



A G E N D A

ORDINARY MEETING OF COUNCIL

**on
Tuesday, 16th July 2002
7.30pm
City of Albany - Mercer Road Office**

City of Albany

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Signed _____
Andrew Hammond
Chief Executive Officer

Date: 11th July 2002



NOTICE OF AN ORDINARY COUNCIL MEETING

Her Worship The Mayor and Councillors

The next Ordinary Meeting of the City of Albany will be held on Tuesday, 16th July 2002 in the Council Chambers, Mercer Road, Albany commencing at 7.30 pm.

(Signed)

Andrew Hammond
CHIEF EXECUTIVE OFFICER

11th July 2002

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1.0 DECLARATION OF OPENING

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

3.0 OPENING PRAYER

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

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5.0 PUBLIC QUESTION TIME

Council’s Standing Orders Local Laws provide that each Ordinary Meeting of the Council shall make available a total allowance of 30 minutes, which may be extended at the discretion of Council, for residents in attendance in the public gallery to address clear and concise questions to Her Worship the Mayor on matters relating to the operation and concerns of the municipality.

Such questions should be submitted to the Chief Executive Officer, **in writing, no later than 10.00am** on the last working day preceding the meeting (the Chief Executive Officer shall make copies of such questions available to Members) but questions may be submitted without notice.

Each person asking questions or making comments at the Open Forum will be **LIMITED** to a time period of **4 MINUTES** to allow all those wishing to comment an opportunity to do so.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

6.1 Ordinary & Special Council Meeting Minutes (as previously distributed).

6.1.1 DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 18th June 2002.

as previously distributed be confirmed as a true and accurate record of proceedings.

6.1.2 DRAFT MOTION:

THAT the following minutes:

- Special Meeting of Council held on 2nd July 2002.

as previously distributed be confirmed as a true and accurate record of proceedings.

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

8.0 DECLARATIONS OF FINANCIAL INTEREST

[Members of Council are asked to use the forms prepared for the purpose, aiding the proceedings of the meeting by notifying the disclosure by 3.00pm on that day.]

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

11.0 REPORTS – DEVELOPMENT SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on green – See Pages 7-38]

12.0 REPORTS – CORPORATE & COMMUNITY SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on yellow – See Pages 39-72]

13.0 REPORTS – WORKS & SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on pink – See Pages 73-82]

14.0 REPORTS – GENERAL MANAGEMENT SERVICES

[Reports from this portfolio are included in the Agenda and photocopied on buff – See Pages 83-84]

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

17.0 MAYORS REPORT

18.0 URGENT BUSINESS APPROVED BY MAYOR OR BY DECISION OF THE MEETING

19.0 CLOSED DOORS

20.0 NEXT ORDINARY MEETING DATE

Tuesday 20th August 2002, 7.30pm

21.0 CLOSURE OF MEETING

Development Services

REPORTS

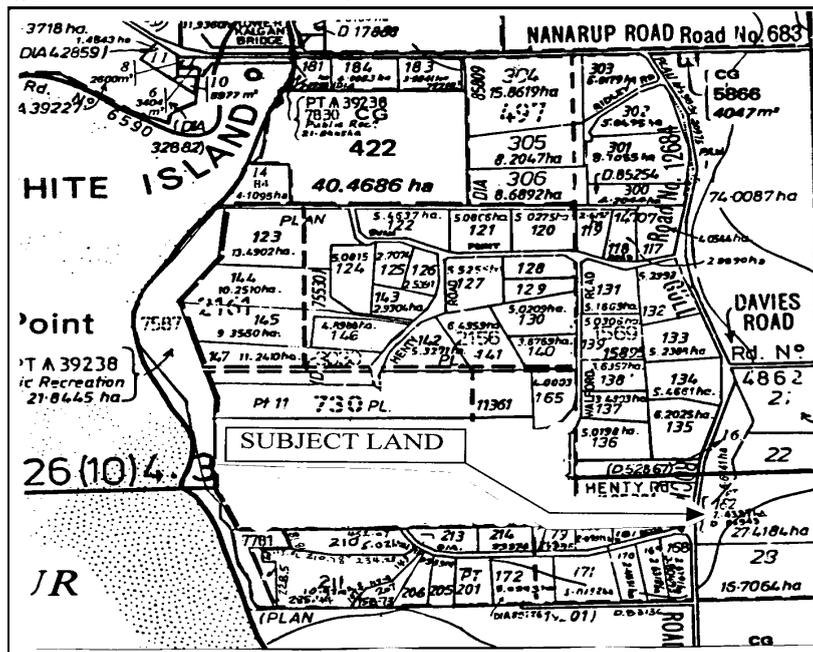
DEVELOPMENT SERVICES REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Proposed Road Dedication – Osprey Heights, Lower Kalgan

- File/Ward** : SER 088 & A6047S (Kalgan Ward)
- Proposal/Issue** : Dedicate the newly constructed road known as Osprey Heights off Gull Rock Road, Lower Kalgan.
- Subject Land/Locality** : Lot 9000 and 9001 Gull Rock Road, Lower Kalgan.
- Proponent** : Harley Survey Group
- Owner** : J & A Crawford and G & M Stockwell
- Reporting Officer(s)** : Planning Officer (G Bride)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Dedicate the right of way as a public road reserve.
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued.

BACKGROUND

1. Harley Survey Group has lodged a diagram of survey with Council seeking clearance for two special rural lots within the “Osprey Heights” subdivision (off Gull Rock Road). The roads have now been constructed and all other matters (including landscaping and fire fighting equipment) have been established in accordance with the Subdivision Guide Plan for the area.
2. As the estate involves two lots, with two different landowners, the applicant had previously realigned the property boundaries to conform with the approved subdivision pattern. A right of way (ROW) was designated to cater for a future road (now known as Osprey Heights).
3. The applicant has recently become aware through correspondence with the Department of Land Administration (DOLA) that prior to the creation of titles the ROW needs to be dedicated as a public road.
4. A number of titles within the estate were due to settle on 30 June 2002, however the ROW issue has delayed proceedings. Once Council has resolved to dedicate the road, the applicant is confident that DOLA will proceed with title creation.

STATUTORY REQUIREMENTS

5. The process to dedicate a public road is contained in the Land Administration Act 1997 and the Land Administration Regulations 1998.
6. To dedicate a road reserve, a plan of the road is prepared, a Council resolution is passed and the request is then forwarded to the Minister for Lands who must either grant the request, direct Council to reconsider the request or refuse the application.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

9. There are no strategic implications relating to this item.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

COMMENT/DISCUSSION

- 10. The road known as Osprey Heights has been constructed to Council’s specifications and it’s location is in accordance with the Subdivision Guide Plan and subsequent subdivision approvals. The dedication of the ROW as a public road is required to allow the lots to be created.

- 11. The ROW only affects a small portion of Osprey Heights adjacent to Gull Rock Road (refer attachment). The dedication would remove a surveying anomaly and is supported by staff.

RECOMMENDATION

THAT Council resolves to dedicate the ROW shown on Deposited Plan 28094 as a public road reserve, pursuant to Section 28 of the Land Administration Act 1997.

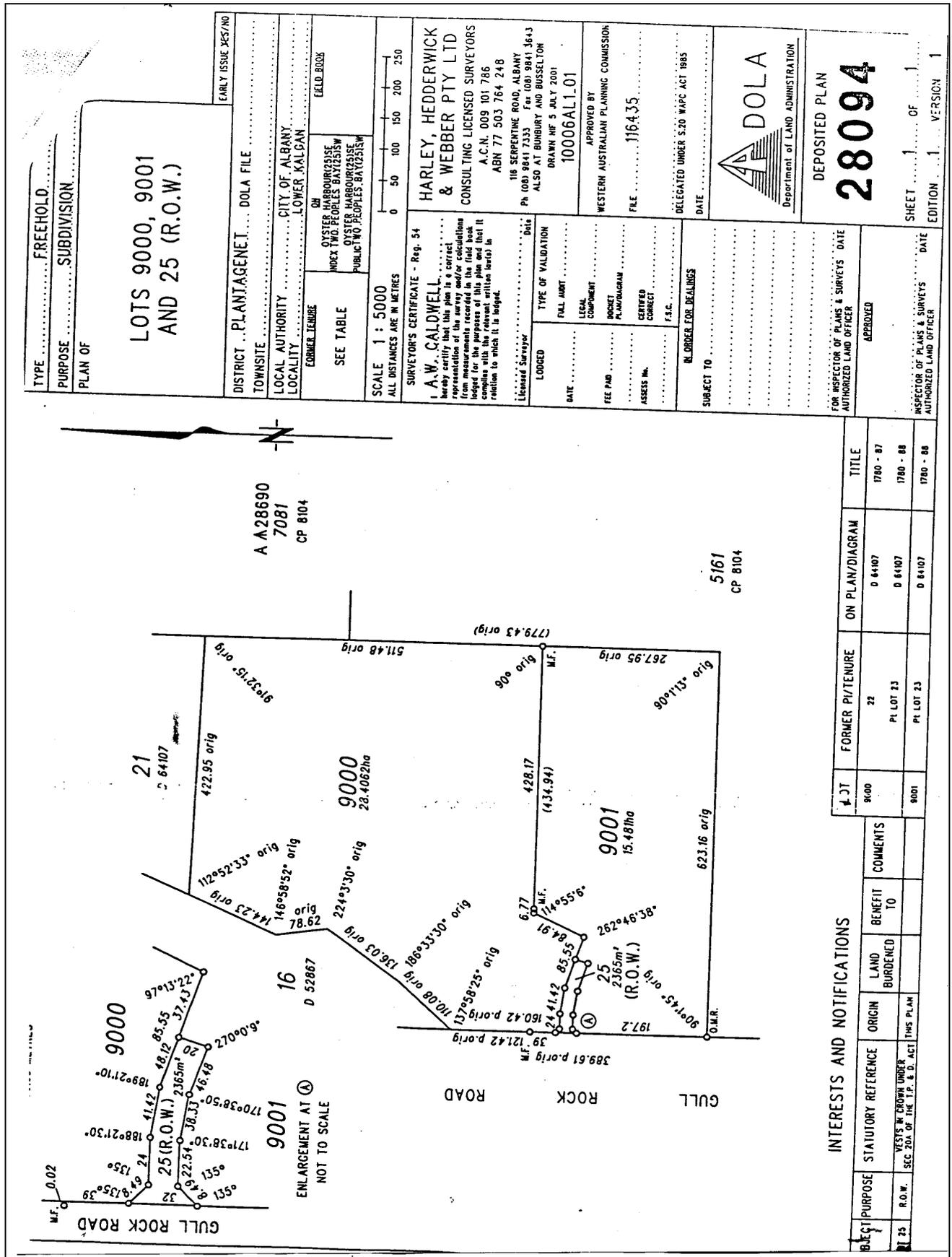
Voting Requirement Simple Majority

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** REFER DISCLAIMER **

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued



TYPE FREEHOLD
 PURPOSE SUBDIVISION
 PLAN OF

LOTS 9000, 9001 AND 25 (R.O.W.)

EARLY ISSUE YES/NO

DISTRICT .. PLANTAGENET DOLA FILE

TOWNSITE

LOCAL AUTHORITY CITY OF ALBANY
 LOCALITY LOWER KALGAN

FORMER TENURE ON FIELD BOOK

SEE TABLE OYSTER HARBOUR(2)5SE INDEX TWO PEOPLES BAY(2)5SW OYSTER HARBOUR(2)5SE PUBLIC TWO PEOPLES BAY(2)5SW

SCALE 1 : 5000
 ALL DISTANCES ARE IN METRES

SURVEYOR'S CERTIFICATE - Reg. 54
I. A. W. CALDWELL
 hereby certify that this plan is a correct representation of the survey and/or calculations from measurements recorded in the field book lodged for the purposes of this plan and that it complies with the relevant written laws in relation to which it is lodged.
 Licensed Surveyor

DATE
 TYPE OF VALIDATION
 FULL AMBT

FEE PAID
 LEGAL COMPONENT

ASSESS. No.
 MARKET PLAN/DIAGRAM

CERTIFIED CORRECT

F.S.C.

