



AGENDA

COMMERCIAL, COMMUNITY AND CORPORATE SERVICES COMMITTEE

9 May 2017

6.00pm

City of Albany Council Chambers

**CITY OF ALBANY
COMMUNITY STRATEGIC PLAN (ALBANY 2023)**

VISION

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

VALUES

All Councillors, Staff and Volunteers at the City of Albany will be...

Focused: on community outcomes

This means we will listen and pay attention to our community. We will consult widely and set clear direction for action. We will do what we say we will do to ensure that if it's good for Albany, we get it done.

United: by working and learning together

This means we will work as a team, sharing knowledge and skills. We will build strong relationships internally and externally through effective communication. We will support people to help them reach their full potential by encouraging loyalty, trust, innovation and high performance.

Accountable: for our actions

This means we will act professionally using resources responsibly; (people, skills and physical assets as well as money). We will be fair and consistent when allocating these resources and look for opportunities to work jointly with other directorates and with our partners. We will commit to a culture of continuous improvement.

Proud: of our people and our community

This means we will earn respect and build trust between ourselves, and the residents of Albany through the honesty of what we say and do and in what we achieve together. We will be transparent in our decision making and committed to serving the diverse needs of the community while recognising we can't be all things to all people.

Commercial, Community and Corporate Services Committee

- (1) **Functions:** The Committee is responsible for the following functions:
- Commercial Services:
Considering and recommending to Council ways to strengthen the local Albany economy.
The delivery of “*Smart, Prosperous and Growing Objectives*” contained in the City of Albany Strategic Plan:
- Foster links between education, training and employment that support economic development.
 - Strengthen our region’s economic based.
 - Develop and promote Albany as a unique and sought after visitor destination.
- Community Services:
The delivery of “*Sense of Community Objectives*” contained in the City of Albany Strategic Plan:
- Build resilient and cohesive communities with a strong sense of place and community spirit.
 - Create interesting places, spaces and events that reflect our community’s identity, diversity and heritage.
 - Develop and support an inclusive and accessible community.
 - Provide advice on effective ways to engage and report progress to the Community.
- Corporate Services:
Monitoring and commenting on the financial health and strategies of Council.
The delivery of “*Civic Leadership Objectives*” contained in the City of Albany Strategic Plan:
- Establish and maintain sound governance structures.
 - Provide strong, accountable leadership supported by a skilled and professional workforce.
 - Engage effectively with our community.
 - Governance:
 - Review of Council's policies;
 - Supporting Elected Members in their governance role;
 - Developing amendments to existing, or new, local laws;
 - Consideration of the Council's draft Strategic Plan;
 - Consideration of the Council's draft Annual Report;
 - Matters pertaining to the conduct of the Council's Annual General Meeting;
 - Consideration of the proposed meeting schedule for Council and its Committees;
 - Receiving reports from Council representatives on outside bodies, and from other bodies as determined by Council; and
 - Considering matters not falling within the terms of reference of any other Council committee.
 - Service Complaint Internal Review: Responsible for reviewing unresolved service complaints, in accordance with the Service Complaints Policy.
- (2) **It will achieve this by:**
- (a) Developing policies and strategies;
 - (b) Establishing ways to measure progress;
 - (c) Receiving progress reports;
 - (d) Considering officer advice;
 - (e) Debating topical issues;
 - (f) Providing advice on effective ways to engage and report progress to the Community; and
 - (g) Making recommendations to Council.
- (3) **Membership:** Open to all elected members
- (4) **Meeting Schedule:** Monthly
- (5) **Meeting Location:** Council Chambers
- (6) **Directorates:** Corporate Services, Community Services, Commercial Services
- (7) **Executive Officer(s):** Executive Director Corporate Services, Executive Director Commercial Services, Executive Manager Community Services
- (8) **Delegated Authority:** None

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1. DECLARATION OF OPENING

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LAND OWNERS

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

“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.

We would also like to pay respect to Elders both past and present”.

