

# **MINUTES**

## **ORDINARY MEETING OF COUNCIL**

**on  
Tuesday, 20<sup>th</sup> April 2004  
7.30pm  
Mercer Road Council Chambers**

## **City of Albany**

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Signed \_\_\_\_\_

Date: 21<sup>st</sup> April 2004

***Andrew Hammond***  
Chief Executive Officer

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**1.0 DECLARATION OF OPENING**

Her Worship the Mayor declared the meeting open at 7.32pm and extended a welcome to all present.

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

Mayor	-	A Goode, JP
Councillors	-	MJ Evans, JP
	-	SM Bojcun
	-	AHM Demarteau
	-	DJ Wolfe
	-	DW Wellington
	-	JD Williams
	-	RH Emery
	-	J Waterman
	-	P Lionetti
	-	E Barton
	-	R Paver
	-	J Jamieson
	-	G Sankey
	-	I West
Chief Executive Officer	-	AC Hammond
Executive Director Corporate & Community Services	-	WP Madigan
Executive Director Works & Services	-	B Joynes
Executive Director Development Services	-	R Fenn
Minute Secretary	-	SM Day
Approximately 13 members of the public		
2 media representatives		

Apologies / Leave of Absence:

Nil.

**3.0 OPENING PRAYER**

Councillor Bojcun 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.

**\*D Phillips**

Mr Phillips addressed the Council in regard to Item 14.2.1 and advised that he would like to see Council meetings remain at 7/7.30pm to allow and encourage the public to attend.

**6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

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

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 16<sup>th</sup> March 2004; and
- Special Meeting of Council held on 5<sup>th</sup> April 2004;

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

**MOVED COUNCILLOR BOJCUN  
SECONDED COUNCILLOR WILLIAMS**

**THAT the following minutes:**

- **Ordinary Council meeting held on 16<sup>th</sup> March 2004; and**
- **Special Meeting of Council held on 5<sup>th</sup> April 2004;**

**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 Bojcun – Item 12.2.2 - Cllr Bojcun is employed by the Commissioner of Police.

**9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED**

9.1 Performance Appraisal – Chief Executive Officer (Item 19.1 refers)  
[LGA 5.23(2)(a) refers]

**10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

# **Development Services**

## **REPORTS**



**DEVELOPMENT SERVICES REPORTS**

**- R E P O R T S -**

**11.1 DEVELOPMENT**

Nil

**11.2 INSPECTION SERVICES**

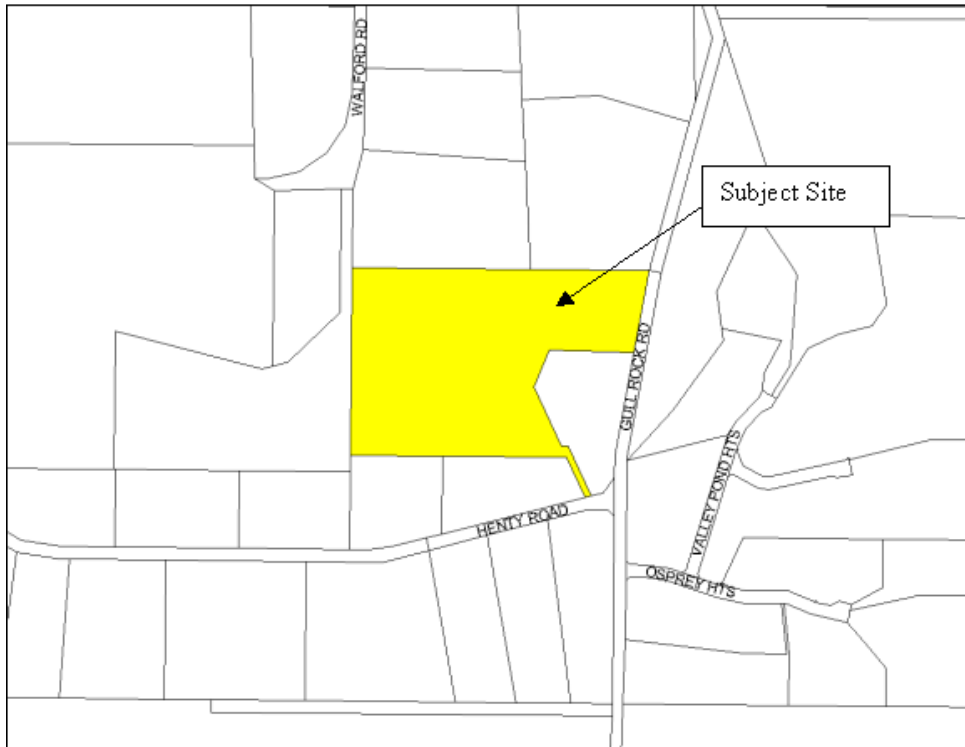
Nil

**DEVELOPMENT SERVICES REPORTS**

**11.3 DEVELOPMENT POLICY**

**11.3.1 Scheme Policy - Request to Adopt Policy – Gull Rock Road Planning Policy**

<b>File/Ward</b>	:	A160864 (Kalgan Ward)
<b>Proposal/Issue</b>	:	Adopt Policy - Revised Lot Layout for Lot 203 Gull Rock Road, Lower Kalgan
<b>Subject Land/Locality</b>	:	Lot 203 Gull Rock Road, Lower Kalgan
<b>Proponent</b>	:	Harley Survey Group
<b>Owner</b>	:	JG & M Stockwell
<b>Reporting Officer(s)</b>	:	Planning Officer (Policy) (R Hindley)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 17/02/2004 – Item 11.3.3
<b>Summary Recommendation</b>	:	Adopt policy in accordance with Clause 6.9.2 of Town Planning Scheme No. 3.
<b>Bulletin Attachment</b>	:	Nil.
<b>Locality Plan</b>	:	



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.1 continued

**BACKGROUND**

1. At it's meeting dated 17 February 2004 Council reviewed the draft 'Revised Lot Layout for Lot 203 Gull Rock Road, Lower Kalgan' Policy and resolved:  
  
*“THAT Council adopts the ‘Revised Lot Layout for Lot 203 Gull Rock Road, Lower Kalgan’ and agrees to advertise the policy for public comment in accordance with Clause 6.9.2 of Town Planning Scheme No. 3.”*
2. The policy was advertised for comment for a period of 21 days, no submissions were received in this period.
3. A copy of the policy and supporting report was included in the February Elected Members Report/Information Bulletin. The revised Lot Layout Plan from that policy follows this report item.

**STATUTORY REQUIREMENTS**

4. Clause 6.9.2 of Town Planning Scheme No. 3 requires the following procedure to be undertaken to make a Town Planning Scheme Policy operative.
  - (a) *The Council having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
  - (b) *The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.*
  - (c) *Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.*
5. Clause 1.2 of Special Rural Area No. 6, as contained in Schedule 1 of Town Planning Scheme No. 3, permits minor variations to the Subdivision Guide Plan on the recommendation of Council.
6. The minimum lot size for Special Rural Area No. 6, should be no less than 2.0 hectares, however the Western Australian Planning Commission may approve minor variations to the Subdivision Guide Plan on the recommendation of Council.

**POLICY IMPLICATIONS**

7. The revised lot layout for Lot 203 Gull Rock Road, Lower Kalgan is to be formalised as a Town Planning Scheme policy adopted by Council under the provisions of Clause 6.9 of Town Planning Scheme No. 3.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.1 continued

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

- 9. The use of the Town Planning Policy provisions of the Scheme as a mechanism for the modification of subdivision guide plans provides a framework for community consultation and it is a process staff would be keen to see introduced into the Community Planning Scheme.

**COMMENT/DISCUSSION**

- 10. A policy cannot modify Scheme Provisions. This policy seeks only to modify the subdivision guide plan for the site and gain Council support to fulfil the requirements of Clause 1.2 of Special Rural Area No. 6.
- 11. Discussions held with an officer at the Department for Planning and Infrastructure indicated that they are supportive of the use of a policy to resolve minor variations to a subdivision guide plan.
- 12. The proposed modifications to the lot sizes comply with the minimum 2.0ha lot size that has been specified for this Special Rural Zone.
- 13. The proponent has undertaken a basic land capability assessment and has identified that with appropriate controls (as contained within the Scheme) the land is capable of supporting one additional lot.
- 14. The policy, once adopted, will allow Council to support the subdivision of one additional lot on the site (four lots instead of three).

**RECOMMENDATION**

THAT Council, pursuant to clause 6.9.2 of the City of Albany Town Planning Scheme No. 3 resolves to adopt the ‘Revised Lot Layout for Lot 203 Gull Rock Road, Lower Kalgan’ as a Town Planning Scheme policy and advertise as such in accordance with the Scheme.

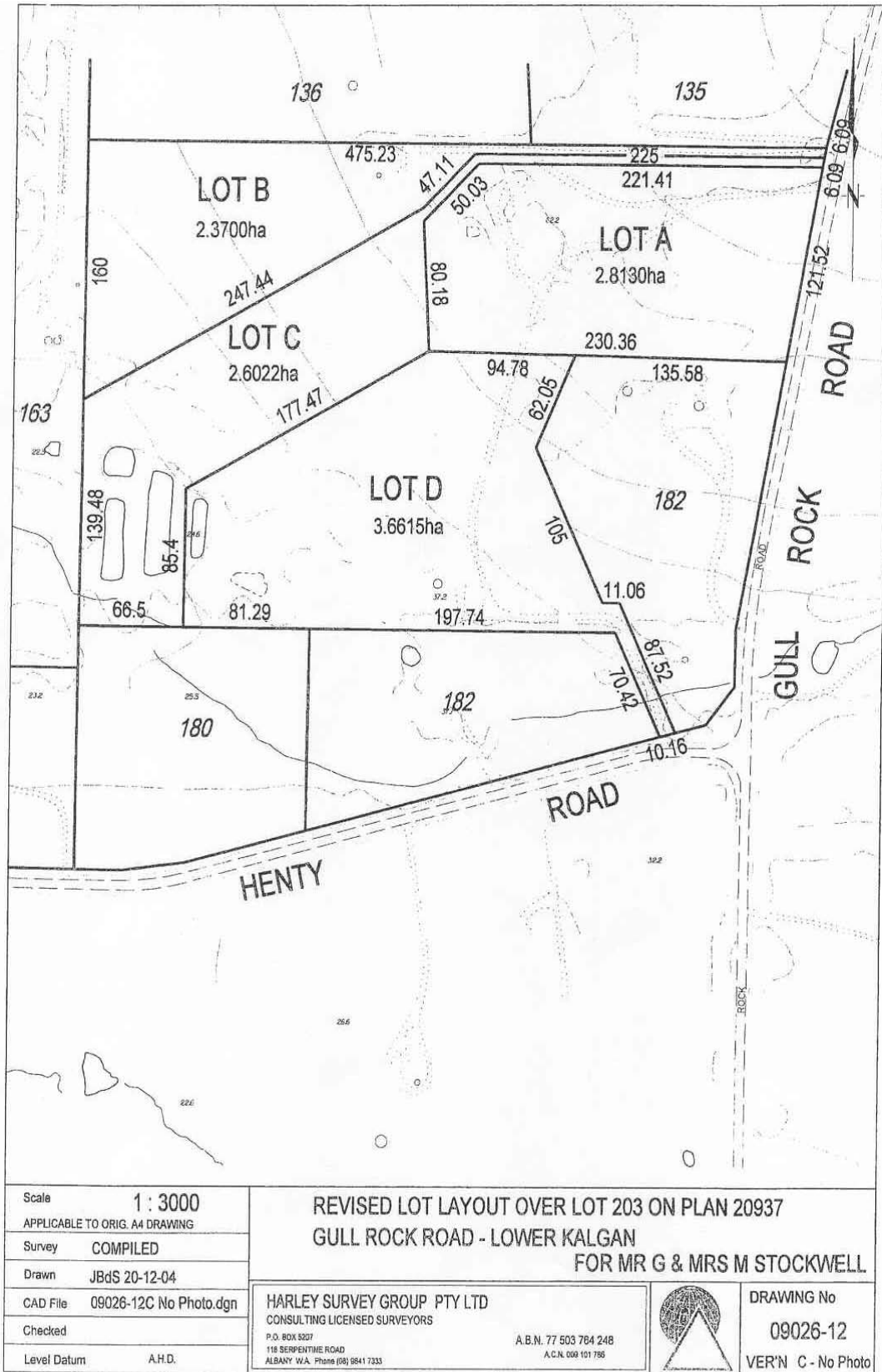
*Voting Requirement Simple Majority*

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<p><b>MOVED COUNCILLOR BOJCUN</b>  <b>SECONDED COUNCILLOR WELLINGTON</b></p> <p><b>THAT Council, pursuant to clause 6.9.2 of the City of Albany Town Planning Scheme No. 3 resolves to adopt the ‘Revised Lot Layout for Lot 203 Gull Rock Road, Lower Kalgan’ as a Town Planning Scheme policy and advertise as such in accordance with the Scheme.</b></p> <p style="text-align: right;"><b>MOTION CARRIED 15-0</b></p>
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**DEVELOPMENT SERVICES REPORTS**

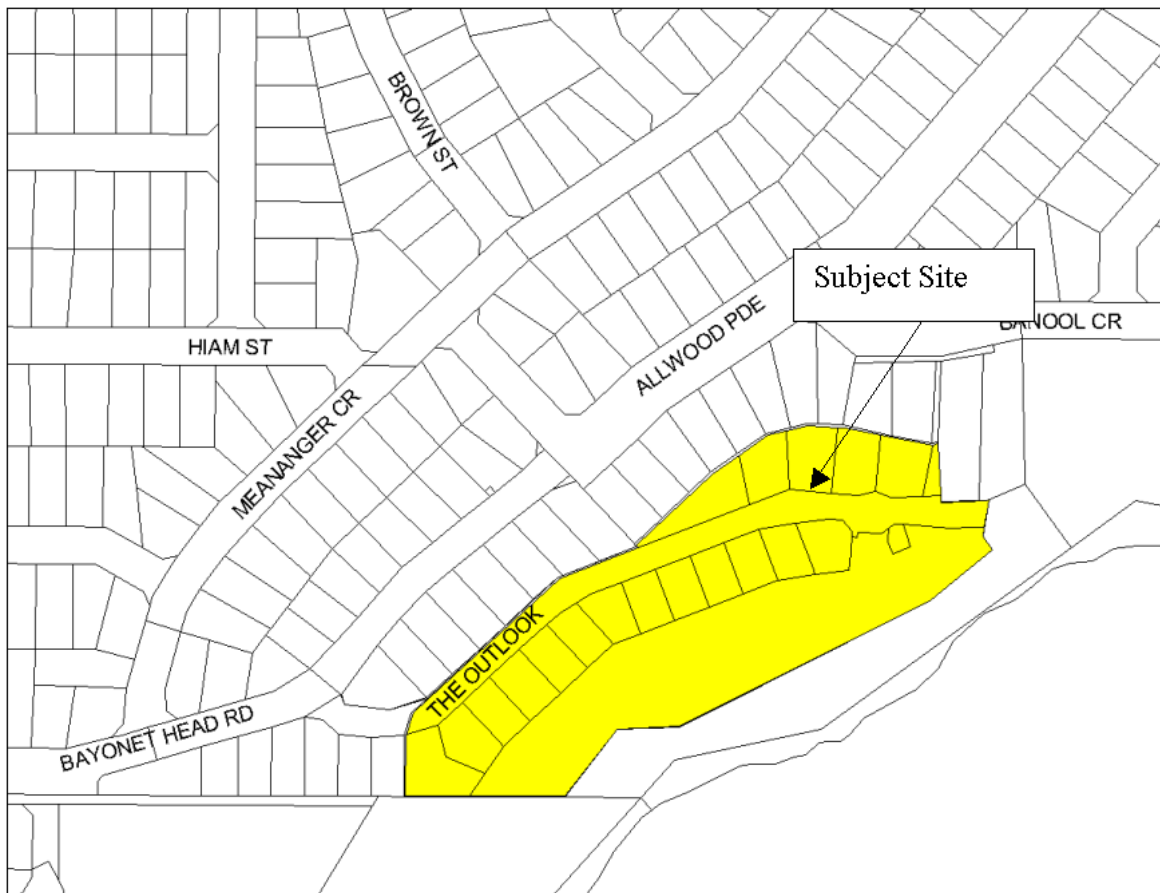
Item 11.3.1 continued



**DEVELOPMENT SERVICES REPORTS**

**11.3.2 Scheme Policy - Request to Adopt Policy – The Outlook Planning Policy**

<b>File/Ward</b>	:	A166947 (Yakamia Ward)
<b>Proposal/Issue</b>	:	Adopt ‘The Outlook’ Planning Policy
<b>Subject Land/Locality</b>	:	Location 281 Lot 241 Bayonet Head Road, Bayonet Head
<b>Proponent</b>	:	Harley Survey Group
<b>Owner</b>	:	Lowe Pty Ltd
<b>Reporting Officer(s)</b>	:	Planning Officer (Policy) (R Hindley)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 17/02/2004 – Item 11.3.2
<b>Summary Recommendation</b>	:	Adopt policy in accordance with Clause 6.9.2 of Town Planning Scheme No. 3.
<b>Bulletin Attachment</b>	:	Nil.
<b>Locality Plan</b>	:	



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.2 continued

**BACKGROUND**

1. At it's meeting dated 17 February 2004 Council reviewed the draft 'Local Planning Policy 'The Outlook'' and resolved:

*'THAT Council adopts the Local Planning Policy 'The Outlook' and agrees to advertise the policy for public comment in accordance with Clause 6.9.2 of Town Planning Scheme No. 3.'*

2. The policy was advertised for comment for a period of 21 days, no submissions were received in this period.
3. A copy of the policy was included in the February Elected Members Report/Information Bulletin.

**STATUTORY REQUIREMENTS**

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

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

5. This policy has been prepared as a result of a subdivision condition issued by the Western Australian Planning Commission. The condition requires:

*Preparation and implementation through the use of restrictive covenants on titles of development requirements for residential lots which address building envelopes, fill and retaining walls, minimisation of clearing on wooded slopes, fire protection, fencing, etc, to the satisfaction of the Western Australian Planning Commission.*

**POLICY IMPLICATIONS**

6. The Local Planning Policy 'The Outlook' will be a Town Planning Scheme Policy adopted by Council under the provisions of Clause 6.9 of Town Planning Scheme No. 3.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.2 continued

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**COMMENT/DISCUSSION**

9. At the close of advertising no submissions had been received.
10. As part of the conditional approval for this subdivision, the WAPC introduced a requirement for a restrictive covenant to control development on the subject lots. Council staff determined that, although a restrictive covenant was required to cover such things as building material, a Scheme policy needed to be introduced to deal with issues such as setbacks and building height.
11. Unlike a restrictive covenant, that is administered by a third party, a Council policy can be recorded on Council records and administered by Council.
12. The policy was prepared to take into account the topography of the site and places controls on the following aspects of development:
- Front Setbacks;
  - Rear Setbacks;
  - Side Setbacks;
  - Building Height;
  - Access;
  - Car Parking;
  - Landscaping/Revegetation; and
  - Fire Protection.
13. The policy, in association with the restrictive covenant, will fulfil the requirements of the subdivision condition.

**RECOMMENDATION**

THAT Council, pursuant to clause 6.9.2 of the City of Albany Town Planning Scheme No. 3 resolves to adopt the Local Planning Policy 'The Outlook' as a Town Planning Scheme policy and advertise as such in accordance with the Scheme.

*Voting Requirement Simple Majority*

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**DEVELOPMENT SERVICES REPORTS**

Item 11.3.2 continued

**MOVED COUNCILLOR JAMIESON  
SECONDED COUNCILLOR WILLIAMS**

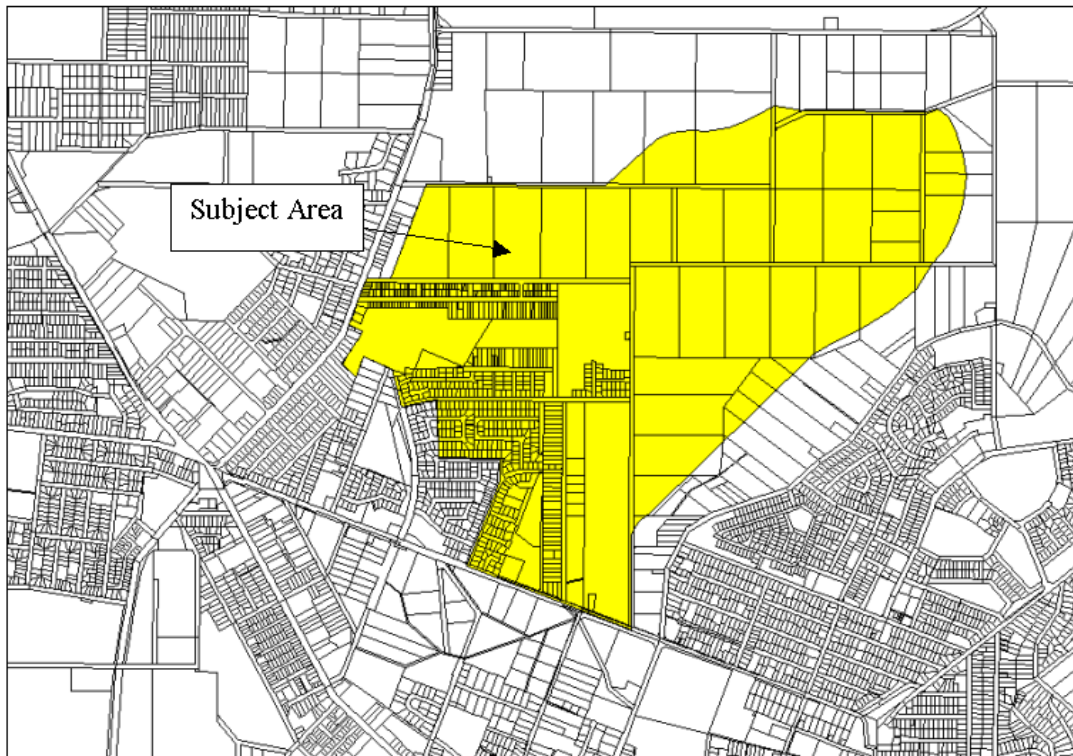
**THAT Council, pursuant to clause 6.9.2 of the City of Albany Town Planning Scheme No. 3 resolves to adopt the Local Planning Policy 'The Outlook' as a Town Planning Scheme policy and advertise as such in accordance with the Scheme.**

**MOTION CARRIED 14-1**

**DEVELOPMENT SERVICES REPORTS**

**11.3.3 Scheme Policy – Request to Introduce - Yakamia Structure Plan – Cells A & B**

<b>File/Ward</b>	:	STR 129 (Yakamia Ward)
<b>Proposal/Issue</b>	:	Subdivision Guide Plan for the Yakamia urban area, south of Catalina Road.
<b>Subject Land/Locality</b>	:	Yakamia Cells A and B
<b>Proponent</b>	:	City of Albany
<b>Owner</b>	:	Various
<b>Reporting Officer(s)</b>	:	Planning Officer (Policy) (R Hindley)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	Advertise the Structure Plan and approach Minister regarding contribution for conservation area.
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.3 continued

**BACKGROUND**

1. The Draft Yakamia Structure Plan (Cells A and B) is submitted for Council’s consideration. The draft structure plan covers the area generally between Catalina Road and North Road. It also refines the earlier Yakamia District Structure Plan, prepared by Taylor Burrell, which established a broad concept for development within the area bounded by Lower King, North, Chester Pass and Hooper Roads.
2. The structure plan reflects comments made in a preliminary consultation process. This process involved consultation with all landholders with lots over 1.0 ha.
3. The draft structure plan covers a total area of 340 ha and is expected to yield 2,716 lots. The plan anticipates that, based on the current growth rates of Albany, it could take in excess of 20 years to complete development within the structure plan area.
4. During the preparation of the plan, preliminary discussions were held with the Department of Environment, Department for Planning and Infrastructure, Main Roads and servicing agencies.
5. To have formal status, the structure plan needs to be adopted as a Scheme policy.
6. A copy of the draft structure plan has been independently distributed to Councillors and the original documents will be tabled at the meeting.

**STATUTORY REQUIREMENTS**

7. Clause 7.21.2 of Town Planning Scheme No. 1A requires the following procedure to be undertaken to make a Town Planning Scheme Policy operative.
  - “a) *The Council having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
  - b) *The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.*
  - c) *Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.”*
8. Clause 6.9.2 of Town Planning Scheme No. 3 requires the same procedure as Clause 7.21.2 of Town Planning Scheme No. 1A to be undertaken to make a policy operative. The Structure Plan crosses the boundary of the two schemes and must be adopted under both.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.3 continued

**POLICY IMPLICATIONS**

9. The Yakamia Structure Plan will be a Town Planning Scheme policy adopted by Council under the provisions of Clause 7.21 of Town Planning Scheme 1A and Clause 6.9 of Town Planning Scheme 3.

**FINANCIAL IMPLICATIONS**

10. Council is required to advertise the policy in a local newspaper at it's own cost.

**STRATEGIC IMPLICATIONS**

11. The Structure Plan will guide subdivision and scheme amendment proposals within the structure plan area.

**COMMENT/DISCUSSION**

12. An overview of the structure plan was presented at a Council briefing session on the 23<sup>rd</sup> March 2004.

13. A range of issues have been identified in a preliminary assessment of the draft Structure Plan. These issues include:

- Provision of 16% of the site for Public Open Space;
- Shortfall in provision of active open space;
- Public Open Space on North Road is surplus to requirements;
- Links to Chester Pass Road, in particular Hudson Road and Leonora Street;
- Link between Range Road and Catalina Road
- Alignment of Yakamia Drive
- Traffic Management; and
- Provision of the mixed business and retail areas.

Public Open Space

14. Large portions of the structure plan area have been identified by the Department of Environment as having some conservation value. The DoE propose to protect these areas from development by setting them aside as Reserves through the scheme amendment and subdivision process. This approach has lead to 16% of the structure plan area being set aside for public open space, 6% more land than can be taken from landowners through the subdivision process. There is no mechanism currently available to fund the acquisition of this additional land.

15. The inclusion of these “conservation” areas as part of the Public Open Space allocation has had a significant impact on the provision of active open space. The vegetation on these reserves (the reason for DoE recognition) precludes the carrying out of active activities on those reserves. Given the large area already set aside for open space within the Structure Plan area, it is not feasible to obtain more land for these active activities without compensation being made to the affected landowner(s).

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.3 continued

16. The vegetation and drainage line have been included within the open space allocation at the request of the Department of Environment. Whilst the Department has required that this land be locked away in reserves, there has been no offer from the Government to acquire or manage this open space.
17. Given the regional significance of the drainage line and the associated vegetation complex it is considered appropriate that the relevant Minister be approached to resolve the issue of acquiring and maintaining this land.
18. Should funding or some alternative arrangement become available, it will assist in the provision of a greater allocation of “active” open space within the Yakamia area.

Road Network

19. The draft structure plan shows both Leonora Street and Hudson Road connecting to Chester Pass Road. Consideration needs to be given to how the potential traffic conflict at these points could be managed.
20. The connection of Range Road to Catalina Road is expected to cater for traffic volumes in the vicinity of 7000 vehicles per day. Given the predicted volume of traffic and the proximity of this road to the proposed primary school, it is considered that realigning this link is warranted.
21. Concern has been raised over the number of roundabouts contained within the structure plan area. Roundabouts should be removed where they do not benefit the flow of traffic through the structure plan area.
22. The alignment of Yakamia Drive reflects that shown on the Yakamia District Structure Plan. The alignment in the draft Structure Plan has been modified slightly to take into account the extent of the 1 in 100 year flood event for Yakamia Creek. However, the alignment no longer integrates with the planned alignment for Yakamia Drive to the north of the study area. It is suggested that Yakamia Drive be realigned so it exits the structure plan area following the alignment of Martin Road.

