

MINUTES

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 20th June 2006
7.30pm
City of Albany Council Chambers**

City of Albany

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Signed _____
Andrew Hammond
Chief Executive Officer

Date: 28th June 2006

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1.0 DECLARATION OF OPENING

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

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

Mayor	-	A Goode, JP
Councillors	-	DW Wellington
	-	MJ Evans, JP
	-	P Lionetti (from 7.32pm – 8.57pm)
	-	SM Bojcun
	-	DJ Wolfe
	-	J Waterman
	-	S Marshall
	-	J Walker
	-	D Wiseman
	-	R Paver
	-	J Jamieson
Chief Executive Officer	-	AC Hammond
Executive Director Corporate & Community Services	-	WP Madigan
Executive Director Works & Services	-	L Hewer
Manager Development Services	-	R Fenn
Minute Secretary	-	S Day
Approximately 30 members of the public		
2 media representatives		
<u>Apologies / Leave of Absence:</u>	-	RH Emery
	-	JD Williams

3.0 OPENING PRAYER

Mayor Goode read the opening prayer

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

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

Councillor Lionetti arrived.

5.0 PUBLIC QUESTION TIME

***D Price**

Mrs Price addressed Council in regards to planning issues in general, in particular thanked Council for its efforts in the Earl Street development.

***K Stanton**

Mrs Stanton addressed Council in regards to item 11.3.5 and asked that Council not support this development.

***K Porter-Tice**

Mrs Porter-Tice addressed Council in regards to item 11.2.1 and asked that Council split the funds between the Cat Sterilisation and RSPCA and outlined options to assist in cat control.

***S Clements**

Mr Clements addressed Council in regards to Item 12.6.1 and asked that Council defer this item to allow the Emu Point Boating group to brief Council.

***J Hummerston**

Mrs Hummerston addressed Council in regards to the Earl Street development and outlined several concerns she has with the development process.

***C McIntyre**

Mrs McIntyre (RSPCA officer) addressed Council in regards to Item 11.2.1 and supports Council's initiative. Outlined several ideas in regard to cat control.

***G Simmons**

Mr Simmons addressed Council in regards to item 11.3.5 and outlined concerns in regards to the development of this land. He asked Council not to support this application.

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 16th May 2006;
as previously distributed be confirmed as a true and accurate record of proceedings.

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR MARSHALL**

THAT the following minutes:

- Ordinary Council meeting held on 16th May 2006;
as previously distributed be confirmed as a true and accurate record of proceedings.

MOTION CARRIED 12-0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Wellington sought leave of absence from the Special Council Meeting – 27th June 2006.

8.0 DECLARATIONS OF FINANCIAL INTEREST

Item 11.3.4 – Councillor Lionetti

Item 13.2.1 – Chief Executive Officer, Andrew Hammond

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

Development Services

REPORTS

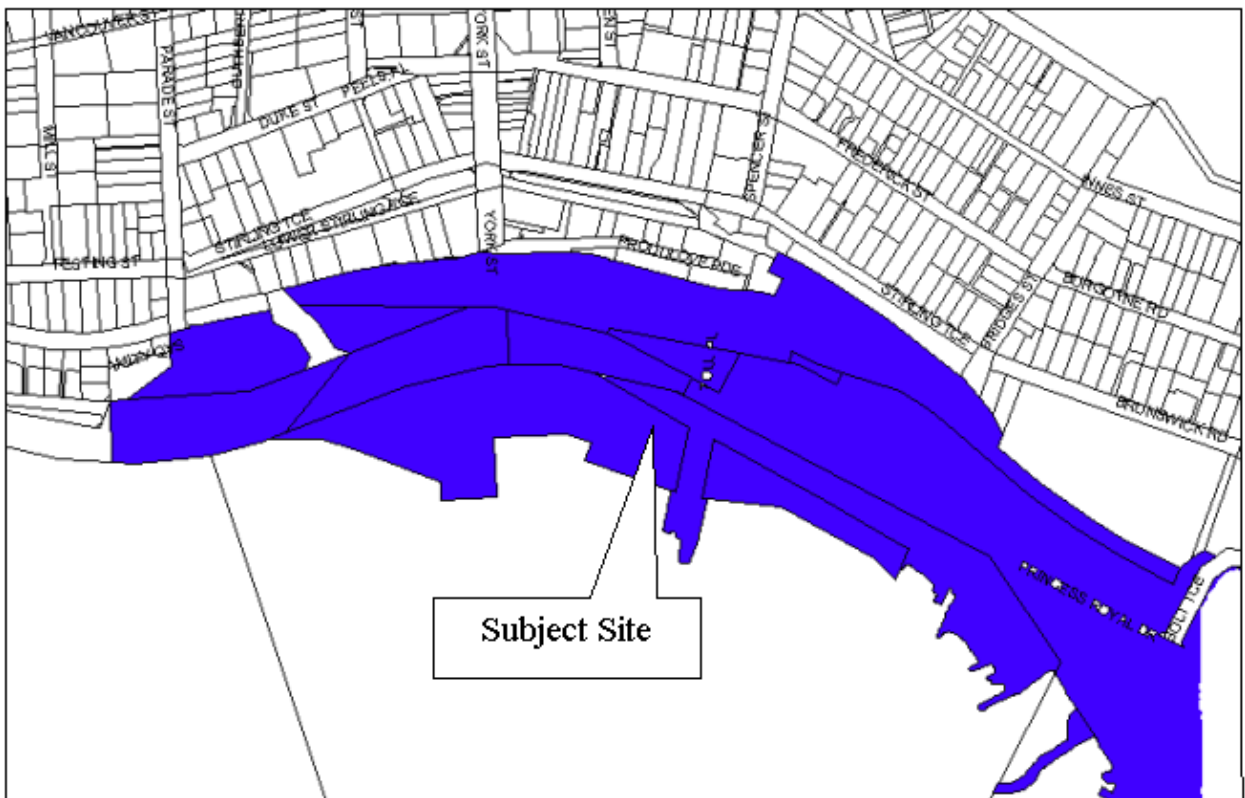
DEVELOPMENT SERVICES REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Draft Precinct Plan Adoption - Albany Waterfront Project – Princess Royal Drive, Albany

File/Ward	:	MAN 168 (Frederickstown Ward)
Proposal/Issue	:	Adoption of Draft Precinct Plan
Subject Land/Locality	:	Albany Waterfront Project
Proponent	:	Landcorp
Owner	:	Crown
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 16/05/06 - Item 11.3.1 OCM 21/03/06 - Item 11.3.2
Summary Recommendation	:	Adopt Draft Precinct Plan for Advertising
Bulletin Attachment	:	Nil
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

BACKGROUND

1. At the May meeting of Council, the Structure Plan for the Albany Waterfront Project was adopted. The Structure Plan sets out the planned vision for, and the development objectives to be achieved within the project site.
2. The Proponent has now prepared a draft Precinct Plan for the Albany Waterfront Project, to provide Council with the development control mechanisms needed to regulate and control individual developments within the Structure Plan area. A copy of the draft Precinct Plan has been distributed independently to Councillors and the draft document will be tabled at the meeting.

STATUTORY REQUIREMENTS

3. The Albany Waterfront Project is located within the Albany Foreshore Development zone and Town Planning Scheme 1A states;

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

4.44 A Precinct Plan may be prepared by the Council, or by any other person who may then submit the Precinct Plan to the Council for its approval and adoption.

4.45 The Council shall neither approve nor adopt a Precinct Plan unless it complies with, or is substantially in accordance with, the Structure Plan.

4.46 The Council shall neither approve nor adopt a Precinct Plan unless the Precinct Plan shows or otherwise clearly describes the following:

- (a) the proposed use of all land within the Precinct, including both public and privately owned land;*
- (b) the location and dimensions of any roads, pedestrian and cycle paths, car parking areas, public open spaces and other reserves;*
- (c) the number of cars which any car parking areas are designed to accommodate;*
- (d) the boundaries and approximate dimensions of any lots to be created through the subdivision of land within the Precinct; and*
- (e) the planned disposition of buildings in terms of height and setbacks from lot or reserve boundaries.*

4.47 The Council may also require that a Precinct Plan show or otherwise described the following:

- (a) the type and colour of the paving materials which are proposed to be used in the construction of roads, paths and public open spaces;*
- (b) indicative designs of any buildings to be constructed;*
- (c) the location and form of outdoor furniture or any other artefact proposed to be placed within any public space;*
- (d) the location, quantities and species of any plants which are to be used for landscaping the Precinct; and*
- (e) any other detail which the Council, at its discretion, considers necessary or desirable for the Precinct Plan to show or describe.*

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

4.48 *The Council shall not adopt a Precinct Plan until after the following procedures have been completed:*

- (a) *The Council, having first approved the Precinct Plan, shall publish a notification once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the Precinct Plan may be inspected, and in what form and during what period submissions may be made.*
- (b) *The Council shall review the Precinct Plan in the light of any submissions received and shall then resolve either to formally adopt the Precinct Plan with or without modification, or not to adopt the Precinct Plan.*
- (c) *Following final adoption of a Precinct Plan, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.”*

POLICY IMPLICATIONS

- 4. The Precinct Plan, once adopted, would replace the Waterfront precinct provisions of the Central Albany Urban Design Guidelines (the DeVilliers’ policy) to avoid confusion over the relevance of the two documents. The draft Precinct Plan has taken guidance from the work undertaken by Mr DeVilliers and ensures any development in the Albany Waterfront Project integrates with planned CBD developments.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

- 6. The Albany Waterfront project is recognised in the draft Lower Great Southern Strategy and the draft Albany Local Planning Strategy as a strategic project for Albany.

COMMENT/DISCUSSION

- 7. Staff undertook a preliminary review of the draft Precinct Plan to ensure it meets the minimum requirements to regulate developments on the lots to be created within the project site. Staff concerns have been transmitted to Landcorp as the documents arrived late in the agenda preparation period, resulting in insufficient time being available to incorporate an amended Precinct Plan into this report.
- 8. The development objectives are set by the Structure Plan. The control mechanisms are then provided in the Precinct Plan and need to be sufficiently detailed to ensure controls are in place to prevent inappropriate developments, whilst being flexible enough to encourage innovative contemporary buildings on the project site. The Precinct Plan contains a combination of “performance based” principles (eg. roof forms, covered spaces) to encourage that innovation and defined standards (eg. car parking spaces, setbacks) to ensure continuity of development. Landcorp will be creating a small number of sites upon which the City of Albany and private sector investors will be undertaking individual developments. The Precinct Plan is required to provide guidance to those investors, but also to clearly identify the subdivisional requirements to create the required lots (retaining wall finishes, fill levels, paving standards, etc).

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

9. Copies of the draft Albany Waterfront Precinct Plan will be distributed independently to Councillors prior to the meeting. Subject to the modifications identified by staff being undertaken, staff would be satisfied that the Precinct Plan has been drafted to an adequate standard for it to be placed on public exhibition. A more detailed review of the document will be undertaken during the consultation period and feedback from the community will be used to “fine tune” the Precinct Plan as part of the final approval process required by the Scheme.

RECOMMENDATION

THAT Council, pursuant to clause 4.48(a) of the City of Albany Town Planning Scheme 1A, resolves to adopt the draft Albany Waterfront Project Precinct Plan for the purpose of advertising the Precinct Plan and obtaining community feedback on that draft.

Voting Requirement Simple Majority

.....
Executive Director Development Services advised the Council that advise had been received from Landcorp in regards to manning the public display.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR BOJCUN**

THAT Council, pursuant to clause 4.48(a) of the City of Albany Town Planning Scheme 1A, resolves to adopt the draft Albany Waterfront Project Precinct Plan for the purpose of advertising the Precinct Plan and obtaining community feedback through the following:

- i) the placement of a ‘manned’ public display in the Albany Plaza Shopping Centre or other high pedestrian traffic area, identifying the key principles of the Precinct Plans and the sorts of materials and finishes that are to be used on buildings and within public areas; and**
- ii) an extended public advertising period closing on 27 July 2006.**

MOTION CARRIED 11-1

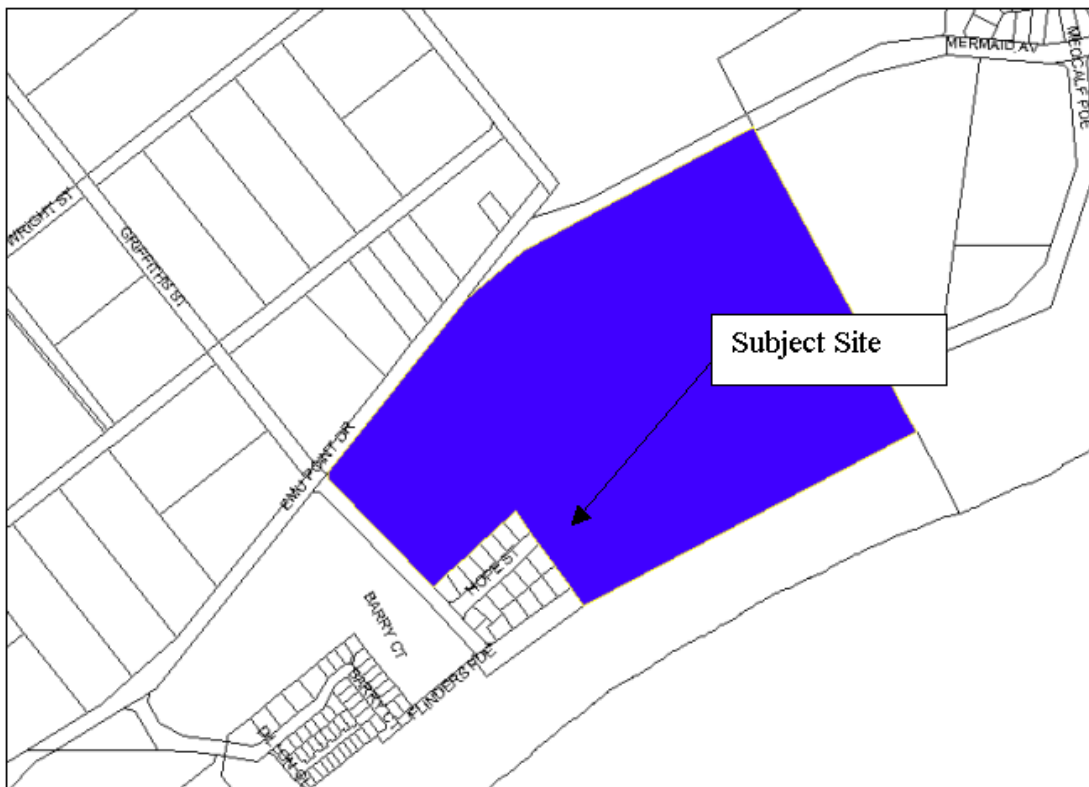
Reason:

- Given the importance of the project to the Albany Community the setting up of a public display and an extended public advertising period will ensure the community is aware of their ability to comment on the proposal.

DEVELOPMENT SERVICES REPORTS

11.1.2 Road Dedication – Extension of Hope Street and Griffiths Street Road Reserve, Emu Point

File/Ward	:	PRO 132 (Breaksea Ward)
Proposal/Issue	:	Extension of Hope Street and Griffiths Street Road Reserve
Subject Land/Locality	:	Lot 1512 and 1523 Emu Point Drive, Emu Point
Proponent	:	Landcorp & City of Albany
Owner(s)	:	City of Albany
Reporting Officer(s)	:	Manager Planning & Rangers (G Bride)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Support road dedication
Bulletin Attachment	:	Nil
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

BACKGROUND

1. The cul-de-sac heads associated with Hope Street and Griffiths Street currently extend outside of their allotted road reserve boundary into Lot 1512 Emu Point Drive, Emu Point.
2. Under the Albany Waterfront Memorandum of Agreement, signed by Council and the State Government, the Management Order for Lot 1512 is currently in the process of being transferred from Council to Landcorp.
3. The Department for Planning and Infrastructure has advised that, prior to finalising the change in Management Order, Council is required to dedicate those portions of Lot 1512, affected by the cul-de-sac heads, as road reserve.

STATUTORY REQUIREMENTS

4. The process for road dedication is set down under Section 56 of the Land Administration Act 1997, which states the following:

“56. Dedication of roads

(1) If in the district of a local government –

- (a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government;.....*

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.”

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

- *Excellent community infrastructure and services.*

Mission Statement:

The City of Albany is committed to ...

- *Sustainably managing Albany’s municipal assets.*

Priority Projects:

Nil.”

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

COMMENT/DISCUSSION

- 8. The plan below shows the area of Lot 1512 that is affected by the cul-de-sac heads and would need to be dedicated as road reserve.



- 9. The dedication will ensure Council’s infrastructure is located within the Hope Street and Griffith’s Street road reserves. This action will enable the Department for Planning and Infrastructure to finalise the change in Management Order (as per the Albany Waterfront Memorandum Agreement), and staff recommend that the proposal be supported.
- 10. Landcorp will undertake the final survey work, to ascertain the exact portion of land to be dedicated as road reserve, in the coming months.

RECOMMENDATION

THAT pursuant to Section 56 of the Land Administration Act 1997, Council supports the dedication of those portions of Lot 1512, that are currently affected by existing cul-de-sac heads associated with Hope Street and Griffiths Street, as road reserve and requests the Department for Planning and Infrastructure arrange the dedication.

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR WELLINGTON**

THAT pursuant to Section 56 of the Land Administration Act 1997, Council supports the dedication of those portions of Lot 1512, that are currently affected by existing cul-de-sac heads associated with Hope Street and Griffiths Street, as road reserve and requests the Department for Planning and Infrastructure arrange the dedication.

MOTION CARRIED 12-0

DEVELOPMENT SERVICES REPORTS

11.1.3 Development Application – Alfresco – Lot 10 (9-13) Albany Highway, Albany

File/Ward : A84860 (Fredrickstown Ward)

Proposal/Issue : Alfresco dining area

Subject Land/Locality : Lot 10 (9 –13) Albany Highway, Albany

Proponent : Ian Howard & Associates

Owner : D Juers (Lessee), G DePretis (Owner)

Reporting Officer(s) : Planning Officer (I Humphrey)

Disclosure of Interest : Nil

Previous Reference : N/A

Summary Recommendation : Approve, subject to satisfactory receipt of revised plans

Bulletin Attachment : N/A

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

BACKGROUND

1. An application has been received for a screened alfresco area to the front of Sails restaurant at Lot 10 (9 – 13) Albany Highway. The proposal seeks to locate the alfresco area on a paved area owned by the City of Albany that is currently vacant and acts as a type of traffic island, (see photo below).



2. The applicant proposes to place the alfresco area within 1.5m high aluminium framed glass screen (which would be 50% opaque for the safety of the visually impaired), and covered by shade sails with a minimum height of 2.7m above footpath level.
3. The owners are seeking to provide a sheltered area for clients, mainly during the windy summer months, with the shade sails being removed during the winter period.

STATUTORY REQUIREMENTS

4. The land on which the alfresco is proposed is Council road reserve, with the restaurant being located within the Central Area zone. The proposal must comply with the 'Activities in Thoroughfares and Public Places and Trading Local Law 2001'. Within the Local Law, a distance of 1.8m must be kept clear for pedestrian access.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

- *Excellent community infrastructure and services; and*
- *Innovative development complementing Albany’s unique character, natural environment and heritage.*

Mission Statement:

The City of Albany is committed to...

- *Providing sound governance; and*
- *Promoting our Community’s vision for the future.*

Priority Projects:

Nil

COMMENT/DISCUSSION

8. This application, at first glance, may appear similar to other alfresco areas within the CBD that have been approved. However, there are several differences, which raise significant new issues. These can be summarised as impact on the streetscape and highway safety.

Impact on the streetscape

9. The concern is the visual impact of the proposal on the immediate and wider area. The development seeks to enclose part of a predominantly circular shaped area with a square glass screen that is 1.5m high, and then place shade sails over the area that slope down from the highway edge to the existing verandah, these would then be removed during the winter months. This could lead to an empty three sided structure, with no roof during the winter months, dominating a prominent area forward of the existing verandah line.

10. Council could condition the shade sails so they must remain in place all year. The sails could also be rehung so the pitch falls towards the highway and thus become subservient to the existing verandah. Also the proposal could be either truncated to follow the kerb line or even extended if highway safety issues could be addressed.

Highway safety

11. Pedestrian traffic should be minimally affected by the proposal in terms of access along the main thoroughfare. The main concern is the blocking of two pram ramps, which would become obsolete and have partly remained due to historic crossing points. Those pram ramps are poorly placed in terms of highway safety and their use should not be encouraged. The reinstatement of the kerb should be undertaken as part of this application. If they remain, due to the location of the proposed screens, they could be a safety risk.

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

12. A main concern is the safety of the users of the proposed alfresco area from passing vehicular traffic. Engineering staff have raised concerns over the lack of protection from vehicular traffic and suggest that further details need to be submitted on suitable protection measures (such as bollards or planters or an increased setback from the road).
13. In conclusion the proposed use appears acceptable, however further details are required to ascertain the final location of the alfresco area, mainly from a traffic safety aspect. It is felt the overall appearance of the proposal could be improved by some small alterations. Those issues will be discussed with the applicant.

RECOMMENDATION

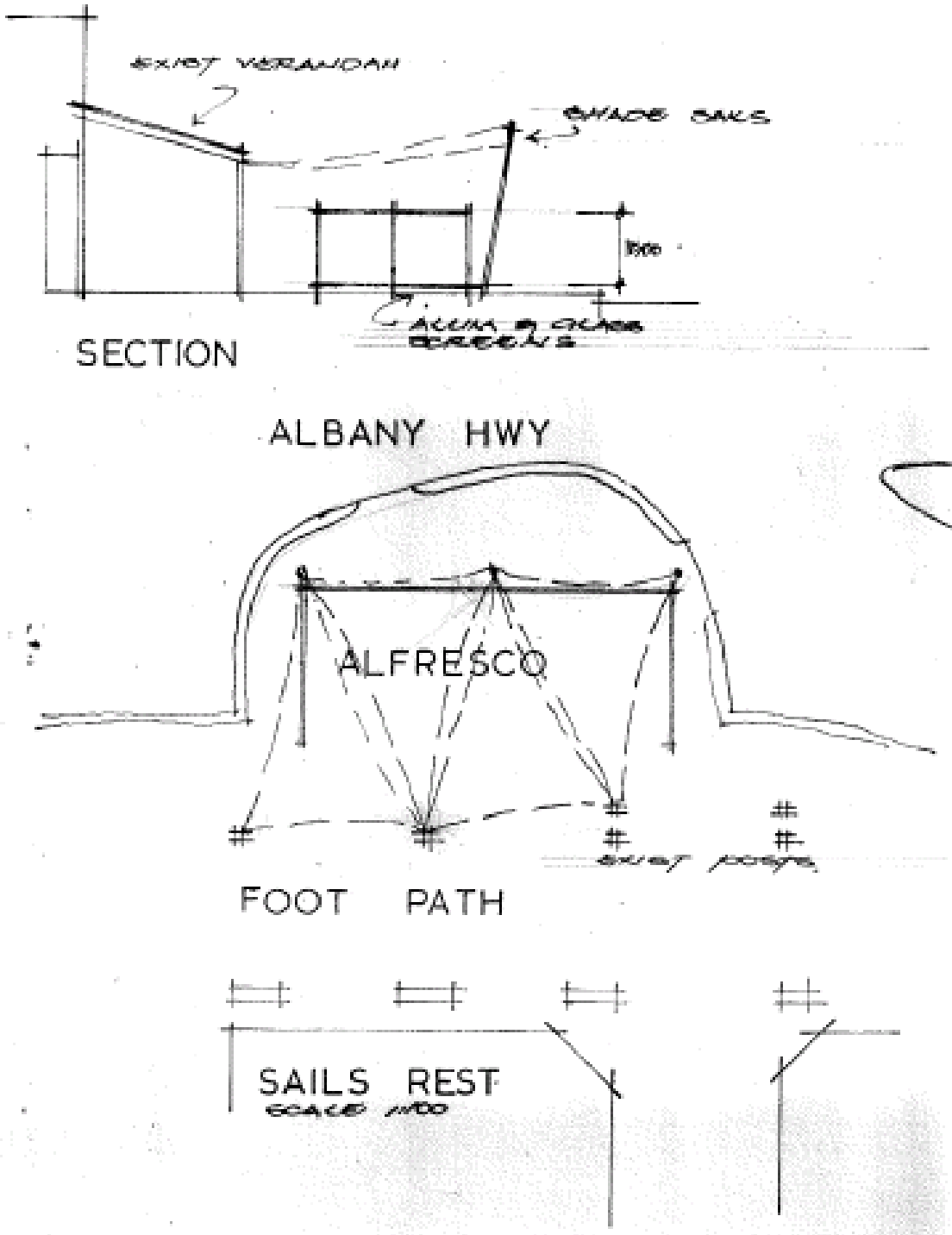
THAT Council, pursuant to Activities in Thoroughfares and Public Places and Trading Local Law 2001, resolves to support the development of an Alfresco dining area at Lot 10 (9-13) Albany Highway, Albany upon the receipt of detailed plans showing acceptable vehicle protection measures and a revised design to the satisfaction of the Executive Director of Development Services.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR WISEMAN SECONDED COUNCILLOR WALKER</p> <p>THAT Council, pursuant to Activities in Thoroughfares and Public Places and Trading Local Law 2001, resolves to support the development of an Alfresco dining area at Lot 10 (9-13) Albany Highway, Albany upon the receipt of detailed plans showing acceptable vehicle protection measures and a revised design to the satisfaction of the Executive Director of Development Services.</p> <p style="text-align: right;">MOTION CARRIED 12-0</p>

Item 11.1.3 continued



DEVELOPMENT SERVICES REPORTS

11.2 HEALTH, BUILDING & RANGERS

11.2.1 Cat Sterilisation Spending Options

File/Ward	:	MAN 052 (All Wards)
Proposal/Issue	:	Explore options for cat sterilisation program
Subject Land/Locality	:	N/A
Proponent	:	City of Albany
Owner(s)	:	N/A
Reporting Officer(s)	:	Manager Planning & Ranger Services (G Bride)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 21/09/04 - Item 11.2.1 OCM 19/04/05 - Item 11.2.1 OCM 15/11/05 - Item 11.2.1
Summary Recommendation	:	Support Council & Vet partnership for cat sterilisation
Bulletin Attachment	:	Nil
Locality Plan	:	N/A

BACKGROUND

1. At it's meeting dated 15 November 2005 Council considered the option of introducing a Cat Local Law and resolved the following:

“THAT Council consider the allocation of \$7000 in its 2006/07 budget on the basis that the funds are used to sterilise cats or destroy all unwanted cats within the City of Albany, and not redistributed into a general pool of funds.

