
WORKS & SERVICES

Reports

WORKS & SERVICES REPORTS

13.0 REPORTS – WORKS & SERVICES

13.1 - ASSET MANAGEMENT

Nil

13.2 – WASTE MANAGEMENT

Nil

13.3 – CITY SERVICES – AIRPORT MANAGEMENT

Nil

13.4 – CITY SERVICES – CONTRACT MANAGEMENT

Nil

13.5 – CITY SERVICES – PROPERTY MANAGEMENT

Nil

13.6 – CITY WORKS – CAPITAL WORKS

Nil

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13.7 - CITY WORKS – RESERVES, PLANNING & MANAGEMENT

ITEM NUMBER: 13.7.1

ITEM TITLE: Proposal to excise portion of lots 1899, 2451 and reserve 19673 for The Pass road reserve.

THE NATURE OF COUNCIL’S ROLE IN THIS MATTER

Executive Function: Council setting strategic direction and overseeing the operational functions of the City.

File Number or Name of Ward	: SER 086 (West Ward)
Summary of Key Points	: Proposal to excise portion of lots 1899, 2451 and reserve 19673 for The Pass road reserve.
Land Description	: Portion lots 1899, 2451 and Reserve 19673
Proponent	: Department for Planning and Infrastructure
Owner	: R & A Carter and Crown Land
Reporting Officer(s)	: Executive Support Officer Grant Funding and Finance (S Pepper)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Bulletin Attachment(s)	: Nil

Maps and Diagrams:

Following this report

BACKGROUND

1. Correspondence received from the Department for Planning and Infrastructure has requested Council resolve the matter of a road carriageway constructed on private property and crown land, known as The Pass Road (formally Healy Road). The road is to the west of Redmond, near the Hay River.

DISCUSSION

2. The Department for Planning and Infrastructure has advised Council that an historical anomaly exists regarding a portion of The Pass Road, which dates back to the 1960s.
3. The road carriageway in question was constructed in the early 1960s and ran through private property in both the Shires of Albany and Plantagenet. The matter has been discussed, via intermittent correspondence throughout the years, between both councils and the then Department for Lands and Survey, but nothing has been resolved.
4. The Department for Planning and Infrastructure (formally Department for Lands and Survey), has reviewed its outstanding files, and now seeks both Councils to resolve the land proposal.

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Item 13.7.1 continued.

5. A Council resolution is sought to create a road as shown on Diagram 75173 from lot 1899 and Class “A” reserve 19673, and on OP8579 for a road truncation on lot 2451. Indemnification against all claims and costs to create the road is also required by the Department.
6. The Department for Planning and Infrastructure also sought Council opinion on including the road adjoining lot 2452 into Reserve 19673. This request is not supported as the road reserve provides access to this lot.
7. Following discussions with the landowners, all parties have agreed to a compensation payout to enable the land to be excised from their titles and dedicated as a public road. An independent sworn valuation has been obtained and presented to the affected landowners.

PUBLIC CONSULTATION / ENGAGEMENT

8. The landowners of lots 1899 and 2451, Mr and Mrs Carter have been involved in the negotiations to resolve the excision of the required land.

GOVERNMENT CONSULTATION

9. The Department for Planning and Infrastructure have been liaising with Council, the Shire of Plantagenet and the Department of Environment and Conservation, to identify the various issues relating to this matter and how best to reach a resolution.

STATUTORY IMPLICATIONS

10. Section 51 of the Land Administration Act, 1997, -

Cancellation, etc of reserves generally.

Subject to sections 42, 43 and 45, the Minister may by order cancel, change the purpose of or amend the boundaries of, or the locations or lots comprising, a reserve.

11. Under the Land Administration Act 1997, section 56, Dedication of Roads –

(1) *If in the district of a local authority –*

(a) *land is reserved or acquired for use by the public, or is used by the public, as a road under care, control and management of the local government;*

(b) *in the case of land comprising a private road constructed and maintained to the satisfaction of the local government –*

(i) *the holder of the freehold in that land applies to the local government, requesting it to do so; or*

(ii) *those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;*

or

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Item 13.7.1 continued.

(c) *land comprises a private road of which the public has had uninterrupted use for a period not less than 10 years,*

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

FINANCIAL IMPLICATIONS

12. An independent sworn valuation providing a compensation payment of \$19,300 was obtained. In accordance with the requirements of Council's delegated authority (amount under \$50,000, funds found from within budget, caveat registered on title), the Acting Director of Works and Services finalised the negotiations.

