



MINUTES

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 18th March 2003
7.30pm
Bornholm/Kronkup Hall**

City of Albany

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Signed _____

Date: 21st March 2003

Andrew Hammond
Chief Executive Officer

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1.0 DECLARATION OF OPENING

Mayor Goode declared the meeting opened at 7.33pm and extended a welcome to all present.

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

Mayor	- A E Goode, JP
Councillors	- M J Evans, JP
	- S M Bojcun
	- A H M Demarteau
	- D M Evers
	- D J Wolfe
	- D W Wellington
	- I A West
	- G Sankey
	- J D Williams
	- R H Emery
	- J Cecil
	- J Walker
	- E A Barton
Chief Executive Officer	- A C Hammond
Executive Director Corporate & Community Services	- W P Madigan
Executive Director Development Services	- R Fenn
Executive Director Works & Services	- B Joynes
Minute Secretary	- S M Day
Approximately 29 members of the public	
1 media representative	

Apologies / Leave of Absence
Nil.

3.0 OPENING PRAYER

Councillor Wolfe read the opening Prayer.

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

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.0 PUBLIC QUESTION TIME

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

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

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

* Tony Harrison

Mr Harrison addressed the Council on three issues, York Street Fig Tree, 50m swimming pool and artificial surf reef. Mr Harrison continued to resite a poem 'Ode to Old Tree' dedicated to the existing Fig Tree in York Street. He asked the Council to show where the fig tree was damaging the pavement. He advised that Rottneest Island, Perth and Denmark have all retained existing fig trees as part of their developments.

Mr Harrison urged Council to support a 50m pool. Bridgetown is a small community and they are upgrading their pool, Albany should be doing the same.

He also urged Council to support the up and coming proposal of an Artificial Surf Reef at Middleton Beach, which would benefit both young and old surfers allowing easy access to the surf.

*Tony Stanton

Mr Stanton represented two associations, the Sporting Action Group and Albany Ratepayers Association. Hr Harrison raised issues regarding the Recreational Development Plan and questions regarding various issues.

'In my business days there was a saying 'Never engage a Consultant unless you KNOW he will give you the answer you want'. Those who constantly engaged Consultants were known to get their own way and would always say 'Wasn't me, I only did what the Consultant recommended'.

I'm hoping that this Council will look very closely at the recommended improvements to ALAC and North Road spring facilities before taking any decisions. The newly formed Community & Sports Action group was extremely pleased with the attendance of two Councillors at their meeting last week. CASAG is hoping that all Councillors will adopt several compatible Community and Sport groups to become personally involved with them to see first hand their problems and aspirations.

The representatives of some 12 sports representing over 5,000 participants decided that:-

- They were disappointed with the Consultants recommendation – this apparently was the cheapest that did nothing at all for some sport and little for others;
- They believe all Albany sports need a decent regional facility and those present want to achieve this;
- They resolved to support every other sport, even if it means their particular game takes a back seat for a while, to let a more deserving one get their requirements first;
- They pointed out there are other community benefits – health, well being and more participation not just the outdated ‘economic rationalist’ approach;
- They believed the facility should be a major feature and attraction for Albany for both visitors & locals. The emphasis being an area where both unstructured and structured sports are undertaken and families can watch or picnic or participate;
- Each sport is to look at a) how many extra locals they can attract with the proper facilities, pitch/court/pool and b) how many extra visitors can they attract through carnivals, regional competitions and state competitions. CASAG will collate the figures in conjunction with all sports;
- The new figures will give some indication of the size of the shortfall or otherwise;
- Each sport will individually assess their requirement and comment on the report accordingly, advising CASAG so we are all aware of each others requirements and comment;
- They all want to be at the review of submissions; and
- If Councillors and the community & sport groups work together we can come up with the best option of Albany.

CASAG is disappointed that City staff chose to comment, in public, about the application for an extension of comment time indicating that 30 days was sufficient and more time increased the cost. I ask how much has the City’s eight month delay cost? I wrote asking for the extension with reason expecting a yes/no with reasons reply. I was told verbally during another conversation with an officer about the extension, and then saw a newspaper column and then the public notice. However, I still do not have a reply to my letter. Comparing it to the trading hours comment period showed a lack of recognition that the circumstances of the two matters are obviously different, with sport having to be done outside working hours with at least two meetings required for each sport to gain members approval.

The following questions were read and taken on notice:-

In the 2nd quarter budget review passed at the Council meeting on 18th February, Item 12.1.2e Artificial Reef – Dive Ship - \$25,000 was reduced from expected income, quote ‘primarily due to problems with two operators vessels’. This presents over 3,300 visits at 7.50 per head. The original estimate was for 6,000 visits thus indicating an error of more than 50%.

- a) Does this mean these people were turned away due to operator problems?
- b) If so, are more or new operators being engaged/sort?
- c) If not, was the original estimate of the number of visitors set too high?
- d) If so, how did this come about?
- e) Was a high figure used as justification to provide an apparent ‘satisfactory revenue figure’?

At the same Council meeting Item 12.1.2c Synthetic Surface – an amount of \$26,000 was approved for repair of the hockey pitch. The original agreement with the Lower Great Southern Hockey Assoc was for a surface to last a minimum of 7 years. This period expired in January 2003.

- a) Was money set aside from the state of the agreement until Jan 2003 to provide for the replacement cost of the surface?
- b) If so, how much per annum?
- c) Was this, plus expected grants enough to cover full replacement?
- d) If not, how is money to be found for full surface replacement?
- e) What has happened to the \$325,000 included in the budget but not used due to external grants of \$159,000 being refused?
- f) Has the above amount been transferred to a fund to provide for the hockey pitch surface replacement?

There is currently a TV campaign advertising ALAC with an emphasis on the pool. For years Albany people have been saying that the pool is overcrowded.

- a) Who were the target audience?
- b) How much is the total cost of the campaign, broken down into research, talent cost, production cost and 'to aid' cost?
- c) Why was any money spent on advertising the pool when it is so overcrowded?

The consultants report on the pool, page 55, confirms that the CERM benchmark for the number of visits per square metre of water is 64; Geraldton has 99 visits, whilst Albany has a staggering 360 visits per square metre or 462% more than the benchmark.

- a) Why is the inference continually made by the Director Corporate & Community Services that Albany cannot financially sustain increased water space?
- b) Is the overall management of the facility to blame or is it because there is only one pool?

*** Sandy Phipps – Young Siding Progress Association**

Ms Phipps is seeking Council's support in regard to a multi purpose trail and a feasibility study being conducted by the Ministry of Sport & Recreation.

***Graham Whitworth – Young Siding**

Mr Whitworth advised the Council that a public meeting had been held on 10th March 2003 regarding the multi purpose trail and advised the Council that the community did not give its support for this project.

***Michael Pemberton**

Mr Pemberton addressed the Council in regard to Item 12.2.3 – Retail Trading Hours. Results of a survey conducted by the Albany Chamber of Commerce & Industry, Albany Visitors Centre and Albany Merchants Associations were presented to Council. He asked the Council why at a meeting in March 2002, a two year trial period was adopted by Council but has now been reversed. Mr Pemberton advised the Council that approx 2110 (18%) people in Albany are involved in retail trading.

***Jan Waterman**

Ms Waterman had two questions to ask Council.

“1. Chief Executive Officer

‘Why was previous motion regarding Retail trading Hours revoked’.

Mr Hammond advised that the motion had been put forward to Council, as there was some confusion on what Councillors were actually voting for.

2. *Ms Waterman questioned why a letter from Muries Lawyers regarding extended trading hours had been received, and what relationship it had with King Open proposal.*

Executive Director Corporate & Community Services advised that a request came from Muries Lawyers asking that 7 day trading be extended to the former Shire area as existed prior to the formation of the City.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

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

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 18th February 2003; and
- Special Meeting of Council held on 4th March 2003.

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

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR BOJCUN**

THAT the following minutes:

- **Ordinary Council meeting held on 18th February 2003; and**
- **Special Meeting of Council held on 4th March 2003.**

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

MOTION CARRIED 15-0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8.0 DECLARATIONS OF FINANCIAL INTEREST

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

Councillor Barton – Item 12.2.3 – Retail Trading Hours – Farm Fresh Food Market Chesterpass Road, Albany

Councillor Wellington – Item 12.2.3 – Retail Trading Hours – Farm Fresh Food Market Chesterpass Road, Albany

Councillor Sankey – Item 12.2.3 – Retail Trading Hours – Farm Fresh Food Market Chesterpass Road, Albany

Under the Local Government Act, Councillors Barton, Wellington and Sankey asked leave of Council to remain in Chambers for the debate and vote on Item 12.2.3 – Retail Trading Hours – farm Fresh Food Market Chesterpass Road, Albany

Councillors Sankey, Wellington and Barton left Chambers at 7.54pm

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR EMERY**

THAT Councillors Barton, Wellington and Sankey be allowed to remain in Chambers for the debate and vote on Item 12.2.3 – Retail Trading Hours – Farm Fresh Food Market Chesterpass Road, Albany

MOTION CARRIED 12-0

Councillors Sankey, Wellington and Barton returned to the Chambers at 7.55pm.

Councillor Sankey – Item 13.2.2 - Construction of Wellstead Community Resource Centre

Councillor Demarteau – Item 11.1.1 – Building Licence Fee for 2003 Telethon Trek Home

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 19.1 - New Lease for Forts Café – M & S Rogers

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

Development Services

REPORTS

DEVELOPMENT SERVICES REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Building Licence Fee for 2003 Telethon Trek Home

File/Ward	: A172621 and PTY 001 (All Wards)
Proposal/Issue	: Building Licence fee for Telethon Trek Home.
Subject Land/Locality	: 72 Drome Road, McKail
Proponent	: City of Albany
Owner	: J Corp Great Southern
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: Provide a donation equal in value to the Building Licence fee of \$327.72.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. A request has been received from J Corp Great Southern on the 6th February 2003, that the City of Albany waive the building fee for the 2003 Telethon Trek Home to be built at 72 Drome Road, Albany. The building fee is \$327.73 and is required to be paid to make the licence valid; that fee has been paid to progress the works.
2. The construction of the home is proposed to start in March and will be auctioned in September, with all funds raised being donated through Telethon to the refurbishment of the Albany Hospital's Childrens' Ward.

STATUTORY REQUIREMENTS

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

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

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

RECOMMENDATION

THAT Council provide a donation from the Community Financial Assistance Program, equal to the value of the building licence fee of \$327.73, to J Corp Great Southern to expedite the construction of the 2003 Telethon Trek Home.

Voting Requirement Simple Majority

.....
Councillor Demarteau declared an interest and left the Chambers at 7.55pm. The nature of Councillor Demarteau interest is that he is involved in the Health Industry.

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR BOJCUN**

THAT Council provide a donation from the Community Financial Assistance Program, equal to the value of the building licence fee of \$327.73, to J Corp Great Southern to expedite the construction of the 2003 Telethon Trek Home.

MOTION CARRIED 14-0

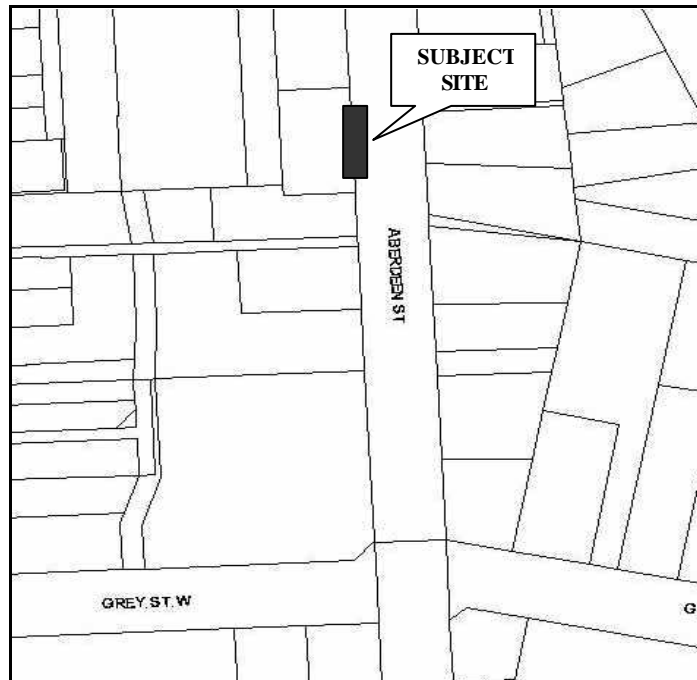
Councillor Demarteau returned to the Chambers at 7.56pm

DEVELOPMENT SERVICES REPORTS

11.2 INSPECTION SERVICES

11.2.1 Variation Of Parking Restrictions – Aberdeen Street, Albany

File/Ward	:	SER 044 (Frederickstown Ward)
Proposal/Issue	:	Installation of two-hour parking bays
Subject Land/Locality	:	Aberdeen Street, Albany
Proponent	:	City of Albany
Owner	:	City of Albany
Reporting Officer(s)	:	Manager Inspection Services (K Barnett)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation:	:	Approve the removal of a bus zone and the installation of two two-hour parking bays in Aberdeen Street.
Bulletin Attachment	:	Nil
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

BACKGROUND

1. Council has received a request to consider replacing the bus zone adjacent to the former Lion's Community Care Centre in Aberdeen Street with two two-hour parking bays.
2. The bus zone was installed in this location to permit the drop-off and pick-up of day visitors to the Lion's Community Care Centre. However, the Centre has now moved to Spencer Park and there is no longer a need to retain the bus zone.
3. With the number of businesses and government agencies located in this area there is always a demand for parking. Therefore the installation of two two-hour parking bays is considered appropriate.

STATUTORY REQUIREMENTS

4. Clause 3.1 of the City's Parking and Parking Facilities Local Law 2001 stipulates, inter alia:

"3.1. The local government may by resolution constitute, determine and vary and also indicate by signs, from time to time:

(a) parking stalls; and

(c) permitted time and conditions of parking stalls which may vary with the locality."

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. The cost of implementing the proposed change will be funded from the current budget.