Retail Development

23. Two areas have been identified for Retail and Mixed Business development. Given the proximity of the structure plan area to the Catalina Central Structure Plan area, as well as the proposed development at Bayonet Head, it is considered that these areas may have difficulty being developed. Their retention in the Structure Plan can be reviewed through the retail review that will soon be initiated.

General

24. The structure plan will be forwarded to relevant government agencies and servicing authorities during the advertising period. A copy of the plan will also be kept for inspection and the City’s York Street Office for the duration of the advertising period.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.3 continued

- 25. Whilst it is recognised that there are a range of concerns with the structure plan they are not considered to be of a magnitude, which would prevent the advertising of the structure plan for comment. The plan can be modified after the consultation period to ensure all relevant concerns are addressed.
- 26. The Yakamia Structure Plan for Cells A and B provides a framework for the future development of the subject land and will serve as a guide to the general road layout, land use distribution and open space. The Plan is consistent with existing Strategies and current planning practice.

**RECOMMENDATION**

THAT Council;

- i) adopts the draft ‘Yakamia Structure Plan “Cells A and B”’ and agrees to advertise it as a policy for public comment in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A and Clause 6.9.2 of Town Planning Scheme No. 3;
- ii) forward a list of its concerns with the draft Structure Plan to the landowners in the Structure Plan area to make them aware of those concerns and to encourage comment on those issues; and
- iii) formally approach the Hon. Minister for the Environment with regards to financing the acquisition and the ongoing management of land identified for conservation purposes within the draft Yakamia Structure Plan.

*Voting Requirement Simple Majority*

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Executive Director Development Services formally tabled the Draft Structure Plan.

**MOVED COUNCILLOR WILLIAMS  
SECONDED COUNCILLOR BOJCUN**

**THAT Council;**

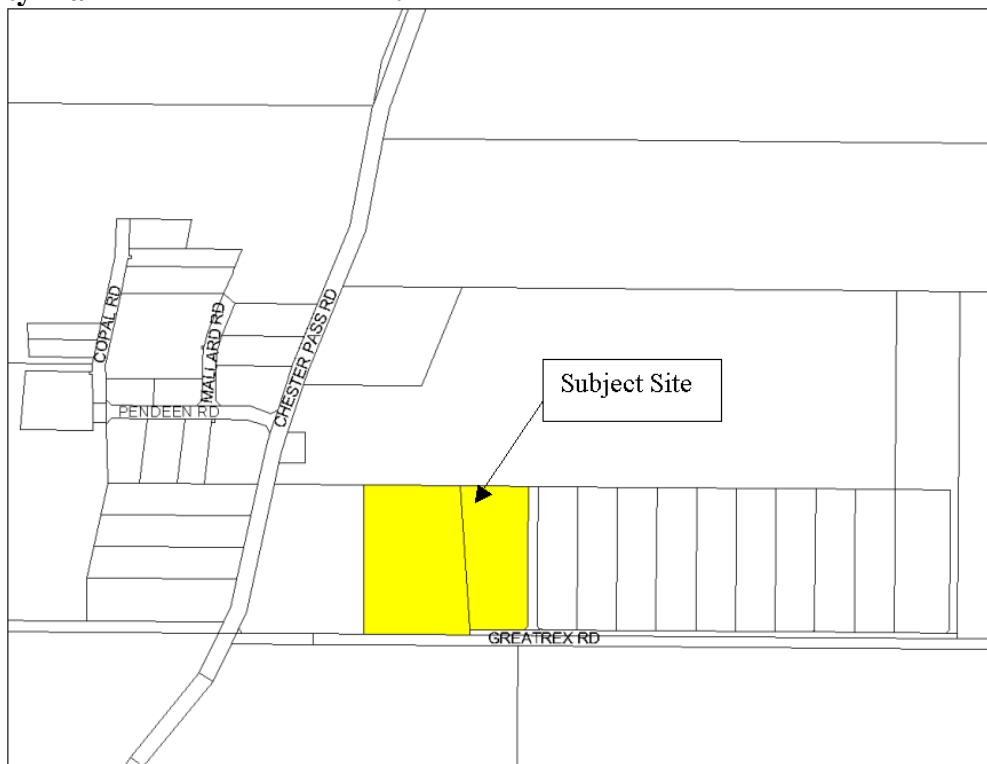
- i) adopts the draft ‘Yakamia Structure Plan “Cells A and B”’ and agrees to advertise it as a policy for public comment in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A and Clause 6.9.2 of Town Planning Scheme No. 3;**
- ii) forward a list of its concerns with the draft Structure Plan to the landowners in the Structure Plan area to make them aware of those concerns and to encourage comment on those issues; and**
- iii) formally approach the Hon. Minister for the Environment with regards to financing the acquisition and the ongoing management of land identified for conservation purposes within the draft Yakamia Structure Plan.**

**MOTION CARRIED 15-0**

**DEVELOPMENT SERVICES REPORTS**

**11.3.4 Scheme Amendment Request – Pt Lots 101 & 102, Chester Pass and Greatrex Roads, King River**

- File/Ward** : A181432A (Kalgan Ward)
- Proposal/Issue** : Preliminary request to rezone Pt Lots 101 & 102, Chester Pass and Greatrex Roads, King River ‘Rural’ to ‘Special Rural Zone No. 17’
- Subject Land/Locality** : Pt Lots 101 & 102, Chester Pass and Greatrex Roads, King River
- Proponent** : Ayton Taylor Burrell
- Owners** : KJ & SM McIntyre, Nunagin Holdings Pty Ltd and Rebo (WA) Pty Ltd
- Reporting Officer(s)** : Planning Officer – Policy (R Hindley)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Decline the request.
- Bulletin Attachment** : Scheme Amendment Request
- Locality Plan** :



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.4 continued

**BACKGROUND**

1. An application was received from Ayton Taylor Burrell seeking Council's preliminary support to rezone Pt Lots 101 & 102, Chester Pass and Greatrex Roads, King River from 'Rural' to 'Special Rural Zone No. 17'.
2. The application seeks to facilitate the creation of four rural residential lots with an average size of 2 hectares. The subject land has an area of 8.25 hectares.
3. A copy of the applicant's proposal is contained in the Elected Members Report/Information Bulletin.

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

6. There are various policies and strategies that have relevance to this proposal. They include:
  - The State Planning Strategy;
  - Statement of Planning Policy No. 1 - State Planning Framework Policy (Variation No. 1) (SPP 1);
  - The Albany Regional Strategy (1994); and
  - The Local Rural Strategy (1996);
7. The purpose of SPP 1 is to bring together existing State and regional policies that apply to land use and development in Western Australia. Local government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.
8. The subject site is located within Oyster Harbour 9 Precinct of the City's Local Rural Strategy. The policy statement for this precinct states that Council may support proposals for 'rural residential' development subject to compliance with relevant general polices, the land being revegetated and the proponents being able to demonstrate that the constraints and management needs of the land can be overcome/met.
9. The Local Rural Strategy seeks to encourage and facilitate development, which is sympathetic to community and environmental considerations, but also does not impact upon surrounding rural pursuits.



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.4 continued

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**COMMENT/DISCUSSION**

12. A copy of the draft proposal was referred to the Western Australian Planning Commission and the Department of Environment. The major issues and concerns that were identified include:
- The proposed zoning is consistent with the recommendations of the City's Local Rural Strategy for Oyster Harbour Precinct No. 9;
  - This land is wet and has significant drainage line running through it;
  - Development should be restricted from Lot 101 of which a large portion is located on flood prone land.
  - The proposal would result in multiple boundaries crossing the creek line.
  - The proposal does not demonstrate how the creek line would be protected from damage as a result of crossings, fencing or firebreaks.
  - Building envelopes should not encroach into vegetation; and
  - Advice should be sought from Main Roads WA in relation to the proposed ring road.
13. Council's Senior Environmental Health Officer has advised that, should the SAR be supported, winter site testing needs to be undertaken to ensure 500mm vertical clearance can be obtained for both dwellings and effluent disposal systems to the water table below the land.
14. The SAR outlines that the subject land was not considered as part of the original proposal as it was to be retained as pasture for the adjoining Suffolk Sheep Stud. A review of the files pertaining to Amendment No. 150 shows that the subject land was shown as two lots on the original subdivision guide plan.
15. The portion of the subject site that is currently zoned 'Rural' was removed from Amendment No. 150. Comments contained in the file give the reason as ensuring the appropriate management of the creek line, the removal of 'Special Rural' use pressure from the creek line and to allow for the future public acquisition/reservation if deemed appropriate.
16. Given the presence of the creek line on the site, and a preliminary site analysis showing that the site has a moderate to moderately high flood risk, it is considered that Lot 101 is not suitable for Special Rural development.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.4 continued

RECOMMENDATION

THAT Council advise the applicant that it is not prepared to support the request for an Amendment to Town Planning Scheme No. 3 to rezone Pt Lots 101 & 102, Chester Pass and Greatrex Roads, King River from 'Rural' to 'Special Rural Zone No. 17'.

*Voting Requirement Simple Majority*

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<p><b>MOVED COUNCILLOR EVANS</b> <b>SECONDED COUNCILLOR BOJCUN</b></p> <p><b>THAT this item lay on the table until an on-site inspection of the property by Council can be held.</b></p> <p style="text-align: right;"><b>MOTION CARRIED 15-0</b></p>
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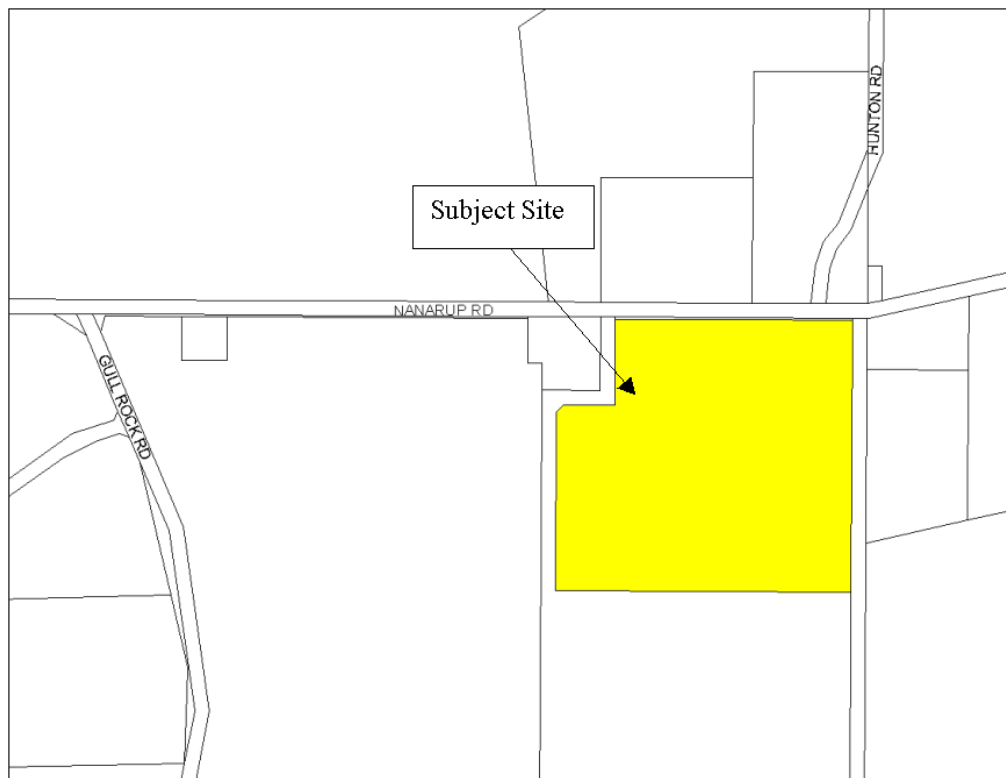
Reason:

- A delay of one month in Council's decision will allow the owner and Council staff to explain on –site the implications of this amendment to the on-going management of the land.

**DEVELOPMENT SERVICES REPORTS**

**11.3.5 Initiate Scheme Amendment – Rural and Special Site zones - Lot 302, Location 21 Nanarup Rd, Kalgan**

<b>File/Ward</b>	:	A3650A (Kalgan Ward)
<b>Proposal/Issue</b>	:	Preliminary request to rezone Lot 302, Location 21 Nanarup Rd, Kalgan from ‘Rural’ and ‘Special Site’ to ‘Rural’ and ‘Special Site’
<b>Subject Land/Locality</b>	:	Lot 302, Location 21 Nanarup Rd, Kalgan
<b>Proponent</b>	:	Ayton Taylor Burrell
<b>Owner</b>	:	JB & JL Keays
<b>Reporting Officer(s)</b>	:	Planning Officer – Policy (R Hindley)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 16/09/2003 – Item 11.3.3
<b>Summary Recommendation</b>	:	Initiate the amendment subject to modification
<b>Bulletin Attachment</b>	:	Amendment Document
<b>Locality Plan</b>	:	



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.5 continued

**BACKGROUND**

1. At its meeting of the 16<sup>th</sup> September 2003 Council resolved:  
  
*“THAT Council advise the applicant that it is prepared to support the request for an Amendment to Town Planning Scheme No. 3 to rezone Lot 10, Location 21 Nananrup Rd, Lower Kalgan from ‘Rural’ and ‘Special Site’ to ‘Rural’ and ‘Special Site’ subject to the Scheme Amendment addressing the following to the satisfaction of Council:*
  - i) *detailed Land Capability Assessment;*
  - ii) *preparation of a Development Guide Plan;*
  - iii) *preparation of a Fire Management Plan;*
  - iv) *visual amenity (including built form and signage controls); and*
  - v) *impact on surrounding sites and uses.”*
2. The applicant has prepared amendment documents to rezone the site from the ‘Rural’ zone to ‘Special Site’.
3. The amendment proposes to:
  - Permit the development of up to 74 caravan/camping sites and associated facilities; and
  - Modify the special site provisions to permit development in accordance with a subdivision guide plan.
4. A copy of the amending documents is included in the Elected Members’ Report/Information Bulletin

**STATUTORY REQUIREMENTS**

5. Council’s resolution under the Town Planning & Development Act 1928 and the Town Planning Regulations 1967 is required to amend the Scheme.
6. An amendment to a Town Planning Scheme adopted by resolution of a local government is to be referred to the Environmental Protection Authority (EPA) for assessment.
7. Advertising of an amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the amendment is environmentally acceptable.
8. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

**POLICY IMPLICATIONS**

9. There are various policies and strategies that have relevance to this proposal. They include:

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.5 continued

- The State Planning Strategy
  - The Western Australian Planning Commission Statement of Planning Policy No. 1 (SPP 1)
  - The Albany Regional Strategy (1994)
  - The Local Rural Strategy (1996)
10. The purpose of SPP 1 is to bring together existing State and regional policies that apply to land use and development in Western Australia. Local Government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.
11. The subject site is located within Oyster Harbour Precinct 15 of the City's Local Rural Strategy. The policy statement for this precinct states that land use proposals are to be determined in accordance with the general policies.
12. The Local Rural Strategy seeks to encourage and facilitate development, which is sympathetic to community and environmental considerations, but also does not impact upon surrounding rural pursuits.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

14. There are no strategic implications relating to this item. The proposed use is an extension to an existing use and it is not considered that a precedent would be formed in this instance.

**COMMENT/DISCUSSION**

15. A development guide plan has been prepared showing the distribution of uses on the site as well as the boundary of the proposed zone. The remainder of the site will have a 'Rural' zone and will form a separate agricultural lot.
16. If this amendment is initiated the documentation will be referred to the Environmental Protection Agency prior to the commencement of advertising.
17. Concerns have been raised over the suitability of the effluent disposal system proposed for the site. It is proposed to use amended soil type effluent disposal systems. The development controls stipulate that any system will need to be approved by both Council and the Department of Health and this requirement should address this concern.
18. The amendment incorporates a modification to the 'Special Site Zone' provisions that allows a development guide plan be used to control development. This will clarify how development will be coordinated on the site.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.5 continued

19. The detail provided in the amendment documents addresses the issues raised in response to the earlier Scheme Amendment Request that was considered by Council at its 16th September 2003 meeting. Based on this, the request to initiate this amendment is supported.

**RECOMMENDATION**

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

- i) rezoning Lot 302, Location 21 Nanarup Rd, Lower Kalgan from 'Rural' and 'Special Site (Holiday Accommodation)' to 'Rural' and 'Special Site (Caravan Park and Holiday Accommodation)';
- ii) modifying the provision for the Special site zone to allow development in accordance with a development guide plan; and
- iii) amending the Scheme Maps accordingly.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR BOJCUN  
SECONDED COUNCILLOR EMERY**

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

- i) rezoning Lot 302, Location 21 Nanarup Rd, Lower Kalgan from 'Rural' and 'Special Site (Holiday Accommodation)' to 'Rural' and 'Special Site (Caravan Park and Holiday Accommodation)';**
- ii) modifying the provision for the Special site zone to allow development in accordance with a development guide plan; and**
- iii) amending the Scheme Maps accordingly.**

**MOTION CARRIED 15-0**

**DEVELOPMENT SERVICES REPORTS**

**11.3.6 Final Approval on Scheme Amendment – Pt Lots 9, 10, 74 and 75 Mill Street, Albany**

- File/Ward** : A168739A (Vancouver Ward)
- Proposal/Issue** : Final Approval to Rezone Pt Lots 9, 10, 74 and 75 Mill Street, Albany from ‘Industry’ to ‘Residential R30’
- Subject Land/Locality** : Pt Lots 9, 10, 74 and 75 Mill Street, Albany
- Proponent** : Ayton Taylor & Burrell
- Owner** : Noble Investments Pty Ltd
- Reporting Officer(s)** : Planning Officer (Policy) (R Hindley)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 20/08/02 – Item 11.1.4  
OCM 17/09/02 – Item 11.1.1  
OCM 18/02/03 – Item 11.3.5
- Summary Recommendation** : Grant Final Approval subject to modification.
- Bulletin Attachment** : Scheme Amendment Document and Submissions
- Locality Plan** :



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.6 continued

**BACKGROUND**

1. At its meeting of the 18 February 2003 Council resolved:

*“THAT:*

*a) subject to the amending documents being altered to show a maximum coding of R60 for the “Special Site”, Council, in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to amend the City of Albany’s Town Planning Scheme 1A by:*

- i) rezoning Lots 76, 77, 78, 79, 220 and Location 74, 75, 207, 221 and 208 Mill Street, Albany from ‘Industry’ to ‘Residential R30’ and “Special Site” zones; and*
- ii) adding a “Special Site” in Appendix II;”*

2. Two Amendments were associated with this resolution, being Amendment 140 and 141. This report only relates to Amendment No. 141 (formerly known as Amendment No. 140B).

3. A copy of the amending documents is included in the Elected Members Report/Information Bulletin.

4. The amendment was assessed by the Environmental Protection Authority (EPA) as “Scheme Not Assessed (No Appeals)” and was advertised for public inspection until 18th March 2004.

5. At the close of the advertising period four submissions had been received (refer to the Elected Members’ Report/Information Bulletin for a copy of each submission).

6. The amendment proposes to amend Town Planning Scheme No. 1A by rezoning Pt Lots 9, 10, 74 and 75 Mill Street, Albany, which have a combined area of approximately 2400m<sup>2</sup>, from the ‘Industry’ Zone to ‘Residential R30’ Zone.

**STATUTORY REQUIREMENTS**

7. Section 7 of the Town Planning and Development Act provides the mechanism for a Town Planning Scheme to be amended. Council must resolve to initiate a scheme amendment and then place the amending documents on public display. Council must consider any comments received and a recommendation made to the Minister for Planning and Infrastructure on the course of action Council wishes to pursue (this is where this application currently sits in the process). Council can seek to progress the amendment without change, it can modify the amending documents to reflect the submissions received or it can recommend that the rezoning not proceed.



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.6 continued

8. If Council resolves to decline to proceed with the rezoning or to grant final approval to the amendment, with or without modifications, the documents are then referred to the Minister for Planning and Infrastructure. The Minister can accept Council's recommendation or she can require her own modifications to the documents prior to them being gazetted and coming into force. The Minister can also decline to withdraw from the rezoning if she considers Council's decision is not consistent with orderly planning.

**POLICY IMPLICATIONS**

9. There are various policies and strategies that have relevance to these proposals. They include:
  - The State Planning Strategy;
  - Statement of Planning Policy No. 1 - State Planning Framework Policy (Variation No. 1) (SPP 1);
  - The Albany Regional Strategy (1994); and
  - The Residential Expansion Strategy for Albany (1994);
10. The purpose of SPP 1 is to bring together existing State and regional policies that apply to land use and development in Western Australia. Local government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.
11. Two of the properties the subject of this amendment are listed in the Municipal Inventory as Management Category 'B'. These categories apply to places throughout the City and not only to the subject property. This management category seeks to:

*Management Category B - "Requires a high level of protection: provide maximum encouragement to the owner under the City of Albany Town Planning Scheme to conserve the significance of the place. A more detailed Heritage Assessment/Impact Statement to be undertaken before approval given for any development. Incentives to promote conservation should be considered."*

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

13. There are no strategic implications relating to this item as the proposal meets the requirements for heritage places as outlined in Town Planning Scheme No. 1A and the Municipal Inventory.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.6 continued

**COMMENT/DISCUSSION**

14. The applicant split the amendment into two components these being Amendment No. 140 (formerly 140A) and Amendment No. 141 (formerly 140B).
15. This amendment has preceded Amendment No. 140 on the basis that these lots have not been used for industrial purposes in the past and do not require the detailed environmental analysis that the Department of Environment has requested for the remainder of the Spinning Mill site.
16. An objection was raised by the Department of Health with regards to the lack of a buffer between land zoned 'Industry' and the proposed 'Residential' zone. This concern is considered unwarranted as Amendment No. 140 will rezone the industrial land to residential, thereby removing the potential for land use conflict.
17. The majority of the site abuts the area subject to Amendment No. 140, which is currently zoned 'Industry'. The remainder of the site is bounded by 'Parks and Recreation' reserve and 'Residential R30' zoned land to the east and land with a 'Tourist Residential' zoning to the south.
18. The proposal will permit the creation of five residential lots. Three of these proposed lots are currently vacant and will be the subject of future applications for development. Any development that occurs on these lots will need to meet the requirements of adopted Council and State policies, including the Residential Design Codes and Council's Urban Design Guidelines. These requirements are the same as those applying to the adjoining residential area.
19. The Amendment resolution incorrectly refers to the site as Lot 74 and 75 Mill Street. This needs to be changed to Pt Lots 9, 10, 74 and 75 Mill Street which is the correct description of the site.
20. A Schedule of Submissions has been prepared and attached. Staff have prepared a draft comment and recommendation on the submissions for Council's consideration.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.6 continued

RECOMMENDATION

THAT

- i) Council grant final approval to Amendment 141 to the City of Albany Town Planning Scheme No. 1A to rezone Albany Town Pt Lots 9, 10, 74 and 75 Mill Street, Albany from ‘Industry’ to ‘Residential R30’, subject to the following modifications;
  - a) That the amending resolution be modified to reflect the correct lots being Pt Lots 9, 10, 74 and 75 Mill Street Albany;
- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and
- iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning and Infrastructure for execution and gazettal.

*Voting Requirement Simple Majority*

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<p><b>MOVED COUNCILLOR WELLINGTON SECONDED COUNCILLOR DEMARTEAU</b></p> <p><b>THAT</b></p> <ul style="list-style-type: none"><li><b>i) Council grant final approval to Amendment 141 to the City of Albany Town Planning Scheme No. 1A to rezone Albany Town Pt Lots 9, 10, 74 and 75 Mill Street, Albany from ‘Industry’ to ‘Residential R30’, subject to the following modifications;</b><ul style="list-style-type: none"><li><b>a) That the amending resolution be modified to reflect the correct lots being Pt Lots 9, 10, 74 and 75 Mill Street Albany;</b></li></ul></li><li><b>ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and</b></li><li><b>iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning and Infrastructure for execution and gazettal.</b></li></ul> <p style="text-align: right;"><b>MOTION CARRIED 15-0</b></p>
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**DEVELOPMENT SERVICES REPORTS**

Item 11.3.6 continued

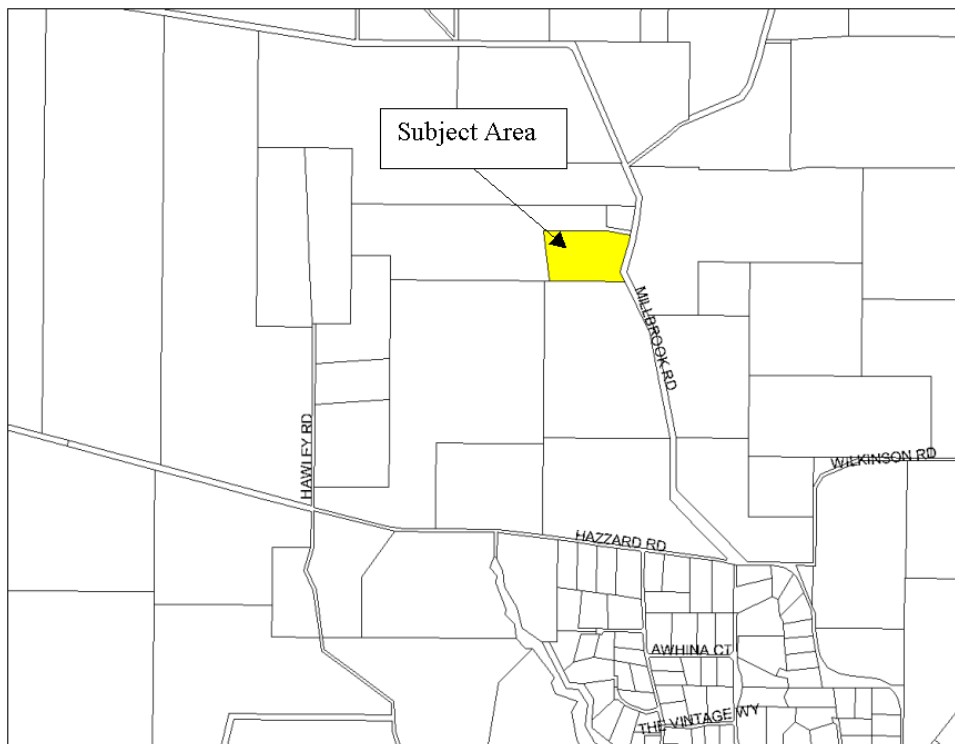
**Town Planning & Development Act 1928 (As Amended) TPS No. 1A  
Proposed Amendment No. 141  
Schedule of Submissions**

<b>Submission No.</b>	<b>Ratepayer/Resident or Agency</b>	<b>Submission</b>	<b>Comment</b>	<b>Recommended Decision</b>
1.	Water Corporation PO Box 915 ALBANY WA 6330	No objection – water and sewerage are available	Noted	NOTED
2.	Department of Health PO Box 8172 Perth Business Centre WA 6849	Does not support the proposal as there is no buffer between the proposed residential area and industrial zoned land	The adjacent 'Industry' zoned land is the subject of Amendment No. 140 and should not prejudice this proposal.	DISMISS
3.	J Barrie 14 Festing St ALBANY WA 6330	Wants future dwellings on the site to complement the existing heritage buildings.	Development will be required to be in accordance with the R-Codes and Urban Design Guidelines.	NOTED
4.	Heritage Council of WA PO Box 6201 EAST PERTH WA 6849	No objection to proposal however does not advocate the relocation of buildings unless it can be demonstrated that there is no feasible and prudent alternative.	The indicative concept plan illustrates that the heritage buildings do not need to be relocated.	NOTED

**DEVELOPMENT SERVICES REPORTS**

**11.3.7 Final Approval of Scheme Amendment – Pt Loc 5756 Millbrook Road, King River – Special Use Zone**

- File/Ward** : A164812A (Kalgan Ward)
- Proposal/Issue** : Final Approval to rezone Pt Loc 5756 Millbrook Road, King River from ‘Rural’ to ‘Special Use Zone – Microbrewery and Ancillary Uses’.
- Subject Land/Locality** : Pt Loc 5756 Millbrook Road, King River
- Proponent** : Ayton Taylor Burrell
- Owner** : RE & LD Cooper
- Reporting Officer(s)** : Planning Officer – Policy (R Hindley)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 21/1/2003 – Item 11.3.3  
OCM 16/12/2003 – Item 11.3.1
- Summary Recommendation** : Grant Final Approval subject to modifications
- Bulletin Attachment** : Scheme Amendment Document and Submissions
- Locality Plan** :



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.7 continued

**BACKGROUND**

1. At its meeting of the 16<sup>th</sup> December 2003 Council resolved:  
  
*“THAT Council, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended) resolves to amend the City of Albany’s Town Planning Scheme No. 3 by:*
  - ii) *removing Pt Loc 5756 Millbrook Road, King River from the ‘Rural’ zone;*
  - iii) *including Pt Loc 5756 Millbrook Road, King River within the ‘Special Use Zone No. 15’ zone; and*
  - iv) *amending the Scheme Maps accordingly.”*
2. The amendment was assessed by the Environmental Protection Authority (EPA) as “Scheme Not Assessed – Advice Given” and was advertised for public inspection until 25th March 2004.
3. At the close of the advertising period three submissions had been received (refer to the Elected Members’ Report/Information Bulletin for a copy of each submission).
4. The amendment will facilitate the development of the following uses:
  - Microbrewery;
  - Café/Restaurant (maximum 100 seats);
  - Six Chalets;
  - Single House;
  - Blacksmith Workshop;
  - Private Recreation;
  - Aquaculture;
  - Farmyard animal display;
  - Livestock grazing; and
  - Other uses consistent with the ‘Rural’ zone.
5. A copy of the amending documents is included in the Elected Members Report/Information Bulletin.

