

MINUTES

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 21st March 2006
7.30pm
City of Albany Council Chambers**

City of Albany

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Signed _____

Andrew Hammond
Chief Executive Officer

Date: 23rd March 2006

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1.0 DECLARATION OF OPENING

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

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

| | | |
|-------------------------------------|---|---------------|
| Mayor | - | A Goode, JP |
| Councillors | - | DW Wellington |
| | - | MJ Evans, JP |
| | - | P Lionetti |
| | - | SM Bojcun |
| | - | JD Williams |
| | - | DJ Wolfe |
| | - | RH Emery |
| | - | J Waterman |
| | - | S Marshall |
| | - | J Walker |
| | - | D Wiseman |
| | - | R Paver |
| | - | J Jamieson |
| | - | I West |
| Chief Executive Officer | - | AC Hammond |
| Manager Customer Service | - | B Parker |
| Executive Director Works & Services | - | L Hewer |
| Manager Development Services | - | R Fenn |
| Minute Secretary | - | S Smith |

Approximately 25 members of the public
3 media representatives

Apologies / Leave of Absence:

3.0 OPENING PRAYER

Mayor Goode read the opening prayer.

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

Her Worship the Mayor enacted Standing Order 2.5 (1) to allow Councillor Marshall to make a statement to Council.

Councillor Marshall read the following statement.

“Madam Mayor and Councillors - I would like to make a brief statement.

As the matter is before the courts I will not be making any comment about the specifics of the case.

I am well aware at this time of the cloud of suspicion that I am currently under and also acknowledge the public perception of this issue and hence I will respond accordingly.

After careful consideration of the impacts that recent media reports might have upon public perception together with extensive consultation on the course of action that I should take that would best serve the public interest, I have decided effective immediately to stand aside from my position with Council’s Finance Strategy Committee and I will also

immediately be standing aside from my position on the Albany Community Bendigo Bank but only until the scales of justice have been balanced and my name and reputation is restored

I will continue in my role as a Councillor and will not be standing aside or taking leave of absence.

To the many people, staff and those Councillors who have offered their support I would like to publicly take the opportunity of thanking each and every one of you and I will continue to represent the best interests of the people of this City.

Thank you.”

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WISEMAN**

THAT Council go behind closed doors and requested that the Chief Executive Officer remain within the Chambers.

MOTION CARRIED 11-4

Reason: Discuss matters relating to the personal affairs of a person. [Local Government Act 5.23(2)(b)]

For this motion: Councillors Bojcun, Wellington, Emery, Williams, Waterman, Jamieson, Wolfe, Walker, West, Lionetti & Wiseman.

Against this motion: Mayor Goode, Councillors Paver, Evans & Marshall

Members of the public, media and staff left the Chambers at 7.35pm.

Details of motions made behind closed doors.

**MOVED COUNCILLORS EVANS
SECONDED COUNCILLOR JAMIESON**

THAT Council come out from behind closed doors.

MOTION CARRIED 15-0

Members of the public, media and staff returned to the Chambers at 7.53pm.

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.0 PUBLIC QUESTION TIME

***K Stanton**

Mrs Stanton addressed Council on 4 issues.

1. Requested that the Central Albany Design guidelines be presented to the April OCM for consideration. Believed there has been a strong public interest and asked that any Councillors who have an interest, declare that interest.
2. Thanked the CEO for placing a letter in the Albany Advertiser in regards to the policy's being developed by the City of Albany.
3. Waterfront project – requested that additional displays be available.
4. Asked Council to consider carefully Cllr Marshall's current position.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

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

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 21st February 2006;
as previously distributed be confirmed as a true and accurate record of proceedings.

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WOLFE**

THAT the following minutes:

- **Ordinary Council meeting held on 21st February 2006;
as previously distributed be confirmed as a true and accurate record of
proceedings.**

MOTION CARRIED 15-0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Wiseman applied for leave of absence from the April OCM.

**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR WALKER**

THAT Councillor Wiseman be granted leave of absence from the April OCM.

MOTION CARRIED 15-0

8.0 DECLARATIONS OF FINANCIAL INTEREST

Councillor Lionetti – Item 12.2.2
Councillor Wellington – Item 12.2.2
Councillor Waterman – Item 12.2.2

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Development Services

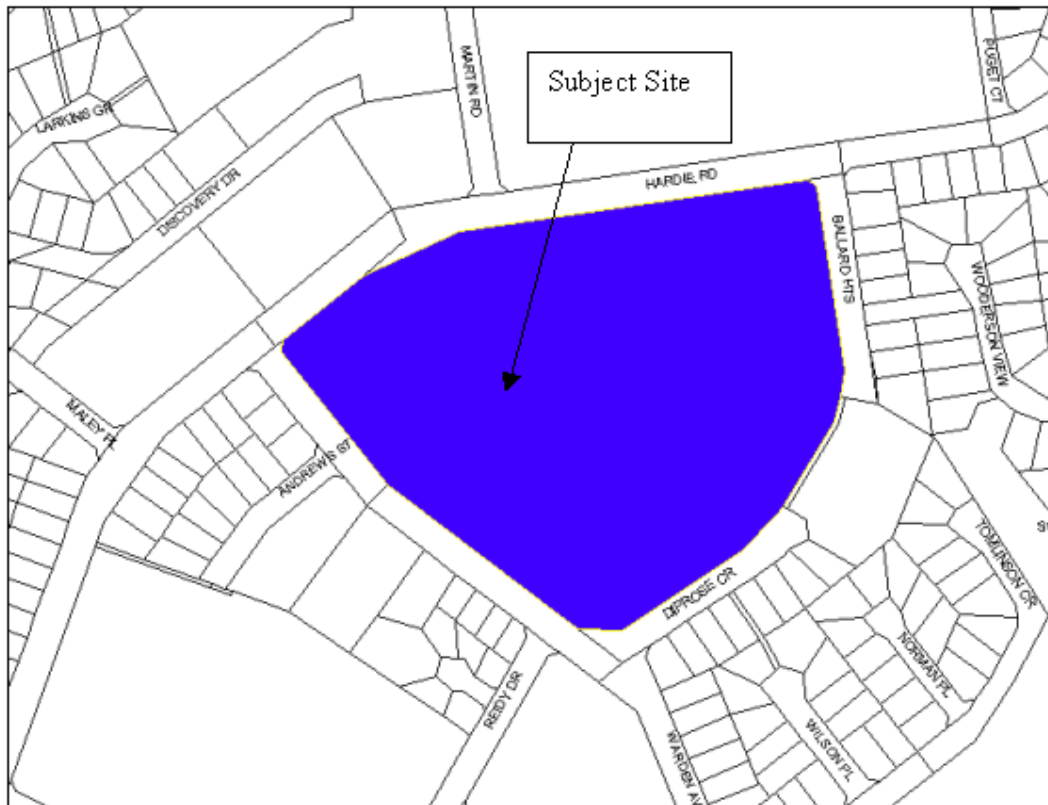
REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Development Application – Group Housing (Mental Health Units) – Reserve 32271 Hardie Road, Spencer Park

| | |
|-------------------------------|---|
| File/Ward | : A166997 (Breaksea Ward) |
| Proposal/Issue | : Construction of Eight Group Dwellings on Hospital Grounds |
| Subject Land/Locality | : Reserve 32271 Hardie Road, Spencer Park |
| Proponent | : Department of Housing and Works |
| Owner | : Crown |
| Reporting Officer(s) | : Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : Seek Modification to Design to Direct Vehicle Access to Hardie Road |
| Bulletin Attachment | : Nil |
| Locality Plan | : |



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

BACKGROUND

1. The Health Department has produced the WA Mental Health Strategy 2004-2007 to meet the increased demand for mental health services across the State. Community supported residential units are a key part of the Strategy and provide one of several new purpose built accommodation options for people with a mental illness.
2. The Department proposes to construct eight clustered, permanent, self-contained group dwellings with courtyards and storage areas fronting Ballard Heights, Spencer Park, upon the grounds of the Albany Regional Hospital. Residents living in seven of the eight units will have a diagnosed mental illness, but do not require a high level of support; the eighth unit will be a staff facility with on-site professional support being made available to the other residents at all times.
3. A copy of the concept plan for the proposed development follows this agenda item, together with a recent letter from the Regional Director of the WA Country Health Service – Great Southern. Residents living in Ballard Heights recently met with the Regional Director and Councillors to discuss their concerns over the use of Ballard Heights as the main entry point into the proposed development. Those concerns have been forwarded to the project architect and the Department of Housing and Works.

STATUTORY REQUIREMENTS

4. The Planning and Development Act 2005 takes effect in April 2006. That Act, together with the current Town Planning and Development Act 1968 state that the Crown is bound by the provisions of the Act, other than where it undertakes “Public Works”. The Public Works Act, amongst other things, lists “hospitals, medical clinics, hostels and institutions including residences for staff, court houses, gaols, watch houses, lock-ups, police barracks or quarters” and “any building or structure of whatsoever kind which, in the opinion of the Governor, is necessary for any public purpose” as public works.

Clauses 2.1 to 2.3 of the City of Albany Town Planning Scheme 1A state;

- “2.1 Land set aside under this Scheme for the purposes of a reservation is deemed to be reserved for the purposes indicated on the Scheme Map.*
- 2.2 Except as otherwise provided in this part a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written approval of the Council.*
- 2.3 In giving its approval to carry out development the Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purposes of a public authority confer with that authority before giving its approval.”*

POLICY IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

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

Mission Statement:

The City of Albany is committed to ...

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

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. Reserve 32271 is “*Reserved for Public Purposes*” in the City of Albany Town Planning Scheme 1A and the purpose of the reserve is “*Hospital and Allied Purposes*”. The proposed development is consistent with the purpose for the reserve, and acknowledges that there is already a range of on-site accommodation facilities within the hospital grounds.
9. The proposed development is consistent with other recent Department of Housing and Works (previously Homeswest) group housing projects undertaken throughout the city. The architect and the Department have sought to create a “cluster” development, with limited access to individual units, and to site the cluster within an existing cleared area on the hospital site, fronting Ballard Heights. Limiting access will assist the manager of the site to oversee the activities of residents in the group housing project and visitors to the site.
10. The site slopes down to Hardie Road and the properties on the opposite side of Ballard Heights are tiered down that slope, with lot height differentials of approximately one metre at each boundary. The proposed development is also oriented to minimise the extent of land retention and thereby reduce site disturbance and construction costs.
11. Ballard Height residents have expressed concerns over the additional traffic from the proposed development using Ballard Heights and have encouraged a redesign of the access arrangements, utilising a driveway off Hardie Road. Concern was also expressed over the interaction of vehicles and pedestrians using the proposed development with local children who regularly use the street to access local schools.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

12. A revised concept plan was supplied to the Regional Director, by City staff, demonstrating how the proposed development could be configured to overcome the concerns of residents; Staff have been advised that the architect and the Department have dismissed that option on the basis of cost (additional driveway, site works/land retention) and its potential impact on both the functionality of the project and the hospital site. The Department of Housing and Works proposes that the original concept be evaluated by Council for the purposes of its compliance with the Town Planning Scheme.
13. The visual qualities, setback requirements, car parking and other site considerations for the proposed development are consistent with the City's Town Planning Scheme. Traffic volumes generated by the proposed development are likely to be lower than for an equivalent number of single dwelling houses due to the limitations placed upon the occupants of the units. The overall increase in street traffic volumes are likely to be in the order of 40% (assuming a percentage of residents in the units do not hold drivers licenses) and well within the capacity of the road. No footpaths are constructed in Ballard Heights and the street has a Council controlled pedestrian access route linking it with Diprose Court; construction of a footpath in the street to improve pedestrian safety would necessitate the construction of that pedestrian access way past the hospital site. There are no technical impediments to the construction of a driveway from the proposed development site to Hardie Road, however it would require the removal of some vegetation on the hospital grounds.
14. The Crown is not required to gain Planning Scheme Consent from Council for the proposed development. In regards to Town Planning issues, Council can advise on any inconsistency with planning principles for the site and advise on any external matters that should be taken into consideration as part of the development. Outside the planning process, Council can also become a political advocate on behalf of the local community.

RECOMMENDATION

THAT Council advise the Department of Housing and Works that the construction of eight group housing (mental health) units upon Reserve 32271 is consistent with the zoning principles in the City of Albany Town Planning Scheme 1A and that Council requests that the Department provide a footpath past the frontage of the proposed development and that vehicular access be provided to the development directly off Hardie Road.

Voting Requirement Simple Majority

.....

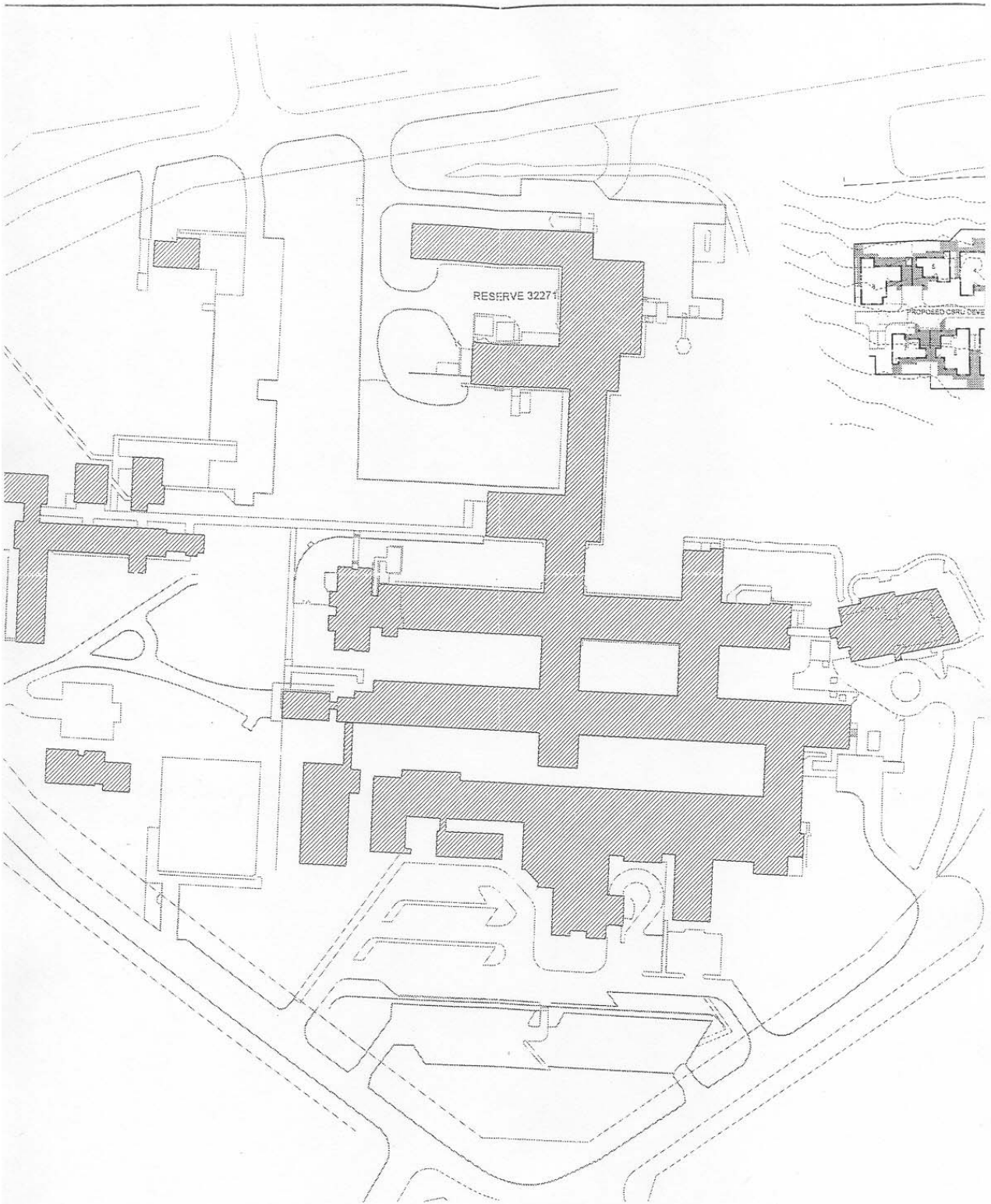
**MOVED COUNCILLOR LIONETTI
SECONDED COUNCILLOR WALKER**

THAT Council advise the Department of Housing and Works that the construction of eight group housing (mental health) units upon Reserve 32271 is consistent with the zoning principles in the City of Albany Town Planning Scheme 1A and that Council requests that the Department provide a footpath past the frontage of the proposed development and that vehicular access be provided to the development directly off Hardie Road.

MOTION CARRIED 15-0

ORDINARY COUNCIL MEETING MINUTES – 21/03/06
 ** REFER DISCLAIMER **
 DEVELOPMENT SERVICES REPORTS

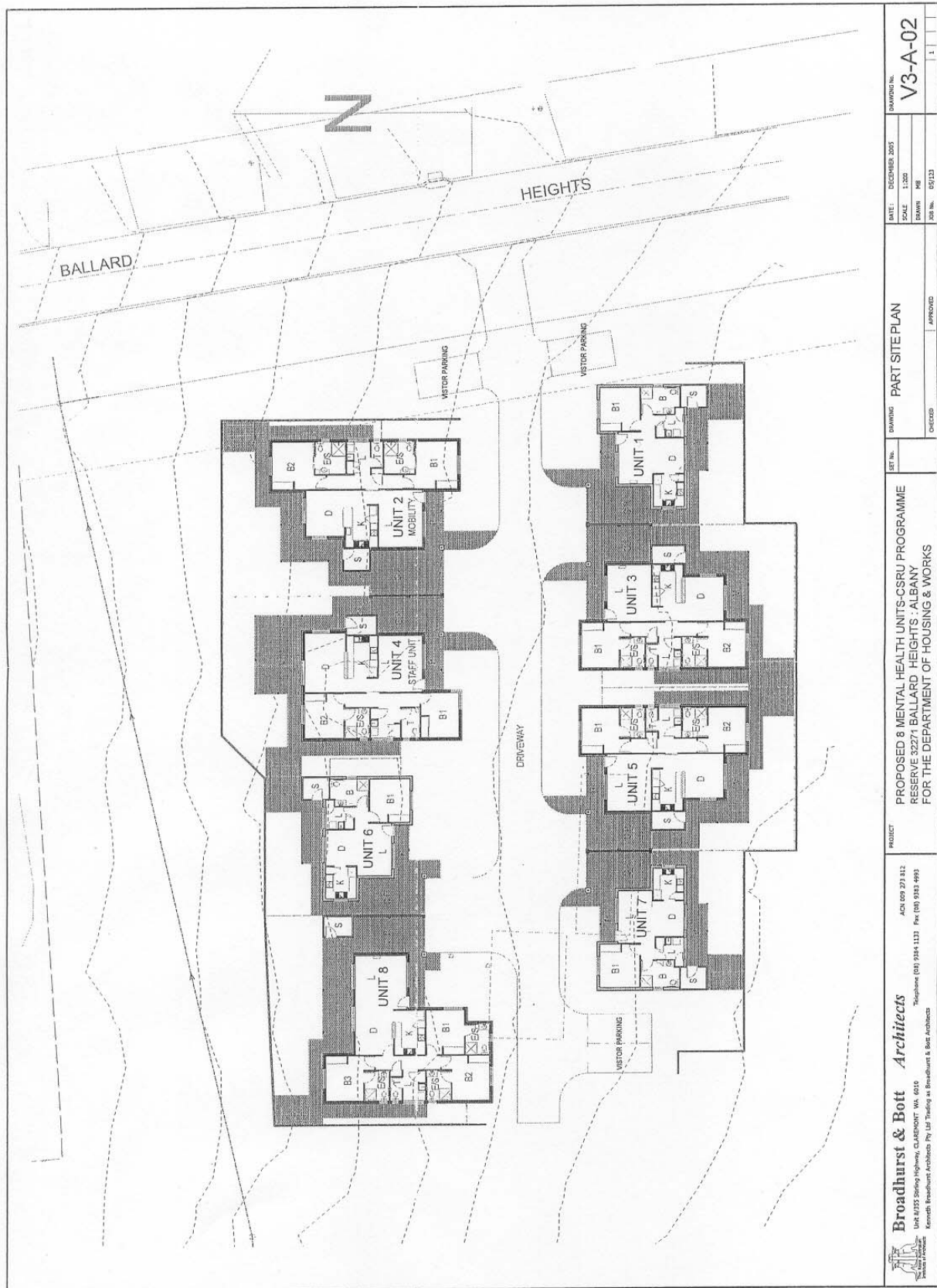
Item 11.1.1 continued



| | | | |
|--|--|---------------------|-----------|
| icts ACN 009 273 812 Telephone (08) 9384 1133 Fax (08) 9383 4993 icts | PROJECT | SET No. | DRAWING |
| | PROPOSED 8 MENTAL HEALTH UNITS-CSRU PROGRAMME RESERVE 32271 BALLARD HEIGHTS : ALBANY FOR THE DEPARTMENT OF HOUSING & WORKS | | SITE PLAN |
| | | CHECKED | APPROV |
| | | LOCAL GOVT. COUNCIL | |

ORDINARY COUNCIL MEETING MINUTES – 21/03/06
 ** REFER DISCLAIMER **
 DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued



WA Country Health Service - Great Southern
Government of Western Australia

Our ref: 60207ks1.doc.PC1

File ref: 7.1.18

Enquiries to: Mr K. Symes

CITY OF ALBANY RECORDS

| | |
|-------------|------------|
| FILE: | |
| FILE: | G0V031 |
| 09 FEB 2006 | |
| DOC: | JCR 602276 |
| OFFICE: | CSD |
| ATTACH: | |

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

Dear Andrew,

RE: COMMUNITY SUPPORTED RESIDENTIAL UNITS

Thank you for giving me the time to brief the City Council on the planned Community Supported Residential Unit (CSRU) accommodation for the Great Southern region.

As you are aware, it is proposed to construct a cluster of 8 residential units on the Albany Regional Hospital site, as part of the *Mental Health Strategy 2004-2007*.

The purpose of the facility is to provide community-based, supported accommodation for people with a mental illness. This will allow residents to remain in their community, close to family and friends, as well as promote community integration and meet growing demand.

The briefings provided valuable information in relation to issues associated with the proposal. I am confident that, with input from the Council and thereafter consultation with the community, these issues can be resolved.

The issues that have been identified and are currently being considered include:

- Location of the driveway to the units; and
- Retention of native vegetation;

I would appreciate your on-going involvement in this process and look forward to working with you to progress this important initiative.

Please do not hesitate to contact me if I can be of any further assistance.

Yours sincerely,

Keith Symes
REGIONAL DIRECTOR

February 7, 2006

Callistemon House, Warden Avenue (PO Box 165), ALBANY WA 6330
Phone: 9892 2662 Fax: 9842 1095

DEVELOPMENT SERVICES REPORTS

11.2 HEALTH, BUILDING & RANGERS

11.2.1 Modifications to Parking Arrangements – Albany Highway, Albany

| | |
|-------------------------------|--|
| File/Ward | : SER 115 (Fredrickstown Ward) |
| Proposal/Issue | : Car Parking Near Former Albany Primary School |
| Subject Land/Locality | : Albany Highway, Albany |
| Proponent | : City of Albany |
| Owner | : Crown |
| Reporting Officer(s) | : Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : Nil |
| Previous Reference | : OCM 17/09/02 - Item 11.2.1 OCM 19/12/00 - Item 11.2.1 OCM 17/01/00 - Item 11.2.1 |
| Summary Recommendation | : Parking Arrangements be Modified |
| Bulletin Attachment | : Nil |
| Locality Plan | : N/A |

BACKGROUND

1. At that January meeting, it was agreed to modify the parking arrangements along Albany Highway in response to the intended retail development on the former Albany Primary Schools site. The parking bays in front of the former primary school site will be removed and replaced by turning pockets for traffic entering the new development.
2. This area is of particular importance to the bus and taxi industry. It is the area where the public transport usage is highest. Also, public transport suppliers have been concerned that inadequate policing of parking arrangements at the existing taxi and bus ranks has allowed motorists to block parking facilities for those services.
3. Staff recently met with taxi and bus industry representatives to review the parking arrangements that were agreed upon in January. Those discussions have resulted in a modified position being taken on the configuration of parking arrangements adjacent to the Albany Plaza, see sketch following this report.

