

A G E N D A

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 21st November 2006
7.00pm
City of Albany Council Chambers**

City of Albany

**** Disclaimer ****

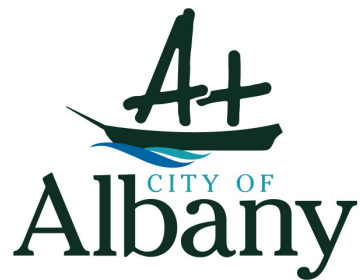
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Signed _____

Andrew Hammond
Chief Executive Officer

Date: 8th November 2006



NOTICE OF AN ORDINARY COUNCIL MEETING

Her Worship The Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday, 21st November 2006 in the Council Chambers, North Road, Yakamia commencing at 7.00 pm.

(Signed)

Andrew Hammond
CHIEF EXECUTIVE OFFICER

8th November 2006

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1.0 DECLARATION OF OPENING

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

Cllr M Bojcun on leave of absence as approved at the 17th October 2006 Ordinary Council Meeting

3.0 OPENING PRAYER

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

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following is an extract of a letter from Executive Director Development Services Robert Fenn to Ms Dot Price, in response to the questions asked at the 17 October 2006 Ordinary Council Meeting, and previously asked at the 18 July 2006 Ordinary Council Meeting:

‘I refer to your comments that you made at the Ordinary Meeting of Council on the 17th October, wherein you highlighted that questions posed by you at the July meeting remained unanswered. Please accept my apology for that oversight.

In order of the questions you raised, I wish to advise;

What strategies does the Council have for publishing the SAT findings (on the Earl Street Appeal) to its Ratepayers?

City of Albany staff are regularly required to defend decisions and commence legal proceedings before the State Administrative Tribunal on issues relating to fire control, dog control, valuation and town planning matters. The outcomes of those proceedings are reported to elected members and, in a controversial case, a press release may be issued by the City. The public can access SAT determinations upon the Tribunal’s web page <http://www.sat.justice.wa.gov.au>.

What strategies does the Council have for ensuring that the SAT findings, and the full implications for developers, including residents, are clearly communicated before development plans are accepted for consideration by this Council?

The City of Albany administrative processes are constantly reviewed in light of legal advice received from Council’s solicitors, from the outcomes of Tribunal determinations and from changes in legislative processes. The comments made by the Tribunal members, regarding City of Albany policies and procedures, will be acted upon as quickly as the resources and protocols can be put in place.

Constant changes to legislation (eg introduction of energy efficiency standards, modifications to R Code standards) or a change in a Council policy cannot always be easily communicated to designers, residents and the public. Nonetheless, the City of Albany does produce a regular newsletter which is distributed to designers, architects, builders and other professionals in the development industry on changes in practice.

Item 4.0 continued

What strategies does the Council have for ensuring that planning proposals which do not contain all the required information are returned, without formal consideration or action, to the proponents for completion?

The City of Albany does not have a policy of returning incomplete planning applications and would be opposed to the introduction of such a strategy. Very few applications lodged with the City “contain all the information” and staff endeavour to work with developers to rectify any deficiencies. The City’s Customer Service Charter places customer service as our highest organisational priority; the City of Albany is aware that some local authorities and State Government agencies return incomplete applications and the City considers that practice demonstrates poor customer service.’

5.0 PUBLIC QUESTION TIME

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

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

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

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 17th October 2006; and
 - Special Council meeting held on 27th June 2006;
- as previously distributed be confirmed as a true and accurate record of proceedings.

Reason:

A review of the minute books from June 2006 indicated that the minutes of the Special Council meeting held on 27th June 2006 had not yet been confirmed.

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

8.0 DECLARATIONS OF FINANCIAL INTEREST

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

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

11.0 REPORTS – DEVELOPMENT SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on green –
See Pages 7-96

12.0 REPORTS – CORPORATE & COMMUNITY SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on yellow –
See Pages 97-121

13.0 REPORTS – WORKS & SERVICES

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See Pages 122-136

14.0 REPORTS – GENERAL MANAGEMENT SERVICES

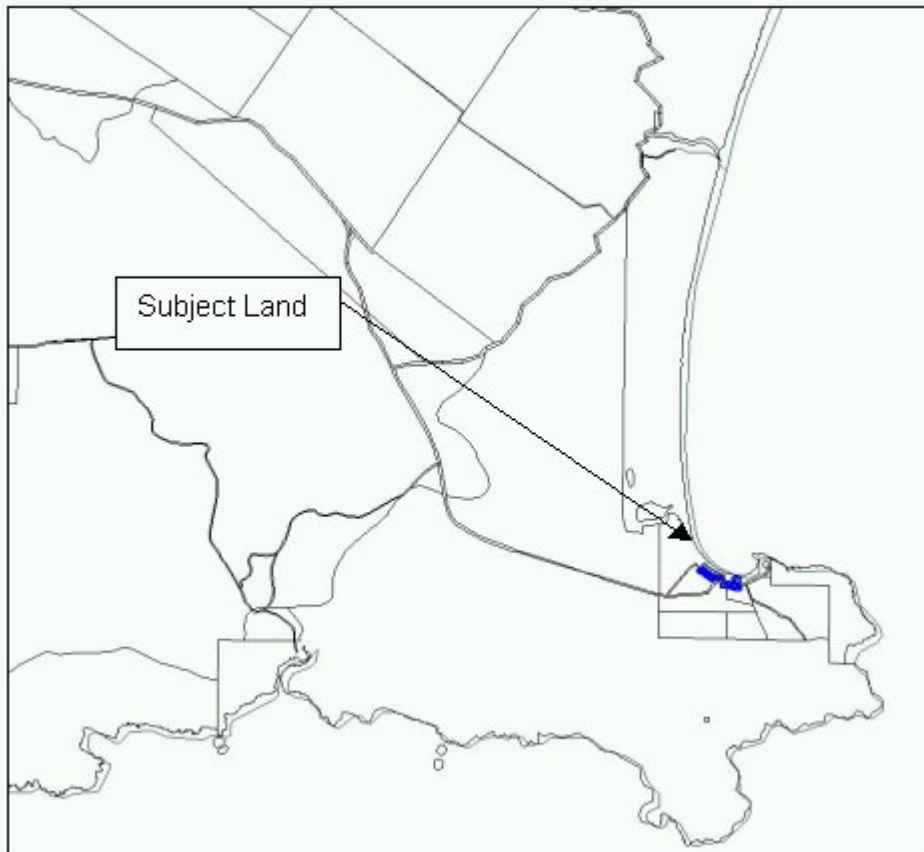
[Reports from this portfolio are included in the Agenda and photocopied on buff –
See Pages 137-150

DEVELOPMENT SERVICES REPORTS

11.2 HEALTH, BUILDING & RANGERS

11.2.1 Off Road Vehicles - Cheynes Beach

| | | |
|-------------------------------|---|--|
| File/Ward | : | SER127 (Hassell Ward) |
| Proposal/Issue | : | Off Road Vehicles at Cheynes Beach |
| Subject Land/Locality | : | Cheynes Beach |
| Proponent | : | City of Albany |
| Owners | : | N/A |
| Reporting Officer(s) | : | Manager Planning & Ranger Services (G Bride) Senior Ranger (G Turner) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | N/A |
| Summary Recommendation | : | Move area subject to vehicle usage, introduce new guidelines and controls and employ 2 casual rangers for enforcement purposes |
| Bulletin Attachment | : | Submissions on Item |
| Locality Plan | : | |



DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

BACKGROUND

1. Under the Off Road Vehicles (ORV) Act 1978, off road vehicles are not permitted at Cheynes Beach. Within the State there are only a few areas (such as Lancelin) where off road vehicles can be taken along the coast. Vehicles that are road registered are permitted onto Cheynes Beach under the ORV Act.
2. “Off Road Vehicles” are motorised vehicles that are not, or incapable of being, road registered. Predominantly these vehicles are motorbikes that are transported on trailers as they cannot be driven on public roads.
3. In 1999, and again in 2001, when Council considered applying to the Off Road Vehicles Advisory Committee to gazette Cheynes Beach as an ORV area, letters were received from the community against the proposal. The Off Road Vehicles Advisory Committee could not support the establishment of a gazetted ORV area at Cheynes Beach as the beach was within a larger reserve and there were no specific surveyed boundaries proposed to determine the point where an ORV complied or failed to comply with the Act.
4. Council has not enforced the ORV Act at Cheynes Beach in the past due to its location, time constraints and the fact that it has been a popular spot for ORV activity for more than 20 years. Recently, the number of complaints from local residents has risen, due to the irresponsible behaviour of some riders and pressure on the beach increasing.
5. Over the past six months, staff have undertaken an advertising campaign (inclusive of media interviews), placed flyers at the Caravan Park and Bakers Junction Roadhouse and talked to ORV users on-site. Whilst Council’s Rangers have observed an improvement in behaviour since the campaign was launched, complaints have still been received.
6. Numerous letters have been received requesting Council enforce the ORV Act and ensure all ORV’s are banned from the area. Equally, letters have been received in support of ORV’s given there are few areas within the Region where people can use them. Copies of the letters received are found in the Elected Members Report/Information Bulletin.

STATUTORY REQUIREMENTS

7. Under the Off Road Vehicles Act 1978 where an area is “Restricted” to Off Road Vehicle use, Council has the power to enforce the Act. The penalty for riding an ORV within a prohibited area is \$50. Similar fines also apply to the failure of the rider to register their machine, riding in a dangerous manner and for not wearing a helmet.
8. The City of Albany Local Government Property Local Law 2001 allows Council to set aside areas on which a person may drive a vehicle. It also allows Council to direct users of a beach, through the erection of signage, to follow certain instructions. When a person does not abide by such instructions a \$100 on the spot fine can be issued.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

9. If Council were to allow a section of the beach to be used for ORV's, approval would be needed by the Off Road Vehicles Advisory Committee to remove the prohibition over the area. This is because an Act of Parliament has greater legislative power than a Local Law adopted by a Local Government. Where conflict in legislation occurs, the ORV Act would prevail.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

11. If Council were to enforce the current ban on ORV's, or introduce an area where ORV's could be supported subject to restrictions, considerable resources would need to be expended to enforce the Act or guidelines.
12. As the peak of activity occurs on weekends and public holidays during autumn, summer and spring, the employment of two casual rangers during these periods would be needed to adequately police ORVs. In order to finance the employment of additional staff, and the purchase of a quad bike for undertaking the patrols, \$40,000 would need to be identified in the 2007/08 budget, or earlier via a quarterly review; vigorous enforcement could see that expenditure recouped in the first financial year.

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:

- *Excellent community infrastructure and services.*

Mission Statement

The City of Albany is committed to ...

- *Providing sound governance*

Priority Projects

Nil."

COMMENT/DISCUSSION

14. As per Diagram A below, all vehicles (except those associated with Commercial fishing operations) are currently prohibited on that portion of the beach opposite the residential area at Cheynes Beach. Rangers have observed that in the majority of cases this signage has worked well, and vehicle users have not entered this area.
15. The area where road licensed vehicles are permitted to enter the beach is approximately 250 metres from the nearest dwelling. Whilst this distance may be suitable for 4WD's, the noise associated with motorbikes and buggies can carry significant distance, becoming a nuisance to some local residents.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

16. Council has the option to relocate the vehicle access point onto the beach further to the north, to ensure an adequate noise buffer, or enforce the ORV Act as it currently stands. Relocation of the entry may generate other traffic problems or exacerbate coastal erosion.
17. The difficulty with enforcing the ORV Act is that there is no licence plate on an ORV to gain ownership details to issue infringements. Council's Rangers have no legal standing to demand a person give their name and address, and without this power it can become problematic gaining enough information to infringe or prosecute ORV riders. In the past, the Rangers have been subject to abuse and threats for trying to enforce the Act.
18. Staff recommend that an area be designated; under Council's Property Local Law, to allow the use of Off Road Vehicles on Cheynes Beach in an area commencing a further 300 metres north of the current signage. Such an area will need to be signposted and include rules such as:
 - All ORV's are to be registered with the Department of Planning and Infrastructure as an ORV.
 - No reckless or dangerous riding being permitted.
 - All users to wear helmets and standard protection gear.
 - No riding in dunes (between low and high watermark only).
19. Where any of the instructions are not complied with, Council has the ability to issue on-the-spot fines. Vehicles would need to be registered with DPI, and offending vehicles could be easily identified and fined accordingly; failure to register the vehicle could invoke additional fines.
20. Between the existing beach entrance and the proposed ORV area, all ORV's would then need to be transported on a road licensed vehicle (via trailer). This will ensure residents are not subject to noise as ORV's approach the beach.
21. Prior to creating this area under the Local Law, approval will need to be sought from the Off Road Vehicle Advisory Committee to remove the existing prohibition under the ORV Act.
22. In order to police the area and ensure compliance occurs, it is recommended that the employment of two casual rangers, working in rotating weekend shifts, and those officers be delegated by Council to issue infringements under the Local Law. It is recommended that the proposal is trialled for an initial 12 month period (with a "nil tolerance" approach) to allow for a review prior to making any funding commitments within a subsequent financial year.

Item 11.2.1 continued



DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

RECOMMENDATIONS

1. **THAT Council resolves to:**
 - a) **Request the Off Road Vehicle Advisory Committee remove the prohibition at a portion of Cheynes Beach at least 300 metres north of the existing beach access.**
 - b) **Adopt an area under the Local Government Property Local Law 2001 where Off Road Vehicles can be permitted for a trial period of 12 months, subject to a range of conditions, and erect signage to suit.**
 - c) **Review ORV usage on other beaches within the City of Albany in light of the outcomes of the policing campaign at Cheynes Beach.**
2. **THAT Council resolves to allocate \$40,000 in the 2006/07 budget towards the employment of two casual rangers and equipment to enforce the Local Law using a 'nil tolerance' approach and that a budget income of \$30,000 be provided.**

Voting Requirement Absolute Majority

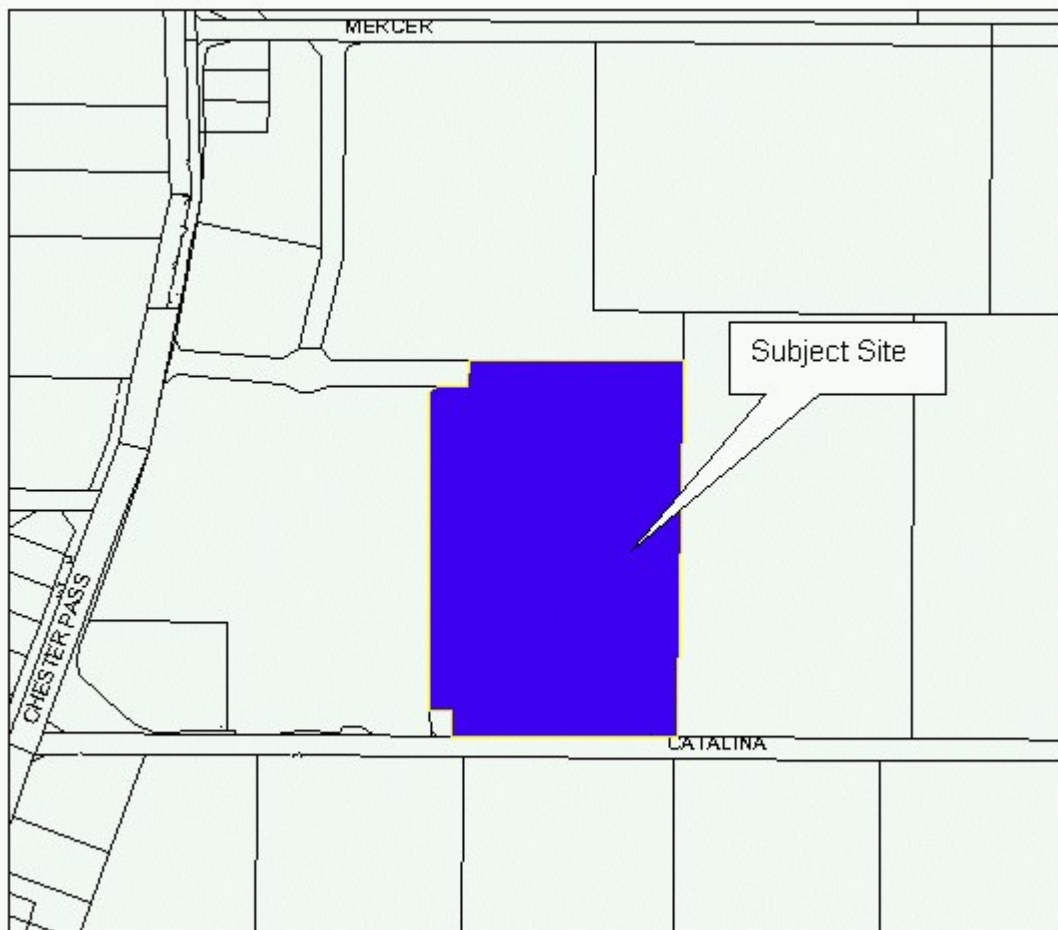
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DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

11.3.1 Draft Scheme Policy – Brooks Gardens Outline Development Plan

| | |
|-------------------------------|---|
| File/Ward | : A193794 (Yakamia Ward) |
| Proposal/Issue | : Draft Outline Development Plan |
| Subject Land/Locality | : Lot 1002 Catalina Road, Lange |
| Proponent | : Taylor Burrell Barnett |
| Owner | : King Open Pty Ltd |
| Reporting Officer(s) | : Senior Planning Officer (J Devereux) |
| Disclosure of Interest | : Nil |
| Previous Reference | : OCM 21/12/05 Item 11.3.7 |
| Summary Recommendation | : Adopt Policy for Advertising Purposes |
| Bulletin Attachment | : Draft Outline Development Plan |
| Locality Plan | : |



DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

BACKGROUND

1. At the Council meeting of the 21 December 2005, Council gave final approval to the rezoning of the subject site from 'Rural' to 'Residential Development'. Prior to the subdivision of the site for residential purposes, Council and the Western Australian Planning Commission (WAPC) must adopt an Outline Development Plan (ODP) which sets out the subdivision pattern over the land. Final approval for the rezoning has not been received from the WAPC; however, it is not perceived that there will not be any major issues with the proposal.
2. The ODP forms part of the overall "Brooks Garden" development, consisting of the Neighbourhood Centre, Lifestyle Village, Bulky Goods Showroom and Service Station. The subject site fronts Catalina Road and is situated behind the new shopping centre.

