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# MINUTES

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**For the Ordinary Meeting of Council  
Held on  
Tuesday 20 November 2012  
6.00pm  
City of Albany Council Chambers**

## **CITY OF ALBANY STRATEGIC PLAN (2011-2021)**

The City of Albany Strategic Plan was adopted by Council on 16 August 2011 and is available at [www.albany.wa.gov.au](http://www.albany.wa.gov.au)

The Plan states our vision and values as:

### **VISION**

Western Australia's most sought after and unique regional city to live, work and visit.

### **VALUES**

The values of the City of Albany apply to elected members and staff who commit to:

- Results
- Ethical behaviour
- Accountability
- Leadership

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**I. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

[6:00:04 PM](#) The Mayor declared the meeting open.

**II. OPENING PRAYER**

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

**ITEM 2.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HOLDEN**

**SECONDED: COUNCILLOR CALLEJA**

**THAT Standing Order 3.1 be SUSPENDED to allow recording of proceedings.**

**CARRIED 11-0**

**III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION**

[6:01:04 PM](#) **Councillor Dufty**

Summary of key points:

- Attended the 100<sup>th</sup> Anniversary of the Albany Bible Society and the official opening of the Master Builders Training and Display Centre, Nurses Memorial service, Regional Road Group and Cabinet visit
- Highlighted the need for traffic lights for safer pedestrian crossings, particularly on North Road

[6:04:15 PM](#) **Councillor Bostock**

Summary of key points:

- Relayed positive feedback from the Little Grove community regarding the recent road works in Little Grove

[6:05:07 PM](#) **Councillor Hammond**

Summary of key points:

- Alcohol consumption in Albany, and concern over the high incidence of alcohol related accident and disease in our community

[6:06:25 PM](#) **Mayors Report**

Below is a brief summary of Mayoral Office activities since the last Ordinary Council Meeting held on 16 October 2012:

- Community Radio commitments
- Relay for life afternoon tea
- Attend opening of Albany Volunteer Fire and Rescue Station
- Private Citizenship Ceremony- two conferees
- City of Albany representative at Desert Mounted Corps Memorial Service
- Attend announcement for Anzac Centenary-hand over of first instalment of funding for Mount Clarence from the Premier Mr Colin Barnett
- City of Albany attendee at the official opening of the UWA Sciences Building
- City of Albany attendee at the Opening Ceremony of the Exhibition by Spencer Park Primary School and the Trustees of the WA Museum “Nature”
- City of Albany Attendee at the Opening of the 2012-13 Racing Season
- Attend Anzac Alliance Meeting in Perth
- City of Albany attendee at the Albany Agricultural Society pre show function
- Fortnightly teleconference with Minister Castrilli
- City of Albany attendee at the McHappy Day fund raiser at McDonalds

**ITEM 3.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON**

**SECONDED: COUNCILLOR HOLDEN**

**The Mayor’s Report be RECEIVED.**

**CARRIED 11-0**

**IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC**

**V. PUBLIC QUESTION AND STATEMENT TIME**

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

**6:08:33 PM Mr Tony Stanton, Little Grove**

Mr Stanton's Tabled Address is detailed at Appendix B.

**6:12:42 PM Mr Mervyn Leavesley, President, Lower Kalgan Progress Association**

Summary of key points:

- Precinct planning for Lower Kalgan area
- Amenity of area should be maintained
- Misleading information about ALPS
- Council should reject Amendment 303 and fully engage the local community in consultation

**6:15:23 PM Mr Harry Poole, Riverview Road, Kalgan**

Summary of key points:

- Amendment 303
- Opposed to the rezoning and development proposal
- Candyup is highly fertile farming land and agricultural resources must be protected from inappropriate land use
- Rezoning is incompatible with surrounding uses and should be confined to the southern side of Nanarup Road where the soil type is poorer
- Roads will change the effects of surface water flow and houses built on this site may be subject to slippage

**6:19:01 PM Mr Michael Pemberton, Shorts Place, Mira Mar**

Summary of key points:

- Extended Trading Hours for 2013
- Asked for the matter to be laid on the table until deregulation of trading hours is considered at the December 2012 Ordinary Council Meeting
- Council needs to reconsider the City's Buy Local policy

**6:23:33 PM Ms Anne Brandenburg, David Street, Albany**

Ms Brandenburg's Tabled Address is detailed at Appendix B.

**6:27:54 PM Mr David Giles, Lower Kalgan**

Summary of key points:

- Commended City staff on the detailed report
- Staff recommendations warrant careful consideration before making a decision
- South Australia is moving to protect prime agricultural land from development
- How do Council want to be remembered

**6:31:37 PM Mr Ian Lunt, Moonlight Road, Lower Kalgan**

Summary of key points:

- Opposed to Amendment 303
- Matter has been before the community since 2000
- Proponent has not addressed local residents, if he had done so, a compromise may have been reached
- Proposed development site is prime agricultural land that is irreplaceable
- Proposal is development for developments sake
- Impact of development would be widely felt, and there has been a disregard of the effect on established local rural and semi rural lifestyles
- Drainage issues and the possible effect on local businesses dependent upon marine industry
- Property is not conducive to urban development

**6:35:49 PM Mr Ian Brandenburg, Gorepani Estate, Lower Kalgan**

Summary of key points:

- Area is very steep
- Roads and buildings will increase water runoff

**6:38:28 PM Ms Sylvia Brandenburg, Moonlight Road, Lower Kalgan**

Summary of key points:

- Council should hear community concern
- Quoted from Councillor Manual on the role of Councillors in decision making and community representation and involvement
- Only some Councillors attended the site visit
- Mayor should provide leadership and guidance to the community
- Councillors should represent the interests of ratepayers and residents
- More planning required



[6:42:17 PM](#) **Ms Sheryn Prior, Spencer Park**

Summary of key points:

- Spoke in support of Spencer Park Neighbourhood Precinct Plan
- Growing population in the area requiring an increase in services
- Thanked planning staff for their time in developing the Plan

[6:43:41 PM](#) **Mr John O’Dea, Bushby Road, Lower King**

Summary of key points:

- In support of Amendment 303
- \$3.5m extension to Grammar School shows an increase in attendance and therefore local housing options should be provided close to the school
- Councillor Attwell has not attended any community meetings
- Some residents are in favour of development

[6:47:20 PM](#) There being no further speakers, the Mayor declared the Public Question and Statement Time closed.

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

Mayor	D Wellington
<b>Councillors:</b>	
Breaksea Ward	R Hammond
Breaksea Ward	V Calleja
Kalgan Ward	C Holden
Kalgan Ward	Y Attwell
West Ward	G Gregson
West Ward	D Dufty
Yakamia Ward	R Sutton
Yakamia Ward	A Hortin JP
Vancouver Ward	D Bostock
Vancouver Ward	S Bowles
<b>Staff:</b>	
Acting Chief Executive Officer	L Hill
Acting Executive Director Community Services	C Woods
Executive Director Planning & Development Services	D Putland
Executive Director Works & Services	S Grimmer
Executive Director Corporate Services	G Adams
Minutes	J Williamson

Three members of the media and approximately 25 members of the public were in attendance.

**Apologies:**

Frederickstown Ward	C Dowling
Frederickstown Ward	G Stocks

**VII. APPLICATIONS FOR LEAVE OF ABSENCE**

**ITEM 7.0: MOTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR CALLEJA**

**SECONDED: COUNCILLOR DUFTY**

**THAT Councillor Bostock be granted leave of absence for the December 2012 Ordinary Council Meeting.**

**CARRIED 11-0**

**VIII. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**ITEM 8.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HORTIN**

**SECONDED: COUNCILLOR GREGSON**

**THAT the minutes of the Ordinary Council Meeting held on 16 October 2012, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**CARRIED 11-0**

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**IX. DECLARATIONS OF INTEREST**

Name	Item Number	Nature of Interest
Councillor Calleja	3.1	<b>Proximity.</b> Councillor Calleja is a member of the Albany Chamber of Commerce and Industry Executive. Councillor Calleja remained in the Chamber and participated in the discussion and vote.
Mayor Wellington	3.1	<b>Financial.</b> Mayor Wellington is a retailer in the City. Mayor Wellington left the Chamber and did not participate in the discussion or vote.
Councillor Hortin	3.1	<b>Financial.</b> Councillor Hortin is deemed to be a retailer by virtue of having some combo vending machines placed within the City of Albany. Councillor Hortin left the Chamber and did not participate in the discussion or vote.
Councillor Bowles	4.1	<b>Impartiality.</b> Councillor Bowles has a sponsorship arrangement through the Great Southern Factor Inc, of which she is the secretary, with H+H Architects. Councillor Bowles remained in the Chamber and participated in the discussion and vote.
Councillor Attwell	5.1	<b>Impartiality.</b> Councillor Attwell's sons are involved with AD Contractors. Councillor Attwell remained in the Chamber and participated in the discussion and vote.

**X. IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS**

16.1: Motion by Mayor Wellington: In accordance with the *Local Government Act 1995*, this matter will be discussed behind closed doors:

*5.23: Meetings Generally open to Public*

(2) *if a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or part of the meeting deals with any of the following-*

- (a) a matter affecting an employee or employees; and*
- (b) the personal affairs of any person; and*
- (c) a contract entered into, or which may be entered into, by the local Government and which relates to a matter to be discussed at the meeting;*

**XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS**

A petition was presented to Council from ratepayers requesting that:

“Albany City Council adjusts rates payable on vacant land to remove the inequity that sees owners of vacant land paying the same or higher rates as similarly sized properties with dwellings.”

**ITEM 11.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR BOWLES**

**SECONDED: COUNCILLOR DUFTY**

**THAT the Petition lodged by the Electors of the City of Albany be RECEIVED.**

**CARRIED 11-0**

**XII. ADOPTION OF RECOMMENDATIONS EN BLOC**

**RISK MANAGEMENT FRAMEWORK**

The City of Albany Organisational Risk Management Framework, which will be used as a Reference Document for the “Risk Identification and Mitigation” Section for all Papers in the Agenda, has been previously distributed to all Elected Members.

20/11/2012

\*\*REFER DISCLAIMER\*\*

**1.1: AUDIT AND FINANCE COMMITTEE**

**Proponent** : City of Albany  
**Responsible Officer** : Acting Chief Executive Officer (L Hill)

**ITEM 1.1: COMMITTEE RECOMMENDATION 1  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**COUNCILLOR BOWLES  
SECONDED: COUNCILLOR GREGSON**

**THAT the confirmed minutes of the Audit and Finance Committee held on 24 September 2012 be RECEIVED.**

**CARRIED 11-0**

Councillor Attwell requested an amendment to the minutes of this meeting of the Audit and Finance Committee. Councillor Attwell stated that her request at 7.1 related to which matters were to be considered by the Audit and Finance Committee as on the day of the meeting a number of items were removed from the agenda.

**ITEM 1.1: COMMITTEE RECOMMENDATION 2  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR BOWLES**

**THAT Council seek information from the Department of Environment and Conservation regarding any information they hold on the Lockyer Avenue freehold site, and from the Minister for Planning regarding the WA Planning Commission's requirement for community consultation.**

**CARRIED 11-0**



## AUDIT & FINANCE COMMITTEE

### MINUTES

For the meeting held from 5.30pm on Monday 24 September 2012,  
in the Margaret Coates Boardroom, City Office, North Road, Albany

(File Ref: FM.MEE.1)

#### 1.0 ATTENDANCE

<b>Mayor</b>	D Wellington (Deputy Chair)
<b>Councillors:</b>	
Y Attwell	Member
G Gregson	Member
C Holden	Member
G Stocks	Chair
C Dowling	Member
V Calleja	Member
D Dufty	Member
D Bostock	Member
<b>Staff:</b>	
Acting Chief Executive Officer	L Hill
Executive Director Works & Services	S Grimmer
Executive Director Community Services	C Woods
Executive Director Corporate Services	G Adams
Executive Director Planning and Development Services	D Putland
Manager Tourism Development and Services	M Bird
Manager Finance	D Olde
Business Analyst/Management Accountant	D Harrison
Personal Assistant to Executive Director Corporate Services	A Dwyer
Minute Taker	J Williamson
<b>Apologies/Leave of Absence:</b>	
R Hammond	Member
S Bowles	Member
A Hortin	Member
R Sutton	Member

The Chair declared the meeting open at 5.30pm.

**2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**ITEM 2.0: RESOLUTION**

**MOVED: COUNCILLOR GREGSON**  
**SECONDED: COUNCILLOR CALLEJA**

**THAT the unconfirmed minutes of the Audit Committee meeting held on Monday 27 August 2012, as previously distributed, be confirmed as a true and accurate record of proceedings.**

**CARRIED 9-0**

**3.0 DISCLOSURE OF INTEREST**

*[Elected members of Council and staff are asked to use the forms prepared for the purpose, aiding the proceedings of the meeting by notifying the presiding member prior to the conduct of the meeting]*

Name	Item Number	Nature of Interest
Mayor Wellington	5.1	<b>Impartiality.</b> Mayor Wellington is a retailer in the City of Albany. The Mayor remained in the meeting and participated in the discussion and vote. (Verbal Disclosure only)

**4.0 STANDING ITEMS FOR DISCUSSION**

**4.1 Monthly Financial Report**

**Reporting Officer:** Executive Director Corporate Services

**ITEM 4.1: RESOLUTION**

**MOVED: COUNCILLOR CALLEJA**  
**SECONDED: COUNCILLOR DUFTY**

**THAT the Monthly Financial Report be NOTED.**

**CARRIED 9-0**

**4.2 Monthly Major Projects Report including Anzac Update**

**Reporting Officer:** Acting Chief Executive Officer

Acting Chief Executive Officer provided a verbal update on Anzac to the Committee.

Correspondence has been received from:

- Tim Evans, Assistant Secretary following the Department of Veteran Affairs visit to Albany.
- Angus Houston, in response to follow up by Mayor Wellington.

Both indicate:

- a more conservative approach to the Anzac event than previously identified;
- a delay in determining scope, possibly mid December; and
- shows even more the necessity to push for a consistent view of both Mt Adelaide and the Event.

The Mayor advised the Committee that he had spoken with Richard May, Department of Premier and Cabinet, regarding confirming the State's role in the event and the requirement for all stakeholders to be of a consistent view.

Today in discussions with Senator Dean Smith, candidates Rick Wilson and Trevor Cosh asked for assistance regarding confirmation of the State's involvement.



The City needs to resource:

1. Development proposals for Mt Adelaide Precinct
2. Position with responsibility for stakeholder management, community engagement and public relations.

**ITEM 4.2: RESOLUTION**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR DOWLING**

**THAT the Anzac Update be NOTED.**

**CARRIED 9-0**

**4.3 Capital Works and Unscheduled Works Report**

**Reporting Officer:** Executive Director Works and Services

**ITEM 4.3: RESOLUTION**

**MOVED: MAYOR WELLINGTON  
SECONDED: COUNCILLOR DOWLING**

**THAT the Capital Works and Unscheduled Works Report be NOTED.**

**CARRIED 9-0**

**4.4 Airport Masterplan Report**

**Reporting Officer:** Manager Tourism Development and Services and Manager, Asset Planning and Major Projects

**ITEM 4.4: RESOLUTION**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR DUFTY**

**THAT the Airport Masterplan Report be NOTED.**

**CARRIED 9-0**

**5.0 ITEMS FOR DISCUSSION**

**5.1 Deregulated Trading**

Following discussion by the Committee, the following recommendation was made:

**ITEM 5.1: RECOMMENDATION**

**MOVED: COUNCILLOR HOLDEN  
SECONDED: COUNCILLOR BOSTOCK**

**THAT the Asset Research-Community Consultation Deregulated Trading Hours in the City of Albany Report-(August 2012) be forwarded to the Minister for Commerce for consideration to deregulate trading hours within the City of Albany.**

**CARRIED 6-3**

**5.2 October 2012 Budget Review**

**ITEM 5.2: RECOMMENDATION**

**MOVED: COUNCILLOR ATTWELL  
SECONDED: COUNCILLOR GREGSON**

**THAT Council ADOPTS the Budget Review for the period ending 31 August 2012.**

**CARRIED 9-0**

**5.3 Albany Leisure and Aquatic Centre Business Plan and Expression of Interest**

**ITEM 5.3: RECOMMENDATION**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR HOLDEN**

**THAT the Report-Albany Leisure and Aquatic Centre Business Plan and Update on Expression of Interest be NOTED.**

**CARRIED 9-0**

**5.4 Rescoping of Event Budget for 2012-13**

**ITEM 5.4: RECOMMENDATION**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR BOSTOCK**

**THAT:**

- 1. The Christmas Festival and Pageant proceed as proposed.**
- 2. The Australia Day Fireworks be CANCELLED and that funding be allocated to a larger celebration of the Australian Citizenship Ceremony and Awards to include a barbeque.**
- 3. The New Years Eve Fireworks be CONTINUED**
- 4. The Volunteers Sundowner proceed as proposed.**
- 5. The US Submariners Memorial Service funding proceed.**
- 6. The Proclamation Day Funding proceed.**

**CARRIED 9-0**

**5.5 Lockyer Avenue Freehold Lot Deferred until the October Audit and Finance meeting.**

**5.6 Emu Point Emergency Works Costings**

**ITEM 5.6: RECOMMENDATION**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR GREGSON**

**THAT the City ALLOCATE funding of up to \$300,000 from the Unscheduled Works Reserve and/or other funding sources for Emu Point Emergency Works.**

**CARRIED**

**5.7 Risk Register and Legal Register-Future Reporting**

Acting Chief Executive Officer and Executive Director Corporate Services updated the Committee on the proposed new reporting format for the Risk Register and Legal Register.

**ITEM 5.7: RECOMMENDATION**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR GREGSON**

**THAT new reporting format for the Risk Register is NOTED.**

**CARRIED 9-0**

**ITEM 5.7: RECOMMENDATION**

**MOVED: COUNCILLOR GREGARSON  
SECONDED: COUNCILLOR BOSTOCK**

**THAT actual and potential claims requiring a Council decision are reported quarterly to the Audit and Finance Committee.**

**CARRIED 9-0**

5.8 Middleton Beach/3 Anchors Development-This item was withdrawn from the agenda.

6.0 ITEMS TO BE DISCUSSED AT FUTURE MEETINGS

**ITEM 6.0: RECOMMENDATION**

**MOVED: COUNCILLOR STOCKS**

**SECONDED: COUNCILLOR ATTWELL**

**THAT the following be removed from the list of items to be discussed at future meetings:**

- **Emergency Management**
- **Airport Emergency Management**
- **Emergency Management Services-Risks and Treatment**
- **OSH Risks and Treatments**

**CARRIED 9-0**

6.1 Investment Strategy with Community Banks

7.0 GENERAL DISCUSSION

7.1: Councillor Attwell requested clarification from the Acting CEO regarding the Terms of Reference of the Audit and Finance Committee and any statutory requirements under the *Local Government Act 1995*.

**Action Required:** Acting CEO will provide clarification and information at the next Audit and Finance Committee meeting.

7.2: Councillor Calleja brought to the Committee's attention the recent death of a long standing employee of the City of Albany, Mr Murray Clarke, should Councillor's wish to attend his funeral.

7.3: Councillor Calleja suggested that the City provide an iPad to each Councillor and members of the Executive Management Team in an effort to reduce the amount of paper used to distribute information. These iPads would remain the property of the City and be used by Elected Members during their service to the City.

8.0 DATE OF NEXT MEETING: 22 October 2012

9.0 CLOSURE OF MEETING

There being no further business the Chair declared the meeting closed at 8.15pm.

20/11/2012

\*\*REFER DISCLAIMER\*\*

**1.1.1: GOVERNANCE COMMITTEE**

**Proponent** : City of Albany  
**Attachments** : Minutes of Governance Committee meeting held on 24  
September 2012  
**Responsible Officer** : Acting Chief Executive Officer (L Hill)

**ITEM 1.1.1: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR DUFTY**

**THAT the confirmed minutes of the Governance Committee Meeting held on 24 September  
2012 be RECEIVED.**

**CARRIED 11-0**



**GOVERNANCE COMMITTEE**

**MINUTES**

for the meeting to be held on Monday 24 September 2012,  
in the Margaret Coates Boardroom, City Office, North Road, Albany

**(File Ref: CM.MEE.6)**

**Terms of Reference:** *The Committee is established under section 7.1A of the Local Government Act 1995 (the Act) and its Regulations. The Committee does not have any delegated authority from Council.*

**1.0 ATTENDANCE**

<b>Mayor</b>	D Wellington(Chair)
<b>Councillors:</b>	
Y Attwell	Member
D Bostock	Member
G Gregson	Member
C Holden	Member
V Calleja	Member
D Dufty	Member
C Dowling	Member
G Stocks	Member
<b>Staff:</b>	
Acting Chief Executive Officer	L Hill
Minutes	J Williamson
Personal Assistant to Executive Director Corporate Services	A Dwyer
<b>Apologies/Leave of Absence:</b>	
R Hammond	Member
S Bowles	Member
A Hortin	Member
R Sutton	Member

**2.0 CONFIRMATION OF MINUTES**

**ITEM 2.0: RESOLUTION**

**MOVED: COUNCILLOR HOLDEN  
SECONDED: COUNCILLOR DOWLING**

**THAT the minutes of the Governance Committee Meeting held on 27 August 2012, as previously distributed, be accepted as a true and accurate record of proceedings.**

**CARRIED 9-0**

**3.0 STANDING ITEMS**

3.1 Staff Movements

**ITEM 3.0: RESOLUTION**

**MOVED: COUNCILLOR ATTWELL  
SECONDED: COUNCILLOR CALLEJA**

**THAT the Staff Movements Report for August 2012 be NOTED.**

**CARRIED 9-0**

**4.0 ITEMS FOR DISCUSSION**

**4.1: Councillor Bostock: Role and responsibility for management and employment of staff with relation to Council's statutory obligations and responsibilities under the *Western Australian Occupational Safety and Health Act 1985*.**

Councillor Bostock stated that in his opinion there could be serious consequences if the City does not take responsibility for the welfare of staff. Councillor Bostock stated that in his opinion a specialist employment lawyer would be required to give advice on this matter and requested that Clayton Utz would be appropriate.

**Action required:** Acting CEO Ms Linda Hill to approach Clayton Utz on behalf of the Committee to seek clarification.

**4.2: Governance Committee-Scheduling of meetings and Committee requirements regarding staff attendance.**

Acting CEO Ms Linda Hill proposed a restructure of meeting day/time for the Governance Committee, given that the Audit and Finance Committee secretariat has now been transferred to Corporate Services.

It was suggested that a morning meeting time for the Governance Committee may be appropriate.

The Committee have requested that staff provide several options to the Committee for their consideration.

A confidential briefing to Council was suggested, and this would be held prior to the Agenda Briefing Session to allow discussion between Council and key staff members.

**5.0 ITEMS TO BE DISCUSSED AT NEXT MEETING**

**6.0 GENERAL DISCUSSION** (in the absence of staff).

**7.0 DATE OF NEXT MEETING:** 22 October 2012

**8.0 CLOSURE OF MEETING**



\*\*REFER DISCLAIMER\*\*

**1.1.2: CEO RECRUITMENT COMMITTEE**

**Proponent** : City of Albany  
**Responsible Officer(s)** : Acting Chief Executive Officer (L Hill)  
**Attachments** : Minutes of CEO Recruitment Committee meeting held 5  
September 2012-CONFIDENTIAL

ITEM 1.1.2: RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT the confirmed minutes of the CEO Recruitment Committee meeting held on 5  
September 2012 be RECEIVED.

**THIS ITEM WAS WITHDRAWN FROM THE AGENDA**

**1.2: COMMON SEAL AND EXECUTED DOCUMENTS UNDER DELEGATION REPORTS**

**Responsible Officer** : Chief Executive Officer (L Hill)  
**Attachments** : Common Seal Report

**IN BRIEF**

- Receive the Common Seal Reports for October 2012, which include decisions made by Delegated Authority

**ITEM 1.2: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR GREGSON**

**THAT the Common Seal Report for October 2012 be RECEIVED.**

**CARRIED 11-0**

EDR1226959 CP.PRG.4  
EXECUTED DOCUMENT  
ITEM: N/A  
REF: EPBC ACT REFERRAL FOR ANZAC CENTRE  
PARTIES: CITY OF ALBANY  
ACTING CEO

EDR1227002 PS.ACQ.9  
EXECUTED DOCUMENT  
ITEM: 1.1 OCM: 18.9.12  
RE: APPLICATION FOR CLEARING PERMIT - 279 LILYDALE ROAD, YOUNG SIDING WA  
6330  
PARTIES: CITY OF ALBANY  
SIGNED BY A/CEO G ADAMS

EDR1227049 GS.PRG.8  
EXECUTED DOCUMENT  
ITEM: 4.6 OCM: 15.3.11  
RE: COMPLETED ACQUITTAL FOR GRAFFITI MAPPING' PROJECT  
PARTIES: CITY OF ALBANY AND STRATEGIC CRIME PREVENTION DIVISION  
SIGNED BY A/CEO L HILL

EDR1227060 C12021  
EXECUTED DOCUMENT  
ITEM: N/A OCM: N/A  
RE: CONTRACT C12021 EMU POINT BOAT TRAILER CAR PARK UPGRADE  
PARTIES: CITY OF ALBANY AND ALBANY INDUSTRIAL SOLUTIONS  
SIGNED BY A/CEO L HILL

EDR1227072 TT.COT.2  
EXECUTED DOCUMENT  
ITEM: 4.6 OCM: 15.3.11  
RE: SERVICE AGREEMENT - ILS AND DME PREVENTATIVE MAINTENANCE, ALBANY  
REGIONAL AIRPORT  
PARTIES: CITY OF ALBANY AND AIRSERVICES AUSTRALIA  
SIGNED BY A/CEO L HILL

EDR1227151 GS.PRG.45  
EXECUTED DOCUMENT  
ITEM: 4.6 OCM: 15.3.11  
RE: GRANT APPLICATION FOR 2013 NATIONAL YOUTH WEEK EVENT 'AMAZING  
RACE'  
PARTIES: CITY OF ALBANY AND DEPARTMENT OF COMMUNITIES  
SIGNED BY A/CEO L HILL

EDR1227253 DES130

EXECUTED DOCUMENT

ITEM: N/A OCM: N/A

RE: AUTHORISATION FOR NON-DELETERIOUS, SITE-PRESERVATION ACTIVITIES UNDER REGULATION 10 OF THE ABORIGINAL HERITAGE REGULATIONS 1974 - UPGRADING WORKS - MILLBROOK ROAD

PARTIES: CITY OF ALBANY

SIGNED BY A/CEO L HILL 1 COPY

EDR1227344 GS.PRG.23

EXECUTED DOCUMENT

ITEM: N/A OCM: N/A

RE: APPLICATION FOR COMMODITIES ROUTES FUNDING FOR 2013/14

PARTIES: CITY OF ALBANY AND STATE ROAD FUNDS

SIGNED BY A/CEO L HILL 1 COPY

EDR1227346 PR.DEC.6

EXECUTED DOCUMENT

ITEM: N/A OCM: N/A

RE: REGULATION 10 APPLICATION - REGISTERED ABORIGINAL SITE 636 - OYSTER HARBOUR

PARTIES: CITY OF ALBANY

SIGNED BY A/CEO L HILL 1 COPY

EDR1227386 PS.ACQ.9

EXECUTED DOCUMENT

ITEM: 1.1 OCM: 18.09.12

RE: APPLICATION FOR CLEARING PERMIT: RURAL VOL 610, FOLIO 171A

PARTIES: CITY OF ALBANY AND DEPARTMENT OF ENVIRONMENT & CONSERVATION

SIGNED BY A/CEO L HILL 1 COPY

EDR1227387 RD.ACQ.1

EXECUTED DOCUMENT

ITEM: 4.5 OCM: 16.10.12

RE: CONSENT AGREEMENT - WIDENING CHESTERPASS ROAD AND MERCER ROAD INTERSECTION, ALBANY

PARTIES: CITY OF ALBANY AND MAIN ROADS WA

SIGNED BY A/CEO L HILL 1 COPY

EDR1227426 SD.AGR.1

EXECUTED DOCUMENT

ITEM: 4.3 OCM: 17.07.12

RE: SECTION 52 LAND ACQUISITION LOTS 33, 100 AND 133 MCLEOD, STEWART AND SEYMOUR STREETS, MIRA MAR

PARTIES: CITY OF ALBANY AND DEPARTMENT

SIGNED BY A/CEO L HILL 1 COPY

EDR1227453 RD.PLA.1

EXECUTED DOCUMENT

ITEM: 1.1 OCM: 18.09.12

RE: BRIDGE MAINTENANCE PROGRAM FOR GRASSMERE ELLEKER AND LOWER  
KING ROAD BRIDGES

PARTIES: CITY OF ALBANY AND MAIN ROADS WA

SIGNED BY A/CEO L HILL 1 COPY

EDR1227455 PRO357

EXECUTED DOCUMENT

ITEM: 4.6 OCM: 15.03.11

RE: SALE OF LOT 484 (9) GREYHOUND CIRCLE, LOCKYER - OFFER AND  
ACCEPTANCE

PARTIES: CITY OF ALBANY AND DARREN JACOB MARING

SIGNED BY A/CEO L HILL 1 COPY

NCSR1227071 CP.PRG.4

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: APPLICATION FOR CLEARING PERMIT - FORTS ROAD, MOUNT ADELAIDE

PARTIES: CITY OF ALBANY AND DEPARTMENT OF ENVIRONMENT AND  
CONSERVATION

SIGNED BY ACTING CEO AND MAYOR 1 COPY

NCSR1227088 COM150

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: DEED OF SETTLEMENT AND RELEASE

PARTIES: CITY OF ALBANY AND MARTIN STEVEN MOSS AND DAVID BRIAN MOSS

SIGNED BY ACTING CEO AND MAYOR 3 COPIES

NCSR1227098 144194

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: NOTIFICATION UNDER SECTION 70A - LOT 200 ON DEPOSITED PLAN 73985

PARTIES: CITY OF ALBANY AND BARRY WAYNE POWELL AND KAREN LINDA  
POWELL

SIGNED BY ACTING CEO AND MAYOR 1 COPY

NCSR1227099 144194

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: NOTIFICATION UNDER SECTION 70A - LOT 201 ON DEPOSITED PLAN 73985, LOT  
202 ON DEPOSITED PLAN 73985

PARTIES: CITY OF ALBANY AND NIGEL PETER RYDE AD KERRILLEA KIM RYDE

SIGNED BY ACTING CEO AND MAYOR 1 COPY

NCSR1227100 144194

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: NOTIFICATION UNDER SECTION 70A - LOT 203 ON DEPOSITED PLAN 73985,

PARTIES: CITY OF ALBANY AND ALAN JOHN BURTON AND SUSAN JOY BURTON

SIGNED BY ACTING CEO AND MAYOR 1 COPY

NCSR1278304 PRO327

COPY OF COMMON SEAL

ITEM: 4.3 OCM: 14.12.10

ITEM: 4.6 OCM: 15.03.11

RE: DEED OF EXTENSION OF SUB- LEASE -37-43 MAXWELL STREET ALBANY  
(KNOWN AS HANRAHAN ROAD TIP SITE)

PARTIES: CITY OF ALBANY AND THE ALBANY AGRICULTURAL SOCIETY INC AND  
TRANSPACIFIC CLEANAWAY PTY LTD

SIGNED BY ACTING CEO AND MAYOR 2 COPIES

NCSR1227185      PRO327

COPY OF COMMON SEAL

ITEM: 4.3 OCM: 14.12.10

ITEM: 4.6 OCM: 15.03.11

RE: DEED OF EXTENSION OF LEASE - 2- 16 CUMING ROAD (KNOWN AS FOSSIKERS TIP SHOP)

PARTIES: CITY OF ALBANY AND TRANSPACIFIC PTY LTD

SIGNED BY ACTING CEO AND MAYOR 2 COPIES

NCSR1227186      PRO071

COPY OF COMMON SEAL

ITEM: 4.6 OCM: 15.03.11

ITEM: 4.9 OCM: 21.08.12

RE: SURRENDER OF LEASE - ALBANY INJURY PREVENTION ASSOCIATION INC. - PORTION OF CROWN RESERVE 26860 AND LOT 6906 ON DEPOSITED PLAN 189260, 39 MOKARE ROAD, ALBANY WA 6330

PARTIES: CITY OF ALBANY AND ALBANY INJURY PREVENTION ASSOCIATION INC

SIGNED BY ACTING CEO AND MAYOR 3 COPIES

NCSR1227187      PRO383

COPY OF COMMON SEAL

ITEM: 4.6 OCM: 15.03.11

ITEM: 4.5 OCM: 21.08.12

RE: NEW LEASE - LOTTERIES HOUSE 211 - 217 NORTH ROAD YAKAMIA.

PARTIES: CITY OF ALBANY AND ARTHRITIS FOUNDATION OF WA INC.

SIGNED BY ACTING CEO AND MAYOR 2 COPIES

NCSR1227303      PRO383

COPY OF COMMON SEAL

ITEM: 4.3 OCM: 14.12.10

ITEM: 4.6 OCM: 15.03.11

RE: NEW LEASE- LOTTERIES HOUSE - 217 NORTH ROAD YAKAMIA

PARTIES: CITY OF ALBANY AND ALBANY SUMMER SCHOOL INC

SIGNED BY ACTING CEO AND MAYOR 2 COPIES

NCSR1227349      138740

COPY OF COMMON SEAL

ITEM: N/A OCM: N/A

RE: RESTRICTIVE COVENANT FOR SUBDIVISION WAPC 138740, LOTS 201, 202 & 203 FRENCHMAN BAY ROAD ON DP73404

PARTIES: CITY OF ALBANY AND PEET TRISTATE SYNDICATE LTD

SIGNED BY ACTING CEO AND MAYOR 1 COPY

NCSR1227456 C11024

COPY OF COMMON SEAL

ITEM: 5.1 OCM: 16.10.12

RE: CONTRACTS FOR C11024 PANEL OF SUPPLIERS - CONSTRUCTION PLANT EQUIPMENT

PARTIES: CITY OF ALBANY AND AD CONTRACTORS (B), PALMER EARTHMOVING (C), GREAT SOUTHERN SANDS (D) GROCOTT TRANSPORT (E) AND ALBANY BOBCAT SERVICES

SIGNED BY ACTING CEO AND MAYOR 12 COPIES

NCSR1227458 C12021

COPY OF COMMON SEAL

ITEM: 1.1 OCM: 18.09.12

RE: CONTRACTS FOR C12021 EMU POINT BOAT TRAILER CAR PARK UPGRADE

PARTIES: CITY OF ALBANY AND ALBANY INDUSTRIAL SERVICES

SIGNED BY ACTING CEO AND MAYOR 2 COPIES



**1.3: CONTRACT C12017 – TENDER FOR CONSTRUCTION OF PADRE WHITE LOOKOUT**

<b>Land Description</b>	: Lot ALBANY 01449 Vested in City of Albany Reserve No. 16692
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Responsible Officer</b>	: Manager Major Projects (A McEwan)

**Maps and Diagrams:**

Nil

**IN BRIEF**

- This tender for Construction Contractors Services for the Padre White Lookout is for the delivery of construction of the lookout and associated infrastructure upgrade.
- H+H Architects have been appointed as the Superintendent to act on The City's behalf during the construction phase of the project and will administer the contractual requirements.
- A decision is required in order to award a construction contract and commence works, achieving a completion prior to ANZAC Day 2013.

**RECOMMENDATION**

**ITEM 1.3: RESOLUTION**  
**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR CALLEJA**

**THAT Council award the tender for construction of Padre White Lookout to Robinson Buildtech for \$1,057,982.91 including GST.**

**CARRIED 11-0**  
**ABSOLUTE MAJORITY**

**BACKGROUND**

1. In 2006 the Mounts Management Concept Plans for Mount Clarence was adopted by Council. Detailed design and interpretive detail for the Mount Clarence precinct was actioned, with this documentation being proposed to be used as the basis for the funding applications and construction programmes leading to the ANZAC 2014/15 Centenary.
2. The Padre White Lookout was identified in the Mount Management Plans to undergo an infrastructure upgrade which forms part of the ANZAC Centenary – Mount Clarence Infrastructure Improvement Project.
3. The proposed Padre White Construction Project as set out in SCM 1 May 2012 was accepted by Council at Special Council Meeting 1 May 2012, item 6.1 background serves as an introduction which details the relevant history of the matter that lead to the reason for the report.

20/11/2012

\*\*REFER DISCLAIMER\*\*

4. The Premier of Western Australia visited Albany on 16 August 2012 and announced funding for the Anzac Centenary from the Western Australian Government. The announcement included a sum of \$5.84 million for restorative works to be undertaken on Mt Clarence.

## DISCUSSION

5. The City of Albany advertised locally and at a state level seeking tenders for the Construction of Padre White Lookout at Mt Clarence.
6. A total of 23 sets of documents were downloaded from the City of Albany tender website. Two completed tender documents were submitted to the Procurement and Contracts Office on/before the stipulated closing date and time. Tenders were subsequently opened, the name of the tenderer/s were recorded in the tender register and logged into Records.
7. Evaluation of Tenders.
8. The tender panel evaluated tenders using the weighted (out of 10) criteria methodology. Criteria and weighting were evaluated in four key areas;

Criteria	% Weighting
Cost	40%
Key Personnel and Relevant Experience	20%
Demonstrated Understanding	30%
Other considerations	10%
<b>Total</b>	<b>100%</b>

9. Key Personnel and Relevant Experience
- Directly related similar project
  - Key staff and management have direct relevant experience
  - Indicated detailed understanding of project
  - Detailed areas of concern with tender document
  - Strong track record with complex/different remote projects
10. Demonstrated Understanding
- Detailed program provided
  - Safety system indicates training commitment
  - Project specific comments and planning undertaken with tender
  - General but detailed safety process supplied
11. Other considerations
- Generic plan with some issues outlined
  - No statement of specific environ issues
  - QA in place no plan supplied with the tender
12. On the basis of the total evaluation score, the most suitable company is considered Robinson Buildtech.

Tenderer	Total
Robinson Buildtech	565.98
Tectonics	500.97

13. The tender submitted by Robinson Buildtech addressed all areas satisfactorily, there were no deficiencies. The tender met all criteria and was deemed to be a conforming tender.
14. Howard and Heaver Architects comments (file ref EF1277519) “our evaluation indicates a strong score for Robinson Buildtech, their submission indicates direct experience on similar projects by both the company and the team allocated to this project. They also indicate an in depth analysis of the tender documents and the project which the lowest tenderer, Tectonics Constructions, have not conveyed within their tender submission. This is a complex and high profile project with a high degree of risk, and based on the submissions and the evaluation process we recommend awarding the project to Robinson Buildtech.

#### **GOVERNMENT CONSULTATION**

15. There is no government consultation required for the appointment of the Construction Contractor for the Padre White Lookout.

#### **PUBLIC CONSULTATION / ENGAGEMENT**

16. There is no public consultation required for the appointment of the Construction Contractor for the Padre White Lookout.

#### **STATUTORY IMPLICATIONS**

17. *Local Government Act 1995*, in accordance with Division 2 – Section 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 \$250,000.
18. Regulation 18 of the Regulations 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.

#### **STRATEGIC IMPLICATIONS**

***Key Focus Area***

*Lifestyle and Environment*

***Community Priority***

*Preservation of Albany’s uniqueness*

***Proposed Strategies***

*Retain Albany’s unique heritage aspects (ANZAC story, first European settlement, Indigenous history).*

#### **POLICY IMPLICATIONS**

19. Council Policy – Purchasing Policy (Tenders and Quotes) as it relates to Tenders and a Major Purchase.

\*\*REFER DISCLAIMER\*\*

**RISK IDENTIFICATION & MITIGATION**

20. The risk identification in the City's Risk Management Framework, as it relates specifically to the awarding of the tender for Construction of Padre White Lookout.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Council rejects/fails to support recommendation for tender award</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Detailed Council agenda item</i>
<i>Construction tender responses higher than cost estimate</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<i>Peer review of documentation before going to tender, negotiation with lowest tenderer</i>
<i>No tender meets minimum requirements</i>	<i>Rare</i>	<i>Severe</i>	<i>Medium</i>	<i>N/A. Project cannot proceed without a successful tender</i>

**FINANCIAL IMPLICATIONS**

21. The value of this tender is in excess of \$250,000 and therefore the approval is referred to Council for consideration.
22. The tender was checked for arithmetical errors, and corrections were made as appropriate. A summary of the tenderer/s financial offer as submitted and corrected, is included in the table below.

TENDERER	TENDER AMOUNT (EX GST)	CORRECTED TENDER AMOUNT (EX GST)
Builder	\$961,802.65	\$961,802.65
<b>TOTAL</b>		<b>\$961,802.65</b>

<b>FUNDING STREAM</b>	
Budget account 3804	\$207,677 ex GST
GSDC Funding Commitment	\$200,000 ex GST
State Government Funding (Padre White Allocation)	\$565,495.65 ex GST
<b>Project Total Budget</b>	<b>\$973,172.65 ex GST</b>
<b>EXPENDITURE</b>	
Superintendent Budget	\$9450.00 ex GST
Construction Tender	\$961,802.65 ext GST
Total Expenditure to Date (Planning and Building Licences)	\$1920.00 ex GST
<b>TOTAL COST</b>	<b>\$973,172.65 ex GST</b>

23. The tenderer has the highest tender score and meets the total project budget. The considerable specific experience demonstrated in their tender submission and H+H Architects recommendation clearly demonstrates the offer from Robinson Buildtech as providing the best experience, quality and value to Council.

**LEGAL IMPLICATIONS**

24. Nil.

**ALTERNATE OPTIONS**

25. The options are:

- Council can elect to approve the recommended tender
- Not approve any tender, or
- Appoint a different submitted tender.

26. Any variation from the recommended tender would need to be motivated as a variation of the current Procurement Policy and tender assessment guidelines.

**SUMMARY CONCLUSION**

27. This tender for Construction Contractors Services for the Padre White Lookout is for the delivery of construction of the lookout. On the basis of tender evaluation score the recommended tenderer is Robinson Buildtech, as their submission represents the best experience, quality and value to Council for this project.

<b>Consulted References</b>	:	<a href="#">Purchasing Policy CM.STD.7/NP072938_5</a>
<b>File Number (Name of Ward)</b>	:	<a href="#">PR.DEC.4 Synergy File Number</a>
<b>Previous Reference</b>	:	<a href="#">SCM 01/05/12 - Item 6.1</a>

**2.1: PLANNING AND DEVELOPMENT COMMITTEE**

**Proponent** : City of Albany  
**Responsible Officer** : Executive Director Planning and Development Services

**ITEM 2.1: COMMITTEE RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR CALLEJA  
SECONDED: COUNCILLOR BOWLES**

**THAT the confirmed minutes of the Planning and Development Committee meeting held on  
25 September 2012 be RECEIVED.**

**CARRIED 11-0**



**PLANNING AND DEVELOPMENT COMMITTEE**

**MINUTES**

for the meeting held on Tuesday 25 September 2012,  
in the Margaret Coates Boardroom, City Office, North Road, Albany

**(File Ref: LP.MEE.1/ AM1226645)**

**1.0 ATTENDANCE**

<b>Councillors:</b>	
D Wellington	Mayor
G Stocks	Councillor
D Dufty	Councillor
V Calleja <b>Chairperson</b>	Councillor
C Holden	Councillor
<b>Committee Members:</b>	
R Harris	Member
<b>Staff:</b>	
Executive Director Planning and Development Services	D Putland
PA to Executive Director Planning and Development Services.	J Cobbold
Senior Planning Officer	J Van Der Mescht
Senior Planning Officer	T Wenbourne
Senior Project Planner	A Nichol
Planning Officer	C McMurtrie
Planning Assistant	D Delury
<b>Non Committee Members</b>	
G Gregson	Councillor
C Dowling	Councillor
<b>Apologies/Leave of Absence:</b>	
R Sutton	Councillor
A Hortin	Councillor
R Hammond	Councillor
S Bowles	Councillor
L Hill	Acting Chief Executive Officer

**2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**RECOMMENDATION:**

**MOVED: CR DUFTY**  
**SECONDED: MAYOR WELLINGTON**

**THAT the unconfirmed minutes of the Planning and Development Committee meeting held on 28 August 2012, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.**

**Carried: 6-0**

**3.0 DISCLOSURE OF INTEREST**

NIL

Name	Item Number	Nature of Interest
Councillor G Stocks	4.4	Post discussion. Councillor Stocks declared impartiality - business associate of the owner.

**4.0 ITEMS FOR DISCUSSION – A Nichol presented the following to the Committee**

**4.1 Non Habitable Structure:**

Currently have an Outbuilding Policy, and that policy in the residential design codes, defines an outbuilding as being a non-habitable structure. Suggested, change the name from outbuilding to non-habitable structure which leans towards what it is actually used for.

Reducing the size of outbuildings on the smaller lots

Increasing the size of the outbuildings on the larger properties only by 20ms

Supporting outbuildings on vacant lots subject to a building permit for a residential dwelling on the lot prior to planning approval of an outbuilding.

Permission to bring an amended policy to the next committee meeting - for Adoption To Advertise

Include another line - lots 450sm or less - reduce the wall height to 2.4 metres  
 State Planning Policy states <60m2 in area or 10% in aggregate of the site area, whichever is the lesser.

**4.1.1 Yakamia Structure Plan**

Request for support from the Council to include the Northern area (South of Mercer Rd) into the Yakamia Structure Plan. Also to proceed with the next step with consultation to Government agencies and landholders within that structure plan area.

Develop a Water Management strategy, then develop the structure plan, formally advertise it and get endorsement.

Planning Dept has requested tenders for the Water Management Strategy to be developed. Met with officers from the Office of the EPA, who have agreed to support



an alignment for the North/South link.

Request to the officers from the Office of the EPA, to use the studies that have been done for the lower portion of land and apply this broadly across the structure plan area, so we don't get caught up in ongoing environmental studies. The aim is to finalise this and get it out for consultation in 12 months.

Reason for including the areas to the North, because it looks to be relatively unconstrained, it then aligns the structure plan with ALPS.

#### 4.1.2 Public Open Space

The Planning Development Act states when a developer subdivides they need to give up 10% of the subdivisional area for POS. The WAPC policy recommends that the LG has adopted a strategy to guide how that POS should be developed, where it should be set aside, and the design of it. City of Albany doesn't have a POS strategy and without it the ability to enforce the city's values becomes difficult.

Developers are designing their plans such, that they have small pocket parks. Then they will then have the water sitting in a basin overflowing down a road or a road reserve into another small pocket park. These are not working as a proper open space.

Council support for linear park option, also to go to the public and develop a document that the public own. Also include in the initial discussions, the people who own the land (Developers) and ask for their input.

Linea parks problems - increased security risk, threat to people, particularly to children and females using them. Careful consideration when creating,

Cost of maintenance and upkeep of a linear park

Water management issues were also discussed.

Give up 2% of the 10% could be restricted use, for drainage or foreshore, the rest of the 8% to be used as usable land.

Suggestion put forward for open public gardens.

#### 4.2 DEVELOPMENT APPLICATION – Single House 43 Forsyth Glade, Kronkup

##### ITEM 4.2: RESOLUTION

##### VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: R HARRIS

SECONDED: CR STOCKS

1. **THAT Council resolves to ISSUE a Notice of Refusal to Grant Planning Scheme consent for a single house on 43 (Lot 116) Forsyth Glade, Kronkup on the grounds that:**
  - I. The proposed development is contrary to **clause 5.1** of the Special Provisions for special Rural area 14 as contained in item 14 in Schedule I of Town Planning Scheme 3;
  - II. The proposed development is contrary to the requirement in **clause 5.2** of the Special Provisions for special Rural area 14 as contained in item 14 in Schedule I of Town Planning Scheme 3;

- III. The proposed development is contrary to the requirement in **clause 5.3** of the Special Provisions for special Rural area 14 as contained in item 14 in Schedule I of Town Planning Scheme 3;
- IV. The proposed development is not consistent with the objective of the Zone as stated in clause 2.0 of the Special Provisions for special Rural area 14 as contained in item 14 in Schedule I of Town Planning Scheme 3;
- V. A variation of the requirements contained in clauses 5.1 and 5.2 would have an adverse effect on the inhabitants of the locality or upon the likely future development of the locality.

**2. THAT Council directs the Chief Executive Officer to take appropriate action to require the following;**

- a. The revegetation of the cleared development exclusion area to reduce the visual impact of the outbuilding on the area. and
- b. Formally notifying the proponent and requiring appropriate notifications to prospective purchasers that inform them that the outbuilding located in the development exclusion area shall not be replaced in situ or no extension to the outbuilding shall be permitted.

**CARRIED: 5-1  
Against CR Dufty**

**4.3 DEVELOPMENT APPLICATION – Single House (Policy Relaxation) – Lot 201 (73A) Festing Street, Mount Melville**

**ITEM 4.3 RESPONSIBLE OFFICER/COMMITTEE RECOMMENDATION/S  
VOTING REQUIREMENT: ABSOLUTE/SIMPLY MAJORITY**

**MOVED: MAYOR WELLINGTON  
SECONDED: CR HOLDEN**

**THAT Council ISSUE a Notice of Planning Scheme Consent for Single House at 73A Festing Street, Mount Melville subject to the following conditions:**

- i. **Stormwater disposal plans, details and calculations shall be submitted for approval, implemented and constructed to the satisfaction of the City of Albany.**

**Advice:**

- ***Stormwater disposal is to be designed in accordance with the 'City of Albany's Subdivision and Development Guidelines';***
- ***The stormwater disposal system is to be designed and certified by a practicing Civil Engineer to the satisfaction of the City of Albany.***

- ii. **The new crossover(s) shall be constructed to the specifications, levels and satisfaction of the City of Albany.**

**Advice:**

- ***A 'Permit for Vehicle Crossover Construction' from the City of Albany is required prior to any work being carried out within the road reserve, which shall be in accordance with drawing nos. 97024 1/3 – 97024 3/3 (refer to the City of Albany's Subdivision and Development Guidelines).***

- iii. **A vehicular access plan shall be submitted for approval, implemented and**

constructed to the satisfaction of the City of Albany.

*Advice:*

- *Access is to be designed in accordance with the Australian Standard 2890 (including maximum grade requirements).*
- *Vehicles leaving the property must be able to leave in forward gear.*

iv. **No drainage / stormwater runoff is permitted into the rail corridor.**

v. **Fencing to be installed and maintained on rail corridor boundary.**

*Advice:*

- *Any fence installed on the rail boundary should be in keeping with others in the area and to the satisfaction of the City of Albany.*

vi. **The glazed wall area shown on the 'East Elevation' on the approved plans is to be constructed of obscure glass or obscure glass bricks. Louvres will be permitted if installed at a height of 1.6m above the finished floor level. Plans showing these amendments to be submitted for approval to the satisfaction of the City of Albany.**

**ALTERNATIVE RECOMMENDATION 2**

- vi. **The glazed wall area shown on the 'East Elevation' on the approved plans is to be constructed of obscure glass or obscure glass bricks. Louvres will be permitted if installed at a height of 1.6m above the finished floor level. The whole of the Eastern wall is to be setback 3.8m. Plans showing these amendments are to be submitted for approval to the satisfaction of the City of Albany.**

**CARRIED: 6-0**

**4.4 LOCAL PLANNING SCHEME POLICY – Special Residential Area No 11 (Lots 104 and 105 Willyung Road)**

**ITEM 4.4: RESOLUTION**

**MOVED: MAYOR WELLINGTON**

**SECONDED: CR HOLDEN**

**THAT Council finally adopts the draft Local Planning Scheme policy for Special Residential Area No. 11 (Lots 104 and 105 Willyung Road), subject to the following modification:**

1. **Revision of the subdivision guide plan to incorporate a signature block for endorsement by the City of Albany Chief Executive Officer.**

**CARRIED: 6-0**

**5.0 ITEMS TO BE DISCUSSED AT FUTURE MEETINGS**

Caravan Park Wellstead

**Items laid on the table:**

- a) Development Application – Demolition – (Single House listed on Municipal Heritage Inventory) – Lot 49 (45) Seymour Street, Mira Mar.

**Can be bought back to Council, when the applicant provides a development plan.**

- b) Final Adoption of Amendment – PT Lot 50 Nanarup Road, Kalgan

**Applicant still wants 2000 m<sup>2</sup> lots at 215 lots, which would reduce the average lot size, after taking out areas for drainage, roads and water logged areas that are not suitable for development. Recalculate what the average lot size will be. Will check document for any other items that may have been missed by the Consultant. Will bring more information back to the next Committee Meeting.**

## **6.0 GENERAL DISCUSSION**

SAT – The Applicant for the Barry Court Shed has withdrawn their appeal. Waiting on formal confirmation from SAT.

SAT – Fairborn Vs WAPC – It was overturned. The City was not aware of this. The Applicant wanted to subdivide some rural land; this has been to the WAPC several times. WAPC won the case but had some costs awarded against them. The reason being that they bought to SAT two new policies, draft SPP 2.5 State Planning Policy relating to the subdivision of agricultural land in which the Commission expresses a presumption against the subdivision of rural land and a development policy 3.4 draft. SAT decided a finding that these are seriously entertained policies on behalf of the State Government and they have to be taken into consideration. The costs were awarded against the Commission due to the lateness in bringing to the proceedings, which then the Applicant had to spend considerable time to address them.

SAT took into account that the land was identified for priority agricultural in the ALPs documents.

Cr Holden commended the officers for their presentations which were very clear and helpful.

CANDYUP – Cr Calleja suggested a workshop be arranged for all Councillors before going into the Agenda Briefing for more information and understanding.

Cr Dowling complimented the Committee and found it very informative

## **7.0 DATE OF NEXT MEETING:**

Tuesday 23<sup>rd</sup> October 2012

## **8.0 CLOSURE OF MEETING**

The Chair declared the meeting closed at 7.15 pm.

**2.2: PLANNING AND BUILDING REPORTS OCTOBER 2012**

**Responsible Officer** : Executive Director Planning and Development  
Services (D Putland)  
**Attachment** : Planning and Building Reports October 2012

**IN BRIEF**

- Receive the contents of the Planning and Services Report for October 2012.

**ITEM 2.2: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON**  
**SECONDED: COUNCILLOR CALLEJA**

**THAT the Planning and Building Reports for October 2012 be RECEIVED.**

**CARREID 11-0**

**CITY OF ALBANY**

**REPORT**

To : His Worship the Mayor and Councillors  
From : Administration Officer - Development  
Subject : Building Activity – October 2012  
Date : 2 November 2012

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1. In October 2012, 55 building permits were issued for building activity worth \$4,911,702. This included 3 demolition licences and 2 sign licences.
2. The 2 attached graphs compare the current City activity with the past 3 fiscal years. One compares the value of activity, while the other compares the number of dwelling units.
3. A breakdown of building activity into various categories is provided in the Building Construction Statistics form.
4. Attached are the details of the permits issued for October 2012, the fourth month of activity in the City of Albany for the financial year 2012/2013.



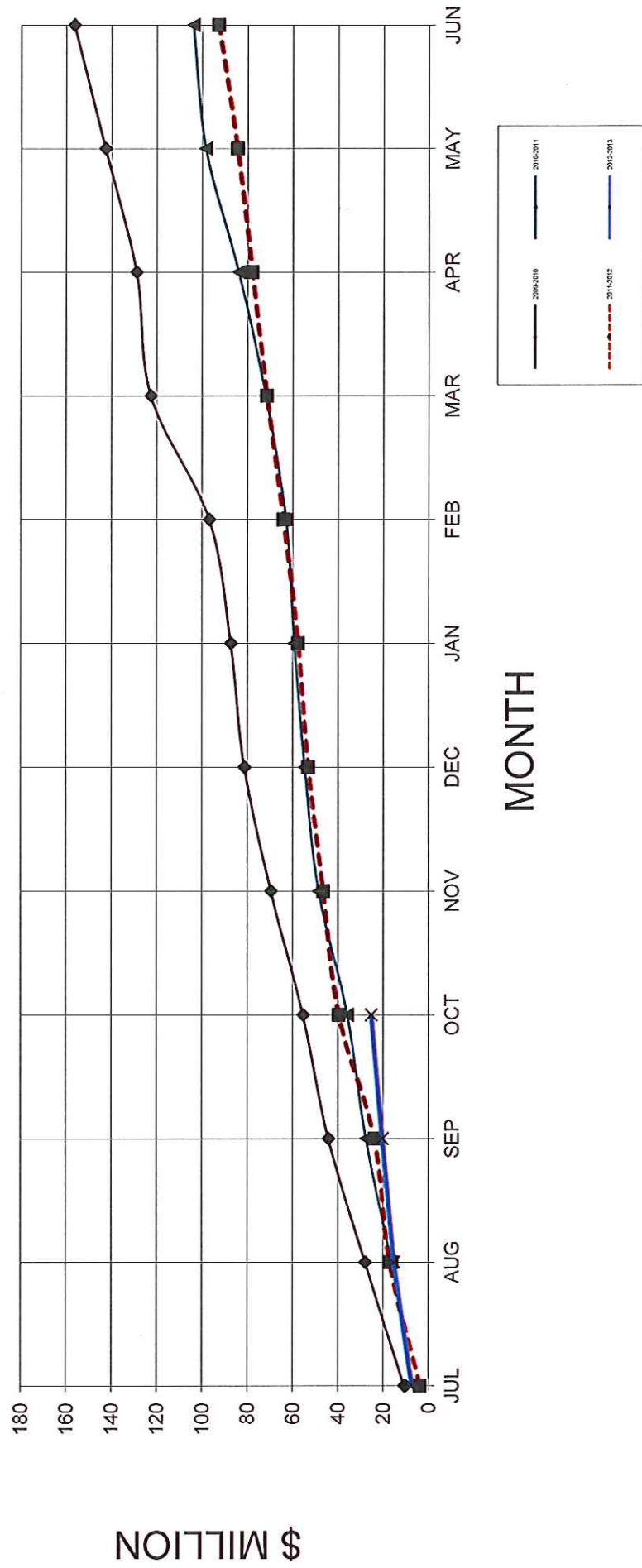
Druella McTavish  
**Building Services Liaison Officer**

CITY OF ALBANY

BUILDING CONSTRUCTION STATISTICS FOR 2012 - 2013

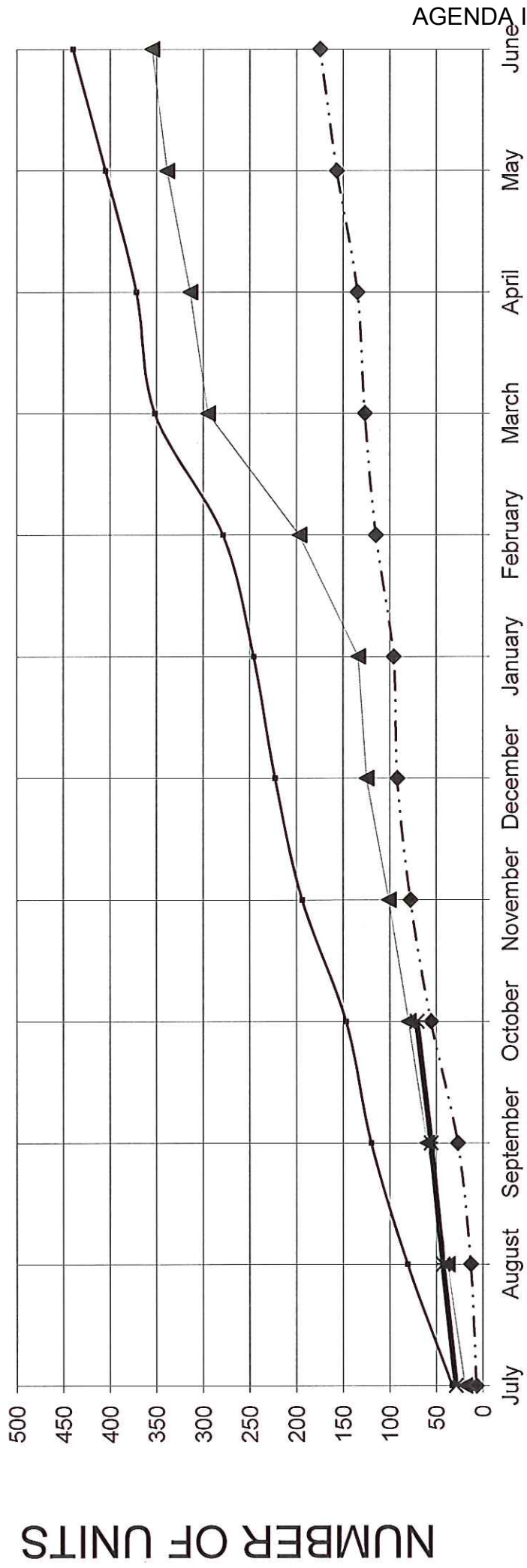
2010/2011	SINGLE DWELLING		GROUP DWELLING		DOMESTIC/ OUTBUILDINGS		ADDITIONS/ DWELLINGS		HOTEL/ MOTEL		NEW COMMERCIAL		ADDITIONS/ COMMERCIAL		OTHER		TOTAL \$ VALUE
	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	No	\$ Value	
JULY	22	4,930,929	7	1,540,000	29	88,932	27	626,539			1	47,755	5	182,000	3	55,000	7,471,155
AUGUST	14	3,147,178			14	398,741	19	508,776			2	3,183,000	3	505,000	7	208,268	7,950,963
SEPTEMBER	13	3,038,367	0	0	13	295,781	4	126,277	0	0	0	0	1	1,319,449	12	353,613	5,133,487
OCTOBER	15	3,380,083	0	0	15	443,633	3	360,000	0	0	0	0	0	0	6	727,986	4,911,702
NOVEMBER																	0
DECEMBER																	0
2011																	0
JANUARY																	0
FEBRUARY																	0
MARCH																	0
APRIL																	0
MAY																	0
JUNE																	0
TOTALS TO DATE	64	14,496,557	7	1,540,000	71	1,227,087	53	1,621,592	0	0	3	3,230,755	9	2,006,449	28	1,344,867	25,467,307

BUILDING ACTIVITY  
\$M Value

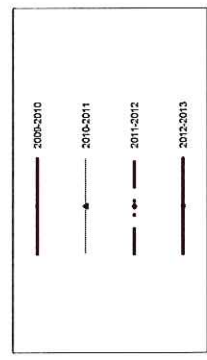




# DWELLING UNITS



MONTH



**BUILDING, SIGN & DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY**

Applications determined for October 2012

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
301611	TECTONICS CONSTRUCTIONS	Owner's Name and Address not shown at their request D L PYLE & G L HITCHCOCK DP BAVICH	ALTERATIONS/ADDITION S AND CHANGE OF DWELLING AND GARAGE UNCERTIFIED SHED/CARPORT - UNCERTIFIED GAMES - UNCERTIFIED	196	Lot 1	MIDDLETON ROAD	MIRA MAR
120065	T & W BRADÉ	D L PYLE & G L HITCHCOCK DP BAVICH	DWELLING AND GARAGE UNCERTIFIED SHED/CARPORT - UNCERTIFIED GAMES - UNCERTIFIED	15	Location 3040 Lot 478 7 Lot 37	BERLINER STREET GREEN STREET	BAYONET HEAD MANYPEAKS
120309	MD PHILIP	KL KINNAR	UNCERTIFIED GAMES - UNCERTIFIED	35	Location 385 Lot 55	PEPPERMINT DRIVE	RRENUP
120310	MD PHILIP	KL KINNAR	UNCERTIFIED GAMES - UNCERTIFIED	35	Location 385 Lot 55	PEPPERMINT DRIVE	RRENUP
120316	TURPS STEEL FABRICATIONS	GALLEY HEAD PTY LTD	SHED - UNCERTIFIED	242-244	Location Lot 7 8	MIDDLETON ROAD	MIRA MAR
120325	OWNER BUILDER	S VAN DER SCHAAF & T VAN DER SCHAAF KLJ NIELD	SHED/PATIO/RETAINING WALL - UNCERTIFIED PATIO - UNCERTIFIED	9	Location 492 Lot 167 222 Location 618 Lot 401	MOON PARADE WILLYUNG ROAD	MCKAIL WILLYUNG
120327	GEOFF WEBB	KLJ NIELD	PATIO - UNCERTIFIED	222	Location 618 Lot 401	WILLYUNG ROAD	WILLYUNG
120339	RYDE BUILDING	Owner's Name and Address	DWELLING -	158	Lot 177	LOWANNA DRIVE	MARBELUP
120351	COMPANY PTY LTD AK HOMES CONSTRUCTION PTY LTD	not shown at their request VH FLOYD	UNCERTIFIED DWELLING -	93	Location 7 Lot 32	ELIZABETH STREET	LOWER KING
120352	BARRY JACKSON	BD JACKSON	UNCERTIFIED DWELLING -	3098	Lot 1	LOWER DENMARK ROAD	LOWLANDS
120355	J CASH	HOUSING AUTHORITY	UNCERTIFIED DWELLING - UNCERTIFIED PATIO - UNCERTIFIED	5	Lot 129	COOTE CLOSE	SPENCER PARK
120357	HOME GROUP WA GREAT SOUTHERN PTY LTD	Owner's Name and Address not shown at their request HEREKINO PTY LTD	DWELLING - UNCERTIFIED BUILDING APPROVAL - STRATA SHED - UNCERTIFIED	6	Lot 335 66 Lot 1	SATELLITE CLOSE WYLIE CRESCENT	MCKAIL MIDDLETON BEACH REDMOND
120358	JOHN KINNAR	HEREKINO PTY LTD	UNCERTIFIED BUILDING APPROVAL - STRATA SHED - UNCERTIFIED	66	Lot 1	WYLIE CRESCENT	MIDDLETON BEACH REDMOND
120360	OWNER BUILDER	GJ STEEL & JL STEEL	SHED - UNCERTIFIED	57	Location 239/266 Lot 14	REDMOND-HAY RIVER ROAD	REDMOND
120361	WISHART HOMES PTY LTD	B & C PIERCE	DWELLING - CERTIFIED	17	Location 2471 Lot 148	IFYND STREET	GOODE BEACH

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
120364	RYDE BUILDING	Owner's Name and Address	NEW DWELLING -	72	Lot 228	WILSON STREET	LITTLE GROVE
120365	COMPANY PTY LTD HOME GROUP WA GREAT SOUTHERN PTY LTD	not shown at their request SCOTT PARK HOMES PTY LTD	UNCERTIFIED NEW DWELLING -	17	Location 243 Lot	CALLISTEMON VIEW	YAKAMIA
120366	EYERITE SIGNS	CITY OF ALBANY (VESTED CROWN LAND)	UNCERTIFIED SIGN	651 4	Location RES 14789 Lot 1474	FLINDERS PARADE	MIDDLETON BEACH
120367	OUTDOOR WORLD	Owner's Name and Address	SHED - UNCERTIFIED	178	Location 24 Lot	BAY VIEW DRIVE	LITTLE GROVE
120368	OUTDOOR WORLD	not shown at their request Owner's Name and Address	CARPORT - UNCERTIFIED	50 452	Lot 18	HUNWICK SOUTH ROAD	
120369	OUTDOOR WORLD	not shown at their request Owner's Name and Address	SHED - UNCERTIFIED	197	Location 6677	PFEIFFER ROAD	MANYPEAKS
120371	IAN WILLIAMS	not shown at their request CITY OF ALBANY	DEMOLITION PERMIT		Location 5650 Lot 3	ALBANY HIGHWAY	WILLYUNG
120373	J & TW DEKKER PTY LTD	SHALOM ALBANY PTY LTD	ALTERATION - CERTIFIED	320	Lot 301	ALBANY HIGHWAY	CENTENNIAL PARK
120374	OUTDOOR WORLD	Owner's Name and Address	SHED - UNCERTIFIED	3537	Location 1958	LOWER DENMARK ROAD	YOUNGS SIDING
120375	RYDE BUILDING	not shown at their request MASTER BUILDERS ASSOCIATION OF WESTERN A	OCCUPANCY PERMIT	28-30	Lot 3	GRAHAM STREET	CENTENNIAL
120376	COMPANY PTY LTD K & E NIELSEN	CLR RENTON & LF	ADDITIONS -	49	Location 43 Lot	RYCRAFT DRIVE	PARK SPENCER PARK
120377	PLANTAGANET SHEDS & STEEL PTY LTD	NOSWORTHY C & E GOODCHILD	UNCERTIFIED SHED - UNCERTIFIED	32 20	Location Lot 250	NEGR ROAD	WILLYUNG
120378	TURPS STEEL	THE BAPTIST UNION OF	PATIO - UNCERTIFIED	9500 20	Location RES	BETHEL WAY	YAKAMIA
120379	FABRICATIONS PETER MCARTNEY	WA INCORPORATED LOWE PTY LTD	PYLON SIGN	53	Location 4790 Lot 751	GRENFELL DRIVE	BAYONNET HEAD

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
120380	KOSTERS STEEL CONSTRUCTION PTY LTD	J & N SPINKS	PATIO - UNCERTIFIED	144	Lot 210	HENTY ROAD	KALGAN
120381	METROOF ALBANY	PA BUEGGE	PATIO - UNCERTIFIED	117	Lot 76	FREDERICK STREET	GLEDHOW
120383	L J BRENTON	A & W PENSON	SHED - UNCERTIFIED	101	Lot 311	BYLUND PLACE	MCKAIL
120384	METROOF ALBANY	D & S FELTON	SHED - UNCERTIFIED	3526	Location 7227	LOWER DENMARK ROAD	YOUNGS SIDING
120385	OCCUPANCY PERMIT	KALGAN SETTLERS	OCCUPANCY PERMIT	29	Location RES22325 Lot 500	WHEELDON ROAD	KALGAN
120386	OWNER BUILDER	ASSOCIATION DA PIPER	SHED - UNCERTIFIED	11	Lot 232	FINCH COURT	LITTLE GROVE
120389	OWNER BUILDER	J & E WITTEN	PATIO - UNCERTIFIED	29	Location 527 Lot 38	REDGUM TRAIL	MARBELUP
120390	RYDE BUILDING COMPANY PTY LTD	Owner's Name and Address not shown at their request	NEW DWELLING - UNCERTIFIED	9	Location 3040 Lot 445	WATERS ROAD	BAYONET HEAD
120391	OWNER BUILDER	C & D MORGAN	CARPOT - UNCERTIFIED	67	Location 7 Lot 403	THE ESPLANADE	LOWER KING
120392	KOSTERS STEEL CONSTRUCTION PTY LTD	J & S GARDINER	SHED - UNCERTIFIED	53	Location 4929 Lot 231	WARRENUP PLACE	RRENUP
120393	OUTDOOR WORLD	Owner's Name and Address	SHED - UNCERTIFIED	28B	Location 226 Lot 17	SIMS STREET	LOCKYER
120394	L J BRENTON	not shown at their request J & D LISTER	SHED - UNCERTIFIED	8	Location 811 Lot 17	CHARLES STREET	GLEDHOW
120395	NORDIC HOMES PTY LTD	LANDCHOICE	NEW DWELLING - UNCERTIFIED		Lot 500	NORWOOD ROAD	
120397	R & DG CEKEREVAC	DEVELOPMENTS PTY LTD JJ DUFF	NEW DWELLING AND UNCERTIFIED	20	Location 492 Lot 275	DORADO BEND	MCKAIL
			SHED - UNCERTIFIED				

Application Number	Builder	Owner	Description of Application	Street #	Property Description	Street Address	Suburb
120399	MCMAHON SERVICES	Owner's Name and Address	PARTIAL DEMOLITION (REMOVAL OF ASBESTOS)	198	Location 6038	HANRAHAN ROAD	MT
120400	PULS PATIOS	not shown at their request C & A PARATORE	ROOF CLADDING PATIO - UNCERTIFIED	23	Lot 89 Location 285 Lot 953	ANCHORAGE VISTA	ELPHINSTONE BAYONET HEAD
120401	OWNER BUILDER	IR GOODCHILD	PATIO - UNCERTIFIED	37	Location 520 Lot 127	SLATER STREET	LOWER KING
120403	MARK TAYLOR	MC TAYLOR	TRANSPORTABLE DWELLING - CERTIFIED	326	Location 402 Lot 3	HUNWICK SOUTH ROAD	TORBAY
120405	OWNER BUILDER	R & KWOLFE	SHED - UNCERTIFIED	8	Lot 334	SATELLITE CLOSE	MCKAIL
120406	KENT CORPORATION PTY LTD	KNIGHTS PARKS AND PROPERTIES PTY LTD	PARK HOME - SITE 19	40	Lot 733	WELLINGTON STREET	CENTENNIAL PARK
120407	PULS PATIOS	E & EDIN	CARPOT - UNCERTIFIED	17	Lot 53	FLEMINGTON STREET	ORANA
120408	BEN CANDY	V & J OSBORN &	SHED - UNCERTIFIED	234	Lot 2	LOWER KING ROAD	
120409	CONSTRUCTIONS OWNER BUILDER	HOUSING AUTHORITY AL HARE	RETAINING WALL -	9	Location 3040 Lot 445	WATERS ROAD	BAYONET HEAD
120412	PULS PATIOS	DJ ROWE	UNCERTIFIED CARPOT - UNCERTIFIED	107	Location 7 Lot 33	THE ESPLANADE	LOWER KING
120415	MD PHILIP	KL KINNAR	DEMOLITION - UNCERTIFIED	35	Location 385 Lot 55	PEPPERMINT DRIVE	RRENUP
120416	ANDREW JOHN GEDDES & ROBYN ELIZABETH PAY	AJ GEDDES & RE PAYNE	NEW DWELLING -	7	Lot 123	MADDISON WAY	BAYONET HEAD
120417	MD PHILIP	KL KINNAR	UNCERTIFIED SHED & CARPORT - UNCERTIFIED	35	Location 385 Lot 55	PEPPERMINT DRIVE	RRENUP
120418	PULS PATIOS	D & E CHILDS	PATIO - UNCERTIFIED	154	Location 2480 Lot 222	PRINCESS AVENUE	ROBINSON
120421	WISHART HOMES PTY LTD	T & R JEFFERIS	PATIO - UNCERTIFIED	29	Location 44 Lot 85	GREENSHIELDS STREET	MIRA MAR

**CITY OF ALBANY**

**REPORT**

To : His Worship the Mayor and Councillors  
From : Administration Officer - Planning  
Subject : Planning Scheme Consents – October 2012  
Date : 1 November 2012

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1. The attached report shows Planning Scheme Consents issued under delegation by a planning officer for the month of October 2012.
2. Within this period 37 Planning Scheme Consent applications were determined, of these;
  - 32 Planning Scheme Consent applications were approved under delegated authority;
  - 1 Planning Scheme Consent application was approved by Council; and
  - 4 Planning Scheme Consent applications were cancelled.



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**Jessica Davidson**  
Administration Officer – Planning

**PLANNING SCHEME CONSENTS ISSUED UNDER DELEGATED AUTHORITY**

Applications determined for October 2012.

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2120203	5/09/2012	AL Hare	Waters Road	Bayonet Head	Development (earthworks in excess of 600mm) - Retaining Wall	Delegate Approved	17/10/2012	Deb Delury
P2120255	22/10/2012	Concept Building	Pitt Rise	Bayonet Head		Cancelled	22/10/2012	
P2120214	11/09/2012	P Hind	Shoal Bay Retreat	Big Grove	Tourist Accommodation	Delegate Approved	25/10/2012	Deb Delury
P2120211	7/09/2012	In-Swing Albany	Sanford Road	Centennial Park	Private Recreation (Golf Simulators) and Incidental Refreshment Kiosk and Bar	Delegate Approved	2/10/2012	Taylor Gunn
P2120212	10/09/2012	H&H Architects	Lockyer Avenue	Centennial Park	Bulky Goods Outlet (addition) & Vehicle Repair Station	Delegate Approved	22/10/2012	Tom Wenbourne
P2120216	12/09/2012	Young House	Prior Street	Centennial Park	Education Establishment and Service Industry (IT Sales and Service)	Delegate Approved	17/10/2012	Taylor Gunn
P2120226	20/09/2012	Allerding And Associates	Albany Highway	Centennial Park	Change of Use - Private Recreation (Fitness Centre)	Delegate Approved	12/10/2012	Taylor Gunn
P2120188	24/08/2012	AJ Botter	Elleker-Grasmere Road	Elleker	Garden Centre	Delegate Approved	19/10/2012	Tom Wenbourne
P2120250	18/10/2012	L Black	Mermaid Avenue	Emu Point	Single House - Design Codes	Delegate Approved	30/10/2012	Taylor Gunn
P2120229	21/09/2012	D Holland	Caledonia Crescent	Goode Beach	Relaxation (Replacement Single House - Additions (Overlooking))	Delegate Approved	5/10/2012	Craig McMurtrie
P2120195	3/09/2012	Great Southern Grammar School	Nanarup Road	Kalgan	Education Establishment - Additions (Boarding House)	Delegate Approved	16/10/2012	Tom Wenbourne
P2120242	12/10/2012	Kosters Steel Constructions	Henty Road	Kalgan	Single House - Addition	Delegate Approved	12/10/2012	Jessica Anderson
P2120247	17/10/2012	Wren (Wa) Pty Ltd	Hart View	King River	Single House and Outbuilding	Delegate Approved	29/10/2012	Deb Delury
P2120166	3/08/2012	B Dunkeld	Frenchman Bay Road	Little Grove	Development - Storage Shed	Delegate Approved	18/10/2012	Craig McMurtrie
P2120183	22/08/2012	Ironmonger Building Company	Lower King Road	Lower King	Private Recreation - Additions (Club Hall)	Delegate Approved	2/10/2012	Tom Wenbourne
P2120225	20/09/2012	DK & CD Morgan	The Esplanade	Lower King	Single House - Addition (Carport Side Setback Relaxation)	Delegate Approved	12/10/2012	Deb Delury
P2120239	5/10/2012	H And H Architects	Kula Road	Lower King		Cancelled	8/10/2012	
P2120217	12/09/2012	Kartell Contracting	Green Street	Manypeaks	Single House - Outbuilding (Front Setback Relaxation)	Delegate Approved	11/10/2012	Deb Delury

Application Number	Application Date	Applicant	Street Address	Locality	Description of Application	Decision	Decision Date	Assessing Officer
P2120233	28/09/2012	Ryde Building Company Pty Ltd	Lowanna Drive	Marbelup	Single House	Delegate Approved	12/10/2012	Deb Delury
P2120253	18/10/2012	M Berridge	Lowanna Drive	Marbelup	Single House - Outbuilding	Delegate Approved	30/10/2012	Taylor Gunn
P2120200	5/09/2012	Albany Surf Life Saving Club	Flinders Parade	Middleton Beach	Use Not Listed - Temporary Storage (Sea Container)	Delegate Approved	10/10/2012	Tom Wenbourne
P2120221	18/09/2012	WK & KJ Fletcher	Middleton Road	Middleton Beach	Holiday Accommodation	Delegate Approved	19/10/2012	Craig McMurtrie
P2120199	4/09/2012	F Flavel	Chester Pass Road	Millbrook	Use Not Listed - Rural Pursuit (Free Range Piggy)	Cancelled	12/10/2012	Taylor Gunn
P2120207	7/09/2012	B Turpin	Middleton Road	Mira Mar	Storage Shed	Delegate Approved	10/10/2012	Deb Delury
P2120249	10/10/2012	N Worrell	Hare Street	Mt Clarence	Single House - Additions (patio wall on boundary)	Delegate Approved	18/10/2012	Deb Delury
P2120084	27/04/2012	CJ Williams	Festing Street	Mt Melville	Single House (Design Codes Relaxation and Policy)	Approved	16/10/2012	Deb Delury
P2120184	22/08/2012	R Commons	Melrose Street	Mt Melville	Home Occupation - Home	Delegate Approved	4/10/2012	Tom Wenbourne
P2120197	4/09/2012	A & A Davis	Robinson Road	Robinson	Use Not Listed - Tourist Accommodation	Delegate Approved	15/10/2012	Taylor Gunn
P2120222	18/09/2012	WG Curlewis & CM McIntyre	Robinson Road	Robinson	Single House (Shed Conversion)	Delegate Approved	25/10/2012	Tom Wenbourne
P2120235	4/10/2012	Puis Patios	Princess Avenue	Robinson	Single House - Additions (Patio And Carport)	Delegate Approved	22/10/2012	Deb Delury
P2120231	27/09/2012	Hall And Prior	Hardie Road	Spencer Park	Nursing Home - Additions (Renewal of P2105242)	Delegate Approved	24/10/2012	Taylor Gunn
P2120252	18/10/2012	P Wignall	Ulster Road	Spencer Park	Single House - Outbuilding	Delegate Approved	31/10/2012	Tom Wenbourne
P2120256	22/10/2012	G Hall	Campbell Road	Spencer Park	Development - Signs (30 x Temporary - Multiple Properties)	Delegate Approved	25/10/2012	Tom Wenbourne
P2120245	12/10/2012	Kosters Steel Constructions	Warrenup Place	Warrenup	Outbuilding	Delegate Approved	12/10/2012	Jessica Anderson
P2120236	4/10/2012	M Pocock	Weston Ridge	Willyung		Cancelled	8/10/2012	
P2120251	18/10/2012	Plantagenet Sheds And Steel Pty Ltd	Negri Road	Willyung	Single House - Outbuilding (Storage of Farm Machinery)	Delegate Approved	24/10/2012	Taylor Gunn
P2120224	19/09/2012	Turps Steel Fabrication	Bethel Way	Yakamia	Education Establishment - Additions (Roof Cover For Outdoor Seating Area)	Delegate Approved	5/10/2012	Deb Delury

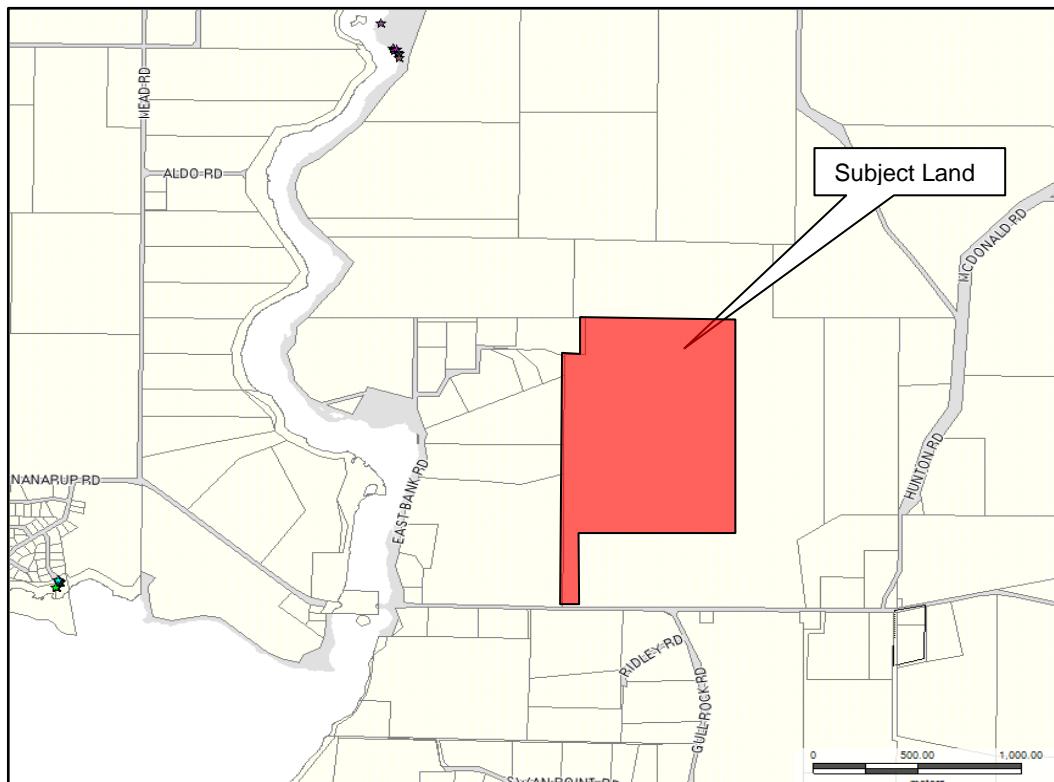


**2.3: FINAL ADOPTION OF AMENDMENT – PT LOT 50 NANARUP ROAD, KALGAN**

- Land Description** : Portion of Lot 50 Nanarup Road, Kalgan  
**Proponent** : Civil Technology (previously Ayton Baesjou Planning)  
**Owner** : Erujin Pty Ltd  
**Business Entity Name** : Erujin Pty Ltd  
**Directors** : Melva Mary Armstrong, Robert Frederick Armstrong and Eva Pascoe  
**Attachment(s)** : Schedule of submissions  
: Submission  
**Councillor Workstation** : Copy of OCM 19/01/2010 – Item 13.2.1 (SAR145)  
: Copy of OCM 13/12/2011 – Item 2.3  
: Copy of OCM 18/09/2012 – Item 2.3  
: AMD 303 – Scheme Amendment document that includes;  
: Visual Impact Assessment  
: Land Capability and Geotechnical Assessment  
: Flora and Vegetation Survey  
: Fire Management Plan  
  
**Responsible Officer(s)** : Executive Director of Planning and Development Services (D Putland)

[6:56:08 PM](#) Councillor Holden left the Chamber and did not return.