STRATEGIC PLAN IMPLICATIONS

7. The Albany 2020 Charting Our Course Strategic Plan includes the following Port of Call:

- *The continual development of Council services & facilities to meet the need of all stakeholders.*
- *Under this Port of Call is the objective "to provide a range of ranger services for the benefit and safety of our community."*

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

COMMENT/DISCUSSION

8. There are no comments/discussions relating to this item.

RECOMMENDATION

THAT Council resolve to:

- i) remove the bus zone adjacent to the former Lion's Community Care Centre, Lot 33 (103-105) Aberdeen Street, Albany;
- ii) install two parking bays adjacent to the former Lion's Community Care Centre in Aberdeen Street;
- iii) erect signage to indicate a two-hour limit applies; and
- iv) advertise the restriction.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WALKER**

THAT Council resolve to:

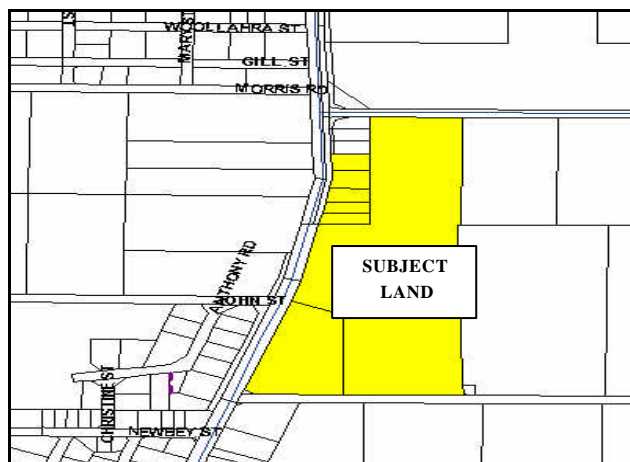
- i) remove the bus zone adjacent to the former Lion's Community Care Centre, Lot 33 (103-105) Aberdeen Street, Albany;**
- ii) install two parking bays adjacent to the former Lion's Community Care Centre in Aberdeen Street;**
- iii) erect signage to indicate a two-hour limit applies; and**
- iv) advertise the restriction.**

MOTION CARRIED 15-0

11.3 DEVELOPMENT POLICY

11.3.1 Amendment to Council Policy – Catalina Central Structure Plan

File/Ward	: STR 049 (Yakamia Ward)
Proposal/Issue	: To consider an alternate built form within the Catalina Central Structure Plan
Subject Land/Locality	: Lots 6, 7, 8, 12, 13, 39, 40, 101 & 293 Chester Pass/Catalina/Mercer Roads, Lange
Proponent	: Taylor Burrell
Owner	: Kingopen Pty Ltd
Reporting Officer(s)	: Strategic Planning Officer (P Shephard)
Disclosure of Interest	: Nil
Previous Reference	: OCM 18/02/03 Item 11.3.3 OCM 16/10/01 Item 11.3.2 OCM 26/06/01 Item 11.1.2 OCM 23/01/01 Item 11.1.10 OCM 05/09/00 Item 11.3.3 OCM 14/12/99 Item 15.1.1 OCM 01/06/99 Item 15.1.3 OCM 28/04/99 Item 15.1.1 OCM 10/03/99 Item 15.1.1
Summary Recommendation	: Progress alterations to the Catalina Central Structure Plan as required.
Bulletin Attachment	: Nil
Locality Plan	:



DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

BACKGROUND

1. At its February 2003 meeting Council resolved to lay on the table for one month the request to modify the Catalina Central Structure Plan (CCSP). This decision allowed Councillors to be briefed on the strategic implications of the CCSP proposal.
2. A briefing to Councillors on the strategic implications of the CCSP proposal was conducted by staff and the proponents on 28th February 2003.

STATUTORY REQUIREMENTS

3. The CCSP was adopted by Council as a Town Planning Scheme Policy under Clause 6.9 of Town Planning Scheme No. 3 at its September 2000 meeting.
4. To amend the adopted Town Planning Scheme Policy, Council is required to undertake the following procedures in accordance with clause 6.9 of Town Planning Scheme No. 3:
 - “(a) The Council, having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area, giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
 - (b) The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.*
 - (c) Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.”*
5. Any adopted Town Planning Scheme Policy does not bind Council in making a decision, although the objectives and provisions of the Policy must be considered when determining an application for a development affected by the Policy.
6. Draft Amendment No. 220 to Town Planning Scheme No. 3 is presently with the WA Planning Commission/Minister for Planning and Infrastructure for final approval, following Council’s determination of the submissions. The amendment report essentially contains (in part) the background, justification and proposals for the types of land uses, that will be permitted within the ‘mixed business’ zone, that is proposed for the site.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

POLICY IMPLICATIONS

7. There are various policies and strategies that have relevance to the CCSP including:
- State Planning Strategy
 - WA Planning Commission Statement of Planning Policy No. 8 (SPP 8)
 - Albany Regional Strategy (1994)
 - Residential Expansion Strategy (1994)
 - Albany Commercial Centres Strategy 2001-2021 (1994)
 - Commercial Strategy Review (2000)
 - Albany Local Planning Strategy (being prepared)
 - Yakamia Structure Plan (1998)

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

9. Development of the subject property is required to be consistent with the objectives and provisions of the Albany Commercial Centres Strategy 2001-2021 (1994), Commercial Strategy Review (2000) and CCSP.

COMMENT/DISCUSSION

10. Staff identified and raised the following design inconsistencies at the recent briefing:
- a) the planning appears to be reactionary, rather than strategic (it has lasted 2 years rather than 15 years);
 - b) the relationship between the structure plan/town planning scheme/economic & traffic modelling needs to be consistent;
 - c) the zoning amendment process needs to better reflect the present situation or amending the structure plan may prove to be futile;
 - d) finer grain buildings are preferred to increase the robustness of the CCSP area and meet the documented commitments (the existing building is a case in point);
 - e) land uses should be self buffering;
 - f) large car park fronting Chester Pass Road is the least preferred design solution; and
 - g) traffic movements within the CCSP area need to be well defined and safely integrated with the local road network.
11. The modified CCSP produced a number of strategic planning issues:
- a) current plan moves away from the 'New Urbanism' design philosophy of the approved CCSP;
 - b) the building form proposed is not conducive to the types of mixed business activities nominated in the proponent's retail modelling results;

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

- c) form of development is symptomatic of a district shopping centre when it is clearly shown as a neighbourhood centre in Commercial Centres Strategy for Albany;
 - d) buffering land uses not contained within CCSP;
 - e) the identified neighbourhood shopping centre is outside the zoned area (as approved by Council under Amendment No. 220);
 - f) the proposed showroom/nursing home will be located on industrial zoned land (as resolved by Council under Amendment No. 220);
 - g) larger buildings are less robust and adaptable to successive tenancy changes (common in mixed business zone); and
 - h) part of aged persons village is a prohibited land use (as resolved by Council under Amendment No. 220).
12. The proponents provided the following responses for the proposed modifications to the CCSP:
- a) the zoning boundary issues associated with the aged persons site and industrial lots will be rectified through the finalisation of Amendment No. 220;
 - b) the proposed built form and treatments to the building facades and roof detailing will provide an attractive development and address the visual concerns of large 'box-type' buildings;
 - c) the provision of landscaping utilising raised beds along Chester Pass Road will address the visual concerns of a large expanse of car parking between the building and the road being seen from the road;
 - d) the provision of mature trees within the car park area will also assist in addressing the visual concerns of a large expanse of car park from within the site;
 - e) a designated theme of 'Brooks Gardens', incorporating water features within the proposed landscaping areas from Mercer Road through to Catalina Road and throughout the site (including the proposed aged persons and residential components) will be incorporated (the example of the Burswood Casino/Perth Eastern Gateway and City of Stirling achievements were highlighted);
 - f) the issue of the rear loading areas and adjoining residential component and necessary treatments to address potential land use conflicts was detailed (rear access, window glazing, memorials on title etc.);
 - g) the position of the proposed southern medical centre and its different focus to the private day care hospital was highlighted as the reason for its inclusion;
 - h) staging details of the overall development were provided; and
 - i) some details were provided regarding the roads, services, petrol station.
13. Discussions with officers of the Department for Planning and Infrastructure (DPI) have indicated that the zoning issues mentioned above will be rectified through the finalisation of Amendment No. 220. It was agreed that the proposed development concept models a district shopping centre which cannot be accommodated within the proposed mixed business zone to be included within the scheme as part of Amendment No. 220.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

- 14. The WA Planning Commission endorsed the Albany Commercial Centres Strategy 2001-2021 (1994) and Commercial Strategy Review (2000), which states at Section 8.5:

“That the modelling indicates that a second DDS, as part of a Suburban District Centre, should not appear to be warranted for many years is consistent, in part, with the 1994 Commercial Strategy for Albany, which notes that “each store (DDS) requires a population of 50,000 people”, a population which will not be achieved by the City of Albany, even in high projections, until sometime after the year 2021”.

- 15. Council is requested to consider the following matters:
 - i. the form of future development (size of buildings, general layout etc.)
 - ii. whether the amended design philosophy is acceptable ‘in-principle’.
 - iii. what are the non-negotiable Council requirements brought about by the change in design philosophy?
 - iv. what specific detail/reports Council requires the proponents to produce in subsequent documentation to justify the changes.
- 16. Resolution of the above will enable officers to undertake the administrative arrangements to enable the progression of the modified CCSP to advertising.

RECOMMENDATION

THAT Council require Kingopen Pty Ltd to submit consolidated documents pursuant to Clause 6.9 of Town Planning Scheme No. 3 for the proposed modifications to the Catalina Central Structure Plan, which addresses the following matters:

- i) consistency between the structure plan, the town planning scheme and the retail/traffic modelling;
- ii) finer grain buildings to increase the robustness of the CCSP area and meet the documented commitments;
- iii) land uses which are self buffering within the CCSP area;
- iv) dispersal of the car park fronting Chester Pass Road amongst the required finer grained buildings;
- v) more clearly defined access roads within the CCSP area which are safely integrated with the local road network;
- vi) planning reasons and justification for a departure of the current proposal away from the ‘New Urbanism’ design philosophy of the approved CCSP with particular reference to the retail modelling and the outcomes of the Commercial Strategy Review (2000);
- vii) commitments regarding the ongoing ownership and maintenance of both public and private land incorporating landscaped areas and water bodies; and
- viii) broad principles on the built form proposed within the CCSP and the control of signage.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR EMERY**

THAT Council, pursuant to Clauses 6.9.3 and 6.9.2 of Town Planning Scheme No. 3, approves the advertising of a superceded policy on the Catalina Central Structure Plan, subject to King Open Pty Ltd submitting a consolidated document which addresses the following matters:

- i) consistency between the Structure Plan, the Town Planning Scheme (following gazettal of amendment 220) and the retail/traffic modelling;**
- ii) a built form consistent with the concept plan prepared by James Coulter Young Pty Ltd (inclusive of the façade treatments);**
- iii) land uses which are self buffering within the CCSP area;**
- iv) buffering and landscaping of the carparking area fronting Chester Pass Road as detailed by James Coulter Young Pty Ltd;**
- v) defined access roads within the CCSP area which are safely integrated with the local road network;**
- vi) planning reasons and justification for a departure of the current proposal away from the “New Urbanism” design philosophy in the CCSP, with particular reference to the retail modelling and the outcomes of the Commercial Strategy Review (2000);**
- vii) commitments (such as by legal agreement and caveat on title) regarding the ongoing development and maintenance of landscaped areas and water bodies situated on private land; and**
- viii) broad principles on the built form proposed within the CCSP and the control of signage.**

MOTION CARRIED 12-3

Reason:

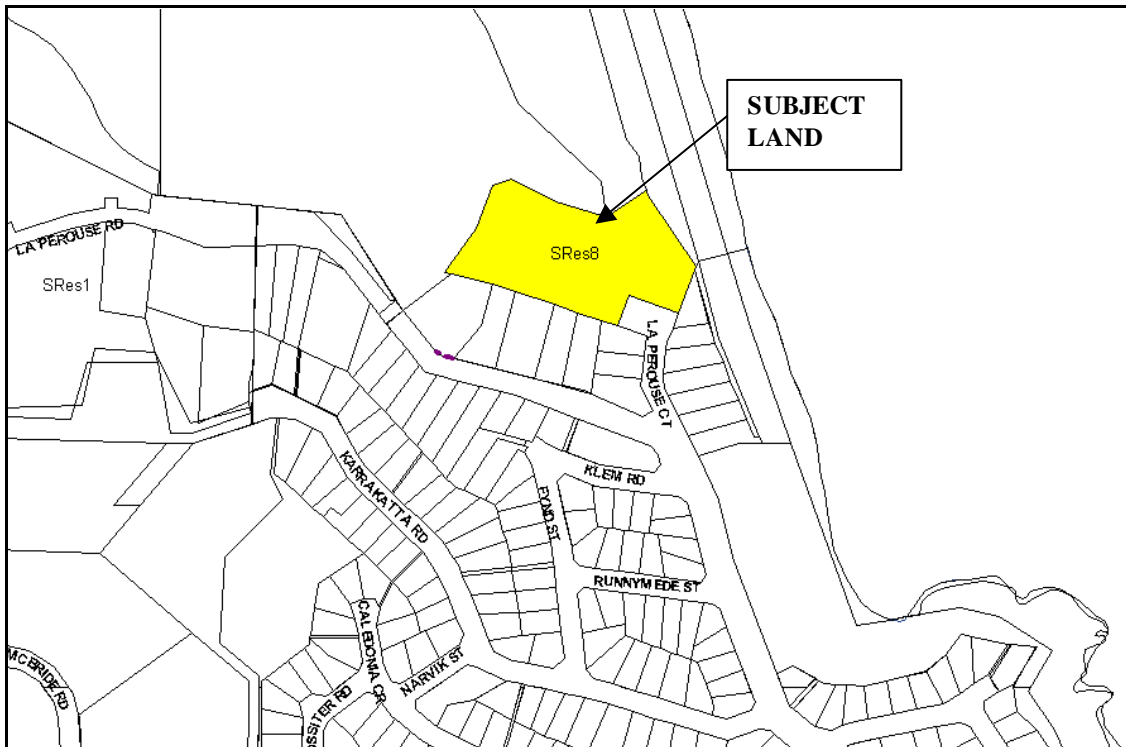
The above recommendation is proposed to enable Council Officers and King Open Pty Ltd to progress to advertising subject to a number of modifications being undertaken. It is considered that these matters may be dealt with by the proponent and the Council Officers and that it is not necessary for the document to be considered by Council for a third time prior to advertising.

It is recommended that point (vii) of the Council recommendation: *“commitments regarding the ongoing ownership and maintenance of both public on private land incorporating landscaped areas and water bodies;”* is deleted as this is a matter that is best dealt with at the subdivision stage as a condition of subdivision approval, however, prior to the construction of the development.

DEVELOPMENT SERVICES REPORTS

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

File/Ward	: A5810 (Vancouver Ward)
Proposal/Issue	: Proposed Policy allocating building envelopes to land within Special Residential Area No. 8 (Lot 401 La Perouse Road, Frenchman Bay).
Subject Land/Locality	: Lot 401 La Perouse Road, Frenchman Bay
Proponent	: Harley Survey Group
Owner	: Nildara Pty Ltd
Reporting Officer(s)	: Senior Planning Officer (G Bride)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: To advertise a draft policy.
Bulletin Attachment	: Nil
Locality Plan	:



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

BACKGROUND

1. Lot 401 La Perouse Road, Frenchman Bay is 16.17 hectares in size and has a multiple zoning of “Special Residential”, “Rural” and “Reserve for Recreation”. The current zonings were established through Amendment 143 to Town Planning Scheme No. 3; gazetted on 7 January 2001.
2. As part of Amendment 143, the Subdivision Guide Plan proposed the creation of 9 special residential lots of around 2000m² in area.
3. An application for subdivision (in accordance with the endorsed Subdivision Guide Plan) was lodged with the Western Australian Planning Commission in September 1999 and was subsequently approved on 30 December 1999. Whilst undertaking detailed land surveying and preliminary engineering design, it was discovered that the head of the proposed cul-de-sac was in a location which would require extensive side cuts into a prominent sand ridge within the site.
4. In consultation with the Western Australian Planning Commission and Council, the applicant lodged a revised subdivision plan which proposed to reposition the cul-de-sac head further to the west in order to avoid the ridge. The revised plan had implications in relation to the creation of lots below 2000m² and the positioning of building envelopes as designated on the Subdivision Guide Plan. The Western Australian Planning Commission approved the revised plan on 10 May 2002.
5. As there is a discrepancy between the revised lot boundaries and the position of the building envelopes, the applicant has requested that the building envelopes be modified by Council to reflect the changed circumstances. Whilst it is usual practice to modify the Subdivision Guide Plan via a scheme amendment, staff are prepared (subject to Council endorsement) to modify the building envelopes via a policy created under Clause 6.9 of Town Planning Scheme No. 3.
6. The applicant has submitted a building envelope plan for Council endorsement which is attached to the rear of the report. In arriving at a draft policy, Staff have suggested a number of modifications to this plan, which have been elaborated upon within the report.
7. Staff are mindful that the original philosophy regarding the placement of building envelopes was based on:
 - Reducing the impact of wind erosion; and
 - Being visually sensitive in relation to the undulating landscape.