IN ORDER FOR BEARINGS

SUBJECT TO

APPROVED BY
 WESTERN AUSTRALIAN PLANNING COMMISSION

FILE 116435

DATE
 DELEGATED UNDER S.20 WAPC ACT 1985

DOLA
 Department of LAND ADMINISTRATION

DEPOSITED PLAN
28094

SHEET 1 OF 1
 EDITION 1 VERSION 1

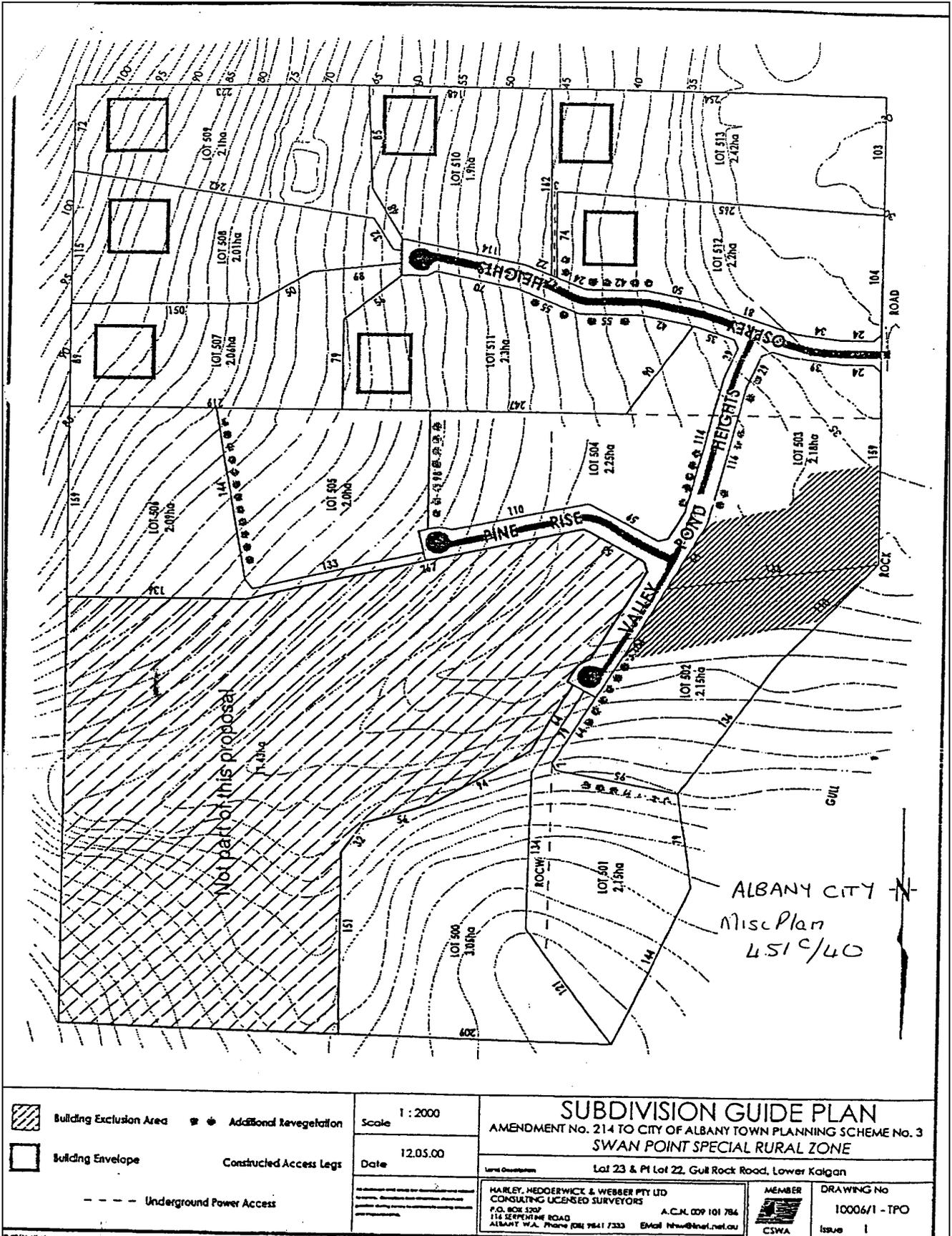
INTERESTS AND NOTIFICATIONS

LOT	FORMER P/TENURE	ON PLAN/DIAGRAM	TITLE
9000	22	D 64107	1780 - 87
9001	PL LOT 23	D 64107	1780 - 88
	PL LOT 23	D 64107	1780 - 88

STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENTS
25 (R.O.W.)	YES'S IN CROWN UNDER SEC. 20A OF THE T.P. & D. ACT			

DEVELOPMENT SERVICES REPORTS

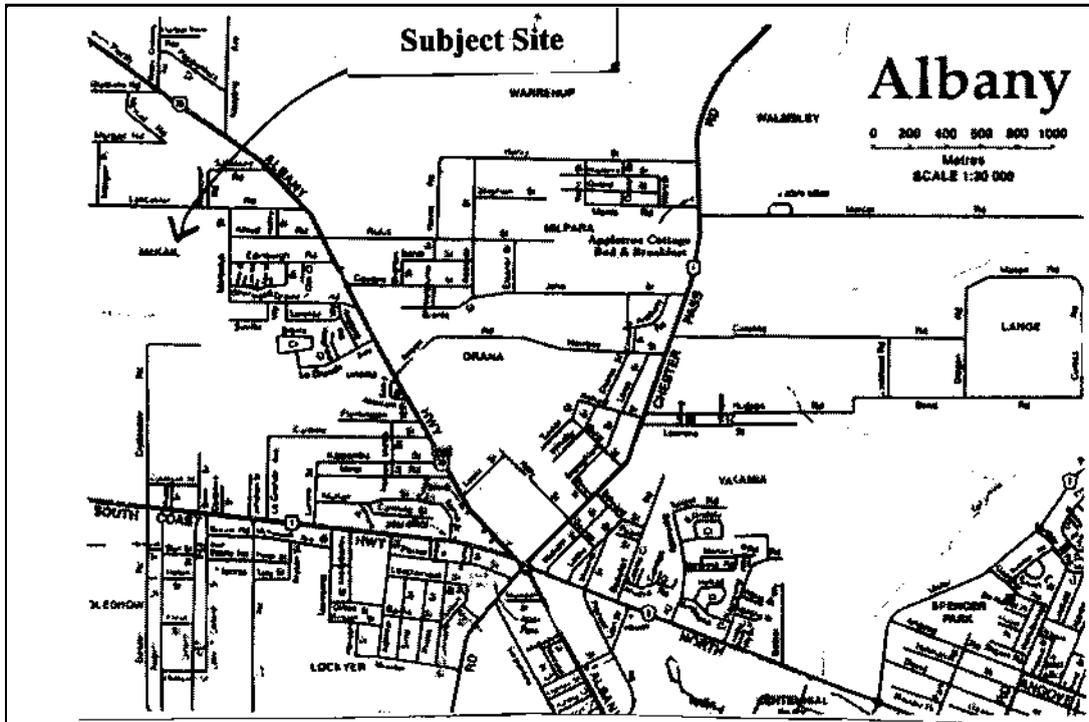
Item 11.1.1 continued



DEVELOPMENT SERVICES REPORTS

11.1.2 Proposed Road Dedication – Lakeside Drive, Mckail

File/Ward	:	SER088 (West Ward)
Proposal/Issue	:	Dedicate a portion of Reserve 46317 (POS known as McKail Lake) as road reserve to improve traffic safety.
Subject Land/Locality	:	Lot 9003 Lakeside Drive, McKail & Reserve 46317
Proponent	:	Harley Survey Group
Owner	:	Southern Land Developments
Reporting Officer(s)	:	Planning Officer (G Bride)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Dedicate a portion of Reserve 46317 as a public road reserve.
Bulletin Attachment	:	Nil
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

BACKGROUND

1. Harley Survey Group has requested that Council initiate action to dedicate a 113m² portion of public open space (Mckail Lake) as public road reserve. This portion will be amalgamated with the proposed Lakeside Drive road reserve (refer attachment).
2. The road widening will allow the road pavement to be positioned further south, thereby accommodating a 100 metre radius. Wood and Grieve Engineers have advised that this radius is the minimum required to achieve efficient traffic flows and comply with engineering safety standards.
3. The portion of Lakeside Drive adjacent to the proposed road widening has not yet been constructed and dedicated as a road. It is proposed that Council not dedicate the POS until such time as the roadwork has been satisfactorily completed by the subdivider of the adjoining land.
4. In order to facilitate the construction of the road and associated services (drainage, footpath, etc) over a portion of the POS, the applicant has requested that Council seek the permission of DOLA to undertake the work prior to dedication.

STATUTORY REQUIREMENTS

5. The process to dedicate a public road is contained in the Land Administration Act 1997 and the Land Administration Regulations 1998.
6. To dedicate a road reserve, a plan of the road is prepared, a Council resolution is passed and the request is then forwarded to the Minister for Lands who must either grant the request, direct Council to reconsider the request or refuse the application.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

9. There are no strategic implications relating to this item.

COMMENT/DISCUSSION

10. The area of land required from the POS is minimal and is needed to accommodate a safe and legible road network. The lot yields and sizes proposed will not be affected.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

RECOMMENDATION

THAT Council resolves to dedicate a 113m² portion of Reserve 46317 (Reserve for Recreation) as road widening, pursuant to Section 28 of the Land Administration Act 1997, subject to:

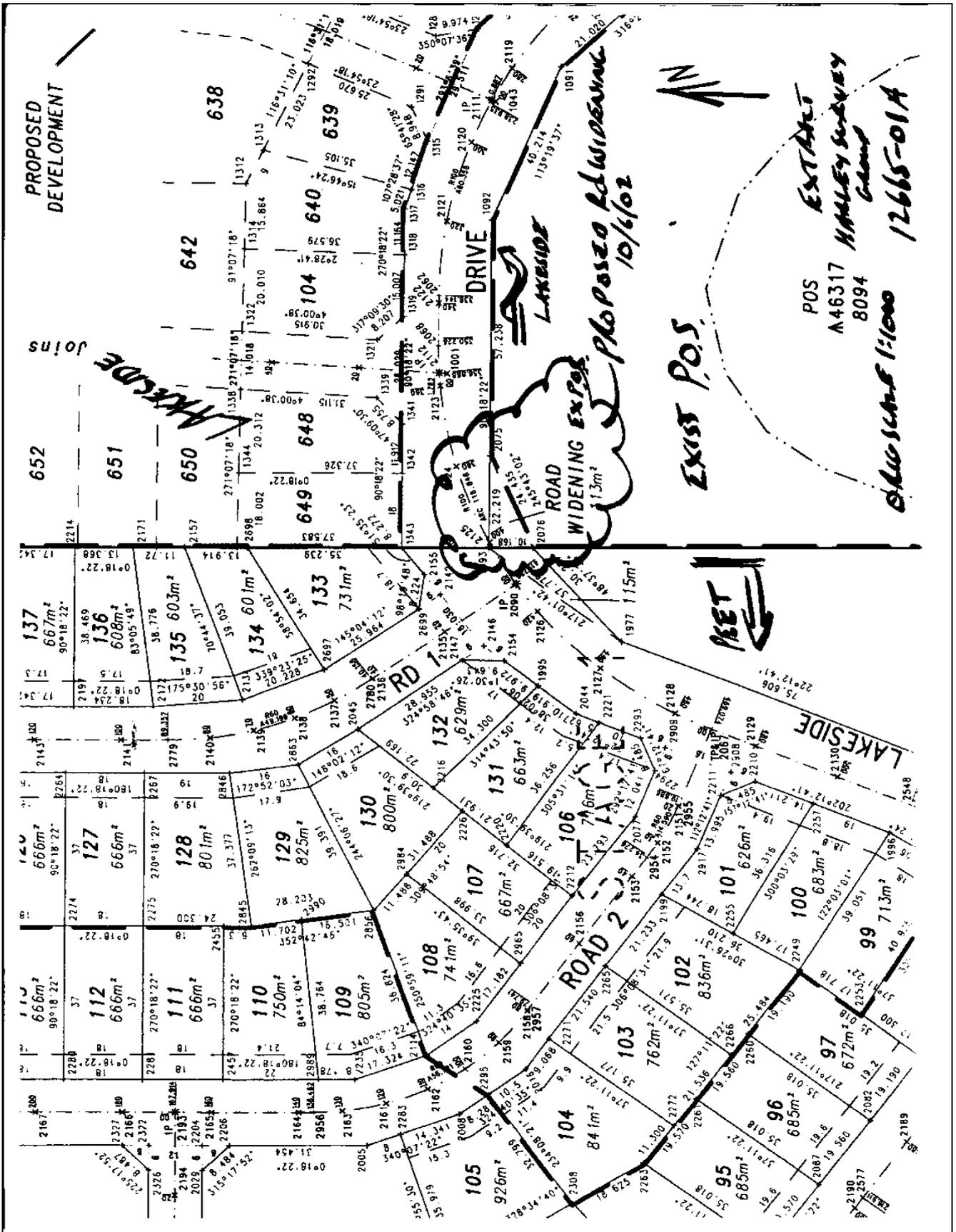
- i) DOLA granting permission for that portion of Lakeside Drive (including footpaths, drainage, etc) adjoining Reserve 46317 to be constructed by the developer, including the 113m² portion, prior to dedication; and**
- ii) the dedication occurring concurrently with the endorsement of the diagram of survey for the adjoining subdivision.**

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

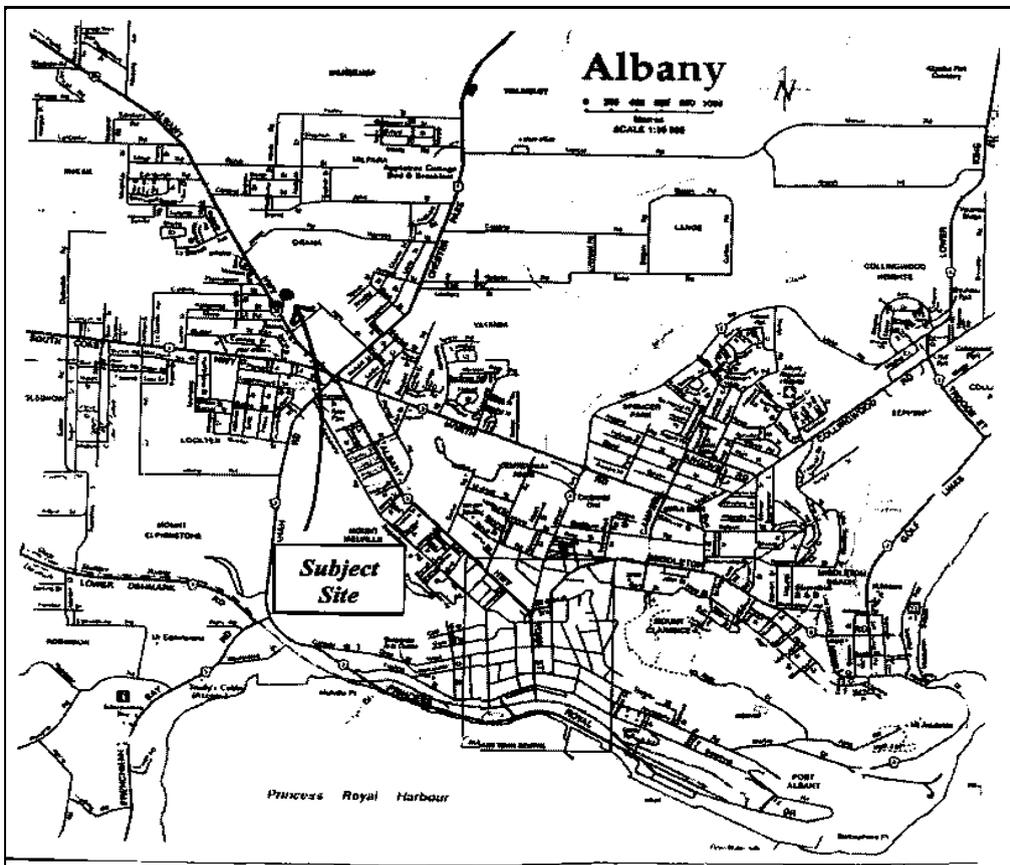
Item 11.1.2 continued



DEVELOPMENT SERVICES REPORTS

11.1.3 Sign Application – Lot 5 Albany Highway, Orana (Ford Dealership)

File/Ward	:	A118879 (Vancouver Ward)
Proposal/Issue	:	Over height pylon sign
Subject Land/Locality	:	Lot 5 Albany Highway, Orana
Proponent	:	Camden Neon Signs
Owner	:	GJ McCalister
Reporting Officer(s)	:	Planning Officer (G Bride)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	To refuse the overheight sign and recommend to the applicant that the sign be reduced to 6m in height.
Bulletin Attachment	:	Nil
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

BACKGROUND

1. Application has been received from Camden Neon Signs to locate a 10.7 metre high sign (displaying the Ford logo) on Lot 5 Albany Highway, Orana.
2. The caryard was granted planning approval on 9 January 2002, and the main showroom is now under construction.

