

# **Works & Services**

## **REPORTS**

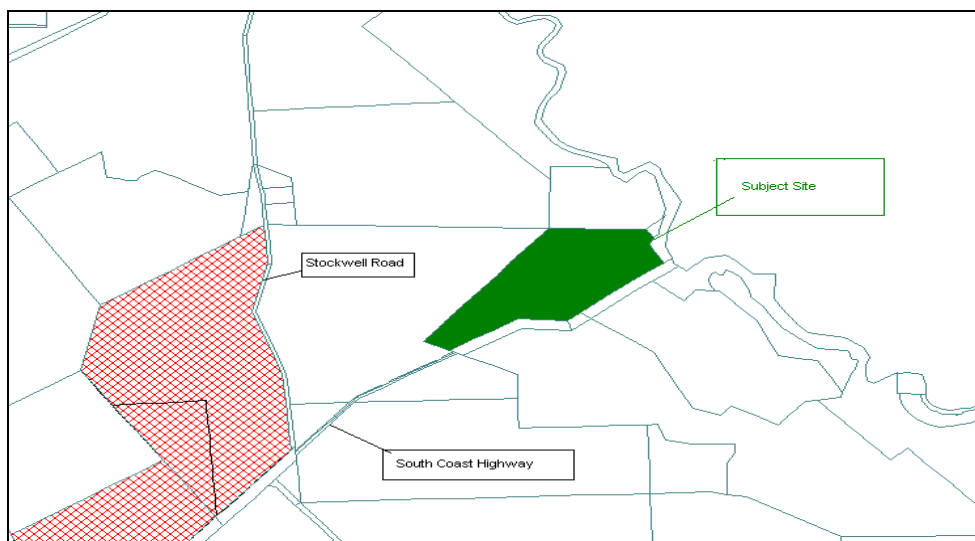
**13.1 CITY ASSETS - ASSET MANAGEMENT**

Nil

## 13.2 CITY SERVICES – WASTE MANAGEMENT

### 13.2.1 Provision of facilities – Pallinup Rest Area

|                               |   |  |
|-------------------------------|---|--|
| <b>File/Ward</b>              | : | FIN022 (Kalgan Ward)   |
| <b>Proposal/Issue</b>         | : | To consider the erection of a toilet and other infrastructure on a main roads reserve on South Coast Highway next to the Pallinup River  |
| <b>Subject Land/Locality</b>  | : | Boat Harbour Road, Wellstead   |
| <b>Proponent</b>              | : | Main Roads and Wellstead Progress Association  |
| <b>Owner</b>                  | : | Crown  |
| <b>Reporting Officer(s)</b>   | : | Manager City Services ( I Neil)  |
| <b>Disclosure of Interest</b> | : | Nil  |
| <b>Previous Reference</b>     | : | OCM 19/02/08 – Item 12.8.2   |
| <b>Summary Recommendation</b> | : | That the City not support Main Roads WA request to install infrastructure at the Pallinup Rest Area and support the establishment of a blackwater dump point at the Wellstead Town site. |
| <b>Bulletin Attachment</b>    | : | Application for Community Financial Assistance.  |
| <b>Locality Plan</b>          | : |  |



**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

**BACKGROUND**

1. In November last year Main Roads WA, in conjunction with the Wellstead Progress Association made an approach to the City offering to assist in funding a toilet and a black water disposal facility for the MRWA rest area adjacent to the Pallinup River on South Coast Highway.
2. The Association was encouraged to make an application to Community Financial Assistance Program. A copy of the application is included with the Council Bulletin
3. In making its decision Council resolved as follows
  - i) *That Council investigate the installation of rest facilities at the Pallinup rest area in collaboration with Main Roads Western Australia;*
  - and*
  - ii) *Prior to a formal decision being made, a report is prepared for the April 2008 Ordinary Council Meeting outlining:*
    - a) *The capital expenditure and overall design of the rest area.*
    - b) *The financial contribution made by the Department of Main Roads towards the construction of the rest area.*
    - c) *The ongoing operational costs associated with maintaining the facility.*
4. The need for such infrastructure arose out of the placement of a barbecue in this area by the community; the City has not considered providing such a facility in this area due to its proximity to Wellstead and facilities available at Boat Harbour. There are no similar facilities in the municipality.

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

7. Nil

**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

**STRATEGIC IMPLICATIONS**

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

***“Community Vision:***

*A Healthy City, Albany Community will enjoy healthy, fulfilling lifestyles, and a flourishing natural environment through diverse and affordable cultural, recreational and sporting opportunities.*

***Mission Statement:***

*The City of Albany is committed to:*

- *Sustainably Managing Albany’s municipal assets,*
- *Delivering excellent community services,*
- *Respect the Communities aspirations and resources.*

***Priority Projects:***

*Nil”.*

**COMMENT/DISCUSSION**

9. Since that time discussions have been held with MRWA regarding the matter and the following proposal has resulted from those negotiations,

- MRWA will supply and install the toilet at Pallinup.
- MRWA will supply and install the black water point at Wellstead townsite.
- The City will service and maintain the facilities.
- MRWA will be responsible for the replacement of facilities at the end of their life.

