

A G E N D A

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 17 October 2006
7.00pm
City of Albany – North Road Office**

City of Albany

**** Disclaimer ****

No responsibility whatsoever is implied or accepted by the City of Albany for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with Staff. The City of Albany disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the City of Albany during the course of any meeting is not intended to be and is not taken as notice of approval from the City of Albany. The City of Albany warns that anyone who has an application lodged with the City of Albany must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the City of Albany in respect of the application.

Signed _____

Peter Madigan
Acting Chief Executive Officer

Date: 5th October 2006



NOTICE OF AN ORDINARY COUNCIL MEETING

Her Worship The Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday, 17 October 2006 in the Council Chambers, North Road, Yakamia commencing at 7.00 pm.

(Signed)

Peter Madigan
ACTING CHIEF EXECUTIVE OFFICER

5th October 2006

TABLE OF CONTENTS

1.0	Declaration of Opening	4
2.0	Record of Attendance/Apologies/Leave of Absence (Previously Approved)	4
3.0	Opening Prayer	4
4.0	Response to Previous Public Questions Taken On Notice	4
5.0	Public Question Time	5
6.0	Confirmation Of Minutes of Previous Meeting	5
7.0	Applications For Leave Of Absence	6
8.0	Disclosure of Financial Interest	6
9.0	Matters for Which Meeting May Be Closed	6
10.0	Petitions/Deputations/Presentations	6
11.0	Reports – Development Services	6
11.1	Development	
	11.1.1 Parking Control – View Street	7
	11.1.2 Closure of a portion of Little Oxford Street to traffic and Revocation of Town Planning Scheme No. 2	13
11.2	Health, Building & Rangers	
	11.2.1 Rural Water Supplies To Public Premises	24
11.3	Development Policy	
	11.3.1 Albany Retail Strategy – Consent to Advertise	27
	11.3.2 Initiate Scheme Amendment – Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14 and 100 Abercorn and Flemington Streets, Orana	35
	11.3.3 Final Approval for Scheme Amendment – Lot 5 Rocky Crossing Road, Warrenup	40
11.4	Reserves Planning	
	Nil.	48
11.5	Development Service Committee	
	11.5.1 Cat Local Law Working Committee	49
12.0	Reports – Corporate & Community Services	52
12.1	Finance	
	12.1.1 List of Accounts for Payment	53
	12.1.2 Financial Activity Statement – September 2006	54
	12.1.3 Community Sporting and Recreation Facilities Fund (CSRFF) 2006/07 – 2008/09 Triennium Applications	58
12.2	Administration	
	12.2.1 Annual Electors Meeting	64
	12.2.2 Request for support for installation of CCTV Cameras – ACCI	66
12.3	Library Services	

ORDINARY COUNCIL MEETING AGENDA – 17/10/06

** REFER DISCLAIMER **

	Nil.	70
12.4	Day Care Centre	
	Nil.	70
12.5	Town Hall	
	Nil.	70
12.6	Recreation Services	
	12.6.1 Albany Leisure and Aquatic Centre Upgrade – Design Drawings	71
12.7	Corporate & Community Services Committee	
	12.7.1 Albany Aboriginal Accord Advisory Committee meeting minutes – 15 th September 2006	74
12.8	Council Representation	
	Nil.	75
13.0	Reports – Works & Services	76
13.1	City Assets - Asset Management	
	Nil.	77
13.2	City Services – Waste Management	
	Nil.	77
13.3	City Services – Airport Management	
	Nil.	77
13.4	City Services – Contract Management	
	13.4.1 Contract C06035 – Winning and Supply of Gravel	78
	13.4.2 Contract – Supply & Delivery of Various Items of Plant and Equipment	81
	13.4.3 Contract C06032 – Panel of Suppliers Construction Plant and Equipment	86
	13.4.4 Contract C06039 – Construction of Footpaths Brick Paving	93
	13.4.5 Contract C06040 – Construction of Concrete Footpaths	96
	13.4.6 Contract C06022 – Verge Mulching	99
13.5	City Services – Property Management	
	Nil.	102
13.6	City Works – Capital Works	
	13.6.1 Albany Ring Road – Modifications to Local Road Network	103
13.7	City Works – Reserves, Planning & Management	
	Nil.	112
13.8	Works & Services Committees	
	13.8.1 Streetscape Committee meeting minutes – 21 September 2006	113
14.0	Reports – General Management Services	114
14.1	Strategic Development	
	Nil.	115

ORDINARY COUNCIL MEETING AGENDA – 17/10/06

** REFER DISCLAIMER **

14.2	Organisational Development	
14.2.1	City of Albany Crest	116
14.2.2	Annual Review of Council Delegations – Development Approvals	118
14.3	Economic Development	
	Nil.	123
14.4	General Management Services Committees	
14.4.1	Adoption of Minutes – Albany Tourism Marketing Advisory Committee (06 July 2006, 10 August 2006, 07 September 2006)	124
15.0	Elected Members’ Monthly Report / Information Bulletin	125
16.0	Motions Of Which Previous Notice Has Been Given	125
16.1	Rescission of Council Decision – Development Application – Multiple Dwellings – 4 Barry Court, Collingwood Park	125
17.0	Mayors Report	125
18.0	Urgent Business Approved by Mayor or by Decision of the Meeting	125
19.0	Closed Doors	125
20.0	Next Ordinary Meeting Date	125
21.0	Closure of Meeting	125

1.0 DECLARATION OF OPENING

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

3.0 OPENING PRAYER

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

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.0 PUBLIC QUESTION TIME

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

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

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

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

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

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 19th September 2006; as previously distributed be confirmed as a true and accurate record of proceedings, subject to:

The time ‘6.00pm’ being replaced with the time ‘9.00pm’ for Wednesday 27 December 2006, at each of the places it appears in Item 12.2.1 – Extended Trading Hours within the City of Albany.

REASON:

The incorrect closing time was quoted as the result of a typographical error.

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

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.]

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

11.0 REPORTS – DEVELOPMENT SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on green – See Pages 6-51]

12.0 REPORTS – CORPORATE & COMMUNITY SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on yellow – See Pages 52-75]

13.0 REPORTS – WORKS & SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on pink – See Pages 76-113]

14.0 REPORTS – GENERAL MANAGEMENT SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on buff – See Pages 114-124]

Development Services

REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Parking Control – View Street

File/Ward	:	A103917 (Frederickstown Ward)
Proposal/Issue	:	Parking Measures on View Street
Subject Land/Locality	:	View Street
Proponent	:	City of Albany
Owner	:	City of Albany
Reporting Officer(s)	:	Manager Planning & Ranger Services (G Bride)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 18/04/06 – Item 11.1.2 OCM 16/05/06 – Item 11.1.1
Summary Recommendation	:	Monitor the situation and report back to Council.
Bulletin Attachment	:	Nil
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

BACKGROUND

1. At its meeting dated 15 May 2006, Council resolved to support the application for a Function Centre ('The Rocks') at 182-188 Grey Street, Albany. Part of the Council resolution also required staff to address the parking issues on View Street at a subsequent Council meeting.

2. The previous Council report provided the following commentary on the issue:

"View Street is not capable of accommodating any "overflow car parking", should the on-site provision prove inadequate for a particular event, or patrons decide not to avail themselves of the on-site parking area(s). Parking restrictions within View Street can be independently resolved by declaring the southern side of the street as a "no standing" area under the City of Albany Parking Local Laws. Grey Street has the capacity to safely accommodate any overflow parking demand and is used for that purpose during major City events (Albany Classic, Christmas Pageant, etc)."

3. Staff wrote to affected landowners inviting comments on the proposal to apply no-standing signage on the south side of View Street.

STATUTORY REQUIREMENTS

4. Under the *City of Albany Parking and Parking Facilities Local Law 2001*, Council can designate areas where parking is not permitted.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. Minimal costs would be expended erecting no-standing signage.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

"Community Vision:

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

- *Innovative development complementing Albany's unique character, natural environment and heritage.*

Mission Statement:

The City of Albany is committed to ...

- *Providing sound governance.*

Priority Projects:

Nil".

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

COMMENT/DISCUSSION

8. Staff received three written submissions (refer attached) and several phone enquiries in relation to the issue.
9. The majority of responses were not in favour of applying no-standing signage on the south side of View Street. This was due to a lack of off-street parking for residents and their visitors.
10. Some residents raised alternative options for Council's consideration, including the issuing of local resident permits, the closure of the gates at the View Street entrance to the Rocks whilst an event was in progress and monitoring the situation.
11. The issuing of local resident permits in conjunction with no-standing signage has been applied in areas such as Subiaco, to ensure parking is available for local residents during events at Subiaco Oval. This arrangement can be problematic as visitors would not have access to such permits and could potentially be fined for failing to comply with a designated parking sign whilst visiting a local resident.
12. The closure of the gates at the View Street entrance to the Rocks may assist, but will not resolve the situation. With vehicles leaving and entering at different times prior to, during and following a function this option may be difficult to realise.
13. A number of residents advised that the situation should be monitored to further evaluate the on street parking in View Street generated by events at the Rocks. With the number of patrons being restricted to 80 persons for external events and 70 persons for internal events, and the awareness of the Rocks proprietor of the resident's parking concerns, staff recommend that further monitoring of the issue is warranted.

RECOMMENDATION

THAT Council monitor the parking situation on View Street, between Melville Street and Parade Street, during events at the Rocks, and where on-street parking issues result the matter be brought back to Council for action.

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued



Doc No: City of Albany Records
ICR6014163
2 File: A103917
Date: 29 AUG 2006
Officer: MPR
Attach:

Dear Mr Bride,

Re: PARKING IN VIEW STREET

I am writing in response to the letter received (dated 16.08.06) re: parking in View Street. As we live right next door to "The Rocks" the issue of car parking is extremely relevant to us.

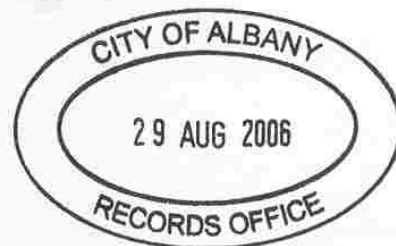
As View Street is a narrow one way street it is not appropriate for patrons of "The Rocks" to use it for their car parking. A "No Standing" sign has been suggested as a way to discourage any on-street parking. This however, would also apply to the local residents which is extremely unsatisfactory. As a land owner and rate payer, I feel very strongly that we should be able to park in front of our own home without receiving a penalty. This also applies to any visitors who may need to park in front of our home.

At the May council meeting I spoke about the possibility of using "No Standing" signs but including the clause "Permit Holders Excluded" on the sign. A certain number of permits would then need to be allocated to each household. This system is used by the City of Subiaco to help deal with the issue of on – street car parking as a result of football matches.

This would allow local residents to park in front of their own homes whilst preventing car parking being used by the patrons of "The Rocks". I trust you will give this sensible suggestion strong consideration.

Yours Sincerely,

Ali and Paul Dupuy



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

Graeme Bride

From: Leanne [peter@norema.com.au]
Sent: Sunday, 3 September 2006 9:18 AM
To: Graeme Bride
Subject: Parking on View Street

Dear Mr Bridge

Thank you for asking our thoughts, and sorry to be late in my reply.

We live on Melville Street and use View Street quite often. Applying parking restrictions on the South side of View Street is a very good idea.

Local traffic can drive through and The Rocks will have extra parking on the North side of View St, as well as the grassed area.

The Rocks accommodation and function centre could well do with-a-hand at increasing business for the Albany community and visitors to our town.

I am certain their functions will not be from Friday to Sunday every weekend.

Whilst it may be called The Rocks I certainly do not think we will be pounded with loud music, or rock music. In fact, one local resident plays the drums, another loud music with a heavy beat and we all accommodate those noises because they are not on a regular basis.

Kind regards,
Leanne Ameron

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued



City of Albany Records
Doc No: ICR6014317
File: A103917
Date: 30 AUG 2006
Officer: MPR

28th August 2006

Attach:

Manager Planning and Ranger Services
Graeme Bride
City of Albany
PO Box 484
Albany WA 6330

Dear sir

Re Parking in View Street

In response to your letter dated 16th August concerning the above, I appreciate the opportunity for comment.

As the premises east of 'The Rocks' have blocks 'through' to Grey Street and hence plenty of room to have their own parking areas off View Street, it is only our neighbours, Paul and Ali Dupuy, and ourselves who would be directly affected by 'no standing' signage in front of our properties. When we bought and built on our block, we, understandably, did not allow for excess off the street parking as we were building a private residence in a residential area. The 'Rocks' scenario has changed that as they have gone from a Bed and Breakfast, with sufficient onsite parking, to a reception centre.

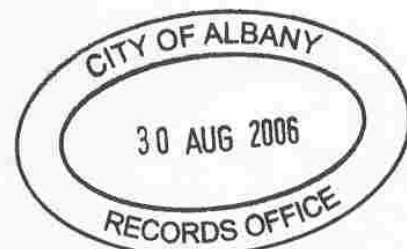
It would appear to me that all that is required to adhere to the guidelines listed in the extract of council minutes 16/05/06, would be for 'The Rocks' to close their rear sliding gates when a function is to be held. This was mentioned by Councillor Wellington in the council meeting on 18th April. I feel very few people would park in View Street if they then had to walk to and then down Melville Street and then a further 150metres back to the Grey Street gate, most of us are predominantly lazy.

No standing signs would only be of use if the area is policed by a ranger and with the limited experience I've had trying to contact a ranger after hours, I would suggest they would be of little use.

Thank you for this opportunity.

Yours sincerely

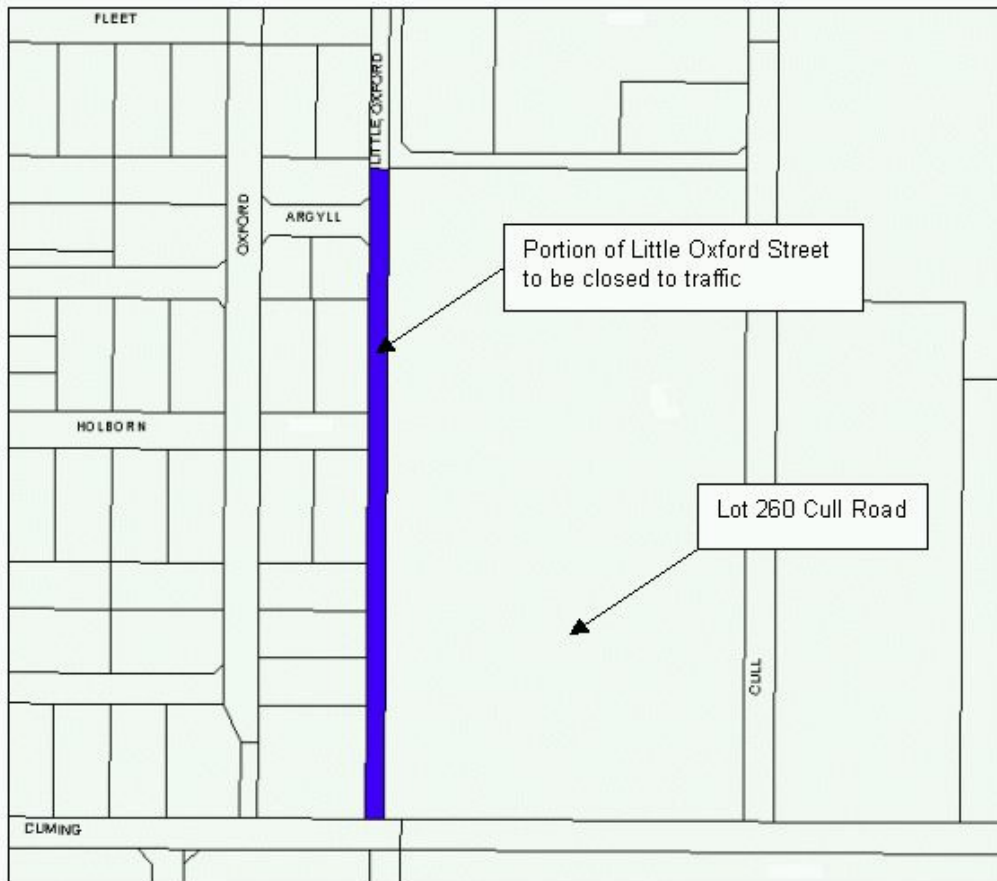
Fred Carter
WJ & NC Carter
25 View Street
Albany WA 6330



DEVELOPMENT SERVICES REPORTS

11.1.2 Closure of a portion of Little Oxford Street to traffic and Revocation of Town Planning Scheme No. 2

- File/Ward** : A25810 (West Ward)
- Proposal/Issue** : To close a portion of Little Oxford Street to traffic and Revoke Town Planning Scheme No. 2 applying to Gledhow Area.
- Subject Land/Locality** : Portion of Gledhow Locality
- Proponent** : City of Albany
- Owners** : N/A
- Reporting Officer(s)** : Manager Planning & Ranger Services (G Bride)
- Disclosure of Interest** : Nil
- Previous Reference** : N/A
- Summary Recommendation** : Close a portion of Little Oxford Street to traffic
Revoke Town Planning Scheme No. 2
- Bulletin Attachment** : Scheme Text
- Locality Plan** :

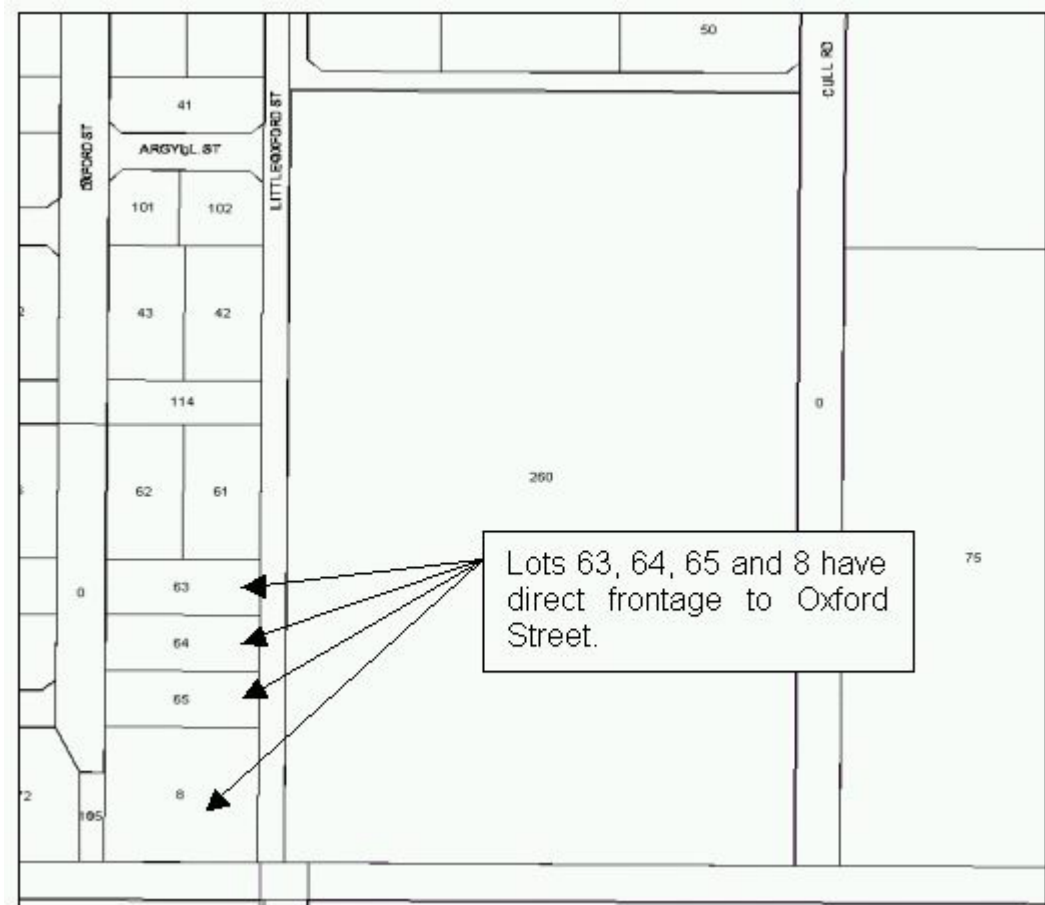


DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

BACKGROUND

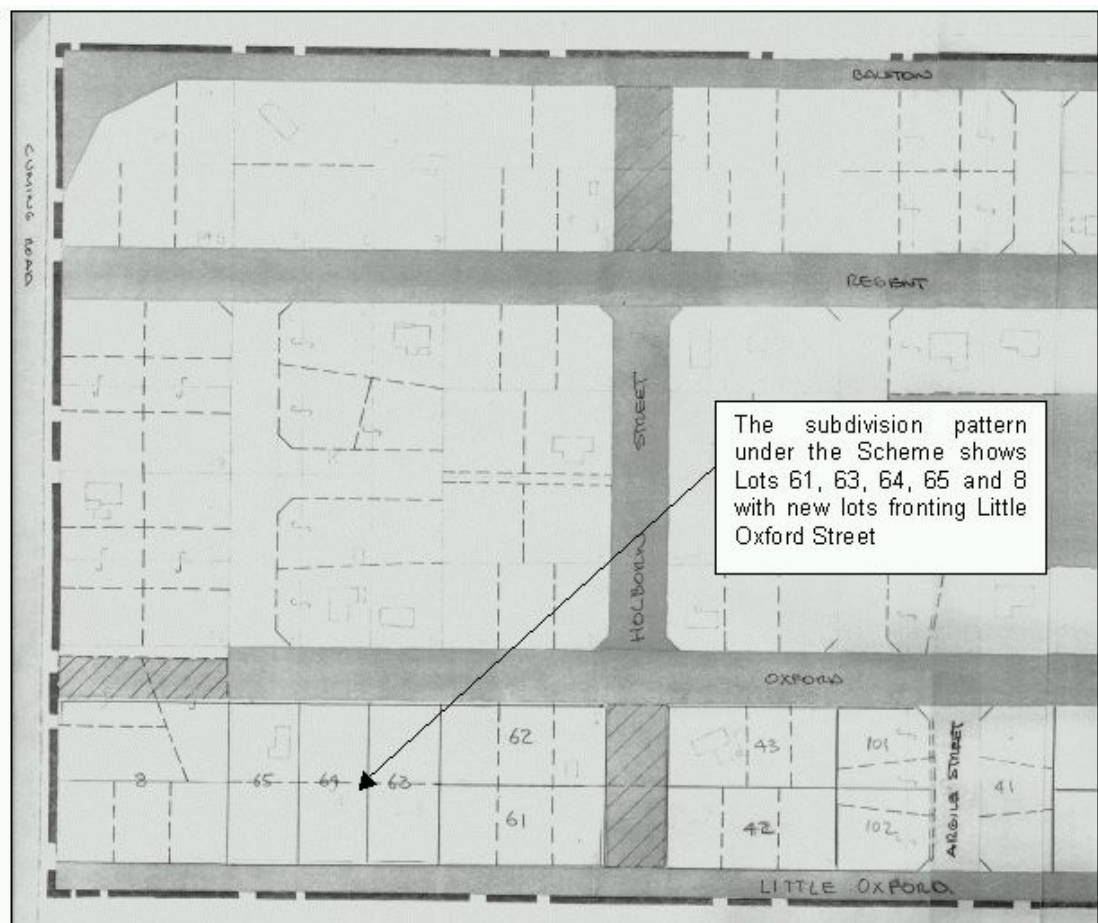
1. An application has been received for a residential subdivision over Lot 260 Cull Road, Gledhow. The application proposes the creation of 100 residential lots with an average size of around 650m². A copy of the latest subdivision plan (which is still subject to modifications) is attached at the rear of this report.
2. The application involves the construction of a portion of Cull Road and Mueller Street to an urban (sealed, kerbed and drained) standard. The proposal does not however propose the construction of Little Oxford Street, which is currently unmade and predominantly vegetated, down to Cumming Road.
3. The developer had requested staff's support for providing internal road access to the proposed lots backing onto the Little Oxford Street road reserve. The reasons for not constructing the road within the reserve include:
 - The steepness of grade (being around 16% or 1:6), which is undesirable for road construction
 - With the exception of Lot 61 Little Oxford Street, all other lots with frontage to Little Oxford Street already have constructed road access to Oxford Street, and the proposal would not affect the subdivision potential of surrounding landowners (refer to diagram at paragraph 5)



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

4. Whilst staff have been supportive of the developer's proposal, the Department for Planning & Infrastructure has raised two concerns with the application, being:
 - i) Dual Frontage
Lots backing onto Little Oxford Street will have dual frontage (lots with frontage to a road at the front and rear), which is against WAPC policy. The concern relates to a loss of amenity and a reduction in pedestrian safety as rear fencing would front Little Oxford Street, resulting in a lack of passive surveillance from the dwellings to the street and vice versa.
 - ii) The proposal being inconsistent with an existing Scheme (Scheme No. 2 – Gledhow)
Town Planning Scheme No. 2 was gazetted on 25 October 1976 (the Scheme Text is attached in the Elected Members Bulletin). The purpose of this Scheme was to guide subdivision in the Gledhow locality, including the identification of future road reserves and areas of public open space needed to sustain a greater density of development.
5. As shown below, the Scheme includes a proposed subdivision pattern, which includes the creation of lots with direct access to the southern portion of Little Oxford Street.