STATUTORY REQUIREMENTS

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

DEVELOPMENT SERVICES REPORTS

11.2.1 continued

"3.1 The local government may by resolution constitute, determine and vary and also indicate by signs -:

- (a) parking stalls;
- (c) permitted time and conditions of parking stalls ... which may vary with the locality;
- (e) permitted classes of persons who may park in specified parking stalls..; and
- (f) the manner of parking in parking stalls..."

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. The cost of the proposed signage would be funded from existing budgets.

STRATEGIC PLAN IMPLICATIONS

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

Community Vision:

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

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

Mission Statement:

The City of Albany is committed to ...

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

Priority Projects:

Nil."

COMMENT/DISCUSSION

8. To accommodate the new development, all of the current kerb side parking between the RAC building and the main entrance into the Albany Plaza (on Albany Highway) is proposed to be removed. The on-street parking will be replaced with off street parking in the new Target complex. Also, a driveway will be installed as part of the new development to allow vehicles to move between Moir Street and Albany Highway along the western side of the Albany Plaza building.
9. Motorists are currently using the bus bay on Albany Highway as short term parking (dropping into adjoining businesses) and one taxi representative photographed 12 vehicles in a one hour period using this bay for that purpose; one vehicle parked in the centre of the bus bay, preventing the bus from entering the bay and the driver was forced to double park to discharge his passengers. The previous decision to retain the bus bay in its current location would have encouraged those illegal practices to continue.

DEVELOPMENT SERVICES REPORTS

11.2.1 continued

10. The taxi industry encouraged City staff to explore the potential to place the taxi bays at the top of the pedestrian ramp from the Albany Plaza, as their main customer base is elderly residents with their weekly shopping. The relocation of the bus bay to the eastern end would discourage short term parking and it would allow a dedicated bus shelter to be placed in that location, on portion of the Albany Plaza site.
11. The proposed changes to the parking arrangements have been discussed in detail with the Department of Planning & Infrastructure, which represents the taxi industry and Loves bus company. The manager of the Albany Plaza has voiced concerns over the proposal, on behalf of those tenants with shops fronting Albany Highway, highlighting the overall reduction in roadside parking and the impact on those businesses. It was suggested by those businesses that short term parking restrictions be introduced on all available public car parking bays to allow motorists to “drop in” to those stores.
12. Approximately 200 bays are soon to be provided as part of the former primary school site redevelopment and the manager has indicated that two taxi bays will be set aside within the proposed car park. The level of parking provided on this site should reasonably compensate motorists for the on-street bays being removed for safety reasons.

RECOMMENDATION

THAT Council resolve to;

- i) approve the changes to the existing parking arrangements in Albany Highway, adjacent to the Albany Plaza Shopping Centre as proposed;
- ii) erect signage indicating:
 - a) a bus zone (service vehicles exempt during non scheduled bus times);
 - b) a taxi zone for three taxis;
 - c) five (5) one hour parking bays;
 - d) a no standing zone; and
- iii) advertise the restrictions.

Voting Requirement Simple Majority

**MOVED COUNCILLOR LIONETTI
SECONDED COUNCILLOR JAMIESON**

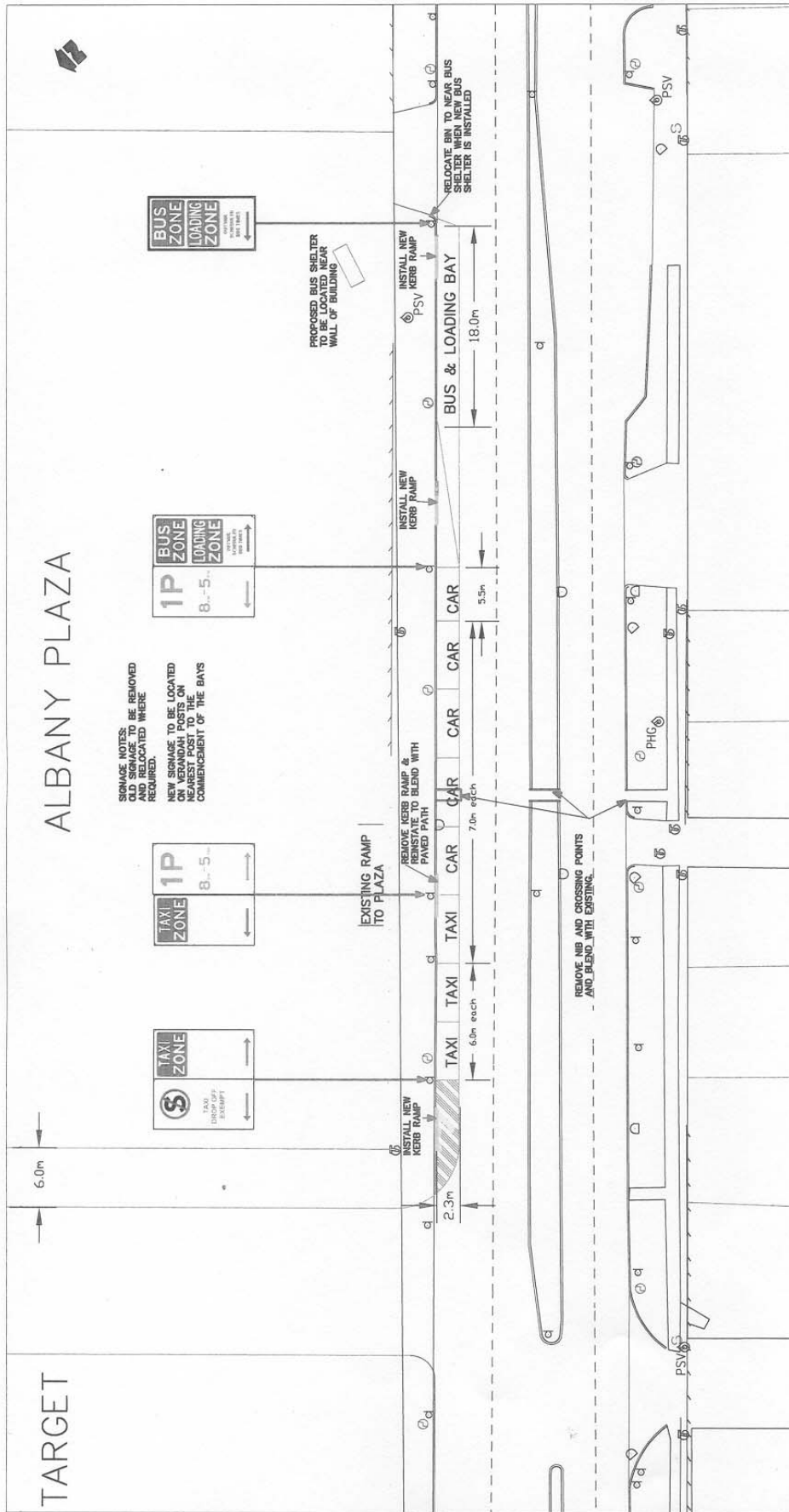
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 - b) a taxi zone for three taxis;**
 - c) five (5) one hour parking bays;**
 - d) a no standing zone; and**
- iii) advertise the restrictions.**

MOTION CARRIED 15-0

DEVELOPMENT SERVICES REPORTS

11.2.1 continued



NOTE
DESIGNED IN ACCORDANCE WITH
AUSTRROADS 94 – GUIDE TO ENGINEERING PRACTICES
PART 11 – PARKING

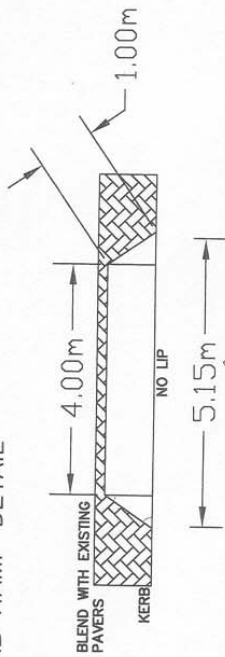
WORKS AND SERVICES
DRAWING NUMBER 06001
REV. 0

| REVISION | DATE | SCALE | DATE | DATUM: | SIGNED | DATE |
|-----------------------------|-------|------------|--------|------------|--------------------|----------|
| ISSUED FOR COMMENT | 02/06 | 1:500 (A1) | | APPROVED | | |
| MODS TO DWG & SIGNAGE ADDED | 02/06 | SURVEYED | | M.C.A. | <i>[Signature]</i> | 23/12/06 |
| | | DESIGNED | FEB 06 | AUTHORISED | <i>[Signature]</i> | 23/12/06 |
| | | DRAWN | FEB 06 | ACCEPTED | | |

ALBANY HIGHWAY
MODIFICATIONS TO BUS PARKING,
LOADING ZONE AND TAXI PARKING.
CONCEPT D

11.2.1 continued

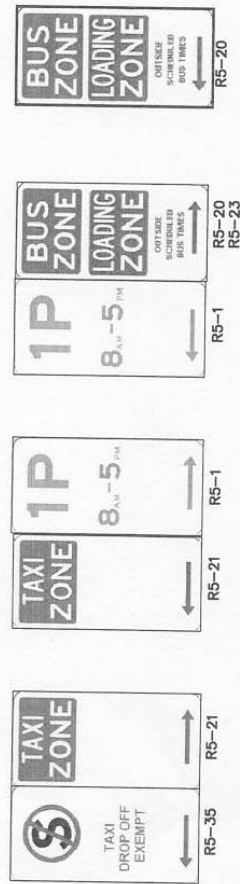
KERB RAMP DETAIL



DETAIL A – KERB RAMP

PLEASE ENSURE THAT THE TRANSITION TO THE ROAD SURFACE HAS NO LIP.

SIGNAGE DETAIL



NOTE: SIGNAGE IMAGES FROM SUNNY SIGN COMPANY WEBSITE



| | |
|--------------------|------|
| WORKS AND SERVICES | REV. |
| DRAWING NUMBER | 0 |
| 06001 | |

ALBANY HIGHWAY
 MODIFICATIONS TO BUS PARKING,
 LOADING ZONE AND TAXI PARKING.
 TYPICAL DETAILS & SIGNAGE

| REVISION | DATE | SCALE: | N. T. S. | DATE | DATUM: | SIGNED | DATE |
|--------------------|-------|----------|----------|--------|------------------------|--------------------|---------|
| ISSUED FOR COMMENT | 02.06 | SURVEYED | | | APPROVED M.C.A. | <i>[Signature]</i> | |
| | | DESIGNED | M.E. | FEB 06 | AUTHORISED E.D.W.S. | <i>[Signature]</i> | 23/2/06 |
| | | DRAWN | M.E. | FEB 06 | ACCEPTED M.C.W. | | |

DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

11.3.1 Review of Signage Controls on Public and Private Land within City of Albany

| | | |
|-------------------------------|---|---|
| File/Ward | : | MAN 052 (All Wards) |
| Proposal/Issue | : | To clarify Council's position on signs in thoroughfares (verges), and introduce new policy and local law to control signage on private land. |
| Subject Land/Locality | : | N/A |
| Proponent | : | City of Albany |
| Owners | : | N/A |
| Reporting Officer(s) | : | Manager Planning & Ranger Services (G Bride) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | OCM 19/10/04 - Item 11.2.1 |
| Summary Recommendation | : | Adopt Signage Policy for advertising, review existing signage Local Laws and set direction for assessment of signs on Council verges (thoroughfares). |
| Bulletin Attachment | : | Proposed Signage Policy |
| Locality Plan | : | N/A |

BACKGROUND

1. At it's meeting dated 19 October 2004 Council resolved as follows:

"THAT;

- i) Council conduct a six month trial starting 1 November 2004 allowing temporary signage to be located within the road reserve, for businesses located within the Middleton Loop precinct;*
- ii) prior to locating signs within the Middleton Loop road reserve for the trial period, a copy of the business owner/operator's public liability insurance policy with temporary signage included, be provided to staff and that a register be maintained. Signage not registered shall be subject to Council's removal policy;*
- iii) prior to the completion of the trial period, staff investigate and report to Council the options of leasing an area to the width of one metre wide in front of the shop to the business owner/operator;*
- iv) all other signage within the City be controlled as per Council's Signage Local Law and Activities in thoroughfares and Public Places and Trading Local Law; and*
- v) Council be presented with the results at the completion of the trial period."*

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

2. The Middleton Loop trial attracted two (2) applications from businesses in that area. At the time of writing this report, staff have received no complaints in relation to portable signage (A frames) from pedestrians using Middleton Loop. This was primarily due to the low pedestrian traffic movements in Middleton Loop, the wide paved surface, the number of participants involved in the trial and the careful positioning of signs immediately against the buildings involved.
3. In accordance with Council's resolution, staff also investigated the ability to sub-lease a portion of the road reserve for signage purposes, however the Department of Planning & Infrastructure (DPI) have advised that this option could not be entertained under the Land Administration Act 1997 (refer correspondence from DPI following this report).
4. In the report to Council on 19 October 2004, it was correctly stated that the Town of Albany Signage By-Law did not allow portable signage within a street or public place. Council's more recent "*Activities in Thoroughfares and Public Places and Trading Local Law (2001)*" does allow portable signs in verges subject to the sign meeting certain requirements.
5. Council's Rangers have been enforcing the prohibition on portable signs in road reserves as per the Signage By-Law, and Council's resolution of October 2004. Staff have been carrying out regular patrols (and in some instances issued infringements and confiscated signs), however the low cost of the signs and their ease of manoeuvrability, has meant many proprietors are prepared to take the risk of leaving signs out in an attempt to attract more passing trade.
6. As there are two Local Laws that are inconsistent in the way they treat portable signage, Council needs to make a determination on whether to continue prohibiting portable signage in verges, or support such signs subject to the proprietor complying with conditions.
7. In order to take a holistic approach to signage it is also recommended that Council introduce a new Local Law for Signage for the entire City of Albany, replacing the Shire of Albany Signage Local Law and the Town of Albany Signage Local Law, which are both more than 20 years old. The new Local Law will need to be supported by a planning policy on signs, as the Department of Local Government now recommends that amenity provisions (in this case size and number of signs) should be linked to a Council's Town Planning Scheme. The way signs are affixed, signage restrictions, requirements to obtain a licence, and penalties for non-compliance will be retained in the new Local Law.

STATUTORY REQUIREMENTS

8. Council has the power to create planning policies under Section 7.21 of Town Planning Scheme No. 1A and Section 6.9 of Town Planning Scheme No. 3. If Council supports the adoption of the policy for public advertising, the policy will be placed on public exhibition for a period of 21 days. After the advertising period is closed, Council will need to resolve either to pursue the policy, with or without modification, or resolve not to support the policy.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

9. The procedure for making a Local Law requires Council to advertise State wide, advising of it's intention to make a Local Law, and seeking submissions within a six week period. Council is to consider all submissions before making a Local Law, publish it in the Government Gazette and supply the Minister for Local Government the documents for tabling in Parliament. State wide notice of the adoption of the Local Law is then to occur.
10. The existing Activities in Thoroughfares and Public Places and Trading Local Law 2001 includes the following on portable signs:

“3.4 Conditions on portable sign

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following comments –

- (a) *the portable sign shall –*
 - (i) *not exceed 1m in height;*
 - (ii) *not exceed 1m² on any side;*
 - (iii) *relate only to the business activity described on the permit;*
 - (iv) *contain letters not less than 200mm in height;*
 - (v) *not be erected in any position other than immediately adjacent to the building or the business to which the sign relates;*
 - (vi) *be removed each day at the close of the business to which it relates and not be erected again until the business next opens for trading;*
 - (vii) *be secured in position in accordance with any requirements of the local government;*
 - (viii) *be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person; and*
 - (ix) *be maintained in good condition; and*
- (b) *no more than one portable sign shall be erected in relation to the one building or business.”*

11. The existing Town of Albany Signage Local Law includes the following on portable signs:

“4.1 Restrictions

A sign or advertising device shall not be erected or maintained:-

- (k) *as a movable or portable sign, in a street or public place, unaffixed to a building.”*

POLICY IMPLICATIONS

12. An existing policy titled ‘*Local Planning Policy – Signs, Hoardings and Billposting*’ was adopted in June 2003. The policy specifically established which type of signs did not require Planning Scheme Consent.
13. The above policy will need to be reviewed to incorporate signage requirements for all types of signage proposed within the City of Albany.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

FINANCIAL IMPLICATIONS

14. There will be advertising costs associated with advertising the Local Law and Signage Policy, which will be funded from the 2006/07 budget.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

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

Mission Statement:

The City of Albany is committed to ...

- *providing sound governance*

Priority Projects:

Nil.”

COMMENT/DISCUSSION

16. There are two distinct issues that need to be addressed by Council via this item. Firstly, whether portable signage should be allowed on all Council verges and Secondly, whether Council wishes to update it’s existing Local Laws and develop a new town planning policy for the assessment of signage. The two issues are discussed below:

Portable Signs

17. Currently there are approximately twenty (20) proprietors that regularly place signage on Council’s verge. This number represents a small proportion of the business community in and around Albany’s CBD, and may be attributed to regular enforcement patrols by the Rangers and/or a lack of confidence in this form of advertising (versus more traditional signage such as under verandah signs and fascia signs).
18. Portable signs have the potential to detract from the streetscape and have in the past represented a physical hazard to some pedestrians (due to the sign causing an obstruction).
19. Many people in the business community would argue that portable signage adds vitality to an inner city street, and is effective in attracting passing pedestrians to purchase their goods and services.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

20. Should Council support the placement of portable signage throughout commercial streets within the City, it is difficult to ascertain what the take-up rate will be and whether a proliferation of signage to the detriment of the urban environment would result. Council's Activities in Thoroughfares and Public Places and Trading Local Law 2001, stipulates appropriate controls for portable signage to ensure that uniformity is promoted. Particularly important is the requirement that each business can only place one sign in the verge, the sign is to be no higher than 1m or have a sign face greater than 1m² and such signage should not impede pedestrian access.
21. In addition to these controls, the lodgement of a public indemnity insurance certificate to indemnify Council from any claims made by pedestrians who injure themselves will ensure no financial risk is being borne by Council.
22. Staff are supportive of portable signage subject to conditions, and believe a permit system will enable enforcement by Council's Rangers to be carried out more effectively.

Introduction of Planning Policy and Replacing Existing Local Laws

23. Staff have reviewed the current signage requirements contained in the former Town & Shire Signage Local Laws. Due to the age of the Local Laws, the signage types and requirements are considerably outdated, and no longer represent a best practice document for signage. The former Shire and Town Signage Local Laws also have varying signage requirements for the same type of sign, which is often confusing and frustrating for Council's clients.
24. A draft town planning policy, to replace the existing policy entitled '*Local Planning Policy – Signs, Hoardings and Billposting*' has been prepared and is contained in the Elected Members Report / Information Bulletin. The policy will introduce a range of new signage types including display home signs, monolith signs, institutional signs, property transaction signs and rural producers signs that are currently not defined in the Local Laws. These new signs will have specific standards that will provide guidance to clients and overcome an existing policy void.
25. The below mentioned Table highlights the proposed changes to sign types identified in the current Signage Local Laws:

TABLE 1 – Comparison between existing and proposed Signage Requirements

| Sign Type | Policy | Existing Local Law (Town) |
|------------------|---|--|
| Development Sign | Max. 12m ² | Max. 20m ² |
| Hoarding | Max. 20m ² | Max. 22m ² |
| Pylon Sign | Max. 8m ² and 6 m in height | Max. 8m ² and 6 m in height |
| Horizontal Sign | 1.0m in height up to 7.5m 1.6m in height over 7.5m | 900mm in height up to 7.5m 1.2m in height (7.5 to 9m) 1.5m in height (9m to 12m) |
| Roof Sign | Not to exceed height of roof gable. | Max. 7m above rooftop |
| Vertical Sign | Max. 2m in height | No height requirements. |

26. It is also recommended that to complement the policy, a new Signage Local Law be prepared by Staff to be presented at Council's next Ordinary Meeting.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

RECOMMENDATION

THAT Council resolves to;

- i) adopt the draft policy titled 'Local Planning Policy – Signs, Hoardings and Billposting' for public comment pursuant to Clause 7.21 of Town Planning Scheme No. 1A and Clause 6.9 of Town Planning Scheme No. 3;
- ii) direct staff to process signage permits for portable signs in accordance with Council's Activities in Thoroughfares and Public Places and Trading Local Law 2001; and
- iii) direct staff to prepare a new Signage Local Law to replace the existing Town and Shire of Albany Signage Local Laws, to be presented at a future Ordinary Council Meeting for consideration.

Voting Requirement Simple Majority

ALTERNATE MOTION BY COUNCILLOR WATERMAN

THAT Council resolves to;

- i) adopt the draft policy titled 'Local Planning Policy – Signs, Hoardings and Billposting' for public comment pursuant to Clause 7.21 of Town Planning Scheme No. 1A and Clause 6.9 of Town Planning Scheme No. 3;
- ii) direct staff to conduct a peer review and report back to Council in relation to the investigative work previously done in relation to portable signage (A-Frame Signage), with a view of allowing such signs on thoroughfares within the boundaries of the Central Area Zone only, as defined on the City of Albany Town Planning Scheme No. 1A Scheme Map; and
- iii) direct staff to prepare a new Signage Local Law to replace the existing Town and Shire of Albany Signage Local Laws, to be presented at a future Ordinary Council Meeting for consideration.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR JAMIESON**

THAT Council resolves to;

- i) adopt the draft policy titled 'Local Planning Policy – Signs, Hoardings and Billposting' for public comment pursuant to Clause 7.21 of Town Planning Scheme No. 1A and Clause 6.9 of Town Planning Scheme No. 3;**
- ii) direct staff to conduct a peer review and report back to Council in relation to the investigative work previously done in relation to portable signage (A-Frame Signage), with a view of allowing such signs on thoroughfares within the boundaries of the Central Area Zone only, as defined on the City of Albany Town Planning Scheme No. 1A Scheme Map; and**
- iii) direct staff to prepare a new Signage Local Law to replace the existing Town and Shire of Albany Signage Local Laws, to be presented at a future Ordinary Council Meeting for consideration.**

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued..

Amended Motion was presented.

**MOVED COUNCILLOR LIONETTI
SECONDED COUNCILLOR WALKER**

THAT Council resolves to;

- i) adopt the draft policy titled 'Local Planning Policy – Signs, Hoardings and Billposting' for public comment pursuant to Clause 7.21 of Town Planning Scheme No. 1A and Clause 6.9 of Town Planning Scheme No. 3;**
- ii) direct staff to conduct a peer review and report back to Council in relation to the investigative work previously done in relation to portable signage (A-Frame Signage), with a view of allowing such signs on thoroughfares within the City of Albany Town Planning Scheme No. 1A Scheme Map; and**
- iii) direct staff to prepare a new Signage Local Law to replace the existing Town and Shire of Albany Signage Local Laws, to be presented at a future Ordinary Council Meeting for consideration.**

**AMENDMENT CARRIED 12-3
Amendment became the Motion
MOTION CARRIED 12-3**

Reason:

- Considerable work was done in the mid to late 90's on this issue, which looked at standardising portable signage (A-frame) and the placement of signage inserts within the verge at regular intervals in the Albany Central Business District (CBD).
- It should also be made clear that portable signage (A frame signage) should only be located in road reserves within the CBD, as defined by the existing Central Area Zone, where there is the greatest concentration of shopping facilities and the signs are expected to be viewed from passing pedestrians. Larger sites outside of the CBD have the ability to provide adequate signage on their buildings or via freestanding pylon signs within their property. Portable signage on all road reserves have the potential to detract from the streetscape and can represent a safety hazard for passing motorists who would find it difficult to read any wording on such signage, based on the size restrictions contained within the Activities in Thoroughfares and Public Places and Trading Local Law 2001.
- It's important to note that this alternate motion would not restrict businesses outside of the CBD from having portable signage, as long as it is located inside their property boundary.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued



Department for Planning and Infrastructure
Government of Western Australia

Land Asset Management Services

Your Ref: MAN052/EF505731
Our Ref: 50916/05 - (Job number 054775)
Telephone: (08) 9347 5048 Fax: (08) 9347 5004
Enquiries: Mrs Robyn Corbett
E-mail: robyn.corbett@dpi.wa.gov.au

| CITY OF ALBANY RECORDS | |
|------------------------|------------|
| FILE: | |
| FILE: | MAN 052 |
| 01 DEC 2005 | |
| DOC: | ICRS016030 |
| OFFICE: | MPP |
| ATTACH: | |

Mr Graeme Bride
City of Albany
PO Box 484
ALBANY WA 6331

Dear Mr Bride

**LEASING OF SECTION OF ROAD RESERVE ADJACENT TO SHOP FRONTS
FOR SIGNAGE DISPLAY PURPOSES**

I refer to your correspondence of 5 October 2005 in relation to the abovementioned matter and apologise for the delay in responding.