3. RECORD OF APOLOGIES AND LEAVE OF ABSENCE

Mayor D Wellington (Deputy Chair)

Councillors:

Member	P Terry (Chair)
Member	R Hammond
Member	C Dowling
Member	G Stocks
Member	J Shanhun
Member	S Smith
Member	A Goode JP
Member	A Moir
Member	B Hollingworth
Member	R Sutton
Member	J Price

Staff:

Chief Executive Officer	A Sharpe
Executive Director Corporate Services	M Cole
Executive Director Commercial Services	C Woods
Executive Director Works & Services	M Thomson
Executive Manager Community Services	A Cousins
Manager Finance	D Olde

Meeting Secretary C Crane

Apologies:

Member N Mulcahy (Leave of Absence)

4. DISCLOSURES OF INTEREST

Name	Committee/Report Item Number	Nature of Interest

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:- Nil.

6. PUBLIC QUESTION TIME

7. PETITIONS AND DEPUTATIONS:

8. CONFIRMATION OF MINUTES

DRAFT MOTION

THAT the minutes of the Commercial, Community and Corporate Services Committee held on 11 April 2017, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

9. PRESENTATIONS – Nil.

10. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

CCCS024: FINANCIAL ACTIVITY STATEMENT – MARCH 2017

Proponent : City of Albany
Report Prepared by : Manager Finance (D Olde)
Responsible Officer : Executive Director Corporate Services (M Cole)

Responsible Officer's Signature:



RECOMMENDATION

CCCS024: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the Financial Activity Statement for the period ending 31 March 2017

BACKGROUND

1. The Statement of Financial Activity for the period ending 31 March 2017 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

DISCUSSION

3. In accordance with section 34(1) of the *Local Government (Financial Management) Regulations 1996*, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.
4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.
6. These financial statements are still subject to further yearend adjustments and have not been audited by the appointed auditor.

“Please note that rounding errors may occur when whole numbers are used, as they are in the reports that follow. The ‘errors’ may be \$1 or \$2 when adding sets of numbers. This does not mean that the underlying figures are incorrect.”

STATUTORY IMPLICATIONS

7. Section 34 of the *Local Government (Financial Management) Regulations 1996* provides:
- I. A local government is to prepare each month a statement of financial activity reporting on the source and application of funds, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –
 - a. annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - b. budget estimates to the end of the month to which the statement relates;
 - c. actual amounts of expenditure, revenue and income to the end of the month to which the statement relate
 - d. material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - e. the net current assets at the end of the month to which the statement relates.
 - II. Each statement of financial activity is to be accompanied by documents containing –
 - a. an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - b. an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - c. such other supporting information as is considered relevant by the local government.
 - III. The information in a statement of financial activity may be shown –
 - a. according to nature and type classification;
 - b. by program; or
 - c. by business unit.
 - IV. A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be –
 - a. presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - b. recorded in the minutes of the meeting at which it is presented.

POLICY IMPLICATIONS

8. The City's 2016/17 Annual Budget provides a set of parameters that guides the City's financial practices.
9. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

FINANCIAL IMPLICATIONS

10. Expenditure for the period ending 31 March 2017 has been incurred in accordance with the 2016/17 proposed budget parameters.
11. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

File Number (Name of Ward)	FM.FIR.2 - All Wards
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CCCS025: LIST OF ACCOUNTS FOR PAYMENT – APRIL 2017

Proponent : City of Albany
Attachments : List of Accounts for Payment
Report Prepared by : Senior Accounting Officer (P Martin)
Responsible Officer : Executive Director Corporate Services (M Cole)

Responsible Officer's Signature:	
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RECOMMENDATION

CCCS025: RESPONSIBLE OFFICER RECOMMENDATION

That Council RECIEVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 April 2017 totalling \$6,917,031.35.

BACKGROUND

- Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the City's municipal and trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Officer is to be provided to Council.

DISCUSSION

- The table below summarises the payments drawn from the municipal fund for the period ending 15 April 2017. Please refer to the Attachment to this report.

Municipal Fund	
Trust	\$ 0.00
Credit Cards	\$ 10,308.11
Payroll	\$ 1,220,351.87
Cheques	\$ 108,634.95
Electronic Funds Transfer	\$ 5,577,736.42
TOTAL	<u>\$ 6,917,031.35</u>

- As at 15 April 2017, the total outstanding creditors, stands at \$375,630.01 and made up as follows:-

Current	\$ 368,595.63
30 Days	\$ 7,014.32
60 Days	\$ 20.06
90 Days	\$ 0.00
TOTAL	<u>\$ 375,630.01</u>

Cancelled cheques – Nil.