STRATEGIC IMPLICATIONS & ALIGNMENT TO CORPORATE PLAN

13. This item directly relates to the following elements from the Albany Insight – Beyond 2020 Corporate Plan:

“Community Vision:

Nil.

Priority Goals and Objectives:

Goal 4: Governance... The City of Albany will be an industry leader in good governance and service delivery.

Objective 4.2... The City of Albany will manage our municipal assets to ensure they are capable of supporting our growing community.

City of Albany Mission Statement:

At the City of Albany we provide best value in applying council and community resources and apply Council funds carefully.”

POLICY IMPLICATIONS

14. Not applicable.

ALTERNATE OPTIONS & LEGAL IMPLICATIONS

15. Council has the following options in relation to the proposal:

- a.
 - 1) seek approval for the excision of portion of Reserve 19673, for road reserve purposes as detailed on diagram 75173;
 - 2) agree to the acquisition of portion of lot 1899 as shown on diagram 75173, and portion of lot 2451 as detailed on drawing number OP8579; and
 - 3) seek approval to dedicate the resultant land as road reserve; or
- b) leave the road carriageway matter in its current state.

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16. Should Council choose to do nothing, there is a possibility of public liability issues arising, should an accident occur on the reserve, rather than a dedicated road reserve.

SUMMARY CONCLUSION

17. It is recommended Council seek approval for the excision of portion of Reserve 19673, and agree to the acquisition of portion of lot 1899 and portion of lot 2451, and subsequently seek approval to dedicate the resultant land as road reserve.

**ITEM 13.7.1 - OFFICER RECOMMENDATION
VOTING REQUIREMENT – SIMPLE MAJORITY**

**MOVED COUNCILLOR: STANTON
SECONDED COUNCILLOR: PAVER**

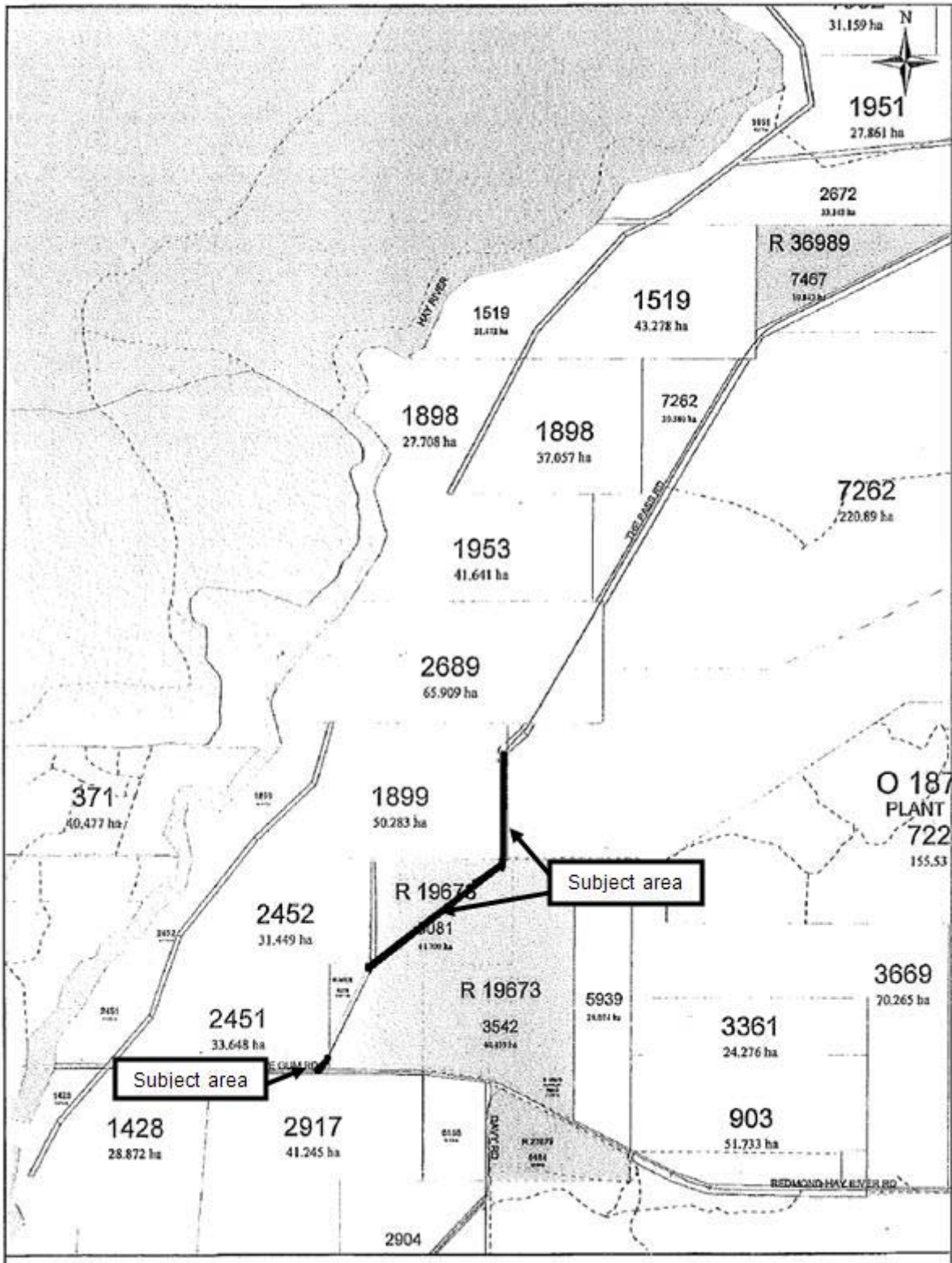
THAT COUNCIL:

