minesweepers HMAS Gascoyne and HMAS Diamantina. The ships were travelling through Albany on their inaugural tour of major Australian ports to show us all their capabilities with the latest equipment. A small on board reception was held which, despite the dreadful weather, was well attended by interested members of our community. It was a rare pleasure to welcome the Commanding Officers and men to Albany as there have been very few naval vessels visiting our shores in recent times due to the increasing demands internationally.

On Sunday the City of Albany hosted a welcome reception for delegates from all over Australia who are attending the Australian Forest Growers Conference in Albany this week. There was more than 250 attendees at the conference which will provide a significant boost to the local economy. During the last ten years, this region has gone from zero to become a full-blown growing and processing private forestry area. This has brought significant financial investment and employment prospects to Albany and

it is important to recognise the contributions that this industry makes to our community.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WILLIAMS**

THAT the Deputy Mayor’s Report be received.

MOTION CARRIED 11-0

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

Nil

19.0 CLOSED DOORS

19.1 Sale of Cocoa Beans from Bakers Junction Landfill Site

**MOVED COUNCILLOR DEMARTEAU
SECONDED COUNCILLOR WALKER**

THAT Council go behind closed doors to discuss the sale of cocoa beans from Bakers Junction Landfill Site.

MOTION CARRIED 14-0

The Chief Executive Officer read the following:

RECOMMENDATION:

THAT Council place funds received from the sale of the cocoa beans into the waste management reserve account to offset cost of future capital works in waste management.

Voting Requirement Absolute Majority

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WILSON**

THAT Council come out from behind closed doors.

MOTION CARRIED 14-0

Item 19.1 continued

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WALKER**

THAT Council place funds received from the sale of the cocoa beans into the waste management reserve account to offset cost of future capital works in waste management.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

20.0 NEXT ORDINARY MEETING DATE

Tuesday 19th November 2002, 7.30pm

21.0 CLOSURE OF MEETING

8.50pm.

Confirmed as a true and correct record of proceedings.

AE Goode, JP
Mayor

APPENDIX A

**WRITTEN NOTICE OF DISCLOSURE OF INTEREST
MINUTES OF THE ORDINARY COUNCIL MEETING 15th October 2002**

Name	Item	Nature of Interest
Councillor Barton	Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway	Councillor Barton's nature of interest is that she is an employee of Coles Supermarket, Albany Highway..
Councillor Wellington	Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway	Councillor Wellington's nature of interest is that he is the proprietor of Leading Edge Hi Fi and derives income from this proprietorship.
Councillor Sankey	Item 11.3.2 – Modifications to Amendment – Lot 124 Albany Highway	Councillor Sankey's nature of interest is that her daughter is an employee of Woolworths and derives income from this employment.
Councillor Demarteau	Item 12.7.1 – City of Albany Audit Committee Minutes – 10 th September 2002	The nature of Councillor Demarteau's interest is that his wife is employed by Lincoln's Accountants and the recommended Auditor is a business partner.

APPENDIX B

**INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 15th October 2002**

Name	Item	Nature of Interest
Nil	Nil	Nil

APPENDIX C

**CODE OF CONDUCT – INTERESTS (OTHER THAN FINANCIAL)
DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 15th October 2002**

Name	Item	Nature of Interest
The Executive Director, Development Services, Mr Fenn	Item 11.2.1 – Riverview Golf Club – Concert and Temporary Camping Approval	Mr Fenn's nature of interest is that he is a member of Riverview Country Club.

[Agenda Item 12.1.1 refers]
[COUNCIL – 15th October 2002]



SUMMARY OF ACCOUNTS

Municipal Fund Vouchers			
Cheques	totalling	278,348.11	
Electronic Fund Transfer	totalling	1,214,189.58	
Payroll	totalling	560,448.87	
Investment Transfers	totalling	3,000,000.00	
TOTAL			<u><u>\$5,052,986.56</u></u>

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$5,052,986.56 which was submitted to each member of the Council on 15th October 2002 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 \$5,052,986.56 which was submitted to the Council on 15th October 2002 and that the amounts are recommended to the Council for payment.

MAYOR
(A Goode JP)