**STATUTORY REQUIREMENTS**

6. Section 7 of the Town Planning and Development Act provides the mechanism for a Town Planning Scheme to be amended. Council must resolve to initiate a scheme amendment and then place the amending documents on public display. Council must consider any comments received and a recommendation made to the Minister for Planning and Infrastructure on the course of action Council wishes to pursue (this is where this application currently sits in the process). Council can seek to progress the amendment without change, it can modify the amending documents to reflect the submissions received or it can recommend that the rezoning not proceed.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.7 continued

7. If Council resolves to decline to proceed with the rezoning or to grant final approval to the amendment, with or without modifications, the documents are then referred to the Minister for Planning and Infrastructure. The Minister can accept Council's recommendation or she can require her own modifications to the documents prior to them being gazetted and coming into force. The Minister can also decline to withdraw from the rezoning if she considers Council's decision is not consistent with orderly planning.

**POLICY IMPLICATIONS**

8. There are various policies and strategies that have relevance to this proposal. They include:
  - The State Planning Strategy
  - The Western Australian Planning Commission Statement of Planning Policy No. 1 (SPP 1)
  - The Albany Regional Strategy (1994)
  - The Local Rural Strategy (1996)
9. The purpose of SPP 1 is to bring together existing State and regional policies that apply to land use and development in Western Australia. Local government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.
10. The Local Rural Strategy seeks to encourage and facilitate development, which is sympathetic to community and environmental considerations, but also does not impact upon surrounding rural pursuits.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

12. The proposed rezoning represents a spot rezoning, which would normally be opposed on the basis of orderly planning, however the type of activity proposed would not normally be located in a more industrial or suburban area.

**COMMENT/DISCUSSION**

13. A development guide plan was prepared which shows the proposed distribution of uses on the site as well as the boundary of the proposed zone. The remainder of the site will retain its current zoning and form a separate agricultural lot.
14. The Department of Health has identified that the storage of wastewater from the brewing process for disposal off site is a concern as it has the potential to cause odour and/or spillage nuisance. All wastewater should be disposed of on-site.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.7 continued

15. Both the Department of Health and Environmental Protection Authority provided advice requiring that wastewater disposal for the proposed Microbrewery should comply with the National Water Quality Management Strategy: Effluent Management Guidelines for Australian Wineries and Distilleries (1998).
16. Irrespective of this amendment, all development (including signage) within the subject area requires a Planning Consent prior to the commencement of development.
17. The proposed development has the potential to have a significant impact on the visual amenity of the rural landscape. The amendment places restrictions on building design and location to assist the development to be sympathetic to the landscape in which it is located.
18. A Schedule of Submissions has been prepared and attached in which staff have prepared a draft comment and recommendation for Council’s consideration.

**RECOMMENDATION**

**THAT;**

- i)** Council grant final approval to Amendment 231 to the City of Albany Town Planning Scheme No. 3 to rezone Pt Loc 5756 Millbrook Road, King River from ‘Rural’ to ‘Special Use Zone No. 15’ subject to the following modifications:
  - a)** reword Clause 5.1 to read “All wastewater and effluent disposal shall be carried out to Council’s satisfaction. ATU’s may be required”;
  - b)** delete Clause 5.2 from the special provisions; and
  - c)** add new Clause 5.2 to read “Wastewater disposal for the Microbrewery shall comply with the National Water Quality Management Strategy: Effluent Management Guidelines for Australian Wineries and Distilleries (1998)”;
- ii)** the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and
- iii)** the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning and Infrastructure for execution and gazettal.

*Voting Requirement Simple Majority*

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**DEVELOPMENT SERVICES REPORTS**

Item 11.3.7 continued

**MOVED COUNCILLOR JAMIESON  
SECONDED COUNCILLOR WILLIAMS**

**THAT;**

- i) Council grant final approval to Amendment 231 to the City of Albany Town Planning Scheme No. 3 to rezone Pt Loc 5756 Millbrook Road, King River from ‘Rural’ to ‘Special Use Zone No. 15’ subject to the following modifications:
  - a) reword Clause 5.1 to read “All wastewater and effluent disposal shall be carried out to Council’s satisfaction. ATU’s may be required”;**
  - b) delete Clause 5.2 from the special provisions; and**
  - c) add new Clause 5.2 to read “Wastewater disposal for the Microbrewery shall comply with the National Water Quality Management Strategy: Effluent Management Guidelines for Australian Wineries and Distilleries (1998)”;****
- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and**
- iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning and Infrastructure for execution and gazettal.**

**MOTION CARRIED 15-0**

## DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

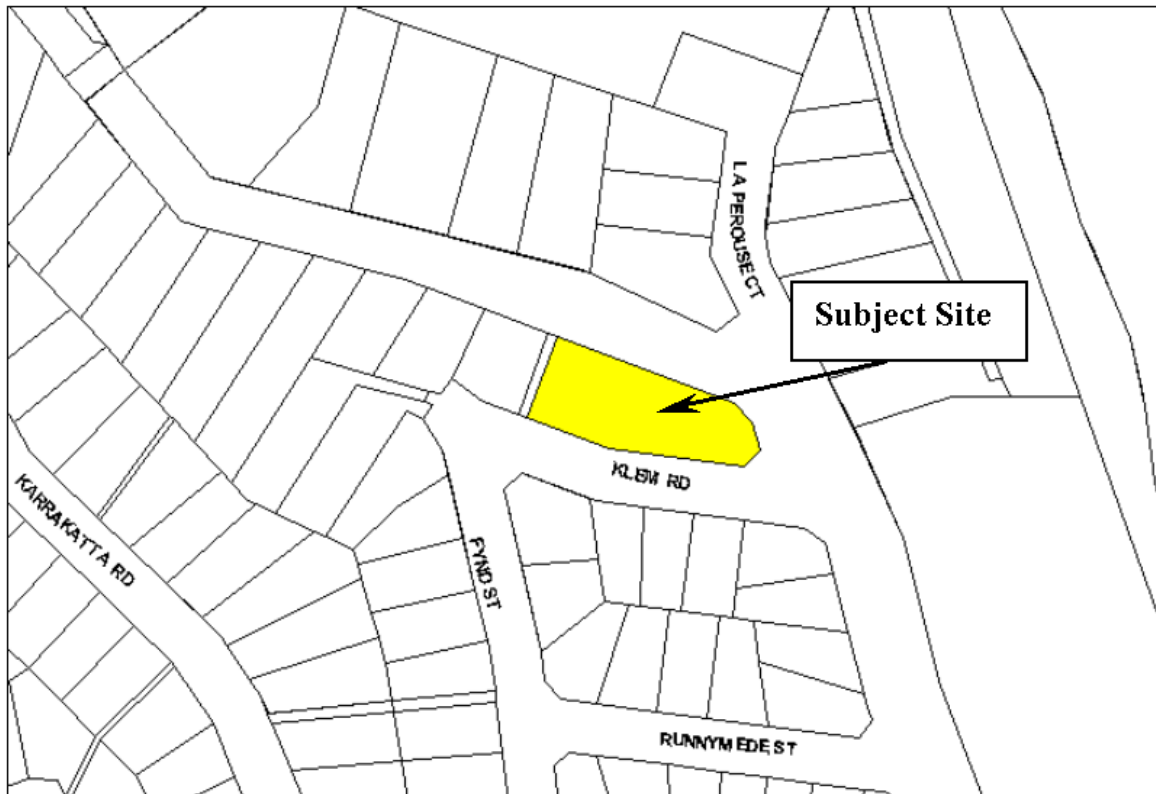
**Town Planning & Development Act 1928 (As Amended) TPS No. 3  
Proposed Amendment No. 231  
Schedule of Submissions**

<b>Submission No.</b>	<b>Ratepayer/Resident or Agency</b>	<b>Submission</b>	<b>Comment</b>	<b>Recommended Decision</b>
1.	Fire and Emergency Services Authority of WA 74 Chester Pass Road ALBANY WA 6330	A detailed plan for bushfire protection will be required prior to the application for subdivision.	Can be required as a condition of subdivision	NOTED
2.	Department of Health PO Box 8172 Perth Business Centre WA 6849	a) Wastewater to be disposed of on-site. b) The microbrewery should comply with the National Water Quality Management Strategy: Effluent Management Guidelines for Wineries and Distilleries (1998).	a) Modify amendment to reflect this requirement b) These guidelines are applied as a standard requirement for this form of development.	UPHELD  UPHELD
3.	Environmental Protection Authority PO Box K822 PERTH WA 6842	Refer to submission 2(b)	Refer to submission 2(b)	UPHELD

**DEVELOPMENT SERVICES REPORTS**

**11.3.8 Final Approval of Scheme Amendment – Pt Lot 376 La Perouse Road, Goode Beach**

<b>File/Ward</b>	:	A168757A (Vancouver Ward)
<b>Proposal/Issue</b>	:	Final Approval of Amendment to Rezone subject land from ‘Local Shopping’ to ‘Residential’ with an ‘Additional Use’
<b>Subject Land/Locality</b>	:	Pt Lot 376 (37) La Perouse Road, Goode Beach
<b>Proponent</b>	:	City of Albany
<b>Owner(s)</b>	:	EA Harley & MA & CA Stephenson
<b>Reporting Officer(s)</b>	:	Planning Officer – Policy (R Hindley)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 19/08/03 - Item 11.1.2 OCM 16/09/03 - Item 11.3.4
<b>Summary Recommendation</b>	:	Grant Final Approval Subject to Modification
<b>Bulletin Attachment</b>	:	Scheme Amendment Document and submissions
<b>Locality Plan</b>	:	



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.8 continued

**BACKGROUND**

1. At its meeting of the 16 September 2003 Council resolved:

*“THAT;*

- i) Council resolve to request the proponent to modify the documentation for Amendment 228 to the City of Albany Town Planning Scheme No 3 as follows:*
  - a) appropriate references in the amendment document to the subdivision of Part Lot 376 La Perouse Road (area of 2598 sqm) into three lots at a density of R12.5 be altered to read two lots at a residential density of R10; and*
  - b) the subdivision guide plan is to show two lots and to provide for a built form reflecting primary shop exposure to La Perouse Road and the transfer of on-site car parking to a position less visually prominent (eg south west corner of site); and*
- ii) subject to the above modifications being made, Council in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended) resolves to amend the City of Albany’s Town Planning Scheme 3 by:*
  - a) rezoning Pt Lot 376 La Perouse Road, Goode Beach from ‘Local Shopping’ to ‘Residential’;*
  - b) adding an “Additional Use” in Schedule II; and*
  - c) amending the Scheme Maps accordingly.”*

The reason given for this decision was:

*“The prevailing lot size in the locality is more consistent with an R10 density coding and the proposed shop car parking area should not be the prominent design feature of this site when travelling down La Perouse Road.”*

2. The amendment was assessed by the Environmental Protection Authority (EPA) as “Scheme Not Assessed (No Appeals)” and was advertised for public inspection until 26th February 2004.
3. At the close of the advertising period seventeen submissions had been received (refer to the Elected Members’ Report/Information Bulletin for a copy of each submission).
4. The amendment proposes to amend Town Planning Scheme No. 3 by rezoning Pt Lot 376 (37) La Perouse Road, Goode Beach, which has an area of 2608m<sup>2</sup>, from ‘Local Shopping’ to ‘Residential’ with an ‘Additional Use’.
5. The adjoining lot is subject to Amendment No 227, which rezones the site from ‘Local Shopping’ to ‘Residential’. Amendment No. 227 is currently waiting the approval of the Minister.
6. A copy of the amending documents is included in the Elected Members Report/Information Bulletin.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.8 continued

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

9. There are various policies and strategies that have relevance to this proposal. They include:
  - The Western Australian Planning Commission Statement of Planning Policy No. 1 (SPP 1); and
  - The Commercial Strategy Review (2000)
10. The purpose of SPP 1 is to bring together existing State and regional policies that apply to land use and development in Western Australia.
11. Local Government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.

**FINANCIAL IMPLICATIONS**

12. Council will be required to advertise the amendment, using a portion of the applicant's fees for the amendment process, if the Minister grants final approval to the amendment.

**STRATEGIC IMPLICATIONS**

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

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.8 continued

**COMMENT/DISCUSSION**

14. The Commercial Strategy Review 2000 does not recognise a commercial development within Goode Beach. The removal of the 'Local Shopping' Zone and its replacement with 'Residential', with limited retail space (as an additional use) will adequately serve the localities needs. It needs to be noted that all of the 2598m<sup>2</sup> is currently zoned 'Local Shopping'.
15. The proposed lot sizes reflect those in the surrounding residential area. However, since the gazettal of Amendment No. 221 an R5 coding has been applied to all 'Residential' zoned land in the area, which provides for a minimum lot size of 2000m<sup>2</sup>. Whilst the R5 coding will have no impact on existing residential lots, it has the potential to prevent the subdivision of the subject lot.
16. The amendment incorporates an R10 density code (unique to this site) as an additional use to facilitate the development of the site in accordance with the Development Guide Plan.
17. The current zoning of the site would prohibit residential uses but would allow for the establishment of a range of commercial uses. The residential base zone will extinguish that potential however the additional use applied to one land parcel will permit the development of 100m<sup>2</sup> NLA retail space should the owner wish to pursue that option. The proposed shop will be subject to the land use controls which apply to residential development, with additional requirements for parking and landscaping.
18. Concern was raised over the potential traffic conflict caused by vehicles parking on La Perouse Road to access the shop. This can be managed by the erection of boundary fencing prior to the development of the proposed shop to prevent people accessing the site from La Perouse Road. The maximum height fence in the front setback area, as stipulated in the Fencing Local Law, is 1.2m.
19. A 'Residential' zoning will allow the development of 2 residential lots with the additional use allowing the creation of a retail space up to a maximum 100m<sup>2</sup>. The retail component will allow the sale of convenience goods to the local community whilst being of a scale that will fit into the existing residential context.
20. A Schedule of Submissions has been prepared and attached in which Staff have prepared a draft comment and recommendation for Council's consideration. In formulating the recommendations, Staff acknowledged that the site is currently zoned for retail activities with no specific land use controls in place. The amendment substantially reduces the amount of retail that can be developed on the site and sets out the development guidelines. Also, the availability of alternative 'convenience goods' retail sites at Goode Beach is limited, should the caravan park store cease trading.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.8 continued

RECOMMENDATION

THAT

- i) Council grant final approval to Amendment 228 to the City of Albany Town Planning Scheme No. 3 to rezone Pt Lot 376 La Perouse Road, Goode Beach from 'Local Shopping' to 'Residential' and adding an 'Additional Use' in Schedule II subject to the following modification;
  - a) Boundary fencing to be constructed to a height of 1.2m along the northern boundary of the site upon construction of the shop;
- ii) the Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and
- iii) the amending documents be appropriately signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning and Infrastructure for execution and gazettal.

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR PAVER  
SECONDED COUNCILLOR SANKEY**

**THAT;**

- i) **Council resolves, pursuant to Section 17 of the Town Planning Regulations 1967, to grant final approval to Amendment 228 to the City of Albany Town Planning Scheme No. 3 with modifications to rezone Pt Lot 376 La Perouse Road, Goode Beach from 'Local Shopping' to 'Residential R12.5' (allowing for 3 residential lots and no additional use);**
- ii) **the following Schedule of Submissions be received, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and**
- iii) **the amending documents be appropriately modified in response to above decision and the comments received during the public consultation period, that the documents be signed in accordance with Section 7 of the Town Planning and Development Act and then forwarded to the Minister for Planning and Infrastructure for execution and gazettal.**

**MOTION CARRIED 15-0**

Reason:

- The Commercial Strategy does not acknowledge the need for a local shop at Goode Beach and the daily needs of residents can be met by the Frenchman's Bay Tearooms. Retaining the capacity for Pt Lot 376 to have some retail function would cause local visual and traffic conflicts and the community has strongly indicated that they would prefer the land to be used for residential.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.8 continued

**Town Planning & Development Act 1928 (As Amended) TPS3  
Proposed Amendment No. 228  
Schedule of Submissions**

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
1.	Water Corporation PO Box 915 ALBANY WA 6330	No objection – water is available, sewerage is not	Noted	NOTED
2.	LJ & HE Roe PO Box 261 ALBANY WA 6330	a) Supports amendment b) Limited floorspace may not be viable c) Entrance should be of La Perouse Road	a) Noted b) 100m <sup>2</sup> is considered adequate floor space whilst minimising impact in a residential area. c) Sight lines on La Perouse road make any access to the shop problematic	NOTED NOTED DISMISS
3.	M Hood 56 Karrakatta Rd GOODE BEACH WA 6330	a) This is a quite residential suburb and any use other than that or public access to be each is a violation of privacy b) Proposal (shop) is an absurdity given the proximity of Frenchman Bay and Whale world	a) The proposed retail component is limited to a maximum on 100m <sup>2</sup> NLA and will be in addition to a dwelling on the block. b) Whilst it is recognised that there is an existing small retail facility at the Frenchman Bay Caravan Park it is not sufficient for the continued provision of convenience goods to the Goode Beach area. The proposal will allow for the development of a small retail facility to serve the local area if so desired by the landowner. There is no obligation for the shop to be developed.	DISMISS DISMISS
4.	NJ Fraser 3 Klem Road GOODE BEACH WA 6330	a) Concern over volume of traffic on a narrow road (Klem Road).	a) Given the width of the road reserve and the fact that the road pavement is currently some 10m away from	NOTED



## DEVELOPMENT SERVICES REPORTS

Item 11.3.8 continued

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
		b) Questions the viability of the development given the small population.	the property boundary this concern can be addressed. b) The landowner is under no obligation to develop a shop hence viability is a concern that can be addressed if a shop is established.	DISMISS
5.	G Stephenson 14 La Perouse Rd GOODE BEACH WA 6330	a) No objection to rezoning to residential. b) Has concerns regarding additional use for shop based on goods offered, signage, parking and traffic as well as potential to attract tourists to stay overnight.	a) Noted b) All development provision (with the exception of parking) will be the same as for the 'Residential Zone'. Refer to submissions 3(a) & 4(a)	NOTED DISMISS
6.	RC & JR Petter 16 Rossiter Road GOODE BEACH WA 6330	a) Proposal will upset some of the community, b) Proposal might lower house prices.	a) Refer to submissions 3(a) & (b) b) The current proposal is for 2 residential block and an additional use for 100m <sup>2</sup> of shop. Using the current zoning a much large retail centre could have been developed on the site with significantly greater impacts. Should the shop be developed it would improve the range of good available in the area.	DISMISS DISMISS
7.	WG Felber 20 La Perouse Court GOODE BEACH WA 6330	No objection	Noted	NOTED
8.	R Arnabile 5 Klem Road GOODE BEACH WA 6330	a) Any advantages in local shopping would be offset by an immediate and substantial decrease in house prices. b) Narrow Road may cause problems. c) Refrigeration and associated equipment would create significant noise issues.	a) Refer to submissions 6(b) b) Refer to submission 4(a) c) All activities on the site would have to comply with the noise standards for a residential dwelling. It should also be noted	DISMISS DISMISS DISMISS

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.8 continued

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
9.	CA Stephenson PO Box 5159 ALBANY WA 6330	<p>a) Concern raised over the proliferation of signage.</p> <p>b) Sufficient facilities already at the Frenchman's Bay Caravan Park and Whaling Station.</p> <p>c) Will encourage overnight campers at the beach.</p> <p>d) Shopping already done in Albany.</p>	<p>that the shop will be attached to a dwelling.</p> <p>a) Refer to submission 5(b)</p> <p>b) Refer to submission 5(b)</p> <p>c) Not a relevant planning issue.</p> <p>d) Not a relevant planning issue.</p>	DISMISS DISMISS DISMISS DISMISS DISMISS
11.	JV Rooyen 6 Fulay Street ALBANY WA 6330	<p>a) The shop will become an unused eyesore in only a few years.</p> <p>b) Proposal would increase traffic into the Goode Beach Area.</p> <p>c) Backpackers could increase their stay in the area.</p> <p>d) The Tea Rooms at Frenchman Bay and associated facilities provide all that is required for locals and tourists.</p> <p>e) It is not a suitable position being on a five-way road junction and signage would create confusion.</p>	<p>a) The shop will be attached to a residential dwelling and is to be designed and constructed of materials so as to not detrimental impact on the amenity of the locality. Refer to submissions 2(b).</p> <p>b) The size of the store precludes it from becoming a major attractor. Using the current zoning a much large retail centre could have been developed on the site with significantly greater impacts.</p> <p>c) Not a relevant planning issue.</p> <p>d) Refer to submission 3(b)</p> <p>e) The site is bounded by two roads although it is in the vicinity of several others. The location of the site should not cause confusion.</p>	DISMISS DISMISS DISMISS DISMISS DISMISS
12.	E & W Harley PO Box 5414	<p>a) Concerned over adverse impact of a shop on residents in the immediate vicinity and Goode</p>	<p>a) Refer to submission 5(b)</p>	DISMISS

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.8 continued

Submission No.	Ratepayer/Resident or Agency	Submission	Comment	Recommended Decision
	ALBANY WA 6332	<p>Beach as a whole.</p> <p>b) Adequate facilities at Frenchman Bay Tearooms and Little Grove.</p> <p>c) There would only be a small customer base and the business would not be viable.</p> <p>d) Potential to attract undesirables.</p> <p>e) Impact of traffic on Klem Road.</p> <p>f) Customers are likely to park on La Perouse Road rather than in the carpark causing a traffic hazard.</p> <p>g) Support original proposal with parking of the corner of Klem and La Perouse Roads.</p> <p>h) Little potential for expanded development in Goode Beach.</p> <p>i) Lot size are not in keeping with surrounding lot sizes— three lots would be more in keeping with surrounding lot sizes – suggests this occurs with the removal of the shop use.</p>	<p>b) Refer to submission 5(b)</p> <p>c) Refer to submission 4(b)</p> <p>d) Not a relevant planning issue.</p> <p>e) Refer to submission 4(a)</p> <p>f) This may be a concern – a requirement should be placed on the site to place boundary fencing in this location to deter this activity.</p> <p>g) The proposal was modified to screen the shop from Klem Road.</p> <p>h) Noted</p> <p>i) There are a range of lot sizes surrounding the subject site, the proposed lot sizes are not out of character. Refer to submission 3(b).</p>	<p>DISMISS</p> <p>DISMISS</p> <p>DISMISS</p> <p>NOTED</p> <p>UPHOLD</p> <p>DISMISS</p> <p>NOTED</p> <p>DISMISS</p>
13.	W & B Windberg PO Box 1094 ALBANY WA 6331	<p>a) Refer to submission 12(h)</p> <p>b) Refer to submission 4(b)</p>	<p>a) Refer to submission 12(h)</p> <p>b) Refer to submission 4(b)</p>	<p>DISMISS</p> <p>DISMISS</p>
14.	R & D Sealy 8 Austin Road GOODE BEACH WA 6330	<p>a) Concerned that the 'Shop' and 'Local Shopping' zones could result in one or several of 14 different uses from consulting rooms to tavern.</p> <p>b) Refer to submission 4(a)</p> <p>c) Refer to submission 3(b)</p> <p>d) Concerned that Lot 226, adjacent to this</p>	<p>a) The site will be zoned 'Residential' with an additional use permitting a small shop. Uses over and above those permitted in the 'Residential' zone and Shop are not permitted.</p> <p>b) Refer to submission 4(a)</p> <p>c) Refer to submission 3(b)</p> <p>d) This lot is subject to Amendment</p>	<p>DISMISS</p> <p>DISMISS</p> <p>DISMISS</p> <p>DISMISS</p> <p>DISMISS</p>

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.8 continued

<b>Submission No.</b>	<b>Ratepayer/Resident or Agency</b>	<b>Submission</b>	<b>Comment</b>	<b>Recommended Decision</b>
		proposal will remain zoned 'Local Shopping'.	No. 227 to rezone it to Residential, which is currently awaiting the endorsement of the Minister.	DISMISS
15.	Department of Health PO Box 8172 PERTH WA 6849	The proposed lot sizes meet the infill criteria of the Country Sewerage Policy.	Noted	NOTED
16.	J Healy 1 Runnymede Street GOODE BEACH WA 6330	Supports amendment	Noted	NOTED
17.	D & V Mercer 19 La Perouse Court GOODE BEACH WA 6330	a) Refer to submission 3(b) b) Refer to submission 3(b) c) Refer to submission 3(b) d) Refer to submission 4(a) e) Refer to submission 12(f) f) Verge parking will result in destruction of roadside flora.	a) Refer to submission 3(b) b) Refer to submission 3(b) c) Refer to submission 3(b) d) Refer to submission 4(a) e) Refer to submission 12(f) f) Refer to submission 12(f)	DISMISS DISMISS DISMISS DISMISS UPHOLD DISMISS

**11.4 DEVELOPMENT SERVICE COMMITTEES**

Nil.

# **Corporate & Community Services**

## **REPORTS**

## - R E P O R T S -

### 12.1 FINANCE

#### 12.1.1 List of Accounts for Payment – City of Albany

<b>File/Ward</b>	:	FIN 022 (All Wards)
<b>Proposal/Issue</b>	:	N/A
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Manager of Finance (S Goodman)
<b>Disclosure of Interest</b>	:	Nil.
<b>Previous Reference</b>	:	N/A
<b>Summary Recommendation</b>	:	Approve accounts for payment
<b>Bulletin Attachment</b>	:	Summary of Accounts
<b>Locality Plan</b>	:	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	248,925.63
Electronic Fund Transfer		totalling	1,943,737.17
Payroll		totalling	1,029,285.62
<b>TOTAL</b>			<u><b>\$3,221,948.42</b></u>

2. As at 5<sup>th</sup> April 2004, the total outstanding creditors, stands at \$833,401.41

ORDINARY COUNCIL MEETING MINUTES – 20/04/04  
\*\* REFER DISCLAIMER \*\*  
**CORPORATE & COMMUNITY SERVICES REPORTS**

Item 12.1.1 continued.