With the information that was provided by the City of Albany DPI believes the leasing issue will not be possible under the *Land Administration Act 1997*. For a Main Road WA road it has policy in relation to signs. In regard to a local government managed road any approvals/policy would rest with the relevant local government under local laws or the Local Government Act 1995.

To assist City of Albany may wish to conduct a search of 'signage' on the City of Swan's website www.cityofswan.com for possible solutions. Any further enquiries you may contact the Team Leader Trevor Thomson directly on 9347 5039.

Yours faithfully

ROBYN CORBETT
ASSISTANT PROJECT OFFICER
SOUTH EAST REGIONAL SERVICES
LAND ASSET MANAGEMENT SERVICES

30 November 2005

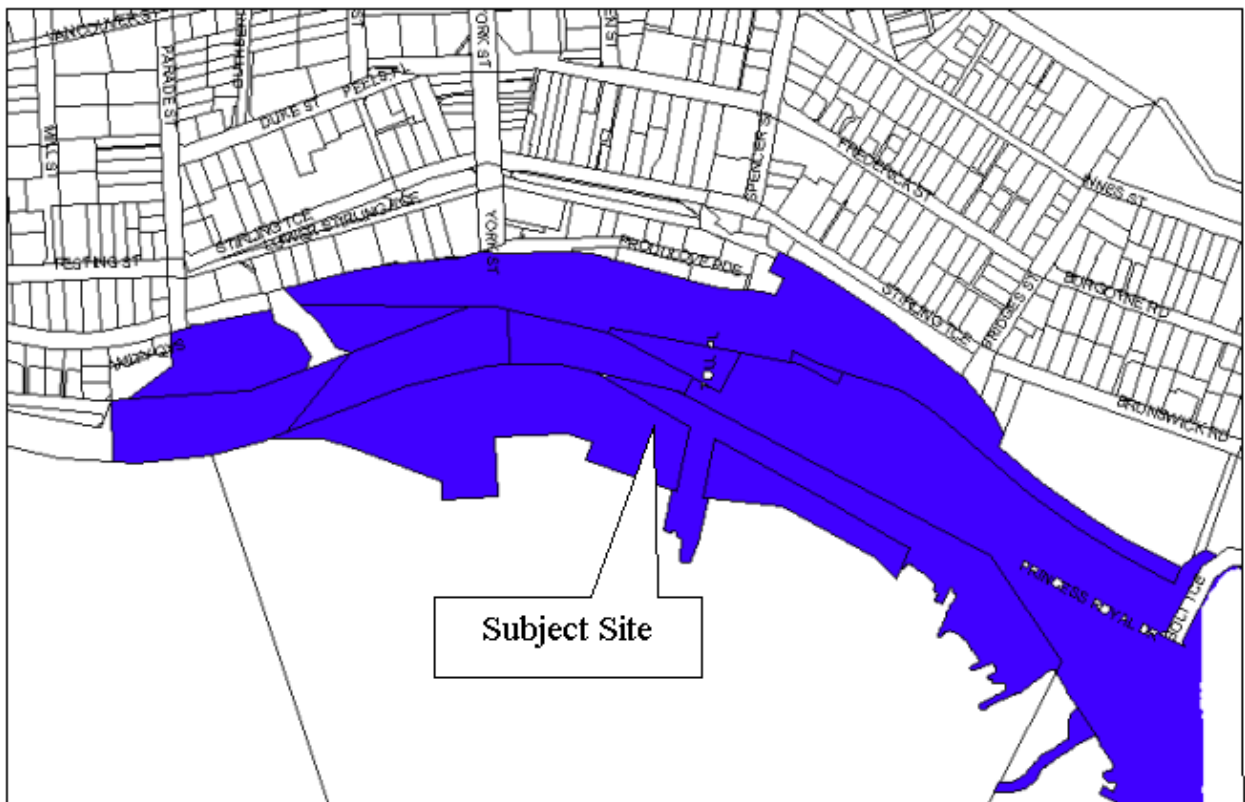
4775RC02.DOC

1 Midland Square, Midland, Western Australia 6056
Postal Address: PO Box 1575, Midland, Western Australia 6936
Tel: (08) 9347 5000 www.dpi.wa.gov.au ABN 40 996 710 314

DEVELOPMENT SERVICES REPORTS

11.3.2 Albany Waterfront Project – Adoption of Structure Plan for Advertising

| | | |
|-------------------------------|---|---|
| File/Ward | : | MAN 168 (Frederickstown Ward) |
| Proposal/Issue | : | Adoption of Draft Structure Plan for Advertising. |
| Subject Land/Locality | : | Albany Waterfront Precinct |
| Proponent | : | Landcorp |
| Owner | : | Crown |
| Reporting Officer(s) | : | Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | Adopt for Advertising |
| Bulletin Attachment | : | Draft Structure Plan |
| Locality Plan | : | |



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

BACKGROUND

1. Landcorp has prepared a draft Structure Plan for the Albany Waterfront Precinct to guide the future development of the area in accordance with the requirements of Scheme 1A. A copy of the draft Structure Plan is included in the Elected Members Report / Information Bulletin.
2. In January 1997, Council adopted a Structure Plan and four Precinct Plans for the Albany Foreshore Development Zone, however those Plans were never acted upon.

STATUTORY REQUIREMENTS

3. Clause 4.43 of the City of Albany Town Planning Scheme 1A states that “*no person shall carry out any development within the Foreshore Development Zone unless such developments are in accordance with a Precinct Plan which has first been adopted by the Council.*”
4. Prior to a Precinct Plan being adopted, the requirements of clauses 4.39 to 4.42 of the Scheme must be completed. Those clauses state;
 - “4.39 *For the purposes of guiding the development of land within the Foreshore Development Zone, the Council has adopted a Structure Plan for the whole of the area contained within the zone.*
 - 4.40 *The Structure Plan shows the intended general distribution of land uses, open spaces and major reserves within the Foreshore Development Zone, but does not precisely locate or dimension land use or land parcel, nor does it reserve, or purport to reserve, land for any purpose.*
 - 4.41 *The Structure Plan may be elaborated, amended or another plan substituted for it in the same manner as prescribed for modifications to the Central Area Policy Plan in Clause 4.29 of the Scheme Text.*
 - 4.42 *The Foreshore Development Zone is divided into Precincts and the location and boundaries of the Precincts are also shown on the Structure Plan.*”

POLICY IMPLICATIONS

5. Council is in the process of adopting guidelines for developments on the southern slopes of Mounts Clarence and Melville. Those guidelines may impact upon the development potential of future lots within the waterfront structure plan area.

FINANCIAL IMPLICATIONS

6. The State Government announced the Albany Waterfront Project as part of the last election campaign and has committed the finances needed to undertake the development. The City will be provided a site within the project for the development of the Albany Entertainment Centre.

STRATEGIC IMPLICATIONS

7. Within the Lower Great Southern Strategy, the draft Albany Local Planning Strategy and the City’s 3D Strategy, the development of the Albany Waterfront Project is identified as a major regional initiative.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

COMMENT/DISCUSSION

8. The draft Structure Plan seeks to provide the framework for the future development of the Albany Waterfront project site. The plan seeks to integrate a protected boat harbour and a land based development with the Albany Port infrastructure to the east and the Anzac Peace Park to the west.
9. The draft Structure Plan provides the land use planning and infrastructure framework for the development of the project site over the long term. The more detailed Precinct Plans will follow the adoption of the Structure Plan and will provide the development guidelines (including subdivisional criteria) to regulate private sector development within the project, inclusive of the Albany Entertainment Centre.
10. The Albany Waterfront Project incorporates a public boat ramp, marina facilities for professional fishing, recreational and commercial boating requirements, marine based industrial sites, a hotel site, public toilet / booking office, sites for restaurant and commercial / business opportunities and the Albany Entertainment Centre site. The project site is to be fully serviced and provision is made in the Structure Plan for on-site car parking, waterfront pedestrian access, a pedestrian bridge from Stirling Terrace to the project site, fishing platforms on the proposed groyne, north facing piazzas for planned developments and extensive landscaping of public spaces. The traffic solution, to protect 24 / 7 access to the Albany Port, promoted in the Structure Plan do not appear to deliver the “dedicated access” sought by the Port Authority.
11. The Structure Plan will require the relocation of the existing boat ramp, the removal of the DPI slipway, removal of portion of the existing town jetty, relocation of the drainage outfall from the CBD and the modification of the harbour foreshore and water depth of Princess Royal Harbour adjacent to the project site.
12. Due to the plan having only broad statements of intent, and its late arrival, staff have not comprehensively analysed the draft Structure Plan. There is capacity for Council to undertake that more detailed analysis during the public consultation phase. Council needs to determine whether the current document reasonably reflects the broad direction that Council wishes to promote for the project site. The project managers have indicated that a delay in the adoption of the draft Structure Plan has the potential to alter the project timelines and the delivery of development sites.

RECOMMENDATION

THAT Council, pursuant to clause 4.39 of the City of Albany Town Planning Scheme 1A, Council resolves to adopt the draft Albany Waterfront Structure Plan for the purpose of advertising the document for public comment.

Voting Requirement Simple Majority

.....

COMMENT/DISCUSSION

13. Clause 2.10 of the Structure Plan document states that the structure plan will provide a detailed proposal for traffic management, which will include analysis of various treatments for Princess Royal Drive. That information has not been included and will be required to address the requirements of Main Roads WA and the Albany Port Authority.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued.

14. The Albany Port Authority has recently advised Landcorp, in writing, that the Authority sees the provision of a dedicated lane for port traffic as an essential component and sees the issue as having the potential to derail the project.

AMENDED RECOMMENDATION:

THAT;

- i) Council, pursuant to clause 4.39 of the City of Albany Town Planning Scheme 1A, Council resolves to adopt the draft Albany Waterfront Structure Plan for the purpose of advertising the document for public comment; and
- ii) prior to the conclusion of the advertising period, the proponent supply to Council a more detailed traffic management report, indicating how traffic flows in and around the site will be accommodated and demonstrating how a dedicated lane for port traffic can be achieved.

Voting Requirement Simple Majority

.....

| |
|---|
| <p>MOVED COUNCILLOR WELLINGTON SECONDED COUNCILLOR WALKER</p> <p>THAT Council, pursuant to clause 4.39 of the City of Albany Town Planning Scheme 1A, Council resolves to adopt the draft Albany Waterfront Structure Plan for the purpose of advertising the document for public comment.</p> <p style="text-align: right;">MOTION CARRIED 12-3</p> |
|---|

| |
|---|
| <p>MOVED COUNCILLOR EMERY SECONDED COUNCILLOR WELLINGTON</p> <p>THAT prior to the conclusion of the advertising period, the proponent supply to Council a more detailed traffic management report, indicating how traffic flows in and around the site will be accommodated and demonstrating how a dedicated lane for port traffic can be achieved.</p> <p style="text-align: right;">MOTION CARRIED 15-0</p> |
|---|

ORDINARY COUNCIL MEETING MINUTES – 21/03/06
 ** REFER DISCLAIMER **
 DEVELOPMENT SERVICES REPORTS

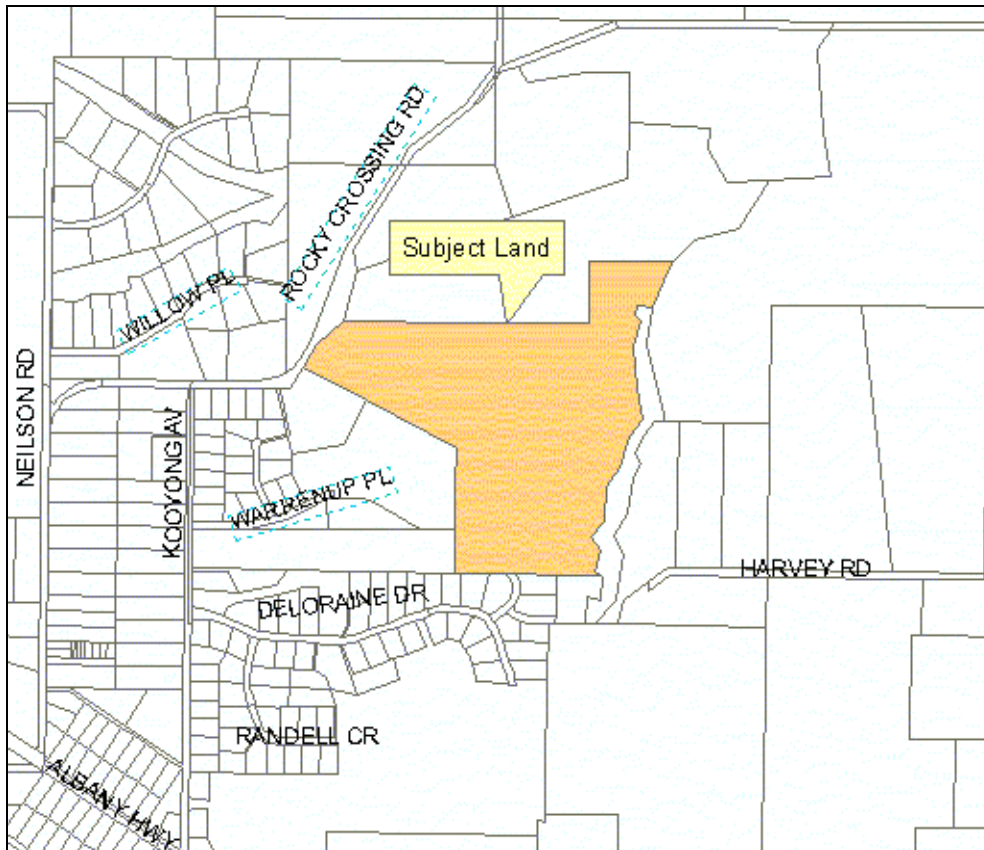
Item 11.3.2 continued



DEVELOPMENT SERVICES REPORTS

11.3.3 Initiate Scheme Amendment – Lot 5 Rocky Crossing Road, Warrenup

- File/Ward** : A66905A (Kalgan Ward)
- Proposal/Issue** : Rezone Lot 5 Rocky Crossing Road, Warrenup From Rural To Special Residential
- Subject Land/Locality** : Lot 5 (178) Rocky Crossing Road, Warrenup
- Proponent** : Ayton Taylor & Burrell
- Owner** : W. Noble
- Reporting Officer(s)** : Planning Officer (T Sounness)
Executive Director Development Services (R Fenn)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 26/9/00 - Item 11.1.5
OCM 21/2/06 - Item 11.3.8
- Summary Recommendation** : Initiate subject to modifications and additional provisions.
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

BACKGROUND

1. In assessing a Scheme Amendment Request for this land on 26 September 2000, Council resolved as follows:

“THAT the applicant be advised:

- i) THAT Council is prepared to support the request by Dykstra & Associates to prepare an amendment to Town Planning Scheme No. 3 to rezone Lot 5 Location 5493 Rocky Crossing Road, Warrenup from “Rural” to “Special Residential” subject to:
 - (a) a land capability and suitability assessment being prepared for Lots 1, 3, and 5; and*
 - (b) a Subdivision Guide Plan for Lots 1, 3, and 5 that has regard for the land capability and suitability assessment, the constraints and land management requirements identified in the Local Rural Strategy, and the long term land use potential being prepared to the satisfaction of the Council.**
 - ii) THAT preliminary indications from the Local Planning Strategy (in preparation) are that the area including Lots 1, 3, and 5 may be suitable for urban (residential) development in the long-term (20+ years). The applicant may choose to prepare a guide plan to show how Special Residential lots may be developed further when urban (residential) potential may be realised.”*
2. After the submission of amending documents in February 2001, issues were identified that lead to the consultant requesting that the proposal be suspended (letter dated 13 September 2001) while site investigations and assessment could be completed. The issues identified included floodplain mapping, land capability and uncontrolled landfill resulting in site contamination.
3. On the 11 October 2005, documents were received reactivating the Amendment, where it was requested that:
 - the land be rezoned from ‘Rural’ under Town Planning Scheme No 3 to ‘Special Residential’ and Parks & Recreation Reserve’, with the Scheme management provisions being inherited from the adjoining Special Residential Area No 12, and
 - the minimum lot size be reduced to 3000 square metres.
4. The land is 44.4ha in area, is currently used for rural purposes and has access to Rocky Crossing Road.
5. The land has several watercourses or water features that are classed as ‘major drain’ features or ‘major perennial watercourse’ features (data sourced from DOE agencies). These are identified in some maps as ‘Willyung Creek’.
6. This proposal was placed on the Council Agenda of 21 February 2006 and, at the request of the applicant, was withdrawn pending further assessment of the report by Staff. The Amending documents were reproduced in the agenda for that meeting.
7. The amending documents were subject to further assessment and the concerns have been relayed to the proponent’s planning consultant.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

STATUTORY REQUIREMENTS

8. Council's resolution under the Town Planning & Development Act 1928 and the Town Planning Regulations 1967 is required to amend the scheme.
9. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

POLICY IMPLICATIONS

10. Staff previously advised that there are various policies and strategies that have relevance to this proposal. They include:
 - The State Planning Strategy
 - The Western Australian Planning Commission (WAPC) Statement of Planning Policy No. 1 Variation No 2 (SPP 1) (2006).
 - The WAPC SPP No 3.4 - Natural Hazards and Disasters. (SPP 3.4)
 - The WAPC SPP No 3 - Urban Growth and Settlement (Draft) (SPP 3)
 - The Draft Albany Local Planning Strategy (ALPS) (Adopted in 2005)
 - The Lower Great Southern Strategy (LGSS) (2005)
 - The WAPC Development Control Policy 2.5 (1988) – Special Residential Zones.
 - The WAPC Development Control Policy 3.4 (2002) - Subdivision of Rural Land.
 - The City of Albany Local Rural Strategy (ALRS) (Adopted as a policy in 1996)

FINANCIAL IMPLICATIONS

11. There are no financial implications relating this item

STRATEGIC IMPLICATIONS

12. The land is presently zoned 'Rural' and identified for future residential expansion within Council's adopted Rural Strategy, and within ALPS. The removal of land from the Rural Zone can therefore be supported, subject to the proposal meeting criteria for the establishment of Special Residential land.

COMMENT/DISCUSSION

13. It is recognised that the land has development potential to be used for "Special Residential" uses, however Council needs to be confident that the sections affected by drainage features, perennial water courses, historical extractive industries, remediated contamination, uncontrolled fill and soils with poor capability for on-site effluent disposal are or have been made acceptable. If these elements are in doubt, Council may not be able to receive the Environmental Protection Authority's consent to advertise the Amendment.
14. The applicant submitted a revised subdivision guide plan that sought to address the concerns with the drainage features and perennial water course. Council Staff are satisfied that the design solution is supportable, however several lots on the "fringe" will need modification to meet EPA guidelines.
15. The land's contamination issues have, according to the report submitted with the Scheme Amendment, been addressed. This report appears to be satisfactory and should address the concerns of the Department of Environment and the Environmental Protection Authority.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

16. The landowner proposes the remediation of the land that was subject to the extractive industry. Those proposed lots that were affected will require a site classification report to ensure that the entire lot is capable of residential development. This should not be a cost passed onto any future landowner (a requirement of the draft document). It is proposed that an additional scheme provision be inserted into Schedule IV of the Scheme to this effect and re-worded to address this requirement specifically for the affected areas.
17. There is a request to reduce the minimum lot size from 4000m² to 3000m². The Scheme Amendment Report provides justification for this increase in density, and it is recommended that this increase in lot density be supported.
18. The development of Albany Ring Road (to the north) may provide an opportunity for the connection of Rocky Crossing Road to the Ring Road through lots to the north of the subject land. The Long Term Development Option should be modified to explore potential linkages to the Ring Road from the local road network in this area.
19. Staff recommend that the amendment be supported, subject to some minor refinement of the document. Modifications will be made to the existing scheme provisions for Special Residential Area 12 to accommodate the special needs of this site.

RECOMMENDATION

THAT;

- i) subject to the Amendment documents being modified to the satisfaction of the Executive Director Development Services to reflect the following;
 - a) introduce suitable scheme provisions to ensure the remediation of the former extractive industry and uncontrolled landfill site, road upgrading, drainage functions and upgrading of Public Open Space;
 - b) modify the report to address minor irregularities and clarify development requirements; and
 - c) alter the subdivision guide plan for Special Residential Area No 12 to acknowledge lot 5, but exclude those lots where appropriate on-site effluent solutions cannot be achieved.
- ii) Council in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended) resolves to amend the City of Albany's Town Planning Scheme No. 3 by:
 - a) rezoning Lot 5 Rocky Crossing Road, Albany from 'Rural' zone to 'Special Residential and 'Parks and Recreation Reserve';
 - b) incorporating lot 5 within Area 12 of Schedule IV – Special Residential Zones – Provisions relating to Specified Areas, of the Scheme Text; and
 - c) amending the Scheme maps accordingly.