STATUTORY REQUIREMENTS

3. Scheme 3 states at clause 5.2 that;

"5.2.1 Before granting approval for any of the uses permitted within the Development Zones subject to Council approval under Table No. 1 or endorsing an application for subdivision the Council will require the submission to, and approval by, the Western Australian Planning Commission of an Outline Development Plan for such areas as are the subject of an application to develop or subdivide being not less than the area shown within the outer edge of the green border on the part of the scheme map containing the subject land, together with other areas determined by the Council having regard to:
 - (a) the major road systems under the Scheme;*
 - (b) topographic conditions;*
 - (c) land holdings adjacent to or in the vicinity of the subject land;*
 - (d) the necessity of providing civic and public facilities; and*
 - (e) preservation of the environment."*

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. As the proposed ODP area is owned entirely by one owner, all development costs will be the responsibility of the developer.

STRATEGIC IMPLICATIONS

6. The City of Albany's Draft Local Planning Strategy has identified the subject land for long term residential development.

COMMENT/DISCUSSION

7. The Scheme outlines the factors that need to be considered in developing an Outline Development Plan.

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

- 8. The plan that has been submitted shows the areas for residential lot subdivision, the position of public open space (POS) and drainage catchments and the layout of movement systems.
- 9. As part of the preparation of the ODP, the proponents have prepared a report. This provides reasoning and justification for the proposed use and development of the land. Please refer to the Elected Members Report/Information Bulletin for a copy of this report.
- 10. The report refers to the lot being known as Pt Lot 39; recently, due to a subdivision, the lot is now Lot 1002.
- 11. The proponents have proposed a dual density coding for the ODP area, being R20/30. The base zoning will be R20, with the opportunity for some small lot/group housing projects where appropriate.
- 12. There is some concern with the POS area and stormwater disposal. Upon the creation of the subdivision, a detailed design and calculation of the stormwater system will need to be supplied and approved by Council.
- 13. All services such as water, electricity and telephone will be provided below ground to the lots at the time of subdivision.

RECOMMENDATION

THAT Council, pursuant to clause 6.9 of the City of Albany Town Planning Scheme 3, resolves to adopt for the purposes of advertising the draft policy entitled “Brooks Gardens Outline Development Plan”.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

11.3.2 Scheme Amendment Request - Lots 300, 507 and 526 Lancaster Road, McKail

| | | |
|-------------------------------|---|---|
| File/Ward | : | SAR100 (West Ward) |
| Proposal/Issue | : | Request to rezone Lots 300, 507 and 526 Lancaster Road from the 'Rural' and 'Special Rural' zones to the 'Residential Development' zone |
| Subject Land/Locality | : | Lots 300, 507 and 526 Lancaster Road, McKail |
| Proponent | : | Ayton Taylor Burrell |
| Owners | : | Vegate Pty Ltd & Capararo |
| Reporting Officer(s) | : | Planning Officer (A Nicoll) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | OCM 19/10/04 – Item 11.3.3 |
| Summary Recommendation | : | Support the proposal to develop land for fully serviced (sewered) residential purposes |
| Bulletin Attachment | : | Scheme Amendment Request |
| Locality Plan | : | |



DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

BACKGROUND

1. The application received is a 'Scheme Amendment Request' (SAR) to rezone Lots 300, 507 and 526 Lancaster Road from the 'Rural' and 'Special Rural' zones to the 'Residential Development' zone. A copy of the request is included in the Elected Members Report/Information Bulletin.
2. The lots are majority cleared (pasture) with a level gradient and comprising an area of approximately 62 hectares. Lots 526 and 507 are zoned 'Special Rural', however, they have not been developed and therefore remain as large vacant parcels of land.
3. The SAR was referred to the Department for Planning and Infrastructure (DPI), the Department of Environment, the Department of Health and the Water Corporation for preliminary comment.
4. Those agencies have provided initial support to the application to rezone to fully serviced (sewered) residential lots in accordance with an adopted structure plan. A recommendation was made that Lots 1 to 13 Lancaster Road be included in the amendment application. To facilitate future subdivision of those lots, a structure plan should provide for rear access to Lots 1 to 13, avoiding the need to provide multiple access onto Lancaster Road. The majority of the subject land is located outside of the Water Corporation 'Waste Water Treatment Buffer Area' and water and sewer infrastructure will need to be upgraded to cater for development.
5. At the Council meeting dated 19 October 2004 it was resolved to adopt the 'Modified Final Town Planning Scheme Policy Albany Speedway Noise Buffer'. The land under this application falls within the area affected by this policy.

STATUTORY REQUIREMENTS

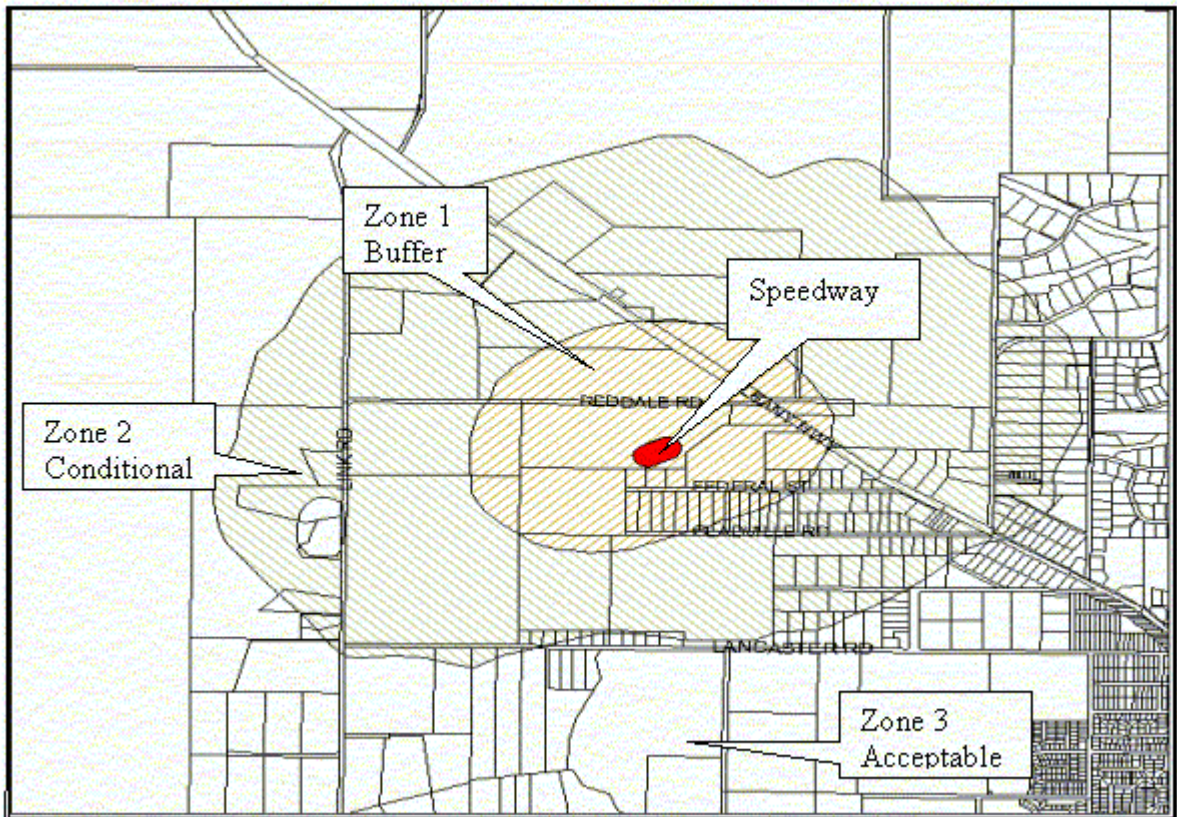
6. Lot 300 is zoned 'Rural' as defined in Town Planning Scheme 3 (TPS3). The objective of the rural zoning in TPS3 identified under clause 3.1.13 is:
"To ensure that high quality agricultural land is retained for primary production. To regulate uses which might conflict with farming interests, and foster uses which are complementary to such interests. To preserve rural land within easy reach of urban areas."
7. The area is not identified or used for 'high quality agriculture', therefore, a rezoning to "residential" is not expected to conflict with farming interests.
8. Lots 526 and 507 are zoned 'Special Rural area 1D'. Land which is included in a "Special Rural Zone" shall be subject to those provisions as may be specifically set out against it in Schedule 1 of the scheme.
9. A Scheme Amendment Request (SAR) is not a statutory process under the Planning and Development Act 2005. The purpose of the SAR process is to give an applicant feedback as to whether an amendment is likely to be supported or not, and the issues to be addressed in the Scheme Amendment documents.
10. If an applicant decides to pursue a Scheme Amendment, the Council will be required to formally consider that request.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

POLICY IMPLICATIONS

11. The WAPC Statements of Planning Policy No's 1 and 3 establish the general principles for planning in Western Australia. Their primary aim being to provide for the sustainable use and development of land by reducing energy consumption. If "residential" development was considered acceptable, the most sustainable form would be at fully serviced Residential (R20) rather than unsewered Special Residential land (R1 or R2).
12. The 'Speedway Definition Study' conducted by Herring Storer Acoustics determines the extent of noise impacts from the speedway, located at Atwell Park. The study concluded that noise received at locations around the speedway be categorised into 3 zones, buffer, conditional and acceptable (refer to following diagram).



13. Based on the buffer areas and recommendations defined by the study, the following conclusions can be made:
 - At the northern portion of the subject land ('Buffer zone') - no residential development should be permitted.
 - At the southern portion of the subject land ('Acceptable zone') - no restrictions are to apply.
 - Within the majority of the subject land ('Conditional Zone'), residential development would be conditional on achieving acceptable internal noise levels. Conditions to development would include:
 - External boundary fences of development on the side facing the Speedway;

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

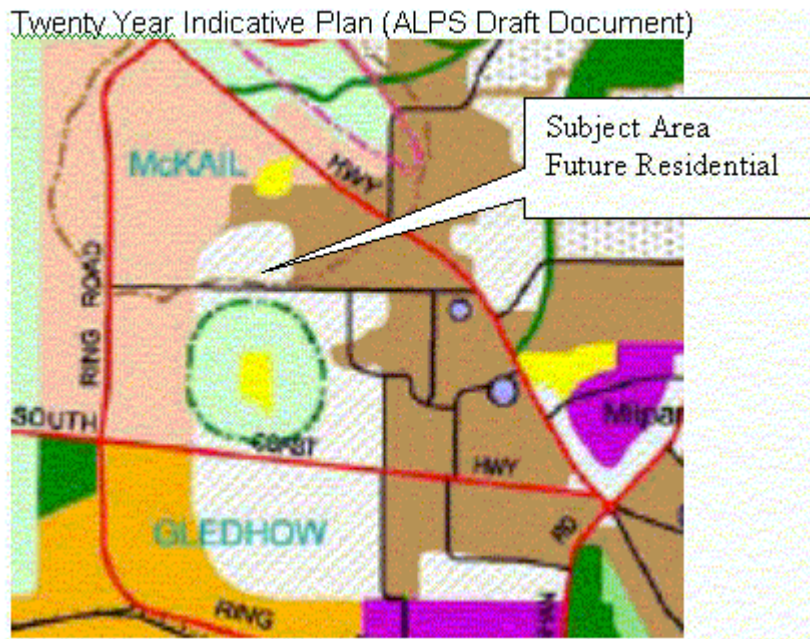
- Special building construction and use of quiet house design to achieve acceptable internal noise levels; and
- Memorials on titles.

FINANCIAL IMPLICATIONS

14. Residential development will place pressure on the need to improve the road infrastructure within the vicinity. As part of structure planning for the area, a transport study will need to be undertaken to determine the level of improvements required and the potential cost sharing arrangements.

STRATEGIC IMPLICATIONS

15. The subject site is identified within the (Draft) Albany Local Planning Strategy document as being suitable for fully serviced 'Future Residential' development. The document requires planning and development of the area in an efficient and coordinated manner, as a logical extension of existing settlements and with retail, service and community infrastructure. As part of a structure plan process, studies will need to be conducted to identify the need, distribution and provision of retail, service and community infrastructure to service the new community.



16. The draft Lower Great Southern Strategy (20-30 year strategy for the Great Southern Region) identifies the importance of sustainable land uses. The State Planning Strategy recommends the consolidation of existing housing stock and the provision for a variety of housing available to residents in the City.

COMMENT/DISCUSSION

- Proposal
17. The application for 'Residential Development' complies with the strategic intent ('Future Residential') for the area and on face value does not present any environmental concerns.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

18. The subject area leapfrogs the developed urban front and is therefore not within walking distance to community and retail infrastructure. It may be beneficial to include the lots fronting Lancaster Road, between the subject area and Albany Highway, as part of this application and for future structure planning. Neighbourhood shopping, regional open spaces, schools, community facilities and arterial routes can all then be considered at a more convenient scale.

Conclusion

19. Due to the compatibility of the application with the strategic intent for the area, staff support the application to rezone the site to the 'residential development' zone and to have the land subdivided into fully serviced urban lots.

RECOMMENDATION

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

- i) a clearly defined zoning boundary to be adopted and justified (potentially including lots 1 to 13 Lancaster Road);**
- ii) a land capability assessment;**
- iii) a conceptual structure plan;**
- iv) an identification of servicing needs and infrastructure requirements to accommodate future subdivision; and**
- v) the planning of the subject land taking into consideration the Albany Speedway Buffer requirements,**

Council advises that it is prepared to entertain the submission of a formal application for rezoning Lots 300, 507 and 526 Lancaster Road from the 'Rural' and 'Special Rural' zones to a fully serviced (sewered) 'Residential Development' zone.

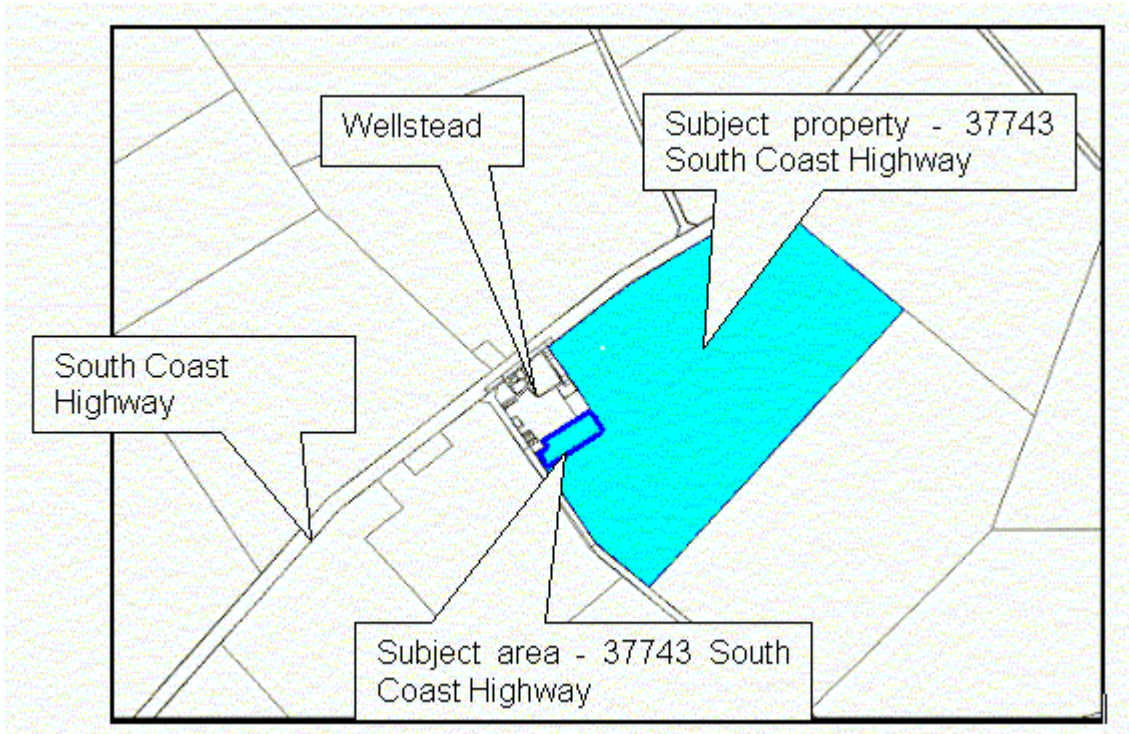
Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

11.3.3 Scheme Amendment Request – Lot 6849 (No 37743) South Coast Highway, Wellstead

| | |
|-------------------------------|--|
| File/Ward | : SAR 101 (Hassell Ward) |
| Proposal/Issue | : Request to rezone portion of Lot 6849 (No 37743) South Coast Highway from 'Rural' to 'Special Rural' |
| Subject Land/Locality | : Lot 6849 South Coast Highway, Wellstead |
| Proponent | : Ayton Taylor Burrell |
| Owner | : S & J Hall |
| Reporting Officer(s) | : Planning Officer (A Nicoll) |
| Disclosure of Interest | : Nil |
| Previous Reference | : OCM 18/9/01 - Item 11.3.1 |
| Summary Recommendation | : Support the proposal to rezone from 'Rural' to a dual zoning of 'Rural' and 'Special Rural' |
| Bulletin Attachment | : Scheme Amendment Request |
| Locality Plan | : |

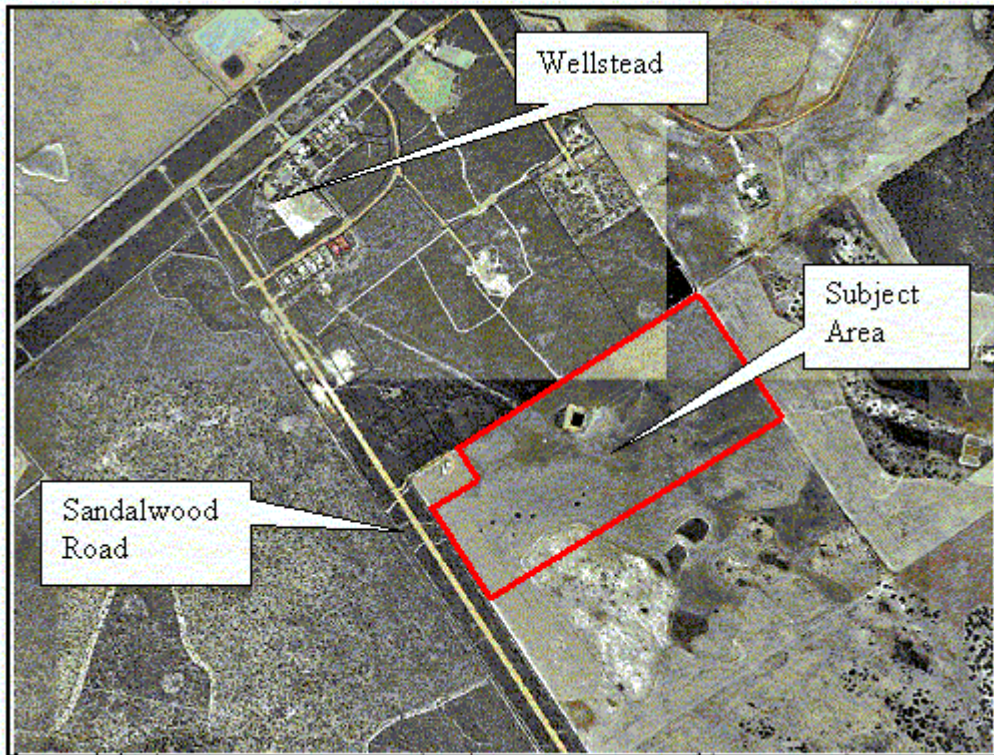


DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

BACKGROUND

1. The application received is a 'Scheme Amendment Request' (SAR) to rezone portion of Lot 6849 (No 37743) South Coast Highway Wellstead from the 'Rural' zone to the 'Special Rural' zone. A copy of the request is included in the Elected Members Report/Information Bulletin.
2. The portion of the property the subject of the application is 34.5 hectares in area (17 two hectare Lots), cleared (pasture) with a level gradient and accessed via Sandalwood Road (gravel).