- a. **SEEK approval to excise a portion of Reserve 19673, as per Diagram number 75173, from the Department of Planning and Infrastructure for road reserve purposes, in accordance with section 51 of the Land Administration Act; and**
- b. **SEEK approval to dedicate the portion as road reserve, in accordance with section 56 of the Land administration Act; and**
- c. **SEEK approval for the excision of portion of lot 1899 as per Diagram number 75173, and the excision of portion of lot 2451, as per drawing number OP8579, from the Department of Planning and Infrastructure for road reserve purposes, in accordance with section 56 of the Land Administration Act; and**
- d. **Indemnify the Department for Planning and Infrastructure against all claims and costs related to the creation of the road.**

MOTION CARRIED 10 – 0

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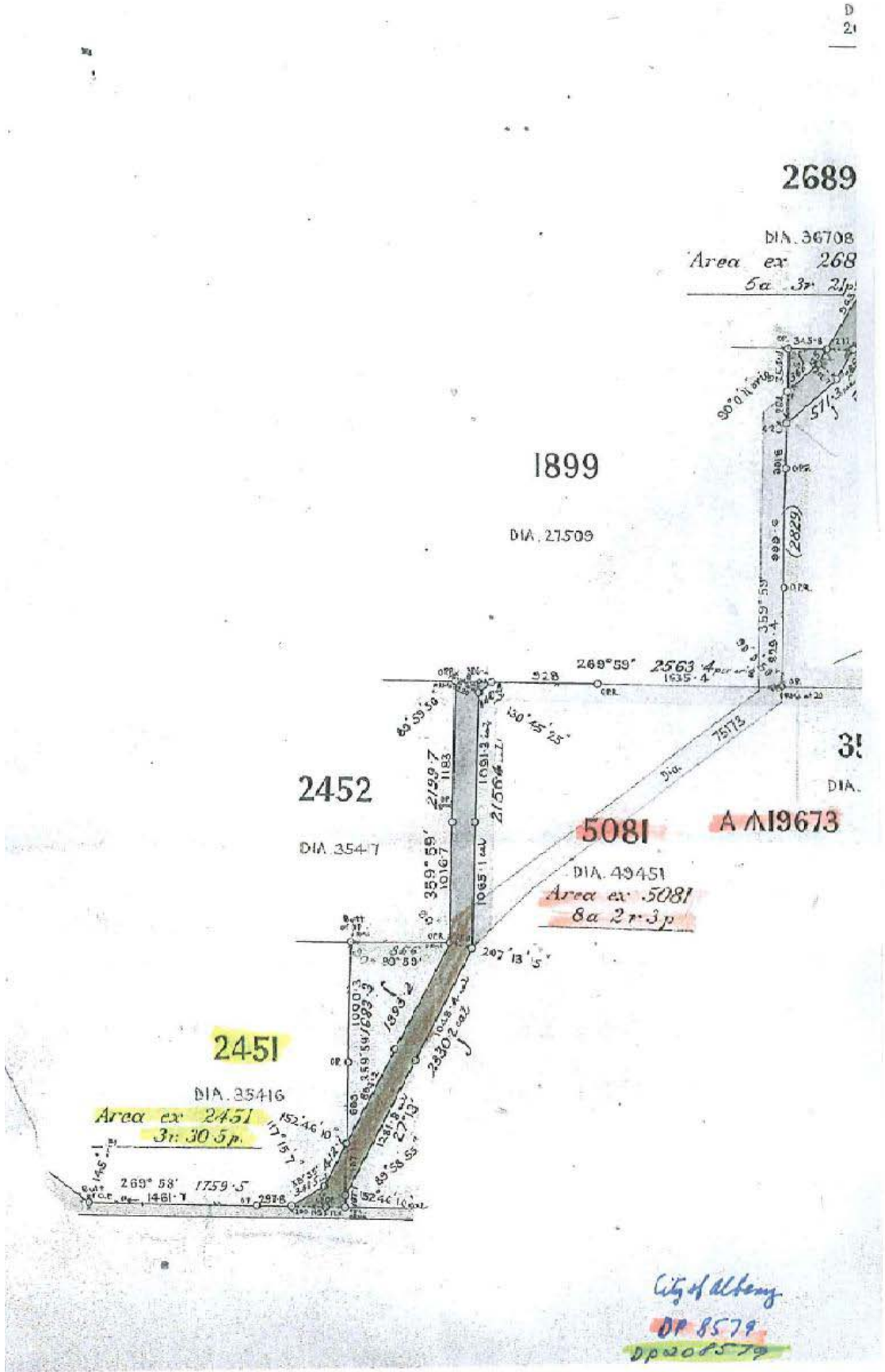