AND

THAT Council not introduce a Local Law relating to the control, keeping and welfare of cats and promote, through the West Australian Local Government Association a Statewide approach to cat control.”

2. This report has been prepared to analyse a number of options in spending the \$7000, should Council resolve to allocate the funds in it's upcoming budget.

STATUTORY REQUIREMENTS

3. There are no statutory implications related to this item.

POLICY IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

FINANCIAL IMPLICATIONS

5. The sterilisation program will only commence if Council allocates funds for the program in the 2006/07 Budget.

STRATEGIC IMPLICATIONS

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

“Community Vision

A thriving city; Albany’s community will enjoy economic growth and outstanding opportunities for our youth through

- *Excellent community infrastructure and services*

Mission Statement

The City of Albany is committed to...

- *Providing sound governance*

Priority Projects

Nil.”

COMMENT/DISCUSSION

7. The Council resolution of 15 November 2005, required staff to explore the issue of cat sterilisation and the destruction of unwanted cats.

Cat Sterilisation

8. The cost of sterilisation is around \$150 for a female cat and around \$100 for a male cat. Staff are aware that the City of Fremantle, Shire of Busselton and City of Adelaide offer a sterilisation rebate to their residents ranging from \$15 to \$55 per cat. At the City of Adelaide a sterilised male cat attracts a \$38 rebate, whilst a sterilised female cat attracts a \$55 rebate. All of the Council’s that were surveyed offer the rebate to residents regardless of their ability to pay (ie. the rebate is not subject to a means test).
9. In considering the options of cat sterilisation, it’s important to consider the roles and activities of relevant stakeholders in this issue, being the RSPCA, the Cat Sterilisation Society and local vet practices.
10. The RSPCA is supportive of cat control through local laws and believes compulsory sterilisation through a State Cat Act or individual Council Local Laws is required. Presently the organisation runs a euthanasia program for unwanted kittens whereby the vets assist the RSPCA with putting down kittens at no cost. It also is the first point of contact for owners having problems with cats (whether it be repeat litters or rehousing unwanted cats) and acts as an administration centre for the Cat Sterilisation Society.
11. The Cat Sterilisation Society was formed in 1989, in response to a lack of education, research and problems associated with pet cat ownership. One of their key areas is to subsidise cat sterilisation for those who are financially disadvantaged; primarily those owners being on a health care card. The Society’s view is that a general rebate handled by Council does not cater for the unemployed and pensioners in the community who, even with the rebate, could not afford to sterilise their cat.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

12. The Cat Sterilisation Society works closely with the RSPCA in Albany, to sterilise cats. In 2005 the Society expended approximately \$13,000 assisting financially disadvantaged cat owners sterilise their cats in the Albany region.
13. Vets have been supportive of programs such as the RSPCA’s unwanted kittens program and the Cat Sterilisation Society’s sterilisation program. They have worked with these groups by absorbing costs in many instances.

Unwanted Cats

14. The cost of euthanasing an unwanted cat is in the vicinity of \$70. The RSPCA and local vets currently work together to euthanase unwanted kittens. Also, the Department of Conservation and Land Management have strategies to bait and trap feral animals (including cats) within National Park areas.
15. After consulting with the RSPCA, the unwanted kitten program is currently self-supporting and there is no immediate need for Council to contribute any money towards the unwanted kitten program. The issue is whether Council wants to go further, and help fund the destruction of unwanted mature cats. Concern has been expressed by the Cat Sterilisation Society, and other groups like the Friends of the RSPCA, that such a program could potentially be open to abuse by people wanting to dispose of a nuisance cat (regardless of it’s status as a pet or stray).
16. Staff believe that the existing unwanted kittens program is sufficient and are of the opinion that an unwanted cat service would be difficult to administer, costly and could be open to abuse. No funds are recommended to be utilised for this purpose.

Spending Options

17. Staff have prepared five potential options relating to the expenditure of the \$7000, which is contained below in Table 1.

TABLE 1: STERILISATION OPTIONS

Option No.	Prelude	Benefits	Negatives
1. Vet Controlled (Tender Process)	All vets would be asked to tender for the program, whereby the successful vet practice would apply the rebate direct to the customer and invoice Council.	<ul style="list-style-type: none"> • Minimal Council administration • Rebate immediate to cat owner. 	<ul style="list-style-type: none"> • Only one vet practice would hold contract – disadvantages other practices.
2. Vet & Council Partnership	Any participating vet would issue a sterilisation certificate and advise the cat owner that a rebate is available at Council’s offices. Front counter staff would need to receive application form for record keeping purposes and pay rebate out.	<ul style="list-style-type: none"> • More choice. • Records can be kept to ensure no abuse of system. • Council plays a key role. 	<ul style="list-style-type: none"> • Reasonable Council administration required. • Rebate paid after full-cost met by cat owner.
3. Funding direct to Cat Sterilisation Society.	The Cat Sterilisation Society would receive \$7000 from Council to continue their work in assisting financially disadvantaged cat owners to sterilise their cats.	<ul style="list-style-type: none"> • No Council administration involved. 	<ul style="list-style-type: none"> • Little involvement or ownership by Council (no performance measures). • Does not apply to all cat owners (only those in specific financial circumstances).

DEVELOPMENT SERVICES REPORTS

<p>4. Cat Sterilisation Society and Council Involvement</p>	<p>This Option would involve entering into a service agreement with the Cat Sterilisation Society that facilitates a community education and sterilisation role. Council could contribute a rebate figure on a per cat basis sterilised to assist in bringing costs down for financially disadvantaged cat owners (pensioners, unemployed etc). The Society could submit a monthly claim for the rebate, based on proof of sterilisation by the Vet.</p>	<ul style="list-style-type: none"> • Council will be directly involved and through a contract performance standards can be applied. 	<ul style="list-style-type: none"> • Does not apply to all cat owners (only those in specific financial circumstances).
<p>5. RSPCA Inspector</p>	<p>This Option would involve directing the funds to the RSPCA, whereby it's inspector could issue rebate certificates to cat owners on the spot. The Inspector regularly deals with the same cat owners over unwanted kittens and can offer the cat owner with a rebate certificate for part or all of the cost to take to the vet of their choice.</p>	<ul style="list-style-type: none"> • Not specifically means tested – would be at Inspector's discretion. 	<ul style="list-style-type: none"> • Limited opportunities to advertise scheme.

18. Staff recommends that Option No. 2 be pursued by Council as this option would be open to all cat owners within the City of Albany, and any accompanying education campaign would have the greatest impact in increasing sterilisation rates. A rebate of \$50 per female cat, and \$30 per male cat will bring down the cost of sterilisation to around \$100, resulting in a 33% price reduction. The Cat Sterilisation Society could also provide an additional rebate, on top of Council's rebate, to bring down the cost of sterilisation further to those financially disadvantaged. The \$50 Council rebate should assist the Society in bringing down it's expenditure on cat sterilisation in the Albany region.

19. The Cat Sterilisation Society did not receive funding under the recent round of the Community Financial Assistance Fund primarily on the basis that Council resolved to consider a \$7000 allocation for cat sterilisation. In previous years, the Society has received around \$2500 per year, and it is recommended that a reduced figure of \$1500 (bearing in mind that Council's rebate will reduce outgoings for the Society) be allocated through this budget allocation to allow the Society to continue their service to the community.

20. To cover the \$1500 allocation to the Cat Sterilisation Society and to ensure an effective advertising campaign is undertaken (around \$1000 would be needed) it is recommended that the budget be increased to \$9,500. Given Council spends approximately \$100,000 per year on dog control, the overall cost of the sterilisation scheme would represent less than 10% of this cost.

21. The Shire of Busselton (which contributes \$50 per cat) is on track to pay out \$7000 this financial year under its sterilisation scheme; however in it's introductory year a \$4500 cost was incurred. After the program has been in place for 12 months, Staff will be in a position to report on the success of the program, through any increases in sterilisation rates, and will be able to forecast future budget expenditure with greater accuracy.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

RECOMMENDATION

THAT;

- i) Council consider the allocation of \$9,500 in its 2006/07 budget for cat sterilisation measures; and
- ii) subject to an appropriate budget allocation in 2006/07, Council supports the expenditure of funds for cat sterilisation in accordance with Option 2, and Paragraph's 19 and 20, as contained in the officer's report.

Voting Requirement Simple Majority

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR JAMIESON**

THAT Council;

- i) consider the allocation of \$7,000 in its 2006/7 budget to the Cat Sterilisation Society; and**
- ii) establish a Cat Law Working Committee comprising an elected Member and a representative each from The Friends of the RSPCA, The Albany Community and Environment Centre, The Albany Bushcarers Group, The Albany Bird Group, The Albany Residents and Ratepayers Association and the Frenchman Bay Association, to prepare for Council's consideration within nine months a draft local law on cat control with particular emphasis on the compulsory registration, identification and sterilisation of cats within the City of Albany.**

**MOTION CARRIED 11-1
ABSOLUTE MAJORITY**

Reason:

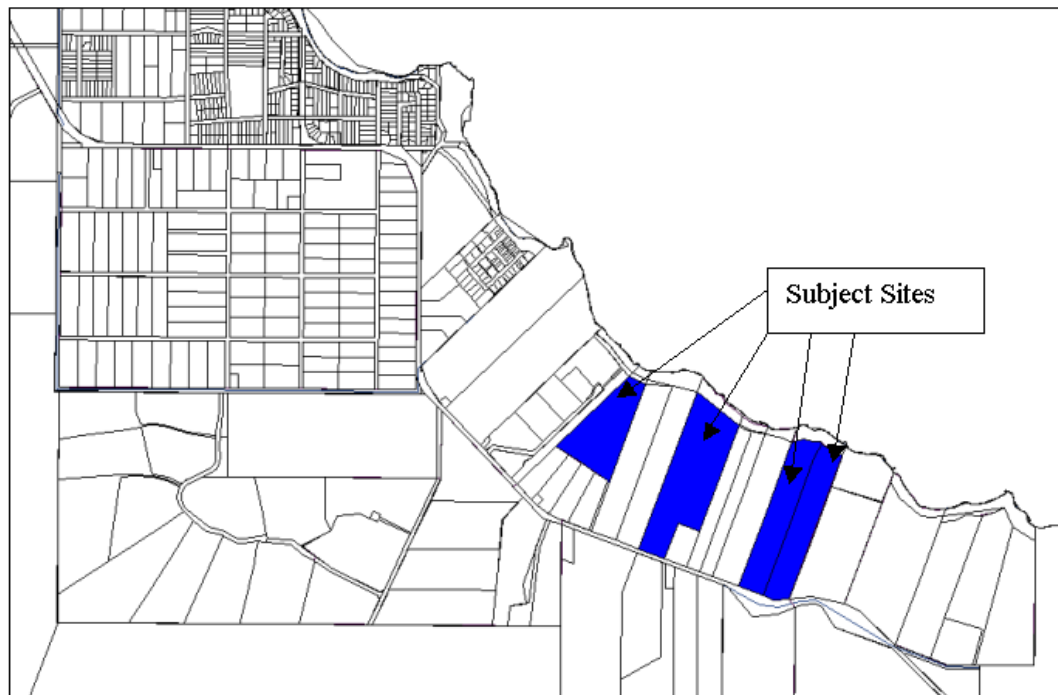
- A direct grant of \$7000 to the Cat Sterilisation Society is the most equitable and cost efficient way of subsidising cat sterilisation. During the next nine months Council should take advantage of the offer by the aforementioned associations to draft a local cat control law for Council's consideration.

DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

11.3.1 Scheme Amendment Request - Lots 1, 2, 16 and Pt 109 Frenchman Bay Road, Big Grove

File/Ward	:	SAR 093 (Vancouver Ward)
Proposal/Issue	:	Rezoning land from the 'Rural' to the 'Residential' zone
Subject Land/Locality	:	Lots 1, 2, 16 and Pt 109 Frenchman Bay Road, Big Grove
Proponent	:	Ayton Taylor Burrell
Owner	:	Brown, Vasiliu, King and Buchanan
Reporting Officer(s)	:	Planning Officer (A Nicoll) Manager Planning & Ranger Services (G Bride)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 21/6/05 - Item11.3.9 OCM 18/4/06 - Item11.3.5
Summary Recommendation	:	Conditionally support the proposal
Bulletin Attachment	:	Scheme Amendment Request Letter dated 21/2/06 Minister for Planning and Infrastructure
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

BACKGROUND

1. At its meeting of the 21 June 2005 Council resolved, subject to modifications, to seek final approval to rezone (Amendment 232) Lots 1, 2, 16 and Pt Lot 109 Frenchman Bay Road, Big Grove from the 'Rural' zone to the 'Special Rural' zone.
2. Following Council's recommendation of 21 June 2005, the proposal was forwarded to the local office of the Department of Planning and Infrastructure for processing in accordance with the Town Planning and Development Act and Regulations.
3. On presentation to the Hon Minister for Planning and Infrastructure, the Hon Minister decided not to approve the Scheme Amendment, on the grounds that:
 - *"The WAPC have a general presumption against interim subdivision in areas that have been identified for future urban development; and*
 - *"The land is in a prime coastal location and there is a need to ensure that adequate provision is made for the protection and management of the coastal foreshore in this vicinity. This would be more effectively achieved at the time of considering rezoning of the land for urban development."*
4. At its meeting of the 18 April 2006 Council then resolved:

THAT Council;

 - i) note the Hon Minister for Planning and Infrastructure's decision to refuse Amendment No 232;*
 - ii) inform the proponent and landowner of the capacity of the Draft Albany Local Planning Strategy and the Town Planning Scheme Review process to guide the orderly development of this land to fully serviced residential land in a manner consistent with the advice of the Hon Minister; and*
 - iii) advise the proponent that subject to the landowners meeting all costs, Council would be prepared to consider a Scheme Amendment Request to rezone the land for "fully serviced residential" purposes.*
5. Subsequently, Ayton Taylor Burrell have lodged a 'Scheme Amendment Request' (SAR) seeking Council's preliminary support to rezone Lots 1, 2, 16 and Pt 109 Frenchman Bay Road, Big Grove from 'Rural' to the 'Residential' zone. A copy of the SAR is included in the Elected Members Report/Information Bulletin.
6. The SAR was referred to the Department for Planning and Infrastructure, the Department of Environment, the Health Department, the West Australian Planning Commission and the Water Corporation for comment.

STATUTORY REQUIREMENTS

7. 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.
8. If an applicant decides to pursue a Scheme Amendment, the Council will be required to formally consider that request.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

POLICY IMPLICATIONS

9. There are two policy documents that may pose implications for development on the properties in question. They include the Local Rural Strategy (LRS) and the WAPC's adopted Statement of Planning Policy (SPP) No. 3 *Urban Growth and Settlement*.
10. The properties in question are currently located within 'Policy Area 10' of the LRS. Council will not support under that strategy any significant development or any subdivision within the policy area until further study is undertaken as part of the new Town Planning Scheme. Identified constraints included visual management, revegetation, relationship with major tourist routes and location close to groundwater reserves.
11. The objectives of the *Urban Growth and Settlement* policy of the Albany Local Planning Strategy (ALPS) however, state;
 - *"To promote a sustainable and well planned settlement across the state, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space;*
 - *To manage growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant values and constraints;*
 - *To promote the development of a sustainable and liveable neighbourhood form; and*
 - *To co-ordinate new development with the efficient, economic and timely provision of infrastructure and services".*

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

13. There are various strategies that have some relevance to the proposal including: the WAPC's adopted State Planning Strategy; the WAPC's Draft Lower Great Southern Strategy (2005) and the most applicable being the Albany Local Planning Strategy (DRAFT).
14. The properties in question are identified in the ALPS (DRAFT) as being 'Long Term Residential (to be secured)'. The strategic direction for settlement as defined in ALPS (DRAFT) is to contain the spread of fragmented urban and rural living areas in the City to:
 - *"Minimise the 'development footprint' on the landscape to assist in the protection of biodiversity and the environment;*
 - *Promote energy conservation;*
 - *Provide greater housing choice;*
 - *Minimise journey length from home to work/school/services and encourage the use of public transport, cycling and walking; and*
 - *Reduce government expenditure on servicing current and future populations."*

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

15. As mentioned in ALPS (DRAFT), areas currently under Structure Plans/Outline Development Plans or zoned 'Residential', 'Residential Development' or 'Future Urban' in the City's current Town Planning Schemes have the potential to accommodate 15,259 dwellings and a population of 38,147 (at 2.5 persons per dwelling) based on a Residential R20 coding.
16. Taking into account the current status and development constraints, it is clear that there is sufficient identified residential land available for at least the next 20 years.

COMMENT/DISCUSSION

17. The objectives of the 'Urban Growth and Settlement Policy' and the Albany Local Planning Strategy (DRAFT), indicate that the application to rezone the land for more intensive residential purposes pre dates its time. The lack of suitable infrastructure and services (employment, shopping and deep sewerage) make this land a low priority for more detailed planning. Short term development would result in a residential enclave which 'leapfrogs' the urban front.
18. The Minister and Council have previously given support in principle to fully serviced residential development sooner rather than later. In order to be consistent in the advice given to other landowners, support is recommended subject to the principles defined in ALPS (Draft) and the Urban Growth and Settlement Policy, including the following:
 - Sustainability;
 - Demand, Values and Constraints; and
 - Infrastructure and services.

Sustainability

19. The principle of sustainability involves delivering a better quality of life now and for future generations through employment opportunities, economic growth, a vibrant community, effective protection of the environment and the prudent use of resources.
20. The City requires the proponent to provide a detailed assessment in order to properly assess the applicability of the rezoning application to the objectives of sustainable living.

Demand

21. There is a perceived lack of demand as stated in the ALPS (DRAFT) document. The City requires the proponent to provide a detailed assessment, which addresses the demand for 'Residential' zoned blocks in this locality.

Values

22. The locality has some valuable natural attributes. The rezoning needs to accommodate the amenity attributes of the locality including its location adjacent to Princes Royal Harbour and its northern aspect affording both day and night views across the harbour to the City.

Constraints

23. There are planning constraints relating to resource conservation, visual management, designing for complete integrated communities and site responsive design. The applicant needs to address these factors.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

24. Government agencies have advised that the quality of native vegetation needs to be assessed under the rezoning proposal, with the placement of public open space areas to be carefully considered. With the extra pressure that will be placed on the foreshore, as a result of the increased development, a foreshore management plan is suggested to document issues such as fire protection, access, fencing and the adequacy of the existing foreshore width.

Infrastructure and Services

25. There is a lack of residential infrastructure to the lots, including deep sewer, a major link road to the site and a neighbourhood centre close by. The proponent will need to provide a detailed assessment on the extent, suitability and timing of infrastructure including roads, public transport, water supply, sewerage, drainage, energy, local parks, schools, shops, recreational facilities and other services available to future lots and the locality.
26. One final issue with the request is the properties chosen are adhoc. Rather than individual lots being identified for a rezoning, it is preferable that one whole area be identified. It may also be more beneficial to rezone the site to Residential Development. That way, structure planning for the whole area is required by the scheme.
27. Based on the recommendation of the Minister, the previous decision of Council and, subject to the underlying assessments being undertaken to the satisfaction of Council, it is recommended that the preliminary request to rezone the land be supported.

RECOMMENDATION

THAT, subject to, but not limited to, the following matters being addressed to the satisfaction of Council:

- i) a clearly defined zoning boundary to be adopted and justified;
- ii) a detailed environmental assessment, including a flora and fauna survey with areas identified on environmental grounds being excluded from development;
- iii) a review of existing foreshore reserve widths and an accompanying foreshore management plan;
- iv) a fire management plan;
- v) a visual management plan;
- vi) a conceptual structure plan based on the identified land constraints;
- vii) a sustainability assessment;
- viii) a land demand assessment;
- ix) a community assessment; and an
- x) infrastructure and services assessment.

Council advises that it is prepared to entertain the submission of a formal application for rezoning various lots at Big Grove from the 'Rural' zone to the 'Residential Development' zone.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

**MOVED COUNCILLOR LIONETTI
SECONDED COUNCILLOR JAMIESON**

THAT, subject to, but not limited to, the following matters being addressed to the satisfaction of Council:

- i) a clearly defined zoning boundary to be adopted and justified;**
- ii) a detailed environmental assessment, including a flora and fauna survey with areas identified on environmental grounds being excluded from development;**
- iii) a review of existing foreshore reserve widths and an accompanying foreshore management plan;**
- iv) a fire management plan;**
- v) a visual management plan;**
- vi) a conceptual structure plan based on the identified land constraints;**
- vii) a sustainability assessment;**
- viii) a land demand assessment;**
- ix) a community assessment; and an**
- x) infrastructure and services assessment.**

Council advises that it is prepared to entertain the submission of a formal application for rezoning various lots at Big Grove from the 'Rural' zone to the 'Residential Development' zone.

MOTION CARRIED 12-0

DEVELOPMENT SERVICES REPORTS

11.3.2 Scheme Amendment Request – Lot 6 Henderson Road, Drome

File/Ward : SAR 091 (West Ward)

Proposal/Issue : Rezoning land from 'Rural' to 'Special Rural'

Subject Land/Locality : Lot 6 Henderson Road, Drome

Proponent : Ayton Taylor Burrell

Owner : P Newman

Reporting Officer(s) : Planning Officer (A Nicoll)

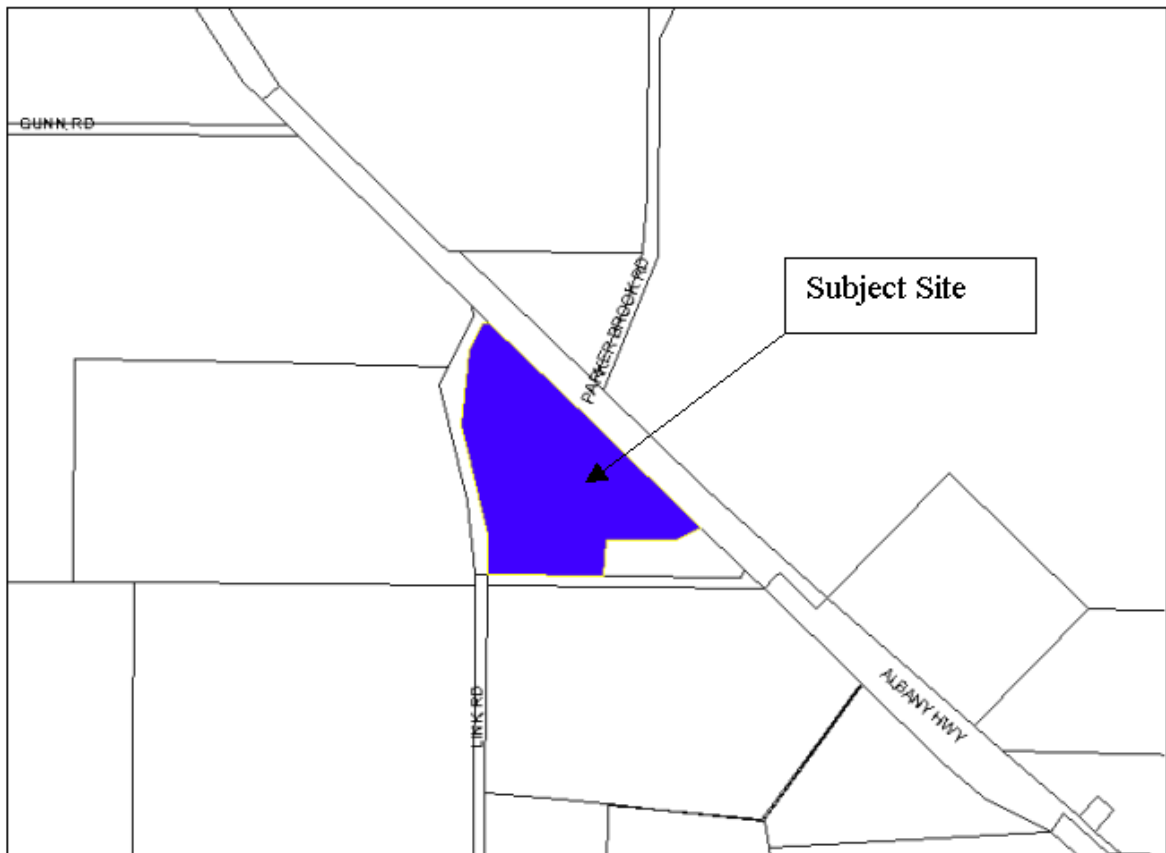
Disclosure of Interest : Nil

Previous Reference : Nil

Summary Recommendation : Support the proposal

Bulletin Attachment : Scheme Amendment Request

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

BACKGROUND

1. A Scheme Amendment Request (SAR) has been lodged by Ayton Taylor Burrell seeking Council's preliminary support to rezone Lot 6 Henderson Road, Albany from the 'Rural' to 'Special Rural' zone. A copy of the SAR is included in the Elected Members Report/Information Bulletin.
2. The property is 10.3 hectares in size, has a single dwelling, a horse-training track and is used for animal grazing purposes.
3. The SAR was referred to the Department for Planning and Infrastructure, the Department of Environment, the Water Corporation, Main Roads and the Health Department for comment.