**Maps and Diagrams:**



**IN BRIEF**

- Consider the submissions received from the public consultation period and determine whether to grant final approval to Amendment No. 303.
- Amendment No. 303 seeks to rezone a portion of Lot 50 Nanarup Road, Kalgan from the 'Rural' zone to the 'Special Residential' zone.
- Staff have identified a number of areas where the submitted amendment documentation contains discrepancies or omits essential information.
- Concerns have also been raised by State Government agencies and members of the local community.
- Staff recommend that these deficiencies are addressed prior to the amendment proceeding, or if the amendment proceeds, prior to any subdivision or development.

**ITEM 2.3: ALTERNATE MOTION BY COUNCILLOR BOWLES  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR BOWLES  
SECONDED: COUNCILLOR SUTTON**

**THAT Council, in pursuance of section 75 of the Planning and Development Act 2005, regulation 17(2) of the Town Planning Regulations 1967 RESOLVES to advise the Minister of Planning that it does NOT wish to proceed with Amendment No. 303 to Town Planning Scheme No. 3.**

**CARRIED 7-3**

**Councillor's Reason:**

The recommended modifications and detailed subdivision plan will not sufficiently address the discrepancies and deficiencies in the subdivision documentation, nor has the proponent indicated his willingness to accept these.

This item was laid on the table so that this Council may satisfactorily understand all of the implications of this amendment. Since then, these have been clearly identified to Councillors. Concerns have been raised that should not be ignored. They raise significant uncertainty and associated risk to the City of Albany.

**Officer's Comment (Executive Director Planning and Development Services):**

This motion is the same as the Alternative Responsible Officer's Recommendation.

In respect to the Councillor's reason, the officer notes that many of the required studies have not been satisfactorily completed prior to the amendment being initiated and, as noted in a verbal submission to Council during the briefing session, there are substantial errors or discrepancies in the amendment documentation. It is therefore recommended that the amendment is refused rather than proceed with a lessening of the conditions recommended in the Responsible Officer's Recommendation.

**ITEM 2.3: RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council;

1. In pursuance of section 75 of the Planning and Development Act 2005 and Regulation 17(2) of the Town Planning Regulations 1967 **ADOPTS WITH MODIFICATIONS** Amendment No. 303 to Town Planning Scheme No. 3 subject to;
  - i. Inclusion of scheme provisions requiring the preparation of a detailed Subdivision Guide Plan (to be adopted by the City) prior to any subdivision or development, based on the additional information required by the City of Albany and WAPC as detailed in the attached Schedule of Submissions.
2. NOTES the staff recommendations within the attached Schedule of Submissions and ENDORSES the recommendations in the attached Schedule of Modifications.

**OR**, if Council is of the opinion that the recommended modifications and detailed subdivision guide plan will not sufficiently address the discrepancies and deficiencies in the submitted documentation, and the concerns expressed by the local community;

**ITEM 2.3: ALTERNATE RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council In pursuance of section 75 of the Planning and Development Act 2005 and Regulation 17(2) of the Town Planning Regulations 1967 resolves to advise the Minister for Planning THAT IT DOES NOT WISH TO PROCEED with Amendment No. 303 to Town Planning Scheme No. 3.

**BACKGROUND**

1. Amendment 303 proposes to amend Town Planning Scheme (TPS) No. 3 by rezoning a portion of Lot 50 Nanarup Road, Kalgan, from the 'Rural' zone to the 'Special Residential' zone.
2. Lot 50 covers an area of 237ha and lies to the north of Nanarup Road, approximately 870m east of the Kalgan River. The land immediately adjacent to Nanarup Road is relatively flat and low-lying, with a creek system running across it from east to west, towards the Kalgan River. Towards the centre of the lot, the land begins to slope steeply upward to the north. It then levels out by the north-east corner, before the slope breaks and gently falls away toward the northern boundary. Although much of the land has been cleared, significant stands of remnant native vegetation extend across the eastern, and particularly, northern portions of the lot.
3. The property is also known as 'Candyup' and is included in the City of Albany's Municipal Heritage Inventory as an historic site. There is however, no reference to heritage issues in the amending document.

4. The original homestead stands at the centre of Lot 50, with a collection of outbuildings to the west of it. There are also a small number of dams scattered across the subject land. Access to the dwelling is via a track leading from Nanarup Road, roughly through the centre of the lot, with a dog-leg to the west following the natural contours of the land.
5. The adjoining land to the north, west and east of the subject lot is zoned 'Rural', while the land to the south, on the opposite side of Nanarup Road, forms part of Special Rural Area No. 6 and Special Rural Area No. 9.
6. Council has previously considered a number of proposals on the subject land with varying outcomes. The first of these was a Scheme Amendment Request that was presented to the Ordinary Meeting of Council on 16 September 2003 to rezone the subject land and neighbouring Lot 51 from the 'Rural' zone to 'Special Residential' and 'Special Site – Tourism'. This was supported by Council, subject to a number of environmental and servicing concerns being satisfactorily addressed in a future Scheme Amendment proposal, including:
  - Soil sampling being undertaken across the site;
  - The preparation of a fire management plan;
  - View shed mapping to be undertaken;
  - Lot sizes should vary across the site in response to opportunities and constraints mapping;
  - Remnant vegetation bring protected;
  - The designation of a tourist site for future tourism development;
  - Details of how servicing of the site is to be achieved; and
  - A minimum lot size of 3000m<sup>2</sup> with an average of 1 hectare.
7. A Scheme Amendment to rezone Lots 50 and 51 from 'Rural' to 'Special Residential', 'Special Use' and the 'Parks and Recreation' reserve was subsequently submitted to Council and initiated at the Ordinary Meeting held on 21 December 2004, subject to modifications (Amendment No. 233). This proposal identified approximately 145 lots over the portion of land subject to this amendment.
8. The amendment documents were forwarded to the Environmental Protection Authority (EPA) for consent to advertise the Scheme Amendment. However, the EPA advised that it considered the Amendment to be incapable of being made environmentally acceptable.
9. On receipt of the advice from the EPA, Council at its Ordinary Meeting of 21 February 2006 resolved:

*“to take no immediate action to advance an amendment for Lots 50 and 51 Nanarup Road, Kalgan, and that a comprehensive briefing be held to review the information provided by the Department of Environment and the Department of Planning on the amendment and that a period of six months be provided to allow time for the community and developers to prepare an action plan for the development of the Lower Kalgan locality that meets the environmental, social and economic needs of all members of the Lower Kalgan community”.*

10. In 2006, when the draft of the Albany Local Planning Strategy (ALPS) was placed on public display, the landowner lodged a detailed submission requesting the land be shown in ALPS as "Future Urban". This request was supported by Council. It was noted that the expansion of urban services to the locality, particularly reticulated sewer, addressed many of the issues previously raised by the EPA in their earlier assessment of development potential of the land.
11. The proponent submitted a Scheme Amendment Request in November 2009, requesting Council rezone Lots 50 and 51 from the 'Rural' zone to 'Special Residential'. The proponent advised that due to a lost opportunity to share the cost of reticulated sewer with the Great Southern Grammar School, provision of reticulated sewage was no longer viable. The proponent also identified that the Department of Planning had recently supported a request to rezone Lot 422 Affleck Road (to the south of the subject land on the opposite side of Nanarup Road) to the Special Rural zone, despite this land being within the same 'Future Urban' cell identified within the draft ALPS.
12. At its Ordinary Meeting held on 19 January 2010, Council resolved to entertain the submission of a formal Scheme Amendment to rezone Lots 50 and 51 Nanarup Road from the 'Rural' zone to the 'Special Residential' zone on the basis that:

*"On viewing the land, it is difficult to support full urban development of the subject land given the exposure of the site and 'Special Residential' development will result in less building activity and be less visually intrusive".*

13. While this Scheme Amendment Request was under consideration, the 'final' version of the draft ALPS was on public advertising, with the redesignation of these lots from 'Rural Residential' to 'Future Urban – Priority 5' as one of the five substantial modifications under consideration. At its Ordinary Meeting on 15 June 2010, Council resolved to modify the draft ALPS to change the designation of the land north of Nanarup Road from 'Future Urban – Priority 5' to 'Special Residential'.
14. This modification reflected Council's earlier resolution of 19 January 2010 and was subsequently endorsed by the Western Australian Planning Commission (WAPC) when the draft ALPS was finally approved on 26 August 2010.
15. The amendment was considered for initiation at the Ordinary Council Meeting of 13 December 2011 where the following was resolved;

"THAT Council determines that initial public consultation, prior to referral to the EPA, and outside of the statutory framework set down by the Town Planning Regulations 1967 is not required and in pursuance of Section 75 of the Planning and Development Act 2005 resolves to INITIATE Amendment No. 303 to Town Planning Scheme No.3 for the purposes of rezoning portion of Lot 50 Nanarup Road, Lower Kalgan from the Rural zone to the Special Residential zone."

16. The amendment was subsequently forwarded to the EPA who considered the proposal and determined that it did not require assessment. The EPA provided advice and recommendations with respect to:
- Remnant vegetation
  - Water quality and quantity
  - Fire Management Plan
17. Following public consultation and referral to State Government agencies, the amendment was returned to Council at their ordinary meeting on 18 September 2012, for their consideration of the submissions received and to determine whether to grant final approval. However, Council resolved:
- “1. THAT this matter be laid on the table for a period of two months to allow Council more time to consider the implications of approving or rejecting this proposal.  
2. THAT the City request an extension of time from the WA Planning Commission to allow this consideration.”
18. Staff requested an extension of time from the WA Planning Commission to allow this consideration, in writing, on 21 September 2012. The WA Planning Commission granted an extension of time for consideration on 8 October 2012.
19. In the intervening period, staff have reviewed the amending document and have identified a number of areas where the information provided is deficient, or assumptions have been made without sufficient supporting evidence.
20. A significant discrepancy identified in the amendment documentation concerns the figures provided in relation to lot sizes and yield. The special provisions contained in the amending document state that the minimum lot size will be 2000m<sup>2</sup> and that the average lot size will be 5000m<sup>2</sup>. However, the 2000m<sup>2</sup> – 6000m<sup>2</sup> range described in the body of the report gives an average lot size of 4000m<sup>2</sup>. As the land to be rezoned covers approximately 107ha or 1,070,000m<sup>2</sup> and it is estimated that approximately 20%, or 214,000m<sup>2</sup> of the land area will be occupied by roads, drainage reserves and retained bush land, approximately 856,000m<sup>2</sup> of land will be available for the development of lots.
21. Working on an average size of 4000m<sup>2</sup>, this would result in a yield of 214 lots. However, an average lot size of 5000m<sup>2</sup>, as prescribed in the special provisions, would result in a yield of 171 lots. Clearly, either the lot yield or average lot size will significantly differ from what has been indicated in the amendment documentation.
22. The documentation does not include a detailed subdivision guide plan showing the proposed lot layout. This would normally be included in the amendment documentation. Without a detailed subdivision guide plan, it is uncertain what the actual average lot size and yield will be.

23. In addition to these discrepancies, the following deficiencies and assumptions in the information provided have been noted:

- Aboriginal and European heritage interests are not adequately addressed within the amending document. It is known that 'Candyup' farm was established by Patrick Taylor, who was one of the earliest European settlers in Albany and the Kalgan locality. However, this is not mentioned in the amending document and is only briefly acknowledged in the land capability report. Similarly, the amending document makes no mention of potential Aboriginal heritage interests on the site.
- Part 4 of the amending document states that *"the extensive remnant vegetation scattered over the property effectively screens the cleared areas, with the exception of a small portion of ridgeline in the north west corner of the site."* However, at least two significant cleared areas can be seen from more distant locations and it is likely that further clearing would occur during subdivisional works and to achieve fire protection.
- Part 4.1 only makes passing mention of vegetation being in a degraded state due to grazing and trampling by livestock. It does not mention that the condition of remnant vegetation could be improved by excluding livestock, revegetating and managing weed incursion.

- Part 4.2 states that:

*"The study concludes that the site is highly capable, with some manageable limitations."*

However, it does not mention the presence of perched winter water tables on parts of the site.

- It further states that:

*"The steepest land and the central swales have a capability rating of IV and development within these areas will require additional site works such as retaining walls, drainage, fill, rock removal and heavier foundations. Appropriate subdivision design can be used to mitigate the associated costs."*

However, this does not give any indication of how substantially the landscape may have to be altered and the visual impact that this may have, or if it will entail clearing of vegetation.

- Part 4.3 states that:

*"There are some limitations on waste water disposal, mainly in the lower slopes where drainage, soil modification, terracing and fill may be needed as permitted by the Government Country Sewerage Policy."*

Again, this does not mention the extent to which the landscape may have to be modified and its potential visual impact, or if it will entail clearing of vegetation.

- Part 5 states that:

*“Agriculture WA and the land capability carried out by Landform Research, indicates that the majority of the land is not capable of supporting viable agriculture. While portions of the property may be able to accommodate limited intensive horticulture, there is concern regarding the potential conflict with the proposed special residential development and potential for export of nutrients into the waterways.”*

This statement appears to conflict with advice given by the Department of Agriculture and Food.

- Part 5 also states that:

*“Remaining remnant vegetation will effectively screen the majority of proposed development on the site. The proposed lot size excludes stock and facilitates revegetation to supplement remnant vegetation.”*

Again, this does not make mention of the fact that vegetation will have to be cleared to facilitate subdivisional works, development or for fire management. Furthermore, the documentation does not quantify the amount of vegetation that will be retained or removed.

- Part 6.4 does not explore the cumulative effect of multiple private effluent disposal systems discharging into the ground.
- Part 6.6 discusses stormwater, but does not mention the City of Albany *Subdivision and Development Guidelines*, which may require some sections of the stormwater drainage system to be piped.
- The subdivision guide plan does not include a lot layout. As identified above, the varying lot sizes described in the document and the intended lot yield do not necessarily accord with one another. The lack of a lot layout also makes it very difficult, if not impossible, to fully assess the visual impact, the impact on remnant vegetation and the likely fire risk. Similarly, it makes it unclear how subdivisional works, development and fire protection measures will impact on remnant vegetation and whether lots will offer sufficient building envelopes to accommodate the type of house that buyers will want to construct. Furthermore, this lack of essential information will complicate the subsequent subdivision and development approvals processes.



- Part 7.1 states that:

*“For emergency access/egress purposes an alternative access point to Nanarup Road is required and this will be accommodated by the construction of a strategic fire break through Lot 51 to Hunton Road. This will eventually become a fully constructed public road once future states are completed.”*

This makes a significant assumption that further stages of development will be approved. Further stages of development may impact significantly on Nanarup Road and the Kalgan River Bridge, and also on Hunton Road and its intersection with South Coast Highway. These impacts would have to be appropriately assessed.

- Part 7.1 also describes an area of ‘good’ condition remnant vegetation in ‘Precinct A’ that will be kept as public open space. There is no mention of who will be responsible for its ongoing maintenance.
- The description of ‘Precinct B’ nominates the City to manage and maintain other public open space/drainage reserves, which should be identified solely as drainage reserves, on an ongoing basis. Council must determine if it wants to accept this maintenance responsibility.
- The description of ‘Precinct D’ states that:
  - *“Building envelopes to run along the contour with a width of 50m, where possible, in order to encourage buildings that are low and horizontal in profile rather than vertical.”*
  - *“Encourage large buildings to be broken up to reduce bulk and visual impact.”*

This assumes that future lot owners will opt for a particular building type. However, experience suggests that this cannot be counted upon. For example, two-storey or split-level homes may be desirable in this location due to the additional views available from a second storey. Furthermore, this does not take account of the City’s outbuildings policy, which allows the construction of large sheds on ‘Special Residential’ blocks.

- It further states that:

*“Lot sizes between 2000m<sup>2</sup> – 3000m<sup>2</sup> are recommended on the basis that stock are not permitted in order to facilitate revegetation. Experience has shown that revegetation is more intensive and affordable on smaller lots. Larger lots encourage keeping of stock which in turn reduce the amount of vegetation.”*

The effectiveness of revegetation on small lots is doubtful, as fire management guidelines would require cleared areas to be maintained around dwellings. Further, the relative size of a dwelling and associated outbuildings consumes a large proportion of the lot area, limiting the amount of space available for revegetation to occur. Previous ‘Special Residential’ subdivisions in Albany, such as Warrenup Ridge, indicate that satisfactory revegetation does not always take place. Additionally, future lot owners may be reluctant to revegetate their properties if it is likely to impinge on their outlooks.

- In Part 2.3 of the Fire Management Plan, there is no mention of the requirement in the *Planning for Bush Fire Protection Guidelines* for the crowns of trees to be 10m apart.

- Part 2.5 of the Fire Management Plan refers to building envelopes. However, the subdivision guide plan does not show a lot layout or building envelopes.
  - Part 3.1 of the Fire Management Plan mentions that prospective owners should be advised of the need to comply with Australian Standard 3959. However, although the requirement to build in accordance with AS 3959 should be incorporated into the scheme provisions for lots that are considered to be subject to a high or extreme fire risk, it is not possible to fully assess this matter without a detailed subdivision guide plan.
  - Part 3.3 of the Fire Management Plan should use the same terminology as the *Planning for Bush Fire Protection Guidelines* and the City of Albany Fire Management Notice.
  - Part 3.3 also references cool burns, which are not ideal from a conservation standpoint, as they tend to encourage weed incursion.
  - Part 5 of the Visual Impact Assessment again refers to lot sizes and yield, which are not necessarily aligned.
  - Part 7 of the Visual Impact Assessment again talks about revegetation on large lots versus smaller lots, as discussed above under the comments on 'Precinct D'.
24. Council is now required to consider the submissions received from the public consultation period and determine whether to grant final approval to the proposed scheme amendment.

## **DISCUSSION**

25. The proposal seeks to rezone a 107ha portion of the subject lot, avoiding the bulk of the remnant vegetation in the north and east and the creek system to the south, which were areas of concern identified by the EPA in its 2005 assessment. The development of this portion of Lot 50 will yield approximately 215 new lots which equates to an average lot size of 4000m<sup>2</sup>.
26. The subject land has been identified as a future 'Special Residential' development zone in the ALPS and is consistent with the Strategic Objectives and Aims set out in section 8.3.5 – *Rural Living* therein.
27. The proposal identifies five development precincts with common soil and topographical conditions. An overall minimum lot size of 2000m<sup>2</sup> has been identified, with a minimum lot size contemplated for each of the precincts. The majority of the lots will be within the vicinity of 3000m<sup>2</sup> in size, however the Subdivision Guide Plan (SGP) acknowledges that on steep areas, areas affected by remnant vegetation or areas containing swales and associated wet areas, larger lots of around 5000m<sup>2</sup>, but up to 1 hectare, will be required.
28. The SGP contained within the Amendment document takes the form of an opportunities and constraints plan, the final alignment of lots to be determined at the subdivision stage. The SGP proposes that an average lot size of 5000m<sup>2</sup> over the site will be required, resulting in a maximum lot yield equal to, or less than, 215 lots.

29. The current SGP proposes a significant increase in the density of development to that of the original SGP that was supported by Council in 2004 (an increase from 145 to 215 lots). However, since 2004 the ALPS has been adopted, which encourages the efficient use of rural living areas based on land capability to maximise development potential. The land capability report accompanying the amendment contends that the density proposed can be accommodated on the site.
30. Other significant changes between the 2004 SGP and the current version submitted include:
- The 20 hectare tourist site has been omitted with the proponent claiming such a site would not be viable. The proponent has however identified a tea rooms/restaurant site in the north east portion of the site which commands the best views of the harbour and surrounding rural landscape; and
  - The SGP is presented as an opportunities and constraints plan rather than a more detailed plan identifying lot boundaries.
31. Each of the five precincts proposed have differing land capability and planning issues associated with them. These are discussed below.

Precinct A

32. Precinct A includes the major area of significant remnant vegetation on the subject land as identified in the vegetation assessment. As a result future development within this precinct will be confined to the outer edges of the development area between the vegetation and the road network. The SGP identifies lot sizes ranging from 2000m<sup>2</sup> to 3000m<sup>2</sup>. According to the submitted land capability report this Precinct has a '*very high capability with few physical limitations*'.
33. The identification of the significant vegetation as public open space is not considered appropriate; the alternative approach would be to include this vegetation within the rear boundaries of more than 20 allotments. This would not be good practice as numerous landowners would be responsible for the maintenance of the vegetation resulting in:
- the removal of the connectivity between areas of vegetation;
  - introducing a cost impost on certain lots;
  - increasing the fire risk through non-compliance; and
  - adding considerably to the requirement to police the outcome.

It is recommended that Council consider requiring the creation of larger lots to encompass areas of native vegetation. Restrictive covenants may be applied relating to protection of existing native vegetation and its ongoing maintenance and management.

34. The SGP identifies a hazard separation zone and building protection zone surrounding the vegetated POS areas to ensure future dwellings are adequately separated from this fire threat consistent with the submitted Fire Management Plan.

Precinct B

35. The north-eastern quadrant of Precinct B has been identified through the geotechnical assessment as having the poorest land capability on the subject land (category 5), and represents a defined drainage line through the property. The SGP has identified this area as public open space. However, its use for recreation appears to be limited as the primary purpose of this land is for drainage.
36. A significant portion of Precinct B is also prone to temporary water logging in winter months which is identified on the proposed SGP. The land capability report identifies that this area could be made developable by installing cut-off drains and road drainage that intersects the down slope surface water flows and through additional site works such as filling. Such works would enable these lots to be usable throughout the entire year, and ensure that an appropriate vertical clearance from groundwater for effluent disposal systems is achieved (500mm separation is required). No detailed engineering plans to document this solution have been submitted however the amendment document has identified the requirement for a detailed drainage management and site mediation plan (via Clause 4.4 of the special provisions) at the subdivision stage.
37. The proponent has identified a drainage reserve running parallel to the north-south road which will cater for drainage flows from the higher slopes and will have the effect of restricting vehicular access and accompanying crossovers and culverts. Access to these lots will be provided from the cul-de-sac road to the west, allowing building envelopes to be positioned outside of the area prone to water logging, thereby reducing the drainage and fill works needed within this area.
38. The Department of Health's Country Sewerage Policy does state the following in relation to groundwater separation requirements for effluent disposal systems:

***“Minimum Site Requirements***

*Irrespective of the type of on-site wastewater disposal system proposed, there should be at least 0.5 metres separation between the **natural** ground surface and the highest known groundwater level. Correctly engineered drainage solutions may be used to increase the clearance between the natural surface and the highest known groundwater level, subject to such drainage works being environmentally acceptable.”*

39. Council has two distinctive options in relation to this issue being to either:
  - a) Support the proponent's position that the waterlogged land within this precinct can be made developable through cut-off drains and/or filling with details to be provided at the subdivision stage; or
  - b) Require that all building envelopes should be positioned outside of the areas prone to water logging. This would result in a reduced lot yield and/or a redesign in the south-eastern portion of this Precinct to ensure lots can accommodate reasonably sized building envelopes outside of these areas.

Precinct C

40. Precinct C contains the steepest land with some areas having a gradient between 1 in 3 (33%) and 1 in 4 (25%). The land capability consultant has identified a low to medium risk for landslip within this Precinct, advising that whilst the conditions and slopes are similar to those in other hilled areas of the south west of WA, including Albany, they are not considered to be prohibitive, but rather that design parameters that provide stability for dwellings would be required. This area has been demarcated on the SGP as 'Steep Soils'. The proponent has proposed that special provisions (Clause 6.1) which state that design guidelines will be required to be prepared at the subdivision stage over Precinct C and D to guide development over this land to guide housing design and manage the risk of landslip.
41. Immediately south of the northern most east-west road, which sits on a ridge, a relatively flat area is potentially available for house sites in this Precinct before the land becomes excessively steep. The positioning of buildings in these locations will assist in ensuring the built form is not out of character with the surrounding special residential development.
42. The SGP identifies lot sizes ranging from 4000m<sup>2</sup> to 5000m<sup>2</sup> which will produce lots with a frontage of at least 50 metres. The proposed lot sizes and lot frontages will promote reasonable separation distances for privacy and amenity.

Precinct D

43. Precinct D has a high capability for development and is cleared of vegetation but represents the most visually exposed portion of the site. The proponent has prepared a visual impact assessment which has included the taking of photographs at various public vantage points taken from Bayonet Head, Lower King and Emu Point.
44. The photographic assessment does identify the potential for significant visual impact. However this area is framed by existing vegetation on the northern portion of Lot 50 (to the north of the portion subject to this amendment) which will ensure that any future development would not silhouette against the skyline. The proponent has advocated the use of appropriate colours and building materials on future buildings within this Precinct, as well as the planting of street trees, to ensure the development blends in with the rural landscape.
45. The SGP identifies lot sizes ranging from 2000m<sup>2</sup> to 3000m<sup>2</sup> and according to the submitted land capability report this Precinct has a '*high capability with minor physical limitations*'. Design guidelines will need to be prepared to control the visual impact of the development, noting that the development within this Precinct will be 'back-dropped' by retained remnant vegetation.

Precinct E

46. Precinct E has a high capacity for development with proposed lot sizes ranging from 2000m<sup>2</sup> to 6000m<sup>2</sup>. The larger lots are necessary to cater for those allotments affected by the significant stand of vegetation in the central portion of this Precinct.

Precinct F

47. The land within this precinct does not form part of this proposal and merely indicates the road connections and context with this current proposal. Precinct F includes the areas subject to significant constraints such as the major creek line to the south and heavily vegetated areas to the north and east. This land will remain under the 'Rural' zoning.

General

48. The proponent contends that the land capability study identifies that the proposed subdivision layout is sympathetic to the landform and environmental values and provides for the management of identified constraints. Soil testing and assessment has determined that waste water disposal can comply with the Government Country Sewerage policy.
49. The proponent also contends that the proposed layout is consistent with good practice stormwater management and road design principles. The creation of public open space along the valley at the centre of the subject land, in combination with drainage reserves and the careful positioning of roads, should ensure that runoff from roads, development and the overland flow from higher slopes, can be suitably accommodated during high intensity stormwater events; a more detailed urban water management plan to inform drainage design will be required at the subdivision stage for the City's consideration.
50. The proponent contends that the fire management plan has incorporated the requirements of the Planning for Bushfire Protection Guidelines (2010) identifying strategic fire breaks (fire access tracks), building protection and hazard reduction zones. However, a more detailed fire management plan will also be required at the time of subdivision.
51. The visual management plan states that despite the prominent nature of the site, the stands of vegetation help to minimise the potential impact of the proposed development. The plan recommends that through the protection of this vegetation wherever possible, the provision of additional street trees to frame the roads, and the careful consideration of building materials and colours, the visual impact of the development would be limited.
52. The amendment was initiated at the Ordinary Council Meeting of 13 December 2011 and was subsequently forwarded to the EPA who considered the proposal and determined that it should not be assessed. However, the EPA provided some advice to guide the development planning.
53. The Amendment was advertised for public comment and referred to a number of Government Departments and Agencies for comment.
54. It is noted that a number of matters were not adequately addressed in the amending documentation that was supplied to the City or had been omitted, at the time of the initiation. A number of submissions therefore relate to request for additional information that will be necessary either before or at the time of subdivision.

55. The majority of the submissions received are opposed to the proposal. However most of the concerns raised can be resolved by requiring appropriate modifications to the special provisions of the zone and or the subdivision guide plan.
56. The majority of concerns relate primarily to the proposed density and the impact it will have on the visual amenity and the character of the area, however these can readily be resolved by requiring a lower density of development.
57. It is recommended that Council consider modifications to the amendment documentation to require preparation of a detailed Subdivision Guide Plan prior to any subdivision or development, based on the additional information required by the City of Albany and WAPC as detailed in the schedule.
58. Alternatively Council may consider provisions to allow for setting a larger minimum lot size, for example 1ha, which is a lower density to that being proposed, or apply as average lot size to the amendment to achieve this purpose. This will help to meet community aspirations for the area, maintaining the rural character and amenity of the area. This reduced density is also considered to be more sensitive to the Vegetation Fauna protection, the topography and is more suitable to the lands capability.

#### **GOVERNMENT CONSULTATION**

59. The Environmental Protection Authority (EPA) considered that the proposed scheme amendment should not be assessed and provided some advice.
60. The Amendment was referred to WA Gas Networks (WestNet Energy), Telstra, Water Corporation, Western Power, Department of Agriculture and Food WA, Department of Water, Department of Environment and Conservation, Department of Education, the Department of fisheries, the Regional Heritage Advisor and Fire and Emergency Services Authority (FESA) for assessment and comment.
61. Responses were received from Telstra, Water Corporation, Western Power, Department of Agriculture and Food WA, Department of Water, Department of Environment and Conservation, Department of Education, the Regional Heritage Advisor and FESA and are summarised in the attached Schedule of Submissions.
62. The most pertinent comments received were from the Department of Environment and Conservation, Department of Agriculture and Food, Department of Water, Department of Health and the Regional Heritage Advisor. All of these submissions highlight the need for more information, that should be provided and request modifications and additions to the amending document, proposed special provisions and the subdivision guide plan.

**PUBLIC CONSULTATION / ENGAGEMENT**

63. As part of the consideration to initiate this amendment at the Ordinary Council Meeting of 13 December 2011, Council also considered whether to consult with or advise the community of this matter before referring the matter to the EPA.
64. Council resolved that initial public consultation, prior to referral to the EPA, and outside of the statutory framework set down by the Town Planning Regulations 1967 was not required.
65. Following receipt of the EPA advice, the Amendment was advertised in accordance with the requirements of the *Town Planning Regulations 1967* from 17 May 2012 to 28 June 2012 by placement of a sign on-site, direct referral to affected and adjoining/nearby landowners and advertisement in the local newspaper.
66. Staff together with the proponents also attended an information session with the community on 18 June 2012. The matters raised at this session were similar to those raised in the individual submissions from community members and that of the Lower Kalgan Progress association.
67. A total of twenty five (25) written submissions were received, as attached. The submissions discussed, with a recommendation for each submission are contained in the attached Schedule of Submissions.
68. The majority of the submissions received are opposed to the proposal. The most pertinent matters raised relating to the proposal can be summarised as follows;
- i. The proposed density of development is not considered to be in accordance with the existing character of the area, nor does it meet the community's aspirations for the area;
  - ii. There is potential for land use conflict between existing rural uses and the proposed residential use;
  - iii. Other concerns were raised over:
    - a) Visual impact and amenity
    - b) Fire risk and prevention and emergency management;
    - c) Lack of infrastructure;
    - d) Potential traffic impact;
    - e) Lack of information on the history of the site;
    - f) Land capability, suitability and stability.
    - g) Environmental impacts.
69. The community also expressed concerns over the lack of strategic planning for the area and lack of community consultation. These matters do not necessarily relate directly to this proposal, but should be noted by the Council.



## **STATUTORY IMPLICATIONS**

70. All scheme amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Town Planning Regulations 1967*. Council's decision on the final approval of the amendment requires endorsement by the WAPC and the approval of the Minister for Planning.

## **STRATEGIC IMPLICATIONS**

71. Council's decision on the Scheme Amendment should be consistent with the objectives of the Albany Local Planning Strategy (ALPS) as the principal land use planning strategy for the City.
72. Section 8.3.5 – *Rural Living* sets the following Strategic Objectives:

*“In the long term encourage the efficient use of existing rural living areas, based on land capability to maximise their development potential.”*

*“Ensure that future rural living areas are planned and developed in an efficient and co-ordinated manner by being located either adjacent to Albany as designated on the ALPS maps, or within existing rural townsites in accordance with Table 5 along with adequate services and community infrastructure.”*

The ALPS expands on this by stating that: *“The strategy’s objectives for Rural Living areas are to:*

- *Discourage the creation of additional rural townsites for living purposes.*
- *Avoid the development of Rural Living areas on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity.*
- *Avoid the development of Rural Living areas on future and potential long-term urban areas.*
- *Provide compact growth of selected existing rural townsites in accordance with Table 5, based on land capability and available services and facilities.*
- *Minimise potential for generating land-use conflicts.*

*Existing Rural Residential areas in the ALPS are mainly on the fringe of the proposed Future Urban area.*

*Existing Special Rural and Special Residential zones in the City’s current Town Planning Scheme are fragmented and located within or next to rural areas on the periphery of the Albany urban area, along the King and Kalgan Rivers and around Princess Royal and Oyster Harbours. These zones are at different stages of development and not required to be connected to reticulated sewerage. Some of the outer areas, such as Millbrook and most of Gull Rock, are not connected to reticulated water”.*

73. The proposal is considered to be broadly consistent with Section 8.3.5 of the ALPS, as it:
- discourages the creation of additional rural town sites for living purposes;
  - avoids the development of a Rural Living area on productive agricultural land, other important natural resource areas and areas of high bushfire risk, flooding and environmental sensitivity;
  - avoids the development of a Rural Living area on future and potential long-term urban areas, as the land has been identified in the ALPS as suitable for Special Residential purposes; and
  - will create lot sizes suitable for rural residential living purposes, similar to those to the south, although smaller, therefore minimising the potential for generating land-use conflicts
74. However, it is noted that the smaller lot sizes of 2000m<sup>2</sup> are more consistent with an urban form than rural residential, and developments of this density have a more urban character than those with larger lots are prevalent.
75. This item relates to the following elements from the City of Albany Strategic Plan (2011-2021):

***Key Focus Area:***

*Sustainability and Development*

***Community Priority***

*Single Town Planning Scheme*

***Proposed Strategies***

- *Develop strategies to retain prime agricultural land.*
- *Flexibility for development in key tourism areas.*

**POLICY IMPLICATIONS**

76. Council is required to have regard to any Western Australian Planning Commission Statements of Planning Policy (SPP) that apply to the scheme amendment. Any amendment to the Town Planning Scheme will be assessed by the Western Australian Planning Commission to ensure consistency with the following State and Regional Policies.

77. **SPP 1 – State Planning Framework**

The Policy establishes state-wide key land use planning principles and informs the Commission, Local Government and others involved in the planning process in relation to sustainable land use and development across the State. It is designed to ensure there is coordination and integrated decision-making across all spheres of planning.

SPP1 describes the factors which represent good and responsible decision-making in land use planning:

**“Environment**

*The protection of environmental assets and the wise use and management of resources are essential to encourage more ecologically sustainable land use and development. Planning should contribute to a more sustainable future by:*

- i. promoting the conservation of ecological systems and the biodiversity they support including ecosystems, habitats, species and genetic diversity;*
- ii. State Planning Framework Policy 5*
- iii. assisting in the conservation and management of natural resources, including air quality, energy, waterways and water quality, land, agriculture and minerals, to support both environmental quality and sustainable development over the long term;*
- iv. protecting areas and sites with significant historic, architectural, aesthetic, scientific and cultural values from inappropriate land use and development;*
- v. adopting a risk-management approach which aims to avoid or minimise environmental degradation and hazards; and*
- vi. preventing environmental problems which might arise as a result of siting incompatible land uses close together.*

**Community**

*Planning anticipates and responds to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities. Planning should recognise the need for and, as far as practicable, contribute towards more sustainable communities by:*

- i. accommodating future population growth and providing housing choice and diversity to suit the needs of different households, including specialist housing needs, and the services they require;*
- ii. providing land for a range of accessible community resources, including affordable housing, places of employment, open space, education, health, cultural and community services;*
- iii. integrating land use and transport planning and promoting patterns of land use which reduce the need for transport, promote the use of public transport and reduce the dependence on private cars;*
- iv. encouraging safe environments, high standards of urban design and a sense of neighbourhood and community identity;*
- v. promoting commercial areas as the focus for shopping, employment and community activities at the local, district and regional levels; and*
- vi. providing effective systems of community consultation at appropriate stages in the planning and development process.*

### ***Economy***

*Planning should contribute to the economic well-being of the State, regions and local communities by supporting economic development through the provision of land, facilitating decisions and resolving land use conflicts. In particular, planning should provide for economic development by:*

- i. providing suitable zoned and serviced land for industry, business and other employment and wealth generating activities;*
- ii. protecting agricultural land resources from inappropriate uses;*
- iii. avoiding land use conflicts by separating sensitive and incompatible uses from industry and other economic activities with off-site impacts;*
- iv. promoting local employment opportunities in order to reduce the time and cost of travel to work;*
- v. providing sites for tourism accommodation and facilities taking account of their special location and servicing needs; and*
- vi. ensuring that plans and policies are clear and certain, decisions are made in accordance with plans and policies, and decisions are made expeditiously.*

### ***Infrastructure***

*Planning should ensure that physical and community infrastructure by both public and private agencies is coordinated and provided in a way that is efficient, equitable, accessible and timely. This means:*

- i. planning for land use and development in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes and essential services;*
- ii. protecting key infrastructure, including ports, airports, roads, railways and service corridors, from inappropriate land use and development;*
- iii. facilitating the efficient use of existing urban infrastructure and human services and preventing development in areas which are not well serviced, where services and facilities are difficult to provide economically and which creates unnecessary demands for infrastructure and human services; and*
- iv. encouraging consultation with providers of infrastructure, to ensure they have regard to planning policies and strategic land use planning when making their investment decisions, in order to ensure that land use and development are closely integrated with the provision of infrastructure services.”*

The future Outline Development Plan would specifically need to focus on:

- assisting in the conservation and management of natural resources, including air quality, energy, waterways and water quality, land, agriculture and minerals, to support both environmental quality and sustainable development over the long term;
- preventing environmental problems which might arise as a result of siting incompatible land uses close together through the use of appropriate separation buffers;
- integrating land use and transport planning and promoting patterns of land use which reduce the need for transport; and
- protecting agricultural land resources from inappropriate uses through the use of appropriate separation buffers.

#### **78. SPP 3 – Urban Growth and Settlement**

SPP 3 sets out the key principles and planning considerations that apply to planning for urban growth and expansion of settlements in the State.

The key policy objectives in SPP 3 are as follows:

- *“To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- *To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- *To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- *To coordinate new development with the efficient, economic and timely provision of infrastructure and services.”*

#### **79. SPP 2.5 – Agriculture and Rural Land Use Planning**

SPP 2.5 was gazetted in 2002 and has provided a comprehensive review and refinement of the previous DC Policy 3.4 Rural Land Use Planning (1989). The WAPC and Local Government are required to have regard to SPP 2.5 in planning for the development of rural areas.

The Policy advises that:

*"Agricultural production from rural areas is a significant part of the Western Australian economy. It provides essential food and fibre products, and employment and value adding opportunities. Agricultural production in Western Australia is worth nearly \$5 billion per annum. Careful planning is required to maintain these benefits to regional economies and to encourage ongoing investment in agriculture and the supporting resource base."*

The 4 key objectives of SPP 2.5 are summarised as:

- *Protect significant agricultural resources within the State from inappropriate land use and development;*
- *Provide for sustainable rural settlement growth within community expectations and ensure adequate community service and infrastructure is available to support the growth;*
- *Minimise potential land use conflicts between incompatible land uses; and*
- *Manage natural resources and prevent land degradation.*

The City contains land designated as Agricultural Priority Management Areas within State and these are required to be protected for future agricultural production purposes.

The City shall have regard to the general provisions and policy statements under SPP 2.5 in considering proposals or developments that affect rural land.

#### **80. Development Control Policy 2.5 – Special Residential Zones**

This policy sets out the requirements of the Commission for the creation of such zones in terms of location, internal design and servicing, and statutory provisions.

Key objectives of DC 2.5 are summarised as;

- To provide for the creation of lots of between 2,000 square metres and one hectare in suitable locations.
- To ensure that the use and development of such lots are subject to appropriate standards and controls.
- To protect the character and amenity of adjacent rural areas.

**RISK IDENTIFICATION & MITIGATION**

81. The risk identification and categorisation relies on the City's Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>The development on the higher slopes has the potential to be visually prominent.</i>	<i>Possible</i>	<i>Medium</i>	<i>High</i>	<i>Use of a landscaping plan prepared and Implemented In accordance with the WAPC landscape Planning guidelines In Western Australia, as a condition of subdivision and promote street tree planting.</i>
<i>The development on higher slopes may be prone to land slip risk.</i>	<i>Possible</i>	<i>High</i>	<i>High</i>	<i>Use of site specific Geotechnical studies and appropriate construction standards as a scheme requirement to control type of construction and footing designs / requirements.</i>
<i>The development on the lower portion of the site is prone to water logging in winter.</i>	<i>Possible</i>	<i>Medium</i>	<i>High</i>	<i>Requirement for a detailed drainage management and site remediation plan at subdivision stage.</i>
<i>Fire risk for dwellings adjacent to significant stands of vegetation.</i>	<i>Possible</i>	<i>High</i>	<i>High</i>	<i>At subdivision and development stage ensure the detailed fire management plan is prepared and the recommendations/requirements are implemented (hazard separation and building protection zones).</i>
<i>Community concerns about the impact of development.</i>	<i>Almost certain</i>	<i>Moderate</i>	<i>High</i>	<i>Duly and carefully consider concerns raised to balance community aspirations with the developers expectations.</i>

**FINANCIAL IMPLICATIONS**

82. The appropriate application fees have been paid and staff have assessed the proposal within existing budget lines.

**LEGAL IMPLICATIONS**

83. Section 75 of the *Planning Development Act 2005* allows Council to pass a resolution to amend its Town Planning Scheme.

**ALTERNATE OPTIONS**

84. Council has the following options in relation to this item, which are:

- To adopt the Scheme Amendment without modifications;
- To adopt the Scheme Amendment with modifications as per staff’s recommendation or Modifications determined appropriate by Council ;
- To resolve not to adopt the Scheme Amendment and advise the WAPC of the reasons for not doing so.

**SUMMARY CONCLUSION**

85. The proposal seeks to rezone a portion of Lot 50 Nanarup Road, Kalgan from the ‘Rural’ zone to the ‘Special Residential’ zone. The subject land has been identified as being suitable for ‘Special Residential’ development in the ALPS and is considered to be consistent with the Strategic Objectives and Aims set out in section 8.3.5 – *Rural Living*.

86. It is recommended that Council either:

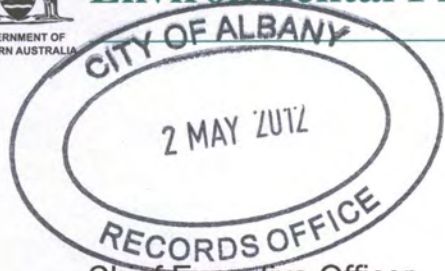
- Finally adopt Amendment No. 303, subject to the inclusion of the recommended modifications to the amendment documentation and provisions; or
- Resolves not to proceed with the amendment, if Council is of the opinion that the recommended modifications and detailed subdivision guide plan will be insufficient to address the discrepancies and deficiencies in the submitted documentation and the concerns expressed by the local community.

<b>Consulted References</b>	Albany Local Planning Strategy
<b>File Number (Name of Ward)</b>	AMD 303 (Kalgan Ward)
<b>Previous Reference</b>	OCM 16/09/2003 – Item 11.3.5 OCM 21/12/2004 – Item 11.3.4 OCM 21/02/2006 – Item 11.3.3 OCM 19/01/2010 – Item 13.2.1 (SAR145) OCM 13/12/2011 – Item 2.3 OCM 18/09/2012 – Item 2.3





# Environmental Protection Authority



Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331

City of Albany Records  
Doc No: ICR1264441  
File: AMD303  
Date: 02 MAY 2012  
Officer: SPLAN2

Attach:  
Box:  
Vol:  
Box+Vol:

Our Ref: A465156  
Enquiries: Angela Coletti  
Phone: 6467 5490

ATTN: Jan van der Mescht

Dear Sir/Madam

## DECISION UNDER SECTION 48A(1)(a) *Environmental Protection Act 1986*

**SCHEME AMENDMENT TITLE:** City of Albany Town Planning Scheme 3  
Amendment 303 - rezoning from Rural to  
Special Residential  
**LOCATION:** Pt Lot 50 Nanarup Road  
**LOCALITY:** Lower Kalgan  
**RESPONSIBLE AUTHORITY:** City of Albany  
**DECISION:** Scheme Amendment Not Assessed -  
Advice Given (no appeals)

Thank you for referring the above scheme amendment to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the following advice and recommendations.

### ADVICE AND RECOMMENDATIONS

#### 1. Environmental Issues

- Remnant vegetation
- Water quality and quantity
- Fire Management Plan

#### 2. Advice and recommendations regarding Environmental Issues

##### Remnant Vegetation

The vegetation on site may provide habitat for the Baudin's, Carnaby's and the Forest Red-tailed Black Cockatoo. All species of Cockatoos are protected under both the *Wildlife Conservation Act 1950* and the *Environment Protection and Biodiversity Conservation Act 1991* (EPBC Act). The proponent should consider

its notification responsibilities regarding matters of National Environmental Significance under the EPBC Act should implementation of this scheme fail to avoid impacts to protected fauna.

Remnant vegetation should be retained and protected through the following:

- A modification of scheme provision No.7 in the City of Albany, Town Planning Scheme No. 3 to include the installation of stock proof fencing of remnant vegetation;
- a targeted flora survey to be undertaken, prior to determining building envelopes, to locate suitable trees for the Cockatoo's;
- if suitable trees are located then the EPA expects a Cockatoo Management Plan to be prepared and implemented as a condition of subdivision approval and to the satisfaction of the Department of Environment and Conservation (DEC);
- the subdivision guide plan should clearly indicate the large triangular remnant in the South West of the amendment area as Public Open Space Conservation as mentioned in the text;
- a single crossing of the waterway to enter the development area, preferably to upgrade the existing crossing to minimise the impact upon riparian vegetation;
- a fauna survey to be undertaken in accordance with EPA's Guidance No. 56, 2004, *Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia* and implemented as a condition of subdivision approval and to the satisfaction of the DEC; and
- clearing of native vegetation is prohibited, unless the clearing is authorised by a clearing permit obtained from the DEC, or is of a kind that is exempt in accordance with Schedule 6 or Regulation 5 (Clearing of native vegetation Regulations) of the *Environmental Protection Act 1986*.

#### Water quality and quantity

The Department of Water (DoW) has advised that the land capability report is insufficient in providing the information required for the DoW to support the change in land use. While development resulting from this amendment may not pose a significant impact on Oyster Harbour the EPA is concerned about the cumulative impact resulting from further subdivisions in the area.

The EPA therefore strongly recommends that the land capability studies are conducted at the most appropriate time of year, and are carried out to the satisfaction of the DoW. A Local Water Management Plan should then be produced to the satisfaction of the DoW.

The EPA supports scheme provision No9 concerning the installation of alternative waste water treatment units to help prevent the pollution of groundwater. Waste water disposal in this area will be difficult so the lot layout will need to account for this in order to achieve compliance with the Draft Country Sewerage Policy.

The EPA's Guidance Statement No. 33, 2008, *Environmental Guidance for Planning and Development* in particular Part C3.3.5 'On Site Effluent Management' provides further clarification on the approval processes that relate to on-site treatment of effluent under the *Health Act 1911*. Alternative Treatment Units should be approved by the City of Albany and licensed by the Department of Health.

### Fire Management Plan

The OEPA notes that the Fire Management Plan (FMP) currently states the Fire Hazard Assessment for the proposal Lots ranges from low to extreme in the vegetated areas.

The Western Australian Planning Commission (WAPC) *Planning for Bushfire Protection Guidelines May 2010* has a presumption against further landuse intensification in areas of extreme fire danger. The guidelines recommend that a 20 metre Building Protection Zone (BPZ) be provided around buildings with a further 80 metre wide Hazard Separation Zone (HSZ) maintained outside the Building Protection Zone. Lots in the vegetated areas can be expected to be considered an extreme fire hazard as defined in the WAPC guidelines.

The implementation of measures which will be necessary to help reduce the risk of wildfires to residents will result in an environmental impact. The maintenance of the 20 metre BPZ, the additional HSZ, and the installation of the internal firebreaks, are likely to result in significant modification of the vegetation including increased fragmentation of the subject land. There is also an accompanying risk of increased weed invasion and degradation of vegetation condition over time. Modification of native vegetation through physical action (eg slashing, thinning out or regular burning) as stated in the Fire management Plan may constitute 'clearing' (Environmental Protection Act 1986, Section 51A (a), (b) and (d)).

The responsible authority should ensure that EPA's Guidance Statement No.33, 2008, *Environmental Guidance for Planning and Development*, is adequately considered where appropriate during detailed planning processes. The OEPA recommends that the responsible authority work closely in consultation with DEC, DoW and any other relevant agencies, prior to the implementation of the Structure Plan.

### **3. General Advice**

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision on the level of assessment of scheme amendments.
- A copy of this advice will be sent to relevant authorities and made available to the public on request.

Yours faithfully



Anthony Sutton  
Director  
Assessment and Compliance Division

30 April 2012

## SUBMISSION

**To:** City of Albany

**Re:** **PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD FROM THE 'RURAL' ZONE TO THE 'SEPCIAL RESIDENTIAL' ZONE (AMD303)**

**From:** Anne Brandenburg  
*B.Sc (Hons) (Biology) (First Class)*  
*B.App.Sc (Multi. Disc) (Dinstinction) (Biol/Hort)*  
*Proprietor, gorepaniART Gallery*

**Date:** 28 June 2012

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### **State and Local Planning Guidelines**

It is my strong view that the Special Residential zoning and development objectives of AMD303 contravene the intent and research knowledge accumulated in statutory WAPC and City of Albany planning documents and strategies.

### **Action Required by Council:**

- Review and reassess AMD303 against state and local government documents.
- Ensure local government documentation being used in re-assessment is FULLY endorsed by the Kalgan community. The current ALPS document showing a Special Residential zoning for the Kalgan cell does not qualify for this process.

### **Moratorium**

Prior notice given developers and planners of a pending Council moratorium on development applications lodged after 21 February 2012 served to increase the

number of development applications lodged prior to the release of draft LPS1 for community comment. This influx of applications, from which AMD303 emanates, is creating considerable amounts of unwarranted community confusion. The relationships between AMD303, ALPS and LPS1 is complex. Inviting development applications by way of notice of intent to place a moratorium on development application only serves to baffle an already baffled community with respect to important strategic planning issues.

Council is calling for community comment on a statutory document (ie draft LPS1) prior to Council simultaneously making a decision on AMD303, a decision which legally will affect that draft LPS plan.

In addition to this, there is no potential for knowing the outcome of AMD303 application and its influence on the draft LPS1 before comments on the LPS1 due by 3 August.

Zoning information in these two documents is conflicting and causing considerable confusion to the informed feedback being sought by Council on AMD303. Council has previously set a precedent for not supporting development proposals and applications that cause such confusion, and I would recommend the same for AMD303.

**Action Required by Council:**

- AMD303 should be subjected to the same moratorium as development applications lodge after 21 February 2012.
- As mentioned, Council has previously set a precedent for not supporting development proposals likely to cause confusion amongst the assessing community. I would recommend that AMD303 also be withdrawn from the assessment process and advice given to the proponent that it be rejected on the same grounds.
- Council officer effort will be more effectively directed to expediting the update of statutory town planning documents rather than acting responsively to distracting, ad-hoc development proposals such as AMD303.

### **Councillors Over-riding Staff Advice**

Council has on at least two occasions with respect to Candyup Scheme Amendment Requests and Scheme Amendment applications overturned the advice of its professional planning officers advising Council *not* to support proposed developments. Both instances resulted in Council placing and endorsing alternative motions that have supported and encouraged the developer to progress with development proposals and activities for Candyup.

One of these instances is of particular interest given the *vast* amounts of extensively researched and sound planning advice provided to Council by Council officer staff. While too extensive to include here, it was summarised by officers as:

*“Overall, the SAR is considered to be inconsistent with both State Planning Policy and the strategic planning direction set by the draft ALPS. Staff therefore have no option but to recommend that Council rejects the SAR proposal.”*

The case worsens when, again I find noted in the minutes, statements by Council officers defending their professional judgement whilst also reluctantly acknowledging advice that is contrary to their beliefs but which they feel they must give as employees of a Council. Such as statement follows:

*“As no new information and arguments have been raised through the submissions, staff have reluctantly drafted a positive recommendation on these matters“.*

And here we are now, well down the planning track for AMD303,

- with a single developer/landholder proponent feeling very assured and confident of their future success as a consequence of consistent and proactive Council support,
- a community betrayed and alienated by its Council, and

→ a Council that is repeatedly getting away with what I can only describe as mismanagement.

Such an outcome for a rate paying community is outrageous. Council repeatedly over-riding thoroughly considered, sound and appropriate professional planning advice is a disgrace and irresponsible. Not only does it help to make an already dysfunctional Council look increasingly silly and reflect poorly on its ratepayer community, it is enormously disrespectful and potentially damaging to the professional careers of its planning staff.

**Action Required by Council:**

- Council must immediately place on hold and put under moratorium AMD303 until the decisions pertaining to Candyup Scheme Amendment and ALPS rezoning decisions for the Kalgan 'cell' has been assessed in an independent review process that is agreed upon by the Lower Kalgan community (lead by the LKPA) and Council.
- Council must immediately establish a process that cross checks and provides for independent arbitration on Council decisions attracting firm and/or reaffirmed derision between the professional advice of Council planning officers and Councillors in development applications.

**Precinct Planning**

Developer driven development pressure on the Lower Kalgan precinct is both significant and immediate, even in spite of the ALPS identifying no demand for new lots in rural locations within at least the next 5 years

I am supportive of the concept of future development in the Lower Kalgan, but not FIRST without a significant amount of precinct planning involving ALL stakeholders so as to protect the values:

- of the Lower Kalgan landscape for all of the wider community, and
- the rural and/or semi-rural values current residents have intentionally brought into and seek to maintain for at least the next 10-20 years.

Developing a comprehensive precinct plan addressing social, environmental and economic issues over an extended period of time which meets the needs of local and non-local people who enjoy the locality is integral to achieving this outcome.

**Action Required by Council:**

- Council upholds its prior commitments to the LKPA for carrying out precinct planning
- Support and participate in a regular consultation process with the LKPA with respect to preparing a Lower Kalgan Precinct Plan

**Council Commitment to Community in Planning**

I am extremely concerned to find in Council minutes examples of apparent Council disinterest in tapping into Kalgan community interest and comment on rezoning and development proposals as measured by Council opting not to engage comment beyond that legally required, even when advised by Council officers of interest that exists.

I am also aware that the Minister is empowered to *“direct the local government to take further steps to advertise an amendment where the Minister is not satisfied that adequate steps have been taken to make public an amendment.”*

**Action Required by Council:**

- Recognised the value of additional community input into sensitive planning issues
- Take opportunities to engage further discussion with community and landholders to address sensitive development issues

**Equity in planning**

In my view, planning processes in the Lower Kalgan are being driven by a single landowner/developer with the considerable help of an overly supportive Council (at least with respect to the Lower Kalgan) to the detriment of the local Lower Kalgan community. Yet, Council supposedly exists to represent ALL of its ratepayer



community and, as such, is required to take active responsibility for scoping and including the interests of all of its rate payers in decision making processes.

Related to this is my concern that insufficient consideration and opportunity for informed input has been afforded to residents of existing Special Rural subdivisions in the Lower Kalgan precinct (eg Gull Rock and Swan Point locality) on rezoning opportunities that may or may not follow from various planning options. Gull Rock and Swan Point landowners are expecting, at least in part, an opportunity to turn their investment of 20 years ago into additional blocks and worthy assets of the future.

In spite of whether or not this is environmentally possible, Council has not demonstrated any recognition of this fact or taking steps to discuss or address this issue with affected landholders. Nor has it seemingly acknowledged the downward impact that additional land release (through developments such as AMD303 and Council's own development of Cull Road lots) has on existing property values.

**Action Required by Council:**

- Council ensure equity of contribution to planning processes by all stakeholders in development projects, activities and precinct planning processes
- Council includes in its Scheme Amendment Request process consideration for community input through its links with the Lower Kalgan (and other local) Progress Associations

**Reasonable Expectation of Community by Council**

Planning is a complex task involving complex concepts requiring considered input of many stakeholders over a long period of time.

It is simply not reasonable of Council to expect the Lower Kalgan community to be satisfied with:

- Continually responding to important planning issues in a reactionary way.
- Rapid and monumental change in lot size and rural outlook and yet only being given 42 days to address their consequent concerns.

→ Jumping from low density Rural to high density Special Residential zoning in a single scheme amendment

Accepting the notion that planning constraints on Special Residential developments will protect the values of the rural landscape and community when we are concurrently told in Council minutes that people buying special residential property are wealthier, build bigger homes with bigger sheds to store larger volumes of assets. Also that their primary interest in their locality is retaining their view rather than contributing to the maintenance of share space.

My clear understanding is that the Kalgan community aspires to fostering the inflow of like-minded people with both a sense of community and place, and a considerable willingness to collectively share in responsible enjoyment, management and development of a precinct we all care for equally. The description given to us of typical Special Residential landowner is a long way from fitting a preferred character type for the community. Therefore, it is of course natural, that Council will meet resistance for a change in zoning that fosters such newcomers into the district.

In relation to this, my personal thought is that keeping the Future Urban zoning proposed in the second and last advertised draft of the ALPS sat nicely with the long term expectations of community. Future Urban enabled the community time enough to recognise that change in the future inevitable, but gave it also time enough to engage in that change in a considered and interactive way for a period of at least 10, and more like 20years hence.

**Action Required by Council:**

- Council must take immediate and active steps to slow down or stop the current AMD303 rezoning process
- Council must take immediate and active steps to work with the entire Lower Kalgan community in developing a precinct plan that best suits the majority (and not minority) of landholders in the locality

### **Development Density**

The development density of the proposed AMD303 development is way too intense and not appropriate for placement in an existing, undeveloped agricultural landscape.

Council is also setting an undesirable precedent for requests for further small urban lots in other entirely agricultural landscapes. Already out shire has been identified as having more than ample supply of rural residential lots for the next 5 years at least, although most likely longer given the impact of the GFC on the Albany region.

With respect to AMD303 in particular, while indicative lot sizes of Precincts A – E are provided, there can be no way of estimating likely lot numbers in each of the precincts given overall precinct sizes are provided. In my view, this is clever deceit of community at its best and should not be allowed by Council.

### **Action Required by Council:**

If AMD303 is permitted to progress, then

- lot size allocations should be further investigated and a minimum lot size of 1ha be set. This would be the same lot size permitted in surrounding rural residential zones.
- lot sizes should be considered in the context of precinct planning where opportunities for alternative lot arrangements (as opposed to traditional developer pods) can be investigated.

### **Infrastructure**

Abandoning Priority 5 classification under Future Urban zoning by Council in an unadvertised 3<sup>rd</sup> phase of the development of ALPS puts the community at risk losing staged urban development with the provision of supporting infrastructure and services based on current growth projections.

Increased population density proposed under AMD303 brings with it increased demand on existing infrastructure, and increased demand for expanded infrastructure. Irrespective of whether classed as Future Urban or Special

Residential, Council already pays inadequate regard to local infrastructure and public safety needs. It is clear the Lower Kalgan community's concern for improved infrastructure is valid.

As in the ALPS, I believe planning needs to provide for and encourage sustainable and timely delivery of essential community infrastructure to accommodate appropriate and planned settlement and growth.

**Action Required by Council:**

- Commence addressing existing infrastructure needs with the LKPA for such things as improved parking facilities at beach access points, stringent management and control of unauthorised camping throughout the Lower Kalgan precinct, new foot paths (esp over Kalgan bridge), street lighting, road safety, traffic studies and road capacity assessments, future road linkages, road widening, public school facilities, reticulated water supply, emergency water supply etc etc
- Address future infrastructure needs in precinct planning, including road linkages throughout areas identified for future Special Residential zoning.
- Make infrastructure a regular agenda item for LKPA-Council Liaison meetings
- Considerer and plan for overall road linkages for general and emergency egress that caters for all landholders subjected to proposed Special Residential zoning if AMD303 is allowed to go ahead.

**Conflicting Land Uses**

In keeping with ALPS section 8.5, I agree that "*protection of priority and general agriculture land from incompatible land uses, developments and land-management practices*" should be assured.

The notion of placing an ad-hoc high density Special Residential land use development (as AMD303 proposes) central amongst an existing agricultural land use defies logic. Agricultural land use brings with it chemicals, dust, the noise and smell of animals and agricultural implements (eg tractors and gas guns) etc. Urban

land uses brings with it illegal access issues, domestic pets, weed management problems and the like.

Conflicting land use issues inevitably develop between landholders of disparately zoned land-uses. Existing agriculture land uses on properties adjoining proposed urban uses of AMD303 will inevitably clash, just as they already do for existing agricultural land users adjoining tourist and recreational features in the Lower Kalgan locality.

**Required Action by Council:**

While my preference is for the development not to be allowed at this point in time, I would suggest that should permission be granted that:

- a *very considerable* buffer zone of a minimum of 100m (ie half of once side of 1ha lot) between the AMD development and surrounding agricultural land is imperative and should be put in place.
- Buyers of AMD303 lots created must be made aware of adjacent land uses that are both different and fully authorised to their approved land use.

**Historical Attributes**

Candyup property is of known historical value. Council has a responsibility for ensuring state and national heritage values of the locality are acknowledged and addressed.

Historical values affected by the proposed AMD303 are yet to be assessed.

**Action Required by Council:**

- Ensure a full assessment of the historical values of Lot 50 by the developer prior to making a decision on AMD303
- Ensure historical assessment outcomes are incorporated into Precinct Planning

### **Indigenous values**

AMD303 application provides no information on the indigenous values of land subject to the proposed development. Again, council has a responsibility for ensuring indigenous heritage and cultural values are assessed and addressed.

#### **Action Required by Council:**

- Ensure a full assessment of the indigenous values of Lot 50 the developer prior to making a decision on AMD303
- Ensure an assessment of indigenous values is incorporated into Precinct Planning

### **Amenity Values**

Existing rural amenity values of the Lower Kalgan landscape are numerous. A few are as follows:

- They provide a fitting rural backdrop to a rural regional centre from all urbanised vantage points within the City of Albany
- They acknowledge the primary source of economic wealth for the region and its community
- Visitors and tourists can engage in a combined rural – beach – nature experience at the Lower Kalgan, and all within half an hour of and in relatively close proximity to the city centre
- Existing resident Lower Kalgan landholders are able to enjoy a landscape quality they intentionally bought into without fear of imminent change.

Developer driven development pressure on the Lower Kalgan precinct is significant, intense in its demand for immediacy of outcome. This is in spite of the ALPS identifying no demand for new lots in rural locations within at least the next 5 years

From the local level point of view, boundary setbacks will be an important consideration for maintaining view scapes and the privacy of adjoining landowner.

Rear and side boundary setbacks become irrelevant where best views are obtained from boundaries other than the front boundary of a property.

**Action Required by Council:**

- Ensuring a considerable 100m buffet between AMD303 lots and adjoining land allotments (as per conflicting Land Use Comments) will assist a great deal with controlling potential view scape problems.
- Boundary setbacks for individual lots should be assessed on a case by case basis, with the front boundary setback being changed to the boundary that captures the preferred view of an allotment.

**Weed Control**

Urban development brings with it altered management of existing weed species and an influx of potentially new weedy plant species.

Weed management has not been addressed in AMD303.

**Action Required by Council:**

- Ensure a full assessment of the weed species of Lot 50 by the developer prior to making a decision on AMD303
- Ensure a full weed species survey and management plan is developed for the Lower Kalgan in a Lower Kalgan precinct plan

**Environmental Values**

Oyster Harbour is a state and/or nationally registered wetland asset. Urban development brings with it alteration to water distribution and flow, increases of in nutrient inflows and a raft of other environmental impacts. The potential consequence of mismanaging any of these impacts can be of considerable state and/or national significance.

My specific comment on AMD303, is that I am concerned:

- That drainage for only the central portion of the proposed development is more fully addressed in the Scheme Amendment application, and
- That proposed roads are in fact being used as drainage collection lines and points, with outflows to properties on the western side of Lot 50 not being adequately addressed

I am also concerned about hearsay that requests by the EPA of the developer to address environmental issues are being flaunted.

**Action Required by Council:**

- Ensure environmental concerns raised by the EPA are addressed by the developer
- Ensure there be no escape of particulates, stormwater, effluent or other extraneous material to surrounding properties and wetlands
- Maximum amounts of vegetation must be retained on site and, if the development allowed to progress, increase vegetation plantings to solve nutrient enrichment and water flow problems

**Fire risk**

Based on the significant amount of community concern raised at various meetings of the Lower Kalgan community, fire risk and its management is a significant issue for consideration for any existing or future land used development in the Lower Kalgan.

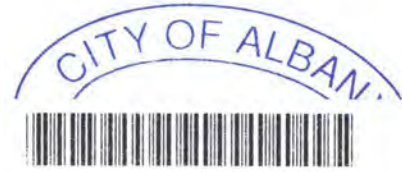
Urban dwellers frequently are ill-informed of risk of fire in rural areas. Nor do they have a real understanding of the speed at which wildfire disseminates. The inexperience of urban communities with the threat that fire pose raised considerable concern for the Lower Kalgan community.

**Required Action by Council:**

- The experience of Lower Kalgan locals in fire management must be taken into account with the development of fire management plans



- Boundary setbacks must allow for easy access to the *entire* perimeter of the proposed AMD303 development (say minimum of 20m between AMD303 and adjoining properties)
- Emergency egress for fire management must take into account the increased risk of fire that will likely emanate with future urban development.



To City of Albany  
102 North Road Yakamia WA 6330

28<sup>th</sup> July 2012

To the CEO,

City of Albany Records  
Doc No ICR1268669  
File AMD303  
Date 29 JUN 2012  
Officer SPLAN2

Attach:  
30x  
/ol  
30x+Vol

**RE: PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD FROM THE 'RURAL' ZONE TO THE 'SPECIAL RESIDENTIAL' ZONE**

I would like to make a few comments upon the above proposal. My property is located next door to the above property, and due to the shape of my property, is fairly surrounded by it. My property borders the north side of Nanarup Road and west side of Hunton Road. It is a 14ha property of mostly cleared land.

Firstly, I wish to express to the council of Albany that my husband and I are aware of the need for more future 'special residential' properties. We support growth in our area of 'special residential' in this area, and think it be a suitable place to take in the beauty of the surrounds. However, we strongly request that our property be part of this same zoning also, for a number of reasons:

1. 'Special residential' zoning will surround our property. The Albany Local Planning Strategy shows that most of land to the north of Nanarup Rd is designated for Special Residential Development. We object to the fact that our land is not included, as there appears to be no rational planning reason. We request that when the Albany Local Planning Strategy is next reviewed, we be included in the 'Special Residential' zoning.
2. The eastern boundary of our property is on Hunton Road. Hunton Road is a natural border for the end of this zoning, with general rural zoning to the east of Hunton Road. These properties along Nanarup Road are of significant sizes compared to ours, and suit farming land use more than our smaller property. Therefore, we should be included in the rezoning.
3. Our land is similar in terms of soils, landform and vegetation, and so it only makes sense to include it in the same zoning as the proposed rezoning property.
4. Our property is too small to make a viable living from - in farming the land, and we are both teachers working for the education department, so have no desire to farm for a living.
5. Our property has magnificent views of oyster harbour, and also to the north hill. It would be in high demand for purchase if smaller blocks were made available in future.
6. Future planning should be fair and consistent, not favouring some landowners over others. Therefore, we should be included in the rezoning to 'special residential'.

Secondly, I wish to express a few concerns relating to vegetation loss of Lot 50 Nanarup Road. If the proposed subdivision goes ahead, we want a guarantee that no vegetation, degraded or good condition, be lost to the north or our property, as this hosts wildlife and often the endangered red-tailed black cockatoo. This is our view from all living areas of our house, and it would be catastrophic for us if this beautiful natural landscape was destroyed and replaced with housing roofs and sheds. We paid a significant price for our property for this very view, and would be devastated if the trees were removed for housing and roads. This will radically change the look of this landscape, and take value away from our property, plus lose the wildlife it currently supports. In keeping with the area, the trees need to be preserved.

Thirdly, Lot 50 is providing some infrastructure, which could support neighbouring subdivisions, such as a large water tank, firebreaks, and emergency access roads. If planning were done with an integrated approach, all neighbours would benefit.

Fourthly, local services to the area must be updated, such as the need for a new public school closer by – Flinders Park is already the largest primary school in the area, and is almost at capacity before new buildings are required to provide for the local intake of children from the zoned area. The local deli is not up and running anymore, nor very supported because it doesn't stock much, offer petrol or postal services. Council needs to support it reopening to service the people out here.

And finally, existing roads are an essential aspect the City of Albany MUST address, if this rezoning occurs, as there are several very dangerous areas on Nanarup Road, which need urgent attention. One is the Lower Kalgan Bridge; another is the Hunton Road/Nanarup Road intersection.

As written previously, we are in support of growth to this area, and think it to be an excellent area to take advantage of the magnificent water views, and rural landscape. We just want to be included in the rezoning; otherwise it would be completely unfair. The potential growth could be made with fellow neighbours along Hunton and Nanarup Roads directly next door to our property, who are all in favour of being part of the rezoning to 'special residential'. We are looking forward to planning together for the interests of all our neighbours, to keep this area a naturally beautiful, aesthetically pleasing area, which continues to support the existing wildlife and vegetation. The value of this land is currently high, and smaller blocks would be sought after, if planned in keeping with its surrounds. It is valuable land, and should be treated as such. We want the area to attract people who also value this landscape as much as we do.

Yours sincerely,

Our Ref: 09-35

28 June 2012

City of Albany  
PO Box 484  
ALBANY WA 6331

**ATTENTION: Jan van der Mescht**

Dear Jan

**RE: City of Albany Town Planning Scheme No. 3 Amendment 303  
Rezoning of Pt Lot 50 Nanarup Road.**

I refer to the above amendment which is currently being advertised for public comment.

The proponent has requested our company to lodge a submission to clarify a number of matters relating to the rezoning documentation. Some of these matters have been subject to detailed discussion between Council officers, the Department of Planning (DoP), Department of Water (DoW) and Department of Environment and Conservation (DEC). As a result, a number of modifications to the documentation are put forward for consideration.

**Subdivision Guide Plan**

- a. Include notation on the Subdivision Guide Plan that it is an indicative guide plan and that road alignments, drainage and lot design may be modified at detailed subdivision design stage of development following detailed engineering assessment of the site.
- b. Include notation on the Subdivision Guide Plan that at the time of development of the land, the area shown as subject to temporary perched winter water table shall be drained by the construction of engineering works such that perched winter water shall not appear on the surface of the lots.
- c. Include notation on the Subdivision Guide Plan regarding the access point onto Nanarup Road indicating that:

The access point onto Nanarup Road is indicative only and subject to verification by way of detailed engineering design at the subdivision stage of development.
- d. Remnant vegetation to be retained in private ownership and designated as 'vegetation protection area' or 'development exclusion area'.
- e. Designation of POS is supported where it can be used for active recreation. Designation of the drainage line in the central part of the site as POS was considered desirable where pathways could be incorporated and associated drainage basins could be designed and landscaped so they could be used for active recreation when not inundated.

Scheme Text

- a. Modify Clause 2 by a) changing the heading to read "Objectives of Special Residential Area 19", and b) modifying "purpose of the subdivision" to "purpose of the development".
- b. Modify Clause 3 (a) by deleting "Residential Dwelling House" and replacing with "Single House".
- c. Include a provision to ensure that where a provision in the amendment schedule is in conflict with any other of the scheme provisions, then the amendment schedule takes precedence.
- d. Include a provision to ensure that for the purposes of the amendment schedule, "development" is to also include subdivision, where the context requires.
- e. Modify Clause 4 such that within Precinct C, along the edge of the steeply sloping land, allow for a relaxation of the front building setback (4 metres suggested), so that buildings can be set back from the steeper land.
- f. Clearing of indigenous vegetation on any part of land which has an angle of repose steeper than the natural angle of repose of the soil following clearing should be avoided.
- g. If clearing is integral to any approved development and cannot be avoided, the soils in the cleared land are to be stabilised to prevent slippage to the satisfaction of Council.
- h. Amend provision 8.0 as follows:
  - 8.1 All lots are to be connected to a reticulated potable water supply.
  - 8.2 Notwithstanding 8.1 above, where it is not considered reasonable to connect to a reticulated water supply within the Lower Kalgan locality, self sufficient potable water supplies for lots are to be provided following subdivision, by way of a rainwater tank with a minimum capacity of 92,000 litres, to be installed contemporaneously with the construction of any habitable dwelling on a lot.
- i. Amend Clause 9.2 by including the following wording at the end of the clause "or the State government policy relevant at the time".
- j. Include additional provisions to;
  - ensure perimeter fencing is provided to each stage of development
  - Where keeping of stock is approved by Council on a lot then fencing shall be installed by the applicant on the lot to protect vegetation if present.
  - Include a provision requiring fencing to be placed around remnant vegetation, not through it.
  - Include a provision whereby an applicant seeking to lodge a subdivision application, should submit a fauna study if clearing of vegetation is proposed.
  - Include a provision requiring the use of ATUs unless it can be demonstrated to the satisfaction of Council at the time of application for approval to install a wastewater system that the soil types of the land is suitable for conventional on-site effluent disposal

General Comment

In relation to the advice and recommendations provided by the EPA in its letter dated 30 April 2012, it was agreed at the meeting held with DoP, DEC and DOW that;

- A targeted flora and fauna survey may not be required unless it was proposed to clear trees.
- Designation of the large triangular remnant in the south west of the site as POS was not supported and that instead it be designated as a landscape protection area or development exclusion area.
- Further land capability assessment at this stage of the process was not required.
- Use of ATUs is generally supported.
- Hazard separation zones could be reduced if buildings were designed to a higher standard.
- The impact of slashing, thinning or regular burning on remnant vegetation is understood and only fringe areas of remnant vegetation where the understorey had already been removed and was subject to extensive weed invasion would be incorporated into hazard separation zones.

A number of other issues were raised at a community meeting held at the Lower Kalgan Hall on 18<sup>th</sup> of June. These included:

- The need for a Precinct Plan for the Kalgan Cell to determine the need for linkages, community facilities etc. The proponent is supportive of the preparation of such a plan and notes that such plans are a key component of the ALPS implementation process. The proposed amendment makes provision for linkages with adjoining development and any requirement for community facilities can readily be accommodated in subsequent stages of development as required.
- The need for a traffic impact assessment. The need for a traffic impact assessment is normally required as a condition of subdivision approval. A key consideration will be access from the proposed development to Nanarup Road and will be subject to detailed engineering design.
- Provision of pedestrian access across the Kalgan Bridge. The proponent is supportive of and approach being made to Main Roads WA to provide such a facility and believes it should have been provided when the bridge was recently upgraded. The development of the Grammar School and proposed development to the east of the river was known at the time and it appears to be an unfortunate oversight that such a facility was not then provided.
- Upgrade of Nanarup Road. Nanarup Road has recently been upgraded and any improvements such as access to the proposed development will be considered as part of the traffic impact assessment at the subdivision stage of development.
- Bushfire management and the need for emergency access/egress and capability to deal with house fires. A detailed fire management plan will be required for the development and these issues can be addressed at that time.

- Buffers to surrounding rural zoned land. The proposed development is buffered by significant bush areas to the north and east and to the south the land is already zoned Rural Residential and tourist use. To the west a number of rural zoned properties abut the proposal. Significant areas of remnant vegetation along the western boundary already provide a buffer to the properties and appropriate setbacks /screening can be provided where needed.
- Stormwater management in major events and resultant erosion and export of nutrients. The proposed development provides an opportunity to considerably improve upon the current situation where there is little control over the export of fertilizers and animal effluent from the site in major storm events.
- Protection of historic features on the site such as the original cart track, house site and fruit trees. The design allows for the historic cart track to be integrated with the development as a fire management track and other feature can be incorporated into the design of the development.

Conclusion:

The Amendment No. 303 documentation includes detailed consideration of the land capability, vegetation, water and environmental management of the proposal to rezone it to the 'Special Residential' zone. This information has been prepared by appropriately qualified and experienced consultants. The EPA has assessed the proposal and cleared the proposal subject to some advice and recommendations. These matters have been discussed with the relevant agencies and as a result additional provisions have been put forward for inclusion within the scheme documentation.

The proponent believes that in the past many issues and objections have been raised in relation to the proposed development that have no basis in fact or science. It is requested that where issues of contention are raised that they be subject to assessment by appropriately qualified experts in their relevant field. The proponent is prepared to work with current legislation and government policy but objects to ad hoc, ill considered provisions that restrict the ability to achieve a high quality development that will do justice to this special site.

It is requested that the proponent be consulted as a matter of courtesy where modifications are proposed over and above those agreed to and documented above.

Yours sincerely

Nick Ayton  
**AYTON BAESJOU PLANNING**

Attention: Jan Van Der Mescht  
Senior Planning Officer  
City of Albany  
PO Box 484  
Albany, 6331, WA

Email: [staff@albany.wa.gov.au](mailto:staff@albany.wa.gov.au)

Dear Mr Van Der Mescht,

I write to you in response to the letter of 16 May 2012 sent from the City of Albany to my parents, (Moonlight Rd, Kalgan). The subject of the letter was *PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD FROM THE "RURAL" ZONE TO THE SPECIAL RESIDENTIAL ZONE.*

While you will observe our address as outside the Albany region we have a very strong interest in the area. We have been regular holiday-makers to the Kalgan for more than 35 years. Our parents, ( ), ( ) of Moonlight Road and ( ) Mead Road are Kalgan landholders and ratepayers. We and our children holiday at the Kalgan for more than a month a year and it is our not distant plan to move from Fremantle to live on ( ) Moonlight Road.

We object to the proposal to rezone a portion of Lot 50 Nanarup Road to Special Residential and were disappointed by the lack of community consultation on this issue. On reading the text below from *The City Of Albany Town Planning Scheme No. 3 Amendment No. 303, Planning Report - Rezoning Portion Of Lot 50 Nanarup Road, Lower Kalgan From The Rural To Special Residential Zone* it has become evident that while the amendment was seriously being considered by the City of Albany in May 2010 it was not until the letter of 16 May 2012 that ( ) (as adjoining landholders on the western boundary of Lot 50 Nanarup Road) were informed of the proposed amendment.

*"At its meeting on 19 January 2010 Council resolved to advise the owner of Lots 50 & 51 Nanarup Road, Lower Kalgan that it was prepared to entertain a submission of a formal Scheme Amendment to rezone the lots from the "Rural" zone to the "Special Residential" zone. Council subsequently also resolved at its meeting on the 18th May 2010 to modify the draft Albany Local Planning Strategy (ALPS) to change the "Future Urban" designation to "Special Residential" for land on the north side of Nanarup Road which includes both Lots 50 and 51."*

We consider that the proposed scheme amendment and subdivision plan for Lot 50 Nanarup Road is not consistent with the existing zoning and land use in this area that currently provides the Kalgan area with a rural and low key development amenity that distinguishes it from the urban landscape of Albany. This amenity and rural charm is the primary reason that many landholders live and holiday in the area and we are concerned this will be rapidly lost through the development of any special residential subdivision. We believe that many landowners on the Kalgan area have similar concerns and that these concerns have been expressed to the Lower Kalgan Progress Association.

We would appreciate that the points within this submission are taken on board and that permission **IS NOT** granted to allow the rezoning of Lot 50 Nanarup Road from Rural to Special Residential. In the following table we have structured our concerns/objections regarding the proposed rezoning in the context of the City of Albany (Planning) level, Kalgan area level and finally at the level of the adjoining properties at Moonlight Road.

Yours sincerely,



Objections to "PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD FROM THE "RURAL" ZONE TO THE SPECIAL RESIDENTIAL ZONE".