STATUTORY REQUIREMENTS

3. Council's Sign local-laws No. 38 state that a pylon sign cannot exceed 6 metres in height from natural ground level. As the sign is 4.7 metres higher than the requirement, the sign can only be erected with Council approval.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

6. The applicant has referred to other car yard signs within close proximity of the subject land, which appear to exceed the 6 metre requirement. The two examples are the 'Toyota' and 'Mazda' signs on Albany Highway.
7. At the time of writing this report staff were unable to find documentation relating to the approval of the these signs which were constructed prior to sign local-laws being introduced.
8. More recent signage for car yards (such as Landrover and Hyundai) and for McDonalds restaurant, have complied with the 6 metre height requirement.

COMMENT/DISCUSSION

9. The pylon sign exceeds the Local Law by 80% and it is questionable whether this additional height would make the dealership more visible from Albany Highway, given its prominent location.
10. Staff believe past examples of insensitive signage such as 'Toyota' and 'Mazda' should not be used as a precedent to approve this sign.

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

RECOMMENDATION

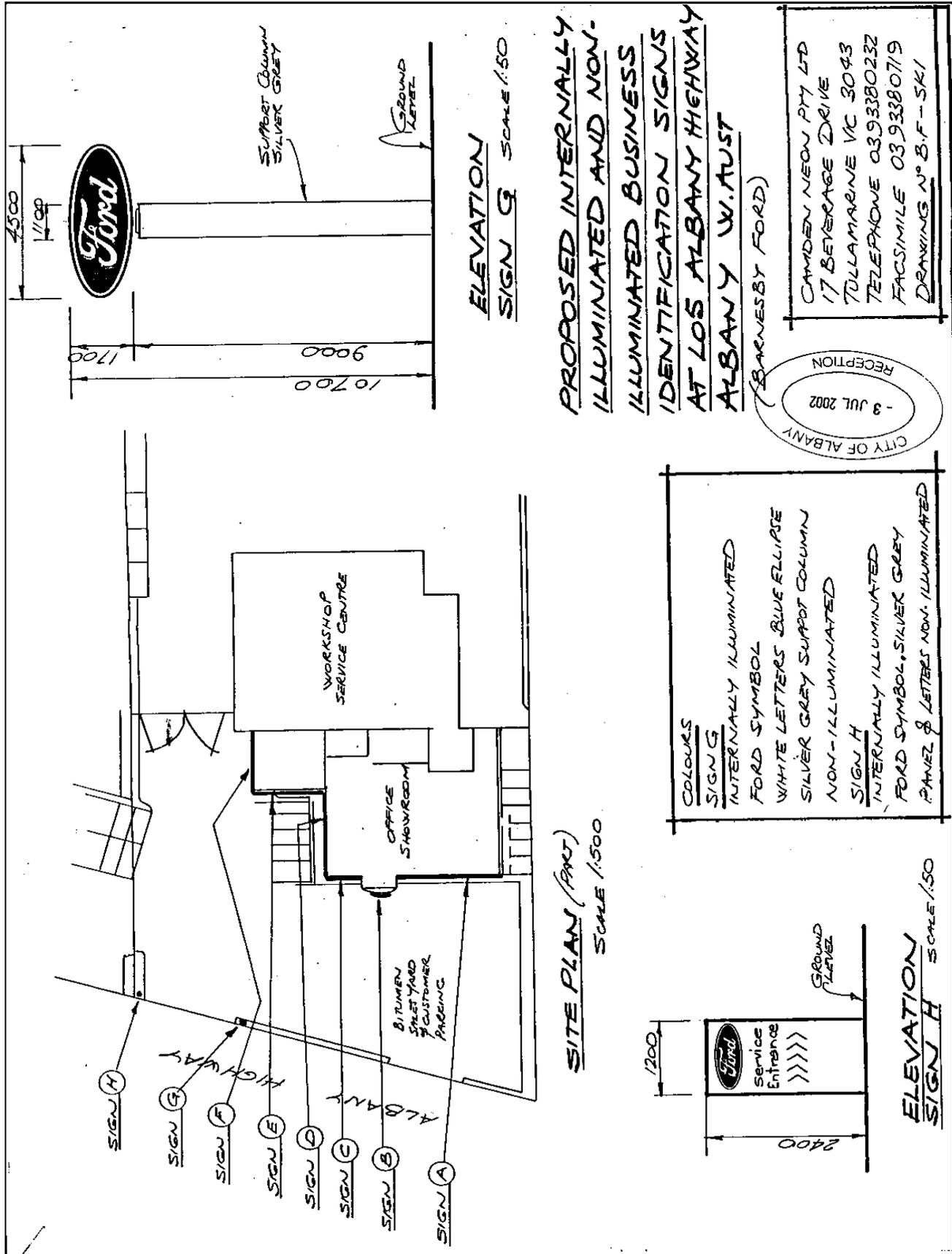
THAT Council resolves to refuse the proposed sign displaying ‘Ford’ at Lot 5 Albany Highway, Orana as the sign does not comply with the maximum height limit of 6 metres for pylon signs and that Council advise the applicant that it would support an application for a sign with a maximum height of 6 metres.

Voting Requirement Simple Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued



Item 11.1.3 continued

Camden Neon Signs

A.C.N. 092 772 908
A.B.N. 84 586 500 256

Accounts:
20 Messina Crescent
Taylors Lakes Vic 3038

Ph: 03 9449 7022
Fax: 09 9449 7044

Factory:
17 Beverage Drive
Tullamarine Vic 3043

Ph: 03 9338 0232
Fax: 03 93380719

5 July 2002

To Whom It May Concern:

Re: Ford retail car dealership Albany Highway – Albany.

Camden Neon Pty Ltd is applying on behalf of Barnesby Ford, for the dealer branding as per drawings and layouts submitted to council on Tuesday 3rd July to Mr. Graeme Bride.

Graeme discussed with myself the council regulations on height limitations of signage, set at six (6) metres.

On inspection of other retail outlets, in close proximity to Barnesby Fords new site, I found two identification signs exceeding this limit.

- One was twelve (12) metres tall
- The other was eleven (11) Metres tall

Based on the above, we are asking the council to address our application for a 10.7 metre tall identification sign, at Barnesby Ford, Albany Highway, at your next meeting.

Barnesby Ford will be relocating its offices and network to the new site and the existing signage is to be removed. Please note that the existing identification sign on this site is currently nine (9) metres in height.

If you have any further queries or need further information, please contact me on 03 9338 0232 or mobile 0418 554 617.

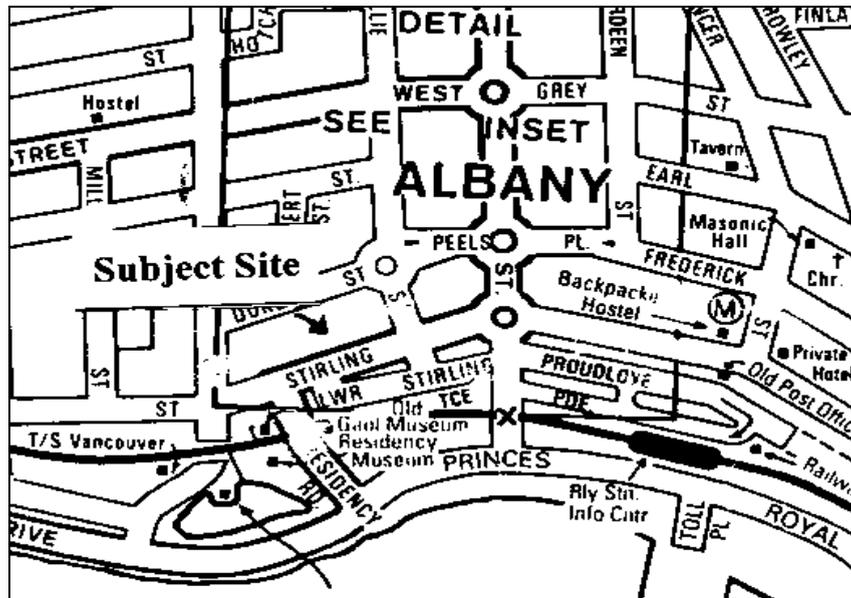
Yours faithfully,

David Challons
Director – Camden Neon Pty Ltd
email: david@camdenneon.com.au

DEVELOPMENT SERVICES REPORTS

11.1.4 Nomination of Council Representatives – Albany Police/Justice Complex Community Reference Group

- File/Ward** : A97237A (Frederickstown Ward)
- Proposal/Issue** : Albany Police and Justice Complex – Community Reference Group
- Subject Land/Locality** : Stirling Terrace, Albany
- Proponent** : Department of Justice
- Owner** : Department of Justice and Others
- Reporting Officer(s)** : Executive Director Development Services (R Fenn)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Council appoint representatives to Reference Group
- Bulletin Attachment** : Nil
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

BACKGROUND

1. The Department of Justice and the Western Australian Police Service have Treasury and State Government approval to upgrade and link the court and police buildings in Albany.
2. The Department of Justice is seeking to put in place a 12 person Community Reference Group to assist the department and the architect to work through local design issues and be a conduit between the department and the Albany community. An offer has been made for two (2) Council representatives to join the group and a request is submitted for Council to supply a venue where the meetings (to be held once a month initially) can be held.

STATUTORY REQUIREMENTS

3. There are no statutory requirements relating to this request. The Department is an agency of the Crown and the final design does not require a formal planning scheme consent from Council; the department is required to simply 'consult' with Council on the final design.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. Provision of a meeting venue will incur minor costs for beverages, etc.

STRATEGIC IMPLICATIONS

6. There are no strategic implications relating to this request.

COMMENT/DISCUSSION

7. The Department is seeking Council support to provide members to the Community Reference Group only. Issues relating to the future of Kookas and the design of the proposed complex can be best addressed by participation in the reference group.
8. A copy of the draft terms of reference for the group follows this report. Staff would encourage Council to nominate a staff member to the reference group to ensure appropriate technical expertise can be added to the discussion.

DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

RECOMMENDATION

THAT Council:

- i) nominate the Manager of Development Services (Mr. Craig Pursey) and Councillor _____ as the City of Albany nominees to the Community Reference Group for the Albany Justice / Police Complex project; and**
- ii) support the request that the City of Albany make available a suitable meeting venue to host meetings of the Community Reference Group.**

Voting Requirement Simple Majority

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Item 11.1.4 continued

ALBANY JUSTICE COMPLEX

COMMUNITY ADVISORY GROUP

Introduction

The \$20 million Albany Justice Complex and Police Station is a joint initiative between the Department of Justice and the WA Police Service (WAPS).

The Heritage Council has given conditional support for the development option on the existing historic courthouse and adjacent sites.

The project is due for completion in two stages with the Department of Justice completed in late 2004 and Police complex in early 2005.

The new complex will be a major facility for the people of Albany developed in consultation with the local community, with all heritage factors playing an important role in the construction process.

It will provide the Great Southern region with the most modern facility in the State, including courts, a new police station, a shared lock-up facility and community justice services all on one site.

There will be three new courts – superior, magistrates', and children's - housed in the building and the court rooms will be fitted out with video conferencing links and state-of-the-art technology.

The new complex will house the police station, prosecuting and district intelligence support centre, and detectives under one roof.

It will be fitted with the latest technology and facilities featuring video and public interviewing rooms, forensic and a modern custodial facility.

The contemporary operational facilities inside the complex will provide Police with an environment that is more conducive to efficient and effective work practices, and therefore better serve the community in meeting its unique challenges.

Item 11.1.4 continued

Community Reference Group

Terms of Reference

The Terms of Reference for the Community Reference Group may be the subject of refinement and review throughout the life of the project.

1. Roles and responsibilities

Provide a forum for two-way communication between the Department of Justice/WA Police Service and the community on matters relating to the new Albany Justice and Police Complex. The Department or Minister is under no obligation to act on information which emanates from this forum.

Recommend and, where applicable, assist in establishing avenues for community interaction with the Department of Justice/WA Police Service on the project.

Foster relations between the Department of Justice/ WA Police Service and the community.

Provide a link between the Departments and community organisations which have an interest in the project.

Provide an opportunity for exchange of information between community groups and the Departments.

2. Operation

2.1 To meet monthly. However, may additionally come together at key milestones of the project.

2.2 The Community Reference Group may decide from time to time to establish sub-committees or working groups to pursue specific objectives.

2.3 The members of the Community Reference Group are bound by the code of conduct.

2.4 Nominated representatives from the Department of Justice and the WA Police Service will attend to facilitate exchanges between the Community Reference Group and the Departments.

2.5 Preparation and distribution of the minutes of the Community Reference Group meetings is the responsibility of the group Chairperson with secretarial support provided by the Department of Justice.

DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

3. Code of Conduct

Dispute mechanism

The Department of Justice/WA Police Service will nominate an arbitrator to resolve issues unable to be resolved in the group.

