



# **MINUTES**

## **SPECIAL MEETING OF ELECTORS**

**Held on  
Monday, 4<sup>th</sup> December 2006  
7.00pm  
City of Albany – Council Chambers**

## City of Albany

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Signed \_\_\_\_\_

Date: 7<sup>th</sup> December 2006

***Peter Madigan***

Executive Director, Corporate and Community Services

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**1. DECLARATION OF OPENING**

Her Worship the Mayor declared the meeting open at 7.00pm.

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

Mayor	-	A Goode, JP
Councillors	-	DW Wellington
	-	MJ Evans, JP
	-	JD Williams
	-	DJ Wolfe
	-	RH Emery
	-	J Waterman
	-	S Marshall
	-	J Walker
	-	D Wiseman (until 7.46pm)
	-	R Paver (from 7.14pm)
	-	J Jamieson
	-	I West
	-	P Lionetti
	-	M Bojcun
Chief Executive Officer	-	AC Hammond
Executive Director Corporate & Community Services	-	WP Madigan
Executive Director Works & Services	-	L Hewer
Manager Planning and Ranger Services	-	G Bride
Minute Secretary	-	JR Byrne

Approximately 220 members of the public  
4 media representatives

<u>Apologies</u>	-	Mr Michael Pemberton
	-	Mr John Price
	-	Mrs Dot Price
	-	Ms Tricia Denton

**3. OPENING PRAYER**

Mayor Goode asked everyone to be upstanding and read aloud the Opening Prayer:

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

**4. DEVELOPMENT AND IMPLEMENTATION OF THE ALBANY WATERFRONT PROJECT**

The Mayor advised that the order of business would be to hear from persons who wanted to speak on the Albany Waterfront Project, and then she would call for motions to be made from the floor.

Item 4 continued

The Mayor advised that all speakers would be provided 4 minutes in which to address the meeting, in order to provide the opportunity for as many people as possible to speak.

NOTE: All papers tabled have been re-produced verbatim. Where speakers did not table papers, all efforts have been made to reproduce the comments succinctly yet correctly.

**\*Mrs Shanti Bezard**

Madam Mayor, Councillors, Staff and Electors

I am here tonight as a representative of the **Albany Waterfront Action Group**. This includes hundreds of supporters in the community who are part of the campaign to save the waterfront from disaster.

**I would like to start by telling you what we are about.** We are a large group of people who are passionate about the future of the waterfront and willing to give time, energy and commitment to make it the best it can be, (sic) We have no **political affiliations** or **secret agenda**.

We requested this meeting tonight, **to raise public awareness** of the **current waterfront project**, and **to show the people in power that there is a groundswell of feeling** against the project as it stands.

We will be asking the council to review and revoke the decisions that have been made about the waterfront. There has not been adequate and open consultation and more time is needed to address the concerns and wishes of the public.

**I would like to address some of the comments which have been made through the media over the last couple of months.**

Our group and supporters have been called **anti-development**. You will out tonight that we **do** want development on the foreshore but not in the form of high rise buildings which block views and separate the harbour from the town.

The expression **Vocal minority** has been used many times, "**Yes!** Those who are vocal are a minority but we represent a majority of people who are against the waterfront plan. We found this out while talking to people in the streets and collecting names for a petition. In one month we obtained 1800 signatures.

Some say "**Lets just get on with it**, the issue has been going on too long." We agreed entirely with that only we say let get on with what we were promised in 2002, not what the politicians and councillors (sic) are trying to force upon us now. The entertainment centre seems to have **become** the waterfront project. Let's get on with the marina and make a start on what the foreshore is really about. If they had got on with it then we would have a waterfront development by now.

We have been asked "**Why wait till now to protest?**". If there had been public consultation in September 2005 before the agreement was made between the government and council, we would have been active much sooner.

Item 4 continued

It has been said that it is a **Fait a compli**. Nothing is ever unchangeable. This was proved when our soldiers were brought back from the Vietnam war and the Franklin river was saved by the wishes of the people and the collaboration of the government.