Voting Requirement Simple Majority

.....
Councillor Wiseman left the Chambers at 8.27pm.
Councillor Wiseman returned to the Chambers at 8.29pm.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR LIONETTI**

THAT;

- i) subject to the Amendment documents being modified to the satisfaction of the Executive Director Development Services to reflect the following;**
 - a) introduce suitable scheme provisions to ensure the remediation of the former extractive industry and uncontrolled landfill site, road upgrading, drainage functions and upgrading of Public Open Space;**
 - b) modify the report to address minor irregularities and clarify development requirements; and**
 - c) alter the subdivision guide plan for Special Residential Area No 12 to acknowledge lot 5, but exclude those lots where appropriate on-site effluent solutions cannot be achieved.**

- ii) Council in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended) resolves to amend the City of Albany's Town Planning Scheme No. 3 by:**
 - a) rezoning Lot 5 Rocky Crossing Road, Albany from 'Rural' zone to 'Special Residential and 'Parks and Recreation Reserve';**
 - b) incorporating lot 5 within Area 12 of Schedule IV – Special Residential Zones – Provisions relating to Specified Areas, of the Scheme Text; and**
 - c) amending the Scheme maps accordingly.**

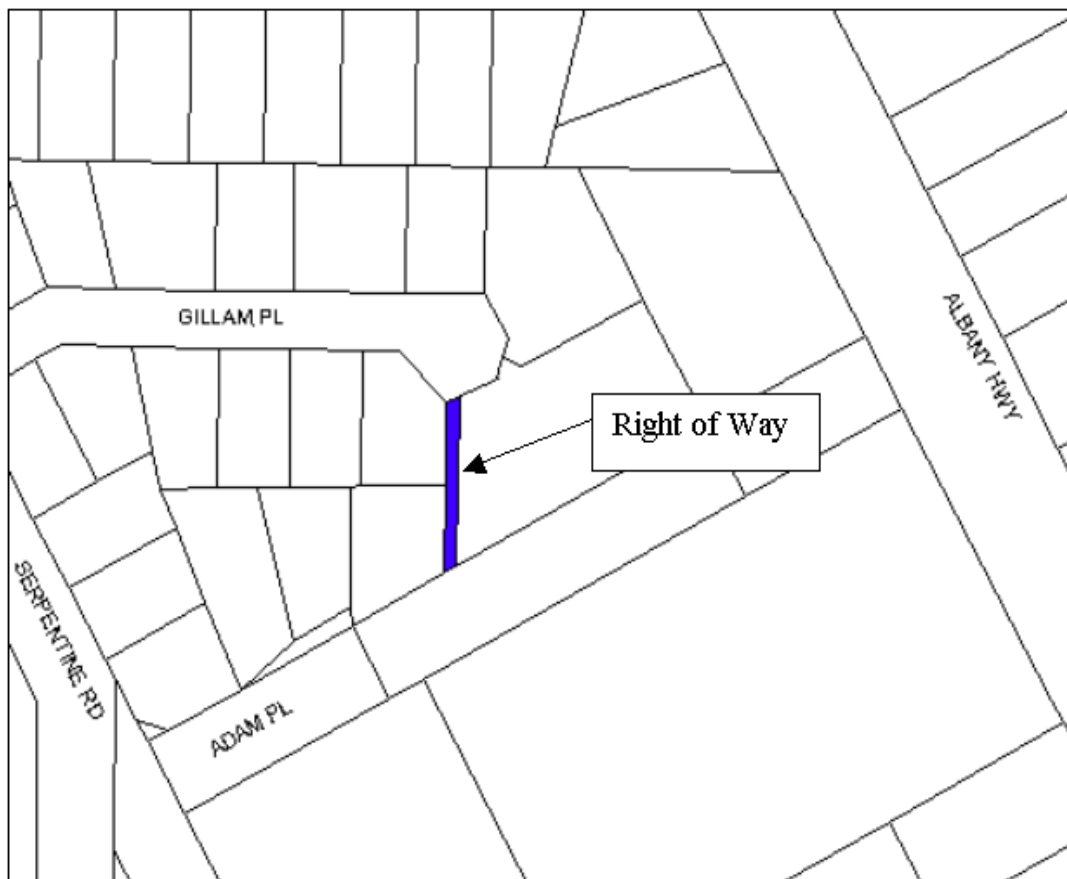
MOTION CARRIED 12-3

DEVELOPMENT SERVICES REPORTS

11.4 RESERVES PLANNING

11.4.1 Pedestrian Access Way Closure – Between Gillam Place and Adam Place, Mount Melville

| | | |
|-------------------------------|---|--|
| File/Ward | : | SER 088 (Fredrickstown Ward) |
| Proposal/Issue | : | Request to close a 'pedestrian access way' |
| Subject Land/Locality | : | Gillam Place, Mt Melville |
| Proponent | : | M Mettam |
| Owner | : | Crown |
| Reporting Officer | : | Planning Officer (A Nicoll) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | Council support the closure of the pedestrian access way |
| Bulletin Attachment | : | Responses from Public Utilities and submissions |
| Locality Plan | : | |



DEVELOPMENT SERVICES REPORTS

Item 11.4.1 continued

BACKGROUND

1. The property owner at No 14 - 20 Gillam Place requested that Council support the dedication of an existing pedestrian access way (PAW) to be amalgamated into the properties abutting the PAW.
2. At the 20 December 2005 Council meeting, Council agreed to advertise the closure of the pedestrian access way between Gillam Place and Adam Place, Mt Melville. Letters were sent to the neighbouring properties and an advert was placed in the local newspaper seeking comment from the local community. The advertising period extended over 35 days and closed on the 16 February 2006.

STATUTORY REQUIREMENTS

3. Under Section 58 of the Land Administration Act 1997, Council must advertise its intention to close a PAW in the local newspaper and in writing to affected landowners and public utilities requesting comments be made within 35 days. Council is then required to consider any objections regarding the request to close the pedestrian access way, and resolve to either close the PAW or make no changes.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

- *Excellent community infrastructure and services;*

Mission Statement:

The City of Albany is committed to ...

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

Priority Projects:

Nil.”

COMMENT/DISCUSSION

7. Of the twenty letters sent to the neighbouring community, three submissions were received, two supporting and one objecting to the closure. A copy of these submissions are in the Elected Members Report / Information Bulletin.

DEVELOPMENT SERVICES REPORTS

Item 11.4.1 continued

8. The letter of objection advised that the closure will limit egress in the case of a fire and increase pedestrian movement past their property.
9. Staff conducted a site visit and concluded that there is the opportunity for access in the case of a fire or an emergency via the constructed roadways being Gillam Place and Serpentine Road. The PAW is currently not constructed (overgrown grass) and therefore is not serving a purpose for pedestrian access. An increase in pedestrian movement elsewhere due to the closure of the PAW is therefore not expected.
10. There is a pedestrian link 50 metres from the existing PAW providing access between Serpentine Road and Albany Highway via Adam Place and a Crown Reserve.
11. The PAW does not form a strategic element of the Local Government pedestrian and cycle network plan. The impact of the closure of the PAW is therefore not expected to impact on the safe access of the neighbourhood.

RECOMMENDATION

THAT Council, pursuant to Section 58 of the Land Administration Act 1997, resolves to support the closure of the pedestrian access way between Gillam Place and Adam Place, Mt Melville and seeks the support of the Department of Planning and Infrastructure for that outcome.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WEST**

THAT Council, pursuant to Section 58 of the Land Administration Act 1997, resolves to support the closure of the pedestrian access way between Gillam Place and Adam Place, Mt Melville and seeks the support of the Department of Planning and Infrastructure for that outcome.

MOTION CARRIED 15-0

DEVELOPMENT SERVICES REPORTS

11.4.2 Right of Way Closure – Adjacent to Wollaston Road and McLeod Street, Mira Mar

| | |
|-------------------------------|---|
| File/Ward | : SER 088 (Breaksea Ward) |
| Proposal/Issue | : Request to close a 'right of way' |
| Subject Land/Locality | : Wallaston Road, Mira Mar |
| Proponent | : Harley Survey Group |
| Owner | : Crown |
| Reporting Officer(s) | : Planning Officer (A Nicoll) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : Support the closure of the right of way |
| Bulletin Attachment | : Nil |
| Locality Plan | : |



DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued

BACKGROUND

1. Council has received a request from Harley Survey Group to dedicate an existing right of way (ROW) adjacent to Wollaston Road as a public road. The change in the reserve status will formalise vehicular access into a new residential subdivision known as 'Middleton Beach Estate'.
2. The Western Australian Planning Commission granted subdivision approval for the subdivision (WAPC No.126705) on 15 September 2005 (plan shown attached). The plan shows a new road being created over the existing ROW.
3. The proponent has advised that prior to creating titles for the lots fronting the new road, the Department of Planning and Infrastructure requires Council's support (via a Council resolution) to change the dedication of the ROW to a public road.

STATUTORY REQUIREMENTS

4. Under Section 56 of the Land Administration Act 1997, a resolution of Council supporting the dedication is required prior to the land being dedicated as a public road.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

- *Excellent community infrastructure and services.*

Mission Statement:

The City of Albany is committed to...

- *sustainably managing Albany's municipal assets.*

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. Council currently has management responsibility for the ROW. Plans have been approved for the subdivision of the adjoining land and construction for the new road is underway, the proposed dedication would be in keeping with the purpose of the land, which is unrestricted vehicle access.

DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued

RECOMMENDATION

THAT Council resolves to:

- i) support the dedication of the existing Right of Way as a 'Public Road' pursuant to Section 56 of the Land Administration Act 1997; and
- ii) advise the proponent and the Department of Planning & Infrastructure of Council's resolution.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR WELLINGTON**

THAT Council resolves to:

- i) support the dedication of the existing Right of Way as a 'Public Road' pursuant to Section 56 of the Land Administration Act 1997; and**
- ii) advise the proponent and the Department of Planning & Infrastructure of Council's resolution.**


MOTION CARRIED 15-0

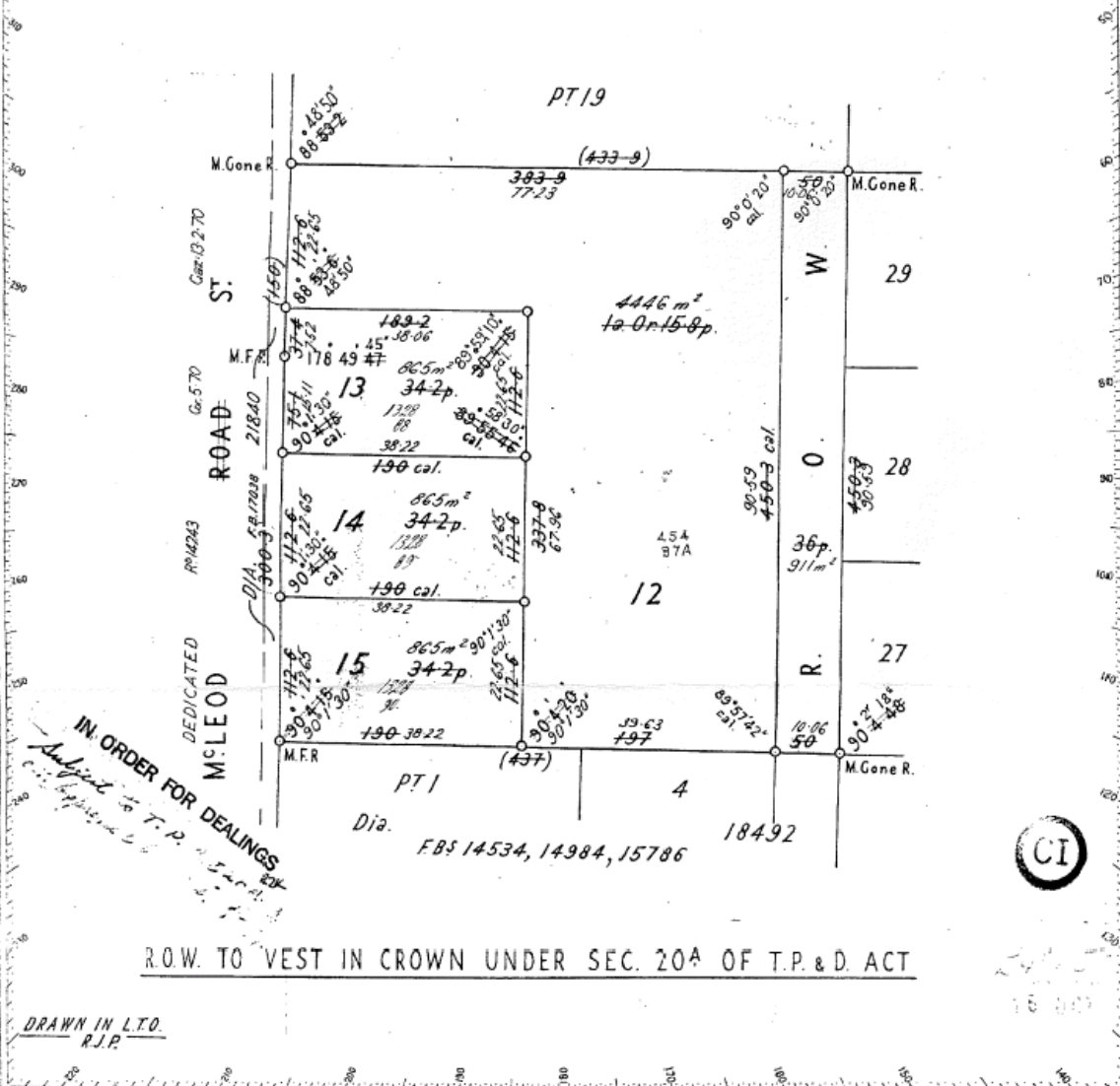
DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued

| Town or District. | Number of Lot or Location. | Field Book. | Scale | Certificate in which Land is Vested. | Area |
|-------------------|--------------------------------|----------------|----------------------------|--------------------------------------|--|
| PLANTAGENET | PT LOTS 20, 21 & 22 OF LOC. 45 | 27322 28326 | 1:792 Chain to one inch | Vol. 1285 Fol. 387.. | A. R. P. 1. 2. 384. Green. 36. Brown. 1. 3. 314. Total. |

DIA 37276





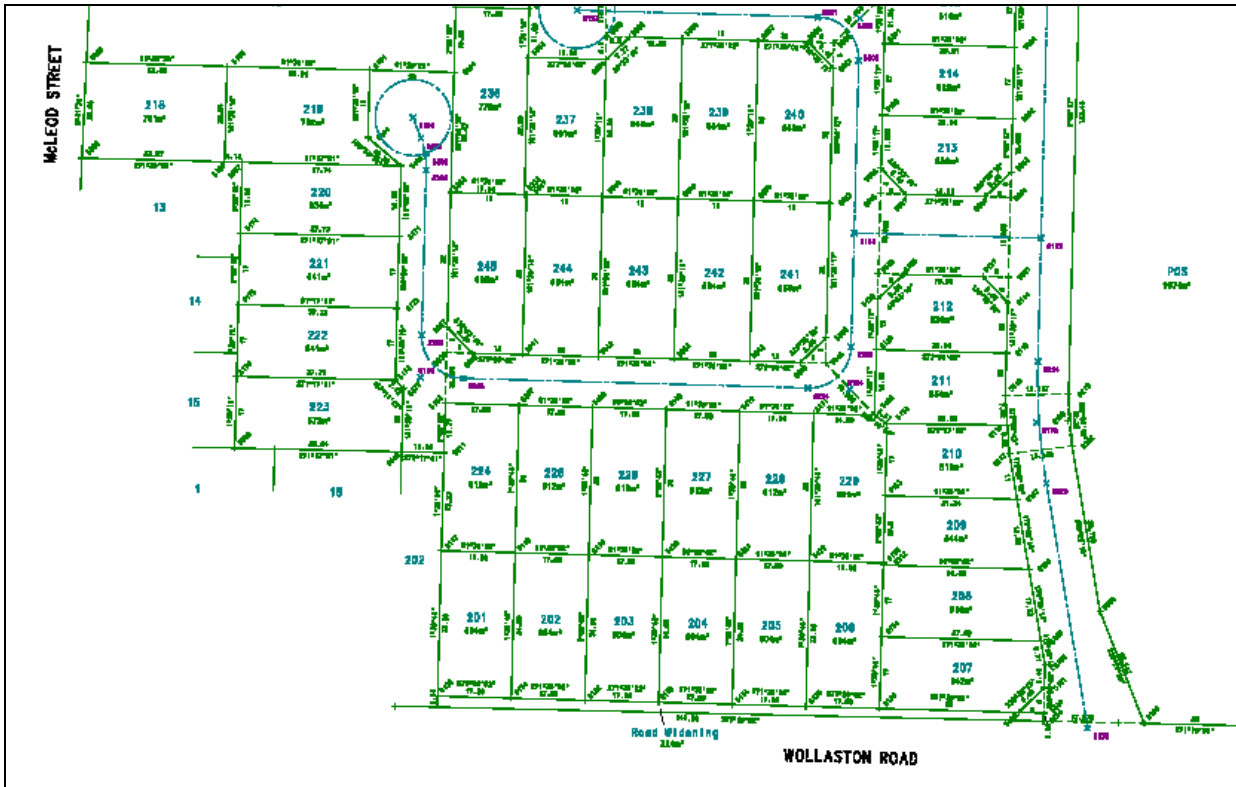
IN ORDER FOR DEALINGS
Subject to T.P. & D. Act.

ROW TO VEST IN CROWN UNDER SEC. 20A OF T.P. & D. ACT

DRAWN IN L.T.O. R.J.P.

ORDINARY COUNCIL MEETING MINUTES – 21/03/06
** REFER DISCLAIMER **
DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued



DEVELOPMENT SERVICES REPORTS

11.5 DEVELOPMENT SERVICE COMMITTEES

Nil.

Corporate & Community Services

REPORTS

- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment

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

COMMENTS / DISCUSSION

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

| | | | |
|--------------------------|-----------|--------------|------------------------------|
| Municipal Fund | | | |
| Cheques | Totalling | 96,819.84 | |
| Electronic Fund transfer | Totalling | 1,608,494.80 | |
| Credit Cards | Totalling | 14,345.79 | |
| Payroll | totalling | 723,878.82 | |
| Total | | | <u>\$2,443,539.25</u> |

- As at 7th March 2006, the total outstanding creditors, stands at \$139,361.07.

RECOMMENDATION

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

| | | |
|----------------|-----------|-----------------------|
| Municipal Fund | Totalling | <u>\$2,443,539.25</u> |
|----------------|-----------|-----------------------|

Voting Requirement Simple Majority

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WILLIAMS**

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

| | | |
|----------------|-----------|-----------------------|
| Municipal Fund | Totalling | <u>\$2,443,539.25</u> |
|----------------|-----------|-----------------------|

MOTION CARRIED 15-0

CORPORATE & COMMUNITY SERVICES REPORTS**12.1.2 Financial Activity Report**

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

COMMENT/DISCUSSION

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

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Item 12.1.2 continued.

COMMENT/DISCUSSION

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

RECOMMENDATION

THAT Council note the attached Financial Activity Statement.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WALKER**

THAT Council note the attached Financial Activity Statement.

MOTION CARRIED 15-0

CORPORATE & COMMUNITY SERVICES REPORTS

| | Actual Year to Date 28-Feb-06 | Current Budget Year to Date 28-Feb-06 | Budget Variance |
|--|----------------------------------|--|--------------------|
| OPERATING INCOME | | | |
| Rates | 15,467,715 | 15,420,576 | 47,139 |
| Grants & Subsidies | 2,431,150 | 2,485,015 | (53,865) |
| Contributions. Reimb & Donations | 246,223 | 225,816 | 20,407 |
| Fees & Charges | 5,384,723 | 5,195,846 | 188,877 |
| Interest Earned | 567,753 | 578,672 | (10,919) |
| Other Revenue / Income | 1,230,333 | 998,106 | 232,227 |
| Net Controlled Trust Revenue | 109,273 | 109,273 | |
| | 25,437,171 | 25,013,304 | 423,866 |
| OPERATING EXPENDITURE (excl depreciation) | | | |
| Employee Costs | (6,296,644) | (6,930,792) | 634,148 |
| Utilities | (532,346) | (580,140) | 47,794 |
| Interest Expenses | (488,652) | (542,423) | 53,771 |
| Contracts & materials | (3,330,864) | (3,775,466) | 444,602 |
| Insurance expenses | (369,559) | (379,320) | 9,761 |
| Other Expenses | (3,134,331) | (3,313,635) | 179,304 |
| | (14,152,396) | (15,521,776) | 1,369,380 |
| CAPITAL INCOME | | | |
| Grants & Subsidies | 390,299 | 430,299 | (40,000) |
| Contributions. Reimb & Donations, Other | 245,501 | 266,492 | (20,991) |
| Proceeds from sale of assets | 915,732 | 1,257,983 | (342,251) |
| | 1,551,532 | 1,954,774 | (403,242) |
| CAPITAL EXPENDITURE | | | |
| Asset Masterplans | (2,382,950) | (3,018,851) | 635,901 |
| ALAC Redevelopment | (53,102) | (30,000) | (23,102) |
| Plant Replacement | (1,235,521) | (1,521,432) | 285,911 |
| Developers Subdivisions | 0 | 0 | - |
| Other Capital | (856,214) | (1,859,153) | 1,002,939 |
| | (4,527,787) | (6,429,436) | 1,901,649 |
| CASH FLOWS FROM FINANCING ACTIVITIES | | | |
| Loan Principal Repayment | (297,861) | (299,819) | 1,958 |
| Proceeds from Self Supporting Loans | 15,963 | 22,052 | (6,089) |
| Proceeds from new loans | 0 | 0 | - |
| | (281,898) | (277,767) | (4,131) |
| OTHER BALANCE SHEET ITEMS | | | |
| Change in stock position | 256,573 | | |
| Change in Debtors | 35,129 | | |
| Change in Creditors | (62,326) | | |
| | 229,377 | | |
| NET CASH FLOW | 8,255,999 | | |
| Opening Cash balance | 13,045,744 | | |
| NET CASH AT BALANCE DATE | 21,301,743 | | |
| Cash summary | | | |
| Municipal Account | 11,874,536 | | |
| Reserve Account | 6,795,302 | | |
| Trust Account | 2,631,904 | | |
| Total Bank / Investments | 21,301,743 | | |

Item 12.1.2 continued.

Explanation of Variances on Financial Activity Statement – February YTD 2006

OPERATING INCOME

Other Revenue / Income

Albany Visitors Centre Fees (\$182,000) - offset by payments to accommodation providers.
BCITF Fees up – offset by payment to State Government

OPERATING EXPENDITURE

Contracts & Materials

Pre construction design – (\$100,000) invoices pending - timing issue only
Drainage Management Plan - (\$62,831) Timing
Airport ILS Maintenance (\$65,000)- 2nd half invoice not yet received
Golf Club Demolition (\$61,773) Timing only

Other Expenses

Albany Visitors Centre payments to accommodation suppliers were \$468,000 (offsetting additional revenue in Other Income. Additional payments will be made in February.

CAPITAL INCOME

Proceeds from Sale of Assets

The changeover timing of major plant items is difficult to ascertain when creating the budget. In this year assets have been changed over earlier than expected.

CAPITAL EXPENDITURE

Asset Masterplans

The construction program was slow to begin due to continuing repairs caused by flood damage. As per the EDWS memo to Mayor & Councillors dated 8/2/06, roadworks totalling \$402,500 will be deferred to the 06/07 budget. Funds to cover the works will be transferred to the Masterplan Funding Reserve in 05/06.

Plant Replacement

Currently running below budget due to timing only. (see proceeds comment)

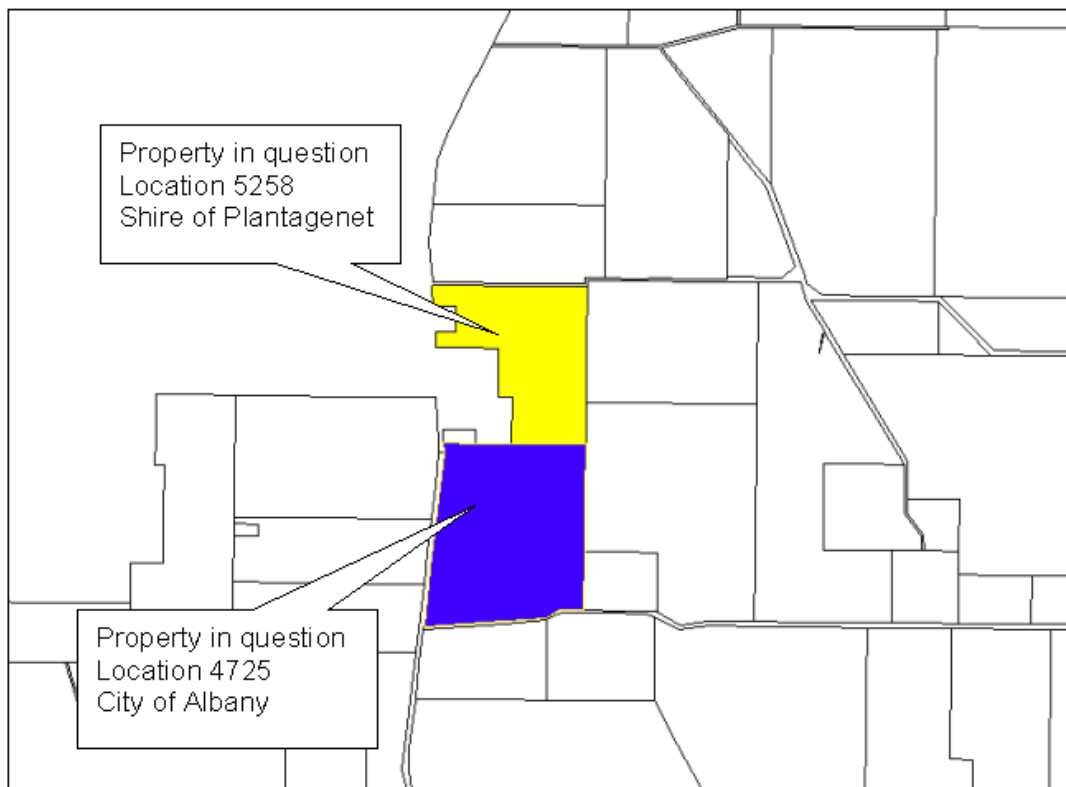
Other Capital

Major timing variances (work not yet done) include non masterplan road construction, IT purchases, Airport security, and Marine Structures.