10. The Pallinup Rest Area is a large cleared area where vehicles can stop to have a break. The rest area is some 20 minutes east of the Wellstead Township. Currently there is timber picnic table, litter bin, a BBQ and shelter placed there by the local community.

11. Rest areas such as this one are for the use of road users as a rest stop or a meals area using the picnic table; it is unusual to have a barbecue in such an area. The presence of the barbecue has created a high level of use resulting in concerns regarding litter and the lack of toilet facilities.

12. MRWA has stated that the provision of this rest stop is part of its fatigue management strategy.

13. The construction costs and proposed contributions are:

Construction

|                              |          |
|------------------------------|----------|
| Toilet Complex               | \$25,000 |
| Plumbing and Blackwater Unit | \$ 8,500 |
| Freight                      | \$ 1,500 |
| Labour                       | \$15,000 |
| TOTAL                        | \$50,000 |

**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

- 14. The toilet will be a single unisex disabled facility connected to a septic system which will probably need to be pumped out twice per year. The toilet will have signs stating the black water dump point is at Albany.
- 15. The Black water tank is a below ground tank for the disposal of chemical toilets from motor homes. Locating this site at Wellstead may increase the number of visitors to the townsite.
- 16. The ongoing operational costs of the facilities will consist of building maintenance, servicing the barbecue and the toilet, emptying the black water tank and toilet, and responding to call outs. Call outs are non scheduled responses to plumbing, cleaning, vandalism or servicing issues.
- 17. Annual costs for this function would be:
 

|                                  |                 |                        |
|----------------------------------|-----------------|------------------------|
| Barbecue and toilet servicing    | \$ 4,100        | Twice per week         |
| Building Maintenance             | \$ 1,000        | \$10,000 over 10 years |
| Empty Toilet and Blackwater tank | \$ 2,000        | 4 per year             |
| Call Outs                        | \$ 1,600        | 4 per year             |
| <b>TOTAL</b>                     | <b>\$ 8,700</b> |                        |
- 18. The current proposal places responsibility for maintenance with Council, the location of a facility in this area has not been identified in any Council deliberations regarding the provision of public amenities.
- 19. The responsibility for the maintenance of facilities in these areas rests with MRWA, currently it empties litter bins and maintains picnic tables, and it is a logical progression that it maintains other infrastructure on its land as well.
- 20. If Council did not agree to the annual maintenance costs it is possible that the project may not proceed, however if Council did agree to provide the maintenance it must be mindful of the precedent it may set. The provision of facilities such as these is in line with MRWA fatigue management program but has not been identified as required by Council.
- 21. It is recommended that the request for maintenance of a toilet facility at the rest area is refused as it is a Main Roads function.

**RECOMMENDATION**

THAT Council advise the Wellstead Progress Association that it will not contribute to the establishment and operation of toilet facilities at the Pallinup rest area.

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR MATLA  
SECONDED COUNCILLOR WILLIAMS**

**THAT Council advise the Wellstead Progress Association that it will not contribute to the establishment and operation of toilet facilities at the Pallinup rest area.**

**MOTION CARRIED 11-0**

**13.3 CITY SERVICES – AIRPORT MANAGEMENT**

Nil

**13.4 CITY SERVICES – CONTRACT MANAGEMENT**

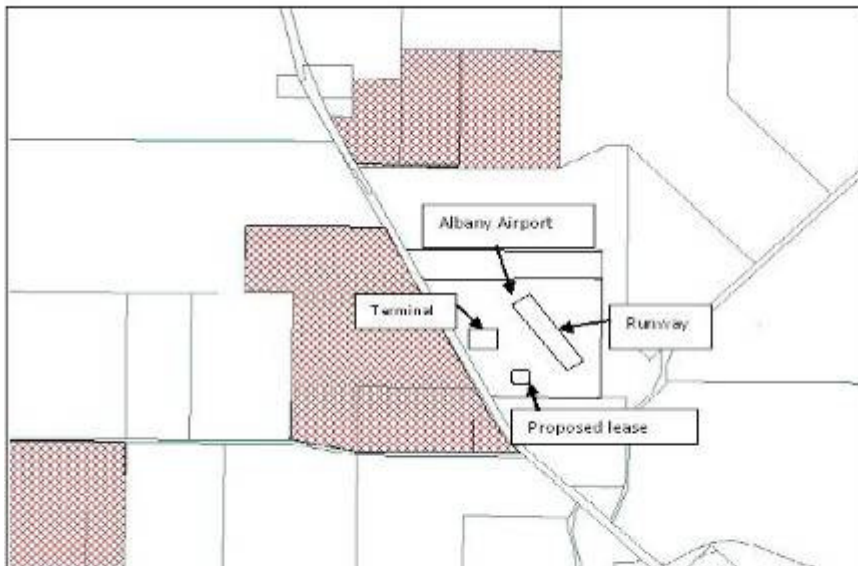
Nil

**WORKS & SERVICES REPORTS**

**13.5 CITY SERVICES – PROPERTY MANAGEMENT**

**13.5.1 Property Management – New Lease**

|                               |   |
|-------------------------------|---|
| <b>File/Ward</b>              | : SER105 (Kalgan Ward)  |
| <b>Proposal/Issue</b>         | : Lease to Landgate for infrastructure placed at Airport  |
| <b>Subject Land/Locality</b>  | : Albany Regional Airport – Albany Highway  |
| <b>Proponent</b>              | : City of Albany  |
| <b>Owner</b>                  | : City of Albany  |
| <b>Reporting Officer(s)</b>   | : Manager City Services (I Neil)  |
| <b>Disclosure of Interest</b> | : Nil   |
| <b>Previous Reference</b>     | : Nil   |
| <b>Summary Recommendation</b> | : That a lease be offered to Landgate for the placement of a Global Navigation Satellite System Reference Station at the Albany Airport |
| <b>Bulletin Attachment</b>    | : Nil   |
| <b>Locality Plan</b>          | :   |