3. The SAR was referred to the Department for Planning and Infrastructure (DPI), the Department of Water, the Department of Health and the Water Corporation.
4. The subject area is outside the Water Corporation's Water Operating Licence area; the Corporation will not entertain the idea at this stage, to amend the Licence area. The DPI generally supports the application as it is consistent with the future direction of the Albany Local Planning Strategy and the Wellstead Townsite Strategy.
5. There is a Native Title claim over the area. However the land is in private ownership and the native title rights have been extinguished.

STATUTORY REQUIREMENTS

6. 37743 South Coast Highway Wellstead is zoned 'Rural' as defined in Town Planning Scheme 3 (TPS3). The objective of the rural zoning in TPS3 identified under clause 3.1.13 is:

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

“To ensure that high quality agricultural land is retained for primary production. To regulate uses which might conflict with farming interests, and foster uses which are complementary to such interests. To preserve rural land within easy reach of urban areas.”

7. The land forms part of a viable farming unit and it is being utilised for agricultural purposes. The balance of Lot 6849 will continue to be used for cereal cropping and grazing following the potential subdivision of the affected land area.
8. A Scheme Amendment Request (SAR) is not a statutory process under the Planning and Development Act 2005. The purpose of the SAR process is to give an applicant feedback as to whether an amendment is likely to be supported or not, and the issues to be addressed in the Scheme Amendment documents.
9. If an applicant decides to pursue a Scheme Amendment, the Council will be required to formally consider that request.

POLICY IMPLICATIONS

10. Council’s Local Rural Strategy (1996), which is a policy of Town Planning Scheme No. 3 supports the development of rural town-sites via the following two policies:

“GP49 Expansion of Remote Townsites - Due to their remoteness from urban facilities, where necessary Council will provide for the expansion of Manypeaks and Wellstead town sites. AND

GP50 Improvement of Amenity and Townscape in Rural Townsites - In order to provide for the improvement of rural town-sites in terms of their social and visual amenity, sense of community and attractiveness to the travelling public, Council will support the planned establishment of townscape improvements, community facilities, general stores, arts/crafts outlets, etc.”

11. The West Australian Planning Commission policies – SPP2.5 and DC 3.4 make the following requirements for Rural-Residential development;
 - the lot size should range from 1 ha to 4 ha depending on local conditions;
 - mandatory provision of a reticulated potable water supply to an appropriate standard as determined by the licence holder;
 - the requirement for a subdivisional guide plan;
 - restrictions on the type and scale of any agricultural land uses or rural pursuits;
 - the identification of clearing, land management controls and environmental repair requirements including the retention of areas of remnant vegetation or regeneration of degraded areas;
 - the identification of either a building envelope, or building exclusion area, on each lot to which all development is restricted;
 - the restriction of development to only one dwelling per lot;
 - the control over the location of development (including the siting of dwellings, ancillary buildings, service roads and firebreaks) so that it does not significantly detract from any scenic landscape and/or conservation attributes;
 - compliance with State and local government environmental and health standards in respect of dwellings and ancillary buildings and the associated services (i.e. drainage and wastewater disposal);

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

- requirement for all structures in high bushfire risk areas to be constructed to Australian Standard AS3959;
 - road design to allow for safe egress in event of an emergency;
 - the preparation and implementation of bushfire management plans; and
 - any other matter that arises from the preparation of the local government's settlement strategy.
12. Statement of Planning Policy No. 2.5: Agricultural and Rural Land Use Planning Policy suggests that subdivisions below 4 ha be provided reticulated water. This is to ensure provision of services consistent with normal residential housing and to promote a more compact settlement form. Wellstead is reticulated from natural catchments and onsite catchment (roof) and storage (tanks) facilities. The Albany Local Planning Strategy recommends that this policy be relaxed in the City for lots above 1 hectare based on their ability to demonstrate that a sustainable potable supply can be provided for human consumption from rainwater tanks and other sources.

FINANCIAL IMPLICATIONS

13. Sandalwood Road is constructed with an exposed gravel surface. The rezoning, subdivision and then development of the area may give rise to pressure on the City for the upgrading of the section of Sandalwood Road connecting the subject area to South Coast Highway.

STRATEGIC IMPLICATIONS

14. The most relevant strategic documents include the Albany Local Planning Strategy (ALPS Draft 2005) and the Wellstead Town site Strategy adopted by the Council on the 18 September 2001.
15. The objective of the ALPS document is to *“facilitate and promote the retention and sustainable expansion of existing rural settlements”*.
16. The Wellstead Town site Strategy provides a clear strategic direction to Council and the community and ensures the enhancement of the town site and its survival as a rural settlement within the City of Albany. The main objectives of the Wellstead Strategy include to:
- provide land for residential and service industrial development in the most timely and economic manner;
 - provide opportunities for tourist accommodation and facilities and other economic development; and
 - draw all the existing town site issues and proposals together to provide a framework for longer term economic, social and residential development of the town site.

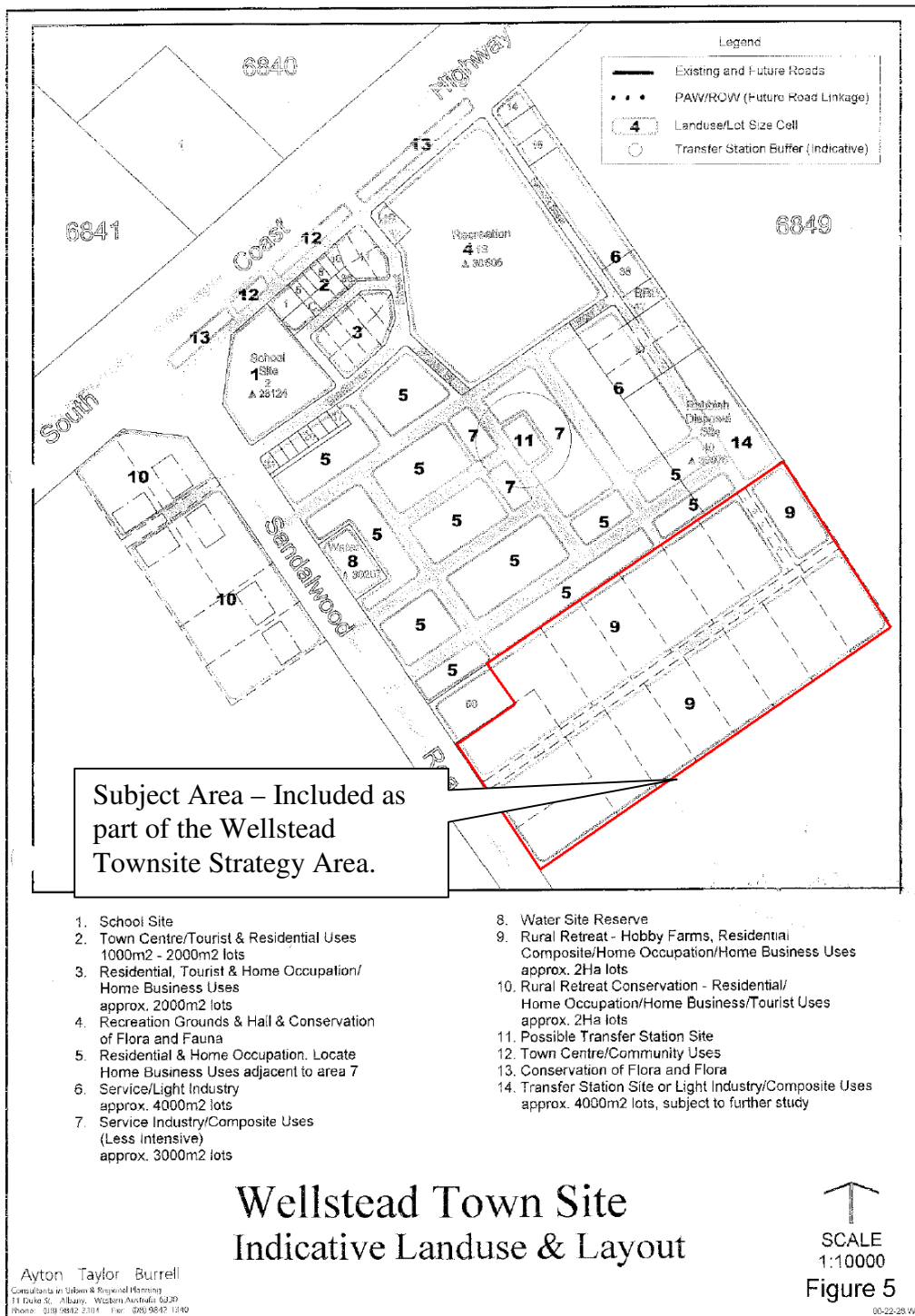
DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

COMMENT/DISCUSSION

Proposal

17. The proposal for 17 lots, two hectares in size, located at the southern outskirts of the town ship is based on the indicative plan contained in the adopted (City of Albany) 'Wellstead Townsite Strategy' (refer to below). The subject area is cleared for cropping purpose, however there is a large area of vegetation on the adjacent crown land and fire management constraints are placed on the area the subject of this application.



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Item 11.3.3 continued

Services

18. The lots are accessed via Sandalwood Road and an internal road to be developed at the subdivisional stage. There is the opportunity to extend electrical and telecommunications services to the lots. The provision of water, and effluent and drainage disposal are to be managed on site.

Reflecting current demand

19. The Southdown Magnetite Project is located 2km northwest of Wellstead. It comprises three mining leases covering an area of 1700 hectares on freehold farming property. Significant resources have the capacity to promote large-scale mining, concentrating and pelletisation operations. If mining was to go ahead, employment opportunities and the demand for land will evolve.

Conclusion

20. Other than reticulated water, there is the capacity for connection to utility services and the opportunity for development to support the existing townsite and the existing and proposed economies in the region. Staff therefore support the request for rezoning (in principle) to rezone the land and to entertain the submission of a formal application subject to the amending documentation addressing the criteria stipulated in the 'recommendation' section of this report.

RECOMMENDATION

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

- i) a land capability assessment;**
- ii) the preparation and implementation of bushfire management plans;**
- iii) a subdivision guide plan;**
- iv) a schedule of provisions consistent with recommendations defined in the WAPC State Planning Policy 2.5 and Policy DC 3.4 (refer to section 10 of this report);**
- v) a demonstration that a variation (provision of reticulated water) from current state policy (No.2.5 Agricultural and Rural Land Use Planning) is justified; and**
- vi) an identification of servicing needs and infrastructure requirements to accommodate future subdivision,**

Council advises that it is prepared to entertain the submission of a formal application for rezoning Lot 6849 (No 37743) South Coast Highway Wellstead from the 'Rural' zone to a dual zoning of 'Special Rural' and 'Rural'.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

11.3.4 Initiate Scheme Amendment – Lot 15 Frederick Street, Albany

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|-------------------------------|---|
| File/Ward | : AMD158 (Fredrickstown Ward) |
| Proposal/Issue | : Zoning Lot 15 Frederick Street from 'Clubs and Institutions' to 'Residential' with a density coding of R30. |
| Subject Land/Locality | : Lot 15 Frederick Street, Albany |
| Proponent | : Harley Survey Group |
| Owner | : G Hill |
| Reporting Officer(s) | : Planning Officer (A Nicoll) |
| Disclosure of Interest | : Nil |
| Previous Reference | : OCM 02/05/00 - Item 12.1.6 |
| Summary Recommendation | : Initiate the amendment |
| Bulletin Attachment | : Amendment Documentation |
| Locality Plan | : |



DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

BACKGROUND

1. At its meeting dated May 2000, Council resolved to support a scheme amendment request to rezone Lot 15 Frederick Street, Albany from 'Clubs and Institutions' to 'Residential – R30' and advised the Stirling Club Inc. that, should the Club dispose of Lot 15 Frederick Street, Albany Council may either provide a maximum occupancy level for the site (based upon the number of car parking bays available on site) or limit the floor space within the building for public purposes. The reason stated was that;

“The sale of Lot 15 Frederick Street will reduce the amount of car parking available for the Stirling Club. Irrespective of whether the site is rezoned, the loss of this car parking may impact upon the operations of the Stirling Club”.

2. Amendment documentation has now been submitted by the proponent seeking the support for the initiation of the amendment to rezone Lot 17 Frederick Street from 'Clubs and Institutions' to 'Residential' with a density coding of R30.
3. The subject lot has a total area of 1012m² and is currently used for access and car-parking for the Stirling Club. There are no structures located on the lot.
4. The current 'Clubs and Institutions' zoned lots are surrounded on three sides, north, east and west by 'Residential' zoned lots. South of the subject land, on the opposite side of Stirling Terrace the land is reserved 'Parks and Recreation', and is designated as a "Place of Heritage Value".

STATUTORY REQUIREMENTS

5. Council's resolution under Section 75 of the Planning and Development Act 2005 is required to amend the Scheme.
6. An amendment to a Town Planning Scheme adopted by resolution of a local government is to be referred to the Environmental Protection Authority (EPA) for assessment.
7. Advertising of an amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the amendment is environmentally acceptable.
8. A resolution to amend a Town Planning Scheme should not be construed to mean that final approval will be granted to that amendment.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

COMMENT/DISCUSSION

Proposal

12. Rezoning the lot from 'Clubs & Institutions' to 'Residential – R30' would enable residential development on the lot. Currently this is a use that is not permitted with the present zoning. All lots adjoining the 'Clubs & Institutions' zoned lots are zoned 'Residential – R30' and therefore rezoning the lot to 'Residential – R30' would be in keeping with the surrounding zoning.
13. Lot 15 Frederick Street is used by the adjacent properties (14-16 Stirling Terrace) for access and car parking. Given the current building floor area of the Stirling Club (upper floor level 945m², lower floor level 361m², total 1,306m²) and the requirements for car parking (1 bay per 40m² of GFA - Town Planning Scheme 1A), the club is required to provide 33 car-parking bays. A site visit concluded that there is enough area available for access and car-parking (in accordance with the requirements of the scheme) without the use of Lot 15 Frederick Street.
14. Due to the steep gradient off Frederick Street, access is shared over the three properties (14-16 Stirling Terrace and Lot 15 Frederick Street). Suitable arrangements will need to be made for reciprocal rights of access or for the development of new crossovers onto Frederick Street.

Conclusion

15. The proposal to rezone Lot 15 Frederick Street is consistent with the adopted and proposed planning strategies and principles. The rezoning will allow for the development of high quality residential housing on an under-utilized allotment close to the Albany Town Centre. The matters raised in paragraphs 13 and 14 will be communicated to the Stirling Club for resolution outside of the amendment process.

RECOMMENDATION

THAT Council, pursuant to Section 75 of the Planning and Development Act resolves to amend the City of Albany's Town Planning Scheme No. 1A by:

- i) **rezoning Lot 15 Frederick Street, Albany from 'Clubs and Institutions' to 'Residential – R30'; and**
- ii) **amending the Scheme Maps accordingly.**

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

11.3.5 Initiate Scheme Amendment – Lot 71 Katoomba Street, Orana

- File/Ward** : AMD 159 (Vancouver Ward)
- Proposal/Issue** : Rezoning Lot 71 Katoomba Street, Orana from 'Parks and Recreation' (reserve) to 'Residential'
- Subject Land/Locality** : Lot 71 Katoomba Street, Orana
- Proponent** : City of Albany
- Owner** : City of Albany
- Reporting Officer(s)** : Planning Officer (A Nicoll)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Initiate the amendment
- Bulletin Attachment** : Amendment documentation
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

BACKGROUND

1. The City of Albany has prepared amendment documentation to rezone Lot 71 Katoomba Street from the 'Parks and Recreation' Reservation to 'Residential'.
2. The property is 1214m² in area, cleared of vegetation and surrounded by residential zoned land and residential land uses. The property is also a freehold title held by the City.

STATUTORY REQUIREMENTS

3. Council's resolution under Section 75 of the Planning and Development Act 2005 is required to amend the Scheme.
4. An amendment to a Town Planning Scheme adopted by resolution of a local government is to be referred to the Environmental Protection Authority (EPA) for assessment.
5. Advertising of an amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the amendment is environmentally acceptable.
6. 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

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

FINANCIAL IMPLICATIONS

8. To develop basic recreational infrastructure (swing set) on a local park costs approximately \$13,000. To grass the land an additional \$26,000, plus an annual maintenance cost of approximately \$6,500.

STRATEGIC IMPLICATIONS

9. Albany Local Planning Strategy (Draft, 2005 - ALPS)
The ALPS document adopted by the City to guide development in the future recommends the development of this land for residential purposes.

Liveable Neighbourhoods

The Liveable Neighbourhoods document places emphasis on infill development, walkable neighbourhoods and efficient use of infrastructure.

The land is not being used for a useful purpose and is in close proximity to utilities (water, telecommunications, sewerage), road infrastructure, neighbourhood shopping facilities (Catalina and North Road), public transport, passive and recreational open space and child care (Katoomba Street), services and schools.

DEVELOPMENT SERVICES REPORTS

Item 11.3.5 continued

COMMENT/DISCUSSION

Public Parkland

10. Best practice encourages public parkland to be overlooked by development, rather than backed onto by development. Park lands should be strategically planned to provide for the needs of all users and age groups in a safe and convenient location.
11. Lot 71 Katoomba Street is situated with poor surveillance (unsafe) from adjoining development and because of its small size, provides little opportunity to develop either active or passive recreation infrastructure for users (young and the aged) of open space.
12. The 'McKail District Park' (Reserve 46317), Lake Weelara at Hanrahan Road (Reserve 25382) and the large reserve adjacent to Le Grande (Reserve 36517) all provide opportunities for public recreation within close location to the area in question.
13. Council has commenced a process of rationalisation of local parks and this land parcel has not been identified for development as a local park.