12.2 ADMINISTRATION

12.2.1 District Boundary Adjustment – Location 4725 and 5258, Chester Pass Road, Napier

| | |
|-------------------------------|---|
| File/Ward | : A2450 (Kalgan Ward) |
| Proposal/Issue | : District Boundary Adjustment |
| Subject Land/Locality | : Locations 4725 and 5258, Chester Pass Road, Napier. |
| Proponent | : John Kinnear and Associates |
| Owner | : ME and R Henderson |
| Reporting Officer(s) | : Planning Officer (A Nicoll) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : Support change to district boundary |
| Bulletin Attachment | : Nil |
| Locality Plan | : |



CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.1 continued

BACKGROUND

1. The WA Planning Commission has supported an application for a subdivision involving the relocation of the property boundary between Locations 4725 (City of Albany) and 5258 (Shire of Plantagenet), Chester Pass Road, Napier. A copy of the approved subdivision plan is attached to the rear of this report. The locations form the boundary between the Shire of Plantagenet and the City of Albany.
2. To overcome the anomaly, it is proposed to move all of new lot A in the subdivided area into the Shire of Plantagenet.

STATUTORY REQUIREMENTS

3. As part of the process for changing a district boundary, the Department of Local Government and Regional Development requires the approval of the Council's involved. The Shire of Plantagenet have forwarded their support for the change to the boundary.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. The City of Albany will lose approximately \$900 in rates annually as a result of a boundary adjustment which will transfer the majority of former Location 4725 into the Shire of Plantagenet.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

7. The district boundary adjustment will reduce the area of land under the jurisdiction of the City of Albany by approximately 125 hectares.
8. The loss of revenue as a result of the adjustment is only minor.
9. Staff recommend that Council support the application to overcome future anomalies in describing the District.

RECOMMENDATION

THAT Council supports the request to change the district boundary between Locations 4725 (City of Albany) and 5258 (Shire of Plantagenet), Chester Pass Road, Napier and advise the Department of Local Government and Regional Development that all of proposed Lot A in plan of subdivision should be located within the Shire of Plantagenet.

Voting Requirement Simple Majority

.....

Item 12.2.1 continued

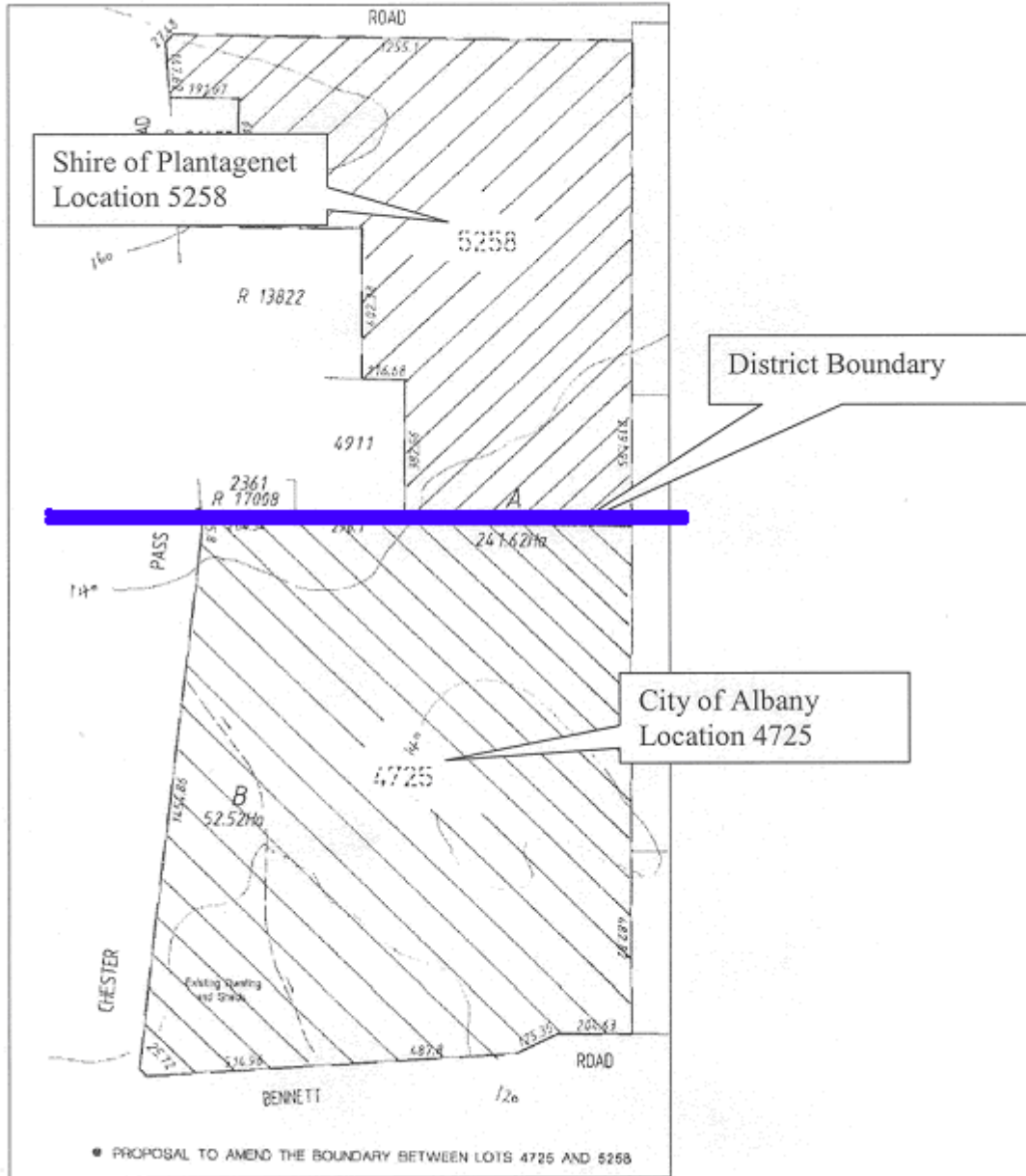
**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR JAMIESON**

THAT Council supports the request to change the district boundary between Locations 4725 (City of Albany) and 5258 (Shire of Plantagenet), Chester Pass Road, Napier and advise the Department of Local Government and Regional Development that all of proposed Lot A in plan of subdivision should be located within the Shire of Plantagenet.

MOTION CARRIED 15-0

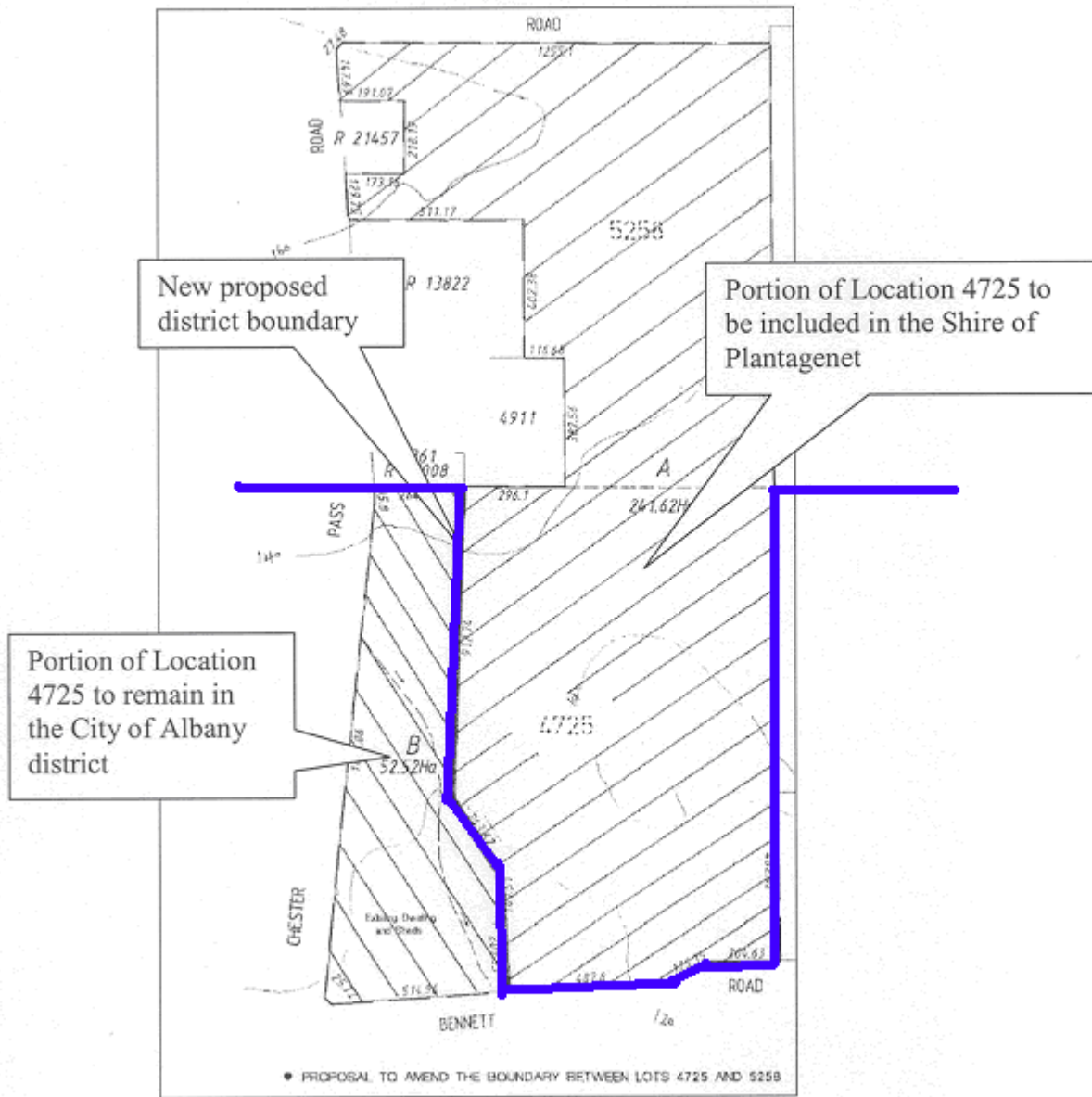
Item 12.2.1 continued

Existing District Boundaries



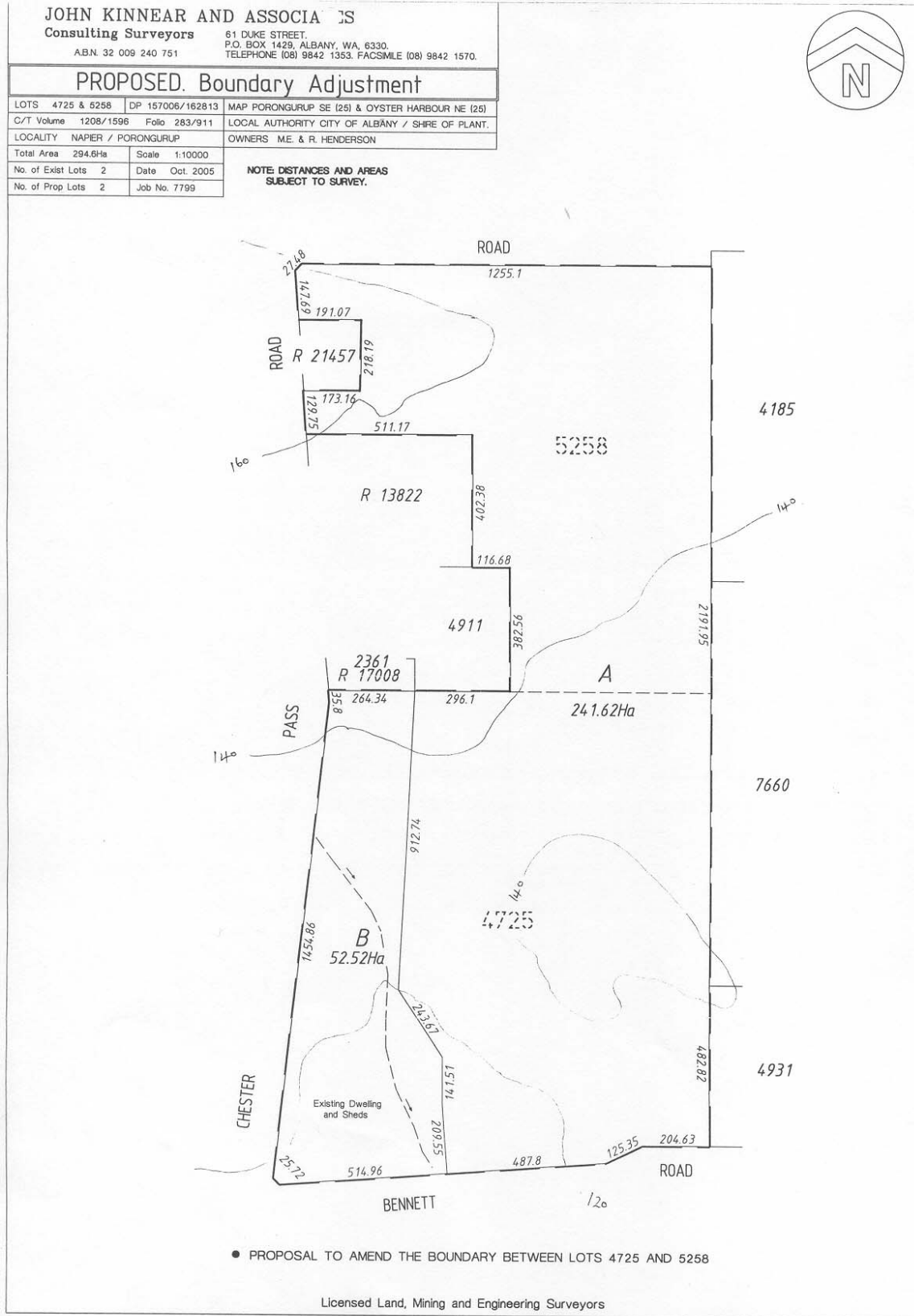
Item 12.2.1 continued

Proposed District Boundary



ORDINARY COUNCIL MEETING MINUTES – 21/03/06
 ** REFER DISCLAIMER **
 CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.1 continued



CORPORATE & COMMUNITY SERVICES REPORTS

12.2.2 Retail Trading Hours

| | | |
|--------------------------------|---|---|
| File/Ward | : | LEG 005 (All Wards) |
| Proposal / Issue | : | Retail Trading Hours |
| Subject Land / Locality | : | City of Albany Municipality |
| Proponent | : | City of Albany |
| Owner | : | City of Albany |
| Reporting Officer(s) | : | Executive Director Corporate & Community Services (WP Madigan) |
| Disclosure of Interest | : | Nil. |
| Previous Reference | : | OCM 18/01/05 – Item 12.2.4 |
| Summary Recommendation | : | That Council request the revocation of Permit number 1156 be considered afresh. |
| Bulletin Attachment | : | Correspondence from DOCEP and Coles Supermarkets and submissions. |
| Locality Plan | : | Nil. |

BACKGROUND

- In January 2005, Council resolved to:
 - conduct a referendum on extended trading hours and direct the WA Electoral Commission to conduct the referendum in conjunction with the 2005 May Local Government Election pursuant to Section 4.99 of the Local Government Act 1995;*
 - ask the question 'Do you support optional 7 day trading for all retailers in the City of Albany' on the referendum ballot paper; and*
 - give effect to the result of the referendum by advising the minister no later than 5 working days after the election declaration that the result of the referendum is the specific Council recommendation on the matter."*
- The referendum was held in conjunction with the Local Government Election in May, with the result supporting the 'No' case.
- Council therefore sought the cancellation of Permit 1156 which provided for extended trading rights for the former 'Farm Fresh' building.
- On 9th February 2006, a response to this request was received from the Department of Consumer and Employment Protection.
- Due to shortcomings in the process of DOCEP, Council's request was set aside and orders issued to that effect by the Supreme Court.
- DOCEP has asked Council to reconsider its position.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.2 continued.

STATUTORY REQUIREMENTS

7. The Retail Trading Hours Act 1987, governs the requirements for retail trading hours variation.
8. For the purpose of this Act retail shops are assigned different categories as follows (Section 10):-
 - a) General retail shops;
 - b) Small retail shops;
 - c) Special retail shops; and
 - d) Filling stations.Any retail shop not covered by (b), (c) or (d) above is regarded as a general retail shop.
9. Section 12 of the Act relates to trading hours for retail shops, and includes the provision that *'the Minister may by order published in the Government Gazette fix a time or times from and after which general retail shops shall remain closed on any day in each week instead of the time referred to in any of those provisions'*; and by any such order may impose terms, conditions and restrictions as the Minister thinks fit.
10. Section 15 of the Act relates to the issuing of permits to enable operators of retail shops to open other than the times specified in Section 12.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Community Vision

A Thriving City – Albany's community will enjoy economic growth and outstanding opportunities for our youth through being the regional retailing and services hub.

Mission Statement

At all times we will respect the Community's aspirations and resources.

Priority Projects

Nil."

COMMENT/DISCUSSION

14. DOCEP has advised that should Council still wish to revoke Permit No 1156, deliberations by be commenced afresh.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.2 continued.

15. Copies of the documents originally submitted by the City in relation to this application are enclosed in the Elected Members Report and Information Bulletin.
16. DOCEP has advised that should Council request the application be considered afresh, the submissions relied on by the City of Albany must be provided to those persons whose interests may be adversely affected by a decision to revoke Permit Number 1156.
17. Correspondence received from the WA State Manager, Coles Supermarkets Australia Pty Ltd is enclosed in the Elected Members Report & Information Bulletin, and reiterates that “Coles’ position remains that all retailers have the same option to choose the hours they trade”.
18. Options which Council could consider include, amongst others:-
 - i) do nothing and wait for Woolworths to relocate, which would extinguish their rights which apply to the present building only;
 - ii) request DOCEP to consider the request afresh;
 - iii) initiate another referendum; or
 - iv) recommend an extension of trading hours over the entire City.
19. Finally, Woolworths Ltd may challenge the power of the CEO (DOCEP) to make a decision to revoke a permit issued under Section 15 of the Retail Trading Hours Act 1987 (WA).

RECOMMENDATION

THAT in consideration of the results of the referendum conducted in May 2005, and the documents which the City submitted for the consideration of the CEO, Department of Consumer and Employment Protection, as detailed in the correspondence from DOCEP (9th February 2006) and included in the Elected Members Report & Information Bulletin, Council request the CEO – DOCEP to have the revocation of Permit Number 1156 considered afresh.

Voting Requirement Simple Majority

.....

Councillors Lionetti, Waterman and Wellington declared an interest in this item and left the Chambers at 8.42pm.

The nature of Councillor Lionetti’s interest is that he works within the retail industry.
The nature of Councillor Waterman’s interest is that she works within the retail industry.

The nature of Councillor Wellington’s interest is that he works within the retail industry.

Item 12.2.2 continued.

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR JAMIESON**

THAT in consideration of the results of the referendum conducted in May 2005, and the documents which the City submitted for the consideration of the CEO, Department of Consumer and Employment Protection, as detailed in the correspondence from DOCEP (9th February 2006) and included in the Elected Members Report & Information Bulletin, Council request the CEO – DOCEP to have the revocation of Permit Number 1156 considered afresh.

MOTION CARRIED 11-1

Councillors Lionetti, Waterman and Wellington returned to the chambers at 8.44pm.

For the Motion: Councillors Marshall, Paver, Bojcun, Emery, Williams, Evans, Jamieson, Wolfe, Walker, West & Wiseman.

Against the Motion: Mayor Goode.

CORPORATE & COMMUNITY SERVICES REPORTS

12.2.3 Appointment of Project Manager - Yakamia Subdivision Project

| | | |
|-------------------------------|---|---|
| File/Ward | : | C06001 |
| Proposal/Issue | : | Tenders received for provision of Project Management services for the Yakamia Subdivision Project |
| Subject Land/Locality | : | Pt Lot 4743 North Road Yakamia |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Executive Director Corporate & Community Services (P Madigan) Manager – Finance (S Goodman) ALAC Project Liaison Officer (R Sharpe) Manager City Services (I Neil) |
| Disclosure of Interest | : | N/A |
| Previous Reference | : | OCM 19/04/05 - Item 12.7.3 |
| Summary Recommendation | : | Appointment of the recommended Tenderer Project Management Services |
| Bulletin Attachment | : | N/A |
| Locality Plan | : | N/A |

BACKGROUND

1. Council's Five Year Business Plan includes the development of the 14 ha property adjacent to the North Road Administration Building. Net proceeds of the subdivision will be used to retire short term debt which was used to fund the Administration Building, and fund masterplan expenditure.
2. There is a requirement to employ a Project Manager with the required skills and experience to establish a project team from external service providers, co-ordinate the work of the team, and provide liaison with the City where necessary

STATUTORY REQUIREMENTS

3. Regulation 11 of the Local Government (Functions and General) Regulations 1996 state that tenders must be called if the consideration under the contract is, or is expected to be, more, or worth more than \$50,000.
4. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline and not accept any tender.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.3 continued.

5. Regulation 19 requires Council to advise each tenderer in writing the result of the Council's decision.

POLICY IMPLICATIONS

6. The City of Albany Regional Price Preference Policy is applicable to this item, and was claimed by, John Matthew/Harley Survey Group Joint Venture, and Ray White, Albany.

FINANCIAL IMPLICATIONS

7. The 05/06 cost component of the project management contract is covered under the Yakamia Subdivision Job 8500. Subsequent costs will be allowed for in the business plan for the subdivision. Net surplus from the development will be used to retire short term loans taken out to fund the North Road Administration building, and future masterplan expenditure.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

City of Albany Mission Statement

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

COMMENT/DISCUSSION

9. The Tender was advertised in the West Australian on Wednesday 1st February 2006, in the Albany Advertiser on Thursday 2nd February 2006, and in the Albany Extra on Friday 3rd February 2006. A total of 15 specifications were issued and 8 submissions were received (including two alternative tenders) by the closing date. All submissions were deemed to be conforming.
10. Tenders were received from the following organisations:

Tenderer

- APP Corporation Pty Limited - West Perth
- John Matthew/Harley Survey Group Joint Venture - Mandurah / Albany
- John Matthew/Harley Survey Group Joint Venture-Alternative Tender - Mandurah / Albany
- Voran Holdings Pty Ltd - West Perth
- Clifton Coney Group Pty Ltd - Subiaco
- Ray White Albany - Albany
- Ray White Albany Alternative Tender - Albany
- Ardross Group of Companies - Perth

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.3 continued.

11. Tenders for Contract C06001 are currently being evaluated by a panel consisting of the City of Albany Executive Director for Corporate and Community Services, Manager- Finance, Manager City Services, and the ALAC Project Liaison Officer.
12. Tenders received were initially evaluated according to the following criteria:

| Description of Qualitative Criteria | Weighting |
|-------------------------------------|-------------|
| (a) Relevant experience. | 20% |
| (b) Technical capacity | 10% |
| (c) Personnel | 20% |
| (d) Methodology | 10% |
| (d) Price | 40% |
| TOTAL | 100% |

13. The Tender Evaluation Committee conducted an initial review of all tenders and undertook a preliminary evaluation based on the criteria and available information. The short list included APP Corporation, John Matthew/ Harley Survey, Clifton Coney, and Ray White. These tenderers will be interviewed by three members of the Committee and a final recommendation will be available to Council prior to the March Agenda Briefing on 14th March.

RECOMMENDATION

Nil, pending outcome of interviews with short-listed tenderers and subsequent report and recommendation to Council prior to 14th March 2006.

Voting Requirement Simple Majority

.....

The Chief Executive Officer advised that this item had been withdrawn.

12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 RECREATION SERVICES

Nil.

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

12.7.1 Community Financial Assistance Committee meeting minutes – 15th February 2006

- File/Ward** : FIN 022 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (WP Madigan)
- Summary Recommendation** : That the Minutes of Community Financial Assistance Committee held on 15th February 2006 be adopted.