RECOMMENDATION

THAT the following City of Albany accounts be passed for payment: -  
Municipal Fund totalling \$3,221,948.42  
Total \$3,221,948.42

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR EMERY**

**THAT the following City of Albany accounts be passed for payment: -  
Municipal Fund totalling \$3,221,948.42  
Total \$3,221,948.42**

**MOTION CARRIED 15-0**



### 12.1.2 Review Of Unimproved Value Properties

<b>File/Ward</b>	:	FIN 022 (All Rural Wards)
<b>Proposal/Issue</b>	:	Undertake a review of the rating base of Unimproved Value rated properties
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Manager – Finance (S Goodman)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	That Council undertake a review of the rating basis of Unimproved Value properties for Council Consideration
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	N/A

### BACKGROUND

1. A preliminary review of the rating basis of properties in Albany indicated that there are a number of properties which are rated on an Unimproved Value (UV) basis, which are not predominantly used for rural purposes. This is not in accordance with Department of Local Government guidelines which specify that land which is used predominantly for non-rural purposes should be rated based on the Gross Rental Value (GRV).
2. The Department of Local Government and Regional Development has published operational guidelines for Changing Methods of Valuation of land. The guidelines provide a number of basic principles to observe as follow.
  - Objectivity - Objective assessment of relevant criteria
  - Fairness and equity – rating principles applied fairly and equitably based on predominant use
  - Consistency - like properties should be treated in a like manner
  - Transparency – valuation systems & procedures to be clearly documented and available to the public to inspect
  - Administrative efficiency – rating principles to be applied in an efficient and cost effective manner.

Item 12.1.2 continued.

There are inconsistencies in the manner in which Albany rural properties are currently valued, and clear guidelines have not yet been established.

3. The Department has established a recommended procedure for reviewing and changing the method of land valuation. The basic process is:
  - Identify land use changes which might affect predominant use
  - Review predominant use of properties
  - Consult affected parties including ratepayers, Valuer General
  - Recommend changes to Council
  - Submit proposed changes to Minister
  - Implement changes (UV to GRV) for certain properties
- 4 The City's annual general purpose grant is calculated by the Western Australian Grants Commission based on an assessment of need, reduced by a calculated assessment of what revenue the City should be able to raise through rates. Under the Commission formula, the valuation of small properties as GRV rather than UV would result in a significant increase in the City's annual grant.

#### **STATUTORY REQUIREMENTS**

5. Section 6.25 of the Local Government Act 1995, specifies the basis for rate valuations. It notes that "... *the Minister is to have regard to the general principle that the basis for a rate on any land is to be-*
  - a. *where the land is used predominantly for rural purposes, the unimproved value of the land*
  - b. *where the land is used predominantly for non-rural purposes, the gross rental value of the land.*"
6. Section 6.8 (1) (b) of the Local Government Act 1995 requires that proposed Municipal Fund expenditure which is not included in the Annual Budget must be authorized in advance by a resolution of Council (Absolute Majority Required).

#### **POLICY IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

8. It is estimated that the valuation basis of between 700 and 1000 properties could be affected. If the initial selection of 869 properties were to be changed from UV to GRV, the impact would include additional rate revenue of \$4,000 each year, an increase in the City's annual general purpose grant of \$58,000 (phased in over 4 years), and reduced annual Valuer General costs. The one off cost of completing the study is estimated at \$ 65,000 for Valuer General charges, survey expenses, and Rates Officer time. The net impact of the initial selection would yield additional net revenue of \$540,000 over 15 years, a rate of return of 35%.

Item 12.1.2 continued.

**STRATEGIC IMPLICATIONS**

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

**COMMENT/DISCUSSION**

- 10. The initial review of UV rated properties concentrated on properties which by their zoning and size were clearly not intended for agricultural purposes. For properties zoned rural, the cutoff point in terms of size was deemed to be 2 ha. It was assumed that any property which was less than 2ha in size was not predominantly agricultural, and therefore should be subject to a Gross Rental Value (GRV) valuation rather than a UV valuation.
- 11. If the proposed review is agreed to, the first step will be to review the selection criteria internally, and agree that basic criteria with the Department of Local Government and the Valuer General’s Office. A review of all rural townsites and subdivisions would be done to ensure consistency of practice throughout the City. It would be necessary to use a number of different methods to ensure accuracy of data including site visitations, a review of planning and building approvals, and correspondence with all affected property owners. A proposal would be put to Council prior to submission to the Minister and Valuer General. The objective would be to have the changes in place for the 2005/06 financial year.

**RECOMMENDATION**

THAT a review of changing methods of valuation of Unimproved Value properties be carried out, with the estimated implementation cost of \$65,000 to be funded from additional 2003/04 investment earnings

*Voting Requirement Absolute Majority*

.....

**MOVED COUNCILLOR PAVER  
SECONDED COUNCILLOR LIONETTI**

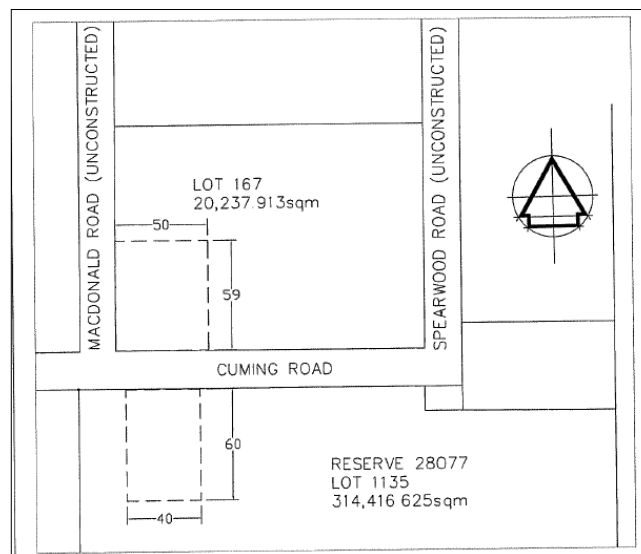
**THAT a review of changing methods of valuation of Unimproved Value properties be carried out, with the estimated implementation cost of \$65,000 to be funded from additional 2003/04 investment earnings.**

**MOTION CARRIED 14-1  
ABSOLUTE MAJORITY**

## 12.2 ADMINISTRATION

### 12.2.1 Proposed New Lease and Sub-Lease for Brambles Australia Limited.

<b>File/Ward</b>	:	PRO 327 (Frederickstown Ward)
<b>Proposal/Issue</b>	:	New Lease & Sub-Lease
<b>Subject Land/Locality</b>	:	Portion of Lot 167 and being a portion of the land known as 2-16 Cuming Road, and a portion of Lot 1135 on Reserve 28077 and being a portion of the land known as 37-43 Maxwell Street, Albany, Western Australia
<b>Proponent</b>	:	City of Albany
<b>Owner</b>	:	City of Albany
<b>Reporting Officer(s)</b>	:	Administration Officer (J Twaddle)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	That Council approve the request for a new lease and sub-lease to be prepared for an 8-year term commencing 6 <sup>th</sup> May 2004.
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	



Item 12.2.1 continued.

### **BACKGROUND**

1. To implement the Waste Minimisation Service, the City of Albany is required to dispose of the Hanrahan Refuse & Recycling Facilities (excluding Landfill) allowing Cleanaway to occupy and operate these facilities.
2. The Hanrahan Refuse Site comprises of two separate portions of land being Albany Lot 167 and Albany Lot 1135.
3. Lot 167 is located on City of Albany freehold land and is the whole of the land described in Certificate of Title Volume 1117 Folio 402.
4. Lot 1135 is located on Reserve 28077, which is a crown grant in trust to the Albany Agricultural Society for the purpose of “Greater Sports Ground & Showground”. Lot 1135 is currently leased by the City of Albany from the Albany Agricultural Society.

### **STATUTORY REQUIREMENTS:**

5. 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.
6. Council is however able to dispose of property by other means, provided that it gives statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
7. Section 18 (1) of the Land Administration Act 1997 states that a person must not, without the prior approval in writing of the Minister assign, sell, transfer or otherwise deal with interests on crown land. Approval by the Minister was granted in principle on 11 March 2004.

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

9. The City of Albany wishes to Lease these portions of land for a fee of \$1 per annum payable on demand, for the duration of the Lease, with no rental review clause.
10. All costs associated with these proposed new leases are to be borne by Cleanaway.

Item 12.2.1 continued.

### **STRATEGIC IMPLICATIONS**

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

*'Waste Management – To participate in a regional waste program, which is environmentally responsible, cost efficient and effective.'*

AND

*'Waste Collection' – To provide a clean, efficient & effective waste collection service'.*

### **COMMENT/DISCUSSION**

12. Under the provisions of the tender, the contractor is to Lease a portion of Lot 167 and a portion of Lot 1135, for the provision of the Materials Recycling Facility, Tip Shop and Recycling Transfer Station.
13. The Materials Recycling Facility is to be constructed on Lot 167, 2-16 Cuming Road.
14. The Tip Shop and Recycling Transfer Station are to be constructed on Lot 1135, 37-43 Maxwell Street.
15. The City of Albany wishes to dispose of this land for the duration of the contract, to allow Cleanaway to legally carry out operations and maintain the facilities.
16. All Leases will be held in the name of Brambles Australia Limited as Cleanaway is a trading name and not a separate legal entity.
17. As there is no provision for a Sub-Lease under the Lease agreement with the Albany Agricultural Society, the City of Albany has requested permission from the Society to Sub-Lease a portion of Lot 1135 Reserve 28077. Approval by the Albany Agricultural Society was granted in principle on 11 March 2004.

Item 12.2.1 continued.

RECOMMENDATION

THAT subject to requirements under Section 3.58 of the Local Government Act 1995, Ministerial consent and no submissions being received, Council agree:

- i) to a new lease for Brambles Australia Limited being prepared for a period of 8 years with a possible option of 3 years, commencing on 6 May 2004 on Portion of Lot 167 and being a portion of the land described in Certificate of Title Volume 1117 Folio 402, Cuming Road;
- ii) to a new sub-lease for Brambles Australia Limited being prepared for a period of 8 years with a possible option of 3 years, commencing on 6 May 2004 on Portion of Lot 1135, Reserve 28077, Maxwell Street;
- iii) the rental be set at \$1 per annum payable by demand, in accordance with Council's Waste Minimisation Contract, with no rent reviews;
- iv) the lease is prepared in accordance with Council's standard leasing terms and conditions by mutual agreement, with all maintenance and repairs being carried out by Brambles Australia Limited (Cleanaway);
- v) all fees associated with this lease be payable by Brambles Australia Ltd; and
- vi) the Common Seal of the City of Albany be affixed to the documentation.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR DEMARTEAU**

**THAT subject to requirements under Section 3.58 of the Local Government Act 1995, Ministerial consent and no submissions being received, Council agree:**

- i) to a new lease for Brambles Australia Limited being prepared for a period of 8 years with a possible option of 3 years, commencing on 6 May 2004 on Portion of Lot 167 and being a portion of the land described in Certificate of Title Volume 1117 Folio 402, Cuming Road;**
- ii) to a new sub-lease for Brambles Australia Limited being prepared for a period of 8 years with a possible option of 3 years, commencing on 6 May 2004 on Portion of Lot 1135, Reserve 28077, Maxwell Street;**
- iii) the rental be set at \$1 per annum payable by demand, in accordance with Council's Waste Minimisation Contract, with no rent reviews;**
- iv) the lease is prepared in accordance with Council's standard leasing terms and conditions by mutual agreement, with all maintenance and repairs being carried out by Brambles Australia Limited (Cleanaway);**
- v) all fees associated with this lease be payable by Brambles Australia Ltd; and**
- vi) the Common Seal of the City of Albany be affixed to the documentation.**

**MOTION CARRIED 15-0**

### 12.2.2 Community Safety & Crime Prevention Partnership

<b>File/Ward</b>	:	GOV 082 (All Wards)
<b>Proposal/Issue</b>	:	Development of a Community Safety and Crime Prevention Partnership with the State Government.
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	Department of Premier and Cabinet – Government of WA
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Community Development Officer (R Shanhun)
<b>Disclosure of Interest</b>	:	Nil.
<b>Previous Reference</b>	:	N/A
<b>Summary Recommendation</b>	:	That Council enter into a Community Safety and Crime Prevention Partnership with the Government of WA
<b>Bulletin Attachment</b>	:	N/A
<b>Locality Plan</b>	:	N/A

#### BACKGROUND

1. The City of Albany has been invited by the Government of Western Australia to enter into a Community Safety and Crime Prevention Partnership, which is directed at the development of local solutions to community safety and crime issues through community, consultation, analysis of crime profiles and the development/implantation of appropriate strategies.
2. The introduction of the Community Safety and Crime Prevention Partnership guide reads:-

*“1.1 What is the purpose of this guide? The Community Safety and Crime Prevention Partnership Guide will assist in the understanding and enrolment of partners in a Community Safety and Crime Preventions Partnership Agreements.*



Item 12.2.2 continued.

*This agreement will be between the Government of WA and individual Local Government or regional groupings when this is agreed. This guide should be read in conjunction with the Community Safety and Crime Prevention Planning Manual.*

**1.2 Proposed Partnership Agreement.** *At the end of this document is a proposed agreement to assist in the development of Local Government / State Government partnerships. The Office of Crime Prevention will work with Local Government to ensure the agreement reflects the needs of Local Government, their community and the State Government of WA.*

**1.3 Defining the Partnership.** *The partnership agreement exists to clearly define the roles and responsibilities of each of the partners. It is necessary to ensure that each partner fully understand the principles by which the partnership exists and how each partner to the agreement desires to proceed.*

*The Government of WA accepts that all State Government departments and agencies have a role in crime prevention. This includes responsibility for law enforcement, policing and community safety and crime prevention. This will be supported by the Human Services Director Generals Group and the Cabinet Standing Committee on Social Policy.*

**1.4 Communication between Partners.** *An agreement is to be based on principles of shared responsibility and effective communication.*

**Open Communication** *Parties to this agreement accept the need to develop open communications. The Office of Crime Prevention, will be the chief mechanism of communicating needs, values and objectives to all stakeholders.*

**Sharing Information** *Throughout this planning and implementation process it is essential to share information with State Government, Local Government, Agencies and communities to create and maintain group synergy around Community Safety and Crime Prevention. The Office of Crime Prevention undertakes to post all plans onto a website, along with best practice case studies and other resources.*

**1.5 Review and Evaluation.** *Effective crime prevention strategies need to be based on sound and credible knowledge about the size of the problem and demonstrated evidence about what does and does not work. Successful crime prevention programs include:*

- *A proactive, evidence based approach;*
- *Targeted priorities; and*
- *Supported and enabled collaborative partnership that engage the community.*

Item 12.2.2 continued.

*Partners to this agreement accept that an evidence-based approach is strengthened by targeted evaluations to measure whether significant programs have been successful in meeting their objectives. These evaluations will enable program improvements to further deliver safer communities and reduced crime.*

*Community Safety and Crime Prevention Agreements, will be reviewed after the first 12 months and thereafter every 3 years.*

**1.6 Break Clause.** *The Community Safety and Crime Prevention Agreement can be modified or amended with the consent of the party's. This Agreement can be terminated by either of the party's giving written notice to the other party. On termination of this agreement uncommitted grant monies must be returned within 3 months."*

### **STATUTORY REQUIREMENTS**

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

### **POLICY IMPLICATIONS**

4. The City of Albany Seniors Policy – Safety and Security reads:-

*"The City of Albany recognises that every citizen has a rights to feel safe and secure, whether that is in their home, on the streets, in parks or gardens or anywhere else within the City. The City understands that not all safety and security issues fall within its jurisdiction, however is committed to providing a safe and secure environment for all citizens. The City of Albany also recognises that seniors have additional safety and security concerns, and that these concerns must be addressed."*

### **FINANCIAL IMPLICATIONS**

5. A decision to enter into the Community Safety and Crime Prevention Partnership will not impact on Council's 2003/04 budget, not will it carry any direct financial implication.
6. Details in relation to potential financial implications – income and expenditure are covered in more detail within the comment/discussion section of this report.

Item 12.2.2 continued.

### **STRATEGIC IMPLICATIONS**

7. The Vision statement contained in Albany 2020 reads in part:-  
  
*“The superbly located rural city of Albany will be a safe, caring community in harmony with its natural environment, historic past, prosperous hinterland and unique sense of place.”*
8. Albany 2020 includes the Port of Call:-  
*“The continual development of Council Services and facilities to meet the needs of all stakeholders.”*
9. Specific objectives under this Port of Call are:-
  - *“Streetscape Design & Implementation – to develop safe, functional and aesthetically pleasing streetscapes;*
  - *Parks, Gardens and Playgrounds – A diverse range of passive and active recreational areas that are creative, attractive, safe and enjoyable to use.”*
10. Community safety and crime is very much about environmental design, including streetscape, parks and Gardens.

### **COMMENT/DISCUSSION**

11. The following is the forward to the Community Safety and Crime Prevention Planning manual, by the Minister for Police, Hon Michelle Roberts, MLA. Copy of letter is attached to the rear of this report.
12. Through the Office of Crime Prevention the State Government will provide funding to Local Governments for the development of Community Safety and Crime Prevention Plans. This will be achieved by the following process:-
  - i) Local Governments engage with the Office of Crime Prevention and enter into a formal partnership agreement;
  - ii) Applications for planning funding are received and assessed by the Office of Crime Prevention, and funding released;
  - iii) A locally based Community Safety and Crime Prevention Partnership is formed;
  - iv) The local Community Safety and Crime Prevention Partnership undertakes planning exercise to develop a Community Safety and Crime Prevention Plan (see Chapter 2 of the Community Safety and Crime Prevention Planning Manual);
  - v) The local Community Safety and Crime Prevention Partnership endorses the plan. Local Government houses the plan on behalf of the local community;
  - vi) Local Government registers the Community Safety and Crime Prevention Plan with the Office of Crime Prevention; and

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Item 12.2.2 continued.

- vii) The local Community Safety and Crime Prevention Partnership implements the plan, and the plan is integrated into the review cycle to ensure monitoring of programs on a regular basis.
- 13. A copy of the proposed Community Safety and Crime Prevention Partnership agreement is attached. This can be amended to suit Council, however the conditions included are reasonable and no amendment is suggested. A break clause is included should Council believe it was prejudiced by the agreement.

**RECOMMENDATION**

THAT the City of Albany enter into a Community Safety and Crime Prevention partnership with the Government of Western Australia.

*Voting Requirement Simple Majority*

.....

Councillor Bojcun declared an interest in this item and left the Chambers at 7.50pm. The nature of her interest is she is employed by the Commissioner of Police.

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR WILLIAMS**

**THAT Council decline the offer to enter into a Community Safety & Crime Prevention Partnership with the Government of WA.**

**MOTION CARRIED 12-2**

Councillor Paver requested that his name be recorded for voting against this motion.

Councillor Bojcun returned to the Chambers at 7.58pm

Reason:

- Recognising that the partnership agreement could be terminated by either party, it is still considered that crime prevention is the province of the State Government and not a core activity for Local Government, and should therefore remain with the State Government.



## “Making Our Community Safer”

Reducing crime and improving community safety are key priorities of the State Government. As Minister for Community Safety, I will be ensuring a whole of government response to these issues as there is an expectation that action will be taken at all levels and by all agencies of Government to make our communities safer and prevent crime. This is because community safety is a basic human right and an important factor in the quality of life of individuals, our families and our local communities.

The complex nature of crime demands that it be addressed at a number of levels, with a mixture of short, medium, and long-term strategies directed at all life stages, from early intervention programs with families to prevent the development of anti-social and criminal behaviour, to assisting vulnerable groups in the community.

It is clear the responsibility for addressing the means to make our communities safer and prevent crime is beyond the scope of any one agency or sector. Only by working together in a targeted manner can we make a difference to crime and antisocial behaviour.

This Community Safety and Crime Prevention Planning Manual has been developed by the Office of Crime Prevention to assist Community Safety and Crime Prevention Partnerships develop and implement local plans that will address crime and safety issues. Community Safety and Crime Prevention Partnerships membership will comprise State Government agencies, Local Government, Police, the non-government and business sectors, and the community.

This Community Safety and Crime Prevention Planning Manual sets out the means by which Community Safety and Crime Prevention Partnerships can develop local solutions by consulting the local community, analysing crime profiles, developing appropriate strategies, implementing them and measuring the reduction in crime and improvements in community safety.

Local Government is strategically placed to ‘house’ the plan on behalf of the local community. This role does not shift responsibility for crime prevention to Local Government, but rather, recognises the strong role that Local Government can play in facilitating and supporting the development of the plan as well as its role as an equal partner with State Government agencies, Police, the non-government and business sectors, and the community in the Community Safety and Crime Prevention Partnerships.

The key to achieving better results in community safety and crime prevention is through a commitment to working together more effectively and coordinating all participants' efforts to meet each community's circumstances and needs. This will be achieved through a strategic approach that identifies and addresses local crime and safety concerns.

LION MICHELLE ROBERTS MIA

**3. COMMUNITY SAFETY AND CRIME PREVENTION  
PROPOSED PARTNERSHIP AGREEMENT TEMPLATE**

**PROPOSED TEMPLATE PARTNERSHIP AGREEMENT**

A COMMUNITY SAFETY AND CRIME PREVENTION

PARTNERSHIP AGREEMENT

BETWEEN

THE GOVERNMENT OF WESTERN AUSTRALIA

AND

<COUNCIL NAME>

**The prevention and reduction of crime and its causes is the responsibility of each and every Western Australian. The parties to this agreement recognise that the most effective approach to tackling crime and its causes to enhance community safety is through partnerships involving the WA Police Service, State Government agencies, Local Government and the community.**

**1. Title**

<Year> <Council name> Community Safety and Crime Prevention Partnership Agreement.

**2. Partners**

The partners to this agreement are the Government of Western Australia (State Government) and the <Council name>.

**3. Purpose of the Agreement**

The State Government and the <Council name> recognise the important role each party has in the prevention of crime and sustainable community safety and security.

The purpose of this agreement is to:

- i. Acknowledge that the State Government has primary responsibility for law enforcement, policing, community safety and crime prevention.
- ii. Acknowledge the important role the <Council name> has to play in the area of community safety and crime prevention.

**CORPORATE & COMMUNITY SERVICES REPORTS**

- iii. Promote the development and implementation of a *Community Safety and Crime Prevention Plan* for the <Council name>community.
- iv. Develop effective lines of communications between the State Government and the <Council name>.

**4. Principles**

The community safety and crime prevention principles that underpin this agreement are:

- i. Recognise that partnerships between the community, and State and Local Government are essential to achieve sustainable community safety and crime prevention outcomes.
- ii. Recognise and respect the role that State and Local Government plays in enhancing sustainable community safety and crime prevention.
- iii. Engage all levels of the community in working to reduce and prevent crime.
- iv. Develop an evidence-based and planned approach to crime prevention that focuses on areas of highest need and where outcomes can be observed.
- v. Continually work to improve the efficiency and effectiveness of government service delivery.
- vi. Promote fairness, openness and transparency in managing community safety and crime prevention planning and service delivery.

**5. Scope of the Agreement**

This partnership agreement commits the parties to:

- i. Supporting, coordinating and administering a local community safety and crime prevention partnership and developing and implementing a local *Community Safety and Crime Prevention Plan*.
- ii. Engaging and involving the whole community in planning and implementing community safety and crime prevention strategies.
- iii. Evidence-based decision making that targets areas of greatest need, and monitors and evaluates policies, programs and services.
- iv. Sharing information and experiences between the State Government and the <Council name>.
- v. Promoting greater community awareness and involvement in community safety and crime prevention efforts to reduce fear of crime levels.

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- vi. Coordinating and integrating community safety and crime prevention activities through local service agreements between local government and State Government agencies.
- vii. Establishing measures to monitor progress towards improving community safety and reducing crime.

**6. Responsibilities**

State Government

- i. To provide leadership and direction for crime prevention in Western Australia.
- ii. To develop a State Crime Prevention Strategy.
- iii. To ensure that appropriate law enforcement strategies are maintained.
- iv. To support the <Council name> community safety and crime prevention activities.
- v. To provide funds to support the <Council name> community safety and crime prevention planning and initiatives.
- vi. To adopt a whole of Government approach to community safety and crime prevention and ensure that relevant State Government agencies participate in local *Community Safety and Crime Prevention Partnerships*.
- vii. To produce relevant data to assist the <Council name> in its community safety and crime prevention planning and activities.
- viii. To support the development of the <Council name> capacity to participate in community safety and crime prevention by providing information and advice about “what works” and “what does not work” in crime prevention.

<Council name>

- i. To support, coordinate and administer local *Community Safety and Crime Prevention Partnership*.
- ii. To support and facilitate the development and implementation of a local *Community Safety and Crime Prevention Plan*.
- iii. To ensure that the *Community Safety and Crime Prevention Plan* is consistent with the overall State Crime Prevention Strategy.
- iv. To engage and involve the community, State Government agencies and non-government organisations in local *Community Safety and Crime Prevention Partnerships*.
- v. To build the community's capacity to participate in the *Community Safety and Crime Prevention Partnership*.
- vi. To adopt evidence-based decision-making processes that target areas of greatest need.
- vii. To monitor and evaluate the effectiveness of community safety and crime prevention activities.
- viii. To build community capacity to participate in community safety and crime prevention by providing information and advice about “what works” and “what does not work” in crime prevention.



**CORPORATE & COMMUNITY SERVICES REPORTS**

**7. Management**

The Office of Crime Prevention and <Council name> will manage this agreement jointly.

**8. Reviews**

This agreement will be reviewed in twelve months and thereafter every three years.

**9. Break Clause**

This Agreement can be modified or amended with the consent of the parties. This Agreement can be terminated by either of the parties giving written notice to the other party.

**10. Agreement in Good Faith**

This agreement is made in good faith based on the party's commitment to an effective and sustainable relationship.

Signed on behalf of the Government  
of Western Australia by the Minister  
for Community Safety

Signed on behalf of the <Council  
Mayor/President> by <insert name>

DATED: \_\_\_\_\_ DAY OF \_\_\_\_\_ 2003

### **12.2.3 Great Southern Regional Cattle Saleyards Joint Venture Agreement**

<b>File/Ward</b>	: REL 087 (Shire of Plantagenet)
<b>Proposal/Issue</b>	: Transfer of Management of the GSRCS to the Shire of Plantagenet.
<b>Subject Land/Locality</b>	: Albany Highway Mt Barker
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: Shire of Plantagenet and City of Albany
<b>Reporting Officer(s)</b>	: Executive Director Corporate & Community Services (WP Madigan)
<b>Disclosure of Interest</b>	: N/A
<b>Previous Reference</b>	: OCM 16/03/04 – Item 12.2.2
<b>Summary Recommendation</b>	: THAT in accordance with all statutory requirements, the City dispose of its interest in the Great Southern Regional Saleyards to the Shire of Plantagenet.
<b>Bulletin Attachment</b>	: N/A
<b>Locality Plan</b>	: N/A

#### **BACKGROUND**

1. In May 1994 the City of Albany and Shire of Plantagenet agreed, via joint venture, to establish a Regional Cattle Saleyard at Yerriminup North, a site of 41.1201 hectares, located 7km south of Mt Barker. The Great Southern Regional Cattle Saleyards was officially opened on the 10<sup>th</sup> March 2000 and first sales conducted on the official opening day.
2. Although initially managed by the Shire of Plantagenet, in May 2001 the City agreed to take over this responsibility with the Plantagenet Shire Council acknowledging that all operational functions of the Saleyards will be the responsibility of staff and strategic / policy decisions being the role of Council's and the Committee.
3. The Great Southern Regional Cattle Saleyards Joint Venture Committee recommends a strategic / policy decisions.
4. A proposed Joint Venture Agreement has been endorsed by the Joint Venture Committee in April 2003, with a final amendment in June 2003.