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 a number of issues that affect this property:
 - The zoning of the property (Rural);
 - The close location of the property to Lot 7 Albany Highway, which has a current licence to keep a kennel establishment ('Rainbow Coast Boarding Kennels and Cattery'); and
 - Road plans being developed for heavy haulage vehicles (Albany Ring Road) linking along Henderson Road to Albany Highway and Link Road.
7. The policy documents include the following:
 - The WAPC – Statement of Planning Policy No. 4.1 (State Industrial Buffer Policy)
 - The EPA Guidance Statement No.3 (Separation Distances between Industrial and Sensitive Land Uses);
 - The Government committed Albany Ring Road – Stages 2 and 3; and
 - The Local Rural Strategy.

WAPC Policy Statements

8. Local Government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.
9. The EPA 'Guidance Statement No.3' and 'State Industrial Buffer Policy' provide advice on the use of separation distances (Buffers) between industrial and sensitive land uses to avoid conflicts between incompatible land uses. The buffer distance in rural zones to dog kennels as identified in 'Appendix 1' of the Guidance Statement No.3 is 500 metres.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

10. Agencies do not support the application considering that it is unlikely that a 500m buffer to dog kennels, as required in the EPA Guidelines, can be achieved on lot 6.

The Albany Ring Road

11. The Albany Ring Road (stage two) has been aligned along Henderson Road and is not expected to impact on the development of lot 6 to the north. Any future planning should address modified traffic arrangements on the proposed Albany Ring Road, Link Road and Albany Highway.

The Local Rural Strategy

12. The 'Policy Areas' identified in the Local Rural Strategy do not extend to this particular lot, however; the properties to the adjacent south are included in the Oyster Harbour 6' planning precinct. That strategy recommended that Council support proposals for rural residential in this locality to the south subject to:

- Revegetation;
- Land capability reporting; and
- Visual sensitive management.

13. Those same principles would apply to the subject lot.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

15. There are two strategic documents that have significant relevance to this proposal. They include the:

- City's Albany Local Planning Strategy (ALPS) (Draft) (2005); and
- COA Rural Planning Issues Review (Landvision, 2002).

Albany Local Planning Strategy

16. The ALPS (DRAFT) is a twenty-year indicative plan. It illustrates the property in question as 'Rural Residential'. The strategic objective for rural living as defined in ALPS (DRAFT) is to:

"Ensure that rural living areas are planned and developed in an efficient and coordinated manner as logical extensions of existing settlements that have adequate services and community infrastructure"

17. Lot 6 is located on the eastern side of Link Road within close proximity to Lots 50 and 51 Link Road, which are being finalised for a rezoning to 'Special Rural' (AMD179). The rezoning is a logical extension of the existing settlement pattern.

Rural Planning Issues Review

18. The City of Albany *Rural Planning Issues Review* (Landvision, 2002) concluded that there was an over supply of special rural/special residential lots based on the large difference in lots granted preliminary approval to those receiving final approval. The report recommended that the City of Albany require an agreed percentage of lots to be developed and that further demand for additional lots be proved before more lots are created to enable monitoring of development rates and supply.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

19. The ALPS (DRAFT) reflects the conclusions made in the *Rural Planning Issues Review* and includes the following strategic action plan for rural living:

“Development of the existing supply of rural living areas to be the first priority prior to considering the creation of additional areas”

20. Based on the strategic action plan defined in ALPS, and acknowledging that there already exists a high proportion of rural/residential zoned land currently undeveloped, the strategic framework suggests that the application to rezone the land should be refused.

COMMENT/DISCUSSION

Demand

21. The rezoning is a logical extension to the existing ‘Special Rural’ settlements to the south. Staff therefore suggest that the applicant be given the opportunity to provide an independent assessment, which addresses the demand for ‘Rural Residential’ land within this vicinity; the potential yield from the land is also likely to be low.

Buffers

22. Advice from government agencies suggest that buffers are required to the adjacent dog kennels and major roads (existing and proposed). Staff therefore recommends that an independent and hypothetical noise assessment be undertaken to ascertain the level of noise being created by the dog kennels, Albany Highway and the future Albany Ring Road. Based on this assessment, a recommendation is made for suitable setbacks to the dog kennels and adjacent roads.

Development standards

23. It may be possible to overcome the issues of noise and visual sensitivity addressed by the various policies and government departments. Staff consider that the following provisions for development will need to be included in any amending documents:
- Limited access on to Albany Highway and the Ring Road;
 - Vegetation planting to screen the major roads and dog kennels;
 - Building development standards to reduce noise;
 - Land capability reporting for effluent disposal; and
 - Notice to prospective purchasers at the time of subdivision regarding the location close to the heavy haulage traffic route and the dog kennels.
24. Subject to the applicant addressing underlying concerns, appropriately siting dwellings and including provisions to control development to the satisfaction of Council, it is recommended that the preliminary request to rezone the land be supported.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

RECOMMENDATION

THAT;

- i) subject, but not limited to, the following matters being addressed to the satisfaction of Council:
 - a) appropriate siting of new dwellings;
 - b) an independent noise assessment being undertaken to ascertain the level of noise created by the dog kennels, Albany Highway and the future Albany Ring Road to determine suitable setbacks and buffers to development;
 - c) an independent assessment, which addresses the demand for 'Rural Residential' land within this vicinity;
 - d) land capability reporting for effluent disposal;
 - e) limited access on to Albany Highway and the Ring Road;
 - f) vegetation planting to screen major roads and dog kennels;
 - g) building development standards to reduce noise; and
 - h) notice to prospective purchasers at the time of subdivision regarding the location close to the heavy haulage traffic route and the dog kennels; and

- ii) Council advises that it is prepared to entertain the submission of a formal application for rezoning Lot 6 Henderson Road, Drome from the 'Rural' zone to the 'Rural Residential' zone.

Voting Requirement Simple Majority

**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR WELLINGTON**

THAT;

- i) subject, but not limited to, the following matters being addressed to the satisfaction of Council:**
 - a) appropriate siting of new dwellings;**
 - b) an independent noise assessment being undertaken to ascertain the level of noise created by the dog kennels, Albany Highway and the future Albany Ring Road to determine suitable setbacks and buffers to development;**
 - c) an independent assessment, which addresses the demand for 'Rural Residential' land within this vicinity;**
 - d) land capability reporting for effluent disposal;**
 - e) limited access on to Albany Highway and the Ring Road;**
 - f) vegetation planting to screen major roads and dog kennels;**
 - g) building development standards to reduce noise; and**
 - h) notice to prospective purchasers at the time of subdivision regarding the location close to the heavy haulage traffic route and the dog kennels; and**

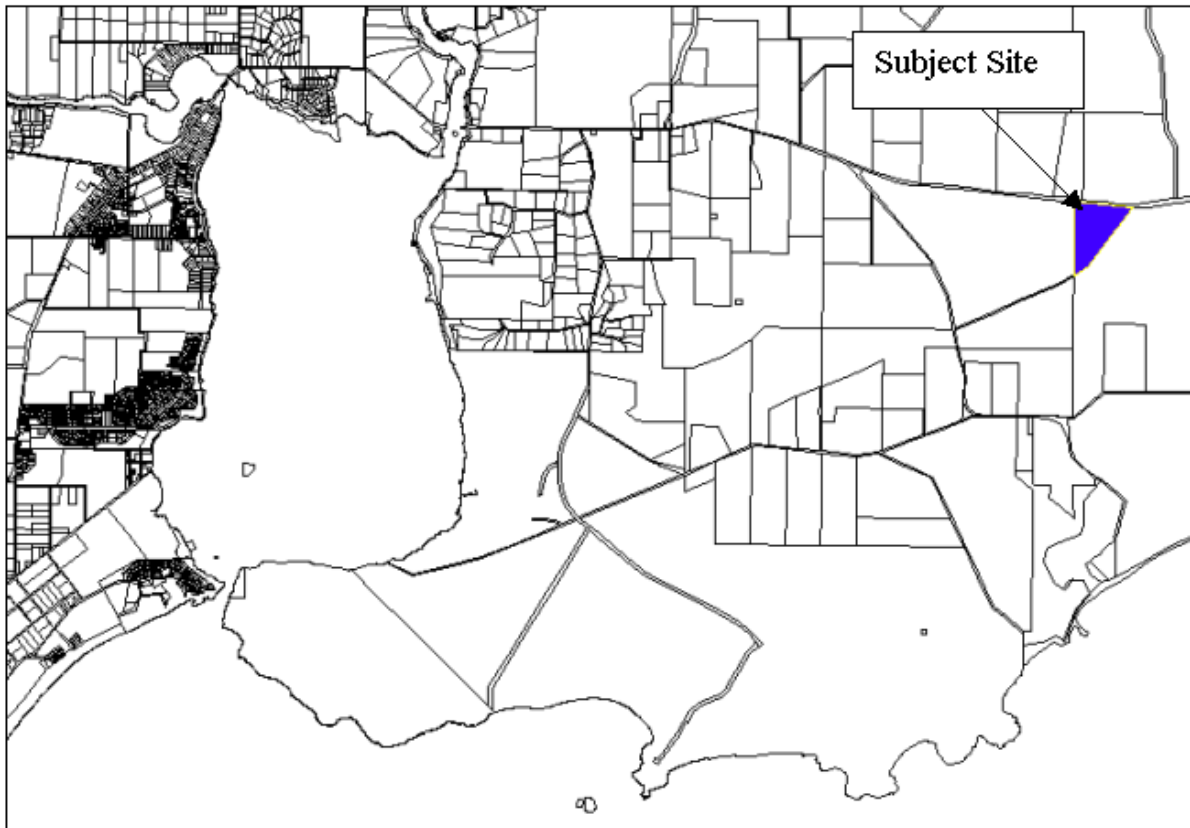
- ii) Council advises that it is prepared to entertain the submission of a formal application for rezoning Lot 6 Henderson Road, Drome from the 'Rural' zone to the 'Rural Residential' zone.**

MOTION CARRIED 12-0

DEVELOPMENT SERVICES REPORTS

11.3.3 Scheme Amendment Request – Lot 6511 Two Peoples Bay Road, Kalgan

File/Ward	:	SAR 094 (Kalgan Ward)
Proposal/Issue	:	Rezoning land from 'Rural' to 'Special Use'
Subject Land/Locality	:	Lot 6511 Two Peoples Bay Road, Kalgan
Proponent	:	Harley Survey Group
Owner	:	K Rost
Reporting Officer(s)	:	Planning Officer (A Nicoll)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Recommend Support
Bulletin Attachment	:	Scheme Amendment Request
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

BACKGROUND

1. A Scheme Amendment Request (SAR) has been lodged by Harley Survey Group seeking Council's preliminary support to rezone lot 6511 Two Peoples Bay Road, Kalgan from the 'Rural' zoning to a 'Special Use' zoning. The purpose being to accommodate additional uses (Restaurant, chalets and other) to those that are currently permitted in the Town Planning Scheme and Local Rural Strategy. A copy of the SAR is included in the Elected Members Report/Information Bulletin.
2. The SAR was referred to the Department for Planning and Infrastructure, the Department of Environment, the Water Corporation and the Health Department for comment.

STATUTORY REQUIREMENTS

3. A restaurant, is classified in the Town Planning Scheme 3, use class table as a 'use that cannot be permitted' a lot in the 'Rural' zone. A rezoning will therefore be required to accommodate that use.
4. A Scheme Amendment Request 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. More than three chalets on the 'Rural' zone are not permitted under the Local Rural Strategy. A rezoning will therefore be required in order to accommodate such a use.
7. Applicable State Planning Policies are the 'SPP1' (State Planning Framework Policy) and 'SPP2' (Environment and Natural Resources Policy). The primary aim of SPP1 is 'to provide for the sustainable use and development of land'. The primary aim of SPP2 is 'to protect and conserve the natural environment'. Local Government is to have regard for Statements of Planning Policy when preparing a Town Planning Scheme or Town Planning Scheme Amendment.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

9. The property is identified in the Albany Local Planning Strategy (DRAFT) as being suitable for 'General Agriculture'. To incorporate tourism uses in the 'General Agriculture' area the ALPS (DRAFT) document requires:
 - Protection of existing agriculture land from incompatible land use, developments and land management practices; and
 - Sustainable rural tourism uses and developments in locations that are compatible with existing land uses, especially agriculture activities.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

COMMENT/DISCUSSION

Agriculture

10. The soil structure of the property is predominantly ‘Dempster’, which is commonly sandy in nature and associated with a drainage course. Opportunities for agriculture are limited with this type of soil structure, hence the predominant use of the surrounding land is for tree farming.
11. The property is currently used for grazing, marron ponds and an extractive industry (sand). Pending further assessment, intensification for the purpose of tourism is not expected to impact on agriculture in the area. The following assessments are recommended:
 - Fire management to the adjacent tree farms (WAPC Policy DC3.7);
 - Appropriate setbacks to the surrounding tree farms;
 - Impact from the extractive industry; and

Tourism

12. The property has an approval for a Country Kitchen, which is currently operating and serving patrons. This service complements Lots 20 and 21 Two Peoples Bay Road located in close proximity to the property. Lot 20 has been rezoned to an ‘Additional Use’ zoning for the purpose of tourism related activities (Horse Riding instruction, small scale tea rooms, animal petting and feeding school camp, and caravan park) and Lot 21 is currently being rezoned to a ‘Special Use’ zone for the purpose of a caravan park.
13. A ‘Special Use’ zoning at Lot 6511 to accommodate a restaurant, more than three chalets and other related tourism activities are therefore expected to compliment the area as a tourist node.

Environment

14. The property fronts Two Peoples Bay Road, a major tourism link to Two Peoples Bay, and development of the site for tourism will need to be screened to a suitable standard.
15. The property is located within a ‘Potential Water Supply Area’ and appropriate management of the marron ponds, drainage and effluent disposal needs to occur.
16. Any new development and associated fire protection zones will need to be located in cleared areas to reduce the impact on native vegetation.
17. Subject to the applicant addressing the aforementioned concerns, it is recommended that the preliminary request to rezone the land be supported.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

RECOMMENDATION

THAT;

- i) subject, but not limited to, the following matters being addressed to the satisfaction of Council:
 - a) define all intended uses;
 - b) Inclusion of a development concept plan;
 - c) fire management to the adjacent tree farms;
 - d) appropriate setbacks to the surrounding tree farms;
 - e) impact from the extractive industry;
 - f) ongoing management of the marron farming; and
 - g) environmental assessment of the potential impact on the ground water; and

- ii) Council advises that it is prepared to entertain the submission of a formal application for rezoning Lot 6511 Two Peoples Bay Road, Kalgan from the 'Rural' zone to the 'Special Use' zone.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR JAMIESON**

THAT;

- i) subject, but not limited to, the following matters being addressed to the satisfaction of Council:**
 - a) define all intended uses;**
 - b) Inclusion of a development concept plan;**
 - c) fire management to the adjacent tree farms;**
 - d) appropriate setbacks to the surrounding tree farms;**
 - e) impact from the extractive industry;**
 - f) ongoing management of the marron farming; and**
 - g) environmental assessment of the potential impact on the ground water; and**

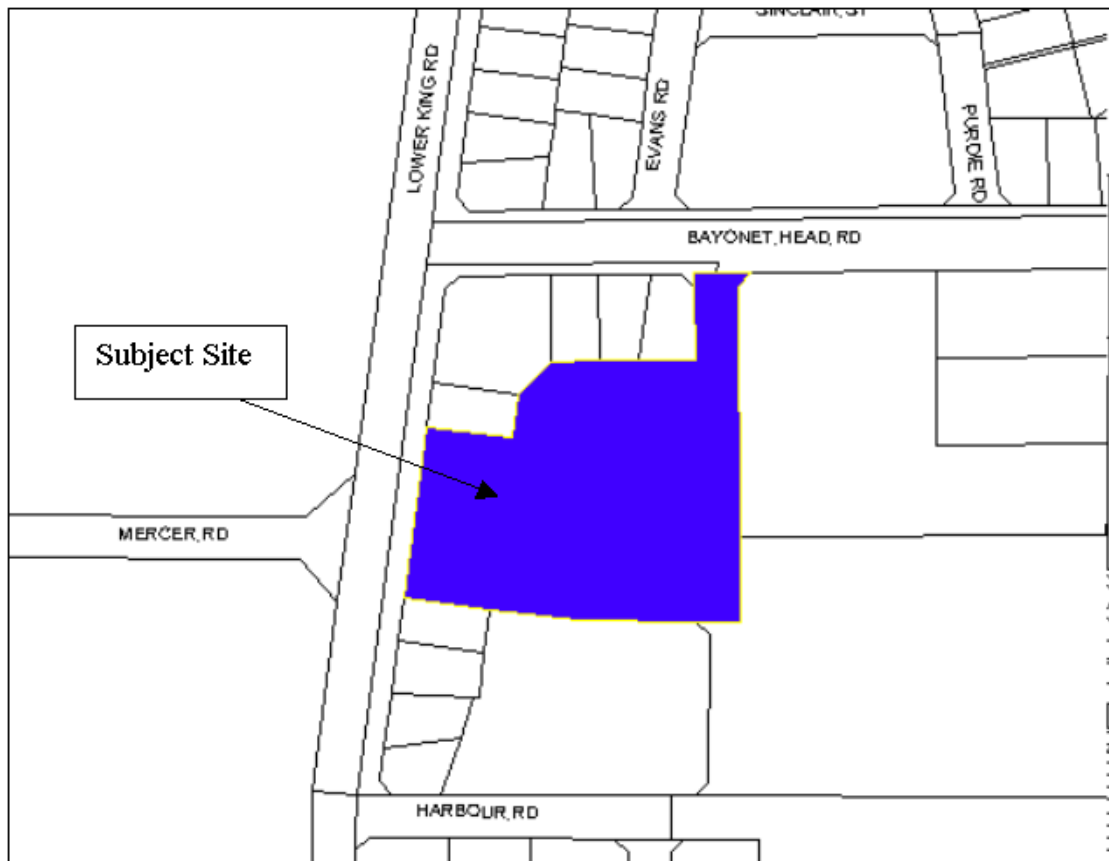
- ii) Council advises that it is prepared to entertain the submission of a formal application for rezoning Lot 6511 Two Peoples Bay Road, Kalgan from the 'Rural' zone to the 'Special Use' zone.**

MOTION CARRIED 12-0

DEVELOPMENT SERVICES REPORTS

11.3.4 Initiate Scheme Amendment – Lot 508 Bayonet Head Road, Bayonet Head

File/Ward	: AMD 256 (Yakamia Ward)
Proposal/Issue	: Initiate amendment application to modify the floor space restrictions for the Oyster Harbour Neighbourhood Shopping Centre site.
Subject Land/Locality	: Lot 508 Bayonet Head Road, Bayonet Head
Proponent	: Cardno BSD Pty Ltd
Owner	: Cuscuna Nominees Pty Ltd
Reporting Officer(s)	: Planning Officer (A Nicoll)
Disclosure of Interest	: Nil
Previous Reference	: OCM 17/1/2006 - Item 11.1.2
Summary Recommendation	: Initiate Amendment
Bulletin Attachment	: Amendment Documentation
Locality Plan	:



DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

BACKGROUND

1. At the Council meeting dated 17 January 2006 it was decided to:

“support the issuing of a Notice of Planning Scheme Consent for the development of Lot 508 Bayonet Head Road, Bayonet Head for Shops with a gross floor area of 4385m²..... direct staff to prepare a scheme amendment for Council consideration to modify the floor space restrictions for Oyster Harbour II, as depicted in Table 2 of Town Planning Scheme No. 3, from a maximum floor space of 600m² NLA to the approved floor space.”

2. Amending documents were subsequently submitted on the 26 April 2006 requesting to change the maximum net lettable area in Table II (TPS3) from 600m² to 4385m². A copy of the amending documents is included in the Elected Members Report / Information Bulletin.

STATUTORY REQUIREMENTS

3. The property is zoned ‘Local Shopping’ under Town Planning Scheme No. 3. In accordance with Table II (TPS3), Clause 5.23, the net lettable area (NLA) for a shopping centre in the Local Shopping Zone for Lot 508 Bayonet Head Road shall not exceed 600m² NLA.
4. The WAPC has introduced Statements of Planning Policy, including the State Planning Framework (SPP 1), which are endorsed under Section 5AA of the Town Planning and Development Act.
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 would be granted to that amendment.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

10. Council directed staff to prepare the scheme amendment, however, as the proponent has prepared the documentation, the standard application fee be waived in this instance.

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

STRATEGIC IMPLICATIONS

11. The following documents have a bearing on the decision making for this application:
 - The Commercial Strategy Review (2000);
 - The Albany Local Planning Strategy (Draft); and
 - The Retail Development Strategy (Draft).
12. Until the Retail Development and Albany Local Planning strategies have been finally adopted, the Commercial Strategy Review (2000), which has been adopted by the West Australian Planning Commission, remains the strategic decision-making framework for commercial development in the City of Albany.
13. The Commercial Strategy Review (2000) stipulates a maximum floor area for the 'Oyster Harbour II Shopping Centre' (Lot 508) of 600m² and recommends that 'future retail development should be directed to future neighbourhood centres and the extent of area zoned for retailing at Oyster Harbour (Lower King Road) reviewed'.
14. The Albany Local Planning Strategy (Draft) and the Retail Development Strategy (Draft) have taken on board the recommendations of the Commercial Strategy Review (2000) and identify the need for a Neighbourhood Centre in Bayonet Head.
15. The Retail Development Strategy (RDS) goes further to identify the 'Oyster Harbour II Shopping Centre' as being the preferred location for a Neighbourhood Centre for the Bayonet head Locality and that the Centre proposed centrally within the Bayonet Head Outline Development Plan area should be downgraded to a local centre.
16. Based on a demographic review, the Retail Development Strategy also makes a recommendation of approximately 1,800 – 2,500m² of floor area for the neighbourhood centre. As further noted 'this floor space is reasonably flexible, and does not necessarily include the floor space of the existing centre'.

COMMENT/DISCUSSION

17. The amendment seeks to provide a centre with nett lettable area (NLA) of 4,385m² at the Oyster Harbour II Shopping Centre. The proponent argues that this floor space is not likely to detrimentally affect adjacent owners and occupiers of local shops and will facilitate the already approved development, once a major tenant is secured.
18. The amendment seeks to ensure consistency between the Albany Local Planning Strategy, the recommendations made in the Commercial Strategy Review, the Retail Development Strategy and the already approved development application permitting a NLA of 4,385m².
19. More recent documentation suggests that the Oyster Harbour site is the better location for a neighbourhood centre. With an expected increase in the population within the Bayonet Head Area, it is considered appropriate to increase the permitted floor area to accommodate that demand.

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

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 modifying the floor space restrictions for the Oyster Harbour II site, as depicted in Table 2 of Town Planning Scheme No. 3, from a maximum floor space of 600m² NLA to 4385m² NLA and to reduce the floorspace for the Bayonet Head site to 600m².

Voting Requirement Simple Majority

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Councillor Lionetti declared an interest in this item and left the Chambers at 8.30pm. The nature of his interest is that he is the owner of a retail shop within this area.

Executive Director Development Services advised the Council that part of the last sentence within the recommendation had been removed.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR JAMIESON**

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 modifying the floor space restrictions for the Oyster Harbour II site, as depicted in Table 2 of Town Planning Scheme No. 3, from a maximum floor space of 600m² NLA to 4385m² NLA.

MOTION CARRIED 11-0

THAT Council resolves not to charge the proponent the planning fees required in respect to this application for rezoning.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR EVANS**

THAT Council resolves not to charge the proponent the planning fees required in respect to this application for rezoning.

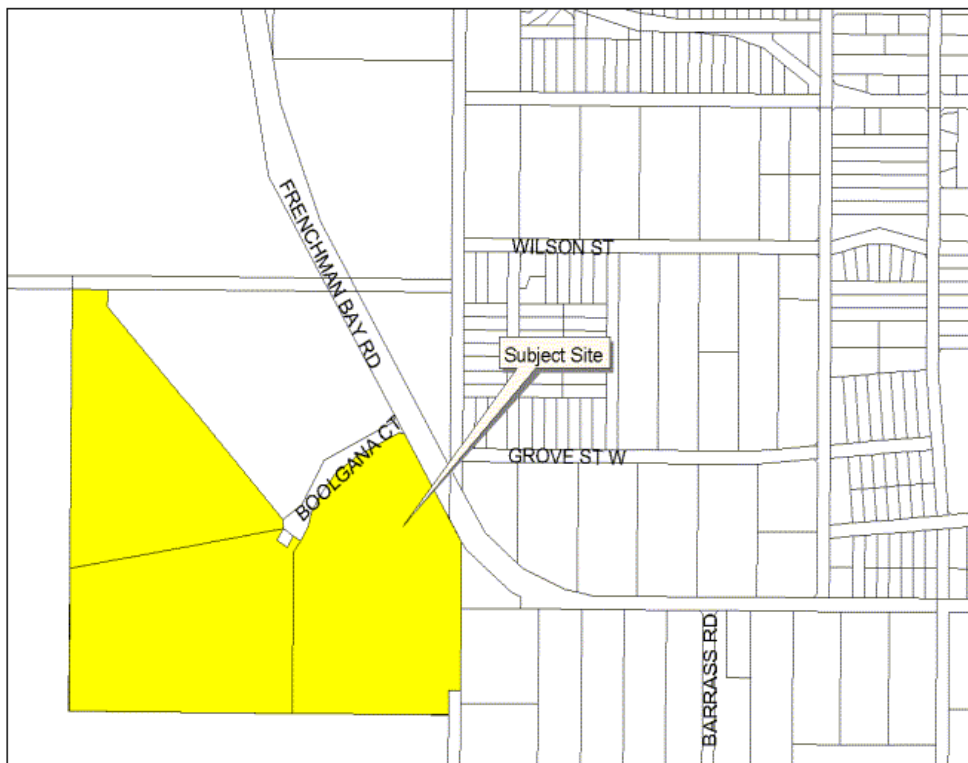
**MOTION CARRIED 10-1
ABSOLUTE MAJORITY**

Councillor Lionetti returned to the Chambers at 8.32pm.