Confidentiality

If a matter being discussed by the group is regarded as confidential, it will be identified and defined as such with relevant restrictions, at the commencement of discussions. It is expected that restrictions will only occur from time to time.

Media relations

The Chairperson is the only member of the Community Reference Group permitted to make comment on the project to the media on behalf of the group.

Group members are not permitted to speak on behalf of the group – without consent of the chair – however they can make comment to the media as representatives of their own organisations or expressing their own personal views.

Responsibility of the chair

The chairperson will be responsible for maintaining an open dialogue with the Department of Justice and the WA Police Service.

The group will elect its chairperson at the first full meeting.

Any activity between scheduled meetings is to be through the elected chairperson.

DEVELOPMENT SERVICES REPORTS

11.1.5 Proposed Additions - City of Albany Municipal Heritage Inventory

File/Ward	: STR 008 (All Wards)
Proposal/Issue	: Modify the City of Albany’s Municipal Heritage Inventory
Subject Land/Locality	: N/A
Proponent	: City of Albany
Owner	: N/A
Reporting Officer(s)	: Planning Officer (P Steele)
Disclosure of Interest	: Nil
Previous Reference	: OCM 23/01/01 - Item 11.1.4
Summary Recommendation	: Council adopt modifications to Municipal Heritage Inventory
Bulletin Attachment	: Nil
Locality Plan	: N/A

BACKGROUND

1. At its Ordinary Meeting of 23rd January 2001, Council adopted the City of Albany’s Municipal Heritage Inventory Review 2000 (MI). This document listed a number of buildings and sites within the City of Albany and applied a Management Category to the list.
2. In addition to the list, the Municipal Inventory also contains:
 - lists of places with a ‘D’ management category (those sites which are significant but not essential to the understanding of the history of the district);
 - a review list containing sites which have not been assessed but may be worthy of future consideration;
 - a historical sites list;
 - a significant tree list;
 - maritime sites list; and
 - natural sites list.
3. In the period since Council adopted the Municipal Inventory a number of minor changes have occurred to the status of some listings and it is necessary that minor modifications be made to update listings.

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4. These changes include properties being listed by the Heritage Council of Western Australia (HCWA) and additional studies being conducted to clarify the significance of a certain place or site.

STATUTORY REQUIREMENTS

5. Section 45 of the Heritage of WA Act 1990 states:

“45 (1) A local government shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.

(2) The inventory required by (1) shall be compiled no later than four years from the commencement of this Act and shall be:

(a) updated annually; and

(b) reviewed every four years after compilation.

(3) A local government shall provide the Council (the Heritage Council) with a copy of the inventory compiled pursuant to this section.

(4) A local government shall ensure that the inventory required by this Section is compiled with proper public consultation.”

POLICY IMPLICATIONS

6. There are no policy implications to Council with relation to modifying the Municipal Heritage Inventory.

FINANCIAL IMPLICATIONS

7. There are no financial implications to Council with relation to modifying the Municipal Heritage Inventory.

STRATEGIC IMPLICATIONS

8. Within the City of Albany’s *Albany 2020 – Charting our Course* strategic plan, one of the City’s major Ports of Call is a requirement *“to develop outstanding Municipal and privately owned heritage assets”*. The objective under this port of call is *“to focus the City’s attentions and resources on the importance of the City’s heritage and to ensure future generations continue to benefit from Albany’s unique position.”*

COMMENT/DISCUSSION

9. As a requirement of Section 45 of the Heritage of WA Act 1990, Local Government is required not only to compile, but also to maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.
10. The City of Albany adopted its Municipal Inventory in January 2001; this document listed a number of buildings and sites within the City of Albany and applied a Management Category to the list.

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11. The Management Categories of the Municipal Heritage Inventory relate to the level of significance of the place/site, with those places included on the MI List being those with Management Categories A+ to C.
12. Those places with an A+ category are “listed” by the Heritage Council of Western Australia, whilst those with a C Category require a Heritage Assessment/Impact Statement to be prepared prior to any approval for development.

Heritage Council of Western Australia listing:

13. In the period since Council adopted the Municipal Inventory the HCWA has included an additional seven (7) properties on the State Register of Heritage Places; these places are:
 - Albany Memorial Park, Middleton Beach Road (Currently Management Category A);
 - Ballymena – Lot 202 Willyung Rd, Willyung (A);
 - Camfield House – 172 Serpentine Road, Mt Melville (A);
 - Hawthorndene – 24-26 Seymour Street, Mira Mar (A);
 - Pymont House – 106 – 116 Serpentine Road, Albany (A);
 - Whaling Cove (ruins) – Reserve 25295, Quaranup Rd, Frenchman Bay (B); and
 - Whaling Station (fmr) – Reserve 878, Hassell Beach, Cheynes (Site Only).

Heritage Assessment/Impact Statements:

14. During the period since the adoption of the MI, two (2) Heritage Assessments have been prepared:
 - 216 Middleton Road, Albany; and
 - Albany Woollen Mills – 11-13 Mill Street, Albany.
15. Both of these properties are currently a Management Category ‘C’ and both assessments recommended modifying the category.
 - 216 Middleton Road – Recommended to upgrade the Management Category from ‘C’ to a ‘B’;
 - Albany Woollen Mills – 11-13 Mill Street, Albany – Recommendations were made to both upgrade and downgrade the current category. The recommendations for this property are:
 - The 1924 Façade on Mill Street, (width, to the extent of the pediment and entablature and length, back to 13 truss bays) be assigned a ‘B’ Management Category;
 - At such stage as there is not a firm development proposal, the full extent of the ‘B’ categorization would have to be reviewed in the light of the impact of a development proposal. We advocate that the Council retain all of the area under the ‘B’ Category but suggest that they use their discretion to make changes to the western third of the area if, the development proposal demonstrates necessary use of the space and. Does not compromise the heritage value of the significant old Mill space;
 - The balance of the Albany Woollen Mills be reclassified as a ‘D’ indicating that these buildings be carefully photographed (including aerial photos) before demolition;

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- Any development approval should include a request to display interpretative material to emphasise previous use of the Albany Woollen Mills;
- Developmental approval should recognize the importance of the Mill St vista to the 1924 façade; and
- All development that impacts on the retained 1924 section of the building should respect the heritage value of the building.

Ethnographic Surveys

16. The City of Albany has commissioned two ethnographic surveys, these being Albany Town Lot S112, Albany and ‘The Black Stump’, Robinson Road, Robinson.
17. Although there are a number of Aboriginal Sites listed in the Municipal Heritage Inventory, it is proposed to include an additional list of sites under the heading of ‘Aboriginal Heritage Sites’.
18. This new list would also include any Aboriginal Sites already listed under the existing categories.
19. Council has also been provided with additional information on a number of other properties that are either currently listed, on the review list or not even listed, however this information requires further investigations which will be carried out when the Municipal Heritage Inventory is reviewed.

RECOMMENDATION

THAT pursuant to Section 45 of the Heritage of Western Australia Act 1990, Council adopts to modify the City of Albany’s Municipal Heritage Inventory to identify:

- i) **those places recently listed on the State Register of Heritage Places by the Heritage Council of Western Australia:**
 - **Albany Memorial Park, Middleton Beach Road (Currently Management Category A);**
 - **Ballymena – Lot 202 Willyung Rd, Willyung (A);**
 - **Camfield House – 172 Serpentine Road, Mt Melville (A);**
 - **Hawthorndene – 24-26 Seymour Street, Mira Mar (A);**
 - **Pyrmont House – 106 – 116 Serpentine Road, Albany (A);**
 - **Whaling Cove (ruins) – Reserve 25295, Quaranup Rd, Frenchman Bay (B); and**
 - **Whaling Station (fmr) – Reserve 878, Hassell Beach, Cheynes (Site Only);**

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- ii) **recommendations of Heritage Assessments:**
 - **216 Middleton Road, Albany; and**
 - **Albany Woollen Mills – 11-13 Mill Street, Albany; and**
- iii) **recommendations and findings of Ethnographical Surveys, those being Town Lot S112, Albany and ‘The Black Stump’, Robinson Road, Robinson.**

Voting Requirement Simple Majority

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11.2 INSPECTION SERVICES

Nil

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11.3 DEVELOPMENT POLICY

11.3.1 Review of Commercial Strategy 2000

File/Ward	: STR 015 (All Wards)
Proposal/Issue	: Commercial Strategy Review
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: OCM 04/07/00 - Item 11.3.3 OCM 21/03/00 - Item 15.1.2 OCM 29/02/00 - Item 15.1.1 OCM 24/08/99 - Item 15.1.1
Summary Recommendation	: No review of Commercial Strategy be undertaken
Bulletin Attachment	: Nil
Locality Plan	: N/A .

BACKGROUND

1. In July 2000 Council resolved to adopt the Review of the Commercial Strategy for Albany (2000) report as a town planning scheme policy pursuant to both the City of Albany Town Planning Scheme No. 1A and No. 3.
2. One of the principal findings of the Review, and specifically noted by Council at the time, was that:
“If a DDS development in the CBD is not achieved within two years, then an out-of-CBD location could be considered, and should occur in conjunction with a subsequent review.”
3. There was also a recommendation in the original report which was deleted during final discussion on the report and does not form part of the City’s current policy; it proposed that:
“The demand for a second DDS does not appear to be warranted until some time after the year 2021. Acknowledging that there is a need to plan for a second DDS in the

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medium to long term, Walmsley is the preferred site at this stage, given the identified urban expansion. A subsequent review could examine this issue.”

4. There is an expectation amongst certain developers that the City will embark upon a review of the Commercial Strategy at the conclusion of the 2 year period (July 2002) mentioned in the policy. The matter is brought to Council’s attention so that a clear understanding on this issue can be established.

STATUTORY REQUIREMENTS

5. The Review of Commercial Strategy for Albany (2000) and the Commercial Strategy for Albany (1994) are also adopted policies of the Western Australian Planning Commission (WAPC) and they are recognised in the ‘State Planning Framework Policy’ as detailed in State Planning Policy 8 (SPP8). Council sought WAPC approval in 1999 to review the State’s policy on commercial development in Albany and it is normal practice of the WAPC to review strategic documents every 5 years; that timeframe allows for a more strategic approach to be taken on the issue and it provides a reasonable intervening period to allow the policy to be tested.

POLICY IMPLICATIONS

6. The Review of Commercial Strategy for Albany will remain a town planning scheme policy until revoked by Council, an alternate strategy is promoted or the current town planning schemes are replaced by a new City District town planning scheme.

FINANCIAL IMPLICATIONS

7. The previous review cost the City of Albany \$39,600. There are only a small number of consultants in Western Australia capable of undertaking the modelling and Council was forced to engage consultants from South Australia to ensure conflicts of interest were avoided. The WAPC will require a similar level of assessment if the principal findings of the strategy are to be challenged and the strategy is to be altered prior to the 2005 planned review period.
8. No allocation is made in the draft 2002/03 budget to undertake a review of the current strategy.

STRATEGIC IMPLICATIONS

9. Council is required to provide a hierarchy of shopping facilities in the Albany Local Planning Strategy (ALPS) and the first draft of that document shows “District Shopping” planned at the Walmsley site in the medium to long term. Based upon revised growth projections, the Walmsley site is unlikely to be serviced within the next 20 years. The plans which accompanied the initial draft ALPS report will be adjusted to reflect growth expectations within the planning horizon proposed by the Strategy. The ALPS will ultimately replace a plethora of State and Local policies when adopted by Council and the WAPC, the Commercial Strategy being one.

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Item 11.3.1 continued

COMMENT/DISCUSSION

- 10. As mentioned in paragraph 3, staff are seeking a clear direction from Council on the review of the Review of the Commercial Strategy for Albany (2000). Within the current planning framework, this task is seen as a very low priority, particularly as the City’s first DDS is soon to open and the retail modelling highlights that a second DDS is not required before 2021.
- 11. The initial decision to move the review period forward by three years was brought about by a decision of Council, which showed concern that the community was given continual promises on the development of the Albany Plaza site, but it experienced delays in the commencement of the project; that situation no longer exists.

RECOMMENDATION

THAT Council;

- i) **note the proposal to review the Review of the Commercial Strategy for Albany (2000) in July 2002 and that no action be taken on a review whilst staff resources are committed to the completion of the Lower Great Southern Region Strategy, the Albany Local Planning Strategy and the City of Albany District Town Planning Scheme No.1; and**
- ii) **acknowledge that the Albany Local Planning Strategy is required to be reviewed every five (5) years and that a review of the Commercial Strategy for Albany be conducted prior to, or concurrently with, a review of the Albany Local Planning Strategy.**

Voting Requirement Simple Majority

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11.4 DEVELOPMENT SERVICE COMMITTEE

Nil.

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- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment – City of Albany

File/Ward	:	FIN 022 (All Wards)
Proposal/Issue	:	N/A
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager of Finance (S Goodman)
Disclosure of Interest	:	Nil.
Previous Reference	:	N/A
Summary Recommendation	:	Approve accounts for payment
Bulletin Attachment	:	List of Accounts
Locality Plan	:	N/A

COMMENT/DISCUSSION

1. The list of accounts for payment for the City of Albany is included in the Councillor Report/Information Bulletin and contains the following:-

Municipal Fund			
Cheques	totalling		173,321.87
Electronic Fund Transfer	totalling		1,770,416.22
Payroll	totalling		656,383.99
TOTAL			<u>2,600,122.08</u>

2. As at 2nd July 2002, the total outstanding creditors, stands at \$602,245.27.
3. Cancelled Cheques – 16033, 16053, 16105 and 16116. Cancelled EFT's 3972 to 4123

RECOMMENDATION

THAT, the following City of Albany accounts be passed for payment: -

Municipal Fund	totalling	\$2,600,122.08
Total		<u>\$2,600,122.08</u>

Voting Requirement Simple Majority

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12.1.2 Principal Activities Plan

File/Ward	:	STR 014 (All Wards)
Proposal/Issue	:	Council requested to adopt the Principal Activities Plan
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Finance (S Goodman)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council adopt the Principal Activities Plan.
Bulletin Attachment	:	Principal Activities Plan
Locality Plan	:	N/A

BACKGROUND

1. The City of Albany Principal Activities Plan (copy included in the Elected Members Report/Information Bulletin) is an annual overview of the significant programmes and activities proposed by the Council over the next four years. The objectives are:
 - to provide the community with information related to the proposed principal activities; and
 - to offer the community the opportunity to lodge submissions in relation to those proposals for consideration by the Council.