**WORKS & SERVICES REPORTS**

Item 13.5.1 continued

**BACKGROUND**

1. The City has been requested by Landgate (a division of the State Government) to make some land available in the Municipality as part of a national program to establish a Global Navigation Satellite System. The land will be used to establish a receiving antenna and associated monitoring equipment, 90 similar stations are proposed nationally.

**STATUTORY REQUIREMENTS**

2. As the land is owned by Council, ministerial approval is not required for this lease.
3. As Landgate is an instrumentality of the State Government, advertising is not required.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

5. The cost of documentation and site works will be borne by Landgate, a rental set at Minimum Land Rate is appropriate. (Currently \$ 508 ex GST)

**STRATEGIC IMPLICATIONS**

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

***“Community Vision:***

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

***Mission Statement:***

*The City of Albany is committed to sustainably managing Albany’s Municipal Assets*

***Priority Projects:***

*Nil.”*

**COMMENT/DISCUSSION**

7. Landgate is responsible for the state geodetic infrastructure (survey control) which collects and provides land information data.
8. The Federal Government is investing \$65 Million in developing a National Network over the next five years which will include the establishment of 26 Continuously Operating Reference Stations (CORS), one of which is proposed at the Albany Airport.
9. The Reference Station consists of an external antenna and housed receiver and computer equipment, a site has been chosen at the airport in the vicinity of the Distance Measuring Equipment and can be easily accommodated.

**WORKS & SERVICES REPORTS**

Item 13.5.1 continued

10. Once established the CORS network will provide data on such processes as:
  - Continental deformation,
  - Seismic monitoring,
  - Water vapour and atmospheric modelling, and
  - Sea level variation
11. In the future it will be augmented to provide the basis for a future national real-time positioning system which will assist with:
  - Surveying and mapping,
  - Precision agriculture, and
  - Vehicle navigation tracking.
12. The request has merit and will not effect operations at the airport.
13. A five year term with a future five year option is proposed.

**RECOMMENDATION**

THAT Council offers a lease to Landgate for the erection of an antenna and housing of associated equipment at the Albany Regional Airport on the following conditions;

- i) The period of the lease be five years with an option of a further five years, commencing 1<sup>st</sup> May 2008;
- ii) Rental be set at the equivalent of minimum land rate;
- iii) All costs associated with the establishment and running of the infrastructure are borne by Landgate;
- iv) All costs associated with the development of lease documentation are borne by Landgate.

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR STANTON**

**THAT Council offers a lease to Landgate for the erection of an antenna and housing of associated equipment at the Albany Regional Airport on the following conditions;**

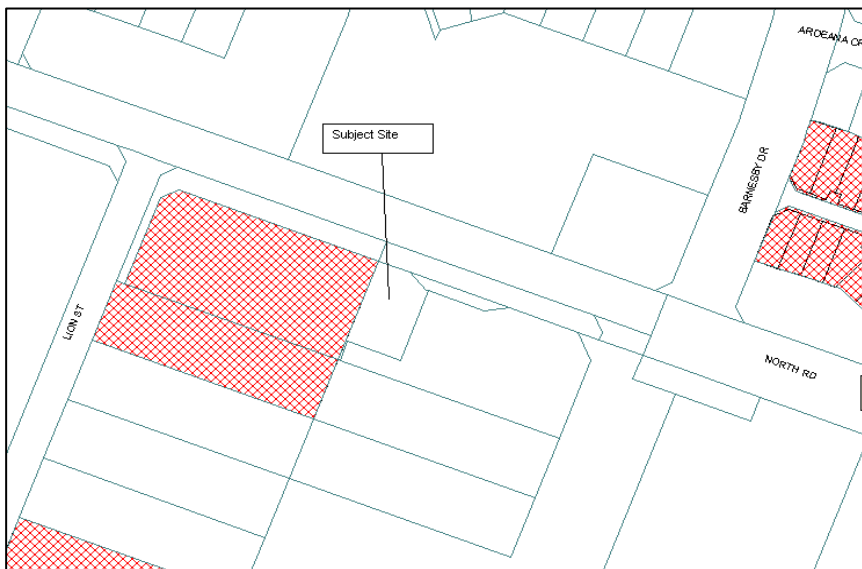
- i) The period of the lease be five years with an option of a further five years, commencing 1<sup>st</sup> May 2008;**
- ii) Rental be set at the equivalent of minimum land rate;**
- iii) All costs associated with the establishment and running of the infrastructure are borne by Landgate;**
- iv) All costs associated with the development of lease documentation are borne by Landgate.**