STATUTORY REQUIREMENTS

8. Clause 6.9.2 of Town Planning Scheme No. 3 requires the following procedure to be undertaken to make a Town Planning Scheme Policy operative:

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

10. In instances where Council prepares a new policy the cost of advertising is usually at Council’s own expense. In this situation, Council is responding to a request from Harley Survey Group, to undertake policy work over nine special residential lots, and therefore the cost of advertising should be recovered from the applicant.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

12. Staff have undertaken an inspection of the site and have made the following observations:
- Due to the restrictions of lot area and the location of the strategic fire break, which has been constructed in accordance with the Subdivision Guide Plan, development on Lots 653 and 654 is likely to be visually obtrusive, and would facilitate the degradation of the narrow ridge line which traverses these lots.
 - Development on the ridge located between lots 657 and 658 is not preferred for visual amenity reasons given it’s natural height (12m) and it’s proximity to existing development.
 - Development on the ridge between Lots 650 and 651 should be discouraged for environmental reasons, as clearing of the ridge to facilitate housing construction would promote wind erosion.
 - Any development on Lot 655 north of the strategic firebreak would not be consistent with proper planning within bush fire prone areas, unless a dwelling was constructed in accordance with Australian Standard 3959 - Construction of dwellings in bush fire prone areas.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

13. In order to address the above issues staff have included the following within the draft policy:
- Development on Lots 653 and 654 is to be restricted to a height of 7.5m from natural ground level, instead of a maximum of 9.1m above finished floor level, which is specified in the provisions for Special Residential Area 8.
 - Development on Lots 653 and 654 should not promote the cutting of the ridge line to facilitate a slab construction. A housing design which is sympathetic to the topography of the site would be more appropriate.
 - The building envelopes on Lots 650, 651, 657 and 658 are to avoid the relevant ridge line for environmental and/or visual amenity reasons.
 - Any development upon Lot 655 is required to meet the requirements of Australian Standard 3959.
14. Within the special provisions for Special Residential Area No. 8 the size of any building envelope is to not be greater than 900m². In order to take into account visual and environmental constraints staff have recommended building envelope sizes as low as 450m² on Lot 655, with an overall average of around 750m². It is considered feasible that a large dwelling and ancillary structures could be accommodated within each of the allocated building envelopes as designated within the draft policy.
15. Staff believe the draft policy is in accordance with the objectives of Special Residential Area 8 in regards to the location of buildings. A copy of the draft policy is attached to the rear of this report.

RECOMMENDATION

THAT Council:

- i) advertise the draft Local Planning Policy titled 'Building Envelopes within Special Residential Area No 8' for a period of 21 days in accordance with Clause 6.9.2(b) of Town Planning Scheme No. 3; and
- ii) re-present the Local Planning Policy to Council for final adoption after consideration of any submissions.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued.

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR EVANS**

THAT this matter lay on the table until such time as:

- i) Councillors have undertaken a site inspection of the proposed building envelopes;**
- ii) the City of Albany has assessed the planning and financial implications of creating beach access through the coastal reserve (eg boardwalk);**
- iii) the reinstatement of vegetation and ridgelines has occurred to the satisfaction of Council staff; and**
- iv) re-assessment of the location of firebreaks is undertaken.**

MOTION CARRIED 13-2

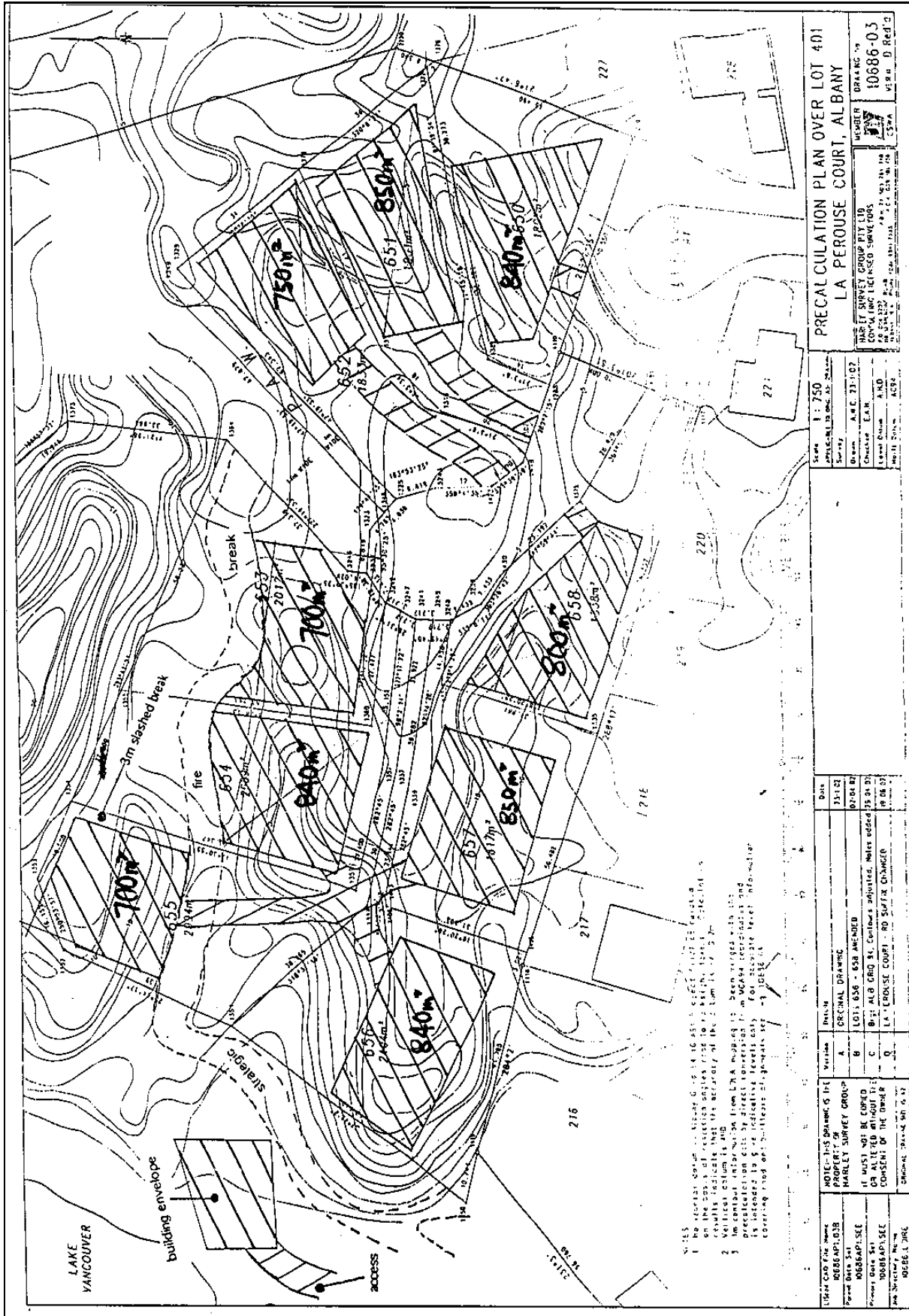
Reason:

- Councillors have had insufficient time to attend a site inspection and evaluate the appropriate size and location of the proposed building envelopes since the developers have undertaken recent works.
- Councillors need to assess the developers level of compliance / disregard to date for the Western Australian Planning Commission conditions on the subdivision including:-
 - a) Condition 13
The subdivider shall construct and drain driveways to a limestone standard on each lot between the road reserve and the external boundary of the approved building envelopes (including the battleaxe lot access legs), to the satisfaction of the Western Australian Planning Commission;
 - b) Condition 18
The subdivider shall provide a geotechnical report which certifies, to the satisfaction of the Western Australian Planning Commission, that the building envelopes for each lot are suitable for construction of dwelling house/s.
 - c) Condition 22
Subdivisional works shall be undertaken in a manner which, to the satisfaction the Western Australian Planning commission;
 - i) is sympathetic to the landform and topography;
 - ii) minimises the impact on vegetation and the foreshore and coastal dunes; and
 - iii) minimises the need for rehabilitation, the spread of weeds into reserves, the introduction of dieback, the risk of erosion, visual impacts and site disturbances.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

APPLICANT'S PROPOSAL



BUILDING ENVELOPES SPECIAL RESIDENTIAL AREA NO. 8

PREAMBLE

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

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

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

OBJECTIVES

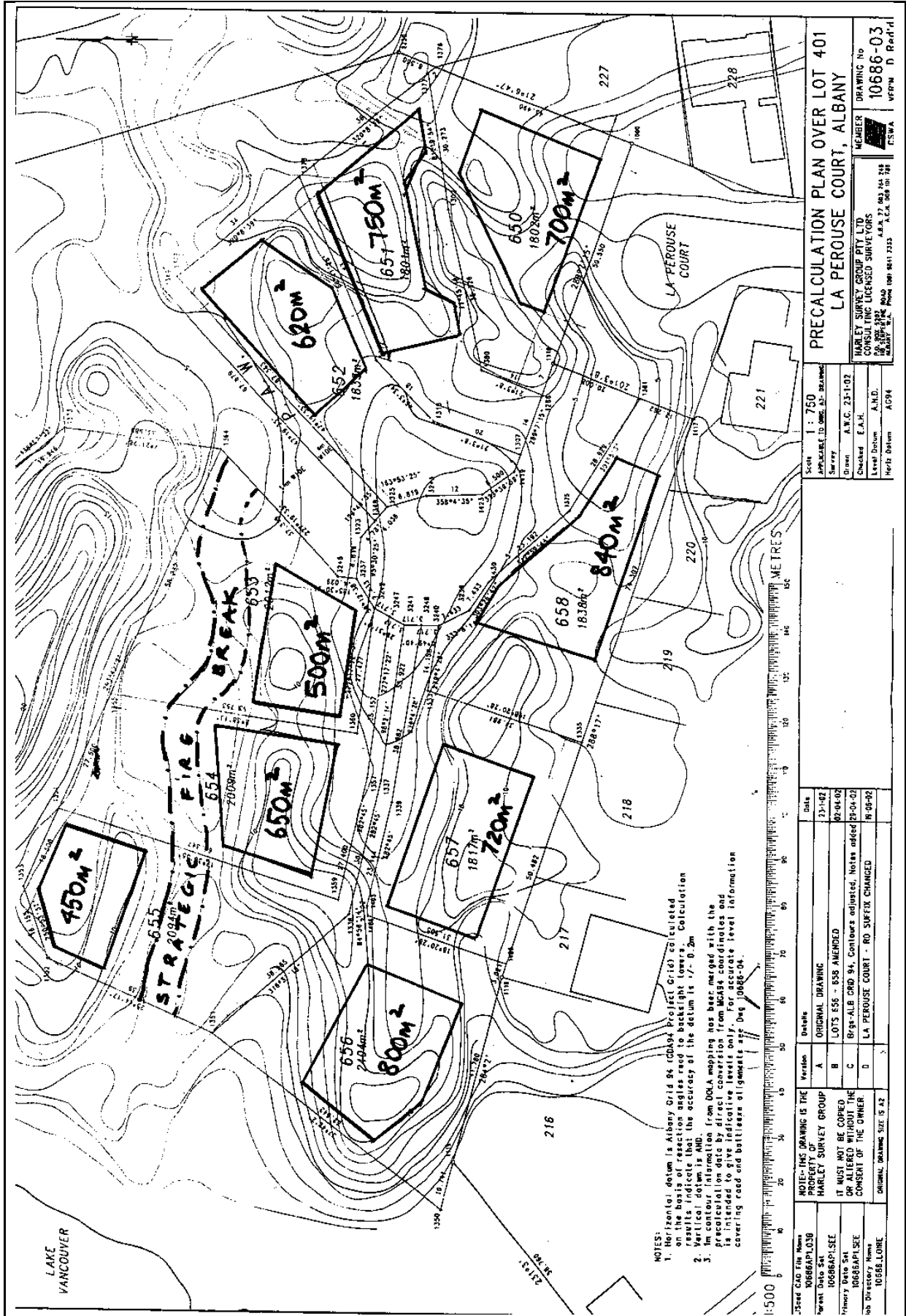
Within Special Residential Area No. 8, the purpose of the zone is to create a special residential living environment which preserves the landscape quality and visual amenity of the locality, with particular attention given to:

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

GUIDELINES

1. All buildings are to located wholly within the designated building envelopes as shown on the attached plan (attachment A).
2. Upon Lots 653 and 654 the following requirements are applicable:
 - (a) The dwelling and any other structures are not to exceed 7.5 metres in height which is measured vertically from the natural ground level.
 - (b) Cut and fill of the site shall be kept to a minimum with preference to split level development so as to minimise disturbance through earthworks.
 - (c) On application a front elevation being provided showing the proposed development in relation to the landscape on and off the site (particularly it's relationship with the ridge to the North).
3. Upon Lot 655 the dwelling is to be constructed to Australian Standard 3959 – Construction of dwellings in bushfire prone areas.

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



NOTES:
 1. Horizontal datum is Albany Grid 94 (CDA94 Project Grid) calculated on the basis of resection angles used to backsight towers. Calculation errors indicate that the accuracy of the datum is +/- 0.2m.
 2. Vertical datum is MGSVD.
 3. All contour information from DOLA mapping has been merged with the precalculation data by direct conversion from MGRS coordinates and is intended to give indicative levels only. For accurate level information covering road and battlement alignments see Dwg 10686-04.