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

6. Since the Scheme was adopted, little subdivision has occurred primarily due to the lack of reticulated sewerage in the area. The subdivisional overlay within the Scheme, based upon today's subdivision principles, is outdated and it does not reflect the environmental and topographical constraints applicable to the area.
7. With the advent of sewerage, the Gledhow locality has been identified for structure planning in 2007/08, which will provide an improved framework for future subdivision and development.
8. In order to reconcile the issues outlined above, staff have written to all landowners with frontage to Little Oxford Street inviting comments on the developer's proposal to leave Little Oxford Street in its current unmade state. The landowners were advised of the existence of Town Planning Scheme No. 2, and whether they would have any objection to subdividing their properties with direct access onto Oxford Street (via a battle-axe leg).
9. Of the five landowners consulted, three were supportive, one person did not respond and one owner expressed an objection to the proposal. The comments received through the consultation process are discussed in the comment section of this report.
10. This report proposes the closure to traffic over a section of Little Oxford Street, and the revocation of Town Planning Scheme No. 2.

STATUTORY REQUIREMENTS

11. In order to close a road to vehicles, Section 3.50 of the *Local Government Act 1995* requires the following procedures to be undertaken:

"3.50. Closing certain thoroughfares to vehicles

- (1) *A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*
- (1a) *A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*
- (2) *The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions".*
- [(3) *repealed*]
- (4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to -*
 - (a) *give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission;*
 - (b) *give written notice to each person who -*
 - (i) *is prescribed for the purposes of this section; or*
 - (ii) *owns land that is prescribed for the purposes of this section;*

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

and

(c) *allow a reasonable time for submissions to be made and consider any submissions made.*

(5) *The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).*

12. In order to revoke a Town Planning Scheme, Section 90 and 95 of the Planning and Development Act 2005 requires the following procedures to be undertaken:

“90. Report on scheme

(1) *Not later than 6 months after preparing a consolidation of a local planning scheme, the local government is to make a report to the Minister on the operation of the scheme.*

(2) *In its report the local government is to -*

(a) *include all submissions received under section 89;*

(b) *report and make recommendations on the submissions; and*

(c) *report and make recommendations as to whether or not the scheme -*

(i) *is satisfactory in its existing form;*

(ii) *should be amended;*

(iii) *should be repealed and a new scheme prepared in its place;*
or

(iv) *should be repealed.*

95. Procedure where scheme repealed following report

If -

(a) *a report of a local government under section 90 recommends that a local planning scheme should be repealed and not replaced and the Minister concurs; or*

(b) *the Minister, after considering the report, advises the local government that the local planning scheme should be repealed and not replaced;*

the local government is to prepare an instrument of repeal, and forward it to the Minister under section 74(b) within the period of 42 days or such longer period as the Minister may in writing agree from the date of the report or the date of the Minister's advice as the case may be.”

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

14. There will be minimal costs associated with the advertising of the intended road closure, which can be accommodated within existing budget constraints.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

STRATEGIC IMPLICATIONS

15. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision

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

- *Innovative development complementing Albany’s unique character, natural environment and heritage.*

Mission Statement

The City of Albany is committed to ...

- *providing sound governance*

Priority Projects

Nil.”

COMMENT/DISCUSSION

16. During the consultation phase, landowners in support of the non-construction of Little Oxford Street commented that the road is predominantly vegetated and the construction of a road would result in a loss of bushland. Some of the landowners have advised that they regularly remove weeds from this reserve to assist the regeneration of vegetation. Those landowners believe retention of the road reserve in its natural state will provide a buffer to dense residential development on Lot 260.
17. The landowner of Lot 61, who still relies on access via Little Oxford Street, will not have access impeded if Little Oxford Street was closed south of his property and that landowner has not objected to the proposal.
18. The landowner who objected resides at Lot 8 Oxford Street, and believes the subdivision layout represented in Town Planning Scheme No.2 provides for a better lot yield and layout to battle-axe subdivision from Oxford Street. The landowner has advised that, due to the position of the house and the edge of the existing bitumen associated with Oxford Street, it would be difficult to accommodate a battle-axe subdivision. Staff reviewed the comments made by that landowner and believe a more conventional lot layout for the property could be achieved by extending Oxford Street to the south, with access coming off a laneway configuration. In this regard it is unlikely that the landowner would lose any subdivision potential by accessing Oxford Street rather than Little Oxford Street.
19. A copy of the correspondence received from the owner of Lot 8 and Lot 64 Oxford Street is attached.

DEVELOPMENT SERVICES REPORTS

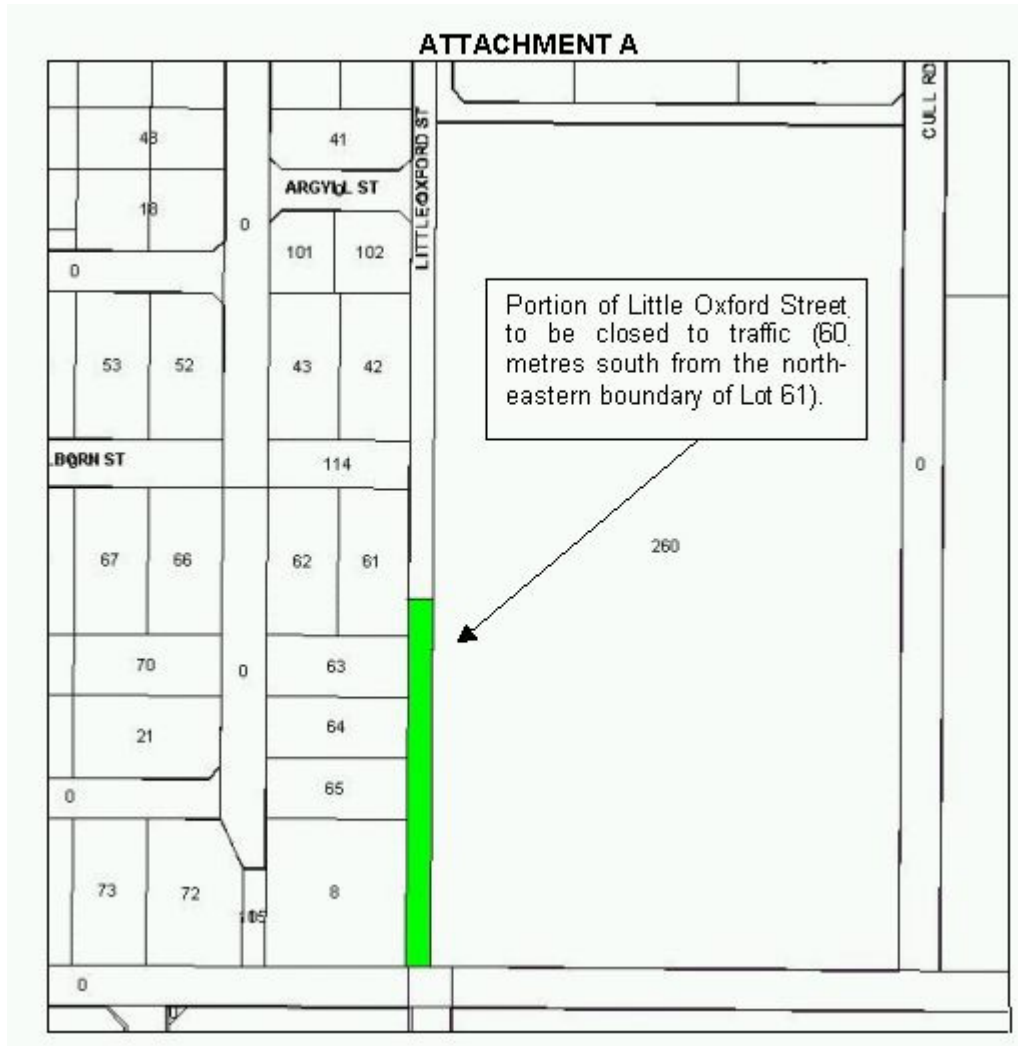
Item 11.1.2 continued



20. DPI officers advise that, should Council agree to commence the process of revocation of Town Planning Scheme No.2 and close a portion of Little Oxford Street to local traffic, the issue of dual frontage and non-compliance with an existing Scheme can be overcome.
21. Staff believe the construction of Little Oxford Street, down to Cumming Road, is not warranted as part of the subdivision proposal for Lot 260, or anytime in the future, and recommends that a portion of the road be closed to traffic. Attachment A details the area that would be subject to the closure of the road to vehicles.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued



22. The outdated Planning Scheme needs to be revoked. A local structure plan for the locality will be prepared in the future and that plan will provide guidance for subdivision in the area.

RECOMMENDATION

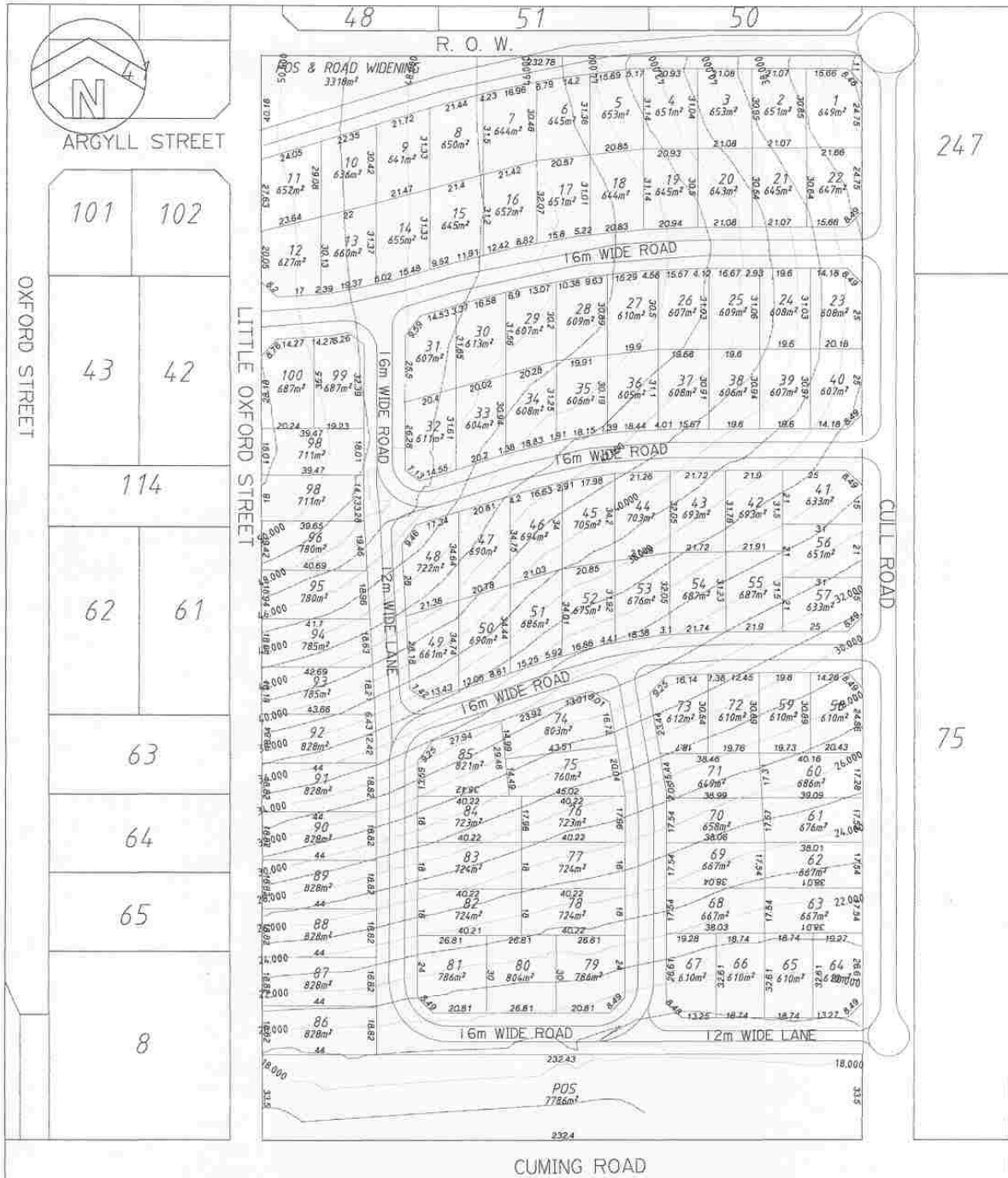
THAT Council advertise its intention to:

- i) revoke Town Planning Scheme No. 2 on the basis that the Scheme is outdated, and a local structure plan would provide better guidance for subdivision in the area; and
- ii) close to traffic that portion of the Little Oxford Reserve, as shown in Attachment A in the officer's report, under Section 3.50 of the Local Government Act 1995.

Voting Requirement Simple Majority

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued



**35 DEGREES SOUTH
LAND & SEA SURVEYING**
EDINBURGH HOUSE
54 STIRLING TERRACE
ALBANY WA 6330
PH 9842 3766 FAX 9842 1019

REVISED DRAWING 21/8/06
NOTE: DISTANCES AND AREAS
SUBJECT TO SURVEY.

<p>LEGEND</p> <ul style="list-style-type: none"> — EXISTING BOUNDARY — PROPOSED BOUNDARY — FENCE TTTT TOP OF BANK — BOTTOM OF BANK — OVERHEAD POWERLINE ○ TREE 	<p>PROPOSED SUBDIVISION OF PLANTAGENET LOCATION 260 CULLING ROAD, GLEDHOW, ALBANY</p>			<p>ORIGINAL SHEET SIZE A3 REV. B</p>
	OWNER: KELLY & ATTWELL	C/T Vol/Fol: 1374 / 998	TOTAL AREA: 9.7125ha	
	PLAN / DIA : DP 248864	AUTHORITY: CITY OF ALBANY	SCALE 1 : 1500	
	LOCALITY: GLEDHOW	No. OF EXIST. LOTS 1	JOB No. 3045	
MAP REF: BK26 (2) 09.06	No. OF PROPOSED LOTS 100	DRAWING No. DWG3045S		

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued



City of Albany Records
Doc No: ICR6014466
File: STR131
Date: 30 AUG 2006
Officer: MPR
Attach:

73 Oxford St.
Gledhow. 29.8
Block 8 formerly 6.

Dear Sir or Madam,

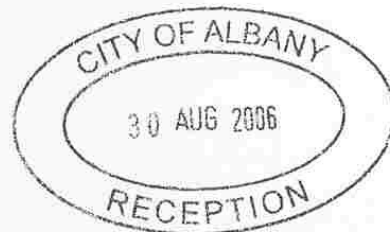
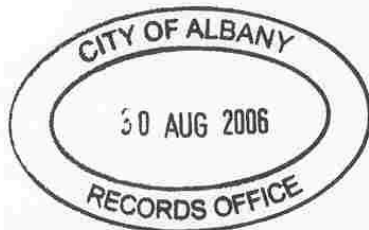
My families blocks - nos. 6 & 7 - row 8, are south of the end of Oxford St. Both blocks 6 & 7 were ~~both~~ divided into three blocks each.

Your plan of non construction of Little Oxford St front Lot 61, means that five of my blocks of land do not have access to a made road & those on block side will not have access to a surveyed road, except burning St - survey on which is too wet at any time of the year.

I am against the unsurveying of Little Oxford St. As Albany expands even if 20 years there will be a requirement.

Lot 260 Bull rd. is approx. 40 acres & unless they are 1/4 of an acre each there will still be land over. Think way ahead. Thanking you

Sincerely
Colin Woods



ATTN: Graeme Bride

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

Page 1 of 2

Graeme Bride

From: Ledger, Wayne [WLedger@agric.wa.gov.au]
Sent: Monday, 28 August 2006 10:23 AM
To: Graeme Bride
Subject: Little Oxford St subdivision access

Graeme

I have left a message at your office for you to return a call but you may answer my query by email if you wish.

Thankyou for your correspondence dated 23 August 2006.

We have resided at 69 Oxford St since March 2001. At the time of purchase we considered access via Little Oxford St to be an advantage should a subdivision be possible. However, we now have no objection to it being closed off at Lot 61.

Since our arrival we have noted that the Shire has made a token effort to put in a fire break by driving a slasher down the hill. On our part we have taken it upon ourselves to dig out the weeds that were choking out the native vegetation. I have included a list of them in an addendum at the bottom of this email. Two of them, Blackberry and Bridal Creeper are listed as weeds of national significance. Each of our neighbours from Vince through Dean and Heidi, ourselves, Chris below us, down to Colin at the bottom are doing something to reduce weeds. I have liased with each and they are doing their bit.

On the part of Little Oxford St adjacent to our property we are doing suppression and control of all weeds and some of the native vegetation is coming through which we hope to encourage and supplement with plantings appropriate to proper remnant revegetation. Dean and Heidi at 67 Oxford St wanted to put a sheep in and they are eating Pampas Grass and Blackberry right out on their side! Because they wanted to a sheep in we have helped them to construct a fence across to the other side of the track.

We are quite happy to pull this down if Shire objects. However, it is serving a definite positive purpose at the moment. I am in friendly communication with all neighbours and they are doing their bit to keep it weed free. This reduces fire hazard.

We are also concerned about people wandering through and the fence has helped to stop access to the rear of our blocks. We have had people come down or up the hill and then wander through our block to Oxford St! I might add that one of these passers through engaged in some quite socially unacceptable behaviour in the process.

We would be concerned if the subdivision on Lot 260 Cull Rd was to be extended over the Little Oxford St road reserve to come to our boundary and I am sure that our neighbours would feel the same as we do. If it is going to happen, then we would prefer that Little Oxford became an access road.

My query is as follows - **Is the subdivision on Lot 260 Cull Rd going to be extended over the Little Oxford St road reserve to touch our boundary?**

ADDENDUM

WEEDS ON LITTLE OXFORD ST ROAD RESERVE

Wild oat - Cape weed - Erodium - Watsonia - Bridal Creeper - Pampas Grass - Blackberry - kikyuyu - Knightshade - Geranium - Taylorina.

NATIVE VEGETATION

About 40 well grown red gums between Lot 61 and the bottom of the hill - 6 to 7 black grass bushes and native grasses as well miscellaneous other native shrubs.

*Wayne Ledger
Biosecurity Officer
Wandering/Cuballing/Wickepin
98 811 221*

4/09/2006

DEVELOPMENT SERVICES REPORTS

11.2 HEALTH, BUILDING & RANGERS

11.2.1 Rural Water Supplies To Public Premises

File/Ward	: SER158 (Various Wards)
Proposal/Issue	: Suitability of on-site Water Supplies at Rural Public Premises
Subject Land/Locality	: Various
Proponent	: City of Albany
Owner	: N/A
Reporting Officer(s)	: Environmental Health Officer (R Wornes)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: Program to upgrade supplies be implemented
Bulletin Attachment	: NIL
Locality Plan	: N/A

BACKGROUND

1. The Australian Drinking Water Guidelines 2004 (ADWG) define drinking water as “water intended primarily for human consumption...[and] also has other domestic uses”(p1-3). Drinking water “*should contain no harmful concentrations of chemicals or pathogenic micro-organisms, and ideally it should be aesthetically pleasing in regard to appearance, taste and odour*” (p 1-5 ADWG).
2. Water sampling is an important function of Council in ensuring that the various non-scheme drinking water supplies within the City of Albany are maintained at a satisfactory level. The City’s Environmental Health Officers have routinely undertaken sampling of the non-scheme water supplies from premises such as public toilets, caravan parks and camping grounds, food premises, halls and schools.
3. In order to maintain satisfactory drinking water quality, it will become necessary for certain water supplies on rural premises to implement a method of disinfection.

STATUTORY REQUIREMENTS

4. There are no statutory requirements for drinking water. However, the Department of Health follow the Australian Drinking Water Guidelines 2004.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

5. The above-mentioned guidelines state that:

- Total coliforms – No sample should contain any coliform organisms.
- Thermotolerant coliforms – No sample should contain any thermotolerant organisms.”
- Each positive result requires action, such as disinfection of water supply.
- Water supply can be seen as satisfactory if:
 - i) At least 98% of scheduled samples contain no thermotolerant coliforms; and
 - ii) At least 95% of scheduled samples contain no coliforms.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

7. Premises which require disinfection units will be required to spend between \$1200 and \$3000 for the installation of an ozone unit which has proven to be one of the more effective disinfection units within the City of Albany. Council may wish to consider using the financial assistance grants to help some rural communities to upgrade the water supplies to public buildings.

STRATEGIC IMPLICATIONS

8. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

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

- *Excellent community infrastructure and services*

Mission Statement

The City of Albany is committed to ...