**Our vision for the waterfront** is to create a warm, vibrant and friendly place where locals, tourists and people from visiting boats and ships can spend leisure time and enjoy the area.

We urge the council to listen to the concerns of the community, review the current project and make changes to give us what we were promised.

**What would it take** to convince the government and council to stop work on the entertainment centre and sale of land to private developers until further consultation?

After people have spoken on both sides of the issue we will be putting forward motions to the council.

**\*Ms Patricia Lindsay**

Ms Lindsay asked where would all our activities currently undertaken on the foreshore take place if the entertainment centre were built? Activities such as kite flying, overflow from the ANZAC Day ceremonies, dog exercise, walking, bike riding, cleaning cockles, etc.

Ms Lindsay expressed concern about development on the foreshore due to the risk of rising sea levels in the future.

Ms Lindsay also expressed concern at the proposed clearing of a bush block and development of land in Emu Point to raise funds towards the development of the Entertainment Centre. She referred to an address by John Sinclair (Serventy Memorial Lecture to the Western Australia Naturalists Club, 22<sup>nd</sup> September 2006, copy attached) in which he declared the south west of WA was one of the world's greatest biodiversity hotspots. Ms Lindsay sought to prevent any clearing of bushland associated with the development of the foreshore.

Councillor R Paver arrived at the meeting at 7.14pm, during the speech by Ms Janet Austin.

**\*Ms Janet Austin**

**Madam Mayor, Councillors, Staff and Electors**

I am a member of "Albany Waterfront Action Group" and I have discovered since it's formation that we have a great number of supporters in the community. I wish to make it very clear that our group is **not** against development on the foreshore but we are not happy with the present proposals. As previously promised by council and government we want to see landscaped parkland west of the jetty. We also want a safe boat harbour to accommodate fishing vessels, visiting yachts, the Leeuwin and others, and in the area east of the jetty – a harbour village which could have a restaurant, café, coffee shop, chandlery and tourist related shops no more than two levels high.

Item 4 continued

The west side of the jetty is the most suitable place in the city area for a landscaped park and could be used for many recreational activities. This would bring the vibrancy for our foreshore that people are wanting. Imagine a creatively designed waterfront with pathways, sheltered picnic areas, barbeques, children' playground and a small beach, where people could go walking, jogging, flying kites, bike riding and walking their dogs and which could be used for major events such as the ANZAC parade, and fireworks displays.

Instead of this, council and government plan to use this areas for an entertainment centre and other large commercial buildings which will block out the beautiful views of our harbour from Stirling Terrace and will also block the views of our very special heritage buildings when looking back to the terrace from the foreshore.

From 1997-2000, the community became aware of what was being planned on the foreshore and spoke out against it. There were petitions and marches as well as submissions and surveys and they all had the same results – that the community did not want large scale commercial/retail there, instead opting for parklands and minimal development.

In the 2000 survey, of the 900 people who responded, over 90% wanted landscaped parklands west of the jetty. This was recognised by the state government and the City of Albany and they agreed to create landscaped parkland west of the jetty and not to put any buildings there. What happened to this agreement? Now we have an entertainment centre plus other commercial buildings planned for this area just because of a powerful minority it seems.

Councillors and electors I urge you to think of our future and the future of our children and do not let our unique town with its magnificent heritage vistas be ruined forever. The decision to put high rise on our waterfront is a huge one which would have disastrous effects in the future both for our tourism industry and for the people who live here.

**\* Mr Simon Thwaites**

Mr Thwaites indicated that his professional background was a town planner, and he had made an assessment of social, economic and environmental impacts of land use associated with the proposed waterfront development.

Mr Thwaites sought modification of the plans to protect heritage vistas from Stirling Terrace. He indicated that the new plans showed mixed use commercial/retail development up to 200 metres west of the Town jetty, despite former agreements to develop only east of the jetty.