**MOTION CARRIED 11-0**

**WORKS & SERVICES REPORTS**

**13.5.2 License – Rainbow Coast Neighbourhood Centre**

|                               |  |
|-------------------------------|--|
| <b>File/Ward</b>              | : A150407 (Fredrickstown Ward)   |
| <b>Proposal/Issue</b>         | : Grant a licence to the Rainbow Coast Neighbourhood Centre to allow for the erection of a demountable one car garage at the rear of it property in North Road |
| <b>Subject Land/Locality</b>  | : 219 North Road, Centennial Park  |
| <b>Proponent</b>              | : Rainbow Coast Neighbourhood Centre   |
| <b>Owner</b>                  | : Minister for Family and Children’s Services  |
| <b>Reporting Officer(s)</b>   | : Manager City Services ( I Neil)  |
| <b>Disclosure of Interest</b> | : Nil  |
| <b>Previous Reference</b>     | : Nil  |
| <b>Summary Recommendation</b> | : That Council grant a licence for five years to allow the Neighbourhood House to erect a one car garage.  |
| <b>Bulletin Attachment</b>    | : Nil  |
| <b>Locality Plan</b>          | :  |



**BACKGROUND**

1. The Rainbow Coast Neighbourhood House has asked for permission to erect a garage on the car park at the rear of its centre. As the car park is on Council land a formal agreement for the use of the land needs to be entered into, a licence will constitute such an agreement.

**WORKS & SERVICES REPORTS**

Item 13.5.2 continued

**STATUTORY REQUIREMENTS**

2. Section 3.58 of the Local Government Act deals with the disposal of property. This includes disposal under a lease or a licence.
3. The requirement to advertise does not apply in this case, as the proponent is a state government agency.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

5. Rental will be set at \$10 per year

**STRATEGIC IMPLICATIONS**

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

***“Community Vision:***

*A Thriving City: Albany’s community will enjoy economic growth and outstanding opportunities for our youth through excellent community infrastructure and services and innovative development complementing Albany’s unique character, natural environment and heritage.*

***Mission Statement:***

*The City of Albany is committed to sustainably managing Albany’s municipal assets and at all times we will respect the Community’s aspirations and resources*

***Priority Projects:***

*Nil”*

**COMMENT/DISCUSSION**

7. The Rainbow Coast Neighbourhood Centre has acquired a vehicle for operational purposes, as the centre operates irregular hours there is a requirement that it is housed on site. The Centre feels that the vehicle needs to be garaged to ensure its security.
8. The shed is approximately 24 square metres and will take up two car parking bays, this will still leave reasonable car parking for the centre’s activities.
9. There is a concept plan to extend the car park in a southerly direction to link it with the car park of Lotteries House. If this occurs the garage may have to be moved, therefore the structure will have to be demountable. Costs for the installation and any moving of the garage including car park reinstatement will be met by the Centre.

**WORKS & SERVICES REPORTS**

Item 13.5.2 continued

RECOMMENDATION

THAT Council offers a licence to the Rainbow Coast Neighbourhood Centre for the erection of a demountable garage at the rear of the Centre on the following conditions:

- i) The period of the licence be five years commencing 1<sup>st</sup> May 2008.
- ii) Rental will be set at \$10 per year.
- iii) All costs associated with the construction and any subsequent changes to the garage including car park reinstatement are met by the Centre.
- iv) Costs associated with the development of licence documentation are met by the Centre.

*Voting Requirement Simple Majority*

.....

|  |
|--|
| <p><b>MOVED MAYOR EVANS<br/>SECONDED COUNCILLOR KIDMAN</b></p> <p><b>THAT Council offers a licence to the Rainbow Coast Neighbourhood Centre for the erection of a demountable garage at the rear of the Centre on the following conditions:</b></p> <ul style="list-style-type: none"><li><b>i) The period of the licence be five years commencing 1<sup>st</sup> May 2008.</b></li><li><b>ii) Rental will be set at \$10 per year.</b></li><li><b>iii) All costs associated with the construction and any subsequent changes to the garage including car park reinstatement are met by the Centre.</b></li><li><b>iv) Costs associated with the development of licence documentation are met by the Centre.</b></li></ul> <p style="text-align: right;"><b>MOTION LOST 2-9</b></p> |
|--|

**13.6 CITY WORKS – CAPITAL WORKS**

Nil

**13.7 CITY WORKS – RESERVES, PLANNING & MANAGEMENT**

Nil

**13.8 WORKS & SERVICES COMMITTEES**

**13.8.1 Asset Management and City Services Strategy and Policy Committee Minutes – 20 March 2008**

|                               |   |   |
|-------------------------------|---|---|
| <b>File/Ward</b>              | : | MAN 236 (All Wards)   |
| <b>Proposal/Issue</b>         | : | Committee Items for Council Consideration   |
| <b>Reporting Officer(s)</b>   | : | Executive Director Works & Services (L Hewer)   |
| <b>Summary Recommendation</b> | : | That the minutes of the Asset Management and City Services Strategy and Policy Committee Meeting held on 20 March 2008, be adopted. |
| <b>Bulletin Attachment</b>    | : | Nil.  |