RECOMMENDATION

THAT the minutes of Community Financial Assistance Committee held on 15th February 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendation adopted:-

THAT the;

- i) Community Financial Assistance Policy be adopted;
- ii) Eligibility Criteria, as set out in the Minutes, be adopted and form the basis for evaluation of future applications for funding under this program; and
- iii) application of the Community Event Assistance Program be reviewed.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EVANS**

THAT the minutes of Community Financial Assistance Committee held on 15th February 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendation adopted:-

THAT the;

- i) Community Financial Assistance Policy be adopted;**
- ii) Eligibility Criteria, as set out in the Minutes, be adopted and form the basis for evaluation of future applications for funding under this program; and**
- iii) application of the Community Event Assistance Program be reviewed.**

MOTION CARRIED 15-0

CORPORATE & COMMUNITY SERVICES REPORTS

12.7.2 Albany Arts Advisory Committee meeting minutes – 8th February 2006

- File/Ward** : MAN 116 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (WP Madigan)
- Summary Recommendation** : That the Minutes of Albany Arts Advisory Committee held on 8th February 2006 be adopted.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 8th February 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WATERMAN
SECONDED COUNCILLOR PAVER**

THAT the minutes of Albany Arts Advisory Committee held on 8th February 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 14-1

CORPORATE & COMMUNITY SERVICES REPORTS**12.8 COUNCIL REPRESENTATION****12.8.1 Regional Road Group Council Representation**

| | |
|-------------------------------|---|
| File/Ward | : MAN 106 (All Wards) |
| Proposal/Issue | : Request for Council to appoint a deputy member for the Regional Road Group. |
| Subject Land/Locality | : N/A |
| Proponent | : N/A |
| Owner | : N/A |
| Reporting Officer(s) | : Executive Director Corporate & Community Services (P Madigan) |
| Disclosure of Interest | : Nil. |
| Previous Reference | : Nil. |
| Summary Recommendation | : That Council nominate a deputy member to the Committee. |
| Bulletin Attachment | : N/A |
| Locality Plan | : N/A |

BACKGROUND

1. In making recommendations on external Committee representation, Council has adopted the following criteria.
 - The regional context of the committee and the relevance to development of the region or its essential infrastructure;
 - The affiliation with the WA Local Government Association;
 - The activity (or otherwise) of the committee and its relevance to Local Government operations; and
 - The previously conducted survey results demonstrating that the committee response and majority of Councillors desired representation to continue.
2. Using this criteria, the Council has decided to:
 - Maintain representation due to a regional context;
 - Maintain representation due to WALGA affiliations;
 - Cease representation on other committees but a staff member or Councillor will attend meetings on an as needed basis when City of Albany issues are listed on the agenda for discussion;
 - Treat nominations for all statutory appointments to Ministerial Advisory Committees on their merits when received from time to time; and
 - Encourage individual Councillors to apply for and sit on committees with Statewide WALGA affiliation.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.8.1 continued.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

- 6. This item directly relates to sound governance under the City of Albany 3D Corporate Plan.

COMMENT/DISCUSSION

- 7. Representation of Council on the Regional Road Group is necessary.
- 8. Due to other commitments, Councillor Wolfe may be unavailable to attend all meetings.
- 9. It would be advantageous to appoint a deputy member to in the Regional Road Group considering the input required by Council.

RECOMMENDATION

THAT Council nominate Councillor _____ to represent Council as a Deputy and to attend meetings of the Regional Road Group on an as needed basis when City of Albany issues are listed on the Agenda for discussion.

Voting Requirement Absolute Majority

.....

Councillor Wolfe nominated Councillor Walker to represent Council as a Deputy.

| |
|--|
| <p>MOVED COUNCILLOR LIONETTI SECONDED COUNCILLOR WATERMAN</p> <p>THAT Council nominate Councillor Walker to represent Council as a Deputy and to attend meetings of the Regional Road Group on an as needed basis when City of Albany issues are listed on the Agenda for discussion.</p> <p style="text-align: right;">MOTION CARRIED 15-0 ABSOLUTE MAJORITY</p> |
|--|

Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 CITY ASSETS - ASSET MANAGEMENT

Nil.

13.2 CITY SERVICES – WASTE MANAGEMENT

Nil.

13.3 CITY SERVICES – AIRPORT MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.4 CITY SERVICES – CONTRACT MANAGEMENT

13.4.1 Contract C06003 – Playground Equipment

| | | |
|-------------------------------|---|---|
| File/Ward | : | C06003 (Vancouver Ward) |
| Proposal/Issue | : | Playground Equipment (Rope Climber) |
| Subject Land/Locality | : | Lake Weerlara |
| Proponent | : | Nil |
| Owner | : | Nil |
| Reporting Officer(s) | : | Manager City Services (I Neil) and Coordinator Parks & Reserves (M Richardson) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | That Council accepts the Tender C06003 for the Design, Supply and Installation of Rope Climber for Lake Weerlara Family Park. |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | Nil |

BACKGROUND

1. In December/ January 2004/2005 through community consultation, recommendations were made to the City of Albany for ideas for upgrading recreational facilities at Lake Weerlara. Recommendations as part of the Draft City of Albany Recreational Strategy identified Play Equipment to be erected as an Adventure Zone for children aged 7-12 years. This tender is for the Design, Supply and Installation of a Rope Climbing structure for that Adventure Zone.

STATUTORY REQUIREMENTS

2. Regulation 18 of the Local Government (Functions & General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
3. Regulation 19 requires Council to advise each tender applicant in writing the result of Council's decision.

POLICY IMPLICATIONS

4. The City of Albany's Regional Price Preference is not applied to this item.

WORKS & SERVICES REPORTS

Item 13.4.1 continued

FINANCIAL IMPLICATIONS

5. Funding for the installation of this Playground Equipment is within budgeted. The preferred Tenderer's price is within budget.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

Mission Statement:

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

Priority Projects:

Nil.”

COMMENT/DISCUSSION

7. A request for tenders was published in the Western Australian on 15th February 2006, Albany Advertiser on 16th February 2006 and the Albany Extra 17th February 2006. A total of three documents were issued, with three submissions received at the close of tenders.
8. Tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below.

| Criteria | % Weight |
|---|-----------------|
| Cost | 35 |
| Play value of Design | 25 |
| Relevant Skills and Experience | 15 |
| Resistance to vandalism / wear and tear | 15 |
| Other consideration | 10 |
| | 100 |

9. An evaluation panel comprising the Manager City Services, Parks and Reserves Coordinator and Contracts Administrator evaluated the submissions using the above criteria.
10. The following table summarises the Lump Sum Price of the tenders received, together with the overall evaluation score applicable to each submission.

| Tenderer | Price (inc GST) | Total Evaluation Score |
|---------------------|------------------------|-------------------------------|
| Playright Australia | \$74,875.00 | 791.45 |
| Forpark Australia | \$82,225.00 | 743.55 |

WORKS & SERVICES REPORTS

Item 13.4.1 continued

11. A tender was received from Miracle Recreation Equipment, which did not address the evaluation criteria and design specifications for the Rope Climber. The committee assessed the tender as Non-conforming.
12. Council has budgeted \$70,000.00 plus GST for this project. Playright came under budget, which enables Council to purchase additional equipment for the Rope Climber, as outlined below.
13. The tender also called for a Schedule of Rates for ancillary equipment, which could be fitted to the Rope Climber apparatus. The prices were outside of the Lump Sum tender and would be evaluated by council for inclusion into this contract.

| DESCRIPTION | PRICE FORPARK | PRICE PLAYRIGHT |
|---|------------------|-------------------|
| 1 x Pendulum Swing (not included in total lump sum tender price) | \$3300.00 | \$698.50 |
| 1 x Large Seat (not included in total lump sum tender price) | \$3300.00 | \$1,105.50 |
| 1 x Small Seat (not included in total lump sum tender price) | \$3300.00 | \$445.50 |

14. Playrights submission clearly demonstrated it had the resources and capabilities to design, supply and install the Rope Climber.

RECOMMENDATIONS

THAT Council;

- i) accepts the tender for C06003 from Playright Australia Pty Ltd for the supply and installation of a Rope Climber at Lake Weerlara for a total cost of \$74, 875.00; and
- ii) approves the additional purchase of ancillary equipment from Playright Australia Pty Ltd for the Rope Climber, to the total value of \$2,125.00.

Voting Requirement Simple Majority

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|--|
| <p>MOVED COUNCILLOR WEST SECONDED COUNCILLOT WATERMAN</p> <p>THAT Council;</p> <ol style="list-style-type: none"> i) accepts the tender for C06003 from Playright Australia Pty Ltd for the supply and installation of a Rope Climber at Lake Weerlara for a total cost of \$74, 875.00; and ii) approves the additional purchase of ancillary equipment from Playright Australia Pty Ltd for the Rope Climber, to the total value of \$2,125.00. <p style="text-align: right;">MOTION CARRIED 15-0</p> |
|--|

13.5 CITY WORKS – CAPITAL WORKS

Nil.

WORKS & SERVICES REPORTS

13.6 CITY WORKS – RESERVES, PLANNING & MANAGEMENT

13.6.1 Budget Variation – Mapping of Willyung Creek Floodplain

| | | |
|-------------------------------|---|---|
| File/Ward | : | (Kalgan Ward) |
| Proposal/Issue | : | Modify 2005/06 Budget to Undertake Floodplain Mapping of Willyung Creek |
| Subject Land/Locality | : | Various Lots Adjacent to Willyung Creek |
| Proponent | : | South Coast Regional Initiative Planning Team Inc (SCRIPT) |
| Owner | : | Various |
| Reporting Officer(s) | : | Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | Accept Grant to undertake Floodplain Mapping |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | Nil. |

BACKGROUND

1. The SCRIPT advised local authorities in the Great Southern in 2005 of the availability of funding under the National NRM program to undertake mapping of NRM resources in urban and peri-urban areas. The program specifically sought to address catchment land use planning and best management practices and all local authorities in the region were asked to submit projects for funding. The City submitted four projects for consideration, floodplain mapping of Willyung Creek, floodplain mapping of the drainage system through Gledhow area, floodplain mapping of drainage system through Walmsley and vegetation mapping at Little/Big Grove.
2. The SCRIPT has recently advised that the City of Albany has been successful in securing \$85,000 to undertake the Willyung Creek floodplain mapping, the project listed by the City as the highest priority.

STATUTORY REQUIREMENTS

3. Section 6.8 of the Local Government Act 1995 states that a Local Government is not to incur expenditure from its municipal fund for an additional purpose unless it is authorised in advance by resolution or is required as part of an emergency.

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.6.1 continued

FINANCIAL IMPLICATIONS

5. Following the April 2005 storms, the City has incurred costs defining areas where drainage failures occurred, to better understand the capacity of the City's drainage network and (through Council's insurers) to rectify property damage caused by localised failures of the drainage system. That work provides the City's contribution to the project identified for funding.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

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

Mission Statement:

The City of Albany is committed to ...

- *Sustainably managing Albany's municipal assets*
- *Delivering excellent community services*
- *Providing sound governance; and*
- *Promoting our Community's vision for the future.*

Priority Projects:

Nil.”

COMMENT/DISCUSSION

7. The floodplain mapping project is to identify the potential floodplain requirements of the Willyung Creek from Albany Highway (near the LeGrande Motel) to where it enters the King River (near the King River Pony Club). The tributaries through the Pinaster Road Special Rural area and the Warrenup Estate will also be examined in detail.
8. The project will entail a detailed survey of the area and computer modelling of the catchment using the existing flood data collected by the City and then assuming the long term development of the catchment (as defined in the Albany Local Planning Strategy) occurs. The resultant map would then be used to guide the subdivision and development of land in the catchment.
9. The project will be cost neutral to Council's 2005/06 budget, but it may identify properties that will be subjected to unreasonable flooding impacts in the future; the mapping outputs will provide Council with the information needed to make decisions on how those properties will be managed in the future and whether more direct intervention (eg. purchase the properties or removal of barrier fencing) is required.

WORKS & SERVICES REPORTS

Item 13.6.1 continued

RECOMMENDATION

THAT Council, pursuant to Section 6.8 of the Local Government Act 1995, accept a grant of \$85,000 from the South Coast Regional Initiative Planning Team Inc to undertake detailed mapping of the Willyung Creek floodplain.

Voting Requirement Absolute Majority

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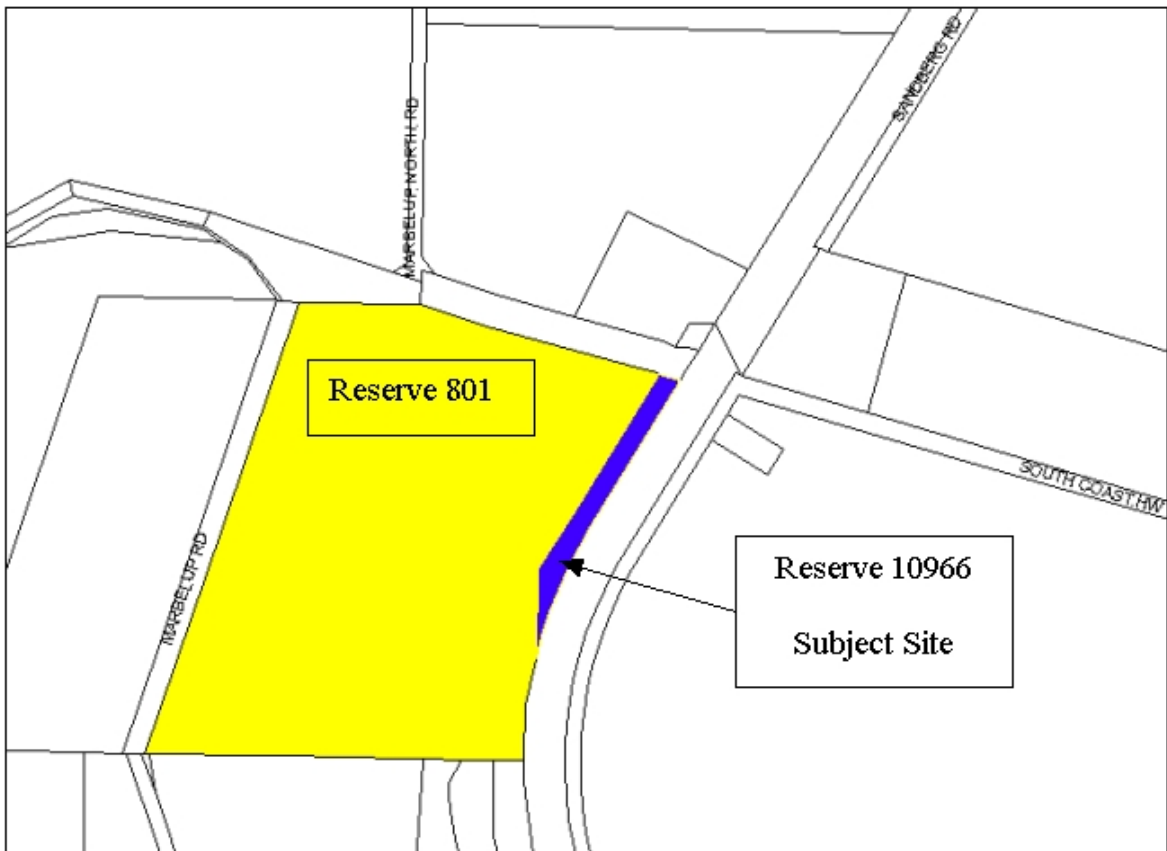
| |
|--|
| <p>MOVED COUNCILLOR BOJCUN SECONDED COUNCILLOR EMERY</p> <p>THAT Council, pursuant to Section 6.8 of the Local Government Act 1995, accept a grant of \$85,000 from the South Coast Regional Initiative Planning Team Inc to undertake detailed mapping of the Willyung Creek floodplain.</p> <p style="text-align: right;">MOTION CARRIED 15-0 ABSOLUTE MAJORITY</p> |
|--|

Was requested that a letter of appreciation be sent the SCRIPT for their financial contribution.

WORKS & SERVICES REPORTS

13.6.2 Road Widening – South Coast Highway – Portion of Reserve 10966

| | | |
|-------------------------------|---|---|
| File/Ward | : | A175334 (West Ward) |
| Proposal/Issue | : | Extinguishment of Reserve 10966 |
| Subject Land/Locality | : | Reserves 10966 and 801 South Coast Highway, Marbellup |
| Proponent | : | Department of Planning and Infrastructure |
| Owner | : | Crown |
| Reporting Officer(s) | : | Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | Widen South Coast Highway |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | |



WORKS & SERVICES REPORTS

Item 13.6.2 continued

BACKGROUND

1. A major Crown reserve (Reserve 801 of 32 hectares) is located on the south western corner of the point where the Great Southern railway line crosses the South Coast Highway in Marbellup. A narrow reserve (Reserve 10966 of 1.7 hectares) runs along the eastern side of Reserve 801 and separates that reserve from the railway reservation. A small portion (0.4 hectares) of Reserve 10966 also extends across South Coast Highway.
2. The Department of Planning and Infrastructure proposes to extinguish Reserve 10966 and to incorporate the land contained within the reserve into Reserve 801. Those portions of the reserve located south of South Coast Highway can easily be incorporated into the larger reserve. The department has highlighted that the portion of Reserve 10966 to the north of the highway contains an access track into an adjoining property and the department considers it would be more appropriate for this smaller portion of land to be dedicated as a road.
3. Council's resolution is required to change the purpose of this section of the reserve from "Railway Purposes" to "road".

STATUTORY REQUIREMENTS

4. Section 56 of the Land Administration Act 1997 allows a Local Authority to apply to the minister to dedicate a portion of land as a public road.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. By accepting the remote portion of Reserve 10966 as a public road, Council automatically assumes the maintenance responsibility for the track constructed across the current reserve, providing access to the adjoining property. That land has extensive frontage to South Coast Highway.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

- *Excellent community infrastructure and services.*

Mission Statement:

The City of Albany is committed to ...

- *Providing sound governance.*

Priority Projects:

Nil.”

WORKS & SERVICES REPORTS

Item 13.6.2 continued

COMMENT/DISCUSSION

- 8. The extinguishment of Reserve 10966 and its incorporation into Reserve 801 is a logical and reasonable request. Reserve 10966 is no longer required for railway purposes and the boundary between the respective reserves is not easily distinguished on-site.
- 9. The proposal from the Department of Planning and Infrastructure has been the subject of further examination by staff. The South Coast Highway road reservation is under the care and control of Main Roads WA and access to Lots 1 and 2, through the northern portion of Reserve 10966, has not been a requirement of the City of Albany. Therefore, if the reserve is required to provide road access to those lots, dedication of the reserved land as a road reserve should be instigated by Main Roads WA. Furthermore, that Department should then assume the management responsibility for the road reservation.
- 10. If Main Roads WA is not prepared to accept the long term management responsibility for the proposed road reserve, then there is no impediment to that portion of Reserve 10966 being incorporated into Reserve 801 and managed as part of the larger reservation. The Department of Planning and Infrastructure would then need to determine whether the owner of Lots 1 and 2 should be required to alter the access track into those lots onto the South Coast Highway frontage of their lots, or the Department issues an access easement to the landowner across the reserve.
- 11. Staff see no benefit to the City of Albany through the dedication of the reserve as a road and for the management responsibility for that road to then be transferred to the City.

RECOMMENDATION

THAT Council advise the Department of Planning and Infrastructure that it declines the request to dedicate the northern portion of Reserve 10966 as a road pursuant to Section 56 of the Land Administration Act 1997 and requests the Department to incorporate that portion of the reserve into Reserve 801.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WALKER**

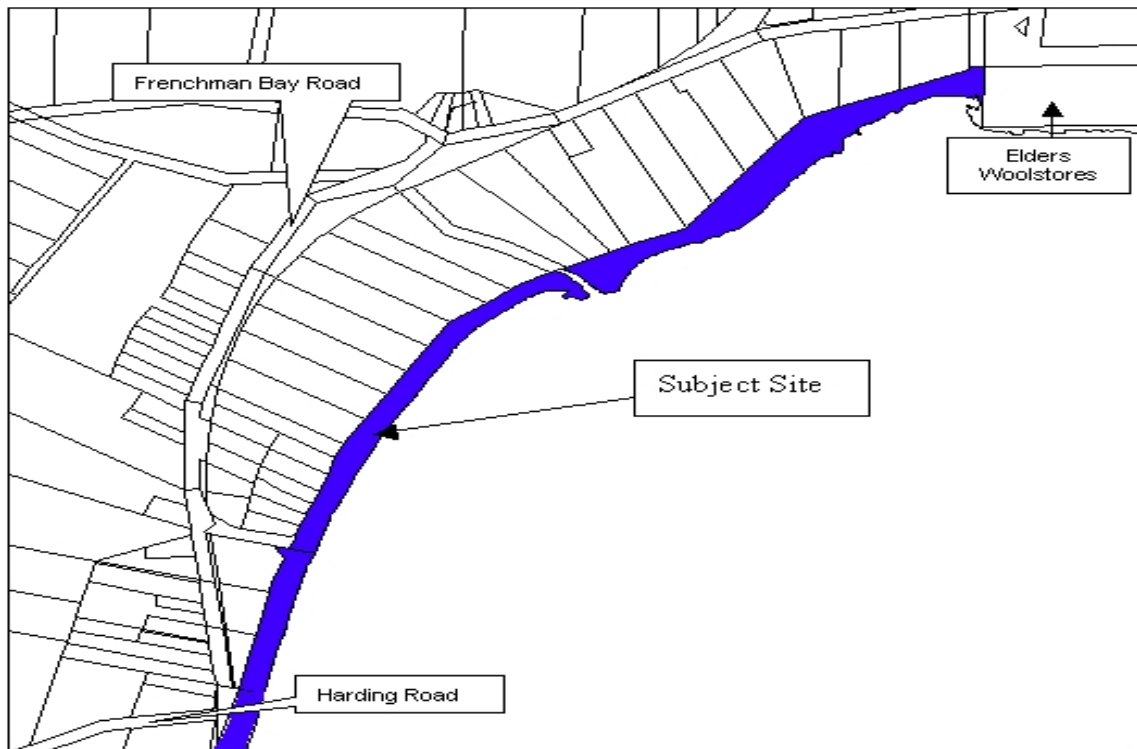
THAT Council advise the Department of Planning and Infrastructure that it declines the request to dedicate the northern portion of Reserve 10966 as a road pursuant to Section 56 of the Land Administration Act 1997 and requests the Department to incorporate that portion of the reserve into Reserve 801.

MOTION CARRIED 15-0

WORKS & SERVICES REPORTS

13.6.3 Closure of Road – Seawolf Road, Mount Elphinstone

| | | |
|-------------------------------|---|---|
| File/Ward | : | 127701 (Vancouver Ward) |
| Proposal/Issue | : | Closure of Seawolf Road and Incorporation of road into Foreshore Reserve. |
| Subject Land/Locality | : | Seawolf Road |
| Proponent | : | Department of Environment |
| Owner | : | Crown |
| Reporting Officer(s) | : | Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | Advertise Closure |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | |



WORKS & SERVICES REPORTS

Item 13.6.3 continued

BACKGROUND

1. Within the Frenchman Bay Foreshore Management Plan, adopted by Council in 2001, it was proposed that the City of Albany manage the land between the private residents along Frenchman Bay Road and Princess Royal Harbour for recreational purposes.
2. The Department of Environment has requested (see attached copy of letter) that the City consider the closure of those sections of Seawolf Road where direct primary property access is not required off the road (where the current road pavement finishes and the pavement is reduced to a cycleway). The section of closed road is planned to become part of the Princess Royal Harbour foreshore reserve.
3. Service authorities have been contacted and the City has been advised that the Water Corporation has a substantial water main within the road reserve which will need to be protected by easement and that the Corporation may require to duplicate that main in the future. Telstra cables also exist in the locality and the Bibbulum Track runs along the reserve.

STATUTORY REQUIREMENTS

4. Section 58 of the Land Administration Act 1997 requires that the Local Authority must resolve to close a road reserve only after it has been subjected to a 35 day public advertising process and Council has considered any submission received during that period.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. The City of Albany currently is responsible for the care and control of the land contained within the Seawolf Road reservation. It would be equally responsible for that land if it become portion of the Princess Royal Harbour foreshore reserve.
7. Water Corporation has advised that the water main within the road reserve has been in place for some time and the City would be required to indemnify the Department for any damage resulting from additional road or footpath work within the road reservation.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

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

WORKS & SERVICES REPORTS

Item 13.6.3 continued

Mission Statement:

The City of Albany is committed to ...

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

Priority Projects:

Nil.”