DEVELOPMENT SERVICES REPORTS

11.3.5 Scheme Amendment Request – Lots 5, 6 & 7 Boolgana Court, Torndirrup

File/Ward	:	AMD 246 (Vancouver Ward)
Proposal/Issue	:	Lots 5, 6 & 7 Boolgana Court, Torndirrup
Subject Land/Locality	:	Lots 5, 6 & 7 Boolgana Court, Torndirrup
Proponent	:	Harley Survey Group
Owners	:	JL, HA, DC & AJ Paunich
Reporting Officer(s)	:	Planning Officer (A Nicoll)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 15/02/05 - Item 11.3.3 OCM 21/02/06 - Item 11.3.7
Summary Recommendation	:	Recommend protection of remnant vegetation
Bulletin Attachment	:	Letter from the office of the Commission of Soil and Land Conservation Agreement to reserve Conceptual subdivisional guide plan Fire Management Plan
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

BACKGROUND

1. The City received a letter from the office of the Commission of Soil and Land Conservation asking for comment regarding a request to discharge or vary an 'agreement' between the proprietor and the Commission of Soil and Land Conservation.
2. At it's meeting dated 15 February 2005 Council considered a Scheme Amendment Request to Town Planning Scheme No. 3 to rezone Lots 5, 6 & 7 Boolgana Court, Torndirrup from 'Rural' to 'Special Rural'
3. The proponent then lodged documentation requesting Council initiate the amendment. A report was written and submitted as an agenda item requesting initiation subject to selected building envelopes being relocated to existing cleared areas to reduce the impact on remnant vegetation. At the meeting the Executive Director Development Services advised that the item had been withdrawn after it was discovered that a soil conservation order had been registered over the land.

STATUTORY REQUIREMENTS

4. There exists an agreement in accordance with the Soil and Land Conservation Act, between the owner and the Commission of Soil and Land Conservation restricting land clearing and building envelopes and requiring fencing.

POLICY IMPLICATIONS

5. 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 Local Rural Strategy (1996)
6. 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.
7. The Local Rural Strategy acknowledges the significant value of the area in regards to its: visual sensitivity and need for fire and vegetation protection. As such, the document recommends the fragmentation of lots for further subdivision be not supported and that rezoning the area to 'Conservation' maybe supported.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

9. The subject site is identified within Council's Draft Albany Local Planning Strategy as 'Conservation'. The planning objective for land clearing as defined in ALPS (DRAFT) is:
"To minimise further land clearing through the use of mechanisms including controls and incentives".

DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

COMMENT/DISCUSSION

10. The current agreement to reserve under the *Soil and Conservation Act* allows for land clearing for a single building envelope within each existing lot (4 Lots/4 building envelopes). The conceptual subdivision guide plan presented as part of the request to lift or vary the agreement, illustrates 10 lots with building envelopes (10) located within the areas reserved under the agreement. Therefore, in order for the amendment to proceed to the satisfaction of the client, the agreement needs to be lifted or varied.
11. When the initial proposal to rezone the land was submitted, the Department of Environment and the Department for Planning and Infrastructure were concerned in relation to the protection of remnant vegetation on the site.
12. Council, at it's meeting dated 15 February 2005, requested that building envelopes be located in cleared areas to reduce the clearing of vegetation. The agenda item 21 February 2006 conveyed the same message by requesting certain lots be relocated to existing cleared areas, thereby reducing the impact on remnant vegetation.
13. Staff therefore recommend that the principle for the protection of remnant vegetation remain. Furthermore, the agreement should only be varied to accommodate the building envelopes in the partially existing cleared areas only.
14. For the amendment to proceed, the order will need to be varied. Council needs to determine whether the priority is the retention of vegetation or additional lot yield. It is difficult to achieve both.

RECOMMENDATION

THAT Council advise the Commissioner of Soil and Land Conservation that the principle for the protection for remnant vegetation on lots 5, 6 and 7 Boolgana Court should remain, and the agreement should only be varied to accommodate existing and future the building envelopes in the existing cleared areas.

Voting Requirement Simple Majority

.....

AMENDED RECOMMENDATION

THAT Council advise the

- i) Commissioner of Soil and Land Conservation that it supports the proposed variation to the 'Agreement to Reserve' as shown on Attachment A submitted by Harley Survey Group; and
- ii) proponent when preparing revised amendment documentation that the building envelope proposed for Lot G (south-eastern portion of Existing Lot 6) shall be located within an existing cleared area.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

ADDENDUM TO OFFICERS REPORT

COMMENT/ DISCUSSION

15. The Department of Agriculture and Food has sent a letter to the Department of Environment, the Department of Planning and Infrastructure and Council seeking comment on whether the existing Agreement to Reserve should be removed or varied. The Department has requested a response by 16 June 2006 and therefore given this deadline a decision on this issue at it's 20 June 2006 Council Meeting would be required. Staff have prepared additional information for Agenda Item 11.3.5 to assist Council in it's decision making process.

Variation to Reserve Agreement

16. In order to protect the future dwellings in the event of a bushfire, the attached plan (Attachment A) has been submitted by Harley Survey Group showing the extent of the area that will impact upon that land reserved under the Agreement with the Commissioner of Soil and Conservation.
17. The proponent is now proposing to locate the majority of building envelopes on the lower lying cleared land. Lots G and J have building envelopes well into the 'Agreement to Reserve' area (refer page 47 of the Bulletin), however the building envelope on Lot J has previously been approved by the former Shire of Albany and is predominantly cleared. The building envelope on Lot G is within a well vegetated area, and given the clearing requirements for fire protection, a large proportion of vegetation surrounding the envelope would need to be removed or parkland cleared.
18. As mentioned in Paragraph 10 of the officers report, under the current agreement an area of 2000m² can be cleared in each of the existing 4 lots. The proponent is prepared to relocate the building envelope designated on Lot G into the existing cleared area, leaving only the building envelope in Lot J to be located well within the reserve area.

19. Fire Requirements

The Planning for Fire Document released by FESA and the Western Australian Planning Commission contains acceptable and performance based criteria to determine adequate fire hazard separation distances. Under the acceptable criteria it recommends a 100 metres hazard separation zone for new subdivisions adjacent to an extreme fire threat. Under the performance criteria it states:

"Subdivision and development design to incorporate hazard separation zones to separate habitable buildings from extreme bush fire hazards in order to protect them from burning debris (spotting, airborne embers), radiant heat and direct flame contact."

20. As the majority of building envelopes are proposed to be pushed down slope from the remnant vegetation into cleared paddock areas (fire is less intensive and slower travelling down slope), a reduced fire threat will result. Staff and representatives from FESA have met with the consultant and are comfortable that a total hazard separation zone of 35 metres, inclusive of a 20 metre low fuel zone directly around the dwelling, would give adequate fire protection. This would be coupled with the requirement to build the house in accordance with Australian Standard 3959 (Dwellings in Bushfire Prone Areas) and provide an effective house sprinkler system. To cater for fire protection some encroachment into the 'Agreement to Reserve' will need to occur as shown on Attachment A.

DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

21. The overall loss of vegetation under the proposed variation, bearing in mind that Lot 6 and Lot 7 are permitted to have a 2000m² area of vegetation removed to cater for a building envelope is as follows:

Existing Lot 7 = 1 hectare – 2000m² allowed for clearing = @8000m²
Existing Lot 6 = 0.75 hectares – 2000m² allowed for clearing = @5500m²
Existing Lot 5 = 0.25 hectares = 2500m²
Existing Lot 4 = NIL
22. Approximate Total = 1.6 hectares additional vegetation to be cleared under variation to agreement, which represents around 6.5% of the vegetation (being 24.3 hectares) currently protected under the agreement.
23. To further clarify the extent of the variation to the agreement as requested by the proponent it is proposed that the staff recommendation be reworded (as per amended staff recommendation). This position reflects the earlier decision of Council to support a scheme amendment request. No specific environmental advice has been sought by Staff.
24. History – Subdivision & Agreement
The subject land has a long history as part of one of the oldest farms in the locality, and has been mainly used as a waste disposal site and for grazing cattle and horse agistment resulting in the extensive clearing of remnant vegetation over the years.
25. In April 1995 the WAPC imposed conditions on the subdivision of Location 962 into 4 lots ranging from 8 – 9ha following the Minister for Planning upholding an appeal by the land owner against the WAPC's refusal.
26. The implementation of the subdivision has resulted in some improvements in land management including the boundary of the subject land being fenced to stop direct access in to the National Park and with the removal of stock from the property the remnant vegetation has regenerated in some of the lower lying areas.
27. The existing Agreement to Reserve was placed on the subject site as a condition of approval as part of subdivision approval WAPC 95262. This subdivision created lots 4, 5, 6, & 7 Boolgana Court from Location 962 Frenchman Bay Road, Torndirrup in 1995. It was requested as a condition of subdivision by the WAPC following the determination of an Appeal on the subdivision application by the Minister for Planning at the time.
28. The proponent and Council officers have made enquiries with the local branch of the Department of Agriculture who was a signatory to the Agreement in 1995 as to why the Agreement was required in the first instance. It seems that at the time the land was zoned 'Rural' and there was no mechanism to prevent further clearing of the lot. The Agreement was put in place as a land management tool and was common practice at the time.

DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR JAMIESON**

THAT Council advise the Commissioner of Soil and Land Conservation that it does not support the proposal to vary the Agreement to Reserve on the grounds that:

- i) Council’s Local Rural Strategy recommends against the fragmentation of Lots 5, 6 and 7 Boolgana Court for further subdivision;**
- ii) Council’s Draft Albany Local Planning Strategy identifies the site as “Conservation”; and**
- iii) there has been no new information received from state government agencies to suggest that Council should support a variation that would be inconsistent with its planning strategies.**

MOTION CARRIED 12-0

Reason:

- The Department of Agriculture and Food has sought the views of Council. A response that is both rational and consistent with its adopted and proposed policies requires that Council support the retention of the Agreement to Reserve as it is until Council receives further advice from the relevant government agencies.

DEVELOPMENT SERVICES REPORTS

11.3.6 Final Approval to Scheme Amendment – Lots 1, 2, 30, 31, 102, 554, and 555 Cockburn Road, Mira Mar

File/Ward	:	AMD 152 (Frederickstown Ward)
Proposal/Issue	:	Formal request to rezone 1, 2, 30, 31, 102, 554, and 555 Cockburn Road, Mira Mar from “Residential R20” to “Residential R30”
Subject Land/Locality	:	Lots 1, 2, 30, 31, 102, 554, and 555 Cockburn Road, Mira Mar
Proponent	:	Dykstra Planning
Owner	:	Segal Pty Ltd
Reporting Officer(s)	:	Planning Officer (A Nicoll)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 20/09/05 - Item 11.3.5 OCM 20/12/05 - Item 11.3.6
Summary Recommendation	:	Grant Final Approval
Bulletin Attachment	:	Nil
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

BACKGROUND

1. Council previously supported the request to initiate the Amendment No.152 to increase the residential density of lots 1, 2, 30, 31, 102, 554, and 555 Cockburn Road, Mira Mar from R20 to R30 subject to a number of modifications, including the following:
 - The site refers to the draft Local Planning Strategy that was presented to Council in 2001, which is no longer valid and all references in the amendment document should be deleted;
 - The document refers to Knight Street as being constructed and suitable to provide access to the site, however the Knight Street road reserve is only 5 metres in width and caters for an open drain; and
 - The dual use path within the Knight Street road reserve is to be deleted from the Development Concept Plan, as the path would have no surveillance and will be unsafe for users particularly in hours of darkness.
2. The Amendment documents have now been modified as requested, assessed by the Environmental Protection Authority (EPA) and advertised to the public.

STATUTORY REQUIREMENTS

3. Council's resolution under the Town Planning & Development Act 1928 and the Town Planning Regulations 1967 is required to amend the Scheme.

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 other than a precedent that may be set for other properties with the intention to rezone their property to a higher density from residential R20 to R30.

COMMENT/DISCUSSION

7. At the close of advertising, eight letters were received, five of which had additional requests.
8. The EPA and DOE requested that the management for stormwater drainage, a soil study and an impact assessment to the neighbouring industrial activities be undertaken.

DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

9. Staff recommend that these comments be noted and in the event that the properties are developed, conditions can be included to manage stormwater drainage and require the lodgement of a geotechnical report to identify the soil characteristics (including any recommended treatment and filling levels). With regard to the potential pollution impact from the neighbouring industries, the properties are currently zoned Residential and there is no change in the potential impact from the neighbouring industrial activity. Any impacts from industrial activities will be managed as part of the development approval.
10. A concerning comment was made as to the impact of the higher density zoning on the controls currently in place for industrial development (eg. building materials and industrial types). Staff have noted the comment and recommend that the Town Planning Scheme 1A controls for the industrial development remain as they are.
11. I was also requested that future purchasers be advised of the industrial zoned land nearby. Staff have dismissed this request considering that industrial activities already exist nearby, and those businesses can be seen by prospective purchasers.
12. Requests were made to include Lot 72 Cockburn Road and Lot 27 Knight Street within this amendment application. Staff have recommended that these requests be upheld and Lots 1 and 72 Campbell Road also be included considering the fact that the properties are directly adjacent to the proposed rezoning area.
13. Subject to the above modifications being undertaken, staff support the increase in density over the land from Residential R20 to Residential R30.

RECOMMENDATION

THAT;

- i) Council grant final approval to Amendment 152 to the City of Albany Town Planning Scheme No 1A to rezone lots 1, 2, 30, 31, 102 554 and 555 Cockburn Road, Albany from “Residential R20” to “Residential R30”;
- 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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**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR MARSHALL**

THAT;

- i) Council grant final approval to Amendment 152 to the City of Albany Town Planning Scheme No 1A to rezone lots 1, 2, 30, 31, 102 554 and 555 Cockburn Road, Mira Mar from “Residential R20” to “Residential R30”;**
- 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 12-0

DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

Town Planning & Development Act 1928
Town Planning Scheme No. 1A- Amendment No. 152
Schedule of Submissions for Granting Final Approval for Scheme Amendment – Lots 1, 2, 30, 31, 102, 554, and 555 Cockburn Road, Mira Mar

No.	Submitter	Submission	Officer Comment	Council Recommendation
1.	Environmental Protection Authority. Westralia Square 141 St Georges Terrace, Perth, Western Australia	a) The EPA advised that assessments need to be done for stormwater drainage, acid sulphate soils and the potential impact from neighbouring industrial activities.	a) In the event that the properties are developed, conditions can be included to manage drainage and stormwater and to require the lodgement of a geotechnical report. The properties are currently zoned residential and therefore the potential pollution impact from the neighbouring industrial activity already exists.	a) Noted.
2.	Department of Environment 5 Bevan Street Albany, WA, 6330	a) As per the EPA advice.	a) As per comment made for EPA	a) Noted
3.	Western Power Business & Customer Services Branch Network Customer Service 85 Prinsep Road Jandakot, WA, 6164	a) No objection to the proposal.	a) Nil	a) Noted
4.	Water Corporation Lower Stirling Terrace PO Box 915 ALBANY WA 6331	a) No objection to the proposal.	a) Nil	a) Noted.
5.	Aaron St Jack 4 Aldex Street ALBANY 6330	a) Concerned about the impact of the higher density zoning on the potential for industry development	a) Controls on the development of industries on the nearby 'industrial zoned' land are not expected to change with the proposed density increase.	a) Noted
6.	D Pearson Professionals 256 York Street ALBANY 6330	a) A request has been made to advise future purchasers of the industrial zoned land nearby.	a) Industrial activities already exist nearby making it obvious of any relative impact to prospective purchasers.	a) Dismissed

DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

Town Planning & Development Act 1928
Town Planning Scheme No. 1A- Amendment No. 152
Schedule of Submissions for Granting Final Approval for Scheme Amendment – Lots 1, 2, 30, 31, 102, 554, and 555 Cockburn Road, Mira Mar

No.	Submitter	Submission	Officer Comment	Council Recommendation
7.	R Stockdale Asstock Pty Ltd PO Box 1604 ALBANY 6330	a) A request has been made to include lot 72 Cockburn Road within this amendment application.	a) The property is adjoining. It makes logic sense to include the property in the application.	a) Upheld. Require modifications to the amending documents to include lot 72 Cockburn Road. In addition, it is recommended to include the adjacent Lots 1 and 72 Campbell Road.
8.	Greg Stocks Sail Investments PO Box 1742 ALBANY 6330	a) A request has been made to include lot 27 Knight Street within this amendment application.	a) The property is adjoining. It makes logic sense to include the property in the application.	a) Upheld. Require modifications to the amending documents to include lot 27 Knight street. In addition, it is recommended to include the adjacent Lots 1 and 72 Campbell Road.

.....
CHIEF EXECUTIVE OFFICER

.....
DATE

DEVELOPMENT SERVICES REPORTS

11.4 RESERVES PLANNING

Nil.

11.5 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

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

COMMENTS / DISCUSSION

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

Municipal Fund			
Cheques	Totalling	\$280,719.15	
Electronic Fund transfer	Totalling	2,604,304.36	
Credit Cards	Totalling	10,251.89	
Payroll	totalling	738,717.68	
Total			<u>\$3,633,993.08</u>

- As at 1st June 2006, the total outstanding creditors, stands at \$252,270.52.
- Cancelled cheques – 022144

RECOMMENDATION

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

Municipal Fund	Totalling	<u>\$3,633,993.08</u>
----------------	-----------	-----------------------

Voting Requirement Simple Majority

.....

MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WELLINGTON
 THAT the following City of Albany accounts be passed for payment:-

Municipal Fund	Totalling	<u>\$3,633,993.08</u>
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MOTION CARRIED 12-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.1.2 Financial Activity Report

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

COMMENT/DISCUSSION

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

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

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

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.2 continued.

RECOMMENDATION

THAT Council note the attached Financial Activity Statement.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WATERMAN**

THAT Council note the attached Financial Activity Statement.

MOTION CARRIED 12-0

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.2 continued.

FINANCIAL ACTIVITY STATEMENT

May-06

	Actual Year to Date 31-May-06	Current Budget Year to Date 31-May-06	Budget Variance
OPERATING INCOME			
Rates	15,479,146	15,468,246	10,900
Grants & Subsidies	3,623,870	3,551,684	72,186
Contributions. Reimb & Donations	285,901	279,753	6,148
Fees & Charges	6,614,052	6,503,013	111,039
Interest Earned	866,225	884,750	(18,525)
Other Revenue / Income	971,388	965,077	6,311
Net Controlled Trust Revenue	158,353	109,273	
	27,998,934	27,761,796	188,058
OPERATING EXPENDITURE (excluding depreciation)			
Employee Costs	(8,844,146)	(9,093,990)	249,844
Utilities	(819,493)	(803,144)	(16,349)
Interest Expenses	(669,671)	(670,939)	1,268
Contracts & materials	(5,359,323)	(5,603,786)	244,463
Insurance expenses	(379,168)	(380,742)	1,574
Other Expenses	(3,587,631)	(3,915,574)	327,943
	(19,659,432)	(20,468,175)	808,743
CAPITAL INCOME			
Grants & Subsidies	1,560,858	1,503,506	57,352
Contributions. Reimb & Donations, Other	296,899	273,000	23,899
Proceeds from sale of assets	1,790,667	1,986,153	(195,486)
	3,648,425	3,762,659	(114,235)
CAPITAL EXPENDITURE			
Asset Masterplans	(4,292,334)	(4,806,047)	513,713
ALAC Redevelopment	(54,579)	(6,000)	(48,579)
Plant Replacement	(2,299,471)	(2,199,501)	(99,970)
Developers Subdivisions	0	0	-
Other Capital	(1,930,325)	(2,577,569)	647,244
	(8,576,710)	(9,589,117)	1,012,407
CASH FLOWS FROM FINANCING ACTIVITIES			
Loan Principal Repayment	(445,660)	(469,226)	23,566
Proceeds from Self Supporting Loans	23,287	35,488	(12,201)
Proceeds from new loans	0	0	-
	(422,373)	(433,738)	11,365
OTHER BALANCE SHEET ITEMS			
Change in stock position	497,452		
Change in Debtors	378,594		
Change in Creditors	547,687		
	1,423,734		
NET CASH FLOW	4,412,576		
Opening Cash balance	13,045,744		
NET CASH AT BALANCE DATE	17,458,320		

Item 12.1.2 continued.

Explanation of Variances on Financial Activity Statement – May YTD 2006

CAPITAL INCOME

Proceeds from Sale of Assets

Lost proceeds from postponed Land Auction (approx \$450k) offset by an increase in proceeds from Disposal of Plant of \$140k. Net Variance effect of \$310k reduction in proceeds.

CAPITAL EXPENDITURE

Asset Masterplans

Lower Denmark Road (\$370,000) Q4 Review item

Other Capital

Administration Building (\$230,000) Architect has advised that invoice should be forthcoming by the end of June.

Lower Denmark Bridge (\$148,000) Q4 Review item.

Car Park Construction (\$40,000) Q4 Review item.

CORPORATE & COMMUNITY SERVICES REPORTS

12.1.3 2005/06 Fourth Quarter Budget Review

File/Ward	: FIN 047 (All Wards)
Proposal/Issue	: Council requested to adopt the Fourth quarter Budget Review
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Manager – Finance (S Goodman)
Disclosure of Interest	: Nil.
Previous Reference	: Nil.
Summary Recommendation	: That Council adopt the Fourth quarter budget review.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. Council officers have reviewed the operating results for their areas and advised that there are a few required adjustments, particularly in cases where additional external funding has been received.
2. There is no net variance in the anticipated full year results

STATUTORY REQUIREMENTS

3. Under the Local Government Act, Section 6.8, a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
 - a. is incurred in a financial year before the adoption of the annual budget by the local government
 - b. is authorised in advance by a resolution (absolute majority required) or
 - c. is authorised in advance by the mayor in an emergency

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. Council has adopted a balanced budget for 2005/06 and resolved to transfer any budget surplus into the Masterplan Funding Reserve. If there were an end of year deficit, it would require funding from the following year's budget.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.3 continued.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

7. The following is information on significant proposed adjustments:

- a) Additional Roads to Recovery Revenue (06/07 Federal Budget) \$745,825
Transferred to Masterplan Funding Reserve for 07/08 program
- b) Roads Masterplan adjustments - offset by Grants or Masterplan Funding Reserve Transfers
 - Frenchmans Bay Rd \$72,374
 - Cape Riche Road -94,500
 - Nanarup Road 44,271
 - Lower Denmark Rd -370,000
 - Other Roads 36,799
- c) Land Sales for Masterplan (aborted auction) - deferred to 06/07 – offset by reserve transfer \$463,376
- d) Purchase of vehicles under contracts - \$109,039, offset by trade-ins
- e) Bridgeworks ex Main Roads - -\$148,000, offset by reduced grant
- f) Subdivisions by developers – delays in 0405 due to wet weather – 12 month retention bond returns deferred to early 0607 - \$499,950- book entry only.
- g) Flood Insurance Claim- ALAC April 05 - \$150,000, to be transferred to ALAC reserve

RECOMMENDATION

THAT Council adopt the Fourth quarter budget review.

Voting Requirement Absolute Majority

.....

<p>MOVED COUNCILLOR WELLINGTON SECONDED COUNCILLOR WATERMAN</p> <p>THAT Council adopt the Fourth quarter budget review.</p> <p style="text-align: right;">MOTION CARRIED 12-0 ABSOLUTE MAJORITY</p>
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CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.3 continued.