STATUTORY REQUIREMENTS

2. Section 5.56 of the Local Government Act (1995) requires that Council prepare a plan of principal activities each year, and make the plan available for public discussion over a period of at least six weeks. Submissions relating to the Plan must be considered before the City's annual budget is approved. Council must report any significant variances from the 2002/06 Plan in its 2002/03 Annual Report.

POLICY IMPLICATIONS

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

Item 12.1.2 continued.

FINANCIAL IMPLICATIONS

- 4. There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

- 5. The proposed principal action plan has been prepared in accordance with existing strategic plans.

COMMENT/DISCUSSION

- 6. A Draft Principal Activities Plan was prepared in April 2002. The availability of the plan has been advertised locally, and the statutory period of 6 weeks allowed for public comment. There have been no public submissions.
- 7. At the time the Draft Principal Activities Plan was prepared, the operating budget had not been finalised. The proposed Principal Activities Plan has been amended in accordance with budget changes since that time. There are no major changes in the activities.
- 8. Council is requested to adopt the 2002/03 Principal Activities Plan.

RECOMMENDATION

THAT Council adopt the 2002/03 Principal Activities Plan.

Voting Requirement Simple Majority

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12.1.3 Municipal Fund Budget 2002/03

File/Ward	:	FIN 021 (All Wards)
Proposal/Issue	:	Municipal Fund Budget 2002/03
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer	:	Manager Finance (S Goodman)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That the 2002/03 Budget be adopted.
Bulletin Attachment	:	Nil.
Locality Plan	:	N/A

BACKGROUND

1. The draft annual budget for 2002/03 has been prepared in accordance with the Local Government Act 1995.

STATUTORY REQUIREMENTS

Adoption of Budget

2. Section 6.2(1) of the Local Government Act 1995 requires that prior to 31st August 2002, Council to adopt a budget for its municipal fund for the year ending 30th June 2003.
3. The annual budget is to incorporate:-
 - a) particulars of the estimated expenditure proposed to be incurred by the local government;
 - b) detailed information relating to the rates and service charges which will apply to land within the district including:-
 - i. the amount it is estimated will be yielded by the general rate; and
 - ii. the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
 - c) the fees and charges proposed to be imposed by the local government;
 - d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
 - e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;

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- f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
- g) such other matters as are prescribed.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

- 5. The adopted budget will form the financial basis for operations of the City of Albany in 2002/03. Once adopted, the budget will be reviewed in October 2002, January 2003 and April 2003.

STRATEGIC IMPLICATIONS

- 6. The proposed budget has been reviewed against existing strategic plans.

COMMENT/DISCUSSION

Rating

- 7. The proposed increase in 2002/03 rates is 5.9%.

Capital Works Programme

- 8. Total Programme \$ 17 million

Funding Sources

Municipal Fund	\$3 million
External Sources (mainly grants & asset trade-ins)	\$4 million
Loan Funds	\$6 million
City Reserve Funds	\$4 million

Major Projects

Wellstead Community Resource Centre (carryover)
Library Extension – Stage 1 (carryover)
Civic / Admin Centre design (carryover)
Strategic Bushfire Equipment (primarily carryover)
Assets Management Strategy Roads Programme
Various Parks / Reserves
Hanrahan Road Regeneration

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Item 12.1.3 continued.

Loans

9. The Assets Management Strategy Roads Programme will be partially funded by a \$4.1 million loan. Other capital works funded by loans include plant replacements, Asset Management Plan Reserve Expenditure, Waste Management Plan, Regional Saleyards capital, North Road site remediation, and the Library extensions. Principal repayments in the year total \$540,850.

Reserve Funds

10. City Reserves Funds show an estimated balance as at 30th June 2003 of \$3 million.

Fees and Charges

11. Council has kept increases in Council's fees and charges to the minimum. The proposed schedule of fees and charges is included in the Draft budget document.

Waste Charges

12. In determining a refuse collection/recycling fee for 2002/03, the following components of the proposed Waste Budget were considered:-

Operation of Tips / Transfer Station	454,000	
Rubbish Tip Rehabilitation	457,000	
Tip income	(305,000)	
Rubbish Collection	417,000	
Recycling Collection	236,000	
Admin / Customer Service / other	91,000	
Waste Capital Expenditure	300,000	
<i>Income Required</i>		<i>1,650,000</i>
Number of Services		11,000
Recommended Refuse Collection/Recycling Fee		\$150.00

New Reserve

13. It is proposed that one new reserve be created.
- a. Tourism Development Reserve Fund
- Purpose: To promote tourism development in Albany and provide funding for the Albany Visitors Centre subject to their constitutional amendments.

RECOMMENDATION

- i) **Budget Adoption**
THAT the 2002/03 Budget which has been prepared in accordance with the Local Government Financial Regulations (1997) and has incorporated AAS27 principles, be adopted.

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Item 12.1.3 continued.

ii) General Rates

- a) **THAT in accordance with Section 6.32 of the Local Government Act 1995, a General Rate of 10.101 cents in the dollar be imposed on Gross Rental Valuations for those properties to be rated on Gross Rental Value.**
- b) **THAT in accordance with Section 6.32 of the Local Government Act 1995, a General Rate of .6212 cents in the dollar be imposed on all Unimproved Valuations for properties to be rated on Unimproved Value**
- c) **Discount for Early Payment**
THAT in accordance with Section 6.46 of the Local Government Act 1995, an early payment discount equal to 5% of current rates levied be allowed where payment of the account is made in full by no later than 4.30pm on the 17th September 2002.
- d) **Minimum Rates – All Properties**
THAT in accordance with Section 6.35 of the Local Government Act 1995, a minimum rate be set at \$413 for all categories.
- e) **Specified Area Rate**
THAT in accordance with Section 6.37 of the Local Government Act 1995, a Specified Area Rate of 0.01 cents in the dollar be imposed on gross rental valuations, in addition to the differential rates imposed, on the following specified properties in Location 103, Little Grove and a minimum specified area rate be set at \$264.28 in addition to the minimum rate set an item (b)(i) above.

A14893	Lot 124 Henry Street
A63080	Lot 114 Henry Street
A42511	Lot 1 Albert Street
A5803	Lot 130 Albert Street
A33962	Lot 28 William Street
A5693	Lot 110 Albert Street
A5976	Lot 109 Henry Street
A36760	Lot 27 William Street
A5878	Lot 107 George Street
A5982	Lot 108 Henry Street
A66545	lot 124 George Street
A63062	Lot 121 Henry Street
A42309	Lot 9 The Esplanade
A5921	Lot 131 Albert Street
A5691	Lot 118 George Street
A20513	Lot 104 Henry Street
A6134	Lot 109 Albert Street
A6137	Lot 108 William Street
A45571	Lot 100 Albert Street
A73528	lot 126 The Esplanade

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- A45959 Lot 102 Henry Street
A171746 Lot 128 The Esplanade
A171750 Lot 129 The Esplanade
- f) **Refuse Service Charges**
THAT the refuse Services Charge for 2002/03 be \$150.00 per annum for residential properties for weekly removal of one MGB.
- g) **Instalment Options**
THAT in accordance with Section 6.45 of the Local Government Act 1995, the following payment options are available:
- Option 1** Payment in full up to 35 days after date of issue of Rate Notice – Due Date 17th September 2002.
- Option 2** Payment of two equal or nearly equal instalments:
1st Instalment Due Date 17th September 2002;
2nd Instalment Due 4 months after 1st
Due date: 17th January 2003.
(Instalment interest payable on rate amount only, all arrears to be paid in 1st instalment)
- Option 3** Payment of four equal or nearly equal instalments:
1st Instalment Due 35 days after date of issue of Rate Notice. Due date 17th September 2002.
2nd Instalment Due 2 months after 1st. Due date 18th November 2002.
3rd Instalment Due 2 month after 2nd. Due Date 17th January 2003.
4th Instalment Due 2 months after 3rd. Due Date 18th March 2003.
(Instalment interest payable on rate amount only, all arrears to be paid in 1st Instalment)
- h) **Instalments – Interest Rates & Administrative Charges**
THAT in accordance with Section 6.45 of the Local Government Act 1995:
- a) an additional charge by way of interest where payment of a rate is made by instalments with the rate of interest being set at 5.5%;
- b) an additional charge by way of an instalment fee, where payment of a rate is made by instalment be set at \$3.00 for each instalment excluding the first of any payment option. Therefore option (2) will attract a total administration charge of \$3.00 and option (3) will attract a total administration charge of \$9.00.

Item 12.1.3 continued.

- i) **Late Payment Interest Rates**
 - a) **Interest on Overdue Rates & Service Charges**
Late payment interest be set at a rate of 11% per annum (.03014% daily) and continue to be charged on overdue/arrears rates and service charges, and current rates and service charges that remain unpaid after 35 days from the date of issue.
 - b) **Interest on Overdue Rubbish Collection Fees**
Late payment interest be set at a rate of 11% per annum (.03014% daily) and continue to be charged on overdue/arrears Rubbish Collection Fees, and current rubbish charges that remain unpaid after 35 days from the date of issue.
- j) **Early Payment Prize**
THAT four prizes will be awarded as follows:
 - 1st A \$2000 Commonwealth Bank Streamline account
 - 2nd An accommodation package with Cottesloe Beach Chalets;
 - 3rd An accommodation package with the Comfort Inn – Albany
 - 4th 12 bottles of Wignalls Wines new release ‘Albany Dew’ wine

in order to be eligible to enter the draw for the prizes, all rates and charges on the individual assessment must be paid in full 2 weeks prior to the due date (ie. on or before 4th September 2002)
- iii) **Fees and Charges**
THAT the schedule of fees and charges for the City of Albany be adopted.
- iv) **Budget Surplus**
THAT any budget surplus arising from 2002/03 operations be transferred to reserve accounts for purposes as designated by Council.
- v) **Creation of Reserve**
THAT the following reserve be created:-
 - Tourism Development Reserve
 - Purpose : To promote tourism development in Albany and provide funding for the Albany Visitors Centre subject to their constitutional amendments..

Voting Requirement Absolute Majority

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12.2 ADMINISTRATION

12.2.1 Lotteries House Lease – 211-217 North Road, Albany Termination and New Lease

- File/Ward** : MAN 071 (Frederickstown Ward)
- Proposal/Issue** : Termination of lease for Albany Community Release Program and new lease agreement for City of Albany proposed Volunteer Resource Centre
- Subject Land/Locality** : Lotteries House, 211-217 North Road
- Proponent** : Albany Community Release Program (termination) and Volunteer Resource Centre (new lessee)
- Owner** : City of Albany
- Reporting Officer(s)** : Administration Officer (A Wiseman)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : That Council agree to enter into a new lease agreement with the proposed Volunteer Resource Centre at Lotteries House, for a 3 year term with a 3 year option, commencing on 1 August 2002; and approve the termination of lease for the Albany Community Release Program.
- Bulletin Attachment** : Nil
- Locality Plan** : See below map



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Item 12.2.1 continued.

BACKGROUND

1. In September 1996 a “Deed of Trust” was entered into between the former Town of Albany and the Lotteries Commission. This deed requested that a Management Committee be formed to oversee the management of the property known as Lotteries House and located on 211-217 North Road, Albany.
2. Part 3 of the Schedule contained within the Deed of Trust, states that the purpose of the Trustee (being the City of Albany) is as follows:

“To make and keep available the Property for organisations as defined in section 19 of the Act, for use by them exclusively for accommodation for benevolent or charitable purposes.”

STATUTORY REQUIREMENTS:

3. Section 3.58 of the Local Government Act deals with “disposing of property” (including leases) and requires Council to either dispose of property to the highest bidder at auction or by public tender to the person who, in the opinion of Council, makes the most acceptable tender.
4. Council is however able to dispose of property by other means, provided that it gives Statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
5. Clause 30 of the Local Government Act (Functions and General) Regulation 1996, provides an exemption to Council from the application of section 3.58 of the Act if the land is being disposed of to a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.
6. This lease for a proposed Volunteer Resource Centre is clearly of a benevolent or charitable nature, and therefore, the proposed disposition of land is exempt from the provisions of section 3.58 of the Act.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. All previous accounts for the old tenant of this lease area have been paid in full.
9. The lease will incur GST charges and all rental amounts are payable to Lotteries House.

Item 12.2.1 continued.

STRATEGIC IMPLICATIONS

10. This request complies with Council's "Albany 2020 – Objectives & Council Activities", which in part states as follows:

"Attraction & Development of a broad range of social, cultural and economic entities"

11. Council's ongoing commitment to the Lotteries House building, will continue to see community-based organisations benefit from such a well-established and utilised operation.

COMMENT/DISCUSSION

12. That Council agree to a termination of lease being prepared for the Albany Community Release Program as from 31 May 2002 and that a new lease agreement be entered into with the proposed Volunteer Resource Centre from 1 August 2002.
14. In line with all the other Lotteries House Leases, it is proposed that this lease be for a term of 3 years with a 3 year option, with annual rental reviews to be conducted by the Lotteries House Management Committee. The total area of this lease is 30m².

RECOMMENDATION

THAT Council:

- i) terminate the current lease agreement with the Albany Community Release Program as from 31 May 2002 subject to approval by the Lotteries House Management Committee at its next meeting date of 1 August 2002;**
- ii) enter into a new lease agreement with the Volunteer Resource Centre, subject to approval by the Lotteries House Management Committee at its next meeting date of 1 August 2002;**
- iii) set the term of the new lease at 3 years with a further 3 year option after that term;**
- iv) agree to the rent reviews being conducted by the Lotteries House Management Committee annually on 30th June;**
- v) agree to the rental being set at \$1940.00 per annum for the first year (subject to GST) with the payments being made in monthly instalments of \$161.67 (subject to GST);**

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Item 12.2.1 continued.