Item 12.2.3 continued.

5. This agreement has been endorsed by the City of Albany.

6. Clause 5.1 of the Agreement provides:-

*“The appointment of the City of Albany as Manager referred to in Clause 5.1 continue for the first five years of operation, and then be reviewed in line with the Budget and Business Plan Key Performance Indicators (Clause 5.3).”*

#### **STATUTORY REQUIREMENTS**

7. The Joint Venture Agreement has not been endorsed by the Shire of Plantagenet.

#### **POLICY IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

9. The Great Southern Regional Cattle Saleyards operates as a joint venture, with any surplus / deficits being share equally between the joint venture partners.

#### **STRATEGIC IMPLICATIONS**

10. Council’s ‘Albany 2020 – Charting our Course’ objectives provide for the continual development of Council services and facilities to meet the needs of all stakeholders.

11. Specifically in relation to the Regional Cattle Saleyards, it aims to develop the long term viability and efficiency of the Regional Cattle Saleyards, to satisfy the needs of all stakeholders.

#### **COMMENT/DISCUSSION**

12. In discussion the proposed joint venture agreement in February 2003, the Shire of Plantagenet resolved to defer consideration of the joint venture agreement and instead resolved the following:-

*“THAT the City of Albany be advised that the Shire of Plantagenet would be pleased to explore management of the Great Southern Regional Cattle Saleyards reverting to the Shire of Plantagenet, with such negotiations being finalised by 30<sup>th</sup> June 2004.*

13. Council deferred consideration of this request at its March Ordinary Meeting of Council to enable a full briefing on the operation of the Cattle Saleyards.

14. Recognising that the operation of the cattle saleyards is not a core function of Council, and as the Shire of Plantagenet wishes to explore management of the Cattle Saleyards, it may provide an opportunity for the City to negotiate for the Shire of Plantagenet to acquire the City’s interest in the yards.

Item 12.2.3 continued.

15. Should it not be possible to negotiate the disposition of the City's interest in the yards, the spirit of the prepared Joint Venture Agreement, endorsed by the Committee in 2003, should prevail.
16. In any event, it is considered that all future capital works and ongoing total operating expenses, including debt servicing, at the Great Southern Regional Cattle Saleyards be undertaken on a cost recovery basis.

RECOMMENDATION

THAT Council advise the Shire of Plantagenet that:-

- i) subject to all statutory requirements, the City of Albany offer to dispose of its interest in the Great Southern Regional Cattle Saleyards;
- ii) should the disposition outlined in (i) above not occur, the spirit of the proposed Joint Venture Agreement, endorsed by the Great Southern Regional Cattle Saleyards Joint Venture Committee in June 2003; remain in place; and
- iii) all future capital works and ongoing total operating expenses, including debt servicing, at the Great Southern Regional Cattle Saleyards be undertaken on a cost recovery basis.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR BOJCUN  
SECONDED COUNCILLOR WELLINGTON**

**THAT Council advise the Shire of Plantagenet that:-**

- i) subject to all statutory requirements, the City of Albany offer to dispose of its interest in the Great Southern Regional Cattle Saleyards;**
- ii) should the disposition outlined in (i) above not occur, the spirit of the proposed Joint Venture Agreement, endorsed by the Great Southern Regional Cattle Saleyards Joint Venture Committee in June 2003; remain in place; and**
- iii) all future capital works and ongoing total operating expenses, including debt servicing, at the Great Southern Regional Cattle Saleyards be undertaken on a cost recovery basis.**

**MOTION CARRIED 14-1**

#### 12.2.4 Naming of Albany Athletic Club Grounds – North Road, Centennial Park

<b>File/Ward</b>	: PRO 275 (Frederickstown Ward)
<b>Proposal/Issue</b>	: Apply name to the Athletic Grounds
<b>Subject Land/Locality</b>	: North Road Sporting Grounds
<b>Proponent</b>	: Albany Athletics Group
<b>Owner</b>	: City of Albany
<b>Reporting Officer(s)</b>	: Executive Director Development Services (R Fenn)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: That Council seek approval for the request
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

#### BACKGROUND

1. A request has been received from the Albany Athletics Group to name the grounds upon which the Albany Athletics Club's track is laid out, "The Mike Biddulph Athletics Grounds".
2. Mr Biddulph passed away in 2003 after many years of being involved in the promotion, operation, management and support of athletics in Albany. In a submission from the Albany Athletics Group it is stated that his involvement with athletics commenced in 1976, he was instrumental in having the clubhouse built in 1983, he pioneered the layout and design of the running track, was a founding member of the Albany Little Athletics Centre, he marked out and maintained the integrity of the running track and he contributed many hours of voluntary work in organising and improving facilities for athletes.

#### STATUTORY REQUIREMENTS

3. The procedures of the Geographic Names Committee, to have a feature officially recorded on all future documents produced by the Department of Land Information, require that the name recognise someone associated with that feature, the name should be recognise post-mortem and the information detailing the involvement of the person with the name should be forwarded to the DLI for permanent recording.

Item 12.2.4 continued.

**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. The desire for clubs to recognise outstanding volunteers who have contributed to the success of the facilities that are currently enjoyed by the club is commended. In the case of the Albany Athletics Group (AAG), they have sought to recognise Mike Biddulph for his singular dedication to the running surface and to allow the clubrooms to remain known as the Athletics Clubrooms; the construction of that facility can be attributed to a number of members and the AAG felt it inappropriate to single out an individual when recognising that structure.
- 8. Should the layout or configuration of the facilities provided for athletics be changed in the future, the application of nomenclature to the modified facilities may need to be revisited. A process exists for that to happen.

**RECOMMENDATION**

THAT Council seek approval from the Geographic Names Committee to apply the name “The Mike Biddulph Athletics Grounds” to the running surface and surrounding grounds utilised by the Albany Athletics Group within the North Road Sporting Complex.

*Voting Requirement Simple Majority*

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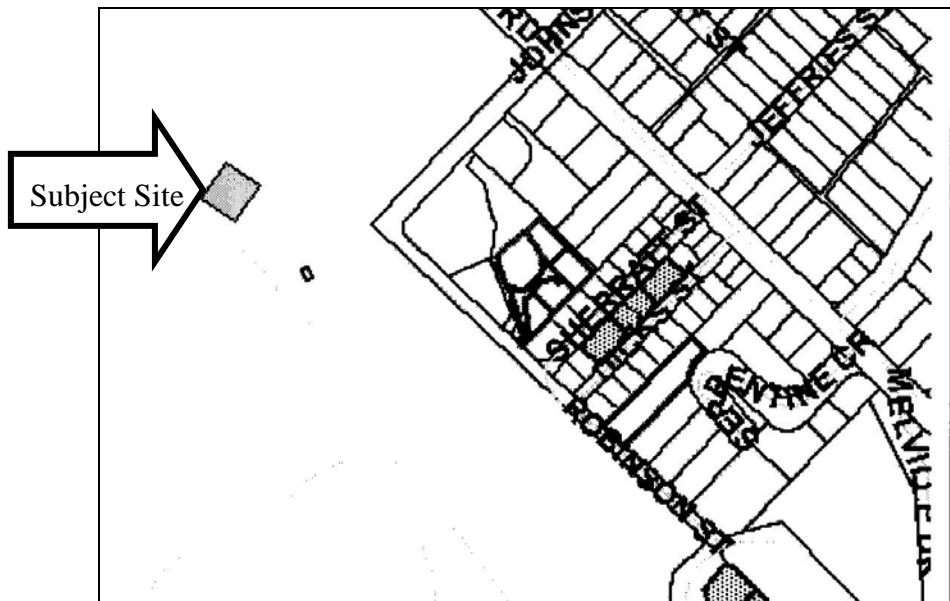
**MOVED COUNCILLOR DEMARTEAU  
SECONDED COUNCILLOR WILLIAMS**

**THAT Council seek approval from the Geographic Names Committee to apply the name “The Mike Biddulph Athletics Grounds” to the running surface and surrounding grounds utilised by the Albany Athletics Group within the North Road Sporting Complex.**

**MOTION CARRIED 15-0**

**12.2.5 New Lease for Mt Melville Kiosk – Portion of Reserve 2681**

<b>File/Ward</b>	:	PRO 060 (Frederickstown Ward)
<b>Proposal/Issue</b>	:	New lease - Rent
<b>Subject Land/Locality</b>	:	Reserve 2681 Mt Melville Kiosk
<b>Proponent</b>	:	Megan Peckham
<b>Owner</b>	:	Crown Land (Managed by City of Albany)
<b>Reporting Officer(s)</b>	:	Administration Officer (A Wiseman)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 17/06/2003 Item 12.2.1
<b>Summary Recommendation</b>	:	THAT Council agree to a new lease being prepared from 1 July 2003 for a 5 year term.
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	See below map



Item 12.2.5 continued.

### **BACKGROUND**

1. Reserve 2681 is situated at Mt Melville, which includes the Lookout and kiosk area. The City of Albany has a Management Order for the purpose of “Public Park” with power to lease for periods up to and including 21 years.
2. Megan Peckham is the current lessee of the premises known as “The Mt Melville Kiosk” which is situated on only a portion of the Mt Melville Lookout on Reserve 2681. This lease was for a period of 4 years from 1 July 1999 to 30 June 2003.
3. At the 17 June 2003 Ordinary Council Meeting it was resolved to enter into a new lease for a 5 year period commencing on 1 July 2003. An independent market valuation was obtained for this lease area, which was reduced based on the fact that the Lessee of the premises is required to clean the public toilets each day the kiosk is open (7 days) and to keep the toilets in a clean and sanitary condition. The Council provides the cleaning equipment and materials.

### **STATUTORY REQUIREMENTS:**

4. Section 18 (1) of the Land Administration Act 1997 states that a person must not without the prior approval in writing of the Minister assign, sell, transfer or otherwise deal with interests on crown land. A preliminary approval for this sub lease has been sought and the Department of Land Administration has advised that they have no objection to the sublease agreement in principle.
5. 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.
6. Council must then give consideration to those submissions before resolving whether or not to proceed with the lease.
7. Section 3.58 further requires that the reasons for a Council’s decision also to be recorded in the minutes of the meeting at which a decision to issue a lease is made.

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

9. Council at present receives \$117.70 per annum in rent (subject to GST), and subject to annual movements in CPI.
10. All costs associated with the preparation of the new lease will need to be borne by the lessee.



Item 12.2.5 continued.

**STRATEGIC IMPLICATIONS**

11. This request complies with Council’s Albany 2020, which in part states as follows:  
*“Managed healthy land/harbour environment – To manage reserves for environmentally sustainable use, community enjoyment and benefit.”*

**COMMENT/DISCUSSION**

12. Council has received correspondence from the Lessee, Megan Peckham who has confirmed that she wishes to enter into a new lease for a 5 year term on 1 July 2003.
13. At the 17 June 2003 Ordinary Council Meeting it was resolved to enter into a new lease for a 5 year period commencing on 1 July 2003. At the time, an independent rental valuation was obtained for this lease area at \$1,067.00 per annum, which was reduced based on the fact that the Lessee of the premises is required to clean the public toilets each day the kiosk is open (7 days) and to keep the toilets in a clean and sanitary condition. The Council provides the cleaning equipment and materials.
14. In the year 2000, Council agreed to waive all charges for water rates and water consumption charges in exchange for the cleaning of the public toilets. It was also agreed to waive the electricity charges up to an amount of \$1300.00 per annum in exchange for the upkeep of the car parking areas, pathways to kiosk and stairwell plus viewing balconies, stairs and glass areas.
15. In accordance with the waiving of electricity charges, water rates and water consumption charges, the rental needs to be reviewed. Based on the valuation completed on 4 June 2003 the rental was assessed at \$1,067.00 per annum, and then reduced in exchange for cleaning of the public toilets, which was in fact incorrect and should not have been reduced.

**RECOMMENDATION**

THAT subject to approval from the Minister for Lands, in accordance with Section 3.58 of the Local Government Act 1995 and the previous resolution of Council, it be agreed that should no submissions be received as a result of advertising:

- i) the rental for the new lease now be set at \$1067.00 per annum, subject to GST, with CPI reviews being carried out annually on 1 July 2004, 1 July 2005, 1 July 2006, and 1 July 2007;
- ii) to waive all charges for water rates and water consumption in exchange for the cleaning of the public toilets; and
- iii) to waive all electricity charges up to an amount of \$1300.00 per annum for the upkeep of the car parking areas, pathways to kiosk and stairwell plus viewing balconies, stairs and glass areas.

*Voting Requirement Simple Majority*

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Item 12.2.5 continued.

**MOVED COUNCILLOR WEST  
SECONDED COUNCILLOR PAVER**

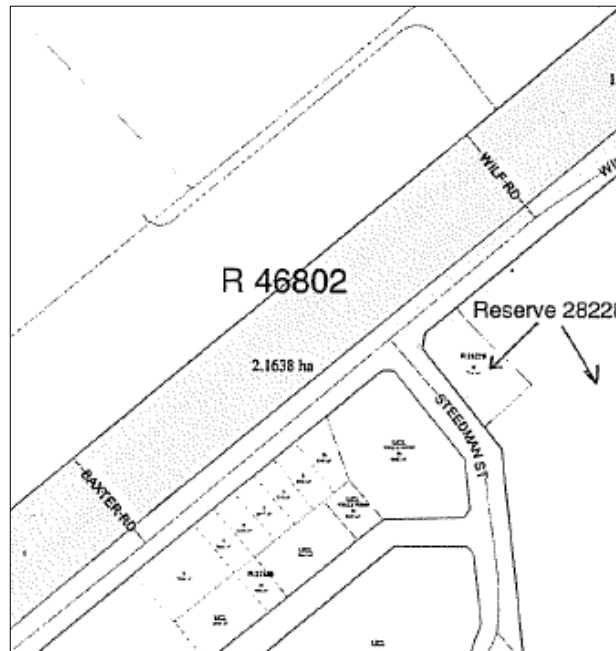
**THAT subject to approval from the Minister for Lands, in accordance with Section 3.58 of the Local Government Act 1995 and the previous resolution of Council, it be agreed that should no submissions be received as a result of advertising:**

- i) the rental for the new lease now be set at \$1067.00 per annum, subject to GST, with CPI reviews being carried out annually on 1 July 2004, 1 July 2005, 1 July 2006, and 1 July 2007;**
- ii) to waive all charges for water rates and water consumption in exchange for the cleaning of the public toilets; and**
- iii) to waive all electricity charges up to an amount of \$1300.00 per annum for the upkeep of the car parking areas, pathways to kiosk and stairwell plus viewing balconies, stairs and glass areas.**

**MOTION CARRIED 15-0**

**12.2.6 Proposed New Lease for Wellstead Progress Association Inc**

<b>File/Ward</b>	:	PRO 324 (Hassell Ward)
<b>Proposal/Issue</b>	:	New Lease
<b>Subject Land/Locality</b>	:	Portion of Lot 49 Reserve 46802, Wellstead
<b>Proponent</b>	:	Wellstead Progress Association Inc
<b>Owner</b>	:	City of Albany
<b>Reporting Officer(s)</b>	:	Administration Officer (J Twaddle)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	That Council approve the request for a new lease to be prepared for a 21 year term commencing on 1 November 2003.
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	



Item 12.2.6 continued.

### **BACKGROUND**

1. A request has been received from the Wellstead Progress Association Inc for Council to grant a lease on a portion of Lot 49 Reserve 46802, being the location of the Wellstead Resource Centre.
2. Lot 49 is located on Reserve 46802, which is managed by the City of Albany for the purpose of “Recreation and Community Purposes”.

### **STATUTORY REQUIREMENTS:**

3. Section 18 (1) of the Land Administration Act 1997 states that a person must not, without the prior approval in writing of the Minister assign, sell, transfer or otherwise deal with interests on crown land. Preliminary approval from the Minister has been sought.
4. 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.
5. Council is however able to dispose of property by other means, provided that it gives Statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
6. Clause 30 of the Local Government (Function and General) Regulations 1996 provides an exemption to Council from the application of Section 3.58 of the Act if the land is being disposed of is a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.
7. The Wellstead Progress Association is a not for profit community-based organisation and therefore the proposed disposition of land is exempt from the provisions of Section 3.58 of the Act.

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

9. It has been Council policy to set the Lease rental commensurate with the Annual Minimum Land Rate. For the 2003/2004 financial year the Council adopted a minimum land rate of \$445.00.
10. All costs associated with this proposed new lease are to be borne by the applicant.

Item 12.2.6 continued.

### **STRATEGIC IMPLICATIONS**

11. Council's 'Albany 2020' Strategic Plan, states in part:

*“Port of Call: Attraction & development of a broad range of social, cultural and economic entities.*

*Objective: To encourage a vibrant community where all are encouraged to participate and contribute.*

*Activity: Wellstead Resource Centre.”*

### **COMMENT/DISCUSSION**

12. The Wellstead Progress Association has requested Council grant a lease for 21 years, commencing from 1 November 2003 for a portion of Lot 49 on Reserve 46802.

13. The purpose of the Lease is to transfer tenure of the land on which the Wellstead Resource Centre is located to the Wellstead Progress Association Inc.

14. It is proposed that the Lease contain all provisions of Council's standard leasing terms and conditions, with the following additional clauses:

*“The Lessee shall be responsible for maintenance and replacement of all equipment in the building.*

*The Lessee shall be responsible for the construction and maintenance of the grounds including landscaping, mowing, parking areas and any public art component.*

*The Lessee shall be responsible for the management of the building including entering into tenancy agreements with tenants, and shall retain any income derived from those tenancy agreements.”*

15. The City of Albany will carry out required building structural maintenance only, in lieu of a rental fee being imposed on the Wellstead Library, which is contained within the facility and operated by the Albany Public Library.

### **RECOMMENDATION**

THAT subject to Ministerial approval, Council agree:

- i) to lease a portion of Lot 49 Reserve 46802 to the Wellstead Progress Association for a period of 21 years, commencing on 1 November 2003;
- ii) rental be set at \$445.00 per annum for 2003/2004, commensurate with the Annual Minimum Land Rate, plus GST;
- iii) rental be reviewed annually and set commensurate with the Annual Minimum Land Rate, plus GST;
- iv) the lease be prepared in accordance with Council's standard leasing terms and conditions, with the following additional clauses:

*“The Lessee shall be responsible for maintenance and replacement of all equipment in the building.*

*The Lessee shall be responsible for the construction and maintenance of the grounds including landscaping, mowing, parking areas and any public art component.*

*The Lessee shall be responsible for the management of the building including entering into tenancy agreements with tenants, and shall retain any income derived from those tenancy agreements.*

*The Lessor will carry out required building structural maintenance only, in lieu of a rental fee being imposed on the Wellstead Library.”;*

- v) all fees associated with the preparation and execution of this lease be payable by the Wellstead Progress Association; and
- vi) the Common Seal of the City of Albany be affixed to the documentation.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WEST  
SECONDED COUNCILLOR WILLIAMS**

**THAT subject to Ministerial approval, Council agree:**

- i) to lease a portion of Lot 49 Reserve 46802 to the Wellstead Progress Association for a period of 21 years, commencing on 1 November 2003;**
- ii) rental be set at \$445.00 per annum for 2003/2004, commensurate with the Annual Minimum Land Rate, plus GST;**
- iii) rental be reviewed annually and set commensurate with the Annual Minimum Land Rate, plus GST;**
- iv) the lease be prepared in accordance with Council’s standard leasing terms and conditions, with the following additional clauses:**

*“The Lessee shall be responsible for maintenance and replacement of all equipment in the building.*

*The Lessee shall be responsible for the construction and maintenance of the grounds including landscaping, mowing, parking areas and any public art component.*

*The Lessee shall be responsible for the management of the building including entering into tenancy agreements with tenants, and shall retain any income derived from those tenancy agreements.*

*The Lessor will carry out required building structural maintenance only, in lieu of a rental fee being imposed on the Wellstead Library.”;*

- v) all fees associated with the preparation and execution of this lease be payable by the Wellstead Progress Association; and**
- vi) the Common Seal of the City of Albany be affixed to the documentation.**

**MOTION CARRIED 15-0**

**12.3 LIBRARY SERVICES**

Nil.

**12.4 DAY CARE CENTRE**

Nil.

**12.5 TOWN HALL**

Nil.

**12.6 ALBANY LEISURE AND AQUATIC CENTRE**

Nil.

**12.7 GREAT SOUTHERN REGIONAL CATTLE SALEYARDS**

Nil.

**12.8 CORPORATE & COMMUNITY SERVICES COMMITTEES**

**12.8.1 Seniors Advisory Committee meeting minutes – 19<sup>th</sup> February 2004**

- File/Ward** : MAN 131 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (WP Madigan)
- Summary Recommendation** : That the Minutes of Seniors Advisory Committee held on 19<sup>th</sup> February 2004 be adopted.

RECOMMENDATION

THAT the minutes of Seniors Advisory Committee held on 19<sup>th</sup> February 2004 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR BOJCUN  
SECONDED COUNCILLOR WELLINGTON**

**THAT the minutes of Seniors Advisory Committee held on 19<sup>th</sup> February 2004 be received (copy of minutes are in the Elected Members Report/Information Bulletin)**

**MOTION CARRIED 15-0**



**12.8.2 Albany Town Hall Theatre Advisory Committee meeting minutes – 25<sup>th</sup> February 2004**

- File/Ward** : SER 047 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (WP Madigan)
- Summary Recommendation** : That the Minutes of Albany Town Hall Theatre Advisory Committee held on 25<sup>th</sup> February 2004 be adopted.

RECOMMENDATION

THAT the minutes of Albany Town Hall Theatre Advisory Committee held on 25<sup>th</sup> February 2004 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WILLIAMS  
SECONDED COUNCILLOR PAVER**

**THAT the minutes of Albany Town Hall Theatre Advisory Committee held on 25<sup>th</sup> February 2004 be received (copy of minutes are in the Elected Members Report/Information Bulletin).**

**MOTION CARRIED 15-0**

**CORPORATE & COMMUNITY SERVICES REPORTS**

**12.8.3 Great Southern Regional Cattle Saleyards Joint Venture Committee meeting minutes – 8<sup>th</sup> March 2004**

- File/Ward** : REL 087 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (WP Madigan)
- Summary Recommendation** : That the Minutes Great Southern Regional Cattle Saleyards Joint Venture Committee held on 8<sup>th</sup> March 2004 be adopted.

**RECOMMENDATION**

**THAT the minutes of Great Southern Regional Cattle Saleyards Joint Venture Committee held on 8<sup>th</sup> March 2004 be received (copy of minutes are in the Elected Members Report/Information Bulletin).**

*Voting Requirement Simple Majority*

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<p><b>MOVED COUNCILLOR WOLFE</b> <b>SECONDED COUNCILLOR EMERY</b></p> <p><b>THAT the minutes of Great Southern Regional Cattle Saleyards Joint Venture Committee held on 8<sup>th</sup> March 2004 be received (copy of minutes are in the Elected Members Report/Information Bulletin).</b></p> <p style="text-align: right;"><b>MOTION CARRIED 15-0</b></p>
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# **Works & Services**

# **REPORTS**

**WORKS & SERVICES REPORTS**

**- R E P O R T S -**

**13.1 WASTE MANAGEMENT**

**13.1.1 Approval for the Processing of Recyclable Materials from Shire of Denmark**

<b>File/Ward</b>	: SER 065 (Vancouver Ward)
<b>Proposal/Issue</b>	: Approval for processing commingled recyclable materials from the Shire of Denmark
<b>Subject Land/Locality</b>	: Hanrahan Road Materials Recovery Facility
<b>Proponent</b>	: Shire of Denmark
<b>Owner</b>	: City of Albany
<b>Reporting Officer(s)</b>	: Depot Services Coordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 20/01/04 – Item 13.1.1
<b>Summary Recommendation</b>	: Accept and approve the processing of commingled domestic recyclables from the Shire of Denmark at the City of Albany’s Materials Recovery Facility by Cleanaway from the 6 <sup>th</sup> May 2004.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: Nil

**BACKGROUND**

1. As a result of Council adopting the Waste Minimisation Strategy at the Ordinary Council Meeting of 20<sup>th</sup> January 2004, a letter was sent to the Shire of Denmark on the 22<sup>nd</sup> January advising them that the recycling collection and processing service would cease on the 6<sup>th</sup> April and that they would be required to make alternative arrangements for the collection and disposal of their domestic recycled products.
2. A letter was received from the Shire of Denmark requesting Council’s consent to process its kerbside collected recyclables. Under the new Waste Service, Contract C02061 has a provision for adjoining Local Government Authorities to process their kerbside collected recyclables at the Materials Recovery Facility (MRF), operated by Cleanaway.

**WORKS & SERVICES REPORTS**

Item 13.1.1 continued

3. This item seeks the approval of Council to permit Cleanaway to process the kerbside collected recyclables from the Shire of Denmark.

**STATUTORY REQUIREMENTS**

4. The National Competition Policy is applicable to this item.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

6. There are no financial implications relating to this item. There will be no charge to the City of Albany as there will be full cost recovery.

**STRATEGIC IMPLICATIONS**

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

*Managed healthy land/harbour environment.*

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

**COMMENT/DISCUSSION**

8. As part of Council's tendering process, the City has allowed for the recycling operator to process recyclables at its Materials Recovery Facility (MRF), situated at Hanrahan Road, from adjoining Councils. These commingled recyclables will be processed at the cost of \$44 per tonne under the following terms:

- Other Councils requesting processing of recyclables at the Albany MRF must contact the City of Albany in the first instance.
- The City will require any Local Government Authority making a request for service to provide details and information pertaining to expected quantities of recyclables produced so tonnage rates may be calculated and effects on operations can be assessed.
- The City of Albany will assess proposals in consultation with the Contractor through the Contract Management Committee. This assessment will utilise the rates as provided by the tenderer in Form 1A to determine the cost to the Local Government Authority requesting the service.
- Upon final assessment, a report will be submitted to Council detailing a recommendation for approval whether or not to accept the proposal. Instruction will then be issued to the Contractor for provision of the service as outlined in the City's recommendation.

**WORKS & SERVICES REPORTS**

Item 13.1.1 continued

- 9. Council has received a letter from the Shire of Denmark dated 4<sup>th</sup> February 2004, requesting that the City of Albany continue to process commingled recyclable materials from Denmark at the new MRF at Hanrahan Road.
- 10. According to data provided by the Shire, over 200 tonnes of commingled recyclable products are collected each year. The fee set, as per form 1A – Schedule of Prices/Rates Contract No: C02061, for the provision of this service is \$44 per tonne. This sum is to be paid to Cleanaway by the Shire, for the recycling service.
- 11. Through discussions held with Cleanaway on this matter, it is expected that the volume can be accommodated into the MRF without any affect on the service to the City of Albany.
- 12. This is an example of how the provision of the waste minimisation service will benefit not only the residents of Albany, but also the region.

**RECOMMENDATION**

THAT Council accept and approve the processing and disposal of commingled domestic recyclables from the Shire of Denmark at the City of Albany’s Materials Recovery Facility under the following conditions:

- i) that this approval shall be for the life of the contract subject to the condition that should the City of Albany require to withdraw the service, it may do so by giving the Shire of Denmark six (6) months notice; and
- ii) the fee to undertake processing and disposal shall be \$44 per tonne and will be reviewed annually.