REFER DISCLAIMER

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13.8 – WORKS & SERVICES COMMITTEES

ITEM NUMBER: 13.8.1

**ITEM TITLE: Asset Management & City Services Strategy and Policy Committee Meeting
Minutes – 2nd October 2008**

File Number or Name of Ward	: MAN 236 (All Wards)
Summary of Key Points	: Committee Items for Council Consideration.
Reporting Officer(s)	: Acting Executive Director Works & Services (P Brown)
Disclosure of Interest	: Nil
Bulletin Attachment(s)	: Nil

COUNCIL'S ROLE: EXECUTIVE FUNCTION

ITEM 13.8.1 - COMMITTEE RECOMMENDATION

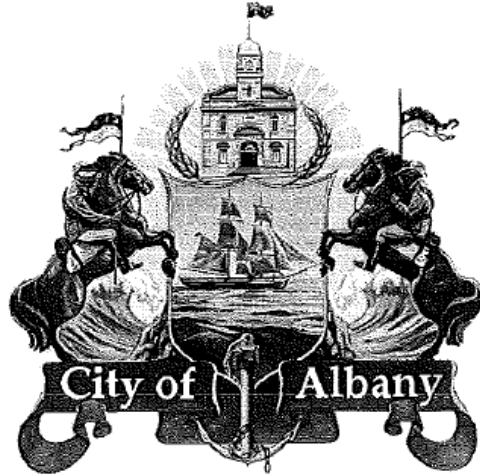
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED COUNCILLOR: STANTON

SECONDED COUNCILLOR: MATLA

THAT the UNCONFIRMED minutes of the Asset Management & City Services Strategy and Policy Committee held on Thursday 6th November 2008 be RECEIVED (copy of minutes follows this report).

MOTION CARRIED 10 – 0



MINUTES

ASSET MANAGEMENT AND CITY SERVICES STRATEGY AND POLICY COMMITTEE MAN236/AM806813

**Held on
Thursday 6th November 2008
5.30pm**

Margaret Coates Board Room

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COMMITTEE MEETING MINUTES – 06/11/2008

** REFER DISCLAIMER **

1.0 DECLARATION OF OPENING

The Chairperson Councillor Des Wolfe declared the meeting open at 5.37pm.

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

Attendances:

Chairperson

D. Wolfe

Councillors

K. Stanton

G. Kidman

J. Walker

J. Bostock

R. Buegge

Observer

J. Matla

Acting Executive Director of Works & Services

P. Brown

Manager City Works

M. Richardson

PA to EDWS (minutes)

F. Buswell

Apologies/Leave of Absence:

Mayor

M.J. Evans

Councillors

D Wiseman

Manager City Services

I. Neil

3.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

**MOVED: COUNCILLOR STANTON
SECONDED: COUNCILLOR BOSTOCK**

THAT the Minutes of the Asset Management and City Services Strategy and Policy Committee Meeting of 2ND October 2008 as previously distributed be confirmed as a true and accurate record of proceedings.

MOTION CARRIED 6-0

4.0 DISCLOSURE OF INTEREST

Nil.

5.0 ITEMS FOR DISCUSSION

5.1 Strategic Waste Management Plan Update

The Acting Executive Director of Works & Services Peter Brown requested that this item be deferred to the next meeting in December.

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COMMITTEE MEETING MINUTES – 06/11/2008

** REFER DISCLAIMER **

5.2 Pathway Strategy Update Including Financial Modelling

The Acting Executive Director of Works & Services Peter Brown presented the draft Asset Management Plan – Pathways and advised that the Plan was completed including the financial modelling and was in the context of the Western Australian Asset Management Improvement (WAAMI) Plan. The financial plan would provide the total maintenance and capital renewal costs over a 15 year period.