- *providing sound governance*

Priority Projects:

Risk based Environmental Health systems

- *Develop self sampling and reporting on private water supplies at food handling premises (2005/2006)”*

COMMENT/DISCUSSION

9. The Australian Drinking Water Guidelines require sampling on a monthly basis; however, the City of Albany has insufficient health staff to maintain monthly sampling. A total of 48 microbiological samples are currently taken throughout the City of Albany region on a 2 monthly basis. If the sample does not meet the Australian Drinking Water Guidelines criteria, then the occupier of the premises is notified by telephone or letter asking them to treat the water (usually involving chlorination of the storage tank (s)). Follow up samples are often taken by Council’s Environmental Health Officers and if the sample still does not meet the required standards then the above procedure is repeated.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

10. The owners or managers of the public buildings are encouraged to install an effective water treatment sterilisation unit. In most instances the cost of the unit prevents one being installed and manual treatment of the water supply suffices.
11. Common types of disinfection include chlorine, hypochlorite, chloramines, chlorine dioxide, ozone and ultra violet radiation. Reverse osmosis has also shown to be an effective type of disinfection when smaller quantities of water are used. Ozone has been used as an effective disinfectant by the City of Albany when an ozone unit was installed at Cape Riche Caravan Park rainwater tank. Since installing the unit, the water supply has been mostly compliant with the Australian Drinking Water Guidelines 2004.
12. Chlorination of a potable water supply remains an effective method of disinfection. The main downfall associated with chlorination is the ongoing requirement to consistently dose the water supply with chlorine. Failure to chlorinate the water supply, or inappropriate timing lowers the disinfectant's residual, increasing the risk of contamination. *“A disinfectant residual throughout the distribution system will minimise the effects of accidental contamination of the system”* (Australian Drinking Water Guidelines 1996).
13. Ensuring that premises supply potable water that complies with the Australian Drinking Water Guidelines 2004 is an important function of Council. Premises that continue to be non-compliant should be required to take action to ensure that they have an acceptable potable water supply. This is important for the health of people who live in or visit the Albany region.

RECOMMENDATION

THAT Council:

- (i) **inform those owners of premises with a non-compliant potable water supply (whether intended for drinking or washing) that the water is to be treated with an effective water treatment sterilisation unit to the standard nominated in the Australian Drinking Water Guidelines 2004;**
- (ii) **where financial hardship may result, provide an extended period for the water supply to be made compliant and that the water supply be suitably chlorinated in the intervening period;**
- (iii) **extend the funding parameters under the community assistance program to provide funding opportunities for Progress Associations and other ‘not for profit’ groups to purchase and install an effective water treatment sterilisation unit; and**
- (iv) **train rural landowners and implement a self sampling regime for premises using a non-scheme water supply.**

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS**11.3 DEVELOPMENT POLICY****11.3.1 Albany Retail Strategy – Consent to Advertise**

File/Ward	: STR156 (Various Wards)
Proposal/Issue	: Determine Whether to Advertise
Subject Land/Locality	: N/A
Proponent	: City of Albany
Owner	: N/A
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: OCM 21/06/05 - Item 11.3.5 OCM 19/04/05 - Item 11.1.8
Summary Recommendation	: Modify Draft Strategy and Advertise for Public Comment
Bulletin Attachment	: Schedule of Modifications
Locality Plan	: N/A

BACKGROUND

1. The capacity of the City to rezone additional land for retail developments is governed by the Albany Commercial Strategy (2000), one of several policies adopted by the Western Australian Planning Commission (WAPC) and forming part of the State Planning Policy framework. Both Council and the Commission must have regard to that framework when approving developments and seeking to rezone land.
2. The first retail strategy was prepared by the then State Planning Commission in 1996 and the *Commercial Strategy for Albany (1996)* sought to identify the first site for the development of a Discount Department Store in Albany, plus regulate the location and size of the Neighbourhood Shopping Centres planned for the various suburbs in Albany. That strategy gave no recognition to the Catalina Neighbourhood Shopping Centre site and it provided no contingency in the event that a Discount Department Store (DDS) could not be developed in Albany's Central Business District.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

3. In 2000, Council decided that it required a contingency plan for the development of a DDS in Albany and set about creating a replacement strategic framework, employing a South Australian company to prepare the document and maintain some independence from local retailers. *The Albany Commercial Strategy (2000)* received the endorsement of both the WAPC and Council. Amongst its recommendations was a desire to incorporate the first DDS within the City's CBD (plans had been lodged to redevelop Albany Plaza however the commitment to commence construction had not been forthcoming at that time) and a time line of two years was provided by Council for that to happen. Council indicated to the WAPC that it would be seeking to promote a DDS site outside the CBD if the Strategy failed to deliver that facility by the end of 2002.
4. By 2004, all of the recommendations of *The Albany Commercial Strategy (2000)* had been actioned and Council had been left a strategy without a strategic intent. Shrapnel Urban Planning were engaged to prepare a replacement strategy and to specifically address, in the strategic document, two projects that were before Council at the time. Those projects were the redevelopment of the former Barnesby Ford site to provide for a neighbourhood shopping centre and to recognise the Catalina site as a pending DDS location (the intent being that the centre would be trading around 2010).
5. Following completion of a draft, Council did not accept some wording in the draft of the report prepared by the retail consultant.
6. The resolution passed in April 2005 was:

“THAT Council;

 - i) instruct the consultant to undertake the following modifications to the draft Retail Development Strategy:*
 - a) reference to the timing of further development of Brooks Gardens Centre be modified to allow Council to consider such development within the life of this Strategy.*
 - b) that text in the report reflecting the consultants opinion on specific developments be removed from the strategy, inclusive of the following:*
 - References to marketing of the Orana Drive-in-site (pg 51)*
 - References to seven-day trading at Farm Fresh (pgs 27, 28 and 64), given there is referendum on the issue to be voted on by the Albany community.*
 - References to ad-hoc development at Farm Fresh, despite compliance with the Catalina Central Planning Framework (pg 28).*
 - References to floor space being well presented and likely to be quickly leased at the Albany Primary School Site (pg 50).*
 - ii) adopt for public comment the draft Retail Development Strategy from Shrapnel Urban Planning subject to the above modifications being made to the document.*
 - iii) forward the draft strategy to the Department for Planning and Infrastructure for comment, prior to advertising commencing;*
 - iv) upon receipt of comments from the Department for Planning and Infrastructure undertake a two month advertising period for public consultation on the draft strategy; and*
 - v) consider any submissions received following completion of the advertising period.”*

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

7. The decision of April 2005 was forwarded to the consultant and he agreed to undertake all but one of the requested modifications. He also advised that he was not prepared to have the report submitted with his name attached to the document if Council continued with the listed modifications. In June 2005 Council resolved;

“THAT, in respect of the Draft Retail Development Strategy and the comments received from the consultant, Council requires the consultant and/or staff to amend the draft strategy by;

- i) reviewing the comments in the Strategy at pages 27, 28 and 64 as they relate to seven day trading at Brooks Garden to acknowledge the outcomes of the 2005 referendum on retail trading hours;*
- ii) deleting the words “on a more or less ad hoc basis” from lines one and two on the second last paragraph on page 28;*
- iii) deleting the words “is bound to be well presented, so it” from lines one and two on the third paragraph on page 50;*
- iv) deleting dot point five from Section 6.7 on page 51; and*
- v) deleting dot points one and three from section 7.5.3 on page 64, delete all the words following “and the Farm Fresh / Brooks Garden site being identified as the site for a future Regional Sub-Centre.” in Section 7.8 on page 67 and carry out minor editorial changes as required (eg. delete “during a subsequent RDS review” from dot point two on page 72).*

AND

THAT Council undertake a workshop during the consultation phase of the Retail Development Strategy to consider the issue of the planning and timing of the Brooks Garden Regional Sub-centre.”

8. Staff forwarded a modified version of the draft Albany *Retail Development Strategy* (RDS) to the WAPC and requested the Commission’s approval to advertise that draft for public comment. Officers within the Department for Planning and Infrastructure (DPI) raised concerns over the draft strategy and several meetings ensued with those DPI staff, with City officers accompanied by Mr Shrapnel, to promote Council’s position. A stalemate developed and a meeting was arranged with the chairman of the WAPC to progress the document. That meeting provided several concessions in the strategy to suit Council’s position however the Chairman and the DPI officers remained steadfast on their opposition to other requirements.
9. The WAPC has now advised Council that it is only prepared to allow the draft Strategy to be advertised if major alterations are made to the draft (those alterations are detailed later in this report). A copy of the schedule of modifications is in the Elected Members Report / Information Bulletin.

STATUTORY REQUIREMENTS

10. As detailed above, the WAPC will not consider an amendment to either Town Planning Scheme for a retail activity unless the proposal is in accordance with a retail strategy adopted by both the City and the WAPC. Once that process is completed, the WAPC will then recognise that document within the State Planning Policy framework, through a regulatory process.
11. No budget exists to undertake a substantial review of the draft strategy and Council will need to resolve to allocate a budget if the strategy is to be progressed.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

POLICY IMPLICATIONS

12. The City of Albany's Local Planning Strategy (ALPS) has progressed the broader principles of the RDS with the WAPC's endorsement. The ALPS describes the general location and form of the "district shopping" requirements. However, the ALPS does not detail the more specific floor space requirements, etc and it will rely upon the RDS to provide direction on the retail components that will be incorporated into the Community Planning Scheme; failure to resolve that future direction would result in the current scheme provisions being moved forward for the immediate future.

FINANCIAL IMPLICATIONS

13. The City issued a contract to Shrapnel Urban Planning to prepare a draft retail strategy document, with agreement that the City would assume responsibility for the process following advertising.
14. The efflux of time since the draft was prepared has allowed the DPI to gather additional data on Albany's retail environment and one of the requirements imposed by the WAPC is that the retail modelling be updated to incorporate the more recent data. Shrapnel Urban Planning retain the underlying analysis and the data is of little value to anyone other than a specialist retail planning consultancy.
15. Mr Shrapnel has been asked to provide a quotation to update his research and that quotation was not available at the time the agenda was prepared.

STRATEGIC IMPLICATIONS

16. In the absence of a replacement commercial strategy, *The Albany Commercial Strategy (2000)* will remain in place and guide all decision-making on retail activities.

COMMENT/DISCUSSION

17. The following modifications would need to be undertaken to the draft strategy to place it on advertising at the earliest opportunity;

Base data

Information contained in the modelling is to be updated to incorporate more recently collected data and the findings are to be reviewed in light of the additional information:

18. Advice from Mr Shrapnel indicates that his modelling can be reviewed in light of the more recent data at minimal cost. Furthermore, he considers the final recommendations are unlikely to be changed based upon the quantum of change identified in the base data. The additional information will modify the base data but is unlikely to result in a changed recommendation on the timing of future projects or the need for additional floor space to accommodate new retail activities.
19. A strategy released for public comment should ideally be based upon the most recent and accurate information available. The WAPC's instruction is supported by staff.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

Central Area Mixed Business Area

The provisions of a minimum floor area for stand alone, big box retail developments that may be constructed on the northern fringe of the CBD under the strategy:-

20. The area immediately located to the north and west of the CBD is ideally located to accommodate a “big box retail” activity (eg. Macro Warehouse or Office Works) should those businesses wish to locate in Albany. Those activities are regional serving and should be located as close as possible to the CBD to reinforce the function of the CBD. Those activities are however classified as a “SHOP” under the Scheme and a mechanism needs to be put in place to ensure small CBD businesses are not attracted to this area to the detriment of the viability of the CBD.
21. The solution promoted by the WAPC is to put in place mechanisms to require new developments to be “stand alone” and to have a minimum floor area. In essence, the requirement will ensure a new business is the sole activity on the site and it occupies a minimum floor area in the order of 1500m². The WAPC’s instruction is supported by staff as it represents a major departure from the current strategy which limits all retail expansion to the existing CBD and neighbourhood shopping centres.

Central Area Mixed Business Area

Remove the potential for food retailing to occur in the area proposed as the Central Area Mixed Business Area:-

22. The WAPC is concerned that the strategy is promoting additional food retailing in close proximity to the CBD when a number of neighbourhood centre sites have been earmarked for development and remain undeveloped. Mr Shrapnel was asked to look at the former Barnesby Ford site as a site for an Action supermarket as part of the project brief. Mr Shrapnel advised Council that he would not have recommended the site in favour of the neighbourhood centre sites and that he could “live with the site” due to its relative proximity to the existing CBD. That position has been disputed by DPI staff and has been a major factor in delaying the WAPC’s consideration of the draft strategy.
23. Current modelling indicates that there is sufficient retail expenditure in the food area to justify an additional supermarket in Albany. Sites at Bayonet Head and Orana remain undeveloped and under consideration by potential developers. The WAPC’s instruction is supported by staff and the former car yard should be retained for a bulky goods / showroom activity; this recommendation is consistent with staff’s initial advice on the scheme amendment request.

Central Area Mixed Business Area

Wording in the strategy is to be changed to facilitate residential uses on the northern fringe of the CBD;

24. The neighbourhood adjacent to Stead Road is primarily residential buildings and the strategy promotes a future where those residences would be surrounded by business and industrial land uses. Over time, the quality of the living environment for residents would diminish as land conversion occurred. Notwithstanding that some properties are currently being redeveloped for residential purposes, staff felt that situation will change in the medium to long term and are confident that the locality would become an undesirable area to maintain residential buildings amongst the big box retail uses.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

25. To expedite the RDS, staff consider there is some rationale in acknowledging that the area would remain a “mixed use” area in the short to medium term and are prepared to support the WAPC’s instructions. An alternate point of view may be presented during the advertising period.

Central Business Area

Wording in the strategy should be changed to clearly articulate that showroom, car sales and similar activities are not suitable in the CBD;

26. The value of CBD land is such that it would be uneconomical for a developer to consider a new showroom land use in the CBD. The fine grained character of the CBD would also act as a disincentive for this form of land use to be developed. The WAPC’s instruction is supported by staff.

Central Business Area

Inner city living activities need to acknowledge the continuance of live entertainment and other activities capable of generating noise;

27. This requirement is more relevant to the Community Planning Scheme than to the RDS as it relates to development control principles. The requirement can be accommodated by the addition of some minor wording into the RDS. The WAPC’s instruction is supported by staff.

Central Business Area

Wording changes are required to ensure that land uses can occur within all of the CBD and not just sections of it. The RDS should also remove all references to matters relating to development control principles;

28. The RDS promoted land use “themes” within the CBD, with the southern section more appropriately developed for tourism land uses, the central area for offices and entertainment and the northern portion for more conventional retail uses. An “indicative” land use table was inserted into the RDS to provide an indication of how this segregation of uses could be encouraged. Staff are not opposed to the WAPC’s request and suggest that those sections examining development control mechanisms be deleted. Once the strategic direction has been set, the mechanisms to implement the findings are best addressed through the Community Planning Scheme. Staff would be encouraging a mixture of land uses throughout the CBD in the near future to increase the appeal of the town centre and make it more attractive for reinvestment into the City’s retail fabric; any deliberative action to segregate land uses could only be considered in the future, once the vitality of the CBD has been reinstated.

Statement on Office and Non Retail Uses

The RDS is to address the location of office, commercial and other non-retail uses;

29. The current strategy has several paragraphs dealing with the development of office activity within the City. Those statements are very general in nature and are not reinforced with any detailed analysis of the preferred locations for office developments. The WAPC requires Council to place similar statements into the RDS and staff support that instruction.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

Catalina Neighbourhood Shopping Centre

The Regional Sub-centre classification applied to the Catalina site is to be removed from the strategy and it is to be recognised only as a neighbourhood centre;

30. Mr Shrapnel advised that the Catalina site could be considered as a future regional sub-centre site and he also advised that there was insufficient demand for floor space to identify the site for that purpose within the life of the RDS (5 to 8 years). Following a deputation of staff from Woolworths and the landowners, Council removed all references to the timing of development on this site, with the intention of pursuing an amendment in the near future to provide for the development of a DDS on the land.
31. The retail modelling undertaken by Mr Shrapnel, reinforced by demographers within the DPI, demonstrates that the City already is oversupplied with non-food retailing floor space. Whilst new showroom sales developments are proceeding within the City, the RDS and DPI figures show that there is a greater tendency for existing businesses to relocate to newer and more appropriate floor space, rather than introducing new activities to the region and adding to the total volume of floor space used for this purpose. In discussions with DPI staff and the WAPC chairman, it was evident that they were strongly of the opinion that the region cannot justify a third DDS in the City in the near future.

Options

32. Council has four options that it can pursue to progress the RDS. They are;
- Carry out the modifications, advertise the draft strategy and await feedback from landowners and the public;
 - Carry out the modifications, advertise the strategy with the intention of using the period during the advertising period to undertake more detailed research on areas of concerns and then lodge a submission on the draft strategy to introduce that research;
 - Do nothing and abandon the process of preparing a draft strategy (this option leaves a policy void and creates potential problems for future retail developers); or
 - Object to the modifications and request the WAPC to reconsider its position on the areas of concern.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

RECOMMENDATIONS

1. **THAT Council agrees to carry out the modifications requested by the Western Australian Planning Commission on the draft Retail Development Strategy and requests City of Albany staff to arrange for the draft strategy to be advertised at the earliest opportunity.**

Voting Requirement Simple Majority

.....

2. **THAT Council, pursuant to Section 6.8 of the Local Government Act 1995, resolves to allocate the sum of \$11,000 exc GST within the 2006/07 budget for Shrapnel Urban Planning to complete the required modifications to the Albany Retail Development Strategy outlined by the Western Australian Planning Commission.**

Voting Requirement Absolute Majority

.....

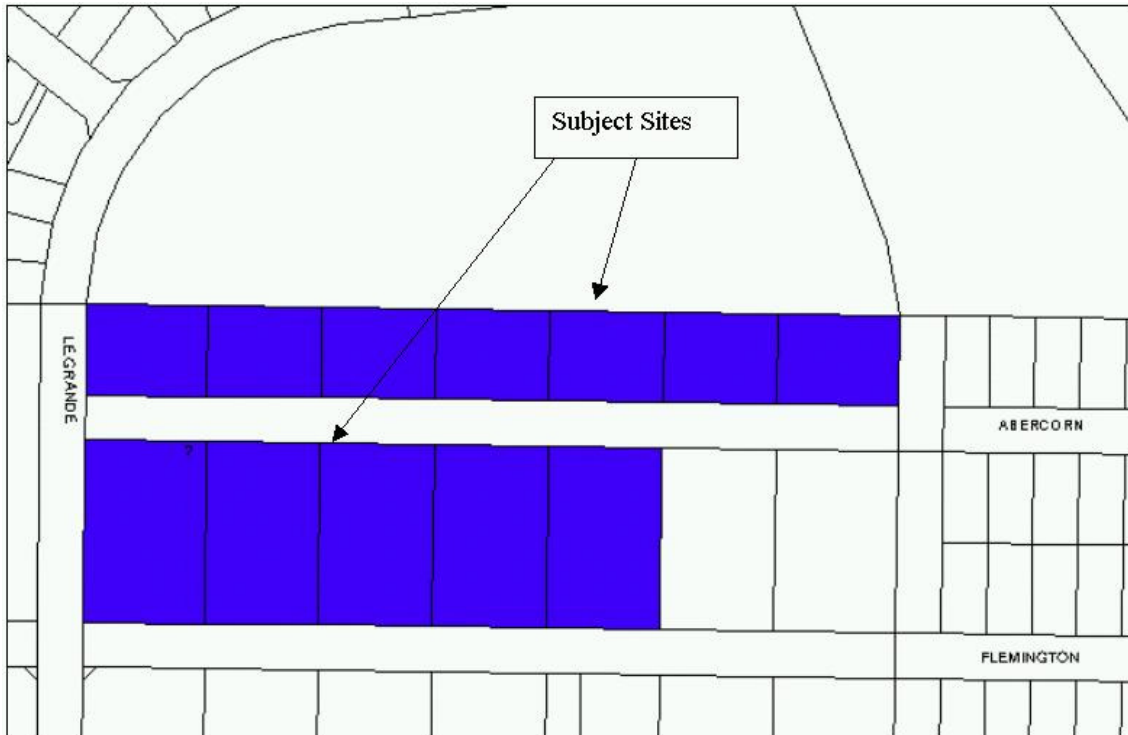
DEVELOPMENT SERVICES REPORTS

11.3.2 Initiate Scheme Amendment – Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14 and 100 Abercorn and Flemington Streets, Orana

File/Ward	:	AMD 149 (Vancouver Ward)
Proposal/Issue	:	Rezone Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13 and 14 Abercorn and Flemington Streets, Orana from 'Public Purpose' and 'Parks and Recreation' to 'Future Urban'; rezone Lot 100 Abercorn Street and part Lot 100 Flemington Street, Orana from 'Public Purpose' and 'Parks and Recreation' to 'Future Urban' and Local Road.
Subject Land/Locality	:	Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14 and Lot 100 Abercorn and Lot 100 Flemington Streets, Orana
Proponent	:	SJB Town Planning and Urban Design
Owners	:	Department of Education and Training (Lots 12 & 13), the Crown (Lots 2, 3, 5, 10, 11 and 14) and Private Ownership (Lots 1, 4, 6, 7, Abercorn and Flemington Streets)
Reporting Officer(s)	:	Planning Officer (A Nicoll)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Initiate amendment
Bulletin Attachment	:	Amendment documentation
Locality Plan	:	

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued



BACKGROUND

1. The application received on behalf of the Department of Education and Training is a formal request to, rezone Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13 and 14 Abercorn and Flemington Streets, Orana from 'Public Purpose' and 'Parks and Recreation' to 'Future Urban' and to rezone Lot 100 Abercorn Street and part Lot 100 Flemington Street, Orana from 'Public Purpose' and 'Parks and Recreation' to 'Future Urban' and Local Road.
2. The Lots 8 and 9 adjoining, have not been included as part of this application because they have already been granted final approval (AMD150) to be zoned for residential purposes.

STATUTORY REQUIREMENTS

3. The subject land is reserved in the Town Planning Scheme 1A (TPS1A) for 'Public Purpose' and 'Parks and Recreation'. The reserve areas are not being used for the purposes reserved. As indicated by the Department of Education and Training, this area is considered surplus to land necessary for education and training.
4. Land included in the 'Future Urban' zone is recognised in the TPS1A as being suitable for residential development in accordance with a 'Local Structure Plan' approved by Council and submitted in a form consistent with Commission Guidelines for approval of the Western Australian Planning Commission.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

5. Flemington and Abercorn Streets servicing the subject land are private roads. Where the public has had uninterrupted use for a period of not less than 10 years, and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road (*Section 56, Land Administration Act 1997*). If land comprising a private road is revested in the Crown, a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that revesting (*Section 55, Land Administration Act 1997*).
6. Council's resolution under the Planning and Development Act 2005 is required to amend the Scheme.
7. An amendment to a Town Planning Scheme adopted by resolution of a local government is to be referred to the Environmental Protection Authority (EPA) for assessment.
8. Advertising of an amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the amendment is environmentally acceptable.
9. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

POLICY IMPLICATIONS

10. Local government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.
11. The West Australian Planning Commission (WAPC) 'Statements of Planning Policy No's 1 and 3' establish the general principles for planning in Western Australia. They're primary aim being to provide for the sustainable use and development of land by reducing energy consumption. This can be achieved by supporting developments as logical extensions of existing settlements that have retail, service and community infrastructure. The application to rezone this site provides an opportunity for development in keeping with the principles defined in the WAPC policies 1 and 3.