Land Capability

14. The area provides compatible foundation and excavation conditions for residential buildings. The characteristics of the land are compatible with adjoining lots upon which single dwellings have been constructed.

Land Suitability

15. The proposed zoning is in keeping with the surrounding zonings and land use (residential). The property fronts a sealed road (Katoomba St), which provides linkage to both Albany and South Coast Highways.

Concluding Justification

16. In conclusion it is recommended that this Amendment be supported, as:
 - the proposal complies with strategic planning and principles for sustainability;
 - the proposal improves land and resource efficiency;
 - the site is currently not used for any useful purpose and is never likely to be developed as a local park;
 - there are no outstanding environmental concerns;
 - the site is in close proximity to amenities;
 - the proposal is in keeping with the zoning and surrounding land use; and
 - the residential zoning will provide a better opportunity for the development of the property.

RECOMMENDATION

THAT Council, pursuant to Section 75 of the Planning and Development Act 2005 resolves to amend the City of Albany's Town Planning Scheme No. 1A by:

- i) zoning Lot 71 Katoomba Street to 'Residential'; and
- ii) amending the scheme maps accordingly.

Voting Requirement Simple Majority

DEVELOPMENT SERVICES REPORTS

11.3.6 Initiate Scheme Amendment – Lot 3 Golf Links Road, Middleton Beach

- File/Ward** : AMD151 (Frederickstown Ward)
- Proposal/Issue** : Rezoning of Lot 3 from 'Service Station' and 'Special Site No. 16 (Display and sale of art and craft products)' to 'Tourist Residential'
- Subject Land/Locality** : Lot 3 Golf Links Road, Middleton Beach
- Proponent** : Harley Survey Group
- Owner** : S Amato
- Reporting Officer(s)** : Planning Officer (A Nicoll)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 20/09/05 – Item 11.3.6
- Summary Recommendation** : Initiate the Amendment
- Bulletin Attachment** : Amendment documentation
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

BACKGROUND

1. Council resolved at the 20 September 2005 meeting to support a request to rezone Lot 3 Golf Links Road, Middleton Beach from 'Service Station' to 'Tourist Residential' (R30), subject to the amendment addressing the following matters:
 - i) *decontamination and remediation of the previous service station site in accordance with DOE Contaminated Sites Management Series Guidelines.*
2. The underground fuel tanks on the site have been removed and site investigations have revealed evidence of contamination. The applicant has advised that 'OTEC' (site contamination specialists), have been employed to sort out the onsite contamination issues. Information on the outcome of the investigations will be provided once the amendment has been initiated.

STATUTORY REQUIREMENTS

3. Council's resolution under Section 75 of the Planning and Development Act 2005 is required to amend the Scheme.
4. An amendment to a Town Planning Scheme adopted by resolution of a local government is to be referred to the Environmental Protection Authority (EPA) for assessment.
5. Advertising of an amendment for public inspection is for a period of 42 days and is not to commence until the EPA has determined that the amendment is environmentally acceptable.
6. 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

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

10. The rationalization of the service station industry has detrimentally impacted upon the viability of the use of the property as a service station. The removal of this service station is not expected to impact on the community as there are other service stations within close location (Emu Point and Middleton Beach Road).
11. Surrounding the subject land are residential uses, predominantly single dwellings and small unit developments, consistent with the R30 density. A rezoning of this site to "Tourist Residential" is in keeping with the surrounding zoning and land uses and provides a better opportunity for the use of the land.

DEVELOPMENT SERVICES REPORTS

Item 11.3.6 continued

12. Lot 3 Golf links Road has an area of 995m² and at a density of R30 allows for the potential of three permanent or five holiday accommodation units.
13. The request is supported by staff, as the rezoning is consistent with the surrounding land uses in the Middleton Beach area and it has the potential to increase the availability of tourist accommodation premises within this important City tourist node. Resolution of the site contamination will be required by the EPA prior to the Authority agreeing to the advertising of the amendment.

RECOMMENDATION

THAT Council, pursuant to Section 75 of the Planning and Development Act 2005 resolves to amend the City of Albany’s Town Planning Scheme No. 1A by:

- i) rezoning Lot 3 Golf Links Road, Middleton Beach from ‘Service Station’ to ‘Tourist Residential’ with a density code of R30; and
- ii) amending the scheme maps accordingly.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

11.3.7 Final Approval for Scheme Amendment – Future Urban Zone Provisions

| | |
|-------------------------------|--|
| File/Ward | : AMD 157 (Breaksea, Vancouver & Yakamia Wards) |
| Proposal/Issue | : Provide Consistency Between Schemes 1A and 3 with Frontal Development. |
| Subject Land/Locality | : Various |
| Proponent | : City of Albany |
| Owner | : Various |
| Reporting Officer(s) | : Planning Officer (A Nicoll) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : Grant Final Approval |
| Bulletin Attachment | : Submission on amendment |
| Locality Plan | : N/A |

BACKGROUND

1. At the Council meeting dated 18 July 2006, Council resolved to:
 - a) *alter the text of Clause 4.35 of Town Planning Scheme 1A to delete the requirement for rezoning; and*
 - b) *alter the zoning table of Town Planning Scheme 1A to allow for discretionary (“AA”) decision making in relation to a group dwelling or a multiple dwelling in the Future Urban zone.*
2. The Environmental Protection Authority found it unnecessary to provide advice or make any recommendations on the amendment and at the close of advertising, one submission was received and tabled in the schedule of submissions located at the end of this report.

STATUTORY REQUIREMENTS

3. The amendment was initiated under Section 7 of the Town Planning and Development Act 1928. That Act has since been repealed and replaced with the Planning and Development Act 2005.
4. Council is required under section 75 of the Planning and Development Act to consider the submissions lodged on the scheme amendment and resolve to progress the amendment without change, to progress the amendment subject to the modifications or recommend that the amendment not proceed. The final decision on the scheme amendment rests with the Minister for Planning and Infrastructure.

POLICY IMPLICATIONS

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

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

FINANCIAL IMPLICATIONS

6. A development area severed by the scheme boundary can add considerable financial costs and delays to one developer and not the other. A market disparity has been created through the current City of Albany Town Planning Scheme 1A and 3 provisions.

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. Proposal
This Scheme Amendment proposes to amend Town Planning Scheme 1A by altering the text of Clause 4.35 and altering the zoning table as it relates to a “Group Dwelling” or a “Multiple Dwelling” in the “Future Urban” zone.
9. The first proposal is to omit the words ‘initiate zoning changes to’ within the clause. Depending on whether the land is located within the former Shire of Albany or Town of Albany, there are different provisions relating to urban deferred zoned land. Within Town Planning Scheme No. 3, once a structure plan has been prepared over an area identified as ‘Residential Development’ subdivision can commence. This has occurred in areas such as McKail and Bayonet Head. Within Town Planning Scheme No. 1A, on land that is zoned “Future Urban”, the development of land is contingent upon the preparation of a structure plan, then the rezoning of the land. This means that, despite having prepared a structure plan addressing all on-site constraints and guiding a future subdivision layout for a locality, a proponent must wait up to 18 months to subdivide the land for “Residential” purposes. Given the current shortage of residential land within the city, this textual change will reduce the time period to release residential land onto the market.
10. The second proposal is to change the use class classifications for “Group Dwellings” and “Multiple Dwellings” under the “Future Urban” Zone from ‘X’ (a use that is not permitted) to ‘AA’ (a use that is not permitted unless planning consent to it is granted by the Council). This will enable more intensive development to proceed within the Future Urban zone subject to compliance with a Structure Plan.

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

Submission

- 11. One submission was received requesting the following:
 - make a clause change within the scheme empowering the city to approve land uses and density codings shown on an endorsed local structure plan without the necessity of a rezoning;
 - make other uses, in addition to group and multiple dwellings, permissible in the future urban zone; and
 - rezone Lot 1523 Golf Links Road from Residential to Future Urban and recode portion of Lot 1523 from R12.5 to R20.
- 12. The intent of this submission is to alter the “Future Urban” zone provisions to a level which closely resembles the provisions for the Foreshore Development zone. In the later case, the Structure Plan and Precinct Plan set out the development objectives as well as the acceptable land uses within the zone.
- 13. If this request is pursued, the initial intent of the amendment will be considerably altered and the WAPC is likely to require the amendment to be readvertised and question the desirability of changing the current scheme provisions.

Concluding Justification

- 14. The purpose of this amendment is to reduce the time taken to release residential land onto the market by making textual changes to Clause 4.35. The current wording in the amending documents makes the process required for subdivision and development in a Future Urban Zone clear and assists in expediting the release of new residential land once structure planning has been finalised.

RECOMMENDATION

THAT Council, pursuant to Section 75 of the Planning and Development Act resolves to amend the City of Albany’s Town Planning Scheme No. 1A by:

- i) altering the text of clause 4.35 and 3.3;**
- ii) deleting the future urban zone from the zoning table (Appendix 1); and**
- iii) receiving the Schedule of Submissions, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed.**

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

Planning & Development Act 2005

Town Planning Scheme No. 1A - Amendment No. 157

Schedule of Submissions for altering the text of clause 4.35 and altering the zoning table as it relates to a group dwelling or a multiple dwelling in the Future Urban zone

| No. | Submitter | Submission | Officer Comment | Council Recommendation |
|-----|---|--|---|----------------------------|
| 1. | Environmental Protection Authority. Westralia Square 141 St Georges Terrace, Perth, Western Australia | a) The EPA do not require a formal environmental impact assessment process. | a) Noted | a) Noted |
| 2. | Cardno BSD Pty Ltd 2 Bagot Road SUBIACO WA 6904 | a) The amendment, in its current form, will not achieve the purpose (of avoiding delays) for which it has been initiated. b) The Future Urban Zone is too restrictive in its use class permissibility. For example Aged Persons Dwelling, Car Park, Holiday Accommodation and Shop are prohibited uses. The amendment | a) The proposal of the Amendment 157 is to delete the requirement for the rezoning of land within the future urban zone and to make additional uses in this zone permissible. Currently a proponent may wait up to 18 months to rezone the land once a structure plan has been adopted over their land. The time and processes undertaken, once the amendment is gazetted, remove that requirement. b) A Structure Plan identifies the broad principles applying to the subdivision and development of land or a locality. The current amending documents were not intended to review the desirability of redefining | a) Dismiss b) Noted |

DEVELOPMENT SERVICES REPORTS

Item 11.3.7 continued

| No. | Submitter | Submission | Officer Comment | Council Recommendation |
|-----|-----------|---|---|------------------------|
| | | <p>157 needs to be changed to empower the City to approve land uses and density codings shown on an endorsed Local Structure Plan without the necessity of rezoning. Alternatively, as a minimum, all uses that are permitted in the Residential zone should become permitted in the Future Urban Zone once a LSP is endorsed for the particular land.</p> <p>c) Include in this amendment the rezoning of Lot 1523 Golf Links Road, Albany from Residential (density R20 and R12.5) to Future Urban - consistent with the adjoining Lot 1512 Golf Links Road, Albany. This would facilitate the preparation of a single Structure Plan over the entire project. Such a rezoning does not generate any concerns re environmental assessment or statutory procedure.</p> | <p>the objectives and development control principles applying to the Future Urban Zone. The request should be the subject of a separate process with appropriate analysis of the requirements.</p> <p>c) The amendment 157 deals with changes to the text of the town planning scheme 1A. The request to include in this amendment the rezoning and recoding of land is not suitable considering referral to the Environmental Protection Authority is required. A new application to amend the scheme will be necessary.</p> | <p>c) Dismiss</p> |

..... CHIEF EXECUTIVE OFFICER

..... DATE

DEVELOPMENT SERVICES REPORTS

11.3.8 Final Approval for Scheme Amendment – Lot 508 Bayonet Head Road, Bayonet Head

- File/Ward** : AMD256 (Yakamia Ward)
- Proposal/Issue** : Request to modify the floor space restrictions for the Oyster Harbour II site, as depicted in Table 2 of Town Planning Scheme No. 3
- Subject Land/Locality** : Lot 508 Bayonet Head Road, Bayonet Head
- Proponent** : Cardno BSD Pty Ltd
- Owner** : Cuscuna Nominees Pty Ltd
- Reporting Officer(s)** : Planning Officer (A Nicoll)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 17/1/2006 - Item 11.1.2
OCM 20/6/2006 - Item 11.3.4
- Summary Recommendation** : Grant Final Approval
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.8 continued

BACKGROUND

1. Council resolved at the 20 June 2006 meeting to support the application to modify the floor space restrictions for the Oyster Harbour II site, as depicted in Table 2 of Town Planning Scheme No. 3, from a maximum floor space of 600m² NLA to 4385m² NLA.
2. The amendment was assessed by the Environmental Protection Authority (EPA) with no objections or outstanding issues. At the close of public advertising, one submission was received objecting to the proposal. Details for this have been discussed in the schedule of submissions, located at the end of this report.

STATUTORY REQUIREMENTS

3. Council is required under section 75 of the Planning and Development Act to consider the submissions lodged on the scheme amendment and resolve to progress the amendment without change, to progress the amendment subject to the modifications or recommend that the amendment not proceed. The final decision on the scheme amendment rests with the Minister for Planning and Infrastructure.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

6. There are no strategic implications relating to this item however, the following documents have a bearing on the decision making for this application:
 - The Commercial Strategy Review (2000);
 - The Albany Local Planning Strategy (Draft); and
 - The Retail Development Strategy (Draft).
7. Until the Retail Development and Albany Local Planning strategies have been finally adopted, the Commercial Strategy Review (2000), which has been adopted by the West Australian Planning Commission, is the strategic decision-making framework for commercial development in the City of Albany.
8. The current Commercial Strategy Review (2000) stipulates a maximum floor area for the 'Oyster Harbour II Shopping Centre' (Lot 508) of 600m² and recommends that *'future retail development should be directed to future neighbourhood centres and the extent of area zoned for retailing at Oyster Harbour (Lower King Road) reviewed'*.
9. The Albany Local Planning Strategy (Draft) and the Retail Development Strategy (Draft) have taken on board the recommendations of the Commercial Strategy Review (2000) and identify the Bayonet Head area as a suitable location for a Neighbourhood Centre.

DEVELOPMENT SERVICES REPORTS

Item 11.3.8 continued

10. The Retail Development Strategy (RDS) questions the commercial reality of a neighbourhood centre built off a local distributor road. That draft Strategy goes further to identify the 'Oyster Harbour II Shopping Centre' as being the preferred location for a Neighbourhood Centre for the Bayonet Head Locality. The draft Strategy suggests that the Centre proposed centrally within the Bayonet Head Outline Development Plan area should be downgraded to a local centre.
11. Based on a demographic review, the Retail Development Strategy also makes a recommendation of approximately 1800 – 2500m² of floor area for the neighbourhood centre. As further noted *'this floor space is reasonably flexible, and does not necessarily include the floor space of the existing centre'*.

COMMENT/DISCUSSION

12. Permitting a NLA of 4385m² at the Oyster Harbour II Shopping Centre is not likely to detrimentally affect adjacent owners and occupiers of the locality and will facilitate the already approved development, should a major tenant be secured (no tenant has been found since the plan was first mooted in the mid 1990s).
13. The amendment will ensure consistency between the Albany Local Planning Strategy, the recommendations made in the Commercial Strategy Review, the Retail Development Strategy and the already approved development application permitting a NLA of 4385m².
14. The more recent documentation suggests that Oyster Harbour site is the better location for a neighbourhood centre and, with an expected increase in the population within the Bayonet Head Area, it is not unreasonable to increase the permitted floor area to suit.
15. The single objection received on the amendment raises concerns over the off site impacts that a future development may have on neighbouring properties. Those impacts will occur or be mitigated by good design. The size of the centre would be an irrelevant consideration if refrigeration is required.