COMMENT/DISCUSSION

9. It has been argued that the conversion of the road reserve to a foreshore reserve is little more than a procedural process, with no direct on-site impacts. Council is in the position of implementing the findings of the Foreshore Management Plan, as it relates to this area, irrespective of the status of the reservation; building pathways, placing seating, etc can legally be undertaken on both reservation areas.
10. The main resistance to a conversion of the reservation status is likely to come from those adjoining landowners whose properties currently front two public roads. There would be an expectation amongst some of those landowners that increased properties values and development opportunities arise from having Seawolf Road in place. That expectation is unlikely to be realised, given the practical and environmental difficulties that would arise if Council sought to pursue the construction of a public road within the current road reservation; there is a high probability that Council would be denied the opportunity to build a public road within the reservation, if was of a mind to do so.
11. Staff are seeking Council endorsement to undertake the public advertising process to progress the closure. If there is Council opposition to the road closure, that process will not be commenced and a suitable reply would be forwarded to the Department of Environment.

RECOMMENDATION

THAT Council advertise its intention to apply to the Department of Planning and Infrastructure to permanently close portion of Seawolf Road, Mount Elphinstone, and seek public comment to the proposal to incorporate the closed road into the Princess Royal Harbour foreshore reserve.

Voting Requirement Simple Majority

| |
|---|
| <p>MOVED COUNCILLOR JAMIESON SECONDED COUNCILLOR WATERMAN</p> <p>THAT Council advertise its intention to apply to the Department of Planning and Infrastructure to permanently close portion of Seawolf Road, Mount Elphinstone, and seek public comment to the proposal to incorporate the closed road into the Princess Royal Harbour foreshore reserve.</p> <p style="text-align: right;">MOTION CARRIED 15-0</p> |
|---|

WORKS & SERVICES REPORTS

Item 13.6.3 continued



Department of Environment

Chief Executive Officer
City of Albany
PO Box 484
Albany W.A 6330

ATTENTION: ROBERT FENN

Dear Sir

Re: Seawolf Road Reserve

The Department of Environment (DoE) would like Council to consider an option for amending the vesting of Seawolf Road reserve to foreshore reserve or parks and recreation. Amending the road reserve to foreshore reserve would ensure consistency within use of the reserve and better reflect the intent of land management.

Seawolf Road reserve (Reserve 36200) is defined by the foreshore along the Woolstores and Swan Reserve (Reserve 25551). The reserve runs parallel to Frenchman Bay Road. Except for a small constructed section of the reserve used to access several lots which have been subdivided between Frenchman Bay Road and the foreshore, the reserve is unmade.

Excluding the small section of the road reserve used for access to lots, the reserve is managed for the purposes of foreshore protection and low key recreation. The Bibbulmun Track and dual use path are located within the reserve. A Water Corporation mains water pipe is also located within the reserve. Recently, resurfacing of the Bibbulmun Track to a dual use path standard was restricted because of the close proximity of the water main to the path.

The reserve width is narrow in areas and sections are located below the high water mark so that the reserve's landward boundary incorporates land which is inundated. Fringing vegetation within the reserve has high values for protection. Whilst some portions of the reserve are degraded in terms of vegetation values, large areas of the reserve's vegetation are in good to very good condition and support a variety of wildlife habitat.

The value of foreshore vegetation within the reserve between the Woolstores and Harding Road is referred to within the Woolstores to Frenchman Bay Foreshore Management Plan. Management of the reserve was identified as a key issue within the Plan adopted by Council in 2001. The Management Plan recommended the foreshore along Frenchman Bay Road be managed by the City of Albany for recreational purposes.

The City of Albany Local Rural Strategy general policies for protection of natural resources (policy GP2) and conservation and heritage protection (GP22 and GP23) provide support to the DoE's recommendation. GP2 and GP22 relate to ceding of land and GP23 to road closures.

GP2 states that Council may require the ceding of areas with particular environmental qualities (eg foreshores, waterbodies containing significant vegetation, etc) for inclusion into appropriately designated reserves to protect or improve the quality of natural resources. GP22 states that where land the subject of a development proposal adjoins a reserve or



WESTERN AUSTRALIAN
environment
AWARDS

| CITY OF ALBANY RECORDS | |
|------------------------|-----------|
| FILE: | 127701 |
| FILE: | |
| 15 JUL 2005 | |
| DOC: | ICRS09105 |
| OFFICE: | EDDS |
| ATTACH: | |

LT506699

Your ref:

Our ref: SC1055/SC753

Enquiries: Nicolle Sykora

Direct tel: 9841 0102

WKA ALBANY SOUTH COAST REFERRAL ISLAND MATTERS SC083 Letter to CoA re seawolf rd reserve vesting.doc

South Coast Region
5 Bevan Street
Albany Western Australia 6330
PO Box 525 Albany Western Australia 6331
Telephone (08) 9842 5760 Facsimile (08) 9842 1204

WORKS & SERVICES REPORTS

Item 13.6.3 continued

vacant crown land and it would be desirable to cede part of that land and expand the reserve in view of it's landscape, flora, fauna or recreational attributes, the ceding of that portion of land for inclusion into the adjoining reserve may be negotiated or requested by Council. GP23 states that where roads are to be closed and this land has appropriate locational and natural qualities (eg adjoins an existing reserve and contains important flora and fauna) Council may recommend that it be included in the reserve network and vested in the Shire or an appropriate public authority.

These general policies are supported by Council actions to assess all Council's reserves identifying land use pressures and issues as a basis for:-

- ongoing strategic planning and implementation of management initiatives; and
- a review of the dedicated purposes of Shire reserves.

Seawolf reserve has a high profile status for local residents and adjacent tourist developments, and the community have been vocal in advocating support for the reserve's protection in the past. Extensive foreshore rehabilitation has been implemented to improve values of the reserve as part of the foreshore management plan, in conjunction with the City of Albany and community, and this is continuing.

As such, it is requested that Council consider the option of closing the sections of road reserve listed below and amending the vesting from road reserve to foreshore reserve or parks and recreation.

This includes the:

- eastern section which includes the Bibbulmun Track between the Woolstores and the end of the bituminised road which services subdivided lots on Frenchman Bay road
- western section which includes the Bibbulmun Track between the Lilacs and Harding Road
- southern section which includes the dual use path between Harding Road and Reserve 25551.

If you have further queries regarding this matter, please do not hesitate to contact Nicolie Sykora on 9841 0102.

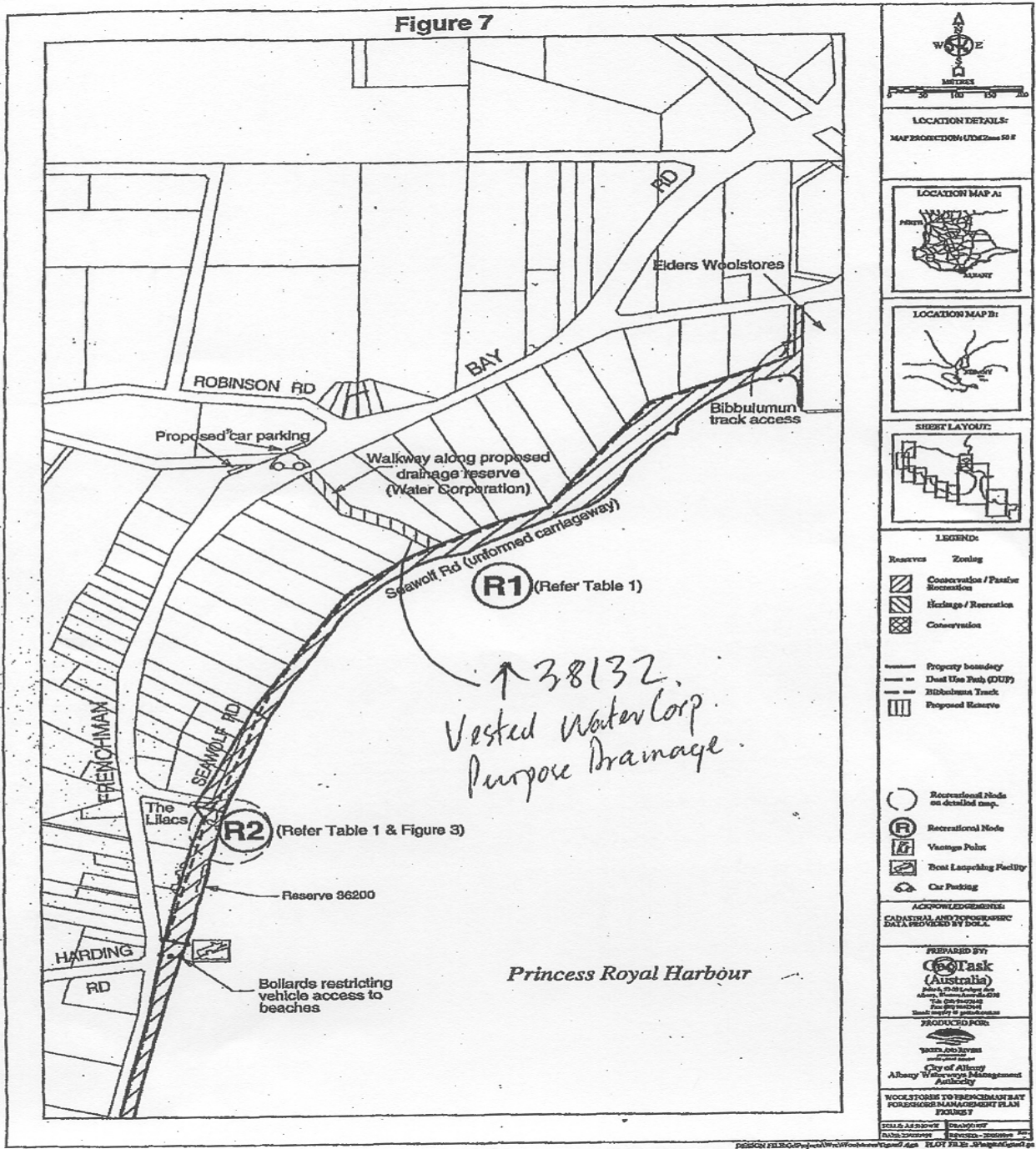
Yours sincerely


for **NAOMI ARROWSMITH**
REGIONAL MANAGER
SOUTH COAST REGIONAL OFFICE

14 July 2005

ORDINARY COUNCIL MEETING AGENDA -21/03/06
** REFER DISCLAIMER **
WORKS & SERVICES REPORTS

Item 13.6.3 continued



WORKS & SERVICES REPORTS

13.7 WORKS & SERVICES COMMITTEES

13.7.1 Streetscape Committee meeting minutes – 23 February 2006

| | | |
|-------------------------------|---|---|
| File/Ward | : | MAN 161 (All Wards) |
| Proposal/Issue | : | Committee Items for Council Consideration |
| Reporting Officer(s) | : | Executive Director Works & Services (L Hewer) |
| Summary Recommendation | : | That the minutes of the Streetscape Committee Meeting held on the 23 February 2006, be adopted. |

RECOMMENDATION

THAT the minutes of the Albany Streetscape Committee held on the 23 February 2006 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

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| <p>MOVED COUNCILLOR BOJCUN SECONDED COUNCILLOR WALKER</p> <p>THAT the minutes of the Albany Streetscape Committee held on the 23 February 2006 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).</p> <p style="text-align: right;">MOTION CARRIED 15-0</p> |
|--|

WORKS & SERVICES REPORTS

13.7.2 Bushcarers Advisory Committee meeting minutes – 8 February 2006

- File/Ward** : MAN 121 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration
- Reporting Officer(s)** : Bushcare Coordinator (S Maciejewski)
- Summary Recommendation** : That the minutes of the Bushcare Advisory Committee meeting held on the 8 February 2006, be adopted.

RECOMMENDATION

THAT the minutes of the Bushcare Advisory Committee meeting held on the 8 February 2006 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR JAMIESON
SECONDED COUNCILLOR WEST**

THAT the minutes of the Bushcare Advisory Committee meeting held on the 8 February 2006 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).

MOTION CARRIED 15-0

WORKS & SERVICES REPORTS

13.7.3 Airport Emergency Committee meetings minutes – 3 May 2004, 26 July 2004, 14 October 2004 & 8 December 2005

- File/Ward** : MAN 007 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration
- Reporting Officer(s)** : Manager City Services (I Neil)
- Summary Recommendation** : That the minutes of the Airport Emergency Committee meeting held on the 3 May 2004, 26 July 2004, 14 October 2004 and 8 December 2005, be adopted.

COMMENT/DISCUSSION

1. Due to an oversight in administration of Works and Services the following Airport Emergency Committee meetings were overlooked during 2004 and 2005:
 - 3 May 2004
 - 26 July 2004
 - 14 October 2004
 - 8 December 2005
2. It is a requirement of Council to view and receive these minutes.
3. The City Services team have reviewed and revised their reporting procedures and will ensure all further minutes are formalised in a timely manner.
4. Council is requested to review these four (4) Committee Meeting Minutes in a view of tidying up this administration omission.

RECOMMENDATION

THAT the minutes of the Airport Emergency Committee meetings held on the 3 May 2004, 26 July 2004, 14 October 2004 & 8 December 2005 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

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| <p>MOVED COUNCILLOR EVANS SECONDED COUNCILLOR JAMIESON</p> <p>THAT the minutes of the Airport Emergency Committee meetings held on the 3 May 2004, 26 July 2004, 14 October 2004 & 8 December 2005 be received (copy of minutes are in the Elected Members' Report/Information Bulletin).</p> <p style="text-align: right;">MOTION CARRIED 15-0</p> |
|---|

General Management Services

REPORTS

GENERAL MANAGEMENT SERVICES REPORTS**14.1 STRATEGIC DEVELOPMENT****14.1.1 WALGA Survey on Daylight Saving Time in Western Australia**

| | |
|-------------------------------|---|
| File/Ward | : GOV059 (All Wards) |
| Proposal/Issue | : Daylight Saving Time Survey for WALGA |
| Subject Land/Locality | : Nil |
| Proponent | : N/A |
| Owner | : N/A |
| Reporting Officer(s) | : Project Administration Officer (T Kirkland) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : THAT Council agree/disagree that daylight saving time is a Local Government issue that members would like WALGA to pursue. THAT Council supports/does not support the introduction of daylight saving time in Western Australia. |
| Bulletin Attachment | : WALGA Infopage 10 February 2006 |

BACKGROUND

1. Australia is 1 of 70 out of 268 nations currently utilising daylight saving time.
2. Western Australia, Queensland, and the Northern Territory are the only Australian States and Territory not utilising daylight saving time on a permanent basis.
3. The Queensland State Government is currently holding two e-petitions, one that supports the introduction of daylight savings time, and the second that opposes daylight savings time.
4. At the time of WALGA letter (10 February 2006) 58,733 people have registered their support for the introduction of daylight saving time and 6, 862 people have registered their opposition to the introduction of daylight saving time.
5. Western Australia has had three daylight saving time referenda, held on 8 March 1975, 7 April 1984, and 4 April 1992. All three referenda were rejected, failing to make daylight saving time permanent.
6. It has been 13 years since the last daylight saving time referendum in WA.
7. In May 1991 Ron Edwards, the former Member for Stirling WA (1983 – 1993), introduced a Private Members Bill into Federal Parliament in response to problems caused by the lack of daylight saving time uniformity in Australia.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.4.1 continued.

8. In March 1992, the Federal Government decided not to proceed with the bill, leaving the responsibility for setting time zones and daylight saving time with the State and Territory Governments.
9. Currently, local time in Albany and Perth is 8 hours ahead of Greenwich Mean Time. The time differences between Albany/Perth and the other States and Territories are detailed in the table below:

| | NT | SA | Qld | NSW | Vic | ACT | Tas |
|---------------|-----------|-----------|------------|------------|------------|------------|------------|
| Winter | +1.5 | +1.5 | +2 | +2 | +2 | +2 | +2 |
| Summer | +1.5 | +2.5 | +2 | +3 | +3 | +3 | +3 |

10. The time differences between Albany/Perth and other international centres are detailed in the table below:

| | Time Difference |
|-------------|------------------------|
| Auckland | +4 hours |
| Hong Kong | 0 hours |
| Indonesia | 0 hours |
| Japan | 0 hours |
| London | -8 hours |
| Los Angeles | -18 hours |
| Malaysia | 0 hours |
| New York | -13 hours |
| Paris | -7 hours |
| Singapore | 0 hours |
| Taiwan | 0 hours |
| Tokyo | +1 hours |

STATUTORY REQUIREMENTS

11. There are no statutory requirements to this item.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

13. There are no financial implications to this item.

STRATEGIC IMPLICATIONS

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

“Community Vision:

N/A

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.1.1 continued.

Mission Statement:

The City of Albany is committed to ...

- *Promoting our Community’s vision for the future.*

At all times we will ...

- *Respect the Community’s aspirations and resources.*

Priority Projects:

N/A

COMMENT/DISCUSSION

15. Due to recent media articles raising the issue of Western Australia’s lack of daylight saving time, Western Australian Local Government Association (WALGA) are seeking feedback from Local Governments to ascertain if WALGA should develop a Local Government Policy position in relation to daylight saving time.

RECOMMENDATION

THAT Council;

- i) agree / disagree that daylight saving time is a Local Government issue that members would like WALGA to pursue; and

Voting Requirement Simple Majority

- ii) supports / does not support the introduction of daylight saving time in Western Australia.

Voting Requirement Simple Majority

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| <p>MOVED COUNCILLOR WALKER SECONDED COUNCILLOR LIONETTI</p> |
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| |
|--|
| <p>THAT Council disagree that daylight saving time is a Local Government issue that members would like WALGA to pursue.</p> |
|--|

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|----------------------------------|
| <p>MOTION CARRIED 9-6</p> |
|----------------------------------|

14.2 ORGANISATIONAL DEVELOPMENT

Nil.

GENERAL MANAGEMENT SERVICES REPORTS**14.3 ECONOMIC DEVELOPMENT****14.3.1 Event Funding for ANZAC Day Dawn Service and Mid-Morning Services**

| | |
|-------------------------------|--|
| File/Ward | : FIN 061 (All Wards) |
| Proposal/Issue | : Recognition of Albany's ANZAC Day Dawn Service and Mid-Morning Service as an Icon event and provision of funding for 2006 |
| Subject Land/Locality | : N/A |
| Proponent | : Returned and Services League Albany Sub-Branch |
| Owner | : N/A |
| Reporting Officer(s) | : Manager Economic Development (J Berry) |
| Disclosure of Interest | : Nil |
| Previous Reference | : OCM 19/07/05 - Item 14.3.2 |
| Summary Recommendation | : THAT Council recognise Albany's ANZAC Day Dawn Service and Mid-Morning Service as an 'Icon event' and grant \$3,728.00 to the RSL Albany Sub-Branch in 2005/08 |
| Bulletin Attachment | : Nil. |
| Locality Plan | : Nil. |

BACKGROUND

1. The Community Events Financial Assistance Program is a competitive grants program of the City of Albany. The scheme is conducted in one round each year, with applications being invited in April and closing at the end of May. Council advertises its intention to consider applications for financial assistance under this scheme in local newspapers with all applications to be submitted by 31 May.
2. Council provides a specific budget allocation for community event grants and in 2005/06, it is \$60,000. Funding for community event grants is provided on a dollar for dollar matching basis, with the community organisation being required to contribute the equivalent in cash or in-kind. The applicant must demonstrate that other funding opportunities have been investigated and that attempts to source other external funds have been or are being made.
3. The RSL Albany sub-branch did not apply for funding in the 2005/06 financial year. In previous years support funding has been provided to Celebrate Albany Inc, a separate incorporated body established to organise and operate a festival based around the Anzac Day holiday period.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

4. Albany has a significant military heritage associated with ANZAC legend being the place of the first Dawn service and the assembly and departure point for some 30,000 Australian and NZ troops heading to the Great War. Albany will be the focus of the nation as we head toward 2014, the centenary of the departure of the troops from Albany.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

Objective:

- To increase the economic yield from tourism by sponsoring and developing significant events that become annual tourist drawcards.
- To assist community based organisations and committees in conducting and managing events.

Grant Types:

Icon Events

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

Community Events

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

Sporting Events

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

Eligibility

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

Funding Round

Applications close on the 31st of May each year.

Funding Pool:

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

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued

Administration:

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

FINANCIAL IMPLICATIONS

7. 60,000 funding was allocated to the Community Events Financial Assistance Program in 2005/06. A further appropriation of \$3,728.00 would be required at 3rd Quarter Budget Review.

STRATEGIC IMPLICATIONS

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

“Community Events Objective

- *To promote Albany and facilitate the celebration of events & achievements of significance to the Albany Community*

Overall Performance Measure

- *Level of community support & participation.*

Approach

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

COMMENT/DISCUSSION

9. ANZAC Day Dawn Service and mid morning services are conducted every year to commemorate and to give thanks to the many thousands of Australian men and women, who in the past 100 years have serviced their country with pride, many paying the supreme sacrifice.
10. The first official ANZAC Day Dawn Service was conducted in St John’s Anglican Church in 1930.
11. The West Australian State Government has awarded Icon status to this most significant event.
12. Council’s contribution will be used to pay for the hire of essential equipment thus enabling the RSL to conduct the two events in the dignified manner and high level of competency that the citizens of the City of Albany have come to expect.
13. The Dawn service will be conducted on Mt Clarence. The mid morning service will be conducted on ANZAC Memorial Park.
14. Each year these two events draw many tourists to Albany, these tourists come from all over Australia, Western Australia and overseas. The profile of Albany will be dramatically increased and the increase in tourism will result in an increase in the economic prosperity of all sectors of the community, particularly the business and tourism community.

GENERAL MANAGEMENT SERVICES REPORTS

Item 14.3.1 continued.

15. The Albany Sub-branch of the returned and Services League conducts every annual commemorative service under the guidance of a constitutionally elected 'Special Function Committee' under the chairmanship of the 'Parade Marshall'.

RECOMMENDATION

THAT Council:-

- i) recognise Albany's ANZAC Day Dawn Service and Mid-Morning Service as an 'Icon event';
- ii) grant \$3,728.00 to the RSL Albany Sub-Branch for the 2006 services; and
- iii) increase the Community Events Financial Assistance Program budget by \$3,728.00 at the 2005/06 3rd Quarter Review.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WELLINGTON**

THAT Council:-

- i) recognise Albany's ANZAC Day Dawn Service and Mid-Morning Service as an 'Icon event';**
- ii) grant \$3,728.00 to the RSL Albany Sub-Branch for the 2006 services; and**
- iii) increase the Community Events Financial Assistance Program budget by \$3,728.00 at the 2005/06 3rd Quarter Review.**

**MOTION CARRIED 15-0
ABSOLUTE MAJORITY**

GENERAL MANAGEMENT SERVICES REPORTS

14.4 GENERAL MANAGEMENT SERVICES COMMITTEES

14.4.1 Amity Heritage Precinct Enhancement Committee meeting minutes – 14th February 2006

- File/Ward** : STR 206 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration
- Reporting Officer(s)** : Manager Economic Development (J Berry)
- Summary Recommendation** : That the minutes of the Amity Heritage Precinct Enhancement Committee held on 14 February 2006 be received and additional representatives appointed.

RECOMMENDATION

THAT the minutes of the Amity Heritage Precinct Enhancement Committee held on 14 February 2006 be received (copy of minutes are included in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

**MOVED COUNCILLOR WILLIMAS
SECONDED COUNCILLOR PAVER**

THAT the minutes of the Amity Heritage Precinct Enhancement Committee held on 14 February 2006 be received (copy of minutes are included in the Elected Members Report/Information Bulletin).

MOTION CARRIED 15-0

GENERAL MANAGEMENT SERVICES REPORTS

14.4.2 Albany Tourism Marketing Advisory Committee meeting minutes – 23rd February 2006

File/Ward : STR 208 (All Wards)

Proposal/Issue : Committee Items for Council Consideration.

Reporting Officer(s) : Manager Economic Development (J Berry)

Summary Recommendation : That the Minutes of the Albany Tourism Marketing Advisory Committee held on 23 February 2006 be received.