FINANCIAL IMPLICATIONS

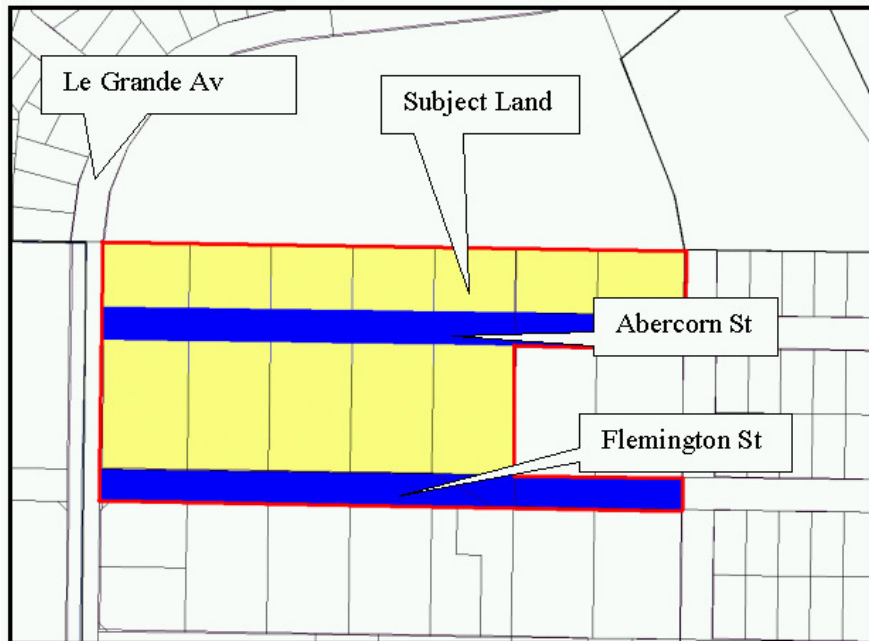
12. Council's infrastructure such as roads, paths and drainage may need to be upgraded in order to support the infill development.

STRATEGIC IMPLICATIONS

13. The subject site is identified within Council's Draft Albany Local Planning Strategy (2005) as being most suitable for residential development, therefore; there are no strategic implications relating to this item.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued



COMMENT/DISCUSSION

Proposal

14. A concept plan has been included in the amendment documentation to illustrate an internal road network linking to the surrounding infrastructure, an area of public open space (central and adjacent to the reserve land to the north), variations in density over the site (R20 and R30), road closures and buffer areas to the reserve to the north (for surveillance and fire safety).

Environmental Assessment

15. An assessment conducted by Ecoscape Pty Ltd (Environmental Consultants) has been included in the amendment documentation to determine the heritage significance, soil, groundwater, flora and fauna of the site. The assessment concluded that; “no environmental impediments to development were identified”. A copy of the assessment report is included in the amendment report, which is contained in the Elected Members Report/Information Bulletin.

Road Closure and Vesting

16. The gazetted roads Abercorn and Flemington, which form part of the area subject to this amendment, are privately owned. Under the proposal, Abercorn Street is to be closed and Flemington Street developed. A process will need to be undertaken in accordance with the Land Administration Act 1997 to revest the roads and to close Abercorn Street.

Structure Planning

17. The structure plan required at the subdivision/development stage will further identify requirements for the:
 - provision of group dwellings;
 - development of internal roads;
 - upgrading of supporting roads, intersections, paths, drainage, POS and other;
 - closure of existing roads not required (Abercorn Street);

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

- cost sharing for the development of infrastructure (eg. POS, roads, drainage);
- a sites capability of development (geotechnical report);
- management for fire;
- staging of development; and
- the development of utilities (deep sewer, water, electrical, telecommunications, street lighting, fire hydrants);

Conclusion

18. In conclusion it is recommended that this Amendment be supported, as:
- the proposal complies with strategic planning and principles for sustainability;
 - the land is currently not used for any useful purpose;
 - there are no outstanding environmental concerns;
 - the site is in close proximity to amenities;
 - the proposal is in keeping with the zoning and land use surrounding; and
 - the future urban zoning will provide a better opportunity for the development of the property.

RECOMMENDATION

THAT Council, in pursuance of Section 75 of the Planning and Development Act resolves to amend the City of Albany’s Town Planning Scheme No. 1A by:

- i) rezoning Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13 and 14 Abercorn and Flemington Streets, Orana from ‘Public Purpose’ and ‘Parks and Recreation’ to ‘Future Urban’;
- ii) rezoning Lot 100 Abercorn Street and part Lot 100 Flemington Street, Orana from ‘Public Purpose’ and ‘Parks and Recreation’ to ‘Future Urban’ and Local Road; and
- iii) amending the Scheme Maps accordingly.

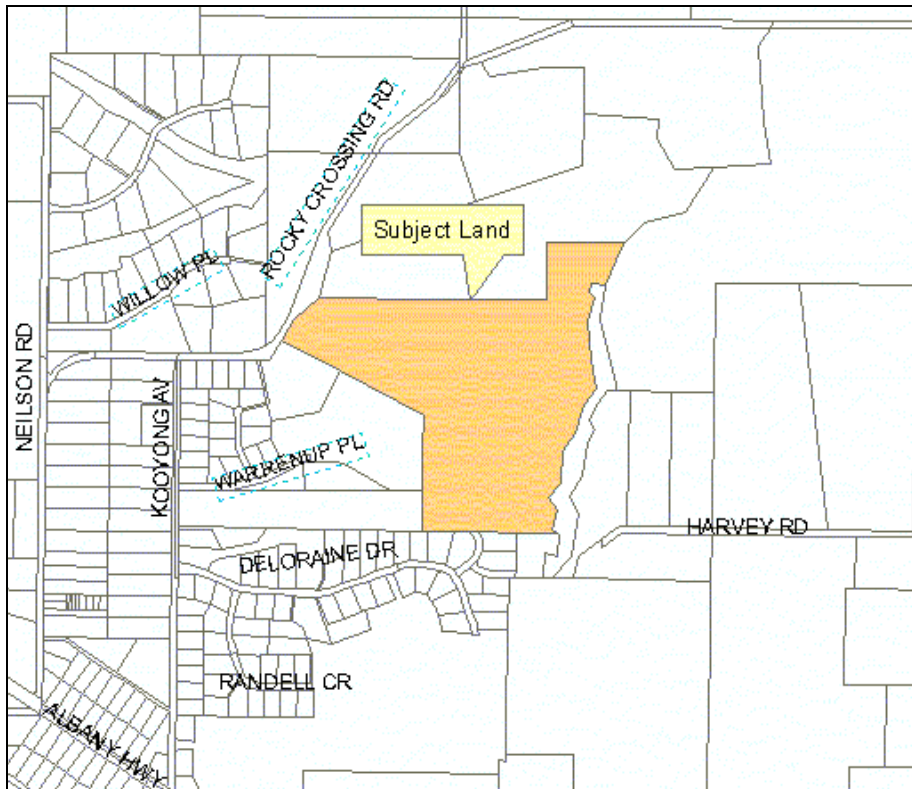
Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

11.3.3 Final Approval for Scheme Amendment – Lot 5 Rocky Crossing Road, Warrenup

File/Ward	: A66905A (Kalgan Ward)
Proposal/Issue	: Rezone Lot 5 Rocky Crossing Road, Warrenup from Rural to Special Residential
Subject Land/Locality	: Lot 5 Rocky Crossing Road, Warrenup
Proponent	: Ayton Taylor & Burrell
Owner	: W. Noble
Reporting Officer(s)	: Planning Officer (A Nicoll)
Disclosure of Interest	: Nil
Previous Reference	: OCM 26/09/00 - Item 11.1.5 OCM 21/02/06 - Item 11.3.8 OCM 21/03/06 - Item 11.3.3 OCM 19/09/06 - Item 11.3.7
Summary Recommendation	: Grant final approval
Bulletin Attachment	: Nil
Locality Plan	:



DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

BACKGROUND

1. The application to rezone Lot 5 Rocky Crossing Road, Warrenup from 'Rural' to 'Special Residential' was previously supported by Council on 21 March 2006, subject to:

“the Amendment documents being modified to the satisfaction of the Executive Director Development Services to reflect the following;
 - (a) *introduce suitable scheme provisions to ensure the remediation of the former extractive industry and uncontrolled landfill site, road upgrading, drainage functions and upgrading of Public Open Space;*
 - (b) *modify the report to address minor irregularities and clarify development requirements; and*
 - (c) *alter the subdivision guide plan for Special Residential Area No 12 to acknowledge lot 5, but exclude those lots where appropriate on-site effluent solutions cannot be achieved.”*
2. Suitable provisions have now been added, the report has been modified and the subdivision guide plan has been changed as requested at the 21 March 2006 Council meeting.
3. The application was then assessed by the Environmental Protection Authority (EPA) and referred to the Department of Health, the Water Corporation, Western Power and the public. A number of comments were received, which have been tabled in the schedule of submissions at the end of this report.
4. The application was then submitted to the 19 September 2006 Council meeting in order to request final approval. At this meeting it was resolved to lay the item on the table until such time as information is presented to Councillors outlining the impacts of the Willyung Creek Floodplain Study and proposed reduction of lot sizes on the Willyung Creek Floodplain.
5. The information requested has now been presented to the Councillors and hence this report item requesting final approval.

STATUTORY REQUIREMENTS

6. The amendment was initiated under Section 7 of the Town Planning and Development Act 1928. That Act has since been repealed and replaced with the Planning and Development Act 2005.
7. Council is required under section 75 of the Planning and Development Act to consider the submissions lodged on the scheme amendment and resolve to progress the amendment without change, to progress the amendment subject to the modifications or recommend that the amendment not proceed. The final decision on the scheme amendment rests with the Minister for Planning and Infrastructure.

POLICY IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

10. The Albany Local Planning Strategy (Draft) (ALPS) and the Lower Great Southern Strategy (20-30 year strategy for the Great Southern Region), review the importance to plan taking into consideration the most sustainable use of land. As indicated by the ALPS indicative plan, this area is to be set-aside for 'future residential'. The ALPS does not differentiate between low density and higher density residential developments. Given the proposal represents an extension to the existing Special Residential zone to the south, and there is no sewer available in the immediate area, the current proposal represents the highest and best residential use of the land.

COMMENT/DISCUSSION

11. The amendment report proposes the rezoning of Lot 5 Rocky Crossing Road, Warrenup from 'Rural' to 'Special Residential'. Land capability assessments have been completed for the site by suitably qualified practitioners to confirm the capability of the site for development.
12. The lots adjacent to the foreshore area (Willyung Creek) have been strategically positioned to allow for a development area within the recommended limit of waste water disposal and moist low lying soils. All the lots in the lower portions of the site are to have nutrient absorbing wastewater treatment systems.
13. The land to the south (adjacent) is zoned Special Residential area No.12, the provisions of which are to be applied to this area. Due to the environmental sensitivity of the area, additional provisions for site remediation and stormwater management were added. In order to reflect principles of sustainability and demand of lot sizes, an additional provision was also included to allow for a minimum lot size of 3000m². The smaller 3000m² lots proposed within the development are large enough to enable adequate setbacks, buffers and visual management to development.
14. The foreshore area adjacent to the Willyung Creek has been set aside as a reserve for parks and recreation and will enhance the amenity of the area, filter stormwater runoff and enable fauna to move throughout. Vegetation planting will be required at the time of subdivision, which will help to improve filtration and the Kangaroo habitat.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

RECOMMENDATION

THAT Council, in pursuance of Section 75 of the Planning and Development Act resolves to amend the City of Albany’s Town Planning Scheme No. 3 by:

- i) rezoning Lot 5 Rocky Crossing Road, Albany from ‘Rural’ zone to ‘Special Residential’ and ‘Parks and Recreation Reserve’;**
- 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;**
- iii) incorporating Lot 5 within Schedule IV – Special Residential Area 12;**
- iv) adopting additional provisions for Special Residential Area 12; and**
- v) amending the Scheme Maps accordingly.**

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

Planning & Development Act 2005
 Town Planning Scheme No. 3- Amendment No. 218
 Schedule of Submissions for rezoning Lot 5 Rocky Crossing Road, Albany
 from 'Rural' zone to 'Special Residential and 'Parks and Recreation Reserve'

Submitter	Submission	Officer Comment	Council Recommendation
<p>1. Environmental Protection Authority. Westralia Square 141 St Georges Terrace Perth, Western Australia</p>	<p>a) The redetermination of the POS in the vicinity of Lot 43 is required because much of the area is subject to inundation and is unsuitable for development.</p> <p>b) A scheme provision being included to require the preparation of a 'Foreshore Management Plan' prior to development/subdivision.</p> <p>c) All stormwater is to be designed in accordance with principles of best management. Refer to the Department of Water manual 'Managing Urban Stormwater Quality in Western Australia'.</p>	<p>a) The soil analysis conducted by Wood and Grieve Engineers indicates that this lot is capable in areas of handling nutrient absorbing waste water disposal systems. The land capability assessment conducted by 'Landform Research' indicates areas large enough to cater for development, which are outside of the 'limit of moist low lying soils'.</p> <p>b) Provision 7.4 of the special residential zone already provides the opportunity for the Local Government to make a requirement for a foreshore management plan to cover tree shrub planting, access, fencing and invasion weed control in the foreshore areas.</p> <p>c) Provision 12.2 of the special residential area makes a requirement for the preparation at the time of subdivision of a Stormwater Management Plan utilising water sensitive design principles. The 'Manual for Managing Urban Stormwater Quality in Western Australia' is a Water and Rivers Commission policy document. The Water and Rivers Commission/Department of Environment/Department of Water have the opportunity to provide comment to the West Australian Planning Commission at the time of subdivision requiring the design of drainage in accordance with their policy document.</p>	<p>a) Dismiss</p> <p>b) Dismiss</p> <p>c) Dismissed</p>

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

2.	Water Corporation Great Southern Regional Office ALBANY WA 6330	<p>d) Prospective purchasers should be advised that all dwellings constructed on the proposed lots are to be connected to alternative on site effluent disposal systems.</p> <p>e) Prior to any sand excavation and landfill, a Contamination Report is to be submitted to the satisfaction of the Department of Environment and Conservation.</p>	<p>d) Prospective purchasers are to be given a copy of the provisions prior to entering into an agreement to acquire any property. On receiving a copy, notwithstanding provision 9.3, as required by provision 9.2, all the lots shall utilize effluent disposal systems that retain nutrients.</p> <p>e) Provision 12.1 already makes the requirement for a geotechnical site investigation to determine site remediation measures prior to the clearance of the subdivision.</p>	<p>d) Dismiss</p> <p>e) Dismiss</p>
3.	J & M Plug 59 Deloraine Drive WARRENUP WA 6330	<p>a) No objection</p> <p>a) The proposed 3000m² lots proposed will affect the amenity of the area.</p> <p>b) The lots close to the water course should be preserved as public open space.</p>	<p>a) Nil</p> <p>a) The smaller 3000m² lots are large enough to enable adequate setbacks, buffers and visual management.</p> <p>b) The reporting conducted by suitably qualified engineers indicates that the lots adjacent to the foreshore reserve are all capable of handling development and effluent disposal. The winter wet waterlogging areas have already been set aside for public open space.</p>	<p>a) Noted</p> <p>a) Dismiss</p> <p>b) Dismiss</p>
4.	G Heffernan 71 Deloraine Dive WARRENUP WA 6330	<p>a) Effluent disposal has the potential to contaminate the Willyung Creek.</p> <p>b) An independent study of the water course is required.</p>	<p>a) All the lots in the lower portions of the site are to have nutrient absorbing waste water treatment systems.</p> <p>b) 'Landform Research' (environmental management consultants) conducted an independent study of the area to confirm its suitability for development.</p>	<p>a) Dismiss</p> <p>b) Dismiss</p>

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

		<p>c) The habitat of a large colony of Grey Kangaroos will be lost.</p> <p>d) The character of the subdivision will be diminished due to the development of lots less than 4000m².</p> <p>e) Some of the lots are subject to flooding.</p>	<p>c) Large areas have been set aside as reserve for parks and recreation. These areas are set-aside as corridors enabling fauna to move throughout. Vegetation planting will be required at the time of subdivision, which will help to improve the Kangaroo habitat.</p> <p>d) Same as 'officer comment 3(a).</p> <p>e) Small areas within lots 28-30, 43 and 51-54 are below the 'limit of moist low lying soil', however, there are large enough areas (above the 'limit of moist low lying soil') within each of these lots capable of handling development and effluent disposal.</p>	<p>c) Noted</p> <p>d) Dismiss</p> <p>e) Noted</p>
<p>5.</p>	<p>L Wallis and D Edwards 79 Deloraine Drive WARRENUP WA 6330</p>	<p>a) The proposal to allow minimum lot sizes of 3000m² will alter the character and degrade the amenity of the area.</p> <p>b) The lots adjacent to the Wilyung Creek are subject to flooding. Further investigation should be carried out before this proposal proceeds</p>	<p>a) Same as 'officer comment 3(a).</p> <p>b) Small areas within lots 28-30, 43 and 51-54 are below the 'limit of moist low lying soil', however, there are large enough areas (above the 'limit of moist low lying soil') within each of these lots capable of handling development and effluent disposal. Investigation has already been conducted and included in the amendment report to prove the capability of development on the proposed lots.</p>	<p>a) Dismiss</p> <p>b) Dismiss</p>
<p>6.</p>	<p>P & V Webster PO Box 989 ALBANY WA 6330</p>	<p>a) Some of the lots proposed are located in flood prone areas.</p>	<p>a) Small areas within lots 28-30, 43 and 51-54 are below the 'limit of moist low lying soil', however, there are large enough areas (above the 'limit of moist low lying soil') within each of these lots capable of handling development and effluent disposal.</p>	<p>a) Dismiss</p>

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

7.	G and A van der Wal 89 Deloraine Drive WARRENUP WA 6330	b) The 3000m ² lot size proposed will impact on the character of the area and set a precedent for other smaller lot development.	a) The lots adjacent to the foreshore reserve are at risk from water damage after heavy rainfall. b) There is an obvious hazard in the waiting due to sewerage disposal. c) Further development will detract from the character of the area at present.	Same as 'officer comment 3(a).	a) Small areas within lots 28-30, 43 and 51-54 are below the 'limit of moist low lying soil', however, there are large enough areas within each of these lots (above the 'limit of moist low lying soil') capable of handling development and effluent disposal. At the time of subdivision, the local government has the opportunity to require the planting of vegetation in the moist areas to help lower the water table. b) The soil analysis conducted by Wood and Grieve Engineers indicates that all the proposed lots are capable in areas of handling nutrient absorbing waste water disposal systems. c) Considering the similarity in design of the proposed subdivision guide plan to the existing development (adjacent), the large area of public open space proposed and the opportunity for vegetation planting, the proposal is expected to further enhance the character of the area.	b) Dismiss
----	---	---	---	--------------------------------	--	------------

..... CHIEF EXECUTIVE OFFICER

..... DATE

DEVELOPMENT SERVICES REPORTS

11.4 RESERVES PLANNING

Nil

DEVELOPMENT SERVICES REPORTS

11.5 DEVELOPMENT SERVICE COMMITTEES

11.5.1 Cat Local Law Working Committee

File/Ward	:	MAN052 (All Wards)
Proposal/Issue	:	Committee Items for Council Consideration.
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Summary Recommendation	:	That the Minutes of Cat Local Law Working Committee held on 22 September 2006 be adopted.

RECOMMENDATION

THAT the minutes of the Cat Local Law Working Committee held on 22 September 2006 be received (copy of minutes follow this report) and that the following motions are adopted:

2.1 RECOMMENDATION

The committee resolved that the following persons be contacted and requested to join the committee to provide technical advice:

City of Albany Ranger, CALM, Animal Carers Group, Local Vet (write to AVA).

2.2 RECOMMENDATION

Councillor Roley Paver	Elected Member Representative
Julie Slattery	Albany Residents and Ratepayers Association Representative
Ray Garstone	Albany Bird Group
Jillian Williams	Member YSPA/Environmental Centre
Anne Bondin	Bushcarers Group Inc.
Deb Walker	Ranger– Non-voting City of Albany Staff
Caroline Pugh	Ranger Admin Officer - Non-voting City of Albany Staff
(vacant)	RSPCA Representative
Charlie Davis	Frenchman Bay Association
Graeme Bride	Manager Ranger Services - Non-voting City of Albany Staff

The Committee resolved that a request be forwarded to Council to endorse the above representatives as Members of the Cat Local Law Working Committee.

5.1 RECOMMENDATION

“.....to prepare for Council's consideration within nine months a draft local law on cat control with particular emphasis on the compulsory registration, identification and sterilisation of cats within the City of Albany.”

The committee resolved to adopt the terms of reference as written above.

Voting Requirement Simple Majority

DEVELOPMENT SERVICES REPORTS

Item 11.5.1 continued

MINUTES

**MINUTES OF THE MEETING OF THE CAT LOCAL LAW WORKING COMMITTEE MEETING
HELD AT THE NORTH ROAD ADMINISTRATION OFFICE
(WILLIAM FINLAY FUNCTION ROOM)
ON FRIDAY 22 SEPTEMBER 2006 AT 10.0AM**

1. ELECTION OF PRESIDING AND DEPUTY PRESIDING MEMBER

1.1 Election of Presiding Member

The Committee nominated Julie Slattery as Presiding Member.

1.2 Election of Deputy Presiding Member

The Committee nominated Anne Bondin as Deputy Presiding Member.

2. ATTENDANCES

Councillor Roley Paver	Elected Member Representative
Julie Slattery	Albany Residents and Ratepayers Association Representative
Ray Garstone	Albany Bird Group
Jillian Williams	Member YSPA/Environmental Centre
Anne Bondin	Bushcarers Group Inc.
Robert Fenn	Executive Director Development Services
	Non-voting City of Albany Staff
Deb Walker	Ranger– Non-voting City of Albany Staff
Caroline Pugh	Ranger Admin Officer– Non-voting City of Albany Staff

APOLOGIES

Charlie Davis	RSPCA Representative
Graeme Bride	Frenchman Bay Association
	Manager Ranger Services - Non-voting City of Albany Staff

2.1 RECOMMENDATION

The committee resolved that the following persons be contacted and requested to join the committee to provide technical advice:

City of Albany Ranger, CALM, Animal Carers Group, Local Vet (write to AVA).

2.2 RECOMMENDATION

The Committee resolved that a request be forwarded to Council to endorse the above representatives as Members of the Cat Local Law Working Committee.

3. DISCLOSURE OF INTEREST

Nil

4. CONFIRMATION OF PREVIOUS MINUTES

Nil

DEVELOPMENT SERVICES REPORTS

Item 11.5.1 continued

5. FUNCTIONS & TERMS OF REFERENCE OF THE COMMITTEE

The Council resolution of 20 June 2005 sets the terms of reference for the Committee:

“.....to prepare for Council's consideration within nine months a draft local law on cat control with particular emphasis on the compulsory registration, identification and sterilisation of cats within the City of Albany.”