RECOMMENDATION

THAT Council, pursuant to Section 75 of the Planning and Development Act resolves to amend the City of Albany's Town Planning Scheme No. 3 by:

- i) **modifying the floor space restrictions for the Oyster Harbour II site, as depicted in Table 2 of Town Planning Scheme No. 3, from a maximum floor space of 600m² NLA to 4385m² NLA; and**
- ii) **receiving the Schedule of Submissions, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld and Dismissed as detailed.**

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.3.8 continued

Planning & Development Act 2005
Town Planning Scheme No. 3 - Amendment No. 256

Schedule of Submissions for a request to modify the floor space restrictions for the Oyster Harbour II site, as depicted in Table 2 of Town Planning Scheme No. 3.

| No. | Submitter | Submission | Officer Comment | Council Recommendation |
|-----|--|--|---|------------------------|
| 1. | Environmental Protection Authority. Westralia Square 141 St Georges Terrace, Perth, Western Australia | a) No Objection | a) Nil | a) Noted |
| 2. | J & G Snell 5 Yokanup Road Bayonet Head | a) Objection on the grounds that the increase in floor space will increase noise and pollution from air conditioning units and ultimately affect the amenity of the neighbourhood. | a) Air conditioners do not impact on the environment via exhaust emissions and regardless of the amount of conditioners, combined they cannot exceed 35 decibels in noise (as per the <i>Environmental Noise Regulations 1997</i>). The increase in floor area is therefore not expected to impact on the neighbourhood as a result of a potential increase in air conditioning units. | a) Dismissed |

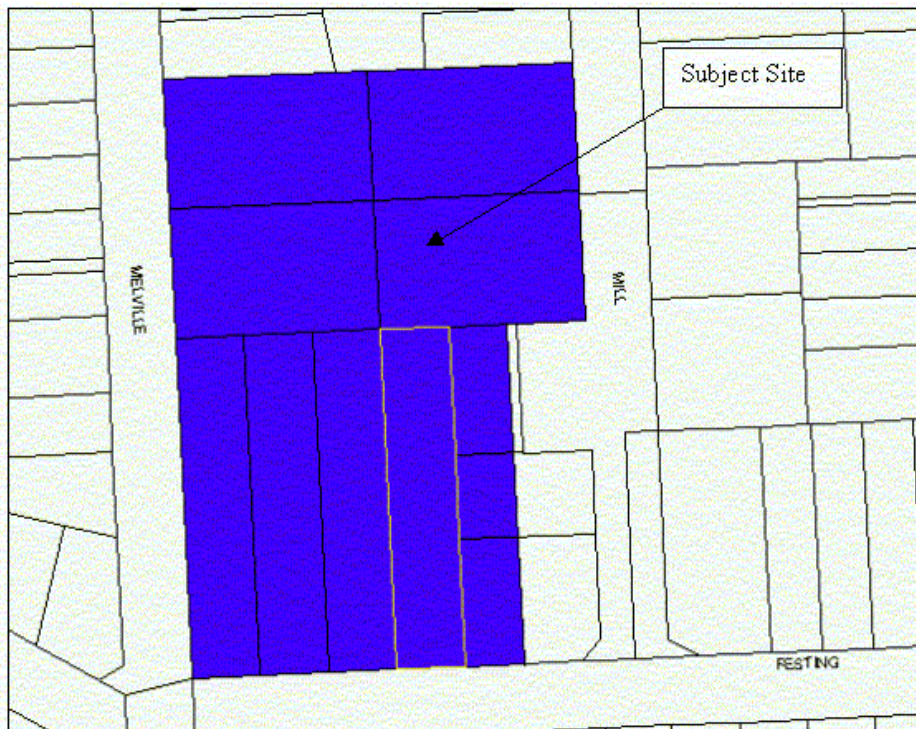
.....
CHIEF EXECUTIVE OFFICER

.....
DATE

DEVELOPMENT SERVICES REPORTS

11.3.9 Final Approval For Scheme Amendment - Albany Spinning Mill - Mill Street, Albany

- File/Ward** : A168739 (Vancouver Ward)
- Proposal/Issue** : Request to rezone the Albany Spinning Mill site from the 'Industrial' zone to the 'Residential' (R30) zone and to add a Special Site in Appendix No II of the Town Planning Scheme 1A
- Subject Land/Locality** : Lots 75, 76, 77, 78 and 79 Festing Street, Lots 207 & 208 Mill Street, Lots 221 and 220 Melville Street, Albany
- Proponent** : Ayton Taylor & Burrell
Grandeur Design & Construction Pty Ltd
- Owner** : Noble Investments Pty Ltd
- Reporting Officer(s)** : Planning Officer (A Nicoll)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 20/08/02 - Item 11.1.4
OCM 17/09/02 - Item 11.1.1
OCM 18/02/03 - Item 11.3.5
- Summary Recommendation** : Grant Final Approval
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.9 continued

BACKGROUND

1. At the Council meeting dated 18 February 2003 Council resolved:

“THAT:

- a. *subject to the amending documents being altered to show a maximum coding of R60 for the “Special Site”, Council, in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to amend the City of Albany’s Town Planning Scheme 1A by:*
 - i. *rezoning Lots 76, 77, 78, 79, 220 and Location 74, 75, 207, 221 and 208 Mill Street, Albany from ‘Industry’ to ‘Residential R30’ and “Special Site” zones; and*
 - ii. *adding a “Special Site” in Appendix I.”*
2. The amendment document has now been changed as requested to show a maximum coding of R60 for the “Special Site”. The amendment was then referred to the Environmental Protection Authority (EPA) and advertised for public inspection. At the close of the advertising, three submissions had been received (refer to the schedule of submissions located at the end of this report).

STATUTORY REQUIREMENTS

3. As stated within clause 3.8 of the Town Planning Scheme 1A; *‘notwithstanding that a parcel of land described as a Special Site is within another zone...the use of the parcel of land is also subject to...conditions...stated...in the schedule’*. In other words, when assessing an application at the base zoning (R30), the conditions stated in the Special Site schedule are to also apply.
4. The amendment was initiated under Section 7 of the Town Planning and Development Act 1928. That Act has since been repealed and replaced with the Planning and Development Act 2005.
5. Council is required under section 75 of the Planning and Development Act to consider the submissions lodged on the scheme amendment and resolve to progress the amendment without change, to progress the amendment subject to the modifications or recommend that the amendment not proceed. The final decision on the scheme amendment rests with the Minister for Planning and Infrastructure.

POLICY IMPLICATIONS

6. The property is listed in the City of Albany Municipal Heritage Inventory as both Management Category ‘B’ and ‘D’. The management of “the place” will be different, based upon the following principles:

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

Management Category D - “Significant but not essential to an understanding of the history of the district. Photographically record the place prior to any major redevelopment or demolition.”

DEVELOPMENT SERVICES REPORTS

Item 11.3.9 continued

FINANCIAL IMPLICATIONS

7. The development of the site may require road treatments to improve safety and to provide pathways for pedestrians.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

Proposal

9. It is proposed by the Amendment to change the zoning of the site from 'Industrial' to 'Residential R30' with a 'Special Site' classification to incorporate the following provision in Part IV of the Scheme Text:

"Within the Area zoned 'Special Site No. 38' with a Residential R30 density code, development to the R60 standard may be permitted subject to the preparation of detailed design guidelines to Council's satisfaction and compliance with the conditions outlined in Appendix II – Schedule of Special Sites".

10. The 'Special Site' designation will enable the development of "Aged Persons Dwellings", "Holiday Accommodation", a "Restaurant" and a "Day Care Centre" or other incidental uses of a minor nature as considered appropriate by Council. Conditions have been included within the 'Special Site' designation to retain parts of the original Albany Spinning Mill's building and to control access, building design (including height) and fencing throughout the site.

Submissions

11. The EPA did not require a formal "Environmental Impact Assessment" process, however, they advised that further research needs to be undertaken to identify soil, groundwater and vapour in consultation with the Department of Environment and Conservation guidelines. In order to accommodate this requirement, staff previously recommended that another condition be included in the 'Special Site' classification (Condition 1) stating the following; 'prior to the development or subdivision of the site, a remediation and validation report for soil, groundwater and vapour needs to be undertaken (in liaison with the Department of Land and Water Quality) to the satisfaction of the City of Albany'.
12. Public submissions were received which welcomed the development on the site. However, concerns were raised regarding safe access throughout the area (including pedestrian) and the impact on the amenity (character, noise and views) of the area as a result of the development of a hotel and a residential density of R60. Requests were also made for other properties within the locality to be included within this amendment in order to increase their density from R20 to R30. Refer to the Schedule of Submissions, located at the end of this report, for further discussion.

Conclusion

13. Considering the subject land is ideally located close to the centre of the City, and in a predominantly residential area, the most appropriate zoning is for "Residential" purposes. The environmental reports previously provided indicate the site is free of any environmental and health concerns. Staff therefore support the amendment proposal for a rezoning from "Industry" to "Residential".

DEVELOPMENT SERVICES REPORTS

Item 11.3.9 continued

RECOMMENDATION

THAT Council, pursuant to Section 75 of the Planning and Development Act resolves to amend the City of Albany’s Town Planning Scheme No. 1A by:

- i) rezoning Lots 76, 77, 78, 79 and Portion of Albany Town Lots 75 Festing Street, Lots 207 & 208 Mill Street, Lots 221 and 220 Melville Street, Albany from the ‘Industry’ zone to the ‘Residential’ (R30) zone;**
- ii) adding a “Special Site” in Appendix II;**
- iii) receiving the Schedule of Submissions, the comments on individual submissions be tabled and the recommendations contained therein be either Noted, Upheld or Dismissed as detailed; and**
- iv) amending the Scheme Maps accordingly.**

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.3.9 continued

Planning & Development Act 2005
 Town Planning Scheme No. 1A - Amendment No. 140
 Schedule of Submissions for rezoning Lots 76, 77, 78, 79, 220 and Location 74, 75, 207, 221 and 208 Mill Street, Albany
 from 'Industry' to 'Residential R30' and 'Special Site' zones, and adding a 'Special Site' in Appendix II.

| No. | Submitter | Submission | Officer Comment | Council Recommendation |
|-----|---|---|--|---|
| 1. | Environmental Protection Authority. Westralia Square 141 St Georges Terrace, Perth, Western Australia | a) The EPA do not require a formal environmental impact assessment process, however, they advise that further research needs to be undertaken for soil, groundwater and vapour. | a) Further testing can be achieved prior to subdivision and development of the site. | a) Upheld: At 'Condition 1' within the special site schedule of conditions add the following requirement: "a remediation and validation report for soil, groundwater and vapour being undertaken to the satisfaction of the City of Albany in liaison with the department of Land and Water Quality". |
| 2. | G Cutler 34 Melville Street ALBANY WA 6330 | a) Object to the development of a hotel on the grounds that it will increase the traffic and affect the amenity of the area. | a) An indicative concept plan provided as part of the amendment illustrates the use '-hotel' on the subject land. This is only indicative and under the provisions of the Town Planning Scheme and schedule of additional uses the subject of this amendment, a hotel cannot be supported on the subject area. The proponents have since indicated no intentions for the development of a hotel on the site. In regards to traffic movement, the subject area has the potential for dual road access in order to share the vehicular movements. A condition (condition v) has been included within the conditions list to encourage the use of both streets. This will reduce the impact of traffic on any one street. | a) Upheld: Modify the amendment documentation to omit the use 'Hotel' from the indicative plan contained within. |

DEVELOPMENT SERVICES REPORTS

Item 11.3.9 continued

| No. | Submitter | Submission | Officer Comment | Council Recommendation |
|-----|-----------|--|---|-------------------------------------|
| | | <p>b) Object to a residential density coding of R60.</p> <p>c) Supportive of development (as specified) is conditional on the preservation of views.</p> | <p>The WAPC (Liveable Neighbourhoods) encourages a mixture of lot sizes distributed throughout neighbourhoods to provide housing choice. Additional provisions to control the design of development have been included as part of the amendment to protect the amenity of the area. In accordance with the Town Planning Scheme 1A, the property currently has the potential to be developed at an R50 density for aged persons. The difference in densities R60 and R50 are only marginal.</p> <p>c) Development is to be in accordance with the Residential Design Codes (RDC), which makes restrictions on the height of buildings to 6m (wall) and 9m (top of roof). Where an application is made to develop contrary to the height limits, neighbours comment, justification and loss of views are taken into account. The City of Albany and the West Australian Planning Commission as the means for controlling residential development have adopted the RDC.</p> | <p>b) Dismiss</p> <p>c) Dismiss</p> |

DEVELOPMENT SERVICES REPORTS

Item 11.3.9 continued

| No. | Submitter | Submission | Officer Comment | Council Recommendation |
|-----|---|--|--|---|
| 3 | L Slott 28 Festing Street ALBANY WA 6330 | <p>a) Support the density coding of R30 and the development of aged persons accommodation on the site.</p> <p>b) Include the Lots fronting Melville Street (western side) and 28 and 30 Festing Street in the Amendment 140 to make possible an R30 residential density code.</p> <p>c) Provide the development of pedestrian access throughout the area, especially along Festing Street.</p> | <p>a) The proposal makes the provision for R30 and aged persons accommodation.</p> <p>b) A density increase is not warranted without explanation in accordance with planning principles. Explanation is best provided as a new application for an amendment to the Town Planning Scheme, which illustrates the exact area under application and planning criteria for support.</p> <p>c) The City strategy for the location and construction of dual use paths in Albany makes the provision of a dual use path along Princess Royal Drive linking pedestrians from the central area to the Frenchman Bay area. At the development stage of the old Woollen Mills, the opportunity exists requiring a contribution for the construction of a dual use path to provide a connection for residents (north of the railway) to the dual use path to be constructed along Princess Royal Drive.</p> | <p>a) Noted</p> <p>b) Dismiss</p> <p>c) Dismiss</p> |

DEVELOPMENT SERVICES REPORTS

Item 11.3.9 continued

| No. | Submitter | Submission | Officer Comment | Council Recommendation |
|-----|---|--|--|------------------------------|
| 4. | M & S O'Doherty 30 Festing Street ALBANY WA 6330 | a) Construct a dual use path along Festing Street to a dual use path on Frenchman Bay Road. b) Include all the properties within 1km of the Town Centre with a density of R30. This will create a more vibrant and viable centre. | a) As per the officer comment stated in submission 3 (c). b) As per the officer comment stated in submission 3 (b). | a) Dismiss b) Dismiss |

..... CHIEF EXECUTIVE OFFICER

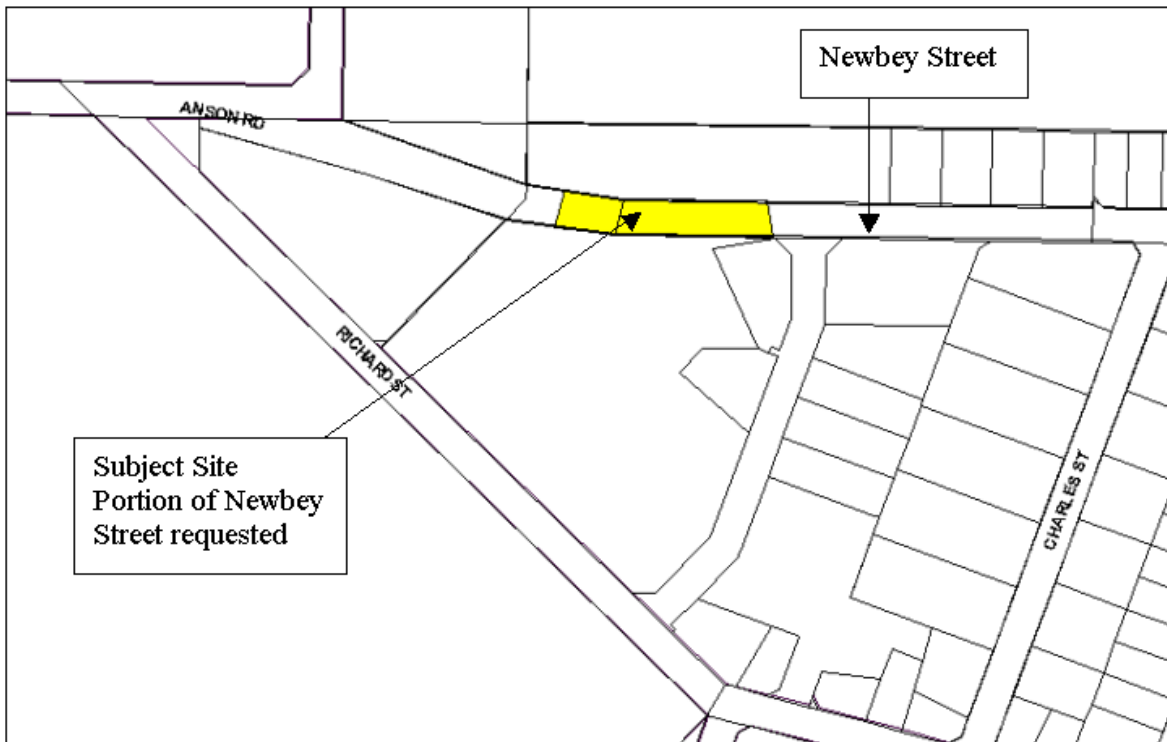
..... DATE

DEVELOPMENT SERVICES REPORTS

11.4 RESERVES PLANNING

11.4.1 Closure of Road - Newbey Street, Milpara

| | | |
|-------------------------------|---|--|
| File/Ward | : | A190293, SER 088 (Kalgan Ward) |
| Proposal/Issue | : | Closure of Portion of Newbey Street and Incorporation of Road into Industrial Lots |
| Subject Land/Locality | : | Newbey Street |
| Proponent | : | Harley Survey Group |
| Owner | : | R & H Hedderwick E & W Harley |
| Reporting Officer(s) | : | Planning Officer (L Brown) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | OCM 19/9/06 - Item 11.1.4 |
| Summary Recommendation | : | Resolve to Close Road |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | |



DEVELOPMENT SERVICES REPORTS

Item 11.4.1 continued

BACKGROUND

1. Application has been received from the landowners of Lot 9002 Richard Street seeking closure of a portion of Anson Road/Newbey Street. In return they will cede the portion of land required to implement the re-aligned Anson Road and Newbey Street intersection. A copy of the road closure plan (09196-12C) and a plan indicating the proposed portions of land to be 'swapped' (0919617A) are included at the rear of this report.
2. At the September meeting, Council resolved to advertise the road closure. At the conclusion of the advertising period, a total of three (3) submissions had been received, with none of them objecting to the road closure.

STATUTORY REQUIREMENTS

3. 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 submissions received during that period. The request is then forwarded to the Department for Planning and Infrastructure to complete the procedural steps to close the road.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

6. 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”

DEVELOPMENT SERVICES REPORTS

Item 11.4.1 continued

COMMENT/DISCUSSION

7. The affected portion of road falls entirely within the current Anson Road/Newbey Street road reserve. The proposed re-alignment allows Anson Road and Newbey Street to intersect in a 'T-Junction' rather than continuing to flow into each other as a singular road, which is its current design. The proposed re-alignment is consistent with the Anson Road Structure Plan.
8. The three responses received from government agencies have raised no objection to the road closure. No other submissions were received by Council. Staff conclude from these responses that the community consider the application acceptable and a sound proposal.
9. The landowners have requested that in return for ceding the 1718m² area of land required for the realignment of Anson Road and Newbey Street into a T-Junction, that the closed portion of Anson Road/Newbey Street, which totals 1217m² in area, be transferred back to the applicant at no cost. This request is considered rational on the basis that the area of land being ceded as road reserve is greater than the closed portion area that will be transferred back to the applicant. Any costs relating to the transfer and ceding of land shall be borne by the applicant.
10. The Department of Planning and Infrastructure will be the authority who decides whether the landowners could obtain the closed portion of reserve at no cost or at market value.

