



Our Ref: MAN080 / LT1036369
Cross Ref:
Your Ref:
Enquiries: Milton Evans JP

28 June 2010

City of Albany

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SMITHSON PLANNING
364 Middleton Road Albany WA 6330
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Dear Mr Neil Smithson,

RE: SMITHSON PLANNING TABLED ADDRESS AND QUESTIONS PRESENTED AT THE SPECIAL MEETING OF ELECTORS HELD ON THE 13 MAY 2010.

Dear Mr Smithson,

I refer to the questions you submitted at the Meeting of Electors held on 13 May 2010.

A number of the questions that you proposed in your address to Council at the Special Meeting of Electors cannot be answered by Council and elements of some of your statements wrongly infer that Council has delegated authority to members of the public you consider are not qualified to comment.

I am not aware of another avenue of redress now available to you. However, I recommend that you extend a personal invitation to all Councillors to present your ideas in a forum convened by Smithson Planning.

Please note that Council cannot:

- a. Direct an individual elected member to attend a briefing on Smithson's Planning Rainbow 2000© project;
- b. Answer on behalf of:
 - (i) The State Government;
 - (ii) Office of the Information Commissioner;
 - (iii) The Crime and Corruption Commission;
 - (iv) Former Commissioners and CEOs;
 - (v) The Hon. Wilson Tuckey;
 - (vi) Hon. Alannah MacTiernan MLA;
 - (vii) Hon. Alan Griffin MHR, Minister for Veterans' Affairs;
 - (viii) Mr Jeremy Dawkins, Chairman of the Western Australian Planning Commission;
 - (ix) Hon. Geoff Gallop MLA, Ex Premier of Western Australia;
 - (x) Hon. Colin Barnett MLA, Premier of Western Australia;
 - (xi) Hon. Alan Carpenter MLA, Ex Premier of Western Australia;
 - (xii) Mr Mal Wauchope, Public Sector Commissioner;

You stated in your tabled address that Albany still does not have a Local Planning Scheme, however Council adopted it's draft Local Planning Scheme No.1 in February 2009, and that Council has been advised that approval to commence advertising is likely to be received from the Western Australian Planning Commission within the next 3 months.

If you wish to present your Rainbow 2000© project to the Great Southern Zone, Western Australian Local Government Association I suggest you submit your request in writing to WALGA seeking their consent for you to do so. However in making any presentation please stress the fact that your project is your personal initiative and it has not been endorsed by the City of Albany.

In addition your tabled document contains a number of allegations that infers incompetence and corruption from past and current elected members, staff and State government departments.

I would recommend that if you have any facts to substantiate your claims, that as a matter of priority, you ought to refer them to the Crime and Corruption Commission.

After assessing the matter the Crime and Corruption Commission may:

- a. Refer the matter to an agency for investigation;
- b. Investigate in collaboration with an agency;
- c. Investigate the matter alone; or
- d. Take no action.

The contact details for the Corruption and Crime Commission is:

Mail:

Corruption and Crime Commission
PO Box 7667 Cloister Square Perth WA 6850

Phone: Toll Free 1800 809 000

Tel: 9215 4888

Fax: 9215 4884

Email: info@ccc.wa.gov.au

Website: www.ccc.wa.gov.au

Should you have any further queries with regard to this matter, please do not hesitate to contact myself on direct telephone 9841 9348 or via email .

Yours sincerely



Milton Evans JP
His Worship The Mayor