5.1 RECOMMENDATION

The committee resolved to adopt the terms of reference as written above.

6. NEW BUSINESS

6.1 Consideration of Existing WA Local Laws and Eastern States Cat Legislation

It was agreed that the City of Albany would compile details on WA local laws and seek access to Shire of Sherbrook and the Victorian Cat Act for members.

6.2 Identification of the Effect and Purpose of Local Law

It was agreed that the Shire of Capel local law be used as an initial template to assist the committee.

6.3 Educational Program

It was agreed that an educational program should follow the adoption of a local law and that the program was a responsibility of the City and beyond the Terms of Reference of the committee.

7. MEETING CLOSED

The meeting closed at 11.25am.

8. NEXT MEETING

The next Cat Local Law Working Committee Meeting will be held at North Road Administration Office (William Finlay Function Room) on Friday 3 November at 10.00am.

Corporate & Community Services

REPORTS

- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment

File/Ward	:	FIN 040 (All Wards)
Proposal/Issue	:	N/A
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Finance (S Goodman)
Disclosure of Interest	:	Nil.
Previous Reference	:	N/A
Summary Recommendation	:	Council adopt the list of accounts for payment.
Bulletin Attachment	:	List of accounts for payment
Locality Plan	:	N/A

COMMENTS / DISCUSSION

- The list of account for payment for the City of Albany is included within the Elected Members Report & Information Bulletin and contains the following:-

Municipal Fund			
Cheques		Totalling	\$141,695.90
Electronic Fund transfer		Totalling	\$2,386,752.57
Credit Cards		Totalling	\$19,439.79
Payroll		Totalling	\$779,981.47
Total			<u>\$3,327,869.73</u>

- As at 3rd October 2006, the total outstanding creditors, stands at \$217,554.37
- Cancelled Cheques – 22426.

RECOMMENDATION

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

Municipal Fund	Totalling	<u>\$3,327,869.73</u>
-----------------------	------------------	------------------------------

Voting Requirement Simple Majority

.....

12.1.2 Financial Activity Statement – September 2006

File/Ward	:	FIN 040 (All Wards)
Proposal/Issue	:	N/A
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Senior Accounting Officer (M Brenton)
Disclosure of Interest	:	Nil.
Previous Reference	:	N/A
Summary Recommendation	:	Note Financial Activity Statement
Bulletin Attachment	:	Nil
Locality Plan	:	N/A

COMMENT/DISCUSSION

1. The Financial Activity Statement was introduced by the Department of Local Government and Regional Development from 1st July 2005. The change was implemented to provide elected members with a better idea of operating and capital revenues and expenditure. It was also intended to link operating results with balance sheet items and reconcile with the end of month cash balances.

STATUTORY REQUIREMENTS

2. Section 6.4 of the Local Government Act 1995 requires that financial reports be prepared and presented in the manner and form prescribed in the regulations. Regulation 34 has been amended to require that Councils report on the sources and applications of funds on a monthly basis, and that the report be noted by Council.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

4. There are no financial implications. The Financial Activity Statement is a report only.

STRATEGIC IMPLICATIONS

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

ORDINARY COUNCIL MEETING MINUTES – 17/10/06
** REFER DISCLAIMER **
CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.2 continued

COMMENT/DISCUSSION

6. The Financial Activity Report and report on major variances follow.

RECOMMENDATION

THAT Council note the attached Financial Activity Statement for the month of September 2006.

Voting Requirement Simple Majority

.....

ORDINARY COUNCIL MEETING MINUTES – 17/10/06
 ** REFER DISCLAIMER **
CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.2 continued

FINANCIAL ACTIVITY STATEMENT – SEP 06

	Actual Year to Date 30-Sep-06	Current Budget Year to Date 30-Sep-06	Budget Variance
OPERATING INCOME			
Rates	16,567,008.82	16,467,661	99,348
Grants & Subsidies	937,210.44	892,845	44,365
Contributions. Reimb & Donations	78,109.57	44,417	33,693
Fees & Charges	3,524,640.81	3,449,255	75,386
Interest Earned	204,570.59	201,112	3,459
Other Revenue / Income	222,389.15	226,491	(4,102)
Net Controlled Trust Revenue	20,727.27	109,273	
	21,554,656.65	21,391,054	252,148
OPERATING EXPENDITURE (excluding depreciation)			
Employee Costs	(2,913,043.25)	(2,804,054)	(108,989)
Utilities	(178,079.91)	(166,029)	(12,051)
Interest Expenses	46,487.92	0	46,488
Contracts & materials	(1,384,990.44)	(1,579,171)	194,181
Insurance expenses	(360,378.21)	(332,793)	(27,585)
Other Expenses	(433,665.78)	(469,271)	35,605
	(5,223,669.67)	(5,351,318)	127,648
CAPITAL INCOME			
Grants & Subsidies	174,491.82	250,687	(76,195)
Contributions. Reimb & Donations, Other	(500.00)	(500)	-
Proceeds from sale of assets	973,052.89	954,000	19,053
	1,147,044.71	1,204,187	(57,142)
CAPITAL EXPENDITURE			
Asset Masterplans	(449,293.42)	(462,852)	13,559
ALAC Redevelopment	(26,171.13)	(26,000)	(171)
Plant Replacement	(581,019.64)	(582,000)	980
Developers Subdivisions	0.00	0	-
Other Capital	(121,921.49)	(220,523)	98,602
	(1,178,405.68)	(1,291,375)	112,969
CASH FLOWS FROM FINANCING ACTIVITIES			
Loan Principal Repayment	(10,808.40)	0	(10,808)
Proceeds from Self Supporting Loans	2,750.00	2,750	-
Proceeds from new loans	0.00	0	-
	(8,058.40)	2,750	(10,808)
OTHER BALANCE SHEET ITEMS			
Change in stock position	55,920.04		
Change in Debtors	(3,809,794.23)		
Change in Creditors	(979,273.94)		
	(4,733,148.13)		
NET CASH FLOW	11,558,419.48		
Opening Cash balance	15,968,783.53		
NET CASH AT BALANCE DATE	27,527,203.01		

Cash Summary

Municipal Account	16,287,177.27
Reserve Account	8,146,105.26
Trust Account	3,093,920.48
Total Bank / Investments	27,527,203.01

ORDINARY COUNCIL MEETING MINUTES – 17/10/06
** REFER DISCLAIMER **
CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.2 continued

Explanation of Variances on Financial Activity Statement – September YTD 2006

OPERATING INCOME

Contributions. Reimb & Donations

Received Workers Compensation Rebate (\$30,375)....Prior years

OPERATING EXPENDITURE

Interest Expense:

05/06 Accrual reversals: -Timing only

City of Albany loans (\$46,488)

Contracts & Materials

05/06 Accrual reversal: -Timing only

Cleanaway Contract Rise & Fall (\$86,680) – Approved August Meeting. Invoice pending

CAPITAL INCOME

Grants & Subsidies

05/06 Accrual reversal: Receipt forthcoming

DPI Grant for Lake Weelar (\$75,000)

CAPITAL EXPENDITURE

Other Capital

05/06 Accrual Reversal: Peace Park (\$81,120) Invoice Pending

CASH FLOWS FROM FINANCING ACTIVITIES

Loan Principal Repayment

05/06 Accrual reversal: Timing only

RSJV- Loan Principal (\$10,808)

CORPORATE & COMMUNITY SERVICES REPORTS

**12.1.3 Community Sporting and Recreation Facilities Fund (CSRFF) 2006/07 – 2008/09
Triennium Applications**

File/Ward	:	FIN 022 (All Wards)
Proposal/Issue	:	Assessment of CSRFF Applications
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Of Community Development (M Weller)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil.
Summary Recommendation	:	That consideration be given to the CSRFF applications received by Council and these be given a priority ranking.
Bulletin Attachment	:	CSRFF applications
Locality Plan	:	N/A

BACKGROUND

1. The Community Sport and Recreation Facilities Fund (CSRFF) is administrated 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 Department of Sport and Recreation on behalf of the applicants.
2. Assessment and priority ranking on a regional level is then made by the Great Southern Regional Recreation Advisory Group.
3. All applications received from Western Australian organisations are assessed and recommendation made by the Department of Sport and Recreation CSRFF committee with the final decision on funding at the discretion of the Minister for Sport and Recreation.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.3 continued

FINANCIAL IMPLICATIONS

6. The following table provides detail of all applications received and indicates the proposed Local Government contribution, which may be requested of Council in relation to a Community Financial Assistance funding round.
7. While no Council decision has been made, or may be made, in relation to any of these contributions at this time, the Department of Sport and Recreation's CSRFF guidelines require Council to provide an indicative priority ranking and to assess each project's financial viability.

Organisation	Project detail	Total Project Cost (ex GST)	Applicant contribution (ex GST)	CSRFF Grant (ex GST)	Proposed Council contribution (ex GST)
Emu Point Sporting Club inc.	Replacement of lawn greens with carpet greens to increase the amount of time the surface can be played on (less affected by weather, no rest period required in between matches) and reduced maintenance requirements.	\$380,000	\$243,334	\$126,666	\$10,000
Albany Surf Life Saving Club	Extension of clubroom facilities to cater for current and future membership – currently the facilities offer 2.3 m ² per Member. The club indicates that other surf clubs have 5-7m ² per member and that the redevelopment will increase the facilities to 4.5m ² per ASLSC member	\$900,000	\$590,000 (Includes \$70,000 cash and in kind and a proposed \$520,000 through regional partnerships and lotteries)	\$300,000	\$10,000
King River Horse and Pony Club	Replacement of old pony yards at the Club and increasing the number of yards – Includes the use of low maintenance steel yards to increase the clubs sustainability	\$24,172	\$8,058	\$8,057	\$8,057

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.3 continued

8. Council contributions to any project would be subject to separate application under the Community Financial Assistance Fund in the year that their construction is intended to commence (2007/2008).

STRATEGIC IMPLICATIONS

9. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision:

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

- *Diverse and affordable cultural, recreational and sporting opportunities.*

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

- *excellent community infrastructure and services.*

City of Albany Mission Statement

The City of Albany is committed to...

- *Sustainably managing Albany's municipal assets*
- *Delivering excellent community services*

At all times we will...

- *Actively keep abreast of best practice*
- *Respect the Community's aspirations and resources.*

Priority Projects

Nil.”

10. Copies of project summaries completed by the applicants are included in the bulletin. The grant guidelines require Council to provide a ranking for the projects i.e. 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 & 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"/>

11. Project Rating:
 - a. Well planned and needed by municipality;
 - b. Well planned and needed by applicant;

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.3 continued

- c. Needed by municipality, more planning required;
 - d. Needed by applicant, more planning required;
 - e. Idea has merit, more preliminary work needed; and
 - f. Not recommended.
12. It is suggested that Council rank the applications in priority order and refer the completion of assessment criteria to the Manager of Community Development prior to submission of applications to the Department of Sport and Recreation.
 13. In relation to the application by the Albany Surf Life Saving Club (ASLSC) it is noted that the club indicates in their application that the City of Albany would be responsible for additional 'comprehensive maintenance requirements'.
 14. The club currently pays a nominal lease fee of \$500 per annum and the City has provided an estimated \$5,000 pa in maintenance expenditure over the past 8 years. This is a net subsidy of \$4500 per annum provided by the City.
 15. The club provides a community service of volunteer beach patrols and the City also pays \$9,700 per annum for the services of a professional lifeguard at Middleton Beach over summer.
 16. There has been no agreement in relation to the City accepting responsibility for additional maintenance as a result of the new facilities and it is recommended that approval for the project be subject to this agreement being made or the ASLSC agreeing to undertake the additional maintenance responsibility.
 17. The City of Albany Works Department also indicate that given previous maintenance problems the design and intended fittings of the building should be aimed at ensuring low maintenance and longevity in the salt environment occurring as a result of the buildings beachfront location. The club has indicated that they intend to do this as part of the project brief. This is of particular concern given the assumption of any maintenance responsibility by the City and it is recommended that approval for the project be subject to the Executive Director, Works and Services reviewing the design and specifications and being satisfied that the design takes into account the above.
 18. It is recommended that approval for all applications be subject to clubs demonstrating that they will set aside funds for the replacement of facilities at the end of their useful life.
 19. A ranking recommendation has been given based on the merits of each project as demonstrated in the submitted CSRFF application.
 20. While all projects appear worthwhile priority one ranking has been given to the Emu Point Sporting Club Application, as it is the most likely to directly influence the increase in physical activity at the club. This is given that the proposed playing surface would significantly increase the available amount of time which members can participate in the sport, as unlike turf it does not need to be 'rested' and is not as adversely affected by rain.

Item 12.1.3 continued

RECOMMENDATION

THAT;

- i) Council rank the four CSRFF applications received in the following order:-**

	ORGANISATION	PROJECT DETAIL
1	Emu Point Sporting Club inc.	Replacement of lawn greens with carpet greens to increase the amount of time the surface can be played on (less affected by weather, no rest period required in between matches) and reduce maintenance requirements.
2	Albany Surf Life Saving Club	Extension of club room facilities to cater for current and future membership – currently the facilities offer 2.3 m2 per Member. The club indicates that other surf clubs have 5-7m2 per member and that the redevelopment will increase the facilities to 4.5m2 per ASLSC member
3	King River Horse and Pony Club	Replacement of old pony yards at the Club and increasing the number of yards – Includes the use of low maintenance steel yards to increase the clubs sustainability

- ii) It is communicated to the Department of Sport and Recreation that all applications are worthy of funding under the CSRFF program and that it is believed the proposed total sum of \$434,723 is a reasonable request given the population and needs of Albany and the scope of the fund.**
- iii) all applications be referred to the Manager of Community Development for completion of the criteria assessment section of the applications and submission to the Department of Sport and Recreation; and**
- iv) those organisations seeking a Council contribution towards their CSRFF project 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 relevant year of CSRFF program, and that the Council’s priority ranking does not indicate funding will or won’t be approved.**
- v) That any late applications received before the last working day in October be ranked after the above projects, in the order they are received.**
- vi) That approval for the Albany Surf Life Saving Club application is subject to agreement being made with the City in relation to additional maintenance responsibility or the ASLSC agreeing to undertake this responsibility.**

Item 12.1.3 continued

vii) The Albany Surf Life Saving Club either:

- **providing written evidence to the City, that the design and specification ensures low maintenance and longevity in the salt environment occurring as a result of the buildings beachfront location; and the Executive Director of Works and Services returning written advice of satisfaction that the design and specification meets this criteria; OR**
- **providing written evidence that they agree to undertake all maintenance responsibility for the building.**

viii) Approval for all applications is subject to applicants providing written advice to the City that they will set aside sufficient funds to cover their reasonably foreseeable contribution towards the replacement of facilities at the end of their useful life and the CEO or nominated officer responding in writing that they are satisfied the contributions are reasonable and sufficient.

Voting Requirement Simple Majority

.....

CORPORATE & COMMUNITY SERVICES REPORTS

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 5 December 2006
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.

FINANCIAL IMPLICATIONS

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

Item 12.2.1 continued

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 7:00pm on Tuesday 5th December 2006 in the City's North 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 Council Chambers in North Road at 7:00pm on 5th December 2006, for the purpose of receiving the 2005/2006 Annual Report of the City of Albany and other General Business as listed.

Voting Requirement Simple Majority

.....

12.2.2 Request for support for installation of CCTV Cameras – ACCI

File/Ward	: SER108 (All Wards)
Proposal/Issue	: Support for installation of CCTV Cameras
Subject Land/Locality	: Central business district and other 'hot spots'
Proponent	: Albany Chamber of Commerce and Industry
Owner	: N/A
Reporting Officer(s)	: Executive Director Corporate and Community Services (WP. Madigan) Manager of Community Development (M. Weller)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: The City commit \$10,000 to the project subject to the ACCI or another incorporated body agreeing to undertake responsibility for maintenance, operation and replacement of the proposed CCTV system.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. In November 2005 the Albany Chamber of Commerce and Industry (ACCI) submitted an application for funding of \$165,000 under the National Crime Prevention Programme.
2. The application was unsuccessful. Verbal feedback received by the ACCI was that this was because as per the fund guidelines they needed a major partner organisation for the project.
3. According to the ACCI application the proposed project involves the purchase and installation of a wireless CCTV network in the Albany Central Business District and other 'hot spots'. A network of 10 security cameras will monitor activities 24 hrs per day. The system will be used to deter anti social activity; track offences; and to support investigations into criminal activity, critical incidences and insurance claims.
4. The Great Southern Police have committed to support the project in the form of housing the server (digital storage of all footage) and conducting investigation in relation to footage once a complaint is received.
5. The ACCI has committed to provide \$5000 funding towards the project and have offered to manage all the project's finances including full acquittal to the Commonwealth.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.2 continued

6. The ACCI has requested that the City commit to the project as a financial partner, providing \$10,000 and be responsible for owning and maintaining the cameras and associated physical infrastructure.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

9. The ACCI has requested that the City of Albany commit \$10,000 as a partner, to the project.
10. The Executive Director of Works and Services, Les Hewer, has indicated that the City would be in a position to provide in kind support as part of any contribution in the form of the erection of any required camera poles. The installation and maintenance of a security camera network would be required to be completed by a contractor sufficiently experienced in this field.
11. The unquantified financial risks/ additional costs the City may be exposed to in the event it commits to the project as requested by the ACCI (given the current level of data provided by the ACCI), are:
 - Unforeseen project cost escalation
 - Unforeseen installation costs, especially in relation to networking of cameras
 - Service, maintenance and breakdown callout costs if the cameras are maintained by an external contractor.
 - Officer time (in place of completion of other City of Albany priorities/ commitments) administering a maintenance contract for the cameras and administering the project.
 - Officer time acquitting the project (despite the offer from the ACCI, in the event the City were responsible for the cameras the acquittal would be required to be supervised/ completed by City of Albany staff)
 - Replacement of the cameras at the end of their useful life
12. In relation to the final point above the ACCI has indicated that business owners may be willing to raise funds for the replacement of the cameras at the end of their useful life (est \$100,000 in 3-5 years) or that the operation of the cameras could be ceased.
13. In the event that the cameras are installed it is believed that a community expectation would exist for them to be replaced at the end of their useful life and operated infinitum. As such if the cameras were 'owned' by the City of Albany, there would be an expectation for the City to replace the cameras at the end of their useful life.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.2 continued

14. As such, if the City were to fully agree to the ACCI's request there would be an ongoing financial commitment by the City, including amortisation and maintenance of the equipment in the vicinity of \$40,000 - \$50,000 per annum.

STRATEGIC IMPLICATIONS

15. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision:

A Healthy City, Albany's Community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through...

- *Diverse and affordable cultural, recreational and sporting opportunities.*

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

- *Excellent community infrastructure and services.*

City of Albany Mission Statement

The City of Albany is committed to...

- *Sustainably managing Albany's municipal assets,*
- *Delivering excellent community services.*

At all times we will...

- *Actively keep abreast of best practice;*
- *Respect the Community's aspirations and resources.*

Priority Projects

Nil.”

COMMENT/DISCUSSION

16. The cameras will not be monitored and investigation of footage will only occur once a complaint is received. The cameras will not facilitate a rapid response to criminal activities occurring within the cameras range.
17. The cameras presence is intended to act as a deterrent and to support investigations into criminal activity, critical incidences and insurance claims.
18. Remote networked systems are by their nature susceptible to service interruption as a result of vandalism or equipment failure and the time taken to source parts and diagnose and effect repairs.
19. The City of Albany does not have the capability within the current FTE staffing of the IT department to take on the responsibility for the management of a network of security cameras, especially the ability to respond to breakdowns / network failure, as City of Albany core infrastructure such as internal servers, Synergy and service to outstations such as ALAC, the Depot and the Library would take precedence.
20. From review of supplied information the project appears worthwhile and the potential level of external capital funding of \$150,000 (Ex GST) significant.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.2 continued

21. The available information in relation to the project has been assessed by the Executive Director for Corporate and Community Services, Executive Director Works and Services and Manager Community Development. Given:

- The availability of City of Albany resources for management of the cameras detailed above;
- The primary effect of the cameras being deterrence in relation to vandalism and damage of privately owned property in the area;
- The potential level of savings in relation to vandalism of City assets in the CBD (trees, benches, signs) being disproportionate to the potential level of financial and service commitment to the management of the cameras;

while supporting the aims of the project, it is recommend that the City of Albany does not agree to be responsible for maintenance and replacement of the proposed CCTV system as this is not seen as a core activity of the Council.

22. Given that:

- The project is likely to increase the perception of community safety in the area
- The work completed by the ACCI to date, including a 90% complete funding application submission
- The potential level of external funding for the project (\$150,000 ex GST)
- That the application is unlikely to succeed in the event the City does not show a level of support for the project
- That the next City of Albany Community Financial Assistance round closes after submissions are due under the National Crime Prevention Programme annual funding round

it is recommended that the City commit \$10,000 to the project subject to the ACCI or another incorporated body agreeing to undertaking responsibility for maintenance, operation and replacement of the proposed CCTV system.

RECOMMENDATION

THAT the City of Albany commit \$10,000 (cash and in kind determined by the Executive Director of Works and Services) to the purchase and installation of a wireless CCTV network in the Albany Central Business district and other 'hot spots' subject to the Albany Chamber of Commerce and Industry or another incorporated body owning the cameras and associated free-standing infrastructure (or brackets if affixed to City of Albany light poles or privately owned buildings) and be responsible for their operation, maintenance and replacement if required in the future.

Voting Requirement Absolute Majority

.....

12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 RECREATION SERVICES

12.6.1 Albany Leisure and Aquatic Centre Upgrade – Design Drawings

File/Ward	: CO5027 & MAN 167 (All Wards)
Proposal/Issue	: Albany Leisure and Aquatic Centre (ALAC) Upgrade
Subject Land/Locality	: Albany Leisure and Aquatic Centre (Barker Rd.)
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Executive Director Corporate and Community Services (WP. Madigan) Project Liaison Officer (W. Bergsma)
Disclosure of Interest	: Nil
Previous Reference	: OCM 17/06/03 - Item 12.2 OCM 07/08/03 - Item 12.2 OCM 12/12/03 - Item 12.2 OCM 15/06/04 - Item 12.6 OCM 15/02/05 - Item 12.6 OCM 19/04/05 - Item 12.6 OCM 16/08/05 – Item 12.6 OCM 20/12/05 – Item 12.6 OCM 20/06/06 – Item 12.6
Summary Recommendation	: That the Design Drawings for the Upgrade of ALAC be adopted.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. At the OCM 20th December 2005 Council awarded the contract for Supervising Architectural Services for the upgrade of the Albany Leisure and Aquatic Centre in Barker Road. This Contract was awarded to Donovan Payne Architects.
2. The Architects have prepared a complete set of detailed Design Drawings based on the initial Design Brief, utilising extensive public feedback from consultation to date, and following extensive consultation with ALAC Management & Staff, the City of Albany Staff and all of the specialist sub-consultants engaged with the project.