He indicated that the proposed development also went against Stirling Terrace planning policies such as the 'Design Parameters for Stirling Terrace Heritage Area' and the 2001 adopted 'Stirling Terrace Conservation Plan'.

Mr Thwaites summarised as follows:

- The proposed development(s) west of the jetty will have adverse impacts
- Intervention is needed now to prevent subdivision and sale of foreshore land to developers
- Previous decisions made by the Council have been based on inaccurate information.

Item 4 continued

**\*Ms Trish Cleeve**

Madam mayor, Councillors ladies and gentleman.

An extract from a travel website.

Albany is an attractive historic township. An extraordinary town with a main street which seems to go straight into Princess Royal harbour and magnificent views across the harbour from just about every vantage point.

Those magnificent views being described combined with our lovely character and heritage buildings are Albany and we don't want to lose it.

Where foreshore land is publicly owned by Commonwealth, state or local governments; it should remain in public ownership and be developed and cared for with the long term interests of economic sustainability together with nurturing its special qualities for future generations.

This does not mean we have to stay in the dark ages it just means that we the community and the council must look at the big picture.

Sound planning helps sustain both tourism and heritage. We do not believe that high rise buildings on the foreshore of this historic town address Albany's onw Local Planning Strategy which says "Albany's heritage places are social, environmental and economic assets and important tourist attractions". So why are we destroying them?

Heritage tourism is part of the larger and rapidly growing field of cultural tourism which Albany is in a unique position to capitalise on.

The facts are that

- Heritage tourists spend more per day than other tourists
- Heritage tourists stay longer than other tourists
- Heritage tourists are more likely to stay in hotels, B&Bs etc that (sic, than) with friends and relatives.
- Approx. 30% of Heritage travellers have household incomes in excess of US 75 thousand per year

Yes we do need the foreshore developed but let it be modelled in such a way that we become a world renowned heritage centre. Create a marina to complement our magnificent natural harbour but do make sure we can accommodate the tall ships and ocean going yachts and lets get it started NOW.

Build a Harbour village overlooking the marina in a style reminiscent of early Albany which should include restaurants, shops, cafes a tavern, chandleries.

Develop a foreshore park on the west side of the jetty which every man, woman child and tourist can enjoy. Water features, gazebos, playgrounds for all ages, bike paths, boardwalks, picnic areas can all combine to make a user friendly foreshore. Please do not put modern concrete monstrosities that can be found in any city in the world. We have something unique here and we need to preserve it.

Item 4 continued

I am not against us having an Entertainment Centre but I am against the present siting (sic) and I also believe we should be creating a more adaptable multi use venue to maximise its commercial viability. Lets built something that will not be a continual drain on public money – lets see if we can make it profitable.

Albany residents and tourists are sending a clear message to local and State governments that this private commercial high rise development on their foreshore is a dead issue and must not go ahead. In a development services report of 19/9/06 item 13 reads (community expectation that the built form will remain at 2 storeys would effectively preclude the Entertainment centre and hotel development.)

Despite that community expectation and public support for low-key, environmentally sustainable recreational uses for our foreshore, State Government and Local Government has dumped community needs in favour of a large multi-story hotel and entertainment centre white elephant instead of promoting a family friendly waterfront village and even a beach area which was in the original plans.

In conclusion I would ask that you visualize (sic) the two concepts that could be on offer

1. The waterfront development as proposed by the City with high rise hotels, entertainment centres and the destruction of the magnificent vistas from our heritage tourist precinct of Stirling terrace (sic) or
2. A beautiful marina overlooked by a vibrant harbour village with parks and recreational facilities available for all the people of Albany.

I know which I would prefer my grandchildren to inherit – what about yours.

**\*Mr Chris Holden**

My name is Chris Holden and I want to speak in favour of the Councils decision to develop the Foreshore.