- vi) agree to the Terms and Conditions of the standard Lotteries House Tenant agreements being extended to this new agreement;**
- vii) all costs associated with the preparation of the lease agreement be borne by the new lessee; and**
- viii) the Common Seal be attached to the appropriate documentation.**

Voting Requirement Simple Majority

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12.2.2 Town Jetty – Proposed Seabed Lease

- File/Ward** : PRO 293 (Frederickstown Ward)
- Proposal/Issue** : New Lease
- Subject Land/Locality** : Portion of Plantagenet Location 7601
Albany Town Jetty
- Proponent** : City of Albany
- Owner** : Department for Planning and Infrastructure
-Minister for Transport
- Reporting Officer(s)** : Administration Officer (A Wiseman)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : That Council agree to enter into a new lease with the Minister for Transport for a 20 year term, from 1 July 2001 for the use of the Seabed Area surrounding the Town Jetty Site.
- Bulletin Item** : Nil
- Locality Plan** : See map below



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Item 12.2.2 continued.

BACKGROUND

1. The Department of Planning and Infrastructure has written to Council seeking agreement to enter into a lease term of 20 years for a Seabed Lease surrounding the Town Jetty.
2. Council currently leases the Town Jetty Structure from the Minister for Transport, but has no jurisdiction over the water area. This proposed lease agreement would give the City of Albany power to charge fees and issue licences.
3. The subject land is on Plantagenet Location 7601 and shown on Transport Plan 578-05-01C annexed to this item.
4. A draft agreement has been forwarded to Council for negotiation purposes.

STATUTORY REQUIREMENTS:

5. Under Section 5.42 of the Local Government Act, the Council may delegate to the Chief Executive Officer any of its powers or the discharge of any of this duties subject to the limits as detailed in Section 5.43.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

7. The rental has been set by the Minister for Transport at \$1.00 per annum payable in advance commencing on the Commencement Date, if demanded.
8. All costs associated with this proposed lease are to be borne by the applicant, being the City of Albany an estimated cost of \$600.00.

STRATEGIC IMPLICATIONS

9. In the City of Albany’s 2020 – Charting our Course, the following Port of Call is identified:

“Managed Healthy Land/Harbour Environment - Reserve Management

To manage reserves for environmentally sustainable use, community enjoyment and benefit (Coastal/Reserve management plans and maintenance)”

Item 12.2.2 continued.

COMMENT/DISCUSSION

10. The City of Albany is currently licencing the Town Jetty Structure and will need to enter into a lease for the surrounding seabed area in order to have the power to be able to charge fees and licences.
11. This lease will give the City of Albany total control over the foreshore jetty area, which will enable Council to efficiently and effectively manage the site to the best of its ability.

RECOMMENDATION

THAT Council agree to:

- i) **enter into a new lease for a term of 20 years with the Minister for Transport for the use of the Town Jetty Seabed from 1 July 2001;**
- ii) **the terms and conditions of the lease as prepared in “Draft” form by the Minister for Transport;**
- iii) **the rental being \$1.00 per annum payable in advance commencing on the Commencement Date, if demanded, and subject to review;**
- iv) **all costs for the preparation of the lease being borne by the City of Albany;**
- v) **the Common Seal of the City of Albany being affixed to the Seabed Lease; and**
- vi) **the balance of the terms and conditions of the lease being delegated to the Chief Executive Officer to negotiate and finalise.**

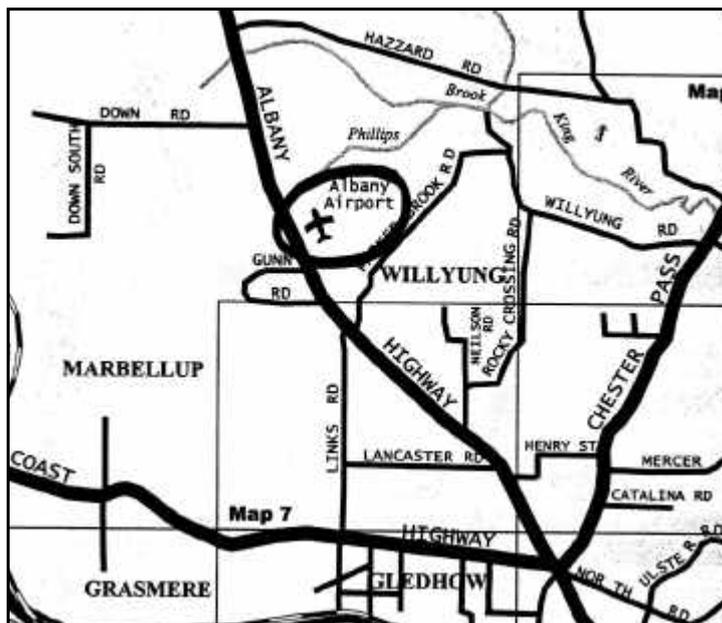
Voting Requirement Absolute Majority

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CORPORATE & COMMUNITY SERVICES REPORTS

12.2.3 Proposed Lease Renewal for Cyril & Kathleen Ecob for the Kiosk at the Harry Riggs Albany Regional Airport

- File/Ward** : PRO 270 (Kalgan Ward)
- Proposal/Issue** : New Lease (renewal)
- Subject Land/Locality** : Albany Regional Airport, Plantagenet Locations 4861 and 5643 Albany Highway, Albany
- Proponent** : C & K Ecob
- Owner** : City of Albany
- Reporting Officer(s)** : Administration Officer (A Wiseman)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : That Council approve the request for a new lease to be prepared for a 3 year term from 1 February 2003
- Bulletin Attachment** : Nil.
- Locality Plan** : See map below



ORDINARY COUNCIL MEETING – 16/07/02
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Item 12.2.3 continued

BACKGROUND

1. A request has been received from Cyril and Kathleen Ecob for Council to consider renewing their lease agreement for the Airport Kiosk which is due to expire on 31 January 2003. The current lease is for a term of 3 years and commenced on 1 February 2000.
2. The Kiosk is located within the Albany Regional Airport Terminal Building, which is owned freehold by the City of Albany.

STATUTORY REQUIREMENTS:

3. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue a lease over a property, however it must first give statewide public notice of its intention to do so and therein invite submissions from interested persons.
4. Council is however able to dispose of property by other means, provided that it gives Statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
5. Clause 30 of the Local Government (Function and General) Regulations 1996 provides an exemption to Council from the application of Section 3.58 of the Act if the land is being disposed of to a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural; educational, recreational, sporting or other like nature.
6. This lease is clearly a commercial operation and therefore the proposed disposition of land is not exempt from the provisions of Section 3.58 of the Act.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

8. The current rental is fixed at \$2,600.00 per annum and is payable in advance by equal successive weekly payments of \$50.00.
9. All costs associated with this proposed new lease are to be borne by the applicant including both legal and advertising fees.

Item 12.2.3 continued.

STRATEGIC IMPLICATIONS

10. This request complies with Council’s ‘Albany 2020’, which in part states as follows:

“The continual development of Council services and facilities to meet the needs of all stakeholders – To provide communities with quality buildings that are functional, well-maintained and meet social and cultural needs (Leases on Council buildings)”.

COMMENT/DISCUSSION

11. The rental directly relates to Cyril Ecob’s remuneration package and is set in accordance with the conditions contained within that agreement.

RECOMMENDATION

THAT subject to the provision of Section 3.58 of the Local Government Act being compiled with:

- i) Council agree to the request from Cyril and Kathleen Ecob for a new lease to be prepared for a period of 3 years 1 February 2003 until 31 January 2006 for the Kiosk located within the Terminal Building at the Albany Regional Airport;**
- ii) the rental be set at \$2,600.00 per annum, subject to GST for the term of the lease;**
- iii) the lease be prepared in accordance with the terms and conditions of the previous agreement;**
- iv) all fees associated with this lease be payable by Cyril and Kathleen Ecob; and**
- v) the Common Seal of the City of Albany be affixed to the documentation.**

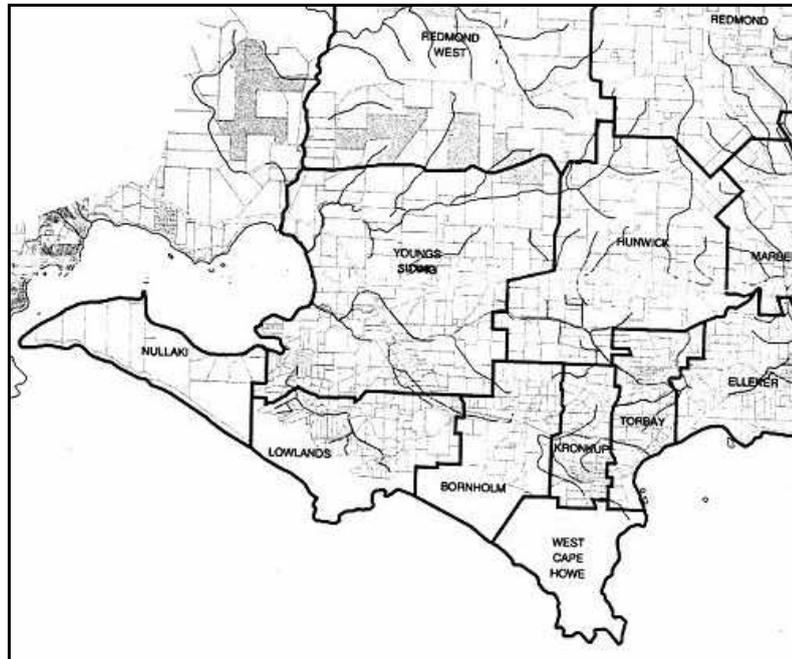
Voting Requirement Simple Majority

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CORPORATE & COMMUNITY SERVICES REPORTS

12.2.4 Alteration to Locality Boundaries – Torbay, Kronkup, Hunwick and others

File/Ward	: GOV 037 (All Wards)
Proposal/Issue	: Alteration to Locality Boundaries
Subject Land/Locality	: N/A
Proponent	: Torbay Agricultural Hall Committee
Owner	: N/A
Reporting Officer(s)	: Executive Director Development Services (R Fenn)
Disclosure of Interest	: Nil
Previous Reference	: OCM 23/01/01 - Item 12.2.3
Summary Recommendation	: Seek Geographic Names Committee support for change in locality names and boundaries.
Bulletin Attachment	: Supporting Documents from Proponent and the Torbay Hill Residents Association.
Locality Plan	:



CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.4 continued.

BACKGROUND

1. In January 2001, Council resolved to introduce names and boundaries for localities throughout the rural areas of the City, to help visitors and emergency services to better locate individual properties. The process of creating localities also provided a framework for landowners, selling agents, etc to clearly define the address of a property.
2. By a letter dated the 5th February 2002 the Geographic Names Committee (GNC) of the Department of Land Administration advised Council that the Minister had approved the localities promoted by Council and the following postcodes had been assigned to the new localities; Bornholm (6330), Cape Riche (6328), Cheynes (6328), Cuthbert (6330), Drome (6330), Elleker (6330), Frenchman Bay (6330), Gnowellen (6328), Green Range (6328), Green Valley (6330), Hunwick (6330), Kalgan (6330), King River (6330), Kojaneerup South (6328), Kronkup (6330), Lowlands (6330), Manypeaks (6328), Marbelup (6330), Millbrook (6330), Mindijup (6330), Nanarup (6330), Napier (6330), Nullaki (6330), Palmdale (6328), Redmond (6327), Redmond West (6327), Sandpatch (6330), South Stirling (6324), Torbay (6330), Tornidirrup (6330), Vancouver Peninsula (6330), Wellstead (6328), West Cape Howe (6330), Willyung (6330) and Youngs Siding (6330).
3. General Notices were then published advising ratepayers of the new localities. Those notices attracted a number of inquiries, plus some concerns over the initial consultation process employed by the City of Albany in determining the locality boundaries and with the names selected for the locality. Residents in the Torbay / Kronkup area called a public meeting and Council staff addressed the meeting on the process and the reasons why localities were developed. Many landowners incorrectly assumed that there were existing locality names and the City had changed them.
4. The residents in Kronkup / Torbay / Hunwick were unhappy with the localities that had been put in place and they proceeded, with the Torbay Agricultural Hall Committee driving the process, to gain support for a change in boundaries and names. Included in the Elected Members Report / Information Bulletin is a copy of the “Landowner’s Survey Results” collated by the Committee. Also a supplementary submission from the Torbay Hill Residents Association is attached.

STATUTORY REQUIREMENTS

5. The Minister for Lands approved the current localities on the 29th August 2001 and those localities are now in official use, albeit that many rural landowners may still be using unofficial and historical data to identify where they are located.

ORDINARY COUNCIL MEETING – 16/07/02
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Item 12.2.4 continued.

6. In the GNC procedures, it is stated that locality boundaries should;
 - Have strong local government support.
 - Not be confusing with another name or create mail delivery problems.
 - Have a long-standing association with the locality.
 - Have broad community support.
 - Be retained within and adjusted to be wholly located in a local government district boundary.
7. The procedures then go on to state that locality boundaries can be changed where the proposal is supported by local government, the above criteria are achieved and the new name has relevance to the area.

POLICY IMPLICATIONS

8. The proposal has no impact upon Council policies. The issue of responsive governance and responding to community concerns is part of the City's 2020 Strategic document.

FINANCIAL IMPLICATIONS

9. The cost of surveys have been met by the Torbay Agricultural Hall Committee and the GNC will action any request from Council. There may be some costs associated with informing the public and agencies of a change in locality boundaries, once completed.

STRATEGIC IMPLICATIONS

10. There are no strategic implications relating to this item.

COMMENT/DISCUSSION

11. The survey conducted by the Torbay Agricultural Hall Committee revealed that 261 landowners were contacted and 231 responded (89%). Of the residents living in *Hunwick* 95% objected to living in Hunwick and 75% saw themselves as part of Torbay. Of the *Torbay* residents, there was an 85% satisfaction level and 15% saw themselves as Kronkup residents. Those in *Kronkup* were 61% dissatisfied with the boundary and felt they also were better described as living in Torbay. Also 10% of the *Borholm* residents felt they lived in Kronkup. The level of dissatisfaction with 'Kronkup' amongst Torbay Hill residents is considerably higher.