STATUTORY REQUIREMENTS

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

Item 12.6.1 continued.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. At the OCM 15th August 2006 Council approved the funding proposal for the ALAC upgrade of \$14,267,000.
6. The completed Design Drawings are used as the basis for the establishment of the Bill of Quantities, used in the Tender process.
7. As per Local Government (Functions and General) Regulations 1996 acceptance of tender is subject to council determination.

STRATEGIC IMPLICATIONS

8. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision:

A Healthy City, Albany's Community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through...

- *Diverse and affordable cultural, recreational and sporting opportunities.*

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

- *Excellent community infrastructure and services.*

City of Albany Mission Statement

The City of Albany is committed to...

- *Sustainably Managing Albany's municipal assets,*
- *Delivering excellent community services.*

At all times we will...

- *Actively keep abreast of best practice;*
- *Respect the Communities aspirations and resources.*

Priority Projects

City Facilities Project 3 - Albany Leisure and Aquatic Centre.”

COMMENT/DISCUSSION

9. The Design allows for the Gym & Aerobics Hall to be constructed as a staged project or as a stand-alone building if required. The Gymnasium & Aerobics Hall will be included in the Design Drawings and costed within the Bill of Quantities and be included in the Tender Documents. The design and process will allow for a decision on construction of the Gymnasium & Aerobics Hall at a later date.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.1 continued

10. Council's officers have held detailed discussions with the Architects and all of their sub-consultants on the design and believe that the requirements of the Design Brief have been met.
11. The 1:50 Detailed Design Drawings including Floor Plans, Room Layouts, Internal Elevations and coloured External Elevations will be tabled at the OCM.

RECOMMENDATION

That the Design Drawings submitted by Donovan Payne Architects for the upgrade of the Albany Leisure and Aquatic Centre be adopted by Council, to be used as the basis for calling of tenders for construction of the project.

Voting Requirement Simple Majority

.....

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

12.7.1 Albany Aboriginal Accord Advisory Committee meeting minutes – 15th September 2006

- File/Ward** : MAN134 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (WP Madigan)
- Summary Recommendation** : That the Minutes of Albany Aboriginal Accord Advisory Committee meeting held on 15th September 2006 be adopted.

RECOMMENDATION

THAT the minutes of the Albany Aboriginal Accord Advisory Committee meeting held on 15th September 2006 be received, and the following recommendations adopted (copy of minutes are in the Elected Members Report/Information Bulletin).

Terms of Reference and Committee Membership:

- (i) **THAT the terms of reference be agreed, and meetings be held on a bi-monthly basis, on the 2nd Tuesday of the month at 1.30pm at the City of Albany.**
- (ii) **THAT the membership of the Committee be expanded to include representatives from PVF, Job Futures, Skill Hire and the Albany Aboriginal Heritage Group.**

Voting Requirement Absolute Majority

.....

12.8 COUNCIL REPRESENTATION

Nil.

Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 CITY ASSETS - ASSET MANAGEMENT

Nil.

13.2 CITY SERVICES – WASTE MANAGEMENT

Nil.

13.3 CITY SERVICES – AIRPORT MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.4 CITY SERVICES – CONTRACT MANAGEMENT

13.4.1 Contract C06035 – Winning and Supply of Gravel

File/Ward	:	C06035 (All Wards)
Proposal/Issue	:	Winning and Supply of Gravel – Various Pits 2006/07
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Depot Services Co-ordinator (J Harbach)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council award the tender C06035 to A.D. Contractors for the winning and supply of gravel from various pits during 2006/07.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. As part of the City's construction program, it is necessary to source gravel for use in construction and routine maintenance of existing gravel roads. A number of strategic gravel sources have been identified and Council will operate these pits within the conditions and guidelines of the Extractive Industry Licence. Contractors are now required to extract, crush and stockpile the gravel.

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
3. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
4. Regulation 19 requires the Chief Executive Officer to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.4.1 continued

FINANCIAL IMPLICATIONS

6. The budget for gravel is included in the overall road construction and routine maintenance programs. The tendered prices are within those allocations.

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision:

A healthy City: Albany’s community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through encouraging alternative forms of transport and implementing an effective public transport system.

Mission Statement

The City of Albany is committed to sustainably managing Albany’s municipal assets: and at all times we will respect the Community’s aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders was published in the West Australian on 9th August 2006 and in the Albany Advertiser on 10th August 2006 with a copy in the Albany Extra on 11th August 2006 for the winning and supply of gravel from various pits.
9. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	45
Relevant Skills, Experience & Reliability	45
Other Considerations	10
TOTAL	100%

10. A total of five specifications were issued. The tenderers were asked to tender on varying amounts of gravel production – dependant on the pit location – with associated works. The following table summarises those submissions received by the close of the tender period.

WORKS & SERVICES REPORTS

Item 13.4.1 continued

Pit Location	Tendered Price	Score
Mawson Road Pit – 7,800m³	(inc. GST)	
AD Contractors	\$38,500.00	641.05
Palmer and Rayner	\$46,895.00	356.75
Armogedin Pty Ltd	\$38,610.00	344.70
South Coast Highway Pit – 8,600m³		
AD Contractors	\$38,363.20	620.35
Palmer and Rayner	\$41,324.38	393.65
Armogedin Pty Ltd	\$38,073.20	328.50
Drawbin Road Pit – 3,500m³		
AD Contractors	\$16,160.00	707.20
Armogedin Pty Ltd	\$16,720.00	399.60
Palmer and Rayner	\$28,929.75	235.70
Johnson Road Pit – 10,000m³		
AD Contractors	\$45,450.00	619.90
Palmer and Rayner	\$48,376.00	399.05
Armogedin Pty Ltd	\$45,540.00	324.00
Hunwick Road Pit – 10,500m³		
AD Contractors	\$46,290.00	649.15
Palmer and Rayner	\$55,181.50	377.90
Armogedin Pty Ltd	\$50,655.00	315.45
Mindijup Road Pit – 13,000m³		
AD Contractors	\$62,427.60	627.55
Palmer and Rayner	\$71,022.40	375.65
Armogedin Pty Ltd	\$61,527.40	338.85

11. All of the tenderers have performed this type of work for Council over preceding years.
12. The tender from AD Contractors represents the highest weighted score and is recommended to be the most advantageous option for Council.

RECOMMENDATION

THAT Council award the tender C06035 to A.D. Contractors for the winning and supply of gravel from various pits during 2006/07.

Voting Requirement Simple Majority

.....

WORKS & SERVICES REPORTS

13.4.2 Contract – Supply & Delivery of Various Items of Plant and Equipment

File/Ward	:	C06002, C06015, C06016, C06017, C06018, C06019, C06020 (All Wards)
Proposal/Issue	:	Supply & Delivery of Various Plant and Equipment by Public Tender
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Depot Services Co-ordinator (J Harbach)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council award various tenders as per recommendations
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. Council at its meeting held 18th June 2002, adopted the Asset Replacement Program – Plant. This strategy is reviewed on an annual basis to determine optimal replacement and maintenance of each individual item of plant. As part of this program of plant management Council's plant replacement strategy identified several items of plant that have reached the optimum time for replacement. Also, as part of this program of plant management, the Bobcat 763 Skid steer Loader, Licence no: A35996 (P2245) was identified as being surplus to Council's requirements.

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
3. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
4. Regulation 19 requires the Chief Executive Officer to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

5. The City of Albany Regional Price Preference Policy is applicable to these items.

WORKS & SERVICES REPORTS

Item 13.4.2 continued

FINANCIAL IMPLICATIONS

- 6. \$613,000.00 has been allocated in the 2006/2007 budget for the purchase of these items of plant.
- 7. Should Council choose to purchase the recommended items at a cost of \$517,546.21 (excluding GST), this will result in an under expenditure of \$95,453.79 (excluding GST) on these items.

STRATEGIC IMPLICATIONS

- 8. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision

A Healthy City: Albany’s community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through encouraging alternative forms of transport and implementing an effective public transport system.

Mission Statement

The City of Albany is committed to sustainably managing Albany’s municipal assets: and at all times we will respect the Community’s aspirations and resources.

Priority Projects

Nil.”

COMMENT/DISCUSSION

- 9. A request for tenders was published in the West Australian on 9th August 2006 and in the Albany Advertiser on 10th August 2006 with a copy in the Albany Extra on 11th August 2006 for the supply and delivery of a tandem axle rear tip truck, a single axle two-way tipping truck, a prime mover truck, a grader, a skid steer loader, a front wheel assist tractor and a 4WD front deck mower to replace Council’s current equipment.
- 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 point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	50
Relevant Maintenance and Operational Suitability	40
Reliability of Tenderer	10
TOTAL	100%

- 11. A total of seventy-six specifications were issued. The following table summarizes those submissions received by the close of the tender period.

WORKS & SERVICES REPORTS

Item 13.4.2 continued

C06002 – Tandem Axle Rear Tipping Truck to replace KenworthT300, AL1452 (P2)

TENDERER	PURCHASE PRICE (Exc. GST)	TRADE PRICE (Exc. GST)	PRICING AFTER TRADE (Exc. GST)	WEIGHTING
<u>Albany City Motors</u>	\$158,316.92	\$64,545.45	\$93,771.47	632
AV Truck Services Pty Ltd	\$179,437.27	\$54,545.45	\$124,891.82	493
Kenworth DAF WA	\$192,721.90	\$60,085.55	\$132,636.35	485
I.V. Paternostro#		\$34,545.45#		
SFM Engineering*	\$29,720.00*			
Allroad Motor Body Builders*	\$24,100.00*			

*Body Build only, no trade-in

#Outright purchase only

C06015 – Single Axle Two-Way Tipping Truck to replace IsuzuFVR950, A46315 (P1)

TENDERER	PURCHASE PRICE (Exc. GST)	TRADE PRICE (Exc. GST)	PRICING AFTER TRADE (Exc. GST)	WEIGHTING
<u>WA Hino – Option 1</u>	\$119,311.00	\$59,260.00#	\$60,051.00	602
Albany City Motors – Option 2	\$112,558.34	\$64,545.45	\$48,012.90	591.5
WA Hino – Option 2	\$123,206.00	\$59,260.00#	\$63,946.00	564.5
AV Truck Services	\$106,037.00	\$59,260.00#	\$46,777.00	542
<u>Eastside Commercials#</u>		\$59,260.00#		
Raytone Motors#		\$55,978.18#		
Allroad Motor Body Builders*	\$24,900.00*			

*Body Build only, no trade-in

#Outright purchase only

C06016 – Prime Mover Truck to replace UD Nissan Prime Mover, A46017 (P3)

TENDERER	PURCHASE PRICE (Exc. GST)	TRADE PRICE (Exc. GST)	PRICING AFTER TRADE (Exc. GST)	WEIGHTING
<u>Albany City Motors</u>	\$168,350.90	\$62,727.27	\$105,623.72	639.5
AV Truck Services Pty Ltd	\$157,105.00	\$60,909.09	\$96,195.91	507
WA Hino	\$162,960.90	\$69,090.91	\$93,869.99	489.5
Kenworth DAF WA	\$203,882.18	\$57,518.55	\$146,363.63	444
SFM Engineering*	\$13,280.00*			
Allroad Motor Body Builders*	\$12,500.00*			

*Body Build only, no trade in

WORKS & SERVICES REPORTS

Item 13.4.2 continued

C06017 – Grader to replace Caterpillar 140g Grader, 9HN189 (P30)

TENDERER	PURCHASE PRICE (Exc. GST)	TRADE PRICE (Exc. GST)	PRICING AFTER TRADE (Exc. GST)	WEIGHTING
CJD Equipment – Option 1	\$323,400.00	\$150,000.00	\$173,400.00	576.5
BT Equipment Pty Ltd	\$280,000.00	\$140,000.00	\$140,000.00	565
CJD Equipment – Option 2	\$333,999.00	\$150,000.00	\$183,999.00	559.5
Hitachi Construction Machinery	\$308,000.00	\$142,000.00	\$166,000.00	520.5
Westrac Pty Ltd	\$328,415.00	\$126,000.00	\$202,415.00	488.5

C06018 – Skid Steer Loader to replace Toyota Skid Steer Loader, 1B1F057 (P31) and 763 Bobcat Loader, A35996 (P2245)

TENDERER	PURCHASE PRICE (Exc. GST)	TRADE PRICE (Exc. GST) (P31)	TRADE PRICE (Exc. GST) (P2245)	PRICING AFTER TRADE (Exc. GST)	WEIGHTING
Toyota Material Handling WA	\$59,000.00	\$33,000.00	\$22,500.00	\$3,500.00	550.5
Jem Truck Sales	\$51,015.00	\$22,727.27	\$21,545.45	\$6,742.27	538.5
Westrac Pty Ltd	\$60,831.00	\$23,000.00	\$14,000.00	\$23,831.00	495
Hitachi Construction Machinery (Australia)	\$65,500.00	\$20,000.00	\$20,000.00	\$25,500.00	415.5
T & T Gorman Pty Ltd#		\$21,181.82#	\$17,272.73#		

#Outright purchase only

C06019 – Front Wheel Assist Tractor to replace New Holland TL70 Tractor, A49079 (P2130)

TENDERER	PURCHASE PRICE (Exc. GST)	TRADE PRICE (Exc. GST)	PRICING AFTER TRADE (Exc. GST)	WEIGHTING
Farmers Centre – Option 1	\$79,500.00	\$31,289.00	\$48,211.00	580
Farmers Centre – Option 2	\$81,272.73	\$30,012.73	\$51,260.00	529.5
McIntosh & Son	\$83,700.00	\$35,000.00	\$48,700.00	450.5

WORKS & SERVICES REPORTS

Item 13.4.2 continued

C06020 – 4WD Front Deck Mower to replace Toro Laser ZRT Mower, A51926 (P2142)

TENDERER	PURCHASE PRICE (Exc. GST)	TRADE PRICE (Exc. GST)	PRICING AFTER TRADE (Exc. GST)	WEIGHTING
CJD Equipment	\$42,717.29	\$10,000.00	\$32,989.02	456
T Quip	\$37,272.73	\$16,363.64	\$20,909.09	424
Grove Park Golf Links#		\$4,545.45#		

#Outright purchase only

12. Two tender options for contract C06015 were considered to be non-conforming because they did not meet tender specifications. The outright purchase option from Eastside Commercials for contract C06015 was considered the most advantageous option to Council.
13. The tenderers have been listed according to the highest weighted score and are recommended to be the most advantageous options for the change over to Council.
14. It should be noted that better than anticipated trade-in values – due to well maintained plant and the current market place - have been realised, resulting in a reduction in expenditure to Council for the current financial year’s plant replacement program.
15. Council staff conducted group evaluations on all plant offered for Council’s consideration.

RECOMMENDATION

THAT Council award the following tenders:

- (i) **C06002 to Albany City Motors for the Supply & Delivery of a Isuzu FVZ1400 Tandem Axle Rear Tipping Truck at a net cost to Council of \$93,771.47 (excluding GST).**
- (ii) **C06015 to WA Hino for the Supply & Delivery of a Hino Ranger Pro 10 Single Axle Two Way Tipping Truck with an outright sale of the Isuzu FVR950, A46315 (P1), to Eastside Commercials at a net cost to Council of \$60,051.00 (excluding GST).**
- (iii) **C06016 to Albany City Motors for the Supply & Delivery of an Isuzu Gigamax 425 Prime Mover Truck at a net cost to Council of \$105,623.72 (excluding GST).**
- (iv) **C06017 to CJD Equipment for the Supply & Delivery of a VolvoG930 Grader at a net cost to Council of \$173,400.00 (excluding GST).**
- (v) **C06018 to Toyota Material Handling for the Supply & Delivery of a Toyota 4SDK8 Skid Steer Loader at a net cost to Council of \$3,500.00 (excluding GST).**
- (vi) **C06019 to Farmers Centre for the Supply & Delivery of a Case Jx107u Front Wheel Assist Tractor at a net cost to Council of \$48,211.00 (excluding GST).**
- (vii) **C06020 to CJD Equipment for the Supply & Delivery of a John Deere 14454WD Front Deck Mower at a net cost to Council of \$32,989.02 (excluding GST).**

Voting Requirement Simple Majority

WORKS & SERVICES REPORTS

13.4.3 Contract C06032 – Panel of Suppliers Construction Plant and Equipment

File/Ward	:	C06032 (All Wards)
Proposal/Issue	:	Panel of Suppliers – Construction Plant and Equipment
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Contracts Administrator (W Male)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tenders for ‘wet’ and ‘dry’ hire from the preferred suppliers offering plant and equipment.
Bulletin Attachment	:	Nil
		(i)
Locality Plan	:	Nil

BACKGROUND

1. Council is seeking to establish a Panel of Suppliers for the supply of construction plant and equipment for a two-year term. The availability of this type of equipment will be accessed to augment Council’s own resources during peak construction and maintenance periods. Tenderers were asked to provide both ‘wet’ hire (equipment with an operator supplied) and ‘dry’ hire (no operator) rates. These preferred suppliers will be used on an, “as and when” required basis with no guarantee of the amount of work required by Council.

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions and General) Regulations 1996 states that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more, than \$50,000.
3. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
4. Regulation 19 requires the Chief Executive Officer to advise each tenderer in writing the result of Council’s decision.

POLICY IMPLICATIONS

5. The City of Albany’s Regional Price Preference Policy applies to this Item.

WORKS & SERVICES REPORTS

Item 13.4.3 continued

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

A healthy City: Albany’s community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through encouraging alternative forms of transport and implementing an effective public transport system.

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets: and at all times we will respect the Community’s aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders was published in the West Australian on 19th July 2006 and in the Albany Advertiser on 20th July 2006 with a copy in the Albany Extra on 21st July 2006 for a panel of suppliers who can provide construction plant and equipment for ‘Wet’ and ‘Dry’ hire.
9. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	60
Reliability/Efficiency of Equipment	30
Experience Using equipment	10
TOTAL	100%

10. A total of fourteen specifications were issued, with eleven received by the close of the tender period. All eleven suppliers claimed against the Regional Price Preference Policy. Coates Hire Operations Pty Ltd stated the company was unable to comply with the tender documents and was subsequently deemed non-conforming.

WORKS & SERVICES REPORTS

Item 13.4.3 continued

11. Tenderers submitted prices for 'wet' hire for the 06/07 and 07/08 financial years. Tenders were divided into types and class of equipment then evaluated on a weekly rate for 'wet' hire for the 06/07 financial year. The following table summarises the order of preferred supplier for each type and class of equipment evaluated:

Excavator ERG Class HX7 (>16 tonnes <21 tonnes)

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
Trackwest Pty Ltd	Excavator – Kobelco SK200SR 20 tonne	\$4,180.00	617.6
Palmer & Rayner Earthmoving Pty Ltd	Excavator – Cat 318BL 20 tonne	\$4,320.00	578.4
AD Contractors Pty Ltd	Excavator – Cat 320 98kW	\$4,800.00	563

Excavator ERG Class HX8/9 (>21 tonnes < 30 tonnes)

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
AD Contractors Pty Ltd	Excavator – Cat 325 129kW	\$5,200.00	672.8
Palmer & Rayner Earthmoving Pty Ltd	Excavator – Cat 322CL 24 tonne	\$5,740.00	565.8
Armogedin Pty Ltd	Excavator – 30 tonne	\$6,160.00	411.4

Smooth Drum Roller ERG Class RR8 (>8.8 tonnes <12.5 tonnes)

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
AD Contractors Pty Ltd	Vibe Roller – Cat 563C/D 112kW smooth	\$3,600.00	619.4
Palmer & Rayner Earthmoving Pty Ltd	Roller – Dynapac CA25D	\$3,960.00	509.4
Albany Industrial Services	Vibe Roller – 12 tonne Hamm & Ingersoll Rand	\$3,971.00	487.6

Padfoot (Sheep's Foot) Roller ERG Class RR8 (>8.8 tonnes <12.5 tonnes)

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
AD Contractors Pty Ltd	Vibe Roller – Cat 563E 112kW Padfoot	\$3,600.00	620

WORKS & SERVICES REPORTS

Item 13.4.3 continued

Multi Wheeled Roller

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
Albany Industrial Services	Multi Roller – Dynapac 12 tonne	\$3,960.00	550

Grader ERG Class MG6 (>90kW Variable horsepower graders))

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
Albany Industrial Services	Grader – Cat 12G	\$4,180.00	585.4
AD Contractors Pty Ltd	Grader – Cat 12H	\$4,752.00	578.6
Armogedin Pty Ltd	Grader – 12H	\$4,400.00	466

Grader ERG Class MG8 (>110kW Variable horsepower graders)

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
AD Contractors Pty Ltd	Grader – Cat 140G 115kW	\$4,752.00	682.4
Palmer & Rayner Earthmoving Pty Ltd	Grader – John Deere 670B	\$5,120.00	590.4
Trackwest Pty Ltd	Grader – Cat 140G final trim 16' blade	\$5,500.00	451.2

Skidsteer Loader ERG Class SSL3 (>500kg)

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
Albany Industrial Services	Bobcat – 763 Cat 226B	\$2,508.00	623.2
FJ Excavator Services	Bobcat - S130	\$2,640.00	525.6
Albany Bobcat Service	Bobcat – 4SDK8 41kW	\$3,200.00	518

Loader ERG Class WL9 (>135kW <160kW)

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
AD Contractors	Frontend Loader – Cat 966 154kW	\$4,840.00	620
Armogedin Pty Ltd	Frontend Loader – Cat 966	\$4,840.00	460

WORKS & SERVICES REPORTS

Item 13.4.3 continued

Water Tanker (12,000 Litres – 17,000 Litres)

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
Albany Industrial Services	Water Tanker – Acco 12000ltrs	\$3,135.00	644.8
AD Contractors Pty Ltd	Water Tanker – 17000ltrs 2 axle S/S & Prime Mover	\$4,000.00	575.6
Palmer & Rayner Earthmoving Pty Ltd	Water Tanker – Ford LTS 8000 15000ltrs	\$3,800.00	557.4
Palmer & Rayner Earthmoving Pty Ltd	Water Tanker – Inter Acco 2350G 15000ltrs Full remote spray equip	\$4,160.00	499.8
Armogedin Pty Ltd	Water Tanker – min 15000ltrs	\$3,520.00	493

Semi Tipper Truck

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
Grocott Transport	Semi Tipper – Scania PM semi trailer	\$3,800.00	613.6
AD Contractors Pty Ltd	Semi Tipper – PM & tandem axle	\$4,200.00	593.6
Albany Industrial Services	Semi Tipper – Nissan UD 350hp	\$3,762.00	589
Trackwest Pty Ltd	Semi Tipper – Iveco & Bogie tipper 430hp	\$4,180.00	566.6
Palmer & Rayner Earthmoving Pty Ltd	Semi Tipper – Volvo FH12	\$4,356.00	520.8
Palmer & Rayner Earthmoving Pty Ltd	Semi Tipper – Volvo FH12	\$4,356.00	520.8

Tandem Truck

Wet Hire 2006/07 Tenderers Name	Equipment Provided	Weekly Cost	Total Score
Albany Industrial Services	Tandem Truck – Nissan UD 300hp	\$3009.60	606.4
AD Contractors Pty Ltd	Tandem Truck – Nissan Stirling Ford	\$3,520.00	584
Palmer & Rayner Earthmoving Pty Ltd	Tandem Truck – Ford LTS 8000	\$3,400.00	555.6
Palmer & Rayner Earthmoving Pty Ltd	Tandem Truck – Inter Acco 2350G	\$3,400.00	555.6
Armogedin Pty Ltd	Tandem Truck – 6 wheel tipper	\$3,520.00	424

WORKS & SERVICES REPORTS

Item 13.4.3 continued

12. Should there be a requirement for other equipment not on the preferred supplier list, then the normal procedure for quoting out for these services will apply.
13. Where possible the evaluation team limited the preferred tenderers to three for each type of plant and equipment. In the case of trucks all preferred tenders have been listed, which reflects the high level of demand at certain times.
14. The works area of Council has a high usage for 'wet' hire of trucks. It is recommended all identified semi tipper and tandem axle trucks offered for the panel of suppliers be included into the contract at the rates provided for the financial years 06/07 and 07/08.
15. AD Contractors Pty Ltd and Armogedin Pty Ltd were the only two suppliers to provide 'dry' hire rates acceptable to Council. It is recommended that both companies be contracted for all 'dry' hire of equipment at the rates submitted for the 06/07 and 07/08 financial years.