Description	Current Budget	Projected	Q4 Review
Additional Roads to Recovery Funding		(745,825)	(745,825)
T/F to Masterplan Reserve		745,825	745,825
Frenchman Bay Road	48,626	121,000	72,374
Frenchman Bay Road Funding	(48,626)	(94,400)	(45,774)
Transfer ex reserve	0	26,600	26,600
Cape Riche Road		40,500	40,500
Cape Riche Road		(40,500)	(40,500)
<u>Masterplan Roads</u>			
Nanarup	431,000	475,271	44,271
Connelly	32,000	38,906	6,906
King George	19,321	21,696	2,375
Queen	7,843	9,759	1,916
Le Grande	7,656	9,282	1,626
Argyle		2,223	2,223
Opal	10,902	14,879	3,977
Benson	40,000	44,354	4,354
Lancaster		14,300	14,300
Lower Denmark Rd	745,000	375,000	(370,000)
External Funding	(745,000)	(641,333)	103,667
Trans to reserves		131,185	131,185
Land Sales for Masterplan	(518,921)	(55,545)	463,376
T/F ex MP Reserve	(350,000)	(813,376)	(463,376)
Governance-Sale Of Plant	(348,665)	(401,937)	(53,272)
Governance-Purch.Plant	354,665	391,282	36,617
Rec'N-Sale Of Plant	(169,252)	(215,316)	(46,064)
Rec'N-Purchase Plant	271,669	320,067	48,398
Ranger-Sale Plant	(197,134)	(258,595)	(61,461)
Ranger-Purchase Plant	244,270	307,864	63,594
Planning-Purchase Plant	155,147	115,577	(39,570)
Planning-Sale Plant	(155,147)	(82,826)	72,321
Works - Sale of Plant	(568,703)	(589,265)	(20,562)
Bridges Grant Funding	(148,000)		148,000
Bridge - Lower Dmk	325,000	177,000	(148,000)
Emu Point Coastal Works	166,247	153,500	(12,747)
Grant funding	(98,404)	(92,550)	5,854
Subdivisions handed over by developers	1,107,950	608,000	(499,950)
Subdivision contributions	(1,107,950)	(608,000)	499,950
Flood - ALAC Insurance		(150,000)	(150,000)
Transfer to Reserve		150,000	150,000
Junction St		7,770	7,770
Fed Black Spot - Ulster	61,550	77,079	15,529
Carparking	100,000	60,000	(40,000)
State Black Spot - Ulster	48,765	57,363	8,598
Clydsdale RAB	30,000	44,996	14,996
Willyung Flood Mapping		15,199	15,199
Grant - Willyung Flood Mapping		(55,000)	(55,000)
T/F to reserve - Flood Mapping		39,801	39,801

12.2 ADMINISTRATION

Nil.

12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

CORPORATE & COMMUNITY SERVICES REPORTS

12.6 RECREATION SERVICES

12.6.1 Request to review Return on Investment requirements and pen fees – Emu Point Business unit

File/Ward	:	SER 187 (Breaksea Ward)
Proposal/Issue	:	Review of return on investment requirements
Subject Land/Locality	:	Emu Point Boat Harbour
Proponent	:	Emu Point Boat Pen Holder's Group
Owner	:	City of Albany
Reporting Officer(s)	:	Executive Director of Corporate & Community Services (P Madigan) Recreation Development Officer & Marine Services (M Weller)
Disclosure of Interest	:	Nil.
Previous Reference	:	OCM 18/05/04 – Item 12.2.3
Summary Recommendation	:	That Council Split the Emu Point Business Unit for budgeting purposes, fee increases are staged over a greater period of time and return on investment is discontinued after two years with surplus funds contributed to the reserve for replacement of pens.
Bulletin Attachment	:	Nil.
Locality Plan	:	Nil.

BACKGROUND

1. At the Ordinary Council Meeting of 21/12/04 Council resolved:
"THAT the draft Emu Point Business Plan be adopted"
2. The business plan addresses items such as:-
 - a. Boat pens – historical costs;
 - b. Replacement costs;
 - c. Facilities;
 - d. Land use planning;
 - e. Condition reports;
 - f. Fees and charges;
 - g. 15 year Financial Plan.
3. The plan included the following key assumptions:
 - i) as from 1st July 2004, Commercial Vessels be charged in accordance with the size of the pen occupied;
 - ii) effective immediately, pensioner discounts be discontinued for future pen holders, with existing discounts maintained;
 - iii) as from 1st July 2004, a financial assistance grant be extended to the Sea Rescue Squad equivalent to the pen fees levied;

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.1 continued.

- iv) as from 1st July 2004, all fees be increased to a comparable level to fees currently raised by the DPI and these be phased in over a 5 year period;
- v) in order to provide for future long term maintenance and redevelopment, operating surpluses by transferred to the Emu Point Boat Harbour Reserve, on an annual basis with operation losses being met from this account;
- vi) the pen fees have been adjusted to ensure that City rates equal DPI rates within 4 years. It is assumed existing pensioner discounts on 22 boats will be phased out over 10 years as new boat replace the existing pensioner boats;
- vii) allowance has been made to replace the pens in 20 years at a cost of \$370,000;

viii) allowances have been made for City business rules as follows:-

- City administration costs \$4,000 per years;
- Return on investment at 10.5% (on \$384,000); and
- Tax equivalent payment 30%.

A typical year therefore would show

• Total income	\$109,000
• Operating expenditure	(10,500)
• Pen replacement T/F to res	(14,500)
• City administration	(4,000)
• Return on City investment	(40,000)
• Tax equivalent payment	(12,000)
• Net add transfer to Reserve	\$28,000)
• after tax income ; and	

ix) risk factors

Pen vacancy rate

No allowance has been made for vacancies. The waiting list is currently 15 boats.

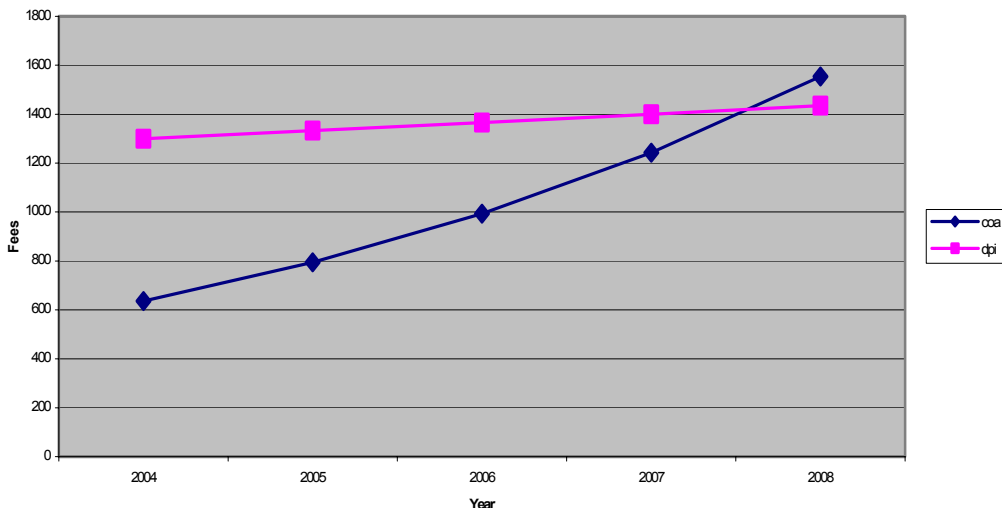
Impact on Albany Harbour project

No negative impact is expected. If DPI shut down their existing pens in favour of spots on the Albany Foreshore, demand for Emu Point berths would be expected to increase.

Physical damage to infrastructure

Existing facilities are fully insured to allow for replacement if necessary. Recent technology of floating jetties would be cheaper than the existing infrastructure. The city carried limited business interruption insurance.

4. The plan called for the following average fee increase for boat pens:



CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.1 continued.

5. As part of the fee review process a meeting was called with Pen Holders to inform them of the proposed fee increases and 06/07 budget.
6. Pen Holders formed an Emu Point Boat Pen Holder's Group and forwarded a letter to council raising nine issues in relation to the business unit (shown in italics) these issues these are addressed as follows:

1. *The group accepts a policy of Full cost recovery for all recreation facilities.*

Council does not have a policy of full cost recovery for all recreation facilities, some recreation facilities such as the Albany Leisure and Aquatic Centre and Cricket Fields are operated at a deficit, some facilities such as the Hockey Turf are operated at a break even and some such as the ALAC Gymnasium and Emu point business unit are operated under a return on investment.

2. *Boat Pen fees to reflect actual costs*

The current basis for Pen fees and costs has been set out earlier in this item.

3. *Boat Pens stakeholders do not agree with and will not support the City of Albany claiming any return on investment for recreational facilities, i.e. Emu Point Boat Pens*

The City of Albany currently has a policy of claiming a return on investment at 10.5% (on \$384,000) of 40,300.

After review it is proposed that from 2006/2007 the business unit be split for budgeting purposes. This gives a return on investment requirement of \$28,511 for the boat pens, based on \$262,692 spent on Pens Refurbishment in 97/98 and \$8845 spent on lighting in 2002.

The other elements of the business unit (leases etc) would retain a return on investment requirement of \$11,789 based on \$112,463 invested in their infrastructure.

It is noted that forward planning City budget estimates take into account income from these returns on investment.

After review it is recommended that the \$28,511 return on investment on boat pens is discontinued after two (2) years and surplus is contributed towards the replacement of the pens. To ensure the amount contributed is adequate for future replacement.

4. *Boat Pens stakeholders require the City of Albany to involve their members in any tendering process relating to the pens and that all work that is done is put out to open tender*

The group has clarified that they wish to tender/ quote to complete maintenance work at the pens. The group would be able to quote and tender on works subject to:

- supplying proof that they are incorporated, have appropriate insurance, qualifications and equipment to do the works
- they do not serve on any quotation/ tender evaluation panel

It is noted that the majority of minor works are completed by the City of Albany trades and Building department without being submitted for external quotation.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.1 continued.

5. *No work is carried out until consultation and agreement has been reached with the Boat Pens Stakeholders committee*

Maintenance to be completed on the pens is based on reports completed by Martin Seerle, GHD and ongoing assessment by the City of Albany Works and Services Department. As the City of Albany holds the lease for the pens it is ultimately responsible that they are maintained.

While the stakeholders group will be consulted in relation to unplanned major additions, improvements or maintenance, the final decision rests with the City of Albany.

The Pen holder's group have suggested that maintenance could be increased on the facility so that its replacement is never required.

This claim is not supported by the Seerle report. It is not recommended that funds be expended on further engineering studies.

6. *To facilitate clauses 4 and 5 the group agrees to meet with senior management who are directly concerned with the Emu Point Boat Pens*

The group have met with the Executive Director for Corporate and Community Services.

7. *Boat Pens Fees directly relate to Boat Length*

Boat pen fees currently relate to pen length. This system is seen as the most efficient for long-term pens. Pen holders are able to house a smaller boat in a larger pen according to their requirements (i.e. greater manoeuvrability requirements) as long as they pay for the larger pen size. Any benefits from system charging fees based on boat length would be offset by administration difficulty in ensuring all boats were housed at all times in appropriately sized pens and customer inconvenience as a result of frequent movements of vessels from pen to pen as different sizes became available.

8. *Boat Pens Stakeholders to allocate Pens*

The ultimate responsibility for ensuring vessels allocated with a pen comply with local law, insurance, payment and documentation requirements and that pen allocation is fair and without bias rests with the City of Albany.

As such it is recommended pen allocation remains with the City of Albany.

On being granted a pen new pen, pen-holders are directed to the resident Authorised officer for familiarisation. Any current pen-holders requests for pen reallocation are considered when a pen becomes available, before persons on the waiting list are offered a pen.

9. *Pensioner fees at 50% rate and limited to ten pens and one per family*

Council's current adopted policy is for those currently receiving pensioner discount to continue to do so and the discount is to be phased out with no new pensioner discounts are to be offered.

STATUTORY REQUIREMENTS

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

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.1 continued.

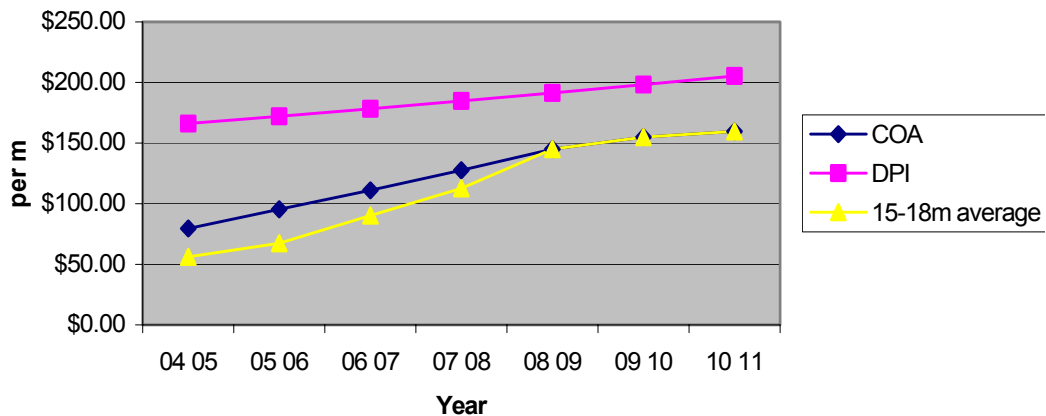
POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

- 9. As part of a review for the budget it was found that smaller pens were being charged proportionally more than larger pens. It was proposed that two new categories (15m and 18m) be introduced to more equitably spread the fees across the pen sizing categories. It is proposed that the price of the categories is phased in until they are comparable with other sized pens
- 10. A review has been conducted to determine the effects should council agree with the recommendation to split the business unit for budgeting purposes.
- 11. Potential consumer price sensitivity has been taken into account and it is recommended that the price increases are phased in over a greater period of time.
- 12. The review gives the proposed fee increases over time (includes the effect of CPI):

Comparitive Fees (per m)



*Note on assessing comparative fees – DPI fees have been used because their operational model is based on proven full cost recovery

11. The following fee structure would result for the 06/07 financial year:

<u>Emu Point Pens</u>		
Pens - to 8m in length	per month	\$89
	per 6 months	\$522
	per 12 months	\$888
Pens - to 9m in length	per month	\$101
	per 6 months	\$568
	per 12 months	\$999
Pens - to 10m in length	per month	\$111
	per 6 months	\$632
	per 12 months	\$1,110

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.1 continued.

Pens - to 10.5m in length	per month	\$116
	per 6 months	\$664
	per 12 months	\$1,166
Pens – to 13.2 m in length	per month	\$145
	per 6 months	\$823
	per 12 months	\$1,443
Pens – to 15m in length	per month	\$148
	per 6 months	\$838
	per 12 months	\$1,470
Pens – to 18m in length	per month	\$152
	per 6 months	\$861
	per 12 months	\$1,510

12. The 06/07 budget would be amended as follows:

Pens

06 07	Proposed	Expenditure	Income
T/F Ex Res--Boat Pens Replace		669	
Emu Pt-Boat Pens Income			53,780
Boat Pens Maint - Emu Point		3,000	
Boat Pens Electrical		4,500	
Emu Pt Boat Pens-Utilities		3,600	
Emu Point Admin/Compliance		13,500	
Emu Point - City Investment		28,511	
		53,780	53,780

Leases/other

06 07	Expenditure	Income
T/F Reserve (leases maint)		
Building Maint - Emu Point	3,500	
Other utilities	500	
Admin/Compliance	500	
City Investment	11,789	
Emu Point Maritime Leases		16,850
Fish cleaning station/ other	561	0
	16,850	16,850

STRATEGIC IMPLICATIONS

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

“Community Vision:

Albany’s community will enjoy economic growth and outstanding opportunities for our youth through.....excellent community infrastructure and services.

Mission Statement:

The City of Albany is committed to...sustainably managing Albany’s municipal assets.

Priority Projects:

Maritime Services Plan.”

COMMENT/DISCUSSION

15. Council were briefed in relation to this item 6th June 2006

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.1 continued.

RECOMMENDATION

THAT;

- i) from the 1st July 2006 the Boat Pens and Leases/ Other sections of the Emu Point Business Unit be split for budgeting purposes;
- ii) the return on investment requirement is altered to \$28,511 per annum for the boat pens, based on 10.5% on \$262,692 spent on Pens Refurbishment in 97/98 and \$8,845 spent on lighting in 2002;
- iii) the leases/ other elements of the business unit retain a return on investment requirement of \$11,789 per annum based on 10.5% of \$112,463 invested in their infrastructure;
- iv) that given predicted price sensitivity the fee increases are phased in over a greater period than adopted in the Emu Point Business Plan, as per the financial section of this item;
- v) the 2006/2007 fees and charges and budget are amended as per the financial implications section of this item and presented to council for adoption with the 2006/2007 budget;
- vi) the boat pens are to continue to be operated in line with councils adopted business rules, including the requirement to cover all outgoings, return on investment (for two years), admin/ compliance and transfer to reserve for future replacement;
- vii) The return on investment for boat pens (\$28,511) be discontinued after two (2) years and contributed to maintenance and pens replacement; and
- viii) An updated estimate of replacement costs is obtained for the purpose of calculating funds contributed to reserve in years 2008/09 & onwards.

Voting Requirement Absolute Majority

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR JAMIESON**

THAT Council immediately enter into negotiations with the Department of Planning and Infrastructure to relinquish the lease relating to the Emu Point Boat Pens at its expiry on 21 August 2007 with the objective of having DPI own and operate the facility in conjunction with the commercial pens at Emu Point which it already operates.

MOTION LOST 5-7

Reason:

- The management of the Emu Point Boat Pens is definitely not a core function of the Council and indeed should not be competing for resources with the core Council community functions such as the Library, Town Hall Theatre, Leisure and Aquatic Centre and community playgrounds.
- These legitimate community services are accessible by all sections of the community, not the relatively few boat owners that are seeking to obtain subsidised use of a facility that houses boats, certainly luxury items in the context of the entire Albany population.
- One of the core functions of the DPI is to manage these types of facilities and they obviously set charges, without subsidy, to cover the true cost of operating and replacing them.
- Council should therefore divest its involvement in this facility.

Item 12.6.1 continued.

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WATERMAN**

THAT this item lay on the table for one month to allow the Emu Point Boating Group to address the Council at the next briefing session.

MOTION CARRIED 9-3

Councillor Lionetti left the Council meeting at 8.57pm.

CORPORATE & COMMUNITY SERVICES REPORTS

12.6.2 Senior Entry Concessions – ALAC

File/Ward	:	SER 001 (All Wards)
Proposal/Issue	:	Council consider the introduction of the Seniors card and/or re-introduction of the spectator fee.
Subject Land/Locality	:	Albany Leisure and Aquatic Centre, Barker Rd, Albany.
Proponent	:	City of Albany
Owner	:	City of Albany
Reporting Officer(s)	:	Manager, Albany Leisure and Aquatic Centre (D Schober)
Disclosure of Interest	:	N/A
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the introduction of a discount (concession rate) for Seniors card holders and re-introduces the spectator fee of \$1.00 to offset this loss of income. OR That Council rejects the introduction of a discount for Seniors card holders and rejects the re-introduction of the \$1.00 spectator fee.
Bulletin Attachment	:	N/A
Locality Plan	:	N/A

BACKGROUND

1. A request has been received for discounted entry to Albany Leisure & Aquatic Centre to be extended to all seniors and self funded retirees.
2. The Albany Leisure and Aquatic Centre currently provides discount entry for holders of the Commonwealth Department of Family and Community Services Pension Card's only.
3. The Centre does not provide a concession rate for Senior card holder's and charges full admission and membership rates in line with current City of Albany fees and charges.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.2 continued.

FINANCIAL IMPLICATIONS

6. If ALAC were to offer concession entry for aged pensioners and Commonwealth pension card holders the resultant decrease in operating revenue is estimated to be between \$15,000 to \$18,000 per annum. This reduction is a result of discounted memberships, multi-visit passes and casual entries to the Centre.

STRATEGIC IMPLICATIONS

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

“Community Vision: a Healthy City” Albany’s community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through...

- Diverse and affordable cultural, recreational and sporting opportunities.

Mission Statement:

The City of Albany is committed to...Sustainably managing Albany’s municipal assets, and ...Delivering excellent community services.

Priority Projects:

N/A.”

COMMENT/DISCUSSION

8. Prior to 2000 the Albany Leisure and Aquatic Centre charged a spectator fee of \$1.00 for all persons entering the centre to spectate fixtures and events. Upon adoption of the 2000/2001 budget Council voted to remove the fee. It was suggested that by abolishing the spectator fee Parents, family members and friends would be encouraged to spectate at junior sporting fixtures and events conducted at ALAC, rather than dropping off their children to avoid paying the \$1.00 entry fee.
9. Last calendar year the Centre recorded 38,328 visitations by spectators. If ALAC was to charge spectators a \$1.00 entry fee this equates to an increase in revenue of \$38,328 each financial year.
10. Were Council to agree to the request, it would be possible to bring about a cost neutral situation through the reintroduction of an appropriate spectator fee.

RECOMMENDATION

THAT Council accepts the introduction of a discount (concession rate) for Seniors card holders and re-introduces the spectator fee of \$1.00 to offset this loss of income,

OR

THAT Council rejects the introduction of a discount for Senior’s cardholders and rejects the re-introduction of the \$1.00 spectator fee.

Voting Requirement Simple Majority

Item 12.6.2 continued.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WALKER**

THAT Council rejects the introduction of a discount for Senior's cardholders and rejects the re-introduction of the \$1.00 spectator fee.

MOTION CARRIED 9-2

CORPORATE & COMMUNITY SERVICES REPORTS

12.6.3 Albany Leisure and Aquatic Centre Upgrade – Contract Variation

File/Ward	:	C05027, C05027B MAN 167(All Wards)
Proposal/Issue	:	Albany Leisure and Aquatic Centre (ALAC) Upgrade
Subject Land/Locality	:	Albany Leisure and Aquatic Centre (Barker Rd.)
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Corporate and Community Services (P Madigan) Manager City Services (I Neil) Recreation Development Officer and Marine Services (M Weller)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 17/06/03 - Item 12.2 OCM 07/08/03 - Item 12.2 OCM 12/12/03 - Item 12.2 OCM 15/06/04 - Item 12.6 OCM 15/02/05 - Item 12.6 OCM 19/04/05 - Item 12.6 OCM 16/08/05 – Item 12.6
Summary Recommendation	:	That contracts C05027 and C05027B be varied to reflect the increased cost of the ALAC Upgrade
Bulletin Attachment	:	Nil
Locality Plan	:	N/A

BACKGROUND

1. Council has awarded contracts for the upgrade of the Albany Leisure and Aquatic Centre in Barker Road. These contracts are for Supervising Architect, awarded to Donovan Payne and Quantity Surveyor, awarded to Ralph Beattie Bosworth.
2. Estimated costs for the project have escalated and the contractors have requested a variation to their contracts to reflect this fact.

STATUTORY REQUIREMENTS

3. Variations to major conditions of contracts must be adopted by Council

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. The amended contract prices are with the allocated funds for this project.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.3 continued.

STRATEGIC IMPLICATIONS

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

“Community Vision:

A healthy City, Albany's Community will enjoy... Diverse and affordable cultural, recreational and sporting opportunities.

A thriving City, Albany's community will enjoy... excellent community infrastructure and services.

City of Albany Mission Statement

The City of Albany is committed to... Making a difference for Albany by ... Sustainably Managing Albany's municipal assets, Delivering excellent community services, Actively keep abreast of best practice; Respect(ing) the Communities Aspirations and resources.

Priority Projects

City Facilities Project 31. Albany Leisure and Aquatic Centre.”

COMMENT/DISCUSSION

7. The scope of the work to be undertaken for this project has changed significantly, as a result our appointed contractors have requested that the scope of the work within their contracts is varied accordingly.
8. Council's officers have travelled to Perth and have held detailed discussions with the contractors.
9. It is important that increased scope of works is reflected in the contracts. Without Council amending the contract now the design development stage cannot continue. Any delays to the project will result in estimated escalation of \$140,000 per month.
10. The recommended negotiated increase to the contract amounts are:-
- Supervising Architect (Donovan Payne) \$75,000
(\$30,000 design/development stage & maximum of \$45,000 for design documentation)
 - Quantity Surveyor (Ralph Beattie Bosworth) \$49,500
11. These fees reflect additional work required and are deemed by the staff concerned to be fair and reasonable.

RECOMMENDATION

THAT Contract;

- i) C05027 (Provision of Architectural and Consulting Service, Albany Leisure and Aquatic Centre Upgrade) be varied to reflect the additional scope and additional fees of \$75,000 ex GST (*\$30,000 design/development stage & maximum of \$45,000 for design documentation*); and
- ii) C05027B (Provision of Quantity Surveying Services, Albany Leisure and Aquatic Centre Upgrade) be varied to reflect the additional scope and additional fees of \$49,500 ex GST.

Voting Requirement Absolute Majority

Item 12.6.3 continued.

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR WISEMAN**

THAT Contract;

- i) C05027 (Provision of Architectural and Consulting Service, Albany Leisure and Aquatic Centre Upgrade) be varied to reflect the additional scope and additional fees of \$75,000 ex GST (\$30,000 *design/development stage & maximum of \$45,000 for design documentation*); and**
- ii) C05027B (Provision of Quantity Surveying Services, Albany Leisure and Aquatic Centre Upgrade) be varied to reflect the additional scope and additional fees of \$49,500 ex GST.**

**MOTION CARRIED 11-0
ABSOLUTE MAJORITY**

CORPORATE & COMMUNITY SERVICES REPORTS

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

12.7.1 Disability Services & Community Access Advisory Committee meeting minutes – 19th April 2006

File/Ward	:	MAN 134 (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 Disability Services & Community Access Advisory Committee held on 19 th April 2006 be adopted.

RECOMMENDATION

THAT the minutes of Disability Services & Community Access Advisory Committee held on 19th April 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WOLFE**

THAT the minutes of Disability Services & Community Access Advisory Committee held on 19th April 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.7.2 Seniors Advisory Committee meeting minutes – 20th April 2006

- 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 20th April 2006 be adopted.