Planning level - City of Albany

Planning statement /Issue	How this will impact	Explanation
<p>The proposed subdivision is being done in accordance with Map 9B of the ALPS (Albany Planning Scheme) as endorsed by the WAPC (Western Australian Planning Commission) in October 2010. This includes changes for five areas including the area to the north of Nanarup Road and east of the Kalgan River endorsing that the area becomes a Special residential Zone. <b>This was done without community consultation.</b></p>	<p>This leads to a loss of good faith between locals and council</p>	<p>Such action is suggestive that community view is not desirable and that there may be other factors that lead to significant changes.</p>
<p>The land at 461 Nanarup Road is located approximately 19km north east of the Albany City centre on the eastern side of the Kalgan River and northern side of Nanarup Road. Land for Special Residential should be made available much closer to the City Centre, for example, Lower King, Milbrook and Wilyung.</p> <p><i>The development also provides an alternative direction for urban development as Albany grows.</i></p>	<p>This land is distant from Albany Town.</p> <p>Development is based around arterial roads.</p>	<p>It takes in excess of 20 minutes to drive to the Albany City Centre through a large amount of already undeveloped land. In an era where people are becoming increasingly conscious of travel times and increased travel costs due to unprecedented fuel prices this is environmentally unacceptable and indicative of poor planning.</p>
<p><i>While high scenic values can be obtained from the site, the extensive remnant vegetation scattered over the property effectively screens the cleared areas, with the exception of a small portion of the ridge line in the north-west corner of the site.</i></p> <p><i>No clearing of remnant vegetation areas shall occur on the land zoned 'Special Residential' except for:</i></p> <ul style="list-style-type: none"> <li>• <i>clearing to comply with the requirements of the Bush Fires Acts 1954 (as amended);</i></li> <li>• <i>clearing within the prescribed area as may reasonably be required to construct an approved building and curtilage;</i></li> <li>• <i>trees which are dead, diseased or dangerous; clearing to gain vehicular access to an approved dwelling, construction of utilities, fence lines or any other clearing which may be approved by the Council; and</i></li> <li>• <i>clearing required to establish and maintain a low fuel buffer. Additional tree/shrub planting may be required as a condition of development approval. Fire retardant vegetation is recommended close to houses and in order to retain views from surrounding properties, shrubs and trees should be restricted in height to 3 metres</i></li> </ul>	<p>More pressure will be placed on remnant vegetation as a result of housing, roads, limb removal, root damage, loss of water infiltration, increased competition by introduced weeds etc.</p>	<p>Leads to an increasing loss of habitat for native wildlife and reduction in biodiversity and ecological value of the area.</p> <p>Large trees are habitat for many animals such as Tawny Frogmouth and Western Ringtail Possum, and the three species of Black Cockatoo. Trees in excess of 150 years of age with hollow branches provide nesting hollows for cockatoo and possums.</p>

Planning statement / Issue	How this will impact	Explanation
<p>ALPS notes that there is an abundant supply of 'Future Urban' lots available to cater for Albany's growth for the next 75 years. These 'Future Urban' areas are located to the west of the Kalgan and King Rivers and provide an opportunity for a more compact urban form that will accommodate approximately 94% of the new dwellings. By comparison, provision in ALPS for Special Residential development is limited and is estimated to accommodate approximately 3.6% of new dwellings over the next 75 years.</p>	<p>Given there is an excess of "Future Urban" more of the potential Future Urban that is closer to the City Centre and west of the Kalgan and King rivers should be set aside for Special Residential</p>	
<p>All <b>necessary</b> infrastructure such as power, potable water, sealed road access and telecommunications can be provided/extended to service the proposal. Nanarup Road and the Kalgan Bridge have recently been upgraded. A community hall is located on the opposite side of Nanarup Road and the Great Southern Grammar School and a local shop are located immediately west of the Kalgan River.</p>	<p>The Kalgan Community Hall is small hall that will provide limited resources to a Special Residential development covering 276 hectares.</p> <p>Great Southern Grammar is a private school only available to people with a preparedness to pay the fees.</p> <p>The local shop on the west side of the Kalgan river was set up as a small café and as a shop front for the Caravan park. To my knowledge this business is no longer operational.</p>	<p>These resources are of limited value to what will potentially be a large community. A lack of available facilities would suggest that land should be set aside in the development for future community facility development. These are of value and add to the functioning and sense of community at a social level leading to happiness of all that live within an area. This has been neglected.</p> <p>Community facilities are remote (for example: swimming pool, library, comprehensive shopping facilities, public schooling, pharmaceutical and medical services). Absence of services leads to a car dependent society, more traffic on roads and less inclusion of the very young, very old, less well to do and handicapped.</p>
<p>The site has agricultural potential but is just starting to be impinged upon by urban and other development</p> <p>Address Natural Resource Management considerations in balance with consolidation and sustainability objectives</p>	<p>There is currently no urban development in the area. All other development on the east side of the Kalgan River in the Nanarup Road area is rural to semi-rural.</p>	<p>Agricultural land adds to the sustainability of the local area and is important for producing of local produce, these being a draw card for tourists to the Albany area for example Willow Creek Strawberries. Candyup, Lot 50, as for much of the land in the Kalgan region has been important for beef production. It is in the developer's interest that this area be deemed to becoming encroached upon by urban land.</p>

Local Level – Lower Kalgan area	Planning statement/Issue	How this will impact	Explanation
<p><i>Integrate development with the landscape while providing for <b>bushfire protection and management</b></i></p> <p><i>Subdivision and development is to be in accordance with the Fire Management Plan for the land, as endorsed by FESA and the City of Albany and shall require the implementation and ongoing maintenance of the developer's, property owner's and local government's responsibilities as set out in that plan.</i></p> <p><i>The main issues with fire management are the reduction in fuel, the maintenance of firebreaks, the availability of machinery and water to fight fires and the provision of emergency escapes.</i></p> <p><i>Each landowner will be responsible for maintaining low fuel area/Building Protection Zone around their residence and associated outbuildings, in accordance with the following minimum standards:</i></p> <ul style="list-style-type: none"> <li><i>o 20m wide (min)</i></li> <li><i>o bush fire fuels must be maintained below 10cm in height;</i></li> <li><i>o trees and branches which may fall onto a house must be removed; and</i></li> <li><i>o lower branches of remaining trees must be trimmed.</i></li> </ul> <p><i>Lot sizes between 2000m<sup>2</sup> – 3000m<sup>2</sup> are recommended on the basis that stock are not permitted in order to facilitate revegetation. Experience has shown that revegetation is more intensive and affordable on smaller lots. Larger lots encourage keeping of stock which in turn reduce the amount of revegetation. As the steepest land abuts the property downslope to the west, the potential for stormwater to run across the boundary has been addressed by locating a road adjacent to the boundary. A site has been nominated for a café/tearooms which will need to be of a size to accommodate associated car parking.</i></p>	<p>More people in the area equates to more point sources for fires to begin.</p> <p>Fire breaks are NOT an established part of the plan for the <b>whole</b> development.</p> <p>The development is NOT surrounded by its own personal enclave of grazed, slashed or land with a low fuel supply.</p> <p>The space on a 2000 m<sup>2</sup> lot is not adequate to allow people to comply with these rulings</p>	<p>A protective fire break zone <b>MUST</b> be provided as a part of the development.</p> <p>Most properties are too small to enable fire-breaks. People can build to within 5 m of side and rear boundaries of properties (this leaves in-adequate space for effective firebreaks).</p> <p>There is no provision for fire-breaks to much of the perimeter area surrounding the subdivision. The only observable firebreaks are roads. And these do not fully encapsulate the development. Past history has shown that fire in the Kalgan area (approx. January 2000) jumps significant roads (Hunton Road and Nanarup Road) and moves with speed even on flat land. This will be considerably accelerated on hillsides.</p> <p>The development documents consistently write to suggest that blocks between 2000 and 5000 m<sup>2</sup> will encourage a well vegetated landscape that will increasingly become concealed due to vegetation growth. This is contrary.</p> <p>A block with an area of 2000m<sup>2</sup> and the smallest perimeter would have four sides of length approximately 45 m. Taking into account the low fuel requirements of a 20 m perimeter this would allow approx. 25m<sup>2</sup> for high fuel zones. This is not achievable.</p>	

Planning statement/Issue	How this will impact	Explanation
<p>Create high quality Special Residential lots which take advantage of views and amenity of the site</p>	<p>More people with limited local facilities will lead to more cars and busier roads, congestion of car parks at local beaches, more impact on the reserves adjacent to the Kalgan River, Nanarup inlet and Two Peoples Bay etc.</p>	<p>Reduced amenity for people who live in, holiday in and love the Kalgan area, an area with a rural, semi rural ambience.</p>
<p>Safety issues associated with adjoining residential to rural areas. For example farms have:</p> <ul style="list-style-type: none"> <li>• An abundance of open dams</li> <li>• Are involved in spraying</li> <li>• Use heavy machinery</li> </ul>	<p>Children's safety is put at risk</p>	<p>A protective buffer zone must be provided that protects those within residential areas from farm mishaps and those on farms from residential mishaps</p>
<p>Provision of Tea Rooms/Restaurant</p>	<p>Potential business failure</p>	<p>There has been a history of similar businesses being established in the Kalgan area and operating for a limited time then closing. Examples include the gallery facility that operated on Moonlight Road, The East Bank facility on the Kalgan River and the shop front established at the Kalgan River Chalets and Caravan Park</p>
<p>On site effluent disposal</p>	<p>There will be more phosphorous and nitrogen loading to the soils on a per hectare basis than currently occurs with grazing.</p>	<p>This will lead to more nutrients moving into groundwater, associated creek lines, the Kalgan River, Oyster Harbour and the waters beyond Emu Point, contributing to eutrophication. The end point will be lower water quality as a result of more frequent algal blooms and increased fish death. This will contribute to reduced sustainability of local fishing and aquaculture.</p>
<p>Storm water runoff will be disposed of on site wherever possible</p>	<p>Water runoff from the mid western boundary DOES NOT stay within the development</p>	<p>This will impact adjoining rural properties, could lead to erosion and a loss of water quality of local dams</p>

**Adjoining property level - Impact on Moonlight Road Lots 16 and 17**

Planning Statement/Issue	How this will impact	Explanation
<p>Land adjoining Moonlight Road Lots 16 &amp; 17 are currently noted as Precincts D and E. Lot sizes in Precinct D are recommended to range from 2000m<sup>2</sup> - 3000m<sup>2</sup> while lots in Precinct E range from 2000m<sup>2</sup> - 6000m<sup>2</sup>. While the proponent suggest that this area is sufficient to grow suitable vegetation to reduce visual impact this is not able to be done at the same time as managing fuel load for fires.</p> <p><b>Location of Buildings and Structures</b></p> <p>4.1 No building may be erected closer to the boundary of a lot than:  <i>from the frontage of a lot – 8m</i>  <i>from the side boundary of a lot – 5m</i>  <i>from the rear boundary of a lot – 5m.</i></p> <p>4.2 Notwithstanding 4.1 above, Council may approve a lesser distance and/or the averaging of front setback requirements where Council is of the opinion that the topography or shape of the lot or vegetation on the lot makes it desirable to approve such variations.</p>	<p>Due to small block size there will be the lack of ability for purchasers of lots in Precincts D and E to install suitable and safe buffer zones as well as provide adequate screening in the form of vegetation.</p> <p>Potential for land use conflicts are real.</p> <p>Visual Impact</p> <p>Potential of exposure to danger</p>	<p>In addition to a substantial low fuel fire protection zone the development MUST provide a visual barrier of local species of vegetation to effectively screen development from the farm.</p> <p>Fencing must be provided by the developer which is aesthetically pleasing (for example post and rail) that includes a deterrent for children and domestic pets crossing into the farmland.</p>
<p><b>9.4 Land Use Buffers</b></p> <p><i>Land Use Buffers relate to the potential for land use conflicts between the proposed and existing land uses and dwellings. The buffers could relate to noise, dust, odour, spray drift or other potential conflicts.</i></p> <p><i>Buffers to significant environmental features such as watercourses, wetlands, and heritage areas are also important and are considered separately.</i></p> <p>The potential land uses, on site conditions, location and distance to other properties, do not require any particular buffers.</p> <p>There are other similar lots locally. The proposed land use of small rural living lots is compatible with surrounding land uses.</p>		
<p><b>Land Use Buffers and Recommended Management</b></p> <p><b>Buffers</b></p> <ul style="list-style-type: none"> <li>• No particular buffers are required to adjoining land uses.</li> <li>• Lot sizes are large enough to provide buffers and match lots in nearby areas.</li> </ul> <p><b>Recommendations</b></p> <ul style="list-style-type: none"> <li>• No significant buffers required.</li> </ul>		

<p>Impact of Cats, Dogs and other 'pets' on local wildlife and farm stock.</p>	<p>Cats are a major predator of native animals</p> <p>Unmanaged domestic dogs are a known cause for stock loss</p>	<p>Moonlight Road Lots 13, 16 &amp; 17 are a haven for local flora and fauna including multiple bird species, a variety of frogs including the Moaning Frog, Bandicoots and Western Ringtail Possum. A major cause for loss of biodiversity within Australia is cats. A development such as this with no clear regulations to encourage the maintenance of biodiversity will further impact local populations reducing overall biodiversity.</p> <p>The cleared land on adjoining rural land is used for the grazing of sheep. Dogs from residential areas may harass and kill sheep.</p>
<p><i>Integrate development with the landscape while providing for bushfire protection and management</i></p> <p><i>Road networks should take account of the topography and be unobtrusive, and long cul-de-sac should be avoided. Consideration should be given to the use of road networks as strategic firebreaks.</i></p>	<p>The current proposal suggests that less than 20% of the adjoining boundary will be protected by any form of fire-break, and that the only forms of fire breaks will be a road.</p>	<p>Firebreaks are essential. With more people and more dwellings, sheds and other outhouses on 461 Nanarup Road there will be more potential point sources to start fires.</p> <p>The subdivision <b>MUST</b> provide adequate fire protection in the form of substantial fire breaks to adjoining rural properties.</p> <p>Fire also travels quickly in hilly areas impacted by coastal winds. The proposed subdivision will be heavily impacted winds from the west, through to the south and to the east.</p> <p>Fire has been observed in the Albany area and Perth Hills of recent times. Fire moves quickly, jumps roads and has inherent dangers.</p>

<p><b>5.0 Building Design, Materials &amp; Colour</b></p> <p>5.1 Dwellings and outbuildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Walls and roofs constructed of unpainted zincalume and off white colours shall not be permitted. Council will be supportive of darker shades of green, brown, reddish brown, blue and grey colours.</p> <p>5.2 Dwelling houses shall not exceed 7.5 metres in height measured vertically from the natural ground level.</p> <p>5.3 Notwithstanding 5.2 above, Council may approve a variation on steeply sloping land consistent with the height parameters established in the endorsed development guidelines as per Clause 6.1.</p> <p>5.4 If boundary fencing is utilised, it shall be of rural construction such as post and strand or post and rail to the satisfaction of Council. No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket.</p> <p>As a condition of development, require a landscape plan to be prepared to help to screen the development without obscuring views from the property or adjacent neighbours.</p>	<p>Acceptable</p> <p>Unacceptable – too high</p> <p>Acceptable</p> <p>This is an acceptable component of the proposal, <b>however</b>, the development of Precincts D and E adjoining the boundary of Lots 16 and 17 Moonlight road IS NOT in keeping with this statement. Due to the smaller block size in these precincts the proposal will lead to a high level of visual impact to Lots 16 and 17 Moonlight Road.</p>	<p>Impacts future amenity of adjoining land</p> <p>A large buffer zone is needed that incorporates firebreak and a thick zone of local native plant species.</p>
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Your ref: AMD303/PA37945/AMD303  
Our ref: 27.2.1.3.303 (12/11196)  
Enquiries: John Watson  
Phone: (08) 9842 4500  
Fax: (08) 9841 7105  
Email: John.Watson@dec.wa.gov.au

Mr Jan Van Der Mescht  
Planning Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331

Attention: Mr Van Der Mescht

Dear Jan

**PROPOSAL TO REZONE A PORTION OF 461 (LOT50) NANARUP ROAD FROM 'RURAL' ZONE TO THE 'SPECIAL RESIDENTIAL' ZONE**

Thank you for the opportunity to comment on the amendment to Town Planning Scheme 3 proposal to rezone a portion of 461 (Loy 50) Nanarup Road from 'rural' zone to the 'special residential' zone.

**BACKGROUND**

Lot 50 has been the subject of numerous proposals over the past few years involving DEC and the Department of Water, and prior to mid 2006 involving the former Department of Environment and the EPA (Amendment 233, File No 408/05).

Since December 2007 DEC has dealt with the following:

1. WAPC Application No 136690 (8 January 2008) seeking subdivision of Lot 50 into 3 sub-lots, A, B and C, each of ~ 79 ha and to be aligned adjacent to each other orientated N-S with proposed sub lot A adjoining the western boundary of Lot 50 and proposed sub lot C adjoining the east boundary of Lot 50 .
2. A SAT hearing in Albany (December 2008) following an appeal by the applicant against various conditions set in the conditional approval for subdivision as granted by the WAPC in April 2008. Following conclusion of the SAT hearing a brief inspection of the property was undertaken in the company of the applicant, his manager and other SAT attendees. Application WAPC 136690 lapsed on 23 April 2011.
3. An application for the granting of a Permit to Clear Native Vegetation on the portion of Lot 50 that is not included in the current re-zoning application, CPS 2994/1 was lodged 11 Feb 2009 two months after the SAT hearing. This included 10 sections of the internal boundaries between sub lots A and B (6 sections) and between sub lots B and C (4 sections).



The application sought approval to clear to a width of 6m on each side of the proposed boundaries between the sub lots thereby creating a 12 m wide clearing swathe through native vegetation. Three of the ten sections would have been cut through native vegetation that had been agreed through the SAT hearing to be fenced, with cadastral sub lot boundaries within such areas only marked by a light trace and bollards (Attachment 1). The clearing application was refused.

4. A month later a re-submitted subdivision WAPC 139546 (6 March 2009) on the same 3 sub-lot design as WAPC 136690.
5. A concurrent subdivision application WAPC No 139545 (also 6 March 2009) but proposing two sub-lots, one of which is a battleaxe lot which appears to be identical to the area now sought for rezoning.
6. A new application (CPS 3111/1) was lodged 28 April 2009 seeking approval to clear 1 ha of native vegetation in 2009 and an adjoining 1 ha in 2010 (Attachment 1). CPS 3111/2 was approved 6 September 2009 and extended the validity date through to 6 September 2014. It is not known whether any of the approved clearing has been undertaken.
7. Written advice to the WAPC responding to an appeal by the applicant against fencing conditions placed on both the concurrent applications, Items 4 and 5 above (the applicant's appeal was rejected by the WAPC).
8. A Scheme Amendment Request (SAR) covering all of Lot 50 and adjoining Lot 51 was lodged by the owner with the City of Albany in October 2009. At the request of the City DEC provided advice on the request. This request was recommended for refusal by council briefing officers but was carried 8-2 by the council at its meeting of 19 January 2010. Three days later the proponent's consultant advised that the rezoning application and scheme amendment would be amended to only address sub lot A (battleaxe sub lot of WAPC 139545) *ie* part only of Lot 50 only and no inclusion of Lot 51.
9. CPS 3111/3 which increased the approved CPS 3111/1 and 3111/2 from 2 ha to 3 ha was lodged 20 October 2011. This was accompanied by a Spring 2010 report by Mattiske Consulting Pty Ltd.

The SAT hearing referred to at Item 2 above was focused largely on conditions which required the fencing of native vegetation to protect it from grazing by stock. After hearing witness statements and cross examinations, a number of adjournments were requested by both parties during which the parties negotiated a set of agreed outcomes which were presented to the Senior Member and duly endorsed by the SAT. An internal report on the SAT process and outcome is attached for your reference (Attachment 2). You will see from the attached figure that three of the areas where the fencing condition was agreed to remain are either fully located or partially located on the Amendment 303 subject land:

- A triangular portion along the southern edge of the large area in the NW corner of Lot 50,
- An approximately triangular area near the lower western boundary, and
- A section of the E-W creek line adjacent to the western boundary near the southern boundary of the 'finger' that fronts Nanarup Road in the subject land.

In addition, the proposed eastern 'preferred access' shown on the Subdivision Guide Plan (but outside the amendment area) would also cross the E-W creek line fencing area within the balance of Lot 50.

Following the SAT agreement/determination, when the two concurrent subdivision applications were received a few months later DEC responded in the spirit of the mediated SAT outcome, however the proponent again appealed the fencing conditions which had been mutually agreed at the SAT hearing. As indicated above, the initial application for a Permit to Clear Native Vegetation, which was also inconsistent with the SAT outcome, was refused.

WAPC Applications 139545 and 139546 are both conditionally approved until 3 June 2012, however, DEC has not yet been approached by the applicant to clear the fencing conditions and there are now only a little over 3 months remaining for that to happen. It would now appear more likely that the current amendment proposal will supersede the two outstanding conditionally approved subdivisions. In the meantime the property has continued to be used for cattle grazing.

### COMMENTS ON SCHEME AMENDMENT 303

As indicated above, the amendment equates to the battleaxe proposed sub lot A of WAPC Application No 139545. The proposal documents are generally very well presented.

#### Section 3. Planning Context

Re-zoning to Special Residential with a minimum lot size of 2000 sq m is likely to be a better environmental outcome than higher density housing in terms of waste disposal, retention of vegetation and pasture and hence hydrological impacts, and landscape protection through the retention of trees to reduce visual impacts.

#### Section 4.1 Vegetation

It is stated in the main report and also in the land capability study that no known populations of declared rare or priority flora, threatened or proposed threatened ecological communities are known to occur on the property. However, the Spring 2010 flora survey located a population of Priority 3 Flora within the amendment area. Furthermore, two other species of Priority Flora, *Hakea tuberculata* and *Olx scalariformis*, occur within 50-700 metres of Lot 50, on adjoining properties to the east and/or to the west. The proximity of these populations suggests that one or both of these species may also occur on Lot 50, however, flora or vegetation surveys of the remnant vegetation on the property by Mattiske Consulting Pty Ltd failed to record these species.

**It is disappointing that there has been no reference to native fauna associated with the amendment area. This is despite DEC comments on the importance of the area for fauna made in response to all three subdivision applications for Lot 50 and also within the assessment of the three clearing applications.** In this context, irrespective of the ground level vegetation and flora values, the remnant native vegetation, also provides suitable resting and feeding habitat for three threatened avian fauna species which occur in the locality - Carnaby's Black Cockatoo (*Calyptorhynchus latirostris* - Schedule 1 - Fauna that is rare or is likely to become extinct), Baudin's Black Cockatoo (*Calyptorhynchus baudinii* - Schedule 1 - Fauna that is rare or is likely to become extinct) and the Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*). The Kalgan to Two Peoples Bay area to the east of Albany is an important 'overlap' zone between the natural ranges of the two white tailed cockatoos. There is also some evidence that Baudin's cockatoo has moved further south into this area in response to climatic change factors. Whereas the understory of several patches of remnant native vegetation on the property may now be degraded due to stock grazing and trampling, the trees and their canopy will continue to provide important roosting and feeding habitat for the cockatoo species.

No fauna surveys are known to have occurred on Lot 50. The lower reaches of the watercourse in the southern portion of the property appears to be suitable habitat for the native water rat (*Hydromys chrysogaster*), Priority 4 threatened fauna species if riparian vegetation is allowed to grow or can be re-established along this creek line.

Retention of native vegetation on the property also has an amenity and visual landscape value since the property is located on Nanarup Road, a major tourist road leading to Nanarup Beach and Two Peoples Bay Nature Reserve. The property is also visible from many parts of Albany and its surrounding suburbs.

Notwithstanding the statement at the end of Section 4.1, at a broader sub-regional level the remnant vegetation in the northern section of the property is connected through other vegetation on neighbouring properties to the Kalgan River foreshore corridor. This corridor extends from Oyster Harbour along the Kalgan River to the Porongurup National Park. Such landscape scale corridors are important as conduits for native fauna in response to changes in their habitat including the subtle changes now occurring as a result of global warming and decreased rainfall trends in the Lower Great Southern generally. In order to maintain the value of remnant vegetation in the long term it is critical that natural regeneration can occur. In cases such as Lot 50 where significant numbers of cattle have been allowed to graze within most areas of remnant vegetation this results in the trampling and eating of native plant and tree seedlings as well as the importation of weeds which then compete with native vegetation. Hence cattle must be excluded from native vegetation by the installation of stock-proof fencing, or, as the case here, replaced by a land use that does not continue with such damage.

#### Section 4.4 Hydrological Assessment and Water Management

It is stated that the southern E-W creek line lies outside the development area; however it would be crossed at least once either within the area or outside (or both) by the access road(s) from Nanarup Road, in both cases truncating the native vegetation that was agreed through the SAT outcomes to be fenced along the creek line (but allowing for limited stock watering access and a vehicle crossing). The amendment is currently silent on these crossings.

#### Section 7.1 Subdivision Guide Plan

Visual Amenity. The 5<sup>th</sup> dot point needs to include specific reference to the prohibition of reflective roofs and exterior wall construction.

#### Precinct A

The Hazard Separation Zone (HSZ) and Building Protection Zone (BPZ) should be located outside the agreed fencing boundary of the remnant native vegetation as determined through the SAT process (please see figure in attachment). Even if the vegetation is 'degraded' as claimed, this is largely due to the heavy stock grazing that has been allowed to continue plus wind drift of fertilizer regimes. Once stock are excluded the under-storey vegetation will re-establish with time. If necessary the fire protection building standards of houses backing on to the POS vegetation should be increased to BAL 29 or higher, thereby reducing the width of the HSZ.

## Precinct E

The same principle as recommended for Precinct A are required with regard to locating the BPZ and HSZ outside the agreed fencing area as *per* the SAT determination. This includes the remnant native vegetation within the amendment area and that adjoining its northern boundary as well as the diamond shaped remnant to be fenced due north of the dam which is located just outside the amendment area about half way along its eastern boundary.

## Appendix 1 Flora and Vegetation Assessments Mattiske Consultants 2009 &amp; 2010

## Section 2.3 Clearing of Native Vegetation

First sentence lines 2 & 3. It is DEC that administers applications and permits to clear native vegetation.

## Section 6 Discussion

DEC believes that the larger blocks of higher quality native vegetation which are either within or overlap into the amendment area, and which lie less than 1 km from the Kalgan River and within 200m of other remnant native vegetation between the river and the amendment area, are important in the context of landscape scale connectivity and/or as 'stepping stones' for avifauna and some native mammals.

## Figure 2

The northern third of what appears to be labeled as Block B is in better condition than the southern two thirds which has been sought for clearing. At the time of the post SAT field visit of December 2008 there was a clear distinction in vegetation quality co-incident with an old (and still largely functional) fence line. This confirmed the assessment based largely on aerial photography prior to the SAT. The Mattiske field work was undertaken some 3 months later than the field visit in March 2009 during which time the condition of the northern section may have been allowed to deteriorate due to failure to maintain this fence line and the subsequent entry of stock. However, if that was the case and even if grazing has continued since, such impacts should be easily reversed if fencing and weed removal are undertaken.

The area in question is outside, but at its western SW point is adjacent to the amendment area, and hence has been identified as an area of quality vegetation that should not be included within the HSZ of residential lots within the adjoining amendment area.

## Supplementary Survey – Spring 2010

## Section 1 Summary, Figure 1 and Section 7 Conclusions and Recommendations

The Priority 3 taxon, *Goodenia sp* is described in the text of both sections as being located in *Degraded Condition* vegetation. However, the location shown in Figure 1 places the P3 Flora in vegetation shown as *Good Condition* and very close to *Very Good Condition* vegetation in Figure 2 of the 2009 flora and vegetation survey. Even if the location and/or vegetation condition are incorrectly ascribed and the occurrence is in fact within *Degraded Condition* native vegetation, this is a good demonstration as to why the *Degraded Condition* outer areas of the remnants previously identified to be completely fenced should not be included within fire any HSZ and the vegetation should be allowed to recover to the complete area designated for fencing protection.

## Appendix 2 Land Capability and Geotechnical Assessment

## Summary page vii and Section 8.1 Flora and Fauna page 46

The Spring survey by Mattiske Consulting identified a Priority 3 *Goodenia sp* within the amendment area. The statements that there are no Priority Species present are therefore incorrect.

## AGENDA ITEM 2.3 REFERS

Fauna page 47. This section is based largely on speculation and there have been no fauna surveys *per se* in the amendment area. The peppermint woodland occurrence is isolated and may well be due to artificial introduction.

DEC notes that some of the issues raised above have been discussed in the meeting held at DoP on 18 June 2012 with the proponent and various consultants. DEC was encouraged by the discussion at the meeting and expects that the discussion points will address some of the issues raised above. However until such time that these are reflected in the amendment the above comments still stand.

Thank you again for referring the Rezoning Proposal for our comment.

Yours sincerely



Deon Utber  
A/REGIONAL MANAGER

27 June 2012

**Jan Van Der Mescht**

---

**From:** Planning (External Use ONLY)  
**Sent:** Wednesday, 27 June 2012 10:30 AM  
**To:** Jan Van Der Mescht  
**Subject:** FW: EF1268282 - AMD303 - FW: Feedback form

**SynergySoft:** EF1268282 - AMD303

FYI

Jessica Davidson  
Administration Officer - Planning

Tel: (08) 9841 9383  
Fax: (08) 9841 4099

PO Box 484 | Albany | WA | 6331 (102 North Road Yakamia)  
Web: [www.albany.wa.gov.au](http://www.albany.wa.gov.au)

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-----Original Message-----

From: Records  
Sent: Wednesday, 27 June 2012 8:32 AM  
To: Planning (External Use ONLY)  
Subject: EF1268282 - AMD303 - FW: Feedback form

-----Original Message-----

From: City of Albany mailer [<mailto:root@localhost>]  
Sent: Tuesday, 26 June 2012 9:56 PM  
To: Records  
Subject: Feedback form

This e-mail was sent from the feedback form on the City of Albany website and is to be directed to [planning@albany.wa.gov.au](mailto:planning@albany.wa.gov.au).

-----  
Full name: Geoffrey Mitchell  
Phone: 0438 801 191  
E-mail Address: [woodthorne@bigpond.com](mailto:woodthorne@bigpond.com)

-----  
Residential Address:  
34 Ridley Road  
Kalgan, 6330  
WA, Australia

Postal Address:  
PO Box 1268  
Albany 6331  
WA, Australia

-----  
26 June 2012

Chief Executive Officer,  
City of Albany,

## AGENDA ITEM 2.3 REFERS

PO Box 484,  
Albany WA 6331.

Re PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION TOWN PLANNING SCHEME NO.3 -  
AMENDMENT NO.303

Subdivision Lot 50 Nanarup Road, Kalgan, City of Albany

Dear Sir/Madam,

I would like to state my concerns with the proposed rezoning of lot 50 from  
"rural" to "special residential" .

In opening, I will state that I am not opposed to development per se, but I am opposed  
to the proposed rezoning.

☺ This is out of keeping with the zoning of the Swan Point development which is  
zoned "special rural" . As a result the lot size will be much smaller than those on  
the south side of Nanarup Road opposite the proposed development.

☺ This degrades the visual outlook of our property and potentially degrades its  
value.

☺ Zoning of Lot 50 to "special rural" in keeping with the current zoning of  
the land to the south of Nanarup Road would be more consistent with the current land  
use.

☺ Zoning of lot 50 and adjacent properties as special residential will, in the  
future, increase pressure for current landholders in the Swan Point subdivision to  
request rezoning, particularly of the larger lots. Under current guidelines this will  
not be permitted which will produce a situation of marked inequity.

☺ The intensity of the proposed development, and future development of this and  
adjacent sites, will impose a significant increase in traffic on Nanarup Road without  
any provision for pedestrian / bicycle access over the Lower Kalgan Bridge. (The town  
planning report commissioned by the developer states: "Nanarup Road and the Kalgan  
Bridge have recently been upgraded" ). Any significant upgrade was more than 10 years  
ago and certainly has not included dedicated pedestrian / cyclist access.

Thank you,

Geoff Mitchell

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**Jan Van Der Mescht**

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**From:** Planning (External Use ONLY)  
**Sent:** Wednesday, 27 June 2012 10:24 AM  
**To:** Jan Van Der Mescht  
**Subject:** FW: EF1268275 - AMD303 - FW: Albany Town Land Planning Scheme amendment 303 lot 50 Nanarup rd.

**SynergySoft:** EF1268275 - AMD303

FYI

---

Jessica Davidson  
Administration Officer - Planning

**Tel:** (08) 9841 9383  
**Fax:** (08) 9841 4099



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**From:** Records  
**Sent:** Friday, 22 June 2012 10:53 AM  
**To:** Planning (External Use ONLY)  
**Subject:** EF1268275 - AMD303 - FW: Albany Town Land Planning Scheme amendment 303 lot 50 Nanarup rd.

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**From:** [redacted]  
**Sent:** Friday, 22 June 2012 10:48 AM  
**To:** Records  
**Subject:** Albany Town Land Planning Scheme amendment 303 lot 50 Nanarup rd.

Mr. Jan Van Der Mescht, Dear Sir, Your letter dated May 16 which we we only picked up at Lower King PO on May 24, and I now understand was circulated separately to adjoining immediate neighbours and advertised in some local free papers. This has left us very little time to inform other people and help organise a small meeting at the Kalgan Hall on June 18 and learn of the June 28 deadline! However, I now submit as follows:-

\* The proposal to rezone a portion of 461 Nanarup Rd from 'Rural' to 'Special Residential', seems to be very much planning in isolation of all of the surrounding landscape. No advice has been given on the impact to our adjoining properties, ie set back, intrusional aspect, safety etc.

\* From the discussion of plans last night it appears that some attractive farming land north of the Lower Kalgan Bridge presently zoned 'Rural' is now proposed as 'Special Residential'. In my opinion it would be unwise planning to treat this section of 461 (lot 50) Nanarup Rd., being the steeper country adjacent to Mt. Boyle which is only part of an open hilly padock with a view and lots of drainage problems.

\* This proposed steep area needs to be treated very carefully and in association with the rest of the landscape because of the of the greater potential hazards of soil and land degradation. Even average and certainly unpredictable heavy run off would put considerable pressure onto the Kalgan River mouth and the Oyster Harbour environment.

## AGENDA ITEM 2.3 REFERS

\* The writer also noted community concern expressed regarding lack of sufficient attention to the surrounding neighbours, many of whom have smaller properties, but large enough for further subdivision and would feel the brunt of insufficient safeguard to protect their holdings from the possible land degradation outlined above.

\* Another important matter discussed at the meeting was the Bush fire some 12 Years ago and what a threat this would have been to such a small separate urbanised residential development. The proposal does not seem to have been planned sufficiently for such an eventuality with wide safe fire breaks. In fact there seems no provision on the western boundary adjacent to our property for a satisfactorily wide divisional break with suitable trees and clear park land verges. Whatever is intended on the developers own property also needs to be identified.

\* I feel strongly there is a lack of local facilities to cope with the possible settlement after the release of this more attractive hilly landscape, particularly if 250 more families were required to share Lower Kalgan's already strained resources:- Public educational facilities in the form of a State School and or bus services: The Lower Kalgan Bridge presently with no safe pedestrian access which has been the subject of lobby for 15 years or more: Corner street lights at the bridge ends are a must for immediate safety: Also at Hunton Rd., a very dangerous junction terminal from Nanarup with only a 160m down hill decline from the corner. Other street corners needing street lights would have to be Norwood Rd. from Chester Pass Rd. and Nanarup Rd. to junctions with Prideux, Mead, Kalgan Heights, East Bank and Gull Rock Rds.

In summary I am not in favour of such a relatively small separate release in isolation with this attractive piece of useful rural property over looking Candyup Creek and Nanarup Rd. Quite obviously it is premature to the existing demand for residential property. There being so much land around Albany City now we could further lower the general value of existing land by contributing further to the existing over supply. Futhermore there is a very real danger that the premature singular development of sealed roads, waste disposals and buildings on this very select steep agricultural land in question could create devastating pollution, erosion and landscape degradation to this existing scenic water environment of the Kalgan River and Oyster Harbour region.

It further occurs to me that this whole busines is being conducted with too much haste and more time should be on our side for planning to protect this pristine area which is so important that it should not be hurried. Indeed the Lower Kalgan Progress Ass. which has had a very important historical association within this region seems to have been totally ignored in this semi prioritised isolated proposal, and should be allowed sufficient time to formulate a proper submission to help achieve a satisfactory conclusion.

**Jan Van Der Mescht**

---

**From:** Planning (External Use ONLY)  
**Sent:** Wednesday, 27 June 2012 10:28 AM  
**To:** Jan Van Der Mescht  
**Subject:** FW: EF1268279 - AMD303 - FW: Feedback form

**SynergySoft:** EF1268279 - AMD303

FYI

Jessica Davidson  
Administration Officer - Planning

Tel: (08) 9841 9383  
Fax: (08) 9841 4099

PO Box 484 | Albany | WA | 6331 (102 North Road Yakamia)  
Web: [www.albany.wa.gov.au](http://www.albany.wa.gov.au)

Please consider the environment before printing this email.

-----Original Message-----

**From:** Records  
**Sent:** Wednesday, 27 June 2012 8:32 AM  
**To:** Planning (External Use ONLY)  
**Subject:** EF1268279 - AMD303 - FW: Feedback form

-----Original Message-----

**From:** City of Albany mailer [<mailto:root@localhost>]  
**Sent:** Tuesday, 26 June 2012 9:55 PM  
**To:** Records  
**Subject:** Feedback form

This e-mail was sent from the feedback form on the City of Albany website and is to be directed to [planning@albany.wa.gov.au](mailto:planning@albany.wa.gov.au).

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26 June 2012  
Chief Executive Officer,  
City of Albany,  
PO Box 484,

## AGENDA ITEM 2.3 REFERS

Albany WA 6331.

Re PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION TOWN PLANNING SCHEME NO.3 - AMENDMENT NO.303

Subdivision Lot 50 Nanarup Road, Kalgan, City of Albany

Dear Sir/Madam,

I would like to state my concerns regarding the proposed development of the above mentioned site for your consideration.

Our family moved to our Lower Kalgan property ten years ago, a location we selected because of its rural environment. We purchased a 40 acre (16 hectare) block to secure our own rural location, acknowledging that with the zoning of our property and the surrounding blocks as "special rural" development of this area would occur however we would have our own rural buffer zone to this development.

The remaining land, the land that provides us with a rural outlook, has until this current proposal, retained its rural zoning and although we have been aware that further development would eventually occur we were confident that zoning of this area would be in line with the zoning of our area and that the remaining land would most likely be redeveloped with a similar "special rural" zoning.

Therefore my opposition to the proposed rezoning of the above mentioned site is not that the area is being developed but that it is being considered for zoning as "special residential", allowing lots as small as 2000m<sup>2</sup>. That this will change the whole character of this area, and undermine the reason that those of us that live here have indeed chosen to live here. This needs to be taken in to consideration by the council.

For those that want to live in that level of residential density there are plenty of options available in and around Albany, however the for those of us that truly want to enjoy living in the country and not just have a house block with a view, our options are being eroded by Council agreeing to consider these ad hoc changes to zoning at the request of developers.

We moved to the country for a peaceful life, however we find instead that the wolves are not far from our door.

Thank you,

-----  
IP Address: 121.215.35.15

Referer:

<http://www.albany.wa.gov.au/website/page.php?main=feedback&receiver=45&folder=23e>

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28 June 2010

The Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY WA 6330

Dear Madam/Sir,

**Public Comment      PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP  
ROAD FROM THE 'RURAL' ZONE TO THE 'SEPCIAL  
RESIDENTIAL' ZONE (AMD303)**

Thank you for the opportunity to comment of the above mentioned Scheme Amendment AMD303.

I am a long term resident of Albany currently residing in Spencer Park and with rate paying interests in Breaksea, Kalgan and Frederickstown wards of the City of Albany. I have previously conducted business from and lived in the Lower Kalgan, and still belong to and am active member of the Lower Kalgan Progress Association.

While accepting of the prospect for change in the Lower Kalgan precinct, I hold many concerns in relation to the development proposed in AMD303.

I am also very much of the view that 'Future Urban' and 'Special Residential' zoning proposals have not been well advertised and discussed amongst the broader Lower Kalgan community, the community that will be most affected by immediate and massive changes that can be expected should AMD303 proposal be approved by Council .

In view of the significance of this development proposal on the Lower Kalgan community and precinct, along with Council's awareness of inherent community concern, it is additionally my very strong view that Council has made less than a satisfactory effort toward engaging and coordinating community input into discussions leading up to endorsement of proposed rezoning changes.

In terms of the current AMD303 proposal before us, I ask that Council take immediate steps to engage further community input into precinct planning for the Lower Kalgan.

I seek for the Lower Kalgan community considerable opportunity to be involved in the shared development of one coordinated precinct plan for the entire locality. This plan should be developed in a timely and planned way, involve input from all community, public and private

stakeholders, and address all aspects of environmental, social and economic values pertaining to the locality.

I find it deplorable that in researching my comment offered here on AMD303 that I have read of instances where Council – my Council and our Council – has repeatedly chosen to ignore professional and sound council officer advice to not support Scheme Amendment Requests and Scheme Amendment applications pertaining to Lot 50 Nanarup Road.

I am equally aghast to find reference to Council choosing not to step outside the boundaries of legal ‘norms’ even when advised by Council officers of its potential to do so given its knowledge of considerable untapped community interest on development issues pertaining to the Kalgan precinct.

The Lower Kalgan community is an exceptional community with a very strong sense of community. Please take different and active steps from here on to ensure Council better engages and taps into the energy and enthusiasm the Lower Kalgan community has for maintaining and continuing to develop a great place for us all – locals and non-locals alike.

Finally, I request Council please records all points of concern raised in my submission and suggestions offered for amending these concerns.

I look forward to hearing the outcome of Council deliberations with great interest.

Yours sincerely,

Cc: Honourable Mayor, City of Albany  
Councillors, City of Albany



Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331

Your Ref: AMD303/PA37945  
Our Ref:  
Enquiries: T. Overheu  
Date: 6 June 2012

Attach:  
Box:  
Vol:  
Box+Vol:



Dear Sir/Madam

**COMMENT: PROPOSAL TO REZONE A PORTION OF 461 (Lot 50) NANARUP ROAD, KALGAN.**

Thank you for the opportunity to comment on the proposed rezoning of a portion of Lot 50 (461) Nannarup Road (property locally known as Candyup) in the Kalgan area from "Rural" to "Special Residential".

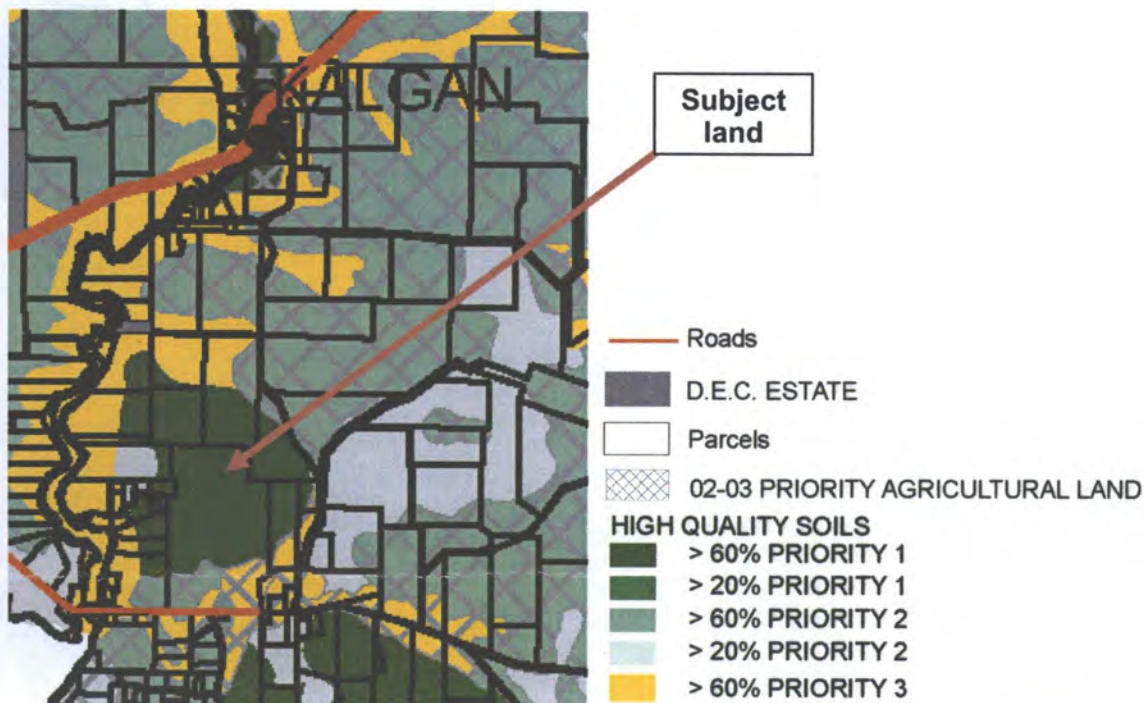
The Department of Agriculture and Food (the Department) strongly objects and **does not support the proposal** to irreversibly rezone the subject land, potentially leading to the redevelopment into subdivided special rural residential lots for the following reasons:

1. The supporting documentation overlooks the significant heritage value of the property. This block represents one the original farming titles held and farmed in the area by one of Albany's original farming settlers – Mr. Patrick Taylor. There appears to be no indication in the supporting documentation in regard to Heritage Planning across the property, on or around the original homestead (now in ruins).
2. It is unclear why the summary of the land capability assessment presented in the supporting document determined that the block has little or no high value agricultural potential, especially given that historically a fruit orchard was grown on the property – noting relict fruit trees evident in historical photographs. Also with small-scale orchards grown to the east of the property in previous years, and a successful, currently operating, small scale orchard (Nickolos) to the west – all on similar soils and landscape positions represented on this block. It is acknowledged, however, that some portions of the block have steep slopes – unsuitable for annual horticulture and other areas susceptible to waterlogging.
3. The property has soils and landscape positions suitable for developing large dams suitable for irrigation, and a water resource pipeline at the front boundary of the property. This indicates that the block has both suitable soils and a potentially suitable and secure water resource to maintain the high value intensive agriculture into the future.





4. While noted that the land is not set aside for 'Local' Priority Agriculture by the Albany Local Planning Scheme (ALPS), approximately 50% of the front portion of the block has been identified as Agricultural Land of State and Regional Significance which is illustrated in the Lower Great Southern Region Strategy. Refer to Figure 1.
5. Recent refinements (2010) to the 2003 Priority Agricultural Land (PAL) mapping, which now incorporates high quality soil and land resource information together with water resource availability and lot size, identifies the whole Candyup property as having greater than 60 per cent of **Priority 1** High Quality Agricultural Land (i.e. highly capable land for a diverse range of intensive agricultural pursuits including irrigated agriculture). Refer to Figure 1.



**Figure 1. Map presenting both the published Priority Ag Land (PAL) analysis and the draft High Quality Agricultural Land for the Kalgan area – this image illustrates the Candyup property as having the highest quality agricultural soils (Priority 1) which is unique for the Albany region.**

6. There are significant stands of remnant vegetation (hill slopes and minor riparian) on the block that should be protected / preserved. The Flora & Vegetation assessment undertaken by Matiske Consulting is comprehensive and acknowledges future planning for these areas. Consideration needs to also be given to the potential deterioration (or removal) of the vegetated areas which could result in potential hill slope soil erosion issues. Any clearing of vegetation on this block should be reviewed by the Dept. of Environment and Conservation in association with the Soil and Land Conservation Act.



7. The supporting assessment document does not address the potential for future land use conflict for surrounding enterprises, and it is therefore it is recommended that an Agricultural Impact Assessment (as presented in Appendix 3 of the State Planning Policy No. 2.5) is undertaken.

Any changed land use on agricultural land needs to include sufficient buffers on the re-zoned land to minimise land use conflict. To ensure agricultural operations on land next to re-zoned areas are not restricted, the Department recommends that minimum setbacks, buffers and vegetation screening should be incorporated in accordance with the guidelines published by the Environmental Protection Authority ("Separation Distances between Industrial and Sensitive Land Uses"). These guidelines set out minimum separation distances for a range of agricultural activities and are available on the Environmental Protection Authority's website at [www.epa.wa.gov.au/docs/1840\\_GS3.pdf](http://www.epa.wa.gov.au/docs/1840_GS3.pdf)

***In summary:***

The irreversible loss of this land through (portion) rezoning compromises the availability of high quality large land parcels suitable for irrigated intensive agriculture in the Albany region, particularly those with a combination of good soils, good water quality and with close proximity to major freight /transport routes and export facilities.

The land clearly demonstrates that it is capable of supporting an intensive agricultural industry, given the proximity of other nearby intensive agricultural pursuits (orchards, vineyards, olive groves, berry farms, intensive beef production, and agri-tourism, etc).

The property comprises high quality niche soil types which are preferred in the Lower Great Southern Region for intensive food production - specifically perennial horticulture for stone fruits, citrus, etc. Large land parcels with the combination of favourable annual and perennial horticulture growing conditions are becoming very scarce around the Albany area with increased subdivision and rural rezonings. The irreversible rezoning of these high quality land parcels (assets) compromises food security, agricultural diversity and economic prosperity for the City of Albany and Lower Great Southern Region.

The illustration presented in Figure 1 shows that this block is agriculturally significant (and unique) for the Albany area both in land size and land quality. The loss of this land to subdivision for rural residential development would be a travesty.

If you have queries regarding the comments, please contact Tim Overheu on 9892 8444 or [landuseplanning@agric.wa.gov.au](mailto:landuseplanning@agric.wa.gov.au)

Yours sincerely,

Steve Porritt

**DIRECTOR  
SOUTHERN AGRICULTURAL REGION**



Department of Water  
Government of Western Australia



AGENDA ITEM 2.3 REFERS

AMD303  
Jan.

Your ref: AMD303/PA37945/AMD303  
Our ref: SC1506 / SRS 24132  
Enquiries: Karen McKeough, Ph: 9841 0128



Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331

Doc No: City of Albany Records  
ICR1268297  
File: AMD303  
Date: 27 JUN 2012  
Officer: SPLAN2

Attn: Jan Van Der Mescht

Attach:  
Box  
/of  
Box+Vol

Dear Madam

**City of Albany TPS 3 Amendment 303 – Pt Lot 50 Nananup Rd, Lower Kalgan**

Thank you for the opportunity to comment on the above proposal. The Department of Water provides the following comments.

**Protection of waterways**

While the subdivision layout has not been defined, the department would recommend an appropriate setback from the central drainage swale. As the detailed stormwater management plans are prepared, this swale could be developed into a 'living stream'. This would still provide for the conveyance of stormwater, but should also achieve improved water quality outcomes and ecological functions.

The department will request a foreshore management plan and an urban water management plan at the time of subdivision.

The department would recommend a single crossing of the waterway to enter the development area. The preference would be to upgrade the existing crossing so as to minimise the impact upon riparian vegetation.

Should you wish to discuss this matter further please contact Karen McKeough.

Yours sincerely

**RACHAEL DUFFIELD  
ACTING REGIONAL MANAGER  
SOUTH COAST REGION**

25 June 2012



Government of **Western Australia**  
 Department of **Education**

AGENDA ITEM 2.3 REFERS

AMD303

Jan



Your ref :  
 Our ref : D12/0317116  
 Enquiries :



Mr Jan Van Der Mescht  
 Senior Planning Officer  
 City of Albany  
 PO Box 484  
 ALBANY WA 6331

City of Albany Records  
 Doc No ICR1266162  
 File AMD303  
 Date 28 MAY 2012  
 Officer SPLAN2

Attach  
 Box  
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Dear Mr Van Der Mescht

**PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD FROM THE 'RURAL' ZONE TO THE 'SPECIAL RESIDENTIAL' ZONE**

Thank you for your letter dated 16 May 2012 regarding the proposal to rezone a portion of Nanarup Road from the rural zone to the special residential zone.

The Department of Education has reviewed the document and advises that the Department has no objection to this proposal.

Yours sincerely

RICHARD BLOOR  
 PRINCIPAL CONSULTANT  
 STRATEGIC ASSET PLANNING

23 May 2012



Government of **Western Australia**  
Department of **Health**

Your Ref: AMD303/PA37945/AMDAMD303 ICR1024652  
Our Ref: F-AA-01850/03 EHB12/1253  
Contact: Vic Andrich  
Phone: 9388 4978

Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331

Attention: Jan Van Der Mescht, Senior Planning Officer

Dear Mr Van Der Mescht

**PROPOSAL TO REZONE A PORTION OF 461 (LLOT 50) NANARUP ROAD TO 'SPECIAL RESIDENTIAL' ZONE**

Thank you for your letter dated 16 May 2012 requesting comment from the Department of Health (DOH) on the above rezoning.

The DOH provides the following comments:

**1. Onsite Wastewater Disposal**

The geotechnical report of the site by Landform Research indicates that wastewater disposal on the site is:

- constrained by steep slopes within Precinct C, and
- water logging and inundation due to perched water table within Precinct B.

Unless lots proposed in these precincts are sufficiently large to exclude wastewater disposal areas away from steep slopes and winter water logging/inundation, the creation of lots in these precincts is not supported.

A Subdivision Guide Plan that takes into consideration the site constraints for wastewater disposal will need to be submitted for further consideration.

**2. Mosquito-borne Disease Control Programs and Services**

The subject land is in a region that occasionally experiences significant problems with nuisance and disease carrying mosquitoes. These mosquitoes can disperse several kilometres from breeding sites and are known carriers of Ross River (RRV) and Barmah Forest (BFV) viruses. Human cases of RRV and BFV diseases occur annually in the Albany area, with 63 cases of RRV reported from the City of Albany in the 2011-2012 season.

In order to protect the health and lifestyle of communities, land use planning decisions must include consideration of the proximity to breeding habitat of mosquitoes and other nuisance or biting insects (e.g. chironomid midges, ceratopogonid midges, March flies) and whether insect management, if required, will be

- effective,
- appropriately resourced; and
- be approved by the relevant environmental agencies

Mosquito breeding sites may be either natural wetlands or constructed water bodies. For this reason, careful planning and consideration must be given to the design and location of 'liveable communities' and social infrastructure, such that there are buffer zones between water bodies and developments that reflect mosquito dispersal distances. Additionally, there is the potential for mosquitoes to breed in on-site infrastructure and constructed water bodies if they are poorly designed or maintained.

The City of Albany need to be confident that they can manage the risks from mosquitoes and mosquito-borne diseases on public health and the severe impacts they can cause on the quality of life of residents.

For further information on mosquito management contact the Mosquito-Borne Disease Control Branch of the DOH.

### **3. Pesticide Safety Programs and Services**

The proposal provides little information about the details of surrounding land uses. Although there is a mention that all surrounding land is rural living and a statement that no significant buffers are required, it lacks evidence to support the conclusion. Therefore, health concerns remain regarding the potential for conflict between the new subdivision and what is left of the surrounding rural land activities in respect to spray drift.

It is recommended that the applicant discuss the potential of any spray drift issues with the Local Government Environmental Health Officer to clarify the buffer needs and ensure no incompatible land uses will occur from the proposed land uses.

### **4. Health Impact Assessment**

You may wish to consider incorporating Health Impact Assessment (HIA) and/or Public Health Assessment (PHA) principles in your decision making process.

For your information and guidance, you may access the relevant information at the following sites:

HIA - [http://www.public.health.wa.gov.au/2/1400/2/health\\_risk\\_assessment.pm](http://www.public.health.wa.gov.au/2/1400/2/health_risk_assessment.pm)

PHA - [http://www.public.health.wa.gov.au/2/1399/2/public\\_health\\_assessment.pm](http://www.public.health.wa.gov.au/2/1399/2/public_health_assessment.pm)

Should you have queries or require further information please contact Vic Andrich on 9388 4978 or [victor.andrich@health.wa.gov.au](mailto:victor.andrich@health.wa.gov.au).

Yours sincerely



Jim Dodds  
**DIRECTOR**  
**ENVIRONMENTAL HEALTH DIRECTORATE**

27 June 2012

City of Albany Records  
 ICR1257663  
 AMD303  
 31 JAN 2012  
 SPLAN2

Doc No:  
 File:  
 Date:  
 Officer:



Office of the Environmental Protection Authority



Attach:  
 Box:  
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Chief Executive Officer  
 City of Albany  
 PO Box 484  
 ALBANY WA 6331

Your Ref AMD303/PA36834/AMD303  
 Our Ref OPEA2011/000025; A465156  
 Enquiries Angela Coletti (6467 5490)  
 Email angela.coletti@epa.wa.gov.au

ATTENTION: Jan van der Mescht

**CITY OF ALBANY TOWN PLANNING SCHEME NO 3- AMENDMENT NO 303**

Thank you for your correspondence dated 10 January 2012 regarding the above scheme amendment.

The information provided in your documentation is insufficient for the Environmental Protection Authority (EPA) to make a decision on whether or not to assess the scheme amendment. Please note that, under section 81(b) of the *Planning and Development Act 2005*, the local government is required to provide to the EPA 'such written information about the town planning scheme or amendment as is sufficient to enable the EPA to comply with section 48A of the *Environmental Protection Act 1986* (EP Act) in relation to the local planning scheme or amendment'.

Accordingly, further information and advice is being sought from the Department of Environment and Conservation's South Coast Regional Office and any other relevant agencies.

When the EPA has received sufficient information and advice, you will be notified in accordance with section 48A(1) of the *Environmental Protection Act 1986*.

Yours faithfully

Mark Jefferies  
 A/Director  
 Assessment and Compliance Division

24 January 2012





Government of Western Australia  
Fire & Emergency Services Authority

Your Ref: AMD303/PA37945/AMDAMD303  
Cross Ref: ICR1024652  
Our Ref: AL02329-07  
Contact: Kevin Parsons  
Email: Kevin.Parsons@fesa.wa.gov.au



5 Hercules Crescent  
Albany WA 6330

Telephone (08) 9845 5000  
Facsimile (08) 9841 6719  
www.fesa.wa.gov.au

23 May 2012



Jan Van Der Mescht  
Senior Planning Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331

City of Albany Records  
Doc No: ICR1266158  
File: AMD303  
Date: 28 MAY 2012  
Officer: SPLAN2

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Dear Sir/Madam,

**RE: PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD FROM THE 'RURAL' ZONE TO THE 'SPECIAL RESIDENTIAL' ZONE**

Thank you for your letter of 16 May 2012 wherein you sought advice from Fire & Emergency Services Authority of Western Australia (FESA) in relation to the above referenced Rezoning application.

Interalia, WESTPLAN - BUSHFIRE (December 2010) assigns the HMA responsibilities for Prevention to FESA, DEC and LG for their respective areas. Moreover it is acknowledged that: "Local Government planning and development processes also play a role in bushfire risk management by adopting specific standards as outlined in the joint FESA – WAPC document "Planning for Bush Fire Protection" (edition 2 – May 2010).

In view of the above, FESA expects that the methodology included in the "Planning for Bush Fire Protection" document is applied to the subject development.

Should you require any further info please do not hesitate to contact me on the above phone number.

Yours faithfully

KEVIN PARSONS  
DISTRICT MANAGER  
GREAT SOUTHERN REGION



Doc No: City of Albany Records  
 ICR1268603  
 File: AMD303  
 Date: 29 JUN 2012  
 Officer: SPLAN2

Attach:  
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Your refs. **AMD303/PA37945/AMDAMD303**  
 ICR1024652

27 June 2012

Jan Van Der Mescht  
 Senior Planning Officer  
 City of Albany  
 PO Box 484  
 ALBANY WA 6331

Dear Jan Van Der Mescht

**PROPOSAL TO TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD  
 FROM THE 'RURAL' ZONE TO THE 'SPECIAL RESIDENTIAL' ZONE**

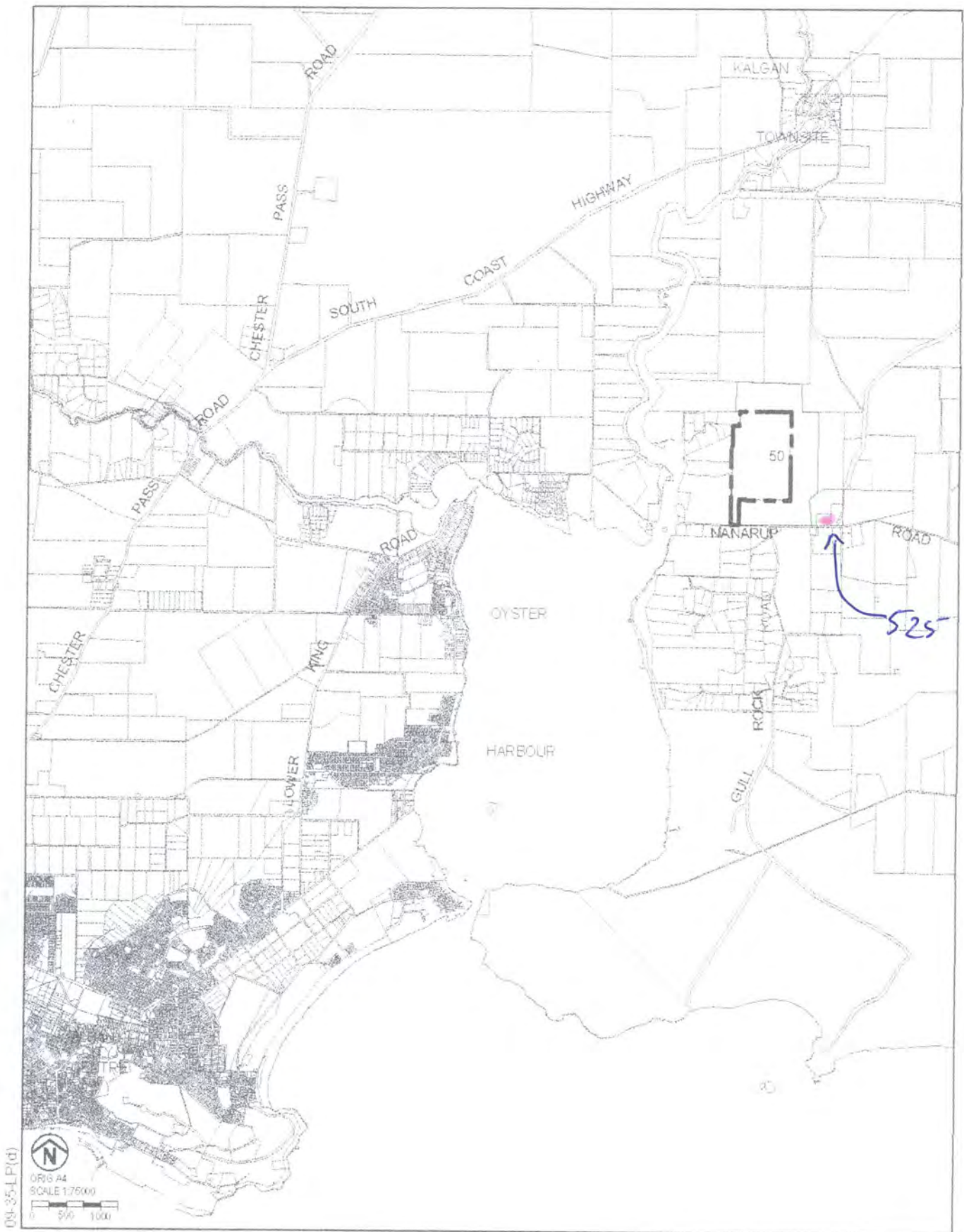
We refer to your letter of 16 May inviting submissions on the above, and submit the following as resident owners of otherwise known as highlighted on the attached copy of the map received.

We support this proposed rezoning amendment to Town Planning Scheme 3 generally, to enable more neighbours to share our enjoyment of the Candyup outlook. We are however troubled by the rather strange eastern perimeter of the Special Residential rezoning. By bordering the proposed development of Candyup this suggests rezoning deliberately exclusive to a single developer. We would have much preferred to have seen Hunton Road as the eastern boundary so that our own block might have been included.

So long as this area was zoned "Future urban", we understand previous subdivision proposals by local residents were rejected "*to protect the area from fragmented ad-hoc developments that might prejudice the potential for future long-term urban development*". Does the proposed rezoning therefore mean we risk losing such "*supporting infrastructure and services*" as pedestrian access across the Lower Kalgan bridge?







**AYTON BAESJOU**  
PLANNING  
11 Duke Street  
Albany WA 6330  
Ph 9842 2304 Fax 9842 8494

**LOCATION PLAN**  
Pt Lot 50 Nanarup Road  
Kalgan, City of Albany

## Regional Heritage Advisory Service

21 June 2012

AMD 303  
JAN

Attention: Jan Van Der Mescht  
Senior Planning Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331

City of Albany Records  
Doc No: ICR1267977  
File: AMD303  
Date: 22 JUN 2012  
Officer: SPLAN2

Attach:  
Box:  
Vol:  
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Dear Jan

**PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD  
FROM THE 'RURAL' ZONE TO THE 'SPECIAL RESIDENTIAL' ZONE.**

Thank you for referring this matter on to me for comment. As noted in your letter, this property is also known as "Candyup" and is included in the City of Albany's Municipal Heritage Inventory as an historic site (i.e. having few or little built features).

Referring to the planning report by Ayton Baesjou Planning (2011), I note that there is no mention of the historic property nor of the heritage listing associated with it, let alone any analysis of likely impacts on what is undoubtedly a significant and fragile historic cultural landscape. It would seem somewhat remiss that there is no reference to heritage issues in this report, either European or Indigenous, and that this would need to be addressed at some point in this process, both in considering the current rezoning application as well as in any future plan of subdivision application. [I note that there is reference to "Candyup" in the title of both of the flora and vegetation surveys carried out for Lot 6 and Lot 50 (prepared by Mattiske Consulting, 2009 & 2011).

I subsequently undertook some preliminary research on Candyup which was originally the property of the Taylor family, who also owned the property in town known as "Patrick Taylor Cottage" which has been permanently entered on the State Register of Heritage Places. The Taylors established Candyup (also referred to as Glen Candy) in the mid 19<sup>th</sup> century. I believe that the original Candyup Homestead would have been in the vicinity of Precinct E identified in the Ayton Beasjou report. "The house was situated just below the present one, on an elevated hill with enchanting vistas of the Kalgan and Oyster Harbour" [*Albany Advertiser*, 8/10/1963].

In addition to the extract from the article from the *Albany Advertiser* quoted above, there are quite a number of other sources that document the history of Candyup in your Local History Library, including photographs of the original homestead, which burnt down in 1940, and the advertisements for the sale of property in 1903 after the death of Campbell Taylor. In addition, an historical report was prepared by Bonnie Hicks in 1965 and refers to remnants of the homestead foundations, the well, and remnant vegetation still being extant on the site. There are many other sources of documentary evidence, some of which I have attached to this letter.

.../2

## Regional Heritage Advisory Service

I would strongly recommend that the City of Albany requests an archaeological survey and assessment be carried out on the property as soon as possible and prior to the preparation of any plan of subdivision and which will also then inform that plan. This survey and assessment shall not just encompass the area around where the original homestead was situated, but across the whole property where evidence of other ancillary buildings, the former cultivated areas (i.e. the orchard), and the cattle yards and runs may be present and also down to the Kalgan River frontage (including any existing tracks) as no doubt produce and goods would have been transported to and from the property via the river. A heritage impact statement will also be required to accompany any application for subdivision.

The archaeological investigations, in association with the identification of any actual archaeological material, and evidence - in addition to other historical fabric, artefacts and remnant vegetation that may still be present - will contribute to the development of interpretation outcomes for this significant heritage site. Interpretation policies can then inform later development proposals and can be embedded and integrated within the future redevelopment of the land in a variety of interesting, evocative and meaningful ways.

I am happy to discuss this further with you and to provide any further information that I can to assist you.

Yours sincerely



**Helen Munt**





"Cardyup"

Albany Local History Library

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FEET. ALBANY,

**STABLES.**

ST ET, ALBANY.

MIDDLETON BEACH

Freemasons' Hotel at 9.30  
1., 2 p.m and 5 p.m.

Is. RETURN,

TO KING RIVER.

d Thursday, leaving the  
all at 2.15 p.m,

ts 6d RETURN.

RTIES CALLED FOR.

gs, Waggonettes, Double

**MORTGAGEE'S SALE**

Of the well-known CANDYUP PROPERTY comprising 969 acres or thereabouts belonging to the Estate of the late Campbell Taylor.

JOHN MOIR & CO,

have received instructions from the Mortgagees to sell at the Freemasons' Hotel, Albany, on

WEDNESDAY, the 18th day of FEBRUARY, 1903, at 8 p.m.

The well-known CANDYUP PROPERTY, situate about nine miles from Albany, comprising:—

Plantagenet Location 38, containing 640 acres more or less.

Plantagenet Location 53, containing 240 acres more or less,

Portion of Plantagenet Location 51, containing 39 acres and 22 perches more or less,

Plantagenet Location 400, containing 50 acres more or less. About 40 acres are cleared and several acres are under cultivation as an orchard in full bearing. This property has a dwelling house thereon and is fenced and also has a large frontage to the Kalgan River.

Communication with Albany by land or water.

The above sale presents an opportunity for Buyers to secure an exceptionally good, well situated and profitable holding.

Title Freehold—Terms at Sale.

Further particulars as to Title, &c., obtainable from the Auctioneers, or Haynes & Robinson, of Albany, Solicitors for the Mortgagee, 324v

**S A L E OF VALUABLE FREEHOLD PROPERTIES, ALBANY.**

to belonging the Estate of the Late V. P. B. DESOUZA.

JOHN MOIR & CO. have received instructions from the Administratrix of the above Estate to sell at the Freemasons' Hotel, Albany, on WEDNESDAY, the 18th day of FEBRUARY, 1903, at 8 p.m.,

ALBANY SUBURBAN LOT P7,

Perth Road, containing three acres or thereabouts, on which is erected a 10-roomed stone and brick house with kitchen and bathroom; verandah back and front and large stables, outbuildings, &c., now occupied by P. M. Sullivan, Esq. as a monthly tenant and also

**MUNICIPALITY OF ALBANY**

Applications are invited and will be received up to 5 p.m. on TUESDAY, 17th inst, from Persons competent to undertake the duties of Foreman of Works

MOUNT CLARE DRAINAGE WORKS.

All information to be obtained from the undersigned during office hours, and only of testimony to accompany application. By order,

ERNEST B. PATO Town

Town Hall, Albany. February 17, 1903. 472v

**APPLICATION FOR AN LICENSING BOARDING OR LODGING LICENSE.**

To the Worshipful the Justices of the Peace acting in and for the District of the County of Albany in Western Australia.

I, FANNY DARLEY, married, house keeper, now residing at Boarding House, Lower Stirling Terrace, the town of Albany, do hereby give notice that it is my intention to apply at the Licensing Meeting to be holden for the District, for an Eating, Boarding or Lodging House License, in the shop or rooms now occupy, or intend to occupy, situated at Lower Stirling Terrace and now hold a temporary license.

Given under my hand this sixteenth day of February, one thousand nine hundred and three.

FANNY DARLEY  
Per F B Dymes, her solicitor.

**WESLEY HALL**

A farewell social will be tendered to Mrs. J. INCE in Wesley Hall on WEDNESDAY evening, at 8.30. Con- sideration and personal friends cordially

**ALBANY ROADS BOARD**

All cart and carriage license fees and license fees due to the Albany Roads Board must be paid to C M Playne before 15th inst or proceedings will be taken without further notice.

C M Playne will attend at the Board from 11 to 1 o'clock on Wednesdays and Saturdays to issue licenses. By order

C M PLAYNE Secy 466v



AA

74 Spencer St Albany

# FOOTY DREW NEW RECORD

The SDNFL football grand final at Mount Baarker last Sunday attracted a record crowd—more than 6000 people.

Officials said afterwards that the gate takings—more than £330—also was a record.

"There has been nothing to match this since the league began six years ago," league secretary Ken Colvin said yesterday.

"And another big crowd is expected for the D.N.F.-East Fremantle game to be played next Sunday," he added.

INSIST ON  
  
 EXCLUSIVE TO COLES

# SLEEPWEAR FOR THE FAMILY!



Embassy

Sensational Value at this Price!

17/6

DURABLE COTTON MEN'S PYJAMAS

# PATRICK TAYLOR

## A Scottish Settler at the Sound

Miss Bonnie Hicks, Keeper of the Records of the Albany branch of the Historical Society, concludes her article on Patrick Taylor, a Scottish settler at King George Sound.

Their home was at "Candyup" at the time, another property bought by Patrick. This was on the Kalgan River, a farm now owned by Mr. Sewell. At that time the house was situated just below the present one, on an elevated hill with enchanting vistas of the Kalgan and Oyster Harbour.

Fanny wrote: "The country is just now an exquisite green, and Candyup abounds in pretty grassy slopes covered with close fine sward. The cattle are looking extremely well, and when this house is plastered, their sitting room will be one of the finest in the colony."

This sylvan existence was soon shattered by a series of economic disasters. To his dismay his agent in Scotland absconded to America with a considerable portion of his fortune.

Nothing was going right at "Candyup," cattle died and even the hens wouldn't lay.

Patrick wrote to his wife's sister that Mary was obliged to search the nests from early morning to night to obtain only a few eggs. Even if they had grown all their requirements and more besides, it would have been to no avail. Their problem was the same as all settlers of the first colonial days . . . there were no markets. Whaling ships calling in to port were the only buyers of produce.

There was a family argument with the Bussells. At "Cattle-Chosen," a decision had been reached about finances. In future only those who were sharing the work of the moment would share in the profits.

Patrick claimed that his wife had shared the early hardships, therefore she should benefit to some extent. John Garrett Bussell wrote a dramatic farewell to his brother-in-law, of whom he was genuinely fond, and from then on Taylor seems to have had little contact with his wife's relatives.

Patrick Taylor was a leading figure in the town's affairs for a number of years. A very religious man, he was deeply concerned with the death of clergymen in the new colony.

On board the ship he guaranteed £200 for the stipend, claiming that the presence of a minister

1847, while in 1849 the town trust failed to function.

Taylor was chairman of a public meeting in 1846, which was hurriedly summoned to deal with a local catastrophe. York-st., had suffered one of its periodical floodings, which persist up to this day.

Patrick Taylor sent off a memorial to the Governor, asking for assistance for the town to rebuild the street, which had been scoured with gullies deep enough to hide a man.

The emphatic wording of the petition served no purpose. Resigned to official procrastination, the locals erected foot bridges over the gullies and the road was not repaired until 1870, 24 years afterwards.

From the period of the unsuccessful petition, Patrick Taylor seems to have retired from public life. The original diaries of Mrs. Taylor, spanning the years 1873-1875, tell of a dreary existence at Candyup.

Daughters Fanny and Kate did much of the hard work on the property, assisted in a desultory fashion by a farm labourer and some local natives.

Eldest daughter Mary, who had been born at Candyup, was married to Edward Dempster, son John, lived in the Eastern States, Campbell was pioneering at Esperance.

Occasionally a visitor in the person of Sir T. Campbell, one of the Hassell, Egerton - Warburton or Spencer boys would drop in and the harmonium would assist in making the evening pleasant.

Patrick Taylor died in 1877. He and his wife, infant Christina, and son Campbell, share the same

headstone in the cemetery on Middleton-rd.

The building now known as the Patrick Taylor Cottage, was misleadingly termed a beach cottage by Wollaston. The house is mentioned in the diaries, was sometimes used when they visited town, or rented to various tenants, and was repaired by young Sherratt.

None of Taylor's blocks were on the beach itself, although this one is only a few chains away. Nor was it the smaller brick cottage, now demolished, on the Stirling-ter. end of the same block. This consisted of one main brick room, with dilapidated tin structures attached. The windows of the main room were high as were the ceilings.

The first material used for houses in the colony was "wattle and daub," windows were small because of the cost of glass, ceilings low. The central rooms of the Patrick Taylor cottage are "wattle and daub," rough and uneven, the roof is still shingled under the tin, and the house plainly follows the usual colonial plan of central rooms surrounded by a verandah. Later this was covered in to provide more rooms.

Among later pioneers who have resided in this historic homestead, were Campbell Taylor, the eldest son, sister Miss Kate Taylor (some elderly residents may remember for the large amount of cats she kept), Miss Lowndes, the first domestic science teacher at the local High School, the W.A. poet "Dryblower" Murphy, and kindly Dr. Ingoldby and his wife.

Until the 1950's the property had always remained in the hands of a Taylor descendant, the last owner being Dr. R. Fairbairn, of Peppermint Grove.

Albany is doubly fortunate in possessing two houses belonging to one of her most interesting periods of history, the 1830s, in the Old Farm and the Patrick Taylor Cottage.

At present the latter is open to the public two days a week for inspection, Fridays 3.30 p.m. to 4.30 p.m., and Sundays 2.30 p.m. to 4 p.m. Inside can be viewed a number of Taylor relics and other interesting historical objects donated to the society.

## TALE IN VERSE

The 1963 winner of the Commonwealth Literary Prize, Mr. Roland Robinson, will be the guest speaker at the Albany Adult Education Group's next meeting on Monday, October 21.

Mr. Robinson's medium is poetry and verse. His talk will be titled "A traveller's tale in verse."

Members of the Albany branch of the Fellowship of

Drive Over

A Scottish Settler 1965  
 at the Sound  
 Bonnie Hillies

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B/TAY

CHAPTER III.

EARLY DAYS AT CANDYUP ESTATE.

The name of Patrick Taylor's property has always puzzled the local history enthusiasts in Albany. Was it "Glen Candy" or "Candyup" or even "Candeup"? Taylor's grandson, the late Dr Robert Fairbairn, claims it was "Glen Candy" because the area reminded Taylor of his native Scotland, and that the natives corrupted it vocally to the smooth-flowing "Candyup". This could be so. In the naming of the Bussell's' homes a similar occurrence is noted. "The Augustan 'Thatched House' had degenerated into 'Datchet', obviously an aboriginal rendering."<sup>(1)</sup>

There are several claims that Candyup refers to the Kalgan River district; that it was indeed the aboriginal name for it. This theory seems to have risen out of the free use the name was given in the early days. Eyre is purported to have written in his journal in 1841, "We reached in 8 miles the Candyup River", and again, "In the Candyup River I had to wade". On this occasion it is likely he was accompanied by his native boy Wylie, a King George's Sound native, who should have been familiar with local nomenclature. Calling the Kalgan River 'Candyup' does not tally with what Government Resident Dr Collie wrote concerning his exploration trip up the French River (the original name designated to it by D'Urville) on April 27th, 1831, in company with his good companion, native Mokare. On this occasion he renamed it 'Kalgan' after the native name 'Ya-mung-up' or 'Kal-gan-up'.<sup>(2)</sup> Like Eyre, Collie was very

(1) Shann: Cattle Chosen, p.63.

(2) Sten: The Hay District.

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familiar with native voices and had every opportunity to listen to the native names, for Mokare slept in his apartments. On his death Collie requested that Mokare be buried with him. His bones were laid in the original Albany cemetery in York Street. This was later removed to a site at the rear of the present Town Hall. Later it was shifted to Middleton Road and there Dr Collie's grave is plainly visible, but not Mokare's, whose remains still rest in the first graveyard. The writer diffidently suggests that since no official record is known which calls the Kalgan "Candyup" till 1841, it is possible that the river and the property names were two distinctly different things and that the Candyup natives were responsible for the name change. Campbell Taylor, who inherited the property, in 1887 placed an advertisement in the local newspaper and gave his address as 'Glen Candy'.

There is a great likelihood that Patrick Taylor purchased A38 block, called "Glen Candy", from George Cheyne. There is ample evidence from the "James Pattison" shipboard diaries of Mary that he kept a number of servants. Some remained at Albany after the homestead was built - John Young, Henry Tulley and John Wallace and a stone mason by the name of Thomas. A ladies maid had been lent to Mary by Patrick. On Sunday, 16th February, she refers to this woman returning to her to tell Mary that "her master had desired all his people to be ready in half an hour to meet in his cabin"<sup>(1)</sup> for the Liturgy (morning prayer). Her anticipated enjoyment at participation in a common bond was not to be, for Mr Sherratt invited Mary and her mother to his room for prayers, but

(1) Early Days : Western Australian Historical Society Journal, December 1941. Robert Fairbairn's "James Pattison" Diaries.

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Mary could not have been concentrating fully for, "We heard too, as we proceeded, the deep-toned voice of the youngest patriarch issuing from the adjoining cabin."<sup>(1)</sup> Mention is made of Robertson, Mr Taylor's man, who had charge of the Bussell livestock since Buckland was obliged to resign.

A photograph (inserted) shows the old Candyup homestead as it was years ago. The foundations are still visible. The sweeping drive down to the river is accentuated with a tangle of briar rose hedges. This old route is seldom used now, for a good bitumen road is the modern egress, and the present house tops the hill whereas Candyup nestled in its centre. A fire swept through the briars and destroyed Taylor's house years ago.



(1) Early Days : Western Australian Historical Society Journal, December 1941. Robert Fairbairn's "James Pattison" Diaries.

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best we can until things assume a somewhat more orderly and selected character and aspect. Rome was not built in a day, and as you may well know, so many things have to be done on the first formation of an establishment in this outlandish country; while at the same time there is so much difficulty in mastering what at home would scarcely be felt to be obstacles at all, that things seem to advance with extreme tardiness, and while one is trying to remove an obstruction from his course, he unexpectedly encounters half a dozen still more formidable opponents. (1)

There seems to be a note of desperation, a quickness to defend his action of keeping poor Mary in conditions not as they had been stated to be on their betrothal.

A realistic tone permeates a note when he wrote to Fanny:

2/3/1838. ...the melancholy fact is certain that our valuable cows do not give more, if so much, milk as the same number of goats would give in England. And as for butter, we are in great hopes that we shall obtain half a pound per week from each cow. Such is the present prosperous state of our dairy farm at Candyup.(2)

Disaster struck in 1838 when his Scottish agent absconded to America with a large fortune. (This according to the Scottish branch of the family, the Renny-Tailyours, and supported by a letter to J.G. Bussell.)

Albany, Oct. 2, 1840. My presence is required in England to arrange some pecuniary matters with my brothers. With regard to my affairs I shall only say that I find myself the poorer by some thousand pounds than I had calculated upon. As far as I can understand by the letters which I have received there is about £4,000 which has been entirely lost either by the negligence or the fraudulent conduct of my agent in Scotland. Moreover, legal difficulties have been raised with regard to my right of succession to another sum of about £4 or £5,000, so that should I be deprived of this last-mentioned sum I have the prospect of being very close run for funds. - For nearly 3 years I have been expending a very considerable sum annually in improvements etc. because I was led to believe that, exclusive of any funds or property in W.A. or Van Diemen's Land, I had from £10,000 to £12,000 in Scotland at my disposal. The consequence is, of course, for the present, that I find myself very much hampered for cash to meet the demands which are made upon my purse. I have therefore sold livestock etc. to the amount of £700 and shall

(1) Notes supplied to Mr R. Stephens from the W.A. Archives.

(2) Ibid.

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endeavour to dispose of one or two town allotments so as to give me something for my trip to England.

I have let the farm at Candyup for 3 years for the sum of £60 per annum in improvements, viz. clearing and fencing land. I have also one cottage in Albany, which is let for £40 per annum. I have 2 other allotments with cottages on them and for one I have an applicant for tenant if I do not sell it.

With regard to Mary, I hope there will be no difficulty in managing matters so that she and her youngsters may continue at the Vasse establishment until my return from England...she will be more happy than if she were to be alone either here or at Swan River.(1)

By 1841 they were decidedly back with the Bussell clan.

March 1st, Mon., 1841. A commencement of rain with thunder. Mr Taylor guarding against leaks in his room and in Bessie's apartments.(2)

It was an unfortunate year. An incident shocked both Patrick Taylor and Henry Camfield (life-long friend of the Hentys, Taylors, and later a Resident Magistrate at King George's Sound. At the time Camfield was a suitor of Fanny Bussell.) There have been diversified accounts of the incident given by Wollaston and the Bussells, so this extract will indicate Camfield's version of the affair:

About a year before I went down the natives had speared a cow belonging to a neighbour of my friends, it was thought proper to punish them for it, three were shot, I saw their graves. The natives some time after this came to a third party and speared a man in the arm, surrounded his house and purposed no doubt murdering his wife and children. Now understand, the first human blood in this district was spilled by whites; three blacks were killed and as yet not whites; this is how it stood when I went down, when the natives were troublesome again, stealing potatoes and flour, caught in fact with the latter but suffered to run away. I was for having them caught and treated according to law, but my friends were for more summary proceedings, the end of it, a spring gun was set for several nights - at last a man was shot in the act of opening a door to steal bread. A party went off to scour the bush, I alone buried the dead, before it was light. The next morning prisoners were brought in, and one, endeavouring to make his escape, was shot; before this second was done to death I had made up my mind to walk to Augusta

(1) Notes supplied to Mr R. Stephens from the W.A. Archives.

(2) Shann: Cattle Chosen, p.119.



The new "Candyup" homestead on the hilltop.



The old "Candyup" foundations.



Magnificent gum (visible in old photo).



Part of the tangled Briar Rose hedge, said to have been planted by Mary Taylor. It was the cause of the fire which destroyed the original house.

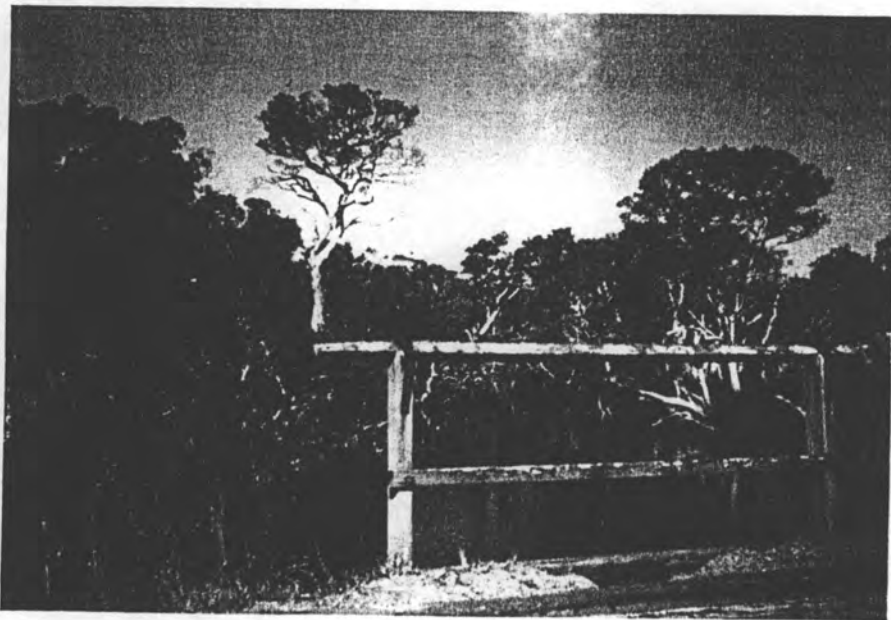


Candyup vistas, fruit trees in the valley, an olive tree in the foreground.





Behind the fallen timber on the ground, is the well used by the original Candyup home.



One of the creeks which winds its way from Candyup to the Kalgan River.

NOTES ON CAMPING PLACES and distance between them and along the TELEGRAPH ROUTE between ALBANY, King George's Sound, and ISRAELITE BAY, on the S.E. Coast of Western Australia.

In a light covered two wheeled spring cart drawn by three horses abreast, Mr. Campbell Taylor and his young wife journeyed in 1887 on this, the only overland coast route to South Australia. Now the railway runs inland.

ON THE COAST OF THE GREAT AUSTRALIAN BIGHT.

ISRAELITE BAY TELEGRAPH STATION is 80 miles from EUCLA further along the coast, the boundary of W.A. and S.A., where two stations work.

From ISRAELITE BAY there is a level stretch of samphire flats flanked by coast hills. The inland looks like a wide sweep of sea, out of which Mount Ragged looms like an island

Roadside lakes are passed, one, six miles long.

About twelve miles from ISRAELITE BAY, there is a turn-off from the main road to Point Malcolm on the sea.

Promontories of CAPE ARID and CAPE PAISLEY now come into view. Near CAPE ARID, a sandpatch with a good spring of water called "JIMMY'S WELL", is never dry. A huge sandpatch is adjacent to CAPE PAISLEY, twenty miles from THOMAS RIVER, on the coast. Between ISRAELITE BAY and the THOMAS RIVER is about eighty miles.

A few miles from the homestead at the THOMAS RIVER, the main road is left to pass by BALLINUP HARBOUR, where there is a washpool for sheep; and TAGUER HARBOUR, twenty miles from the homestead, where wool is shipped and the year's stores are landed, and the monthly mailbag is taken from a tree on the beach.

From the THOMAS RIVER homestead where wide grass valleys converge with others, the result of pre-historic floods, you rise on to level bush plains of low scrub and harsh grass, useless for stock unless burned off every three years. These plains, which the natives call "Quonkans" (Quowcken's of Brooke - E.M.C.), are sometimes ablaze with the orange yellow flower of the Cabbage Tree or Christmas Tree, as well as a profusion of wild-flowers.

Coming up the valley of the THOMAS RIVER to the plains, the string of hills which show on the horizon are the tops of

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up

of

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followed. After 16 miles came the CLAYPAN with enough water to water the horses.

From the CLAYPAN the road passes through some patches of worthless quonkan(Quowcken) to better feed, which is really good around WARBURTON'S LAKE. Here Red Gums as well as Jarrah indicate the beginning of the forest country, which flourishes in such perfection in the Darling Range.

From WARBURTON'S LAKE into ALBANY is 26 miles. About 8 miles from the Lake the KALGAN RIVER Bridge is crossed, and from there the KING RIVER Bridge is 7 or 8 miles, The suburbs of ALBANY extend to the KING RIVER road from York Street.

Handwritten notes on the left margin: "The King River" written vertically.

At 3 miles from the SALT RIVER there is a road branching off to Mr. Andrew Moir's homestead at CAPE RICHE. You can follow this coast road for 80 miles and join the main road at the KALGAN RIVER near ALBANY. You pass near the home of Mr. John Wray near CHEYNES BEACH, the BLACK BLUFF, MOUNT MANYPEAK, and through the property called CANDYUP, settled in 1842, the old pioneer home of Mr. Patrick Taylor, from Kirton Hill, Aberdeen, Scotland. It has been burned down by bush fires, but commands a fine view of ALBANY and the coast. A bridge is here over the KALGAN.

(Note by a previous Secretary of the Historical Society of Victoria) "These notes are taken from a Diary kept by Mrs. Campbell Taylor en route, where sketches were made, and a collection of wild-flowers made, which went to Miss Fenwick, of Chapel Allert, Leeds, England."

IRS/459 m Doc. 6.

Reports & extracts of reports concerning Isaacite Bay & surrounding areas, with reference to the original telegraph

the potentials of the timber industry were recognised and local regulations were in force which may have helped to defeat Diggory and make him desert his block in time for Wollaston to find it abandoned in '51.

In her article on "Capt. Symers at Albany" (Journal of W.A. Historical Society Vol. 4.) Mrs Glover furnishes the basis for research into the next two blocks settled on Lower Kalgan, those of Capt. Thomas Symers and Patrick Taylor.

Symers arrived at King George's Sound in his own ship the "Caledonia" on 1st June 1835 and within six months had bought 104 acres and within the year had bought at public auction an adjoining block of 122½ acres. The first appears to have been Plantaganet Loc. 400 ( now named Benhaven) while the larger block was the two pieces identified as A5I and A5I7 - of which the Portion A5I was retained in the family until sold in 1960 by Mr. Charles Symers (Thomas's grandson) to Mr. Boquet.