**RECOMMENDATION**

THAT the Minutes of the Asset Management and City Services Strategy and Policy Committee held 20 March 2008 be received and the following recommendations be adopted:

- i) Item 3.2 – THAT the Committee meet on the first (1<sup>st</sup>) Thursday of the month, at 2.30pm.
- ii) Item 5.1 – THAT Council adopt the revised Purchasing Policy, and;
- iii) THAT Councillors be invited to attend as an observer when staff are evaluating on Council tenders.
- iv) Item 5.2 – THAT Council adopt the Property Management Policy

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR MATLA**

**THAT the Minutes of the Asset Management and City Services Strategy and Policy Committee held 20 March 2008 be received and the following recommendations be adopted:**

- i) Item 3.2 – THAT the Committee meet on the first (1<sup>st</sup>) Thursday of the month, at 2.30pm.**
- ii) Item 5.1 – THAT Council adopt the revised Purchasing Policy, and;**
- iii) THAT Councillors be invited to attend as an observer when staff are evaluating on Council tenders.**
- iv) Item 5.2 – THAT Council adopt the Property Management Policy.**

**MOTION CARRIED 11-0**

Item 13.8.1 continued



# **MINUTES**

## **ASSET MANAGEMENT AND CITY SERVICES STRATEGY AND POLICY COMMITTEE**

**Held on  
Thursday 20<sup>th</sup> March 2008  
2.30pm**

**Margaret Coates Boardroom**

Item 13.8.1 continued

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**WORKS & SERVICES REPORTS**

Item 13.8.1 continued

**1.0 DECLARATION OF OPENING**

Councillor Des Wolfe declared the meeting open at 2.30pm.

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

Attendances:

Chairperson -

Mayor -

Councillors -

D, Wolfe

MJ Evans, JP

G Kidman

K. Stanton

J. Walker

Executive Director Works & Services

L. Hewer

Manager City Services

I. Neil

Apologies/Leave of Absence:

Councillor

C. Morris

D. Wiseman

**3.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**

3.1 That the minutes of the Asset Management & City Services Strategy & Policy Committee meeting held on the 26<sup>th</sup> February 2008 be received.

**Recommendation**

**Moved: Evans**

**Second: Kidman**

**That the minutes of the Asset Management and City Services Strategy and Policy Committee meeting held on the 26<sup>th</sup> February 2008 be received.**

**MOTION CARRIED 5-0**

3.2 Confirm the date, time and frequency of future meetings.

**Recommendation**

**Moved: Wolfe**

**Second: Kidman**

**That the Committee meet on the first (1<sup>st</sup>) Thursday of the month, at 2.30pm.**

**MOTION CARRIED 5-0**

**4.0 DISCLOSURE OF INTEREST**

Nil.

**WORKS & SERVICES REPORTS**

Item 13.8.1 continued

**5.0 ITEMS FOR DISCUSSION**

5.1 Council Procurement Policy

Mr Hewer submitted the Council Purchasing Policy for adoption noting the changes made to the limit for verbal quotes and reference to the State Purchasing Policy.

Mr Neil discussed at length with Members about the purchasing procedures and the link with the State Purchasing Policy and the checks and balances that were in place to ensure that we are consistent with the tendering processes. It was suggested that Councillors be given the opportunity to sit in as an observer on some of the bigger tenders to gain better appreciation of the process. Mr Neil said that a register could be made up for Councillors to nominate a tender they would like to sit on.

The Chair suggested that a copy of the flow chart be attached to the policy in the bulletin and manual to be placed into the Councillors lounge. All agreed.

**Recommendation**

**Moved: Walker**

**Second: Stanton**

**That Council adopt the revised Purchasing Policy.**

**MOTION CARRIED 5-0**

**Recommendation**

**Moved: Evans**

**Second: Kidman**

**That Councillors be invited to attend as an observer on Council tenders.**

**MOTION CARRIED 5-0**

5.2 Council Property Management Policy

Mr Hewer submitted to the Committee the Council Property Management Policy for adoption. This policy is a revised copy of the one submitted in the Dec OCM and was withdrawn. There was concern over the wording for determining the rental. The changes to the wording allow for the maximum value to Council has been inserted.

The manual for the property management was tabled for discussion. Mr Neil discussed at length the different classification for leases and outlined the standard lease document that would pertain to each of these.

There was general discussion between staff and committee members centred on ensuring that Council would, in future, be in a position to gain maximum value by ensuring that the lease documents will give us the opportunity to adjust payments in line with the commercial market. All agreed that the new lease agreements do help to achieve this and that under this policy, and the subsequent procedures, that a lot of what took place in the past would not occur again.

**WORKS & SERVICES REPORTS**

Item 13.8.1 continued

The Chair suggested that a copy of the flow chart be attached to the policy in the bulletin and manual to be placed into Councillors lounge. All agreed.

**Recommendation**

**Moved: Walker**

**Second: Evans**

**That Council adopt the Property Management Policy.**

**MOTION CARRIED 5-0**

5.3 Asset Masterplan

General discussion was held regarding the WAAMI program. Mr Hewer outlined the program's intent and the need for all Councillors and stakeholders to embrace the concepts. It is planned to hold the first workshop in the beginning of April. Date is to be confirmed.