**PRECALCULATION PLAN OVER LOT 401
LA PEROUSE COURT, ALBANY**

HARLEY SURVEY GROUP PTY LTD
CONSULTING LICENSED SURVEYORS
MEMBER OF THE SURVEYORS INSTITUTE OF BRITISH COLUMBIA (SIBCA)
A.A.S. 27, 463, 764, 748
100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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 Checked: E.A.H.
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 Merits Datum: AGR4

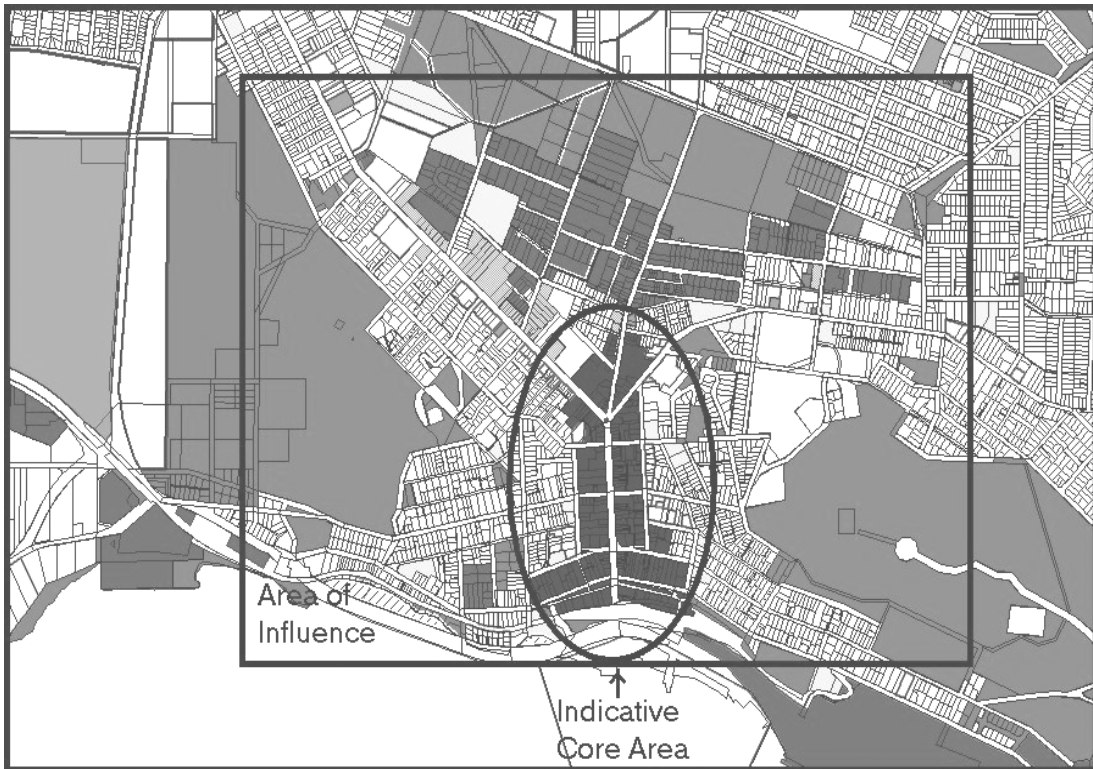
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 PROJECT: LA PEROUSE COURT - RO SURFIX CHANGED

Sheet CAD File Name	Version	Details	Date
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10686API.03E	B	LOTS 656 - 658 AMENDED	02-04-02
10686API.03F	C	Brighton CRD 94, Contours adjusted, Notes added	20-04-02
10686API.03G	D	LA PEROUSE COURT - RO SURFIX CHANGED	18-06-02

DEVELOPMENT SERVICES REPORTS

11.3.3 Contract C02044 – Defining Central Albany (CBD & Surrounds) - A Vision for the Future Consultancy Services

File/Ward	: STR 128 C02044 (Frederickstown Ward)
Proposal/Issue	: Consultancy services by public tender.
Subject Land/Locality	: Albany CBD and Surrounds.
Proponent	: City of Albany
Owner	: Various
Reporting Officer(s)	: Strategic Planning Officer (P Shephard)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council accept tender.
Bulletin Attachment	: Nil.
Locality Plan	:



DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

BACKGROUND

1. Tenders have recently been called for planning consultancy firms to undertake the preparation of a strategy to analyse and plan for the future growth of central Albany, incorporating the CBD and surrounds.
2. The main aim is to develop a strategic land use plan that will establish, guide and co-ordinate the future development and form of the CBD and its surrounds as a well planned and vibrant Regional Centre. Development should respect the heritage values and character of Albany with the following objectives for this strategy:
 - facilitate the development of Albany as a well planned major commercial, employment and tourist activity centre within the Great Southern Region;
 - support the economic health and vitality of the town centre;
 - provide for appropriate and integrated land uses within the study area,
 - define appropriate zoning for land within the study area, including recommendations for Residential code densities;
 - create provisions to ensure a vibrant, sustainable CBD evolves, ensuring that Albany's unique built form and natural features are not eroded;
 - establish development control solutions to retain existing housing and streetscape features which contribute to the character and history of the area, as well as guide new development within the study area;
 - develop a transport plan which addresses the provision and integration of car parking, pedestrian access, and road requirements; and
 - meet the needs of the community for personal safety, recreation, a high level of amenity and cultural opportunities, social interaction and privacy.
3. Three (3) firms have responded to the tender process, namely Taylor Burrell Town Planning and Design, BSD Consultants and Sri Nathan and Associates.
4. The tenders closed on 5th March 2003 and insufficient time was available for the full evaluation of the tender submissions as part of the agenda. A supplementary report will be provided to Councillors prior to the meeting, with a recommendation attached.

STATUTORY REQUIREMENTS

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

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

POLICY IMPLICATIONS

7. One of the tender proposals incorporates Albany based planning and architectural firms within the consultancy team. Appropriate provisions of Council's Local Preference Policy will be applied into the evaluation scoring to that submission.

FINANCIAL IMPLICATIONS

8. Details of the tender bids including cost and their final overall scores will be provided prior the meeting.

STRATEGIC IMPLICATIONS

9. Under the Albany 2020 Port of Call "Managed Healthy Land/Harbour Environment" is the objective "*to take an integrated and strategic approach to land use planning*". The preparation of the strategy will assist in achieving this objective.
10. The strategy will review the proposals stated in the draft Albany Local Planning Strategy and provide guidance for the new Town Planning Scheme.

COMMENT/DISCUSSION

11. The request for tenders was published in the West Australian and the tender process closed on the 5 March 2003.
12. The tender documents included the tender valuation criteria using a weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tenderer. The criteria and sub-criteria are:

Technical capability **30%**

Documented evidence that the key personnel have:

- The technical capacity; necessary skill and experience in projects relevant to this study;
- Worked with community groups; carried out consultation programs with various stakeholders including members of the general public;
- Innovative urban design solutions to undertake the consultancy; and
- Ability of Consultant, through tender documents, to demonstrate capacity to prepare a concise and easily read report.

Method of approach to prepare the plan **30%**

Demonstration of a methodology that will achieve the required objectives and tasks including:

- Addressing the issues and the process to manage and deliver the project within the project timeframe.
- The proposed approach to the consultation process.
- The capacity to prepare concise and easily read maps and reports.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

- Details on the extent of Council staff involvement in the consultancy.
- Evidence of success of proposed methodology in a relevant consultancy.

Management Capability **20%**

- The tenderer is to nominate the project manager, members of the project team, the personnel responsible for day-to-day contact.
- Demonstrate the ability and experience of those personnel to perform the tasks in an efficient manner and on time.
- Availability of key personnel proposed, who will actually work on the project.

Experience in projects of a similar nature **10%**

Documented evidence of the project team and/or its members with working on projects of a similar nature.

Value for money **10%**

Whilst least cost is important, the assessment of the submission is done on a value for money basis and that the offer with the lowest price will not necessarily be selected.

13. Following the opening of tenders, the Executive Director Development Services, Strategic Planning Officer, Policy Planning Officer and Manager Development Services carried out an evaluation of the submissions for the consultancy service.
14. The consultancy is anticipated to take six months to complete and it is important that the contract be awarded at the earliest possible opportunity to ensure that the findings can be incorporated into other relevant documents and strategies namely the Albany Local Planning Strategy and new Town Planning Scheme.
15. In October 2002, the Minister for Planning and Infrastructure, the Hon Alannah MacTiernan, wrote to the City of Albany stating in the letter:

“It is also apparent that we need more holistic planning for the town centre. For example, we need to explore whether the cultural and convention centre may be better placed in the foreshore area. To this end, and in view of the very considerable public interest in this matter, I propose to the Council that we jointly embark on an “inquiry by design” process for the whole of the town centre area so that we have a realistic and achievable plan that will see the City Centre continue to thrive.”

16. Prior to the “Defining Central Albany (CBD and Surrounds) – A Vision for the Future” brief being released for tender purposes, a copy was forwarded to the Minister’s office. The Executive Director of Development Services also met with senior officers in the Perth office of the Department of Planning and Infrastructure to discuss what involvement, if any, the West Australian Planning Commission or the Minister’s office may wish to take in the project.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

17. That meeting resulted in:
- the DPI staff providing advice on the format and content of the brief;
 - the DPI staff advising that they would normally control and conduct an “inquiry by design” process and they had reservations with any hybrid proposal;
 - concerns being expressed over the appropriateness of the process the Minister was suggesting for the task Council was embarking upon (as defined in the brief);
 - the DPI admitting that it did not have the staff resources to conduct an inquiry by design or to even participate in a design workshop (the urban design team had been reduced from 7 to 1 staff member due to a series of resignations);
 - no resources were then available in the WAPC budget to assist Council with portion of the consultancy fee. At best, external consultants could have been engaged by the WAPC to work alongside Council’s consultants in a design workshop; and
 - an acknowledgement that Council’s brief was exploring design solutions and development control principles over the CBD and also requiring integration with heritage, residential and business activities abutting the CBD.
18. Whilst the Minister has indicated a willingness to form a joint partnership to plan the future of Albany’s CBD, the resources to complete that task are being delivered primarily by Council. In other regional centres, the WAPC has prepared such documents as part of regional plans however that offer was not extended to the Lower Great Southern Regional Planning Committee.
19. The Regional Manager of the DPI has continually been briefed on the projects being undertaken by Council as part of the preparation of the Albany Local Planning Strategy (ALPS) and Council may wish to consider what direct involvement (if any) the WAPC and the Minister’s office has in the preparation of strategies and concepts for Albany’s future direction within the ALPS.
20. The recommendation that follows this report, is silent on the consultancy firm at this stage and staff will provide Council with a written report on the outcomes of the tender evaluation prior to the meeting to allow a decision to be taken at the meeting.

RECOMMENDATION

THAT Council award Contract C02044 – ‘Defining Central Albany (CBD & Surrounds) - A Vision for the Future’ Consultancy Services to _____ for a consultancy fee of \$_____ (including GST).

Voting Requirement Simple Majority

.....

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Item 11.3.3 continued.

Additional Supporting Information as tabled at meeting

FINANCIAL IMPLICATIONS

1. The following table summarises the tender bids (including GST) submitted by the consultants to complete the brief, together with their final overall scores after evaluation.

CONSULTANCY	CONSULTANCY COST		EVALUATION SCORE
	OPTION 1 Structured Workshop	OPTION 2 Enquiry -by- Design	
BSD	\$91,784	\$99,088	58.5%
Sri-Nathan & Associates	\$76,800	\$80,000	49.0%
Taylor Burrell	\$83,952	\$83,952	62.5%

COMMENT/DISCUSSION

2. The Executive Director Development Services, Strategic Planning Officer, Policy Planning Officer and Manager Development Services have completed the above evaluation of the tenders for the consultancy service. The evaluation score included in this report, evaluates the performance of the respective consultancies based upon the detail provided in the tender documents; there were strength and weaknesses in each of the submissions lodged.
3. Two of the tenderers have local content and as such, the appropriate provisions(s) of Council's local preference policy were incorporated into the evaluation process.
4. Staff considers the proposal submitted by Taylor Burrell to be the most advantageous to Council, subject to clarification on several tender components, namely:
 - a) Project management.
 - b) Process for consideration of submissions.
 - c) Clarification on parts of methodology.
 - d) Level of insurance coverage.
5. The Consultancy team would comprise:

Team Member	Tasks
Taylor Burrell Town Planning and Design	Enquiry be design workshop, town planning, urban design, facilitating community consultation
Ayton Taylor Burrell	Project management and administration, town planning, urban design, facilitating community consultation,

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued.

Plan (E)	Landscape architecture
Riley Consulting	Transport planning, traffic engineering
David Heaver	Architecture
Heritage Today	Heritage
Patrick Partners	Retail/economic and urban design assessment

RECOMMENDATION

THAT Council delegate to the Chief Executive Officer authority to award Contract C02044 – Defining Central Albany (CBD & Surrounds) - A Vision for the Future Consultancy Services to Taylor Burrell for a consultancy fee of \$83,952 (including GST) subject to written clarification and agreement on the identified components of their tender submission.

Voting Requirement Absolute Majority

.....

AND

THAT Council proceed with the ‘Defining Central Albany (CBD & Surrounds) - A Vision for the Future’ project on the basis of a 1 or 2 day consultation workshop and the WA Planning Commission be encouraged to provide appropriate staff at the workshop.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT Council delegate to the Chief Executive Officer authority to award Contract C02044 – Defining Central Albany (CBD and Surrounds) – A Vision for the Future Consultancy Services to Taylor Burrell for a consultancy fee of \$83,952 (including GST) subject to written clarification and agreement on the identified components of their tender submission.

**MOTION CARRIED 13-2
ABSOLUTE MAJORITY**

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WELLINGTON**

THAT Council proceed with the ‘Defining Central Albany (CBD and Surrounds) – A Vision for the Future’ project on the basis of a 1 or 2 day consultation workshop and the WA Planning Commission be encouraged to provide appropriate staff at the workshop.

MOTION CARRIED 13-2

DEVELOPMENT SERVICES REPORTS

11.4 DEVELOPMENT SERVICES COMMITTEES

Nil.

Corporate & Community Services

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- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment – City of Albany

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

COMMENT/DISCUSSION

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

Municipal Fund		
Cheques	totalling	133,840.90
Electronic Fund Transfer	totalling	836,541.73
Payroll	totalling	669,249.97
TOTAL		<u><u>1,639,632.60</u></u>

2. Cancelled cheques – 17154, 17155 and 17156
3. As at 27th February 2003, the total outstanding creditors, stands at \$739,735.27.

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Item 12.1.1 continued.

RECOMMENDATION

THAT the following City of Albany accounts be passed for payment: -
Municipal Fund totalling \$1,639,632.60
Total \$1,639,632.60

Voting Requirement Simple Majority

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EMERY**

**THAT the following City of Albany accounts be passed for payment: -
Municipal Fund totalling \$1,639,632.60
Total \$1,639,632.60**

MOTION CARRIED 15-0

12.2 ADMINISTRATION

12.2.1 Aboriginal Accord and Action Plan

File/Ward	:	REL 114 (All Wards)
Proposal/Issue	:	Adoption of the draft Aboriginal Accord and associated Action Plan.
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Community Development Officer (R Shanhun)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil.
Summary Recommendation	:	Adoption of the City of Albany Aboriginal Accord and Action Plan, as tabled.
Bulletin Attachment	:	Nil.
Locality Plan	:	Nil.

BACKGROUND

1. On the 30th November 1999 representatives of the City of Albany, the Aboriginal community and the wider Albany community signed a 'Statement of Understanding and Commitment', which in part committed the parties involved to establishing a strategic accord that would provide a greater understanding of Aboriginal and non Aboriginal history and culture.
2. A further purpose of the Accord is that it should promote reconciliation, provide a process of negotiation and consultation, and result in a mutual sharing of the economic and social prosperity of the City of Albany.

STATUTORY REQUIREMENTS

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

Item 12.2.1 continued.

POLICY IMPLICATIONS

4. The City of Albany Aboriginal Accord is a strategic policy document, which provides future policy direction in relation to the provision of services and facilities for aboriginal people, as well as developing processes and protocols for negotiation and consultation.

FINANCIAL IMPLICATIONS

5. There are financial and in-kind costs associated with many of the recommendations contained in the Accord Action Plan. Costings contained in the document are indicative estimates only.