Some six months after Symers had bought the 122½ acres block Patrick Taylor bought the adjoining block of 240 acres A53 known soon as the Gaarman sheep Paddock.

Capt. Symers, according to Mrs Glover "augmented his land with a leasehold of 3000 acres held until long after his death by his son Mr. Stewart Symers". *This was the Roman river holding 1873/4*

According to one authority the so called leasehold claimed by Capt. Symers might have been difficult to prove by law, until 1850 when leasehold conditions were first introduced for Crown Lands unless the land was in private hands.

*See supra*

Now a consideration of the land around indicates and is supported by memories of Mr. Symers, that Capt. Symers' 3000 ac. leasehold must have included Location 38 of 640 acres granted to George Cheyne in May of 1836. We know that Symers acted as agent for Geo. Cheyne and the likelihood appears to be that Symers not Cheyne originally handled Loc. 38 "Glencandy" where Candyup Homestead stood. Since Capt. Symers died in 1865, Mrs Glover's statement alters considerably the usually accepted idea that the farm of Candyup with the Homestead and sheds in the hollow known as Glen Candy had been started by George Cheyne and farmed by Patrick Taylor.

*I have seen from Diaries of Mrs Patrick Taylor much of their life during 1873-4-5. I have as yet, not found any evidence to show that Patrick Taylor ever lived at Candyup Homestead, though his son Mr Cambell Taylor and Mrs Cambell Taylor certainly did.*

(The old boundaries of the Candyup property are still traceable and the area enclosed by the original Post and Rail

*AKS / 780M*

*MD 2004. 436*

*Notes on Candyup in the County of Plantagenet in the first Cent. NW + DN West A-862*

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at Glen Candy were planted and the mulberry, ~~madras apples~~ <sup>plums</sup> etc. were planted though the orchard as it was known later was <sup>in connection with which it is of interest to note that fruit-queen was sold by Taylor in 1873</sup> no doubt chiefly the work of Cambell and Mrs. Cambell Taylor. Nevertheless it was necessary to get someone to manage the estate and in 1840 a Mr. William Souness was engaged in London.

I do not know when Mr. Patrick Taylor took over Glen Candy A 36 from Geo. Cheyne nor when he dropped A53 O'Harram but on 19th August 1848 Wollaston writes in his journal - "Called on Mr. Taylor ..... he goes about his garden and works a great deal in the house ~~having~~ <sup>with</sup> no servant. He met with great success and I suspect this has something to do with his seclusion - Alas, Human Pride". <sup>Taylor was then living in Albany at Patrick Taylor Collage.</sup>

It was also in 1848 that the shingles for St. John's Church in Albany were being cut from sheoaks on the banks of the Kalgan.

The Candyup Homestead was occupied by various people <sup>starting with Patrick + Mrs Taylor then his son</sup> starting ~~if my surmise is right with~~ <sup>with</sup> ~~easy by name~~ <sup>easy by name</sup> and Mr Cambell Taylor; he lived there till his death in 1901 and improved it considerably. Among other items of historical interest are <sup>the</sup> ships figureheads which he bought and erected one on each side of the homestead gates. Each were about six feet high; the one known as Tommy Larkins was the figure of a viking and came from the coal hulk "LARKINS" which arrived in Albany in 1853. The second represented a lady in flowing robes and came from the "LADY LITTLETON". This ship arrived from England in a leaky condition and according to Mr. McKail's Memories was taken to Emu Point for repair - while hove down she slipped from the falls, filled and sank. Her stern and stem posts could be seen on the east side of the Emu Point channel until recently. When Mr. Cambell Taylor rescued these two figures he apparently realised that the time had come when the practise of ornamenting ~~the~~ <sup>the</sup> bows of a ship ~~with~~ <sup>with</sup> carved figures representing the patron or patroness of the owner would fall into disuse, and how right he was is shown by the fact that today these figureheads are almost unobtainable and their value and rarity are increasing. "TOMMY LARKINS" and "LADY LITTLETON", after a land life of neglect were rescued from oblivion by the late Mr. H.C. Poole when he took over Candyup in 1937 and were presented by his estate to Mr. Denis Robinson to be repaired and erected at the Club House of the Princess Royal Yacht Club.

When Mr. Cambell Taylor died in 1901 his widow continued the management of the estate for some years. She is remembered by old residents as a strong minded but kindly woman, often seen leading her native servants at their work, clad in big blucher boots and denim overalls, carrying fence posts and erecting fences, digging and hoeing and her black labourers, like a tribe of large lazy children imitating her every action.

9.

At some time, believed to be about 1850, there was on Candyup a labourer who in common with his times and type returned from Albany late one night, to put it mildly "having drink taken" He was in a condition when another little drink was indicated but unfortunately during his absence, so the story goes, the woman who lived with him had emptied the only bottle in the house; Daniels had a few words to say and ended by tapping her none too gently on the head with the empty bottle. An alternate story says that he had been attending a boxing match in Albany and demonstrated one of the blows. In both cases the effect on the woman was fatal. Either or neither story may be correct but this is the basis of the Candyup murder and from this arises the stories of the Candyup Ghost. A desperate horseman who is said to gallop up to the rear of the homestead, the heavy breathing of his horse is heard, the crunch of the leather as he climbs from the saddle, and passes into the house. Yet those who have been visited by the ghost say that they watched the place where the sounds were coming from, in the bright moonlight and not a thing was to be seen. I cannot personally vouch for the facts for <sup>and were the only people to live in the original homestead</sup> though my wife and I spent the first three weeks of our married life in the old homestead we were never visited by the Galloping Ghost of Candyup. <sup>Perhaps it prescume wanted it to</sup>

<sup>abandon the site for</sup> At the end of the summer in 1940 the original homestead was completely destroyed by a bushfire which swept the area.

The history of the ownership of Candyup Lot 38 after Mrs. Cambell Taylor is too complicated and the changes too rapid for an attempt to deal with them in such a short paper such as this, <sup>and</sup> sufficient to say that since 1900 a dozen or more people have at various times lived there as owners, lessees, tenants, managers etc. until the present owner Mr. H. Sewell. <sup>who after owning it only five years already has leased it with the option of purchase to one Mr. Taylor.</sup>

Passing then to the next family farm of special interest we come down the river a short  $\frac{1}{4}$  mile to Loc. 448 of 100 acres called for obvious reasons Windy Hill. The particular interest in this farm is that it was the first on the Kalgan granted under the Conditional Purchase Act of March 1872, the original owner was Mr. N. W. McKail and though it has been held by others since and has been split up into four sections of 2,5,8, and 85 acres, 8 acres including the original home built by Mr. William McKail are now owned by his son Angus McKail and occupied by Mr. Charles Symers, grandson of Capt. Thomas Symers.

When Mr. McKail took up his Windy Hill property it must be remembered there was no bridge at Lower Kalgan and no road leading from the crossing point to Nanarup and Two Peoples Bay and Mr. McKail's property the adjoining Loc. 497 now owned by Mr Barrett.

Mr. William McKail was the son of the well known Albany identity Mr. John McKail who arrived in W.A. with Capt. Sir James Stirling in 1828. John McKail died in 1871.

AMD303  
Jan.

**LOWER KALGAN PROGRESS ASSOCIATION Inc.**

ABN 787.196.158.34

Lower Kalgan Hall  
Nanarup Road  
LOWER KALGAN  
Postal address - C/- PO Lower King WA 6330



28 June 2012



Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331

City of Albany Records  
Doc No: ICR1268604  
File: AMD303  
Date: 29 JUN 2012  
Officer: SPLAN2

Attach:  
Box  
Vol  
Box+Vol

Dear Sir/Madam,

**AMD 303: PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD FROM THE 'RURAL' ZONE TO THE 'SEPCIAL RESIDENTIAL' ZONE**

Please find attached comment on, and suggestions for amendment to, Scheme Amendment AMD303 from the Lower Kalgan Progress Association.

This comment is submitted on behalf of contributions and comment from people living in Kalgan Heights, Lower Kalgan, Gull Rock, Nanarup and Two Peoples Bay areas.

We look forward to receipt of Council's response to our submission.

We also look forward to more proactive and interactive involvement with Council in planning and land-use decisions making processes affecting the Lower Kalgan community in the future.

Yours sincerely,

Mr Mervyn Leavesley  
President, Lower Kalgan Progress Association

*HARD COPY OF ELECTRONIC SUBMISSION*

**AMD 303 : PROPOSAL TO REZONE A PORTION OF 461 (LOT 50) NANARUP ROAD FROM THE 'RURAL' ZONE TO THE 'SPECIAL RESIDENTIAL' ZONE**

**SUBMISSION – Lower Kalgan Progress Association**

---

A meeting of LKPA members held last Tuesday night considered this proposal disappointing considering previous Council assurances of community consultation on precinct planning.

Instead of checking development proposals for compliance with the strategic plan, Council seems instead to prefer to amend its guiding strategic plans to fit ad hoc fragmented proposals from individual developers.

LKPA members are unhappy that Council continues to make decisions on ad hoc Kalgan development proposals by single developer/landholders rather than the Kalgan community as a whole. The LKPA reiterates that it seeks to be more involved and its opinions given more consideration in proactive decision making and planning processes.

The LKPA seeks a single plan for the Kalgan precinct to be developed involving input from all community, public and private stakeholders to cover all aspects of environmental, social and economic concerns.

The LKPA members believe that "Future Urban" and "Special Residential" rezoning's have not been sufficiently publicised to demonstrate Council commitments toward involving community input. Observing the bare minimum advertising requirements calling for community comment on AMD303 and the underpinning ALPS changes does little to assist Kalgan community members understand the ramifications or likely consequences affecting an our entire community.



LKPA members find this disappointing, and hopes for a more considered and concerted support of an empathetic Council in future.

The LKPA membership is disappointed at the apparent lack of interest in for community contributions to planning decisions, particularly , as in this case one where the Council it is aware of the communities desire to be involved ~~interest in~~, and reminds Council of previous commitments to precinct planning in consultation with the Kalgan community. A willing and capable community is ready to work with Council and other planning partners in that process.

### **Infrastructure**

The extant strategic plan zoning of the Kalgan area as Priority 5 under "Future Urban" presumed density increments would be as "*staged urban developments proceeding with associated supporting infrastructure and services, to protect the area from fragmented ad-hoc developments that might prejudice the potential for future long-term urban development*". Superseding that Priority 5 classification puts the community at risk of losing staged urban development with the provision of supporting infrastructure and services based on current growth projections.

Kalgan residents already consider Council pays insufficient regard to local infrastructure needs, including such things as -

- foot paths (esp. over Kalgan bridge),
- street lighting (Kalgan Bridge, were else?)
- safe fishing platform under the bridge,
- Hunton Road/Nanarup road T Junction intersection
- Traffic studies
- Future road linkages and widening

- Public school facilities
- etc

As in the ALPS, the LKPA believes planning needs to provide for and encourage sustainable and timely delivery of essential community infrastructure to accommodate appropriate settlement and growth. It is our belief that these needs should be:

- Catered for in precinct planning
- Made a discussion point for regular Kalgan Community-Council Liaison meetings.

### **Moratorium**

Prior notice given to developers and planners of the Council's moratorium of from 21 February 2012 on development applications lodged during the advertising period of the draft LPS1 has served to increase the number of development applications lodged and consequently to the communities confusion.

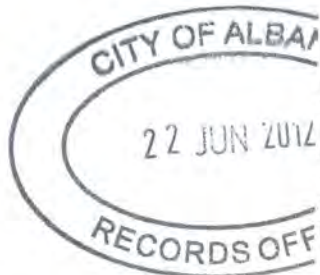
Council is thus calling for community comment on a statutory document (i.e. draft LPS1) prior to Council simultaneously making a decision on AMD303 which legally will affect that draft LPS plan.

It is the LKPA's view that AMD303 (along with any other Scheme Amendment lodged prior to but not yet been subjected to a completed community consultation process by 21 February) should also be subject to the moratorium placed on new applications in view of -

- There being no possibility of knowing the outcome of AMD303 application and its influence on the draft LPS1 before comments on the LPS1 due by 3 August.
- Conflicting information with respect to zoning being presented to the community currently in both the scheme amendment and draft LPS1 documents
- Confusion amongst the Kalgan community, from whom the Council is seeking informed comment and advice. This cannot be achieved when there are two extremely important comment processes working in parallel with each other.

Further -

- Council has set a precedent for not supporting development proposals and applications during the assessment of related important statutory and strategic documents. The same principle should apply to the assessment of AMD303 while the draft LPS1 is out for community comment.
- Council should not distract council officer effort and resources from expediting an update of existing statutory documents into the new LPS1.
- While there may not be any legal requirement to impose a moratorium, LKPA members would hope local government practice would be to 'appropriately transition from existing Schemes to a new Scheme'. It could be argued that Council demonstrates less interest in protecting Kalgan community interests than for support to the interests of the developer.



Doc No:  
File  
Date  
Officer  
Attach.  
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City of Albany Records  
ICR1267975  
AMD303  
22 JUN 2012  
SPLAN2.CEO4

20<sup>th</sup> June 2012

Chief Executive Officer  
**City of Albany**  
North Road  
ALBANY  
WEST AUSTRALIA 6330


Dear Sir/Madam,

With reference to the public meeting at the Lower Kalgan Hall on the evening of 18<sup>th</sup> June 2012, regarding the proposed **Candyup Subdivision** at Lower Kalgan, I wish to submit some of my concerns with regard to the proposal.

In 1990 my wife and I were obliged to leave Lower King to escape suburbia and its attendant problems. At great cost we re-located to Hunton Road, Kalgan, a quiet and peaceful place to live, this peace and quiet is now under threat thanks to the proposed subdivision on my doorstep.

Other concerns are as follows.....

- (a) It appears more traffic will be carried on Hunton Road, the intersection at Hunton Road and Nanarup Road is already dangerous, owing to the topography, vision to ones left is seriously compromised, there will be traffic accidents at this intersection.
- (b) As this is a rural farming area there are going to be problems with stray dogs wandering and attacking livestock.
- (c) There appears to be a proposed road coming from the development to bring traffic into Hunton Road, this will be opposite my driveway where red and black cockatoos, a protected species, are often seen. Any development here will spell the end of these cockatoos.
- (d) Owing to the small size of the proposed lots this will lead to the destruction of a quiet, pleasant rural area, a minimum of 32000M2, eight acres, would be more appropriate, otherwise this development will create suburbia with all its problems in a predominately farming area.

Yours faithfully,  


The Chief Executive Officer

City of Albany

P O Box 484

ALBANY 6330



Doc No	City of Albany Records
File	ICR1267904
Date	AMD303
Officer	21 JUN 2012
	SPLAN2

Attach  
30x  
/o!  
30x+Vo!

Dear Madam

**PROPOSAL TO RE ZONE PORTION OF LOT 461 ( Lot 50 ) NANARUP ROAD FROM RURAL ZONE TO SPECIAL RESIDENTIAL**

When Council considers the amendment to the Town Planning Scheme 3 as regards the above we make the following comments against such future approval:

The proposed amendment belies all logic because:

The proposed land is prime agricultural land with a strong history of production which, once rezoned cannot be replaced. Replacement of agricultural land is impossible.

The proposed development is "development for development sake" benefitting the Proposer in particular and the City of Albany and not the local residents.

Identify current demand - there does not appear to be any "pent up demand" for land the size proposed within the market at this time and perhaps not for some time.

Existing local residents who moved to live within the Kalgan district to the East of the Kalgan River over time did so to enjoy the "Rural Atmosphere/Living" in the knowledge that they were far enough away from "Suburbia" to enjoy the environment.

This proposal will destroy that living environment and bring "suburbia" within reach being with it the associated difficulties hence the change of Zoning from Rural to Special Residential and not Special Rural, which is readily acceptable, is disturbing.

Before such a proposal is passed the following Infrastructure matters need to be considered:

1. Drainage of Sewerage, Storm water, general roadway run off to avoid pollution of the Kalgan River and Oyster Harbour
2. Water supply
3. Fire Brigade safety/access/egress
4. Locality requirements - planning for future school sites, commercial businesses etc
5. Road/traffic/safety upgrades/requirements

6. Kalgan River Bridge improvements including a safety walkway. (Actually required now)
7. Environmental study as to the destruction of natural vegetation and land slippage
8. Waste Management
9. Provision of Public open space/recreational matters

In May 2006 the Kalgan Community presented to the City "ISSUES FOR CONSIDERATION IN KALGAN PRECINCT PLANNING" a copy of which is attached hereto for your further consideration.

Thank you for the opportunity to register my/our concerns.

Yours faithfully

A handwritten signature is written over the text "Yours faithfully". The signature is a cursive-style name, possibly "John", written in black ink.

## ISSUES FOR CONSIDERATION IN KALGAN RECINCT PLANNING

This list has been derived from a workshop held at the Lower Kalgan Hall on 7 May 2006. The workshop was attended by more than 70 people, which is equivalent to one third of Kalgan ratepayers.

### PLANNING

Overall Plan for Kalgan and Environs to be developed – long term and comprehensive

#### Planning Process

- LKPA Planning and Developments Committee to be expanded and better supported financially
- Funding to employ *professional and independent* planning support guiding community input
- Regular planning meetings involving community and planning partners
- Support for community involvement from City of Albany, GSDC (facilitation and funding), others...
- Visions setting – improve awareness of options for planning, what can be achieved (eg through hearing about what other communities have achieved) and include an active Vision Setting component to the Precinct Planning process

#### Planning Policies

- To be based on interactive community involvement and input
- Regular meetings between community and other planning partners an important part of the planning process

#### Planning Partners

- Community to be equally involved in planning as other planning partners
- Planning Partners – to include all relevant members of the government (eg EPA, Water and Rivers Commission, etc) and non government (eg. LKPA, developers, tourism, etc)

#### Background Information to Planning

- City of Albany
  - community to be fully briefed on ALPS before able to respond fully to development of a Precinct Plan
  - seek information on current spending by Council on the Kalgan locality (eg on reserves, public facilities, etc etc). Information to include a comparison of spending with other districts within the City
- Other planning partners (eg. CALM, Water Corporation, Western Power, Main Roads, Noongar community, etc...) to be identified and brought into district planning process

### **Funding**

- Adequate funding for the development of a comprehensive, community based district plan to be established
- Future growth projections be costed. This to include infrastructure development

### **LAND CAPABILITY MAPPING**

**This must be done as a matter of priority and become the basis of all future planning activities. THIS IS CONSIDERED AN IMPERATIVE TO THE DEVELOPMENT OF A SUCCESSFUL PRECINCT / LOCALITY PLAN.** Land capability mapping to include:

- Topographic mapping
- Soil types
- Flora - remnant vegetation needs to be identified, mapped, surveyed and assessed for its qualities, and a system of green belts and reserves developed
- Fauna
- Road systems – network and condition
- Current land-use
- Fire management needs

### **UNIQUE DISTRICT IDENTITY AND VISUAL AMENITY**

- To be retained and maintained (country character, scenic beauty). THIS IS A UNIQUE POINT OF DIFFERENCE FOR THE KALGAN.
- Visual impact study to be undertaken
- Maintenance and retention of remnant vegetation
- Tree planting to provide screening using local plant species
- Visual impediments to be avoided and dis-allowed (eg. high density housing in highly visual locations, blue gum plantations that change the natural colour and nature characteristics of the area)

### **NATURAL ENVIRONMENT**

#### **River, harbour and tributaries**

- Their natural environments to be retained and preserved
- Development and implementation of a management plan
- Setbacks to be established and enforced
- Preserve recreational and reserve character – passive use a priority
- Ensure economic ventures using these facilities meet visual amenity and environmental management needs
- Revegetation
- Provision of Public Open Space

#### **Remnant vegetation**

- Vegetation survey to be conducted

*LPA  
CARM*



- Ensure future subdivisions allowances meet community expectations and equity demands
- Maintain visual amenity (eg. clusters of smaller area, higher density housing to protect overall visual amenity)
- Block sizes to be no less than Special Rural (ie. 1ha)
- Block size east of Hunton Road to be no less than 40ha

Development set-backs - for rivers, streams, vegetated areas and wetlands – to be defined and implemented

Future growth projections to be costed

Land use conflicts - development of policy to assist with resolution (eg. partner contributing to district economy and/or meeting pre-defined land use expectations to be given priority)

Preservation of rural ambiance, semi-rural lifestyle, and space and privacy for landowners who would like it

Urban sprawl

- Avoid
- intense development to be in or close to the City
- Not become a dormitory suburb

#### **LOCAL ECONOMY / ECONOMIC DRIVERS**

Current land-use information – what and where is it, does it sit within land capability constraints, how will it influence future development, needs to be available in map format

Existing commercial enterprise

- to be retained, encouraged and supported (eg. rural, horticultural, tourism, retail etc...)
- Viable economic land-uses to be developed around these areas not over or in them, with residential development on should be concentrated on lower-quality agricultural land

New (and appropriate) enterprise to be encouraged, including alternative income generation businesses that provide lifestyle opportunities for retirees, self employed and working from home

Tourism

- Tourism plan to be developed and activated. This plan to consider:
  - Impacts – social, environmental, economic
  - preferred locations for
  - economic potential
  - growth options and needs [including ongoing support for tourism by maintaining lifestyle qualities, naturalness and country character of the Kalgan locality]

- Incorporate into a Reserves and greenways plan that includes the Kalgan River and Mt Martin/Gull Rock, and which meets fauna needs
- Retain and effectively managed to prevent degradation
- Setbacks to be established and enforces

#### Fauna

- Fauna survey to be conducted
- Maintain environment suitable for native fauna
- Vermin control (foxes, rabbits, kangaroos)

#### Beaches and reserves

- Wetlands – to be protected
- Clearing of vegetation – none to occur
- Beaches – preservation of and access to them
- Vermin (especially kangaroos) – management controls developed and implemented
- Partnering – maintain connections with CALM and EPA involvement

#### Weeds

- Weed management strategy to be developed and implemented
- Weed control to be incorporated into developments and subdivisions

#### Fire management

### INFRASTRUCTURE DEVELOPMENT

Current and future requirements - are for:

*TRAFFIC*

- Road maintenance and upgrades (including between Lower King and Lower Kalgan bridges, and Mead Road and Nanarup T Junction)
- Road reserve management
- Waste management – improved rubbish collection services, provision of district waste disposal area, environmentally friendly and innovative facilities, sustainability to minimise contamination
- Reserves management, pathways and cycle-ways plan (including extension of harbour cycleway/pathway to Nanarup, Lower Kalgan Reserve pathway and footbridge over Kalgan River)
- Boating facilities – improvements to existing ramp, new ramp
- Public transport facilities
- Water supply (to Swan Point and other developments – or provide a subsidy)
- Underground power supply - for maintenance of visual amenity and fire safety
- access to information services (internet connections, library services, cost of access to information services)
- Local shopping facilities [not all travels to Albany]
- Primary school
- Communications systems (broadband)
- Catering for all age groups (young through to old)
- Tourist drives (eg. Gull Rock tourists Drive Like Marine Drive)
- New bridge (between Mt Martin and Emu Point)

- Recreational facilities – retention and maintenance of current, and development of new (eg at Lower Kalgan bridge with bbq, gazebo)

Location of future infrastructure to be planned and be matched to future development and demographic needs, with consideration given to

- aging population
- reducing requirements for travel to city

Infrastructure Development Levy – on new blocks from sub-divisions to finance LOCAL infrastructure

Council to provide administrative and/or financial support for provision of community services

### **INNOVATIVE LAND-USE AND MANAGEMENT SYSTEMS**

Further development MUST INCLUDE and address issues such as

- sewerage systems
- potable water supply (that does not rely on scheme water; rainwater tanks/self sufficiency to be encouraged)
- water catchment and usage
- land trading rights (where contribution to community values is traded with more intensive land-use rights)
- block size (to include rural and semi rural, and location)

### **FUTURE GROWTH AND LAND DEVELOPMENT**

Demographics – current and future demands

Future demand and growth predictions for the Kalgan locality – what are they and where

Planning regulations, constraints and visions – who has them, what are they, how do they influence future planning options, if inappropriate how can they be changed

Consistent handling of proposed development – small and large landholders / developers treated equitably

In accordance with EPA and DPI demands and regulations

Block Sizes and Locations

- Identify current demand
- Identify future need and preferred locations for
- *Balance between rural / hobby farms / residential lots*
- Block sizes - variety of sizes to meet a variety of need (eg. residential, horses, tourism, aging population etc)
- Scatter of different size blocks throughout the district
- Potential land-use conflict issues to be considered

- partners in development - Noongar community, CALM
- implementation strategy

Industrial enterprise – to be considered

Economic sustainability – from rates, taxes and rezoning being turned back into the community

Incentives for intensive land use and rural enterprise

Subdivisions – support but only if done well and in accordance with community approved development plan

Facilitate and encourage local employment / self employment opportunities

AMD303  
Jan.



June 28, 2012

Chief Executive Officer  
City of Albany  
PO Box 404  
Albany WA 6330

Doc No	City of Albany Records
File:	ICR1268567
Date:	AMD303
Officer	29 JUN 2012
	SPLAN2

Submission with reference to...  
Town Planning Scheme No.3  
Amendment No.303

Attach  
Box  
/ol  
Box+Vol.

Dear CEO/acting CEO/planning staff:

I am writing this submission with concern for the above mentioned amendment to the town planning scheme, which includes a development proposal for Lot 50 Nanarup Rd, particularly for rezoning from Rural to Special Residential

I am concerned as the son of a rural land holder for an adjoining property as well as a business owner conducting business activities on this adjoining property.

My concerns are on two levels; firstly for the development itself, bringing residential holdings into a rural setting, and secondly for the overall planning strategies for the Kalgan area particularly for managing services such as water, power, sewer and roads.

1. Surrounding rural properties need to be able to conduct their businesses without obstruction. Control of weeds, pests, diseases, vermin all need to continue, without complaint and obstruction. There is a very high likelihood residential development along side these activities will result in complaints, objections, arguments and potential court cases. Planning and development design needs to take this into consideration. Buffer zones with additional vegetation particularly on the Western Side of the proposed development, do not appear sufficient or even existent in the development proposal. At least 30m wide strip of Native trees and shrubs is needed down the entire Western Boundary, to provide this required buffer. This will also provide a good habitat for native fauna to shelter. A fire access track also needs to be included down the entire length of this boundary.
2. As a regular user of Lower King Rd and Nanarup Rd I see traffic congestion as being a real problem, with congestion and increased use comes increased accidents and the much greater risk of a fatal accident. The current volume of traffic at peak times is near capacity, so with projected numbers potentially doubling across the Kalgan Bridge (based on one additional vehicle per household, for the total potential house blocks in this development as well as further planned developments at Swan Point) the situation can only get much worse. Road upgrades will be required without question. Further to this will be the additional pedestrian traffic on the Kalgan bridge – any of which is an accident waiting to happen. A dedicated pedestrian walkway is essential, particularly in relation to children getting to and from the Grammar School Safely. Increased uses of the beautiful Kalgan river as a recreational area will also increase the demand on the bridge with a big increase in pedestrian numbers.

I look forward to a response to this submission and hope that approval to the proposed development is postponed until these concerns are addressed.

Sincerely,





R K SNOWBALL  
PO BOX 5284  
ALBANY 6332

8 June 2012



Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY 6331

City of Albany Records  
Doc No: ICR1267303  
File: AMD303  
Date: 14 JUN 2012  
Officer: SPLAN2

Attach:  
Box:  
Vol:  
Box-Vol:

Dear Sir/Madam

RE: TOWN PLANNING SCHEME NO. 3  
AMENDMENT 303  
PORTION OF 461 (LOT 50) NANARUP ROAD, KALGAN

I have perused the plans and documents referring to the proposal to re-zone from "Rural" to "Special Residential".

I wish to support the proposal.

I am familiar with the land and consider it to be most suitable as "Special Residential" lots. A successful subdivision will provide the opportunity for future residents to acquire lots with outstanding views in a picturesque location.

Even though there are several "Special Residential" subdivisions in the Albany area none possess the quality of views and scenery as that of the subject land. In addition Albany seems to concentrate on providing very small suburban lots which do not always hold appeal for lifestyle buyers. As a result many lifestyle buyers have opted to acquire property in Denmark with the result that Albany misses out on attracting them to this city.

Yours faithfully

**Jan Van Der Mescht**

---

**From:** Planning (External Use ONLY)  
**Sent:** Friday, 25 May 2012 4:43 PM  
**To:** Jan Van Der Mescht  
**Subject:** FW: EF1266080 - AMD303 - Amendment No.303 - Rezone Portion of Lot 50 No.461 Nanarup Road, Lower Kalgan

**SynergySoft:** EF1266080 - AMD303

FYI

---

Jessica Davidson  
**Administration Officer - Planning**

**Tel:** (08) 9841 9383  
**Fax:** (08) 9841 4099



PO Box 484 | Albany | WA | 6331 (102 North Road Yakamia) | [www.albany.wa.gov.au](http://www.albany.wa.gov.au)

Please consider the environment before printing this email.

---

**From:** Walkerden, Norm F [<mailto:Norman.F.Walkerden@team.telstra.com>]  
**Sent:** Thursday, 24 May 2012 2:48 PM  
**To:** Planning (External Use ONLY)  
**Subject:** EF1266080 - AMD303 - Amendment No.303 - Rezone Portion of Lot 50 No.461 Nanarup Road, Lower Kalgan

Attn: Jan Van Der Mescht

Ref: AMD303/PA37945/AMD303

**Amendment No.303 - Rezone Portion of Lot 50 No.461 Nanarup Road, Lower Kalgan**

Thank you for the above advice. At present, Telstra Corporation Limited has no objection. I have added it to our database and look forward to further documentation as the development progresses.

A network extension may be required for any development within the area concerned, the owner/developer will have to submit an application before construction is due to start to NBNC Co or the Telstra Smart Community website: <http://www.telstra.com.au/smart-community/developers/> .

More information regarding NBNC Co can be found on their website <http://www.nbnco.com.au/> . I add this information about NBNC Co as it is not known when services will be available from NBNC Co. Telstra may provide services if NBNC Co cannot.

Please dial 1100 (Dial before You Dig) for location of existing services.

Regards,



**Norm Walkerden** - Strategic Forecaster

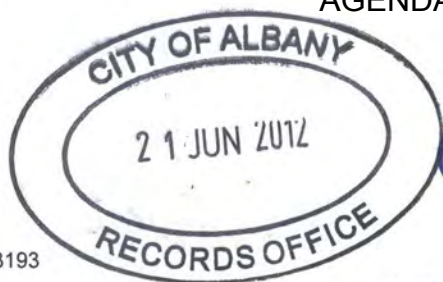
Forecasting & Area Planning, Fixed and Access Engineering, Network and Access Technology, Telstra Operations

**Postal:** Locked Bag 2525 Perth WA 6001 **Phone:** 08 6224 6272 **Email:** [Norman.F.Walkerden@team.telstra.com](mailto:Norman.F.Walkerden@team.telstra.com)

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AMD303  
Jan



Your Ref: AMD303/PA37945/AMDAMD303  
Our Ref: JT1 2011 10822 V01  
Enquiries: Ross Crockett  
Phone: 08 9420 2013 Facsimile 08 9420 3193



**Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331**

City of Albany Records  
Doc No: ICR1267902  
File: AMD303  
Date: 21 JUN 2012  
Officer: SPLAN2

15<sup>th</sup> June 2012

attach:  
box:  
/ol  
box+Vol

Attention: **Craig McMurtrie**

**Town of Albany - Town Planning Scheme NO. 3 Amendment No. 303**

Thank you for your letter of 16<sup>th</sup> May 2012 regarding the above amendment.

The Water Corporation has no objection to this amendment.

This Lot is within the Albany Water Supply scheme, however servicing will require significant upgrades, the lot is also remote from a reticulated Wastewater scheme.

If you have any further queries on these comments please phone Ross Crockett on (08) 9420 2013

**Peter Howard**  
Manager  
Land Planning  
Development Services Branch

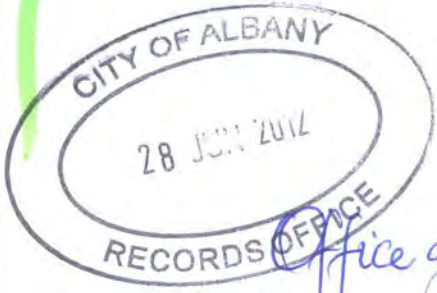


AGENDA ITEM 2.3 REFERS



Doc No	City of Albany Records
File:	ICR1268567
Date:	AMD303
Officer	29 JUN 2012
	SPLAN2

Attach:  
Box:  
/ol:  
Box+Vol:



Office of the CEO,  
City of Albany,  
102 North Road,  
Yakamia, 6330.

For the attention of Mr. Jan Van Der Mescht  
Senior Planning Officer

Dear Sir, Your ref: AMD 303/PA 37945/AMD AMD 303

We thank you for the opportunity to comment on the proposal referenced in your letter of 16 May, 2012:

1. Without LSP1 and long-term planning for the district in place, the proposal is premature.
2. In a visually sensitive rural area the projected number of lots appears excessive.
3. Any rezoning should safeguard the rural character of the district.
4. Undesirable exposure of buildings will be increased if "in order to retain views from surrounding properties shrubs and trees should be restricted in height to 3 metres," as clause 7.2 of Schedule IV requires.
5. A significant buffer area should be set up to the boundaries of adjacent rural/farming properties.

Yours faithfully,

AMD303  
Jan

AGENDA ITEM 2.3 REFERS



Mr Jan Van Der Mescht  
Senior Planning Officer  
Albany City Council

City of Albany Records  
Doc No: ICR1268508  
File: AMD303  
Date: 28 JUN 2012  
Officer: SPLAN2

Attach  
Box  
Vol  
Box+Vol

28<sup>th</sup> June 2012

Dear Sir,  
I wish to comment on the proposal to rezone a portion of 461 (Lot 50)  
Nanarup Road from Rural Zone to the Special Residential Zone.

I am the owner of  
[redacted]

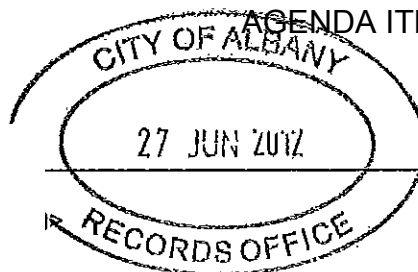
and have been for 46 years. My property was originally part of  
"Candyup".

I am aware of the growing need for urban expansion and the increasing  
desire  
for "Life Style" properties which quite often are difficult to manage re:  
livestock,  
firebreaks etc.

I would like to lodge my approval to this proposal for "Special Residential"  
zoning with the proviso that "green belts" are incorporated into the  
future  
development.

Thankyou for the opportunity to comment on this proposal.

Yours Faithfully.



AMD 303  
Jan.

To: <staff@albany.wa.gov.au>  
Sent: Friday, 22 June 2012 10:48 AM  
Subject: Albany Town Land Planning Scheme amendment 303 lot 50 Nanarup rd.

Mr. Jan Van Der Mescht, Dear Sir, Your letter dated May 16 which we we only picked up at Lower King PO on May 24, and I now understand was circulated separately to adjoining immediate neighbours and advertised in some local free papers. This has left us very little time to inform other people and help organise a small meeting at the Kalgan Hall on June 18 and learn of the June 28 deadline! However, I now submit as follows:-

\* The proposal to rezone a portion of 461 Nanarup Rd from 'Rural' to 'Special Residential', seems to be very much planning in isolation of all of the surrounding landscape. No advice has been given on the impact to our adjoining properties, ie set back, intrusional aspect, safety etc.

\* From the discussion of plans last night it appears that some attractive farming land north of the Lower Kalgan Bridge presently zoned 'Rural' is now proposed as 'Special Residential'. In my opinion it would be unwise planning to treat this section of 461 (lot 50) Nanarup Rd., being the steeper country adjacent to Mt.Boyle which is only part of an open hilly paddock with a view and lots of drainage problems.

\* This proposed steep area needs to be treated very carefully and in association with the rest of the landscape because of the of the greater potential hazards of soil and land degradation. Even average and certainly unpredictable heavy run off would put considerable pressure onto the Kalgan River mouth and the Oyster Harbour environment.

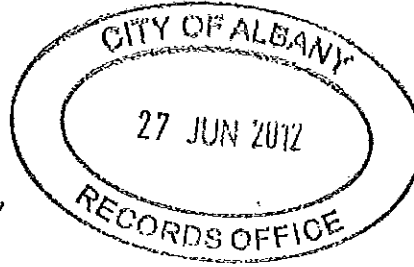
\* The writer also noted community concern expressed regarding lack of sufficient attention to the surrounding neighbours, many of whom have smaller properties, but large enough for further subdivision and would feel the brunt of insufficient safeguard to protect their holdings from the possible land degradation outlined above.

\* Another important matter discussed at the meeting was the Bush fire some 12 Years ago and what a threat this would have been to such a small separate urbanised residential development. The proposal does not seem to have been planned sufficiently for such an eventuality with wide safe fire breaks. In fact there seems no provision on the western boundary adjacent to our property for a satisfactorily wide divisional break with suitable trees and clear park land verges. Whatever is intended on the developers own property also needs to be identified.

\* I feel strongly there is a lack of local facilities to cope with the possible settlement after the release of this more attractive hilly landscape, particularly if 250 more families were required to share Lower Kalgan's already strained resources:- Public educational facilities in the form of a State School and or bus services: The Lower Kalgan Bridge presently with no safe pedestrian access which has been the subject of lobby for 15 years or more: Corner street lights at the bridge ends are a must for immediate safety: Also at Hunton Rd., a very dangerous junction terminal from Nanarup with only a 160m down hill decline from the corner. Other street corners needing street lights would have to be Norwood Rd. from Chester Pass Rd. and Nanarup Rd. to junctions with Prideux, Mead, Kalgan Heights, East Bank and Gull Rock Rds.

In summary I am not in favour of such a relatively small separate release in isolation with this attractive piece of useful rural property over looking Candyup Creek and Nanarup Rd. Quite obviously it is premature to the existing demand for residential property. There being so much land around Albany City now we could further lower the general value of existing land by contributing further to the existing over supply. Furthermore there is a very real danger that the premature singular development of sealed roads, waste disposals and buildings on this very select steep agricultural land in question could create devastating pollution, erosion and landscape degradation to this existing scenic water environment of the Kalgan River and Oyster Harbour region.

It further occurs to me that this whole business is being conducted with too much haste and more time should be on our side for planning to protect this pristine area which is so important that it should not be hurried. Indeed the Lower Kalgan Progress Ass. which has had a very important historical association within this region seems to have been totally ignored in this semi prioritised isolated proposal, and should be allowed sufficient time to formulate a proper submission to help achieve a satisfactory conclusion.



To the The Mayor, the Hon Dennis Wellington,

And all City Councillors.

Albany City Council

Dept. of Town Planning. Attention Mr. Dale Putland & Mr. Jan Van Der Mescht from Rural

Re **Proposed Rezoning portion of 461 (lot50) Nanarup Rd. to Special Residential Zone**

As a joint owner of adjoining rural land Lot No's 16 & 17 on Moonlight Rd. No's 54, 55 & 53. I have studied both the Proposed Special Residential Zone information and WAPC Policy No D.C.2.5 Special Residential Zone document.

I now submit my objects and concerns as follows:-

1/ The time given for response to correspondence of the proposal as sent out by the City Council was only 42 days (16 May-28 June) certainly insufficient to have professional input on our behalf when lodging objections to the Proposed Zoning.

2/ No consideration by the proponents has been given to the adjoining land owners in regard to their rural pursuits, rural ambience or obstruction of views from their own properties.

**See attached photographic evidence**

3/ It is necessary for a buffer zone of 40 metres to be established the full length of adjoining agricultural property, thereby accommodating fire control accessibility and growing of a suitable tree break of moderate height and density to help control dust, noise, smells and chemical drift. **N.B. There is no fire control zone set aside on the eastern boundary of the proposal.**

4/ Any residential lots set aside adjacent to such a buffer zone should be **NO SMALLER THAN ONE HECTARE IN SIZE** (policy objectives document 2:1) in order to protect the character and amenity of adjacent rural areas.

5/ All buildings must be of single storey in design to minimise the visual impact on adjoining neighbours both within the proposed Special Residential Area and from beyond.

6/ All outbuildings must be controlled at 4.8 metres maximum gable height with 4 metre external walls.

7/ With reference to the WAPC DOCUMENT POLICY D.C. No 2.5 Special Residential Zones. There is conflict with this proposed application and the written policy. I bring these to your attention. **See policy document enclosed with areas of concern highlighted.**

In summary I believe the proposed Special Residential Zone is unnecessary as the population needs, and availability of suitable land of this nature in block sizes as requested are already available. The application also pre-empts the decision of the Statutory City Planning Scheme which is already seeking comment from the ratepayers by August 3. It is my firm conviction that the zoning of the whole Candyup area as Special Residential is not in keeping with the policy document No DC 2.5.

Time must be set aside for a FULL WORKSHOP PLANNING PROCESS WITH ALL PARTIES CONCERNED including Government services to ensure that this attractive and sustainable development area known as the Lower Kalgan Pod is correctly planned for the future stability with a real regard for conservation of this wonderful Kalgan River and Oyster Harbour environment!

25/6/2012

**Enclosed Documents**

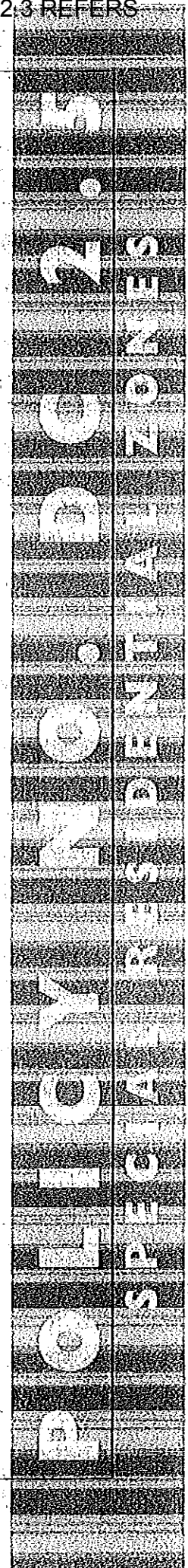
- 1/ W.A.P.C.Policy D.C. 2.5 Special Residential Zones
- 2/ Albany Town Planning Strategy showing Candyup area
- 2/ Proposed Zoning City of Albany Town Planning Scheme No3 Ammendment No 303
- 4/ Subdivision Guide Plan Lot 50 Nananup Rd. Kalgan
- 5/ Pictorial Topographical Evidence of Loss of Views and Ambiance of adjoining Property Owners pages 1 and 2

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WESTERN AUSTRALIAN  
PLANNING COMMISSION





**BACKGROUND NOTES**

1. This policy replaces Policy Statement No. P.6 Special Residential Zones of the former Town Planning Board which was first published in April 1982 and modified in January 1985.
2. The policy was reconsidered and updated by the Commission in June 1998. Some minor recent modifications have been made to the policy which include:
  - a) The reintroduction of exceptions to the basic requirement that in the metropolitan region, all Special Residential zones should be located within areas zoned Urban by the Metropolitan Region Scheme.
  - b) It is made clearer that, while the Commission sets no standard requirement for the provision of public open space in Special Residential zones, a contribution will normally be required.
  - c) The requirement for Special Residential lots to be connected to underground power.
3. This policy also relates to other policies in this manual. These are:
  - Policy No. DC 1.1 - Subdivision of Land - General Principles
  - Policy No. DC 2.1 - Residential Planning Codes
  - Policy No. DC 2.3 - Public Open Space in Residential Areas.

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**1. INTRODUCTION**

- 1.1 In order to accommodate the various lifestyle requirements of all sections of the community, the Commission is committed to the provision of a wide range of lot sizes.
- 1.2 The purpose of Special Residential zones is to allow for lots of a size which will offer a style of spacious living at densities lower than those characteristic of traditional single residential developments but higher than those found in Special Rural zones.
- 1.3 This policy sets out the requirements of the Commission for the creation of such zones in terms of location, internal design and servicing, and statutory provisions.

**2. POLICY OBJECTIVES**

- To provide for the creation of lots of between 2,000 square metres and one hectare in suitable locations. *2.47 acres*
- To ensure that the use and development of such lots are subject to appropriate standards and controls.
- To protect the character and amenity of adjacent rural areas.

**3. POLICY MEASURES**

**3.1 Locational Requirements**

- 3.1.1 Because Special Residential zones are less efficient in both the use of land and utilisation of services when compared with conventional residential subdivisions, the Commission considers that such zoning should be used only sparingly and, as its name implies, only in special circumstances.
- 3.1.2 A local government's decision to create a Special Residential zone should be based upon a site analysis and take into consideration such matters as topography, soil and climate as well as an assessment of the effects of development on the environment.
- 3.1.3 In its consideration of a proposal, the Commission will have regard for the following, although the list is not exhaustive and in particular locations other factors may be equally relevant.

- a) While Special Residential zones represent an intermediate zoning between residential and rural living, the Commission considers that they are essentially residential. Such zones should be adjacent to existing or planned residential areas and have good access to schools, community facilities and other urban services.
- \* b) Special Residential zones should avoid good agricultural land, State Forests and water catchment areas, and should not prejudice important mineral or stone deposits.
- \* c) Landscape worthy of preservation and/or which is clearly visible from roads of regional or national importance should generally be avoided.
- d) Topographical features of the land (for example hilly or undulating), distinct attractions such as creeks or water features, distant views or fine trees will be considered.
- \* e) Cadastral information so that, in areas of existing small lots, Special Residential zones may rationalise a poor existing layout and provide for road access where this is inadequate.
- f) Advice from Main Roads Western Australia will be considered where the subject land is adjacent to highways, main roads and proposed bypasses. Such areas should be avoided, unless subdivided as part of an overall town planning scheme.

3.1.4 In the metropolitan region, Special Residential zones will generally be approved only for land which is zoned Urban in the Metropolitan Region Scheme. Exceptions to this policy will be considered only where:

- the proposal is for development with a rural-residential theme in a rural setting;
- the proposal relates to land which will remain in the Rural zone for the long term and is not likely to be required for future urban purposes; *CONFLICT WITH ALPS PLAN*
- there is provision for land use and management controls to ensure the proposed subdivision and development is consistent with the predominantly rural character of the area.

*HENCE TREE BUFFER ZONE*

*PROPOSED LAND CLEARLY VISIBLE FROM NANKARUP RD OR GULL ROCK RD WHEN TRAVELLING WESTWARD.*

**3.2 Design and Servicing Requirements**

3.2.1 Lots in Special Residential zones should have a range of sizes between 2,000 square metres and one hectare, related to the nature and purpose of the particular zone. The lower lot size generally equates to the lower density range provided for in residential subdivisions, while the larger lot size equates to the minimum acceptable to the Commission in Special Rural zones where reticulated water is provided. The relevant Residential Planning Codes are those up to R 5.

3.2.2 The lot sizes selected for a particular Special Residential zone should reflect the topographical and environmental characteristics of the land concerned. A variety of lot sizes should be provided.

3.2.3 Design and servicing considerations which should be applied to Special Residential zones are as follows:

- a) Because they are essentially residential, the Commission considers that Special Residential zones should be provided with the type and standard of services typical of normal Residential zones. In particular, reticulated water will be required as a condition of subdivision approval. Provided that the land is suitable for on-site effluent disposal, connection to a reticulated sewerage system may not be required.
- b) Because of their spacious character and large lot sizes, the Commission does not specify a standard open space contribution for Special Residential zones. Land for public open space will be required, however, when the provision of recreational open space is considered desirable or when it can include an important topographical feature such as a creek, lake or group of trees which is to be retained as a recreational amenity for residents of the subdivision and the district as a whole.
- c) Road networks should take account of the topography and be unobtrusive, and long culs-de-sac should be avoided. Consideration should be given to the use of road networks as strategic firebreaks.
- d) Lots should be designed to capitalise on the topography of the area and to achieve the best possible amenity by avoiding unnecessary regimentation in relation to size and design.

e) As far as practicable, direct access to a major road should not be permitted and new subdivisions should be designed so that individual lot access is from minor roads.

Where access is proposed to a main road, advice from Main Roads Western Australia should be sought. Development should be set back an adequate distance from the road reserve - this is generally governed within the scheme provisions.

f) Subdivisions for Special Residential zones may result in the need to widen main roads. Provision should be made for such widening in the design since in some instances it may be required as a condition of subdivision.

HUNTON RD.

g) Building setbacks, particularly to main frontage and subdivisional roads, should be varied to create a more interesting and spacious environment.

h) The Commission will normally require the provision of underground power to lots within Special Residential zones. Where alternative power sources are proposed, the Commission may agree not to impose a reticulated underground power condition where the service provider has submitted evidence as to the availability of reticulated supply and a notice is attached to the titles of the affected lots to forewarn prospective purchasers of the circumstances under which reticulated power would be made available.

**4. IMPLEMENTATION PROVISIONS**

4.1 The development of a Special Residential zone should be controlled through provisions contained in a town planning scheme or scheme amendment, which in general terms should provide the following:

- a) that Council's prior approval to commence development is required for all development, including a single dwelling house;
- b) that not more than one single dwelling house per lot shall be erected;
- c) that buildings should be set back from the road by a specified minimum distance;

d) that permitted uses should be confined to those which are consistent with maintaining the amenity of the residential environment; and

\* e) that once a Special Residential zone subdivision has been established, further subdivision of lots created will not occur.

4.2 The scheme or scheme amendment should include a subdivisional guide plan intended for the Special Residential zone. The subdivisional guide plan may optionally be superimposed on an appropriate mapping base and must show contours, approximate areas and dimensions, the proposed staging of development, public open space, areas of substantial vegetation cover which are to be preserved, building envelopes and any other details that may be appropriate.

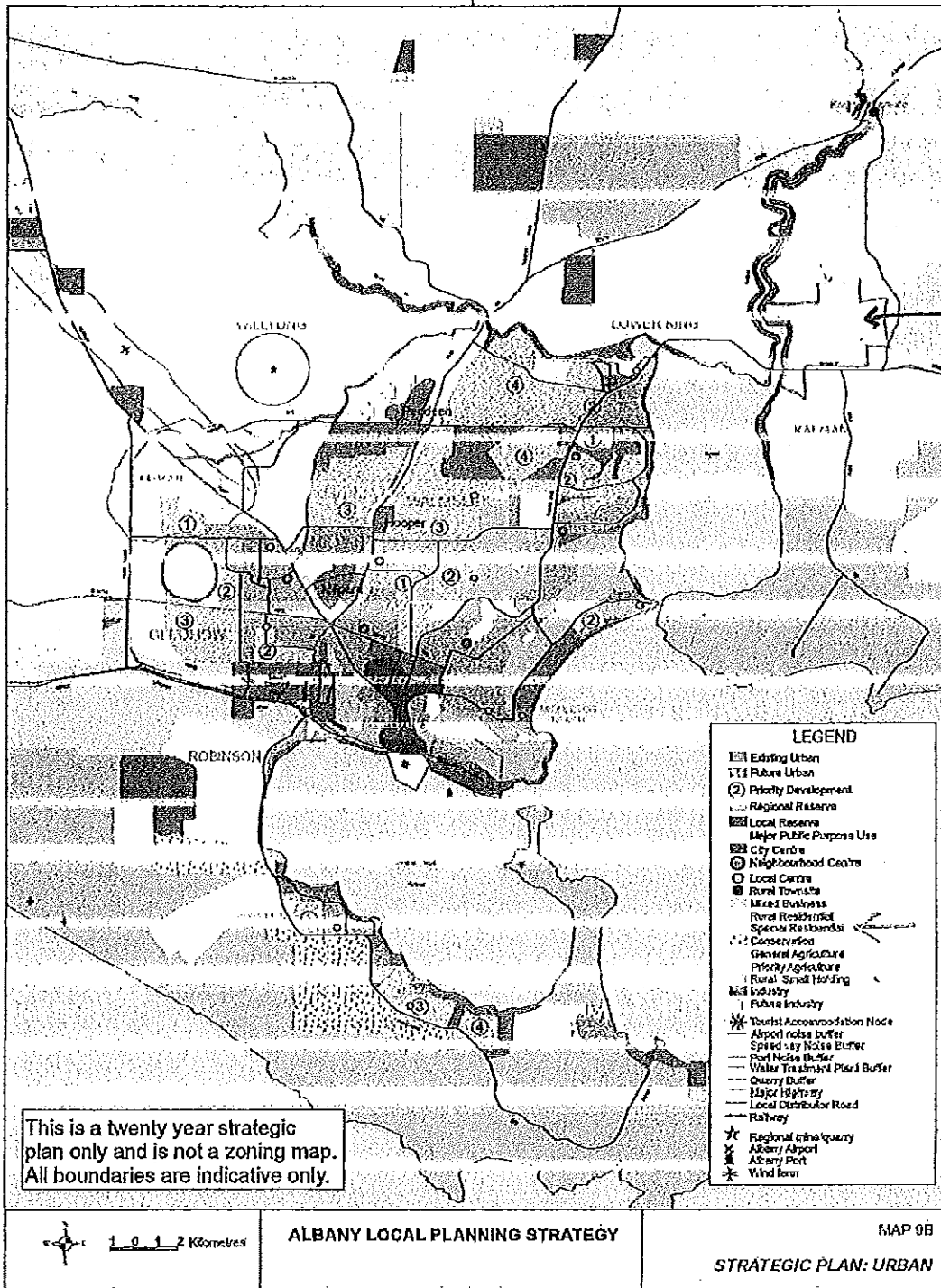
No staging development plan submitted to public viewing depicting the proposed housing lot sizes on the contoured plan.

4.3 Special Residential zones should be considered to be the maximum density to which the land should be put. Further subdivision will not, in general, be approved by the Commission.

4.4 In its consideration of applications for the subdivision of land within a Special Residential zone, the Commission will have regard for the relevant provisions of the town planning scheme under which the land is zoned. Accordingly, it will condition an approval in such a way as to give effect to these provisions.

Land is zoned rural and a new zoning if any, would come into play till 31 Aug

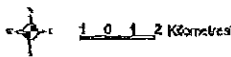
The proposed Albany Local Planning Strategy Document is not yet finalised. Last date of comment is 3 Aug. To propose this Special Residential Scheme of Special Residential Zoning is very premature as the A.L.P.S recommends Special Residential for the entire Candyup Area. - A policy we do not agree with



I DO NOT  
AGREE TO  
THIS AREA  
 AS IS PROPOSED  
 ALL TO BE  
 SPECIAL  
 RESIDENTIAL

This is a twenty year strategic plan only and is not a zoning map. All boundaries are indicative only.

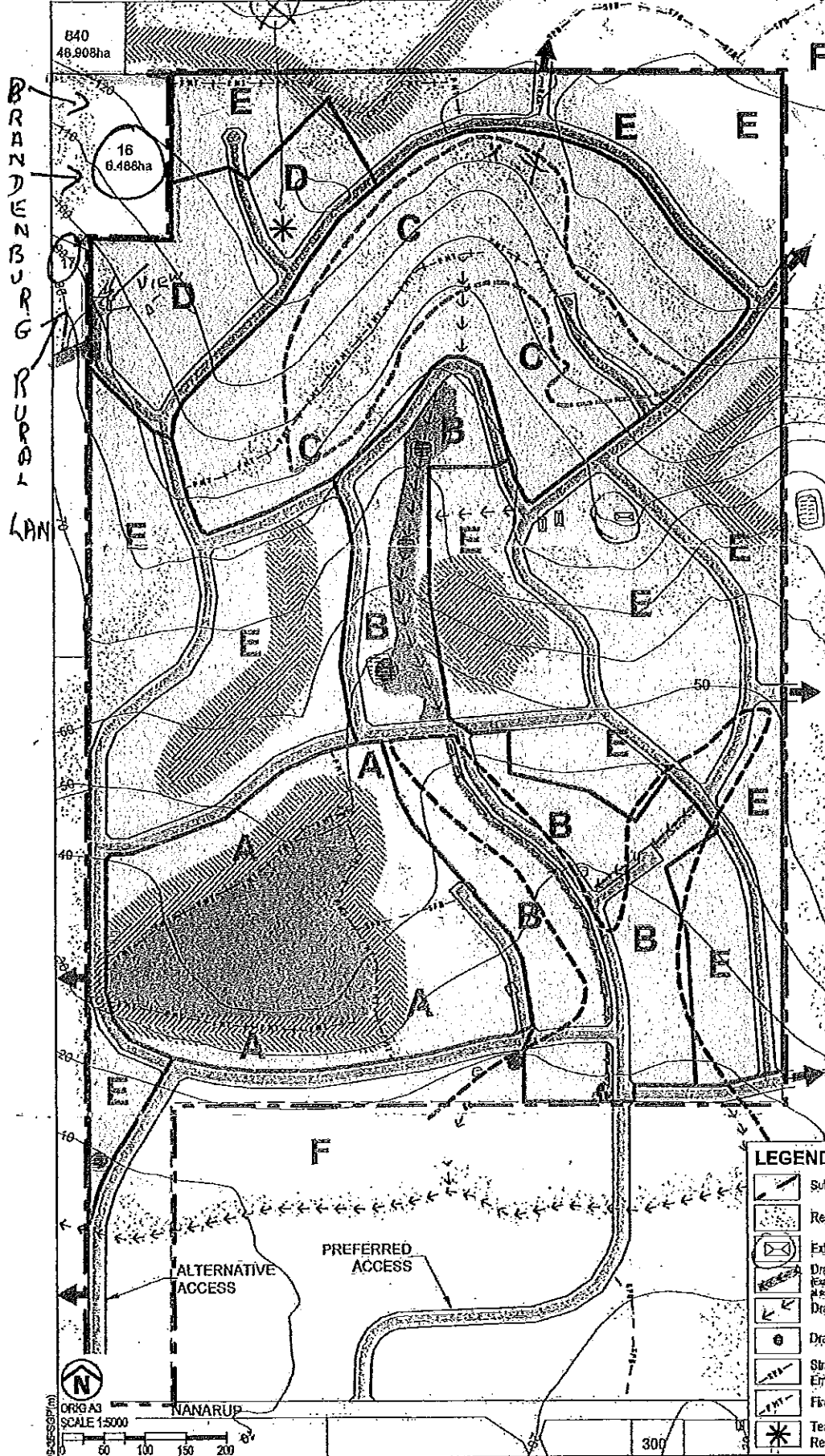
- LEGEND**
- ▨ Edging Urban
  - ▨ Rural Urban
  - ② Priority Development
  - ... Regional Reserve
  - ▨ Local Reserve
  - ▨ Major Public Purpose Use
  - ⊙ City Centre
  - ⊙ Neighbourhood Centre
  - ⊙ Local Centre
  - ⊙ Rural Town/Village
  - ⊙ Mixed Business
  - ⊙ Rural Residential
  - ⊙ Special Residential
  - ... Conservation
  - ... General Agriculture
  - ... Priority Agriculture
  - ... Rural - Small Holding
  - ▨ Industry
  - ▨ Rural Industry
  - ✱ Tourist Accommodation Node
  - Airport noise buffer
  - Spillway Noise Buffer
  - Ford Noise Buffer
  - Water Treatment Plant Buffer
  - Quarry Buffer
  - Major Highway
  - Local Distributor Road
  - Railway
  - ★ Regional mine/quarry
  - ✱ Albany Airport
  - ✱ Albany Port
  - ✱ Wind Farm



ALBANY LOCAL PLANNING STRATEGY

MAP 9B

STRATEGIC PLAN: URBAN



**Planning Precincts - Indicative Lot Sizes**  
 (Minimum lot size of 2000m<sup>2</sup> and an average lot size of 5000m<sup>2</sup> over the whole site. Approximate lot production of 215 lots.)

**Precinct A** Lot sizes ranging from 2000m<sup>2</sup> - 3000m<sup>2</sup> with house sites & building protection zones located in cleared areas.

**Precinct B** Lot sizes ranging from 2000m<sup>2</sup> - 4000m<sup>2</sup> with building envelopes located outside winter wet areas unless remediated in accordance with the requirement of the Country Sewer Policy.

**Precinct C** Lot sizes ranging from 4000m<sup>2</sup> - 5000m<sup>2</sup> on land designated as 'steep soils' and 2000m<sup>2</sup> - 3000m<sup>2</sup> on less steeply sloping lots on the periphery.

**Precinct D** Lot sizes ranging from 2000m<sup>2</sup> - 3000m<sup>2</sup> with larger lots located on steeper land adjacent to the western boundary.

**Precinct E** Lot sizes ranging from 2000m<sup>2</sup> - 6000m<sup>2</sup> with larger lots accommodating remnant vegetation.

**LEGEND**

	Subject Land		Steep Soils
	Remnant Vegetation		Temporary Perched Winter Water Table
	Existing Buildings		Planning Precincts
	Drainage Line / POS (Exact line to be determined at subdivision stage)		Proposed Roads
	Drainage Swale		Future Roads
	Drainage Basin		Future Linkages
	Strategic Fire Break / Emergency Access		Future Slage
	Fire Management Track		Perthland Cleared Hazard Separation Zone
	Tearooms / Restaurant Site		Building Protection Zone

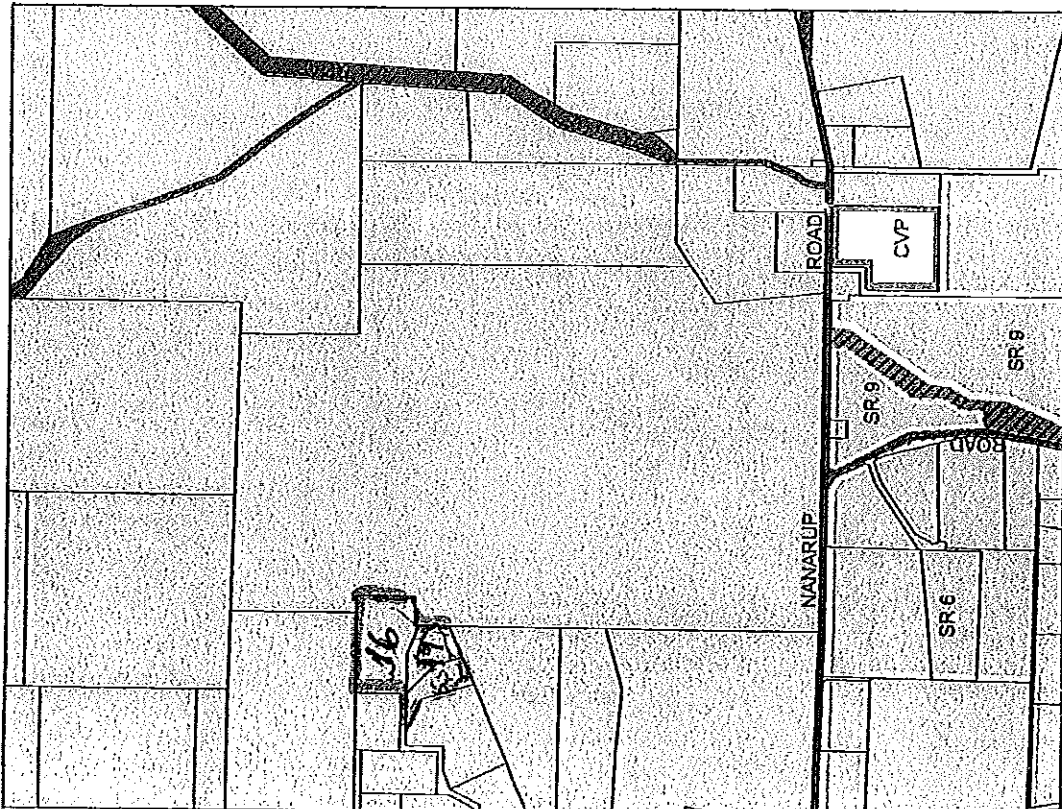
ADOPTED BY RESOLUTION OF THE COUNCIL OF THE \_\_\_\_\_ OF \_\_\_\_\_  
 AT THE \_\_\_\_\_ COUNCIL MEETING  
 ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
 CHIEF EXECUTIVE OFFICER \_\_\_\_\_

**AYTON BAESJOU**  
 PLANNING  
 11 Duke Street  
 Albany WA 6330  
 Ph 9842 2304 Fax 9342 8494

**SUBDIVISION GUIDE PLAN**  
 Lot 50 Nanarup Road /  
 Kalgan, City of Albany

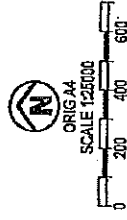
LOT 16 + 17 ZONED RURAL BRANDENBURG

Existing Zoning

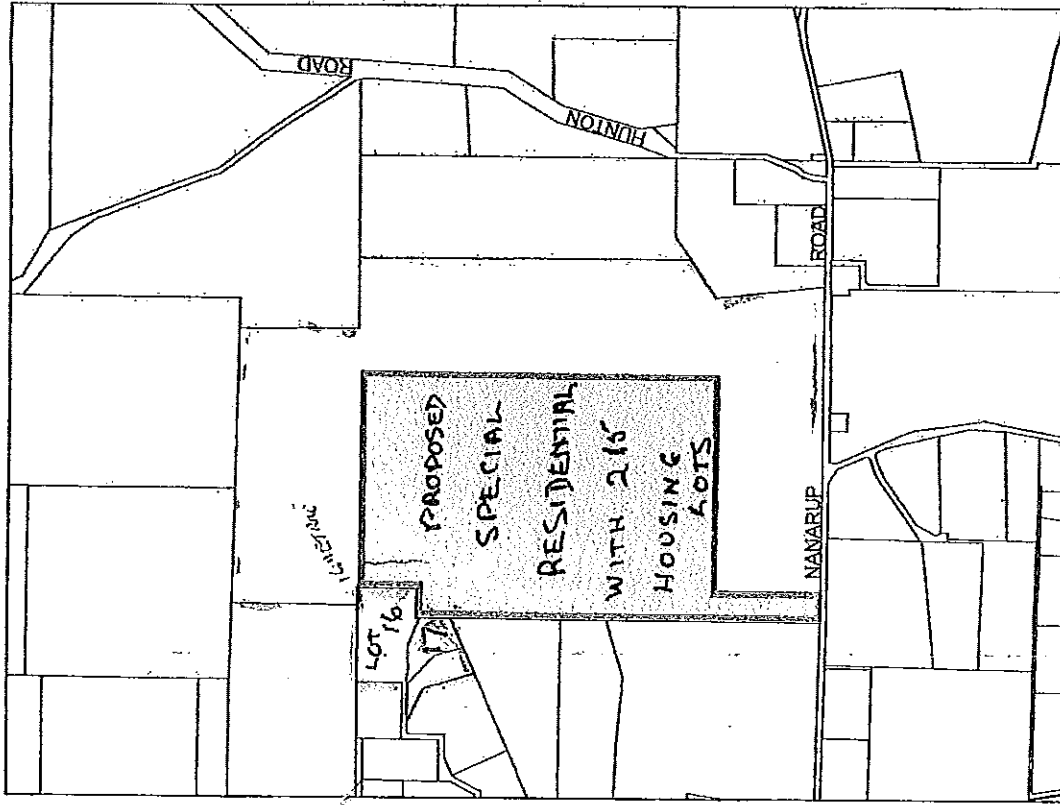


09-35-ZM(a)

LOCAL SCHEME RESERVES	
	Parks and Recreation
	Important Regional Roads
ZONES	
	Special Residential
	Rural
	Special Rural
	Special Site
	Special Site
	Decided as follows:
	Caravan Park
	CVP



Proposed Zoning



**AYTON BAESJOU**  
 PLANNING  
 11 Duke Street  
 Albany WA 6330  
 PH 9842 2304 FAX 9842 8496

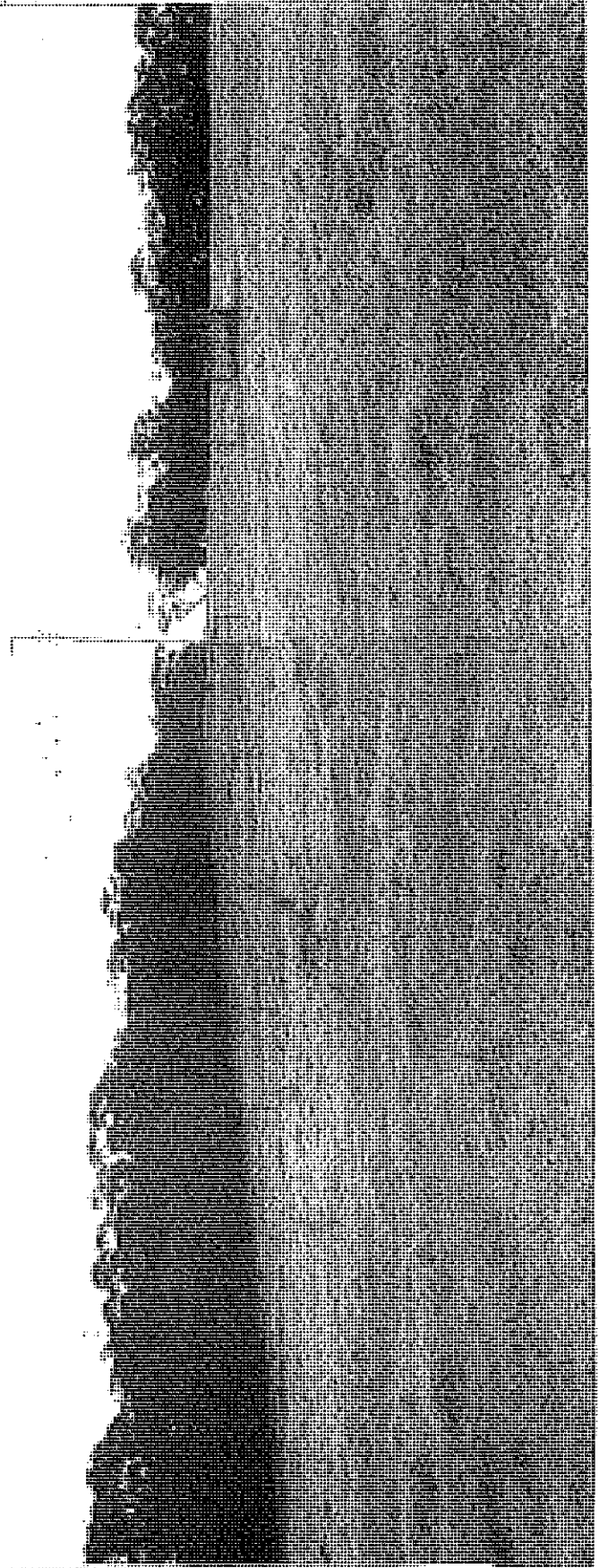
CITY OF ALBANY  
 TOWN PLANNING SCHEME No. 3  
 AMENDMENT NUMBER 303

PREPARED BY U.S. FOREST SERVICE  
55 MOONLIGHT RD LOWER KALIGAN



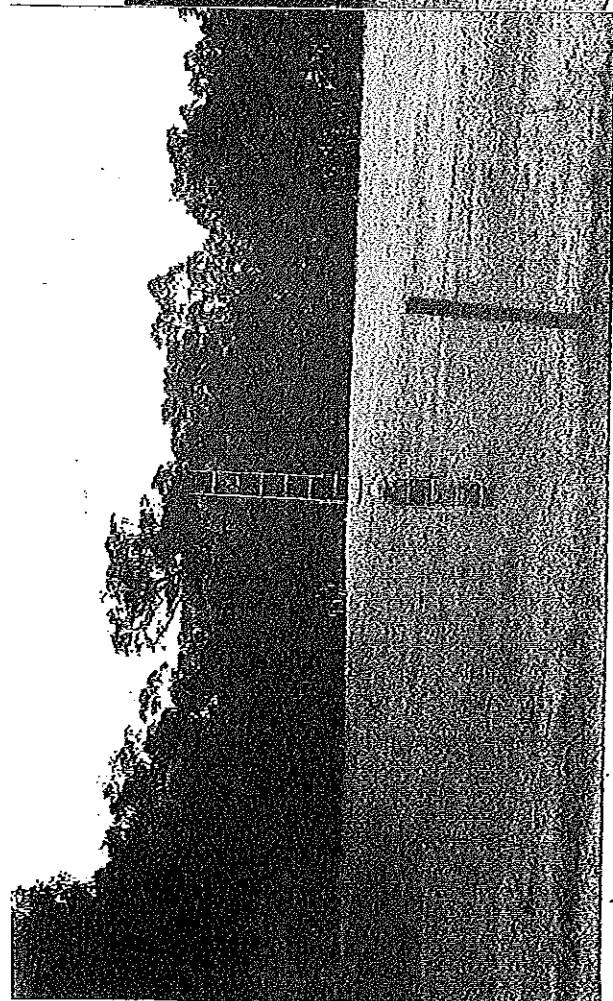
LOOKING SOUTH FROM LOT 17 OVER STEEP HILL OF PROPOSED LEASE DOWN MOUNT SOUTH SIDE OF NANAYEN RD. OVER MT MARTIN & EAST OYSTER HARBOUR  
RIGHT OVER THE TOP OF THE TRIANGULAR TIMBER RESERVE AND CANYON CREEK. LADDER NEARLY 4 METRES VERTICAL

THESE TWO SHOTS  
ARE TAKEN FROM  
THE SOUTH END  
OF LOT 17 OUTSIDE  
THE FENCE  
SHOWING THE  
VERY STEEP UP  
HILL AND TERRAIN  
WHICH DROPS AWAY  
AWAY SHARPLY  
TO THE LEFT  
THROUGH THE TREES  
RUNNING WATER  
WESTWARD THROUGH  
LOT 16 DOWN TO  
NEARLY A RIVER



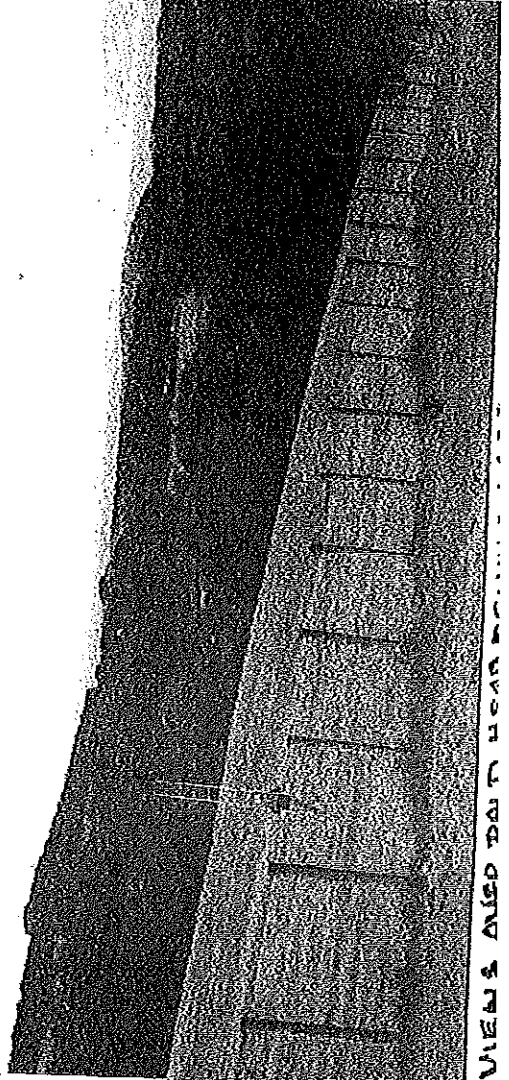


EAST FROM NORTH END OF LOT 17 ACROSS NORTH END OF PROPOSED RELEASE TOWARDS TREES LADDER HEIGHT 4 METERS 10 METERS OUTSIDE FENCE



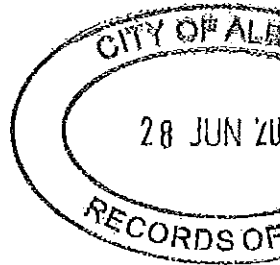
TWO PICTURES LOOKIN EASTWARDS FROM NORTH AND WEST SIDES ON NORTHEND OF LOT 17 AND PROPOSED LAND RELEASE LOWER PICTURES FUATHR SOUTH ALONG MID SIDE OF LOT 17 EAST

LOOKING EAST AN SOUT EAST



GULL ROCK SOUTWEST VIEWS ALSO DONT HEAR

TO: The Chief Executive Officer  
City of Albany  
102 North Road  
YAKAMIA WA 6330



Doc No:  
File:  
Date  
Officer

City of Albany Records  
ICR1268512  
AMD303  
28 JUN 2012  
SPLAN2

Attach  
Box  
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**SUBMISSION ON PROPOSAL TO REZONE A PORTION OF 461 (LOT 50)  
NANARUP RD FROM THE "RURAL ZONE" TO THE "SPECIAL RESIDENTIAL"  
ZONE.**

**FROM:**

**SUBJECT OF SUBMISSION:**

Our interests are affected as owner/occupier of neighbouring property.

**ADDRESS OF PROPERTY AFFECTED BY SCHEME:**

Location 1/5, 517, 840

Cnr Riverview Rd and East Bank Rd, Kalgan

**SUBMISSION:**

We have a number of concerns with the proposed rezoning.

1. There has been no long term, overall strategic precinct plan for the Lower Kalgan/Gull Rock locality developed, with input from local residents. Thus to rezone from "Rural" to "Special Residential" seems a very large increase in housing density from that which is the current expectation of newer and long term local residents in this rural area.
2. The proposed rezoning does not appear to match a number of the Policy Measures in Policy No. DC 2.5 "Special Residential Zones", as follows:
  - a) Policy No. DC 2.5 3.1.3 (a) says "...Such zones should be adjacent to existing or planned residential areas and have good access to schools, community facilities and other urban facilities". There are no other existing Special Residential zones or Residential zones adjacent to the proposed site. Government schools, community facilities and other urban services are not nearby. This proposed zone would be one in isolation.
  - b) Policy No. DC 2.5 3.1.3 (b) states that "Special Residential zones should avoid good agricultural land". The proposed land is most fertile with a good creek running through it, which will be lost to food and fibre production if the rezoning is approved. Areas of less fertile, sandy type soils should be where dense housing developments should be approved. Good quality farming soils should not be used for Special Residential zoned or Residential zoned housing developments. Rezoning this land will adversely affect the continued use of the zone for agricultural and rural purposes. It will also prevent specialty agricultural production and small-scale value-adding rural activities.

- c) Policy No. DC 2.5 3.1.3 c) states "landscape which is clearly visible from roads of regional importance should generally be avoided." The proposed land sits alongside the main route from Albany to the scenic Nanarup and Gull Rock/Ledge beaches, and also to the beaches and nature reserve of Two People's Bay, home of the endangered Noisy Scrub Bird. The change of rural visual amenity along this route to one of "essentially residential" does not adhere to this policy.
3. We have a rural farm property, with sheep, cattle and avocado orchard and avocado oil production facility and intend to continue these farming activities, supplying food and fibre into the future. We have no intention or desire to subdivide our farming property or to cease our farming enterprise.
- a) We are concerned that the proposed development could force an increase in our rates, and thus make it increasingly difficult financially to operate our farming enterprise.
  - b) We are concerned about losing our right to farm, which includes limitations on spraying to control weeds, being unable to shoot feral rabbits, foxes, kangaroos, due to proposed proximity of other landholders. Concern about being unable to use farm machinery due to noise abatement act issues with close neighbours.
  - c) We are concerned about the increase of trespassers on and through our property, which has a boundary with the proposed subdivision and so have a concern for gates being left open, stock being stolen and weeds being brought onto our property.
  - d) We are concerned about the increase in the number of straying dogs which could come on to our property, particularly in lambing season, if the proposed density of housing is approved. With the required fencing to be of post and strand construction, this is very little deterrent. Already, we have neighbouring dogs showing too much interest in young lambs.
  - e) We are concerned about the lack of buffer zones between our rural activities and the proposed residential blocks.
  - f) We are concerned that this proposed development includes only part of the Candyup property, and that approval of this rezoning will set a precedent for more development on the rest of the property in time to come, thus compounding our concerns.
4. Environmental concerns:
- a) We are concerned about the increase of water run-off into Candyup Creek .
  - b) We are concerned about the steepness of a section of the land in the proposal, which can cause slippage of land into gully areas in winter. We have experienced this on a small scale on our own adjoining property.

5. Traffic Amenities :
  - a) We are concerned about the large increase of traffic over the Lower Kalgan bridge which this and other proposed developments will bring.
  - b) We are concerned that there is no planning for a footbridge for pedestrian or cycling traffic over the Kalgan River.
  - c) We are concerned that there are no street lights at either end of the Lower Kalgan Bridge, which surely would be a safety issue, if developments are approved and housing density in the Gull Rock/Kalgan area increases.
6. Fire Management:
  - a) We are concerned that the local Volunteer Bushfire Brigade is not trained in fighting house fires, nor does it have the required equipment for such a situation. In such an emergency, fire trucks from Albany CBD, due to the distance from Kalgan, would be unlikely to arrive in the appropriate time frame to save a burning house.
  - b) We are concerned that access for fire trucks is very limited if there is only one entrance /exit for the proposed development.
  - c) There is no fire control access on the western edge of the proposed development. Access to most areas of the western side of the proposed rezoned area is impossible from adjoining properties to the west, due to the steep, rocky terrain and bushland.
7. We are concerned that there appears to be no consideration of the historical importance of the Candyup farming property.
8. We are concerned that there is a general loss of visual, environmental and rural amenity in the proposal to rezone a portion of 461 (Lot 50) Nanarup Rd from "Rural" zone to the "Special Residential" zone, and request that the density of housing proposed be reconsidered and that this land is not lost to food and fibre production.



Attention: Jan Van Der Mescht  
 Senior Planning Officer  
 City of Albany  
 PO Box 484  
 Albany, 6331, WA

Email: [staff@albany.wa.gov.au](mailto:staff@albany.wa.gov.au)



Doc No	City of Albany Records
File	ICR1268548
Date	AMD303
Officer	29 JUN 2012
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Dear Mr Van Der Mescht,

**OBJECTION TO PROPOSED RE-ZONING OF LOT 50 NANARUP ROAD, LOWER KALGAN FROM THE "RURAL" ZONE TO THE SPECIAL RESIDENTIAL ZONE**

We write to you regarding the re-zoning of Lot 50 Nanarup Road as proposed in the document *The City Of Albany Town Planning Scheme No. 3 Amendment No. 303, Planning Report - Rezoning Portion Of Lot 50 Nanarup Road, Lower Kalgan From The Rural To Special Residential Zone.*

As long time landowners and residents in the Lower Kalgan area we have maintained a strong interest in the future direction of development in the area and how such developments may impact on lifestyle and amenity aspects. Our children and grandchildren regularly stay with us at our Mead Road property and hence our consideration of the impacts of developments such as the proposed re-zoning and subdivision includes their future plans which may well involve living in the area as well as visiting during holidays.

We consider that the proposed scheme amendment and subdivision plan for Lot 50 Nanarup Road is not consistent with the existing zoning and land use in this area that currently provides the Kalgan area with a rural and low key development amenity. This amenity and rural charm distinguishes the Lower Kalgan area from the urban landscape of Albany and this is one of the primary reasons that many landholders move to and live in the area. We are concerned that this will be significantly impacted by the development of the special residential subdivision. From our attendance at recent meetings of the Lower Kalgan Progress Association (LKPA) we believe that many landowners in the Kalgan area have similar concerns and that these concerns have been expressed to the LKPA.

We would appreciate the above factors being considered by the City of Albany when assessing the re-zoning amendment. We request that the City of Albany does not provide approval to allow the rezoning of Lot 50 Nanarup Road from Rural to Special Residential.

Yours sincerely,

**2.4: LOCAL PLANNING POLICY – MODIFICATIONS TO THE DETAILED  
AREA PLANS POLICY – CLYDESDALE PARK, MCKAIL**

- Land Description** : Lots 201 – 210, 407 & 408 Donald Drive, Lots 211 – 216, 399 – 404 & 411 Engleheart Drive, Lots 217 – 239, 405, 406 & 410 Radiata Drive, Lots 240 – 252 Hankins Way & Lots 253 – 258 Withers Way, McKail
- Proponent** : RPS Group
- Owner/s** : Housing Authority, L Y Gilpin, M F & S D Russell, D V Main, A D & M J York & City of Albany (Vested Crown Land)
- Business Entity Name** : N/A
- Attachment(s)** : Draft modified Detailed Area Plan for Clydesdale Park  
: Proponent's justification for modifications to plan
- Councillor Workstation** : Copy of OCM 20/11/2007 – Item 11.3.2  
: Copy of OCM 19/02/2008 – Item 11.3.1  
: Copy of OCM 21/09/2010 – Item 1.4  
: Copy of OCM 19/04/2011 – Item 1.1
- Responsible Officer(s)** : Executive Director – Planning and Development Services (D Putland)

**Maps and Diagrams:**



**IN BRIEF**

- Consider whether to adopt the draft modified Detailed Area Plan (DAP) for Clydesdale Park for the purpose of public advertising.
- The draft modified DAP has been prepared to address a number of issues that have arisen with the previous version of the plan and incorporates a number of modifications to achieve this aim.
- Modifications include:
  - removal of “*mandatory garage location with independently occupiable studio above*” from the legend and insertion of an additional provision stating “*Single residential dwellings on corner lots are encouraged to incorporate an independently occupied studio above the garage to assist in providing surveillance of the laneway*” under the heading ‘*Design Elements*’;
  - relocation of the mandatory garage or carport locations for Lots 213 and 214 and inclusion of a requirement for permeable estate fencing between the garage and the side lot boundary;
  - updates to all applicable rear/laneway setbacks to reflect the amendments that have been made to the extent of drainage easements;
  - inclusion of a notation on Lot 407 stating that the rear “*Boundary setback to be as per R-Codes*”;
  - removal of the ‘*typical lot layout*’ diagrams; and
  - removal of the primary and rear setback notations.
- The draft modified DAP remains consistent with the provisions of *Liveable Neighbourhoods* and the *McKail Local Structure Plan*.
- It is recommended that the draft modified DAP be adopted for purposes of public advertising.