5.4 Items for discussion at the next meeting.

The Committee agreed to discuss the draft Waste Management Strategy review and Airport Business Plan.

**6.0 TIME AND DATE OF NEXT MEETING**

The next ordinary meeting of the committee is scheduled for 2.30pm Thursday 3<sup>rd</sup> April 2008.

**7.0 CLOSURE OF MEETING**

The meeting closed at 4.30pm.

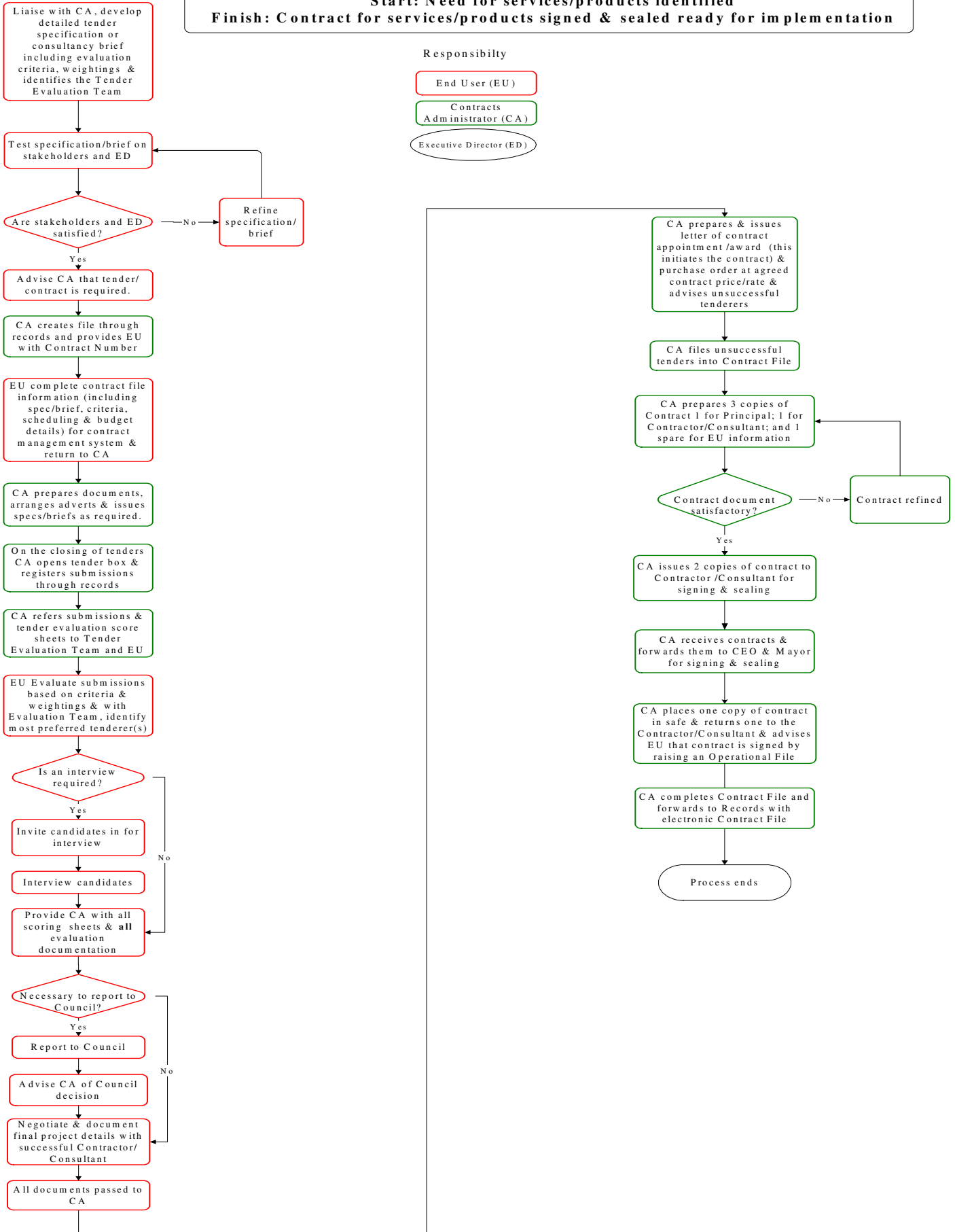
**WORKS & SERVICES REPORTS**

Item 13.8.1 continued

**TENDER/CONTRACT PROCESS**  
**Start: Need for services/products identified**  
**Finish: Contract for services/products signed & sealed ready for implementation**

Responsibility

- End User (EU)
- Contracts Administrator (CA)
- Executive Director (ED)



Item 13.8.1 continued



## Council Policy

# Purchasing Policy (Tenders and Quotes)

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

102 North Road, Yakamia WA 6330  
PO Box 484, Albany WA 6331  
Tel: (+61 8) 9841 9333  
Fax: (+61 8) 9841 4099  
staff@albany.wa.gov.au  
www.albany.wa.gov.au

**WORKS & SERVICES REPORTS**

## Item 13.8.1 continued

**Objective**

To provide best value to Council and equity and transparency to suppliers of Council goods and services