*Voting Requirement Absolute Majority*

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**MOVED COUNCILLOR JAMIESON  
SECONDED COUNCILLOR BARTON**

**THAT Council accept and approve the processing and disposal of commingled domestic recyclables from the Shire of Denmark at the City of Albany’s Materials Recovery Facility under the following conditions:**

- i) that this approval shall be for the life of the contract subject to the condition that should the City of Albany require to withdraw the service, it may do so by giving the Shire of Denmark six (6) months notice; and**
- ii) the fee to undertake processing and disposal shall be \$44 per tonne and will be reviewed annually.**

**MOTION CARRIED 15-0  
ABSOLUTE MAJORITY**

**WORKS & SERVICES REPORTS**

**13.1.2 Waste Charges for Rural Transfer Stations**

<b>File/Ward</b>	: SER 065 (Frederickstown, Kalgan, West and Hassell Wards)
<b>Proposal/Issue</b>	: Waste Charges for Rural Transfer Stations
<b>Subject Land/Locality</b>	: - Hanrahan Road landfill and recycling site at Cumming Road, Albany WA. - Bakers Junction landfill site at Reserve No 31472, Chester Pass Road, Albany WA. - Kronkup, Reserve 38504, Lower Denmark Road, Kronkup; - Redmond, Redmond Road; - Manypeaks, Reserve 38923, Lot 51 South Coast Highway, Manypeaks; - Cheynes Beach, Reserve 878, Cheyne Road, Cheyne Beach, Manypeaks; and - Wellstead, Boyer Road, Wellstead.
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Reporting Officer(s)</b>	: Manager City Services (S Massimini)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 20/01/04 - Item 13.1.1
<b>Summary Recommendation</b>	: Adopt charge of \$13.50 per cubic meter for general household garbage delivered to Rural Transfer Stations where the depositor of the waste has delivered in excess of 0.5 cubic meters in any one week period, and locally advertise fee for seven days.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: Nil

**BACKGROUND**

1. The new rural transfer stations, which are to commence operations on the 6<sup>th</sup> May 2004, will accept domestic waste and recyclables from residents outside of the gazetted waste collection area.
2. Those residents outside of the gazetted area who do not receive a bin collection service must take their waste to the nearest disposal facility. Rural residents were levied \$15 for this service this year, and it is recommended to be \$35 per year in the coming 2004/05 budget.

**WORKS & SERVICES REPORTS**

Item 13.1.2 continued

3. Numerous commercial operators are situated within this area operating holiday accommodation chalets, caravan parks, shops and other similar ventures. These operators have been using Council's landfills prior to the development of the Transfer Station system and no charges had been levied for this service.

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

6. Partial cost recovery from commercial operators utilising the transfer station service.

**STRATEGIC IMPLICATIONS**

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

*The continual development of Council Services and Facilities to meet the needs of all stakeholders.*

- Objective:  
To provide a clean, efficient and effective waste collection service.

**COMMENT/DISCUSSION**

8. Transfer stations have been designed to deal with domestic volumes of waste generated in the rural areas of the City.
9. It has been identified that there are numerous commercial operations in the areas that the transfer stations will service. In the past, these businesses have been able to use the local landfills. These businesses are not readily serviced by commercial waste contractors and the cost for provision of such services may not be viable.
10. Council will need to consider the option of whether to provide these operators with the ability to dispose of their waste and recyclables at the Rural Transfer Stations.
11. In general, quantities of waste generated which are less than 0.5 cubic meters per week are considered to be domestic volumes. Residents receiving a full kerbside collection service will have the provision for approximately 0.5 cubic meters so this will equate with the provision for rural landholders.



**WORKS & SERVICES REPORTS**

Item 13.1.2 continued

- 12. Any volumes that exceed two cubic meters of waste in any single load will not be accepted at the Transfer Stations as this exceeds the volume of a large trailer or utility.
- 13. Most of the commercial operators who would deposit waste to the transfer stations would not generate volumes that would exceed two cubic meters in any one load, but they will certainly produce volumes in excess of the 0.5 cubic meters per week.
- 14. A waste charge being applied to any customer bringing volumes that exceed 0.5 cubic meters, will provide a strong incentive for them to maximise recycling. Recyclables will incur no charge and this will encourage commercial operators to develop waste plans to minimise their costs and maximise recycling.
- 15. The charge to be applied shall be based upon the estimated volume of rubbish that would equate to one tonne at \$27 per tonne. This equates to \$13.50 per cubic meter.
- 16. To streamline the process, a register of commercial operators will be developed and a list will be provided to Cleanaway for those commercial operators wishing to deposit waste to the Transfer stations. Those operators who reside within the rural area will only be permitted to have their names registered.
- 17. By applying this system to commercial operators in the rural areas we will be ensuring that the service and convenience that they have enjoyed will be maintained while ensuring equity with City based operators who must pay for the collection and disposal of their waste at commercial rates.

**RECOMMENDATION**

**THAT:**

- i) Council does not charge for volumes up to and including 0.5 cubic meters or recyclables;
- ii) any volumes of waste delivered between 0.5 cubic meters and 2 cubic meters shall be charged at \$13.50 per cubic meter; and
- iii) Council gives seven days local notice of its intention to levy these fees.

*Voting Requirement Absolute Majority*

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**MOVED COUNCILLOR JAMIESON  
SECONDED COUNCILLOR BARTON**

**THAT;**

- i) Council does not charge for volumes up to and including 0.5 cubic meters or recyclables;**
- ii) any volumes of waste delivered between 0.5 cubic meters and 2 cubic meters shall be charged at \$13.50 per cubic meter; and**
- iii) Council gives seven days local notice of its intention to levy these fees.**

**MOTION CARRIED 15-0  
ABSOLUTE MAJORITY**

**WORKS & SERVICES REPORTS**

**13.1.3 Future of Great Southern Regional Council**

<b>File/Ward</b>	: MAN 092 (All Wards)
<b>Proposal/Issue</b>	: Future issues relating to Great Southern Regional Council
<b>Subject Land/Locality</b>	: Great Southern Region
<b>Proponent</b>	: Great Southern Regional Council
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Executive Director Works & Services (B Joynes)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 17/02/04 Item 13.1.1
<b>Summary Recommendation</b>	: Notify the Great Southern Regional Council that the City of Albany does not wish to be further involved in their activities, recommends the sale of the Chillingup Road site and that other activities be developed through forums.
<b>Bulletin Attachment</b>	: Minutes of Great Southern Regional Council 4 <sup>th</sup> March 2004
<b>Locality Plan</b>	: Nil

**BACKGROUND**

1. A letter has been received from the Great Southern Regional Council (GSRC) requesting member Councils to consider the future of the GSRC.
2. In particular, the GSRC seeks a response on the following specific issues:
  - *“The Great Southern Regional Refuse Site – Chillingup Road – sell, lease or otherwise?”*
  - *Future of the Great Southern Regional Council – does it need to continue?*
  - *Should the Great Southern Regional Council be involved with waste management activities other than the development of the Great Southern Regional Refuse Site at Chillingup Road? Eg secondary waste treatment, recycling, education, investigation and development of new waste technologies.”*

**STATUTORY REQUIREMENTS**

3. There are no statutory requirements relating to this item. At this time, the GSRC has asked Council for its response.

**WORKS & SERVICES REPORTS**

Item 13.1.3 continued

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

5. Should the GSRC proceed with the disposal of the Chillinup Road Landfill Site, the City would most likely be returned a profit on the original purchase, as land prices have increased in this area.
6. If the GSRC were to continue, then Council will need to budget for the continuation of the \$15,000 per annum operational costs of the GSRC.

**STRATEGIC IMPLICATIONS**

7. The City of Albany's Strategic Plan "Albany 2020 – Charting Our Course" includes the following Port of Call:

Managed healthy land/harbour environment

**Waste Management**

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

**COMMENT/DISCUSSION**

8. The City of Albany is currently a member of the GSRC, which was formed with the main purpose of operating a regional landfill site, located at the jointly owned site on Chillinup Road some 65km North East of Albany.
9. Since the purchase of this property, investigations have shown that only a small proportion of this site can be utilised for the purpose of a landfill due to the high water table and unsuitable ground conditions, which is also expected to reduce the expected life of this site. As such, the GSRC began preliminary investigations into likely districts for an alternative site, through utilisation of existing mapping and known information. This data has been extremely difficult to obtain, and expenses are now likely to be incurred should the project continue. As a result, the GSRC queried whether this project should continue with all member Councils involved, or just those that are particularly interested.
10. At its meeting held 16<sup>th</sup> July 2002, Council adopted its Waste Management Plan, which provided a guiding document that maps out and directs waste activities for the next 15 years. As the Waste Minimisation Strategy has now been implemented, the City's need to participate in a regional landfill is no longer as necessary at this point in time. It is also questionable as to whether an alternative location for a regional landfill site is actually required for the majority of member Councils of the GSRC, as most are now more effectively dealing with waste management at a local level.

**WORKS & SERVICES REPORTS**

Item 13.1.3 continued

- 11. The City, at its meeting held 17<sup>th</sup> February 2004, resolved that Council notify the Great Southern Regional Council that the City of Albany does not wish to participate in the investigation of an alternate refuse site to the Chillingup Road Site.
- 12. There is no real benefit to the City of Albany for its continued involvement in the Great Southern Regional Council, due to the implementation of its Waste Minimisation Strategy. The issues pertaining to whether the Great Southern Regional Council should continue in existence or become involved in other waste management activities should be determined by the remaining member Councils' interest.
- 13. As the Chillingup Road site is not entirely suitable for the purpose of which it was originally purchased and holds no current significance to the City of Albany, it is recommended that it be sold with the proceeds to be dispersed amongst the joint owners.
- 14. The Regional Council was primarily set up for the administration of the Chillingup Road Site. The costs of operating the Regional Council are between \$45,000 to \$75,000 per annum, which is equally shared amongst the five member Councils. These costs include sitting fees, Councillor fees, administration, accounting, wages, etc.
- 15. These costs would offset any benefits to be gained by continuing with a Regional Council without a waste site. Other activities could still be achieved through meetings or forums set up for specific issues. An example of this is Council's acceptance of the regional recycling at its Material Recovery Facility.

**RECOMMENDATION**

THAT Council notify the Great Southern Regional Council that the City of Albany does not wish to be further involved in the activities of the GSRC, and recommends that:

- i) the Chillingup Road site, purchased for the purpose of a regional landfill site, be disposed of with the proceeds to be dispersed amongst its joint owners; and
- ii) any other waste management activities, such as secondary waste treatment, be developed through Regional cooperation and forums, rather than continuing with the expense of the Regional Council.

*Voting Requirement Simple Majority*

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**WORKS & SERVICES REPORTS**

Item 13.1.3 continued

**MOVED COUNCILLOR SANKEY  
SECONDED COUNCILLOR BARTON**


**THAT Council notify the Great Southern Regional Council that the City of Albany does not wish to be further involved in the activities of the GSRC, and recommends that:**

- i) the Chillinup Road site, purchased for the purpose of a regional landfill site, be disposed of with the proceeds to be dispersed amongst its joint owners; and**
- ii) any other waste management activities, such as secondary waste treatment, be developed through Regional cooperation and forums, rather than continuing with the expense of the Regional Council.**

**MOTION CARRIED 15-0**

**WORKS & SERVICES REPORTS**

Item 13.1.3 continued



# Great Southern Regional Council

YOUR REF

OUR REF      HS.LWI

15 March 2004

City of Albany  
Att: Andrew Hammond  
PO Box 484  
ALBANY WA 6331

CITY OF ALBANY - RECORDS	
FILE:	MAN 092
DOC:	1401900
17 MAR 2004	
OFFICER:	EDW51
Attach:	

Dear Andrew

**RE: FUTURE OF GREAT SOUTHERN REGIONAL COUNCIL**

At the Great Southern Regional Council meeting held on 4 March 2004, the Great Southern Regional Council decided to ask member Councils to consider the future of the Regional Council.

In particular, the Council seeks response from member Councils on the following issues:

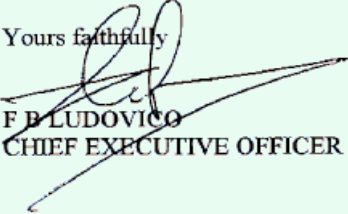
- The Great Southern Regional Refuse Site – Chillinup Road – sell, lease or otherwise.
- Future of the Regional Council – does it need to continue?
- Should the Great Southern Regional Council be involved with waste management activities other than the development of the Great Southern Regional Refuse Site at Chillinup Road? For example, secondary waste treatment, recycling, education, investigation and development of new waste technologies.

Of course there may be other issues that member Councils may wish to discuss, so any input is welcomed.

The next meeting of the Great Southern Regional Council is to be held on 6 May 2004 and it would be appreciated if any responses to the above issues could be received by me, no later than 23 April 2004.

If you have any queries, please contact me.

Yours faithfully



**F B LUDOVICO**  
CHIEF EXECUTIVE OFFICER

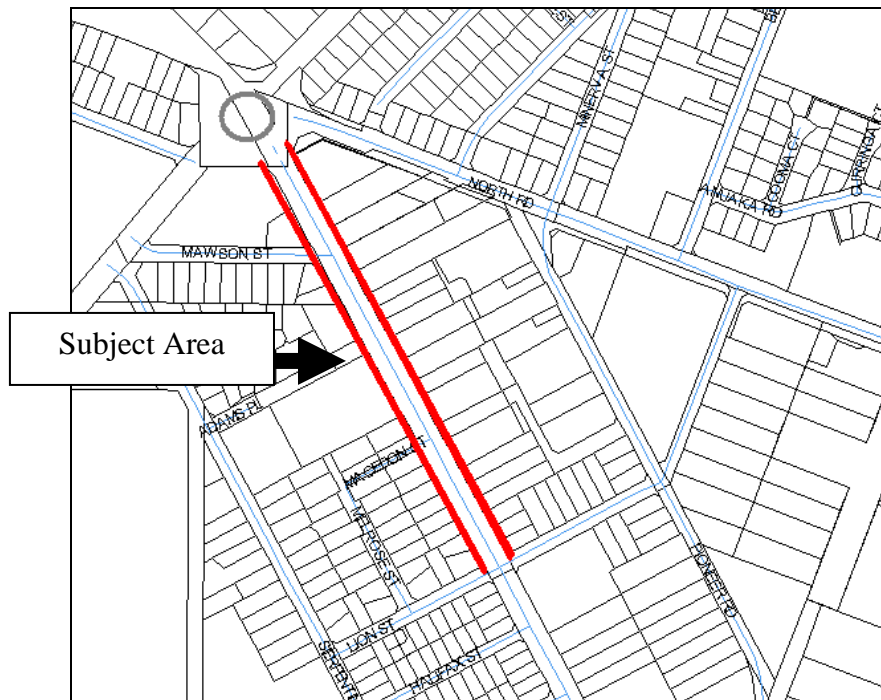
C/- Shire of Gnowangerup ~ 28 Yougenup Road ~ Gnowangerup ~ WA ~ 6335 ~ Ph:(08) 9827 1007 ~  
Fx:(08) 9827 1377 ~ Email: ceo@gnowangerup.wa.gov.au

**WORKS & SERVICES REPORTS**

**13.2 ASSET MANAGEMENT**

**13.2.1 State Underground Power Programme Grant**

<b>File/Ward</b>	: MAN 078 (Centennial Ward)
<b>Proposal/Issue</b>	: State Underground Power Programme Localised Enhancement Projects Grant
<b>Subject Land/Locality</b>	: Albany Highway
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Asset Coordinator (S Broad)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: Council support the Expression of Interest application for Albany Highway.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	:



**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

**BACKGROUND**

1. The City of Albany has been invited to participate and apply for grant funds currently available through the State Underground Power Programme.
2. The Programme is for Localised Enhancement Projects, which aims to replace existing overhead distribution lines, enhance “gateways” and traffic routes of scenic significance and regional towns with tourism and/or heritage features.
3. The State, through Western Power and the Office of Energy, will fund 50% of the cost of the project, to a maximum of \$250,000. This funding must be matched by the local council, and can be in cash or partly in kind.
4. Two pilot phases and two rounds of the programme have been undertaken to date. The Town of Albany took part in the initial pilot project in 1996/1997 supplying underground power to approximately 900 properties in the suburbs of Middleton Beach, Mira Mar and Emu Point. The cost of the project was \$3.6m with \$1.2m being financed each by the State Government, Western Power and the Town of Albany.
5. Proposals have now been invited as part of Round Three of the programme for Local Enhancement Projects (LEPs) which are to mainly target non-metropolitan areas.
6. The area that has been identified that could meet the selection criteria is Albany Highway from the roundabout to Lion Street.

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

9. Under section 3.18 of the Local Government Act 1995, the City of Albany is to satisfy itself that the services and facilities it provides are managed effectively and efficiently.
10. If successful, Council, through the budget process, would have to commit to an estimated expenditure of \$500,000 with joint funding income of \$250,000. As part of the selection criteria for LEPs, local government authorities are required to demonstrate the commitment and ability to fund at least half of the cost of the jointly funded works and provide a strategy to raise over budget funding.



**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

11. The State Underground Power Programme, based on experience to date, has advised that where residential properties are included, local authorities are encouraged to give consideration to the following:
  - Raising at least one-fifth of the local government authority's contribution from the general rate base in recognition of reduced pruning costs and generally improved value of the area to the local community;
  - Where funding is raised from directly affected ratepayers:
    - using a fixed service fee, rather than a variable Gross Rental Value approach;
    - giving discounts to pensioners (50% is suggested);
    - giving discounts to owners of properties where the connection is already underground.
12. Replacement street lights will be on an equivalent basis using galvanised poles and luminaries to Western Power specifications and spaced to the minimum level required by Australian Standards. Extra costs for non-equivalent replacement (e.g. decorative street lights) are to be borne by the local government authority.

**STRATEGIC IMPLICATIONS**

13. In the City of Albany's strategic document Albany 2020 - Charting Our Course, the following Port of Call is identified:

Port of Call:

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

Objective:

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

**COMMENT/DISCUSSION**

14. The steps in the Round Three LEP process timetable are:
  - Expressions of Interest lodged by 27<sup>th</sup> April 2004
  - Evaluation of Expressions of Interests completed by 3<sup>rd</sup> June 2004
  - Detailed Proposal phase commences 1<sup>st</sup> July 2004
15. A two-phase selection process for LEPs, comprising an initial Expression of Interest (EOI) requiring more general information, and a Detailed Proposal phase for short-listed projects seeking more detail. This approach is intended to reduce the cost to local government authorities when preparing the initial submission and shorten the overall time to implementation. It will also provide more certainty with regard to costs and scope of the project prior to an Agreement being finalised.

**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

16. The following criteria must form the basis for assessment in the EOI phase:
- Regional preference;
  - Heritage/tourism/scenic geographical significance, including the level of passing traffic or visitors;
  - Budget – approximate cost of project, Council has been advised it should use an estimated indicative cost ranging between \$400 and \$600 per linear metre. The actual cost could be subject to a range of conditions including terrain difficulties and technical requirements. Final actual costs could therefore vary significantly from the indicative costs provided. The project should be no longer than 1,000m;
  - Commitment by, and capacity of, the local government authority to fund at least half of the cost of the jointly funded works;
  - Preliminary evidence of Council and community support to participate in and contribute (if required) to the project, together with details of the methods to be used to provide information to the community and to further consult with the community;
  - Power system criteria – age of the existing overhead system, level of vulnerability to storm damage and potential for safety improvements.
17. The Albany Highway Streetscape Master Plan Concept Design was tabled at the February 2003 meeting of Council, an integral part of the streetscape concept is for the powerlines to be placed underground.
18. The section of Albany Highway that has been selected could meet the criteria of a Localised Enhancement Project, being the first stage of the Albany Highway Streetscape Master Plan.
19. Funding for the project could be made available from the Streetscape Development within the Reserves Master Plan.

**RECOMMENDATION**

THAT Council support the application of an Expression of Interest for a Localised Enhancement Project on Albany Highway under the State Underground Power Programme.

*Voting Requirement Simple Majority*

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<p><b>MOVED COUNCILLOR WELLINGTON SECONDED COUNCILLOR EMERY</b></p> <p><b>THAT Council support the application of an Expression of Interest for a Localised Enhancement Project on Albany Highway under the State Underground Power Programme.</b></p> <p style="text-align: right;"><b>MOTION CARRIED 15-0</b></p>
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**WORKS & SERVICES REPORTS****13.3 WORKS****13.3.1 Purchase and Removal of Scrap Metal**

<b>File/Ward</b>	: C03037 (All Wards)
<b>Proposal/Issue</b>	: Purchase and Removal of Scrap Metal for a 12 month period by Public Tender
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Coordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: N/A
<b>Summary Recommendation</b>	: That Council accepts the tender C03037 from SimsMetal for the purchase and removal of Scrap Metal.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. The City of Albany has previously used individual quotations for the purchase and removal of scrap metal. As the value of this service is expected to exceed \$50,000 this year, Council is required to put this to tender.
2. A request for tenders was published in the West Australian on 11<sup>th</sup> February 2004, the Albany Advertiser on 12<sup>th</sup> and Weekend Extra on 13<sup>th</sup> February 2004 for the purchase and removal of scrap metal for a twelve (12) month period.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>Weight %</b>
Cost	60%
Relevant Skills and Experience	10%
Safety Management	10%
Reliability of Tenderer	20%
Total	100%

**WORKS & SERVICES REPORTS**

Item 13.3.1 continued

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

8. Council currently receives \$30.00 per tonne from the disposal of scrap metal. Total revenue in 02/03 was only \$6,279.00 and \$10,067.00 has been received to date in the current year. Based on current market conditions, and the anticipated increased recovery under the Waste Minimisation Strategy, the revenue is expected to increase to an annual rate of at least \$100,000.00. These funds will be available to offset other Waste Management Plan costs and should assist in limiting further increases in the annual rubbish charge.

**STRATEGIC IMPLICATIONS**

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

*The continual development of Council services & facilities to meet the needs of all stakeholders.*

- Objective:  
To provide a clean, efficient & effective waste collection service.

**COMMENT/DISCUSSION**

10. A total of four specifications were issued. The following table summarises those submissions received by the close of the tender period.

<b>Tenderer</b>	<b>Tender Price per Tonne (inc. GST)</b>
SimsMetal	\$110.00
Aussie Scrap Metal	\$84.70

**WORKS & SERVICES REPORTS**

Item 13.3.1 continued

11. Following evaluation of the tender submissions, it was recommended that the tender from SimsMetal was the most advantageous option to Council.
12. In the past, Council has produced approximately 700 tonne per year of scrap metal for disposal, however the revenue received upon disposal was minimal. The current market for scrap metal is extremely buoyant and demand for this waste product increases each year. With Council adopting the Waste Minimisation Strategy, anticipated quantities of scrap metal are expected to increase.
13. It is estimated that between 1000 to 1200 tonnes per annum – consisting of light scrap and car bodies will be collected from the Hanrahan Road and Bakers Junction landfill sites. In recognition of the fluctuations of prices within the scrap metal industry, the contract has been fixed for a twelve (12) month period.

**RECOMMENDATION**

THAT Council accepts the tender C03037 from SimsMetal for the purchase and removal of Scrap Metal for a fixed price of \$110.00 per tonne (including GST) for a twelve (12) month period.

*Voting Requirement Absolute Majority*

.....

**MOVED COUNCILLOR JAMIESON  
SECONDED COUNCILLOR DEMARTEAU**

**THAT Council accepts the tender C03037 from SimsMetal for the purchase and removal of Scrap Metal for a fixed price of \$110.00 per tonne (including GST) for a twelve (12) month period.**

**MOTION CARRIED 15-0  
ABSOLUTE MAJORITY**

**WORKS & SERVICES REPORTS**

**13.3.2 Disposal of Surplus Plant and Equipment**

<b>File/Ward</b>	: SER 065 (Vancouver Ward)
<b>Proposal/Issue</b>	: Disposal of Surplus Plant and Equipment by Public Tender
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Coordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 20/01/04 – Item 13.1.1
<b>Summary Recommendation</b>	: That Council approves the disposal of surplus Plant and Equipment located at the Hanrahan Road Depot.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. At the Ordinary Meeting of Council held 20<sup>th</sup> January 2004, Council adopted Contract C02061, Waste Minimisation Services. As a result of this contract, some plant and equipment currently in use by the Waste Collection and Sanitation & Litter Teams will become surplus to requirements at the commencement of the Contract.

**STATUTORY REQUIREMENTS**

2. Part 3, Section 3.58 of the Local Government Act 1995 states that a local government can only dispose of property to the highest bidder at public auction or to the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

**POLICY IMPLICATIONS**

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

**WORKS & SERVICES REPORTS**

Item 13.3.2 continued

**FINANCIAL IMPLICATIONS**

4. Should Council choose to adopt the recommendation, these funds will be available to offset other Waste Management Plan costs.

**STRATEGIC IMPLICATIONS**

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

*The continual development of Council services & facilities to meet the needs of all stakeholders.*

- Objective:  
To provide a clean, efficient & effective waste collection service.

**COMMENT/DISCUSSION**

6. With the outsourcing of the Waste Collection and Sanitation & Litter service, Council will have no further requirement for the following items of plant and equipment currently located at the Hanrahan Road Waste Site.

Qty	Item
1	Caterpillar Forklift – P2044
6	Round Bottle Banks
1	Isuzu FRR500 Tray Top Truck – P2026 – A13228 - Recycling
1	Freightliner Rubbish Truck – see paragraph 7 below
1	Recycling Trailer – P2058 – A34895
1	Isuzu 200 Truck – P101 – AL20360 – Litter
1	Mitsubishi Triton Utility – P2236 – A48155
1	Mitsubishi Triton Utility – P2242 – A2824
1	Toyota Hilux Utility – P2295 – A48250
1	Toyota Hilux Utility – P2080 – A48501
1	Hako Sweeper – P2069
1	Hako Sweeper Trailer – P2032 – A35716

7. The Freightliner rubbish truck P2046, license no: A12126, is listed in the current 2003/2004 budget for disposal. There are a considerable number of spare parts for the compactor which would be advisable to dispose of at the same time. These spare parts are currently located in the Mercer Road Works Depot.
8. It is proposed that this list of plant and equipment be advertised for disposal by public tender after commencement of the waste contract on 6<sup>th</sup> May 2004.

**WORKS & SERVICES REPORTS**

Item 13.3.2 continued

RECOMMENDATION

THAT Council call for tenders for the disposal of the plant and equipment located at the Hanrahan Road Waste Site following the commencement of the Waste Minimisation Contract due to start on 6<sup>th</sup> May 2004.