STATUTORY IMPLICATIONS

4. Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996*, provides that payment may only be made from the municipal fund or a trust fund if the Local Government has delegated this function to the Chief Executive Officer or alternatively authorises payment in advance.
5. The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.
6. Regulation 13 of the *Local Government (Financial Management) Regulations 1996* provides that if the function of authorising payments is delegated to the Chief Executive Officer, then a list of payments must be presented to Council and recorded in the minutes.

POLICY IMPLICATIONS

7. Expenditure for the period to 15 April 2017 has been incurred in accordance with the 2016/2017 budget parameters.

FINANCIAL IMPLICATIONS

8. Expenditure for the period to 15 April 2017 has been incurred in accordance with the 2016/2017 budget parameters.

SUMMARY CONCLUSION

9. That list of accounts have been authorised for payment under delegated authority.
10. It is requested that any questions on specific payments are submitted to the Executive Director Corporate Services by 4pm of the day prior to the scheduled meeting time. All answers to submitted questions will be provided at the Committee meeting. This allows a detailed response to be given to the Committee in a timely manner.

File Number (Name of Ward)	:	FM.FIR.2 - All Wards
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CCCS026: DELEGATED AUTHORITY REPORTS

Proponent : City of Albany
Attachments : Executed Document and Common Seal Report
Report Prepared by : Personal Assistant to the ED Corporate Services (H Bell)
Responsible Officer : Chief Executive Officer (A Sharpe)

Responsible Officer's Signature:



RECOMMENDATION

CCCS026: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Delegated Authority Reports 16 March 2017 to 15 April 2017 be RECEIVED.

**CCCS027: SURRENDER OF LEASE & NEW LEASE – IMPERIAL GROUP
PTY LTD – GARRISON RESTAURANT**

Land Description : Reserve 38226 and being Portion of Lot 555 on deposited Plan 75417 comprised in Certificate of Crown Land Title Volume LR3164 Folio 426

Proponent : Imperial Group Pty Ltd (ACN 152 740 728)
Directors: John Saville-Wright and Lynette Vincenti

Owner : Crown (City of Albany under Management Order)

Report Prepared by : Team Leader Property and Leasing (T Catherall)

Responsible Officer : Executive Director Corporate Services (M Cole)

Responsible Officer's Signature:



CONFIDENTIAL REPORT

This Report will be considered behind closed doors in accordance with section 5.23 (2)(e) of the Local Government Act 1995, being a matter that if disclosed, would reveal information that has a commercial value to a person.

CCCS028: COUNCIL REVIEW OF DELEGATIONS REGISTER

Proponent	: City of Albany
Attachments	: Delegations Register 2017 Council Policy Listing – 5 May 2017
Report Prepared by	: Manager Governance & Risk Management (S Jamieson)
Responsible Officer(s)	: Executive Director Corporate Services (M Cole)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2014 - 2018:
 - a. **Key Theme:** 5. Civic Leadership.
 - b. **Strategic Objectives:** 5.1. To establish and maintain sound business and governance structures.
 - c. **Strategic Initiative:** Nil

In Brief:

- Council review and approve the Register of Delegations 2017.

RECOMMENDATION

CCCS028: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

That the delegations detailed in the Register of Delegations be ADOPTED.

BACKGROUND

2. Under the provisions of the *Local Government Act 1995*, a local authority may delegate some of its powers and duties to the Chief Executive Officer or Committees of Council to help facilitate the many services it provides to the community.
3. At least once every financial year, the powers and duties delegated under the *Local Government Act* are required to be reviewed by the delegator.

DISCUSSION

4. A register of Delegations of Authority is essential in order to inform the public of the activities, functions, powers and duties of the Local Government as well meeting the requirements of Section 5.46 of the *Local Government Act 1995* (the Act).
5. This Act requires the Chief Executive Officer (CEO) of the Local Government to keep a Register of Delegations made by the Council to a Committee or the Chief Executive Officer, and by the CEO to other employees.
6. The compilation of the content of this Register was prepared through references to the Act, the Complete Guide to The Local Government Act 1995 (which is a joint production of the Western Australian Municipal Association, the Institute of Municipal Management (WA Division) and the Western Australia Department of Local Government.