STRATEGIC IMPLICATIONS

6. Albany 2020 Port of Call ‘Attraction and development of a broad range of social, cultural and economic entities’ identifies the Aboriginal Accord as a specific item under the objective ‘to encourage a vibrant community where all are encouraged to participate and contribute’.
7. Albany 2020 Port of Call ‘The continual development of Council services and facilities to meet the needs of all stakeholders’ commits Council to meeting the needs of the whole community, as well as specific sectors within that community.

COMMENT/DISCUSSION

8. The process of developing the Accord has been a long and exhaustive one. A major and very important aspect of that process was the consultation with Aboriginal people themselves. Cultural differences and the shy conservative nature of Aboriginal people made that process difficult and time consuming. The assistance of Gail Williams Consultancy was highly beneficial, as her connections within the local Aboriginal community facilitated the engagement of Aboriginal community members.
9. Information gleaned from the consultative process was used to identify the needs and aspirations of the Aboriginal community. This information was used by the City’s Aboriginal Accord Advisory Committee to develop the aims, objectives and strategies that make up the Accord.
10. To ensure the Accord is used and implemented in an effective manner, the Advisory Committee developed the Accord Action Plan, which provides specific actions required to achieve the objectives and strategies outlined on the Accord.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.1 continued.

11. Following completion of the draft Accord and Action Plan by the Aboriginal Accord Advisory Committee it was distributed to stakeholders identified in the document for their information and feedback. Relevant amendments, based on stakeholder comments were made by the Advisory Committee prior to its finalisation and releases for public comment in January. Following a 6 week period, no public comment, adverse or otherwise has been received.
12. The stakeholder feedback process resulted in a number of very favourable responses, many of which commended Council on its initiatives and committing those organisations to assisting Council in the implementation of the Accord. The State Government, through the Department of Indigenous Affairs has identified the importance of the Accord, not only to the City of Albany and our Aboriginal community, but also as an example of best practice for other Western Australian Local Governments.
13. In support of the City's Aboriginal Accord and to facilitate its implementation, the State has committed to making a Project Officer available to the City through an 18 month secondment from the Department of Indigenous Affairs. This will be an enormous benefit and will facilitate the process of strategy implementation.
14. The City of Albany Aboriginal Accord and the associated Action Plan have previously been distributed and will be tabled at the Council meeting.

RECOMMENDATION

THAT Council;

- i) adopt the City of Albany Aboriginal Accord and Action Plan, as tabled; and
- ii) express its appreciation of the work carried out by the City of Albany Aboriginal Accord Advisory Committee in developing the Accord and associated Action Plan and congratulate the Committee on a job well done.

Voting Requirement Simple Majority

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR EVERS**

THAT Council;

- i) adopt the City of Albany Aboriginal Accord and Action Plan, as tabled; and**
- ii) express its appreciation of the work carried out by the City of Albany Aboriginal Accord Advisory Committee in developing the Accord and associated Action Plan and congratulate the Committee on a job well done.**

MOTION CARRIED 15-0

12.2.2 Tricolore Soccer Club Lease

File/Ward	: PRO 138 (Yakamia Ward)
Proposal/Issue	: Tricolore Soccer Club Lease
Subject Land/Locality	: Part Lot 5 Mercer Road, Albany
Proponent	: City of Albany
Owner	: City of Albany
Reporting Officer(s)	: Executive Director Corporate & Community Services (P Madigan)
Disclosure of Interest	: N/A
Previous Reference	: N/A
Summary Recommendation	: That the request of Frank Forgione to lease land to the Tricolore Soccer Club be deferred.
Bulletin Attachment	: Letter from Mr F Forgione
Locality Plan	: N/A

BACKGROUND

1. A request has been received from the Frank Forgione to lease a section of land within Council's Mercer Road Complex at the Tricolore Soccer Club.
2. Mr Forgione states the Tricolore Soccer Club is keen to develop the ground with the intention of building a club house and hall with a seating capacity of 200-300 people and organising the grounds.

STATUTORY REQUIREMENTS

3. Section 3.58 of the Local Government Act 1995 'Disposing of Property' requires that Council may issue a lease over a property, however it must first give statewide public notice of its intention to do so and therein invite submissions from interested persons.
4. Clause 30 of the Local Government (Function and General) Regulations 1996 provides an exemption to Council from the application of the Section 3.58 of the Act if the land is being disposed of to a body whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreation or sporting or other like nature.

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Item 12.2.2 continued.

5. The Tricolore Soccer Club is a sporting body and therefore the proposed disposition of land is exempt from the Provisions of Section 3.58 of the Act.

POLICY IMPLICATIONS

6. The draft final report for public comment on the Centennial Park and Yakamia Recreation Plan (February 2003) has addressed soccer into the future and is recommending that Council:-

- “▪ *retain the present general layout of soccer pitches;*
- *improve and make drainage safer;*
- *develop a new western pitch for spectator viewing adjacent to new multi-sport club; and*
- *soccer facilities to be consolidated as part of the new multi sports club, this area will be the major area for soccer for the scope of this plan (15 years)”*

7. The public comment period for this report closes on 28th March 2003.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

9. This request could comply with Council’s Albany 2020 – Charting our Course, which in part states as follows:-

*“Parks, Gardens and Playgrounds
A diverse range of passive and active recreational areas that are creative, attractive, safe and enjoyable to use.”*

COMMENT/DISCUSSION

10. The area of land requested to lease forms part of Council’s Mercer Road complex, and would require access across the site.
11. Historically, by letter dated 4th October 1979, Ten Year Developments Pty Ltd donated this area of land to the Shire of Albany, with the wish it be used as a soccer field and that ‘it should be leased to the Albany Tricolore Soccer Club for a period of 30 years’.

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Item 12.2.2 continued.

12. Although the formal lease documentation has not been located, at its meeting of 24th September 1980, the Shire of Albany resolved:

“THAT the term of the lease for Tricolore Soccer Club be for an initial period of 10 years with an option of renewal for a further 2 periods of 10 years each.” (Reference F6, R201), meeting its obligation under point 11 above.
13. The former Shire of Albany lease registrar shows that a lease was entered into on 1st October 1980 with the Albany Italian Club (Tricolore Soccer Club), expiring on 1st October 1990, with the subsequent notation ‘lease expired and not renewed’.
14. There is no memorial / notation on the Certificate of Title.
15. No decision has at this stage been made on the future possible disposal of the Mercer Road complex following the construction of the Council’s Administration building.

RECOMMENDATION

THAT

- i) consideration of the request be deferred until such time as the Centennial Park and Yakamia Recreation Precinct Plan is finalised; and
- ii) Mr Frank Forgione be advised that as the future disposal/ use of the Mercer Road complex has not been determined, Council is not prepared to lease the area requested at this point in time.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR WALKER SECONDED COUNCILLOR WELLINGTON</p> <p>THAT this matter be deferred pending staff endeavouring to locate the lease document and then refer the matter to Council for consideration.</p> <p style="text-align: right;">MOTION CARRIED 15-0</p>

12.2.3 Retail Trading Hours

File/Ward	: LEG 005 (All Wards)
Proposal/Issue	: Extension of Retail Trading Hours
Subject Land/Locality	: Nil.
Proponent	: Nil.
Owner	: Nil.
Reporting Officer(s)	: Executive Director Corporate & Community Services (P Madigan)
Disclosure of Interest	: Nil.
Previous Reference	: OCM 18/02/03 - Item 12.2.2
Summary Recommendation	: For Council consideration
Bulletin Attachment	: Nil.
Locality Plan	: N/A

BACKGROUND

1. Councillor Evans has requested that the motion passed at the February Ordinary Council Meeting be reconsidered, and a separate proposal be considered to extend retail trading hours through the entire municipality.
2. At its February 2003, Ordinary Council meeting, it was resolved:-
“THAT the request that Permit No 1610 be varied and;
 - i) *operators of general retail shops within the former Town of Albany boundaries be authorised to open those general retail shops on Sunday’s between 8.00am and 6.00pm and on Public Holidays, other than Christmas Day and Good Friday during the hours prescribed throughout the Christmas and Easter School holiday; and*
 - ii) *operators of general retail shops within the former Shire of Albany boundaries be authorised to open those general retail shops on Sunday’s between 8.00am and 6.00pm and on Public Holidays, other than Christmas Day and Good Friday, during the hours as prescribed,*
be submitted for a 30 day public consultation prior to consideration by Council.”

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Item 12.2.3 continued.

STATUTORY REQUIREMENTS

3. Regulation 10 of the Local Government Administration Regulations 1996 provides that at least one third of number of offices of Council must support any motion to either change or amend a previous motion of the Council. Any decision to support or amend the decision must be made by an absolute majority.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

7. There are no comments/discussions relating to this item.
8. Five Councillors are required to support the reconsideration of Item 12.2.2 at the Ordinary Council Meeting on 18th February 2003;

RECOMMENDATION I

THAT;

- i) the motion carried by absolute majority agreeing to reconsider the decision made on 18th February 2003 in relating to retail trading hours; and
- ii) Council revoke its decision of 18th February 2003, via

“THAT the request that Permit No 1610 be varied and;

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

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.3 continued.

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

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

Voting Requirement Absolute Majority

.....

RECOMMENDATION II

THAT a proposal to vary Permit No 1610 so that all operators of general retail shops within the City of Albany boundaries be authorised to open those general retail shops on Sundays between 8am and 6pm and on Public Holidays, other than Christmas Day and Good Friday during the hours prescribed be submitted for 30 days public consultation prior to consideration by Council.

Voting Requirement Absolute Majority

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

Councillors Barton, Wellington and Sankey remained in the Chambers.

5 Councillors were required to support the reconsideration of this item.

<p>MOVED COUNCILLOR EMERY SECONDED COUNCILLOR BOJCUN</p> <p>Councillors Demarteau, Barton, Emery, Bojcun and Wilson indicated their support for reconsideration of the item.</p> <p>THAT the motion carried by absolute majority agreeing to reconsider the decision made on 18th February 2003 in relating to retail trading hours.</p> <p style="text-align: right;">MOTION CARRIED 14-1 ABSOLUTE MAJORITY</p>
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ORDINARY COUNCIL MEETING – 18/03/03
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Item 12.2.3 continued.

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WILSON**

THAT the request that Permit No 1610 be varied and;

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

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

**MOTION CARRIED 15-0
ABSOLUTE MAJORITY**

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR EMERY**

THAT a proposal to vary Permit No 1610 so that all operators of general retail shops within the City of Albany boundaries be authorised to open those general retail shops on Sundays between 8am and 6pm and on Public Holidays, other than Christmas Day and Good Friday during the hours prescribed be submitted for 30 days public consultation prior to consideration by Council.

MOTION CARRIED 10-5

12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 ALBANY LEISURE AND AQUATIC CENTRE

Nil.

CORPORATE & COMMUNITY SERVICES REPORTS

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

12.7.1 Senior Advisory Committee – 20th February 2003

- File/Ward** : MAN 131 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Seniors Advisory Committee held on 20th February 2003 be adopted.

Confirmation of the minutes of the Senior Advisory Committee of 20th February 2003.

RECOMMENDATION

THAT the minutes of Senior Advisory Committee held on 20th February 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendation adopted.

7.1 Albany Memorial Park Cemetery

RECOMMENDATION

THAT;

- i) within budgetary constraints, Council agree to provide assistance to the Albany Memorial Park Cemetery fencing project through the provisions of gravel for walkway construction; and
- ii) the request for funding for fencing materials be considered in conjunction with Council's 2003/04 Budget.

Voting Requirement Simple Majority

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR BOJCUN**

THAT;

- i) **within budgetary constraints, Council agree to provide assistance to the Albany Memorial Park Cemetery fencing project through the provisions of gravel for walkway construction, subject to compliance with the Heritage Act; and**
- ii) **the request for funding for fencing materials be considered in conjunction with Council's 2003/04 Budget.**

MOTION CARRIED 15-0

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12.7.2 Great Southern Regional Cattle Saleyards Joint Venture Committee – 10th February 2003

- File/Ward** : REL 987 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Great Southern Regional Cattle Saleyards Joint Venture Committee held on 10th February 2003 be adopted.

Confirmation of the minutes of the Great Southern Regional Cattle Saleyards Joint Venture Committee of 10th February 2003.

RECOMMENDATION

THAT the minutes of Great Southern Regional Cattle Saleyards Joint Venture Committee held on 10th February 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WALKER**

THAT the minutes of Great Southern Regional Cattle Saleyards Joint Venture Committee held on 10th February 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

MOTION CARRIED 15-0

Works & Services

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- R E P O R T S -

13.1 WASTE MANAGEMENT

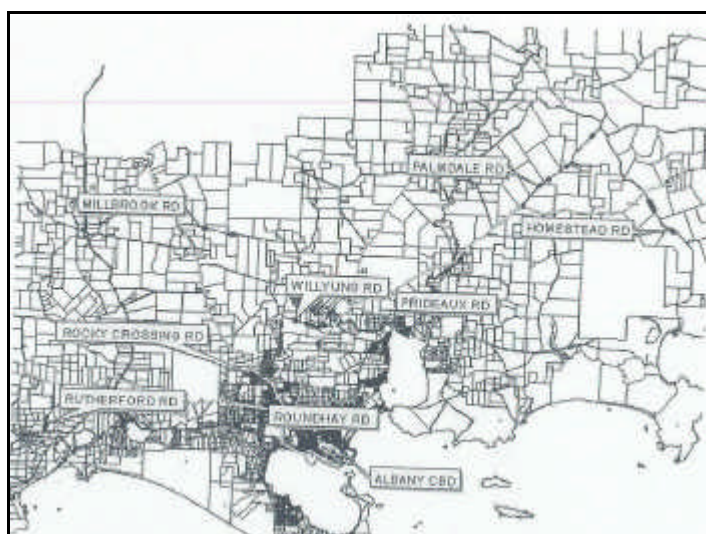
Nil.

WORKS & SERVICES REPORTS

13.2 ASSET MANAGEMENT

13.2.1 Road Pavement Stabilisation – Various Rural Roads

File/Ward	:	C02054 (All Wards)
Proposal/Issue	:	Pavement Stabilisation
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Engineering Contracts Coordinator (M Dale)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil.
Summary Recommendation	:	That Council accepts the Tender from Ertech Pty Ltd for the pavement stabilisation of Willyung Road, Rocky Crossing Road, Roundhay Road, Rutherford Road, Prideaux Road, Palmdale Road, Homestead Road, Millbrook Road, and Cosy Corner Road.
Bulletin Attachments	:	Nil.
Locality Plan	:	



WORKS & SERVICES REPORTS

Item 13.2.1 continued.