RECOMMENDATION

THAT Council,

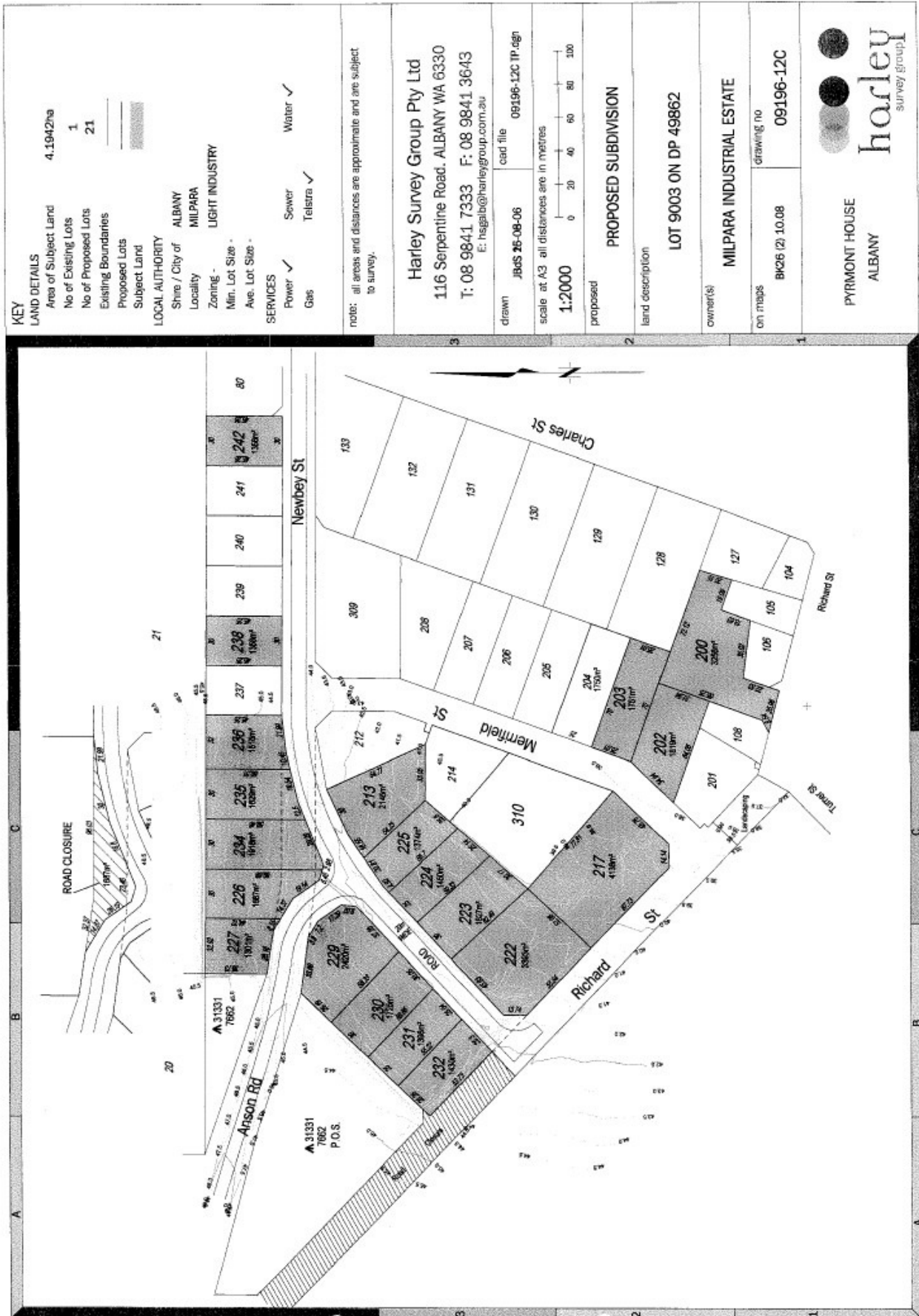
- i) **pursuant to Section 58 of the Land Administration Act 1997, resolves to close the portion of Newbey Street, Milpara, as per the plan submitted (Plan 09196-12C, dated 26/8/06) by Harley Survey Group; and**
- ii) **request the Department of Land Information, upon the formal closure of the portion of Anson Road/Newbey Street, transfer the land (shown as Area A on plan 09196-17A) free of cost, to the landowners of Lot 9002 Richard Street in exchange for the ceding of land required for the re-alignment of Anson Rd/Newbey Street (shown as Area B on plan 09196-17A).**

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

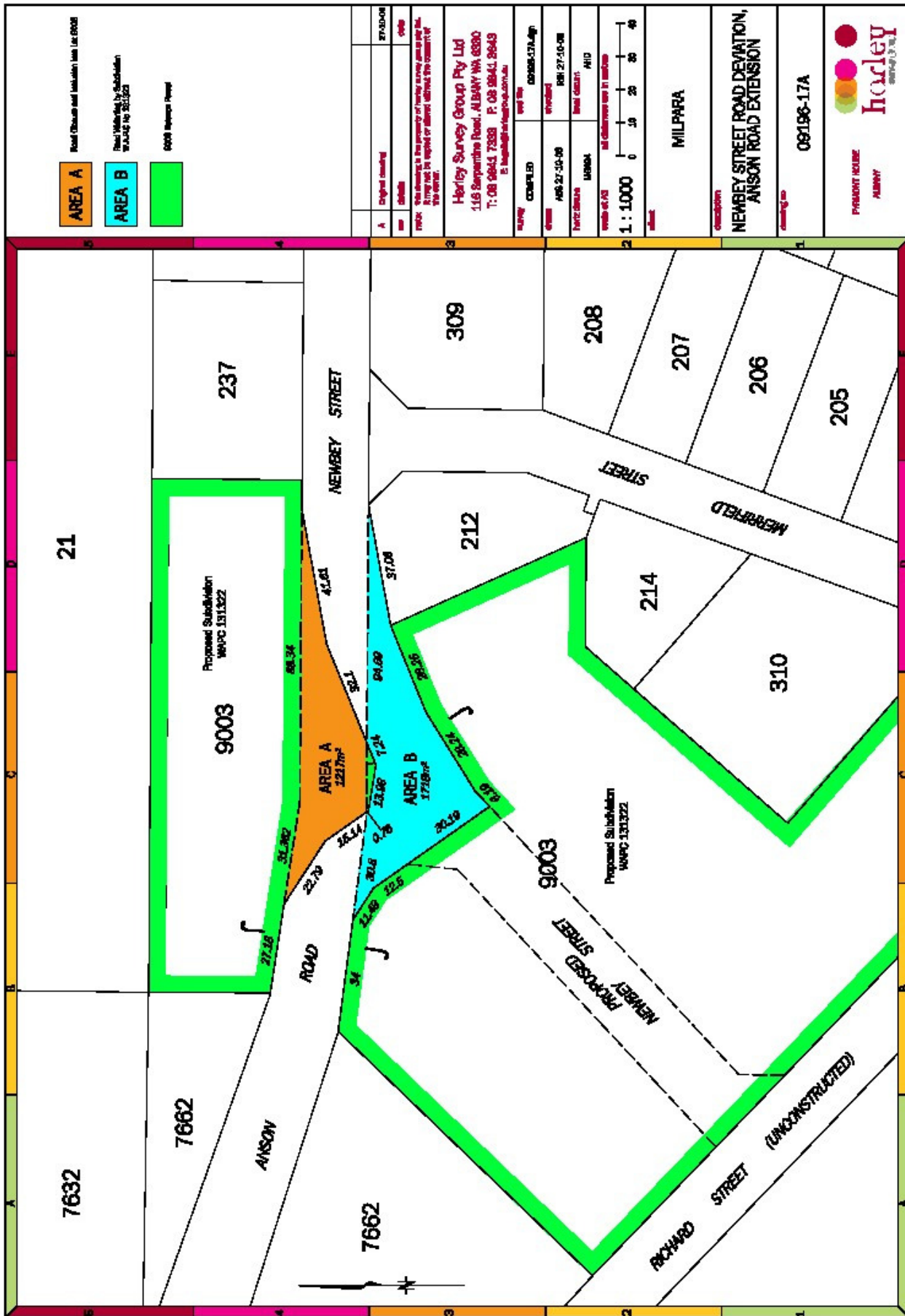
Item 11.4.1 continued



| | | | | |
|----------------------|---------------------|------------------------|-----------------|---|
| KEY | LAND DETAILS | LOCAL AUTHORITY | SERVICES | note: all areas and distances are approximate and are subject to survey. |
| Area of Subject Land | 4.1942ha | Shire / City of | Power ✓ | Harley Survey Group Pty Ltd |
| No of Existing Lots | 1 | ALBANY | Sewer ✓ | 116 Serpentine Road, ALBANY WA 6330 |
| No of Proposed Lots | 21 | MILPARA | Gas | T: 08 9841 7333 F: 08 9841 3643 |
| Existing Boundaries | | Zoning - | Water ✓ | E: hsgall@harleygroup.com.au |
| Proposed Lots | | LIGHT INDUSTRY | Telstra ✓ | drawn JRS 25-08-06 |
| Subject Land | | Min. Lot Size - | | ced file 09196-12C TP.dgn |
| | | Ave. Lot Size - | | scale at A3 all distances are in metres |
| | | | | 1:2000 |
| | | | | proposed |
| | | | | PROPOSED SUBDIVISION |
| | | | | land description |
| | | | | LOT 9003 ON DP 49862 |
| | | | | owner(s) |
| | | | | MILPARA INDUSTRIAL ESTATE |
| | | | | on maps |
| | | | | BK26 (2) 10.08 |
| | | | | drawing no |
| | | | | 09196-12C |
| | | | | |
| | | | | PYRMONT HOUSE |
| | | | | ALBANY |

DEVELOPMENT SERVICES REPORTS

Item 11.4.1 continued



AREA A Road Closure and Relocation (as per 9003)
AREA B Road Relocated by Subdivision WAPC 131322
9003 9003 Boundary Fence

| STANDARD | DATE |
|-------------------|----------|
| A Original Issued | 27/03/06 |
| B | |
| C | |

This drawing is the property of Horley Survey Group Pty Ltd.
 It may not be copied or altered without the consent of
 the owner.
Horley Survey Group Pty Ltd
 116 Serpentine Road, ALBANY WA 6330
 T: 08 9843 7338 F: 08 9843 9649
 E: hsg@horleysurvey.com.au

| | | | |
|------------|------------------------------|-------|------------|
| STATUS | COMPLETED | DATE | 02/08/2016 |
| OWNER | WAPC 131322 | DATE | 27/10/06 |
| PROJECT | WAPC 131322 | SCALE | AS SHOWN |
| DATE OF AS | ALL DIMENSIONS ARE IN METRES | | |



MILPARA
 NEMBEY STREET ROAD DEVIATION,
 ANSON ROAD EXTENSION
 09196-17A



DEVELOPMENT SERVICES REPORTS

11.4.2 Purchase of Portion of Reserve – Chipana Drive, Little Grove

| | | |
|-------------------------------|---|--|
| File/Ward | : | A64820 (Vancouver Ward) |
| Proposal/Issue | : | Driveways Constructed Across Reserve 1036 Providing Access to Lots 221 and 222 |
| Subject Land/Locality | : | Portion of Reserve 1036 Adjoining Chipana Drive, Little Grove |
| Proponent | : | Crown |
| Owner | : | Crown |
| Reporting Officer(s) | : | Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | Cancel Reserve and Incorporate into Road Reserve |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | |



DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued

BACKGROUND

1. The owners of Lot 221 and 222 Chipana Drive have developed their properties in a manner that has resulted in their buildings cutting off access to the rear yards of the properties. In both instances, the landowners have constructed driveways across an adjoining section of Reserve 1036 (Reserve for Recreation) to gain access to sheds constructed on those properties.
2. The section of Chipana Drive on the eastern side of lots 221 and 222 is also partially constructed on Reserve 1036 and the Water Corporation, Telstra and Western Power have infrastructure laid within the Recreation Reserve.
3. The Department of Planning and Infrastructure has come to two conclusions to rectify the current anomaly;
 - *Amalgamate the portion of Reserve 1036 located west of Chipana Drive into lots 221 and 222. Some widening of Chipana Drive may be required to accommodate the service authority infrastructure and the road pavement; or*
 - *Cancel the portion of Reserve 1036 located west of Chipana Drive and include the Reserve as a widening of Chipana Drive.*

STATUTORY REQUIREMENTS

4. Prior to the Department of Planning and Infrastructure progressing any action to change the status of the Reserve, Council's comments are sought.

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; 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.”

DEVELOPMENT SERVICES REPORTS

Item 11.4.2 continued

COMMENT/DISCUSSION

8. An initial response to this request could be to simply require the owners of lots 221 and 222 Chipana Drive to remove their driveways of adjoining Reserve 1036. Should Council wish to pursue that course of action, the owners of lot 222 (the most northern of the two land parcels) are likely to request that Council construct physical road access to their property. No road pavement exists along their northern boundary where they have legal road frontage.
9. The owners of Lot 221 have a constructed portion of Chipana Drive across the southern boundary of their land and have the potential to develop alternate physical access to their property. However, the property is located on the inside of a major bend in Chipana Drive and a road intersection exists on the outer side of Chipana Drive, just east of their property; for safety reasons, the relocation of property access to their southern boundary may not be desirable.
10. If Reserve 1036 is converted into freehold land and incorporated into Lots 221 and 222, the owners of those lots could then proceed to clear the land, reconfigure property titles and ultimately dispose of the land; if that was to occur, the visual qualities of Chipana Drive would be diminished and current access arrangements would be exacerbated.
11. Staff support the second solution proposed by the Department of Planning and Infrastructure. Cancelling that portion of Reserve 1036 and incorporating it into the adjoining road reserve will allow Council to legalize the current access arrangements, it will allow current infrastructure to remain in place and the existing vegetation between Chipana Drive and Lots 221 and 222 will remain on property under the care and control of Council.

RECOMMENDATION

THAT Council advise the Department of Planning and Infrastructure that, pursuant to Section 56 of the Land Administration Act, Council requests that portion of Reserve 1036 located west of Chipana Drive to be cancelled and for the land contained in that portion of the Reserve to be included as a widening of Chipana Drive.

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

11.4.3 Road Dedication - Access Road to Albany Windfarm

| | |
|-------------------------------|---|
| File/Ward | : A6252, A174463 (Vancouver Ward) |
| Proposal/Issue | : Dedication of Sandpatch Road through Sandpatch Reserve |
| Subject Land/Locality | : Reserves 26117 (Prison Site) and Reserve 2903 (Sandpatch Reserve) |
| Proponent | : Crown |
| Owner | : Crown |
| Reporting Officer(s) | : Executive Director Development Services (R Fenn) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Nil |
| Summary Recommendation | : Dedicate Road Reserve |
| Bulletin Attachment | : Nil |
| Locality Plan | : Attached |

BACKGROUND

1. The Department of Planning and Infrastructure has referred for Council's attention the constructed extension of Sand Patch Road through Reserves 26117 and 2903. The Department is seeking advice from Council as to whether Council proposes to arrange the dedication of the constructed extension as a public road.
2. A plan showing the relationship of the road to the existing reserves follows this report.

STATUTORY REQUIREMENTS

3. Prior to the Department of Planning and Infrastructure progressing any action to change the status of the Reserve, Council's resolution under Section 56 of the Land Administration Act is sought.

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:

DEVELOPMENT SERVICES REPORTS

Item 11.4.3 continued

“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

7. Currently the road pavement is located upon reserves under the care and control of the Minister for Justice and Police and the City of Albany. Whilst the road pavement remains on those reserves, the legal position for motorists and authorities under the Traffic Act, etc remains clouded.
8. It is desirable that the road reservation be extended to incorporate the entire length of Sandpatch Road, inclusive of the parking area at its southern terminus.

RECOMMENDATION

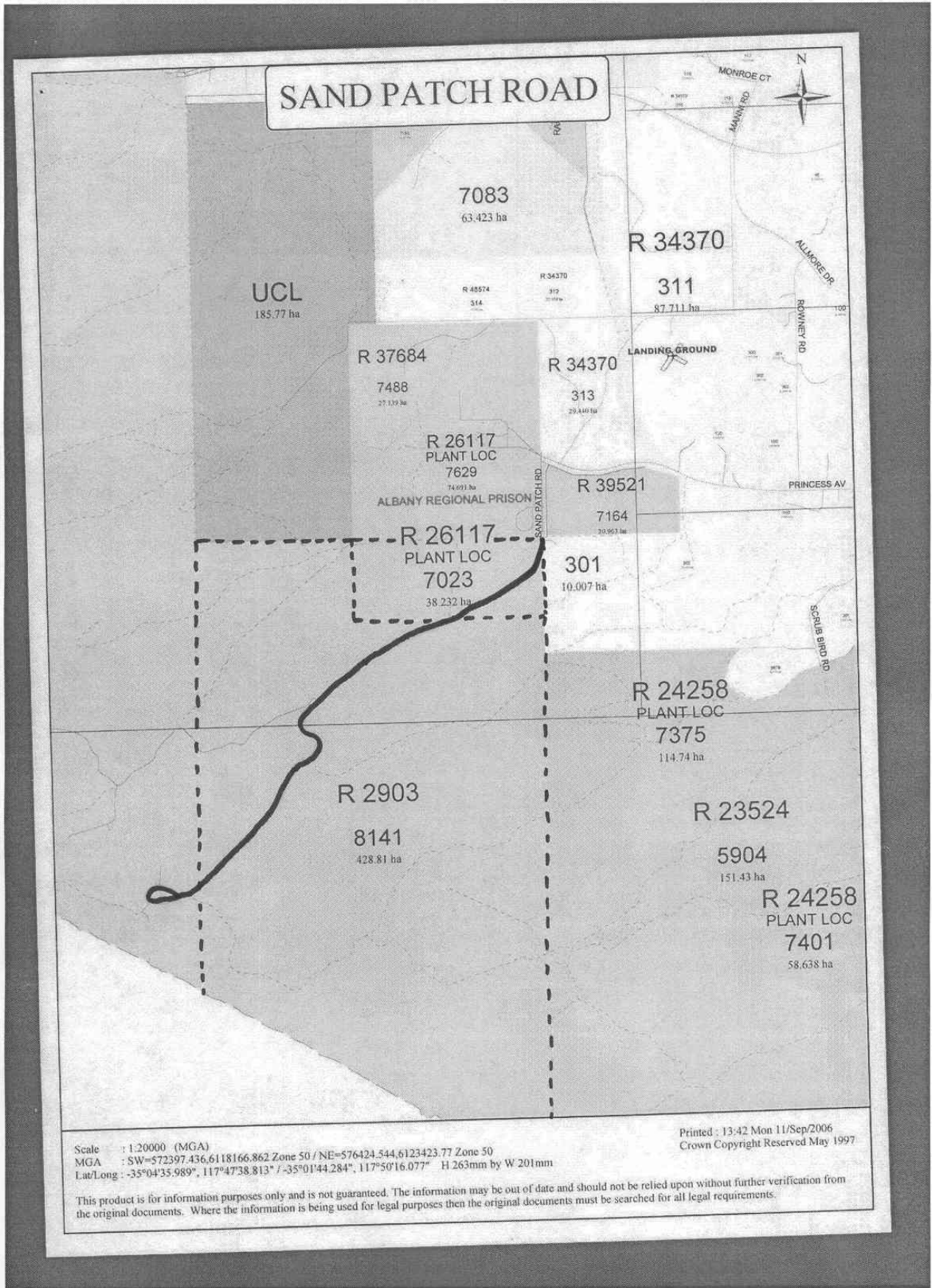
THAT Council advise the Department of Planning and Infrastructure that, pursuant to Section 56 of the Land Administration Act, Council requests that those portions of Sandpatch Road located within Reserves 26117 and 2903 be excised from Reserves 26117 and 2903 and dedicated as a public road.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.4.3 continued



DEVELOPMENT SERVICES REPORTS

11.5 DEVELOPMENT SERVICE COMMITTEES

11.5.1 Bushfire Management Committee meeting minutes - 5 September 2006

| | | |
|-------------------------------|---|--|
| File/Ward | : | MAN 089 (All Wards) |
| Proposal/Issue | : | Committee items for Council consideration |
| Reporting Officer(s) | : | Emergency Management Coordinator (S Gray) |
| Summary Recommendation | : | That the minutes of the Bushfire Management Committee held on 5 September 2006 be adopted. |

COMMENT

At the October meeting of Council items 9.1, 9.2 and 9.3 of the Bush Fire Management Committee were considered by Council as Urgent Business Approved by the Mayor. Copies of the Committee's Minutes were not distributed prior to the meeting and it was not possible for Council to receive those minutes.