**ITEM 2.4: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DUFTY**

**SECONDED: COUNCILLOR GREGSON**

**THAT Council adopts the draft modified Detailed Area Plan for Clydesdale Park, for the purpose of public advertising.**

**CARRIED 10-0**

**BACKGROUND**

1. The City of Albany’s *Detailed Area Plans Policy* was adopted by Council at its ordinary meeting on 19 February 2008 and contains a provision to allow for the inclusion of additional specific Detailed Area Plans (DAP’s) into Schedule 1 of the Policy.
2. The Clydesdale Park DAP was adopted as part of the original policy. However, the City received a modified version of the plan, which adjusted some of the prescribed setbacks, due to the utilities being placed in a different location to what had originally been intended. The revised plan was incorporated into the consolidated *City of Albany Local Planning Scheme No. 1A & 3 Policy Manual*, which was adopted at the ordinary meeting of Council on 19 April 2011.

3. The modified DAP has been prepared to address a number of issues that have since arisen and will supersede the previous version of the plan.
4. Council is now requested to consider whether to give its consent to advertise the modified DAP for public comment.

## **DISCUSSION**

5. The DAP area extends to approximately 6.02ha and lies to the west of Clydesdale Road, approximately 5km north-west of the Albany CBD. The land falls gently from north to south and has been cleared and prepared for development with the provision of roads and servicing.
6. The draft modified DAP has been prepared to address a number of issues that have arisen with the previous version of the plan and incorporates a number of modifications.
7. The first of these modifications is the removal of *“mandatory garage location with independently occupiable studio above”* from the legend and the insertion of an additional provision under the heading *‘Design Elements’*, which states that *“Single residential dwellings on corner lots are encouraged to incorporate an independently occupied studio above the garage to assist in providing surveillance of the laneway.”*
8. Mandatory garage locations with an independently occupiable studio above were originally intended to promote affordable housing options within the development, as well as increased surveillance of the proposed laneways. However, due to the substantial additional costs involved, it has become a limiting factor for the Department of Housing in undertaking further development under the Affordable Housing Strategy. Lots with such a requirement are not attracting any interest as vacant land sales and are now being excluded from future development initiatives. However, the option is still provided for corner lots to incorporate an independently occupiable studio if the developer wishes, which will also promote surveillance of the laneway.
9. The second modification is to relocate the mandatory garage or carport locations for Lots 213 and 214 and illustrate a requirement for permeable estate fencing between the garage and the side lot boundary. This modification has been incorporated to increase the level of surveillance over the ‘T’-shaped laneway, in response to the removal of the mandatory requirement for studios above garages.
10. The third modification is to update all applicable rear/laneway setbacks to reflect the amendments that have been made to the extent of the drainage easements along the rear of several of the lots within the development.
11. Modification four is to include a notation on Lot 407 stating that the rear *“Boundary setback to be as per R-Codes”*. This modification has been included to rectify an error on the existing DAP, which illustrates a red-dashed line along the rear boundary of Lot 407. However, such a line is only indicative of a setback variation to the primary street setback or a setback from an area of public open space.



12. Modification five removes the *'typical lot layout'* diagrams from the DAP, as they did not specifically relate to any of the DAP provisions. Their removal is in effort to reduce the amount of information shown on the DAP and to make it easier to interpret and assess against.
13. Modification six removes the primary and rear setback notations from DAP in an attempt to simplify it, as the primary and rear setback requirements are already outlined within the R-Code Variations table.
14. The draft modified DAP remains consistent with the provisions of *Liveable Neighbourhoods* and the *McKail Local Structure Plan*.
15. It is therefore recommended that the draft modified DAP be adopted for the purpose of advertising.

### **GOVERNMENT CONSULTATION**

16. Should Council adopt the draft modified DAP for the purpose of public advertising, it will be referred to all relevant Government agencies for assessment and comment.

### **PUBLIC CONSULTATION / ENGAGEMENT**

17. Should Council resolve to adopt the draft modified DAP for the purpose of public advertising, it will be advertised in accordance with Clause 6.9 of Town Planning Scheme (TPS) No. 3 (see paragraph 18 below).

### **STATUTORY IMPLICATIONS**

18. Clause 6.9 of Town Planning Scheme No. 3 grants Council with a power to make policies:

*"6.9.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme Policies relating to parts or all of the Scheme Area and relating to one or more the aspects of the Control of Development.*

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

*(A) The Council having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*

*(B) The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.*

*(C) Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.*

6.9.3 *A Town Planning Scheme Policy may only be altered or rescinded by:*

- (A) *Preparation and Final Adoption of a new Policy pursuant to this Clause, specifically worded to supersede an existing Policy.*
- (B) *Publication of a Formal Notice of Recission by the Council twice in a newspaper twice in a newspaper circulating in the area.”*

**STRATEGIC IMPLICATIONS**

19. There are no strategic implications in relation to this item.

**POLICY IMPLICATIONS**

20. The Western Australian Planning Commission’s *Liveable Neighbourhoods* policy document sets out the criteria to be used in assessing any DAP, including:
- Dwelling design that deals with building orientation towards public open space areas and onto primary streets;
  - location of outdoor living areas to maximise solar access;
  - location of vehicle access points into lots; and
  - details of fencing including the level of permeability.
21. The draft modified DAP is considered to meet the requirements of *Liveable Neighbourhoods* and also addresses the main points for consideration applicable to lots abutting public open space areas.

**RISK IDENTIFICATION & MITIGATION**

22. The risk identification and categorisation relies on the City’s Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
Not adopting the modified draft Local Planning Scheme policy will not simplify and rectify the errors in the existing plan and may limit the uptake and development of the cottage lots with rear laneway access.	Possible	Minor	Medium	Mitigation is entirely dependent on Council's decision.

**FINANCIAL IMPLICATIONS**

23. The appropriate planning fee has been received and staff have processed the application within existing budget lines.

**LEGAL IMPLICATIONS**

24. There are no legal implications in relation to this item.

**ALTERNATE OPTIONS**

25. Council has the following options:

- Adopt the draft modified DAP for the purpose of public advertising, without modification;
- Adopt the draft modified DAP for the purpose of public advertising, subject to modification;  
or
- Not adopt the draft modified DAP for the purpose of public advertising.

**SUMMARY CONCLUSION**

26. The adoption of the draft modified DAP will address a number of issues that have arisen with the previous version of the plan and will encourage and facilitate further development of the land within the DAP area.
27. The draft modified DAP is consistent with *Liveable Neighbourhoods* and the *McKail Local Structure Plan*.
28. It is therefore considered appropriate that Council adopts the draft modified DAP for the purpose of public advertising.

<b>Consulted References</b>	Liveable Neighbourhoods, McKail Local Structure Plan
<b>File Number (Name of Ward)</b>	DAP008 (West Ward)

**DETAILED AREA PLAN R-CODE VARIATIONS**

**Design Elements**  
The following matters apply, where required, in the design and construction of a residence or outbuilding on lots identified within the boundary of this D.A.P.:

- All dwellings must include construction of a double garage or carport.
- Unless otherwise approved by the City of Albany, all dwellings, garages and carports shall be constructed within the nominated building envelopes.
- Alternative building envelope and garage/carport locations may be approved by the City of Albany where considered appropriate, having regard for improved streetscape outcomes, improved sustainability outcomes and pedestrian/traffic safety matters.
- Where variations are sought, the proponent must provide adequate information for the City of Albany to assess the appropriateness of the variations against the matters listed above.
- At least one major opening shall be installed on all northern elevations to maximize access to northern sun.
- Dwellings constructed on the 4 packs lots (Lots 405 and 406) contiguous with the pedestrian access way shall have at least one (1) major opening overlooking the pedestrian access way to ensure passive surveillance and activation.
- Two-storey development is permitted on all lots except for that area south of the demarcation line shown on Lots 240-252 to ensure access to winter sun for private open space.
- The R30 Grouped Housing Site (Lot 407) shall be designed so that it provides for passive surveillance opportunities of the adjoining laneway e.g. Visually permeable fencing and suitable openings in the building elevation that provide for 'Eyes on Street'.
- Single residential dwellings on corner lots are encouraged to incorporate an independently occupied studio above the garage to assist in providing surveillance of the laneway.

**R Coding**  
The Residential Density Code which applies to the land is R30 for the grouped site and 4 pack lots (Lots 405-406) and R30/40 or R30/40/50 (with intergenerational housing) for all other lots in the DAP area.

**R Code Variations**  
The City of Albany, Residential Design Codes and associated Residential Development Guidelines for the City of Albany are varied as shown on this Detailed Area Plan. The requirements of the City of Albany Scheme, R-Codes and Guidelines shall be satisfied in all other matters.

**Setbacks**  
Setbacks for the construction of improvements upon the land will not be other than in accordance with the following:

- For Lots 201-210, 211-216 & 227-239:  
**Primary Street / P.O.S.:** 2.0 metre minimum and maximum dwelling setback.
- For Lots 217-226, 240-252, 253-258 & 399-404:  
**Primary Street / P.O.S.:** 3.0 metre minimum and maximum dwelling setback.
- For Lots 201-210, 211-216, 217-226, 227-239, 240-252 & 407:  
**Rear / Laneway:** 2.0 metre minimum dwelling setback.  
 2.0 metre minimum garage / carport setback.  
 2.5 metre maximum garage / carport setback.
- For Lots 253-258 & 399-404:  
**Rear / Laneway:** 1.0 metre minimum dwelling setback.  
 500 millimetre minimum garage / carport setback.  
 1.0 metre maximum garage / carport setback.

**Site Coverage**  
All construction on the land will ensure that at least 40% of the site comprises Open Space.

**Driveways**  
The maximum width of any crossover shall be 5 metres.

**Outbuildings and Studios**  
Outbuildings and Studios may be 2 storeys in accordance with Table 3 of clause 3.7.1 of R Codes to ensure activation and passive surveillance of laneways.

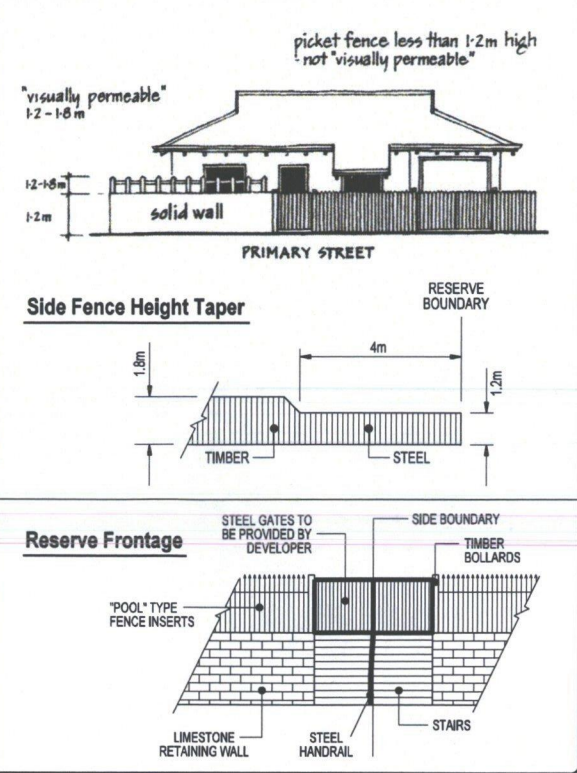
**Estate Fencing**  
Where provided by the Vendor, estate fencing is not to be removed or altered in any way.

All side fencing forward of the building line are to match open style permeable front fencing at the expense of the purchaser.

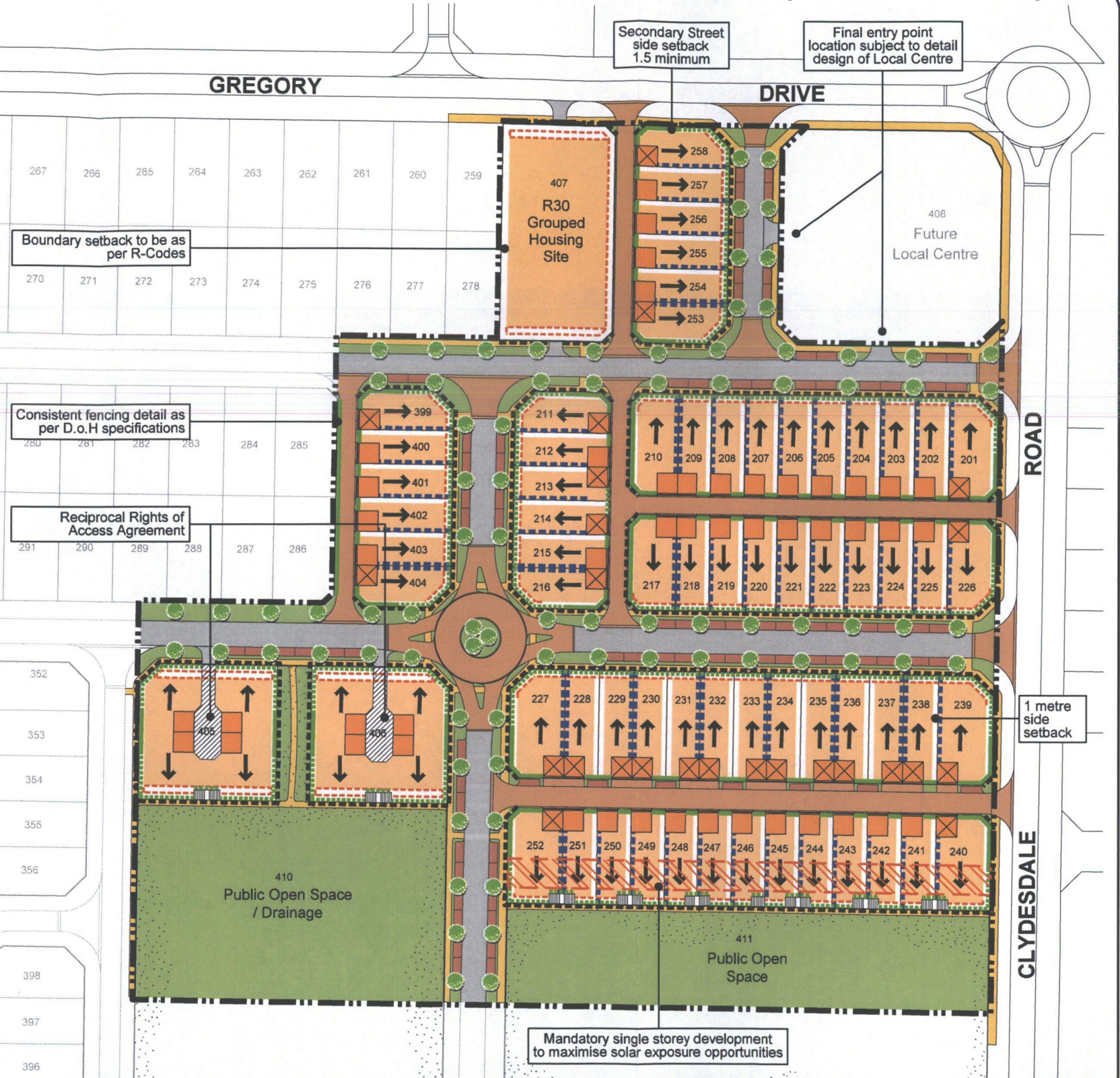
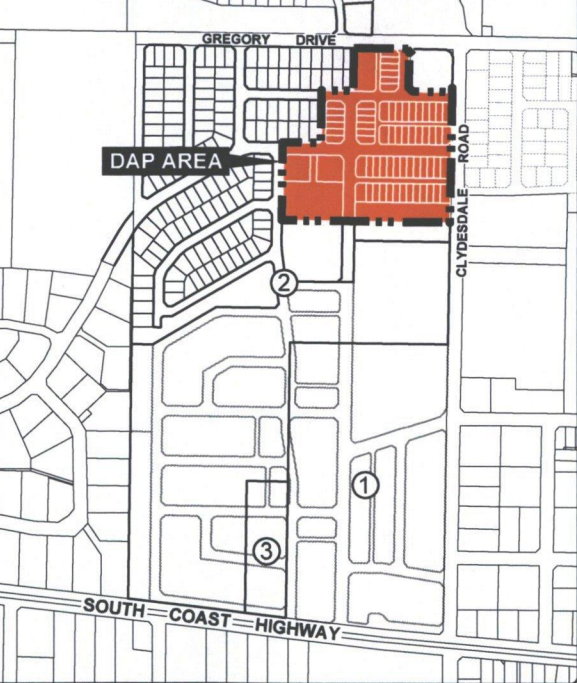
Boundary fencing on secondary street frontages from the front setback to the building line to match that installed by the developer along public open space boundary or primary street boundary (see "Side Fence Height Taper" and "Reserve Frontage" diagrams). Fencing along public open space boundary will be installed by the vendor.



**TYPICAL FENCING DETAIL (Not to Scale)**



**LOCATION MAP**



**LEGEND**

- D.A.P. Boundary
- No Vehicle Access
- Estate Fencing; Permeable, Non-Permeable
- Nominated Residential Zero Metre Side Setback
- Building Envelope
- Nominated minimum / maximum residential front setback to the primary subdivision road or Public Open Space (Refer setbacks variation schedule for details)
- Visitor Car Parking
- Building Orientation
- Nominated minimum 1.5m and average 2.5m residential front setback to the primary subdivision road or Public Open Space
- Preferred Garage or Carport Location
- Designated Garage or Carport Location
- Mandatory single storey development to maximise solar exposure opportunities
- Indicative Tree Planting
- Driveway Crossover
- Footpath / Dual-use Path
- Pedestrian Access via a Stairway

**2.5: PRECINCT PLAN – SPECIAL SITE S46 – SPENCER PARK  
NEIGHBOURHOOD CENTRE PRECINCT**

- Land Description** : Various lots in and around Spencer Park neighbourhood centre
- Proponent** : Ayton Baesjou Planning
- Owner/s** : Department of Housing and various others
- Business Entity Name** : Great Southern Community Housing Association; Southern Aboriginal Corporation; Paceview Pty Ltd; Horizon Holdings Pty Ltd; Lionsville Albany Inc; Freemasons Homes; Perth Diocesan Trustees; Oliviam Pty Ltd; Regnis Group Pty Ltd; Reparto Holdings Pty Ltd; Primeking Pty Ltd
- Attachment(s)** : Draft Precinct Plan for Special Site S46 – Spencer Park Neighbourhood Centre Precinct
- Councillor Workstation** : Copy of OCM 19/05/2009 – Item 11.2.1  
: Copy of OCM 17/11/2009 – Item 13.2.4  
: Copy of OCM 21/08/2012 – Item 2.10
- Responsible Officer(s)** : Executive Director Planning and Development Services (D Putland)

**Maps and Diagrams:**



**IN BRIEF**

- Consider whether to finally adopt the draft Precinct Plan for Special Site S46 – Spencer Park Neighbourhood Centre Precinct.
- The proposal aims to regenerate the existing Spencer Park commercial centre and its environs by establishing a framework that allows both the Department of Housing and the private sector to develop vacant land and redevelop existing properties to a higher density and with a greater mix of land uses than was previously permitted.
- The plan focuses on Hardie Road, close to the intersection with Angove Road, as this is the existing neighbourhood centre and envisaged as the future ‘main street’, within Spencer Park.
- The plan broadly addresses the requirements set out in the conditions for Special Site S46. However, Planning have previously staff raised concerns with the Department of Housing over the following matters:
  - The potential impact of increased traffic on the area has not been assessed.
  - There may be potential for traffic conflict involving ambulances travelling along Hardie Road to Albany Regional Hospital;
  - Information is lacking relating to the proposed staging of development; and
  - Information is lacking relating to the implementation of development, including contributions to public realm upgrades.
- There have been no objections received to the draft Precinct Plan through the public advertising and Government referral stage, although staff are still liaising with the Albany branches of the WA Country Health Service and St. John Ambulance to ascertain if development of the precinct will have any negative impacts on their operations.
- The draft Precinct Plan is consistent with contemporary planning principles and State policies that deal with growth and development. In addition, it is part of a State Government initiative to consolidate and redevelop areas of existing and former public housing.
- Staff would recommend that Council finally adopts the draft Precinct Plan, subject to the following matters being satisfactorily addressed:
  - The potential impact of increased traffic on the area;
  - the likelihood of traffic conflict involving ambulances travelling along Hardie Road to Albany Regional Hospital;
  - staging of development; and
  - the implementation of development, including contributions to public realm upgrades.

**ITEM 2.5: MOTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR BOWLES**

**SECONDED: COUNCILLOR SUTTON**

**THAT this matter lay on the table.**

**CARRIED 10-0**

**ITEM 2.5: RESPONSIBLE OFFICER RECOMMENDATION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

THAT Council finally adopts the draft Precinct Plan for the Spencer Park Neighbourhood Centre Precinct, subject to the following matters being satisfactorily addressed:

- potential impact of increased traffic on the area;
- likelihood of traffic conflict involving ambulances travelling along Hardie Road to Albany Regional Hospital;
- staging of development; and
- implementation of development, including contributions to public realm upgrades.

**BACKGROUND**

1. In September 2006, a scheme amendment (No. 154) to change the R-Code densities of Lots 9-12, 29 and 30 Pretious Street, Lots 27, 28 and 68 Hardie Road, Lot 69 Nind Street and Lot 8 Wansborough Street, Spencer Park from R20 to R40 was supported by Council. The proposal was subsequently granted final approval by the Minister for Planning and Infrastructure in May 2007 and Gazetted in July 2007. This had, to some extent, established the basic principle of increasing the density of 'Residential' zoned land in the Spencer Park locality, which formed the basis for a subsequent scheme amendment (No. 171).
2. Amendment No. 171, sought to amend Town Planning Scheme (TPS) No. 1A by establishing a 'Special Site' covering the Spencer Park Neighbourhood Centre Precinct, which would modify the R-code densities and uses allowed within the Special Site area.
3. This concept originated from the *Spencer Park Urban Design Study*, which was prepared by Mackay Urban Design on behalf of the Department of Housing and Works in March 2008 and which builds upon the principle established by Amendment No. 154. The proposed boundary for the Special Site area was decided upon in consultation with City staff, taking into account the following criteria:
  - Walking distance from core commercial facilities;
  - maintaining similar density coding on both sides of a street;
  - acknowledging potential for infill as well as redevelopment; and
  - confining the extent of rezoning initially to facilitate a more intensive redevelopment.
4. The amendment was intended to facilitate the redevelopment of the commercial area around Hardie Road to create a mixed-use neighbourhood centre, while also enabling higher-density residential development to take place in the surrounding locality.
5. The scheme amendment was presented to Council at its ordinary meeting held on 19 May 2009 where it was resolved:

*"THAT Council, subject to the proposed building heights within the Central Sub-Precinct and the Mixed Use Precinct being reduced in accordance with Council's Residential Design Code Policy, in pursuance of Section 75 of the Planning and Development Act 2005 and Regulation 25(1)c of the Town Planning Regulations 1967 resolves to INITIATE Amendment No. 171 to Town Planning Scheme No. 1A for the purpose of:*

- i) *Establishing a 'Special Site' as provided for by Clauses 3.7 to 3.8 for a 'Hardie Road Precinct' and delineating this 'Special Site' as S46 on the Scheme Map'*
  - ii) *Changing the Residential Design Code density of areas within the proposed Special Site (S46) from R20 to R40 and R80 as listed in the proposed Appendix II below and indicated on the Scheme Amendment 'Proposed Zoning' map; and*
  - iii) *Modifying the uses permitted in the existing zones or reserves comprising the Special Site by introducing additional specifications for Site S46 in the Schedule to be set out in Appendix II."*
6. Following referral to the Environmental Protection Authority and Western Australian Planning Commission (WAPC) and completion of the public advertising process, the scheme amendment was returned to Council to be considered for final approval. At Council's ordinary meeting on 17 November 2009, it was resolved:
- "THAT Council in pursuance of section 75 of the Planning and Development Act 2005 and regulation 25(1)(c) of the Town Planning Regulations 1967 resolves to ADOPT WITH MODIFICATIONS Amendment No. 171 to Town Planning Scheme No. 1A as follows:*
- a) *establish a 'Special Site' as provided for by Clauses 3.7 to 3.8 for a 'Hardie Street Precinct' and delineate this 'Special Site' as S44 on the Scheme Map;*
  - b) *change the Residential Design Code density of areas within the proposed Special Site (S44) from R20 and R40 to R40, R60 and R80 as listed in the proposed Appendix II and indicated on the Scheme Amendment 'Proposed Zoning' map; and*
  - c) *modifying the uses permitted in the existing zones or reserves comprising the Special Site by introducing additional specifications for site S44 in the Schedule to be set out in Appendix II."*
7. The scheme amendment was referred to the WAPC and following modification of the document (including designation as Special Site S46), approved by the Minister for Planning on 30 August 2010 and gazetted on 17 August 2010.
8. A draft Precinct Plan was prepared to fulfill the conditions of Special Site S46. Council adopted the draft plan for the purposes of public advertising at its ordinary meeting on 21 August 2012.
9. Council is now requested to consider submissions received during the public advertising period and determine whether to finally adopt the draft Precinct Plan.

## **DISCUSSION**

10. The subject area covers the Spencer Park neighbourhood centre and surrounding streets. The land is primarily covered by the 'Residential' zoning, with the exception of Lots 50, 63, 65 and 73 Angove Road, which are zoned 'Local Shopping', Lot 72 Angove Road, which is zoned 'Service Station' and Lot 7055 Hardie Road and Lot 6906 Nind Street, which are zoned 'Clubs and Institutions' (see the zoning map under the 'Statutory Implications' section below).



11. The proposal aims to regenerate the existing Spencer Park commercial centre and its environs by establishing a framework that allows both the Department of Housing and the private sector to develop vacant land and redevelop existing properties to a higher density and with a greater mix of land uses than was previously permitted.
12. An increase in building density and mix of land uses (residences, shops, offices, etc.) should strengthen the role of the existing commercial centre as a focus for the community and ultimately lead to the creation of a neighbourhood centre with a broad range of amenities and a greater sense of place.
13. The schedule of provisions for the Special Site set out the minimum controls required for the following aspects of development:
  - permitted land uses;
  - plot ratio (floor area to site area ratio);
  - building height;
  - setbacks;
  - vehicle access;
  - on-site car parking requirements;
  - landscaping requirements; and
  - built form design requirements, including signage.
14. The draft Precinct Plan reinforces these development controls and presents conceptual plans and illustrates the type of development envisaged for the area, by way of examples from elsewhere in the State. The plan focuses on Hardie Road, close to the intersection with Angove Road, as this is the existing neighbourhood centre and envisaged as the future 'main street', within Spencer Park.
15. Although the plan broadly addresses the requirements set out in the conditions for Special Site S46, staff raised concerns with the Department of Housing over the following matters:
  - The potential impact of increased traffic on the area;
  - the likelihood of traffic conflict involving ambulances travelling along Hardie Road to Albany Regional Hospital;
  - staging of development; and
  - the implementation of development, including contributions to public realm upgrades.
16. The Department considered that these matters could be addressed through the advertising and referral process. Staff also considered it appropriate to progress the proposal to this stage, subject to its referral to the Department of Transport, St John Ambulance and Albany Regional Hospital for formal comment.
17. During the public advertising and Government referral stage there were no objections raised against the plan, although staff are still liaising with the Albany branches of the WA Country Health Service and St. John Ambulance to ascertain if development of the precinct will have any negative impacts on their operations.
18. The matters of staging and implementation are still largely unknown, as the Department of Housing cannot commit funding to the project without first having the Precinct Plan in place. However, they have indicated that funding for the initial stage of works could be put in place within 6 to 9 months of the Precinct Plan being finalised. The Department has also indicated that business owners in the neighbourhood centre are committed to developing their land or properties at the outset of the project, and to contributing to the cost of public realm improvements, which will encourage further development of the surrounding area.

19. The Department have also identified the project as being potentially eligible for funding as part of their 'New Living' urban renewal programme, which is already proving successful in a number of other locations in Western Australia.
20. The programme was established to ensure the consolidation and redevelopment of a number of highly visible areas of Department of Housing and Works' responsibility, with the following key objectives:
  - The reduction of high concentrations of public housing;
  - the refurbishment of houses for sale to both the public and existing tenants;
  - better land utilisation through the re-subdivision/refurbishment of public rental housing;
  - infrastructure enhancements (upgrading of streetscapes and open space); and
  - community development.
21. Overall, the draft Precinct Plan is consistent with contemporary planning principles and State policies that deal with growth and development. In addition, it is part of a State Government initiative to consolidate and redevelop areas of existing and former public housing.
22. Staff would recommend that Council finally adopts the draft Precinct Plan, subject to the following matters being satisfactorily addressed:
  - The potential impact of increased traffic on the area;
  - the likelihood of traffic conflict involving ambulances travelling along Hardie Road to Albany Regional Hospital;
  - staging of development; and
  - the implementation of development, including contributions to public realm upgrades.

#### **GOVERNMENT CONSULTATION**

23. The draft Precinct Plan was referred to WA Gas Networks, Telstra, Water Corporation, Western Power, Department of Health and St. John Ambulance Association for assessment and comment. Responses were received from Telstra, Water Corporation and Western Power, and although no objections were raised, the Water Corporation has advised that there may be a need to upgrade the water and wastewater network in order to service the increases in density.
24. Unfortunately, it seems that correspondence sent to the Department of Health and the St. John Ambulance Association did not reach their local offices. Staff are now liaising with the Albany branches of the WA Country Health Service and St. John Ambulance to ascertain if development of the precinct will have any negative impacts on their operations.

#### **PUBLIC CONSULTATION / ENGAGEMENT**

25. The draft Precinct Plan was advertised in accordance with Clause 4.49(a) of Town Planning Scheme (TPS) No. 1A (see paragraph XX below), between 13 September 2012 and 4 October 2012.

26. Two submissions were during the public consultation period. Both submissions are broadly supportive of the draft Precinct Plan and can be summarised as follows:

No.	Name/Address of submitter	Summary of submission	Officer comment
1		<p>The draft plan aims to change the precincts to a significant commercial and high density residential area. Proximity to Albany Regional Hospital, a primary school and limited number of aged care facilities supports the plans.</p> <p>The only shortcoming of the plan is that it needs to facilitate amalgamation of a few more residential lots to make it possible to establish more retirement villages.</p> <p>It is suggested that the eastern boundaries of the R60 areas should be moved further to the east to facilitate this requirement.</p>	<p>Noted.</p> <p>The plan does not specify lots to be amalgamated. This will be at the discretion of individual developers and subject to separate applications to amalgamate lots, which are made to the Western Australian Planning Commission.</p> <p>The planning provisions contained within Appendix II – Schedule of Special Sites within Town Planning Scheme No. 1A provide for the construction of ‘Aged Persons Home/Village’ in the R60 precinct.</p> <p>The boundaries of the R60 precinct were set by Town Planning Scheme Amendment No. 171 and cannot be modified by the Precinct Plan.</p>
2		<p>I wish to write in support of the concepts outlined in the draft Precinct Plan and look forward to implementation to revitalise this area.</p> <p>I commend the City for looking to redevelop existing sites and increase housing density around urban neighbourhood nodes rather than turning Albany into a great urban sprawl. Future residents will be much appreciative of the planning forethought and enjoy the benefit brought from close services and amenities in their lifestyle.</p> <p>The landscaping proposed looks good; local native plants would be preferable.</p>	<p>Noted.</p> <p>The use of local native plants and trees in public realm improvements will be encouraged.</p>

**STATUTORY IMPLICATIONS**

27. As per the report at OCM 21/08/2012 – Item 2.10.

**STRATEGIC IMPLICATIONS**

28. As per the report at OCM 21/08/2012 – Item 2.10.

**POLICY IMPLICATIONS**

29. As per the report at OCM 21/08/2012 – Item 2.10.

**RISK IDENTIFICATION & MITIGATION**

30. The risk identification and categorisation relies on the City's Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>Not adopting the draft Precinct Plan will prevent the development of the land, as it will not be possible to fulfil the conditions relating to Special Site S46.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Mitigation is entirely dependent on Council's decision.</i>

**FINANCIAL IMPLICATIONS**

31. There are no financial implications in relation to this item.

**LEGAL IMPLICATIONS**

32. There are no legal implications in relation to this item.

**ALTERNATE OPTIONS**

33. Council has the following options:

- Finally adopt the draft Precinct Plan, without modification;
- Finally adopt the draft Precinct Plan, subject to modification; or
- Not to adopt the draft Precinct Plan.

**SUMMARY CONCLUSION**

34. The adoption of the draft Precinct Plan will be necessary to address the conditions relating to Special Site S46 and allow the development of the land to take place.

35. The draft Precinct Plan is consistent with the objectives of the *Albany Local Planning Strategy* and State Planning Policies 1 and 3. It is therefore considered appropriate that Council finally adopts the draft Precinct Plan, subject to the following matters being satisfactorily addressed:

- The potential impact of increased traffic on the area;
- the likelihood of traffic conflict involving ambulances travelling along Hardie Road to Albany Regional Hospital;
- staging of development; and
- the implementation of development, including contributions to public realm upgrades.

<b>Consulted References</b>	WA Planning Commission (WAPC) State Planning Policy (SPP's) SPP1 & SPP 3
<b>File Number (Name of Ward)</b>	ODP014 (Breaksea Ward)

# SPENCER PARK PRECINCT PLAN

**DRAFT**



PREPARED BY  
**AYTON BAESJOU PLANNING**  
IN ASSOCIATION WITH  
**ROBERTS GARDINER ARCHITECTS**  
**OPUS INTERNATIONAL**

**MAY 2012**

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## **1. INTRODUCTION**

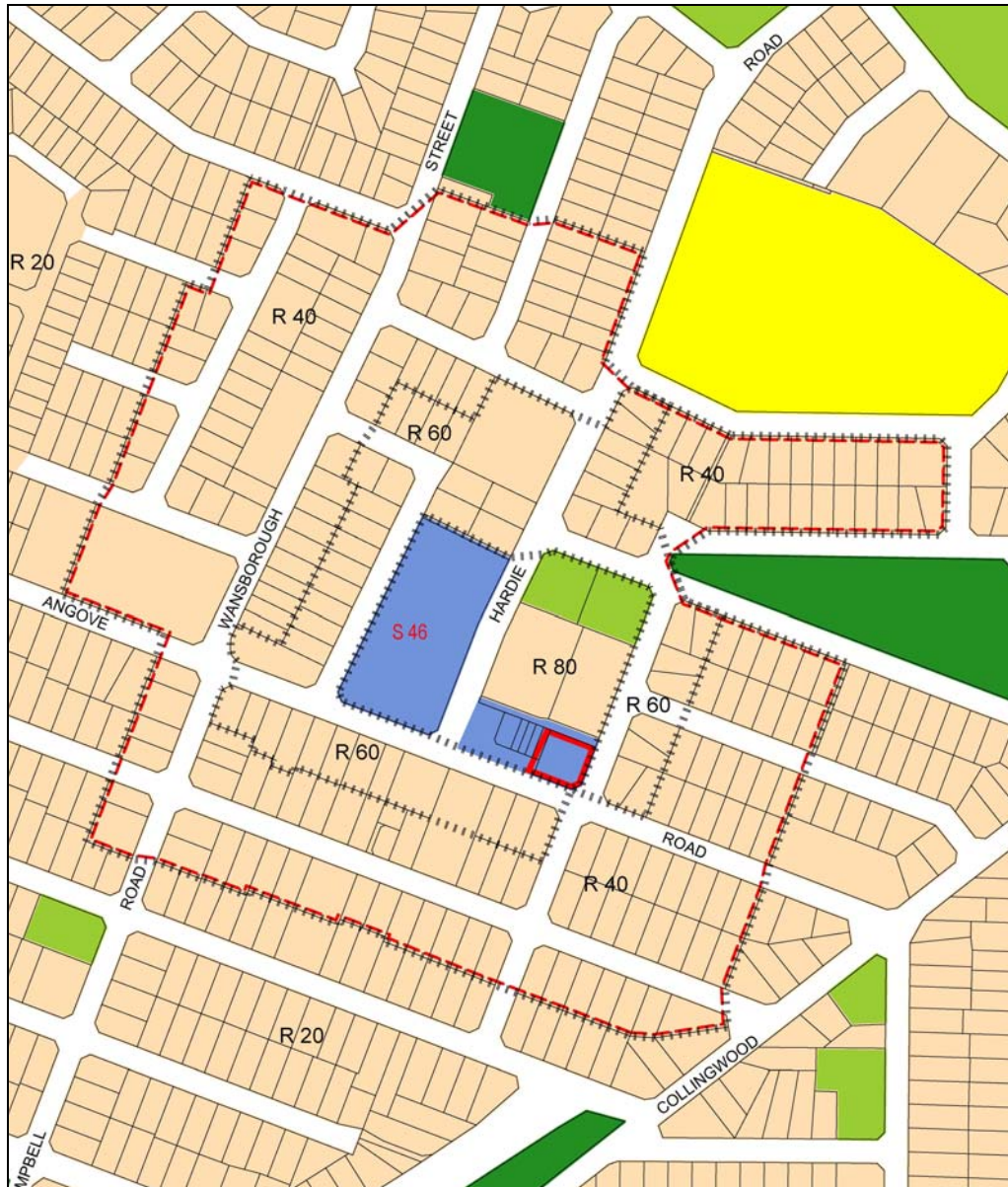
Following preparation of an Urban Design Study by Mackay Urban Design in March 2009 into redevelopment of a number of landholdings in the vicinity of the Spencer Park Local Centre, a scheme amendment (No 170) was subsequently prepared to change the R-Code density around the centre and to adjust the development control provisions relating to the identified sub precincts covering the study area. The amendment was gazetted on the 17th August 2010

One of the conditions of the development control provisions is the requirement to prepare a Precinct Plan in accordance with Clauses 4.48 - 4.50 of the Scheme and be approved by the local government prior to any subdivision or development within the study area. The Precinct Plan, once adopted by Council, will become the development control plan for the Spencer Park Precinct, providing design guidelines and development provisions.



## 2. PRECINCT PLAN AREA

The Precinct Plan Area is defined by the 'Special Site S46' area as shown on the Town Planning Scheme No. 1A scheme map. Refer to Zoning Plan below.



### LOCAL SCHEME RESERVES

- Parks And Recreation
- Public Use

### ZONES

- Residential
- Local Shopping
- Service Station
- Clubs and Institutions

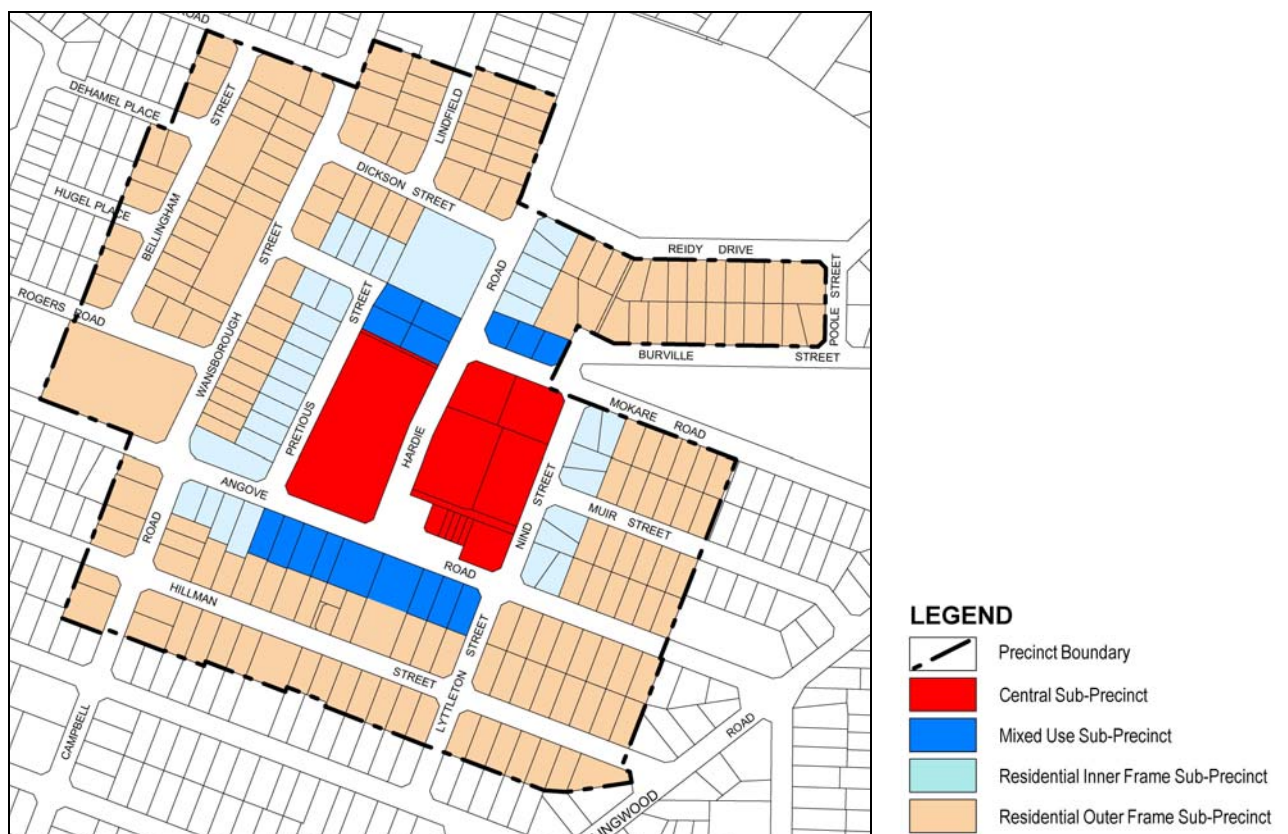
### OTHER

- R 30 R Codes
- S 46 Special Site

## Zoning Plan

The various sub precincts are identified on the Precinct Plan below and include:

- The Central Sub-Precinct which includes the Spencer Park Shopping Centre, service station and adjacent shops fronting Angove Road and Hardie Road, the medical centre and vacant Lots 68 & 69 on the eastern side of Hardie Road. An R80 density code (with an R60 minimum) applies to the area and a variety of commercial uses can also be developed in the precinct.
- The Mixed Use Sub-Precinct incorporates lots immediately to the north of the shopping centre, medical centre and day care/health centre and lots on the southern side of Angove Road. An R60 Density Code (with an R 40 minimum) applies and a number of commercial uses such as professional offices and consulting rooms may also be permitted in the area.
- Surrounding the Central and Mixed Use Precincts, is the Residential Inner Frame Sub-Precinct with an R60 density code (with an R40 minimum).
- The Residential Outer Frame Precinct occupies the balance of the Precinct and has an R40 density code.



**Precinct Plan**

### **3. PLANNING CONTEXT**

The planning context for the Precinct Plan is provided in a number of documents which include:

- City of Albany Local Planning Strategy
- City of Albany Town Planning Scheme No. 1A
- Local Planning Policy 7L Neighbourhood Centres
- WAPC: Statements of Planning Policy
  - SPP3 Urban Growth & Settlement
  - Liveable Neighbourhoods

In terms of the overall goals, objectives, policies and guidelines, the documents are mutually supportive in terms of the key elements associated with the development of neighbourhood centres. These key elements include:

- The importance of neighbourhood centres in providing local employment in retail, residential service needs, office accommodation and medical and welfare services.
- The consolidation of medium density residential development, including mixed use development within close proximity of the neighbourhood centre.
- Provision of a wider variety of housing types.
- Promotion of a more sustainable form of development which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes of travel.
- Creation and enhancement of community identity, sense of place, liveability and social interaction through good urban design.
- Provision of active street-land use interfaces to improve personal safety through increased surveillance and activity.

#### **3.1 Town Planning Scheme No. 1A**

As noted in the introduction above, Town Planning Scheme No. 1A has recently been amended to rezone the whole precinct as a 'Special Site' (S46) which identifies the four sub-precincts, their associated density codes, additional uses and development conditions.

Lot 50 accommodates the Spencer Park Shopping Centre and together with the older strip shopping fronting Angove Road, are zoned 'Local Shopping'. Overall retail floor space is currently approximately 2055m<sup>2</sup> NLA and Table 1 - Shopping Centre of the Scheme Text allows for a maximum of 3500m<sup>2</sup> NLA, and Council may approve up to 5000m<sup>2</sup> NLA, but only where in the opinion of Council the additional floor space is warranted and an economic impact assessment has demonstrated that there will not be significant detrimental impacts on existing or proposed shopping centre.

The Mackay Concept Plan proposes to add approximately 1680m<sup>2</sup> of NLA area to the Spencer Park Shopping Centre on Lot 50 and 445m<sup>2</sup> NLA to the strip Shopping Centre fronting Angove Road. Together that comprises a total additional floor space of 2125m<sup>2</sup> NLA, effectively doubling the existing retail floor space of the centre to 4180m<sup>2</sup> NLA. In addition, approximately 2000m<sup>2</sup> of commercial development is proposed on the ground floor of proposed mixed use development on Lot 68 and on the south east corner of Lot 50 and a doubling of the size of the medical centre on the corner of Hardie and Mokare Roads.

Car parking requirements set out in Town Planning No. 1A require 1 car bay per 20m<sup>2</sup> NLA. Currently approximately 171 car bays are provided within the Spencer Park Shopping Centre complex and a further 33 bays adjacent to the strip shopping on Angove Road. This is well in excess of the current requirements for 103 car bays and would also be sufficient to accommodate the 175 car bays required to meet the maximum floor space allowance of 3500m<sup>2</sup> NLA.

To meet the ultimate floor space of 5000m<sup>2</sup> NLA, 250 car bays would be required. The Mackay Concept Plan provides for approximately 350 car bays which would accommodate the maximum size of the centre as well as associated mixed use development.

### **Landuse Controls**

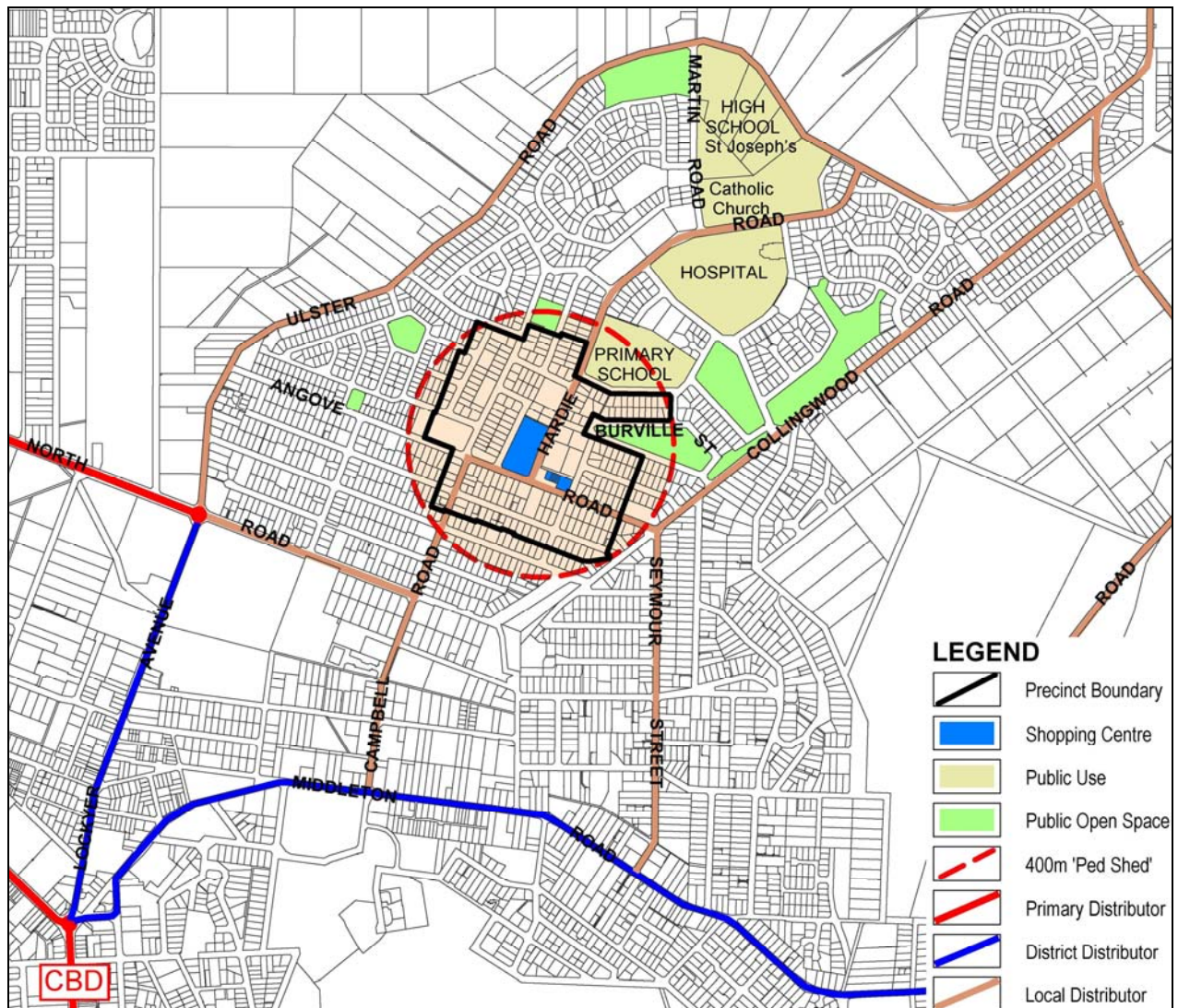
Within the Central Sub-Precinct, the land is zoned 'Local Shopping', 'Clubs and Institutions', 'Residential (R80)' and 'Special Site' which provides for a wide range of retail, commercial and community uses. The table overleaf identifies the uses that may be considered for approval within the various zones contained within the Precinct and the additional uses that may be considered within the 'Special Site-S46' designation.



## 4. BACKGROUND

### 4.1 Site and Context Analysis

The Spencer Park Shopping Centre is centrally located within the Spencer Park residential suburb which is bounded by North Road, Ulster Road and Collingwood Road. The Precinct Plan area is largely contained within a 400 metre radius centred on the shopping centre. (Refer Site Context Plan.) Angove Road abuts the southern boundary of the shopping centre, running roughly east west between Ulster Road and Collingwood Road. Hardie Road runs north south along the eastern boundary of the shopping centre and is the main access to Spencer Park Primary School and Albany Regional Hospital to the north.



Site Context Plan

The surrounding street layout is largely based on a traditional grid street layout which facilitates access to and from the centre and distributes traffic much as recommended in 'Liveable Neighbourhoods'.

#### **4.1.1 Central Sub-Precinct.**

The shopping centre is the dominant element within the Central Sub-Precinct and consists of a standard box design with an internal mall separating the supermarket from the specialty shops. The building is surrounded by bitumen parking with minimal landscaping to offset the generally unattractive appearance of the centre.



**Photo 1: Spencer Park Shopping Centre**



**Photo 2: Strip shopping centre on Angove Road.**

Traditional strip shopping consisting of several shops and a service station are located on the corner of Angove and Hardie Roads opposite the main shopping centre.



**Photo 3: Medical centre**

A medical centre is located on the corner of Hardie and Mokare Roads at the northern end of the precinct and behind is located a day care and health care centre.





**Photo 4: Vacant Land on the east side of Hardie Road.**

Immediately to the east of the shopping centre are two large vacant sites which run through from Hardie Road to Nind Street. The sites were formerly occupied by Department of Housing residential flats, which were demolished several years ago and are a significant blight on the area. In protest at the lack of action to redevelop the site, the fencing has been adorned with socks by members of the local community.



**Photo 5: Hardie Road**

The main streets within the Central Sub-Precinct are devoid of street trees and are dominated by unattractive overhead power lines.

#### 4.1.2 Mixed Use Sub-Precinct

The Mixed Use Sub-Precinct abuts the northern and southern boundaries of the Central Sub-Precinct, consisting of four vacant lots immediately to the north of the shopping centre, three lots ranging in size from 716m<sup>2</sup> to 766m<sup>2</sup> which have been developed with single residential housing on the northern side of Mokare Road, and a number of lots to the south of the centre on Angove Road. The latter are a mix of single residential houses on larger lots of around 900m<sup>2</sup> to 1000m<sup>2</sup> in area and older single storey grouped housing on amalgamated sites.



**Photo 6: Vacant land to the north of the shopping centre.**



**Photo 7: Lots on the northern side on Mokare Road.**



**Photo 8: Housing on southern side of Angove Road.**

#### **4.1.3 Residential Inner Frame Sub-Precinct**

The Residential Inner Frame Sub-Precinct together with the Mixed Use Sub-Precinct surrounds the Central Sub Precinct and consists predominately of single residential housing on lots of between 700m<sup>2</sup> to 800m<sup>2</sup>. A large strategically located lot of 2000m<sup>2</sup> is located on the corner of Angove Road, Wansborough and Pretious Streets and the Lionsville aged person home complex is located on the corner of Hardie Road and Dickson Street. Housing condition ranges from poor to average with the occasional new or renovated house interspersed. While footpaths have been constructed on at least one side of the street, street trees are lacking and the streetscape is generally unattractive.



**Photo 9: Strategic redevelopment site on corner of Angove Road and Wansborough Street.**



**Photo 10: View north down Nind Street.**



**Photo 11: Lionsville Aged Persons Complex on the corner of Hardie Road and Dickson Street.**

#### 4.1.4 Residential Outer Frame Sub-Precinct

The balance of the precinct consists of the Residential Outer Frame Sub-Precinct which incorporates lots on Hillman, Lyttleton, Muir, Burville, Dickson and Wansborough Streets, Campbell, Angove and Mokare Roads, Reidy Drive and Lindfield Crescent. Apart from Hillman Street where lots are predominately larger, ranging from 900m<sup>2</sup> to 1000m<sup>2</sup>, the majority of lots within the Outer Frame Sub-Precinct range between 700m<sup>2</sup> to 800m<sup>2</sup>. A number of sites have been amalgamated to create grouped housing sites.



**Photo 12: New Housing on Hillman Street together with recent battleaxe subdivision.**



**Photo 13: Redeveloped brick & tile housing on Hillman Street.**



**Photo 14: Grouped Housing on Wansborough Street.**



**Photo 15: Renovated housing on Mokare Road.**



**Photo 16: Fibro cottages in Burville Street.**



**Photo 17: Grouped Housing on Bellingham Street.**



**Photo 18: Recent infill housing on 500m<sup>2</sup> lots on Wansborough Street**



**Photo 19: Housing for sale on corner of Wansborough Street and Rogers Road.**



As the prevailing density code has until recently been R20 the lot sizes have not facilitated redevelopment or subdivision except along Hillman Street where lot sizes allow for battle axe subdivision to occur. The slope of the land and outlook to Mt Clarence appear to have also encouraged subdivision and up-grading of housing which is generally of a better standard when compared with the remainder of the Sub-Precinct.

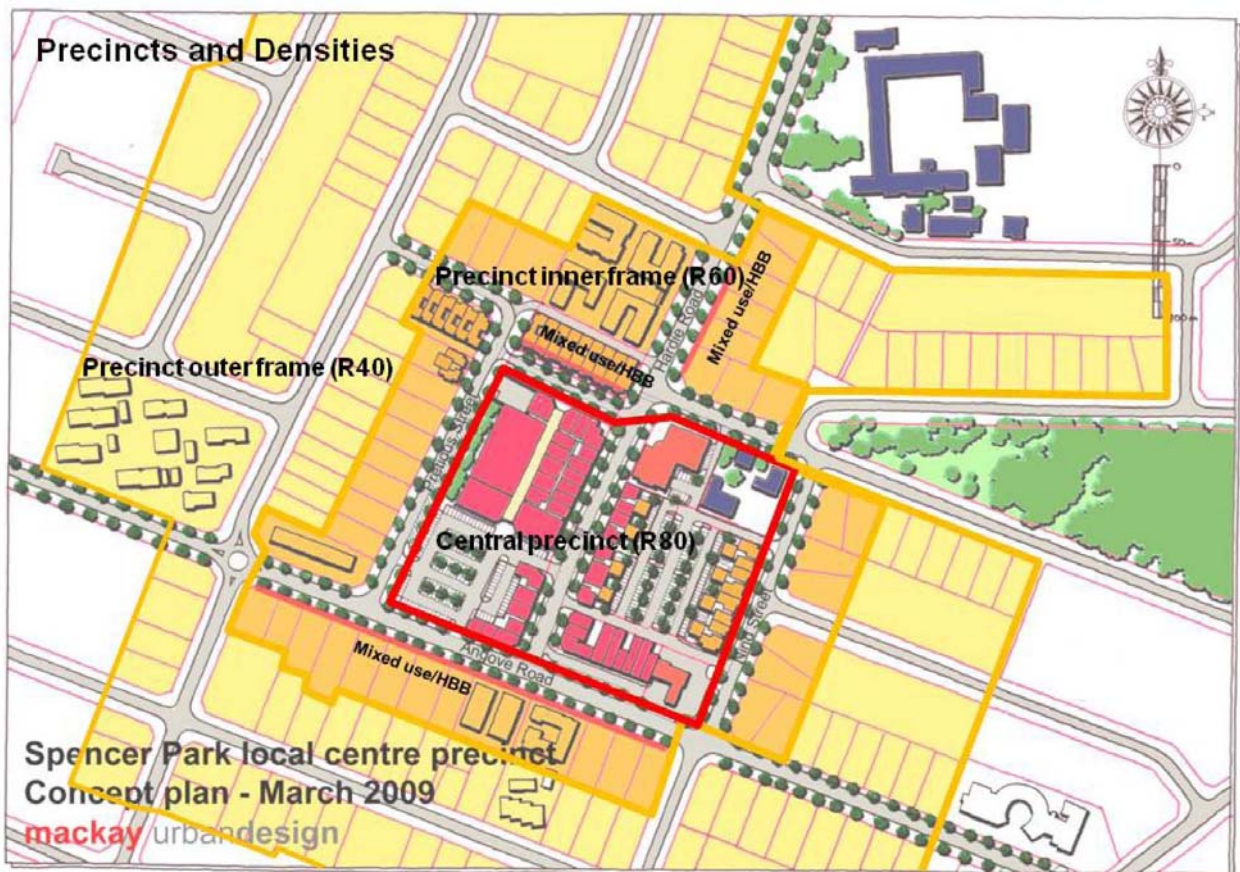
Footpaths are absent from most of the streets and the lack of street trees and concentration of Department of Housing property, some of which is in a poor condition, contributes to a drab residential appearance.

#### **4.2 Urban Design Concept**

The Main elements of the Design Concept prepared by Mackay Urban Design are:

- Establishment of a 'main street' environment along Hardie Road to provide a context for a mix of retail and other commercial uses, and to unite the two existing and disparate retail elements of the centre.
- Identification of a centre core with intensive development and a centre frame with moderately intensive development, that together focus redevelopment close to the centre rather than dispersing it through the suburb as a whole.
- Introduction of mixed use development within the centre to increase the population within close walking distance of facilities and to provide opportunities for passive surveillance of the centre after normal business hours.
- Minor expansion of the retail components to enable them to form a defined street edge to the new main street and generate more activity on the street.
- A greater use of on-street parking where a high degree of reciprocity of use delivers more land-efficient parking provision.
- Location of larger car parking areas behind buildings where possible so that large and unattractive expanses of bitumen don't detract from the quality of the street environment.

- Provision of a range of possible housing types to appeal to the needs and aspirations of a broader cross section of the community, including apartments, terraced town houses, home - based business units and grouped housing.
- Establishment of a new east-west street immediately to the north of the shopping centre, linking Pretious Street with Hardie Road and formalising a strong pedestrian desire line.
- Incorporation of a streetscape improvement program to provide greater pedestrian amenity within the streets of the centre.
- A greater scale of building (three storeys) to create a more identifiable streetscape enclosure and sense of place within the centre.



**Mackay Concept Plan**

## 5. AIM AND OBJECTIVES

### 5.1 Aim

The aim of the Precinct Plan is to guide land use development and the built form within the Precinct area as a safe, vibrant and attractive neighbourhood centre based on the principles outlined in “Liveable Neighbourhoods”.

### 5.2 Key Objectives

- (i) To facilitate the growth of the Spencer Park Neighbourhood centre by providing for an appropriate range of land use
- (ii) Identify redevelopment opportunities and an indication of appropriate development.
- (iii) Maximise employment opportunities in the centre.
- (iv) Encourage quality design of the built form.
- (v) Provide quality public spaces and streets to support to overall development of the area.



Indicative Precinct Plan

## 6. INDICATIVE PRECINCT PLAN

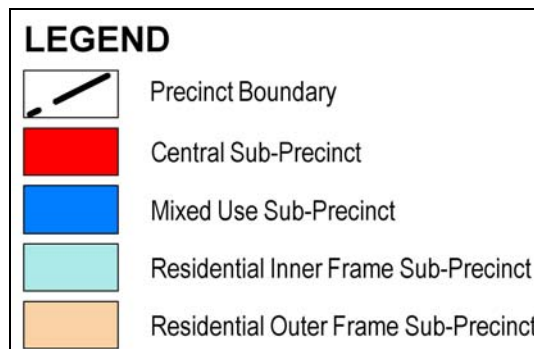
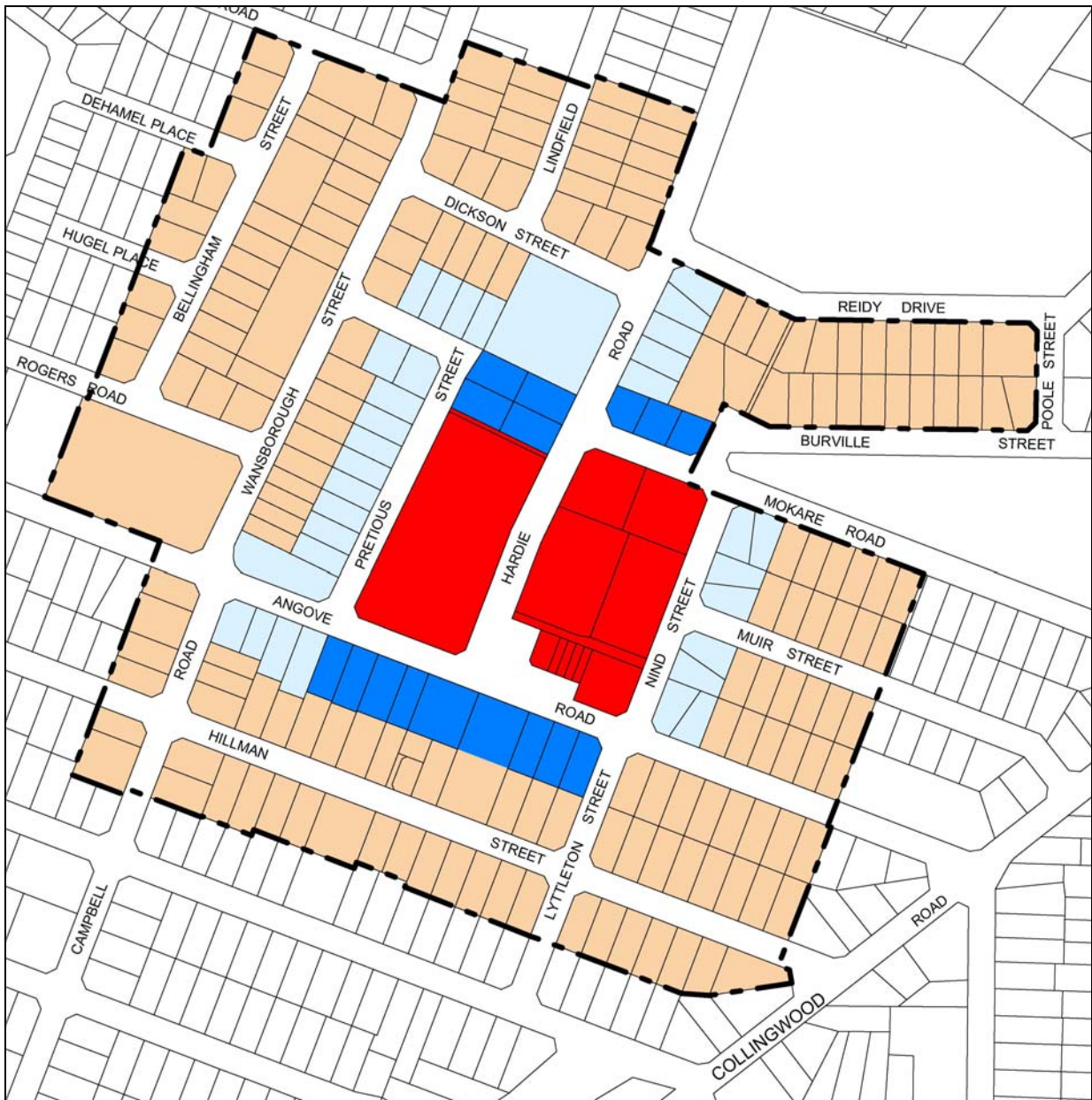
An indicative development plan for the Spencer Park Precinct has been prepared in order to illustrate how the key objectives and desired outcomes can be achieved within the centre.

The plan indicates the building foot prints for the extension of existing land use in the area such as the shopping centre and medical centre, redevelopment of significant vacant land parcels for mixed use and residential development, vehicular and pedestrian access, car parking and street improvements. Development of Hardie Road, between Angove and Mokare Roads, as a 'main street' is a key objective requiring co-ordination of all development abutting the road.

Priorities and possible staging are outlined. The plan is an aspirational document, aimed at achieving the maximum development potential within the precinct. However, flexibility in the implementation of the plan is required in order to ensure development of the centre is not unnecessarily stifled because it is not capable of being implemented at this time or in the foreseeable future.

As the owner of a number of strategic parcels of land the Department of Housing (DoH) is well placed to take a leadership role and initiate a number of demonstration projects which have the potential to promote development in the area, most notably relating to the expansion of the shopping centre and the medical clinic.

The City of Albany (CoA) also has a key role in coordinating improvements to the public realm, including provision of footpaths, street trees, street furniture, upgrading provision of on-street car parking and drainage works.



**Precinct Plan**

## **6.1 CENTRAL SUB-PRECINCT**

The Central Sub-Precinct is the retail, community and service centre for the Spencer Park neighbourhood. However, as noted in Section 3.1, above the general appearance of the area is unattractive, being dominated by bitumen car parking areas and unsightly vacant land.

### **6.1.1 Desired Outcomes.**

Specific outcomes for the Central Sub-Precinct are:

- Provide for the expansion of the Spencer Park Shopping Centre within the parameters established by Council's Local Planning Strategy and Town Planning Scheme.
- Provide for associated commercial and community development in order to maximise opportunities for employment within the neighbourhood.
- Consolidate the expansion of the retail and commercial development along Hardie Road in order to create an attractive and vibrant 'main street' environment.
- Encourage mixed use development in order to increase the number of people living close to the neighbourhood facilities and provide for passive surveillance of the centre outside normal business hours.
- Redevelop vacant residential sites with a variety of housing types and densities in order to support the neighbourhood centre.
- Provide for increased on street car parking within the centre in order to facilitate access to shops and maximise the efficient provision of car parking.
- Develop car parking behind buildings wherever possible in order to reduce the impact of large areas of bitumen.
- Improve access to the shopping centre and reduce potential traffic congestion at the existing access from Hardie Road.
- Initiate a comprehensive program of planting trees within streets and car parking areas in order to improve the general appearance and amenity of the centre.
- Retain the bus route along Angove and Hardie Roads and provide an attractive and convenient bus stop within Hardie Road.
- Provide for through traffic along Hardie Road while at the same time reducing traffic speed and creating a pedestrian safe environment.

An indicative concept plan for the Central Sub-Precinct is attached and incorporates the following key elements:

- Provision for the expansion of Spencer Park Shopping Centre in an easterly direction in order to front Hardie Road.
- Provision for the expansion of the shops on the south east corner of Hardie and Angove Roads in a westerly direction to front Hardie Road.
- Expansion of the existing medical centre on the corner of Hardie and Mokare Roads.
- Redevelopment of vacant lot 68 for mixed use development fronting Hardie Road with car parking to the rear.
- Development of portion of the Spencer Park shopping centre's car park for mixed use development fronting Hardie and Angove Roads.
- Redevelopment of vacant Lot 69 for residential apartments.
- Creation of a 'main street' along Hardie Road between Angove and Mokare Roads.
- Improve the streetscape quality of all streets within the Sub-Precinct by constructing footpaths, planting street trees and providing street furniture.
- Maximise the provision of on street car parking along Hardie Road.
- Create a town square as a community focal point in association with the development of the 'main street'.
- Retain and upgrade the bus stop on Hardie Road.

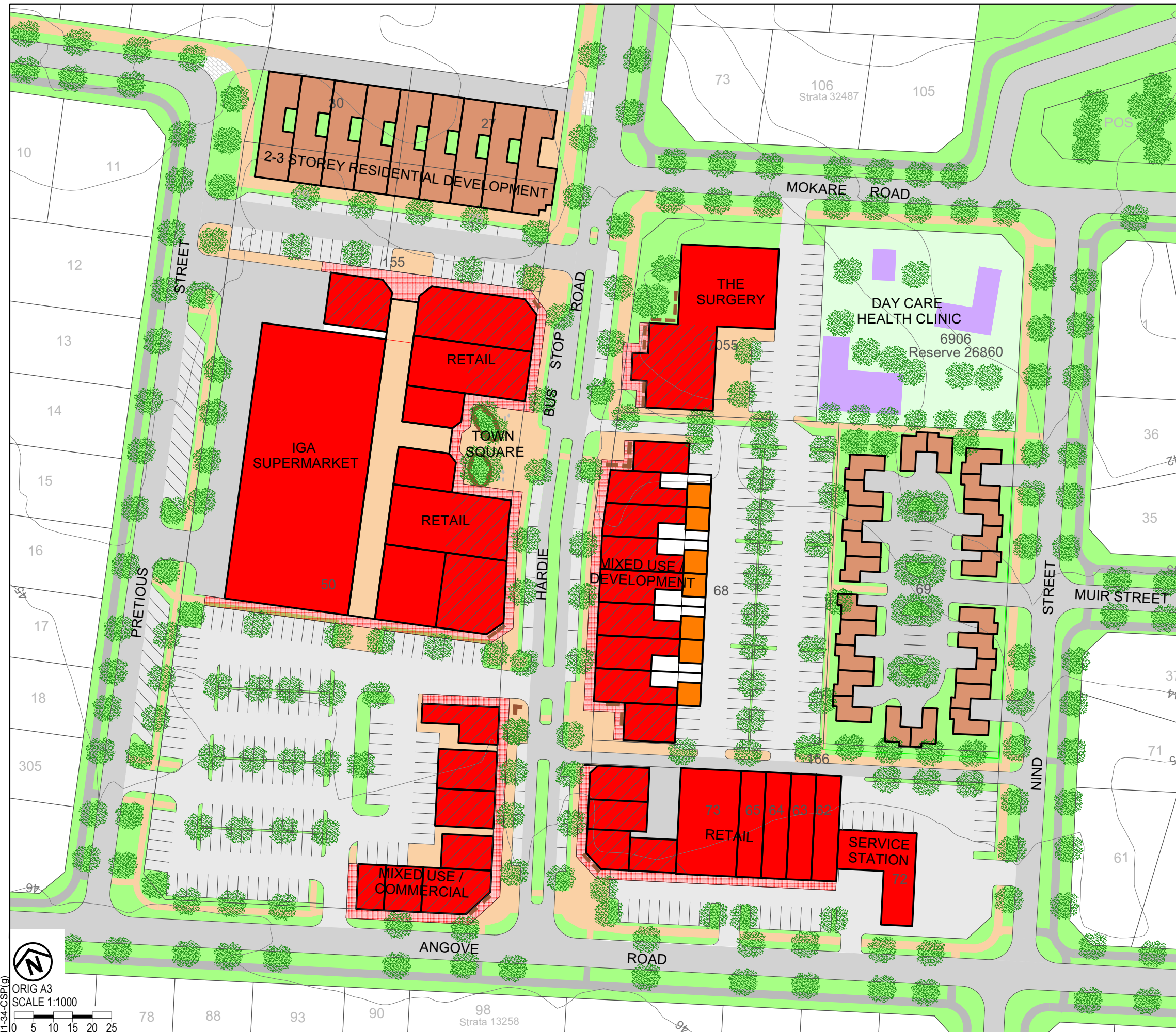






# CENTRAL SUB-PRECINCT INDICATIVE PLAN

Spencer Park,  
City of Albany



**LEGEND**

- Existing Retail / Commercial
- Proposed Retail / Commercial
- Residential Development
- Veranda / Awning

11-34-CSP(G)  
ORIG A3  
SCALE 1:1000  
0 5 10 15 20 25

**AYTON BAESJOU**  
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Ayton Baesjou Planning  
In Association with:  
Roberts Gardiner Architects, and  
Opus International Consultants

### 6.1.2 Hardie Road ‘Main Street’

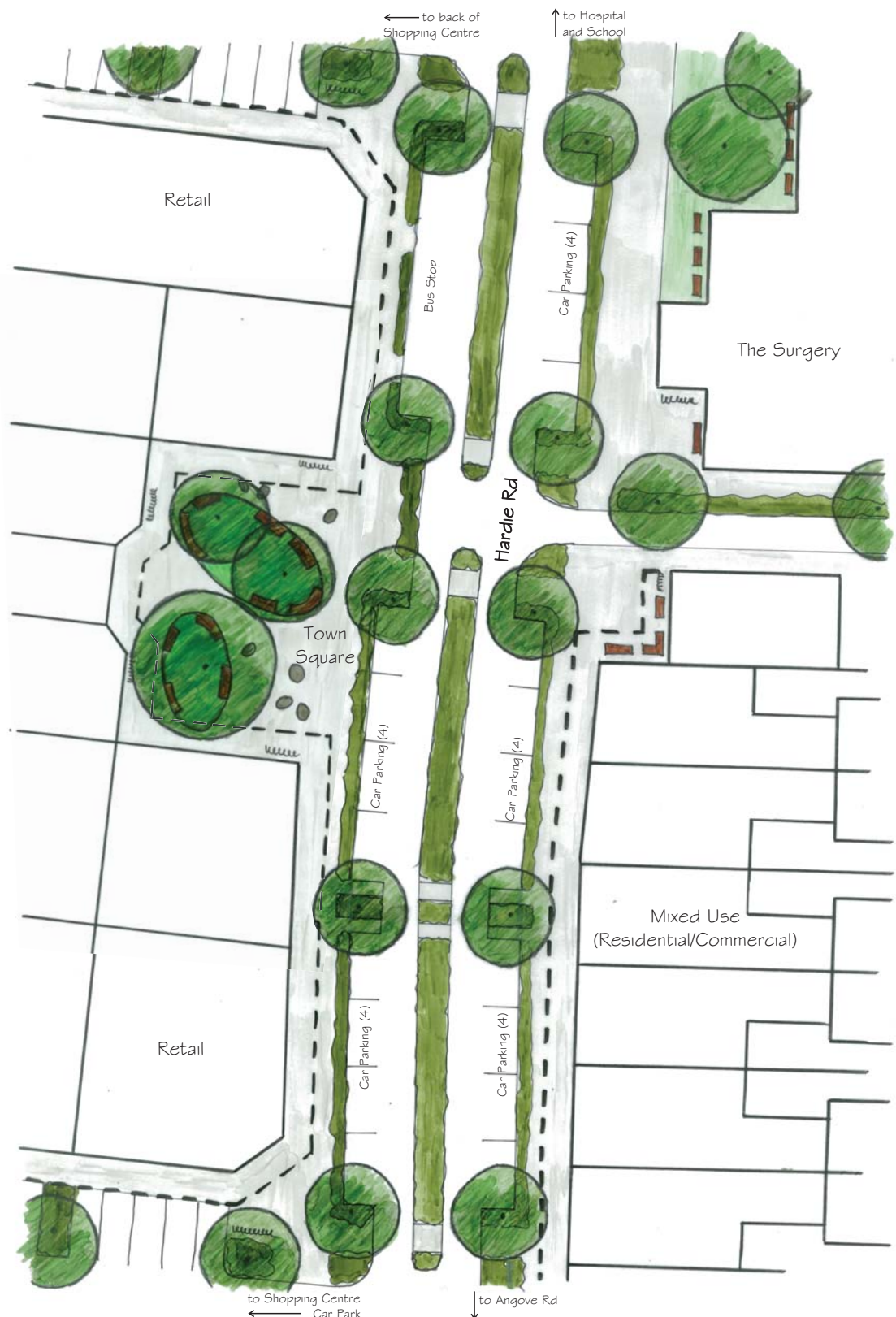
A more detailed landscape concept plan and cross section for the central portion of the proposal Hardie Road “Main Street” is attached overleaf. The plans illustrate the combination of actions required by landowners to develop their properties to front Hardie Road and works in the public realm to create a median strip, on Street car parking, footpaths, street lighting, street trees, landscaping and street furniture.

Two options are shown for the development of a local ‘town square’ on the shopping centre land adjacent to Hardie Road. The options illustrate two different sizes of public space with Option One providing for a greater level of retail development and a more intimate ‘town square’. Option Two allows for a larger square to be developed should demand for additional retail/commercial floor space not eventuate in the short to medium term. Where possible activities such as cafes/restaurants should be located adjacent to the town square so that they can utilize the space for alfresco purposes.

The ‘town square’ also provides an opportunity to provide another access point to the shopping centre.

Undergrounding of the unsightly overhead power lines along the western side of Hardie Road would add significantly to the amenity of the ‘main street’. While it is likely to be a significant cost and may only be achievable in the longer term, funding options should be explored in order to avoid disruption to street improvement that may occur in the short term. It would also enable significant street trees to be planted within the road reserve, as shown on the Concept Landscape Design Plan.





Option 1



Option 2



'Lawn islands' & trees for shade of varying sizes in town square












Water 'island' for atmosphere in town square (instead of lawn)



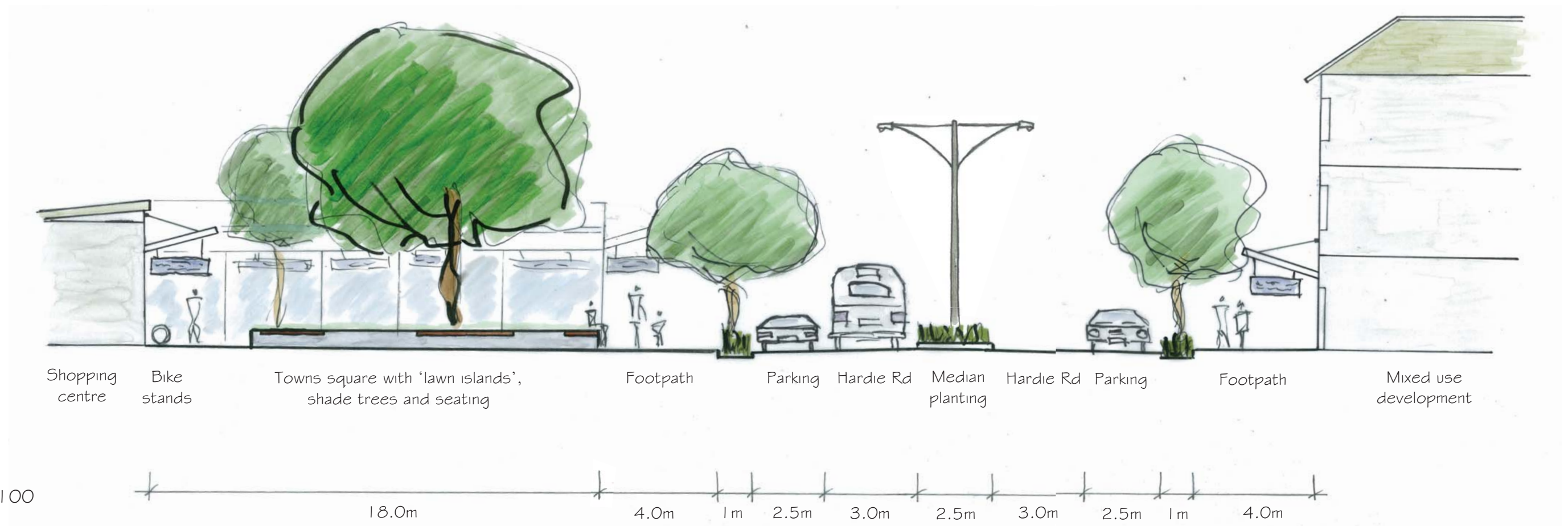
Seats around the 'lawn islands' and resting space atop



Granite boulders to represent the local geology

-  Medium sized street trees (Coral Gum)
-  Verge planting (native groundcover and grasses)
-  Pedestrian crossing through median island
-  Wooden bench seats in 'miniature' town squares
-  Raised lawn beds, wooden seats at the edges
-  Granite boulders for seating and as landscape feature
-  Cork screw bike rack
-  Paved surface in precinct centre
-  Lawn Area

All detailed planting lists to be based on the City of Albany Subdivision and Development Guidelines. Traffic and Civil design of parking, intersections and access ways have not been included in this Concept Landscape Design. For construction traffic spaces will need to be designed to City of Albany, Australian Standard 2890 and Aust Roads Guide to Road Design.



Alfresco area near buildings and green space



Car parking and alfresco areas on footpaths can be integrated



Native street tree (Eucalyptus torquata - Coral Gum)



Verge planting to separate road and pedestrians



Typical crossing point where planting is used to direct traffic



Wooden bench seats for resting throughout the precinct



Corkscrew bike racks

All detailed planting lists to be based on the City of Albany Subdivision and Development Guidelines. Traffic and Civil design of parking, intersections and access ways have not been included in this Concept Landscape Design. For construction traffic spaces will need to be designed to City of Albany, Australian Standard 2890 and Aust Roads Guide to Road Design.

## CENTRAL SUB-PRECINCT DEVELOPMENT GUIDELINES

### Land Use

Notwithstanding those uses generally permissible under Table 1: Zoning Table, within the Central Sub-Precinct, the following uses are 'D' discretionary uses:

- Club Premises
- Consulting Rooms
- Family Day Care
- Fast Food Outlet
- Hotel
- Laundromat
- Liquor Store
- Medical Clinic
- Multiple Dwelling
- Office
- Restaurant
- Tavern

Notwithstanding those uses generally permissible under Table 1: Zoning Table, within the Central Sub-Precinct, the following uses are 'X' not permitted:

- Residential development below the density of the R60 code
- Single House

### Building Form and Design Criteria

Within the Central Sub-Precinct, the main objective is to create a sense of place by focussing development on Hardie Road in order to create a 'main street' environment. Buildings on land either side of Hardie Road need to have a strong connection to the street and the scale and intensity of development needs to differentiate the centre from the surrounding predominantly single storey residential areas.

In order to achieve this the following design criteria apply:

### Building Height

- Maximum of 3 storeys with a maximum building height of 12 metres as per Category C in Table 3 of the Residential Design Codes.
- Variations to the maximum heights will only be considered where ground floor heights are increased to facilitate commercial use in mixed use buildings. The maximum increase in such cases is 1 metre.



### Building Design

- The aim is to achieve a high quality of architectural design which will contribute to the creation of a sense of place.
- Buildings are to avoid blank walls of a single material and colour. Variety of building articulation, materials, texture and colours is required to create interest and break up the bulk and form of buildings.
- Ground floor commercial uses shall maximise the provision of shop front glazing (from a maximum sill height of 500mm to at least 2.4m above floor level) for 75% of the building frontage to the adjacent streets.
- All commercial street frontages built to within 2.5 metres of the front boundary shall incorporate a veranda or roof overhang to provide pedestrian shelter over the adjacent footpaths, with a minimum footpath overhang of 3 metres and a minimum height of 3 metres.

- Building entrances at ground level are to address street frontages and be clearly identified.
- No on-site car parking shall be permitted between the street and the front of a building. All car parking is to be provided to the rear of the building, with on-street parking maximised.
- No front fencing is permitted.
- Service areas shall be located to the rear of buildings wherever possible and screened from public view.
- Balconies may extend to the front property boundary.
- Mixed use development shall be designed to address primary and secondary streets as well as rear car parking areas or any public open space areas in order to maximise passive surveillance.



*3 & 4 storey apartments with commercial use at ground level*

### **Building Setbacks**

- Minimum building setbacks for Primary and Secondary Streets for non residential uses shall be: Nil; and for ground floor residential and any floors above: 2.5 metres. Side and rear setbacks shall have a nil minimum setback.



*3 storey terraced housing with balconies extending to property boundary.*



*3 storey terraced housing maximising on-street parking*



## Car Parking

Within the Central and Mixed Use Sub-Precincts, car parking requirements have been reduced on the basis that a proportion of the car parking is provided as public car parking and is therefore available for reciprocal use. Reciprocal parking allows for the most efficient use of available bays and together with the emphasis on maximising on-street car parking, allows for some relaxation of normal requirements. Recommendations to extend and upgrade footpaths connecting surrounding residential areas with the centre, together with streetscape improvements, also aim to encourage more people to walk or cycle to the centre.



*Car Parking located to the rear of buildings with good surveillance from apartments above.*

## On-site Car Parking Provisions

- Retail: 1 bay per 25 square metres.
- Other Commercial: 1 bay per 30 square metres.
- Residential: As per the Residential Design Codes.