RECOMMENDATION

THAT the minutes of Seniors Advisory Committee held on 20th April 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR MARSHALL
SECONDED COUNCILLOR JAMIESON**

THAT the minutes of Seniors Advisory Committee held on 20th April 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.7.3 Albany Arts Advisory Committee meeting minutes – 12th April 2006

- File/Ward** : MAN 116 (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 Arts Advisory Committee held on 12th April 2006 be adopted.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 12th April 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR PAVER**

THAT the minutes of Albany Arts Advisory Committee held on 12th April 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.7.4 Albany Arts Advisory Special Committee meeting minutes – 3rd May 2006

- File/Ward** : MAN 116 (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 Arts Advisory Special Committee held on 3rd May 2006 be adopted.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Special Committee held on 3rd May 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR PAVER**

THAT the minutes of Albany Arts Advisory Special Committee held on 3rd May 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.7.5 Albany Arts Advisory Committee meeting minutes – 10th May 2006

- File/Ward** : MAN 116 (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 Arts Advisory Committee held on 10th May 2006 be adopted.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 10th May 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR PAVER**

THAT the minutes of Albany Arts Advisory Committee held on 10th May 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.7.6 Albany Town Hall Theatre Advisory Committee meeting minutes – 31st May 2006

- 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 31st May 2006 be adopted.

RECOMMENDATION

THAT the minutes of Albany Town Hall Theatre Advisory Committee held on 31st May 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR MARSHALL**

THAT the minutes of Albany Town Hall Theatre Advisory Committee held on 31st May 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

12.8 COUNCIL REPRESENTATION

Nil.

Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 CITY ASSETS - ASSET MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.2 CITY SERVICES – WASTE MANAGEMENT

13.2.1 Waste Minimisation Strategy

File/Ward	: C02061, C2062A, C02062B, SER 154 (All Wards)
Proposal/Issue	: Review the past two years of the Waste Minimisation Strategy
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Manager City Services (I Neil)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council vary contracts C02061, C2062A and C02062B as outlined in the report.
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. In May 2003 Councils Waste Minimisation Strategy as adopted by Council was put into operation. The strategy introduced significant change to operations of waste minimisation.
2. To assist in the implementation of the strategy Council awarded contracts to Brambles (Cleanaway) and to Vancouver Waste Services.

STATUTORY REQUIREMENTS

3. Regulation 11 of the Local Government (Functions & General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be more than \$50,000.
4. Major variations to the contract arising from the above should be considered by Council

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. The introduction of these variations will increase the cost of provision of the service by Council. The increased cost has been allowed for in the current budget and also in the draft budget for next financial year.

WORKS & SERVICES REPORTS

Item 13.2.1 continued

STRATEGIC IMPLICATIONS

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

“Community Vision:

Albany’s community will enjoy economic growth and outstanding opportunities for our youth through excellent community infrastructure and services

Mission Statement:

The City of Albany is committed to sustainably managing our municipal assets and delivering excellent community services

Priority Projects:

Stabilise landfill streams and maximize diversion of waste from landfill”.

COMMENT/DISCUSSION

8. The success of the waste minimisation strategy has relied on the following
- Support by council
 - Good operational management including financial control
 - Responsible contract management, and
 - The community embracing change
9. In all these areas the City has performed well and is reflected in the amount of waste being diverted and the fact that at this stage there is no pressure to increase the waste charge to ratepayers.
10. The strategy is funded mainly from an annual charge against ratepayers, the urban charge is \$199 and the rural charge is \$35. Other income sources are Government Grants and user pay charges at the greenwaste processing site and landfill.
11. Cleanaway Contract
The largest contractual relationship is with Brambles (trading as Cleanaway). The relationship with Cleanaway is professional and positive in what is a complex and multi functional environment. The contract has completed two years of an eight-year term.
12. Some time ago the City received a request for a rate increase under the terms of the contract. The contract states that any request for a variation in price must include the relevant cost components impacting on the price and the proposed new rate on an item-by-item basis. The City is satisfied that Cleanaway have met these conditions with its claim.
13. The Contract states that the City has the right to “refuse, approve or approve subject to conditions” such a claim.
14. That claim submitted was based on a “Rise and Fall” calculation using indexes relating to Labour, Fuel and Oils, Material and Maintenance and Capital and Investment return. These indexes were relevant and the rates have been verified. The impact on the contract is an increase of 4.79%

WORKS & SERVICES REPORTS

Item 13.2.1 continued

15. The claim is for the financial year 05/06. In view of the operating environment over the last twelve months, particularly the increase in fuel prices it is felt the amount is justified.
16. Vancouver Waste Services Contract
The Contract for the processing of greenwaste was awarded to Vancouver Waste Services for period of five years. Vancouver derives its income from funds it charges its customers. Council set the fee structure when it awarded the contract. The fees (ex GST are)

Cleanaway Greenwaste (via the kerbside pick up)	\$ 4.00
Greenwaste pass recoups	\$ 4.00
Domestic users (without a greenwaste pass)	\$ 6.00
Commercial Users	\$10.00
City of Albany	\$10.00
17. Vancouver has also asked for an increase in rates, as is its right under the contract. Any increase in rates will mean an increase in the charges outlined above.
18. We have discussed with the contractor a range of options regarding the level of fees for greenwaste
19. The following schedule of fees is viewed as reasonable under the circumstances.

Cleanaway Greenwaste (via the kerbside pick up)	\$4.31
Greenwaste pass recoups	\$8.00
Domestic users (without a greenwaste pass)	\$8.00
Commercial Users	\$8.00
City of Albany	\$8.00
20. This fee schedule introduces a flat fee for user pay services and applies a CPI index to the Cleanaway Greenwaste.
21. Whilst the charges for domestic users have increased the commercial rates have decreased. Overall this represents an increase in income of approximately 10% on current quantities.
22. This offer although less than requested by the operator, is practical and reasonable in the current environment.
23. It is recommended that Council offer this increase to the contractor.
24. The Greenwaste processing contract does not contain an indexing clause and it is recommended that the contract be varied to include a CPI increase in relation to the processing charge for Cleanaway Greenwaste. All other charges cannot be changed with out the approval of Council.

WORKS & SERVICES REPORTS

Item 13.2.1 continued

RECOMMENDATION

THAT Council;

i) approves an increase of 4.79% be granted to Cleanaway for its contracts for waste management services for the 2005/06 financial year and the contracts (C02061 and C02061A) be varied to insert a Rise and Fall Clause subject to satisfactory performance;

ii) set the fees for greenwaste disposal at the Vancouver Waste Services site to be amended to

Cleanaway Greenwaste (via the kerbside pick up)	\$4.31	
Greenwaste pass recoups		\$8.00
Domestic users (without a greenwaste pass)		\$8.00
Commercial Users		\$8.00
City of Albany	\$8.00	

and

iii) approve that the Contract for processing of Greenwaste (C02062B) be varied to insert an automatic CPI clause (subject to satisfactory performance). This clause to apply to the Cleanaway Greenwaste disposal only.

Voting Requirement Absolute Majority

.....

Chief Executive Officer, Andrew Hammond declared an impartiality interest in this item and left the Chambers at 9.02pm. The nature of his interest is that his partner was previously employed by Cleanaway.

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR JAMIESON**

THAT this item be laid on the table for one month to enable Councillors to;

- i) make an informed assessment of the justification for the proposed variations given the benefits received by the contractors through recycling; and**
- ii) consider further variations to the contractual arrangements to cater for the expressed public demand for hardwaste and additional greenwaste collections.**

MOTION LOST 5-6

Reason:

- Councillors have not been provided with sufficient information or notice to make a responsibly informed decision on this matter.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WATERMAN**

THAT Council;

i) approves an increase of 4.79% be granted to Cleanaway for its contracts for waste management services for the 2005/06 financial year and the contracts (C02061 and C02061A) be varied to insert a Rise and Fall Clause subject to satisfactory performance;

ii) set the fees for greenwaste disposal at the Vancouver Waste Services site to be amended to

Cleanaway Greenwaste (via the kerbside pick up)	\$4.31
Greenwaste pass recoups	\$8.00
Domestic users (without a greenwaste pass)	\$8.00
Commercial Users	\$8.00
City of Albany	\$8.00

and

iii) approve that the Contract for processing of Greenwaste (C02062B) be varied to insert an automatic CPI clause (subject to satisfactory performance). This clause to apply to the Cleanaway Greenwaste disposal only.

**MOTION LOST 7-4
ABSOLUTE MAJORITY REQUIRED**

Chief Executive Officer returned to the Chambers at 9.20pm.

Councillor Paver expressed his reservations that some Councillors did not disclose interests in this item as outlined in the gifts benefits and hospitality circular.

13.3 CITY SERVICES – AIRPORT MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.4 CITY SERVICES – CONTRACT MANAGEMENT

13.4.1 Contract C05028 – Outright Sale of Plant & Equipment

File/Ward	:	C05028 (All Wards)
Proposal/Issue	:	Outright Disposal of Plant & Equipment by Public Tender
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Depot Services Co-ordinator (J Harbach)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Council to accept the highest prices tendered for each individual item.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. Council, at its meeting held 18th June 2002, adopted the Asset Replacement Program – Plant. This strategy is reviewed on an annual basis to determine optimal replacement and maintenance of each individual item of plant. As part of this program of plant management Council’s plant replacement strategy identified that the Isuzu NPR300 Crew Cab Truck, Licence no: AL20934 (P80) was surplus to Council’s requirements.
2. Also included in the tender documentation was a tandem trailer no longer required by Council, this item’s salvage value being under \$200.00

STATUTORY REQUIREMENTS

3. 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

4. The City of Albany Regional Price Preference Policy is not applicable to this item.

WORKS & SERVICES REPORTS

Item 13.4.1 continued

FINANCIAL IMPLICATIONS

5. \$12,000.00 has been allocated in the 2005/2006 budget for the disposal of the Isuzu Crew Cab Truck.
6. Should Council choose to accept this recommendation, these funds will be used to reduce Council's loan borrowing for the plant replacement program for 2005/2006 financial year.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

Mission Statement:

The City of Albany is committed to sustainably managing Albany's municipal assets:

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders was published in the West Australian on 12th April 2006 and in the Albany Advertiser on 13th April 2006 with a copy in the Albany Extra on 14th April 2006 for the outright sale of an Isuzu NPR300 Crew Cab Truck, Licence no: AL20934 (P80) and a Tandem Trailer, Licence no: AL6142 (P2033). Tender documents included conditions for outright purchase and photographs of the items tendered for sale.
9. A total of six specifications were issued. The following table summarizes the four submissions received by the close of the tender period. All pricing is excluding GST

Eastside Commercials	1997 Isuzu Crew Cab Truck Licence no: AL20934 (P80)	\$16,532.73
	Tandem Trailer Licence no: AL6142 (P2033)	\$ 181.82
PW & D Johnston	Tandem Trailer Licence no: AL6142 (P2033)	\$ 325.45
Agcrete	1997 Isuzu Crew Cab Truck Licence no: AL20934 (P80)	\$ 5,000.00
	Tandem Trailer Licence no: AL6142 (P2033)	\$ 200.00
Neil Betham	Tandem Trailer Licence no: AL6142 (P2033)	\$ 180.00

WORKS & SERVICES REPORTS

Item 13.4.1 continued

RECOMMENDATION

THAT Council award the tender for C05028 to the highest bidder per item as detailed below.

Eastside Commercials

1997 Isuzu Crew Cab Truck Licence no: AL20934 (P80)

\$16,532.73 exc. GST

PW & D Johnston

Tandem Trailer Licence no: AL6142 (P2033)

\$325.45 exc. GST

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR MARSHALL**

THAT Council award the tender for C05028 to the highest bidder per item as detailed below.

Eastside Commercials

1997 Isuzu Crew Cab Truck Licence no: AL20934 (P80)

\$16,532.73 exc. GST

PW & D Johnston

Tandem Trailer Licence no: AL6142 (P2033)

\$325.45 exc. GST

MOTION CARRIED 11-0

WORKS & SERVICES REPORTS

13.4.2 Contract C06006 – Hotmixed Asphalt Surfacing Works

File/Ward	:	C06006 (All Wards)
Proposal/Issue	:	Hotmixed Asphalt Surfacing Works
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Manager City Works (W Butler); and City Works Co-Coordinator (M Bracknell)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tender C06006 from BGC for Hotmixed Asphalt Surfacing Works.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. Council's current contract for hotmixed asphalt surfacing works expires on 30 June 2006. In order for Council to maintain the current level of commitment for these works, Council is required to re-tender this service.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.4.2 continued

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders for Hotmixed Asphalt Surfacing Works was published in the West Australian on 29 March 2006 and in the Albany Advertiser on 30 March 2006 with a copy in the Albany Extra on 31 March 2006.
9. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	%Weight
Cost	50
Relevant Skills & Experience	20
Safety Management	5
Reliability of Tenderer	15
Quality Accreditation	5
Other Considerations	5
Total	100

10. Specifications were issued to six possible tenderers, with four tender submissions received by the close of the tender period. Emoleum Works provided an alternative submission, based on an increased percentage of Red Oxide.
11. Tenderers were required to submit a schedule of rates; these rates were applied to the estimated quantity to give a lump sum total.
12. Three tenders claimed full or partially against the City’s Regional Price Preference Policy.
13. Tenders were assessed overall against weighted criteria and the following scores resulted:

Tenderer	Prices	Total Weighted Score
BGC Australia	\$442,100.00	542
Pioneer Road Surfaces	\$502,007.00	532
Emoleum Works (1)	\$506,310.00	495
Emoluem Works (2)	\$510,830.00	490
Great Southern Sands	\$546,000.00	324

WORKS & SERVICES REPORTS

Item 13.4.2 continued

14. BGC is the current provider of hotmixed asphalt for Council. The service and delivery provided by this company has met expectations.

RECOMMENDATION

THAT Council award Contract C06006 for Hotmixed Asphalt Surfacing Works to BGC.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR WISEMAN SECONDED COUNCILLOR WOLFE</p> <p>THAT Council award Contract C06006 for Hotmixed Asphalt Surfacing Works to BGC.</p> <p style="text-align: right;">MOTION CARRIED 11-0</p>

WORKS & SERVICES REPORTS

13.4.3 Contract C06007 – Purchase and Removal of Scrap Metal to 30th June 2007

File/Ward	:	C06007 (All Wards)
Proposal/Issue	:	Purchase and Removal of Scrap Metal to 30 th June 2007
Subject Land/Locality	:	Hanrahan Road and Bakers Junction Waste Sites
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Contracts Administrator (W Male); and Parks and Reserves Coordinator (M Richardson)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council award Contract C06007 to Aussie Scrap Metal
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. Scrap Metal is sourced from the community in various forms, such as car bodies, white goods, drums, sheet iron etc and stockpiled at the City's Waste Sites at Hanrahan Road and Bakers Junction (car bodies to Bakers Junction only). This waste is on sold to scrap metal dealers for recycling purposes. This practice is in line with the City's Waste Minimisation Strategy designed to minimise waste to landfill. It also provides a source of income to Council.

STATUTORY REQUIREMENTS

2. Regulation 11 of the Local Government (Functions & General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be more than \$50,000.
3. Regulation 18 of the Local Government (Functions & 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 and not accept any tender.
4. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

POLICY IMPLICATIONS

5. The City of Albany's Waste Minimisation Strategy applies to this Item.

WORKS & SERVICES REPORTS

Item 13.4.3 continued

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A Request for Tenders was published in the West Australian Newspaper on Wednesday 5th April 2006, in the Albany Advertiser on 6th April 2006 and a copy in the Albany Extra on Friday 7th April 2006.
9. The tender documents included 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 tenderer. The criteria used for this is documented below:

Criteria	Weight
Cost	60
Relevant Skills & Experience	10
Safety Management	10
Reliability of Tenderer	20
Total	100

10. A total of four specifications were issued, with two being received at the close of tenders.
11. The following table outlines tenderers and their final scores

Tenderer	Price Per Tonne	Score
Aussie Scrap Metal	\$165.00	502.4
Smorgon Steel	\$121.00	307.6

12. Aussie Scrap Metal is the current contractor for the City. The company submitted a competitive procurement price for scrap metal and provided an acceptable submission. Reference checks advised that this company performed well on site, leaving the area clean and neat and provided a good reliable service.

WORKS & SERVICES REPORTS

Item 13.4.3 continued

RECOMMENDATION

THAT Council accepts the tender from Aussie Scrap Metal for C06007, for the Purchase and Removal of Scrap Metal to 30th June 2007.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WOLFE**

THAT Council accepts the tender from Aussie Scrap Metal for C06007, for the Purchase and Removal of Scrap Metal to 30th June 2007.

MOTION CARRIED 11-0

WORKS & SERVICES REPORTS

13.4.4 Contract C06009 – Supply and Delivery of Concrete Drainage Products

File/Ward	:	C06009 (All Wards)
Proposal/Issue	:	Supply of Concrete Drainage Products
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Manager City Works (W Butler); and City Works Coordinator (M Bracknell)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council declines tender from supplier as Council Administration will source select from manufacturer.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. Council's current contract for supply of concrete drainage products expires on 30th June 2006. In order for Council to maintain the current level of commitment for these works, Council is required to tender this service.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.4.4 continued

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders was published in the West Australian on 29th March 2006, the Albany Advertiser on 30th March 2006 with a copy in the Albany Extra on 31st March 2006.
9. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	60
Relevant Skills & Experience	25
Tenderer’s Resources	10
Demonstrated Understanding of Required Tasks	5
TOTAL	100%

10. A complete list for the supply of reinforced concrete pipes, box culvert components, pre cast headwalls, chambers and other drainage products together with various size requirements was supplied as part of the tender. Additionally each tenderer was required to provide a cost to deliver to Albany and a cost to deliver Drainage Products to sites around the City.
11. A total of two specifications were issued. One tender submission was received by the close of the tender period.
12. The tender received did not fully comply with the City’s requirements.
13. Clause 23 in the ‘Conditions of Tendering’, Acceptance of Tender states that Council shall not be bound to accept the lowest or any tender. Following the analysis of the submitted tenders, it is recommended that Council exercise this right.
14. It is suggested that the method of sourcing supply of drainage products be reviewed and consequently, Council accept no tender.

WORKS & SERVICES REPORTS

Item 13.4.4 continued

RECOMMENDATION

THAT Council not award the tender C06009 Supply and Delivery of Drainage Products and the method of sourcing drainage products be reviewed.

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR JAMIESON SECONDED COUNCILLOR WOLFE</p> <p>THAT Council not award the tender C06009 Supply and Delivery of Drainage Products and the method of sourcing drainage products be reviewed.</p> <p style="text-align: right;">MOTION CARRIED 11-0</p>
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WORKS & SERVICES REPORTS

13.4.5 Contract C06011 – Plumbing Services Biennial (2006/08)

File/Ward	:	C06011 (All Wards)
Proposal/Issue	:	Plumbing Services by public tender
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Trades & Building Coordinator (P Owen), Manager City Services (I Neil); and Contracts Administrator (W Male)
Disclosure of Interest	:	Nil
Previous Reference	:	C04004
Summary Recommendation	:	That Council accepts tender C06011 for Plumbing Services from Knotts Plumbing.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. As Council does not employ a qualified licensed plumber on staff, it is necessary for this service to be sourced from outside the organisation. The current Plumbing Services contract is due for completion on the 30th June 2006.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.4.5 continued

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders was published in the West Australian on 29th March 2006 and the Albany Advertiser on 30th March 2006 with a copy in the Albany Extra on 31st March 2006.
9. Tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	40%
Relevant Skills and Experience	30%
Work Capabilities	20%
Safety Management	10%
Total	100%

10. A total of two documents were issued with one tender submission received at the close of tenders.
11. The Tender was received from registered company, as tabled below:

All classifications of plumbing services work. (All costs inclusive of GST)	Knotts Plumbing
Rate/Hour	50.00
Minimum Charge for Call-out	50.00
After Hours Loading	plus 33.00 per hour
Supply materials as required at current Trade List Price	+10%
Minimum Notice	As required

12. Council currently pays \$39.00 per hour for Plumbing Services. The charge tendered for the service is significantly higher, however investigations have shown that the tendered rate is in line with current industry charges.

WORKS & SERVICES REPORTS

Item 13.4.5 continued

13. Knotts Plumbing is the current contractor with the Council and to date has performed well.

RECOMMENDATION

THAT Council accepts tender C06011 for Plumbing Services from Knotts Plumbing.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR WALKER**

THAT Council accepts tender C06011 for Plumbing Services from Knotts Plumbing.

MOTION CARRIED 11-0

WORKS & SERVICES REPORTS

13.4.6 Contract C06012 – Supply & Delivery of Signage

File/Ward	:	C06012 (All Wards)
Proposal/Issue	:	Supply & Delivery of Signage by Public Tender
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Manager City Works (W Butler), City Works Coordinator (M Bracknell)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council accepts the tender C06012 from Sunny Sign Company for the Supply and Delivery of Signage.
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

1. Council's current contract for the supply & delivery of road traffic signs to the Mercer Road Depot expires on 30 June 2006. In order for Council to maintain the current level of works, Council is required to re-tender this service. Works are carried out on an "as and when required" basis.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.4.6 continued

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

Mission Statement:

The City of Albany is committed to sustainably managing Albany’s municipal assets.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. A request for tenders for the Supply & Delivery of Signage was published in the West Australian on 29 March 2006 and in the Albany Advertiser on 30 March 2006 with a copy in the Albany Extra on 31 March 2006.
9. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

Criteria	% Weight
Cost	70
Relevant Skills & Experience	10
Reliability of Tenderer	10
Quality Accreditation	10

10. Tender documents were issued to five possible tenderers, with three tender submissions received by the close of the tender period.
11. A complete list of signs and the estimated numbers required for a twelve-month period were supplied as part of the tender. Tenderers were required to submit a schedule of rates; the projected total amount for each item was then calculated to give a lump sum total for assessment.
12. Tenders were assessed overall against weighted criteria and the following scores resulted:

Tenderer	Price	Total Weighted Score
Sunny Signs	\$16,381.20	626.6
De Neefe Signs	\$20,549.39	450.9
Siteware Direct	\$19,173.96	323.4

13. Sunny Sign Company is the current provider of signage for Council. The service and delivery provided by this company has consistently met expectations.

WORKS & SERVICES REPORTS

Item 13.4.6 continued

14. Following the tender evaluation, it was concluded that the submission from Sunny Sign Company would be the most advantageous and value for money to Council.

RECOMMENDATION

THAT Council award Contract C06012 for the Supply & Delivery of Signage to Sunny Sign Company.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR MARSHALL
SECONDED COUNCILLOR WOLFE**

THAT Council award Contract C06012 for the Supply & Delivery of Signage to Sunny Sign Company.

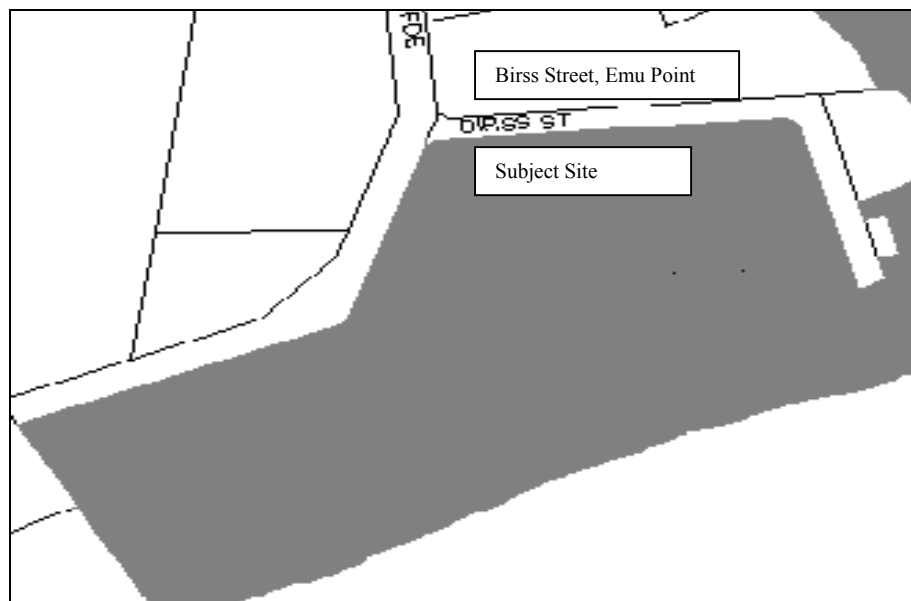
MOTION CARRIED 11-0

WORKS & SERVICES REPORTS

13.5 CITY SERVICES – PROPERTY MANAGEMENT

13.5.1 Lease Terms for Commercial Tourist Accommodation & Caravan Parks

File/Ward	:	PRO 048 (All Wards)
Proposal/Issue	:	Guidelines for Caravan Parks located on Crown Land
Subject Land/Locality	:	Emu Point Reserve 22698
Proponent	:	N/a
Owner	:	N/a
Reporting Officer(s)	:	Manager City Services (I Neil)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 18/12/01 – Item
Summary Recommendation	:	THAT Council approve a maximum 30 year term for commercial tourist accommodation and caravan parks on Crown Land with Management Order’s providing power to lease for 50 years and allow staff to negotiate with the Proprietors of Emu Beach Holiday Park accordingly.
Bulletin Attachment	:	Nil
Locality Plan	:	



WORKS & SERVICES REPORTS

Item 13.5.1 continued.

BACKGROUND

1. On 29th March 2006 a letter was received from the lessees of Emu Beach Holiday Park, requesting an extension to their lease which expires on 31st December 2014.

STATUTORY REQUIREMENTS

2. 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.
3. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue a lease over a property, however it must first give statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.

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

“Community Vision:

A Thriving City. Albany’s community will enjoy economic growth and outstanding for our youth through dynamic promotion & marketing of Albany’s advantages and opportunities and providing a complete tourism experience.

Mission Statement:

At all times we will respect the Community’s aspirations and resources and demonstrate integrity, leadership and teamwork.

Priority Projects:

Nil.”