RECOMMENDATION

That the minutes of the Bushfire Management Committee held on 5 September 2006 be received (copy of minutes is in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

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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 | : | List of Accounts for Payment |
| Locality Plan | : | N/A |

COMMENTS / DISCUSSION

1. 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 | | \$137,485.02 |
| Electronic Fund transfer | Totalling | | \$2,437,177.40 |
| Credit Cards | Totalling | | \$9,027.56 |
| Payroll | totalling | | \$780,941.87 |
| Total | | | <u>\$3,364,631.85</u> |

2. As at 6th November 2006, the total outstanding creditors, stands at \$182,502.53.

RECOMMENDATION

THAT the following City of Albany accounts be passed for payment:-
Municipal Fund Totalling \$3,364,631.85

Voting Requirement Simple Majority

.....

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

| | | |
|-------------------------------|---|---------------------------------------|
| 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 |

BACKGROUND

1. The Financial Activity Statement 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 Council note the Statement.

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 Statement and report on major variances follow.

RECOMMENDATION

THAT Council note the attached Financial Activity Statement for October 2006.

Voting Requirement Simple Majority

.....

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.1.2 continued

FINANCIAL ACTIVITY STATEMENT – Oct 06

| | Actual Year to Date 31-Oct-06 | Current Budget Year to Date 31-Oct-06 | Budget Variance |
|---|-------------------------------------|---|--------------------|
| OPERATING INCOME | | | |
| Rates | 16,602,725.16 | 16,467,661 | 135,064 |
| Grants & Subsidies | 1,065,605.26 | 1,068,042 | (2,437) |
| Contributions. Reimb & Donations | 114,659.57 | 108,831 | 5,829 |
| Fees & Charges | 3,884,571.75 | 3,838,521 | 46,051 |
| Interest Earned | 293,803.06 | 309,764 | (15,961) |
| Other Revenue / Income | 302,479.42 | 282,161 | 20,318 |
| Net Controlled Trust Revenue | (26,545.73) | (26,546) | |
| | 22,237,298.49 | 22,048,434 | 188,864 |
| OPERATING EXPENDITURE (excluding depreciation) | | | |
| Employee Costs | (3,838,254.98) | (3,660,336) | (177,919) |
| Utilities | (227,993.13) | (245,444) | 17,451 |
| Interest Expenses | (7,504.78) | (8,226) | 721 |
| Contracts & materials | (2,523,437.76) | (2,555,143) | 31,705 |
| Insurance expenses | (422,573.80) | (395,714) | (26,860) |
| Other Expenses | (472,130.75) | (467,686) | (4,445) |
| | (7,491,895.20) | (7,332,549) | (159,346) |
| CAPITAL INCOME | | | |
| Grants & Subsidies | 271,541.82 | 252,562 | 18,980 |
| Contributions. Reimb & Donations, Other | (500.00) | (500) | - |
| Proceeds from sale of assets | 1,420,104.22 | 1,395,000 | 25,104 |
| | 1,691,146.04 | 1,647,062 | 44,084 |
| CAPITAL EXPENDITURE | | | |
| Asset Masterplans | (844,043.81) | (852,882) | 8,838 |
| ALAC Redevelopment | (34,288.53) | (34,000) | (289) |
| Plant Replacement | (887,664.78) | (858,000) | (29,665) |
| Developers Subdivisions | 0.00 | 0 | - |
| Other Capital | (195,312.36) | (203,000) | 7,688 |
| | (1,961,309.48) | (1,947,882) | (13,427) |
| CASH FLOWS FROM FINANCING ACTIVITIES | | | |
| Loan Principal Repayment | (94,980.12) | (91,725) | (3,255) |
| Proceeds from Self Supporting Loans | 2,750.00 | 2,750 | - |
| Proceeds from new loans | 0.00 | 0 | - |
| | (92,230.12) | (88,975) | (3,255) |
| OTHER BALANCE SHEET ITEMS | | | |
| Change in stock position | 117,760.46 | | |
| Change in Debtors | (3,072,011.78) | | |
| Change in Creditors | (1,038,009.62) | | |
| | (3,992,260.94) | | |
| NET CASH FLOW | 10,390,748.79 | | |
| Opening Cash balance | 15,968,783.53 | | |
| NET CASH AT BALANCE DATE | 26,359,532.32 | | |
| Cash Summary | | | |
| Municipal Account | 15,151,389.07 | | |
| Reserve Account | 8,208,020.72 | | |
| Trust Account | 3,000,122.53 | | |
| Total Bank / Investments | 26,359,532.32 | | |

Item 12.1.2 continued

Explanation of Variances on Financial Activity Statement – October YTD 2006

Nil variances of 10% or greater for the month.

12.1.3 Audit Committee – 7th November 2006

- File/Ward** : FIN020 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Corporate Governance Coordinator (JR Byrne)
- Summary Recommendations** : i) THAT the Minutes of Audit Committee meeting held on 7th November 2006 be adopted;
ii) THAT the audited financial statements for 2005/06 be accepted; and
iii) THAT Council appoint Mr Russell Harrison as external auditor.

RECOMMENDATIONS

1. **THAT the minutes of Audit Committee meeting held on the 7th November 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).**

Voting Requirement Simple Majority

.....

2. **THAT in accordance with the requirements of Section 5.54 of the Local Government Act, Council accept the City of Albany Audited Financial Statements for the year ending 30th June 2006.**

Voting Requirement Absolute Majority

.....

3. **THAT in accordance with Section 7.3 of the Local Government Act, Council appoint Mr Russell Harrison as external auditor for the financial years 2006/07 to 2009/10 inclusive.**

Voting Requirement Absolute Majority

.....

12.2 ADMINISTRATION

12.2.1 Adoption of Business Plan – Cull Road Subdivision Project

| | | |
|-------------------------------|---|--|
| File/Ward | : | C06034 (Vancouver) |
| Proposal/Issue | : | Business Plan for Cull Road Subdivision Project has been prepared and submissions invited. |
| Subject Land/Locality | : | 34 – 66 Cull Road |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Executive Director Corporate & Community Services (WP Madigan) |
| Disclosure of Interest | : | N/A |
| Previous Reference | : | Item 12.7.1 OCM 15/08/06 |
| Summary Recommendation | : | That the Business Plan for the Cull Road Subdivision be adopted. |
| Bulletin Attachment | : | Copy of Business Plan |
| Locality Plan | : | N/A |

BACKGROUND

1. The Cull Road Subdivision Project was initiated to provide necessary funding for the Albany Leisure and Aquatic Centre Redevelopment Project.
2. 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 has been appointed.
3. The major land transaction business plan for the subdivision of the property located at 34 - 66 Cull Road, Lockyer, has been prepared and advertised.

STATUTORY REQUIREMENTS

4. Section 3.59 of the Local Government Act 1995 relates to Commercial Enterprises by Local Governments, including land transactions, acquiring or disposing of an interest in land or developing land.
5. The Local Government Act 1995 states that;

A major land transaction means a land transaction other than an exempt land transaction if the total value of -

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.1 continued

a) *The consideration under the transaction; and*

b) *Anything done by the local government for achieving the purpose of the transaction,*

is more, or is worth more, than the amount prescribed.

6. Under the Local Government (Functions and General) Regulations 1996 the prescribed amount is determined as either \$1,000,000 or 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year. (Regulation 7).
7. The proposed disposal of lands as outlined within this business plan is estimated to yield in excess of \$1,000,000 and as such is a major land transaction as defined for the purposes of Section 3.59 of the Local Government Act.
8. In accordance with the provisions of Sections 3.59 (2) & (3), before it enters into a major land transaction; or enters into a land transaction that is preparatory to entry into a major land transaction, a local government is to prepare a business plan.

Business Plan

9. The business plan is to include an overall assessment of the major land transaction and is to include details of -
 - a) its expected effect on the provision of facilities and services by the local government;
 - b) its expected effect on other persons providing facilities and services in the district;
 - c) its expected financial effect on the local government;
 - d) its expected effect on matters referred to in the local government's forward plan'; and
 - e) the ability of the local government to manage the performance of the transaction

POLICY IMPLICATIONS

10. Nil

FINANCIAL IMPLICATIONS

11. Council's Five Year Business Plan includes the redevelopment of the Albany Leisure and Aquatic Centre. The Finance Strategy Committee has recommended a range of funding measures, which included \$1.975 million from the Cull Road Subdivision. Any additional surplus may be used to retire debt or provide funding for other masterplan projects. These funding measures have been included in the Business Plan.

Item 12.2.1 continued

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

- *excellent community infrastructure and services.*

Mission Statement:

The City of Albany is committed to.....

- *sustainably managing Albany's municipal assets,*
- *delivering excellent community services,*
- *actively keep abreast of best practice,*
- *Respect(ing) the Communities Aspirations and resources.*

Priority Projects:

Nil”

COMMENT/DISCUSSION

13. The Local Government Act provides that the Business Plan must be advertised and that submissions may be made to the Council regarding the transaction set out in the business plan.
14. The Business Plan, entitled “Major Land Transaction Business Plan for the subdivision of the property located at 34 - 66 Cull Road, Lockyer” has been prepared in accordance with the provisions of the Local Government Act. (Copy included in Elected Members Bulletin).
15. The Business Plan was advertised in the West Australian on 6th September 2006.
16. Submissions relating to this business plan were invited, with the closing date of Friday, 20th October 2006.
17. After the last day for submissions, the local government is to consider any submissions made and may decide to proceed with the transaction as proposed or so that it is not significantly different from what was proposed.
18. No submissions were received.

RECOMMENDATION

THAT the “Major Land Transaction Business Plan for the subdivision of the property located at 34 - 66 Cull Road, Lockyer” be adopted.

Voting Requirement Absolute Majority

.....

12.2.2 Appointment of Specialist Services – Cull Road Subdivision Project

| | |
|-------------------------------|--|
| File/Ward | : C06042, C06043, C06044, C06045, C06046, (Vancouver) |
| Proposal/Issue | : Tenders received for provision of Consultancy Services for Town Planning, Civil Engineering, Surveying, and Landscape Architecture, for the Cull Road Subdivision Project. |
| Subject Land/Locality | : 34 – 66 Cull Road |
| Proponent | : N/A |
| Owner | : N/A |
| Reporting Officer(s) | : Executive Director Corporate & Community Services (WP Madigan) and Project Liaison Officer (W Bergsma) |
| Disclosure of Interest | : Nil |
| Previous Reference | : Item 18.1 OCM 15/08/06 |
| Summary Recommendation | : THAT Council accept the listed appointments for Consultancy Services for Town Planning, Landscape Architecture, Civil Engineering, and Surveying. |
| Bulletin Attachment | : N/A |
| Locality Plan | : N/A |

BACKGROUND

1. The Cull Road Subdivision Project was initiated to provide necessary funding for the Albany Leisure and Aquatic Centre Redevelopment Project.
2. At the August 2006 OCM Council appointed Clifton Coney Group as Project Managers for the Subdivision.
3. Specialist Consultants now need to be appointed for the Project to proceed within the given time frame.

STATUTORY REQUIREMENTS

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

Item 12.2.2 continued

6. Regulation 19 requires the Chief Executive Officer to advise each tenderer in writing the result of the Council's decision.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. Council's Five Year Business Plan includes the redevelopment of the Albany Leisure and Aquatic Centre. The Finance Strategy Committee has recommended a range of funding measures, which included \$1.975 million from the Cull Road Subdivision. Any additional surplus may be used to retire debt or provide funding for other masterplan projects.

STRATEGIC IMPLICATIONS

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

“Community Vision:

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

- *excellent community infrastructure and services.*

Mission Statement:

The City of Albany is committed to.....

- *sustainably managing Albany's municipal assets,*
- *delivering excellent community services,*
- *actively keep abreast of best practice,*
- *Respect(ing) the Communities Aspirations and resources.*

Priority Projects:

Nil”

COMMENT/DISCUSSION

10. Tenders were issued for the following services:-
 - i. Town Planning Services
 - ii. Landscape Architecture Services
 - iii. Valuation and Marketing Services
 - iv. Civil Engineering Services
 - v. Surveying Services
11. The Tenders were advertised in the West Australian on Saturday 14th October 2006, in the Albany Advertiser on Thursday 12th October 2006, and in the Albany Extra on Friday 13th October 2006. A total of twenty specifications were issued and seven submissions were received.
12. The Tenders have been evaluated by a panel consisting of the City of Albany Project Liaison Officer and Contract Administrator and Clifton Coney Group Project Manager and Project Director.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.2 continued

13. The tender was evaluated according to the following criteria:

| Description of Qualitative Criteria | | Weighting |
|--|---------------------|------------------|
| (a) | Relevant experience | 20% |
| (b) | Technical capacity | 10% |
| (c) | Personnel | 20% |
| (d) | Quality Assurance | 5% |
| (e) | Price | 45% |
| TOTAL | | 100% |

14. The following table outlines tender responses, their submitted prices and final scores, the highest score being the most advantageous to Council.

| CO6042 Town Planning (7 issued, 2 received) | | |
|---|-----------------------|--------------|
| Tenderer | Lump Sum Price | Score |
| Ayton Taylor Burrell (buy local) | \$24,740.00 | 868.45 |
| Cardno BSD | \$57,398.00 | 386.55 |
| CO6043 Landscape Architecture (2 issued, 2 received) | | |
| Tenderer | Lump Sum Price | Score |
| Opus International (buy local) | \$45,000.00 | 690 |
| Tract WA | Non-conforming | |
| CO6044 Valuation & Marketing | | |
| 5 issued, No submissions received | | |
| CO6045 Civil Engineering (4 issued, 1 received) | | |
| Tenderer | Lump Sum Price | Score |
| Opus International (buy local) | \$432,000.00 | 700 |
| CO6046 Surveying (2 issued, 2 received) | | |
| Tenderer | Lump Sum Price | Score |
| 35 Degrees South (buy local) | \$84,500.00 | 706.2 |
| Harley Survey Group (buy local) | \$90,900.00 | 668.8 |

RECOMMENDATION

THAT the City of Albany accepts the following tenders for Consultancy Services for the Cull Road Subdivision Project and enters into a contract for the following Consultancy Services:

- i) For Town Planning Services, Ayton Taylor Burrell for the sum of \$24,740.00**
- ii) For Landscape Architecture Services, Opus International for the sum of \$45,000.00**
- iii) For Civil Engineering Services, Opus International for the sum of \$432,000.00**
- iv) For Surveying Services, 35 Degrees South for the sum of \$84,500.00**

Voting Requirement Simple Majority

.....

12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 RECREATION SERVICES

12.6.1 Decommissioned Submarine – HMAS Orion

| | | |
|-------------------------------|---|--|
| File/Ward | : | MAN184 (Frederickstown) |
| Proposal/Issue | : | The City has been offered the fin and fibreglass streamlining panels from the decommissioned submarine, HMAS Orion, for display. |
| Subject Land/Locality | : | Family Park – North Road |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Executive Director Corporate & Community Services (WP Madigan) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | That the City accepts the offer and allocates funds to the project. |
| Bulletin Attachment | : | N/A |
| Locality Plan | : | N/A |

BACKGROUND

1. At the initiation of the then president of the Naval Association – Albany Sub Branch, Vic Sforcina, in 2004, the City initiated enquiries as to the possibility of obtaining the fin from the decommissioned submarine, HMAS Orion, for display in Albany.
2. It is intended to set up a display similar to the HMAS Otway in Holbrook, as a fitting and lasting tribute to the Orion.
3. Andrew McMahon, General Manager of McMahon Services, the company which was awarded the tender for the disposal of the vessel, has offered to donate the fin, together with the fibreglass streamlining panels to the City for this purpose.
4. The fin measures 6.3m in height from the streamlining and is 12.3m long at the base, and 11.8m long at the highest point. There are 14 streamlining panels, and a further metal section making up the superstructure.
5. Both the fibreglass and metal sections would require sandblasting and repainting.

STATUTORY REQUIREMENTS

6. Section 6.8 (1) (b) of the Local Government Act 1995 states that a local government is not to incur expenditure from its municipal fund for an additional purpose except

Item 12.6.1 continued

where the expenditure is authorised in advance by resolution (Absolute majority vote required).

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. The cost of transportation, sandblasting, painting and setting up the display would be in the vicinity of \$40,000.
9. No specific budget allocation exists for this purpose.
10. It would be possible to reallocate the funds provided for the establishment of the HMAS Perth Interpretive Centre at the Princess Royal Fortress (\$50,000) as the Heritage Council has not approved of this project.
11. There would be minimal ongoing maintenance costs to the vessel, given that it is predominantly fibreglass.

STRATEGIC IMPLICATIONS

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

“Community Vision:

A Healthy City, Albany’s Community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through...

- *Diverse and affordable cultural, recreational and sporting opportunities.*

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,*
- *Delivering excellent community services.*

At all times we will...

- *Actively keep abreast of best practice;*
- *Respect the Community’s aspirations and resources.*

Priority Projects

Nil”

COMMENT/DISCUSSION

13. Commissioned in 1967 and one of six Oberon class submarines the Orion served the nation well over three decades. She was decommissioned in the late 1990’s and has been at HMAS Stirling since, awaiting disposal.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.1 continued

14. Of the other submarines in her class, HMAS Ovens went to the maritime museum in WA, HMAS Onslow to the National Maritime Museum in Sydney and HMAS Otway to the town of Holbrook in NSW.
15. While the HMAS Orion has no direct relationship to Albany, Albany has been significant to submarines in general, being home to the U.S Submariners Memorial Service, being a U.S Submarine tender base during WWII, and, being located near an area utilised in submarine training.
16. The Royal Australian Navy (RAN) has been requested to assist in the painting of the vessel, and Lotterywest is currently assessing the likelihood of Lotterywest funding being available for the project.
17. It is proposed to display the submarine in the “Family Park” on North Road (directly across the road from the City’s office), alongside the man-made lake in that area.

RECOMMENDATION

THAT the City of Albany accept the donation of the fin and related superstructure of the decommissioned submarine, HMAS Orion, from McMahon Services, and reallocate the funds provided for the HMAS Perth Interpretive Centre (\$50,000) towards this project.