**Scope**

For all staff with the authority to purchase goods and services, it defines the type of procurement applicable to different categories of procurement

**Definitions**

**Minor Purchase** A purchase up to and including \$5,000

**Minor Quote** A purchase from \$5,001 to \$19,999

**Major Quote** A purchase from \$20,000 to \$99,999

**Tender** A purchase of \$100,000 and above

**Policy Statement**

The following protocols will apply to each category.

| Category        | Value (ex GST)     | Minimum Protocol                          |
|-----------------|--------------------|---|
| Minor Purchase  | 0-\$5,000          | Purchase Order                            |
| Minor Quotation | \$5,001-19,999     | 3 Verbal Quotes (Recorded as File Notes*) |
| Major Quotation | \$20,000-99,999    | 3 Written Quotes                          |
| Tender          | \$100,000 and over | Tender Process                            |

\* If a purchase is made and the minimum protocol for quotations is not met, a file note signed by the Executive Director needs to be made detailing the reasons for not meeting the protocol. In this instance a copy of the file note will be forwarded to the Corporate Governance Coordinator.

All records associated with the above categories will be recorded and retained in line with the provisions of the State Records Act 2000

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation;
- Quotation documentation;
- Internal documentation;
- File Notes; and
- Order forms and requisitions.

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

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**WORKS & SERVICES REPORTS**

Item 13.8.1 continued

**Legislative and Strategic Context**

This Policy is required under Part 4 of the Local Government (Functions and General) Regulations 1996

The adoption of this policy under the above regulations allows the City of Albany to increase its tender threshold from \$50,000 to \$100,000

**Review Position and Date**

Executive Director Works and Services to review on or before 30/6/2008

**Associated Documents**

- Local Government Act 1995
- Local Government (Functions and General) Regulations 1996
- Tender/Contract procedure
- Quotation procedure
- Evaluation procedure (Tenders and Quotations)

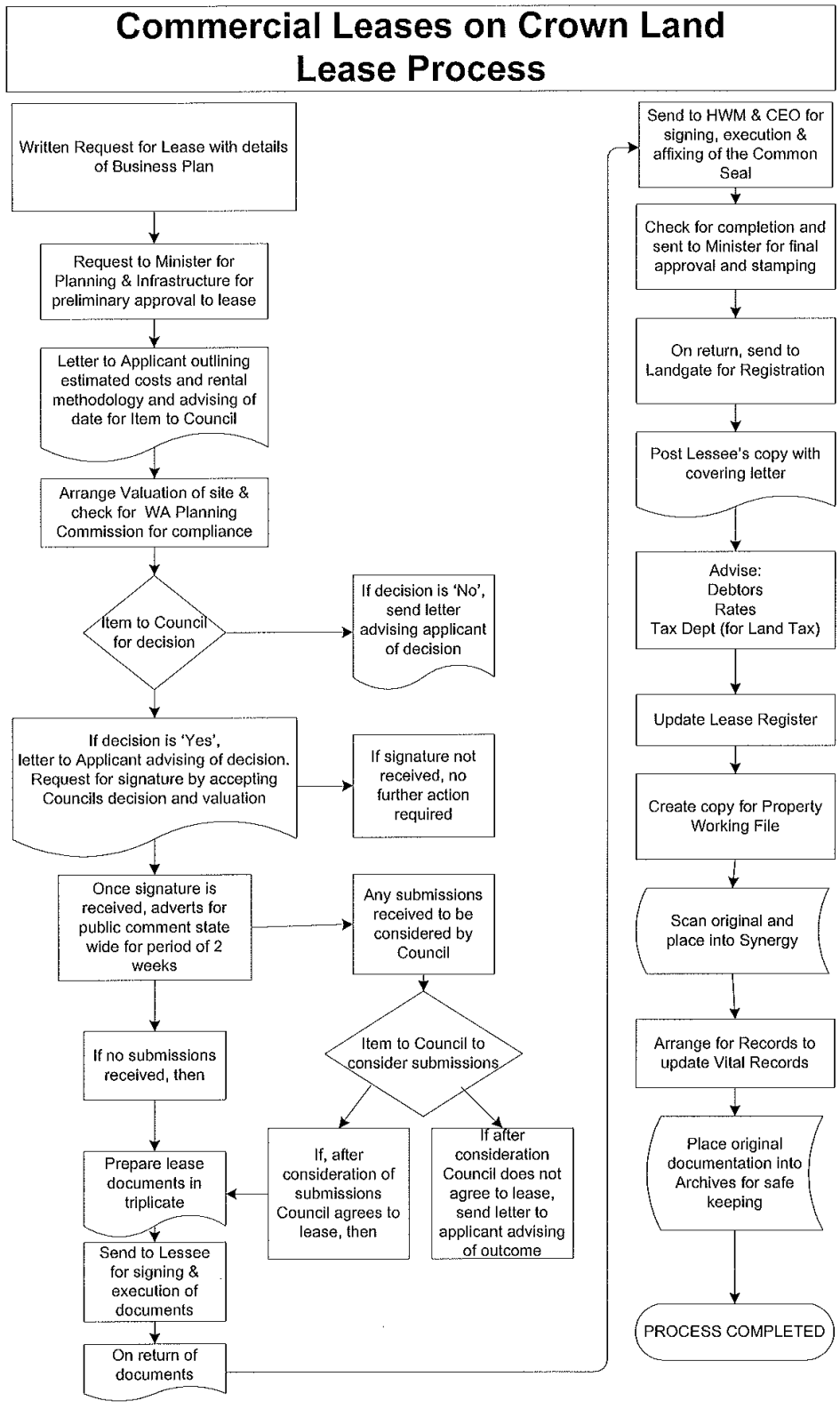
CEO Authorisation: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_