COMMENT/DISCUSSION

7. This land is vested in Council with the ability to lease the land for periods up to 50 years. The City needs to ensure the long-term development of these localities is not compromised by implementing exceptionally long leases which may hamper the development of the area, however it is also unrealistic to expect a leaseholder to initiate expensive infrastructure improvements to a location without security of tenure and a commercially viable option of assignment of lease should the need arise.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

8. Taking these issues into consideration it is requested Council approve leases for Crown Reserves for the purpose of commercial tourist accommodation facilities, caravan parks etc for a period of 30 years. This allows time for leaseholders to apply for financial assistance through normal financial banking providers, to repay the debt and still allow time for profit margins to be achieved within the term of the lease.
9. It is also recommended that:
 - leases of this nature include the requirement for an initial valuation by an independent licensed valuer to set the initial Market Rental Value, with automatic valuations carried out every fifth year, (bearing in mind that under the Commercial Tenancy (Retail Shops) Agreements Act 1988, Section 11 Regulation Schedule Form 6 Tenant Guide Rent Review pp28 “No “ratchet” clauses”, rent must be allowed to rise or fall to a level supported by market evidence), and CPI increases for the four intervening years.
 - all costs associated with the development and implementation of a lease, such as valuations, legal fees, rates and taxes etc are to be covered by the business or organisation requesting the leasehold.
10. It is suggested that this be adopted for all future commercial lease ventures relating to commercial tourist accommodation and caravan parks and this decision form the basis of a policy guideline to be developed for the management of Crown Lease tourist accommodation facilities.
11. The above guidelines should be applied to the request from the Emu Beach Holiday park

RECOMMENDATION

THAT Council;

- i) approve a maximum 30 year term for commercial tourist Accommodation and caravan parks on Crown Land covered by Management Orders providing the City of Albany with power to lease for 50 years; and
- ii) advise the proprietors of Emu Beach Holiday Park, DR & RL Stewart of this decision and allow staff to negotiate a new lease on this basis subject to the surrender of the existing lease, normal advertising requirements as per the Local Government Act 1995 and submissions received as a result of the Advertising.

Voting Requirement Simple Majority

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Executive Director Works and Services advised that this item had been withdrawn.

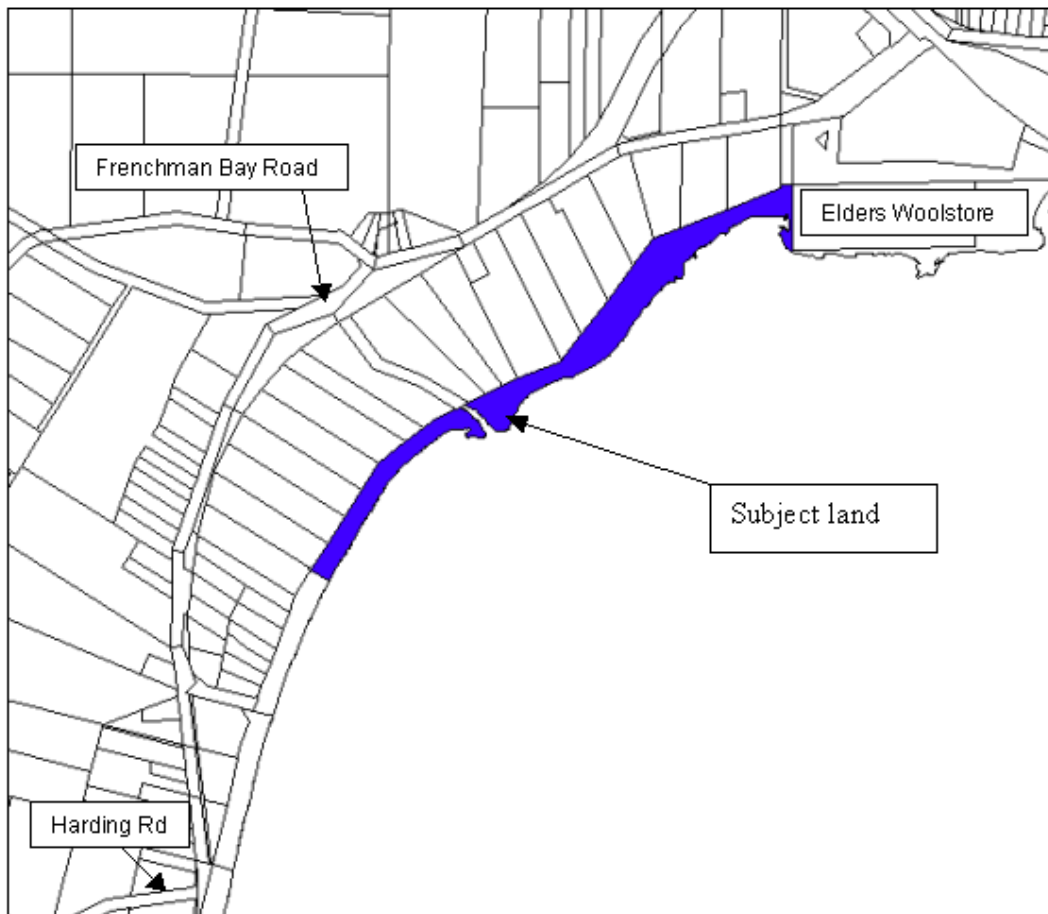
13.6 CITY WORKS – CAPITAL WORKS

Nil.

13.7 CITY WORKS – RESERVES, PLANNING & MANAGEMENT

13.7.1 Road Closure – Seawolf Road, Mount Elphinstone

File/Ward	: SER 088 (Vancouver Ward)
Proposal/Issue	: Closure of Seawolf Road Reserve for Incorporation into Foreshore Reserve.
Subject Land/Locality	: Seawolf Road, Mount Elphinstone
Proponent	: Department of Environment
Owner	: Crown
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: OCM 31/03/06 - Item 13.6.3
Summary Recommendation	: Resolve to Close Road
Bulletin Attachment	: Submissions
Locality Plan	:



WORKS & SERVICES REPORTS

Item 13.7.1 continued

BACKGROUND

1. Within the Woolstores to Frenchman Bay Foreshore Management Plan, it was recommended that a section of the Seawolf Road reserve be formally closed and that the land contained within the road reserve be incorporated into the foreshore reserve for the harbour. The proposal has been publicly advertised and over 30 landowners were directly contacted in accordance with the provisions of the *Land Administration Act*.
2. At the conclusion of the advertising period, a total of nine (9) submissions had been received and those submissions have been included in the Elected Members Report / Information Bulletin.

STATUTORY REQUIREMENTS

3. Section 58 of the *Land Administration Act 1997* requires Council to advertise its intention to close the road and seek comment over a 35 day period. Once the advertising is completed, Council is required to consider the submissions received and determine whether it wishes to proceed with the road closure action. The request is then forwarded to the Department for Planning and Infrastructure to complete the procedural steps to close the road.

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. The Woolstores to Frenchman Bay Foreshore Management Plan was endorsed by Council. The management plan seeks to establish a foreshore reserve network around the entire harbour and to develop recreational nodes at strategic locations, linked with walking trails.

COMMENT/DISCUSSION

7. The section of Seawolf Road advertised to be closed has the Bibbulmun Track constructed upon it, but no formed carriageway for vehicle access to adjoining properties. A Water Corporation water main is also laid within the reserve and the condition and depth of that water pipe may make future construction of a road within the current reserve both technically difficult and cost prohibitive.
8. Responses received from government agencies have raised no objection to the closure of the road reserve, conditionally that existing infrastructure remain in place.
9. Of the public submissions received, the following issues have been raised:

WORKS & SERVICES REPORTS

Item 13.7.1 continued

In Support:

- *Important that remnant foreshore vegetation remain untouched.*
- *Important Bibbulmun Track remain as a winding track.*
- *Lack of room within road reserve to construct road pavement.*
- *Road reserve is low lying and would require fill.*
- *Adjoining properties not reliant on Seawolf Road for development and subdivision.*
- *Conversion of road to foreshore reserve will reduce nutrient transmission to harbour.*
- *Support but weed control and track maintenance required.*
- *Support provided suitable plan in place for use and maintenance of reserve.*

In Opposition:

- *Closure could compromise future development of lots in locality.*
- *Foreshore area and road reserve not pristine.*
- *Road reserve already a fire hazard.*
- *Vehicle access, via existing road, needs to be retained to 35 Seawolf Road.*
- *Closure would deny residents opportunity to ride through area.*
- *Closure has potential to restrict access from property to harbour.*
- *Potential to diminish value of property.*
- *Change of reserve status does not change capacity to implement works on land.*

10. Whether the reserve remains a public road or becomes a foreshore reserve, the level of development on the land is unlikely to change. The existing infrastructure will remain in place and will be maintained into the future (albeit that residents are concerned about the current levels of maintenance) by the City as it will continue to be responsible for the land.
11. The description of the reserve is important in so far as it clearly signals to the public and adjoining landowners the intended activities permitted on that piece of Crown land. By retaining the land as a road reserve, there is an expectation that a road may actually be developed thereon, notwithstanding that the reality is that the City would not entertain building a road on the reserve. The land's highest and best use has been identified in a City document as being for passive recreational and conservation purposes. If that is the Councils and the community's desire, then the designation of the reserve should be changed from road to foreshore reserve to promote that outcome.
12. Concerns over access from adjoining properties to the harbour and the foreshore reserve can then be negotiated on a "one on one" basis under the City's local laws.

RECOMMENDATION

THAT Council;

- i) pursuant to Section 58 of the Land Administration Act 1997 resolves to close that section of Seawolf Road between the northern boundary of Lot 87 (No.35) Seawolf Road and the western boundary of Lot 1209 (No. 34) Woolstores Place, Mount Elphinstone; and

WORKS & SERVICES REPORTS

Item 13.7.1 continued

- ii) request the Department of Land Information, upon the formal closure of the Seawolf Road road reserve, to dedicate the land contained within the closed road as a Foreshore Reserve and the Department be further requested to issue the management order for that reserve to the City of Albany.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR WATERMAN**

THAT Council;

- i) **pursuant to Section 58 of the Land Administration Act 1997 resolves to close that section of Seawolf Road between the northern boundary of Lot 87 (No.35) Seawolf Road and the western boundary of Lot 1209 (No. 34) Woolstores Place, Mount Elphinstone; and**
- ii) **request the Department of Land Information, upon the formal closure of the Seawolf Road road reserve, to dedicate the land contained within the closed road as a Foreshore Reserve and the Department be further requested to issue the management order for that reserve to the City of Albany.**

MOTION CARRIED 11-0

WORKS & SERVICES REPORTS

13.8 WORKS & SERVICES COMMITTEES

13.8.1 Streetscape Committee meeting minutes – 18th May 2006

File/Ward	:	MAN 161 (All Wards)
Proposal/Issue	:	Committee Items for Council Consideration
Reporting Officer(s)	:	Executive Director Works & Services (L Hewer)
Summary Recommendation	:	That the minutes of the Streetscape Committee Meeting held on the 18 May 2006, be adopted.

RECOMMENDATION

THAT the minutes of the Albany Streetscape Committee held on the 18 May 2006 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR WALKER SECONDED COUNCILLOR BOJCUN</p> <p>THAT the minutes of the Albany Streetscape Committee held on the 18 May 2006 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).</p> <p style="text-align: right;">MOTION CARRIED 10-1</p>

WORKS & SERVICES REPORTS

13.8.2 Bushcarers Advisory Committee meeting minutes – 24th May 2006

File/Ward	:	MAN 121 (All Wards)
Proposal/Issue	:	Committee Items for Council Consideration.
Reporting Officer	:	Reserves Officer (S Maciejewski).
Summary Recommendation	:	That the minutes of the Bushcarers Advisory Committee meetings held on the 24 th May 2006 be adopted.

RECOMMENDATION

THAT the minutes of the Bushcarers Advisory Committee meetings held on the 24th of May 2006 be adopted (copies of the minutes in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

.....
**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR PAVER**

THAT the minutes of the Bushcarers Advisory Committee meetings held on the 24th of May 2006 be adopted (copies of the minutes in the Elected Members' Report/Information Bulletin).

MOTION CARRIED 11-0

General Management Services

REPORTS

GENERAL MANAGEMENT SERVICES REPORTS

14.1 STRATEGIC DEVELOPMENT

Nil.

14.2 ORGANISATIONAL DEVELOPMENT

Nil.

GENERAL MANAGEMENT SERVICES REPORTS**14.3 ECONOMIC DEVELOPMENT****14.3.1 2006/07 Community Events Financial Assistance Program**

File/Ward	:	FIN 061 (All Wards)
Proposal/Issue	:	Recommendations for funding under the 2006/07 Community Events Financial Assistance Program
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager, Economic Development (J Berry)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 15/07/03 - Item 14.3.2 OCM 20/07/04 - Item 14.3.1 OCM 19/07/05 – Item 14.3.2
Summary Recommendation	:	Council adopt the recommendations for funding under the 2006/07 Community Events Financial Assistance Program
Bulletin Attachment	:	Nil
Locality Plan	:	N/A

BACKGROUND

1. The Community Events Financial Assistance Program is a competitive grants program of the City of Albany. The scheme is conducted in one round each year, with applications being invited in April and closing at the end of May. Council advertised its intention to consider applications for financial assistance under this scheme in local newspapers with all applications to be submitted by 31 May 2006.
2. Council provides a specific budget allocation for community event grants and in 2006/07 it is \$60,000 (subject to budget adoption). Funding for community event grants is provided on a dollar for dollar matching basis, with the community organisation being required to contribute the equivalent in cash or in-kind. The applicant must demonstrate that other funding opportunities have been investigated and that attempts to source other external funds have been or are being made.
3. Organisations that are funded by a parent organisation that is Government, quasi government, professional or commercial in its foundation, or that is primarily funded by Government, quasi government, professional or commercial sources is not eligible for funding, other than in exceptional circumstances. Funding is not provided for paid professional services, consultancies or the employment of personnel.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

STATUTORY REQUIREMENTS

4. Financial regulations require that funding of Community Event Financial Assistance applications is subject to prior budget approval and budgeted expenditure limitation.

POLICY IMPLICATIONS

5. Council adopted a Community Events Policy on 17 June 2003. The policy is outlined below:-

“Objective:

To increase the economic yield from tourism by sponsoring and developing significant events that become annual tourist drawcards.

To assist community based organisations and committees in conducting and managing events.

Strategic Alignment:

Professional Excellence

Community Events:

To promote Albany and facilitate the celebration of events and achievements of significance to the Albany Community.

Social Cultural and Economic Development

To encourage a vibrant community where all are encouraged to participate and contribute

Tourism Development

To lead key tourism groups in establishing an integrated approach to visitor servicing district and area promotion and product development.

Grant Types:

Icon Events

Events of State or Regional significance that can demonstrate on past performance that they will generate significant tourism activity, stimulate large scale community interest and involvement and are conducted annually at the same time of the year

Community Events

Events of local or regional significance that stimulate community involvement and interest.

Sporting Events

Significant, and preferably the major event on a sporting organisations annual program.

Eligibility:

Not for profit organisations that are incorporated and can demonstrate the financial and human resources necessary to conduct the event applied for. Organisations qualifying for funding from State or Federal agencies must demonstrate assistance from those agencies in the funding application where practical.

Funding Round:

Applications close on the 31st of May each year.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

Funding Pool:

The funding pool for Icon, Community and Sporting Events will be allocated via the annual budget process. Council may grant up to three years funding approval for Icon events.

Administration:

The Manager, Economic Development will make recommendations to Council on the allocation of events grants.

Delegation Of Authority:

Nil.”

FINANCIAL IMPLICATIONS

6. Adoption of recommended funding approvals is subject to the expenditure limitation provided within the budget. In 2006/07, the limit is \$60,000 for the Community Event Financial Assistance Program.

STRATEGIC IMPLICATIONS

7. *Community Events Objective*
To promote Albany and facilitate the celebration of events & achievements of significance to the Albany Community

Overall Performance Measure
Level of community support & participation.

Approach

- *Recognise events and achievements through a program of appropriate events, for the benefit of the general community.*
- *Promote Albany by supporting suitable community events.*

COMMENT/DISCUSSION

8. Applications for the Community Events Financial Assistance Program closed on 31 May 2006. There were 15 applications seeking a total of \$72,800 financial assistance from Council.
9. There was a high diversity of applications including major regional festivals, music productions, education and learning, recreational activities, heritage events, sporting and multi-cultural activities.
10. The funding recommendations presented are based on assessment against multiple criteria outlined in the Community Events Policy adopted in June 2003. Maintaining support for the diverse community-based activities which meet the Council's social equity and cultural development objectives have also been recommended.
11. The Albany Classic Motor Event and the Perth International Arts Festival (Great Southern Program) are two events previously nominated with 'icon' status for years 2004, 2005 and 2006 and require review. It is recommended both events continue to be recognised as icon events for years 2007, 2008 and 2009.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued

RECOMMENDATION

THAT Council adopt the recommended funding allocations for the 2006/07 Community Event Financial Assistance Program being:

<u>Applicant</u>	<u>Officer Recommendation</u>
Albany Agricultural Society Inc	\$8,000
Albany Aussi Masters Swimming Club Inc	\$2,000
Albany Classic Motor Event Inc	\$10,000
Albany Cycle Club Inc	\$3,000
Albany Eisteddfod (Inc)	\$2,000
Albany Racing Club Inc	\$3,000
Albany Sub Branch RSL Inc	\$4,100
Albany Summer School Inc	\$4,000
Albany Vintage & Classic Motorcycle Inc	\$2,000
ArtsSouth WA Inc	\$2,000
Great Southern Marketing Association Inc	\$5,000
Albany Surf Life Saving Club Inc	\$3,000
Albany Country Music Club Inc	\$700
Perth International Arts Festival Inc	\$10,000
The Major Lockyer Proclamation Soc Inc	\$1,200
TOTAL	\$60,000

and the following events 'icon status' for the period 2007, 2008 and 2009;

- Albany Classic Motor Event
- Perth International Arts Festival (Great Southern Program).

Voting Requirement Simple Majority

.....
note:- The table to follow summarises the 2006/07 event applications and recommended funding allocations

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR MARSHALL****THAT Council adopt the recommended funding allocations for the 2006/07 Community Event Financial Assistance Program being:**

<u>Applicant</u>	<u>Officer Recommendation</u>
Albany Agricultural Society Inc	\$8,000
Albany Aussi Masters Swimming Club Inc	\$2,000
Albany Classic Motor Event Inc	\$10,000
Albany Cycle Club Inc	\$3,000
Albany Eisteddfod (Inc)	\$2,000
Albany Racing Club Inc	\$3,000
Albany Sub Branch RSL Inc	\$4,100
Albany Summer School Inc	\$4,000
Albany Vintage & Classic Motorcycle Inc	\$2,000
ArtsSouth WA Inc	\$2,000
Great Southern Marketing Association Inc	\$5,000
Albany Surf Life Saving Club Inc	\$3,000
Albany Country Music Club Inc	\$700
Perth International Arts Festival Inc	\$10,000
The Major Lockyer Proclamation Soc Inc	\$1,200
TOTAL	<u>\$60,000</u>

and the following events 'icon status' for the period 2007, 2008 and 2009;

- Albany Classis Motor Event
- Perth International Arts Festival (Great Southern Program).

**MOTION CARRIED 11-0
ABSOLUTE MAJORITY**

GENERAL MANAGEMENT SERVICES REPORTS

2006/07 COMMUNITY EVENTS FINANCIAL ASSISTANCE PROGRAM							
Applicant	Project Details	Grant Request (ex gst)	Total Event Cost	Other grants sponsorship	Officer Recommendation	Rationale	Grant Type
Albany Agricultural Society Inc	Albany Agricultural Show & Trade Exhibition (10-11 November 2006)	\$10,000	~\$85,000	Business Sponsors	\$8,000	Tourism benefit includes intra-regional and Perth. Has an excellent record and Council has nominated as an Icon event. A service agreement has been negotiated between the City and AAS Inc and funds are used for a combination of city services and sponsorship for the general event preparation and operation. <u>Recommendation:</u> Part fund the request with an amount of \$8,000	<u>Icon Status Approved</u> (2005, 2006, 2007)
Albany Aussi Swimming Club	City of Albany Harbour Swim – (7 April 2007)	\$2,000	\$6265.00	Private sponsors	\$2,000	Competitors and families travel to Albany with good economic spin-off Naming rights given to City of Albany providing good PR opportunity. <u>Recommendation:</u> Fully fund the request with an amount of \$2,000	S
Albany Classic Motor Event Organising Committee	Albany Classic Motor Event 3 June 2007	\$10,000	\$101,325	Healthways, and Private sponsors	\$10,000	Popular and reliable event previously given Icon status by Council. Brings in a significant number of visitors to Albany and is professionally organised and managed. 70th anniversary is in 2007 <u>Recommendation:</u> Fully fund the request with an amount of \$10,000 and maintain as Icon status (2007, 2008, 2009)	Icon Status Approved 2004,2005,2006 Review status 2007 - 2009
Albany Country Music Club	Country Music Dance/Fundraiser for RFDS (17 March 2007)	\$1500	\$14,210	Business sponsors	\$700	Provides catalyst to leverage community support for RFDS fund raising <u>Recommendation:</u> Partly fund the request with an amount of \$700	C
Albany Cycle Club	Two Day Cycling Classic (April 2007 – date tba)	\$5,000	\$18,100	Private Sponsorship	\$3,000	Part of the State Cycling calendar with approx 100 participants and growing number of visitors <u>Recommendation:</u> Partly fund the request with an amount of \$3,000	C

GENERAL MANAGEMENT SERVICES REPORTS

2006/07 COMMUNITY EVENTS FINANCIAL ASSISTANCE PROGRAM							
Applicant	Project Details	Grant Request (ex gst)	Total Event Cost	Other grants sponsorship	Officer Recommendation	Rationale	Grant Type
Albany Eisteddfod	Annual Music Eisteddfod (22-26 May 2007)	\$2,000	\$18405	Private sponsors	\$2,000	Well supported, good track record. Brings people from the metro area and participants from a wider catchment area. Major cultural activity for Albany. Grant pays for contribution to cost of hiring the Town Hall <u>Recommendation:</u> Fully fund the request with an amount of \$2,000	C
Albany Racing Club Inc	City of Albany Handicap	\$5,000	57,800	Nil	\$3,000	Medium tourism benefit. Major and regular regional sporting event. Major PR opportunity for the City of Albany given naming rights and proposed stakes of \$10,000 <u>Recommendation:</u> Partly fund the request with an amount of \$3,000	S
Albany Sub-Branch Returned Services League	Anzac Day Dawn Service & Mid-Morning Parade and Service	\$4,100	Tbc	Business Sponsors	\$4,100	Council has previously resolved to recognise the ANZAC and mid-morning services as Icon status. The RSL seek additional 10% to cover increase costs. <u>Recommendation:</u> Fully fund the request with an amount of \$4,100	Icon Status Approved 2006,2007,2008
Albany Summer School Inc	2007 Albany Summer School	\$4,000	\$92,090	Business and community sponsors	\$4,000	Excellent track record as an event that contributes to the City's strategic objective as a 'Learning City' <u>Recommendation:</u> Fully fund the request with an amount of \$4,000	C
Albany Vintage & Motorcycle Club Inc	Vintage & Classic Motorcycle Weekend (4-5 November 2006)	\$2,000	\$34,075	Local business sponsor	\$2,000	Growing tourism event with two thirds of entrants being visitors to Albany along with their families. <u>Recommendation:</u> Fully fund the request with an amount of \$2,000	S

GENERAL MANAGEMENT SERVICES REPORTS

2006/07 COMMUNITY EVENTS FINANCIAL ASSISTANCE PROGRAM							
Applicant	Project Details	Grant Request (ex gst)	Total Event Cost	Other grants sponsorship	Officer Recommendation	Rationale	Grant Type
ArtSouthW A Inc	Southern Region Art & Craft Trail	\$2,000	\$20,490	GSDC GWN	\$2,000	The event showcases more than 50 studios, galleries and exhibitions over two week period. It supports cultural tourism to Albany and the Great Southern Great. <u>Recommendation:</u> Fully fund the request with an amount of \$2,000	C
Albany Surf Life Saving Club	Whaleworld Surf Boat Challenge (3 June 2007)	\$4,000	\$11,215	Private and Government Sponsors	\$3,000	200 competitors and support crew (plus families and friends participate) from throughout the State converge on Albany for the event, which is in its 5th Year. <u>Recommendation:</u> Partly fund the request with an amount of \$3,000	C
Great Southern Region Marketing Association	Taste Great Southern	\$10,000	\$38,500	Business , community and Government sponsors	\$5,000	Taste Great Southern is a major food and wine event which attracts significant visitation from the Perth market. Recommend part funding and requirement for utilisation of amazingalby in the pre-event marketing program. <u>Recommendation:</u> Partly fund the request with an amount of \$3,000	C
Major Lockyer Proclamation Society Inc	Commemorates the original landing of Mayor Edmund Lockyer on 21/01/1827 Held 21/01/07	\$1,200	\$3,191.95	Nil	\$1,200	Added cultural experience for tourists in Albany and locals. Has significant heritage values that require City support. High level of volunteer support and adds colour and vibrancy to CBD and Amity precinct <u>Recommendation:</u> Fully fund the request with an amount of \$1,200	C

GENERAL MANAGEMENT SERVICES REPORTS

2006/07 COMMUNITY EVENTS FINANCIAL ASSISTANCE PROGRAM							
Applicant	Project Details	Grant Request (ex gst)	Total Event Cost	Other grants sponsorship	Officer Recommendation	Rationale	Grant Type
UWA Perth International Arts Festival	The UWA Perth International Arts Festival Great southern Programme 9 Feb - 4 March 2007	\$10,000		Business, community and Government sponsors	\$10,000	2007 Event will be a major focus on Albany with the Pilgrim Project (sculptural installation) near Stirling Ranges. Audience numbers increasing each year. <u>Recommendation:</u> Fully fund the request with an amount of \$10,000 and maintain as Icon status	Icon Status Approved 2004,2005,2006 Review status 2007 - 2009
TOTAL FUNDING ALLOCATION FOR 2006/07					\$60,000		

Funds available for allocation this (single round) \$60,000

Grant Types

(refer Community Events Council Policy adopted 17 June 2003)

I = Icon *(provides security of funding for three years from date of Council classification – subject to confirmation of annual event continuance)*

C= Community

S = Sporting

GENERAL MANAGEMENT SERVICES REPORTS**14.3.2 Review of City of Albany Events Program**

File/Ward	:	REL 021, REL 110, REL 132, REL 137 & FIN 025 (All Wards)
Proposal/Issue	:	Review of City of Albany Events Program
Subject Land/Locality	:	N/A
Proponent	:	City of Albany
Owner	:	N/A
Reporting Officer(s)	:	Project Officer Tourism and City Events (K Couper) Manager Economic Development (J Berry)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	THAT Council:- <ul style="list-style-type: none"> ▪ Combine Turning on of the Christmas Lights with Christmas Pageant & Concert ▪ Maintain New Years Eve Fireworks & provide a countdown unit and discontinue the foreshore concert ▪ Commence a new format* to the Australia Day event with fireworks and subsequent time changes to 4.00pm – 9.00pm. <i>(subject to private sponsorship) *(Current times to remain if sponsorship cannot be sourced)</i>
Bulletin Attachment	:	Nil
Locality Plan	:	Nil

BACKGROUND

- The City of Albany plans, organizes, leads and controls several community events with the aim of strengthening community identity and facilitating celebrations of annual events that have significant public recognition . The City currently host four major events being:
 - Turning on of the Christmas Lights – **Alison Hartman Gardens**
 - Christmas Pageant (maximum 70 floats) concert & stalls – **York Street, Alison Hartman Gardens & Anzac Peace Park**
 - New Years Eve Fireworks & Concert – **Anzac Peace Park & Jetty**
 - Australia Day Free Family Fun Day & Concert (Mini markets and official ceremony including flag raising) – **ALAC**

STATUTORY REQUIREMENTS

- There are no statutory requirements relating to this item.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.2 continued.