Voting Requirement Absolute Majority

.....

CORPORATE & COMMUNITY SERVICES REPORTS**12.6.2 Albany Classic – Assistance for Albany Classic Motor Event**

| | | |
|-------------------------------|---|---|
| File/Ward | : | FIN022 (Frederickstown) |
| Proposal/Issue | : | Additional support requested for the Albany Classic Motor Event |
| Subject Land/Locality | : | N/A |
| Proponent | : | N/A |
| Owner | : | N/A |
| Reporting Officer(s) | : | Executive Director Corporate & Community Services (WP Madigan) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | That conditional additional funds be allocated for the Albany Classic Motor Event |
| Bulletin Attachment | : | N/A |
| Locality Plan | : | N/A |

BACKGROUND

1. The Albany Classic Motor Event has been designated an icon event for the City of Albany. In previous years, it has been run by a committee consisting of volunteers, a co-ordinator paid by a contribution from the Vintage Sports Car Club (VSCC), and considerable voluntary assistance from the City of Albany Community Development Officer, Mr Rob Shanhun.
2. The City of Albany contributed \$8,000 for the running of the 2006 event. In 2006, a one-off contribution was also made from the Community Financial Assistance program to fund 70th Anniversary celebrations.
3. The committee has approached the City with the request that the City continues to auspice the event, and categorise the Classic as a City of Albany event (although the Committee would continue to run it). They further requested that the City continue to manage the accounts, increase its annual contribution by \$24,000 to pay the co-ordinator, and provide a City employee as a contact point.
4. The Committee has provided estimated costs and revenues for the event indicating a surplus of \$3,447.85. An analysis of the information provided against City of Albany accounts indicated a number of inconsistencies. The actual results for the 2006 event (including a contribution from the VSCC of \$12,000 for the position of co-ordinator) were:

| | |
|-------------|----------|
| Revenue | \$54,532 |
| Expenditure | \$54,051 |
| Net Surplus | \$481 |

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.6.2 continued

5. Representatives of the Committee have stated that unless Council's contribution is considerably increased, they may be unable to run the event.
6. An application has been lodged by the Committee to Eventscorp for a \$20,000 grant to run the tourism related ancillary functions such as entertainment.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

9. Council's 2006/07 Operating Budget includes a contribution to the Albany Classic of \$ 8,000 from the Community Events budget. The estimated total revenues and expenses (\$50,000) are included in the Community Development budget. The recommended option would require a re-allocation of \$13,000 in the second quarter review.

STRATEGIC IMPLICATIONS

10. 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.

Mission Statement

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

Priority Projects

Nil”

COMMENT/DISCUSSION

11. The event's projected costings have been reviewed and it is recommended:

THAT the City increases its contribution from \$8,000 to \$21,000 on the following conditions:

- That the event remains a community event operated by the Committee
- That the City's role be major sponsor, with the Committee becoming incorporated and fully managing the event.
- That the Vintage Sports Car Club (VSCC) continues to fund the co-ordinator's remuneration.

Item 12.6.2 continued

RECOMMENDATION

THAT the City of Albany increases its contribution to the Albany Classic Motor Event from \$ 8,000 to \$21,000 subject to:

- i) The event remaining a community event organised by the Albany Classic Motor Event Committee**
- ii) The City's role being limited to a major sponsorship, auspicing the event and maintaining the accounts, with the voluntary role previously undertaken by the Community Development Officer becoming the responsibility of the Event Coordinator.**
- iii) The Committee becoming incorporated and fully managing the event.**
- iv) The Vintage Sports Car Club (VSCC) continuing to fund the co-ordinator's remuneration.**

Voting Requirement Absolute Majority

.....

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

12.7.1 Albany Arts Advisory Committee meeting minutes – 13th September 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 13th September 2006 be adopted.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee meeting of 13th September 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendations adopted:

i) Item 6.2 Studio Lease - Mike Hyder

That the request by M. Hyder for a 3 year extension to his use of the studio space at the VAC be supported, with all other conditions/rental remaining the same.

ii) Item 6.5 Table – Mary Thomson House

That tenders be initiated for the sale of the former boardroom table, with the funds obtained from this sale being directed towards further refurbishment works at Mary Thomson House.

Voting Requirement Absolute Majority

.....

12.7.2 Albany Arts Advisory Committee meeting minutes – 11th October 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 11th October 2006 be adopted. |

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee meeting of 11th October 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendations adopted:

i) Item 6.1 Arts Project Officer's Report

THAT the Arts Project Officer's Report be accepted, and that in future the report be expanded to include other matters such as marketing and promotion of the Centre, and the like.

Voting Requirement Simple Majority

.....

12.7.3 Albany Town Hall Theatre Advisory Committee meeting minutes – 4th October 2006

- File/Ward** : SER 047 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (WP Madigan)
- Summary Recommendation** : That the Minutes of Albany Town Hall Theatre Advisory Committee held on 4th October 2006 be adopted.

RECOMMENDATION

THAT the minutes of the Albany Town Hall Theatre Advisory Committee meeting held on 4th October 2006 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

12.7.4 Finance Strategy Advisory Committee meeting minutes – 25th October 2006

| | | |
|-------------------------------|---|---|
| File/Ward | : | FIN 066 (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 Finance Strategy Advisory Committee meeting held on 25th October 2006 be adopted. |

RECOMMENDATION

THAT the minutes of the Finance Strategy Advisory Committee meeting held on the 25th October 2006 be received (copy of minutes is in the Elected Members Report/Information Bulletin) and the following recommendations adopted:-

i) Item 5.0 Requested sale of land: Chester Pass Road.

That Pride Project Pty Ltd be advised that in accordance with the City's "Disposal of Council Land" policy, Lots 1, 2 and 3 Chester Pass Road are not for sale at this time.

ii) Item 7.0 - Sale of 49, 51, 55 & 57 Minor Road

That pursuant to Section 3.59 of the Local Government Act (1995), the City of Albany prepare a business plan for the subdivision and sale of # 49, 51, 55 & 57 Minor Road, Orana.

iii) Item 8.0 - Investment Policy

That Council adopt the Policy for Investment of Surplus Funds.

iv) Item 9.0 - Redevelopment of the York Street Administration Building Site

That the evaluation of tenders for the purchase of the York Street Administration Building site include a weighting factor for the design component.

v) Item 10.1 - Demographic Survey

That Officer's investigate the possible scope and cost of a demographic survey of the City and surrounding regional area, and proceed if the project can be completed under existing allocations.

Voting Requirement Absolute Majority

12.8 COUNCIL REPRESENTATION

Nil.

Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 CITY ASSETS - ASSET MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.2 CITY SERVICES – WASTE MANAGEMENT

13.2.1 Reallocation of Funds for Purchase of Loader

| | | |
|-------------------------------|---|---|
| File/Ward | : | EQU038 (All Wards) |
| Proposal/Issue | : | Re-allocation of funds from Waste Reserves for the Purchase of a Loader |
| Subject Land/Locality | : | Nil |
| Proponent | : | Nil |
| Owner | : | Nil |
| Reporting Officer(s) | : | Parks & Reserves Co-ordinator (M. Richardson) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | That Council approve the re-allocation of funds from Waste Reserves to purchase a loader and dispose of the Cat 963 Traxcavator (P41) |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | Nil |

BACKGROUND

1. Council staff operate a Traxcavator at the Bakers Junction Landfill site for their routine operational duties.
2. The Traxcavator has been owned by Council for 6 years and has been subject to costly maintenance and repairs during this time.
3. Brake failure has caused the Traxcavator to be stood down from service and is pending further costly repairs.

STATUTORY REQUIREMENTS

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

POLICY IMPLICATIONS

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

WORKS & SERVICES REPORTS

Item 13.2.1 continued

FINANCIAL IMPLICATIONS

6. There are no funds allocated for the purchase of a loader in the 2006/07 budgets. The loader is proposed to be purchased from the Waste business unit, which has an uncommitted balance in reserves well in excess of the required amount. The purchase of the loader will negate the need to hire. This will create cost savings as the machine is well utilised.

STRATEGIC IMPLICATIONS

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

“Community Vision:

A Thriving City: Excellent community infrastructure and services.

Mission Statement:

At all times we will actively keep abreast of best practice; Seek innovative approaches; Respect the community’s aspirations and resources.

Priority Projects:

Not applicable.”

COMMENT/DISCUSSION

8. Council purchased the 1984 Caterpillar Traxcavator (P41) second-hand in May 2000 for \$112,833. It was 16 years old at time of purchase.
9. The Traxcavator is used for pushing up rubbish, compacting waste material and covering the tip face.
10. The restricted use of the Traxcavator, however, has had a detrimental effect on the management of the Bakers Junction Landfill site and the ability to meet waste facility licensing requirements.
11. Landfill staff regard a loader with quick release attachments to be a better all-round machine for the landfill site. The loaders’ greater ground speed and manoeuvrability should provide for improved productivity. Downtime and repair costs will be significantly lower than the Traxcavator as well as reduced operational maintenance costs.
12. A loader of suitable specifications to work in a landfill environment is expected to cost \$245,000. The purchase of the loader will negate the need for the traxcavator, enabling Council to dispose of this item of plant.

Item 13.2.1 continued

RECOMMENDATION

THAT Council,

- i) approve the re-allocation of funds from waste reserves to purchase a loader;
and**
- ii) approve the disposal of the Cat 963 Traxcavator licence AL17286 (P41)**

Voting Requirement Absolute Majority

.....

13.3 CITY SERVICES – AIRPORT MANAGEMENT

Nil.

13.4 CITY SERVICES – CONTRACT MANAGEMENT

Nil.

13.5 CITY SERVICES – PROPERTY MANAGEMENT

Nil.

WORKS & SERVICES REPORTS

13.6 CITY WORKS – CAPITAL WORKS

13.6.1 City of Albany Construction Material Strategy

| | | |
|-------------------------------|---|--|
| File/Ward | : | SER199 (All Wards) |
| Proposal/Issue | : | Adoption of Construction Material Strategy. |
| Subject Land/Locality | : | Nil |
| Proponent | : | Nil |
| Owner | : | Nil |
| Reporting Officer(s) | : | Executive Director of Works & Services (L Hewer) |
| Disclosure of Interest | : | Nil |
| Previous Reference | : | Nil |
| Summary Recommendation | : | That Council adopt the City of Albany Construction Material Strategy, as attached. |
| Bulletin Attachment | : | Nil |
| Locality Plan | : | Nil |

BACKGROUND

1. Council operates several gravel pits and one limestone pit.
2. In addition to Council owned pits several thousand cubic metres of gravel is sourced from private land.
3. Currently Council only has enough gravel stockpiled for 18 months forward projects and 3-4 years in reserve for future planning.

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. Adoption of the Construction Material Strategy will not in itself have any financial implications for Council. The Strategy identifies a number of incentives that if implemented would require a significant and ongoing financial commitment. These will be subject to Council's normal budgetary procedures.

WORKS & SERVICES REPORTS

Item 13.6.1 continued

STRATEGIC IMPLICATIONS

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

“Community Vision:

A Healthy City: Albany’s community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through encouraging alternative forms of transport and implementing an effective public transport system; and the restoration and protection of areas of high biodiversity within land, river and sea ecosystems.

Mission Statement:

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

Priority Projects:

Nil.”

COMMENT/DISCUSSION

- 8. The Strategy will give Council Officers clear direction to explore and extract suitable materials to create a sustainable program for the next 20-30 years.
- 9. This document will also define strategies to rehabilitate existing gravel pits and previously disused pits.

RECOMMENDATION

THAT Council adopt the City of Albany Construction Material Strategy as attached.

Voting Requirement Simple Majority

.....

Item 13.6.1 continued



Council Strategy

Construction Material Resources

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Adoption Date:
Adoption Reference:
Review Date:
Maintained By:
Document Reference:

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WORKS & SERVICES REPORTS

Item 13.6.1 continued

Executive Summary

The timely supply of cost effective road construction and maintenance raw materials is a critical element in achieving the City's infrastructure and asset management objectives.

The ever changing legislative environment in which the mining and extraction of raw materials operates continues to provide challenges for the City, particularly in being able to accommodate the long term needs of our large and ever expanding road network. Environmental constraints, rising transport costs, competing users and the simple availability of strategically located reserves also present many difficulties.

Whilst new technologies may provide solutions in the medium to long term, it is imperative that City has a sustainable raw material supply that is coordinated with the logistical requirements of our works programs. A realistic and sustainably funded commitment to rehabilitation of extraction sites is also necessary.

This strategy advocates a 4-part focus upon exploration, extraction, rehabilitation and research and development. Constant measurement of performance and review of implementation tasks will be necessary to achieve long-term strategic success.

Financial systems must be established to ensure that the real cost of exploration, extraction and rehabilitation is allocated back to jobs on a unit cost basis and that stockpiles are secure and part of inventory management systems.

Strategic Context

This strategy is specifically aligned with the City of Albany's Corporate Plan as outlined below:

Community Vision

A Thriving City – excellent community infrastructure and services;

Mission Statement

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

Priority Project

Major Review Strategy No. 13 – Gravel Supply Strategy: Review existing gravel sources and develop strategy that secures long term gravel supplies for City operations.

Adoption Date:
Adoption Reference:
Review Date:
Maintained By:
Document Reference:

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WORKS & SERVICES REPORTS

Item 13.6.1 continued

Strategic Focus Areas

Exploration

The availability of construction material is the critical element of the strategy. Ongoing exploration and quantity and quality analysis of materials is necessary along with detailed mapping of supply areas and identification of lead times for approval assessment processes relating to individual sites.

Expenditure related to the establishment of future supplies on privately owned land must be identified within the 5 year business plan and fifteen year financial plan as is the need to identify freehold purchase or prospective leasehold or licensing relationships with landowners. The true cost of exploration must reflect in the final cost of the job.

Extraction

The extraction of materials should be coordinated with the demand requirements of the works program and be extracted and ready for supply at least 12months prior to actual need. Lead times for approval processes are important and changes to statutory processes and procedures may have a significant impact on delays.

A detailed demand analysis should be undertaken when designing and planning all maintenance and construction activities and this data should readily correlate with the location and supply capability of identified extraction pits. The true cost of extraction must reflect in the final cost of the job.

Rehabilitation

Past performance in the rehabilitation of extraction sites has been only average with many sites still environmentally degraded and requiring significant intervention. It is important to accept that site rehabilitation is as important as extraction and must comply with licensing requirements.

Rehabilitation must be undertaken as soon as is realistically practical after extraction occurs and the costs thereon should reflect in the final cost of the job. An inventory of old sites that require remediation will be prepared and funding sought for their remediation.

Research and Development

Rising fuel costs, complicated regulatory environments and diminishing gravel supplies are making alternative sources of supply more and more attractive. In order to evaluate the realistic possibility of using new and radical alternatives, research and understanding of best practices in road maintenance and construction is critical.

As important is a reliable system that can establish the true unit cost of using the existing resource, which should include all expenditure related to exploration, extraction, storage, transport, application and rehabilitation. An absence of true cost data will make comparison and analysis of new alternatives subjective and unreliable.

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Review Date:
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WORKS & SERVICES REPORTS

Item 13.6.1 continued

Key Actions

Strategic Focus Area 1: Exploration

| 1. Establish inventory of all sites under City control and establish quality and quantity of resource and lead time for approval process. | |
|--|--|
| Timeframe | Complete by 2007 |
| Resources | In house Surveyors |
| Officer | Manager City Works/Construction Surveyor |
| References | Map progressing |

| 2. Identify suitable sites not under Council control and establish cost, preferred tenure, quality and quantity of resource and lead time for approval process. | |
|--|--------------------|
| Timeframe | Complete by 2007 |
| Resources | \$20,000 (testing) |
| Officer | Manager City Works |
| References | To be developed |

| 3. Prepare Masterplan, mapping and identifying all sites, quantities, quality, actions necessary for release and extraction timeframe. | |
|---|----------------------|
| Timeframe | Complete by mid 2007 |
| Resources | Nil |
| Officer | Manager City Works |
| References | Map developing |

Strategic Focus Area 2: Extraction

| 4. Establish strategic resource requirements by analysing asset master plans and construction and maintenance schedules for input to Masterplan | |
|--|--|
| Timeframe | Complete by mid 2007 |
| Resources | Nil |
| Officer | Executive Director of Works & Services |
| References | To be developed |

| 5. Establish inventory of all existing degraded sites requiring rehabilitation for input into Masterplan. | |
|--|---|
| Timeframe | Complete by Dec 2007 |
| Resources | Nil |
| Officer | Manager City Works |
| References | See attached map showing location of site to be rehabilitated |

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WORKS & SERVICES REPORTS

Item 13.6.1 continued

Key Actions (continued)**Strategic Focus Area 3: Rehabilitation**

| 6. Implement and continue annual rehabilitation of existing degraded sites. | |
|--|---|
| Timeframe | Ongoing |
| Resources | Costs are offset by levy of \$1.00/m3 extracted |
| Officer | Manager City Works |
| References | See attached procedure for rehabilitation |
| | |

Strategic Focus Area 4: Research and Development

| 7. Undertake research into cost effective best practice road building materials. | |
|---|--------------------------------------|
| Timeframe | Ongoing from 2007 |
| Resources | (Works staff and equipment) \$50,000 |
| Officer | Manager City Works |
| References | To be developed |
| | |

Performance Measures**Exploration**

Total number of m3 available/m3 approved for extraction.

Extraction

Total m3 used/Council supplied m3

Rehabilitation

Percentage of annual hectares rehabilitated against total unrehabilitated hectares

Research and Development

Percentage of total amount of gravel used/the amount of recycled or reconstituted gravel used

Review

Executive Director of Works & Services to review annually on or before 30th June.

Adoption Date:
Adoption Reference:
Review Date:
Maintained By:
Document Reference:

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WORKS & SERVICES REPORTS

Item 13.6.1 continued

Reference Documents

Resource Location map

- Local Government Access to Basic Raw Materials from State Forest and Timber Reserves, C.A.L.M. Policy Statement No 2, amended Feb 1993.
- Basic raw materials - Albany Regional Strategy, Land division, Sept 1996.
- Establishment and Rehabilitation of Material Pits and Reserves, City of Albany internal doc, Oct 2005.
- Guidelines for the Management and Rehabilitation of Gravel Pits, C.A.L.M

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13.7 CITY WORKS – RESERVES, PLANNING & MANAGEMENT

Nil.

13.8 WORKS & SERVICES COMMITTEES

Nil.

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.

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17.0 MAYORS REPORT

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

19.0 CLOSED DOORS

20.0 NEXT ORDINARY MEETING DATE

Tuesday 19th December 2006, 7.00pm

21.0 CLOSURE OF MEETING