Councillor Stanton asked if anyone from the bike groups had been involved and Peter explained that once the Strategy had been adopted by Council all the key stakeholders would be contacted and the Strategy would be advertised for feedback from the community.

Chair Councillor Des Wolfe advised the Committee that given the amount of detail involved in the Plan it would be advisable for the item to be laid on the table for one month and brought back to the next meeting to discuss further. He also suggested that if any committee member had any questions to direct them to Peter Brown in readiness for the next meeting.

**MOVED: COUNCILLOR WOLFE
SECONDED: COUNCILLOR BUEGGE**

THAT the Asset Management Plan - Pathways be laid on the table for one month and be brought back to the December Asset Management Committee meeting.

MOTION CARRIED 6-0

Councillor John Walker advised the Committee that the City of Albany had won an award for pathways from Top Trails WA, for the path connecting Ellen Cove to Albany Port as one of Western Australia's Top Trails. He also stated that installing a barrier at the end of the Bald Head trail advising walkers to "do not pass this point" would also put the City in with a chance of winning another award next year. This information would be passed to the Department of Conservation for implementation.

**MOVED: COUNCILLOR WALKER
SECONDED: COUNCILLOR BUEGGE**

THAT the City of Albany aim for another award next year for Top Trails WA.

MOTION CARRIED 6-0

5.3 Airport Business Plan for Cafe

The Acting Executive Director Peter Brown advised that the City had received a tender for the supply of new vending machines at the Airport. The tender was from an interstate company to provide 3 machines in total supplying snacks and drinks, the emphasis would be on healthier food. The agreement would be for 2 years at a cost of \$1,000 and there would be penalties involved if the agreement was terminated before the expiry of the 2 year contract. The vending machines would be serviced and stocked from a local supplier. Councillor Walker asked if other parties were still interested in running a café at the airport, but was advised that was no longer an option at this stage.

Chair Councillor Des Wolfe duly noted the information.

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COMMITTEE MEETING MINUTES – 06/11/2008

** REFER DISCLAIMER **

5.4 Improvement Strategy

The Acting Executive Director Works & Services Peter Brown advised that the second WAAMI workshop had recently taken place and he thanked Councillor Stanton for her attendance at the workshop.

The Improvement Strategy gave clear direction of where the City assets are at and where they will be in 2 years time and how to improve on them within the time frame.

The Strategy was only draft at this stage and would tie into the strategic focus. A working group had been formed with members from different areas i.e. finance, customer service, operations, assets and the leisure centre.

Questions were asked as to when the framework would be in place and they were informed that by mid 2010 all assets and costs including scheduling of repairs would be completed including the Albany Entertainment Centre. Councillor Bostock advised that it is 5 times the capital costs for the lifetime maintenance of an asset. Councillor Walker advised that royalties for regions were available and Council needed to access this funding. Councillor Buegge asked if the City of Albany were on a par with other Councils and was advised that Albany was better off than other Councils and were taking the lead.

5.5 Kidsafe WA – Playground safety

The Chair Councillor Des Wolfe welcomed Tracy Blaszkow to the meeting as the Co-ordinator for Kidsafe WA – Playground Safety. Tracy presented an overview to the committee on what playground equipment is available to the City, she advised that educational training is available for community groups and Councils to provide playgrounds that were stimulating to children and engaged them in activities that were the four types of play, namely;

1. Active
2. Passive
3. Creative
4. Social

Questions were asked regarding vandals and the problems posed by having too much landscaping around parks and whilst they presented a more appealing park they also provided cover for unsavoury behaviour. Tracy advised that by bringing local children into adopting a park and helping with the design they were more likely to use the facilities and report vandalism. Manager of City Works Mike Richardson reported that landscaping could be designed to reduce this problem he also advised that 3 council staff were accredited in playground equipment.

Chair Councillor Des Wolfe thanked Tracy for her attendance and the presentation was very well received by the Committee.

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6.0 AGENDA ITEMS FOR NEXT MEETING

- 6.1 Strategic Waste Management Plan.
- 6.2 Asset Management Improvement Strategy.
- 6.3 Pathways feedback from Councillors.

7.0 TIME AND DATE OF NEXT MEETING

The next meeting of the Committee is scheduled for **5.30pm Thursday 4th December 2008** in the **Margaret Coates Boardroom**.

8.0 CLOSURE OF MEETING

The meeting closed at 6.50pm.