CORPORATE & COMMUNITY SERVICES REPORTS

Item 12.2.4 continued.

12. New locality boundaries were produced by the Torbay Agricultural Hall Committee (see current and proposed boundary plans following this item) and they were subjected to further community consultation. Within the community the amended locality names and boundaries have generated 89% support from those landowners who responded to the survey. Residents living in the Torbay Hill Estate still consider themselves as living in Torbay, as the land was marketed using Torbay as the selling point. However, most of the longstanding residents of the area have always know “Torbay Hill” to be located within Kronkup. There exists a conflict between real estate marketing and local history, which highlights the need for the localities to be established in the first instance. The conflict is not unlike Breaksea Estate, which is used for street addressing purposes by many landowners, but the lots are officially located in the suburb of Spencer Park. Residents of Torbay Hill have applied to Council for the retention of the locality name of Torbay over their Special Rural area.
13. The amended boundaries proposed by the Committee seek to establish clear “on the ground” entry and exit points for the localities. The Committee contends that it is not feasible to retain the Torbay Estate within Torbay as you would be required to travel through the locality of Kronkup to reach it. Those residents on the approach roads to Torbay Hill clearly see themselves as Kronkup residents.
14. The Torbay Agricultural Hall Committee’s proposal meets the requirements of the GNC and it is now left to Council to determine if it wishes to add its support to the changes. It is also worth noting that adjustments to the outer boundaries of the suburbs of Elleker, Marbelup, Redmond West, Bornholm and Youngs Siding are being mooted within the request.
15. Given the high levels of consultation undertaken, and the degree of resident support for the proposal, (other than those on Torbay Hill). Staff are recommending in favour of the request. To deny the request would allow the existing boundaries to remain in force and the community has highlighted a 96% disapproval of the official localities.

RECOMMENDATION

THAT Council endorse the proposed amendments to the boundaries of the localities of Youngs Siding, Redmond West, Marbelup, Elleker, Torbay, Kronkup and Bornholm, as detailed in the proposal from the Torbay Agricultural Hall Committee, and supports the abolition of the locality of Hunwick and the Geographic Names Committee of the Department of Land Administration be requested to revise the locality boundaries in the City of Albany accordingly.

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Item 12.2.4 continued.

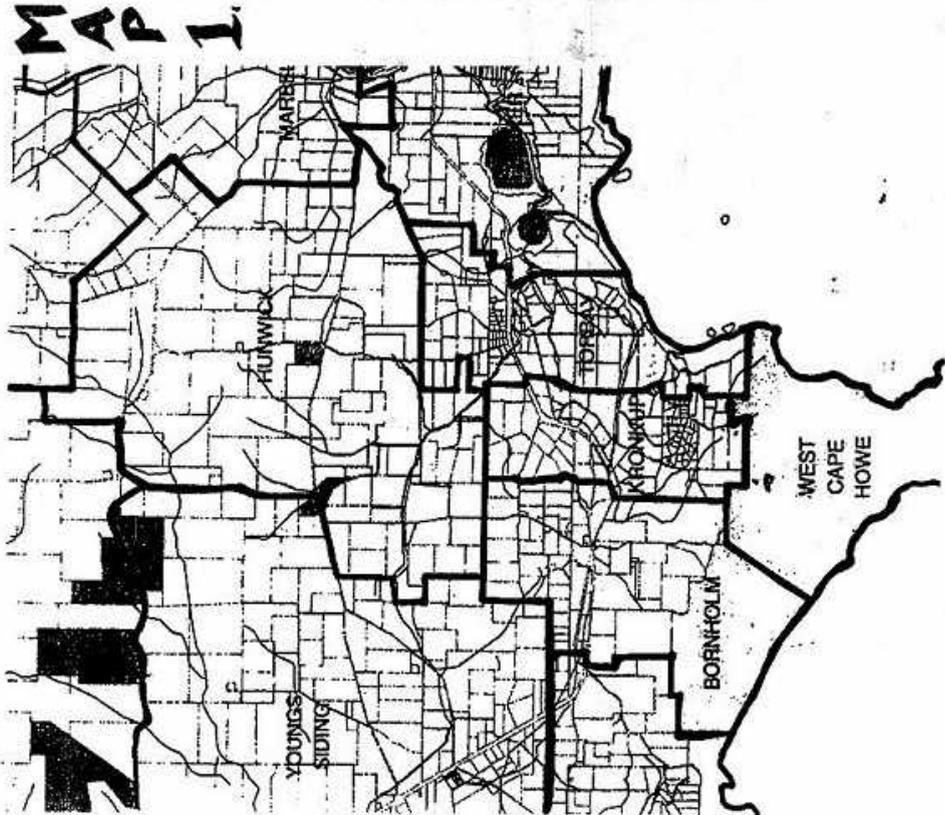
AND

THAT the Torbay Agricultural Hall Committee and the Torbay Hill Residents Association be advised of Council’s actions and the Committee be commended for their efforts in reaching Torbay, Kronkup and Hunwick residents, negotiating alternate locality boundaries and obtaining broad community support for the proposed changes.

Voting Requirement Simple Majority

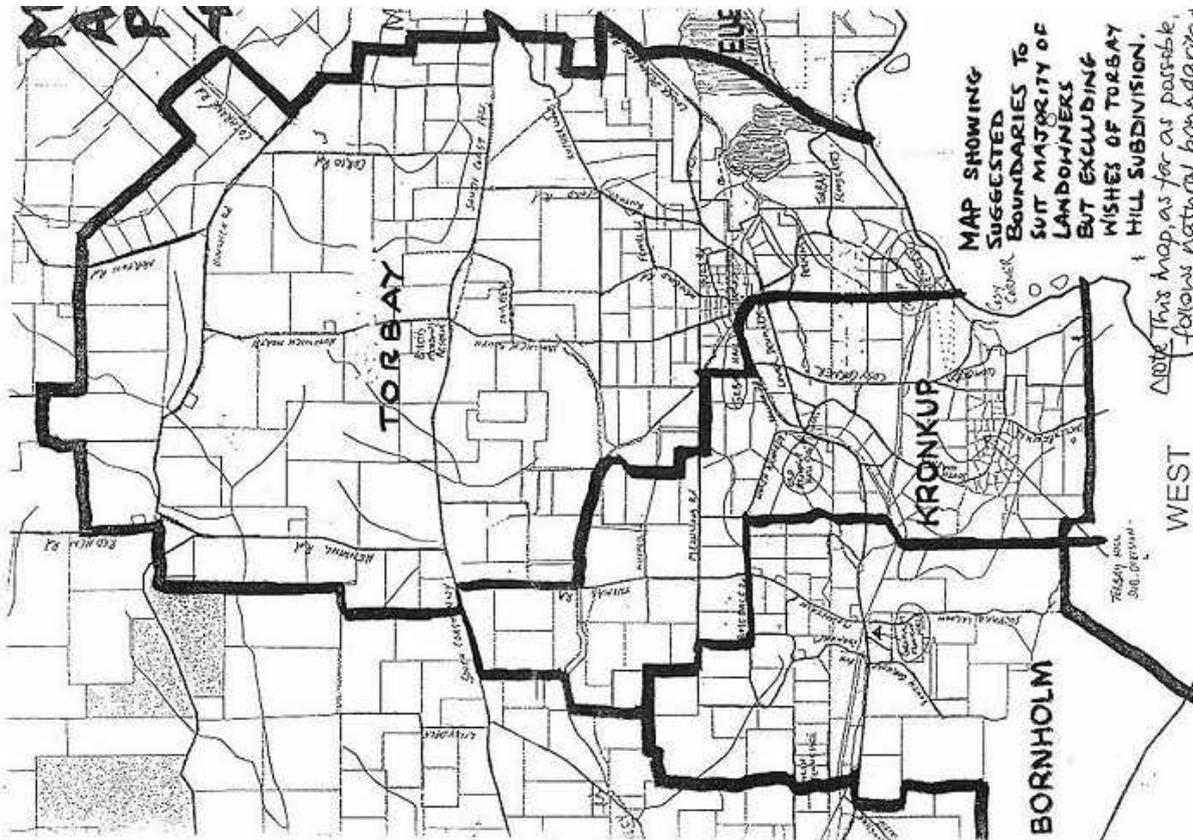
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MAP PROVIDED BY THE CITY OF ALBANY SHOWING NEW LOCALITY BOUNDARIES.

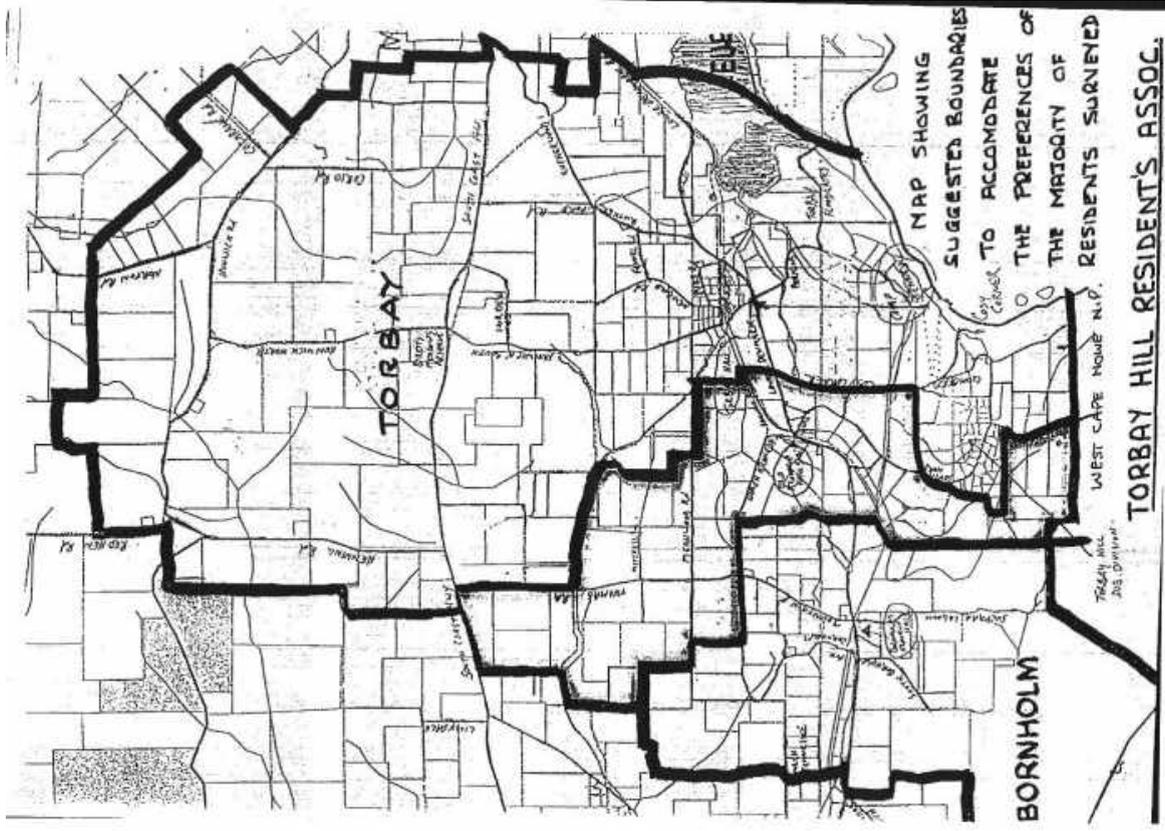
The quality of this map illustrates how difficult it is for the unskilled eye to pick up roads, waterways, drains etc....



MAP SHOWING SUGGESTED BOUNDARIES TO SUIT MAJORITY OF LANDOWNERS BUT EXCLUDING WISHES OF TORBAY HILL SUBDIVISION.

NOTE: This map, as far as possible, follows natural boundaries.

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12.2.5 Proposed Lease Renewal for Lockyer Community Kindergarten Inc on Reserve 25383

- File/Ward** : PRO 064 (Vancouver Ward)
- Proposal/Issue** : Lease renewal
- Subject Land/Locality** : Reserve 25383, Plantagenet Location 6701 and 7490 Leschenault Street
- Proponent** : Lockyer Community Kindergarten Inc
- Owner** : Crown Land – Department of Land Administration (Managed by the City of Albany)
- Reporting Officer(s)** : Administration Officer (A Wiseman)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : That Council approve the request for a new lease to be prepared for a 21 year term from 1 January 2003
- Bulletin Attachment** : Nil
- Locality Plan** : See map below



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Item 12.2.5 continued.

BACKGROUND

1. A request has been received from the Lockyer Community Kindergarten Inc for Council to consider renewing their lease agreement which is due to expire on 31 December 2002. The current lease is for a term of 21 years, which commenced on 1 January 1982.
2. The Kindergarten is located on Reserve 25383 Leschenault Street in Lockyer and Council currently has a Management Order for the purpose of a “Pre-School Centre” with power to lease for periods up to and including 21 years.

STATUTORY REQUIREMENTS:

3. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue a lease over a property, however it must first give statewide public notice of its intention to do so and therein invite submissions from interested persons.
4. Council is however able to dispose of property by other means, provided that it gives statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
5. Clause 30 of the Local Government (Function and General) Regulations 1996 provides an exemption to Council from the application of Section 3.58 of the Act if the land is being disposed of to a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural; educational, recreational, sporting or other like nature.
6. The Lockyer Community Kindergarten Inc is clearly an educational body and therefore the proposed disposition of land is exempt from the provisions of Section 3.58 of the Act.
7. Section 18 (1) of the Land Administration Act 1997 refers to the fact that “a person must not without the prior approval in writing of the Minister assign, sell, transfer or otherwise deal with interests on crown land”. A preliminary approval for this sub lease has been sought from the Department of Land Administration and we are currently still waiting for the Minister’s lease agreement in principle.

POLICY IMPLICATIONS

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

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Item 12.2.5 continued.