Dry Hire 2006/07

Tenderers Name	Equipment Provided	Weekly Cost
Ad Contractors Pty Ltd	Cat 563C/D 112kW Smooth	\$1,600.00
Ad Contractors Pty Ltd	Cat 563E 112kW Padfoot	\$1,600.00
Armogedin Pty Ltd	20 tonne	\$2,860.00
Armogedin Pty Ltd	30 tonne	\$4,620.00
Armogedin Pty Ltd	45 tonne	\$6,160.00
Armogedin Pty Ltd	12H	\$2,860.00
Armogedin Pty Ltd	Volvo L70	\$2,420.00
Armogedin Pty Ltd	Cat 924G	\$3,300.00
Armogedin Pty Ltd	247 Skidsteer	\$1,980.00
Armogedin Pty Ltd	Cat 966	\$3,300.00
Armogedin Pty Ltd	30 tonne	\$6,380.00
Armogedin Pty Ltd	6 wheel tipper	\$2,200.00
Armogedin Pty Ltd	Semi Tipper Tri Axle 20m cubed	\$3,080.00
Armogedin Pty Ltd	D7	\$6,160.00
Armogedin Pty Ltd	D9	\$9,900.00
Armogedin Pty Ltd	Water Truck	\$2,200.00
Armogedin Pty Ltd	Smooth Drum Roller	\$1,760.00
Armogedin Pty Ltd	30 tonne Dump Truck	\$4,620.00
Armogedin Pty Ltd	40 tonne Dump Truck	\$6,160.00
Armogedin Pty Ltd	Low Loader	\$4,620.00
Armogedin Pty Ltd	Backhoe	\$1,980.00

16. All contractors for "Wet" and "Dry" hire have provided construction plant and equipment to Council previously, to date the quality of service has been satisfactory.

Item 13.4.3 continued

RECOMMENDATIONS

1. **THAT Council award the tender C06032A “Wet Hire” Panel of Suppliers Construction Plant and Equipment at the rates provided for financial years 06/07 and 07/08 to:**
 - i) **AD Contractors Pty Ltd for plant and equipment as tabled; and**
 - ii) **Armogedin Pty Ltd (Great Southern Sand and Landscaping Supplies) for plant and equipment as tabled; and**
 - iii) **Palmer and Rayner Earthmoving Pty Ltd for plant and equipment as tabled; and**
 - iv) **Albany Industrial Services Pty Ltd for plant and equipment as tabled; and**
 - v) **Trackwest Pty Ltd (Bill Gibbs Excavations) for plant and equipment as tabled; and**
 - vi) **FE & JL Rybinski (FJ Excavator and Bobcat Service) for plant and equipment as tabled; and**
 - vii) **Grocott Transport for plant and equipment as tabled; and**
 - viii) **Albany Bobcat Services for plant and equipment as tabled.**
2. **THAT Council award the tender C06032B “Dry Hire” Panel of Suppliers Construction Plant and Equipment at the rates provided for financial years 06/07 and 07/08 to:**
 - i) **AD Contractors Pty Ltd for plant and equipment as tabled; and**
 - ii) **Armogedin Pty Ltd (Great Southern Sand and Landscaping Supplies) for plant and equipment as tabled.**

Voting Requirement Simple Majority

.....

WORKS & SERVICES REPORTS

13.4.4 Contract C06039 – Construction of Footpaths Brick Paving

File/Ward	:	C06039 (All Wards)
Proposal/Issue	:	Construction of Brick Paved Footpaths
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Manager City Works (W Butler), City Works Coordinator (M Bracknell), and Contracts Administrator (W Male).
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tender from W.P. Reid for construction of brick paved footpaths at various locations around the City.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. As part of the City of Albany, Pathways Construction Programme 2006/07 the following footpaths were identified for preservation:
 - Aberdeen Street – In the vicinity of Serpentine Road (west side of road)
 - Duke Street – Parade Street to Collie Street (south side of road)
 - Angove Road - (around the front of shopping centre)
2. Works are to be carried out as specified for each individual location according to the Programme.

STATUTORY REQUIREMENTS

3. Regulation 11 of the Local Government (Functions and General) Regulations 1996 requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$50,000.
4. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
5. Regulation 19 requires the Chief Executive Officer to advise each tenderer in writing the result of Council's decision.

WORKS & SERVICES REPORTS

Item 13.4.4 continued

POLICY IMPLICATIONS

6. The City of Albany's Regional Price Preference Policy applies to this Item.

FINANCIAL IMPLICATIONS

7. There are no financial implications relating to this item. Total of all contracts are under Councils 2006/07 budget.

STRATEGIC IMPLICATIONS

8. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

A Thriving City: Albany's community will enjoy economic growth and outstanding opportunities for our youth through innovative development complementing Albany's unique character, natural environment and heritage.

Mission Statement:

The City of Albany is committed to sustainable managing Albany's municipal assets: and at all times we will respect the Community's aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

9. A request for tenders was published in the West Australian on 6th September 2006, the Albany Advertiser on 7th September 2006 and a copy in the Albany Extra on 8th September 2006. A total of two documents were issued with one being received at the close of tenders.
10. Tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below.

Criteria	% Weight
Cost	50
Relevant Skills & Experience	25
Reliability of Tenderer	15
Safety Management	10
	100

11. The following table outlines the tender received.

Item	Description	Price per Location	Total Weighted Score
1	Aberdeen Street – In the vicinity of Serpentine Road (west side of road)	\$29,485.00	552.5
2	Duke Street – Parade Street to Collie Street (south side of road)	\$31,976.00	
3	Angove Road - (around the front of shopping centre)	\$13,093.00	

WORKS & SERVICES REPORTS

Item 13.4.4 continued

12. W.P. Reid supplied the only tender submission. This Contractor is well known to the City and has previously completed footpath works to a satisfactory standard.

RECOMMENDATION

THAT Council accepts the tender from W.P. Reid for construction of brick paved footpaths at various locations around the City.

Voting Requirement Simple Majority

.....

WORKS & SERVICES REPORTS

13.4.5 Contract C06040 – Construction of Concrete Footpaths

File/Ward	:	C06040 (All Wards)
Proposal/Issue	:	Construction of Concrete Footpaths
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Manager City Works (W Butler), City Works Coordinator (M Bracknell), and Contracts Administrator (W Male)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tender from Campbell Contractors for the construction of concrete footpaths at various sites around the City.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. As part of the City of Albany, Pathways Construction Programme 2006/07 the following footpaths were identified for preservation:
 - Albany Highway – North Road to Wellington Street (east side of road)
 - Drome Road/Lakeside Drive – Lakeside Drive to Sherwood Park (north side of road)
 - Albany Highway – Wellington Street to 60m to the south (east side of road)
2. Works are to be carried out as specified for each individual location according to the Programme.

STATUTORY REQUIREMENTS

3. Regulation 11 of the Local Government (Functions and General) Regulations 1996 requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$50,000.
4. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
5. Regulation 19 requires the Chief Executive Officer to advise each tenderer in writing the result of Council's decision.

WORKS & SERVICES REPORTS

Item 13.4.5 continued

POLICY IMPLICATIONS

6. The City of Albany’s Regional Price Preference Policy applies to this Item.

FINANCIAL IMPLICATIONS

7. There are no financial implications relating to this item. Total of all contracts are under Councils 2006/07 budget.

STRATEGIC IMPLICATIONS

8. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

A Thriving City: Albany’s community will enjoy economic growth and outstanding opportunities for our youth through innovative development complementing Albany’s unique character, natural environment and heritage.

Mission Statement:

The City of Albany is committed to sustainable managing Albany’s municipal assets: and at all times we will respect the Community’s aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

9. A request for tenders was published in the West Australian on 6th September 2006, the Albany Advertiser on 7th September 2006 and a copy in the Albany Extra on 8th September 2006. A total of one document was issued with one being received at the close of tenders.
10. Tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below.

Criteria	% Weight
Cost	50
Relevant Skills & Experience	25
Reliability of Tenderer	15
Safety Management	10
	100

WORKS & SERVICES REPORTS

Item 13.4.5 continued

11. The following table outlines the tender received.

Item	Description	Price per Location	Total Weighted Score
1	Albany Highway – North Road to Wellington Street (east side of road)	\$77,250.00	520
2	Drome Road/Lakeside Drive – Lakeside Drive to Sherwood Park (north side of road)	\$61,645.50	
3	Albany Highway – Wellington Street to 60m to the south (east side of road)	\$4,635.00	

12. Campbell Contractors supplied the only tender submission. This Contractor is well known to the City and has previously completed footpath works to a satisfactory standard.

RECOMMENDATION

THAT Council accepts the tender from Campbell Contractors for construction of concrete footpaths at various locations around the City.

Voting Requirement Simple Majority

.....

WORKS & SERVICES REPORTS

13.4.6 Contract C06022 – Verge Mulching

File/Ward	:	C06022 (All Wards)
Proposal/Issue	:	Verge Mulching at various locations
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	City Works Coordinator (M Bracknell), Construction Supervisor (I Flett), and Contracts Administrator (W Male)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tender from Bill Gibbs Excavations for the provision of verge mulching at various sites within the City of Albany municipality.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. Tenders were called for the mulching and clearing of roadside verges on selected roads for the 2006/07 financial year road construction and maintenance works programme within the City of Albany municipality.

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions and General) Regulations 1996 requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$50,000.
3. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
4. Regulation 19 requires the Chief Executive Officer to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

5. The City of Albany's Regional Price Preference Policy applies to this Item.

WORKS & SERVICES REPORTS

Item 13.4.6 continued

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

A Thriving City: Albany’s community will enjoy economic growth and outstanding opportunities for our youth through innovative development complementing Albany’s unique character, natural environment and heritage.

Mission Statement:

The City of Albany is committed to sustainable managing Albany’s municipal assets: and at all times we will respect the Community’s aspirations and resources.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders was published in the West Australian on 16th August 2006, the Albany Advertiser on 17th August 2006 and a copy in the Albany Extra on 18th August 2006. A total of five documents were issued with two tender submissions received at the close of tenders.
9. Tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	35
Relevant Skills & Experience	25
Reliability of Tenderer	20
Safety Management	20
	100

10. The following table outlines the tenders received.

Company Details	Submitted Lump Sum	Total Cost Score
Bill Gibbs Excavations	(ii) \$ 52,497.50	698.3
Palmer and Rayner Pty Ltd	(iii) \$ 76,751.59	516.7

11. The evaluation price was the lump sum tendered price. Following evaluation of the tender submission received, it is recommended that the submission from Bill Gibbs Excavations is acceptable to Council.

WORKS & SERVICES REPORTS

Item 13.4.6 continued

12. Bill Gibbs Excavations has the necessary capacity, experience, skills and expertise to undertake these works for the City of Albany. This company has held the contract for the last three years and demonstrated in its tender submission that it understands the requirements of the tender.

RECOMMENDATION

THAT Council accepts the tender from Bill Gibbs Excavations, for the provision of verge mulching at various sites within the City of Albany municipality.

Voting Requirement Simple Majority

.....

13.5 CITY SERVICES – PROPERTY MANAGEMENT
Nil.

WORKS & SERVICES REPORTS

CITY WORKS – CAPITAL WORKS

13.6.1 Albany Ring Road – Modifications to Local Road Network

File/Ward	:	REL 082
Proposal/Issue	:	Modifications to local road network following construction of Stage 1 of Albany Ring Road.
Subject Land/Locality	:	Various lots in Willyung
Proponent	:	Main Roads WA
Owner	:	Various
Reporting Officer(s)	:	Executive Director Works & Services (L Hewer)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 12/02/2006 – Item 13.6.1
Summary Recommendation	:	Council close roads to through traffic and reinforce local road connections onto Albany Ring Road.
Bulletin Attachment	:	Letters of comment.
Locality Plan	:	Located at the rear of this report

BACKGROUND

1. Main Roads WA are in the process of constructing Stage 1 of the Albany Ring Road (from Chester Pass Road to Albany Highway).
2. Main Roads has also advised Council that the connection of the Ring Road onto Albany Highway will be located in close proximity to Henderson Road and a potential major traffic hazard will be created if that local road is allowed to remain connected to Albany Highway. The Department is suggesting that the eastern end of Henderson Road be closed and the road be converted into a no through road for local traffic.
3. The City has invited submissions from the community for;
 - i) the permanent closure to portion of Pendeen Road, Rocky Crossing Road (South) and Nielson Road (South) where it meets the future alignment of the Albany Ring Road; and
 - ii) the permanent closure to traffic of portion of Henderson Road, where it meets Albany Highway, and to sign post Henderson Road for local traffic purposes only.
4. Council advertised in the Advertiser on the 8th June 2006 the above proposals; and letters were sent to all adjoining landowners. A total of 5 (five) submissions were received.

WORKS & SERVICES REPORTS

Item 13.6.1 continued

STATUTORY REQUIREMENTS

5. Section 3.50 of the Local Government Act 1995 provides for closing certain thoroughfares to vehicles, as follows:

(1) *A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.*

(1a) *A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*

(2) *The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.*

[(3) repealed]

(4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to ³/₄*

(a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission;

(b) give written notice to each person who ³/₄

(i) is prescribed for the purposes of this section; or

(ii) owns land that is prescribed for the purposes of this section;

and

(c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) *The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).*

(6) *An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.*

[(7) repealed]

(8) *If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.*

6. The requirement in subsection (8) ceases to apply if the thoroughfare is reopened

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.6.1 continued

FINANCIAL IMPLICATIONS

6. Connection of Neilson Road to the Ring Road, if supported by Council, will incur additional costs to Council (see later comments).

STRATEGIC IMPLICATIONS

7. This item directly relates to the following elements from the City of Albany 3D Corporate Plan:

“Community Vision:

A Thriving City: Albany’s community will enjoy economic growth and outstanding opportunities for our youth through excellent community infrastructure and services; and innovative development complementing Albany’s unique character, natural environment and heritage.

Mission Statement:

The City of Albany is committed to providing sound governance and promoting our Community’s vision for the future.

Priority Projects:

Albany Ring Road - secure funding and facilitate an alternate heavy transport route.”

COMMENT/DISCUSSION

8. In September 2005, Council hosted a forum for residents living in the Rocky Crossing Road/Pinaster Road/Neilson Road area to advise them of the impact of the Ring Road on their access arrangements and to seek feedback on the connection of the local road system to the Ring Road from the south. At that meeting the owners of properties to the north of the Ring Road had not been invited. Planning for the Ring Road acknowledged that the northern portions of Rocky Crossing Road and Neilson Road would be given priority connection onto the Ring Road.
9. At the forum, Neilson Road landowners and others raised concern that they did not want traffic from the north having the capacity to travel to Albany Highway through their suburb. Currently considerable numbers of quarry trucks move through the area and the residents saw the Ring Road development as an opportunity to halt that non-residential traffic flow. Following the forum, a survey was sent to residents in that area and approximately 70% of respondents supported a cul-de-sac treatment of Rocky Crossing Road and Neilson Road on the southern side of the Ring Road (see sketch). The results of that survey were communicated to Main Roads WA.
10. Landowners living further north on Rocky Crossing Road and Willyung Road have since voiced their concern over the additional travel distance they will be required to make on a daily basis if they are unable to access the local road network on the southern side of the Ring Road. They also highlight that they will be denied easy road access to family and friends living on the southern side of the Ring Road and that they were not consulted in September. Their concerns were drawn to Council in February 2006 and Council resolved ;

WORKS & SERVICES REPORTS

Item 13.6.1 continued

“THAT Council;

- i) commence the process, under Section 3.50 of the Local Government Act 1995, to advise landowners and residents of the Council’s intention to permanently close to traffic that portion of Pendeen Road, Rocky Crossing Road (south) and Neilson Road (south) where it meets the future alignment of the Albany Ring Road, concurrently with the construction of the Albany Ring Road;*
- ii) commence the process, under Section 3.50 of the Local Government Act 1995, to advise landowners and residents of the Council’s intention to permanently close to traffic that portion of Henderson Road where it meets Albany Highway and to sign post Henderson Road for local traffic purposes only;*
- iii) note the concerns expressed by residents living along Rocky Crossing and Willyung Roads, north of the Albany Ring Road, over the increased travel distances they will experience and reinforce the decision of residents living south of the Albany Ring Road to remove through traffic from their suburb; and*
- iv) ensure that these roads are signed adequately to permit “Local Traffic Use Only”.*

Reason:

- To ensure property owners on Rocky Crossing Road, north of the Albany Ring Road do not end up with additional road train movement and truck movement bypass their properties.”*

- 11. Of the five submissions received two have been forwarded to Main Roads as they dealt with land issues.
- 12. The other two submissions related to the closing of Rocky Crossing Road. The majority of residents south of the Ring Road have met and voted in favour of keeping Neilson Road closed to through traffic. Council has also supported that position. Closure of the specified section of road is still recommended.
- 13. Council has since receiving the submissions consulted with Main Roads who have agreed to construct an emergency access track from the Ring Road to Neilson Road.
- 14. Access to the Ring Road will still be available if future community requirements change.

RECOMMENDATION

THAT Council;

- i) In accordance with Section 3.50 of the Local Government Act 1995, proceed with the permanent closure to traffic of that portion of Pendeen Road, Rocky Crossing Road (south) and Neilson Road (south) where it meets the future alignment of the Albany Ring Road, concurrently with the construction of the Albany Ring Road;**
- ii) In accordance with Section 3.50 of the Local Government Act 1995, proceed with the permanent closure to traffic of that portion of Henderson Road where it meets Albany Highway; and**
- iii) Ensure that these roads are signed adequately to permit “Local Traffic Use Only” and advise that these are “no through roads”.**

Voting Requirement Simple Majority

WORKS & SERVICES REPORTS

Item 13.6.1 continued

No	Submitter	Submission	Officer Comment
1	David & Shirley Main 149 Rocky Crossing Rd	No objection	
2	Luke Gatti PO Box 720 ALBANY	Closure of Pendeen Rd will decrease value to property due to access being closed from Chester Pass Road. Would like the City to purchase the property market value or be relocated to a location with access to Chester Pass Rd.	Letter has been forwarded to Main Roads to acknowledge
3	L A (Tony) Davis For Deer-O-Dome PO BOX 77 ALBANY	Closure of Henderson Road removes most direct access point for outbound traffic from Albany Highway to business premises and negatively impact on business turnover and he vigorously opposes the closure whilst any legally registered business remains operating on the property.	Noted – Letter has been forwarded to Main Roads to action.
4	JM & EM Stephenson 439 Rocky Crossing Rd	They need to have access to southern half of Rocky Crossing Rd for access to the Highway for the newsagent, Fuel Station, Stockfeed supplier, Tafe as well as friends. Has concerns that it will affect the school bus, mail service and workers having extra travel time and costs. Leisure users eg vintage cars, cyclists, walkers and horse riders who use the full length of the road and it will not be a scenic route anymore.	Noted
5	David A Parnell 78 Kooyong Road	Bought property on Rocky Crossing Rd to give closer access to his farm, this closure will add considerable extra kilometres to get to the farm property. Would like consideration be given to light vehicle access only to the bypass road.	Noted

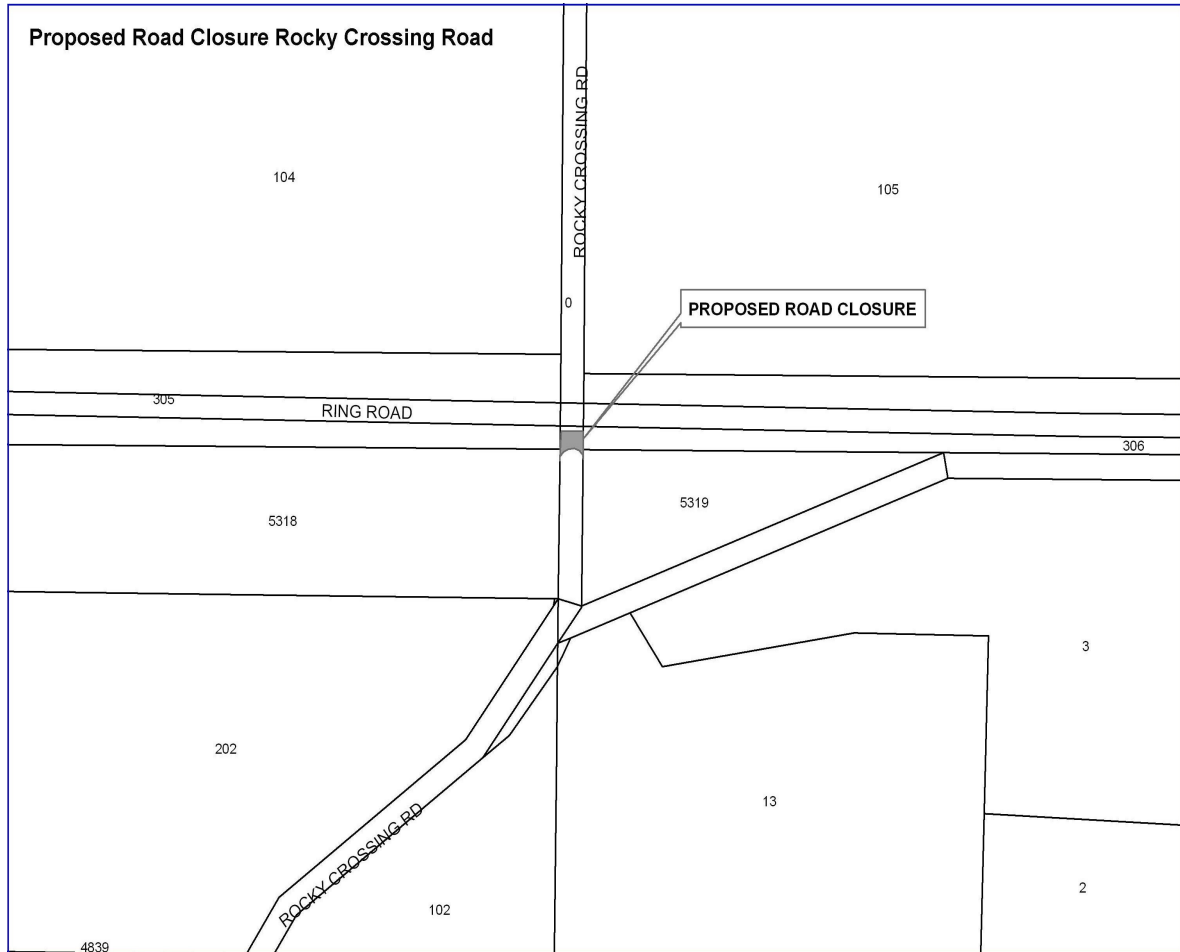
ORDINARY COUNCIL MEETING AGENDA –17/10/06
** REFER DISCLAIMER **
WORKS & SERVICES REPORTS