BACKGROUND

1. The 2002 / 2003 budget provided a Capital Works Program, which required use of Contractors and / or Consultants to deliver some of the engineering services.
2. The stabilisation of failed road pavement on Willyung Road, Rocky Crossing Road, Roundhay Road, Rutherford Road, Prideaux Road, Palmdale Road, Homestead Road, Millbrook Road and Cosy Corner Road forms one of the projects identified for outsourcing to Contractors.
3. All of the roads nominated have been identified as having areas of significant pavement failure and are high priority works on Council's adopted Asset Management Strategy for Roads.
4. The works to be executed under the Contract generally comprise the following:
 - Geotechnical investigation and design of a preferred road pavement stabilisation method. The method adopted may differ from one road to another as pavement conditions change;
 - Setting up and maintaining traffic control throughout the course of the works;
 - Cleaning, cutting, and regrading existing table drains;
 - Cutting the existing bitumen seal around the perimeter of the failed road pavement to ensure a smooth junction to existing conditions;
 - Cement stabilisation of the existing road pavement.
 - Supply of gravel base course material; and
 - Compacting, trimming, and application of bitumen primer seal.
5. The stabilisation works are proposed for the following roads:
 - Willyung Road,
 - Rocky Crossing Road,
 - Roundhay Road,
 - Rutherford Road,
 - Prideaux Road,
 - Palmdale Road,
 - Homestead Road,
 - Millbrook Road, and
 - Cosy Corner Road.
6. Cosy Corner Road was originally programmed for bitumen reseal. However, further investigation revealed that stabilisation was a more appropriate pavement management option given the extent of failures encountered.

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

STATUTORY REQUIREMENTS

7. The Tendering process for Goods & Services must be in accordance with Sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996.
8. In particular, Regulation 18 outlines a number of requirements relating to the choice of Tender. Council is to decide which of the Tenders is most advantageous and may, if it so chooses, decline to accept any or all of the Tenders received.
9. Regulation 19 requires Council to advise each Tenderer in writing the results of Council's decision.

POLICY IMPLICATIONS

10. The City of Albany's *Regional Price Preference Policy* is applicable to this item.

FINANCIAL IMPLICATIONS

11. In the 2002 / 2003 Capital Works budget, a total of \$800,856 was set aside for the rehabilitation of various road infrastructure. The budget is broken down as follows:

Willyung Road	\$78,010
Rocky Crossing Road	\$110,102
Roundhay Road	\$20,000
Rutherford Road	\$75,156
Prideaux Road	\$62,870
Palmdale Road	\$96,000
Homestead Road	\$172,898
Millbrook Road	\$30,000
Cosy Corner Road	\$155,820
TOTAL BUDGET	<u><u>\$800,856</u></u>

STRATEGIC IMPLICATIONS

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

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

The quality and range of our transport systems are important factors in the present and future well being of our community. Roads, paths, maritime and aviation facilities improve our working, social and recreation lives, and a sensible, well-planned transport system is also a key ingredient in the development of our economic future. The City has established the following major objectives to ensure this Port of Call is realised.

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

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

COMMENT/DISCUSSION**Tender Process**

13. A request for Tenders was published in the Albany Advertiser on 6th February and in the West Australian on 13th February 2003. The closing date for the receipt of Tenders was 28th February 2003.
14. Fours (4) Tenders were received from the following registered companies:
- Ertech Pty Ltd.
 - BGC Stabilisation
 - Brierty Contractors
 - Pavement Technology Ltd.
15. A summary of the Lump Sum Tender prices and associated Schedule of Rates is presented below:

CONTRACT C02054 - SCHEDULE OF RATES SUMMARY				
	Pavement Technology Ltd	BGC Stabilisation	Brierty Contractors	Ertech Pty Ltd
ITEM	RATES \$ (INC GST)	RATES \$ (INC GST)	RATES \$ (INC GST)	RATES \$ (INC GST)
PRELIMINARIES	\$550.00	\$600.00	\$5,500.00	\$5,500.00
MOBILISATION TO ALBANY AND ALL SITES	\$12,000.00	\$13,500.00	\$12,925.00	\$7,282.00
DEMOBILISATION FROM ALBANY AND ALL SITES	\$9,000.00	\$10,500.00	\$12,925.00	\$7,282.00
BCTIF LEVY	\$830.00	\$950.00	\$2,200.00	\$1,250.00
Geotechnical Testing/investigation, Line Marking, As-con drawings & Traffic Control	\$34,350.00	\$42,400.00	\$142,560.00	\$38,199.00
TOTAL LUMP SUM PRICE	\$56,730.00	\$67,950.00	\$176,110.00	\$54,013.00

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

SCHEDULE OF RATES				
OPTION 1	\$6.35/m ²	\$6.95/m ²	\$8.36/m ²	\$5.59/m ²
OPTION 2	\$17.50/m ²	\$19.25/m ²	\$18.04/m ²	\$13.01/m ³
OPTION 3	\$9.80/m ²	\$10.50/m ²	\$12.54/m ²	\$9.32/m ²
OPTION 4	\$14.20/m ²	\$15.50/m ²	\$14.96/m ²	\$9.84/m ²
CEMENT ADDED TO PAVEMENT - BASED ON DESIGN	\$215.00/tonne	\$225.00/tonne	\$209.00/tonne	\$194.70/tonne
LIME ADDED TO PAVEMENT - BASED ON DESIGN	\$197.00/tonne	\$210.00/tonne	\$319.00/tonne	\$209.00/tonne
STAND DOWN OF RESOURCES	\$250.00/hr	\$275.00/hr	\$1,100.00/hr	\$660.00/hr
SEALING WITH 10MM PRIMASEAL	\$2.55/m ²	\$2.75/m ²	\$3.08/m ²	\$3.18/m ²

Tender Evaluation

16. The City of Albany's Manager City Works and Engineering Contracts Co-ordinator carried out evaluation of the Tenders received.
17. The insitu stabilisation of road pavements is a specialised field of engineering. Typically, large cost variations occur as a result of mobilisation distances of plant and equipment, method of stabilisation employed, and the amount of work to be undertaken.
18. Because of the potential cost fluctuations in the overall Tender price, Tenderers were requested to provide a fixed Lump Sum Tender price inclusive of a Schedule of Rates for four (4) stabilisation treatments nominated by Council Officers. This approach will provide Council with the flexibility to vary the extent of stabilisation works to ensure that each road stabilisation project does not exceed the budget allowance.
19. A geotechnical investigation and pavement design is to be undertaken as part of the stabilisation Contract for each of the nominated roads. The geotechnical investigation will allow the Contractor to design with confidence a stabilisation treatment, which is cost effective and requires minimal maintenance by Council in the future. There is a twelve (12) months defects liability period on the Contract.

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

20. Ertech Pty Ltd represents the best value for money. The Lump Sum Tender price and Schedule of Rates are the lowest of all Tenders received. In addition, Ertech propose to undertake pulverisation prior to the commencement of the stabilisation works, which is considered advantageous to the treatment process. Pulverisation was not specified in the Tender documents, however this treatment will significantly improve the performance of the road pavement by ensuring better mixing and binding of the stabilised materials. The additional cost of pulverisation and reshaping is estimated at \$0.70/m², which is inbuilt into the Ertech tendered rate.
21. Ertech's road pavement stabilisation Sub-contractor is Western Stabilisers. This company has extensive experience in the design of stabilised pavements and they employ a professional Civil Engineer who will be in attendance during the stabilisation works. This will ensure that the works are undertaken correctly, any variations from the material found during the geotechnical-testing phase can be dealt with appropriately.
22. Both Ertech and Western Stabilisers have successfully completed similar projects for the City of Albany and are both third party certified to ISO 9002.

RECOMMENDATION

THAT Council accept the Tender from Ertech Pty Ltd for the stabilisation of Willyung Road, Rocky Crossing Road, Roundhay Road, Rutherford Road, Prideaux Road, Palmdale Road, Homestead Road, Millbrook Road, and Cosy Corner Road at the rates provided below:

ITEM	ERTECH PTY LTD
	RATES \$ (INC GST)
PRELIMINARIES	\$5,500.00
MOBILISATION TO ALBANY AND ALL SITES	\$7,282.00
DEMOBILISATION FROM ALBANY AND ALL SITES	\$7,282.00
BCTIF LEVY	\$1,250.00
GEOTECHNICAL TESTING/INVESTIGATION, LINE MARKING, AS-CON DRAWINGS & TRAFFIC CONTROL	\$38,199.00
TOTAL	\$54,013.00

WORKS & SERVICES REPORTS

Item 13.2.1 continued.

OPTION 1	\$5.59/m ²
OPTION 2	\$13.01/m ³
OPTION 3	\$9.32/m ²
OPTION 4	\$9.84/m ²
CEMENT ADDED TO PAVEMENT - BASED ON DESIGN	\$194.70/tonne
LIME ADDED TO PAVEMENT - BASED ON DESIGN	\$209.00/tonne
STAND DOWN OF RESOURCES	\$660.00/hr
SEALING WITH 10MM PRIMASEAL	\$3.18/m ²

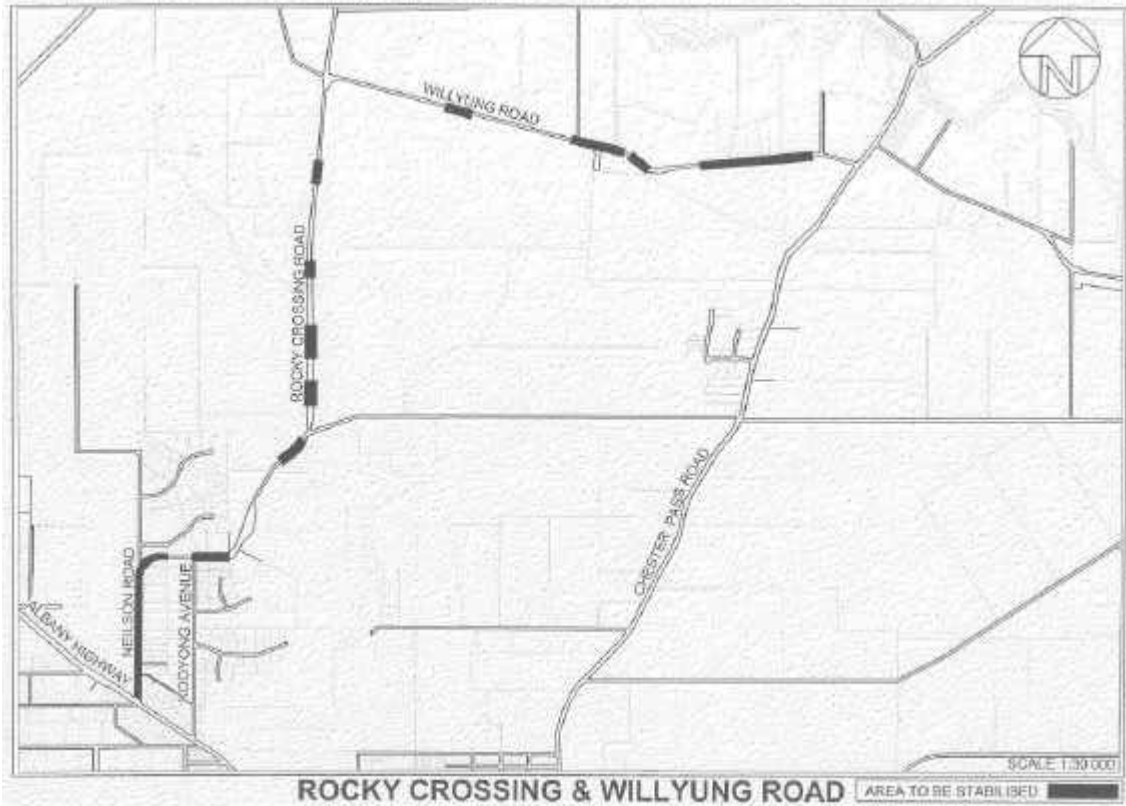
Voting Requirement Simple Majority

.....
 The Executive Director Works & Services advised the Council that an error in the additions and the correct total should read \$59,513.00.

MOVED COUNCILLOR WOLFE	
SECONDED COUNCILLOR EVERS	
ITEM	ERTECH PTY LTD RATES \$ (INC GST)
Preliminaries	\$5,500.00
Mobilisation to Albany and all sites	\$7,282.00
Demobilisation from Albany and all sites	\$7,282.00
BCTIF levy	\$1,250.00
Geotechnical testing/investigation, line marking, as-con drawings & traffic control	\$38,199.00
Total	<u>\$59,513.00</u>
Option 1	\$5.59/m²
Option 2	\$13.01/m³
Option 3	\$9.32/m²
Option 4	\$9.84/m²
Cement added to pavement - based on design	\$194.70/tonne
Lime added to pavement - based on design	\$209.00/tonne
Stand down of resources	\$660.00/hr
Sealing with 10mm primaseal	\$3.18/m²
MOTION CARRIED 15-0	

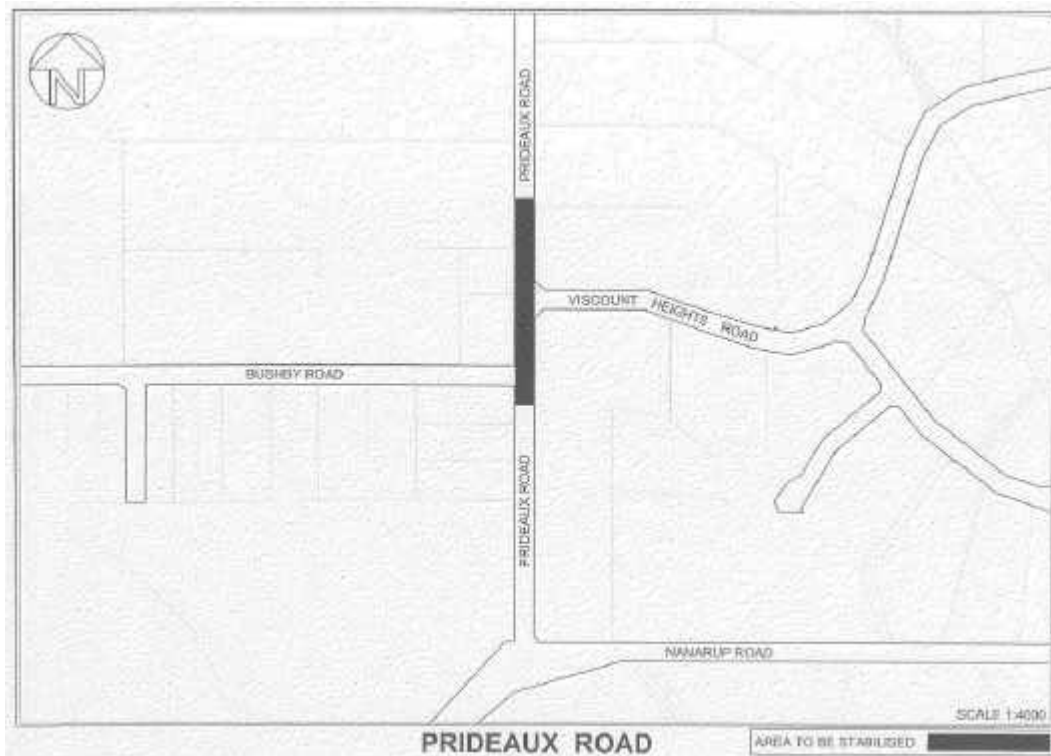
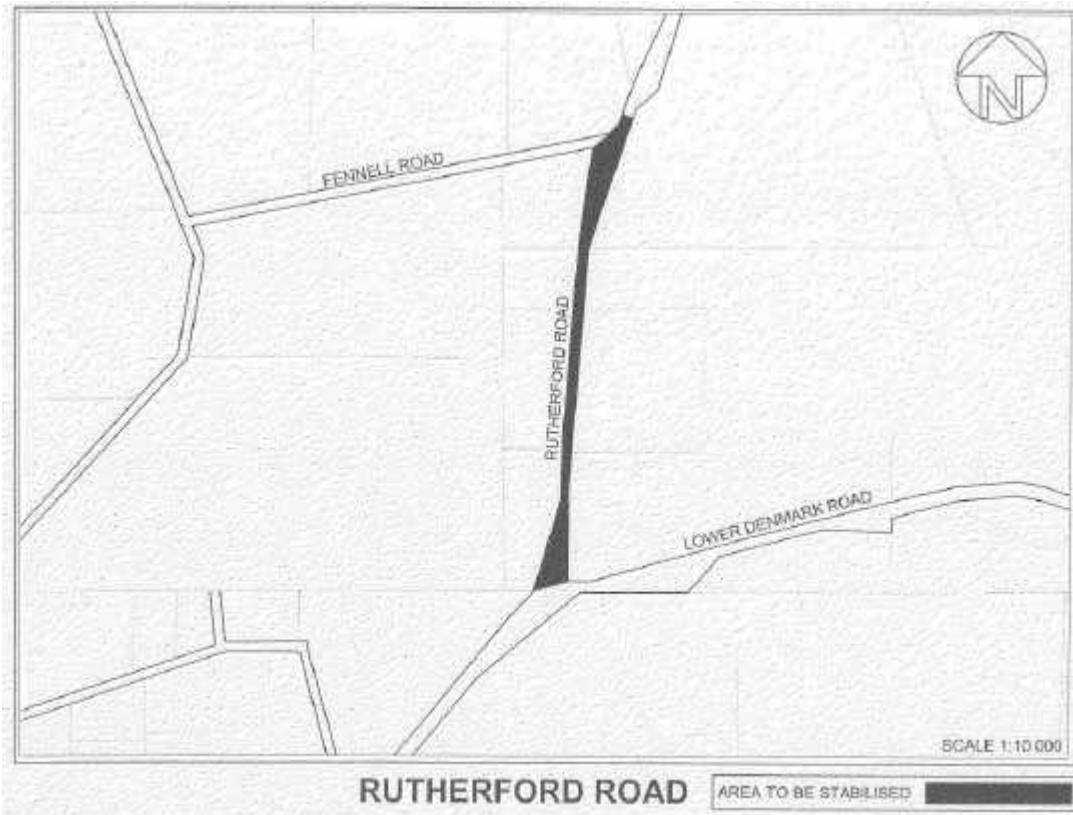
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Item 13.2.1 continued.