Car parking areas shall be designed to address the following matters:

- Security and lighting.
- Traffic and pedestrian access.

- Landscaping to break up the large areas of unattractive bitumen and provide shade for vehicles.
- Signage.
- Disabled access.
- Integration with adjoining development.
- Efficient servicing arrangements for businesses (loading/unloading areas).



*Landscaped rear car parking with good surveillance from apartments above.*

### **Vehicular Access**

Vehicular access to be restricted to ROW where available. Where not available, vehicle crossovers shall be restricted to one per street for each lot.

## Landscaping

Landscaping both within development sites or the public realm is currently lacking (with the exception of the medical centre).

Appropriate landscaping can contribute significantly to the creation of a sense of place and requires collaboration between landowner/developers and the City of Albany. A landscaping plan for each development site is required which contributes to the amenity of the area, the streetscape and aesthetic quality of the associated buildings. Provision of on site landscaping and/or a contribution in lieu of on-site provision is to be negotiated on a site by site basis with the City of Albany.



### Signage

- A high quality of signage throughout the Precinct is required to complement the aim of achieving an attractive neighbourhood centre.
- No free standing signage is permitted. All signage must be attached to a building.
- Signage shall be integrated with the architectural design of a building with provision made for appropriate signage on the building and or veranda/awnings attached to the building.
- Signage is not permitted above the roof line of a building.



*Roof sign unrelated to use below and not integrated with building design.*



*Signage fully integrated with design of building.*



*Freestanding sign inappropriate to town centre.*



*Repetitive signage.*



*Sign design unrelated to fascia of awning.*

## 6.2 MIXED USE SUB-PRECINCT

The Mixed Use Sub-Precinct abuts the northern and southern boundaries of the Central Sub-Precinct and provides an opportunity to provide additional housing close to the centre, together with capacity for mixed use or home based business.

### 6.2.1 Desired Outcomes.

- Provide for redevelopment of vacant land immediately north of the shopping centre for terraced and multiple residential housing with the opportunity for non-retail commercial development (such as professional offices/consulting rooms) and home based business at ground level.
- Creation of a new east-west street between Pretious Street and Hardie Road, together with additional on-street parking.
- Provide for the redevelopment of existing housing on the southern side of Angove Road and northern side of Mokare Road for higher density housing, together with the capacity for mixed use development. Consolidate land holdings to facilitate comprehensive development as opposed to more ad-hoc development of smaller individual parcels of land.
- Locate car parking to the rear of buildings with shared access and minimise driveways onto Angove Road.



*Angove Road Mixed Use Area*

## MIXED USE SUB-PRECINCT DEVELOPMENT GUIDELINES

### Land Use

Notwithstanding those uses generally permissible under Table 1: Zoning Table, within the Mixed Use Sub-Precinct, the following uses are 'D' discretionary uses:

- Aged or Dependant Persons' Dwellings
- Aged Persons' Village
- Consulting Rooms
- Home Business
- Home Occupation
- Infant Health Clinic
- Medical Centre
- Multiple Dwelling
- Office (limited to 150m<sup>2</sup> per unit)
- Single House

Notwithstanding those uses generally permissible under Table 1: Zoning Table, within the Mixed Use Sub-Precinct, the following uses are 'X' not permitted:

- Residential development below the density of the R40 code.

### Building Form and Design Criteria

- Density Code: R60 (Minimum R40).
- Plot Ratio: Maximum 1.5:1.
- Height: Maximum of 3 storeys with a maximum building height of 12metres as per category C in Table 3 of Residential Design Codes.  
Variations to the maximum heights will only be considered where ground floor heights are increased to facilitate commercial use in mixed use buildings. The maximum increase shall in such cases be 1 metre.
- Minimum setbacks:
  - Primary & Secondary Street: 2.5 metres.
  - Side: Nil.
  - Side/rear: 4.5 metres (except for the ROWs).

- **Vehicle Access:**

Only from ROWs where available. Where access from a ROW is not possible, vehicle crossovers shall be limited to one per street for each lot.

Part of Lots 28 & 29 Pretious Street/Hardie Road to be reserved for a public laneway.
- **On-site Car Parking provisions:**

Commercial: 1 bay per 30 square metres of GFA.

Residential: As per the Residential Design Codes.
- **Landscaping:**

In lieu of minimum on-site provisions, a development contribution shall be made to the local government towards landscaping upgrades in the adjacent streets at a prescribed rate per square metre of site area.
- **Built form design requirements:**
  - i Ground floor commercial uses shall maximise the provision of shop front glazing (from a maximum sill height of 500mm to at least 2.4m above floor level) for 60% of the building frontage to the adjacent streets.
  - ii All commercial street frontages built to within 2.5metres of the front boundary shall incorporate a veranda or roof overhang to provide pedestrian shelter over the adjacent footpath with a minimum of footpath overhang of 3 metres and a minimum height of 3 metres.
- **Development of a Single House:**

Development of a single house shall only be permitted where;

  - i In the opinion of the local government, it is consistent with the sub-precinct objectives;
  - ii Design and location on the lot is such that further development of the site to achieve the minimum R40 density over the lot is not compromised;
  - iii An area suitable for or adaptable to a home-based workspace or office is incorporated at street level: and
  - iv if subdivision is proposed, construction being completed to plate height prior to WAPC approval to a Deposited Plan or Strata Plan.

### 6.3 RESIDENTIAL INNER FRAME SUB-PRECINCT

The Residential Inner Frame Sub-Precinct immediately abuts the Central and Mixed Use Sub-Precincts and its primary role is to increase the number of people living close to the shopping centre and associated employment opportunities. Vacant land and the older housing in poor condition provides an opportunity to encourage development to a higher density and provide a variety of housing. Increased density will complement the redevelopment of the commercial precincts and provide an opportunity to significantly improve the appearance of the streetscapes surrounding the neighbourhood centre. DoH land holdings provide an opportunity to provide demonstration projects which show how existing single residential development can be redeveloped into attractive medium density housing.

#### 6.3.1 Desired Outcomes:

- To increase the number people living within the Inner Frame Sub-Precinct by encouraging redevelopment to a higher density.
- To redevelop vacant land as a priority in order to remove the urban blight.
- Consolidate redevelopment sites in order to encourage better design outcomes.
- Create attractive streetscapes by upgrading footpaths, providing street trees and street furniture.
- Encourage the DoH to redevelop its land holdings as demonstration projects showing how single residential housing can be attractively developed as medium density housing.





## RESIDENTIAL INNER FRAME SUB-PRECINCT DEVELOPMENT GUIDELINES

### Land Use

Notwithstanding those uses generally permissible under Table 1: Zoning Table, within the Residential Inner Frame Sub-Precinct, the following uses are 'D' discretionary uses:

- Aged or dependant Persons' Dwellings
- Aged Persons' Village
- Single House

Notwithstanding those uses generally permissible under Table 1: Zoning Table, within the Residential Inner Frame Sub-Precinct, the following uses are 'X' not permitted:

Residential development below the density of the R40 code.

### Building Form and Design Criteria

- Density Code: R60 (Minimum R40).
- Plot Ratio: Maximum 1:1.
- Height: Maximum of 3 storeys with a maximum building height of 12metres as per category C in Table 3 of the Residential Design Codes.
- Minimum setbacks:
  - Primary Street: As per R Codes.
  - Secondary Street: 1.5metres.
  - Side/rear: as per R Codes
- Vehicle Access:

Vehicle street crossovers shall be limited to one per street (not including ROWs) for each lot. Minimise vehicle street crossovers with a maximum of one per lot.

Encourage reciprocal rights of access to rear of properties where possible.
- Car Parking:

As per R Codes.
- Landscaping:

In lieu of minimum on-site provisions, a development contribution shall be made to the local government towards landscaping upgrades in the adjacent streets at a prescribed rate per square metre of site area.

- Single House Development:

Development of a single house shall only be permitted where;

- i In the opinion of the local government, it is consistent with the sub-precinct objectives;
- ii Design and location on the lot is such that further development of the site to achieve the minimum R40 density over the lot is not compromised; and
- iii If subdivision is proposed, construction being completed to plate height prior to WAPC approval to a Deposited Plan or Strata Plan.



## 6.4 RESIDENTIAL OUTER FRAME SUB-PRECINCT

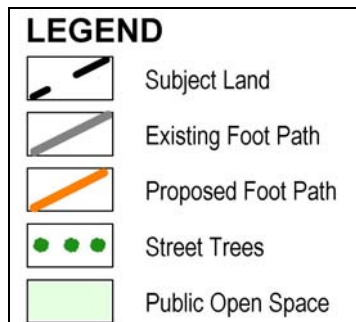
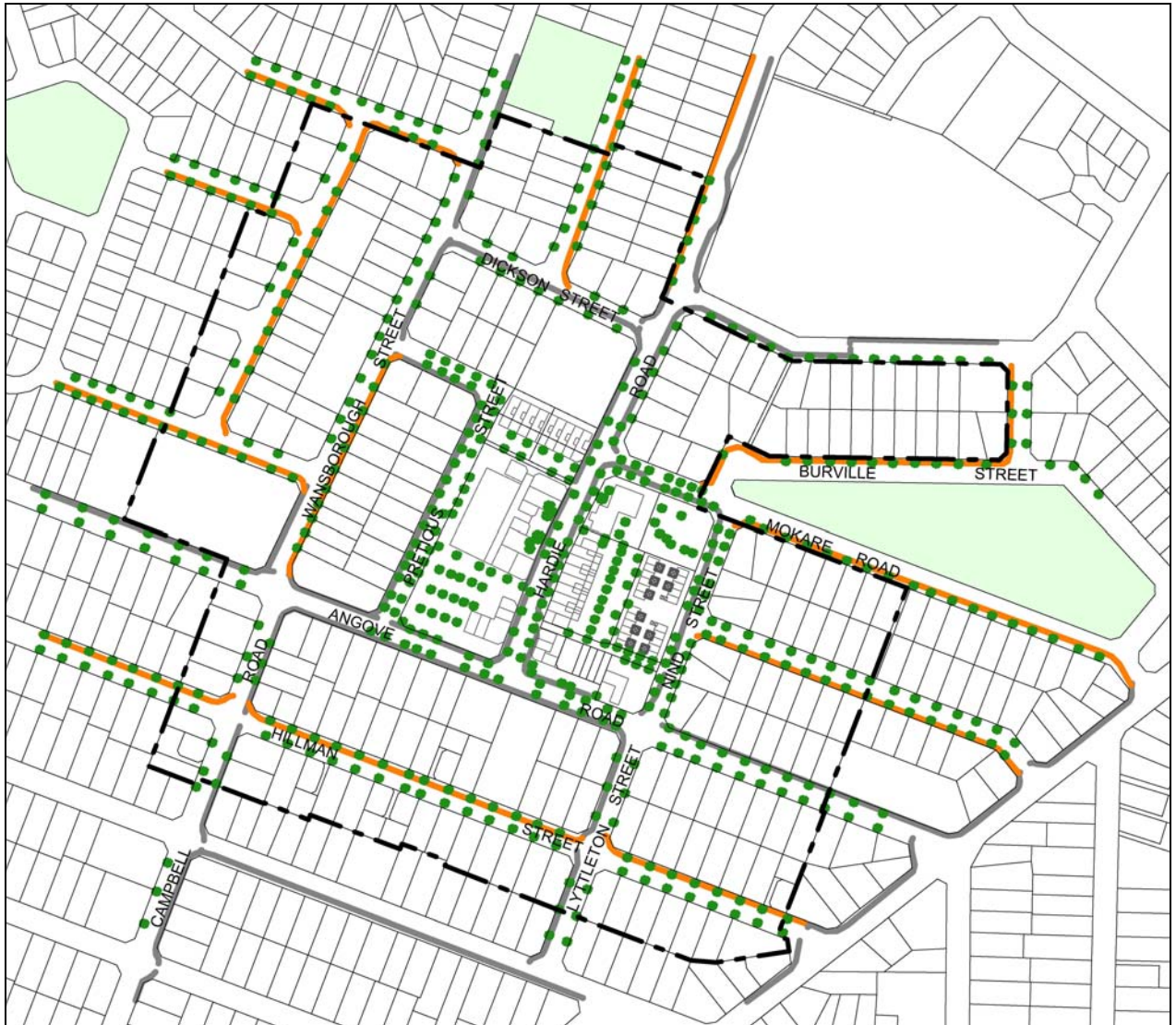
The Residential Outer Frame Sub-Precinct incorporates the balance of the Spencer Park Precinct Plan which is located within four hundred metres of the neighbourhood centre. As with the Inner Frame Sub-Precinct the primary role of the Outer Frame Sub-Precinct is to consolidate residential housing within walking distance of the centre. There is a concentration of older DoH properties in the area to the north of Angove Road which provide an opportunity to redevelop the area to higher density and improve the associated streetscapes. As many of the DoH's properties are adjacent to each other, there is an opportunity for sites to be amalgamated to facilitate well designed housing outcomes. Adoption of the DoH's 'New Living' initiatives would enable the quality of the streetscapes to be significantly improved and encourage redevelopment of privately held property.

### 6.4.1 Desired Outcomes

- To increase the number of people living within the Outer Frame Sub-Precinct by encouraging redevelopment to a higher density.
- To capitalise on the opportunity to redevelop consolidated sites in order to achieve better design outcomes.
- Encourage the DoH to incorporate the area into its 'New Living' program in order to improve the streetscapes and encourage redevelopment of property.
- Upgrade and construct footpaths and provide street trees to encourage residents to walk and cycle to the neighbourhood centre.
- Encourage the DoH to review its sales and acquisition program so that sites can be consolidated to facilitate redevelopment.



*Footpaths adjacent to property boundary  
and nature strip with street trees abutting carriageway.*



### Street Improvement Plan

## RESIDENTIAL OUTER SUB-PRECINCT DEVELOPMENT GUIDELINES

### Land use

Notwithstanding those uses generally permissible under Table 1: Zoning Table, within the Residential Outer Frame Sub-Precinct, the following uses are 'D' discretionary uses:

Single House

Notwithstanding those uses generally permissible under Table 1: Zoning Table, within the Residential Outer Frame Sub-Precinct, the following uses are 'X' not permitted:

Residential development below the density of the R30 code.

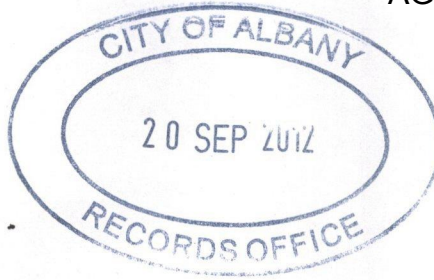
### Building Form and Design Criteria

- Density Code: R40 (Minimum R30).
- Plot Ratio: As per R Codes.
- Height: 2 storeys as per R Codes Category B.
- Setbacks: As per R Codes for R 40.
- Vehicle Access: As per R Codes for R 40.
- On site parking: As per R Codes for R 40.
- Fencing: As per R Codes for R 40.



*"Affordable" terraced housing.*

Chief Executive Officer,  
City of Albany,  
PO Box 484, Albany,  
WA 6331  
Re: ODP014



19/9/2012

Dear Sir/Madam

I have reviewed the Draft Precinct Plan for Spencer Park Neighbourhood Centre. The draft plan aims to change the precincts to a significant commercial and high density residential area. Proximity to Albany Regional Hospital, a primary school and limited number of Old Home residential facilities, supports the plans.

The only shortcoming of the plan is that it needs to facilitate amalgamation of a few more residential plots to make it possible to establish a few more facilities for retirement villages.

I suggest the eastern boundaries of the R60 areas should be moved further to the east to facilitate this requirement.

Regards



City of Albany Records  
Doc No: ICR1275467  
File: ODP014  
Date: 20 SEP 2012  
Officer: ACEO2,EDPD

Attach:  
30x  
/0!  
30x+Vol

3 October 2012

Chief Executive Officer  
City of Albany  
PO Box 484  
ALBANY WA 6331



City of Albany Records  
Doc No: ICR1277285  
File: ODP014  
Date: 08 OCT 2012  
Officer: EDPD

Attach:  
Box  
Vol  
Box+Vol


Dear Sir/Madam

**ODP014**

**SPENCER PARK NEIGHBOURHOOD CENTRE (SPECIAL SITE S46) – DRAFT PRECINCT PLAN**

I wish to write in support of the concepts outlined in the draft Precinct Plan, and look forward to implementation to revitalise this area. I commend the City for looking to redevelop existing sites and increase housing density around urban neighbourhood nodes rather than turning Albany into a great urban sprawl. Future residents will be much appreciative of the planning forethought and enjoy the benefit brought from close services and amenities in their lifestyle. The landscaping proposed looks good; local native plants would be preferable.

Yours faithfully

  
**City of Albany Customer Service Item Receipt**

Date: 4/10/2012 Time: 4:55 AM/PM No **00064**

Customer: \_\_\_\_\_

Description: Spencer Park Neighbourhood Centre  
Draft Precinct Plan - comment

Deliver to REC Planning Customer Service Officer: JK

**From:** \_\_\_\_\_  
**To:** [Records](#)  
**Subject:** EF1276217 - ODP014 - Spencer Park Neighbourhood Centre - Draft Precinct Plan  
**Date:** Thursday, 27 September 2012 2:44:59 PM  
**Attachments:** [image002.jpg](#)

---

Attn: Craig McMurtrie

Ref: ODP014/PA38971/AMDODP014

## SPENCER PARK NEIGHBOURHOOD CENTRE - DRAFT PRECINCT PLAN

Thank you for the above advice. At present, Telstra Corporation Limited has no objection. I have recorded it and look forward to further documentation as the development progresses.

Any network extension that may be required for any development within the area concerned, the owner/developer will have to submit an application before construction is due to start to either NBN Co. or the Telstra Smart Community website:  
<http://www.telstra.com.au/smart-community/developers/> .

More information regarding NBN Co. can be found on their website <http://www.nbnco.com.au/> . I add this information about NBN Co. as it is not known when services will be available from NBNCo. Telstra may provide services if NBN Co. cannot.

Please dial 1100 (Dial before You Dig) for location of existing services.

Regards,



**Norm Walkerden** - Strategic Forecaster  
Forecasting & Area Planning, Fixed and Access Engineering, Network and Access Technology, Telstra Operations  
**Postal:** Locked Bag 2525 Perth WA 6001 **Phone:** 08 6224 6272 **Email**  
[Norman.F.Walkerden@team.telstra.com](mailto:Norman.F.Walkerden@team.telstra.com)



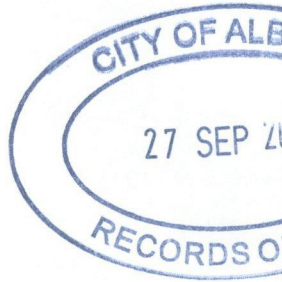
Your Ref: ODP014/PA38971/AMDODP014  
 Our Ref: JT1 2012 08135 V01  
 Contact: Frank Kroll  
 Phone: 9420 2221



24 September 2012

Chief Executive Officer  
 City of Albany  
 PO Box 484  
 ALBANYWA 6331

Attention: Craig McMurtrie



City of Albany Records  
 Doc No: ICR1276186  
 File: ODP014  
 Date: 27 SEP 2012  
 Officer: PLAN18:EDPD  
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**CITY OF ALBANY  
 PARK NEIGHBOURHOOD CENTRE (SPECIAL SITE S46)  
 DRAFT PRECINCT PLAN (ODP014)**

www.watercorporation.com.au

ABN 28 003 434 917

Thank you for your letter of 13 September 2012 requesting the Corporation's advice on the Precinct Plan. Reference is also made to our correspondence dated 24 August 2009 in relation to the Town Planning Scheme 1A Amendment 171.

The Corporation had no objection to the previous Amendment, however advised that there may be a need to upgrade the water and wastewater network in order to service the increases in density. The Precincts are already served to provide for the previous planned development density, and are in an area where water and wastewater mains are very small.

It is noted from the report that a number of Precincts have been planned, however this application refers specifically to Special Site S46. It is recommended that in considering infrastructure upgrades that all areas planned for increased density in this vicinity are considered together, for matters of amplification of works and funding.

It is the Corporation's policy that that the "developer" funds reticulation works (pipes DN250 and under). The area served within these Precincts contain small size reticulation mains consisting of DN100 for water and DN150 for wastewater.

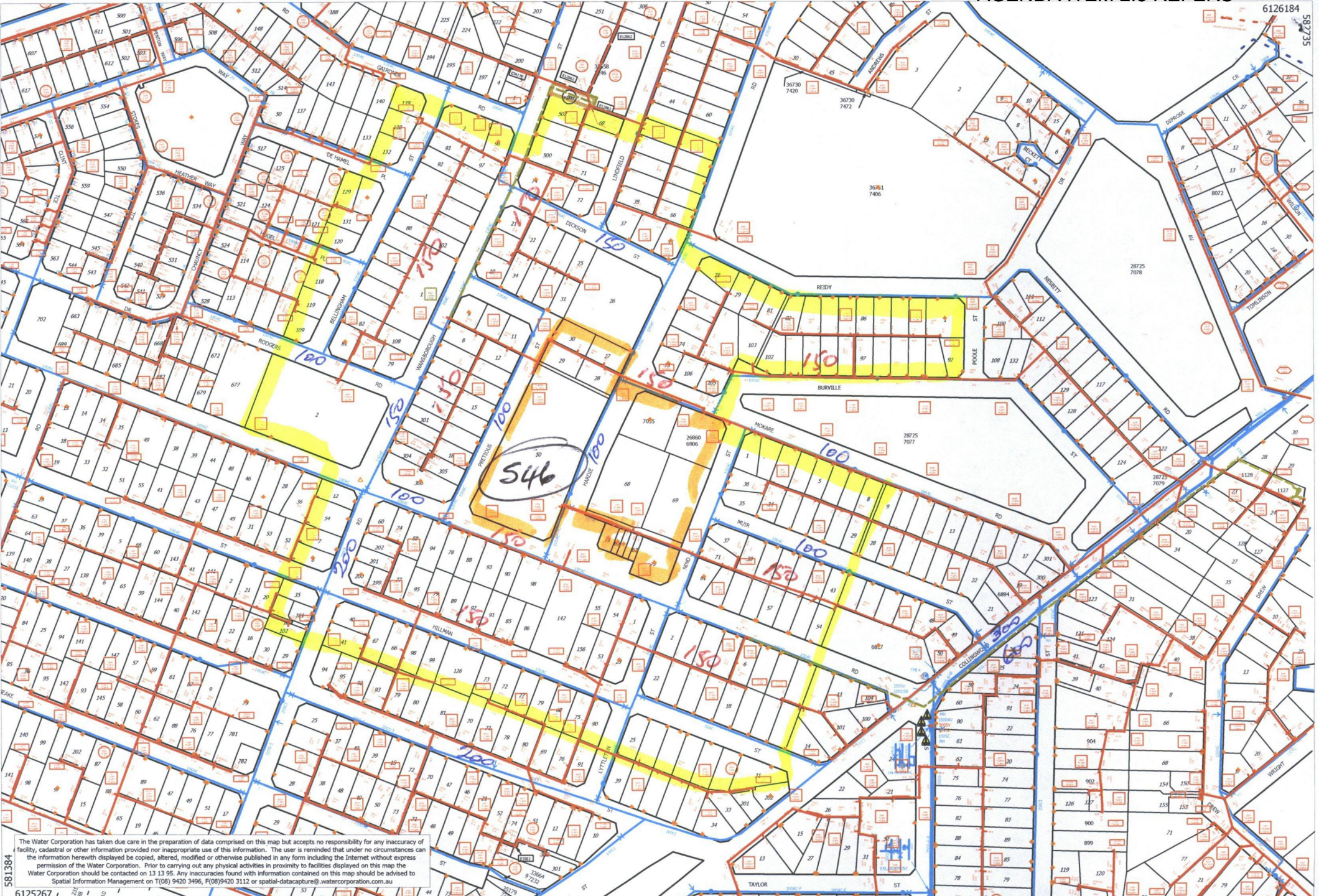
Fragmented ownership may make development and funding of upgrades a constraint unless infrastructure is planned well ahead, and if required a City of Albany Developer Contribution Scheme inclusive of reticulation water and wastewater mains included.

A Consulting Engineer should be engaged to do this work in regards to Precinct development and a detailed assessment of infrastructure upgrades required. Should this work not occur before building applications are made, the first number of buildings will absorb the remaining capacity (if any), and a later individual developer may trigger the upgrade and be required to fund most of the upgraded works.

Should you have further queries, please contact the undersigned.

**Frank Kroll**  
 Senior Development Planner  
 Development Services  
 Planning & Development





The Water Corporation has taken due care in the preparation of data comprised on this map but accepts no responsibility for any inaccuracy of facility, cadastral or other information provided nor inappropriate use of this information. The user is reminded that under no circumstances can the information herewith displayed be copied, altered, modified or otherwise published in any form including the Internet without express permission of the Water Corporation. Prior to carrying out any physical activities in proximity to facilities displayed on this map the Water Corporation should be contacted on 13 13 95. Any inaccuracies found with information contained on this map should be advised to Spatial Information Management on T(08) 9420 3496, F(08)9420 3112 or spatial-datacapture@watercorporation.com.au

581384

EXISTING WATER & WASTEWATER NETWORK

**From:** [Leanne Slater](#) on behalf of [Works Admin General](#)  
**To:** [Records](#)  
**Subject:** EF1275544 - ODP014 - Ref: ODP014/PA38971/AMDODP014- Spencer Park Neighbourhood Centre  
**Date:** Friday, 21 September 2012 8:14:17 AM  
**Attachments:** [ATT00001.gif](#)

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There are no objections, however, there are overhead powerlines and underground cables, adjacent to or traversing across the proposed area of works. Therefore, the following should be considered, prior to any proposed works commencing .

**Working in proximity to Western Power Distribution Lines**

All work must comply with Worksafe Regulation 3.64 - Guidelines for Work in the Vicinity of Overhead Power Lines.

If any work is to breach the minimum safe working distances a Request to Work in Vicinity of Powerlines form must be submitted.

For more information on this please visit the Western Power Website links below:

[http://www.westernpower.com.au/safety/Electrical\\_Safety\\_at\\_Work.html](http://www.westernpower.com.au/safety/Electrical_Safety_at_Work.html)

<http://www.westernpower.com.au/safety/DialBeforeYouDig.html> or [www.1100.com.au](http://www.1100.com.au)

<http://www.commerce.wa.gov.au/WorkSafe/>

**Please note:**

**Western Power must be contacted on 13 10 87, if your proposed works involve:**

- A) Any changes to existing ground levels around poles and structures.
- B) Working under overhead powerlines and/or over underground cables.

**Western Power is obliged to point out that any change to the existing (power) system; if required, is the responsibility of the individual developer.**

Regards,  
**Customer Service Officer**  
Connections Administration  
Western Power - Locked Bag 2520, Perth WA 6000 [[map](#)]

**T:** 13 10 87 | **F:** (08) 9225 2073  
**E:** [works.admin.general@westernpower.com.au](mailto:works.admin.general@westernpower.com.au)  
**W:** <http://www.westernpower.com.au/>

Please consider the environment before you print this email.

## AGENDA ITEM 2.5 REFERS

Any claim to confidentiality is not waived or lost by reason of mistaken transmission of this email.

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VIRUSES - Western Power scans all outgoing emails and attachments for viruses, however it is the recipient's responsibility to ensure this email is free of viruses.

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**3.1: EXTENDED TRADING HOURS WITHIN THE CITY OF ALBANY-  
2013**

**Land Description** : Municipality of Albany  
**Proponent** : Albany Chamber of Commerce and Industry  
**Attachments** : Albany Chamber of Commerce and Industry Application  
dated 24 October 2012  
**Responsible Officer** : Acting Executive Director Community Services  
(C Woods)

[7:03:05 PM](#) Mayor Wellington and Councillor Hortin left Chamber. Deputy Mayor Attwell took the Chair.

**IN BRIEF**

Extended trading hours are requested for long weekends, public holidays and cruise ship visits (arriving Sundays) for the remainder of the calendar year 2013.

**ITEM 3.1: PROCEDURAL MOTION BY COUNCILLOR HAMMOND**

**MOVED: COUNCILLOR HAMMOND**  
**SECONDED: COUNCILLOR SUTTON**

**THAT this matter be laid on the table for consideration at the December 2012 Ordinary Council Meeting in conjunction with Deregulated Trading.**

**LOST 2-6**

**Record of Vote**

For the Motion: Councillors Hammond and Sutton

**ITEM 3.1: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DUFTY**  
**SECONDED: COUNCILLOR BOWLES**

**THAT the APPLICATION for extended trading hours on the nominated dates for the calendar year 2013 be APPROVED.**

**CARRIED 8-0**

**BACKGROUND**

1. In order to promote trade and to display Albany as a vibrant tourist destination, the Albany Chamber of Commerce and Industry Inc requests extended trading hours for general retail shops on the following days:

\*\*REFER DISCLAIMER\*\*

<b>Date</b>	<b>Public Holiday</b>	<b>Time</b>
Sunday 27 January	Australia Day Weekend	10am to 5pm
Monday 28 January	Australia Day Weekend	10am to 5pm
Sunday 24 February	Cruise Ship – Amsterdam	10am to 5pm
Sunday 3 March	Labour Day Weekend	10am to 5pm
Monday 4 March	Labour Day Weekend	10am to 5pm
Sunday 31 March	Easter Sunday Cruise Ship – Athena	10am to 5pm
Monday 1 April	Easter Monday	10am to 5pm
Thursday 25 April	Anzac Day	12pm to 5pm
Friday 26 April	Late night trade in lieu of ANZAC Day early closure	8am to 9pm
Sunday 2 June	Western Australia Day Weekend (formerly Foundation Day)	10am to 5pm
Monday 3 June	Western Australia Day Weekend (formerly Foundation Day)	10am to 5pm
Sunday 29 September	Queens Birthday Weekend	10am to 5pm
Monday 30 September	Queen’s Birthday Weekend	10am to 5pm
Sunday 10 November	Cruise Ship – Volendam	10am to 5pm

**DISCUSSION**

2. The application is for extended trading hours for long weekends, public holidays and cruise ship visits (arriving Sundays) from 10am to 5pm, ANZAC Day 12 noon to 5pm and Friday 26 April 8am to 9pm in lieu of ANZAC Day early closing.
3. This proposal would affect all retailers covered under the *Retail Trading Hours Act 1987* within the municipality of Albany.
4. It will not be compulsory for retailers to trade on this day.

**PUBLIC CONSULTATION**

5. The Albany Chamber of Commerce and Industry Inc is a representative of the affected segment of the population and is the proponent of this initiative.

**GOVERNMENT CONSULTATION**

6. If the motion is approved by a clear majority of Council, The City of Albany will then apply to the Department of Commerce (Consumer Protection) for a temporary/short term adjustment to local trading hours for the dates specified.

### **STATUTORY IMPLICATIONS**

7. Non-metropolitan Local Government may apply to the Department of Commerce (Consumer Protection) to extend the trading hours for local general retail shops beyond those stipulated in the *Retail Trading Hours Act 1987*.

### **STRATEGIC IMPLICATIONS**

8. This item directly relates to the following elements from the City of Albany Strategic Plan 2011-2021.

#### **Key Focus Area**

*Sustainability and Development*

#### **Community Priority**

*Enhance central business district*

*A diversified industrial base*

*Tourism development*

#### **Proposed Strategies**

*To develop a partnership with the Albany Chamber of Commerce Inc to identify opportunities to attract new business and services to the CBD to make it more vibrant and reduce the number of property vacancies.*

*Advocate and promote Albany as a viable centre for diverse industries*

*Encourage an increase in Albany's industry base to ensure employment for school leavers and university graduates.*

*Advocate for and encourage seven day a week trading, especially in the hospitality industry to better meet tourist's needs.*

### **POLICY IMPLICATIONS**

9. The Council's Extended Trading Hours Policy requires revision to reflect the changes to Perth Metropolitan trading that came into effect 26 August 2012.

**RISK IDENTIFICATION & MITIGATION**

10. The risk identification and categorisation relies on the City's Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>Change to trading hours has the potential to create division amongst local community and small business groups.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>It will not be compulsory for local retailers to trade on these days.</i>
<i>By not adopting extended trading hours on the nominated dates the City's retailers will miss out on additional consumer expenditure opportunities and diminish Albany's overall attractiveness as a vibrant visitor destination.</i>	<i>Likely</i>	<i>Moderate</i>	<i>High</i>	<i>The Council can adopt extended retail trading on long weekends, public holidays and special event dates.</i>

**FINANCIAL IMPLICATIONS**

11. Retailers opening on these days may gain significant economic benefit as it is anticipated there will be a greater number of visitors in Albany over long weekends, public holidays and from cruise ships visits.

**LEGAL IMPLICATIONS**

12. Nil

**ALTERNATE OPTIONS**

13. Council can decline or modify the application.

**SUMMARY CONCLUSION**

14. There is a precedent for a temporary extension of this nature on long weekends, public holidays and cruise ship visits (when they have arrived in Albany on a Sunday).

15. The single application for the balance of days in 2012 for extended trading will simplify the approval process and provide confidence and sufficient time for retailers to undertake required advanced planning.

<b>Consulted References</b>	Council Policy – Extended Trading Hours Policy
<b>File Number</b>	Synergy Reference No: CM.STD.7/NP097724_2
<b>Previous Reference</b>	NIL

Mayor Wellington and Councillor Hortin left the Chamber after declaring an interest in this item. Mayor Wellington and Councillor Hortin did not participate in the discussion or vote for this item.





Albany Chamber of Commerce & Industry Inc.

24 October 2012

Linda Hill  
Acting Chief Executive Officer  
City of Albany  
PO Box 484  
Albany WA 6330

Dear Linda

**RE: Extended Retail Trading for Public Holidays & Cruise Ships in 2013**

Pursuant to City of Albany extended retail trading policy, and in line with the precedent set over recent years, the Albany Chamber of Commerce & Industry wishes to apply for extended trading hours for General Retail Shops in Albany during public holidays and cruise ship visits in 2013.

The dates we wish to apply for are:

**Australia Day Weekend**

Sunday 27 January 10am – 5pm

Monday 28 January 10am – 5pm

**Cruise Ship - Amsterdam**

Sunday 24 February 10am – 5pm

**Labour Day Weekend**

Sunday 3 March 10am – 5pm

Monday 4 March 10am – 5pm

**Easter Weekend**

Sunday 31 March 10am – 5pm

Monday 1 April 10am – 5pm

**ANZAC Day**

Thursday 25 April 12noon – 5pm

Friday 26 April 8am – 9pm (in lieu of late night trading ANZAC Day)

**Western Australia Day Weekend**

Sunday 2 June 10am – 5pm

Monday 3 June 10am – 5pm

**Queen's Birthday Weekend**

Sunday 29 September 10am – 5pm

Monday 30 September 10am – 5pm

**Cruise Ship - Volendam**

Sunday 10 November 10am – 5pm

We trust you will give full consideration to our application, and should you require further information, please contact the Chamber on 9845 7888.

Best regards,

  
**Graham Harvey**  
Chief Executive Officer

cc Janine Stanton

76 Collie Street, Albany WA 6330  
PO Box 5273, Albany WA 6332

**P** (08) 9845 7888  
**F** (08) 9845 7877

**E** admin@albanycci.com.au  
**W** www.albanycci.com.au

**4.1: LIST OF ACCOUNTS FOR PAYMENT – OCTOBER 2012**

**File Number (Name of Ward)** : FM.FIR.2 - All Wards  
**Appendices** : List of Accounts for Payment  
**Responsible Officer** : Executive Director Corporate Services (G Adams)

[7:09:18 PM](#) Mayor Wellington and Councillor Hortin returned to the Chamber

**ITEM 4.1: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON**  
**SECONDED: COUNCILLOR HORTIN**

The list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 19 October 2012 totalling \$4,325,894.76 be **RECEIVED.**

**CARRIED 10-0**

**BACKGROUND**

1. Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal and trust funds. In accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

**DISCUSSION**

2. The table below summarises the payments drawn from the municipal fund for the period ending 19 October 2012. Further details of the accounts authorised for payment by the Chief Executive Officer is included within the Elected Members Report/Information Bulletin.

**Municipal Fund**

Trust	Totalling	\$39,937.00
Cheques	Totalling	\$37,874.36
Electronic Fund Transfer	Totalling	\$2,807,950.23
Credit Cards	Totalling	\$6,517.87
Payroll	Totalling	\$1,433,615.30
	<b>TOTAL</b>	<b><u>\$4,325,894.76</u></b>

3. As at 19 October 2012, the total outstanding creditors, stands at **\$705,361.81** and made up follows:

Current	\$540,876.98
30 Days	\$84,595.33
60 Days	\$650.00
90 Days	\$79,239.50
<b>TOTAL</b>	<b>\$705,361.81</b>

4. Cancelled cheques: 28356 - incorrect creditor; 28322 – incorrect name replaced with 28364; 28362 - incorrect name replaced with 23865; 28368 – incorrect creditor.

**STATUTORY IMPLICATIONS**

5. Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996, provides that payment may only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.
6. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
7. Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.

**FINANCIAL IMPLICATIONS**

8. Expenditure for the period to 19 October 2012 has been incurred in accordance with the 2012/2013 budget parameters.

**POLICY IMPLICATIONS**

9. The City's 2012/2013 Annual Budget provides a set of parameters that guides the City's financial practices.

**SUMMARY CONCLUSION**

10. That list of accounts have been authorised for payment under delegated authority.

<b>File Number (Name of Ward)</b>	FM.FIR.2 - All Wards
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TRUST CHEQUES AND ELECTRONICS FUNDS TRANSFER PAYMENTS

EFT/CHQ	Date	Name	Description	Amount
28422	27/09/2012	VIBE OYSTER HARBOUR PTY LTD	FULL RETURN OF DEFECTS BOND A47232 LOT 500 ALISON PARADE, LOWER KING	14,360.00
28459	12/10/2012	HEATH DEVELOPMENT COMPANY	FULL RETURN OF DEFECTS BOND OYSTER HARBOUR STAGE 3 WAPC 134711 LOT 42 LOWER KING RD	25,577.00
<b>Total</b>				<b>39,937.00</b>

MASTERCARD TRANSACTIONS - OCTOBER 2012

Date	Payee	Description	Amount
03-September-2012	Environmental Health	Environmental Health Assoc National Conference - R Van Wyk 27/9 - 28/9/12	\$ 1,260.00
12-September-2012	City Waters	Accommodation - PIA Conference T Wenbourne & C McMurtrie 12/9 - 15/9/12	\$ 750.00
31-August-2012	Skywest	Flights N Stringall - Travel	\$ 554.29
04-September-2012	Keynote Conferences	Waste & Recycle Conference - M Swarbrick	\$ 1,896.12
17-September-2012	Wattle Grove Motel	Accommodation and Meals B Marsh - 17/9/12 - 20/9/12	\$ 575.00
08-September-2012	Joop Thai	Dinner - Mayor, Coucnillors, WALGA & Garry Hunt	\$ 665.00
09-September-2012	Dan Murphy's	Dinner - Mayor, Coucnillors, WALGA & Garry Hunt	\$ 360.66
Various	Sundry < \$ 200.00		\$ 456.80
<b>TOTAL</b>			<b>6,517.87</b>

Payroll - 6 September - 17 October 2012

7/09/2012	Sundry Pay	\$ 2,713.64
19/09/2012	Payroll	\$ 456,023.04
20/09/2012	Sundry Pay	\$ 237.84
20/09/2012	Sundry Pay	\$ 511.94
28/09/2012	Sundry Pay	\$ 1,852.21
3/10/2012	Payroll	\$ 480,395.57
5/10/2012	Sundry Pay	\$ 2,011.60
5/10/2012	Sundry Pay	\$ 1,743.14
11/10/2012	Sundry Pay	\$ 7,052.30
17/10/2012	Sundry Pay	\$ 321.46
17/10/2012	Payroll	\$ 480,752.56
<b>TOTAL</b>		<b>1,433,615.30</b>

AGENDA ITEM 4.1 REFERS

Chq	Date	Name	Description	Amount
28391	20/09/2012	PAUL NADERI	REFUND FOR TOWN HALL ROOM HIRE NOVEMBER 2012	100.00
28392	20/09/2012	KOSTERS STEEL CONSTRUCTIONS	REIMBURSE FEE FOR APPLICATION FOR PLANNING SCHEME CONSENT	75.00
28393	20/09/2012	SOUTHERN EDGE ARTS	REIMBURSE FEE FOR APPLICATION FOR PLANNING SCHEME CONSENT	139.00
28394	20/09/2012	AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY	ANNUAL LICENCE RENEWALS	2,575.00
28395	20/09/2012	AUSCOINSWEST	FORTS MERCHANDISE	996.05
28396	20/09/2012	IML LOGISTICS	STORE CULTER ROAD - ALAC	175.56
28397	20/09/2012	LOCKEEZ LUNCHBAR	CATERING SUPPLIES	176.00
28398	20/09/2012	PETTY CASH - ALBANY REGIONAL DAY CARE CENTRE	PETTY CASH REIMBURSEMENTS	193.80
28399	20/09/2012	PETTY CASH - CITY OF ALBANY	PETTY CASH REIMBURSEMENTS	374.95
28400	20/09/2012	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	720.35
28401	20/09/2012	VODAFONE PTY LTD	TELEPHONE CHARGES	49.00
28402	20/09/2012	WATER CORPORATION	WATER CONSUMPTION CHARGES	15.30
28403	27/09/2012	AMP FLEXIBLE LIFETIME SUPER PLAN	Superannuation contributions	795.68
28404	27/09/2012	AMP RSA	Superannuation contributions	335.36
28405	27/09/2012	AMP LIFE LIMITED	Superannuation contributions	415.38
28406	27/09/2012	BT SUPER FOR LIFE	Superannuation contributions	369.46
28407	27/09/2012	CARE SUPER PTY LTD	Superannuation contributions	167.70
28408	27/09/2012	HESTA SUPER FUND	Superannuation contributions	889.64
28409	27/09/2012	HOSTPLUS PTY LTD	Superannuation contributions	332.62
28410	27/09/2012	IOOF INVESTMENT MANAGEMENT LTD	Superannuation contributions	839.68
28411	27/09/2012	MEDIA SUPER	Superannuation contributions	332.62
28412	27/09/2012	MLC NOMINEES PTY LTD	Superannuation contributions	401.14
28413	27/09/2012	MLC NOMINEES PTY LIMITED	Superannuation contributions	911.81
28414	27/09/2012	NGS SUPER	Superannuation contributions	343.56
28415	27/09/2012	NATIONAL MUTUAL RETIREMENT FUND	Superannuation contributions	406.70
28416	27/09/2012	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	821.38
28417	27/09/2012	IOOF GLOBAL ONE (EX SKANDIA GLOBAL)	Superannuation contributions	244.56
28418	27/09/2012	SUNSUPER SUPERANNUATION	Superannuation contributions	540.26
28419	27/09/2012	SUPERWRAP PERSONAL SUPER PLAN	Superannuation contributions	673.20
28420	27/09/2012	TOWER TRUST LIMITED	Superannuation contributions	343.76
28421	27/09/2012	UNI SUPER	Superannuation contributions	286.89
28424	27/09/2012	GIRL GUIDES GREAT SOUTHERN	KIDSPORT VOUCHER	362.00
28425	27/09/2012	GREAT SOUTHERN ZONE OF WALGA	ANNUAL SUBSCRIPTION 2012/2013	935.00
28426	27/09/2012	GSP - ALBANY PCYC BOOKLET	LIBRARY ASSISTANT SERVICE PROVIDED	112.13
28427	27/09/2012	RAY HAMMOND	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
28428	27/09/2012	LOCKEEZ LUNCHBAR	CATERING for Citizenship Ceremony	425.00
28429	27/09/2012	SHIRE OF KOJONUP	HOLLOW LOG GOLF TOURNAMENT - FEES	160.00
28430	27/09/2012	TELSTRA CORPORATION LIMITED	MOBILE TELEPHONE CHARGES	5,656.25
28431	27/09/2012	WATER CORPORATION	WATER USAGE CHARGES	146.85
28432	04/10/2012	WISHART HOMES PTY LTD	REFUND FOR OVER PAID BUILDING LICENCE FEES	1,056.00
28434	04/10/2012	ALBANY PUBLIC LIBRARY	TEA MONIES JULY-AUGUST-SEPTEMBER 2012	216.00

AGENDA ITEM 4.1 REFERS

28435	04/10/2012	COLIN BOWLER	Rates refund for assessment A17934	156.86
28436	04/10/2012	DEPARTMENT OF TRANSPORT	AMAZING ALBANY NUMBER PLATES 956A	495.00
28437	04/10/2012	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	1,099.60
28438	04/10/2012	LOCKEEZ LUNCHBAR	CATERING	181.00
28439	04/10/2012	MT BARKER HOCKEY CLUB	KIDSPORT 2012	200.00
28440	04/10/2012	SPENCER PARK PRIMARY SCHOOL	GRADUATION DONATION	55.00
28441	04/10/2012	WATER CORPORATION	WATER USAGE CHARGES	50.30
28442	11/10/2012	MR F PARKINSON	REFUND FOR BUILDING PERMIT FEE & BUILDING SERVICE LEVY	130.50
28443	11/10/2012	JO GLENISTER	REFUND FOR SWIMMING LESSONS XYRUS GLENISTER	112.00
28444	11/10/2012	JANE HOY	REFUND FOR SWIMMING LESSONS - AMY HOY	112.50
28445	11/10/2012	STEVEN WISEMAN	CROSSOVER SUBSIDY FOR 5 MEYERS WAY	158.55
028446	11/10/2012	NORMAN FREDERICK JOHN BADGER	FORTS VOLUNTEER TRAVELLING ALLOWANCE	144.00
028447	11/10/2012	ROBERT ALEXANDER BELL	FORTS VOLUNTEER TRAVELLING ALLOWANCE	240.00
028448	11/10/2012	ALBERT BUCKROYD	FORTS VOLUNTEER TRAVELLING ALLOWANCE	220.80
028449	11/10/2012	B A & E G CAPELLI	MERCHANDISE SUPPLIES	225.00
028450	11/10/2012	GIRL GUIDES GREAT SOUTHERN	KIDSPORT VOUCHERS - CAMERON TINDAL DAVIES	181.00
028451	11/10/2012	BRIAN HOPE	FORTS VOLUNTEER TRAVELLING ALLOWANCE	648.00
028451	11/10/2012	MARILYN LEBEZ	FORTS VOLUNTEER TRAVELLING ALLOWANCE	252.00
028453	11/10/2012	PETTY CASH - ALBANY REGIONAL DAY CARE CENTRE	PETTY CASH REIMBURSEMENTS	181.50
028454	11/10/2012	PETTY CASH - VISITORS CENTRE	PETTY CASH REIMBURSEMENTS	240.25
028455	11/10/2012	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	222.41
028456	11/10/2012	WATER CORPORATION	WATER USAGE CHARGES - COMMERCIAL CENTRE 73 NORTH RD 1/5/12 - 24/8/12	894.45
028457	11/10/2012	WESTERN POWER	RELOCATION OF SERVICES (WESTERN POWER) FOR FRENCHMAN BAY ROAD/QUEEN STREET SP036718	4,601.00
28458	11/10/2012	WA POLICE STRATEGIC CRIME PREVENTION DIVISION	RETURN OF UNSPENT GRAFITTI MAPPING GRANT FUNDS	198.00
28460	12/10/2012	FRANK FLAVEL	REIMBURSEMENT OF FEE FOR APPLICATION OF PLANNING SCHEME CONSENT FOR LOT 4 CHESTERPASS RD - WHICH IS NOT REQUIRED	139.00
28461	18/10/2012	MATT POCOCK	REIMBURSE FEE FOR APPLICATION OF PLANNING SCHEME CONSENT FOR LOT 813 WESTERN RIDGE WHICH WAS OVERCHARGED AT RECEPTION - P2120243	175.00
28462	18/10/2012	ANDRISMARK	REFUND FOR HIRE OF COURTYARD ROOM FOR 8 SESSIONS @ \$24 PER SESSION	192.00
28463	18/10/2012	DEPARTMENT OF TRANSPORT	AMAZING ALBANY NUMBER PLATES 1995A	165.00
28464	18/10/2012	DEPARTMENT OF TRANSPORT	VEHICLE REGISTRATION	294.90
28465	18/10/2012	GIRL GUIDES GREAT SOUTHERN	KIDSPORT REGISTRATION	181.00
28466	18/10/2012	PETTY CASH - ALBANY PUBLIC LIBRARY	PETTY CASH REIMBURSEMENTS	291.00
28467	18/10/2012	PETTY CASH - FORTS	PETTY CASH REIMBURSEMENTS	159.15
28468	18/10/2012	TELSTRA CORPORATION LIMITED	TELEPHONE CHARGES	11,256.27
28469	18/10/2012	ZURICH AUSTRALIA INSURANCE COMPANY LTD	CLAIM 025345 CV A51053	300.00

**TOTAL**

**\$ 37,874.36**

## AGENDA ITEM 4.1 REFERS

EFT	Date	Name	Description	Amount
EFT76980	14/09/2012	AUSTRALIA'S SOUTH WEST INC	2012-2013 MEMBERSHIP PACKAGE - SILVER - CITY OF ALBANY	570.00
EFT76981	14/09/2012	TERRENCE BROOKS	Rates refund for assessment A38962	2,507.12
EFT76982	20/09/2012	ABA SECURITY	SECURITY SERVICES	407.00
EFT76983	20/09/2012	ABBOTTS LIQUID SALVAGE PTY LTD	PUMP PUBLIC TOILETS	250.00
EFT76984	20/09/2012	AD CONTRACTORS PTY LTD	Hours Hire of D8 dozer	4,341.00
EFT76985	20/09/2012	ADVANCED PERSONNEL MANAGEMENT	CONSULTANCY	544.50
EFT76986	20/09/2012	ADVERTISER PRINT	SUPPLY OF 100 ANZAC BOOKS	2,190.00
EFT76987	20/09/2012	ALBANY ADVERTISER LTD (NORTH ROAD)	ADVERTISING	254.54
EFT76988	20/09/2012	ALBANY TOYOTA	VEHICLE PARTS/MAINTENANCE	322.60
EFT76989	20/09/2012	ALBANY SOIL AND CONCRETE TESTING	MATERIALS TESTING FOR BANDICOOT ROAD, ALBANY	2,343.00
EFT76990	20/09/2012	ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	192.54
EFT76991	20/09/2012	ALBANY CHAMBER OF COMMERCE AND INDUSTRY	ACCI - 2012 ALBANY AND GREAT SOUTHERN WOMEN'S LEADERSHIP FORUM	247.00
EFT76992	20/09/2012	ALBANY SKIPS AND WASTE SERVICES	MERCER ROAD - PARKS AND GARDENS	255.00
EFT76993	20/09/2012	ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONARY SUPPLIES & CHAIR	1,542.40
EFT76994	20/09/2012	ALBANY OFFICE PRODUCTS - DAYCARE	Cardex A4	57.95
EFT76995	20/09/2012	AMITY PAINTING & DECORATING	PAINTING OF PUBLIC AREAS	19,310.00
EFT76996	20/09/2012	PAPERBARK MERCHANTS (FORMERLY ANGUS AND ROBERTSON BOOK WORLD)	NEWSPAPERS/BOOKS/MAGAZINES/STATIONERY	244.14
EFT76997	20/09/2012	ARDESS NURSERY	Potting mix	66.00
EFT76998	20/09/2012	ARISTOCRAT SYNTHETIC LAWNS	Aussie Summer Turf inc full installation and existing surface removal	6,440.76
EFT76999	20/09/2012	ANNABEL JANE ARNOLD	THE ARTISTS WAY' CLASSES	247.50
EFT77000	20/09/2012	ARTHUR JOHNSTON SNOWBALL	Rates refund for assessment A125032	886.20
EFT77001	20/09/2012	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	6,095.04
EFT77002	20/09/2012	AUDIOCOM ALBANY	Car Kits as required for staff	1,283.00
EFT77003	20/09/2012	COMFORT INN BEL EYRE PERTH	CBW Author/Illustrator accommodation 2 nights - Perth	153.00
EFT77004	20/09/2012	BENNETTS BATTERIES	VEHICLE MAINTENANCE/MATERIALS	1,456.40
EFT77005	20/09/2012	ADVANCED TRAFFIC MANAGEMENT (WA) PTY LTD	UNIFORM	535.32
EFT77006	20/09/2012	BERTOLA HIRE SERVICES ALBANY PTY LTD	Days hire of 1.5 ton excavator	257.40
EFT77007	20/09/2012	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES - ALAC	45.00
EFT77008	20/09/2012	BLACKWOODS	HANDCLEANER 500ML	128.83
EFT77009	20/09/2012	CINDY TAM BOYETT	Rates refund for assessment A45927	23.07
EFT77010	20/09/2012	BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES	289.13
EFT77011	20/09/2012	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	48.95
EFT77012	20/09/2012	MARK BYRNES	North / Sanford road drainage Legal advice	2,865.00
EFT77013	20/09/2012	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	1,607.22
EFT77015	20/09/2012	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	1,006.18
EFT77016	20/09/2012	COFFEY COMMERCIAL ADVISORY PTY LTD	Feasibility study for Centennial Park Recreation Precinct	586.22
EFT77017	20/09/2012	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES FOR DAYCARE	490.15
EFT77018	20/09/2012	CONTACT METAL INDUSTRIES	MAKE PANELS TO SPEC'S SAMPLE SUPPLIED	93.50
EFT77019	20/09/2012	COVS PARTS PTY LTD	VEHICLE PARTS	690.04
EFT77020	20/09/2012	DOWNER EDI WORKS PTY LTD	Tonnes COLDMIX	4,369.70
EFT77021	20/09/2012	HOLCIM (AUSTRALIA) PTY LTD	CONCRETE SUPPLIES	226.82
EFT77022	20/09/2012	CUBIC PROMOTE ZOOMSTIX	250 X 2GB USB (VARIOUS COLOURS) & 1 X 16GB USB	1,514.43

## AGENDA ITEM 4.1 REFERS

EFT77023	20/09/2012	KEITH JUSTIN CUNNINGHAM	Rates refund for assessment A120145	1,641.08
EFT77024	20/09/2012	AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	161.04
EFT77025	20/09/2012	D & K ENGINEERING	FABRICATE & FIR GUARD FOR AIR CLEANER BOX AS REQUESTED	274.67
EFT77026	20/09/2012	DAVRIC AUSTRALIA	VISITORS CENTRE MERCHANDISE	403.15
EFT77027	20/09/2012	LANDGATE - PROPERTY & VALUATIONS	TITLE SEARCHES	2,727.93
EFT77028	20/09/2012	G & M DETERGENTS & HYGIENE SERVICES ALBANY	HYGIENE CONTRACTTS	1,492.81
EFT77029	20/09/2012	DOG ROCK MOTEL	ACCOMMODATION TWIN SHARE - EKO-SOIL PRESENTATION	833.10
EFT77030	20/09/2012	MURRAY JORGENSEN (DREAMTIME COTTAGE)	PROFESSIONAL SERVICE E - ADVISING COUNCIL ON THE CEO'S PERFORMANCE INDICATORS	4,303.75
EFT77031	20/09/2012	EASIFLEET MANAGEMENT	MOTOR VEHICLE LEASE RENTAL	444.46
EFT77032	20/09/2012	ALBANY ENGINEERING COMPANY	MAINTENANCE VEHICLES	8.80
EFT77033	20/09/2012	ESSENTIAL ENVIRONMENTAL	Water management workshop presentation & write up	5,500.00
EFT77034	20/09/2012	EVERTRANS	VEHICLE MAINTENANCE/MATERIALS	2,973.30
EFT77035	20/09/2012	EYERITE SIGNS	SIGNAGE	211.20
EFT77036	20/09/2012	FARM FRESH W/SALERS (VIOLET PARK HOLDINGS P/L	CATERING SUPPLIES	229.02
EFT77037	20/09/2012	FARMERS CENTRE (1978) PTY LTD	VEHICLE PARTS	464.20
EFT77038	20/09/2012	KEELY MARGARET FIELD	Rates refund for assessment A114916	493.50
EFT77039	20/09/2012	ALBANY FILTER CLEAN	FILTER CHANGING/CLEANING -TIME OUT CAFE	28.00
EFT77040	20/09/2012	THE FIXUPPERY	WINDOW CLEANING - AIRPORT	601.99
EFT77041	20/09/2012	FOXTEL MANAGEMENT PTY LTD	BUSINESS PREMIUM PACKAGE & MONTHLY SUBSCRIPTION FEE	350.00
EFT77042	20/09/2012	ESPLANADE HOTEL FREMANTLE	HOTEL ACCOMODATION FOR LIWA	300.00
EFT77043	20/09/2012	FUELS WEST PETROLEUM	LITRES DIESEL FUEL	12,137.82
EFT77044	20/09/2012	GALLERY 500	SUPPLY OF TWO SECOND CONVOY PHOTOGRAPHIC PRINTS	158.00
EFT77045	20/09/2012	GORDON WALMSLEY PTY LTD	CONSULATION OF READYPAVE AREA OF PATHWAY AT FLINDERS PARADE	12,292.00
EFT77046	20/09/2012	GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	218.94
EFT77047	20/09/2012	GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	COURSE FEES - VARIOUS MICROSOFT TRAINING	1,735.90
EFT77048	20/09/2012	GREAT SOUTHERN PEST & WEED CONTROL	Eradication of Bee hive	110.00
EFT77049	20/09/2012	GREAT SOUTHERN PERSONNEL	GARDENING/GROUND SERVICES	100.03
EFT77050	20/09/2012	GREAT SOUTHERN SAND AND LANDSCAPING SUPPLIES	Remove and dispose of scrap metal from site	3,618.00
EFT77051	20/09/2012	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING GOODS	1,164.50
EFT77052	20/09/2012	GREAT SOUTHERN HEALTHCARE EQUIPMENT	Surface Mounted Baby Change Station	832.26
EFT77053	20/09/2012	GREAT SOUTHERN PSYCHIATRIC AND PSYCHOLOGICAL SERVICES	PHYCOLOGICAL THERAPY	130.00
EFT77054	20/09/2012	GSM AUTO ELECTRICAL	VEHICLE PARTS/MAINTENANCE	198.00
EFT77055	20/09/2012	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE - ALAC	178.75
EFT77056	20/09/2012	HELEN LEEDER-CARLSON	WEDNESDAY PAINTING CLASS	480.00
EFT77057	20/09/2012	JR AND A HERSEY PTY LTD	GLOVES	2,032.80
EFT77058	20/09/2012	RATTEN & SLATER MACHINERY	VEHICLE PARTS	19.86
EFT77059	20/09/2012	JASON SIGNMAKERS	Drum Spill Pallet	495.00
EFT77060	20/09/2012	MARK NEIL JENDRZEJCZAK & M DE PIAZZI	LOT 117 MOUNTAIN ROAD BORNHOLM 2012/2013 RENT	1,352.39
EFT77061	20/09/2012	JJ'S HIAB SERVICES	RELOCATE PROJECTOR SCREEN FROM AEC TO TOWN HALL	620.00
EFT77062	20/09/2012	JUST SEW EMBROIDERY	EMBROIDERY OF LOGOS ONTO WORKWEAR	16.50
EFT77063	20/09/2012	KNOTTS GROUP PTY LTD	Being for the replacement of the the leach drains at the King River toilets	6,048.35
EFT77064	20/09/2012	LA FREEGARD	Hire of mulcher	500.00
EFT77065	20/09/2012	LEASE CHOICE	OPERATING LEASE MONTHLY IN ADVANCE	970.20



## AGENDA ITEM 4.1 REFERS

EFT77066	20/09/2012	LORLAINE DISTRIBUTORS PTY LTD	CLEANING SUPPLIES	59.40
EFT77067	20/09/2012	ALBANY PARTY HIRE	Hire of equipment for event 13/9/12	59.25
EFT77068	20/09/2012	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	643.27
EFT77069	20/09/2012	MCLEODS BARRISTERS & SOLICITORS	SAT REVIEW - TUSCON PTY LTD	13,580.55
EFT77070	20/09/2012	JAMES MCLEAN	CREATIVE CLAY SERIES	475.00
EFT77071	20/09/2012	MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINT	122.90
EFT77072	20/09/2012	MSS SECURITY	AIRPORT SECURITY SCREENING	52,436.38
EFT77073	20/09/2012	NATALIE RADIVOJEVIC	PROJECT MANAGER OF CURATORS CHOICE FOR 2013	855.00
EFT77074	20/09/2012	NEVILLES HARDWARE & BUILDING SUPPLIES	Supply of 40 toilet door indicator bolts	1,284.80
EFT77075	20/09/2012	NEWARTS(INC)	COMMUNITY GRANTS FUNDING	3,500.00
EFT77076	20/09/2012	ALBANY NEWS DELIVERY - ALAC	PUBLICATION	194.54
EFT77077	20/09/2012	OCS SERVICES PTY LTD	CLEANING SERVICES	3,126.09
EFT77078	20/09/2012	OKEEFE'S PAINTS	PAINTS	1,024.02
EFT77079	20/09/2012	ORICA AUSTRALIA P/L	CHLORINE SUPPLIES	322.25
EFT77080	20/09/2012	CORR ART	ARTISTIC DEVELOPMENT SERIES	280.00
EFT77081	20/09/2012	PACIFIC BIOLOGICS	PROLINK XR MOSQUITO BRIQUET CASE OF 200 & Freight	8,615.75
EFT77082	20/09/2012	PETER GRAHAM AND COMPANY LTD	Solo backpack sprayer	165.00
EFT77083	20/09/2012	PLASTICS PLUS	2 X BLUE WHEELIE BINS	157.52
EFT77084	20/09/2012	RADIOWEST BROADCASTERS PTY LTD	ALAC BRANDING/MEMBERSHIP	1,892.00
EFT77085	20/09/2012	REEVES AND COMPANY BUTCHERS PTY LTD	BBQ SUPPLIES	244.00
EFT77086	20/09/2012	REPLICA MEDALS	FORTS MERCHANDISE	28.60
EFT77087	20/09/2012	ROYAL LIFE SAVING SOCIETY AUSTRALIA	TRAINING	960.00
EFT77088	20/09/2012	SEEK LIMITED	ADVERTISING - RISK MANAGMENT OFFICER	247.50
EFT77089	20/09/2012	SENIOR CITIZENS CENTRE OF MEALS ON WHEELS ALBANY INC	Hall hire and catering for event 13/09/12	235.00
EFT77090	20/09/2012	SKILL HIRE WA PTY LTD	CASUAL STAFF	2,594.81
EFT77091	20/09/2012	SMITHS ALUMINIUM & 4WD CENTRE	ALUMINIUM FABRICATION MATERIALS & LABOUR	47.00
EFT77092	20/09/2012	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	346.28
EFT77093	20/09/2012	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	478.92
EFT77094	20/09/2012	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING GOODS	2,704.19
EFT77095	20/09/2012	GARY OWEN SPENCE	LAWN MOWING DAY CARE CENTRE	105.00
EFT77096	20/09/2012	SPORTS MASTER ATHLETICS INTERNATIONAL PTY LTD	XTREME DENSITY KIMAX MASTER FULL UNIT - BLACK	2,920.50
EFT77097	20/09/2012	DEPARTMENT OF PREMIER & CABINET	GOVERNMENT GAZETT ADVERTISING	160.20
EFT77098	20/09/2012	SAI GLOBAL LTD	INTERNET DOWNLOADS	85.65
EFT77099	20/09/2012	BLUESCOPE DISTRIBUTION PTY LTD	MESH REINFORCING - BLACK	44.78
EFT77100	20/09/2012	STIRLING CONFECTIONERY PLUS	CONFECTIONERY SUPPLIES	287.73
EFT77101	20/09/2012	SUBWAY	CATERING SUPPLIES	150.00
EFT77102	20/09/2012	MURRAY SWARBRICK	WASTE CONFERENCE REIMBURSEMENTS	176.35
EFT77103	20/09/2012	SYNERGY	ELECTRICITY SUPPLIES	6,341.50
EFT77104	20/09/2012	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	751.77
EFT77105	20/09/2012	T & C SUPPLIES (RANGERS)	HARDWARE SUPPLIES - FIRE EXTINGUISHER	1,535.00
EFT77106	20/09/2012	TECTONICS CONSTRUCTION GROUP P/L	SUPPLY & INSTALL FLOOR SHEETING TO RAMP + SANDING AND PREP	3,233.76
EFT77107	20/09/2012	THE VEGIE SHOP	GROCERIES FOR DAY CARE	176.75
EFT77108	20/09/2012	THINKWATER ALBANY	IRRIGATION SUPPLIES	4,420.07
EFT77109	20/09/2012	TRADELINK PLUMBING SUPPLIES	Roll of drain coil 100ml x 20 mtrs with sock	103.40
EFT77110	20/09/2012	TRUCKLINE	VEHICLE PARTS	1,973.18

AGENDA ITEM 4.1 REFERS

EFT77111	20/09/2012	TRU-BLU GROUP PTY LTD	DAYS HIRE OF THREE TON MINI EXCAVATOR	1,930.73
EFT77112	20/09/2012	ALBANY TYREPOWER	VEHICLE PARTS AND MAINTENANCE	2,296.10
EFT77113	20/09/2012	VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	PROCESSING OF GREENWASTE FOR AUGUST 2012	6,802.80
EFT77114	20/09/2012	WA HINO SALES AND SERVICE	CAP, FUEL NON-LOCKING	85.81
EFT77115	20/09/2012	WILLIAM SYDNEY WALTER	Rates refund for assessment A212760	1,911.23
EFT77116	20/09/2012	WA NATURALLY PUBLICATIONS	VISITORS CENTRE MERCHANDISE	719.07
EFT77117	20/09/2012	ALBANY & GREAT SOUTHERN WEEKENDER	MONTYHLY COMMUNITY INFO PAGE - AUGUST 2012	2,238.50
EFT77118	20/09/2012	WESTRAC EQUIPMENT PTY LTD	VEHICLE PARTS	594.00
EFT77119	20/09/2012	LANDMARK LTD	DRUMS ROUND-UP BIACTIVE (Drum = 20ltrs)	220.00
EFT77120	20/09/2012	WESTSHRED DOCUMENT DISPOSAL	DOCUMENT DISPOSAL	402.60
EFT77121	20/09/2012	WESTERN WORK WEAR	Shoes for Ranger David	150.00
EFT77122	20/09/2012	WESTERN AUSTRALIAN MUSEUM - ALBANY	PHOTOGRAPHIC WORKSHOP 31/8/12	17.50
EFT77123	20/09/2012	WIGNALLS WINES	ALCOHOL PURCHASES	520.89
EFT77124	20/09/2012	WILLOUGHBY PARK WINERY	1 x Carton Kalgan River Chardonnay	220.00
EFT77125	20/09/2012	WIZID PTY LTD	WRISTBANDS	498.26
EFT77126	20/09/2012	WOOD AND GRIEVE ENGINEERS	Design and Documentation work for Emu Point Boat Trailer Car Park	14,007.00
EFT77127	20/09/2012	WREN OIL	WASTE DISPOSAL - WASTE OIL - BULK LITRES - HANRAHAN ROAD TIP	301.95
EFT77128	20/09/2012	YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	726.78
EFT77129	20/09/2012	ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	135.58
EFT77130	27/09/2012	ALBANY COMMUNITY HOSPICE	Payroll deductions	44.00
EFT77131	27/09/2012	AMP SUPERANNUATION LIMITED	Superannuation contributions	1,638.98
EFT77132	27/09/2012	AUSTRALIAN TAXATION OFFICE	Payroll deductions	234,450.16
EFT77133	27/09/2012	AUSTRALIAN SERVICES UNION WA BRANCH	Payroll deductions	4,174.60
EFT77134	27/09/2012	PRIME SUPER	Superannuation contributions	834.04
EFT77135	27/09/2012	AUSTRALIAN SUPER	Superannuation contributions	1,464.92
EFT77136	27/09/2012	AUSTRALIAN ETHICAL SUPERANNUATION FUND	Superannuation contributions	239.98
EFT77137	27/09/2012	BANSCOTT SUPER FUND	Superannuation contributions	670.18
EFT77138	27/09/2012	BT SUPER FOR LIFE	Superannuation contributions	533.09
EFT77139	27/09/2012	BT SUPER FOR LIFE	Superannuation contributions	314.43
EFT77140	27/09/2012	CHILD SUPPORT AGENCY	Payroll deductions	639.08
EFT77141	27/09/2012	COLONIAL FIRST STATE ROLLOVER & SUPER FUND	Superannuation contributions	400.44
EFT77142	27/09/2012	COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER	Superannuation contributions	775.62
EFT77143	27/09/2012	COLONIAL FIRST STATE WHOLESALE SUPER FUND	Superannuation contributions	289.77
EFT77144	27/09/2012	COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER	Superannuation contributions	824.94
EFT77145	27/09/2012	GENERATIONS PERSONAL SUPER FUND	Superannuation contributions	103.50
EFT77146	27/09/2012	GENERATIONS PERSONAL SUPER FUND	Payroll deductions	449.70
EFT77147	27/09/2012	GENERATIONS PERSONAL SUPER FUND	Superannuation contributions	57.50
EFT77148	27/09/2012	HBF OF WA	Payroll deductions	566.40
EFT77149	27/09/2012	ING INTEGRA SUPER	Superannuation contributions	154.28
EFT77150	27/09/2012	ING ONE ANSWER PERSONAL SUPER	Superannuation contributions	462.21
EFT77151	27/09/2012	ING INTEGRA SUPER	Superannuation contributions	139.83
EFT77152	27/09/2012	OAK TREE SUPERANNUATION FUND	Superannuation contributions	242.50
EFT77153	27/09/2012	REST SUPERANNUATION	Superannuation contributions	4,296.40
EFT77154	27/09/2012	MARITIME SUPER	Superannuation contributions	194.20
EFT77155	27/09/2012	SPECTRUM SUPER	Superannuation contributions	364.76

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EFT77156	27/09/2012	SUMMIT MASTER TRUST PERSONAL SUPERANNUATION PLAN	Superannuation contributions	94.92
EFT77157	27/09/2012	THE UNIVERSAL SUPER SCHEME	Superannuation contributions	656.28
EFT77158	27/09/2012	WA LOCAL GOVT SUPERANNUATION	Superannuation contributions	107,417.81
EFT77159	27/09/2012	WAYNE JOHN STEAD PTY LTD SUPERANNUATION FUND	Payroll deductions	1,108.76
EFT77160	27/09/2012	WESTSCHEME	Superannuation contributions	2,654.00
EFT77161	27/09/2012	THREE DROPS PTY LTD	VISITORS CENTRE MERCHANDISE	318.00
EFT77162	27/09/2012	ABBOTTS LIQUID SALVAGE PTY LTD	PUMP OUT ONSITE TOILET AWARE CENTRE	50.00
EFT77163	27/09/2012	EDENBORN PTY LTD	Contract mowing of verges for SEPTEMBER	4,665.60
EFT77164	27/09/2012	ALBANY ADVERTISER LTD (NORTH ROAD)	ADVERTISING	213.13
EFT77165	27/09/2012	ALBANY PRINTERS	A5 Internal Service Request books	890.00
EFT77166	27/09/2012	ALBANY TRUCK & CAR HIRE	TWO DAY CAR HIRE	330.00
EFT77167	27/09/2012	ALBANY INDOOR PLANT HIRE	VARIOUS INDOOR PLANT HIRES	980.31
EFT77168	27/09/2012	ALBANY AGRICULTURAL SOCIETY INCORPORATED	EXHIBIT SITE AT THE ALBANY SHOW	500.00
EFT77169	27/09/2012	ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	675.24
EFT77170	27/09/2012	ALBANY MARITIME FOUNDATION	COMMUNITY FUNDING PROGRAM - FESTIVAL OF THE SEA 2013	3,850.00
EFT77171	27/09/2012	ALBANY NEWS DELIVERY - NORTH ROAD	NEWSPAPER DELIVERIES	86.00
EFT77172	27/09/2012	ALBANY CENTRAL CABINETS	To make and supply display cabinet	3,533.00
EFT77173	27/09/2012	ALBANY COMBINED CABS PTY LTD	YOUTH ADVISORY COUNCIL	127.10
EFT77174	27/09/2012	ALBANY JUNIOR SOCCER ASSOCIATION	KIDSPORT REGISTRATION	90.00
EFT77175	27/09/2012	ALINTA	GAS USAGE CHARGES - ALAC - 9/8/12 - 14/9/12	44,488.60
EFT77176	27/09/2012	ALL EVENTS PROSOUND HIRE	SOUND AND LIGHTING TOWN HALL FROM 28/8 - 19/9/2012	839.80
EFT77177	27/09/2012	JANE ALLEN	REIMBURSEMENTS FOR TRAVEL EXPENSES	270.00
EFT77178	27/09/2012	AMITY SETTLEMENTS	RE; 100 ROCKY CROSSING ROAD WARRENUP - PRELIMINARY SETTLEMENT STATEMENT	863.90
EFT77179	27/09/2012	PAPERBARK MERCHANTS (FORMERLY ANGUS AND ROBERTSON	CBW GRAPHIC NOVEL PRIZE VOUCHERS	170.96
EFT77180	27/09/2012	ARCUS WIRE GROUP	AG301 Hooks , AG321 Slides , AG330-16 Wires	1,838.10
EFT77181	27/09/2012	ARDESS NURSERY	Account July/August & Claret Ash	429.15
EFT77182	27/09/2012	ARTCRAFT PTY LTD	SIGNAGE - B/O 60801	1,545.46
EFT77183	27/09/2012	ATC WORK SMART	CASUAL STAFF/APPRENTICE FEES	3,987.37
EFT77184	27/09/2012	YVONNE ATTWELL	DEPUTY MAYORALL ALLOWANCES & SITTING FEES 1/7/12 - 30/9/12	3,200.00
EFT77185	27/09/2012	AARRON ATTWELL	REIMBURSEMENT AUTOCAD COMPREHENSIVE TRAINING	260.00
EFT77186	27/09/2012	AUSTRAL POOL EQUIPMENT	POOL SUPPLIES	665.50
EFT77187	27/09/2012	BANDICOOT NURSERY	Rushes for Living Stream stages 2 and 3	8,135.00
EFT77188	27/09/2012	BARNESBY FORD	VEHICLES/VEHICLE PARTS/REPAIRS	1,206.29
EFT77189	27/09/2012	BARRETT'S MINI EARTHMOVING & CHIPPING	The pruning of vegetation	3,036.00
EFT77190	27/09/2012	B C FORM & C FORM	VISITORS CENTRE MERCHANDISE	637.20
EFT77191	27/09/2012	COMFORT INN BEL EYRE PERTH	ACCOMODATION FOR MCKENNA BRENTON	153.00
EFT77192	27/09/2012	ADVANCED TRAFFIC MANAGEMENT (WA) PTY LTD	hours Hire of Traffic Control	1,332.37
EFT77193	27/09/2012	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	1,127.55
EFT77194	27/09/2012	BINDOON TRACTORS PTY LTD	Sets of flails,nuts,bolts,bushes and washers to suit reach mower	4,432.56
EFT77195	27/09/2012	ALBANY BITUMEN SPRAYING	Supply and lay black asphalt on footpath	3,025.00
EFT77196	27/09/2012	BLACKWOODS	SAFETY EQUIPMENT & SUPPLIES	478.04
EFT77197	27/09/2012	ALBANY BOBCAT SERVICES	Bobcat hire	560.00
EFT77198	27/09/2012	DAVID BOSTOCK	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00

## AGENDA ITEM 4.1 REFERS

EFT77199	27/09/2012	SARAH BOWLES	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
EFT77200	27/09/2012	BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES	308.64
EFT77201	27/09/2012	LINDA BROADHURST	Rates refund for assessment A116384	798.08
EFT77202	27/09/2012	CARDNO (WA) PTY LTD	HANRAHAN ROAD S2 EAMP - PROFESSIONAL SERVICES RENDERED FOR THE PERIOD ENDING 31/8/12	14,212.00
EFT77203	27/09/2012	MARK BYRNES	LEGAL FEES	3,975.00
EFT77204	27/09/2012	VINCE CALLEJA	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
EFT77205	27/09/2012	CAMLYN SPRINGS WATER DISTRIBUTORS	WATER CONTAINER REFILLS/WATER COOLER RENTAL	1,074.00
EFT77206	27/09/2012	CHERRY BOOTS ALBANY	MERCHANDISE ORDER	282.00
EFT77207	27/09/2012	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACTS	11,973.72
EFT77208	27/09/2012	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	1,118.27
EFT77209	27/09/2012	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	322.44
EFT77210	27/09/2012	BRADLEY THOMAS COOPER	Rates refund for assessment A30128	1,568.13
EFT77211	27/09/2012	COURIER AUSTRALIA	FREIGHT CHARGES	235.18
EFT77212	27/09/2012	CROKER LACEY GRAPHIC DESIGN	Development and production of four signs	1,375.00
EFT77213	27/09/2012	HOLCIM (AUSTRALIA) PTY LTD	tonnes Metal Dust	1,030.72
EFT77214	27/09/2012	D & K ENGINEERING	Fabricate roof mount bar for flashing lights to suit	814.98
EFT77215	27/09/2012	DE LAGE LANDEN PTY LIMITED	MONTHLY RENTAL COMMENCING 1/10/12	2,933.70
EFT77216	27/09/2012	DENMARK NETBALL ASSOCIATION	KIDSPORT VOUCHERS	45.00
EFT77217	27/09/2012	LANDGATE - PROPERTY & VALUATIONS	LAND ENQUIRIES & TITLE SEARCHES	456.00
EFT77218	27/09/2012	DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS	BETTY'S BEACH ROAD - MR & MRS STONE	199.50
EFT77219	27/09/2012	DIGITAL MAPPING SOLUTIONS	FLIGHTS AT COST - RETURN FROM PERTH TO ALBANY 26/7/12	807.40
EFT77220	27/09/2012	DOG ROCK MOTEL	ACCOMODATION & MEALS	449.30
EFT77221	27/09/2012	CAROLYN DOWLING	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
EFT77222	27/09/2012	JOHN DRUMMOND	REIMBURSEMENT FOR COSTS ASSOCIATED WITH MAINTENANCE WORK	58.89
EFT77223	27/09/2012	DON DUFTY	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	1,750.00
EFT77224	27/09/2012	EVERTRANS	Repair crane mount on isuzu truck	2,074.60
EFT77225	27/09/2012	FARM FRESH W/SALERS (VIOLET PARK HOLDINGS P/L	CATERING SUPPLIES	34.85
EFT77226	27/09/2012	FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA	FESA ACC - DBA ANNUAL BILLING	1,523.49
EFT77227	27/09/2012	TAMMY FLETT	REIMBURSEMENTS - NATIONAL COMMUNITY DEVELOPMENT CONFERENCE	262.30
EFT77228	27/09/2012	ISS WASHROOM SERVICES	FOR SERVICE PROVIDED SEPTEMBER 12	27.78
EFT77229	27/09/2012	FLIPS ELECTRICS	service grundfos waterfall pump - inspect seals and coolant	924.00
EFT77230	27/09/2012	FUELS WEST PETROLEUM	LITRES DIESEL FUEL	10,952.95
EFT77231	27/09/2012	GO GO ON HOLD PTY LTD	30 SEC RADIO COMMERCIAL - 12 MONTHS - ALAC	330.00
EFT77232	27/09/2012	GREAT SOUTHERN GROUP TRAINING	APPRENTICES FEES	9,638.89
EFT77233	27/09/2012	GREEN JR & NS	Rates refund for assessment A10011	1,090.29
EFT77234	27/09/2012	ANDREW GREENWOOD	REIMBURSEMENTS AUTOCAD TRAINING	195.00
EFT77235	27/09/2012	GERRY GREGSON	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
EFT77236	27/09/2012	HANSON EXECUTIVE MANAGEMENT	ACTIVITY FEE AMAZING ALBANY HOLIDAY PLANNER	3,960.00
EFT77237	27/09/2012	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	68.75
EFT77238	27/09/2012	CRAIG IAN HART	Rates refund for assessment A198122	416.95
EFT77239	27/09/2012	HEMA MAPS PTY LTD	VISITORS CENTRE MERCHANDISE	823.52
EFT77240	27/09/2012	CHRISTOPHER HOLDEN	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
EFT77241	27/09/2012	THE HONEY SHOP	VISITORS CENTRE MERCHANDISE	172.00

## AGENDA ITEM 4.1 REFERS

EFT77242	27/09/2012	ALAN HORTIN	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
EFT77243	27/09/2012	H AND H ARCHITECTS	Documentation and Specification writing for Universal Access Toilet and Fish Cleaning Facility	5,500.00
EFT77244	27/09/2012	ICS GROUP	CLEAN OUT TO SITE ASSESS A/C ON TRUCK PULL DASH OUT AND CLEAN EVAP, REPLACE & TEST OK	845.90
EFT77245	27/09/2012	ISIS CAPITAL LIMITED	MONTHLY GYM EQUIPMENT	3,494.82
EFT77246	27/09/2012	JETBLACK MC	PART B AVC HOLIDAY PLANNER	10,054.00
EFT77247	27/09/2012	DENNIS JONES & ASSOCIATES PTY LTD	VISITORS CENTRE MERCHANDISE	158.70
EFT77248	27/09/2012	JUST SEW EMBROIDERY	EMBROIDERY - ALAC POLOS	111.10
EFT77249	27/09/2012	KESTON TECHNOLOGIES PTY LTD	PREPARATION OF A SCOPING STUDY FOR THE DEPARTURE OF THE CONVOYS EVENT - BRIEFING NOTE FOR DPC	3,070.38
EFT77250	27/09/2012	DAVID KING	REIMBURSEMENTS AUTOCAD TRAINING	130.00
EFT77251	27/09/2012	KLB SYSTEMS	COMPUTER HARDWARE SUPPLIES	264.00
EFT77252	27/09/2012	KNOTTS GROUP PTY LTD	PLUMBING REPAIRS/MAINTENANCE	6,998.53
EFT77253	27/09/2012	THE LAKE HOUSE DENMARK	VISITORS CENTRE MERCHANDISE	341.40
EFT77254	27/09/2012	LESTER BLADES PTY LTD	Commencement Fee- CEO Recruitment City of Albany	11,014.25
EFT77255	27/09/2012	STATE LIBRARY OF WA	LOST/DAMAGED BOOKS	138.60
EFT77256	27/09/2012	LIFETIME DISTRIBUTORS	LOCAL STOCK - WOODEN PUZZLE CLOCK	10.00
EFT77257	27/09/2012	LORLAINE DISTRIBUTORS PTY LTD	CLEANING GOODS	58.95
EFT77259	27/09/2012	MC LEVITZKE	VISITORS CENTRE MERCHANDISE	235.00
EFT77260	27/09/2012	METROOF ALBANY	.47 CORODEK ZINCALUME	119.43
EFT77261	27/09/2012	MURPHYS SPRAY AND BLAST EQUIPMENT PTY LTD	Only Titan Speeflo Powrliner Series 4900XLT Line Marker Included in price is Side Striper	10,860.00
EFT77262	27/09/2012	OCS SERVICES PTY LTD	CLEANING SERVICES	5,518.77
EFT77263	27/09/2012	PAULS PET FOODS	2X BAGS OF DRY DOG FOOD	57.00
EFT77264	27/09/2012	PHILLIP BEST PLUMBING PTY LTD	SERVICE & REPAIRS - LARRS MIGHT THERM EASTERN AIR HANDLING UNIT	3,226.64
EFT77265	27/09/2012	GRAEME MERVYN POMERY	Rates refund for assessment A34388	458.56
EFT77266	27/09/2012	REECE PTY LTD	PLUMBING REPAIRS/MAINTENANCE	33.31
EFT77267	27/09/2012	W P REID	BRICK PAVING RE-LAY	1,650.00
EFT77268	27/09/2012	AUSTIN ROGERSON	REIMBURSEMENTS AUTOCAD COMPREHENSIVE TRAINING	300.00
EFT77269	27/09/2012	SHEILAH RYAN	GARDENING AT VAC	390.00
EFT77270	27/09/2012	SKILL HIRE WA PTY LTD	CASUAL STAFF	2,909.80
EFT77271	27/09/2012	SKYWEST AIRLINES	SLWA EXCHANGE 26 & 27 SEPTEMBER 2012 - RETURN FLIGHT	660.95
EFT77272	27/09/2012	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	168.30
EFT77273	27/09/2012	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING GOODS	515.76
EFT77274	27/09/2012	SOUTHERN EDGE ARTS INC	COMMUNITY FUNDING PROGRAM ALL IN GOOD TIME""	3,850.00
EFT77275	27/09/2012	SPERLING ENTERPRISES PTY LTD	SWIMMING SUPPLIES	696.94
EFT77276	27/09/2012	STATEWIDE BEARINGS	VEHICLE PARTS	88.87
EFT77277	27/09/2012	POSITION PARTNERS	Only Seco Cradle Assembly	231.00
EFT77278	27/09/2012	PETER ROY STEVENSON	Rates refund for assessment A47967	204.96
EFT77279	27/09/2012	ST JOHN AMBULANCE AUSTRALIA	FIRST AID COURSE - MORTIMER	130.00
EFT77280	27/09/2012	GREGORY BRIAN STOCKS	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
EFT77281	27/09/2012	ROBERT SUTTON	COUNCILLOR SITTING FEES & ALLOWANCE - 01/07/2012 - 30/09/2012	2,450.00
EFT77282	27/09/2012	SYNERGY	ELECTRICITY SUPPLIES FROM 25TH JULY 2012 TO 24 AUGUST 2012	88,278.60
EFT77283	27/09/2012	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	143.91