As a rate payer in Albany I wish to say that I and many of my friends are strongly in favour of the proposed development on the foreshore, and we would like to see it happen NOW. We are saddened by the fanciful opposition and the delaying tactics of the small vociferous group that are using over-the-top emotion, vivid imagination and lies to scare people into supporting their claims.

I would like to point out just a couple of examples of this hysterical campaign of falsehoods.

It has been said the view down York St of the Town jetty would be spoiled. FACT when you drive down York St you cannot see the Town Jetty until you reach Stirling terrace, it is way over to the left and then can only partially be seen behind IGA.

It has been said the view of the town jetty and the foreshore from Stirling terrace will be spoiled. Dylans was one place singled out. I have here a picture of the view taken last Wednesday of the view from Dylans. The shrubbery, the roof of the Visitors Centre and various railway buildings obscure all but the tiniest portion of the jetty and that photo was taken standing up. Sit down at a table and you can't see it at all. If you sit at any of the restaurants and cafes along Stirling Terrace the view is a mix of shrubbery, the Pavilion, the Visitors centre, Railway buildings and glimpses of the town jetty and the foreshore.

Item 4 continued

I mentioned I took the picture on Wednesday which happened to be the day the Pacific Princess was in harbour. It was sad to see those tourists wandering along the litter strewn wasteland to get to town.

If AWAG wants to be taken seriously they must re-acquaint themselves with the truth and with facts. Currently they are viewed by many with derision. I have been given a number of suggestions as to what their acronym stands for.

I and my friends urge Council to stick with your decision and to dismiss the arguments put forward by this group who have destroyed their credibility by their exaggerated nonsense.

And if that's not enough they are now suggesting that members of the raincoat brigade are going to stand beneath the bridge to take pornographic videos looking up ladies skirts! Who are these people? What sort of minds do they have? Are they going to tell us next the foreshore development will make the curtains fade?

**\*Mr Trevor Garland**

To Madam Mayor, Staff, Councillor and Electors,

We all want the foreshore to be developed.

I have a number of concerns regarding the lack of community consultation regarding the foreshore development

Many people believed that there were not going to be multi level / storey buildings on the foreshore and many people were not aware of the entertainment centre being on the foreshore.

If the wider community is not aware of the foreshore development then I believe that the consultation process has failed.

Landcorp did not have available drawings of the foreshore development except one that was from a few thousand feet in the air from the middle of Princess Royal harbour looking towards the town. As well as one high up from Mt Melville looking down towards the jetty. Both appear to minimise the mass of the foreshore development.

I did ask Landcorp for 3D drawings but they advised me that no-one had asked for them. Landcorp on the 20<sup>th</sup> of November emailed me 8 sketches of some of the form but again from very restricted angles.

I then requested that photo montages be completed by Landcorp and I provided 3 photographs for them to use, two from the historic Stirling Terrace Precinct (the rotunda and further east towards the Stirling Club and one from the end of the town jetty looking towards the town.

The Community Reference Group were not decision a making (sic) body and only 3 meetings have been arranged and from what I understand no public consultation.

I am not aware of any community consultation regarding the footbridge, marina or entertainment centre. Where would the entertainment centre be located if the Department for Planning were to reject the waterfront site?

Item 4 continued

I do not believe that there has been any community consultation with the old council building site in York Street, either. This valuable piece of land between the town hall and the library, I believe should be retained by the city of Albany and not sold. Was there any community consultation? Why not?

Where will the community park their vehicles in town when they wish to walk to the foreshore over the pedestrian bridge?

Will the foreshore development be in keeping with the historic precinct?

Why is it (sic) the marina now conditional on the Entertainment centre?

What will happen to the town hall if an entertainment centre is built?

Traffic concerns. The highest concentration of trucks and trains co-incide with peak holiday season at the foreshore. Vehicles bank up York Street now. What has been done to address safety concerns for vehicles to and from the harbour and those vehicles using the port?

Why are members of the community voicing their opinions now? The city council and the state government may have complied with the law, in advertising and shopping centre displays, but because of the lack of community consultation the community is finding out now and is very concerned.