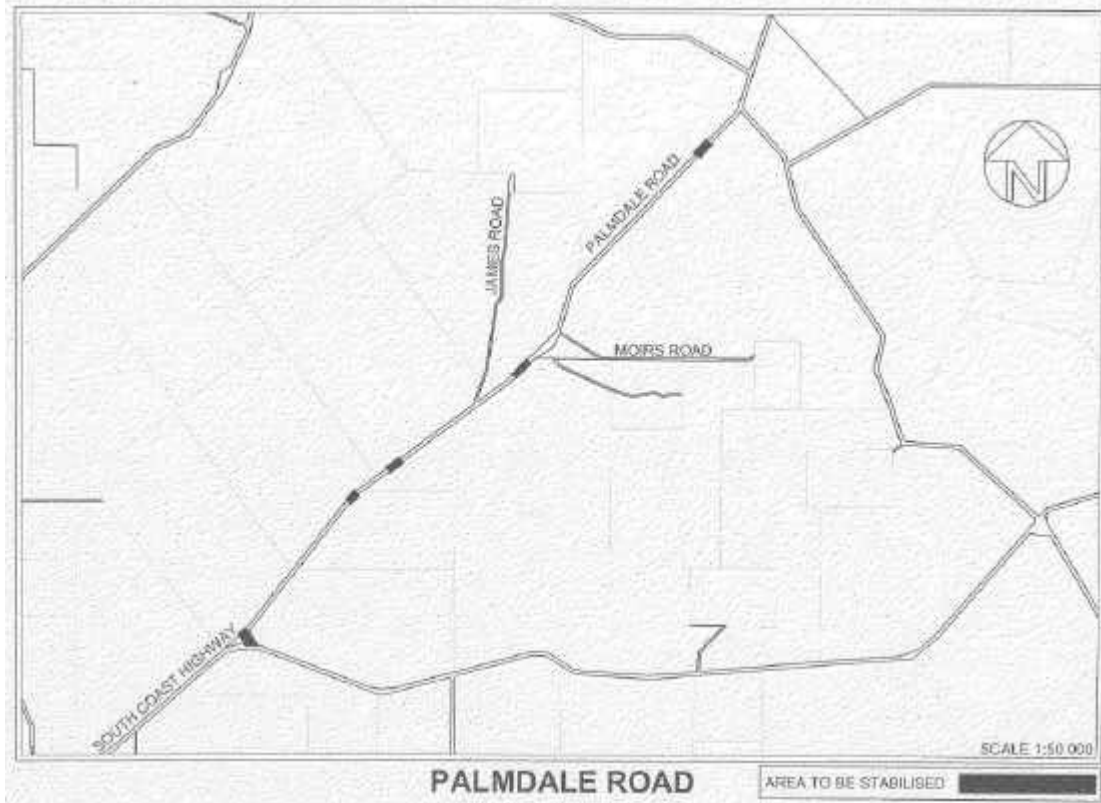
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Item 13.2.1 continued



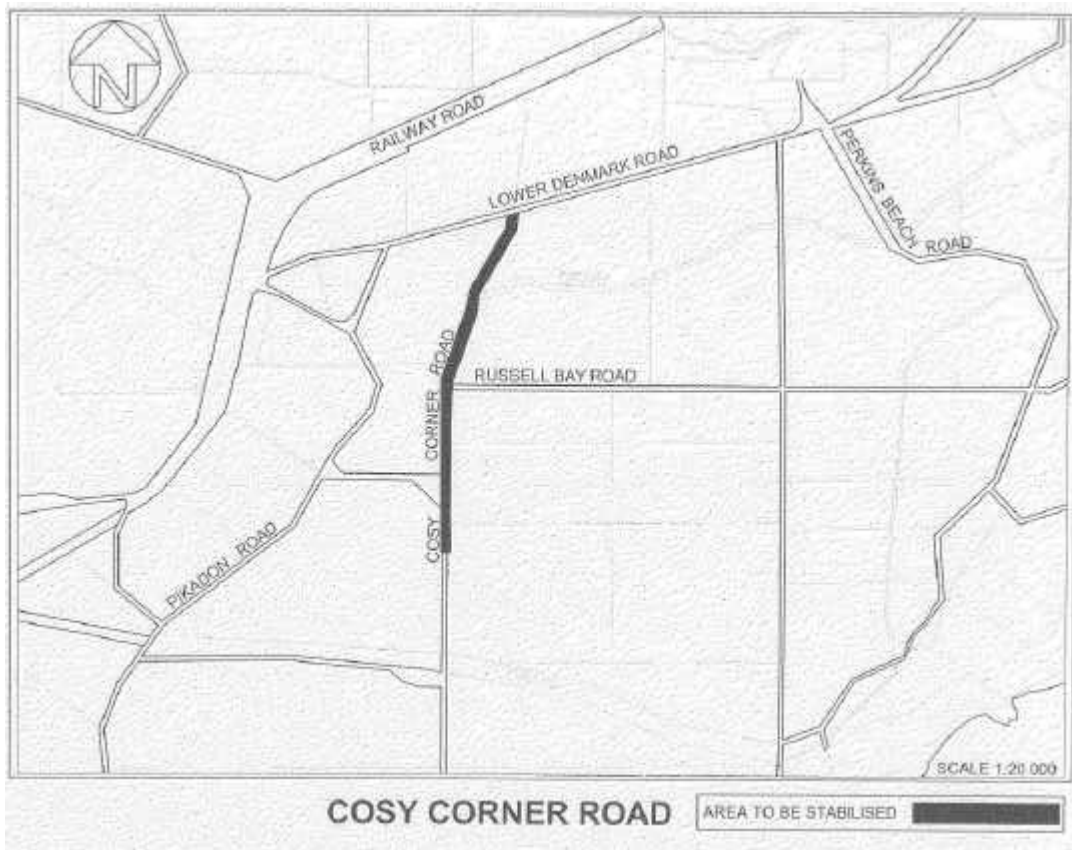
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Item 13.2.1 continued



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Item 13.2.1 continued



WORKS & SERVICES REPORTS

13.2.2 Construction of the Wellstead Community Resource Centre

File/Ward	:	C01006 (Hassell Ward)
Proposal/Issue	:	Construction of the Wellstead Community Resource Centre
Subject Land/Locality	:	Wellstead Town site.
Proponent	:	City of Albany
Owner	:	City of Albany
Reporting Officer(s)	:	Manager Asset and Client Services (S Bell) Manager Economic Development (J Berry)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 07/04/98 – former Shire of Albany
Summary Recommendation	:	Decline all Tenders and delegate to Chief Executive Officer to negotiate with Southdown Construction to reduce the cost of the project by taking into consideration contributions from the Wellstead community.
Bulletin Attachment	:	Proposed Recourse Centre drawings
Locality Plan	:	N/A

BACKGROUND

1. The proposed Wellstead Community Resource Centre has been in the planning phase since 1998 and has been endorsed by Council in April of the same year.
2. Since that time significant effort has gone into sourcing finance, business planning, land tenure arrangements and community consultation.
3. The proposed centre will be a valuable and important community asset for the town of Wellstead and surrounding district and will bring together a range of community and government services including the telecentre, library, landcare office, historical and heritage archive and display, medical/ health practitioner, tourist information and proposed rural transaction centre. Office space and utility areas will also be available for local and visiting service providers to rent at reasonable rates.

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

4. Establishment of the Centre is seen as a positive step forward for the district in re-housing and improving existing facilities and providing new facilities and services for the local, visiting and passing population. With these facilities available in Wellstead, the town will become a more attractive location, thus encouraging new enterprise and growth in the area.
5. The need for this facility has been identified through extensive community consultation processes and expressed interest from a variety of stakeholders.

STATUTORY REQUIREMENTS

6. The tendering process for Goods & Services must be in accordance with sections 11, 18 and 19 of the Local Government (Functions and General) Regulations 1996.
7. In particular, Regulation 18 outlines a number of requirements relating to the choice of Tender. Council is to decide which of the acceptable tenders is the most advantageous to Council and it may also decline any tender.
8. Regulation 19 requires Council to advise each Tenderer in writing the results of Council's decision.
9. Under Section 5.42 of the Local Government Act, Council may delegate to the Chief Executive Officer to delegated authority to act on its behalf and this decision requires an Absolute Majority.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

11. The 2002 / 2003 budget indicates that \$43,000 of Council funding is available for this project. Total funding for construction and operation of the Centre has been sourced from a range of State and Commonwealth Government agencies along with a Council and proposed community contribution. The funding profile is outlined below:-

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

Funding Source	Amount	Purpose
Wellstead Historical and Heritage Group	\$1,000	Contribution to building cost (general)
Wellstead Telecentre	\$4,000	Contribution to building cost (general)
City of Albany	\$43,000	Contribution to building cost (Library – 48sqm)
Great Southern Development Commission	\$65,000	Contribution to building cost (general)
Lotteries Commission of WA	\$99,000	Contribution to community areas of Centre

Department of Transport and Regional Services	\$99,000	Contribution to building cost Based on the area assigned to visiting services, small business centre and tourism information (90 sqm)
Department of Local Government and Regional Development	\$94,000	Contribution to building cost
TOTAL CASH	\$405,000	
Community In-Kind Contribution	Value to be determined in consultation with successful tenderer	Contribution to site-works and materials supply

In addition, the Department of Transport and Regional Services Rural Transaction Centre Program has agreed to provide \$49,621 for a part-time co-ordinator and equipment costs.

12. Design Development and documentation services were undertaken by Earth House Constructions and Project Management assistance by Ms Bev Kubat. The shared sewerage system with the new ablution block was also financed by 50% from the resource centre budget. The remaining budget for building is approximately \$380,000.

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

STRATEGIC IMPLICATIONS

13. The City of Albany's strategic plan, Albany 2020 – Charting Our Course includes the following Port of Call:

“The continual development of Council services & facilities to meet the needs of all stakeholders”

- a. *To provide communities with quality buildings that are functional, well maintained and meet social and cultural needs.”*

COMMENT / DISCUSSION

14. A request for Tender was published in the Albany Advertiser on 6th February 2003, the Albany Extra on 7th February 2003, and the West Australian on 15th February 2003. The closing date for the receipt of Tenders was 4th March 2003.

15. Tenders were received from registered companies as tabled below:

TENDERER	TENDER PRICE (EXCL. GST)
Southdown Construction	\$335,265
Jaxon Construction	\$347,939
Wauters Enterprises	\$361,909
Urban Bloc Company	\$419,329

16. All Tenderers were supplied with Tender Evaluation Criteria, which uses the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall points score for each Tender proposal. The criteria used for the Wellstead Resource Center are:

Cost	50%
Relevant Skills & Experience	20%
Safety Management	5%
Reliability of Tenderer	10%
Quality Accreditation	5%
Other Considerations	10%

17. A listing of the final overall ranking for the Tenderers is as follows:

1. Southdown Construction
2. Wauters Enterprises
3. Jaxon Construction

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

18. The Urban Bloc Company is considered to be a non-conforming Tender as they failed to submit essential information required for assessment of their Tender. Therefore, the Tender from Urban Bloc Company was not considered in the Tender Evaluation.
19. The City of Albany Regional Price Preference Policy was applied to all conforming Tenders. The majority of the works for all three (3) conforming Tenders will be sourced from within the local region so in the final analysis, not a great advantage was gained in applying this policy.
20. Although the price of the highest ranked Tenderer falls within the required budget, it is believed that savings can be achieved by negotiating with the builder to utilise community volunteer labour, materials, and equipment. The Wellstead Progress Association has been the driving force behind this project and has offered to contribute to its building by providing the following, under the direct supervision of the builder:
 - a. Initial site clearing.
 - b. Provision of material for the building pad.
 - c. Construction of the building pad.
 - d. Provision of gravel for the stabilised earth walls.
21. Part of the Government funding for this project is dependent on demonstrating that the local community has contributed in some way to the cost of the construction of the Resource Centre. Therefore, it is important to identify from the preferred builder the cost of the community contribution and resultant discount in the overall Lump Sum Tender price.

RECOMMENDATION

THAT Council declines all Tenders and delegates to Chief Executive Officer the authority to negotiate with Southdown Construction to reduce the cost of the project by taking into consideration contributions from the Wellstead community.

Voting Requirement Absolute Majority

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Councillor Sankey declared an interest in this item and left the Chambers at 8.50pm. The Nature of Councillor Sankey's interest is that her husband is employed by Urban Building, one of the Tenderers.

WORKS & SERVICES REPORTS

Item 13.3.2 continued.

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR CECIL**

THAT Council declines all Tenders and delegates to the Chief Executive Officer the authority to negotiate with Southdown Constructions and the Wellstead Building Consultative Group, a reduction in the tendered price by an amount equivalent to the agreed value of specified contributions of labour, equipment and materials by the Wellstead community. If a reduction in price cannot be successfully negotiated, then the Chief Executive Officer has delegated authority to negotiate price reductions (based on specified community labour and materials) with the next ranked tenderer.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

Reason:

To reflect community involvement in determination of areas of voluntary contribution.