## AGENDA ITEM 4.1 REFERS

EFT77284	27/09/2012 T-QUIP	ANTI SCALP CUTS	70.55
EFT77285	27/09/2012 THE TOFFEE FACTORY	VISITORS CENTRE MERCHANDISE	424.08
EFT77286	27/09/2012 TOTAL EDEN	WATER TANK	1,412.92
EFT77287	27/09/2012 TRAILBLAZERS	SAFETY BOOTS	165.60
EFT77288	27/09/2012 TUDOR HOUSE	AUSTRALIAN FLAG	159.00
EFT77289	27/09/2012 UNIVERSITY OF WESTERN AUSTRALIA	UWA ALBANY SPONSORED SCHOLARSHIP	1,000.00
EFT77290	27/09/2012 VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	PROCESSING OF GREENWASTE FOR AUGUST 2012	9,028.01
EFT77291	27/09/2012 IT VISION AUSTRALIA PTY LTD	Supply of training service	9,830.40
EFT77292	27/09/2012 WATERCRAFT MARINE	305 x metres of 316 SS wire rope 6x 6mm copper hand ferrules/swages 6x 6mm thimbles	1,847.50
EFT77293	27/09/2012 DENNIS WELLINGTON	MAYORALL ALLOWANCES & SITTING FEES 1/7/12 - 30/9/12	16,250.00
EFT77294	27/09/2012 WELLSTEAD PUBLIC LIBRARY	LOCAL TELEPHONE CALLS AND PRINTING (B&W)	13.20
EFT77295	27/09/2012 WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING	1,141.32
EFT77296	27/09/2012 LANDMARK LTD	DRUMS ROUND-UP BIACTIVE	220.00
EFT77297	27/09/2012 WESTERN WORK WEAR	Safety Boots	360.00
EFT77298	27/09/2012 WORKWISE OCCUPATIONAL HEALTH	ERGONOMIC ASSESSMENTS	989.55
EFT77299	27/09/2012 YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	250.49
EFT77300	27/09/2012 ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE - VAC	23.16
EFT77301	27/09/2012 ABUNDANT SPERANNUATION FUND	Superannuation contributions	293.72
EFT77302	27/09/2012 ALBANY CITY MOTORS	Only Purchase of 2012 NLS Isuzu 200 4 x 4 Factory Tipper	114,037.40
EFT77303	27/09/2012 PIONEER HEALTH ALBANY	PAYMENT OF ACCOUNT RENDERED	682.90
EFT77304	27/09/2012 QSUPER LIMITED	Superannuation contributions	1,935.50
EFT77305	04/10/2012 AAA TOURISM PTY LTD	ADVERTISING WESTERN AUSTRALIA TOURING GUIDE	2,500.00
EFT77306	04/10/2012 ABA SECURITY	SECURITY SERVICES	129.80
EFT77307	04/10/2012 ADVERTISER PRINT	BUSINESS CARDS	65.00
EFT77308	04/10/2012 ALBANY SOIL AND CONCRETE TESTING	GEOTECH FOR LOWER DENMARK ROAD	4,031.50
EFT77309	04/10/2012 ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	808.50
EFT77310	04/10/2012 ALBANY GOLF CLUB	Hire of verti-drain	400.00
EFT77311	04/10/2012 ALBANY AUTO 1	SEAT COVERS	74.00
EFT77312	04/10/2012 ALBANY OFFICE PRODUCTS - NORTH ROAD	STATIONARY SUPPLIES	155.00
EFT77313	04/10/2012 ALBANY LITTLE ATHLETICS CLUB	COMMUNITY FINANCIAL ASSISTANCE	2,000.00
EFT77314	04/10/2012 ALBANY QUALITY LAWNMOWING	LAWNMOWING AT LOTTERIES HOUSE	100.00
EFT77315	04/10/2012 ALBANY MILK DISTRIBUTORS	City of Albany weekly milk order	643.87
EFT77316	04/10/2012 ALBANY OFFICE PRODUCTS - DAYCARE	CARDEX LARGE SHEETS AND ALPHABETICAL DEVIDERS	49.35
EFT77317	04/10/2012 ALINTA	GAS USAGE CHARGES	645.30
EFT77318	04/10/2012 AMPAC DEBT RECOVERY (WA) PTY LTD	RATES COLLECTION COSTS	1,415.72
EFT77319	04/10/2012 ATC WORK SMART	CASUAL STAFF C LEESE	4,208.63
EFT77320	04/10/2012 GERARD ATTWELL	AUTOCAD COMPREHENSIVE REIMBURSEMENTS	260.00
EFT77321	04/10/2012 AUSTRAL MERCANTILE COLLECTIONS PTY LTD	RATES COLLECTIONS COSTS	1,287.00
EFT77322	04/10/2012 ADVANCED TRAFFIC MANAGEMENT (WA) PTY LTD	Hours Hire of Traffic Control	571.00
EFT77323	04/10/2012 BERTOLA HIRE SERVICES ALBANY PTY LTD	SCAFFOLD HIRE 18/7/12 - 23/7/12 PO 31170	176.00
EFT77324	04/10/2012 BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	264.00
EFT77325	04/10/2012 BLACKWOODS	PROTECTIVE CLOTHING	2,186.06
EFT77326	04/10/2012 BLOOMIN FLOWERS	1 X FLOWERS TO BE DELIVERED TO ALBANY HOSPITAL	60.00
EFT77327	04/10/2012 BRANDNET PTY LTD T/AS MILITARY SHOP	SUPPLY OF MERCHANDISE STOCK	1,246.12

AGENDA ITEM 4.1 REFERS

EFT77328	04/10/2012	BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES	315.55
EFT77329	04/10/2012	BUNNINGS BUILDING SUPPLIES PTY LTD	PAINT SUPPLIES	147.05
EFT77330	04/10/2012	BUTT OUT AUSTRALIA PTY LTD	2 keys for butt canisters at Terminal entrance	36.30
EFT77331	04/10/2012	MARK BYRNES	LEGAL FEES	1,200.00
EFT77332	04/10/2012	J & S CASTLEHOW ELECTRICAL SERVICES	Being for the repair of the street lights	6,328.26
EFT77333	04/10/2012	CITY OF JOONDALUP	COST RECLAIM 1000 LIBRARY BAGS	913.00
EFT77334	04/10/2012	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	300,762.95
EFT77335	04/10/2012	COCA-COLA AMATIL PTY LTD	SOFT DRINK FOR ALAC CAFE	1,241.37
EFT77336	04/10/2012	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	1,415.60
EFT77337	04/10/2012	CONSTRUCTION EQUIPMENT AUSTRALIA	VEHICLE PARTS	165.00
EFT77338	04/10/2012	COURIER AUSTRALIA	FREIGHT COSTS	301.56
EFT77339	04/10/2012	COVS PARTS PTY LTD	VEHICLE PARTS	60.84
EFT77340	04/10/2012	HOLCIM (AUSTRALIA) PTY LTD	CONCRETE SUPPLIES	405.57
EFT77341	04/10/2012	CUTTING EDGES PTY LTD	VEHICLE PARTS	703.65
EFT77342	04/10/2012	BRONWYN CUTLER	EAP COUNSELLING	154.00
EFT77343	04/10/2012	CYNERGIC COMMUNICATIONS	WEB SITE MAINTENANCE	493.90
EFT77344	04/10/2012	DAVRIC AUSTRALIA	VISITORS CENTRE MERCHANDISE	748.55
EFT77345	04/10/2012	DEPARTMENT OF TRANSPORT	MISC PURCHASES	396.80
EFT77346	04/10/2012	EASIFLEET MANAGEMENT	MOTOR VEHICLE LEASE RENTAL	444.46
EFT77347	04/10/2012	SIMON EDWARDS	AIR BP CALL OUTS	20.59
EFT77348	04/10/2012	FUELS WEST PETROLEUM	Litres DIESEL FUEL	17,545.00
EFT77349	04/10/2012	GOLDEN MILE WELDING PTY LTD	Gravel Royalties	1,652.20
EFT77350	04/10/2012	GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	COURSE FESS - OPERATE A FORKLIFT	5,313.95
EFT77351	04/10/2012	GREEN SKILLS INC	CASUAL STAFF -BUSH CARE & RESERVES WORK	5,447.75
EFT77352	04/10/2012	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING GOODS	543.90
EFT77353	04/10/2012	GT BEARING AND ENGINEERING SUPPLIES	ROLLS TAPE FLAGGING - PINK, YELLOW AND GREEN	200.00
EFT77354	04/10/2012	HELEN LEEDER-CARLSON	DISMANTLING OF NOONGAR EXHIBITION	90.00
EFT77355	04/10/2012	JIMS TEST AND TAG	AIRPORT EXIT LIGHTING TESTING	620.02
EFT77356	04/10/2012	JUST SEW EMBROIDERY	EMBROIDERY - DEPOT WORKWEAR	66.00
EFT77357	04/10/2012	LES MILLS ASIA PACIFIC	RESISTANCE TUBING	392.50
EFT77358	04/10/2012	LOADTEK AUST	HYDRAULIC PARTS & SERVICES	1,241.69
EFT77359	04/10/2012	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	2,537.33
EFT77360	04/10/2012	ASSET RESEARCH	COMMUNITY CONSULTATION - DEREGULATED TRADING HOURS IN THE CITY OF ALBANY	21,389.60
EFT77361	04/10/2012	MCLEODS BARRISTERS & SOLICITORS	LEGAL FEES	4,673.93
EFT77362	04/10/2012	MEDICO LEGAL OPINIONS	COMPLEX CONSULTATION	1,468.61
EFT77363	04/10/2012	METROOF ALBANY	Replacement of suntuf - caused by hail	826.49
EFT77364	04/10/2012	AIRPORT SECURITY PTY LTD	AVIATION SECURITY IDENTIFICATION CARDS	220.00
EFT77365	04/10/2012	MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINT	229.35
EFT77366	04/10/2012	MSS SECURITY	PASSENGER SCREENING DELAYED FLIGHTS	3,462.81
EFT77367	04/10/2012	LGIS INSURANCE BROKING	POLICY 63 4004659 VFT MOTOR VEHICLE	1,782.10
EFT77368	04/10/2012	LGIS LIABILITY	POLICY 000162 ANYWHERE IN AUSTRALIA	565.66
EFT77369	04/10/2012	ALBANY NEWS DELIVERY - VAC	NEWSPAPER DELIVERIES	13.75
EFT77370	04/10/2012	NIKANA CONTRACTING PTY LTD	REMOVAL OF RUBBISH BOAT HARBOUR SKIP BINS	676.50

## AGENDA ITEM 4.1 REFERS

EFT77371	04/10/2012	OCS SERVICES PTY LTD	CONTRACT CLEANING	8,679.96
EFT77372	04/10/2012	PAINT INDUSTRIES PTY LTD	PAINT SUPPLIES	1,961.30
EFT77373	04/10/2012	PALMER EARTHMOVING (AUSTRALIA) PTY LTD	Hours Hire of Tandem Truck & Trailer	3,000.00
EFT77374	04/10/2012	SHELLEY PEPPER	REIMBURSEMENTS - FINANCIAL MANAGEMENT/ASSET MANAGEMENT WORKSHOP	164.90
EFT77375	04/10/2012	ALBANY POLICE AND CITIZENS YOUTH CLUB	SERVICES PROVIDED FOR ALBANY SKATE PARK	1,100.00
EFT77376	04/10/2012	REECE PTY LTD	PLUMBING REPAIRS/MAINTENANCE	1,427.18
EFT77377	04/10/2012	SEEK LIMITED	ADVERTISING	247.50
EFT77378	04/10/2012	SITE GEOTECHNICAL	EKO SOIL PRESENTATION/WORKSHOP/CONSULTING & WORKSHOP	2,836.90
EFT77379	04/10/2012	SKILL HIRE WA PTY LTD	CASUAL STAFF	1,412.60
EFT77380	04/10/2012	SMITHS ALUMINIUM & 4WD CENTRE	WHEELCHAIR SHED FABRICATIONS	2,305.00
EFT77381	04/10/2012	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	3,188.17
EFT77382	04/10/2012	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING GOODS	1,357.20
EFT77383	04/10/2012	SAI GLOBAL LTD	INTERNET DOWNLOAD	122.73
EFT77384	04/10/2012	BLUESCOPE DISTRIBUTION PTY LTD	MESH PURCHASES	46.02
EFT77385	04/10/2012	ALBANY LOCK SERVICE	LOCK SERVICES	445.70
EFT77386	04/10/2012	SYNERGY	ELECTRICITY CHARGES	36,163.10
EFT77387	04/10/2012	T & C SUPPLIES	QUICK SET CEMENT	1,925.91
EFT77388	04/10/2012	JO TAYLOR	CHRISTMAS FESTIVAL COSTUMES REIMBURSEMENTS	733.02
EFT77389	04/10/2012	DAVID THEODORE	MILEAGE REIMBURSEMENTS	38.78
EFT77390	04/10/2012	THE VEGIE SHOP	GROCERIES	314.91
EFT77391	04/10/2012	TOTAL EDEN	GARDEN SUPPLIES	254.25
EFT77392	04/10/2012	TRAILBLAZERS	SAFETY BOOTS	165.60
EFT77393	04/10/2012	TRADE SALES	4 WINDER HANDLES	337.83
EFT77394	04/10/2012	TRU-BLU GROUP PTY LTD	3 TON MINI EXCAVATOR HIRE	1,616.47
EFT77395	04/10/2012	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	1,190.60
EFT77396	04/10/2012	VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	Screened Top Soil	22.00
EFT77397	04/10/2012	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	324.39
EFT77398	04/10/2012	WESTRAC EQUIPMENT PTY LTD	VEHICLE PARTS	264.33
EFT77399	04/10/2012	LANDMARK LTD	DRUMS ROUND-UP BIACTIVE	1,496.00
EFT77400	04/10/2012	THE WINDOW WASHER MAN	WINDOW CLEANING	41.01
EFT77401	04/10/2012	YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	421.11
EFT77402	04/10/2012	ZENITH LAUNDRY	Bags of rags	69.36
EFT77403	11/10/2012	ABBOTTS LIQUID SALVAGE PTY LTD	PUMP PUBLIC TOILETS	150.00
EFT77405	11/10/2012	ALBANY SOIL AND CONCRETE TESTING	3 x Bore Holes at Little Grove Boat Trailer Car Park	660.00
EFT77406	11/10/2012	ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	521.19
EFT77407	11/10/2012	ALBANY STATIONERS	STATIONERY SUPPLIES	9.80
EFT77408	11/10/2012	COASTAL CRANES ALBANY	20 TONNE FRANNA MOBILE CRANE HIRE REASSEMBLE CANNON AT THE FORTS	563.75
EFT77409	11/10/2012	ALBANY REFRIGERATION	REFRIGERATION & AIRCONDITIONING REPAIRS & MAINTENANCE	357.50
EFT77410	11/10/2012	ALBANY PROPERTY BROKERS - RENTAL TRUST ACCOUNT	Rates refund for assessment A39829	378.35
EFT77411	11/10/2012	ALBANY OFFICE PRODUCTS DEPOT - NORTH ROAD	CHAIR VOYAGER X 4 - AIRPORT/STATIONERY SUPPLIES	2,130.60
EFT77412	11/10/2012	ALBANY WHALE TOURS	MERCHANDISE SUPPLIES	176.00
EFT77413	11/10/2012	ALBANY PSYCHOLOGICAL SERVICES	COUNSELLING SERVICES	187.00
EFT77414	11/10/2012	ALBANY MILK DISTRIBUTORS	MILK DELIVERIES	48.99
EFT77415	11/10/2012	ALBANY LEGAL PTY LTD	PROFESSIONAL FEES - CSBP SALE OF LAND ADVICE	3,611.52



## AGENDA ITEM 4.1 REFERS

EFT77416	11/10/2012 ALL HOSPITALITY	2 X 5L BIRKO URNS	344.00
EFT77417	11/10/2012 ALL-TECH MECHANICAL	SERVICE AND CHECK OVER ON BOMAG BC4572RB-2 COMPACTOR	3,140.67
EFT77418	11/10/2012 AMITY WINDSCREENS	REPLACE WINDSCREEN & REPLACE OUTER MOULDING - FORD RANGER	352.00
EFT77419	11/10/2012 ANDREW HALSALL PHOTOGRAPHY	MERCHANDISE SUPPLIES	180.00
EFT77420	11/10/2012 THE APEX CLUB OF ALBANY (INC)	Supply of food for BBQ - Corporate Planting Day	630.00
EFT77421	11/10/2012 ANNABEL JANE ARNOLD	ARTISTS WAY GROUP FACILITATION 4/10/2012	247.50
EFT77422	11/10/2012 ARTCRAFT PTY LTD	SIGNAGE	2,509.10
EFT77423	11/10/2012 ATC WORK SMART	CASUAL STAFF	3,974.13
EFT77424	11/10/2012 MARK ATTWOOD	FORTS VOLUNTEER TRAVELLING ALLOWANCE	216.00
EFT77425	11/10/2012 AUSTRALIA POST	POSTAGE	3,656.89
EFT77426	11/10/2012 ALBANY AUTOSPARK	VEHICLE REPAIRS/PARTS	4.50
EFT77427	11/10/2012 AYSEMART	MERCHANDISE SUPPLIES	400.00
EFT77428	11/10/2012 JOHN BEAMON	FORTS VOLUNTEER TRAVELLING ALLOWANCE	483.00
EFT77429	11/10/2012 BENNETTS BATTERIES	BATTERY PURCHASES	114.40
EFT77430	11/10/2012 BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	70.00
EFT77431	11/10/2012 BIBBULMUN TRACK FOUNDATION	MERCHANDISE SUPPLIES	24.70
EFT77432	11/10/2012 BLACKWOODS	PAINT SUPPLIES	648.82
EFT77433	11/10/2012 BLOOMIN FLOWERS	Supply wreath for Police Remembrance Day	60.00
EFT77434	11/10/2012 BOC GASES AUSTRALIA LIMITED	CONTAINER SERVICE RENTAL - MONTHLY	161.31
EFT77435	11/10/2012 BOOEASY AUSTRALIA PTY LTD	BOOEASY BOOKING RETURNS COMMISSION MONTHLY FEES - SEPTEMBER 2012	2,254.64
EFT77436	11/10/2012 AIR BP	AVGAS PURCHASES	1,881.76
EFT77437	11/10/2012 BRANDNET PTY LTD T/AS MILITARY SHOP	FORTS MERCHANDISE	146.95
EFT77438	11/10/2012 WAYNE BRADLEY	FORTS VOLUNTEER TRAVELLING ALLOWANCE	66.00
EFT77439	11/10/2012 BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES	276.84
EFT77440	11/10/2012 BUILDING AND CONSTRUCTION IND TRAINING FUND	CTF LEVY FOR SEPTEMBER 2012	5,539.98
EFT77441	11/10/2012 BUILDING COMMISSION	BSL LEVY SEPTEMBER 2012	3,781.38
EFT77442	11/10/2012 BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE/TOOL SUPPLIES	25.47
EFT77443	11/10/2012 CAPE AGENCIES	4 X 9KG GAS BOTTLES FOR CAPE RICHE	164.00
EFT77444	11/10/2012 CHESTER PASS LUNCH BAR	Rates refund for assessment A223098	1,022.75
EFT77445	11/10/2012 CHERRY BOOTS ALBANY	MERCHANDISE SUPPLIES	84.00
EFT77446	11/10/2012 CJD EQUIPMENT PTY LTD	VEHICLE PARTS	46.37
EFT77447	11/10/2012 SUE CODEE	MERCHANDISE SUPPLIES	276.50
EFT77448	11/10/2012 COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES FOR DAYCARE	552.54
EFT77449	11/10/2012 CORRIGAN, ERIC	FORTS VOLUNTEER TRAVELLING ALLOWANCE	288.00
EFT77450	11/10/2012 COURIER AUSTRALIA	FREIGHT FEES	628.83
EFT77451	11/10/2012 COVS PARTS PTY LTD	VEHICLE PARTS	752.81
EFT77452	11/10/2012 CUTTING EDGES PTY LTD	GRADER BLADES 7FT - GB7658HT	5,652.68
EFT77453	11/10/2012 G & M DETERGENTS & HYGIENE SERVICES ALBANY	SANITARY SERVICES - SEPTEMBER 2012	1,499.81
EFT77454	11/10/2012 MARGARET DICKINSON	FORTS VOLUNTEER TRAVELLING ALLOWANCE	54.00
EFT77455	11/10/2012 JOHN DRUMMOND	FORTS REIMBURSEMENTS - OUTDOOR MAINTENANCE	43.85
EFT77456	11/10/2012 ELDERS LIMITED	5 kgs casper	715.00
EFT77457	11/10/2012 ELLEKER GENERAL STORE	FUEL PURCHASES	170.50
EFT77458	11/10/2012 EYERITE SIGNS	REPLACE AND MAINTENANCE OF LETTERING ON THE FRONT OF THE BUILDING	1,743.50
EFT77459	11/10/2012 FARM FRESH W/SALERS (VIOLET PARK HOLDINGS P/L	CATERING SUPPLIES	165.90
EFT77460	11/10/2012 FARMERS CENTRE (1978) PTY LTD	VEHICLE PARTS	140.25

## AGENDA ITEM 4.1 REFERS

EFT77461	11/10/2012	THE FIXUPPERY	WINDOW CLEANING NORTH ROAD	336.01
EFT77462	11/10/2012	ALL TRUCK REPAIRS	VEHICLE MAINTENACE/REPAIRS	1,397.55
EFT77463	11/10/2012	FLIPS ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	2,112.00
EFT77464	11/10/2012	FRANEY & THOMPSON	TIMBER SUPPLIES	351.52
EFT77465	11/10/2012	FUELS WEST PETROLEUM	Litres DIESEL FUEL	8,814.96
EFT77466	11/10/2012	GALLERY 500	PAINTING SUPPLIES	110.76
EFT77467	11/10/2012	GLASS SUPPLIERS	REGLAZE WINDOWS/DOORS	856.58
EFT77468	11/10/2012	GORDON WALMSLEY PTY LTD	M of barrier kerbing for the AWARE centre	3,240.00
EFT77469	11/10/2012	GRANDE FOOD SERVICE	CATERING FOR TIME OUT CAFE	287.68
EFT77470	11/10/2012	GREAT SOUTHERN GROUP TRAINING	CASUAL STAFF	7,631.76
EFT77471	11/10/2012	GREAT SOUTHERN INSTITUTE OF TECHNOLOGY	CONFINED SPACE TRAINING - VARIOUS APPLICANTS	5,940.00
EFT77472	11/10/2012	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	512.99
EFT77473	11/10/2012	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	367.40
EFT77474	11/10/2012	WILFRED HATTON	FORTS TRAVEL REIMBURSEMENTS	66.00
EFT77475	11/10/2012	JOHN HOBBS	FORTS VOLUNTEER TRAVELLING ALLOWANCE	18.00
EFT77476	11/10/2012	HOUSING INDUSTRY ASSOCIATION	ANNUAL SUBSCRIPTION GOVERNMENT GLOCL - LOCAL GOVERNMENT TO 31/10/13	786.50
EFT77477	11/10/2012	INDUSTRIAL FOUNDATION FOR ACCIDENT PREVENTION	Injury Management Course attended by Brett Scott	1,325.00
EFT77478	11/10/2012	STATEWIDE RACKING & STORAGE SOLUTIONS	MERCHANDISE SUPPLIES	272.20
EFT77479	11/10/2012	TOLL IPEC	FREIGHT CHARGES	339.81
EFT77480	11/10/2012	JJ'S HIAB SERVICES	Pick up and deliver 2 x 300mm concrete pipes to 104 Bon Accord Road.	172.00
EFT77481	11/10/2012	JULENNI	MERCHANDISE ORDER	453.00
EFT77482	11/10/2012	JUST SEW EMBROIDERY	EMBROIDERY	49.50
EFT77483	11/10/2012	JUST A CALL DELIVERIES	INTERNAL MAIL DELIVERIES	875.60
EFT77484	11/10/2012	GEORGE KAVANAGH	FORTS VOLUNTEER TRAVELLING ALLOWANCE	327.60
EFT77485	11/10/2012	LA FREEGARD	FIRE ACCESS TRACK MAINTENANCE	43,198.60
EFT77486	11/10/2012	ALBANY WORLD OF CARS	PURCHASE OF NEW VOLKSWAGEN AMAROK 2.0L TDI400 4MOTION 120KW 6 SPD MAN SILVER (REGO. NO. TBA / PLANT NO. P3098)	40,793.01
EFT77487	11/10/2012	LATRO LAWYERS	PROFESSIONAL FEES, OFFICE COSTS AND DISBURSEMENTS	6,814.56
EFT77488	11/10/2012	DAVID LEECH	MERCHANDISE SUPPLIES	280.00
EFT77489	11/10/2012	STATE LIBRARY OF WA	LOST/DAMAGED BOOKS	200.20
EFT77490	11/10/2012	CALTEX ENERGY WA	CARD FUEL PURCHASES	8,494.93
EFT77491	11/10/2012	LOCKEEZ LUNCHBAR	CATERING SUPPLIES	336.00
EFT77492	11/10/2012	LOST THE PLOT PRODUCTIONS (GOLD MX)	ADVERTISING	1,320.00
EFT77493	11/10/2012	M2 TECHNOLOGY PTY LTD	VOICE SERVICE AGREEMENT - QUATERLY INVOICE	402.60
EFT77494	11/10/2012	M & A STEEL FABRICATION	Hire of a crane	240.00
EFT77495	11/10/2012	JOHN MCDOUALL	FORTS VOLUNTEER TRAVELLING ALLOWANCE	216.00
EFT77496	11/10/2012	PHILLIP MCKINNON	FORTS VOLUNTEER TRAVELLING ALLOWANCE	225.00
EFT77497	11/10/2012	MCLEODS BARRISTERS & SOLICITORS	SUBMISSION ON DRAFT LOCAL PLANNIN SCHEME NO.1	532.40
EFT77498	11/10/2012	MIDALIA STEEL PTY LTD	STEEL SUPPLIES	102.45
EFT77499	11/10/2012	JENNY MINITER	WORKING WITH CHILDREN CHECK REIMBURSMENT	53.00
EFT77500	11/10/2012	MIRA MAR VETERINARY SERVICES	DISPOSAL OF ANIMALS	203.00
EFT77501	11/10/2012	MISS MAUD SWEDISH HOTEL	ACCOMODATION FOR SLWA EXCHANGE	233.00
EFT77502	11/10/2012	JOHN MOIR	RUBBISH REMOVAL FROM CAPE RICHE CAMPSITE TO WELLSTEAD TRANSFER STATION FOR THE MONTH OF SEPTEMBER 2012	600.00
EFT77503	11/10/2012	DAWSON MOORE	FORTS VOLUNTEER TRAVELLING ALLOWANCE	168.00

## AGENDA ITEM 4.1 REFERS

EFT77504	11/10/2012	MT ROMANCE AUSTRALIA PTY LTD	VISITORS CENTRE MERCHANDISE	101.29
EFT77505	11/10/2012	MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINT	537.00
EFT77506	11/10/2012	PN & ER NEWMAN QUALITY CONCRETE PRODUCTS	Concrete Manhole cover	720.50
EFT77507	11/10/2012	ALBANY COMMUNITY PHARMACY	TwinRix Vaccinations	738.00
EFT77508	11/10/2012	DAVID NORTHERN	FORTS VOLUNTEER TRAVELLING ALLOWANCE	180.00
EFT77509	11/10/2012	PETER O'CONNELL	FORTS VOLUNTEER TRAVELLING ALLOWANCE	187.20
EFT77510	11/10/2012	OCS SERVICES PTY LTD	CLEANING SERVICES	298.68
EFT77511	11/10/2012	OKEEFE'S PAINTS	PAINT SUPPLIES	75.99
EFT77512	11/10/2012	PAUL G ROBERTSON AND ASSOCIATES	SUPERTINTENDENT CONTRACT LOWER DENMARK RD PHASE 1 & DOWN RD TREATMENT REPORT	9,529.74
EFT77513	11/10/2012	JACQUELINE PEMBERTON	MERCHANDISE SUPPLIES	204.87
EFT77514	11/10/2012	PFD FOOD SERVICES PTY LTD	CATERING SUPPLIES	461.70
EFT77515	11/10/2012	ANTHONY PITASSI	50 XL GAL PIPE (I PACK)	1,669.96
EFT77516	11/10/2012	PUBLIC LIBRARIES OF WESTERN AUSTRALIA INC	ANNUAL MEMBERSHIP 12/13	150.00
EFT77517	11/10/2012	SOUNDPACK SOLUTIONS	LIBRARY PRINTING & STATIONARY	101.75
EFT77518	11/10/2012	REDMAN SOLUTIONS PTY LTD	Trapeze Annual Maintenance 31/10/2011 - 29/10/2012	5,044.47
EFT77519	11/10/2012	REECE PTY LTD	PVC S/W BENDS	27.50
EFT77520	11/10/2012	W P REID	REMOVE PAVERS RAISE DRIVEWAY RELAY 42 SQUARE METRES	2,310.00
EFT77521	11/10/2012	DOUGLAS REITZE	FORTS VOLUNTEER TRAVELLING ALLOWANCE	100.80
EFT77522	11/10/2012	REPLICA MEDALS	FORTS MERCHANDISE	353.38
EFT77523	11/10/2012	REXEL AUSTRALIA	1 / E6003U hager time switch ,software and hardware	279.20
EFT77524	11/10/2012	RICOH	PHOTOCOPIER CHARGES	13,219.09
EFT77525	11/10/2012	SCHWEPPE AUSTRALIA	SOFT DRINK SUPPLIES - FORTS	153.45
EFT77526	11/10/2012	SECUREPAY PTY LTD	WEB PAYMENTS. SEAT ADVISOR PRING. TRANSACTION FEE. WITHOUT FRAUDGUARD	39.11
EFT77527	11/10/2012	SEEK LIMITED	ADVERTISING	247.50
EFT77528	11/10/2012	SKILL HIRE WA PTY LTD	CASUAL STAFF	4,751.45
EFT77529	11/10/2012	SMITHS ALUMINIUM & 4WD CENTRE	Modify draws and supply and fit heavy duty runners	1,285.00
EFT77530	11/10/2012	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	1,095.25
EFT77531	11/10/2012	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES	668.63
EFT77532	11/10/2012	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING GOODS	1,793.60
EFT77533	11/10/2012	SOUTHCOAST SECURITY SERVICE	SECURITY SERVICES	11,813.27
EFT77534	11/10/2012	GARY OWEN SPENCE	LAWNMOWING AT THE DAYCARE	105.00
EFT77535	11/10/2012	SPORTSWORLD OF WA	SPORTS STORE PURCHASES - ALAC	1,191.30
EFT77536	11/10/2012	SPOTLIGHT	Plastic Sheeting Heavy Duty - Full 20m Roll	207.80
EFT77537	11/10/2012	STATEWIDE BEARINGS	VEHICLE PARTS	32.93
EFT77538	11/10/2012	STIRLING FREIGHT EXPRESS	FREIGHT CHARGES - PAINT INDUSTRIES	181.29
EFT77539	11/10/2012	STIRLING CONFECTIONERY PLUS	CONFECTIONERY SUPPLIES	2,430.98
EFT77540	11/10/2012	MERVYN STRANGE	FORTS VOLUNTEER TRAVELLING ALLOWANCE	86.40
EFT77541	11/10/2012	ALBANY LOCK SERVICE	LOCK SERVICES/SUPPLIES	1,401.00
EFT77542	11/10/2012	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES	915.04
EFT77543	11/10/2012	TECHNOLOGY ASSISTING DISABILITY INC	PURCHASE OF BEACH TREKKER BEACH WHEELCHAIR	5,706.86
EFT77544	11/10/2012	DAVID THEODORE	FORTS MERCHANDISE REIMBURSEMENTS	48.00
EFT77545	11/10/2012	THE VEGIE SHOP	GROCERIES FOR DAYCARE	139.50
EFT77546	11/10/2012	TOTAL EDEN	GARDEN SUPPLIES	15.96

## AGENDA ITEM 4.1 REFERS

EFT77547	11/10/2012	TRAILBLAZERS	SAFETY BOOTS	507.88
EFT77548	11/10/2012	TRUCKLINE	VEHICLE PARTS	938.28
EFT77549	11/10/2012	TWO MILE PROJECTS	CITY OF ALBANY - PROFESSIONAL FEES - SEPTEMBER 2012	5,645.19
EFT77550	11/10/2012	ALBANY TYREPOWER	TYRE PURCHASES/MAINTENANCE	1,590.35
EFT77551	11/10/2012	VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	GREEN WASTE SERVICES	209.00
EFT77552	11/10/2012	SARAH VALLENTINE	CASUAL STAFF	76.68
EFT77553	11/10/2012	MICHAEL D. WALKER	FORTS VOLUNTEER TRAVELLING ALLOWANCE	180.00
EFT77554	11/10/2012	ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	1,433.78
EFT77555	11/10/2012	WESTERBERG PANEL BEATERS	FRONT WHEEL ALINGNMENT ON ISUZU TRUCK REG A61870	121.00
EFT77556	11/10/2012	WESTRAC EQUIPMENT PTY LTD	VEHICLE PARTS	301.82
EFT77557	11/10/2012	WESTSHRED DOCUMENT DISPOSAL	DOCUMENT DISPOSAL	313.50
EFT77558	11/10/2012	WESTERN WORK WEAR	UNIFORMS	204.00
EFT77559	11/10/2012	WEST-OZ WEB SERVICES	COMPLETED BOOKINGS MARKETING FEE	38.75
EFT77560	11/10/2012	WILSON MACHINERY	VEHICLE PARTS	418.33
EFT77561	11/10/2012	WILD EYED PRESS PTY LTD	MERCHANDISE SUPPLIES	170.35
EFT77562	11/10/2012	YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	203.71
EFT77563	11/10/2012	ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	102.36
EFT77564	12/10/2012	AEG OGDEN (PERTH) PTY LTD	LONG SERVICE LEAVE - K. BLYTH	8,633.05
EFT77565	15/10/2012	MOSS ENTERPRISES (WA) PTY LTD	CONFIDENTIAL LEGAL COSTS	50,000.00
EFT77566	15/10/2012	ZIPFORM	RATES FINAL NOTICES 2012/13	2,378.01
EFT77567	15/10/2012	TOURISM COUNCIL WESTERN AUSTRALIA	RENEWAL AUSTRALIAN TOURISM ACCREDITATION & VISITORS CENTRE ACCREDITATION PROGRAM	778.00
EFT77568	18/10/2012	ABA SECURITY	SECURITY SERVICES	129.80
EFT77569	18/10/2012	ACTIV FOUNDATION INC.	CLEANING RAGS	1,155.00
EFT77570	18/10/2012	ADCORP AUSTRALIA LIMITED	ADVERTISING - PROFESSIONAL APPOINTMENTS RECRUITMENT CEO	5,314.64
EFT77571	18/10/2012	AEG OGDEN (PERTH) PTY LTD	BALANCE LONG SERVICE LEAVE K BLYTH	2,071.29
EFT77572	18/10/2012	AIRSERVICES AUSTRALIA	2012 JULY - SEPT QTR ALBANY ILS MAINTENANCE	43,729.76
EFT77573	18/10/2012	ALBANY V-BELT AND RUBBER	FILTERS/VEHICLE PARTS	165.00
EFT77574	18/10/2012	ALBANY STATIONERS	STATIONERY SUPPLIES	85.25
EFT77575	18/10/2012	ALBANY OFFICE PRODUCTS DEPOT - NORTH ROAD	STATIONERY SUPPLIES	167.65
EFT77576	18/10/2012	ALBANY ALLSOILS LANDSCAPE SUPPLIES	YELLOW BRICKIES SAND	37.75
EFT77577	18/10/2012	ALL EVENTS PROSOUND HIRE	GSFI OPERATIONAL ATTENDANCE. HOUSE LIGHT MAINTENANCE	390.00
EFT77578	18/10/2012	ANNABEL JANE ARNOLD	THE ARTISTS WAY EXTRA CLASSES 18/10/2012	247.50
EFT77579	18/10/2012	ATC WORK SMART	CASUAL STAFF	7,549.42
EFT77580	18/10/2012	AUSTRALIA POST	POSTAGE/AGENCY FEES	15,052.96
EFT77581	18/10/2012	AUSTRALIAN AIR EXPRESS PTY LIMITED	FREIGHT CHARGES	238.41
EFT77582	18/10/2012	BATTERY WORLD	BATTERY PURCHASES	41.00
EFT77583	18/10/2012	BENNETTS BATTERIES	200L drum of Rubia TIR 15w/40 engine oil/200L drum of Dynatrans MPV oil.	1,927.20
EFT77584	18/10/2012	ADVANCED TRAFFIC MANAGEMENT (WA) PTY LTD	Hours Hire of Traffic Control	2,051.23
EFT77585	18/10/2012	BERTOLA HIRE SERVICES ALBANY PTY LTD	Being for the hire of two port-a-loos for Eyres park	355.00
EFT77586	18/10/2012	BEST OFFICE SYSTEMS	PHOTOCOPIER CHARGES	630.00
EFT77587	18/10/2012	BICUBIC	PROOFSHEETS	198.00
EFT77588	18/10/2012	BP BIRD PLUMBING & GAS	PUMP LINE REPAIRS	465.60
EFT77589	18/10/2012	BROWNES FOODS OPERATIONS PTY LTD	CATERING SUPPLIES	290.18
EFT77590	18/10/2012	CARDNO (WA) PTY LTD	HANRAHAN LEACHATE PROJECT DESIGN	47,312.10

AGENDA ITEM 4.1 REFERS

EFT77591	18/10/2012	STEPHEN CRAIG BURNS	Rates refund for assessment A140022	1,571.09
EFT77592	18/10/2012	C&C MACHINERY CENTRE	VEHICLE PARTS	214.65
EFT77593	18/10/2012	CALDWELL LAND SURVEYS PTY LTD	Survey works as requested for North Road	589.60
EFT77594	18/10/2012	CAREER SPOT	ADVERTISING	165.00
EFT77595	18/10/2012	J & S CASTLEHOW ELECTRICAL SERVICES	ELECTRICAL REPAIRS/MAINTENANCE	9,509.24
EFT77596	18/10/2012	MAXWELL HERBERT CASTLEHOW	Rates refund for assessment A221814	293.75
EFT77597	18/10/2012	CIVIL SURVEY SOLUTIONS	AUTODESK RENEWAL CONTRACT FROM 27/10/12 - 27/10/13	6,413.00
EFT77598	18/10/2012	CIVIC LEGAL	PROFESSIONAL FEES - AUDIT FILE	572.00
EFT77599	18/10/2012	CJD EQUIPMENT PTY LTD	Supply exchange turbo and associated parts to suit Volvo loader	2,652.39
EFT77600	18/10/2012	CLAYTON UTZ	PROFESSIONAL FEES	17,301.38
EFT77601	18/10/2012	BIS CLEANAWAY LIMITED	RUBBISH REMOVAL CONTRACT	7,465.45
EFT77602	18/10/2012	COCA-COLA AMATIL PTY LTD	SOFT DRINK SUPPLIES FOR ALAC CAFE	2,888.48
EFT77603	18/10/2012	COLES SUPERMARKETS AUSTRALIA PTY LTD	GROCERIES	517.58
EFT77604	18/10/2012	ANN COPEMAN BVA	ALBANY ART GROUP EXHIBITION TOWN HALL - FOR ART TRAIL	85.50
EFT77605	18/10/2012	COURIER AUSTRALIA	FREIGHT CHARGES	386.03
EFT77606	18/10/2012	DOWNER EDI WORKS PTY LTD	TONNES COLDMIX	1,276.23
EFT77607	18/10/2012	AL CURNOW HYDRAULICS	VEHICLE PARTS/MAINTENANCE	12.10
EFT77608	18/10/2012	NATHAN JOHN DEKKER	Rates refund for assessment A216182	910.60
EFT77609	18/10/2012	LANDGATE - PROPERTY & VALUATIONS	GRV INTERIM VALUATIONS	1,315.27
EFT77610	18/10/2012	DICK SMITH ELECTRONICS	The purchase of 2 sets of 2 way radios for minor Traffic Control	178.00
EFT77611	18/10/2012	EASIFLEET MANAGEMENT	MOTOR VEHICLE LEASE RENTAL	444.46
EFT77612	18/10/2012	EYERITE SIGNS	SIGNAGE FOR ALAC	1,309.00
EFT77613	18/10/2012	FARMERS CENTRE (1978) PTY LTD	VEHICLE PARTS	76.85
EFT77614	18/10/2012	FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA	ESL 2012/13 PART 6A EMERGENCY SERVICES LEVY - SECTION 36L & 36M	25,469.74
EFT77615	18/10/2012	ALL TRUCK REPAIRS	VEHICLE REPAIRS/MAINTENANCE	2,502.70
EFT77616	18/10/2012	FLIPS ELECTRICS	REPAIRS TO PUMP START CONTROLLER DUE TO LIGHTNING STORM AT HOSPICE LAKES	1,762.20
EFT77617	18/10/2012	FOXTEL MANAGEMENT PTY LTD	SUBSCRIPTION CHARGES	350.00
EFT77618	18/10/2012	FRANEY & THOMPSON	TIMBER SUPPLIES	130.68
EFT77619	18/10/2012	FUELS WEST PETROLEUM	Litres DIESEL FUEL	10,126.71
EFT77620	18/10/2012	GREAT SOUTHERN AVIATION	AIRCRAFT TYRES	1,026.15
EFT77621	18/10/2012	GREAT SOUTHERN PERSONNEL	LIBRARY ASSISTANT SERVICES SEPTEMBER 2012	74.76
EFT77622	18/10/2012	GREAT SOUTHERN PACKAGING SUPPLIES	CLEANING SUPPLIES	1,350.50
EFT77623	18/10/2012	GERRY GREGSON	MILEAGE CLAIM 1780 @ \$0.73.7 TO 28/9/2012	1,311.86
EFT77624	18/10/2012	CPG RESEARCH AND ADVISORY PTY LTD	Investment advise on CDO holdings, other ADIs, Lehman investments, policy review.	916.66
EFT77625	18/10/2012	GT BEARING AND ENGINEERING SUPPLIES	SUPPLY OF BEARINGS FOR THE A2 COASTAL GUN	248.80
EFT77626	18/10/2012	PROTECTOR FIRE SERVICES PTY LTD	FIRE EQUIPMENT MAINTENANCE	489.50
EFT77627	18/10/2012	HARLEY GLOBAL	EMU POINT - FEATURE AND CONTOUR SURVEY	3,300.00
EFT77628	18/10/2012	ALAN HAWLEY	TELEPHONE USAGE DURING KALGAN FILRE 11-15 OCTOBER 2012	56.13
EFT77629	18/10/2012	HAYNES ROBINSON	FRANCIS ROAD - REMOVAL OF CAVEATS	7,151.48
EFT77630	18/10/2012	HEMA MAPS PTY LTD	MERCHANDISE SUPPLIES	99.99
EFT77631	18/10/2012	RATTEN & SLATER MACHINERY	VEHICLE PARTS	19.86
EFT77632	18/10/2012	IBM AUSTRALIA LTD	MONTHLY SCHEDULE FOR SERVICES, IBM EXPRESS MANAGED SERVICES	949.03
EFT77633	18/10/2012	ICKY FINKS WAREHOUSE SALES	ITEMS FOR SCHOOL HOLIDAY WORKSHOP	95.67

## AGENDA ITEM 4.1 REFERS

EFT77634	18/10/2012	ING MANAGEMENT LTD	Rates refund for assessment A186757	979.08
EFT77635	18/10/2012	J AND J ROBINSON	WATER FILTER CHANGED AND SERVICES	65.00
EFT77636	18/10/2012	JACKSONS DRAWING SUPPLIES PTY LTD	DRAWING SUPPLIES FOR VAC	931.11
EFT77637	18/10/2012	JIMS TEST AND TAG	RCD TEST	154.00
EFT77638	18/10/2012	JS ROADSIDE PRODUCTS PTY LTD	GUIDE POSTS METAL	14,839.00
EFT77639	18/10/2012	JUST SEW EMBROIDERY	EMBROIDERY OF LOGOS - DEPOT	121.00
EFT77640	18/10/2012	KANDOO WINDSCREENS	WINDSCREEN REPLACEMENT - GIGA TRUCK P68	550.00
EFT77641	18/10/2012	WESFARMERS KLEENHEAT GAS PTY LTD	8.5KG GAS REFILL KWIK GAS	23.00
EFT77642	18/10/2012	KNOTTS GROUP PTY LTD	PLUMBING REPAIRS/MAINTENANCE	2,449.79
EFT77643	18/10/2012	BENJAMIN WILLIAM KNOX	Rates refund for assessment A196114	274.13
EFT77644	18/10/2012	LATRO LAWYERS	PROFESSIONAL FEES	3,384.26
EFT77645	18/10/2012	LEASE CHOICE	PHOTOCOPIER LEASE RICOH V1691100006 27/11/12 - 26/12/12	970.20
EFT77646	18/10/2012	LOCK N STORE SELF STORAGE - ALBANY	HIRE RENTAL UNIT 20/8/12 - 20/11/12 UNIT 041	450.00
EFT77647	18/10/2012	LOCKEEZ LUNCHBAR	CATERING FIREFIGHTERS DEBRIEF	1,026.00
EFT77648	18/10/2012	LORLAINE DISTRIBUTORS PTY LTD	CLEANING SUPPLIES	269.70
EFT77649	18/10/2012	ALBANY CITY MOTORS	VEHICLES/VEHICLE PARTS/REPAIRS	1,363.08
EFT77650	18/10/2012	GORDON PHILIP MCLEAN	Rates refund for assessment A140400	1,210.82
EFT77651	18/10/2012	JAMES MCLEAN	CUSTOM WOODEN ART CRATE AS DIRECTED BY ANNETTE GRANT	600.00
EFT77652	18/10/2012	MEDICALTOGETHER	ADVERTISING - DEPOSIT (\$2200 IN TOTAL)	1,100.00
EFT77653	18/10/2012	MERRIFIELD REAL ESTATE	RENT OCTOBER 2012 23/71 COCKBURN RD -MR & MRS PJ & LA MACDONALD	400.00
EFT77654	18/10/2012	MIDALIA STEEL PTY LTD	STEEL SUPPLIES	325.48
EFT77655	18/10/2012	MT BARKER COMMUNICATIONS	TWO WAY RADIO REPAIRS/MAINT	1,688.90
EFT77656	18/10/2012	LGIS LIABILITY	LGIS WORKCARE WORKERS COMPENSATION 2ND INSTALMENT POLICY 000154 30/6/12 - 30/6/13	478,854.00
EFT77658	18/10/2012	ALBANY NEWS DELIVERY - ALAC	NEWSPAPER DELIVERIES	108.07
EFT77659	18/10/2012	ALBANY COMMUNITY PHARMACY	SPORTS STORE PURCHASES	298.05
EFT77660	18/10/2012	NORDIC FITNESS EQUIPMENT	ALAC FITNESS EQUIPMENT	1,796.00
EFT77661	18/10/2012	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY SUPPLIES	149.00
EFT77662	18/10/2012	OPUS INTERNATIONAL CONSULTANTS LTD	Structural Risk Assessment Fee - 40-46 Frederick Street	2,970.00
EFT77663	18/10/2012	PETER GRAHAM AND COMPANY LTD	5ltr solo spray pack	79.75
EFT77664	18/10/2012	REDMOND SAWMILL	JARRAH POSTS FOR EMU POINT MARINA	352.00
EFT77665	18/10/2012	RICOH	PHOTOCOPIER CHARGES	11,762.74
EFT77666	18/10/2012	ROSIE O'GRADY'S	3 Nights Accommodation for Ms Tammy Flett - CONFERENCE	300.00
EFT77667	18/10/2012	SHEILAH RYAN	GARDENING AT THE VAC	390.00
EFT77668	18/10/2012	SKILL HIRE WA PTY LTD	CASUAL STAFF	2,326.63
EFT77669	18/10/2012	SOUTHERN ELECTRICS	ELECTRICAL REPAIRS/MAINTENANCE	541.48
EFT77670	18/10/2012	SOUTHERN TOOL & FASTENER CO	HARDWARE SUPPLIES 33660	464.51
EFT77671	18/10/2012	SOUTHWAY DISTRIBUTORS PTY LTD	CATERING GOODS	2,451.75
EFT77672	18/10/2012	SPEEDO AUSTRALIA PTY LTD	SWIMMING SUPPLIES	3,082.75
EFT77673	18/10/2012	ST JOHN AMBULANCE AUSTRALIA	FIRST AID TRAINING	165.00
EFT77674	18/10/2012	ALBANY LOCK SERVICE	LOCK SERVICES/SUPPLIES	249.75
EFT77675	18/10/2012	T & C SUPPLIES	HARDWARE/TOOL SUPPLIES - PO 33664	288.70
EFT77676	18/10/2012	THE VEGIE SHOP	GROCERIES FOR DAYCARE	154.18
EFT77677	18/10/2012	TRAILBLAZERS	SAFETY BOOTS	191.26
EFT77678	18/10/2012	TROPICAL SHADE N SAILS	SHADE SALE DISMANTLED, REPAIRED AND RE-ERECTED	476.20

## AGENDA ITEM 4.1 REFERS

EFT77679	18/10/2012 TRUCKLINE	VEHICLE PARTS	558.84
EFT77680	18/10/2012 ALBANY TYREPOWER	New 17.5x25 tyres to suit grader/TYRE REPAIRS & MAINTENANCE	7,644.70
EFT77681	18/10/2012 VANCOUVER WASTE SERVICES (ARMOGEDIN PTY LTD)	GREEN WASTE TICKETS	5,984.00
EFT77682	18/10/2012 IT VISION AUSTRALIA PTY LTD	ANNUAL LICENCE FEE REDHAT 10.3.6	1,100.00
EFT77683	18/10/2012 WATKINS CONTRACTORS	Supply & deliver 20 cubes mulch North Road office & supply & deliver 20 cubes mulch Depot	1,672.00
EFT77684	18/10/2012 ALBANY & GREAT SOUTHERN WEEKENDER	ADVERTISING	120.78
EFT77685	18/10/2012 WESTERN WORK WEAR	SAFETY BOOTS	180.00
EFT77686	18/10/2012 WEST COAST ANALYTICAL SERVICES	Perform water monitoring services at City of Albany Waste facilities	5,080.00
EFT77687	18/10/2012 WOOD AND GRIEVE ENGINEERS	MILLBROOK RD (SLK 1.40-1.75) - MILLBROOK	56.50
EFT77688	18/10/2012 YAKKA PTY LTD (KINGGEE WORKWEAR GROUP)	UNIFORMS	277.94
EFT77689	18/10/2012 ZENITH LAUNDRY	LAUNDRY SERVICES/HIRE	17.82
			0.00
		<b>TOTAL</b>	<b>\$ 2,807,950.23</b>

## **4.2: FINANCIAL ACTIVITY STATEMENT – 31 OCTOBER 2012**

**Responsible Officer** : Executive Director Corporate Services (G Adams)

### **IN BRIEF**

- Statement of Financial Activity reporting on the revenue and expenditure of the City of Albany for the reporting period ending 31 October 2012.

### **ITEM 4.2: RESOLUTION**

#### **VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON**

**SECONDED: COUNCILLOR BOWLES**

**The Financial Activity Statement for the period ending 31 October 2012 be RECEIVED.**

**CARRIED 10-0**

### **BACKGROUND**

1. The Statement of Financial Activity for the period ending 31 September 2012 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Performance, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

### **DISCUSSION**

3. In accordance with section 34(1) of the Local Government (Financial Management) Regulations 1996, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.

*“Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The ‘errors’ may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect.”*



## 6. STATEMENT OF FINANCIAL ACTIVITY – AS AT 31 OCTOBER 2012

	Actual Year to Date 31-Oct-12	Current Budget Year to Date 31-Oct-12	Current Budget vs Actual Variance	*
<b>REVENUE</b>				
Operating Grants & Subsidies	454,340	483,014	-28,673	X
Fees and Charges	8,034,141	7,907,742	126,399	√
Contributions, Donations & Reimbursements	255,694	211,047	44,647	√
Interest Earnings	354,793	241,497	113,296	√
Other Revenue	4,061	21,660	-17,599	X
	<b>9,103,029</b>	<b>8,864,960</b>	<b>238,070</b>	
<b>EXPENDITURE</b>				
Employee Costs	6,175,644	6,243,453	-67,809	√
Materials and Contracts	3,303,406	4,186,915	-883,509	√
Utility Charges	463,276	504,181	-40,905	√
Interest Expenses	4,257	16,276	-12,019	√
Insurance Expenses	222,619	240,636	-18,017	√
Other Expenditure	288,431	327,951	-39,519	√
Depreciation	3,936,048	3,936,048	0	√
Loss on Sale of Assets	0	0	0	√
Less Allocated to Infrastructure	(286,420)	(223,420)	-63,000	X
	<b>14,107,262</b>	<b>15,232,040</b>	<b>-1,124,778</b>	
<b>Adjustment for Non-cash Revenue and Expenditure:</b>				
Write Back Non Cash Items	3,936,048	3,936,048	0	
Adjust (Profit)/Loss on Asset Disposal	-	-	0	
<b>Net Operating Excluding Rates</b>	<b>(1,068,184)</b>	<b>(2,431,032)</b>		
<b>CAPITAL REVENUE</b>				
Non-Operating Grants, Subsidies and Cont	2,546,566	2,457,472	89,094	√
Proceeds from asset disposals	477,233	695,943	-218,710	X
Transfers from Reserves (Restricted Assets)	0	0	0	
	<b>3,023,799</b>	<b>3,153,415</b>	<b>-129,616</b>	
<b>CAPITAL EXPENDITURE</b>				
Capital Expenditure	1,492,009	4,263,027	-2,771,019	√
Repayment of Loans	39,235	64,984	-25,749	√
Transfers to Reserves (Restricted Assets)	44,130	141,517	-97,387	√
	<b>1,575,374</b>	<b>4,469,528</b>	<b>-2,894,155</b>	
<b>Net Capital</b>	<b>1,448,426</b>	<b>(1,316,113)</b>	2,764,539	
<b>Total Net Operating + Capital</b>	<b>380,242</b>	<b>(3,747,145)</b>	4,127,387	
Rates Revenue	27,003,511	26,980,330	23,181	
Restricted Cash Funds - Grants	0	0	0	
Opening Funding Surplus (Deficit)	2,982,441	2,973,800	8,641	
<b>Closing Funding Surplus (Deficit)</b>	<b>30,366,194</b>	<b>26,206,985</b>	<b>4,159,209</b>	

\* √ Is higher than expected revenue or lower than expected expenditure

\* X is lower than expected revenue and higher than expected Expenditure

## 7. CITY OF ALBANY – NET CURRENT ASSETS – AS AT 31 OCTOBER 2012

	Actual 31-Oct-12	Actual 30-Jun-12
<b>NET CURRENT ASSETS</b>		
Composition of Net Current Asset Position		
<b>CURRENT ASSETS</b>		
Cash - Unrestricted	26,459,640	9,898,720
Cash - Restricted	9,113,031	9,138,916
Receivables	12,462,217	3,141,767
Inventories	1,652,388	2,114,523
<b>Total Current Assets</b>	<b>49,687,276</b>	<b>24,293,926</b>
<b>LESS: CURRENT LIABILITIES</b>		
Payables and Provisions	5,523,307	7,015,614
	<b>44,163,969</b>	<b>17,278,312</b>
Less: Cash - Restricted - Trust	(940,614)	(1,020,686)
Less: Cash - Restricted - Reserves	(8,172,418)	(8,118,231)
<b>NET CURRENT ASSET POSITION</b>	<b>35,050,937</b>	<b>8,139,395</b>
<b>NET CURRENT ASSETS PER BALANCE SHEET</b>	42,584,638	15,511,281
<b>Difference</b>	<b>7,533,701</b>	<b>7,371,886</b>
<b>Difference Represented by:</b>		
Restricted Cash (Trust)	940,614	1,020,686
Reserve Funds - Financial Assets	68,771	68,771
Reserve Funds - Other	8,103,647	8,049,460
Self Supporting Loans (part of Receivables and Other)	0	(31,062)
	<b>9,113,032</b>	<b>9,107,855</b>
<b>Less:</b>		
Borrowings	747,370	786,606
Trust Liabilities	831,961	949,363
<b>Difference</b>	<b>7,533,701</b>	<b>7,371,886</b>

## 8. CITY OF ALBANY-STATEMENT OF FINANCIAL POSITION – AS AT 31 OCTOBER 2012

	Actual 31-Oct-12	Actual 30-Jun-12
<b>CURRENT ASSETS</b>		
Cash - Municipal	26,459,640	9,898,720
Restricted cash (Trust)	940,614	1,020,686
Reserve Funds - Financial Assets	68,771	68,771
Reserve Funds - Other	8,103,647	8,049,460
Receivables & Other	12,462,217	3,110,705
Investment Land	1,161,166	1,554,927
Stock on hand	491,222	559,596
	<b>49,687,277</b>	<b>24,262,864</b>
<b>CURRENT LIABILITIES</b>		
Borrowings	747,371	786,606
Creditors prov - Annual leave & LSL	2,526,411	2,562,504
Trust Liabilities	831,961	949,363
Creditors prov & accruals	2,996,896	4,453,110
	<b>7,102,639</b>	<b>8,751,583</b>
<b>NET CURRENT ASSETS</b>	<b>42,584,638</b>	<b>15,511,281</b>
<b>NON CURRENT ASSETS</b>		
Receivables	12,989	12,989
Pensioners Deferred Rates	383,302	383,302
Investment Land	4,714,702	4,714,702
Property, Plant & Equip	72,104,856	71,796,000
Infrastructure Assets	185,899,480	188,652,376
Local Govt House Shares	19,501	19,501
	<b>263,134,830</b>	<b>265,578,870</b>
<b>NON CURRENT LIABILITIES</b>		
Borrowings	16,639,788	16,639,788
Creditors & Provisions	465,710	465,710
	<b>17,105,498</b>	<b>17,105,498</b>
<b>NET ASSETS</b>	<b>288,613,970</b>	<b>263,984,653</b>
<b>EQUITY</b>		
Accumulated Surplus	260,788,211	236,203,024
Reserves	9,051,125	9,006,995
Asset revaluation Reserve	18,774,634	18,774,634
	<b>288,613,970</b>	<b>263,984,653</b>

**9. STATEMENT OF COMPREHENSIVE INCOME (BY NATURE OR TYPE)  
AS AT 31 OCTOBER 2012**

**Nature / Type**

	<b>YTD Actual 2012/13</b>	<b>Budget-Total 2012/13</b>	<b>Actual 2011/12</b>
<b>INCOME</b>			
Rates	27,003,511	27,107,022	25,642,948
Grants & Subsidies	454,340	2,732,950	4,887,130
Contributions. Reimb & Donations	255,694	373,610	665,327
Fees & Charges	8,034,141	14,432,869	13,302,006
Interest Earned	354,793	825,368	1,376,091
Other Revenue / Income	4,061	115,000	841,988
	<b>36,106,541</b>	<b>45,586,819</b>	<b>46,715,488</b>
<b>EXPENDITURE</b>			
Employee Costs	5,889,224	18,293,908	15,804,295
Utilities	463,276	1,729,483	1,910,194
Interest Expenses	4,257	909,431	1,046,166
Depreciation on noncurrent assets	3,936,048	11,812,900	11,640,078
Contracts & materials	3,303,406	14,259,030	12,176,186
Insurance expenses	222,619	722,187	587,694
Other Expenses	288,431	1,721,311	2,055,494
	<b>14,107,262</b>	<b>49,448,250</b>	<b>45,220,109</b>
<b>Change in net assets from operations</b>	<b>21,999,279</b>	<b>(3,861,431)</b>	<b>1,495,379</b>
Grants and Subsidies - non-operating	2,426,037	6,994,797	3,957,734
Contributions Reimbursements and Donations - non-operating	120,529	2,500,000	2,169,357
Profit/Loss on Asset Disposals	109,960	(269,049)	(18,345)
Cash Backing of Reserves	0	0	(86,295)
Fair value - Investments adjustment			0
	<b>24,655,805</b>	<b>5,364,317</b>	<b>7,517,830</b>

\*\*REFER DISCLAIMER\*\*

## 10. PORTFOLIO VALUATION – MARKET VALUE – AS AT 31 OCTOBER 2012

Security	Maturity Date	Security Cost (Incl accrued interest)	Current Interest %	Market Value Aug-12	Market Value Sept-12	Market Value Oct-12	Latest Monthly Variation
<b>MUNICIPAL ACCOUNT</b>							
CBA	7/09/2012	2,000,000	4.50%	2,000,000			
CBA	8/10/2012	2,000,000	4.48%		2,000,000		
CBA	7/11/2012	2,000,000	4.48%			2,000,000	
CBA	On call	3,000,000				3,000,000	
NAB	31/07/2012	1,000,078	4.25%				
NAB	29/09/2012	1,000,078	3.15%	1,000,078			
NAB	30/10/2012	1,000,078	4.05%		1,000,078		
NAB	29/11/2012	1,000,078	4.05%			1,000,078	
NAB	On call	4,000,000				4,000,000	
ANZ	3/07/2012	3,000,000	4.00%				
ANZ	2/08/2012	3,000,000	4.00%				
ANZ	3/09/2012	1,000,000	4.00%	1,000,000			
ANZ	5/10/2012	1,000,000	3.79%		1,000,000		
ANZ	On call	4,000,000			4,000,000	5,000,000	
BANKWEST	8/07/2012	2,000,000	4.45%				
BANKWEST	7/08/2012	2,000,000	4.20%				
BANKWEST	6/09/2012	2,000,000	4.20%	2,000,000			
BANKWEST	21/11/2012	2,000,000	4.70%		2,000,000	2,000,000	
				<b>6,000,078</b>	<b>10,000,078</b>	<b>17,000,078</b>	n/a

\*\*REFER DISCLAIMER\*\*

Security	Maturity Date	Security Cost (Incl accrued interest)	Current Interest %	Market Value Aug-12	Market Value Sept-12	Market Value Oct-12	Latest Monthly Variation
<b>RESERVES ACCOUNT</b> No funds currently invested				0	0	0	
				<b>0</b>	<b>0</b>	<b>0</b>	n/a
<b>COMMERCIAL SECURITIES - CDOs (New York Mellon)</b>							
Saphir (Endeavour) AAA	4/08/2011	413,160	9.10%	0	0	0	0
Zircon (Merimbula AA)	20/06/2013	502,450	8.87%	0	0	0	0
Zircon (Coolangatta AA)	20/09/2014	1,002,060	9.12%	0	0	0	0
Beryl (AAAGlogal Bank Note)	20/09/2014	200,376	8.42%	0	0	0	0
		<b>2,118,046</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>COMMERCIAL SECURITIES - CDOs - Other</b>							
Magnolia (Flinders AA)	20/03/2012	171,994	9.32%	0	0	0	0
Start (Blue Gum AA-)	22/06/2013	276,708	8.77%	0	0	0	0
Corsair (Kakadu AA)	20/03/2014	273,710	8.37%	68,750	68,750	68,750	0
Helium (C=Scarborough AA)	23/06/2014	602,244	8.77%	0	0	0	0
		<b>1,324,656</b>		<b>68,750</b>	<b>68,750</b>	<b>68,750</b>	<b>0</b>
<b>PORTFOLIO TOTAL</b>				<b>6,068,828</b>	<b>10,068,828</b>	<b>17,068,828</b>	<b>0</b>

**11. FINANCIAL RATIOS - AS AT 31 OCTOBER 2012**

CITY OF ALBANY FINANCIAL RATIOS		30-Jun-11	30-Jun-12	31-Oct-12	Benchmark
<b>Liquidity Ratios</b>					
	Current Ratio <sup>1</sup>	81.3%	193.8%	647.0%	>100%
	Untied Cash to trade creditors Ratio <sup>2</sup>	273.6%	418.3%	2292.8%	>100%
<b>Financial Position Ratio</b>					
	Debt Ratio <sup>3</sup>	9.8%	8.9%	7.7%	<100%
<b>Debt Ratios</b>					
	Debt Service Ratio <sup>4</sup>	9.0%	7.2%	0.1%	<10%
	Gross Debt to Revenue Ratio <sup>5</sup>	46.7%	30.2%	36.8%	<60%
	Gross Debt to Economically Realisable Assets <sup>6</sup>	22.6%	14.1%	11.1%	<30%
<b>Coverage Ratio</b>					
	Rate Coverage Ratio <sup>7</sup>	46.0%	57.3%	73.7%	>33%
<b>Effectiveness Ratio</b>					
	Outstanding Rates Ratio <sup>8</sup>	3.3%	3.0%	38.4%	<5%

1. This ratio focuses on the liquidity position of a local government.
2. This ratio provides an indication of whether a local government has sufficient unrestricted cash to pay its trade creditors.
3. The ratio is a measure of total liabilities to total assets or alternatively the number of times total liabilities are covered by the total assets of a local government. The lower the ratio of total liabilities to total assets, the stronger is the financial position of the local government.
4. This ratio measures a local government's ability to service debt (principal and interest) out of its available operating revenue.
5. This ratio measures a local government's ability to service debt in any given year out of total revenue.
6. This ratio provides a measure of whether a local government has sufficient realisable assets to cover its total borrowings.
7. The Coverage Ratio measures the local government's dependence on rate revenue to fund its operations. The higher the ratio, the less dependent a local government is on grants and external sources to fund its operations.
8. The Effectiveness Ratio measures the effectiveness of a local government with the collection of its rates. This ratio will reduce during the course of the year as rate instalments amounts are paid.

**STATUTORY IMPLICATIONS**

12. *Section 34 of the Local Government (Financial Management) Regulations 1996 provides:*
- I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –
    - a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
    - b) budget estimates to the end of the month to which the statement relates;
    - c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relate
    - d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
    - e) the net current assets at the end of the month to which the statement relates.
  - II. Each statement of financial activity is to be accompanied by documents containing –
    - a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
    - b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
    - c) such other supporting information as is considered relevant by the local government.
  - III. The information in a statement of financial activity may be shown –
    - a) according to nature and type classification;
    - b) by program; or
    - c) by business unit
  - IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –
    - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
    - (b) recorded in the minutes of the meeting at which it is presented.



**FINANCIAL IMPLICATIONS** *Expenditure for the period ending 30 September 2012 has been incurred in accordance with the 2012/13 proposed budget parameters. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.*

### 13. VARIANCES TO BUDGET IN EXCESS OF \$50,000 - AS AT 31 OCTOBER 2012

#### Comments/Reason for Variance

#### OPERATING REVENUE (EXCLUDING RATES)

##### OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Under Variance threshold

##### FEES AND CHARGES

With the legislated changes to the airport screening process, and increase in passenger levy, there was some degree of uncertainty about the impact this would have on airport usage and revenue. The budgeted revenue was set at the lower end of expectations. This has been exceeded year-to-date. There has also been a timing delay in receiving the invoice for the security screening contract, so the increase in expenses has not been fully reflected in the Operating Expenses.

##### Contributions, Donations & Reimbursements

Under Variance threshold

##### INTEREST EARNINGS

Interest earnings on rate instalment payments exceed budget, but similar to last year. Budget estimates for this item are very conservative, due to the uncertainty during budget preparation regarding the interest rate chargeable under amended Local Government regulations being proposed at the time.

##### OTHER REVENUE

Under Variance threshold

#### OPERATING EXPENSES

##### EMPLOYEE COSTS

Employee costs under budget year-to-date, on a percentage basis on 1.1%, with most manager positions now filled, this should be in line with budget for the remainder of the year.

##### MATERIAL AND CONTRACTS

Timing in receipt of waste contract invoice, the verge hard waste collection has just been completed, but not yet invoiced, with an extra 150 ton of rubbish compared to last year collected. Road and other infrastructure maintenance under budget year to date, due to wet weather in the first quarter of the year. Expect this activity to increase over the summer months. Also a timing delay in the invoicing for airport screening contract.

##### UTILITY CHARGES

Under Variance threshold

20/11/2012

\*\*REFER DISCLAIMER\*\*

**INTEREST EXPENSES**

Under Variance threshold

**INSURANCE EXPENSES**

Under Variance threshold

**OTHER EXPENDITURE**

Under Variance threshold

**DEPRECIATION (NON CURRENT ASSETS)**

Under Variance threshold

**LOSS ON ASSET DISPOSAL**

Under Variance threshold

**Less Allocated to Infrastructure**

Additional internal resources used for capital works

**CAPITAL REVENUE****NON- OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

Timing issue. As with most capital grants, the funding is not received evenly through the year. This variance is in a number of road grants and over the year the receipts should be in line with budget.

**PROCEEDS FROM DISPOSAL OF ASSETS**

Minimal assets sold or replaced year-to-date.

**PROCEEDS FROM NEW LOANS**

Under Variance threshold

**SELF-SUPPORTING LOAN PRINCIPAL**

Under Variance threshold

**TRANSFER FROM RESERVES (RESTRICTED ASSETS)**

Under Variance threshold

**CAPITAL EXPENSES****CAPITAL EXPENDITURE**

Timing issue. Minimal capital projects commenced so far, many infrastructure projects are weather dependent. Once dry weather has started, roads and drainage projects can commence on a bigger scale. Purchase of plant and equipment also under budget year-to-date (\$750 000).

**REPAYMENT OF LOANS**

Under Variance threshold

**TRANSFER TO RESERVES (RESTRICTED ASSETS)**

Only minor transfer to or from reserves to municipal funds done for this year.

**OTHER ITEMS****RATE REVENUE**

Under Variance threshold

**OPENING FUNDING SURPLUS(DEFICIT)**

Under Variance threshold

**POLICY IMPLICATIONS**

- 14. The City's 2012/13 Annual Budget provides a set of parameters that guides the City's financial practices.
- 15. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

<b>File Number (Name of Ward)</b>	FM.FIR.2 - All Wards
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**4.2: FINANCIAL ACTIVITY STATEMENT – 30 SEPTEMBER 2012**

**Responsible Officer** : Executive Director Corporate Services (G Adams)

**IN BRIEF**

- Statement of Financial Activity reporting on the revenue and expenditure of the City of Albany for the reporting period ending 30 September 2012.

**ITEM 4.2: RESPONSIBLE OFFICER RECOMMENDATION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**The Financial Activity Statement for the period ending 30 September 2012 be RECEIVED.**

**BACKGROUND**

1. The Statement of Financial Activity for the period ending 30 September 2012 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Performance, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

**DISCUSSION**

3. In accordance with section 34(1) of the Local Government (Financial Management) Regulations 1996, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.

*“Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The ‘errors’ may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect.”*

6. STATEMENT OF FINANCIAL ACTIVITY – AS AT 30 SEPTEMBER 2012

	Actual Year to Date 30-Sep-12	Current Budget Year to Date 30-Sep-12	Current Budget vs Actual Variance	
<b>REVENUE</b>				*
Operating Grants & Subsidies	456,020	476,970	-20,950	X
Fees and Charges	7,114,716	7,076,537	38,179	√
Contributions, Donations & Reimbursements.	177,483	131,264	46,219	√
Interest Earnings	248,657	157,544	91,113	√
Other Revenue	286,016	276,245	9,771	√
	<b>8,282,892</b>	<b>8,118,560</b>	<b>164,332</b>	
<b>EXPENDITURE</b>				
Employee Costs	3,835,910	4,660,315	-824,405	√
Materials and Contracts	1,898,855	3,078,332	-1,179,477	√
Utility Charges	391,109	356,339	34,770	X
Interest Expenses	(21,737)	12,207	-33,944	√
Insurance Expenses	104,139	180,477	-76,338	√
Other Expenditure	474,734	516,996	-42,262	√
Depreciation	2,952,036	2,952,036	0	√
Loss on Sale of Assets	0	0	0	√
Less Allocated to Infrastructure	(95,663)	(114,448)	18,785	√
	<b>9,539,383</b>	<b>11,642,254</b>	<b>-2,102,871</b>	
<b>Adjustment for Non-cash Revenue and Expenditure</b>				
Write Back Non Cash Items	2,952,036	2,952,036	0	
Adjust (Profit)/Loss on Asset Disposal	0	0	0	
<b>Net Operating Excluding Rates</b>	<b>1,695,545</b>	<b>(571,658)</b>		
<b>CAPITAL REVENUE</b>				
Non-Operating Grants, Subsidies & Cont	1,405,657	1,382,254	23,403	√
Proceeds from asset disposals	4,956	435,776	-430,820	X
Transfers from Reserves (Restricted Assets)	0	0	0	
	<b>1,410,613</b>	<b>1,818,030</b>	<b>-407,417</b>	
<b>CAPITAL EXPENDITURE</b>				
Capital Expenditure	997,834	3,897,652	-2,899,818	√
Repayment of Loans	16,200	48,738	-32,538	√
Transfers to Reserves (Restricted Assets)	20,087	112,680	-92,593	√
	<b>1,034,122</b>	<b>4,059,070</b>	<b>-3,024,948</b>	
<b>Net Capital</b>	<b>376,491</b>	<b>(2,241,040)</b>	2,617,531	
<b>Total Net Operating + Capital</b>	<b>2,072,036</b>	<b>(2,812,698)</b>	4,884,734	
Rates Revenue	26,980,446	26,964,503	15,943	
Restricted Cash Funds - Grants	0	0	0	
Opening Funding Surplus (Deficit)	2,982,441	2,982,441	0	
<b>Closing Funding Surplus (Deficit)</b>	<b>32,034,923</b>	<b>27,134,246</b>	<b>4,900,677</b>	

\* √ Is higher than expected revenue or lower than expected expenditure

\* X is lower than expected revenue and higher than expected Expenditure

7. CITY OF ALBANY – NET CURRENT ASSETS – AS AT 30 SEPTEMBER 2012

AGENDA ITEM 4.2 REFERS

**NET CURRENT ASSETS**

Composition of Net Current Asset Position

**CURRENT ASSETS**

Cash - Unrestricted

Cash - Restricted

Receivables

Inventories

**Total Current Assets**

**LESS: CURRENT LIABILITIES**

Payables and Provisions

Less: Cash - Restricted - Trust

Less: Cash - Restricted - Reserves

**NET CURRENT ASSET POSITION**

**NET CURRENT ASSETS PER BALANCE SHEET**

**Difference**

**Difference Represented by:**

Restricted Cash (Trust)

Reserve Funds - Financial Assets

Reserve Funds - Other

Self Supporting Loans (part of Receivables and Other)

**Less:**

Borrowings

Trust Liabilities

**Difference**

	<b>Actual 30-Sept-12</b>	<b>Actual 30-Jun-12</b>
	26,266,813	9,898,720
	9,097,054	9,138,916
	13,555,209	3,141,767
	1,799,487	2,114,523
	<b>50,718,563</b>	<b>24,293,926</b>
	4,470,755	7,015,614
	<b>46,247,808</b>	<b>17,278,312</b>
	(948,673)	(1,020,686)
	(8,148,381)	(8,118,231)
	<b>37,150,754</b>	<b>8,139,395</b>
	44,600,051	15,511,281
	<b>7,449,297</b>	<b>7,371,886</b>
	948,673	1,020,686
	68,771	68,771
	8,079,610	8,049,460
	0	(31,062)
	<b>9,097,054</b>	<b>9,107,855</b>
	770,406	786,606
	877,351	949,363
	<b>7,449,297</b>	<b>7,371,886</b>

## 8. CITY OF ALBANY-STATEMENT OF FINANCIAL POSITION-AS AT 30 SEPTEMBER 2012

	Actual 30-Sept-12	Actual 30-Jun-12
<b>CURRENT ASSETS</b>		
Cash - Municipal	26,266,813	9,898,720
Restricted cash (Trust)	948,673	1,020,686
Reserve Funds - Financial Assets	68,771	68,771
Reserve Funds - Other	8,079,610	8,049,460
Receivables & Other	13,555,209	3,110,705
Investment Land	1,286,719	1,554,927
Stock on hand	512,768	559,596
	<b>50,718,562</b>	<b>24,262,864</b>
<b>CURRENT LIABILITIES</b>		
Borrowings	770,406	786,606
Creditors prov - Annual leave & LSL	2,362,991	2,562,504
Trust Liabilities	877,351	949,363
Creditors prov & accruals	2,107,764	4,453,110
	<b>6,118,511</b>	<b>8,751,583</b>
<b>NET CURRENT ASSETS</b>	<b>44,600,051</b>	<b>15,511,281</b>
<b>NON CURRENT ASSETS</b>		
Receivables	12,989	12,989
Pensioners Deferred Rates	383,302	383,302
Investment Land	4,714,702	4,714,702
Property, Plant & Equip	71,906,470	71,796,000
Infrastructure Assets	186,587,704	188,652,376
Local Govt House Shares	19,501	19,501
	<b>263,624,668</b>	<b>265,578,870</b>
<b>NON CURRENT LIABILITIES</b>		
Borrowings	16,639,788	16,639,788
Creditors & Provisions	465,710	465,710
	<b>17,105,498</b>	<b>17,105,498</b>
<b>NET ASSETS</b>	<b>291,119,221</b>	<b>263,984,653</b>
<b>EQUITY</b>		
Accumulated Surplus	263,317,504	236,203,024
Reserves	9,027,083	9,006,995
Asset revaluation Reserve	18,774,634	18,774,634
	<b>291,119,221</b>	<b>263,984,653</b>

**9. STATEMENT OF COMPREHENSIVE INCOME (BY NATURE OR TYPE)  
AS AT 30 SEPTEMBER 2012**

**Nature / Type**

	<b>YTD Actual 2012/13</b>	<b>Budget-Total 2012/13</b>	<b>Actual 2011/12</b>
<b>INCOME</b>			
Rates	26,980,446	27,107,022	25,642,948
Grants & Subsidies	456,020	2,732,950	4,887,130
Contributions. Reimb & Donations	177,483	373,610	665,327
Fees & Charges	7,114,716	14,432,869	13,302,006
Interest Earned	248,657	825,368	1,376,091
Other Revenue / Income	286,016	115,000	841,988
	<b>35,263,338</b>	<b>45,586,819</b>	<b>46,715,488</b>
<b>EXPENDITURE</b>			
Employee Costs	3,740,247	18,293,908	15,804,295
Utilities	391,109	1,729,483	1,910,194
Interest Expenses	(21,737)	909,431	1,046,166
Depreciation on non current assets	2,952,036	11,812,900	11,640,078
Contracts & materials	1,898,855	14,259,030	12,176,186
Insurance expenses	104,139	722,187	587,694
Other Expenses	474,734	1,721,311	2,055,494
	<b>9,539,383</b>	<b>49,448,250</b>	<b>45,220,109</b>
<b>Change in net assets from operations</b>	<b>25,723,955</b>	<b>(3,861,431)</b>	<b>1,495,379</b>
Grants and Subsidies - non-operating	1,326,037	6,994,797	3,957,734
Contributions Reimbursements and Donations - non-operating	79,620	2,500,000	2,169,357
Profit/Loss on Asset Disposals	4,956	(269,049)	(18,345)
Cash Backing of Reserves	0	0	(86,295)
Fair value - Investments adjustment			0
	<b>27,134,568</b>	<b>5,364,317</b>	<b>7,517,830</b>



\*\*REFER DISCLAIMER\*\*

## 10. PORTFOLIO VALUATION – MARKET VALUE – AS AT 30 SEPTEMBER 2012

Security	Maturity Date	Security Cost (Incl accrued interest)	Current Interest %	Market Value Jul-12	Market Value Aug-12	Market Value Sept-12	Latest Monthly Variation
<b>MUNICIPAL ACCOUNT</b>							
CBA	6/07/2012	2,000,000	4.70%				
CBA	8/08/2012	2,000,000	4.48%	2,000,000			
CBA	7/09/2012	2,000,000	4.50%		2,000,000		
CBA	8/10/2012	2,000,000	4.48%			2,000,000	
NAB	31/07/2012	1,000,078	4.25%	1,000,078			
NAB	29/09/2012	1,000,078	3.15%		1,000,078		
NAB	30/10/2012	1,000,078	4.05%			1,000,078	
ANZ	3/07/2012	3,000,000	4.00%				
ANZ	2/08/2012	3,000,000	4.00%	3,000,000			
ANZ	3/09/2012	1,000,000	4.00%		1,000,000		
ANZ	5/10/2012	1,000,000	3.79%			1,000,000	
ANZ**	On call	4,000,000	BBSW+1.75%			4,000,000	
BANKWEST	8/07/2012	2,000,000	4.45%				
BANKWEST	7/08/2012	2,000,000	4.20%	2,000,000			
BANKWEST	6/09/2012	2,000,000	4.20%		2,000,000		
BANKWEST	21/11/2012	2,000,000	4.70%			2,000,000	
				<b>8,000,078</b>	<b>6,000,078</b>	<b>10,000,078</b>	n/a
<b>RESERVES ACCOUNT</b>							
No funds currently invested							
				0	0	0	
				<b>0</b>	<b>0</b>	<b>0</b>	n/a

\*\*REFER DISCLAIMER\*\*

Security	Maturity Date	Security Cost (Incl accrued interest)	Current Interest %	Market Value Jul-12	Market Value Aug-12	Market Value Sept-12	Latest Monthly Variation
<b>COMMERCIAL SECURITIES - CDOs (New York Mellon)</b>							
Saphir (Endeavour) AAA	4/08/2011	413,160	9.10%	0	0	0	0
Zircon (Merimbula AA)	20/06/2013	502,450	8.87%	0	0	0	0
Zircon (Coolangatta AA)	20/09/2014	1,002,060	9.12%	0	0	0	0
Beryl (AAAGlobal Bank Note)	20/09/2014	200,376	8.42%	0	0	0	0
		<b>2,118,046</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>COMMERCIAL SECURITIES - CDOs - Other</b>							
Magnolia (Flinders AA)	20/03/2012	171,994	9.32%	0	0	0	0
Start (Blue Gum AA-)	22/06/2013	276,708	8.77%	0	0	0	0
Corsair (Kakadu AA)	20/03/2014	273,710	8.37%	68,750	68,750	68,750	0
Helium (C=Scarborough AA)	23/06/2014	602,244	8.77%	0	0	0	0
		<b>1,324,656</b>		<b>68,750</b>	<b>68,750</b>	<b>68,750</b>	<b>0</b>
<b>PORTFOLIO TOTAL</b>				<b>8,068,828</b>	<b>6,068,828</b>	<b>10,068,828</b>	<b>0</b>

\*\*The BBSW (bank bill swap rate) is the wholesale interbank rate within Australia and is published by the Australian Financial Markets Association (AFMA). It is the borrowing rate among the country's top market makers, and is widely used as the benchmark interest rate for financial instruments.

**11. FINANCIAL RATIOS - AS AT 30 SEPTEMBER 2012**

<b>CITY OF ALBANY FINANCIAL RATIOS</b>	<b>30-Jun-11</b>	<b>30-Jun-12</b>	<b>30-Sept-12</b>	<b>Benchmark</b>
<b>Liquidity Ratios</b>				
Current Ratio <sup>1</sup>	81.3%	193.8%	794.1%	>100%
Untied Cash to trade creditors Ratio <sup>2</sup>	273.6%	418.3%	9554.9%	>100%
<b>Financial Position Ratio</b>				
Debt Ratio <sup>3</sup>	9.8%	8.9%	7.4%	<100%
<b>Debt Ratios</b>				
Debt Service Ratio <sup>4</sup>	9.0%	7.2%	0.0%	<10%
Gross Debt to Revenue Ratio <sup>5</sup>	46.7%	30.2%	38.1%	<60%
Gross Debt to Economically Realisable Assets <sup>6</sup>	22.6%	14.1%	11.0%	<30%
<b>Coverage Ratio</b>				
Rate Coverage Ratio <sup>7</sup>	46.0%	57.3%	76.1%	>33%
<b>Effectiveness Ratio</b>				
Outstanding Rates Ratio <sup>8</sup>	3.3%	3.0%	43.2%	<5%

1. This ratio focuses on the liquidity position of a local government.
2. This ratio provides an indication of whether a local government has sufficient unrestricted cash to pay its trade creditors.
3. The ratio is a measure of total liabilities to total assets or alternatively the number of times total liabilities are covered by the total assets of a local government. The lower the ratio of total liabilities to total assets, the stronger is the financial position of the local government.
4. This ratio measures a local government's ability to service debt (principal and interest) out of its available operating revenue.
5. This ratio measures a local government's ability to service debt in any given year out of total revenue.
6. This ratio provides a measure of whether a local government has sufficient realisable assets to cover its total borrowings.
7. The Coverage Ratio measures the local government's dependence on rate revenue to fund its operations. The higher the ratio, the less dependent a local government is on grants and external sources to fund its operations.
8. The Effectiveness Ratio measures the effectiveness of a local government with the collection of its rates. This ratio will reduce during the course of the year as rate instalments amounts are paid.

**STATUTORY IMPLICATIONS**

12. *Section 34 of the Local Government (Financial Management) Regulations 1996 provides:*
- I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –
    - a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
    - b) budget estimates to the end of the month to which the statement relates;
    - c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relate
    - d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
    - e) the net current assets at the end of the month to which the statement relates.
  - II. Each statement of financial activity is to be accompanied by documents containing –
    - a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
    - b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
    - c) such other supporting information as is considered relevant by the local government.
  - III. The information in a statement of financial activity may be shown –
    - a) according to nature and type classification;
    - b) by program; or
    - c) by business unit
  - IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
    - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
    - (b) recorded in the minutes of the meeting at which it is presented.