7. Section 5.42 of the Act allows Council to delegate to the Chief Executive Officer and/or Committee.
8. Proposed amendments are detailed in the document control section of the register (attachment C).
9. Council Policies and their associated delegation(s) are listed at attachment C to the Delegations Register and a hyperlink listing extract from the City of Albany's website is detailed at attachment 2 to this report.
10. Council may choose to select specific Council Policy positions for separate review.

GOVERNMENT AND PUBLIC CONSULTATION

11. Detailed in the discussion section of the report.

STATUTORY IMPLICATIONS

12. Detailed in the discussion section of the report.

Delegation to CEO

13. Section 5.42 of the Act enables the delegation of some powers and duties to the Chief Executive Officer:

“1) A local government may delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.”

Delegation to Committees

14. Section 5.16 and 5.17 of the Act enables the delegation of some powers and duties to a committee:

“1) Under and subject to section 5.17, a local government may delegate to a committee any of its powers and duties other than the power to delegate;

2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.”

Delegations to be reviewed every financial year

15. Under the provisions of section 5.46 (2) of the Act, delegations must be reviewed by the delegator at least once every financial year.

Appointment of authorised persons

16. Section 9.10 of the Act. The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.

Transfer of Authority Due to Absence

17. Where an Officer not named has been appointed by Council or by an Officer authorised to make the appointment to act in a position to which the named Officer is appointed, the authority shall transfer to the Officer acting as appointed, for the duration of Council authorisation.

18. Where a named Officer holding a delegation is temporarily absent and no Officer has been appointed to act in the position, the authority will transfer to the relevant Executive Director or Senior Manager for the period of absence.

Proposed, Amended Delegations

19. New, deleted and proposed amendments are detailed in the version control section of the register.

POLICY IMPLICATIONS

20. Nil

RISK IDENTIFICATION & MITIGATION

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

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Legal & Compliance. Non-compliance with the City's statutory requirement to review the delegations every financial year.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Review and bring back to Council for adoption prior to 30 June 2017.</i>

FINANCIAL IMPLICATIONS

22. Nil.

LEGAL IMPLICATIONS

23. Refer to statutory implication section of report.

ENVIRONMENTAL CONSIDERATIONS

24. There are no direct environmental considerations related to this report.


SUMMARY CONCLUSION

25. That the reviewed delegations register (attached) be adopted and if required identify specific Council Policy positions for separate review.

Consulted References	:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • Local Government: Operational Guidelines Number 17.
File Number (Name of Ward)	:	PE.AUT.1 (All Wards)
Previous Reference	:	OCM 28 June 2016 Resolution CSF248

CCCS029: LOWER GREAT SOUTHERN ECONOMIC ALLIANCE - UPDATE

Proponent / Owner : Lower Great Southern Alliance
Report Prepared By : Lower Great Southern Alliance – Executive Support Officer (S Shaw)
Responsible Officers: : Chief Executive Officer (A Sharpe)

Responsible Officer's Signature:	
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STRATEGIC IMPLICATIONS

- a. **Key Theme:** 1. Smart, Prosperous and Growing.
- b. **Strategic Objectives:**
 - 1.1 To foster education, training and employment opportunities that support economic development.
 - 1.2. To strengthen our region's economic base.
 - 1.3. To develop and promote Albany as a sought after and visitor destination.
- c. **Strategy:**
 - 1.1.1 Advocate for and support initiatives that lead to education sector and employment growth.
 - 1.2.2 Strengthen our economy by supporting business innovation and diversity.
 - 1.3.2 Promote the Albany region as a sought after and iconic tourism destination.

In Brief:

New Structure and Governance

- Engaged consultant Alison Dalzeil (Localise) to undertake workshops/ consultation for the development of Strategic Plan and Governance model for the Local Great Southern Economic Alliance (LGSEA).
- Outcomes of the consultancy will be presented for adoption by LGSEA on 11 May 2017 and following this to each partner council.
- Representatives from Councils are:

City of Albany	Shire of Denmark	Shire of Plantagenet
Mayor, Dennis Wellington	President, David Morrell	President, Ken Clements
Cr Bill Hollingworth	Cr Jan Lewis	Cr Len Handasyde
Cr Paul Terry	Cr Peter Caron	Cr Brett Bell
Cr John Shanhun	Cr Rob Whooley	Cr Chris Pavlovich

**Alternate representatives are shaded*

Advocacy

- LGSEA representatives met with Candidates for the State Elections to promote the priorities for the region.
- Ongoing advocacy with Minister McTiernan after the election for the delivery of election commitments and encouraging the release of funds for the Growth Plan for Stage 2 Centres.