What I am requesting is that there is no entertainment centre at the foreshore and no multi level hotel only a marina with complimentary shops, cafes and restaurants which are all low rise on the East side and parks and gardens on the west side.

I request that any developments are to be with detailed community consultation.

The FORESHORE IS THE JEWEL IN THE CROWN. Please don't destroy it.

**\*Mrs Joy Jarratt**

Mrs Jarratt spoke against the proposed footbridge from Stirling Terrace to the foreshore.

**\*Ms Enid Home (Freeman of the City)**

Ms Home spoke against the Entertainment Centre development on the foreshore. She encouraged the Council to consider other alternatives such as the Mercer Road Administration site, or the Serpentine Road Showgrounds site. She requested the Council to think to the future and build the Entertainment Centre away from the centre of town.

**\*Mr Ian Hill**

Madam Mayor, Councillors, staff and electors

As a member of AWAG (Albany Waterfront Action Group"), I would like to say I am not against some development on the foreshore but I am against high rise buildings down there. I enthusiastically endorse the concept of a 630 seat EC in Albany but in my opinion the proposed foreshore location is entirely wrong for several obvious and compelling reasons.

Item 4 continued

1. Visual obstruction of harbour views from many aspects in an around the town area.
2. An EC is a venue where the general public go to to (sic) see an exhibition or show, often at night, so why is it necessary to have this building on the foreshore? AS the EC will be totally exposed to all the prevailing winds it could be most unpleasant especially in the evenings for patrons who are dressed up for a night out.
3. The foreshore was originally built to separate heavy transport form the towns' local traffic. Now we want to put an entertainment centre there.....where is the logic in that?
4. The extra cost of maintenance to a building of this size so close to sea water eg. rust, corrosion etc.
5. An inconvenient truth is that sea levels are expected to rise as a result of global warming in the foreseeable (sic) future.....Why build so close to the sea? Now there is talk of adding yet another level to the proposed EC because of this.
6. While other towns and cities are looking at a future setback of all buildings from foreshore areas, why is the council taking a backward step with their proposal to build on our foreshore, what will be by far the largest building in our city centre.

Ladies and Gentlemen, why not build this Entertainment Centre somewhere that does not interfere with our harbour views and our beautiful heritage buildings.

Build it where there is more room for parking, where it is less exposed to the elements.

Build it where there is no conflict with Albany port authority traffic which is a 24 hour a day 7 day a week working port.

Thank you for your time.

**\*Mrs Webb**

Mrs Webb indicated that her family has been in the Albany region since 1880 and that they have had an ongoing association with the Port in that time. She stressed that it was a working port and did not need to be cluttered with non-port related development. In particular, she felt that there was adequate accommodation provided for in Albany and additional accommodation at the foreshore was not needed.

Mrs Webb suggested that development on the foreshore would ruin the water views from Stirling Terrace, and requested that the natural view of the harbour be retained. Albany previously had a bridge over the railway and if it was considered necessary, that bridge ought to be rebuilt to fit aesthetically.

Mrs Webb requested that Albany's unique beauty and character be retained.

**\*Mr Don Phillips**

Mr Phillips expressed that Council Staff and Councillors were servants of the community, not the other way around, and that Councillors and staff needed to be aware of what the people at the meeting wanted.

Item 4 continued

He said that what people wanted was a low-key, family friendly development. He felt that the Entertainment Centre in any form would lose money, and made reference to the ongoing losses incurred by the Convention Centre in Perth.

Mr Phillips said, 'Please listen to what the people want, because some of you may not be here next year.'

**\*Mr Don Dufty**

Mr Dufty indicated he was not against the foreshore development, but felt that the Entertainment Centre should be built elsewhere. He had re-examined the previous review of potential sites for the Entertainment Centre and believed that the alternative sites to the foreshore needed to be re-examined.