**FINANCIAL IMPLICATIONS** *Expenditure for the period ending 30 September 2012 has been incurred in accordance with the 2012/13 proposed budget parameters. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.*

### 13. VARIANCES TO BUDGET IN EXCESS OF \$50,000 - AS AT 30 SEPTEMBER 2012

#### Comments / Reason for Variance

#### OPERATING REVENUE (EXCLUDING RATES)

##### OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Under Variance threshold

##### FEES AND CHARGES

Under Variance threshold

##### CONTRIBUTIONS, DONATIONS & REIMBURSEMENTS

Under Variance threshold

##### INTEREST EARNINGS

Interest earnings on rate instalment payments exceed budget, but similar to last year. Budget estimates for this item are very conservative, due to the uncertainty during budget preparation regarding the interest rate chargeable under amended Local Government regulations being proposed at the time.

##### OTHER REVENUE

Under Variance threshold

#### OPERATING EXPENSES

##### EMPLOYEE COSTS

Employee costs under budget year-to-date, due to year end accrual of wages to 11/12 year. Some manager/supervisor positions not yet filled, with some positions only recently filled, in Community Services, and Works and Services. Employee provisions for long service leave and annual leave not yet processed for period to date. Once this is processed, the variation will reduce.

##### MATERIAL AND CONTRACTS

Timing in receipt of waste contract invoice (received early October). Road and other infrastructure maintenance under budget year to date, due to wet weather in the first quarter of the year.

##### UTILITY CHARGES

Under Variance threshold

##### INTEREST EXPENSES

Under Variance threshold

##### INSURANCE EXPENSES

First instalment invoice received and allocated. Second instalment due late October/early November.

**OTHER EXPENDITURE**

Under Variance threshold

**DEPRECIATION (NON CURRENT ASSETS)**

Under Variance threshold

**LOSS ON ASSET DISPOSAL**

Under Variance threshold

Less Allocated to Infrastructure

Under Variance threshold

**CAPITAL REVENUE****NON-OPERATING GRANTS, SUBSIDIES & CONTRIBUTIONS**

Under Variance threshold

**PROCEEDS FROM DISPOSAL OF ASSETS**

Minimal assets sold or replaced year-to-date.

**PROCEEDS FROM NEW LOANS**

Under Variance threshold

**SELF-SUPPORTING LOAN PRINCIPAL**

Under Variance threshold

**TRANSFER FROM RESERVES (RESTRICTED ASSETS)**

Under Variance threshold

**CAPITAL EXPENSES****CAPITAL EXPENDITURE**

Timing issue. Minimal capital projects commenced so far, many infrastructure projects are weather dependent. Once dry weather has started, roads and drainage projects can commence on a bigger scale. Purchase of plant and equipment also under budget year-to-date (\$750 000).

**REPAYMENT OF LOANS**

Under Variance threshold

**TRANSFER TO RESERVES (RESTRICTED ASSETS)**

Only minor transfer to or from reserves to municipal funds done for this year.

**OTHER ITEMS****RATE REVENUE**

Under Variance threshold

**OPENING FUNDING SURPLUS (DEFICIT)**

Under Variance threshold

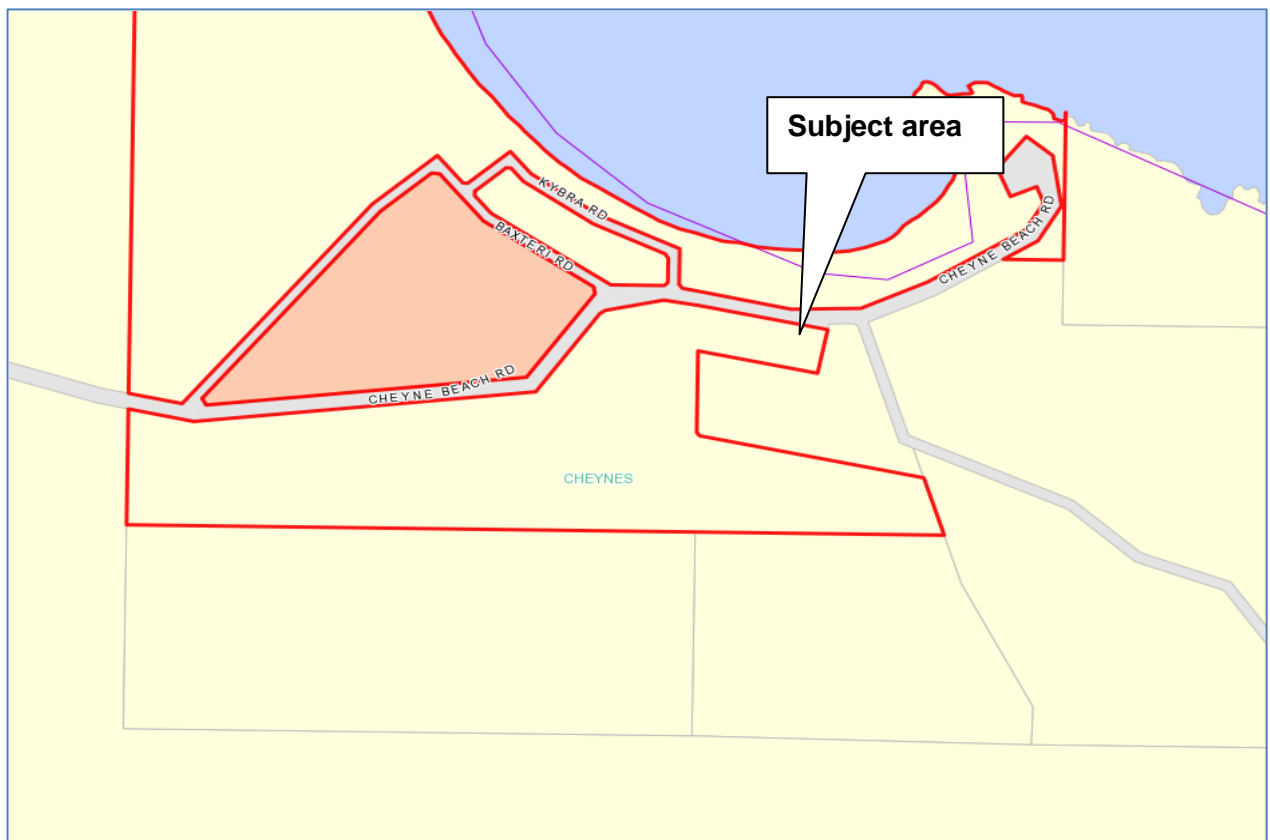
**POLICY IMPLICATIONS**

- 14. The City's 2012/13 Annual Budget provides a set of parameters that guides the City's financial practices.
- 15. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

<b>File Number (Name of Ward)</b>	FM.FIR.2 - All Wards
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**4.3: NEW LEASE – TERRY HULKES – CROWN RESERVE 878 - CHEYNE BEACH ROAD, CHEYNES**

<b>Land Description</b>	: Crown Reserve 878 and being Lot 7442 on Plan 214689 and being the whole of land contained in Certificate of Title Volume LR3141 Folio 874 Cheynes
<b>Proponent</b>	: Mr Terry Hulkes
<b>Owner</b>	: Crown
<b>Attachment(s)</b>	: Nil
<b>Responsible Officer</b>	: Executive Director Corporate Services (G Adams)
<b>Maps and Diagrams</b>	

**IN BRIEF**

- Council is requested to consider a new lease for Mr Terry Hulkes over portion Lot 7442 (Lot 10), Reserve 878 Cheyne Beach Road, Cheynes.
- Lease term being 5 years for the purpose of Accommodation Associated with the Fishing Industry.



**ITEM 4.3: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY****MOVED: COUNCILLOR SUTTON**  
**SECONDED: COUNCILLOR DUFTY**

**THAT Council APPROVE the request from Mr Terry Hulkes for a new lease for the purpose of Accommodation Associated with the Fishing Industry over portion Crown Reserve 878 and being portion of Lot 7442 (Lot 10) on Deposited Plan 214689, Cheynes subject to:**

- 1. Lease term being 5 years.**
- 2. Lease rental fee to be determined by a current market valuation provided by an independent certified Practising Valuer being \$2,250.00 plus GST per annum.**
- 3. Rent to be reviewed every three years by market valuation with CPI applied for intervening years.**
- 4. Lease area being approximately 1,826 square metres.**
- 5. Any relevant approvals to be received prior to development of Lot 10 Reserve 878.**
- 6. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Land's consent is obtained.**
- 7. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.**
- 8. All costs associated with the development, maintenance and operations of the lease area to be payable by the proponent.**
- 9. All legal costs associated with the preparation, execution and completion of the Deed of Lease to be payable by the proponent.**
- 10. Lease being consistent with Council Policy – Property Management – Leases and Licences.**

**CARRIED 10-0****BACKGROUND**

1. Crown Reserve 878 is under a Management Order H359478 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation, Camping, Holiday Accommodation, Accommodation Associated with the Fishing Industry and Fire Station " for a term not exceeding 21 years and subject to the consent of the Minister for Lands.
2. Crown Reserve 878, an area of approximately 115 hectares is located at Cheynes approximately 63 kilometres east of Albany at the southern end of Hassell Beach. The location is also commonly referred to as "Cheynes Beach".
3. Crown Reserve 878 currently hosts 29 Holiday Accommodation leases, 6 Accommodation Associated with the Fishing Industry leases and one Fishing licence.
4. There are currently 16 surveyed lots with Crown Reserve 878 gazetted for the purpose of accommodation associated with the Cheynes Beach fishing industry. The City of Albany fire shed is situated on Lot 15 within this gazetted area. Only Lots 2 and 3 are located on the waterfront.

5. The surveyed lots gazetted for the Cheynes Beach Fishing Accommodation are located along Cheyne Beach Road. Cheynes Beach Holiday Accommodation leases are located along Baxteri Road, Cheynes.
6. A Lease agreement may be entered into with commercial fisherman seeking fisherman accommodation at Cheynes Beach, on the provision that they are actively engaged in the fishing industry and hold a current commercial fishing licence.
7. In December 1995 the former Shire of Albany approved the first Fishing licence and Accommodation for the Fishing Industry lease enabling Cheynes Beach commercial fishermen to formalise their fishing arrangements and fishing accommodation needs within the Cheyne Beach precinct. Commercial fishermen have been fishing the Cheyne Beach area for up to 60 years, utilising the current lease sites for their needs prior to formalising these arrangements.
8. The Shire of Albany granted the existing leases to commercial fisherman allowing them to construct buildings and infrastructure on the leased land to support them in their commercial fishing activity.
9. The Lessee's are responsible for collection of rain water and connection of power and septic systems.
10. Upon expiry, pursuant to the lease, unless otherwise agreed with the Landlord the Lessee's are required to remove buildings and improvements and restore the land to its original condition.
11. At the September OCM Council adopted the Property Management – Leases and Licences Policy, wherein Policy Principle 46 pertaining to Commercial Fishing Accommodation Leases and Licences was revised.
12. Council adopted that no new Commercial Fishing Accommodation leases or licences will be granted on waterfront property, and existing waterfront Commercial Fishing Accommodation leases and licences will be reviewed 12 months prior to expiry allowing environmental protection to be considered prior to any lease or licence renewal.
13. The City of Albany submitted an application to the Regional Development Assistance Program (RDAP) to undertake feasibility assessments into expanding residential land and associated services onto Crown land at Cheynes Beach in March 2011.
14. LandCorp have recently confirmed this application is still "active", and is due to be presented to the Board for their consideration late 2012. Although this application is directed towards the Cheynes Beach Holiday Accommodation lease sites, the proposed ramifications to the fishing industry accommodation leases should be taken into consideration.
15. The current Cheynes Beach commercial Fishing Accommodation leases are due to expire between 2015 and 2017. It is expected that current Lessees will apply for new leases upon expiry. Given the RDAP application is still being assessed, the proposed lease term of five years will retain consistency with the existing fishing accommodation leases should these leases be impacted by the RDAP assessment.

16. On the 13 February 2012, an enquiry was received from Mr Terry Hulkes with regard to the possibility of a new lease over portion of Lot 7442 being Lot 10 Cheyne Beach Road, Reserve 878, to enable him to continue his commercial fishing activities.
17. Taking into consideration that staff were in the process of reviewing Council's Policy Property Management – Leases and Licences and the likely implications for the Cheynes Beach Fishing Lessees, the Chief Executive Officer instructed the request be placed on hold until such time the reviewed Policy was adopted.

## DISCUSSION

18. Mr Hulkes has been operating his commercial fishing licence from Cheynes Beach for approximately 9 years. A copy of his current Fishing Boat Licence number 2281 has been supplied to the City.
19. Mr Hulkes currently resides at the Cheynes Beach Caravan Park whilst the fishing season is current, and has found this arrangement is not suitable to his needs.
20. The storing of his fishing equipment and the early hours he requires to commence preparing his fishing equipment are not suited to the caravan park environment.
21. The following equipment is stored on site to enable Mr Hulkes to fish commercially:
  - Trailer
  - Fishing boat
  - Fishing boat trailer
  - Fish tubs
  - Fishing nets
  - Four wheel drive motor vehicle
  - Ancillary fishing equipment
22. It is proposed small sleeping accommodation and a storage shed be constructed on Lot 10 to accommodate Mr Hulkes and his deckhands whilst carrying out fishing activities. All relevant approvals are to be received prior to any commencement of the development of Lot 10 Cheyne Beach Road.
23. Subject to weather conditions, Mr Hulkes currently operates commercial fishing on an average of twenty days per month. Species of fish caught are governed by his commercial fishing licence and include squid and scale fish, consisting of snapper, herring, whiting, leather jackets and garfish.
24. The proposed new lease will be negotiated in line with Council's Policy – Property Management – Leases and Licences within the category of Commercial Fishermen's Accommodation Leases.

## GOVERNMENT CONSULTATION

25. Under Section 18 (1) of the *Land Administration Act 1997* the Department of Regional Development and Lands has been consulted and in-principle Minister for Land's consent has been sort for the proposed new Deed of Lease on Crown Reserve 878.
26. The proposed development will be referred to the South West Aboriginal Land & Sea Council, the Department of Indigenous Affairs and the Department of Regional Development and Lands for land and heritage consideration.

## PUBLIC CONSULTATION / ENGAGEMENT

27. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings. The Act requires the following:
  - a. A local government must give local public notice of the proposed lease inviting submissions from the public, for a period of two weeks;
  - b. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes; and
  - c. A local government can then proceed with the lease.

Any proposed new lease will be advertised locally to comply with the requirements of Section 3.58 of *the Local Government Act 1995*.

## STATUTORY IMPLICATIONS

28. 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.
29. As this is Crown land, under Management Order H359478 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation, Camping, Holiday Accommodation, Accommodation Associated with the Fishing Industry and Fire Station", Minister for Lands consent will be required.
30. Section 3.58 of the *Local Government Act 1995* deals with the disposal of property, including leased land and buildings.
31. Under the City's Town Planning Scheme 3, the subject land is reserved "Parks and Recreation". The Scheme requires that any of use of the Reserve must meet the intended purpose of the Reserve. The Reserve purpose includes "Accommodation Associated with the Fishing Industry", therefore this proposal meets the City's Town Planning Scheme 3 requirement.
32. The Western Australian Planning Commission (WAPC) consent is not required as this is Crown land.

**STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN**

33. This item relates to the following elements of the City of Albany Strategic Plan (2011-2021):

**Key Focus Area**

- *Organisational Performance.*

**Community Priority**

- *Policy and Procedures.*

**Proposed Strategies**

- *Develop clear processes and policies and ensure consistent, transparent application across the organisation.*

**POLICY IMPLICATIONS**

34. Council adopted a revised Property Management – Leases and Licences Policy in September 2012.

35. This Policy aims to ensure that all requests for leases/licences, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.

36. The Policy section relevant to this category of Commercial Fishing Accommodation Leases and Licences – addresses the following:

- No new Commercial Fishing Accommodation Leases or Licences will be granted on waterfront property.
- All existing Leases and Licences will be reviewed twelve months prior to expiry balancing environmental protection and prevention of degradation of coastal foreshores with need prior to considering any renewal.
- Any renewal of existing Leases and Licences on waterfront property will be for a maximum five year term.

37. The proposed lease site, being portion of Lot 7442, Lot 10 Cheyne Beach Road, is not classified as waterfront property.

38. The recommendation is consistent with Council Policy – Property Management – Leases and Licences.

**RISK IDENTIFICATION & MITIGATION**

39. The risk identification and categorisation relies on the City's Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>Council does not approve a new lease – reputational loss to the City</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction</i>  <i>Collaborate with proponent to ensure mutually agreeable outcomes</i>
<i>Council does not approve a new lease – proponent to seek alternative premises</i>	<i>Unlikely</i>	<i>Insignificant</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction</i>  <i>Collaborate with proponent to ensure mutually agreeable outcomes</i>

**FINANCIAL IMPLICATIONS**

40. All costs associated with the development, execution and completion of the new lease documentation including but not limited to legal, advertising, and valuation will be borne by the proponent.
41. The new lease rental will be determined by current market valuation provided by an independent Certified Practising Valuer.
42. The new lease rental will be directed to COA 140530 Income – Misc Commercial.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

43. Council has the following options in relation to this item, which are:
- a. Approve the request for a new lease, or
  - b. Decline the request.
44. Should Council decline the request, Mr Hulkes would be required to find an alternate location for his fishing accommodation needs, should he wish to continue commercial fishing activities at Cheynes Beach.

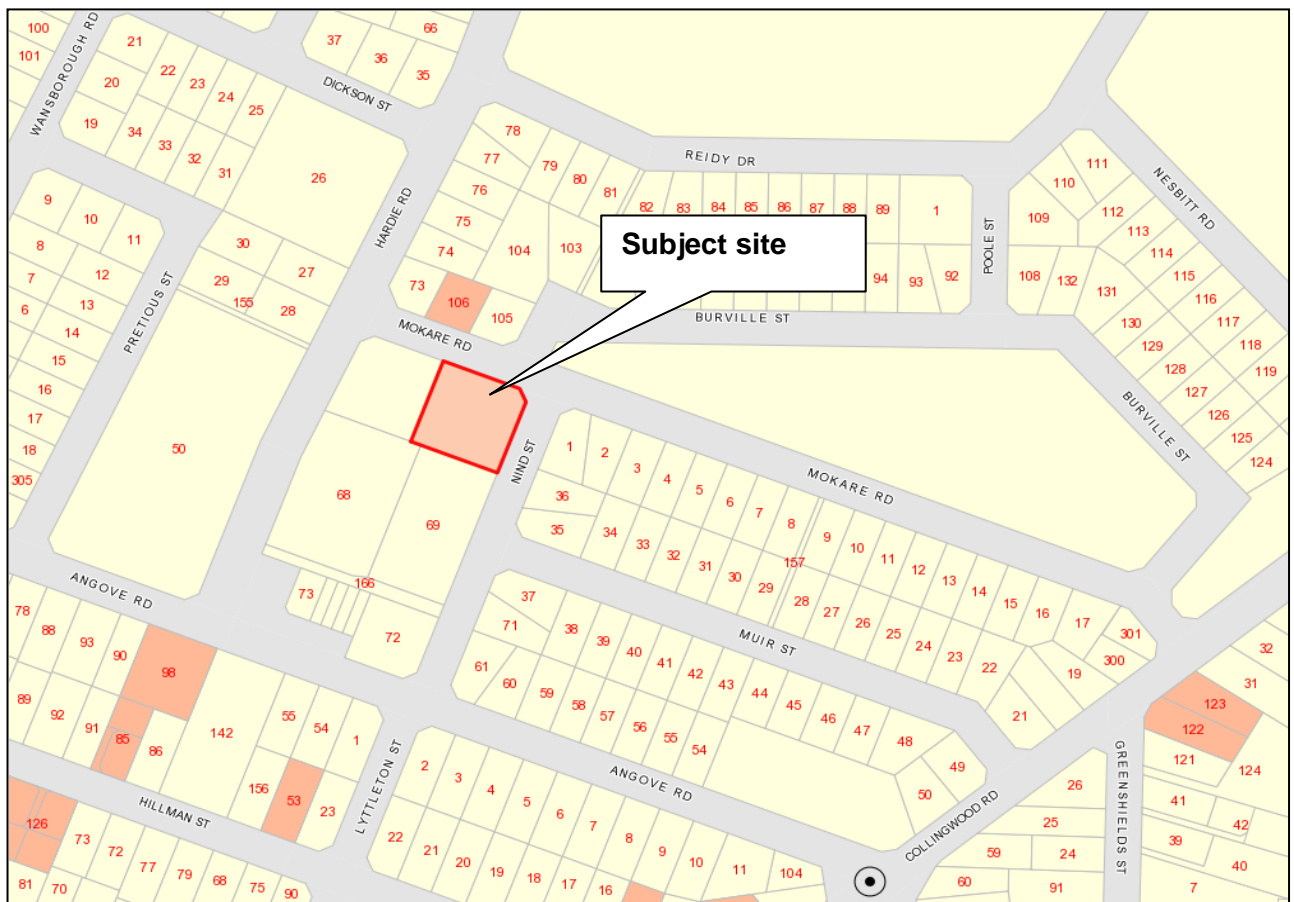
**SUMMARY CONCLUSION**

45. Given the opportunity to lease portion of Lot 7442 Reserve 878 as per Council Policy, and rectify the problems associated with the current accommodation situation at no cost to Council, the request for a new lease for a term of 5 years is recommended.

<b>Consulted References</b>	<ul style="list-style-type: none"><li>• Council Policy – Property Management – Leases and Licences</li><li>• <i>Local Government Act 1995</i></li><li>• <i>Land Administration Act 1997</i></li></ul>
<b>File Number (Name of Ward)</b>	PRO389, A174625 (Kalgan Ward)
<b>Previous Reference</b>	Nil

**4.4: NEW LEASE – DEPRESSION SUPPORT NETWORK ALBANY INC. –  
PORTION OF CROWN RESERVE 26860, SPENCER PARK**

- Land Description** : Crown Reserve 26860 and being Lot 6906 on Deposited Plan 189260 and being part of the land contained in Certificate of Title Volume LR 3082 Folio 535, Spencer Park
- Proponent** : Depression Support Network Albany Inc.
- Owner** : Crown
- Attachment(s)** : Nil
- Responsible Officer** : Executive Director Corporate Services (G Adams)
- Maps and Diagrams:**



**IN BRIEF**

- Council is requested to consider a new lease for the Depression Support Network Albany Inc. over the area portion of Crown Reserve 26860, being 39 Mokare Road Spencer Park.
- Lease term 5 years for the purpose of “Community Purposes”.



**ITEM 4.4: RESOLUTION  
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON  
SECONDED: COUNCILLOR SUTTON**

**THAT Council APPROVE the request from the Depression Support Network Albany Inc. for a new lease for the purpose of meeting facility over portion of Crown Reserve 26860 and being Lot 6906 on Deposited Plan 189260, Spencer Park subject to:**

- 1. Lease term being 5 years with an option for a further 5 year term.**
- 2. Lease rental being minimum land rate currently \$820.00 plus GST per annum.**
- 3. Lease area being approximately 630 square metres.**
- 4. Lease purpose being Community Purposes.**
- 5. Section 18 of the *Lands Administration Act 1997*, the Minister for Land's consent is obtained.**
- 6. Any relevant approvals to be received prior to the Lessee taking possession of lease premises.**
- 7. All costs associated with the development, maintenance and operations of the lease area to be payable by the proponent.**
- 8. All legal costs associated with the preparation, execution and completion of the Deed of Lease to be payable by the proponent.**
- 9. Lease being consistent with Council Policy – Property Management – Leases and Licences.**

**CARRIED 10-0**

**BACKGROUND**

1. Crown Reserve 26860 is under a Management Order H633652 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Community Purposes" for a term not exceeding 21 years and subject to the consent of the Minister for Lands.
2. Crown Reserve 26860, an area of approximately 2,555 square metres is located on the corner of Mokare Road and Nind Street, Spencer Park.
3. The Reserve hosts three separate tenants being: The Education Department of WA (Coolangarra's Barmah Aboriginal Kindergarten), The Department of Health (Spencer Park Child Health Centre), and the recently vacated tenant being the Albany Injury Prevention Association Inc.
4. The Department of Health and the Albany Injury Prevention Association shared the building located at street address 39 Mokare Road. The two Lessee's premises adjoin each other via a common wall, each having a separate entry and driveway.
5. Albany Injury Prevention Association advised the City of Albany they wished to surrender their lease with the City on the 31 May 2012. At the Ordinary Council Meeting 21 August 2012 Item 4.9, Council approved the surrender request. The premises were vacated and formerly handed back to the City on the 31 August 2012.

6. An Expression of Interest (EOI) advertisement was placed in a local newspaper on the 30 August 2012, calling for submissions with regard to leasing the Community Purposes site.
7. Two submissions were received, however one applicant did not meet the required criteria, therefore was not successful.
8. The Depression Support Network Albany Incorporated did meet all relative criteria to be classified as successful as a prospective Tenant.
9. The City insures the building and City owned fixtures and fittings and on costs to the tenant. The tenant is responsible for third party indemnity insurance of not less than ten million dollars, plate glass cover and insuring their own fixtures, fittings and contents. The tenant will provide to the City a copy of insurance policies prior to the commencement of the lease.
10. The City, in accordance with Council Policy Property Management – Leases and Licences, is responsible for major or structural maintenance of the entire building, including electrical wiring.
11. The tenant is responsible for minor maintenance of the lease premises, including the grounds.

#### **DISCUSSION**

12. The Depression Support Network Albany Inc. (DSN) is a not for profit organisation. The group are a peer support organisation designated tax exempt as a Health Promotion charity.
13. Their goal is to provide hope to people living with Depressive Illness in Albany and the Great Southern region. DSN believe that peer support is an important part of the recovery journey.
14. Their aim is to educate the people of Albany and the Great Southern regarding Depressive Illness and the various mental illnesses surrounding it.
15. The DSN group plan to provide people in the region with information on what services, both professional and non-Government organisations, are available with regard to depression and its surrounding illnesses.
16. The group's Patron, Dr Andrew Knight, and Vice President, Barbara Pentecost, (mental health nurse) are available to Committee members, staff and volunteers to provide guidance and advice if needed.
17. The Depression Support Network is currently operating from the Lotteries House conference room providing mental health information and peer support to people and their friends and families who live with anxiety and depressive illness.

18. If their application to lease is successful, the group will be able to extend its programs, and offer the following activities:
- Increase enjoyable exercise sessions for clientele. (Fitness being an important part of the recovery process.)
  - Increase social sessions to cater for different time frames.
  - Establish crèche facilities during the social sessions, allowing mothers with young children to attend.
  - Establish a garden and vegetable garden as an activity, enabling participants to grow, harvest and cook their produce as a long term activity. This encourages outside activity and dietary information, both important to assist overcome the symptoms of depression.
  - Members of the medical community providing sessions to participants, encouraging participants to help themselves through the symptoms of depression illness.
  - Free counselling services, two afternoons a week, offered by a local mental health nurse.
  - Invited professionals showcasing community involvement for participants, including yoga and gym instructors, artists and local “drum beat” co-ordinators.
19. All programs would be free to participants.
20. Depression Support Network Albany currently consists of 4 registered members and 6 committee members, supported by their Patron, Dr Andrew Knight.
21. The DSN group currently has fifteen participants registered with a further number of prospective participants considering using its services. It is expected an increase in participants once the group occupy its own premises and is able to offer more programs.
22. Grant funding through “Onelife” has been approved to assist the group with its proposed relocation, operational costs and program development.
23. The proposed new lease will be negotiated in line with Council’s Policy – Property Management – Leases and Licences within the category of Community Leases.

#### **GOVERNMENT CONSULTATION**

24. Under Section 18 (1) of the *Land Administration Act 1997* the Department of Regional Development and Lands has been consulted. Minister for Land’s consent will be sort for the proposed new Deed of Lease on Crown Reserve 26860.

#### **PUBLIC CONSULTATION / ENGAGEMENT**

25. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings. The Act requires the following:
- a. A local government must give local public notice of the proposed lease inviting submissions from the public, for a period of two weeks;

- b. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes; and
  - c. A local government can then proceed with the lease.
26. Section 30 of the *Local Government (Functions & General) Regulations 1996* defines the dispositions to which the advertising requirements of Section 3.58 of the Act do not apply. Section 30 (2) (b) (i & ii) states that Section 3.58 of the Act is exempt if:
- (b) *The land is disposed of to a body, whether incorporated or not –*
    - (i) *the object of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
    - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*
27. The Depression Support Network Albany is an incorporated, not for profit health promotion charitable group, therefore exempt from the advertising requirements of Section 3.58 of the *Local Government Act 1995*.

#### **STATUTORY IMPLICATIONS**

28. 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.
29. As this is Crown land, under Management Order H633652 issued to the City of Albany with the power to lease, for the purpose of "Community Purposes", Minister for Land's consent will be required.
30. Section 3.58 of the *Local Government Act 1995* deals with the disposal of property, including leased land and buildings.
31. Under the City's Town Planning Scheme 1A, the subject land is reserved "Clubs and Institutions". The proposed use of providing support and community activities for those people living with Depressive Illness can be considered under the Scheme, subject to Planning Scheme Consent being granted.
32. The Western Australian Planning Commission (WAPC) consent is not required as this is Crown land.

## **STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN**

33. This item relates to the following elements of the City of Albany Strategic Plan (2011-2021):

### **Key Focus Area**

- *Organisational Performance.*

### **Community Priority**

- *Policy and Procedures.*

### **Proposed Strategies**

- *Develop clear processes and policies and ensure consistent, transparent application across the organisation.*

## **POLICY IMPLICATIONS**

34. Council adopted a revised Property Management – Leases Policy in 2012.

35. This Policy aims to ensure that all requests for leases/licences, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.

36. The Policy section relevant to this category of Community lease – requires the following:

- Rent for Community groups leasing Council owned land and buildings for community purposes will be charged a rental based on Minimum Land Rates currently \$820.00 plus GST per annum.
- Lessee must be an Incorporated body and a copy of their Articles of Association/Constitution be provided.
- Lease to be for a term not greater than twenty one years.
- Rental/Sublease agreements must be approved by the Landlord.
- Lessee must have appropriate insurance pertaining to their particular activities, as a minimum, and
- Lessee will be responsible for all maintenance of the leased property at the Lessee's costs.

37. The recommendation is consistent with Council Policy – Property Management – Leases and Licences.

**RISK IDENTIFICATION & MITIGATION**

38. The risk identification and categorisation relies on the City's Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>Council does not approve a new lease – reputational loss to the City</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction.</i>
<i>Council does not approve a new lease – DSN would need to seek alternative premises</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction.  Collaborate closely with DSN to ensure mutually agreeable outcomes.</i>

**FINANCIAL IMPLICATIONS**

39. The lease rental will be Minimum Land Rates \$820.00 plus GST per annum.

40. The new lease rental will be directed to COA 190430 Income – Other Leases.

**ALTERNATE OPTIONS & LEGAL IMPLICATIONS**

41. Council has the following options in relation to this item, which are:

- a. Approve the request for a new lease, or
- b. Decline the request.

42. Should Council decline the request, the Depression Support Network Albany Inc. would need to find an alternate location should it wish to proceed with its proposal to provide support and associated community activities for those people living with Depressive Illness.

**SUMMARY CONCLUSION**

43. The Depression Support Network Albany Inc. is seeking a new lease over vacant premises located on Crown Reserve 26860 for a community health facility.

44. The Depression Support Network Albany Inc. has received grant funding approval from Anglicare to assist with its proposed relocation and development of programs and activities.

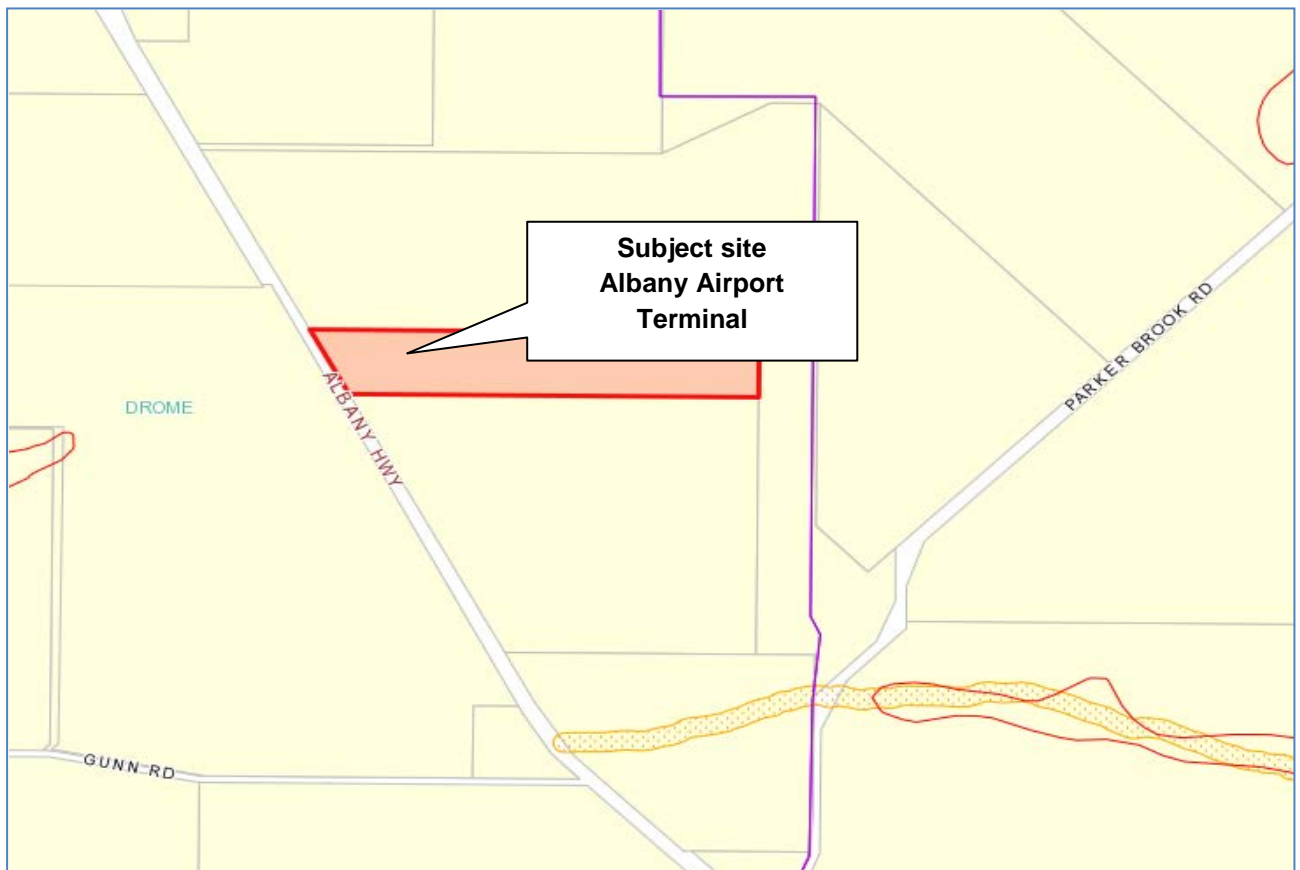
45. The lease request for the Depression Support Network Albany Inc. to provide support and associated community activities is supported.

<b>Consulted References</b>	<ul style="list-style-type: none"><li>• Council Policy – Property Management – Leases and Licences</li><li>• <i>Local Government Act 1995</i></li><li>• <i>Land Administration Act 1997</i></li></ul>
<b>File Number (Name of Ward)</b>	PRO071, A110445 (Breaksea Ward)
<b>Previous Reference</b>	OCM 21.08.2012 Item 4.9

**4.5: NEW LEASE TO MS JACQUELINE DANIEL - RUNWAY CAFE –  
ALBANY REGIONAL AIRPORT – DROME**

<b>Land Description</b>	: Lot 5643 on Deposited Plan 157458 and the whole of land contained in Certificate of Title Volume LR 2088 Folio 492
<b>Proponent</b>	: Ms Jacqueline Daniel
<b>Owner</b>	: City of Albany
<b>Attachment(s)</b>	: N/A
<b>Responsible Officer</b>	: Executive Director Corporate Services (G Adams)

**Maps and Diagrams**



**IN BRIEF**

- Council is requested to consider a new lease for Ms Jacqueline Daniel trading as Platters Gourmet for cafe and preparation and storage of food and beverages for commercial catering enterprise located at the Runway Cafe, Albany Regional Airport terminus, 35615 Albany Highway Drome.
- Lease term being one year with further four year option.
- Initial lease rental as determined by current market valuation being \$1,000.00 plus GST per annum.



**RECOMMENDATION**

**ITEM 4.5: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DUFTY**

**SECONDED: COUNCILLOR HORTIN**

**THAT Council APPROVE the request from Ms Jacqueline Daniel for a new lease for the purpose of cafe and preparation and storage of food and beverages for commercial catering enterprise on Lot 5643 being Deposited Plan 157458, Albany Regional Airport terminus, Drome subject to:**

- 1. Lease term being one year with a four year further option.**
- 2. Lease rental as determined by a current market valuation provided by an independent Certified Practising Valuer being \$1,000.00 plus GST per annum.**
- 3. Lease rent reviews being every three years by market valuation with Consumer Price Index applied for intervening years.**
- 4. Lease area being approximately 28.4 square metres together with the Landlord's Fixtures and Fittings.**
- 5. Section 3.58 of the *Local Government Act 1995* advertising requirements being met.**
- 6. All costs associated with the operations and maintenance of the lease premises to be payable by the proponent.**
- 7. Lease being consistent with Council Policy – Property Management – Leases.**

**CARRIED 10-0**

**BACKGROUND**

1. The Runway Cafe located within the Albany Regional Airport Terminal building was historically operated under informal arrangements with family of the former Airport Manager (employed by the City of Albany) providing a basic cafe service for airport customers.
2. The lease premises area of approximately 28.4 square metres within the terminus is located at street address 35615 Albany Highway, Drome.
3. The City of Albany owns the land and the building which the lease area is located within. The City of Albany is responsible for all structural maintenance including electrical wiring of the lease area with the Lessee responsible for all other repairs and maintenance.
4. In November 2007 refurbishment of the airport terminal commenced. The cafe area was upgraded as part of this refurbishment with new benches and cabinets being installed and new equipment being purchased.
5. In December 2007 an Expression of Interest (EOI) called for suitably qualified persons to operate a cafe within the Albany Airport terminus. No submissions were received.

6. In April 2008 a simplified EOI was developed with one submission being received, from the operators of Life's a Beach Cafe.
7. At the Ordinary Council Meeting (OCM) 20 May 2008 Item 13.5.2 Council resolved to advertise its intention to enter into a lease with the proprietors of Life's a Beach Cafe for a three year period on a rental basis of \$10.00 per year.
8. To facilitate customer services at the airport, the cafe was permitted to operate prior to signing a formal lease. Several months later, the operator withdrew the service citing several reasons, including personal circumstances and the limited commercial viability of the cafe operation.
9. The absence of a cafe service at the airport drew criticism from commerce and tourist groups.
10. In June 2009 the City advertised locally for EOI to operate the cafe. Council at that time also supported the proposal of a Special Facilities Liquor Licence should the prospective Lessee choose to develop into this area.
11. Two responses were received. At the OCM 21 July 2009 Item 14.11.2, Council resolved to advertise its intention to enter into a lease with Jacqueline Daniel (trading as Gourmet Platters) for a period of one year, with a two year option for the cafe area at the Albany Regional Airport Terminal.
12. A lease was entered into with Jacqueline Daniel and the City on the 20 August 2009, with the rental set as peppercorn to assist the new proprietor. In August 2010 the Lessee exercised the option for a further two year term, with rent adjusted to Minimum Land Rate. This lease expired 20 August 2012.
13. On the 10 August 2012 the City wrote to the Lessee acknowledging their interest in a further lease at the Albany Airport for the provision of cafe services, and requesting confirmation of future intentions with regard to the cafe services.
14. Ms Daniel continues to occupy the leased area on a holding over basis as month to month tenant. The conditions of the tenancy preserve the terms and conditions of the lease, except in respect to the term of the lease.

## **DISCUSSION**

15. Ms Daniel has developed the Runway Cafe services within the airport and provides a valuable service to airport customers, both commercial and tourist type clientele.
16. The lease term requested by Ms Daniel of one year initially, allows for the Albany Regional Airport Stage 2 redesign to be finalised. This allows for the Tenant to consider any implications of the redesign and the impact this may have on the cafe.

17. Commercial catering is a permitted use within the current lease premises as per the current lease agreement. Commercial catering currently represents only a small percentage of the business.
18. Airport Mangement have made available the conference room located within the airport terminal for groups to hire. The catering service offered by Ms Daniel compliments this venture.
19. The opening hours of the cafe cater for all flights, accommodating both Skywest and Fly In Fly Out customers. Lunch hours are also catered for, Monday to Friday, to accommodate those who use and/or work in the vicinity of the airport.
20. Future maintenance works in the current cafe location will be kept to a minimum due to the implications of the Stage 2 redesign.
21. Landlords Fixtures and Fittings include the following:
  - Air conditioner
  - Euromaid Ceramic Cooktop
  - Euromaid Canopy rangehood
  - Haier Drinks Fridge
  - Westinghouse side by side fridge/freezer (purchased April 2010)
  - Bosch Dishwasher (purchased August 2010)
  - Microwave Electronic 1100w
  - Serving plates and bowls
  - Assorted kitchen utensils including forks, knives, spoons, tongs.
22. Ms Daniels intends to apply for a Liquor Licence within the lease area believing it will enhance the airport and meet the “expressed” needs and wants of the general public. This application is subject to the outcome of the stage 2 terminal redesign and planning, as this may impact on the cafe location.
23. Ms Daniels has met the obligations of her previous lease including payment of rent and outgoings.
24. All costs associated with the ongoing operations (inclusive of rent and outgoings) such as repairing and maintaining the lease area and insurance requirements will be met by the proponent.
25. The new lease will be negotiated in line with Council Policy – Property Management – Leases for this category of lease – Commercial.

#### **GOVERNMENT CONSULTATION**

26. No Government consultation is required as lease area is located within City of Albany owned land.

## **PUBLIC CONSULTATION / ENGAGEMENT**

27. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings. The Act requires the following:
- a. A local government must give local public notice of the proposed lease inviting submissions from the public, for a period of two weeks;
  - b. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes; and
  - c. A local government can then proceed with the lease.
28. The proposed new lease will be advertised to comply with the requirements of Section 3.58 of the *Local Government Act 1995*.

## **STATUTORY IMPLICATIONS**

29. Section 3.58 of the *Local Government Act 1995* deals with the disposal of property, including leased land and buildings.
30. Under the City's Town Planning Scheme 3, the subject land is currently zoned "Rural". A commercial cafe was detailed within the airport terminal approved plans; therefore, accordingly the cafe has consent under this approval.
31. Should the lessee proceed to apply for a Special Facilities Liquor Licence it will be assessed by the Department of Racing, Gaming and Liquor (DRGL) to satisfy public interest. The DRGL will consult with the Health Department, Tourism WA and other relevant government agencies in making their assessment.

## **STRATEGIC IMPLICATIONS**

32. This item relates to the following elements of the City of Albany Strategic Plan (2011-2021):

***Key Focus Area***

*Organisational Performance*

***Community Priority***

*Policy and Procedures*

***Proposed Strategies***

*Develop clear processes and policies and ensure consistent, transparent application across the organisation.*

## **POLICY IMPLICATIONS**

33. Council adopted a revised Property Management – Leases and Licences Policy in September 2012. This Policy aims to ensure that all requests for leases/licences, for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
34. The operational guidelines used to apply the Policy for Commercial leases/licences include the following:

- Rental to be set using market valuation at intervals of three years unless otherwise agreed to by Council.
- Rental increments for intervening years to be set by applying Consumer Price Index, All Groups (Perth).
- Lessees must have business insurance, public liability and workers compensation insurances as a minimum.

35. The recommendation is consistent with Council Policy – Property Management – Leases and Licenses.

#### RISK IDENTIFICATION & MITIGATION

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>New lease not approved – service interruption</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Approve lease to provide service for the airport users</i>
<i>New lease not approved – reputation</i>	<i>Unlikely</i>	<i>Possible</i>	<i>Medium</i>	<i>Approve lease to demonstrate the City's commitment to tourism and the business community</i>

#### FINANCIAL IMPLICATIONS

36. Given this Lease agreement will be governed by the Commercial Tenancy (Retail Shops) Agreements Act 1985 (Section 6A), all costs associated with the development, execution and completion of the new lease documentation including legal (quoted cost \$1,400.00 + GST), advertising (quoted cost \$80.00 + GST), and valuation (quoted cost \$500.00 + GST) will be borne by the City of Albany.
37. The Lease agreement has to be a minimum of 5 years because of the *Retail Shops Act 1985*. The lease rental determined by a current market valuation provided by an independent Certified Practising Valuer being \$1,000 plus GST per annum.
38. The lease rental will be directed to COA 138130 Income – Airport Leases / Rents.

#### ALTERNATE OPTIONS & LEGAL IMPLICATIONS

39. Council has the following options in relation to this item:
- Approve Ms Daniel's request for a new lease for purpose of continuing her occupation on the premises for a commercial cafe.
  - Decline the request.
40. Should Council decline the request, depending on the reason, Council may direct staff to clarify some aspects of the submissions and/or provide further information.

41. Should Council decline the request, Council may then advertise for Expressions of Interest for the vacant area, and may direct City staff to negotiate with prospective Lessee acceptable requirements.

**SUMMARY CONCLUSION**

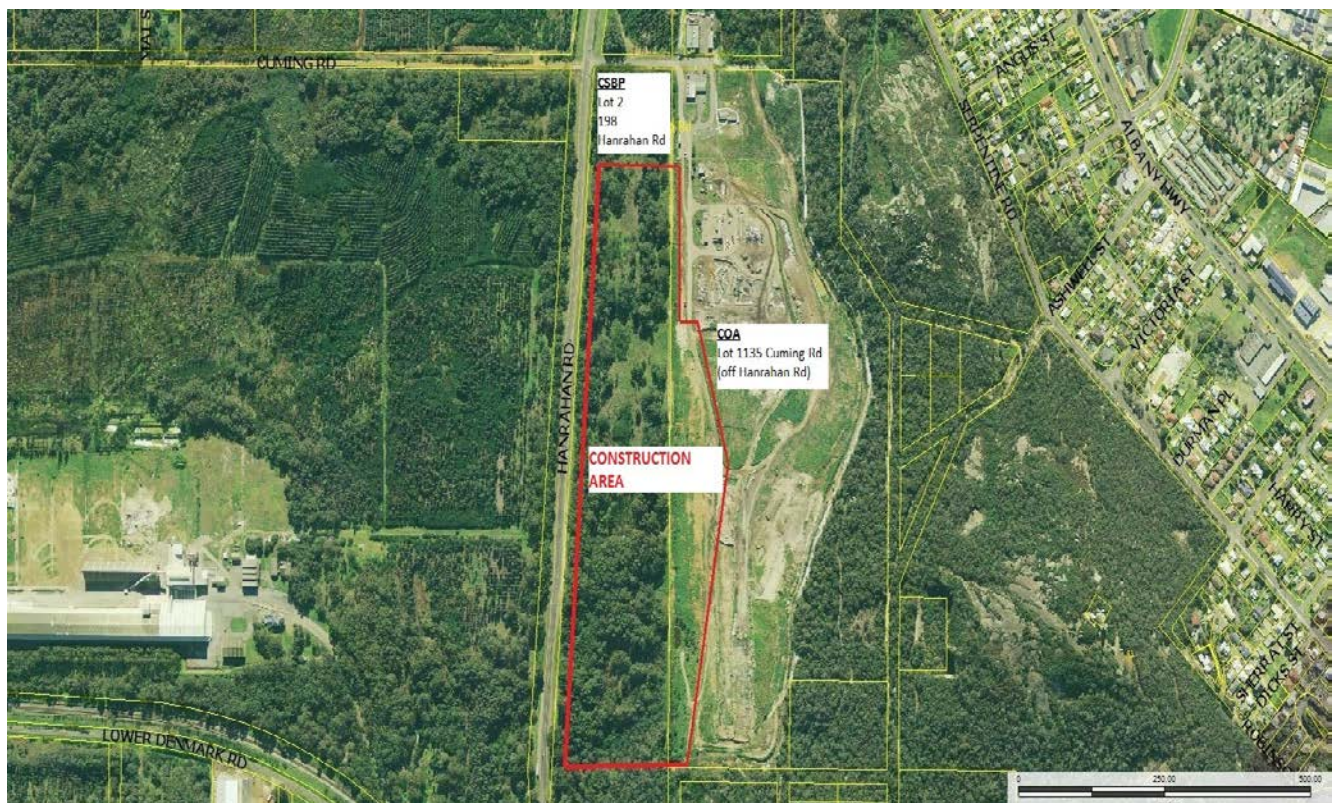
42. The Lessee seeks to renew their lease over lease premises currently occupied, for a term of one year with an option for a further four year term to continue providing cafe and commercial catering services to airport users and the general public.
43. The Lessee has met the obligations of her previous lease including payment of rent and outgoings.
44. The lease request to allow Ms Jacqueline Daniel trading as Platters Gourmet, to continue to provide cafe and commercial catering services to airport users and the general public is supported.

<b>Consulted References</b>	<ul style="list-style-type: none"> <li>• Council Policy – Property Management – Leases and Licences</li> <li>• <i>Local Government Act 1995</i></li> </ul>
<b>File Number (Name of Ward)</b>	PRO372 (Kalgan Ward)
<b>Previous Reference</b>	OCM 20.05.2008 Item 13.5.2 OCM 21.07.2009 Item 14.11.2

**5.1: CONTRACT C12025 – HANRAHAN STAGES 1 and 2 LEACHATE MANAGEMENT WORK**

<b>Land Description</b>	: Lot 1135 Cuming Rd (off Hanrahan Rd) Lot 2 198 Hanrahan Rd
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany (Lot 1135 Cuming Rd) CSBP(Lot 2 198 Hanrahan Rd)
<b>Business Entity Name</b>	: Hanrahan Landfill Site
<b>Responsible Officer(s)</b>	: Executive Director Works & Services (S. Grimmer)

**Maps and Diagrams:**



**IN BRIEF**

- Tender award for construction of Stages 1 & 2 of the leachate drainage management system for the Hanrahan Landfill Site;
- Three complying tenders with Great Southern Sands the recommended contractor;
- Works scheduled for completion by end of April 2013.

**RECOMMENDATION**

**ITEM 5.1: RESOLUTION  
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR BOWLES  
SECONDED: COUNCILLOR GREGSON**

**THAT Council:**

- 1. ACCEPT the Tender from Great Southern Sands for C12025 Hanrahan Stages 1 and 2 Leachate Management Work.**
- 2. AWARD contract C12025 Hanrahan Stages 1 and 2 Leachate Management Work to Great Southern Sands subject to the successful negotiation of access to the adjoining CSBP owned property.**

**CARRIED 10-0  
ABSOLUTE MAJORITY**

**BACKGROUND**

1. The Department of Environment and Conservation (DEC) has directed the City of Albany, as a condition of its licence for the Hanrahan Landfill Site, to achieve the outcome of no offsite leachate discharges from the premises by 31 January 2013.
2. Design, specification and contract documentation has been prepared by external consultants to the stage of "Issue for Tender". The tender was from 10 October 2012 to 24 October 2012.
3. The City of Albany will act in the role of superintendent for the project.

**DISCUSSION**

4. A total of thirty four tender documents were downloaded from the City of Albany website.
5. Three completed tender documents were submitted on or before the stipulated closing date and time.
6. The tenders were evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria are tabled below:

<b>Criteria</b>	<b>% Weight</b>
Cost	50
Demonstrated Understanding	15
Relevant Experience	15
Key Personnel (skills & experience)	10
Tenderers Resources	10
<b>Total</b>	<b>100</b>



7. The following table summarises the tenders and overall evaluation scores applicable to each submission.

<b>Tenderer</b>	<b>Total Evaluation Score</b>
Great Southern Sands	522.88
AD Contractors	505.64
Tri Coast Civil	455.48

8. On the basis of the total evaluation score which considers cost, demonstrated understanding, key personnel (skills & experience) and relevant experience the most suitable company is considered to be Great Southern Sands.

#### **GOVERNMENT CONSULTATION**

9. The Department of Environment and Conservation has been consulted throughout the process with their works approval currently pending. It is anticipated that works approval for Stage 1 will be issued 16 November 2012 and Stage 2 approval issued 21 December 2012. Work cannot commence without Department of Environment and Conservation works approval.
10. All other relevant Government approvals, including SWALSC have been received for the project.

#### **PUBLIC CONSULTATION / ENGAGEMENT**

11. A request for tenders was published in the West Australian on 10 October 2012 and the Albany Weekender on 11 October 2012.

#### **STATUTORY IMPLICATIONS**

12. Regulation 11 of the *Local Government (Functions and General) Regulations 1996 (Regulations)* requires Council to publicly tender if the contract is, or is expected to be, more, or worth more, than \$250,000.
13. Regulation 18 of the Regulations 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.
14. Regulation 19 of the Regulations requires Council to advise each tenderer in writing the result of Council's decision

**STRATEGIC IMPLICATIONS**

15. This item directly relates to the following elements of the City of Albany Strategic Plan 2011-2021:

**Key Focus Area**  
*Sustainability and Development*

**Community Priority**  
*Adopt “Green City” principles*

**Proposed Strategies**  
*Provide incentives and increased options for recycling and or reuse of waste*

**POLICY IMPLICATIONS**

16. The City of Albany Tender Policy and Regional Price Preference Policy are applicable to this item

**RISK IDENTIFICATION & MITIGATION**

17. The risk identification and categorisation relies on the City’s Risk Management Framework.

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>If Stage 1 of the leachate drainage system is not constructed by 31 January 2013 the City of Albany will be in non-compliance with its DEC landfill licence conditions and will be liable for financial penalties and/or potential closure of the landfill facility</i>	<i>Likely</i>	<i>Major</i>	<i>High</i>	<i>Ensure leachate drainage system is constructed prior to 31 January 2013</i>
<i>Non compliance with contract or business failure</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Moderate</i>	<i>General conditions of contract allow for contract termination on the basis of failure to supply goods &amp; services</i>

**FINANCIAL IMPLICATIONS**

18. Funding for the leachate management work is sourced from the Waste Reserve and is budgeted for in the 2012/13 financial year under budget line item Job Number 8358.

**LEGAL IMPLICATIONS**

19. There are no legal implications associated with this item.

**ALTERNATE OPTIONS**

20. Council can accept or reject the tenders as submitted.

**SUMMARY CONCLUSION**

21. On reviewing the submissions, the evaluation team assessed Great Southern Sands as being the most suitable tenderer across the evaluation criteria in terms of cost, demonstrated understanding, key personnel (skills & experience) and relevant experience. Great Southern Sands are recommended to be awarded the Hanrahan Stages 1 and 2 Leachate Management Works contract.

<b>Consulted References</b>	:	Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing (Tenders & Quotes) Council Policy – Buy Local (Regional Price Preference)
<b>File Number (Name of Ward)</b>	:	C12025

**XIV. MOTIONS WITH NOTICE**

Nil

**XV. MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING**

Nil

**XVI. URGENT BUSINESS TO BE APPROVED BY DECISION OF THE MEETING**

16.1 Mount Clarence Desert Mounted Corps Memorial Re-Design

**ITEM 16.1: RESOLUTION**

**VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR GREGSON**

**SECONDED: COUNCILLOR HORTIN**

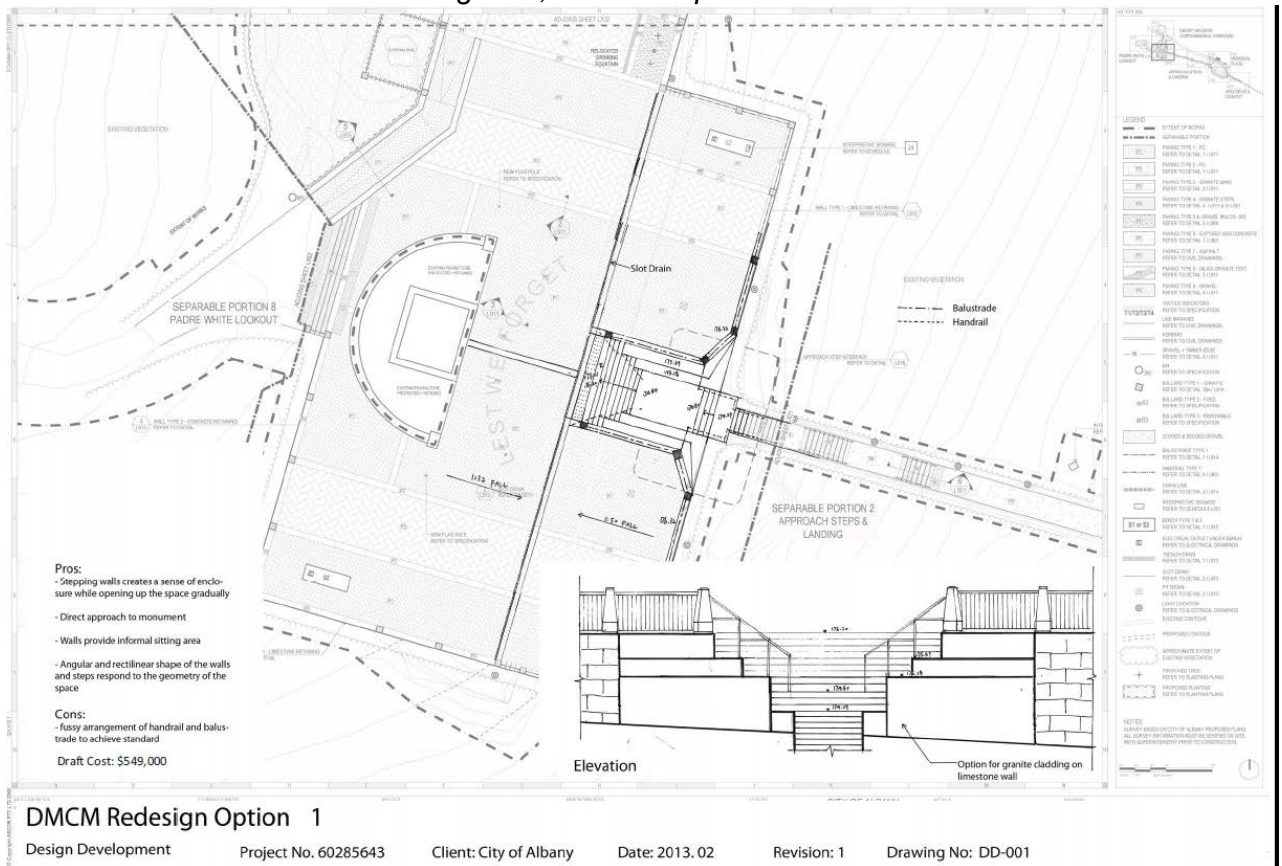
**THAT Item 16.1: Mount Clarence Desert Mounted Corps Memorial Re-Design, be ACCEPTED as an urgent item.**

**CARRIED 12-0  
ABSOLUTE MAJORITY**

## 16.1: MOUNT CLARENCE DESERT MOUNTED CORPS MEMORIAL RE-DESIGN

<b>Land Description</b>	: Apex Drive, Mount Clarence. Desert Mounted Corps Memorial.
<b>Proponent Owner</b>	: City of Albany Crown Land vested in the City of Albany
<b>Responsible Officer(s)</b>	: Chief Executive Officer (G Foster)
<b>Maps and Diagrams:</b>	

Figure 1, AECOM Option 1



### IN BRIEF

- At the Council's request it was proposed to amend the Desert Mounted Corps Memorial design to a single tier level prior to construction.
- Alternative options were developed by AECOM and provided at a Council workshop on the 7th February 2013 where it was agreed to proceed with Option 1 (as shown above).
- Consequently, detailed design of the above has been actioned and will be issued as an addendum to the current request for tender.
- The released construction tender will close on the 25<sup>th</sup> February 2013, with the successful contractor to be awarded at the April Ordinary Council Meeting.
- Construction to commence post Anzac Day 2013.

## RECOMMENDATION

**ITEM 16.1: RESOLUTION**  
**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR DUFTY**  
**SECONDED: COUNCILLOR HAMMOND**

**THAT Council AGREE to proceed with amending the adopted Desert Mounted Corps Memorial design as per Figure 1, AECOM Option 1, to increase public visibility for Dawn Service ceremonies and mitigate potential safety concerns.**

**CARRIED 12-0**

## BACKGROUND

1. In 2006 the Mounts Management Concept Plans for Mount Clarence was adopted by Council.
2. Detailed design for the Mount Clarence precinct was actioned, with the design for the Desert Mounted Corps Memorial being adopted by Council on the 20 April 2010.
3. Funds from the State Government of \$5.836million have been secured to undertake the refurbishment of the Mount Clarence Precinct in preparation for the Anzac Centenary, with the intention to commence and complete construction before Anzac Day 2014.
4. At the request of Councillor Dufty, the adopted design was requested to be amended to a single tier level. With Council endorsement at the December 2012 Audit and Finance, AECOM were commissioned to investigate design options.
5. Design options were presented to Council on the 7<sup>th</sup> February 2013, where Option 1 was chosen to proceed to detailed design by simple majority.

## DISCUSSION

6. The previously adopted design included a two tiered viewing platform with expanding granite staircase. Councillor Dufty's proposal, approved by Elected Members was to investigate the construction of a single level to increase visual aspects for people attending the Dawn Service Ceremony and mitigate possible safety issues with people agglomerating on the extended staircase during events.
7. Approval for the design options investigation and a full re-design of the Desert Mounted Corps Memorial was deemed necessary and actioned immediately by City Officers.
8. Four AECOM concept designs were produced and provided to Council at the Workshop, where by simple majority it was agreed to proceed with Option 1.
9. The detailed design amendment will form an addendum to the current request for tender which closes on the 25<sup>th</sup> February 2013, with the successful contractor to be awarded at the April Ordinary Council Meeting. The Mount Clarence construction is due to commence post Anzac Day 2013.

## GOVERNMENT CONSULTATION

10. The City's Heritage Advisor has been consulted in relation to the proposal  
The State Heritage Office will be required to endorse the amended design as part of the City of Albany Planning Application. This application will require amendment.
11. The State Government funding body have been consulted in relation to the amendment and will be formally notified of the design amendment in due course.

## PUBLIC CONSULTATION / ENGAGEMENT

12. Extensive consultation has been previously undertaken. This is deemed a minor design amendment that would not require additional community consultation.
13. The RSL and Apex Club have been consulted.

## STATUTORY IMPLICATIONS

14. Council have the delegated authority to approve the redesign.
15. The Building and Planning applications will require amendment.

## STRATEGIC IMPLICATIONS

16. This item directly relates to the following elements from the Albany Insight ~ Beyond 2020 Corporate Plan...

***Community Vision:***

***Historic Albany – Home to a vibrant, resourceful and culturally diverse community...***

***Priority Goals and Objectives:***

***Goal 1: Lifestyle and Environment ... Objective 1.5 Development...responds to our unique historical and environmental values...***

***Goal 2. Economic Development Objective 2.4...Our unique cultural heritage attractions deliver world class tourism precincts.***

***City of Albany Mission Statement:***

***At the City of Albany we... Seek innovative ways to do things and empower our people to deliver on expectations and promises.***

## POLICY IMPLICATIONS

17. Nil

## RISK IDENTIFICATION & MITIGATION

18. The risk identification and categorisation relies on the City's Risk Management Framework.

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>The redesign may appear featureless as a single level platform</i>	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Ensure Council are advocates for the redesign and community benefit.</i>
<i>Stakeholder expectations are not met.</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<i>Consult with the Apex Club and RSL immediately</i>
<i>Tender exceeds allocated budget</i>	<i>Likely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Value management of works with successful contractor.</i>

## FINANCIAL IMPLICATIONS

19. All costs associated with the redesign were borne by the City of Albany, as per Council approval.
20. The construction cost will be budgeted from the State Government funding allocation of \$5.836million
21. Cost investigations have indicated that the redesign is cost neutral to the previous design, however will be formally determined upon close of tender on the 25<sup>th</sup> of February 2013.

## LEGAL IMPLICATIONS

22. Nil

## ALTERNATE OPTIONS

23. Nil.
24. No further design changes can be accommodated. Council's choice of Option 1 is now final as construction is due to commence post Anzac Day this year.

## SUMMARY CONCLUSION

25. The redesign of the Desert Mounted Corps Memorial and Approach Steps will allow for improved public visibility of the Dawn Service and mitigate safety concerns associated with the previously design stairwell. The Option 1 redesign of the Desert Mounted Corps Memorial will be issued as an addendum to the currently let request for tender.

<b>Consulted References</b>	:	Nil
<b>File Number (Name of Ward)</b>	:	PR.DEC.4 - Frederickstown Ward
<b>Previous Reference</b>	:	OCM 20.04.10 Item 19.3 Audit and Finance 18 December 2012 Elected Members Briefing 7 <sup>th</sup> February 2013



**XVII. REQUEST FOR REPORTS FOR FUTURE CONSIDERATION.**

**Nil.**

**XVIII. ANNOUNCEMENT OF NOTICES OF MOTION TO BE DEALT WITH AT THE NEXT MEETING.**

**ITEM 18.1: NOTICE OF MOTION BY COUNCILLOR BOSTOCK**

**THAT:**

- 1. Council reinstate the public Agenda Briefing session two weeks prior to the Ordinary Council Meeting with immediate effect, and the dates of the Agenda Briefings be published in the official calendar.**
- 2. Alternate Motions to those in the Agenda be submitted to staff not later than one week prior to the Ordinary Council Meeting.**

**Councillor's Reason:**

It is apparent from recent submissions regarding our Strategic Plan by ratepayers that there is a wish for more open and accountable government, which, as the elected representatives of the people, we must endorse.

Removing the ability of the public to ask questions of Councillors and staff until a few minutes before matters are discussed, and decisions made, at the Council meeting does nothing toward implementing these ends, and will inevitably cause community resentment that Council has destroyed one of the few opportunities for individuals to express their views in a way that Councillors will have time to act upon.

When the Agenda Briefing is held one week before the full Council meeting and Alternate Motions must be submitted a few hours later, Councillors have little opportunity to properly consider the answers given by staff, or to seek further details which may only become apparent when such considerations have been made.

Allowing one week to elapse before the submission of Alternate Motions will be of benefit to both Councillors and staff as it will remove the necessity for frantic phone calls in the few hours before the deadline and allow more well thought out Alternate Motions to be presented.

**XIX. ITEMS TO BE DEALT WITH WHILE THE MEETING IS CLOSED TO MEMBERS OF THE PUBLIC**

**XX. NEXT ORDINARY MEETING DATE**

Tuesday, 19 March 2013.

**XXI. CLOSURE OF MEETING**

**ITEM 21.0: RESOLUTION**

**VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR HOLDEN**

**SECONDED: COUNCILLOR GREGSON**

**THAT Standing Order 3.1 be RESUMED to stop recording of proceedings.**

**CARRIED 12-0**

There being no further business the Presiding Member declared the meeting closed at 7.39pm.



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Dennis W Wellington  
**MAYOR**

**STATUS REPORT ON DEFERRED ITEMS  
 FROM PREVIOUS MEETINGS**

Meeting Date	Item Number	Details/Status
16/11/2010	2.6	<p>Surrender Lease over Hangar Site 2 at Albany Airport. Council resolved that further consideration by Council pending the completion of the Airport Masterplan/Business Plan.</p> <p><b>Update:</b> The Airport Masterplan/Business Plan has not been finalised.</p>
17/07/2012	2.5	<p>Development Application-Demolition (Single House Listed on Municipal Heritage Inventory)-Lot 49 (45) Seymour Street, Mira Mar.</p> <p><b>Update:</b> The proponent has refused to prepare and submit development plans. Proponent has requested that application is represented to Council with no additional information. To be presented to March 2012 Ordinary Meeting of Council.</p>
21/08/2012	15.1	<p>Notice of Motion by Councillor Bostock- THAT when the final draft of TPS 1 is endorsed by Council, it shall not include any rezoning of freehold land into a category less advantageous to the owner than already exists in the current TPS1(a) or TPS3, without prior specific written agreement from the owner. Examples include the rezoning of land from the "Rural" to "Conservation" classification, or to "Parks and Recreation" from any other category.</p> <p>Laid on the table to allow further consideration of submissions when they are presented to Council.</p> <p><b>Update:</b> To be dealt with at a Special Council Meeting called for the purpose of consideration of the LPS1.</p>
16/10/2012	1.1	<p>Committee Recommendation 3: THAT the Asset Research-Community Consultation Deregulated Trading Hours in the City of Albany Report-(August 2012), be forwarded to the Minister for Commerce for consideration to deregulate trading hours within the City of Albany. Council resolved that this recommendation be tabled for sixty days.</p> <p><b>Update:</b> To be presented to March 2013 Ordinary Meeting of Council.</p>
20/11/2012	2.5	<p>Precinct Plan-Special Site S46-Spencer Park Neighbourhood Centre Precinct.</p> <p><b>Update:</b> Laid on the table at the November 2012 OCM. Waiting on commitment from the Department of Housing to contribute to necessary infrastructure upgrades and potential traffic hazards.</p>

**TABLED DOCUMENTS**

<b>NAME</b>	<b>REFERENCE</b>	<b>FILE</b>
Mr Tony Stanton	ALAC Disability Fees	GO.COM.3
Mr Neil Smithson	Anzac	GO.COM.3
Mr Richard Vogwill	Meeting Calendar	GO.COM.3

**TABLED DOCUMENTS BY ELECTED MEMBERS**

<b>NAME</b>	<b>REFERENCE</b>	<b>FILE</b>
Councillor Gregson	Item 3.0	GO.COM.3
Councillor Bostock	Item 15.1	GO.COM.3

**TABLED DOCUMENTS BY STAFF**

Nil

TABLED DOCUMENT BY MR TONY STANTON

Speech to Council  
19<sup>th</sup> February 2013  
ALAC Disability Fees

Tony Stanton, Little Grove  
Mr Mayor, Councillors

Apologies to Simon & Garfunkel.  
Hello <sup>Councillors</sup> darkness, my old friends,  
I've come to talk to you again,  
as the vision that was planted in my brain, still remains,  
because of your sounds of silence.

I wrote to the Mayor, all Councillors & City on 12<sup>th</sup> December, last, but not a single reply, just Council's sounds of silence.

Again, I ask for Council examination, on evidenced based facts, of the exorbitant 1:1 pool fees for the disabled. Council increased fees from \$11 to \$27.50 without public consultation & when complaints started, Council reduced them by \$6.90 to \$20.60. Other ALAC fees increased by 5-8%, leaving the special needs increase open to examination for discrimination, according to WA Disabled Sports Assoc. or WADSA. The statement by the local Dept of Sport & Recreation that WADSA wants all fees equal is denied by WADSA. In brief, WADSA's said its position is: -

- Disability by itself does not warrant concession
- Each local authority determines its own concessions
- WADSA encourages concessions
- They provide Council support, training, modified activities & equipment and program advice across WA including ALAC, all free of charge.

The fees & other pools used as comparison with ALAC's appear selective to justify the increase. A check by the Individual Disability Legal Service showed the quoted Beatty Park's \$50 Angelfish program was not for 1:1 disabilities, their fee being \$29 for 2 sessions equal to \$14.50 per lesson. There is no mention of Bayswater's \$17.50 or Ballajura's \$13 per lesson fees.

It is dubious to compare Bunbury's pool as it has a larger residential market & a 50m pool which can attract National competitions & "swim records". Albany's pool cannot, due its lack of end walls. If comparisons are to be valid they should be made with other similar Regional facilities & populations.

A quote "The Education Dept is the swimming provider for all Western Australians, including special needs" is an impossibility. What about those who work & can't attend in school hours?

Council's judgement is sadly lacking by saying it is "inequitable" to provide our few special needs people with a "heavy subsidy", when by Council's own indications, \$3000 is a community "subsidy" of less than one cent per head per annum.

It appears that Council has taken a "save money at any cost" approach, without proper community consultation, irrespective of the social & financial consequences to its most vulnerable.

From the lack of action or explanation by any Councillor, I can only draw the conclusion that Council does not have the welfare of our disabled at heart.

I ask you to return their small world, under its ever-present cloud of limitations, by positive action, speaking for them & reducing their fee increase to 10% by abandoning your sounds of silence.

TABLED ADDRESS BY MR NEIL SMITHSON

*28 Sep 2012*

123456

7

**Request for Tenders No. ALBY01/2012**

**SCOPING STUDY FOR A POTENTIAL ALBANY CONVOY  
COMMEMORATIVE EVENT NOVEMBER 2014**

<b>Lodgement Place:</b>	AusTender <a href="http://www.tenders.gov.au">www.tenders.gov.au</a>
<b>Lodgement Deadline:</b>	4.00pm ACT Local Time Thursday, 28 September 2012
<b>Project Manager: E-mail address:</b>	Robert Hamon <a href="mailto:acce@dva.gov.au">acce@dva.gov.au</a>
<b>Issue Date:</b>	3 September 2012

TABLED ADDRESS BY MR NEIL SMITHSON

19 Sep 2006

ORDINARY COUNCIL MEETING MINUTES – 19/09/06  
\*\* REFER DISCLAIMER \*\*

17.0 MAYORS REPORT

*Fellow Councillors:*

*Last week the Chief Executive Officer, Manager Economic Development and myself attended meetings in Perth and Canberra relating to funding for the Anzac Peace Park and the Albany Entertainment Centre projects. Meetings were conducted with the Hon Bruce Billson MHR, Minister for Veterans Affairs, Western Australian Senators Ross Lightfoot, Judith Adams and Alan Eggleston, local MLA Wilson Tuckey, and senior bureaucrats from the Department of Veterans Affairs and Department of Transport and Regional Services and the Prime Minister's senior policy advisors on Regional Matters and Veterans Affairs.*

*We gave a detailed explanation and briefing of both projects at all meetings. I'm very pleased to say that our proposals have been very enthusiastically received and I am confident that our requests for funding will meet with success. The final word of course will come from the Federal Government in due course, however it is critical that we receive some advice on funding from both the Federal and State governments as a matter of priority so as escalation in building prices does not put the projects in jeopardy.*

*I must recognise the very considerable amount of work that has gone into these proposals by the Manager Economic Development, Jon Berry. I am now happy that the City has done as much as it possibly can to advocate and foster support for funding these very important projects.*

*In community related events over this month, I had the pleasure of speaking with Year 10 students at the Great Southern Grammar School about the role of Local Government. As always, I was impressed by the maturity and intelligence of the students in the questions they asked and their interest in the subject. I am endlessly heartened by the fine young citizens I encounter through such events and the potential that exists amongst them to carry this community forward into the future.*

*Also over the month I laid wreaths on behalf of the City of Albany at the Vietnam Veterans and Battle for Australia, RSL Memorial Services and attended the annual Mayor's Prayer Breakfast which is coordinated each year by the Albany Committee of the Christian Businessmen and supported by the Churches of Albany.*

*I extend my appreciation to Deputy Mayor Dennis Wellington for representing the City to welcome participants of the Caravan Safari Trails to Albany last week. The Caravan Safari initiative has received \$250,000 funding from Tourism Australia. This particular safari is one of three pilots being undertaken across Australia, with the aim of enhancing rural and regional tourism, as well as offering unique experiences for caravan and motorhome enthusiasts. I understand that 40 people in 21 vehicles will enjoy the sights of the Goldfields, the south coast and south west regions over their 30 day safari, with approximately half of the participants being from Western Australia and the remainder from other parts of Australia, 2 from New Zealand and 2 from Tasmania.*

*Finally, on the subject of Tourism, I congratulate the City's Tourism Development team for their entry in this year's GWN Top Tourism Town Awards. It was announced yesterday that Albany has been selected as one of 6 finalists from a record 21 entries received for this year's award. Albany will compete against Broome, Bunbury, Busselton, Dunsborough and Geraldton for the title "2006 Top Tourism Town". The winner will be announced in November.*

TABLED ADDRESS BY MR NEIL SMITHSON

13 DEC 2009



**The Hon Alan Griffin MP**  
Minister for Veterans' Affairs  
Federal Member for Bruce

Mr Neil Smithson  
[smithson@smithsonplanning.com.au](mailto:smithson@smithsonplanning.com.au)

Dear Mr Smithson

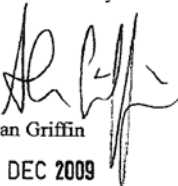
Thank you for your e-mails of 16 October 2009 and 4 November 2009 concerning your plans for a re-enactment of the assembly and departure of the 1<sup>st</sup> Australian & New Zealand Expeditionary Forces (1<sup>st</sup> ANZEF) Fleet from Albany in 2014.

In your e-mail of 4 November 2009, you state that you wrote to my office on this matter on seven occasions between 1 December 2003 and 17 December 2008 and have received no reply to date. With regard to the correspondence of 17 December 2008 and 20 February 2008, I regret that neither my Department or my office has any record of receiving this correspondence. As for the other correspondence you mentioned, this would appear to have either been addressed to the attention of the Shadow Cabinet or sent before I became Minister.

The importance of planning for the centenary of the events of the First World War between 2014 – 2018 has been recognised by the Australian Government and the Prime Minister has asked that I take the lead and coordinate whole of government arrangements. This will involve broad consultation seeking the views of all levels of government, the ex-service and Defence communities, institutions that hold collections of wartime history, educators and many others not only of the Gallipoli campaign, but also Australia's involvement on the Western Front and other battlefields of the First World War. This consultation will then allow for the development of a program of events and initiatives that has the scope to ensure the centenary is commemorated internationally, nationally and locally.

I commend your initiative and the work you have done so far in planning the re-enactment and I have asked Ms Alison Hale in my Department to contact you to discuss your proposal, and ensure it is given consideration as part of the wider program of commemorative activities surrounding the centenary. Should you wish to contact Ms Hale directly, you can reach her on (02) 6289 6098.

Yours sincerely

  
Alan Griffin  
13 DEC 2009



TABLED ADDRESS BY MR NEIL SMITHSON



PARLIAMENT OF AUSTRALIA · THE SENATE  
SENATOR RUTH WEBBER

20 DEC 2006

My Reference: MTS 2543 CJD

Mr Neil Smithson  
Managing Director  
Smithson Planning  
PO Box 5377  
ALBANY WA 6332

W37-000  
SMITHSON PLANNING  
364 Middleton Road Albany WA 6330  
PO Box 5377 Albany WA 6332  
Tel/Fax: (08) 9542 9841  
Mobile: 0419 556 444



Dear Mr Smithson,

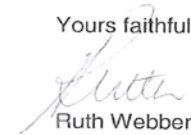
Thank you for your most recent email of the issue of Rainbow 2000 and ANZAC Albany 2014-18.

I do not disagree with you that the powerhouse of the Western Australian economy is in the regions outside of Perth and although Kevin Rudd was unable to visit regional Western Australia during his recent visit, I am sure that he will be a regular visitor to this state in the future.

Following on from your request I have forwarded the information that you supplied to Kevin Rudd, Julia Gillard and Simon Crean.

If I can be of any further assistance please do not hesitate to contact me.

Yours faithfully

  
Ruth Webber

20 December 2006

LABOR SENATOR FOR WESTERN AUSTRALIA

Unit 1, 153 Trappers Drive, WOODVALE WA 6026  
Tel: (08) 9409 9599 Fax: (08) 9409 9388  
Parliament House, CANBERRA ACT 2600 Tel: (02) 6277 3416 Fax: (02) 6277 3432

TABLED ADDRESS BY MR RICHARD VOGWILL

City of Albany, Ordinary Council Meeting

February 19, 2013

Re: Agenda Item 1.5 – Local Public Notice - Council Meeting Calendar

Mr Mayor and Councillors,

Tonight I want to speak to you about speaking to you! Specifically, about the opportunities for the Community to address the entire Council in a public forum.

During a recent call to the City of Albany, I was told that the Agenda Briefing Meetings, at which the public can address Council, were to be replaced by a General Meeting between City Staff and Councillors. Apparently, the public will not be allowed to attend or speak at these new meetings.

Further, I see in Agenda Item 1.5 for tonight's meeting that there are no Agenda Meetings listed in the meetings calendar for 2013 and 2014.

Additionally, I have heard that a reduced public speaking time of 2 minutes at Council Meetings is being considered.

When I combine these facts with the recent loss of an individual's third-party right of appeal against Council decisions, I see an unacceptable trend of the City and Council wanting to: (i) become less transparent in their business dealings with the public; and (ii) reduce the amount of Community Consultation time in their business.

I'm afraid that if the City and Council want to reduce opportunities for the public to address the Council, then we're going backwards very quickly and against the trend of increased Community Consultation throughout business.

The City of Albany is certainly a business, isn't it? I'm lucky to be able to live here, I don't want to see the City and Council going backwards compared to the rest of the Business World. It makes us look insecure and ignorant.

There are thousands of references and quotes that confirm that transparent projects run in conjunction with the Public are usually better projects. How about this one from *Getting It Right: Making Corporate-Community Relations Work*.

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*“Some company managers fear that transparency can put a company at a disadvantage. They worry that sharing too much information can strengthen opposition to company decisions or lead to more and increasingly unreasonable demands. The evidence shows, however, that there are immediate benefits to be derived from policies and practices of transparency.”*

The Landcorp/Emu Point project is a good local example. Such projects are better because the Community was consulted and their opinions sought. Therefore, everyone’s happy with the end result.

Wasn’t one of the findings from the recent Strategic 5-Year Plan that the Public wanted open and more accountable government? I remember the former Mayor (February, 2010) saying:

*“The Council wants to be transparent throughout this process and the Council prides itself on its openness.”*

How does that statement fit in with the apparent actions that are currently being considered?

Maybe you don’t like what we have to say, or the fact that we sometimes just make things too hard - but at least give us a chance to regularly address the entire Council in an open forum. Less Community Consultation is a trend back to the Dark Ages and not fitting for a place like Albany.

Therefore, can I please ask you to vote to maintain the Agenda Meetings; Vote to maintain the right for the public to speak at Agenda Meetings; and vote to maintain an allowable public speaking time of 4 minutes at Agenda and Council Meetings?

Thanks for the opportunity to speak to all of you. I hope by your vote tonight that there will be many more (and not less) opportunities.

Richard Vogwill  
La Perouse Road  
Goode Beach

**TABLED ADDRESS BY COUNCILLOR GREGSON**

**On Thursday the 14 th of February Councillor Bostock and I attended a briefing session in the City of Albany Offices.**

**The purpose of the meeting was to discuss urgent additional safety measures, as identified by worksafe, required in the city's fleet of fire vehicles.**

**The work carried out will enhance the safety of the firefighters attending the fireground.**

**These initiatives have come after the Black Cat Creek fire last year where a D.E.C. firefighter was killed and several other firefighters were injured.**

**I cannot stress enough that when it comes to the safety of valuable volunteer firefighters, it is our duty to do everything within our power to ensure their safety.**

**The briefing session was chaired by Brian Pickford (local emergency coordinator) Stewart Jamieson (community Safety and compliance) Gary Turner (emergency management officer).**

**Also in attendance were approximately 60 fire control officers and volunteers.**

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**Discussion centred around the time frame and implementation of the work required to satisfy the 9 work orders placed on the City's fleet.**

**I would like to take the opportunity to highly commend the City's Staff for their initiative and rapid action to get the ball rolling by already having put one of the work orders into action.**

**Our staff have already purchased fire blankets and organised the training required by volunteers to use the blankets in a fire jump over.**

**These fire blankets are being fitted to the fleet as I speak.**

**Staff are currently implementing action on the other work orders.**

**Councillor Bostock and I would like to sincerely thank our staff for being "on the front foot" to help firefighters when in the fire line.**

**At the end of the day safety is paramount and I feel confident that the volunteers in our community would wish to also extend their gratitude to the City officers involved.**

**Gerry Gregson Councillor West ward and volunteer firefighter.**

**NOTICE OF MOTION BY COUNCILLOR BOSTOCK**

Councillor motion to be presented at the OCM on Tuesday, 19<sup>th</sup> February, 2013 for consideration at the March OCM, from David Bostock.

Motion; 1; That Council re instates the public Agenda Briefing session two weeks prior to the Ordinary Council Meeting, with immediate effect and the dates of the agenda briefings be published in the official calendar.

2; That alternative motions to those in the agenda be submitted to staff not later than one week prior to the Ordinary Council meeting.

Reasons; 1; It is apparent from recent submissions regarding our strategic plan by ratepayers that there is a wish for more open and accountable government, which, as the elected representatives of the people we must endorse.

Removing the ability of the public to ask questions of councillors and staff until a few minutes before matters are discussed, and decisions made, at the council meeting does nothing toward implementing these ends and will inevitably cause community resentment that Council has destroyed one of the few opportunities for individuals to express their views in a way councillors will have time to act upon.

2; When the agenda briefing is held one week before the full council meeting and alternative motions must be submitted a few hours later, councillors have little opportunity to properly consider the answers given by staff, or to seek further details which may only become apparent when such considerations have been made. Allowing one week to elapse before the submission of alternative motions will be of benefit to both councillors and staff as it will remove the necessity for frantic phone calls in the few hours before the deadline and allow more well thought out alternative motions to be presented.