RECOMMENDATION

THAT the Minutes of the Albany Tourism Marketing Advisory Committee meeting held on 23 February 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR JAMIESON**

THAT the Minutes of the Albany Tourism Marketing Advisory Committee meeting held on 23 February 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 15-0

GENERAL MANAGEMENT SERVICES REPORTS

14.4.3 Albany Entertainment Centre Steering Committee meeting minutes – 20th February 2006

| | | |
|-------------------------------|---|--|
| File/Ward | : | MAN 076 (All Wards) |
| Proposal/Issue | : | Committee Items for Council Consideration. |
| Reporting Officer(s) | : | Manager Economic Development (J Berry) |
| Summary Recommendation | : | That the Minutes of the Albany Entertainment Centre Steering Committee Meeting held on 20 February 2006 be received and recommendations adopted. |

RECOMMENDATION

That the Minutes of the Albany Entertainment Centre Steering Committee meeting held on 20 February 2006 be received and Recommendations adopted (copy of minutes are in the Elected Members Report/Information Bulletin) and the following motion adopted:-

Item 4.1 Albany Waterfront Concept and draft Structure Plan – Location of Entertainment Centre Site.

THAT the draft design of the Waterfront pedestrian bridged being developed by Landcorp be referred to the Albany Entertainment Centre Committee for comment and recommendations to be conveyed to Council.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WALKER**

THAT the Minutes of the Albany Entertainment Centre Steering Committee meeting held on 20 February 2006 be received and Recommendations adopted (copy of minutes are in the Elected Members Report/Information Bulletin) and the following motion adopted:-

Item 4.1 Albany Waterfront Concept and draft Structure Plan – Location of Entertainment Centre Site.

THAT the draft design of the Waterfront pedestrian bridged being developed by Landcorp be referred to the Albany Entertainment Centre Committee for comment and recommendations to be conveyed to Council.

MOTION CARRIED 15-0

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

15.1 Elected Members' Report/Information Bulletin

DRAFT MOTION

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

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR WILLIAMS**

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

MOTION CARRIED 15-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17.0 MAYORS REPORT

"Fellow Councillors:

Over the last month, Albany has been the host City for some major events, which have attracted a great number of visitors to the City and the region.

Over the weekend just passed, in excess of 2000 keen cyclists, and their support crews, assembled in Albany for the start of the Great Western Australian bike ride. Centennial Oval was transformed into a "tent city" to temporarily house the visitors who started arriving on Thursday in preparation for Sunday's start. Early feedback suggests that the visitors were very impressed with our beautiful City and the hospitality they received from our locals. They were particularly grateful for the local knowledge, assistance, direction and general advice received from City of Albany staff, who were in attendance over the weekend. The Bike Ride was proudly sponsored by the City of Albany, Community Events Financial Assistance Program and it is hoped that many of the participants who attended from around the State, other parts of Australia and indeed, other parts of the World, will return to Albany in the future to further investigate Albany and the surrounding region.

The Rotary International District 9460 Annual Conference attracted 500 delegates to Albany over the weekend of the 11th and 12th March. District 9460 encompasses the south west region of WA to Esperance and includes 42 Rotary Clubs, of which all but 2 were represented. A Civic Afternoon Tea was held on Friday 10th March to welcome Club Presidents to Albany.

His Excellency, Dr Ken Michael AC, Governor of Western Australia officially opened the Rotary Conference and the City of Albany was very proud to officially welcome Governor & Mrs Michael to Albany at a Civic Reception on Thursday 9th March to honour their first official visit to the City.

Civic Events were also held this month to scatter the ashes of "Sammy the Seal" at Emu Point on Saturday 4th March and to recognize the 50th Anniversary of the Albany Surf Life Saving Club on Wednesday 8th March.

The “Amazing Albany” brand was officially launched on the 9th March and has been well received by local businesses and the general public. Marketing campaigns will now commence to promote Albany as one of the top Tourism destinations in Western Australia and Australia.

Other events I attended this month included the Skills Formation Taskforce inquiry into skilled labour shortages, hosted by the Minister for Education & Training, the Hon Ljiljana Ravlich; and the Goodsports Program Launch, a joint initiative of the Department Sport and Recreation and the WA Health Department to educate and encourage sporting associations, to promote safe drinking practices.

Thank you.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR JAMIESON**

THAT the Mayor’s report be received.

MOTION CARRIED 15-0

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

18.1 International Cities, Town Centres & Communities Conference and Best Practice Visits

| | | |
|-------------------------------|---|--|
| File/Ward | : | MAN 003 (All Wards) |
| Proposal/Issue | : | International Cities, Town Centres, & Communities Conference and Best Practice Visits |
| Subject Land/Locality | : | Not Applicable |
| Proponent | : | City of Albany |
| Owner | : | Not Applicable |
| Reporting Officer(s) | : | Project Administration Officer (T Kirkland) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | THAT Mayor, 4 Councillors, CEO, and Manager of Planning and Rangers attend the ICTC Conference in Newcastle. |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | Not Applicable |

BACKGROUND

1. The 7th International Cities, Town Centres, and Communities Conference is being hosted by the City of Newcastle, NSW from 6 to 9 June 2006.

STATUTORY REQUIREMENTS

2. Section 6.8 of the Local Government Act 1995 – “Expenditure from municipal fund not included in annual budget” states that “a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure -
 - a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - b) is authorised in advance by a resolution; or
 - c) is authorised in advance by the mayor in an emergency”

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

4. It is anticipated the total cost, including travel, accommodation, meals, conference fees, etc, will be \$3,500 per person.

Item 18.1 continued.

5. Costs for the Chief Executive Officer and Manager Planning and Rangers will be covered from existing budget allocations.
6. The \$17,500 anticipated costs for the Mayor and 4 Councillors will be partially funded by the unexpended \$5,000 from the “Governance – Conference Expenses” budget. There are no other foreseeable conferences for this financial year.
7. The balance of \$12,500 will be funded at the March quarterly review.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

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

Mission Statement:

The City of Albany is committed to ...

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

At all times we will ...

- *Seek Innovative approaches*

Priority Projects:

N/A.”

COMMENT/DISCUSSION

9. It is proposed that Her Worship the Mayor, 4 Councillors, the Chief Executive Officer, and the Manager of Planning and Rangers attend the programs being held on Wednesday, 7 June, Thursday, 8 June, and Friday, 9 June 2006.
10. Listed below are some of the relevant topics on the conference agenda:
 - Keynote
 - The Integration of Town Centres with Master Planned Communities, Deborah Dearing National Manager – Strategic Urban Planning, Development Division, *Stockland, Sydney NSW and President of Royal Australian Institute of Architects, NSW*
 - Australia’s Future Cities, *Senator Kim Carr Shadow Minister for Housing, Urban Development, Local Government and Territories*
 - The Role of BIDs In Revitalising City and Town Centres, *Paul Levy President and CEO, Center City District, Philadelphia USA*

Item 18.1 continued.

- Main Street Revitalisation
 - At The Heart of Regional Centres – A Design Perspective
 - Looking After Local centres: Urban Design Guidelines For Neighbourhood Business Areas
 - Main Street Development “The Good, The Bad, And The Ugly”
 - Rouse Hill – Creating A World’s Best Practice Sustainable Mixed Use Town Centre
 - Maintaining Design Quality In Private Finance Initiative Projects
- Development Challenges
 - Rouse Hill Town Centre: From Concept to Detailed Design
 - When Developers Don’t Come To The Party! Doncaster Hill: Holding On To The Vision
 - Towards A Sustainable City. Integrating Ecologically Sustainable Development (ESD) Principles Into Urban Design
 - Creating A Competitive City
 - Driving Your Town Centre Crazy (Myths About Town Centre Traffic)
- Avoiding Or Managing Sprawl
 - Mount Lindesay/North Beaudesert Investigation Area: Planning The Rural/Urban Fringe
 - Villages: Ideas for Managing Future Growth
 - Portland, Oregon: A Lesson In Growth Management and Urban Sprawl
- Infrastructure Planning & Development
 - Wollongong City Centre Revitalisation Strategy ‘Creating Opportunities’
- Strategic Planning / Demographic Shifts
 - Implementing Urban Consolidation Through Town Centre Revitalisation – St Ives Town Centre
 - Managing Growth – Techniques For Sustainable Coastal Settlements
- New Urbanism / Urban Revitalisation
 - Town Centre Management and Leadership
 - Everything Would Be Alright If We Had Free Parking Or A Parking Led Recovery Of The Newcastle City Centre’s Economy, And What’s Wrong With That Idea.
- Community Building and Consultation
 - Consulting The Community: A Case Study
 - A New Heart For An Old Soul – Community Engagement In Planning
- Business Development and Retention
 - Over 55 And Understood
- Branding / Destination Marketing
 - Destination Marketing and Appeal Branding
 - Creating A Town Centre Identity – A Sustainable Approach
 - Competitively Positioning’ Cities and Centres To Attract ‘New Economy’ Growth

Item 18.1 continued.

- Place Making / Public Spaces
 - Planning For Renaissance: Place, Planning, And Priorities, United Kingdom Experience
 - The Evolution of A Contemporary Beach Park, The Kings Beach Redevelopment, Sunshine Coast, Queensland
- Master Planned Communities / Sustainable Rural Communities
 - Successful Community Based Planning – Thirroul Development Control Plan
 - Ripley Town Centre & Ripley Valley
- Energy Management / Environmental Challenges
 - A Recent Case Study Of The Challenges Facing Sustainable Design
- Mixed Use Development
 - Honeysuckle: Urban Renewal In A Regional City
 - Making Places For 21st Century Knowledge Workers – Place Making for Working
- Affordable Housing
 - Warnevale Town Centre – Planning For People
 - Urban Re-Habitation For Existing Building Stock In Affordability Of Housing. Key Issues For Egypt And Developing Countries
- Sea Change / Safety / Legal
 - Planning For Sustainability In Sea Change Communities: What About Non-Permanent Residents – Missing Segment Of the Population?
- Projects In Partnership
 - If the Shoe Fits! New Steps In Town Centre Design Process
- Field Trips
 - Reshaping Newcastle Harbour: Residential, Commercial, and Industrial
 - Main Streets and More: The Evolution of Retail Precincts in Newcastle

11. It is proposed to coincide the conference with a Best Practice visit to two NSW Councils that have experienced or are experiencing significant population growth coupled with urban development pressure. Details are outlined below:

- Monday, 5 June - Hastings-Port Macquarie Council

The Hastings Shire Council and the Port Macquarie Municipal Council amalgamated in 1981. Hastings Council is a major regional centre located 420km north of Sydney. It has a land area of 3,693 square metres comprised of significant coastline area, coastal wetlands, flood plains, mountain ranges, state forests, rural broad acre, and national parks.

It is a mixture of rural, residential and resort areas, with 3 main townships: Port Macquarie, Camden Haven, and Wauchope. Wauchope is the main centre for rural communities and agricultural industry. Main industries include tourism, dairy, beef cattle, timber, and olive farms. Port Macquarie has a population of 38,289.

Item 18.1 continued.

Like Albany, Hastings is difficult to split between rural and urban, as there are several areas of semi-rural and semi-urban. However, roughly speaking the population is 9.50% rural, 8% rural township, and 15% semi-rural/semi-urban mix. The remaining 67.5% of the population occupy urban areas.

Hastings population growth from 1991 to 2001 was 28% (average of 2.8% per annum), the majority of this growth occurred in Port Macquarie. The ABS Current Estimated Residential Population is 69,737.

- Tuesday, 6 June – Great Lakes Council

Great Lakes Council is located 320km north of Sydney. It has a land area of 3,373 square metres comprised of 145km of coastline, mountain ranges, state forests, national parks, rivers, broadacre rural, and a triple lake system (Wallis, Smiths, Myall Lakes). It is a mixture of rural and residential, with Forster being the main township. Main industries include retail, health and community services, tourism, fishing, and construction. It has a total population of 31,384.

Roughly speaking the population is located 18.27% in rural areas and 81.73% in urban areas.

12. Given the urban development pressures facing Council and the very relevant topics on the conference agenda relating to urban design, infrastructure management, destination marketing, and master planning, it is considered most timely that the City has the opportunity to be involved.
13. A visit to two developing Coastal Cities will give Councillors and staff the opportunity to discuss issues and challenges facing coastal development Councils and the solutions that can be applied with their eastern state counterparts.
14. Bookings made before the 5 April 2006 for travel, accommodation, and the conference will secure early-bird discounts that have been factored into the anticipated cost per person of \$3,500.

RECOMMENDATION

THAT;

- i) the Mayor, 4 Councillors (_____, _____, _____ and _____), CEO, and Manager of Planning and Rangers attend the ICTC Conference in Newcastle in June, together with a Best Practice visit to Pt Macquarie - Hastings and Great Lakes Council; and
- ii) the Conference attendance budget to be increased by \$12,500 at the 3rd Quarterly Budget Review.

Voting Requirement Absolute Majority

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Councillors Evans, Waterman, Wolfe, Walker, Lionetti, Jamieson, Paver and Wiseman nominated to attend the ICTC conference.

A ballot was conducted.

Item 18.1 continued.

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WELLINGTON**

THAT;

- i) the Mayor, Councillors Wolfe, Walker, Waterman, Lionetti, CEO, and Manager of Planning and Rangers attend the ICTC Conference in Newcastle in June, together with a Best Practice visit to Pt Macquarie - Hastings and Great Lakes Council; and**
- ii) the Conference attendance budget to be increased by \$12,500 at the 3rd Quarterly Budget Review.**

**MOTION CARRIED 15-0
ABSOLUTE MAJORITY**

18.2 Presentation of ‘Albany Street’ Sign to HMAS Albany when commissioned

| | |
|--------------------------------|--|
| File/Ward | : MAN 144 (All Wards) |
| Proposal/Issue | : Presentation of Street Sign to HMAS Albany |
| Subject Land / Locality | : Nil. |
| Proponent | : Councillor Paver |
| Owner | : N/A |
| Reporting Officer(s) | : Mayoral Liaison Administration Officer |
| Disclosure of Interest | : Nil. |
| Previous Reference | : Nil |
| Summary Recommendation | : Agree to the presentation of a replica “Albany St” street sign to HMAS Albany. |
| Bulletin Attachment | : Nil. |
| Locality Plan | : Nil. |

BACKGROUND

1. On the 18th February 2006 a new Royal Australian Navy, Armidale-class Patrol Boat was officially named HMAS Albany. The Ship will be commissioned in Albany in July.
2. Cr Roland Paver has received a request from Mr Graeme Bott, President of the Naval Association of Australia – City of Albany Sub-Section, that a replica of the ‘Albany Street’ street sign be presented to the Commanding Officer of the Ship on behalf of the City of Albany, at the Commissioning Ceremony.
3. The presentation of a street sign bearing the same name as the Ship being Commissioned (when a street exists by that name in that municipality), by the Local Government Authority to the Commanding Officer of the Ship, is a tradition often carried out at Commissioning ceremonies.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. Cost of replica sign – approximately \$200.

Item 18.2 continued...

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

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

Mission Statement:

The City of Albany is committed to ...

- *Promoting our Community’s vision for the future.*

Priority Projects:

Nil.”

COMMENT/DISCUSSION

8. The City of Albany has fostered strong relationships with visiting Naval vessels and it is a great honour, and testament to that relationship, that the Navy has named a Ship after Albany.
9. In the spirit of the continued friendship the City aims to have with HMAS Albany, the presentation of an “Albany street” sign to the Ship would be a symbolic gesture to foster the relationship.
10. The replica “Albany Street” sign could display the City of Albany logo, as is standard on current City street signs, or the new Tourism Brand “Amazing Albany”.

COUNCILLOR MOTION

THAT Council agrees to the presentation of an “Albany Street” street sign to HMAS Albany at its Commissioning Ceremony in July 2006.

Voting Requirement Simple Majority

.....

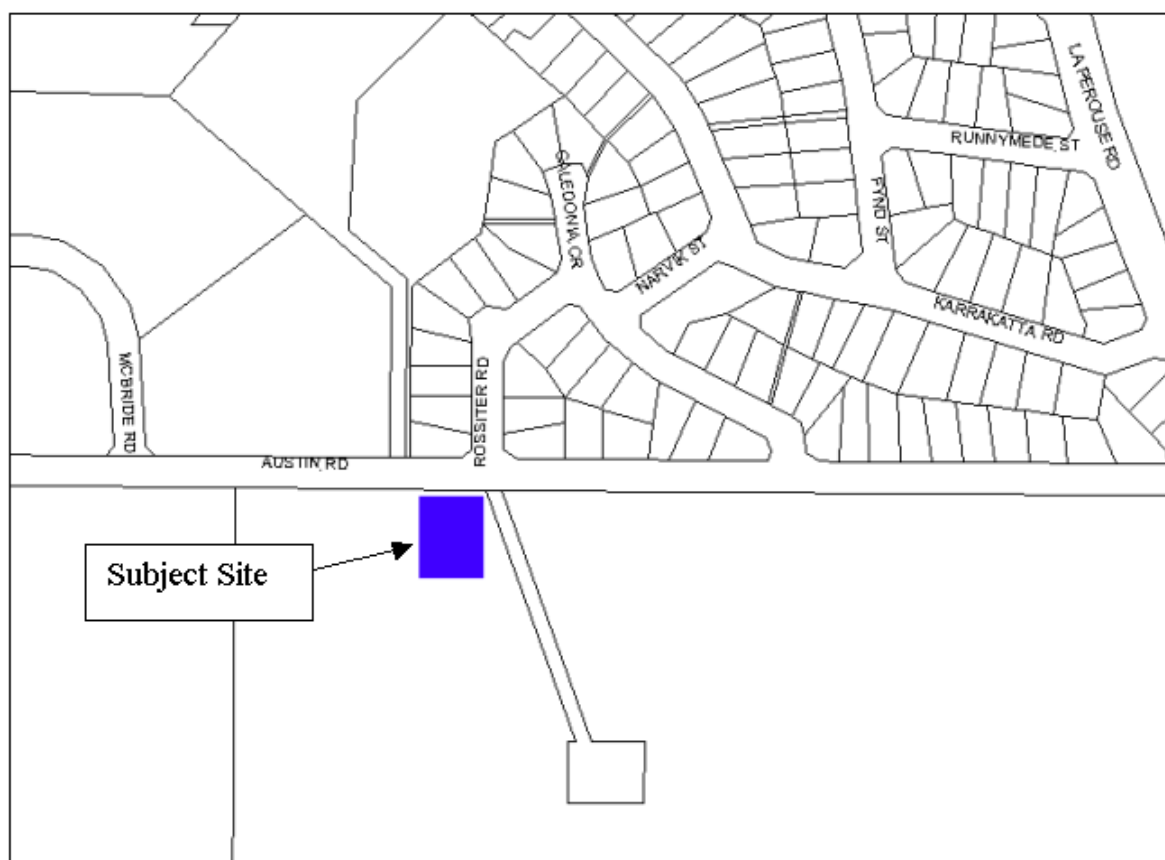
**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR BOJCUN**

THAT Council agrees to the presentation by the Mayor of an “Albany Highway” street sign, complete with the City of Albany Logo, to HMAS Albany at its Commissioning Ceremony in July 2006.

MOTION CARRIED 15-0

18.3 Torndirrup National Park - Bush Fire Brigade Shed – Goode Beach

| | | |
|-------------------------------|---|---|
| File/Ward | : | GOV 019, REL 079 (Vancouver Ward) |
| Proposal/Issue | : | Site for Bush Fire Brigade Shed at Goode Beach |
| Subject Land/Locality | : | Torndirrup National Park |
| Proponent | : | City of Albany |
| Owner | : | Conservation Commission of WA for Crown |
| Reporting Officer(s) | : | Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | OCM 21/02/06 - Item 11.1.1 |
| Summary Recommendation | : | Seek Support for Excision of Portion National Park |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | |



Item 18.3 continued

BACKGROUND

1. The Goode Beach fire appliance (fast attack) is currently located within a shed in the grounds of Whaleworld. The Goode Beach members of the South Coast Volunteer Bush Fire Brigade have endeavoured to secure a new fire shed site and to construct a shed closer to the urban settlement of Goode Beach, however the availability of Council reserves suitable for building a shed has hindered those attempts.
2. A request was submitted to the Conservation Commission of WA to excise a small portion (approximately 100sqm) of the Torndirrup National Park, adjacent the Austin Road. Two areas were identified which had been previously disturbed and had low ecological value. The Department of Conservation and Land Management has recently advised that the sites sought by Council were considered unacceptable due to the potential for visual exposure of a future shed. An alternate site was suggested adjacent to Vancouver Road, on a portion of the National Park excised by road works.
3. Council deferred a decision on this matter at the last meeting. The Frenchman Bay Association has recently met and has resolved to pursue the original request for a site adjacent to Austin Road.

STATUTORY REQUIREMENTS

4. The request would need to be forwarded to the Conservation Commission of WA and if support cannot be gained, then political intervention (support of both houses of parliament) would need to be pursued to gain the site required.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. The inability to secure a site for the shed forced Council staff to decline a previously approved grant. No funds are currently available to construct the fire shed.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

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

Mission Statement:

The City of Albany is committed to ...

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

Item 18.3 continued

Priority Projects:
Nil.

COMMENT/DISCUSSION

8. To support the “risk to resource” requirements for fire equipment in the City, the South Coast Volunteer Bush Fire Brigade wishes to house one of its larger fire fighting appliances at Goode Beach and transfer the fast attack to Little Grove where it can be utilised more efficiently. Also, the current unit is located some distance from where the volunteer fire fighters live, resulting in valuable time being lost in mobilising the unit during an emergency.
9. The site offered to the City by the Department of Conservation and Land Management is on the entry road into Goode Beach, it is adjacent to an existing residence and is in a prominent position in the landscape. For these reasons, the Goode Beach community has requested that attempts be made to secure the Austin Road site.
10. The volunteer fire fighters have identified the Austin Road site as their preferred option and the area is heavily degraded by Water Corporation infrastructure and tracks. Visually, a shed located on the Austin Road site would be less prominent in the landscape.

RECOMMENDATION

THAT Council seek a review of the decision of the Conservation Commission of WA to not excise 100sqm of land from the Torndirrup National Park, adjacent to Austin Road, for the purpose of constructing a fire shed on the land.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR PAVER
SECONDED COUNCILLOR WATERMAN**

THAT Council seek a review of the decision of the Conservation Commission of WA to not excise 100sqm of land from the Torndirrup National Park, adjacent to Austin Road, for the purpose of constructing a fire shed on the land.

MOTION CARRIED 15-0

19.0 CLOSED DOORS

Nil.

20.0 NEXT ORDINARY MEETING DATE

Tuesday 18th April 2006, 7.30pm

21.0 CLOSURE OF MEETING

There being no further business, the meeting closed at 9.21pm. .

Confirmed as a true and correct record of proceedings.

A Goode, JP
Mayor

APPENDIX A

WRITTEN NOTICE OF DISCLOSURES OF INTEREST

| Name | Item | Nature of Interest |
|-----------------------|-------------|--------------------------------------|
| Councillor Lionetti | 12.2.2 | Involved within the Retail Industry. |
| Councillor Wellington | 12.2.2 | Involved within the Retail Industry. |
| Councillor Waterman | 12.2.2 | Involved within the Retail Industry. |

APPENDIX B

INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING

Nil.

INTERESTS DISCLOSED BY OFFICERS

Nil.



[Agenda Item 12.1.1 refers]
[COUNCIL – 21st March 2006]

SUMMARY OF ACCOUNTS

| | | |
|--------------------------|-----------|------------------------------|
| Municipal Fund | | |
| Cheques | Totalling | 96,819.84 |
| Electronic Fund transfer | Totalling | 1,608,494.80 |
| Credit Cards | Totalling | 14,345.79 |
| Payroll | totalling | 723,878.82 |
| Total | | <u>\$2,443,539.25</u> |

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$2,443,539.25 which was submitted to each member of the Council on 21st March 2006 has been checked and is fully supported by vouchers and invoices which are submitted to herewith and which have been fully certified as the receipt of goods and the rendition of services and as to prices, computations and costings and the amounts shown are due for payment.

CHIEF EXECUTIVE OFFICER
(A Hammond)

MAYOR

I hereby certify that this schedule of accounts covering municipal and trust fund payments totalling \$2,443,539.25 which was submitted to the Council on 21st March 2006 and that the amounts are recommended to the Council for payment.

MAYOR
(A Goode JP)