Qty	Item
1	Caterpillar Forklift – P2044
6	Round Bottle Banks
1	Isuzu FRR500 Tray Top Truck – P2026 – A13228 - Re-cycling
1	Freightliner Rubbish Truck
1	Recycling Trailer – P2058 – A34895
1	Isuzu 200 Truck – P101 – AL20360 – Litter
1	Mitsubishi Triton Utility – P2236 – A48155
1	Mitsubishi Triton Utility – P2242 – A2824
1	Toyota Hilux Utility – P2295 – A48250
1	Toyota Hilux Utility – P2080 – A48501
1	Hako Sweeper – P2069
1	Hako Sweeper Trailer – P2032 – A35716

*Voting Requirement Absolute Majority*

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR BARTON**

**THAT Council call for tenders for the disposal of the plant and equipment located at the Hanrahan Road Waste Site following the commencement of the Waste Minimisation Contract due to start on 6<sup>th</sup> May 2004.**

Qty	Item
<b>1</b>	<b>Caterpillar Forklift – P2044</b>
<b>6</b>	<b>Round Bottle Banks</b>
<b>1</b>	<b>Isuzu FRR500 Tray Top Truck – P2026 – A13228 - Re-cycling</b>
<b>1</b>	<b>Freightliner Rubbish Truck</b>
<b>1</b>	<b>Recycling Trailer – P2058 – A34895</b>
<b>1</b>	<b>Isuzu 200 Truck – P101 – AL20360 – Litter</b>
<b>1</b>	<b>Mitsubishi Triton Utility – P2236 – A48155</b>
<b>1</b>	<b>Mitsubishi Triton Utility – P2242 – A2824</b>
<b>1</b>	<b>Toyota Hilux Utility – P2295 – A48250</b>
<b>1</b>	<b>Toyota Hilux Utility – P2080 – A48501</b>
<b>1</b>	<b>Hako Sweeper – P2069</b>
<b>1</b>	<b>Hako Sweeper Trailer – P2032 – A35716</b>

**MOTION CARRIED 15-0  
ABSOLUTE MAJORITY**



**WORKS & SERVICES REPORTS**

**13.3.3 Construction of Footpaths – Contract C03040**

<b>File/Ward</b>	: C03040 (All Wards)
<b>Proposal/Issue</b>	: Construction of Footpaths by Public Tender
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Coordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: That Council accepts the tender C03040 from Campbell Contractors for the construction of footpaths on the following roads - South side of Campbell Road to Hay Street, South side of Hay Street to Adelaide Crescent and Campbell Road to Seymour Street.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. To maintain the works construction program, the installation of footpaths along Middleton Road are to be outsourced due to the current commitment of works staff carrying out drainage works.
2. Tenders were called for the construction of footpaths on the following roads: South side of Campbell Road to Hay Street, South side of Hay Street to Adelaide Crescent and Campbell Road to Seymour Street, for the 2003/04 financial year road construction and maintenance works program within the City of Albany.
3. A request for tenders was published in the West Australian on 25<sup>th</sup> February 2004, and the Albany Advertiser on 26<sup>th</sup> February 2004 with a copy in the Weekend Extra on 27<sup>th</sup> February 2004 for these works.
4. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

**WORKS & SERVICES REPORTS**

Item 13.3.3 continued

<b>Criteria</b>	<b>% Weight</b>
Cost	50
Relevant Skills and Experience	20
Safety Management	15
Reliability of Tenderer	15
Total	100

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

9. \$152,045.00 has been allocated in the 2003/2004 budget for footpath construction works.

**STRATEGIC IMPLICATIONS**

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

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

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

**COMMENT/DISCUSSION**

11. A total of eight specifications were issued. The following table summarises those submissions received by the close of the tender period.

**WORKS & SERVICES REPORTS**

Item 13.3.3 continued

<b>Tenderer</b>	<b>Local</b>	<b>Total Price (Inc. GST)</b>	<b>Weighting</b>
Campbell Contractors	Yes	\$135,082.50	270
K&S Concreting Services	No	\$120,647.45	255
WP Reid	Yes	\$157,859.00	220
Graham Delacey Concrete	Yes	\$230,070.00	-
Ertech Pty Ltd	Part-local	\$291,301.00	-

12. The standard formula used by Council to weight tender submissions, when applied to abnormally high tenders (+30% of the median) will result in a grade score of 0 which will discount the high priced tenders.
13. Therefore the tender submissions from Graham Delacey Concrete and Ertech Pty Ltd were excluded from evaluation due to the abnormally high tender prices submitted by these companies.
14. Following evaluation of the remaining tender submissions received, it is recommended that the submission from Campbell Contractors is the most advantageous to Council. Campbell Contractors is a local company, which has previously carried out work for Council and their standard was acceptable. They have the necessary capacity, experience, skills and expertise to undertake these works for the City of Albany.

**RECOMMENDATION**

THAT Council accept the tender C03040 from Campbell Contractors for the construction of footpaths on the following roads - South side of Campbell Road to Hay Street, South side of Hay Street to Adelaide Crescent and Campbell Road to Seymour Street for a total cost of \$135,082.50 (inc. GST).

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR WILLIAMS  
SECONDED COUNCILLOR WATERMAN**

**THAT Council accept the tender C03040 from Campbell Contractors for the construction of footpaths on Middleton Road as follows- South side of Campbell Road to Hay Street, South side of Hay Street to Adelaide Crescent and Campbell Road to Seymour Street for a total cost of \$135,082.50 (inc. GST).**

**MOTION CARRIED 15-0**

**WORKS & SERVICES REPORTS****13.3.4 Roadside Vegetation Works – Contract C03043**

<b>File/Ward</b>	: C03043 (All Wards)
<b>Proposal/Issue</b>	: Roadside Vegetation Works by Public Tender
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Coordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: That Council accepts the tender C03043 from Bill Gibbs Excavations at the schedule of rates submitted.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. Tenders were called for the mulching and clearing of roadside verges and drains on selected roads for the 2003/04 financial year road construction and maintenance works program within the City of Albany.
2. A request for tenders was published in the West Australian on 17<sup>th</sup> March 2004 and the Albany Advertiser on 18<sup>th</sup> March 2004 with a copy in the Weekend Extra on 19<sup>th</sup> March 2004 for these works.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>% Weight</b>
Cost	50
Relevant Skills and Experience	20
Safety Management	10
Reliability of Tenderer	10
Quality Accreditation	5
Other Considerations	5
Total	100

**WORKS & SERVICES REPORTS**

Item 13.3.4 continued

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

8. Funds for the completion of these works are budgeted for each year within budgeted capital works and maintenance programs as well as in the cost estimates for Capital Works projects.

**STRATEGIC IMPLICATIONS**

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

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

- Objective:

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

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

**COMMENT/DISCUSSION**

10. A total of six specifications were issued. Of the two tender submissions received by the close of the tender period, one tender was non-compliant as it had not addressed full tender requirements, and therefore received no further evaluation. The remaining tender submission was evaluated, as detailed in the table below:

**WORKS & SERVICES REPORTS**

Item 13.3.4 continued

<b>Item</b>	<b>Description of Work</b>	<b>Approx. Qty</b>	<b>Unit</b>	<b>Rate per Unit</b>	<b>Total Amount</b>
<b>1.0</b>	<b>Vegetation Mulching</b>				
1.1	Lower Denmark Road	4.3	Km	\$1,790.69	\$7,700.00
1.2	Millbrook Road	4.0	Km	\$1,993.75	\$7,975.00
1.3	Palmdale Road	8.0	Km	\$3,313.75	\$26,510.00
1.4	Draw bin Road	5.0	Km	\$2,167.00	\$10,835.00
1.5	Moorialup Road	4.2	Km	\$1,230.94	\$5,170.00
1.6	Takenup Road	2.5	Km	\$1,232.00	\$3,080.00
1.7	Mindijup Road	2.3	Km	\$1,243.00	\$2,860.00
<b>2.0</b>	<b>Drain Cleaning &amp; Removal of Material</b>				
2.1	Lower Denmark Rd	5.0	Km	\$7,890.52	\$39,453.32
<b>3.0</b>	<b>Additional Rate on Hours - Mulching</b>	50	Hr	\$110.00	\$5,500.00
<b>4.0</b>	<b>Additional Rate on Hours – Drain Cleaning &amp; Removal of Material</b>	20	Hr	\$363.00	\$7,260.00
<b>TOTAL LUMP SUM TENDER PRICE</b>					<b>\$116,343.32</b>

11. Following evaluation of the tender submission received, it is recommended that the submission from Bill Gibbs Excavations is more than acceptable to Council. The schedule of prices is consistent with rates for works previously carried out by the City of Albany. However, the tendered pricing submitted for Items 2.0 and 4.0 were higher than the estimated \$30,000 and are therefore recommended to be withheld from the contract.
12. Bill Gibbs Excavations has the necessary capacity, experience, skills and expertise to undertake these works for the City of Albany.
13. It is recommended that Council accept the tender C03043 from Bill Gibbs Excavations for roadside vegetation works as per the schedule of rates as submitted with the exception of items 2.0 and 4.0.

**WORKS & SERVICES REPORTS**

Item 13.3.4 continued

RECOMMENDATION

THAT Council accept the tender C03043 from from Bill Gibbs Excavations for roadside vegetation works as per the following schedule of rates:

Item	Description of Work	Approx. Qty	Unit	Rate per unit	Total Amount
1.0	Vegetation Mulching				
1.1	Lower Denmark Road	4.3	Km	\$1,790.69	\$7,700.00
1.2	Millbrook Road	4.0	Km	\$1,993.75	\$7,975.00
1.3	Palmdale Road	8.0	Km	\$3,313.75	\$26,510.00
1.4	Draw bin Road	5.0	Km	\$2,167.00	\$10,835.00
1.5	Moorialup Road	4.2	Km	\$1,230.94	\$5,170.00
1.6	Takenup Road	2.5	Km	\$1,232.00	\$3,080.00
1.7	Mindijup Road	2.3	Km	\$1,243.00	\$2,860.00
3.0	Additional Rate on Hours - Mulching	50	Hr	\$110.00	\$5,500.00
<b>TOTAL LUMP SUM TENDER PRICE</b>					<b>\$69,630.00</b>

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR BARTON**

**THAT Council accept the tender C03043 from from Bill Gibbs Excavations for roadside vegetation works as per the following schedule of rates:**

Item	Description of Work	Approx. Qty	Unit	Rate per unit	Total Amount
<b>1.0</b>	<b>Vegetation Mulching</b>				
<b>1.1</b>	<b>Lower Denmark Road</b>	<b>4.3</b>	<b>Km</b>	<b>\$1,790.69</b>	<b>\$7,700.00</b>
<b>1.2</b>	<b>Millbrook Road</b>	<b>4.0</b>	<b>Km</b>	<b>\$1,993.75</b>	<b>\$7,975.00</b>
<b>1.3</b>	<b>Palmdale Road</b>	<b>8.0</b>	<b>Km</b>	<b>\$3,313.75</b>	<b>\$26,510.00</b>
<b>1.4</b>	<b>Draw bin Road</b>	<b>5.0</b>	<b>Km</b>	<b>\$2,167.00</b>	<b>\$10,835.00</b>
<b>1.5</b>	<b>Moorialup Road</b>	<b>4.2</b>	<b>Km</b>	<b>\$1,230.94</b>	<b>\$5,170.00</b>
<b>1.6</b>	<b>Takenup Road</b>	<b>2.5</b>	<b>Km</b>	<b>\$1,232.00</b>	<b>\$3,080.00</b>
<b>1.7</b>	<b>Mindijup Road</b>	<b>2.3</b>	<b>Km</b>	<b>\$1,243.00</b>	<b>\$2,860.00</b>
<b>3.0</b>	<b>Additional Rate on Hours - Mulching</b>	<b>50</b>	<b>Hr</b>	<b>\$110.00</b>	<b>\$5,500.00</b>
<b>TOTAL LUMP SUM TENDER PRICE</b>					<b><u>\$69,630.00</u></b>

**MOTION CARRIED 15-0**

**WORKS & SERVICES REPORTS****13.3.5 Replacement of Loader – Contract C03039**

<b>File/Ward</b>	:	C03039 (All Wards)
<b>Proposal/Issue</b>	:	Replacement of Loader by Public Tender
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Depot Services Coordinator (J Harbach)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	That Council accepts the tender C03039 from CJD Equipment to supply a Volvo L60E Loader, replacing Council's Cat 918F Loader P44.
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	N/A

**BACKGROUND**

1. Council, at its meeting held 18<sup>th</sup> June 2002, adopted the Asset Replacement Program – Plant. As part of this program of plant management, Council's plant replacement strategy identified that the Caterpillar Loader P44 has passed the optimum time for replacement.
2. A request for tenders was published in the West Australian on 3<sup>rd</sup> March 2004, the Albany Advertiser on 4<sup>th</sup> and Weekend Extra on 5<sup>th</sup> March 2004 for the supply and delivery of a loader to replace Council's current Caterpillar 918F Loader (P44), license 8PF698, purchased in 1994.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>Weight %</b>
Cost	60%
Relevant Maintenance & Operational Suitability	30%
Reliability of Tenderer	10%
Total	100%



**WORKS & SERVICES REPORTS**

Item 13.3.5 continued

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

8. \$145,000.00 has been allocated in the 2003/2004 budget for the purchase of this loader.
9. Should Council choose to purchase the recommended loader at a cost of \$218,669.10 (excluding GST), with a trade of \$70,000.00 (excluding GST) the actual nett cost to Council will be \$148,669.10 resulting in an over expenditure of \$3669.10 (excluding GST) on this item. However, there will be no impact on the nett budget position as the over-budgeted expenditure could be offset against savings on the recent purchase of the Isuzu NPR400 trucks – OCM 17/02/04, Item 13.3.4.

**STRATEGIC IMPLICATIONS**

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

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

• Objective:

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

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

**WORKS & SERVICES REPORTS**

Item 13.3.5 continued

**COMMENT/DISCUSSION**

11. A total of eight tenders were issued, with four tender submissions received by close of tender. Of the four tender submissions received, one option supplied by Westrac was considered non-compliant as it did not comply with tender requirements and received no further evaluation. The remaining tender submissions were evaluated, as detailed in the table below:

<b>Tenderer</b>	<b>Model</b>	<b>Tendered New Price (inc GST)</b>	<b>Trade Price offered by dealer</b>	<b>Changeover Price offered by dealer</b>	<b>Weighting</b>
CJD Equipment	Volvo L60E	\$240,536.00	\$77,000.00	\$163,536.00	332
Farmers Centre	Case 621D	\$238,667.00	\$66,000.00	\$172,667.00	294
Westrac	Caterpillar IT28G	\$240,680.00	\$71,500.00	\$169,180.00	270
CJD Equipment	Volvo L70E	\$254,065.00	\$77,000.00	\$177,065.00	268
BT Equipment	Kawasaki 65ZV/65TMV	\$193,000.00	\$37,000.00	\$156,000.00	224

12. The Volvo Loader L60E submitted by CJD represents the highest weighted score and is recommended to be the most advantageous option for the change over to Council. After-sales service and support received from the supplier has been excellent over the past five (5) years, and this has given weight to the current selection.
13. Council staff were given the opportunity to evaluate this loader in a working environment and were impressed with the stability and ease of use on this machine. The Torque Parallel lift arm system allows attachments to be easily fitted to this loader. These same attachments can be fitted to the existing loaders in Council’s fleet with minimal effort, creating a more flexible range of loaders. The time frame for delivery on this machine is currently 3 – 4 weeks.

**RECOMMENDATION**

THAT Council accepts the tender C03039 from CJD Equipment to supply a Volvo L60E Loader at a cost of \$240,536 with trade-in allowance on Council’s current CAT 918F Loader, registration no: 8PF698, of \$77,000.00, providing an actual nett cost to the City of Albany of \$163,536.00 (all prices are including GST).

*Voting Requirement Absolute Majority*

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**WORKS & SERVICES REPORTS**

Item 13.3.5 continued

**MOVED COUNCILLOR WEST  
SECONDED COUNCILLOR WELLINGTON**

**THAT Council accepts the tender C03039 from CJD Equipment to supply a Volvo L60E Loader at a cost of \$240,536 with trade-in allowance on Council's current CAT 918F Loader, registration no: 8PF698, of \$77,000.00, providing an actual nett cost to the City of Albany of \$163,536.00 (all prices are including GST).**

**MOTION CARRIED 15-0  
ABSOLUTE MAJORITY**

**WORKS & SERVICES REPORTS****13.3.6 Hire of Waste Compaction Unit for Two Years (04/06)**

<b>File/Ward</b>	: C03044 (All Wards)
<b>Proposal/Issue</b>	: Hire of Waste Compactor for a Two Year Period (04/06)
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Coordinator (J Harbach)
<b>Disclosure of Interest</b>	: N/A
<b>Previous Reference</b>	: N/A
<b>Summary Recommendation</b>	: Accepts tender from Vancouver Waste Services for 'dry' hire of Cat 826C Waste Compaction unit for tendered price of \$79,200 for a two year period from 1 July 2004 until 30 June 2006.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. Council has traditionally used other methods to compact rubbish at the Hanrahan Road Waste site. The proposed method of compaction has been proven to prolong the useful life at other waste sites around the state. Council has been using this method of compaction for almost twelve months at the Hanrahan Road landfill site.
2. A request for tenders was published in the West Australian on 17<sup>th</sup> March 2004 and the Albany Advertiser on 18<sup>th</sup> March 2004 for the hire of a waste compactor for a two year period (1 July 2004 – 30 June 2006).
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>% Weight</b>
Cost	80
Track Record/Management	10
Operations	10
<b>Total</b>	<b>100</b>

**WORKS & SERVICES REPORTS**

Item 13.3.6 continued

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

8. There are no financial implications relating to this item. Council currently pays \$1270 per week (\$66,040 per annum) for this service. If Council accepts this tender, it will save \$52,880 over the duration of this contract.

**STRATEGIC IMPLICATIONS**

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

*Managed healthy land/harbour environment.*

- Objective:

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

**COMMENT/DISCUSSION**

10. Specifications were issued to six possible tenders. The following table summarises those submissions received by the close of the tender period.

<b>Tenderer</b>	<b>Hire Rate/Week (inc. Gst)</b>	<b>Total for 2yr Contract</b>	<b>Weighting</b>
Armogedin Pty Ltd, trading as Vancouver Waste Services	\$1,523.00*	\$79,200.00	384
AD Contractors Pty Ltd	\$1,300.00	\$135,200.00	146
Titan Plant Hire Pty Ltd	\$2,640.00	\$274,560.00	-

\* see paragraph 13

**WORKS & SERVICES REPORTS**

Item 13.3.6 continued

- 11. The standard formula used by Council officers to weight tender submissions, when applied to abnormally high tenders (+30% of the median) will result in a grade score of 0 which will discount the high priced tenders.
- 12. Therefore the tender submission from Titan Plant Hire was excluded from evaluation due to the high tender price submitted by this company.
- 13. Council officers sought clarification on the tender from Vancouver Waste Services due to the discrepancy in the hire rate per week compared to the total price over a two year period. The price submitted for the two year period was confirmed at \$79,200.00. Vancouver Waste Services recognised that the amount of land fill will be reduced and therefore the hours required for the compactor use will be reduced.
- 14. Staff traveled to Perth to inspect the machine offered by AD Contractors. It was determined that the machine currently on hire from Vancouver Waste Services was recommended as the preferred option.
- 15. After evaluation, it was concluded that the submission from Vancouver Waste Services was the most advantageous to Council, subject to written confirmation from the contractor to confirm the tendered price of \$761.53 per week (\$79,200 for a two year period), as per tender specifications, and that the existing track shoes on the compactor be replaced to provide compaction of landfill at accepted levels.

**RECOMMENDATION**

THAT Council accepts the tender C03044 from Vancouver Waste Services, for the ‘dry’ hire of a Cat 826C Waste Compaction unit for a tendered price of \$79,200 for a two year period from 1 July 2004 until 30 June 2006, subject to the existing track shoes on the compactor being replaced prior to commencement of the new contract.

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR WOLFE**

**THAT Council accepts the tender C03044 from Vancouver Waste Services, for the ‘dry’ hire of a Cat 826C Waste Compaction unit for a tendered price of \$79,200 for a two year period from 1 July 2004 until 30 June 2006, subject to the existing track shoes on the compactor being replaced prior to commencement of the new contract.**

**MOTION CARRIED 15-0**

**WORKS & SERVICES REPORTS**

**13.3.7 Replacement of Road Sweeper**

<b>File/Ward</b>	: C03014 (All Wards)
<b>Proposal/Issue</b>	: Replacement of Road Sweeper by Public Tender
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Coordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: That Council accepts the tender C03014 from MacDonald Johnston Engineering to supply a 605LT Suction Road sweeper, replacing Council’s Road Sweeper P2001.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. Council, at its meeting held 18<sup>th</sup> June 2002, adopted the Asset Replacement Program – Plant. As part of this program of plant management Council’s plant replacement strategy identified that the Road Sweeper P2001 has passed the optimum time for replacement.
2. A request for tenders was published in the West Australian on 11<sup>th</sup> February 2004, the Albany Advertiser on 12<sup>th</sup> and the Weekend Extra on 13<sup>th</sup> February 2004 for the supply and delivery of a Road Sweeper with Gully Eductor to replace Council’s current road sweeper (P2001), license A12124, purchased in 1995.
3. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>Weight %</b>
Cost	50%
Relevant Maintenance & Operational Suitability	40%
Reliability of Tenderer	10%
Total	100%

**WORKS & SERVICES REPORTS**

Item 13.3.7 continued

4. The purchase of a mobile road broom has been allocated in the 2003/04 budget at an estimated cost of \$38,000. Investigation of the efficiency and effectiveness of the mobile road broom proved that this type of machine was not suited to our operations, and that the replacement of Council's road sweeper would be more effective.

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

9. \$185,000.00 has been allocated in the 2003/2004 budget for the purchase of this sweeper.
10. Should Council choose to purchase the recommended sweeper at a cost of \$272,870.00 (excluding GST), with a trade of \$47,000.00 (excluding GST) the actual nett cost to Council will be \$225,870.00 resulting in an over expenditure of \$40,870.00 (excluding GST) on this item.
11. However, there will be no impact on the nett budget position as the over-budgeted expenditure could be offset against the decision not to purchase a mobile road broom as listed in the current 2003/04 budget (\$38,000), and the remaining \$2,870 is offset against under-expenditures from previous plant purchases this year.

**STRATEGIC IMPLICATIONS**

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

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

• Objective:

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

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



**WORKS & SERVICES REPORTS**

Item 13.3.7 continued

**COMMENT/DISCUSSION**

13. A total of five tenders were issued, with two tender submissions received by close of tender. The submission from Schwarz contained three options - two of which were considered non-complying as they did not meet tender requirements, and therefore received no further evaluation. The remaining tender submissions were evaluated, as detailed in the table below:

Tenderer	Model	Tendered New Price (inc GST)	Trade Price	Change- Over Price	Weight
			Offered by Dealer		
MacDonald Johnston	605LT Road Suction Sweeper	\$300,157	\$51,700	\$248,457	257
Schwarze	Option 3 – Schwarze A8500	\$266,258	\$44,000	\$222,258	239
MacDonald Johnston	770 Cyclone Regenerative Air Sweeper	\$279,312	\$51,700	\$227,612	229
<b>Outright Purchase of Sweeper</b>					
W&P Truck & Machinery Sales			\$27,311.00		

14. Council officers travelled to Perth and conducted evaluations, both visual and simulated working environments, on the MacDonald Johnston Cyclone 770 and Schwarz A8500. The 605LT Road Sweeper is the new model of Council's existing sweeper and staff were able to evaluate this unit last year.
15. Whilst the MacDonald Johnston Cyclone 770 and Schwarz A8500 sweepers met minimum tender requirements, they were considered unsuitable for local conditions that are encountered on a daily basis. The Cyclone 770 and Schwarz A8500 machines are best suited to heavy leaf litter areas. Given that most of Council's sweeping is conducted in exposed areas subject to wind and sand deposits, compounded by prevailing rain and surface run off, the 605 LT Road Suction Sweeper is recommended to be the preferred option.
16. Following evaluation of the tender submissions, it was concluded that the tender from MacDonald Johnson for the 605LT Suction Road Sweeper is recommended to be the most advantageous option to Council.

**WORKS & SERVICES REPORTS**

Item 13.3.7 continued

RECOMMENDATION

THAT Council:

- i) not purchase the mobile road sweeper as allocated in the 2003/04 Budget (\$38,000); and
- ii) accepts the tender C03014 from MacDonald Johnston Engineering to supply a 605LT Road Suction Sweeper at a cost of \$300,157 with trade in allowance on Council's current Road Sweeper, registration no: A12124, of \$51,700, providing an actual nett cost to the City of Albany of \$248,457 (all prices are including GST).

*Voting Requirement Absolute Majority*

**MOVED COUNCILLOR WATERMAN  
SECONDED COUNCILLOR DEMARTEAU**

**THAT Council;**

- i) not purchase the mobile road sweeper as allocated in the 2003/04 Budget (\$38,000); and**
- ii) accepts the tender C03014 from MacDonald Johnston Engineering to supply a 605LT Road Suction Sweeper at a cost of \$300,157 with trade in allowance on Council's current Road Sweeper, registration no: A12124, of \$51,700, providing an actual nett cost to the City of Albany of \$248,457 (all prices are including GST).**

**MOTION CARRIED 15-0  
ABSOLUTE MAJORITY**

**WORKS & SERVICES REPORTS**

**13.4 AIRPORT MANAGEMENT**

Nil

**13.5 RESERVES PLANNING & MANAGEMENT**

Nil

**WORKS & SERVICES REPORTS**

**13.6 WORKS & SERVICES COMMITTEES**

**13.6.1 Albany Regional Airport Emergency Committee Minutes**

- File/Ward** : MAN 007 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration
- Reporting Officer** : Executive Director Works and Services  
(B Joynes)
- Summary Recommendation** : That the minutes of the Albany Regional Airport Emergency Committee meeting held on Thursday, 23 October 2003 be adopted.

RECOMMENDATION

THAT the minutes of the Albany Regional Airport Emergency Committee meeting held on Thursday, 23 October 2003 be received (copy of minutes in the Elected Members' Report/Information Bulletin) and the following recommendations endorsed:

- 6.1 Election of Chairperson  
THAT Councillor Milton Evans be elected as Chairperson of the Albany Airport Emergency Committee.
- 6.3 Local Emergency Management Committee  
THAT the Albany Regional Airport Emergency Committee remain as a separate committee, and no further action be taken towards linking it with the Local Emergency Management Committee.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR PAVER  
SECONDED COUNCILLOR WILLIAMS**

**THAT the minutes of the Albany Regional Airport Emergency Committee meeting held on Thursday, 23 October 2003 be received (copy of minutes in the Elected Members' Report/Information Bulletin) and the following recommendations endorsed:**

**6.1 Election of Chairperson**  
**THAT Councillor Milton Evans be elected as Chairperson of the Albany Airport Emergency Committee.**

**6.3 Local Emergency Management Committee**  
**THAT the Albany Regional Airport Emergency Committee remain as a separate committee, and no further action be taken towards linking it with the Local Emergency Management Committee.**

**MOTION CARRIED 15-0**

**WORKS & SERVICES REPORTS**

**13.6.2 Albany Regional Airport Emergency Committee Minutes**

- File/Ward** : MAN 007 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration
- Reporting Officer** : Executive Director Works and Services  
(B Joynes)
- Summary Recommendation** : That the minutes of the Albany Regional Airport Emergency Committee meeting held on Monday, 23 February 2004 be adopted.

RECOMMENDATION

THAT the minutes of the Albany Regional Airport Emergency Committee meeting held on Monday, 23 February 2004 be received (copy of minutes in the Elected Members' Report/Information Bulletin) and the following recommendations endorsed:

4.0 Confirmation of Minutes

THAT:

1. The minutes of the meeting of the Albany Regional Airport Emergency Committee Meeting held on 23 October 2003 be accepted as a true and accurate record of the proceedings.
2. The notes and debrief from the Airport Exercise on 14 November 2002 be accepted.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR EMERY**

**THAT the minutes of the Albany Regional Airport Emergency Committee meeting held on Monday, 23 February 2004 be received (copy of minutes in the Elected Members' Report/Information Bulletin) and the following recommendations endorsed:**

**4.0 Confirmation of Minutes**

**THAT:**

- 1. The minutes of the meeting of the Albany Regional Airport Emergency Committee Meeting held on 23 October 2003 be accepted as a true and accurate record of the proceedings.**
- 2. The notes and debrief from the Airport Exercise on 14 November 2002 be accepted.**

**MOTION CARRIED 15-0**

# **General Management Services**

## **REPORTS**

**14.1 STRATEGIC DEVELOPMENT**

Nil.