He compared the Performing Arts Theatre at Mandurah and noted that most of the time it is 'dead'. He said by putting something that is 'dead' in the centre of the City, then the City will have a dead heart.

Mr Dufty believed that the Entertainment Centre ought not be built on the foreshore; that 80 car park bays were inadequate, no appropriate planning had been undertaken and that the Council should expect to incur annual financial losses associated with the Entertainment Centre.

**MOTIONS**

Her Worship the Mayor indicated that no further public statements would be taken, and called for motions from the floor.

A member of the public requested further opportunity be provided to make comments or ask questions.

Her Worship the Mayor responded, advising that attendees would have further opportunity to comment during debate of any motions.

**MOVED IAN HILL**

**SECONDED SHANTI BEZARD**

- 1. THAT the decision to approve the Structure Plan of the Albany Waterfront Project, Princess Royal Drive, Albany at the Ordinary Council Meeting held on 15 May 2006, Item 11.3.1, be rescinded.**

**CARRIED**

Item 4 continued

**MOVED JANET AUSTIN  
SECONDED MARIE AUSTIN**

2. THAT a leaflet designed to inform every resident of the case for the current waterfront project as well as the alternatives suggested by the Albany Waterfront Action Group (AWAG) and where they can find information and the photos, models etc. to go to all households. Accompanying this, a questionnaire devised by the Council and the AWAG to be delivered by Australia Post to all residents in the 6330 postal district, to be completed and returned to Council. This to be available for public scrutiny and to precede any further development.

**CARRIED**

**MOVED DON PHILLIPS  
SECONDED STEVE MORTIMORE**

3. THAT should Council not abide by the decisions of the Special Meeting of Electors then a motion of 'no confidence' in the Council be carried, the Council sacked and a new Council elected at the 2007 elections.

**CARRIED**

Councillor Daniel Wiseman retired from the meeting at 7.46pm.

**MOVED SHANTI BEZARD  
SECONDED BARBARA BASSAN**

4. THAT work be continued on the design of the marina to enable construction of the marina and foreshore redevelopment to be started immediately, and that the public be fully consulted and informed along the way.

**CARRIED**

**MOVED PATRICIA LINDSAY  
SECONDED BILL DOHERTY**

5. THAT the foreshore development not be proceeded with if it is going to result in the clearing of a bush block at Emu Point to help finance the foreshore development.

**CARRIED**

**MOVED TRISH CLEEVE  
SECONDED DON PHILLIPS**

6. THAT the Memorandum of Agreement between the City of Albany and the State Government dated 6 September 2005, involving the subdivision and clearing of lots 1512 and 1523 Emu Point, be revoked.

**CARRIED**

Item 4 continued

**MOVED TREVOR GARLAND  
SECONDED JUNE HVEISSEL**

7. We propose a full and meaningful public consultation with scale models and pictorial representation showing heights, mass and location of all structures at the Albany Waterfront Precinct. These are to include photo montages of views from vantage points to be discussed and decided upon with members of the Waterfront Action Group Committee (community representatives).

**CARRIED**

**MOVED DAVID WESTWOOD  
SECONDED DOREEN JOHNSTON**

8. THAT Council investigates further sites for the Entertainment Centre and recommends the Mercer Road Administration site as the preferred site.

**LOST**

**MOVED TONY HARRISON**

THAT the Entertainment Centre be built on land opposite the Council Administration building in North Road.

Her Worship the Mayor did not accept the motion as it did not relate to the waterfront development.

**MOVED JOY JARRATT  
SECONDED DON DUFTY**

9. THAT the Entertainment Centre be taken out of the waterfront project.

**CARRIED**

**MOVED SHANTI BEZARD  
SECONDED TRISH CLEEVE**

10. THAT the City of Albany ask the State Government to stop the sale of land on the waterfront to private developers and only allow people to lease it.

**CARRIED**

**5. CLOSURE OF MEETING**

There being no further business the meeting closed at 8.30pm.