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

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Item 13.8.1 continued





Item 13.8.1 continued



## Council Policy

# Property Management - Leases

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

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**WORKS & SERVICES REPORTS**

Item 13.8.1 continued

**1. Objective**

To ensure leasing of land under the ownership or control of the City of Albany is dealt with in a fair and equitable manner.

**2. Scope**

To allow for short and long term leasing of property owned by the City of Albany and Crown Land under the control of the City of Albany.

**3. Definitions**

|                         |   |
|-------------------------|---|
| <b>Act</b>              | The Local Government Act 1995, as amended   |
| <b>Reserve</b>          | A parcel of land belonging to the Crown which have been vested in the City of Albany by way of a Management Order   |
| <b>Lease</b>            | An instrument conveying property to another for a definite period, or at will, usually in consideration of rent or other periodical compensation. ( <i>Macquarie Dictionary</i> ) |
| <b>Management Order</b> | An authorisation provided by the Crown providing the City with power to manage a parcel of land on behalf of the Crown.   |
| <b>Regulations</b>      | Local Government (Function and General) Regulations 1996  |
| <b>Disposal</b>         | Disposal of Property is dealt with as per section 3.58 of the Local Govt Act 1995 and clause 30 of the Local Government (Functions and General) Regulations 1996                  |

**4. Policy Statement**

The City of Albany as legal owner of certain areas of land may from time to time choose to enter into leasing arrangements with other organizations, businesses or individuals. The disposal of land is covered under the Act and Regulations.

The City of Albany also has some control of areas of Crown Land Reserves, specified by the issue of Management Orders provided by Landgate, (formerly the Department of Land Information). Some Reserves are available for leasing purposes for specific periods set by the Crown.

This policy will ensure that all requests for leases for whatever purpose, will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.

This policy recognises the variety and diversity of the leases, and recognises that no one particular style is appropriate for all.

This policy seeks to ensure that this variety and diversity is recognised to allow all Lessees or potential Lessees a quality of service and understanding relevant to their needs.

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Item 13.8.1 continued

This policy is supported by the provision of procedural guidelines enabling the City of Albany to deal with requests for property leases uniformly and in a timely manner.

## **5. Policy Statement**

Council adopts the following as policy

- The maximum tenure of a lease granted by Council will be twenty-one years.
- Commercial leases will be offered at a rental determined by an independent valuer taking into account the current value of the business and rental structured in a way which provides maximum return to Council.
- Commercial lessees will be required to provide a bond equivalent to one months rent.
- If a lessee requests a variation to a lease, Council reserves the right to consider the variation only as part of a new lease for the enterprise.
- Incorporated community groups leasing crown land for community purposes will be charged a rental of \$10.00 per annum.
- Incorporated community groups leasing land and buildings will be charged a rental based on the current minimum rate.
- Sporting group leases will attract a rental based on minimum land rate
- Airport Hangers will be charged rental according to a independent valuation
- Cheyne's beach holiday accommodation will attract a rental based on minimum land rate
- The lessee will reimburse all Council's costs associated with the development and implementation of the lease.
- No sub leasing arrangements are to be entered into
- The City will insure the buildings that it owns and recover the cost of the premium from the lessee

Item 13.8.1 continued

## **6. Legislative and Strategic Context**

This Policy relates to Division 3 of the Act which describes how Local Government is to dispose of land. Part 6, section 30 of the Regulations also applies to this Policy.

The City of Albany's 3D Corporate Plan...

### **Community Vision:**

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

- *dynamic promotion & marketing of Albany's advantages and opportunities,*
- *Innovative development complementing Albany's unique character, natural environment and heritage.*

### **Mission Statement**

*The City of Albany is:*

- *committed to sustainably managing Albany's municipal assets*
- *and at all times we will respect the Community's aspirations and resources"*

applies to this policy.

## **7. Review Position and Date**

Executive Director Works and Services to review on or before 30/12/2009.

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## 8. Associated Documents

Procedural Guidelines relating to the following individual lease categories:

- Albany Agricultural Society
- Airport Hangar leases
- Commercial Fishermen's Accommodation Leases
- Cheynes Beach Holiday Accommodation leases
- Commercial leases
- Community benefit leases
- Lotteries House leases
- Sporting Association leases
- Telecommunications leases

Standard Lease Agreement pro forma

Standard Extension of Lease pro forma

Standard Sub-Lease Agreement pro forma

Standard Transfer of Lease pro forma

Standard Variation of Lease pro forma

Standard Surrender of Lease pro forma

CEO Authorisation: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_\_\_

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