## 14.2 ORGANISATIONAL DEVELOPMENT

### 14.2.1 Review of Council Meeting and Briefing Arrangements

<b>File/Ward</b>	: MAN 006 (All Wards)
<b>Proposal/Issue</b>	: Review of Meeting and Briefing arrangements
<b>Subject Land / Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Chief Executive Officer (A Hammond)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 20/01/04 – Item 14.2.1
<b>Summary Recommendation</b>	: Various options
<b>Bulletin Attachment</b>	: Council Forums, Local Government Operational Guidelines No 5
<b>Locality Plan</b>	: N/A

### BACKGROUND

1. At the Council Meeting of 20/01/04 Council resolved to facilitate a review of meeting briefing and committee representation arrangements with the objective of:
  - Establishing the relevance and effectiveness of external committee representation and rationalising representation if appropriate;
  - Improving information exchange between Elected Members and staff on significant departmental issues;
  - Providing a forum for discussion, investigation and information exchange on Council agenda items between Councillors, staff and if appropriate project proponents; and
  - Examining the effectiveness of standing committees, standing orders and the timing of current meeting and briefing arrangements.
2. Since that decision the CEO has:
  - Surveyed the majority of Councillors seeking their views on the practicality and efficacy of the current system.
  - Visited the CEO's of the Cities of Bunbury, Mandurah, South Perth, Subiaco and Melville to discuss best practice in meeting and briefing systems.



**GENERAL MANAGEMENT SERVICES REPORTS**

Item 14.2.1 continued.

- Undertaken a literature and legislation review.
  - Conducted a briefing with Councillors on the results of the survey and the outcomes of the best practice tour, analysing the systems used by these leading Local Government Authorities.
3. Since the amalgamation in 1998 and the election of the first Council in 1999, two systems of meetings and briefings have been utilized. The first entailed an Ordinary Council Meeting on every third Tuesday, followed by a Briefing Session on the following Tuesday. Council amended this on the 5<sup>th</sup> June 2001 where a system of Council Meetings on the third Tuesday of every month, followed by a Briefing Session on the fourth Tuesday was implemented. This decision effectively reduced the number of Council meetings from 17 to 12 per year.
  4. At an organisational level, major or complex projects have been generally dealt with by establishing stakeholder-based committees with staff and Councillor representation. The outcomes of the committee deliberations are submitted to Council via a briefing session and then dealt with at a subsequent Council Meeting. Whilst this process has engaged appropriate community stakeholders, i.e., the Convention Centre Steering Committee and Boat Harbour Steering Committee, the concept, scope and form of such projects can become very advanced prior to the Council having the opportunity to express their views or discuss alternatives. Recent examples of conducting “concept” briefings to allow Councillor discussion and input at the formative stage of project development have been successful and a positive contributor to achieving a successful project outcome.
  5. In terms of general debate and discussion on Council business, the formal structure of Ordinary Council Meetings and the compliance with standing orders has limited, in some instances, the ability of Councillors to fully debate and express their views on important topics. In recent times this problem has been rectified with Council resolving to suspend certain sections of standing orders to allow all Councillors the opportunity to express their views without the constraints of the order of debate.
  6. Interaction and discussion with project proponents and developers has normally occurred at Tuesday briefing sessions or immediately prior to Council meetings. Both forums have provided little interaction between staff, Councillors and proponents and a change of briefing and meeting systems may well provide a more conducive environment for increased communication and interaction between all stakeholders of the Council decision-making process.
  7. The issue of committee representation will be dealt with as a separate agenda item.

Item 14.2.1 continued.

### **STATUTORY REQUIREMENTS**

8. Part 5 of the Local Government Act 1995 sets out the framework for Council meetings and decision making processes.
9. It is the intent of the Act that Councils make decisions:
  - Openly and transparently
  - With a high level of accountability to the community
  - Efficiently and effectively
  - With due probity and integrity
  - Acknowledging relevant community input
  - With all available information and professional advice
  - With the fullest possible participation of elected members.

### **POLICY IMPLICATIONS**

10. Changes to the current system may create a need for change to Council's Standing Orders Local Law.

### **FINANCIAL IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

12. Albany 2020 – Charting our Course and the draft Corporate Plan aligned to Albany 3D both provide for sound governance and statutory systems.

### **COMMENT/DISCUSSION**

#### **Briefings**

13. The common theme that has emerged from research is the great benefits briefing sessions provide in enabling elected members to interact with staff and project proponents and become involved very early on in the establishment of concepts and themes for significant projects and processes. There is an obvious and demonstrated need for Councillors and staff to discuss and formulate strategies, philosophies, concepts and plans in a relatively informal environment, behind closed doors.
14. The Department of Local Government and the writer believe that meeting behind closed doors is justified given that these discussions, by their very nature, may be visionary, creative and very preliminary. High levels of innovative, constructive and creative discussion will assist both elected members and staff in becoming better informed, and establishing balanced and rational views on a range of subjects. To conduct such briefings in the public forum would stifle both creativity and the opportunity to think and discuss solutions, concepts or themes “outside of the square”.

**GENERAL MANAGEMENT SERVICES REPORTS**

Item 14.2.1 continued.

15. Notwithstanding the benefits of behind closed doors briefings, issues relating to accountability, openness, transparency, probity and integrity must be addressed to ensure appropriate standards of ethical behaviour and compliance with the overall objectives of the Act. Briefings convened for the purposes of establishing concepts and dealing with complex issues would generally have little impact on the vigour or depth of debate at Council meetings. Problems however can emerge if debate or discussion at briefing sessions convened for the purpose of agenda explanation, create what is essentially a quasi Council Meeting behind closed doors. These agenda briefings, if not properly controlled, can hamper the effectiveness of Council Meeting by virtue of issues being “rubber stamped” in the public arena of the Council Meeting after having been subjected to debate and discussion at the exclusion of the public. Other problems can emerge with unruly discussions outside of the control of the Chair, elected members revealing their intention to vote, or financial interests not being disclosed.
16. Should Council wish to continue with the use of briefing sessions then the following matters should be considered:
  - Agenda Briefings and Concept Briefings should be clearly delineated.
  - Standing Orders should be amended to include a section on briefing sessions that provides for some key rules:
    - All discussion to be through the Chair.
    - The intention to vote not to be revealed.
    - No opportunity should be provided to create a collective Council decision.
    - Elected members, staff and consultants acting for Council, declare financial interests, as they are obliged to under the provision of the Local Government Act.

**Council And Committee Meetings**

17. Current Council meetings are conducted in an orderly and compliant manner. A regular audit of agenda and minute standards demonstrates high levels of compliance with the Statutory Requirements of the Act. Notwithstanding compliance issues, problems do exist with the opportunity afforded to Councillors, staff and proponents to adequately apprise themselves of all issues surrounding complex agenda items. The opportunity for two-way interaction between Council and project proponents, outside of briefing sessions does not exist.
18. Council Standing Committees are used by some Councils with the objective of providing more opportunity for discussion in a less formal atmosphere than a Council meeting. Discussion on agenda items leads to deliberation upon a committee recommendation, which is in turn considered by full Council at an ordinary meeting.

**GENERAL MANAGEMENT SERVICES REPORTS**

Item 14.2.1 continued.

19. Standing Committees are typically defined around purpose and a common example is a 3-committee structure. I.e. Finance, administration and governance committee, Development committee and Engineering and Works committee. The committee chooses its own Chair and makes recommendations to Council on the issues on the agenda. Generally 4 to 6 Councillors sit on the committees, however this can vary dependant upon the nature and number of committees.
20. Meeting procedure for committees is generally slightly less formal than ordinary Council Meetings and Standing Orders may allow for no order of debate which would give the opportunity for all members to speak irrespective of “for or against” order. Standing Orders may also allow project proponents to engage in briefings or question and answer sessions with Councillors immediately prior to the matter being debated.
21. Given that Standing Committees generally have no delegated authority, it is not legally necessary to open meetings to the public or provide public open forums or question times. Whilst there is no statutory obligation to do so, it is considered best practice and certainly in line with the accountability, openness and transparency provisions of the Act to conduct committee meetings open to the public unless dealing with matters that would normally be considered confidential, as provided for in the Act.
22. Problems may exist with the effectiveness of committees in that it is very common to see elected members, who are not members of the committee, attending all committee meetings as observers, possibly so they do not “miss out” on any detail or information relative to the agenda. It is also common practice to see a significant percentage of committee recommendations redebated in full at the ordinary Council Meeting. This would appear to lessen the effectiveness and underutilise the benefit of a Standing Committee system given that elected members would be attending committee meetings of which they were not a member, and committee members would find themselves re-debating issues at ordinary Council Meetings that had already been subject to debate.
23. One possible solution to the multi-committee system is the adoption of one standing committee comprising of all Councillors that meets one week before the Ordinary Council Meeting. The Council would essentially be providing itself with the opportunity to debate and consider issues in a less formal manner, engage effectively with project proponents and then make recommendations that would be formally adopted a week later. Such a system would also provide Council with a “cooling off” or review period between making the committee recommendation and determining the matter at the Ordinary Council Meeting.

**GENERAL MANAGEMENT SERVICES REPORTS**

Item 14.2.1 continued.

24. Should Council choose to adopt a committee structure, the Standing Orders should be amended to allow for:
- All members being able to speak on every item irrespective of “for and against” debate order.
  - Project proponents being able to brief Council and receive questions immediately prior to their item being deliberated upon.

**Timing Of Briefings And Meetings**

25. The Councillor survey clearly indicated a preference for Tuesday meetings commencing between 5.00pm and 7.00pm or generally in the evening.
26. Councillors did not support working meals and supported the current system of seating arrangements, which is same Ward Councillors sitting next to each other.
27. The majority of Councils visited preferred Tuesday as their meeting day and met between 5.00pm and 6.00pm.

**Summary**

28. After giving consideration to the current systems being used and the significant improvement in information flows between Councillors and staff being experienced since the introduction of “concept” briefings, it is apparent that the system of one meeting/one briefing per month is inadequate.
29. There are certainly many advantages and disadvantages in using either briefing or committee systems, however with appropriate amendment to standing orders, and the adoption of guiding Council policy, effective and productive systems can be established.
30. The following three options provide Council with alternatives based upon a single standing committee or concept / agenda briefing framework.

**RECOMMENDATION 1.**

THAT Council create a General Standing Committee comprising all Councillors meeting on the second Tuesday of each month commencing at 5.30pm followed by the Ordinary Council Meetings on the third Thursday of each month commencing at 5.30pm. The Standing Committee is to be open to the public and operate under an agenda framework, generally the same as the current Council agenda.

Convene Concept Briefings on the first, fourth and fifth Tuesdays of the month as required and being behind closed doors.

Issue the Committee Agenda on the afternoon of the Thursday prior to the committee meeting and the Council Agenda on the Friday prior to the Ordinary Council Meeting.

ORDINARY COUNCIL MEETING MINUTES – 20/04/04  
\*\*REFER DISCLAIMER\*\*  
**GENERAL MANAGEMENT SERVICES REPORTS**

Item 14.2.1 continued.

OR

THAT Council conduct an Agenda Briefing Session on the second Tuesday of each month at 5.30pm followed by the Council Meeting on the third Tuesday of each month commencing at 5.30pm. The Agenda Briefing Session is to be open to the public except for matters that are prescribed as “behind closed doors Items” in the Local Government Act.

Convene Concept Briefings on the first, fourth and fifth Tuesday as required and being behind closed doors commencing at 5.30pm

Issue the Council Agenda on the Thursday afternoon prior to the Agenda Briefing Session.

OR

THAT Council conduct Council Meetings on the third Tuesday of the month, commencing at 5.30pm.

Convene Concept Briefings on the first, second, fourth and fifth Tuesdays of the month as required commencing at 5.30pm

Issue the Council Agenda on the second Monday prior to the ordinary Council Meeting.

*Voting Requirement Absolute Majority*

.....

**RECOMMENDATION 2.**

THAT Council initiate amendments to Standing Orders to accommodate the selected meeting/briefing option, based upon the following key principles:

Briefing Sessions:

- All discussion to be through the Chair.
- The intention to vote not to be revealed.
- No opportunity should be provided to create a collective Council decision.
- Financial Interest Provisions of the Local Government Act to be ensconced into Standing Orders. Provisions relating to remaining in chamber if extent of interest revealed not to apply if briefing is behind closed doors.
- Mayor to Chair briefings.
- Agenda Briefing Session (if selected) business will be limited to matters listed for debate at the next ordinary Council Meeting.

Item 14.2.1 continued.

Committee Meetings (if selected):

- Delegations of proponents may be received immediately prior to their agenda item being deliberated upon with question and answers permitted.
- All Councillors permitted to speak on agenda matters irrespective of order of debate.
- Agenda format to accommodate en bloc acceptance of committee recommendations and determination of matters upon which debate will be had.

*Voting Requirement Absolute Majority*

.....

**MOVED COUNCILLOR PAVER  
SECONDED COUNCILLOR WATERMAN**

**THAT Council;**

- conduct an Agenda Forum session on the second Tuesday of each month at 5.30pm followed by the Council meeting on the third Tuesday of each month commencing at 5.30pm. The Agenda Forum session is to be open to the public except for matters that are prescribed as ‘behind closed doors items’ in the Local Government Act;**
- convene Concept Briefings on the first, fourth and fifth Tuesday as required behind closed doors commencing at 5.30pm;**
- adopt the Agenda and Concept Forums the procedural guidelines laid down by the Department of Local Government in paragraph 7 of the publication ‘Council Forums, Local Government Operational Guidelines, Number 5’; and**
- Review effectiveness of the new system at an August Concept Forum with a view to either amending existing Standing Orders to cater for agenda and concept forums or promulgating an additional set of Standing Orders catering solely for Agenda and Concept Forums.**

**MOTION LOST 7-8**

**Reasons:**

- There is a perceived need among Councillors for Council to distinguish between concept and agenda items, to provide separate forums to examine these matters, and to ensure that these forums are regulated by procedural guidelines that accord with the operational guidelines laid down by the Department of Local Government.
- The changes of meeting processes and procedures are significant and should be reviewed within a reasonable time to gauge effectiveness.

Item 14.2.1 continued.

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR LIONETTI**

**THAT Council;**

- i) conduct an Agenda Briefing Session on the second Tuesday of each month at 5.30pm followed by the Council Meeting on the third Tuesday of each month commencing at 5.30pm. The Agenda Briefing Session is to be open to the public except for matters that are prescribed as “behind closed doors Items” in the Local Government Act;**
- ii) convene Concept Briefings on the first, fourth and fifth Tuesday as required and being behind closed doors commencing at 5.30pm;**
- iii) issue the Council Agenda on the Thursday afternoon prior to the Agenda Briefing Session;**
- iv) review effectiveness of the new system at the August Council Meeting.**

**MOTION LOST 7-8**

**Reason:**

- The changes of meeting processes and procedures are significant and should be reviewed within a reasonable time to gauge effectiveness.

**MOVED COUNCILLOR EVANS  
SECONDED COUNCILLOR BOJCUN**

**THAT Council conduct Council Meetings on the third Tuesday of the month, commencing at 7.30pm.**

**Convene Concept Briefings on the first, second, fourth and fifth Tuesdays of the month as required commencing at 5.30pm**

**Issue the Council Agenda on the second Monday prior to the ordinary Council Meeting.**

**And that Council initiate amendments to Standing Orders to accommodate the following key principles for Briefing sessions:**

- **All discussion to be through the Chair.**
- **The intention to vote not to be revealed.**
- **No opportunity should be provided to create a collective Council decision.**
- **Financial Interest Provisions of the Local Government Act to be ensconced into Standing Orders. Provisions relating to remaining in chamber if extent of interest revealed not to apply if briefing is behind closed doors.**
- **Mayor to Chair briefings.**

**MOTION LOST 7-8**

**Reason:**

- The present system is considered to be operating effectively and efficiently.



**GENERAL MANAGEMENT SERVICES REPORTS**

Item 14.2.1 continued.

**MOVED COUNCILLOR EMERY  
SECONDED COUNCILLOR WELLINGTON**

**THAT this item lay on the table for one month to allow a full Council briefing session to be conducted.**

**MOTION CARRIED 15-0**

#### 14.2.2 New Administration Building Project Tenders

<b>File/Ward</b>	: PRO 284 (Yakamia Ward)
<b>Proposal/Issue</b>	: City of Albany Administration Building
<b>Subject Land/Locality</b>	: Location 4743 North Road
<b>Proponent</b>	: Devaugh Pty Ltd
<b>Owner</b>	: City of Albany
<b>Reporting Officer(s)</b>	: Andrew Hammond
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 16/03/04 – Item 14.2.2 SCM 06/04/04 – Item 5.1
<b>Summary Recommendation</b>	: Nil, pending receipt of further information
<b>Bulletin Attachment</b>	: N/A
<b>Locality Plan</b>	: N/A

#### BACKGROUND

1. After reviewing advice as to potential concerns with the process involved in awarding the contract for the administration building project at the meeting of 16/03/04, Council revoked the decision at a Special Meeting convened for the purpose on 06/04/04 and resolved to seek further information from tenderers.

#### STATUTORY REQUIREMENTS

2. Local Government Act 1995 Section 3.57 and Local Government (Functions and General) Regulations 1996.

#### POLICY IMPLICATIONS

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

#### FINANCIAL IMPLICATIONS

4. As per decision of Ordinary Council Meeting 16/03/04 – Item 14.2.2.

#### STRATEGIC IMPLICATIONS

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

**GENERAL MANAGEMENT SERVICES REPORTS**

**COMMENT/DISCUSSION**

6. Council will receive further information from tenderers prior to giving the matter consideration.

**RECOMMENDATION**

Nil, pending further advice from tenderers.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR EVANS  
SECONDED COUNCILLOR DEMARTEAU**

**THAT:**

- i) the City chooses Wauters Enterprises as the successful tenderer to construct the City of Albany Administration Building and Civic Centre (Centre) for the tender price of \$5,407,000;**
- ii) the Council authorises the Mayor and the CEO, on behalf of the City, to enter into a contract with Wauters Enterprises, for the construction of the Centre, in accordance with the tender submitted by Wauters Enterprises, subject to any minor variations that may be agreed between the Mayor and the CEO and Wauters Enterprises; and**
- iii) the City is to proceed the remediation, drainage and roadworks in line with project scheduling in using funding sources as follows:**

<b>Expended in 02/03</b>	<b>\$35,000.00</b>
<b>Expended in 03/04</b>	<b>\$270,000.00</b>
<b>Quarterly Review 03/04</b>	<b>\$255,000.00</b>
<b>Reserve Funds 03/04</b>	<b>\$800,000.00</b>
<b>Budget Surplus 02/03</b>	<b>\$925,000.00</b>
<b>Short Term Loan (Interest only)</b>	<b>\$3,000,000.00</b>
<b>Long Term Loan (principle &amp; interest)</b>	<b><u>\$1,482,000.00</u></b>
<b>Total Project Cost</b>	<b><u>\$6,767,000.00</u></b>

**MOTION CARRIED 15-0  
ABSOLUTE MAJORITY**

**14.3 ECONOMIC DEVELOPMENT**

Nil.

**14.4 GENERAL MANAGEMENT SERVICES COMMITTEES**

**14.4.1 Minutes of Albany Waterfront Reference Group – 29<sup>th</sup> March 2004**

- File/Ward** : MAN 127 (Frederickstown Ward)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Manager Economic Development (J Berry)
- Summary Recommendation** : That the Minutes of the Albany Waterfront Reference Group meeting held on 29<sup>th</sup> March 2004 be received and the recommendations adopted

RECOMMENDATION

THAT Council receives the minutes of the Albany Waterfront Reference Group held on 29<sup>th</sup> March 2004 (copy of the minutes are in the Elected Members Report/Information Bulletin) and the following motion be endorsed:-

Item 5.1 – Endorsement of Draft Concept Plan for Public Comment

MOTION

THAT Council endorse the Draft Concept Plan<sup>1</sup> (GHD 12/13 March 2004), as amended, as a Final Draft Concept Plan for the purpose of developing a Draft Structure Plan and associated text and that these plans be subjected to:-

- (a) Public Forums
- (b) Printed inserts in local newspapers seeking public submissions
- (c) A Community Survey conducted and analysed by an independent market research professional using randomly selected residents<sup>2</sup> within the City of Albany.
- (d) A survey of community stakeholders

<sup>1</sup> Copy attached to minutes of Albany Waterfront Reference Group in the Elected Members Report/Information Bulletin)

<sup>2</sup> Using the City of Albany's Rates Database to generate an electronic randomly selected sample of Albany resident property owners and Homeswest tenants

and be completed by 28<sup>th</sup> May 2004

AND

THAT the results of the community consultation and market research be referred to Council for its consideration by the OCM 20 July 2004

*Voting Requirement Simple Majority*

.....

Item 14.4.1 continued.

**MOVED COUNCILLOR WATERMAN  
SECONDED COUNCILLOR WELLINGTON**

**THAT Council;**

**Receives the minutes of the Albany Waterfront Reference Group held on 29<sup>th</sup> March 2004 (copy of the minutes are in the Elected Members Report/Information Bulletin) and the following motion be endorsed:-**

**Item 5.1 – Endorsement of Draft Concept Plan for Public Comment**

**MOTION;**

**THAT Council endorse the Draft Concept Plan<sup>1</sup> (GHD 12/13 March 2004), as amended, as a Final Draft Concept Plan for the purpose of developing a Draft Structure Plan and associated text and that these plans be subjected to:-**

- (a) Public Forums**
- (b) Printed inserts in local newspapers seeking public submissions**
- (c) A Community Survey conducted and analysed by an independent market research professional using randomly selected residents<sup>2</sup> within the City of Albany.**

*<sup>1</sup> Copy attached to minutes of Albany Waterfront Reference Group in the Elected Members Report/Information Bulletin)*

*<sup>2</sup> Using the City of Albany's Rates Database to generate an electronic randomly selected sample of Albany resident property owners and Homeswest tenants*

**and be completed by 28<sup>th</sup> May 2004**

**AND**

**THAT the results of the community consultation and market research be referred to Council for its consideration by the OCM 20 July 2004**

**MOTION CARRIED 13-2**

Reason:

- The Community Survey is the most effective way in which to consult with the general population and obtain a representative and valid view. The opinions of community stakeholders will be well represented through the Community Survey process.

**15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN**

15.1 Elected Members' Report/Information Bulletin

DRAFT MOTION

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

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR WILLIAMS**

**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:

The first Regional sitting of State Parliament over the week of 22<sup>nd</sup> March, provided Albany with the opportunity to showcase its many assets to visiting Government and Opposition members, and indeed to the rest of the State. It is hoped that the week spent in our community, meeting face to face with citizens, will raise some awareness of our local needs that will be remembered in the next round of budget planning and election campaigning.

The Ministers were certainly kept busy with a variety of opening's, launches and social engagement over their week in Albany, amongst which was the commemoration of the 'Black Stump' by Minister Kobelke. Commemorating the Black Stump as a sacred Noongar burial ground was a notable achievement of the Albany Aboriginal Accord and a reinforcement of the City's commitment to its indigenous community and to Aboriginal reconciliation.

On the 29<sup>th</sup> March, the City of Albany hosted a Civic Reception to welcome 40 UWA first year Medical and Dental students to Albany for Rural Week. Rural Week is an initiative of UWA designed to expose the students early in their medical/ dental course to rural health issues and life in a rural community, ideally to increase their interest in returning to a rural community at the completion of their studies. It was a pleasure to meet such a pleasant, dedicated group of young people and if the week succeeded in encouraging even some of them to set up a practice in regional Western Australia in the future, and raised awareness of regional health issues and isolation for the others, then it achieved all that was intended.

It was my great pleasure of officially send off the Youth Focus bike riders on their 'Ride for Youth' on the 30<sup>th</sup> March. 32 riders set off from Albany to rider 580km around the South West corner back to Perth, raising fund to prevent youth suicide and deliberate self-harm. Appropriately the rider was set to coincide with National Youth Week and I understand raised a phenomenal \$270,000 for the ongoing counselling work of Youth Focus in the prevention of youth suicide. It brought home to me that we all have a role in identifying

young people who may be at risk and that as councillors, just as we strive towards economic security through the development of industry and tourism opportunities, so too must we invest in one of our most valuable commodities – our young people.

From Youth to Aged Citizens, it was a pleasure to meet Mrs Ivy Wilson on the occasion of her 100<sup>th</sup> Birthday on Wednesday 7<sup>th</sup> April. In the tradition of honouring our centenarians, the City of Albany once again hosted a tree planing ceremony, this time at picturesque Lawley Park. Ivy is an amazingly healthy and mobile lady and needed very little assistance planting the apple maple tree provided by the City of Albany in her honour. At the morning tea that followed, I presented Ivy with letters of congratulations from the Queen, Prime Minister and Premier.

Other events attended, held over the last month, for which the City of Albany provided sponsorship included the Albany Art Prize, Great Southern TAFE Awards, and the 2004 Harbour Swim.

This weekend we pause to remember our courageous ANZAC soldiers, not only those who participated in the 1<sup>st</sup> World War, but soldiers who have fought for our freedom and lifestyle in all wars since. May we remember them with pride and appreciation and draw from their example the inspiration to also make a difference in our role as Councillors.

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR BARTON**

**THAT the Mayor's report be received.**

**MOTION CARRIED 15-0**

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

Nil.

**19.0 CLOSED DOORS**

**MOVED COUNCILLOR SANKEY  
SECONDED COUNCILLOR PAVER**

**THAT Council sit behind closed doors.**

**MOTION CARRIED 15-0**

The Chief Executive Officer, staff and the public left the Chambers at 9.00pm

The meeting was closed to consider matters relating to staff in accordance with the Local Government Act, Section 5.23(2)(a).

**MOVED COUNCILLOR BOJCUN  
SECONDED COUNCILLOR SANKEY**

**THAT open doors be resumed.**

**MOTION CARRIED 15-0**



The public returned to the Chambers at 9.02PM.

**MOVED COUNCILLOR WILLIAMS  
SECONDED COUNCILLOR EMERY**

**THAT Council endorse the Review Committee's summary and suggested key focus areas and;**

- **adjust salary in line with CPI movement as at contract anniversary; and**
- **reimburse study expenses of \$1,900.**

**MOTION CARRIED 15-0**

**20.0 NEXT ORDINARY MEETING DATE**

Tuesday 18<sup>th</sup> May 2004, 7.30pm

**21.0 CLOSURE OF MEETING**

There being no further business, the meeting closed at 9.03pm.

Confirmed as a true and correct record of proceedings.

---

**A Goode, JP**  
*Mayor*

**APPENDIX A**

**WRITTEN NOTICE OF DISCLOSURES OF INTEREST**

<b>Name</b>	<b>Item</b>	<b>Nature of Interest</b>
Cllr M Bojcun	12.2.2 – Community Safety & Crime Prevention Partnership	Cllr Bojcun is employed by the Commissioner of Police.

**APPENDIX B**

**INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING**

Nil.

**INTERESTS DISCLOSED BY OFFICERS**

Nil.

[Agenda Item 12.1.1 refers]  
[COUNCIL – 20<sup>th</sup> April 2004]



## SUMMARY OF ACCOUNTS

Municipal Fund			
Cheques	totalling	248,925.63	
Electronic Fund Transfer	totalling	1,943,737.17	
Payroll	totalling	1,029,285.62	
<b>TOTAL</b>			<b><u>\$3,221,948.42</u></b>

### CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$3,221,948.42 was submitted to each member of the Council on 20<sup>th</sup> April 2004 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 \$3,221,948.42 which was submitted to the Council on 20<sup>th</sup> April 2004 and that the amounts are recommended to the Council for payment.

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**MAYOR**  
(A Goode JP)