POLICY IMPLICATIONS

3. There are no current policy implications for this item

FINANCIAL IMPLICATIONS

4. The City Events budget totals \$58,000. There is no change to current budget allocations however the recommendation may result in:
- Increased productivity
 - Reduced labour costs and volunteer demands,
 - Delivery of increased quality of City of Albany events.

STRATEGIC IMPLICATIONS

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

“Community Vision:

A thriving city: Albany’s community will enjoy economic growth & outstanding opportunities for our youth through:

- *Providing a complete tourism experience*
- *A unique economically sustainable waterfront facility providing a functional boat harbour & shore based facilities accessible to the community & attractive to investment.(applicable to event hosted at waterfront in 2010*

A learning city: Albany will be Western Australia’s premier learning city through:

- *Strong links with knowledge based organisations*

Mission Statement:

What we do:

City of Albany is committed to.....

- *Delivering excellent community services*
- *Promoting our community’s vision for the future.*

The City of Albany will always be renowned for.....

- *Our strategic integration*

How do we do this (our values)....

- *Respect the community’s aspirations and resources*
- *Actively keep abreast of best practice*
- *Demonstrate integrity, leadership and teamwork*
- *Seek innovative approaches*

Priority Projects:

N/A

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.2 continued.

COMMENT/DISCUSSION

Christmas

6. Turning on of the Christmas Lights, Christmas Pageant concert & stalls and New Years Eve Fireworks & Concert are all hosted in December typically beginning 1st December through to the 31st December. During this festive period community members are attending numerous social events, community events (similar to that of the City's), preparing for Christmas, school term finishes early, and the weather remains unpredictable (they are all outdoor events).
7. The proposed combination of the Christmas Lights with the Christmas Pageant will reduce the demand placed on volunteers, increase productivity, potentially increase attendance and reduce the risk of event cancellation and therefore unnecessary cancellation costs (due to poor weather). Most importantly the combining of budgets and events will potentially allow for a single better quality event – with time to invest in the event detail.
8. Last year's crowd attendance indicated an increase in interest in the Turning on of the Christmas Lights (predominantly schools and parents – with Doopa Dog and Santa, major draw cards). Pageant float numbers were down by approximately 15 floats, it was estimated the crowd attendance was up on numbers from last year and the concert numbers were also up, however the audience departed early (predominantly families young children).

New Years Eve

9. The New Years Eve concert and fireworks event was attended mainly by families arriving early and departing early and after 10.00pm the audience was predominantly adults. The weather and lack of wind protection makes this event high risk. It is proposed the concert be discontinued and the fireworks be maintained with a countdown unit placed on the foreshore. Procurement of fireworks supply and management will be the subject of a tender process in future.

Australia Day

10. Australia Day is a popular event held at ALAC and this year was enjoyed by approx 3000 persons. The City of Albany has been approached by a group who has indicated the potential of sponsorship for fireworks and a strong media campaign if the City of Albany were to integrate fireworks at Australia Day.
11. The ALAC redevelopment will trigger the need to consider other locations after 2007. Also ALAC grounds have difficulties catering for high people traffic, becoming muddy particularly after rain. City staff will investigate alternative venue options for Australia Day, that can also provide indoors back-up in poor weather conditions.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.2 continued.

RECOMMENDATION

THAT Council:-

- Combine the 'Turning on of the Christmas Lights' event with the 'Christmas Pageant & Concert' event.
- Maintain the New Years Eve Fireworks event & provide a countdown unit on the foreshore and discontinue the concert
- Commence a new format* to the Australia Day event with fireworks and subsequent time changes to 4.00pm – 9.00pm (*subject to confirmation of private sponsorship for fireworks*).

* (*Current format and times to remain if sponsorship cannot be sourced*)

Voting Requirement Simple Majority

.....

<p>MOVED COUNCILLOR WATERMAN SECONDED COUNCILLOR EVANS</p> <p>THAT Council conduct;</p> <ul style="list-style-type: none">i) a 'Turning on of the Christmas Lights' on Friday the 1st of December with a small celebration;ii) the Christmas Pageant on Saturday 16th of December 2006 with no concert;iii) "New Years Eve Fireworks" with a countdown unit and no concert; andiv) a family concert with fireworks to follow on Australia Day between 6pm and 9pm (Friday the 26th of January). <p style="text-align: right;">MOTION CARRIED 10-1</p>
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Reason:

- The Christmas lights signify the lead up to Christmas and the tradition has been to turn them on as close to the first of December as is possible.
- Removing the concerts from the Christmas Pageant and New Years Eve will allow for those resources to be allocated to a family event on Australia Day.
- The later time on Australia Day will allow time for the setting up of the event and for smaller children to see some fireworks.

GENERAL MANAGEMENT SERVICES REPORTS

14.4 GENERAL MANAGEMENT SERVICES COMMITTEES

14.4.1 Amity Heritage Precinct Enhancement Committee meeting minutes – 6th April 2006

File/Ward	:	STR206 (All Wards)
Proposal/Issue	:	Committee Items for Council Consideration.
Reporting Officer(s)	:	Manager Economic Development (J Berry)
Summary Recommendation	:	That the Minutes of Amity Heritage Precinct Enhancement Committee meeting held on 06 April 2006 be received.

RECOMMENDATION

THAT the minutes of Amity Heritage Precinct Enhancement Committee held on 06 April be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR PAVER**

THAT the minutes of Amity Heritage Precinct Enhancement Committee held on 06 April be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

GENERAL MANAGEMENT SERVICES REPORTS

14.4.2 City of Albany Sanford Road Community Centre Steering Committee meeting minutes – 18th May 2006

- File/Ward** : MAN 182 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration
- Reporting Officer(s)** : Project Administration Officer (T Kirkland)
- Summary Recommendation** : That the minutes of the City of Albany Sanford Road Community Centre Steering Committee held on 18 May be received.

RECOMMENDATION

THAT the minutes of the City of Albany Sanford Road Community Centre Steering Committee held on 18 May 2006 be received (copy of minutes are included in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR JAMIESON**

THAT the record of the informal meeting of the City of Albany Sanford Road Community Centre Steering Committee held on 18 May 2006 be received (copy is included in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

GENERAL MANAGEMENT SERVICES REPORTS

14.4.3 Albany Tourism Marketing Advisory Committee meeting minutes – 1st June 2006

- File/Ward** : STR 208 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Manager Economic Development (J Berry)
- Summary Recommendation** : That the Minutes of the Albany Tourism Marketing Advisory Committee meeting held on 1 June 2006 be received.

RECOMMENDATION

THAT the minutes of the Albany Tourism Marketing Advisory Committee meeting held on 1 June 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR JAMIESON**

THAT the minutes of the Albany Tourism Marketing Advisory Committee meeting held on 1 June 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 11-0

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 EVANS
SECONDED COUNCILLOR WOLFE**

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

MOTION CARRIED 11-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17.0 DEPUTY MAYORS REPORT

Mayor Alison Goode thanked Deputy Mayor Dennis Wellington and Councillors for representing her whilst on annual leave and invited Deputy Mayor Wellington to present the report for the month.

"Fellow Councillors:

Over the last month I have had the pleasure of officiating at Community and Civic events, whilst Mayor Alison Goode has been on annual leave.

On the 11th May the City hosted a Civic Reception for HMAS Melville, one of the RAN's Hydrographic Ships, which is based out of Cairns, North Queensland. The Ship carries a personnel of 46 sailors who were in Port to enjoy our beautiful City for 4 days. HMAS Melville is responsible for gathering high quality, hydrographic survey information for use in the preparation of nautical charts. These charts provide military Commanders with the confident knowledge of everything that lies beneath the ocean surface, to ensure safe navigation from any potential hazards when carrying out military missions. The charts also ensure that any environmental areas are identified and where possible protected. She is certainly a state-of-the-art Ship performing a valuable role to the Navy.

I attended the State Budget Breakfast on Friday 12th May at which the Hon Jim McGinty MLA outlined the 2006 State Budget, announced initiatives for the Great Southern and briefed community leaders on how the budget will affect the region. The Minister outlined the budget allocations for the City and made a comment that the amount for the Entertainment Centre was the amount agreed for the moment. I did mention that we will be coming to see them regarding this matter at a future date. I also brought up the matter of the curtailment of some of the operations of the Silver Chain Organisation, which severely affects our local constituents. It would appear that it is an argument between two Government departments, one state and one federal, and we are the meat in the sandwich. It is a pity that we have to suffer just because a couple of bureaucrats can't do their job.

On the 28th May the City hosted the annual US Submariners Memorial Service at Princess Royal Forts. Although attendance numbers were down on last year and the surviving submariner veterans are also diminishing, the ceremony still evokes great emotion amongst those who attend each year. This year Kath Polaris, the wife of one of the deceased veterans, spoke on life with a US Submariners from the perspective of a spouse. Her

moving speech held the audience riveted. St Joseph's College and the Great Southern Grammar School were represented at the service by their Head Boy and Head Girl, each of whom spoke impressively and demonstrated their potential as fine future leaders of the community. I spoke with Commander Doug Sampson of the US Navy after the service, who is keen to work with the City of Albany to invest some funds towards maintenance of the US Memorial site at the Forts, to better service the elderly and the disabled. Before the last of the remaining veterans passes away, the US Navy is also keen to undertake training of local cadet units so that the "Tolling of the Bells" and correct flag raising techniques, are learned by the next generation whose responsibility it will be ensure the memory of the US Submariners lives on.

The Albany Classic Motor Event showed that it is deserving of the "Icon" status it received under the City's 05/06 Community Events Financial Assistance Program. Celebrating its 70th anniversary this year, a full week of activities took place in the lead up to the event. 145 cars participated and 15,000 spectators converged on Albany's CBD to watch them compete. I congratulate the event organisers who once again put in a mammoth effort to transform the streets of Albany into a race circuit and restore it to normality within 24 hours.

Four of my fellow Councillors and two Council Officers travelled to Newcastle in early June to attend the 7th International Cities, Town Centres & Communities Conference. The delegation also visited Port Macquarie-Hastings and Great Lakes Councils to look at how those Councils have dealt with accelerating urban development, especially in regards to high density development proposals, the associated issues of parking and transport flows and the protection of local amenity, character, light and views. With Albany on the verge of major population growth, both from industry development and the "sea change" phenomenon, we as a Council are very much aware of our responsibility to preserve the character and natural beauty of Albany in any planning decisions we make. Both the conference and the Council visits proved to be very valuable to the Councillors and Officers who attended.

Thank you."

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR JAMIESON**

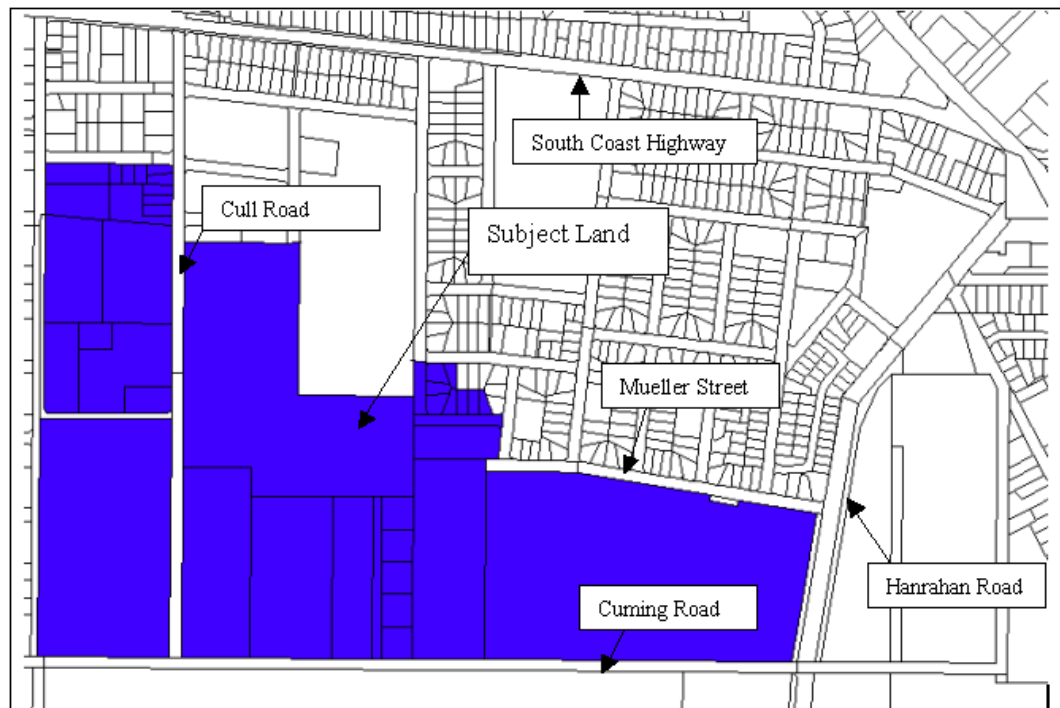
THAT the Deputy Mayor's report be received.

MOTION CARRIED 11-0

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

18.1 Draft Scheme Policy – Lockyer Residential Development Zone and Future Urban Zone - Conceptual Structure Plan

- File/Ward** : STR 131 (Vancouver & West Wards)
- Proposal/Issue** : Provide Subdivisional Opportunities for Lots Zoned Residential Development and Future Urban in South Lockyer.
- Subject Land/Locality** : Various Lots
- Proponent** : City of Albany
- Owner** : Various
- Reporting Officer(s)** : Strategic Planner (R Hensel)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Adopt Policy for Advertising Purposes
- Bulletin Attachment** : Nil
- Locality Plan** :



Item 18.1 continued

BACKGROUND

1. The City of Albany Town Planning Scheme 3 has identified an area between Cumming Road, Cull Road, Little Oxford Street and Wolfe Road within the “Residential Development” zone. The City of Albany Town Planning Scheme 1A identifies an area to the east of Cull Road as “Future Urban” zone. The total land area is approximately 73ha. Development of those lots cannot proceed until an overall structure plan has been prepared. Because of the need to construct the western extension of Mueller Street (to link with Cull Road) and respond to the current demand for residential land, the preparation of that plan remains a high priority for the City. The area has the potential to be connected to all the necessary services.
2. The conversion of this land to residential lots is recommended in the City’s Draft Local Planning Strategy.
3. Existing landowners, are frustrated that current zoning is hindering the opportunity to subdivide their land.

STATUTORY REQUIREMENTS

4. Scheme 3 states at clause 5.2 that;

“5.2.1 Before granting approval for any of the uses permitted within the Development Zones subject to Council approval under Table No. 1 or endorsing an application for subdivision the Council will require the submission to, and approval by, the Western Australian Planning Commission of an Outline Development Plan for such areas as are the subject of an application to develop or subdivide being not less than the area shown within the outer edge of the green border on the part of the scheme map containing the subject land, together with other areas determined by the Council having regard to:

- (a) the major road systems under the Scheme;*
- (b) topographic conditions;*
- (c) land holdings adjacent to or in the vicinity of the subject land;*
- (d) the necessity of providing civic and public facilities;*
- (e) preservation of the environment.”*

Scheme 1A states at clause 4.3

“4.3.5 Land included in the Future Development Zone is recognised by Council as being suitable for urban purpose in the future. Council shall initiate zoning changes to allow for development and promote subdivision proposals where the subdivision and /or development proposal put forward in accordance, or will not conflict, with a Local Structure Plan approved by Council and submitted in a form consistent with Commission Guidelines for approval of the Western Australian Planning Commission.

POLICY IMPLICATIONS

5. The City of Albany Town Planning Scheme 3 states that the broad objective for the Residential Development zone is *“to facilitate the orderly and equitable development for residential purposes of areas where the existing subdivisional pattern, multiple ownership, or other factors make this objective unobtainable by the normal methods of subdivision and development.”*

Item 18.1 continued

FINANCIAL IMPLICATIONS

6. The in-house preparation of the South Lockyer Conceptual Structure Plan has been undertaken as a high priority action to progress the construction of the Mueller Street extension and respond to land owner subdivision proposals.

STRATEGIC IMPLICATIONS

7. The City of Albany’s Draft Local Planning Strategy has identified the subject land for residential development within the next 20 years.

COMMENT/DISCUSSION

8. There are landowners proposing to subdivide sites in the Lockyer “Residential Development” zone. Their capacity to, in the short term, subdivide residential land is very important as the Bayonet Head and Yakamia development fronts have been held up for a lengthy period, to address environmental matters to the satisfaction of the Environmental Protection Authority.
9. The upgrading of Cuming Road to the south of the Study Area to provide a sealed additional east-west is cost prohibitive due to the presents of acid sulphate soils and the high water table. Therefore, the extension of Mueller Street to Cull Road to service the residential development within the structure plan area and provide connections to the west and with South Coast Highway and Hanrahan Road is a high priority. The structure plan provides the framework for the western extension of Mueller Street as part of the detailed subdivision and engineering design for the proposed residential area.
10. The following are the principle aims of the Concept Structure Plan:
 - to promote a sustainable urban design and development approach;
 - to integrate new urban areas with abutting existing areas;
 - to ensure a site responsive approach that maximises local features, such as views, enhances the local character and promotes a sense of community;
 - to provide a safe, convenient and attractive locality to meet the changing needs of a diverse community and offer a wide choice of housing types in close proximity to employment and social opportunities;
 - to encourage a variety of lot sizes and housing types to cater for a variety of family types;
 - to encourage the development of a local activity centre to provide retail and employment services the local community;
 - to provide a safe, convenient, legible and integrated movement network; and
 - to encourage the use of water sensitive design principles and minimise the export of nutrients.

RECOMMENDATION

THAT Council, pursuant to clause 6.9 of the City of Albany Town Planning Scheme 3, and Clause 7.21 of the City of Albany Town Planning Scheme 1A resolves to adopt for the purposes of advertising the draft policy entitled “South Lockyer Conceptual Structure Plan”.

Voting Requirement Simple Majority

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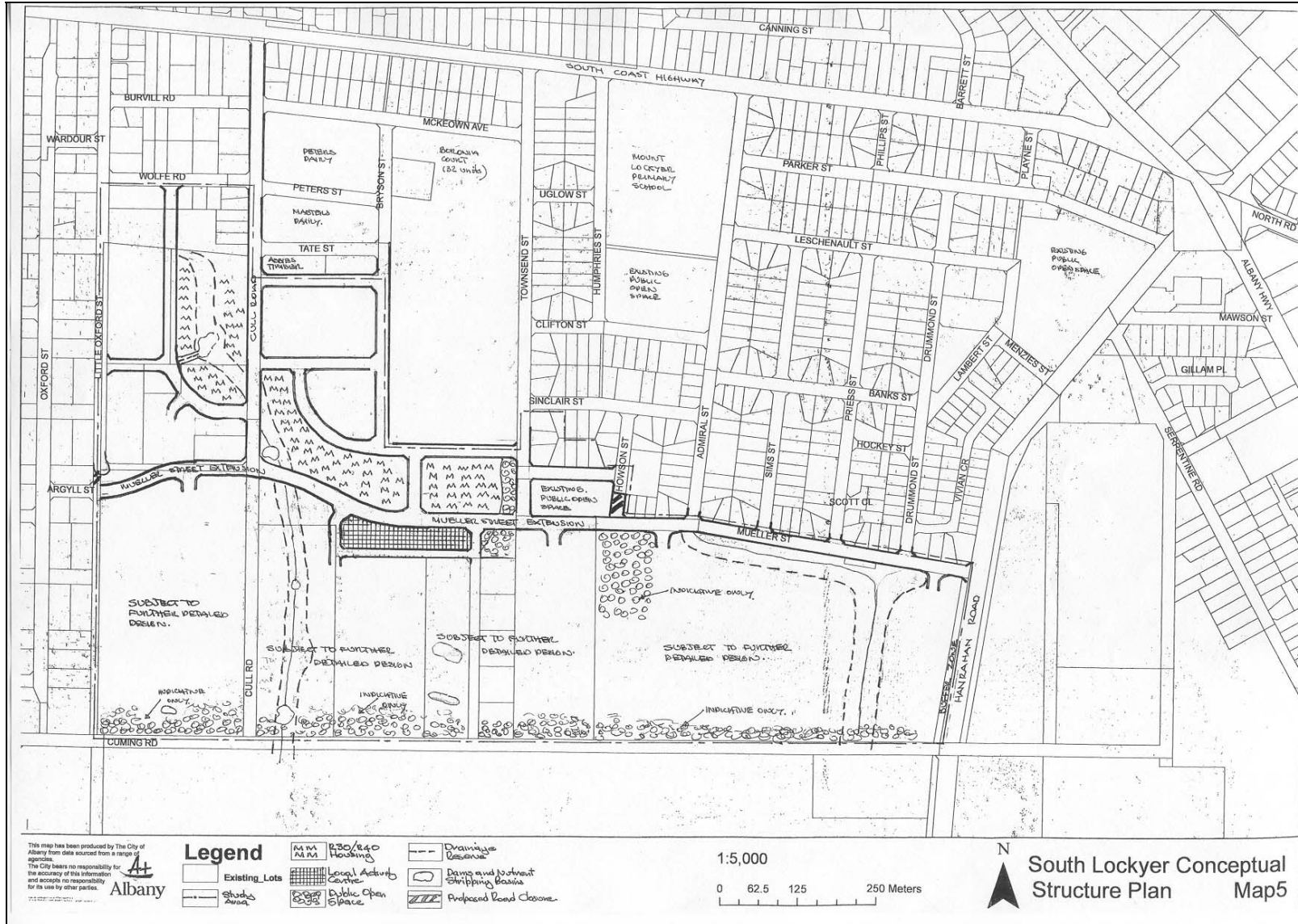
Item 18.1 continued

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR JAMIESON**

THAT Council, pursuant to clause 6.9 of the City of Albany Town Planning Scheme 3, and Clause 7.21 of the City of Albany Town Planning Scheme 1A resolves to adopt for the purposes of advertising the draft policy entitled “South Lockyer Conceptual Structure Plan”.

MOTION CARRIED 11-0

Item 18.1 continued



19.0 CLOSED DOORS
Nil.

20.0 NEXT ORDINARY MEETING DATE
Tuesday 18th July 2006, 7.30pm

21.0 CLOSURE OF MEETING
There being no further business, the meeting closed at 9.37pm. .

Confirmed as a true and correct record of proceedings.

A Goode, JP
Mayor

APPENDIX A

WRITTEN NOTICE OF DISCLOSURES OF INTEREST

Name	Item	Nature of Interest
Councillor Lionetti	11.3.4	Owner of retail shop within vicinity

APPENDIX B

INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING

Nil.

INTERESTS DISCLOSED BY OFFICERS

CEO, A Hammond	13.2.1	Partner was previously employed by Cleanaway.
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[Agenda Item 12.1.1 refers]
[COUNCIL – 20th June 2006]

SUMMARY OF ACCOUNTS

Municipal Fund		
Cheques	Totalling	\$280,719.15
Electronic Fund transfer	Totalling	2,604,304.36
Credit Cards	Totalling	10,251.89
Payroll	totalling	738,717.68
Total		<u>\$3,633,993.08</u>

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$3,633,993.08 which was submitted to each member of the Council on 20th June 2006 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 \$3,633,993.08 which was submitted to the Council on 20th June 2006 and that the amounts are recommended to the Council for payment.

MAYOR
(A Goode JP)