Item 13.6.1 continued



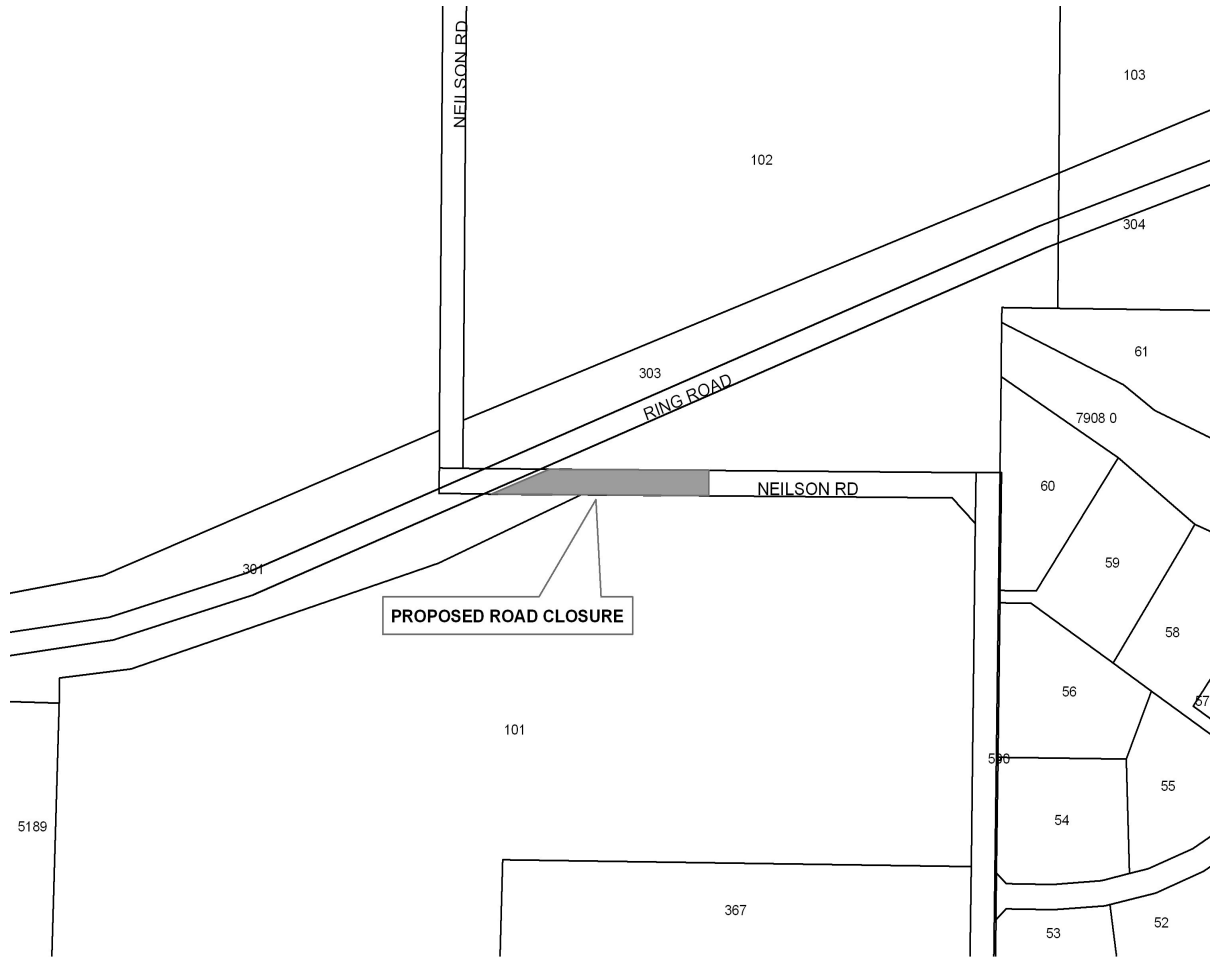
ORDINARY COUNCIL MEETING AGENDA –17/10/06
** REFER DISCLAIMER **
WORKS & SERVICES REPORTS

Item 13.6.1 continued



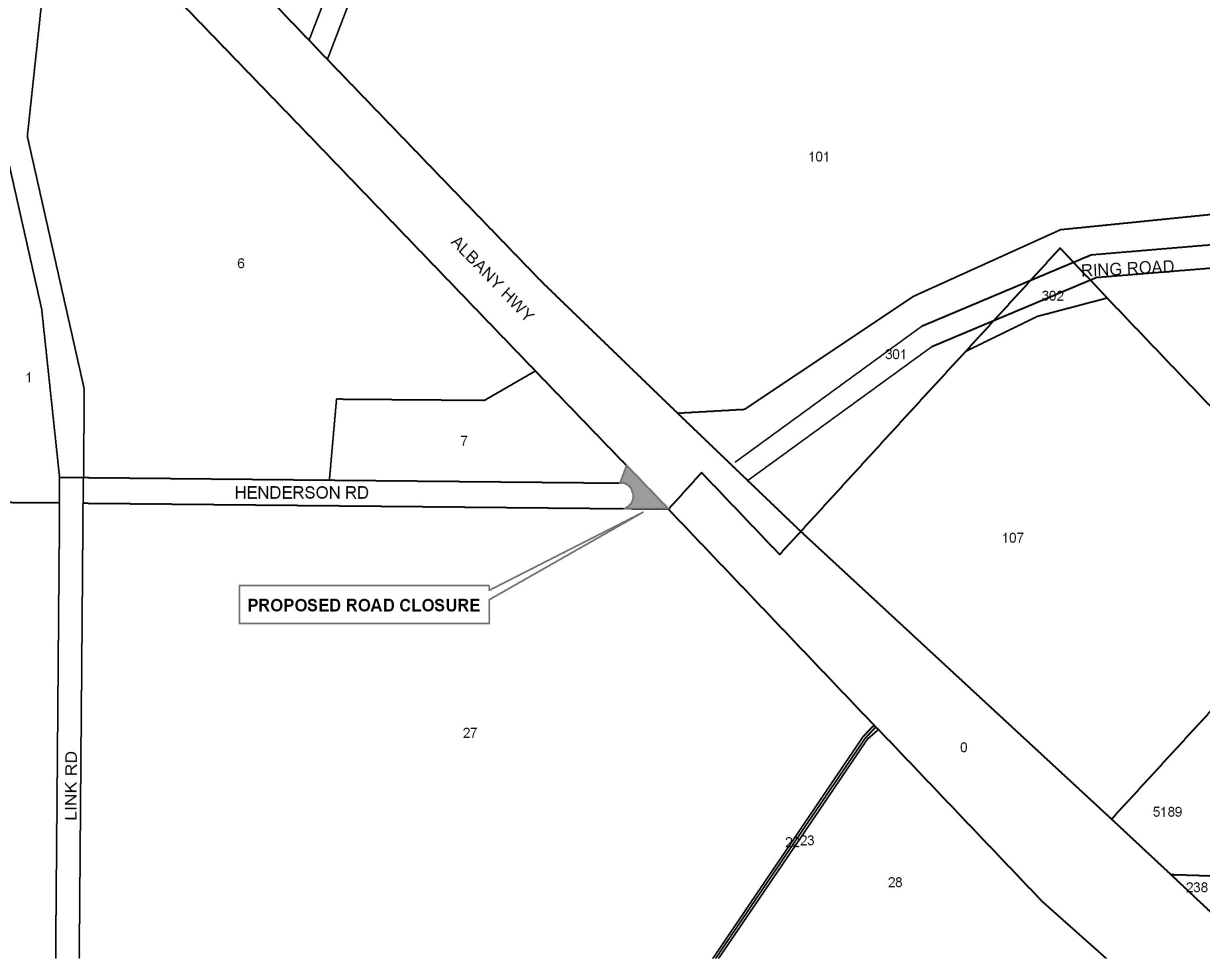
ORDINARY COUNCIL MEETING AGENDA –17/10/06
** REFER DISCLAIMER **
WORKS & SERVICES REPORTS

Item 13.6.1 continued



ORDINARY COUNCIL MEETING AGENDA –17/10/06
** REFER DISCLAIMER **
WORKS & SERVICES REPORTS

Item 13.6.1 continued



13.7 CITY WORKS – RESERVES, PLANNING & MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.8.1 WORKS & SERVICES COMMITTEES

13.8.1 Streetscape Committee meeting minutes – 21 September 2006

File/Ward	:	MAN 161 (All Wards)
Proposal/Issue	:	Committee Items for Council Consideration
Reporting Officer(s)	:	Executive Director Works & Services (L Hewer)
Summary Recommendation	:	That the minutes of the Streetscape Committee Meeting held on 21 September 2006, be adopted.

RECOMMENDATION

THAT the minutes of the Albany Streetscape Committee held on 21 September 2006 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

.....

General Management Services

REPORTS

GENERAL MANAGEMENT SERVICES REPORTS

14.1 STRATEGIC DEVELOPMENT

Nil.

GENERAL MANAGEMENT SERVICES REPORTS

14.2 ORGANISATIONAL DEVELOPMENT

14.2.1 City of Albany Crest

File/Ward	: MAN005 (All Wards)
Proposal/Issue	: Adoption of City Crest
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Public Relations Officer (S Pontin)
Disclosure of Interest	: Nil
Previous Reference	: OCM 15/02/2005 –Item 14.4.1
Summary Recommendation	: That Council adopt the City Crest.
Bulletin Attachment	: Amended City Crest design
Locality Plan	: Nil

BACKGROUND

1. At its 15 February 2005 meeting Council made the following resolution:

THAT the minutes of Mayoral Regalia and Crest Committee held on 7th February 2005 be received and that the Crest recommended by the Committee be adopted.

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.

STRATEGIC IMPLICATIONS

5. This item directly relates to the following elements from the City of Albany 3D Corporate Plan...

“Community Vision:

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

- *Dynamic promotion and marketing of Albany’s advantages and opportunities*

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.2.1 continued

Mission Statement:

“Making the difference for Albany”

Priority Projects:

City Communication Strategy

- *Develop a Communications Strategy and supporting Policy & Procedure Manual that will include guidelines for Advertising, Media Relations, Corporate Brand & Image, City Brochures and Community Consultation.*

COMMENT/DISCUSSION

6. Staff attempted to use the adopted City Crest for the production of commemorative shields and found the design was too complex and the colours inappropriate for the intended use. Expert graphical design consultants were commissioned to refine the design and colours to create a usable Crest while retaining the essential elements of the original. The design is in the Elected Members Report/Information Bulletin.

RECOMMENDATION

THAT Council adopt the City Crest as per the attached graphical representation within the Elected Members Report/Information Bulletin.

Voting Requirement Simple Majority

.....

GENERAL MANAGEMENT SERVICES REPORTS

14.2.2 Annual Review of Council Delegations – Development Approvals

File/Ward	:	MAN 122 (All Wards)
Proposal/Issue	:	To review delegations for development approvals granted to the Chief Executive Officer.
Subject land	:	N/A
Proponent	:	City of Albany
Owner	:	N/A
Reporting Officer	:	Manager Planning & Rangers (G Bride)
Disclosure of Interest	:	N/A
Previous Reference	:	OCM 20/11/01 - Item 12.2.1 OCM 20/08/02 – Item 12.2.6 OCM 20/01/04 – Item 12.2.1 OCM 15/03/05 – Item 12.2.3
Summary Recommendation	:	That Council agrees to renew the Chief Executive Officer’s delegation for development approvals, and delegations to specific staff.
Bulletin Attachment	:	Delegation Instrument – Town Planning Scheme No 1A & 3 Development Guidelines – Town Planning Scheme No 1A & 3
Locality Plan	:	N/A

BACKGROUND

1. Once each year the delegations provided to officers are to be reviewed by Council with the ability for the delegation to be revoked, amended or renewed. The current delegations were reviewed in March 2005.
2. The delegations are provided through the provisions of the City’s Town Planning Schemes and relate to matters under the newly promulgated Planning and Development Act 2005. Both Schemes provide for delegations to be made to Committees of Council or directly to staff. Council has opted to delegate to staff as opposed to establishing a planning committee.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.2.2 continued

STATUTORY REQUIREMENTS

3. Section 7.22 of the City of Albany Town Planning Scheme No. 1A and Section 6.10 of the City of Albany Town Planning Scheme No. 3 establish the mechanisms for Council to delegate decision-making. The wording in the two documents is slightly different however they both provide that Council can delegate at any time and the delegation must be reviewed annually.
4. Section 5.42 of the Local Government Act also allows Council to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of its duties under the Local Government Act. The Chief Executive Officer can then administratively arrange, pursuant to Section 5.44 of the Local Government Act, to allow another person to perform the required function. This method is the most appropriate one for Council to use, as it allows the CEO to change a delegation within 24 hours if needed, as opposed to specifying via the agenda process which can take up to six weeks to present an item to Council.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

8. A review of the Town Planning delegations for development approvals has been conducted, and it is felt the delegations should continue, as they deliver a more efficient and effective service to the City's customers.
9. Since the previous delegations were endorsed by Council, the Planning and Development Act 2005 has been introduced, and various clauses to Council's Schemes have been amended. To ensure decision making is legal, modifications to the delegations issued to staff need to be undertaken.
10. Included in the Elected Members Report/Information Bulletin is the proposed delegation. The modifications are proposed so as:
 - a. to ensure consistency between the two schemes; and
 - b. to ensure that the delegations reflect changes to the Scheme via the amendment process
 - c. to ensure staff are working within the permitted legal framework.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.2.2 continued

11. Whilst there are no changes proposed to the existing delegations under Town Planning Scheme No. 1A, the following modifications for Town Planning Scheme No. 3 is as follows:

- (i) Change section 5.1 to read 5.1.1.
- (ii) Modify section 5.1A, as it has been replaced by 5.2.
- (iii) Add section 5.3.1 (ability to grant planning scheme consent).
- (iv) Add section 5.3.4 (compliance of conditions prior to occupancy).
- (v) Add section 5.3.6 (amending planning scheme consents).
- (vi) Modify section 5.1B, as it has been replaced by 5.4.
- (vii) Modify section 5.3(f), as it has been replaced by 5.6(f).
- (viii) Modify section 5.5A, as it has been replaced by 5.8.
- (ix) Modify section 5.7, as it has been replaced by 5.10.
- (x) Modify section 5.8, as it has been replaced by 5.11.
- (xi) Modify section 5.9, as it has been replaced by 5.12.
- (xii) Modify section 5.10.4, as it has been replaced by 5.13d.
- (xiii) Modify section 5.11(b)i, as it has been replaced by 5.14(b)i.
- (xiv) Modify section 5.11(b)ii, as it has been replaced by 5.14(b)ii.
- (xv) Modify section 5.13, as it has been replaced by 5.16.
- (xvi) Modify section 5.15(a), as it has been replaced by 5.18(a).
- (xvii) Modify section 5.15(d)ii, as it has been replaced by 5.18(d)ii.
- (xviii) Modify section 5.15(e), as it has been replaced by 5.18(e).
- (xix) Modify section 5.15(f), as it has been replaced by 5.18(f).
- (xx) Modify section 5.15(g), as it has been replaced by 5.18(g).
- (xxi) Modify section 5.15(h), as it has been replaced by 5.18(h).
- (xxii) Modify section 5.16(a), as it has been replaced 5.19(a).
- (xxiii) Modify section 5.16(b), as it has been replaced by 5.19(b).
- (xxiv) Modify section 5.16(d), as it has been replaced by 5.19(d).
- (xxv) Modify section 5.17(a), as it has been replaced by 5.20(a).
- (xxvi) Modify section 5.17(c), as it has been replaced by 5.20(c).
- (xxvii) Modify section 5.17(c)ii, as it has been replaced by 5.20(c)ii.
- (xxviii) Modify section 5.18(a), as it has been replaced by 5.21(a).
- (xxix) Modify section 5.18(d), as it has been replaced by 5.21(d).
- (xxx) Modify section 5.18(g), as it has been replaced by 5.21(g).
- (xxxi) Modify section 5.18(h), as it has been replaced by 5.21(h).
- (xxxii) Modify section 5.18(i), as it has been replaced by 5.21(i).
- (xxxiii) Modify section 5.18(j), as it has been replaced by 5.21(j).
- (xxxiv) Modify section 5.18(k), as it has been replaced by 5.21(k).
- (xxxv) Modify section 5.18(e), as it has been replaced by 5.21(e)
- (xxxvi) Modify section 5.18(m), as it has been replaced by 5.21(m).
- (xxxvii) Modify section 5.18(n), as it has been replaced by 5.21(n)
- (xxxviii) Modify section 5.20(a)iii, as it has been replaced by 5.23(a)ii.
- (xxxix) Modify section 5.20(a)vii, as it has been replaced by 5.23(a)vii.
- (xl) Modify section 5.20(a)x, as it has been replaced by 5.23(a)x.
- (xli) Modify section 5.20(a)xi, as it has been replaced by 5.23(a)xi.
- (xlii) Modify section 5.20(a)xiii, as it has been replaced by 5.23(a)xiii.
- (xliii) Modify section 5.20(a)xiv, as it has been replaced by 5.23(a)xiv.
- (xliv) Modify section 5.24, as it has been replaced by 5.27.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.2.2 continued

12. The Chief Executive Officer proposes to delegate decision making to individual staff based upon their experience and capabilities. By delegating the various functions under the Local Government Act, the CEO can modify or withdraw the authority, without further referral to Council, if the performance of an individual officer does not meet organisational standards. Council retains the capacity to review the 'upper limit' of the delegated authority at any time.
13. The delegation to staff from the CEO, is dependent upon the level of experience and understanding of planning and development issues. Currently the CEO has 6 levels of sub-delegation to staff, with Level 1 extending to the Executive Director, down to level 6, for the Building Inspection Officer.

Modifications to Existing Development Guidelines – TPS 1A & 3

14. To reflect the modifications made to Town Planning Scheme No. 3 in the previous 12 months, the following modifications to the Development Guidelines (Scheme 3) are required:
 - i) Clause 2.1 refers to section 5.5 of the Scheme – needs to be changed to section 5.7.
 - ii) Clause 2.1 refers to Clause 5.13 of the Scheme – needs to be changed to 5.16.
 - iii) Clause 2.2 refers to Clause 5.17(b) of the Scheme – needs to be changed to 5.20(b).
15. It is also recommended that Council review the upper monetary limit for staff delegations. Council has previously set a limit of \$1 million for staff delegations when processing applications under both town planning schemes. This figure has not been reviewed since 2001 and with inflation and increases in the cost of development it is felt this figure should be increased to \$1.5 million.

RECOMMENDATIONS

1. THAT Council;

- i) **pursuant to clause 7.22 of the City of Albany Town Planning Scheme No 1A, delegate to the Chief Executive Officer those functions specified in Schedule 1 in the Elected Members Report/Information Bulletin as they relate to Town Planning Scheme No 1A, subject to the specified parameters, and further provide that, in accordance with the provisions of section 5.44 of the Local Government Act the Chief Executive Officer be authorised to sub-delegate those functions; and**

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.2.2 continued

- ii) **pursuant to clause 6.10 of the City of Albany Town Planning Scheme No 3 delegate to the Chief Executive Officer those functions specified in Schedule 2 in the Elected Members Report/Information Bulletin as they relate to Town Planning Scheme No 3, subject to the specified parameters, and further provide that, in accordance with the provisions of section 5.44 of the Local Government Act the Chief Executive Officer be authorised to sub-delegate those functions.**

Voting Requirement Absolute Majority

.....

- 2. **THAT Council adopt for advertising the revised Development Guidelines for Town Planning Scheme No. 1A and Town Planning Scheme No. 3 dated September 2005, specifically in relation to increasing the delegation value to staff from \$1 million to \$1.5 million, and correcting references to Scheme clauses.**

Voting Requirement Simple Majority

.....

GENERAL MANAGEMENT SERVICES REPORTS

14.3 ECONOMIC DEVELOPMENT

Nil.

GENERAL MANAGEMENT SERVICES REPORTS

14.4 GENERAL MANAGEMENT SERVICES COMMITTEES

14.4.1 Adoption of Minutes – Albany Tourism Marketing Advisory Committee (06 July 2006, 10 August 2006, 07 September 2006)

File/Ward	:	STR103 (All Wards)
Proposal/Issue	:	Committee Items for Council Consideration
Reporting Officer(s)	:	Manager Economic Development (J Berry)
Summary Recommendation	:	That the Minutes of Albany Tourism Marketing Advisory Committee held on 06 July 2006, 10 August 2006 and 07 September 2006 be adopted.

RECOMMENDATION

THAT the minutes of the Albany Tourism Marketing Advisory Committee meetings held on 06 July 2006, 10 August 2006 and 07 September 2006 be received (copy of the minutes are in the Elected Members Report/Information Bulletin)

Voting Requirement Simple Majority

.....

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

- 15.1 Elected Members' Report/Information Bulletin
DRAFT MOTION
THAT the Elected Member's Report/Information Bulletin, as circulated, be received and the contents noted.

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

- 16.1 Rescission of Council Decision – Development Application – Multiple Dwellings – 4 Barry Court, Collingwood Park

Councillor Paver has given notice that he intends to move the following motions:

1. THAT Council rescind the resolutions adopted under Item 11.1.5 of the Ordinary Council Meeting held on 19 September 2006.
2. THAT Council:
 - (a) Declines to issue planning scheme consent in this matter on the grounds that the proposal is inconsistent with Council's 'Coastal Development' policy; and
 - (b) Invites the proponents to resubmit their application once Urbanizma has completed the work it has been engaged to do under Item 11.1.1 of the 19 September 2006 Ordinary Council Meeting (Consultancy Services – Residential Design Code Policy).

17.0 MAYORS REPORT

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

19.0 CLOSED DOORS

20.0 NEXT ORDINARY MEETING DATE

Tuesday 21st November, 7.00pm

21.0 CLOSURE OF MEETING