Economic Development

- **Tourism Development Strategy and Destination Marketing Strategy**
 - All three Local Government Authorities unanimously adopted the Tourism Destination Strategy (TDS), Destination Marketing Strategy (DMS) and Action Plan in March 2017.
 - Amazing South Coast Tourism Advisory Group (TAG) under establishment with an agreed Terms of Reference, first meeting scheduled 25 May 2017.
 - Consultants being engaged to progress a new marketing strategy / advertising based on support from State Government election commitments.
 - TAG to progress work on an Industry engagement/ sustainable Local Tourism Organisation model.

- **Growth Plan (Regional Centres Development Plan, RCDP)**
 - Lower Great Southern Growth Plan Project Management Plan outlining the process for the rollout of the Growth Plan process locally submitted to RCDP Steering Committee for consideration on 12 April 2017.
 - Inaugural meeting of the Lower Great Southern Growth Plan Partnership held on 6 April 2017.
(Members: City of Albany, Shire of Plantagenet, Shire of Denmark, Albany Chamber Commerce Industry, Great Southern Development Commission and representatives from Landcorp, Department of Regional Development, Department of Planning)
 - Awaiting feedback from Steering Committee and Minister on future direction of the project.
 - Developing consultant brief in consultation with Department Regional Development and Landcorp in preparation for moving forward.
 - Maintaining close linkages with other Stage 2 Centre coordinators.

Efficiency and Consistency

- Investigated economic data provision services for the three partner councils.
- Meeting of Managers from three partner councils in March highlighted several key opportunities for work to create efficiency across the three councils. Chief Executive Officers will be given a report and a Project Working Group established to progress this and ensure outcomes are delivered.

RECOMMENDATION

CCCS029: RESPONSIBLE OFFICER RECOMMENDATION

THAT the Committee NOTE this update for the Lower Great Southern Economic Alliance.

BACKGROUND

2. The Lower Great Southern Economic Alliance of the City of Albany, and Shires of Denmark and Plantagenet developed under a Memorandum of Understanding in July 2015.
3. The key pillars of the LGSEA include: Advocacy; Economic Development and Tourism and Efficiency and Consistency.
4. The new structure with the increase of representation for each partner council from 1 to 3 members has agreed to meet monthly.

GOVERNMENT & PUBLIC CONSULTATION

6. N/A.

STATUTORY IMPLICATIONS

7. N/A.

POLICY IMPLICATIONS

8. There are no policy implications at this time.

RISK IDENTIFICATION & MITIGATION

9. N/A.

FINANCIAL IMPLICATIONS

10. Nil.

LEGAL IMPLICATIONS

11. Nil.

ENVIRONMENTAL CONSIDERATIONS

12. Nil.

CONCLUSION

13. That the Committee note this update.

Consulted References	:	Nil
File Number (Name of Ward)	:	All Wards
Previous Reference	:	Nil

**CCCS030: ALBANY REGIONAL AIRPORT REGULAR PUBLIC
TRANSPORT PROPOSED FEE STRUCTURE 2017/18**

Proponent : City of Albany
Attachments : Regional Express Correspondence - 1 May 2017
Report Prepared By : Manager Tourism Development Services (M Bird)
Responsible Officer(s) : Executive Director Community Services (C Woods)

Responsible Officer's Signature:



CONFIDENTIAL REPORT

In accordance with section 5.23 (2)(c) of the Local Government Act 1995, being: a contract which may be entered into by the local government will be discussed behind closed doors.

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12. MEETING CLOSED TO THE PUBLIC

CCCS027: SURRENDER OF LEASE & NEW LEASE – IMPERIAL GROUP PTY LTD –
GARRISON RESTAURANT

CCCS030: ALBANY REGIONAL AIRPORT REGULAR PUBLIC TRANSPORT
PROPOSED FEE STRUCTURE 2017/18

14. CLOSURE