Councillor Sankey returned to the Chambers at 8.58pm.

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13.3 WORKS

Nil.

13.4 AIRPORT MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.5 RESERVES PLANNING & MANAGEMENT

13.5.1 Establishment of City of Albany Reserve

File/Ward	:	FIN 047 (All Wards)
Proposal/Issue	:	Establish a Gravel Pit Rehabilitation Reserve.
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager City Works (L Hewer)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council establish a Gravel Pit Rehabilitation Reserve.
Bulletin Attachment	:	N/A
Locality Plan	:	N/A

BACKGROUND

1. The City maintains cash backed reserve funds for specific purposes in accordance with the Local Government Act.
2. The City does not currently conduct rehabilitation on gravel pits.

STATUTORY REQUIREMENTS

3. Under Section 6.11 (1) of the Local Government Act 1995, “where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose”.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

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Item 13.5.1 continued.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

- 7. It is proposed that a levy will be paid on all gravel stocks at existing and new Council gravel pits. This is to enable the necessary rehabilitation such as clearing debris and rubbish, repairing fencing and levelling out the land in preparation for revegetation.
- 8. It is proposed that Council establish the following reserve:

Reserve Title: Gravel Pit Rehabilitation Reserve
Purpose: To provide for rehabilitation to Council gravel pits.
Funding: A \$1.00 - \$2.00 levy set on gravel stocks per cubic metre funded by the construction budget.

RECOMMENDATIONS

THAT in accordance with the requirements of Section 6.11 of the Local Government Act, Council approves the establishment of the Gravel Pit Rehabilitation Reserve fund to provide for rehabilitation to Council gravel pits and funded by a \$1.00-\$2.00 levy set on gravel stocks per cubic metre.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR SANKEY**

THAT in accordance with the requirements of Section 6.11 of the Local Government Act, Council approves the establishment of the Gravel Pit Rehabilitation Reserve fund to provide for rehabilitation to Council gravel pits and funded by a \$1.00 per cubic metre levy set on gravel stocks per cubic metre.

MOTION CARRIED 15-0

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13.6 WORKS AND SERVICES COMMITTEES

Nil.

General Management Services

REPORTS

14.1 STRATEGIC DEVELOPMENT

Nil.

14.2 ORGANISATIONAL DEVELOPMENT

Nil.

14.3 ECONOMIC DEVELOPMENT

Nil.

14.4 GENERAL MANAGEMENT SERVICE COMMITTEE

14.4.1 Membership of Albany Maritime Foundation

File/Ward	: MAN 128 & STR 123 (All Wards)
Proposal/Issue	: Albany Maritime Foundation
Subject Land/Locality	: Nil
Proponent	: Nil
Owner	: Nil
Reporting Officer(s)	: Executive Assistant to Chief Executive Officer (L Freegard)
Disclosure of Interest	: Nil.
Previous Reference	: Nil
Summary Recommendation	: That Council accept Councillor Bob Emery's resignation from the Albany Maritime Foundation Board and support Councillor Ian Wilson's membership.
Bulletin Attachment	: Nil
Locality Plan	: Nil

BACKGROUND

1. Correspondence has been received from the Albany Maritime Foundation notifying of Councillor Emery's inability to continue membership on the Board of the Albany Maritime Foundation. The Board in seeking a further nomination from a member of Council has approached Councillor Ian Wilson, who has stated that if considered for the position he would accept the role.
2. Councillor Wilson has a keen interest in maritime services.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

Item 14.4.1 continued.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

“A reputation for professional excellence.

Organisational Development – to develop programs for the continual development of Councillors”.

COMMENT/DISCUSSION

7. Whilst Councillor Ian Wilson has indicated he would accept the role as a member of the Albany Maritime Foundation Board, it would be wise to nominate a deputy for the role at the same time.

RECOMMENDATION

THAT Council accept the;

- i) resignation of Councillor Bob Emery from the Albany Maritime Foundation Board; and
- ii) nomination of Councillor Ian Wilson to the Albany Maritime with Councillor _____ as deputy.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR BOJCUN SECONDED COUNCILLOR EVERS</p> <p>THAT Council accept the nomination of Councillor Ian Wilson to the Albany Maritime Foundation Board with Mayor Goode as deputy.</p> <p style="text-align: right;">MOTION CARRIED 15-0</p>
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15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

7.1 Elected Members' Report/Information Bulletin

DRAFT MOTION

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

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR BARTON**

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

MOTION CARRIED 15-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17.0 MAYORS REPORT

“Fellow Councillors:

I am pleased to be here at the second Council meeting to be held in one of the outer regional areas of the City of Albany. It is important that we provide opportunities for our entire community to share in the process of local government and bringing these meetings out from Council Chambers encourages local involvement.

During the last month, there have been a number of exciting events happening around Albany. On Sunday the 23rd of February, 2003, it was my sincere honour to officially bestow the Freedom of Entry rights and privileges onto the Number 2 Flying Training School of the Royal Australian Air Force. The day's activities provided a real spectacle for the community of Albany as the RAAF embraced the Freedom of Entry event with such incredible enthusiasm. I was quite overwhelmed by the level of involvement that the RAAF demonstrated on the day which now helps cement their commitment to continue to use Albany as the base for their regular training deployments during the year.

Another exciting event was the launch of the City of Albany's "Albany Advantage" package at the Town Hall on Friday the 7th of March. This initiative provides a promotional kit to be used by the City to help market Albany in its best possible light assisting in investment attraction, personnel recruitment, tourism marketing and many other opportunities. The kit contains a pictorial booklet, marketing brochure, economic indicators flyer and a CD Rom all in an attractive folder ready for distribution. I am particularly proud of the work that a number of staff of the City of Albany put in to getting this project completed and look forward to witnessing the positive outcome from the kits extensive circulation.

Last Sunday the 16th of March, the Governor of Western Australia – Lt Gen John Sanderson was in Albany to officially unveil the bust of Nicholas Baudin. This bust

was provided to the citizens of Albany by the Terra Australis committee who provided similar busts to other municipalities throughout Western Australia in commemoration of the 200 years since the voyage to our shores by French explorer, Baudin. Baudin was instrumental in charting our southern coastline and named local areas such as Frenchman Bay & Two Peoples Bay. The bust provides a permanent reminder of the rich heritage that Albany has and encourages us all to share this history with future generations.

I attended two very important events during the month which recognised the value of our volunteer fire service members. On Saturday the 1st of March, Albany hosted the State Championships of the Volunteer Fire and Rescue Brigades. The Championships provide essential training to ensure sufficient skill development allowing members to carry out their duties with the utmost professionalism and safety. The Championships attracted teams from all over the state and many thanks go to the local organising team for their hard work in providing such excellent facilities.

Another volunteer acknowledgment during the month was the presentation of National Service Medals to two members of the South Stirlings Fire Brigade. The two recipients have dedicated much of their adult life to the Volunteer Fire Brigade and the medals are in recognition of their commitment, dedication and the personal sacrifices made by them and their families over the years. The community is indeed thankful that we can rely on these people to help protect us all.”

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BARTON**

THAT the Mayors Report be received.

CARRIED 15-0

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

18.1 Council Representation – Albany Port Authority Community Liaison Group

File/Ward	:	GOV 005 (All Wards)
Proposal/Issue	:	Council representation on community liaison group
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Customer Services (S Langford)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Councillor _____ be nominated for consideration to sit on the Albany Port Authority Community Liaison Group
Bulletin Attachment	:	Nil
Locality Plan	:	N/A

BACKGROUND

1. Correspondence has been received from the Albany Port Authority requesting nominations for members to sit on the Albany Port Authority Community Liaison Group. It is proposed that a Councillor be nominated for consideration as a member of this group.

STATUTORY REQUIREMENTS:

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

Item 18.1 continued.

STRATEGIC IMPLICATIONS

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

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

COMMENT/DISCUSSION

- 6. Correspondence has been received from the Albany Port Authority inviting nominations for members to sit on their newly formed Community Liaison Group.
- 7. The Community Liaison Group is to be established to provide advice to the Board of the Port Authority on planning and operational issues at the port. Members of the group will be expected to feed information on port issues back to the Albany community.
- 8. The group will consist of eight members plus a Chairperson, and will meet at least twice per year. Members and the Chairperson will be appointed for a two-year term.
- 9. The Albany Port Authority is seeking nominations from persons with interests in the areas of community consultation, commerce, tourism, local government and port management.
- 10. Nominees are required to submit a resume and an outline (no more than two pages) as to why they wish to be considered for membership on the group. Nominations close Monday 31st March 2003.

RECOMMENDATION

THAT Councillor _____ submit a nomination for consideration to represent Council on the Albany Port Authority Community Liaison Group.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR WALKER SECONDED COUNCILLOR EMERY</p> <p>THAT Councillor West submit a nomination for consideration to represent Council on the Albany Port Authority Community Liaison Group.</p> <p>MOTION CARRIED 15-0</p>

18.2 Export Facility – Plantation Pulpwood Terminals (Albany) – Princess Royal Drive, Albany Port

File/Ward	:	A175528 (Frederickstown Ward)
Proposal/Issue	:	
Subject Land/Locality	:	Albany Port Authority
Proponent	:	Plantation Pulpwood Terminals (Albany)
Owner	:	Albany Port Authority
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Disclosure of Interest	:	Nil
Previous Reference	:	N/A
Summary Recommendation:		That the information be noted.
Locality Plan	:	N/A

BACKGROUND

1. Toll Logistics Pty Ltd, on behalf of Plantation Pulpwood Terminals (Albany), has submitted to the Department of Environmental Protection an Environmental Management Plan (EMP) for a “bulk material loading or unloading” facility (for wood chip exports) at the Albany Port.
2. The Department of Environmental Protection (DEP) has set an informal level of assessment (advice only) for the project and the 14 day appeal period against the level of assessment commenced on Monday 17th March 2003. The DEP has also forwarded to Toll Logistics Pty Ltd draft licence (number 7760/2) conditions to operate the facility under the Environmental Protection Act, 1986. A copy of the draft licence conditions is attached.

STATUTORY REQUIREMENTS

3. Under the Environmental Protection Act, a notice was published in the Western Australian newspaper dated 17th March 2003, advising the public that they may appeal the level of assessment within 14 days of the date of publication of the notice.

POLICY IMPLICATIONS

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

Item 18.2 continued.

FINANCIAL IMPLICATIONS

- 5. Apart from officer time to prepare a submission, a \$50 fee is attached to any appeal.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

- 7. There are two aspects relating to the harvesting of timber and export of wood chips by Plantation Pulpwood Terminals (Albany) which have been the subject of community concern/comment.
- 8. The first relates to the port infrastructure and the impacts of the export facility upon the existing urban area. The proponent has documented those impacts in the EMP, the DEP has determined that the export facilities do not require formal assessment and the Department has progressed their documentation to a draft set of licence conditions. The EMP addressed noise, dust, drainage, traffic (inside port area), public safety and visual amenity issues.
- 9. To successfully appeal the level of assessment set by the DEP, Council would need to identify errors or omissions in the EMP which are of sufficient magnitude to warrant a review of the EMP. The proponent’s commitments are contained within section 9 of the EMP and are reproduced for Council’s consideration.
- 10. The second component of the company’s operations is the harvesting of trees and the transport of the chips. The movement of vehicles along a public road is not subject to the Environmental Protection Act or the Noise Regulations created thereunder. Whilst Council and the Albany community may have a preference for the chips to be transported by rail, the Environmental Protection Act cannot be used as the vehicle to force a change of transport modes. The EMP does not cover the proponent’s planned chipping of logs “in field” and it would be difficult for Council to sustain an argument that in field chipping be subject to the EMP process if the machinery can be operated within the guidelines set by the noise regulations. Community concerns over the social impacts of additional noise and traffic would be more appropriately handled through political processes or by effective policing of standards.

RECOMMENDATION

THAT the information be noted.

Voting Requirement Simple Majority

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Item 18.2 continued.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BARTON**

THAT the information be noted and that Council lodge on appeal to the Department of Environmental Protection requesting an assessment of the infield chipping and transport issues associated with the operations of this application.

MOTION LOST 6-8

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR CECIL**

THAT the information be noted.

MOTION CARRIED 14-1

19.0 CLOSED DOORS

19.1 New Lease for Forts Café – Portion of Reserve 38226, Lot 1347 – M & S Rogers

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WILSON**

THAT the item be discussed behind closed doors.

MOTION CARRIED 15-0

Members of the public left the Chambers at 9.22pm, and returned at 9.30pm

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR BOJCUN**

THAT, Council in accordance with Section 3.58 of the Local Government Act 1995 agree that should no submissions be received as a result of advertising, the Chief Executive Officer be delegated authority:

- i) approve the request from Michael and Sophie Rogers for a new lease for a period of 5 years from 19 April 2003 until 18 April 2008, subject to approval from the Minister for Lands;**
- ii) to reduce the rental to \$413.00 per annum, subject to GST, with market rent reviews being carried out on 19 April 2005 & 19 April 2007;**
- iii) all fees associated with this lease be payable by M & S Rogers; and**
- iv) Common Seal of the City of Albany be affixed to the documentation.**

MOTION CARRIED 14-1

20.0 NEXT ORDINARY MEETING DATE

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

21.0 CLOSURE OF MEETING

9.32pm

Confirmed as a true and correct record of proceedings.

A E Goode, JP
Mayor

APPENDIX A

**WRITTEN NOTICE OF DISCLOSURE OF INTEREST
MINUTES OF THE ORDINARY COUNCIL MEETING 18TH MARCH 2003**

Name	Item	Nature of Interest
Councillor Demarteau	11.1.1 – Building Licence fee for 2003 Telethon Trek Home	Councillor Demarteau nature of interest is that he works within the Health Industry

APPENDIX B

**INTEREST DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 18TH MARCH 2003**

Name	Item	Nature of Interest
Councillor Sankey	12.2.3 – Retail Trading Hours – Farm Fresh Food Market	Councillor Sankey’s nature of interest that her daughter in an employee of Woolworths supermarket.
Councillor Wellington	12.2.3 – Retail Trading Hours – Farm Fresh Food Market	Councillor Wellington’s nature of interest is that he works within the retail industry.
Councillor Barton	12.2.3 – Retail Trading Hours – Farm Fresh Food Market	Councillor Barton’s nature of interest is that she is employed in the retail industry.
Councillor Sankey	13.2.2 – Construction of Wellstead Community Resource Centre	Councillor Sankey’s spouse works within the building industry.

APPENDIX C

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

Name	Item	Nature of Interest
Nil		



SUMMARY OF ACCOUNTS

Municipal Fund			
Cheques	totalling		133,840.90
Electronic Fund Transfer	totalling		836,541.73
Payroll	totalling		669,249.97
TOTAL			<u><u>\$1,639,632.60</u></u>

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$1,639,632.60 which was submitted to each member of the Council on 18th March 2003 has been checked and is fully supported by vouchers and invoices which are submitted to herewith and which have been fully certified as the receipt of goods and the rendition of services and as to prices, computations and costings and the amounts shown are due for payment.

CHIEF EXECUTIVE OFFICER
(A Hammond)

MAYOR

I hereby certify that this schedule of accounts covering municipal and trust fund payments totalling \$1,639,632.60 which was submitted to the Council on 18th March 2003 and that the amounts are recommended to the Council for payment.

MAYOR
(A Goode JP)