FINANCIAL IMPLICATIONS

9. The current rent is fixed at a peppercorn rental of \$2.00 per annum for the term of the lease. Council no longer enters into peppercorn rentals but charges a minimum land rate to all non-profit sporting, educational and community groups. The rental is reviewed annually in accordance with Council's budget and is subject to GST. For the 2001/2002 financial year the Council adopted minimum land rate was \$390.00.
10. All costs associated with this proposed new lease are to be borne by the applicant including both legal and advertising fees.

STRATEGIC IMPLICATIONS

11. This request complies with Council's 'Albany 2020', which in part states as follows:

“Managed healthy land/harbour environment – To manage reserves for environmentally sustainable use, community enjoyment and benefit.”

COMMENT/DISCUSSION

12. The Lockyer Community Kindergarten Inc has written to Council requesting several issues be considered when renewing this lease agreement.
13. The Kindergarten would like to agree on a very minimal rental amount that would take into consideration that they are a non-profit organization whose program is funded by the Education Department only and all other expenditure has to be raised through the parent body.
14. The Kindergarten feels that the rent reviews should either stay the same to allow for their minimal budget or to be increased with movements in Consumer Price Index (CPI) only.
15. As the Kindergarten is not a commercial business, they feel that it would be more appropriate to have the maintenance, repairs and painting items dealt with along the lines of a residential lease. This would mean that the City be responsible for the outside of the building including glass windows and doors and the Kindergarten be responsible for fencing as this is specific to their needs. They would also assume all responsibility for the inside of the premises. The City of Albany currently attends to the mowing of all lawns at the Lockyer Community Kindergarten Inc and they feel that it would be appropriate for the City to continue to cut the lawns. It should be noted however that Council does not perform these sorts of duties for other leased premises.

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Item 12.2.5 continued.

- 16. The requests were assessed by the Executive Director of Works and Services who suggested that as the Kindergarten competes commercially, that in today's climate this could be construed as unreasonable. The upkeep and maintenance of the grounds alone costs Council approximately \$1750.00 per annum, not including the maintenance on the building itself. It is therefore recommended that Council treat the Lockyer Community Kindergarten like any other asset that is leased.

- 17. The insurance for the building is currently covered under the City of Albany's property schedule each year. The Kindergarten considers that this should remain with the contents insurance and public liability being the responsibility of the Kindergarten.

RECOMMENDATION

THAT:

- i) subject to approval from the Minister for Lands; Council agree to the request from the Lockyer Community Kindergarten Inc for a new lease to be prepared for a period of 21 years, from 1 January 2003 until 31 December 2023 on Reserve 25383, being Plantagenet Location 6701 and 7490;**

- ii) the rental be set at \$390.00 per annum, subject to GST, in accordance with Council's 2001/2002 minimum land rate figure, with rent reviews being carried out annually based on the minimum land rate set by Council's budget;**

- iii) the lease be prepared in accordance with Council's standard leasing terms and conditions, with all maintenance and repairs being carried out by the Kindergarten;**

- iv) the Council agree to the City of Albany continuing to insure the premises, with the Kindergarten continuing to insurance the contents and public liability;**

- v) all fees associated with this lease be payable by the Lockyer Community Kindergarten Inc; and**

- vi) the Common Seal of the City of Albany be affixed to the documentation.**

Voting Requirement Simple Majority

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12.3 LIBRARY SERVICES

Nil.

12.4 DAY CARE CENTRE

Nil.

12.5 TOWN HALL

Nil.

12.6 ALBANY LEISURE AND AQUATIC CENTRE

Nil.

12.7 CORPORATE & COMMUNITY SERVICES COMMITTEE

12.7.1 Senior Advisory Committee Minutes – 20 June 2002

- File/Ward** : MAN 097 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Seniors Advisory Committee held on 20 June 2002 be adopted.

Confirmation of the minutes of the Senior Advisory Committee of 20 June 2002.

RECOMMENDATION

THAT the minutes of Seniors Advisory Committee held on 20 June 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin), and the following items be adopted.

Item 6.1 Albany Highway Landscape Project

RECOMMENDATION

THAT Council

- 1) nominate Middy Dumper as a seniors representative on the City of Albany Streetscape Advisory Committee; and**
- 2) nominate Geoff Hands as a proxy seniors representative on the City of Albany Streetscape Advisory Committee.**

Item 7.4 Senior Road Safety – Driver Assessment Rehabilitation Centre

RECOMMENDATION

THAT Council and the Seniors Advisory Committee provide in-principle support for the proposal to develop a Driver Assessment and Rehabilitation Centre in Albany, particularly recognising Albany’s large and increasing population of seniors, as well as the impact that losing their licence can have on the independence of seniors.

Voting Requirement Absolute Majority

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12.7.2 Disability Services Advisory Committee Minutes – 12 June 2002

File/Ward	:	MAN 134 (All Wards)
Proposal/Issue	:	Committee Items for Council Consideration.
Reporting Officer(s)	:	Executive Director Corporate & Community Services (P Madigan)
Summary Recommendation	:	That the Minutes of Disability Services Advisory Committee held on 12 June 2002 be adopted.

Confirmation of the minutes of the Disability Services Advisory] Committee of 12th June 2002.

RECOMMENDATION

THAT the minutes of Disability Services Advisory Committee held on 12 June 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin), and the following items 5.1, 6.2 and 7.3 be adopted.

Item 5.1 Albany Highway Landscaping Project

RECOMMENDATION

THAT Colleen Hansen be nominated as the Disability Services Advisory Committee representative on the City of Albany Streetscape Advisory Committee, with Lorraine Wolfe and Colin May being nominated as proxies.

Item 6.2 Disabled Parking – Spencer Park Shopping Centre

RECOMMENDATION

THAT Council

- i) write to the Proprietors of the Spencer Park Shopping Centre regarding the disabled parking issues raised by the ratepayers and suggest that they enter into an agreement with Council to have City of Albany Rangers police the shopping centre car park;**
- ii) advise the Committee that due to a precedent being set, it is unable to agree to the request to line mark the Centre, as it does not provide this service to other Centres, not is it able to employ a full time ranger for the 2 month period requested due to the training involved, and the costs associated with vehicle provisions.**

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Item 12.7.2 continued.

Item 7.3 Committee Name

RECOMMENDATION

THAT Council amend the Terms of Reference for the Disability Services Advisory Committee to reflect the new committee name of ‘City of Albany Disability and Community Access Advisory Committee’.

Voting Requirement Absolute Majority

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Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 WASTE MANAGEMENT

13.1.1 Asset Management Strategy - Waste

File/Ward	: SER154 (All Wards)
Proposal/Issue	: Asset Management Strategy - Waste
Subject Land/Locality	: City of Albany
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Executive Director Works & Services (B Joynes)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council adopt the Asset Management Strategy – Waste in principle, advertise for comment and adopt Scenario 2.
Bulletin Attachment	: Nil.
Locality Plan	: N/A

BACKGROUND

1. In May 2002, Sinclair Knight Merz was appointed to prepare a Waste Management Plan. The brief set out requirements including the evaluation of previous studies undertaken in recent times including works by staff. The following specific objectives were highlighted;
 - i. Provide the City of Albany with a guiding document that will map out and direct waste activities for the next 15 years, including recommendations on future alternative proposals.
 - ii. Meet the requirements of the Department of Environmental Protection and other legislative requirements.
 - iii. Align with the City of Albany strategic plan.
 - iv. Align with Waste 2020 – A Western Australian Government Initiative.
 - v. Determine the operational life of waste management facilities and related assets.
 - vi. Set out a time frame for the initiation of regional activities while providing infrastructure in support of future regional management.
 - vii. Provide direction in the form of future waste collection and provide financial modelling based on a 15 year development plan.
 - viii. Set initiatives and goals for waste minimization and recycling.

WORKS & SERVICES REPORTS

Item 13.1.1 continued.

2. The overall objective of the plan is to guide and map out the strategic direction of our waste management activities that recognizes our commitment to recycling and waste minimisation, whilst understanding our limitations due to relatively low volumes of waste and our proximity to major markets for waste and recycling activities.
3. The plan investigates the current management of waste activities concentrating on management and collection issues to ensure operations are conducted in a manner that is environmentally, socially and economically responsible.
4. Results from the Waste Management Strategy Workshops have been included for evaluation. The workshops, conducted in September 2001, ensured community participation in the future direction of waste activities in terms of our collection and management while seeking to identify community concerns and understand expectations. The workshops invited progress associations, businesses and environmental groups to participate. The results indicated strong support across all groups to improve our collection services and reduce the amount of waste generated. Initiatives raised through the workshops have been evaluated and, where appropriate, considered in the recommendations.

STATUTORY REQUIREMENTS

5. Under section 3.18 of the Local Government Act 1995, the City of Albany is to satisfy itself that the services and facilities it provides are managed effectively and efficiently.

POLICY IMPLICATIONS

6. The adoption of the Asset Management Strategy – Waste will provide strategic guidelines for the development and implementation of expenditure programs.

FINANCIAL IMPLICATIONS

7. Financial implications will depend upon the final scenario adopted by Council, following further community consultation. There will be costs in the implementation of transfer stations and management plans for landfill operations, and these have already been costed into the 2002/03 draft budget.

STRATEGIC IMPLICATIONS

8. The City of Albany's strategic plan, Albany 2020 – Charting Our Course, recognizes waste activities in the following ways:

Port of Call

Managed healthy land / harbour environment

Objective:

Waste Management

- To participate in a regional waste program, which is environmentally responsible, cost efficient and effective.

WORKS & SERVICES REPORTS

Item 13.1.1 continued.

Port of Call

The continual development of Council services and facilities to meet the needs of all stakeholders

Objective:

Waste Collection

- To provide a clean, efficient and effective waste collection service.

9. The Asset Management Strategy - Waste links the objectives of Albany 2020 to cost-effective expenditure programs.

COMMENT/DISCUSSION

10. The draft Waste Management Plan should be considered a flexible document that maps out the most suitable and applicable scenarios for the City and will be required to be reviewed as advances in waste management activities are progressed.
11. There are a range of alternative waste treatment technologies presented in the document that allows an understanding of all options currently available in terms of waste disposal and management. Some of the technologies available are in their infancy, rely on high capital costs, high volumes of waste and high costs per tonne disposal rates. At this stage, the recommendation is to not invest in secondary waste treatment processing until the technology is more advanced, and economically proven at the scale of the City of Albany.
12. In broad terms, waste management and disposal has been considered to give the most economical solutions without compromising environmental and social outcomes. This involves operating our current landfill sites to a finite date that allows the amortization of rehabilitation costs over the life of the facility while constructing and operating transfer sites that supports the eventual establishment of a regional landfill facility.
13. The operations of waste management facilities in accordance with the developed post closure management plans will ensure that the environmental impact of all of the facilities can be managed.
14. With a focus on best practise facility management and improvements in participation rates for the collection of recycled goods, the life of existing facilities can be maximised.
15. The Masterplan report provides for two scenarios that provide different economic, social and environmental outcomes. Scenario one is a continuation of existing services, and Scenario two is the conversion to a two bin system for recycling (240L) and waste collection (140L). The other options include a bulk kerbside collection for greenwaste three times a year, setting up a recycling venture at Hanrahan Road for salvaged goods from households and tipfaces, and stockpiling appropriate and clean construction and demolition waste for future processing when viable.
16. Scenario one represents the least cost, with some environmental and social improvements through processing greenwaste and a recycling centre.

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- 17. Scenario two represents a higher cost, but with greater environmental and social benefits through increased recycling from kerbsides, and an automated materials recovery facility. The additional benefit to this option is increasing the life of Hanrahan Road and Bakers Junction by up to two years, and hence savings in term of amortising post closure costs, delaying the expense of transporting waste to a new regional facility, but most importantly, a decrease in waste going to landfill.
- 18. Both options will need to go through an open public consultation period, whereby the community will be given the opportunity to first make comments over a four week period, followed by a series of public meetings to discuss the final plan. It is important that Council informs the community of its preferred position on the draft plan to enable appropriate consultation. This process can take up to six months for final adoption, dependent upon the community support or comment.
- 19. The public consultation period and redrafting of the plan before final adoption will incur costs in terms of the continued appointment of the Consultant to adequately be involved in, explain and educate the plan to the community. This cost is estimated at around \$30,000.

RECOMMENDATION

THAT Council:

- i) adopt in principle the Waste Management Plan, with scenario two as the preferred service delivery option, including greenwaste collection and processing, hard waste recovery and recycling, as tabled;**
- ii) advertise for comment the draft Waste Management Plan to the public and stakeholders for input and support;**
- iii) request the responses and subsequent proposed amendments to the Waste Management Plan be brought to Council for consideration; and**
- iv) include the first year of the Waste Management Plan in the 2002/03 budget, with an additional \$30,000 for ongoing Plan development and consultation (being sourced from within the draft 2002/03 budget)**

Voting Requirement Absolute Majority

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13.2 ASSET MANAGEMENT

13.2.1 Asset Management Strategy – Road Preservation

File/Ward	: SER 087 (All Wards)
Proposal/Issue	: Asset Management Strategy – Road Preservation
Subject Land/Locality	: City of Albany
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Executive Director Works & Services (B Joynes)
Disclosure of Interest	: Nil
Previous Reference	: OCM 15/05/01 - Item 13.2.1
Summary Recommendation	: That Council adopt the Asset Management Strategy – Road Preservation and Road Expenditure Program.
Bulletin Attachment	: Development of Worst First Works Programme
Locality Plan	: N/A

BACKGROUND

1. The previous Asset Management Strategy – Roads, as adopted at the Ordinary Council Meeting held on 15 May 2001, failed to adequately address both the upgrade and preservation road needs of Council for its entire infrastructure. The strategy adopted at the May 2001 meeting has been re-titled Asset Management Strategy – Road Upgrade, and solely addresses the requirements of the community to be provided with an upgraded network, for example sealing gravel roads, widening existing roads, and constructing new carriageways.
2. The Road Preservation Strategy aims to specifically maintain the existing network through overlays, reseals, reconstructions, surface corrections, pavement rehabilitation, and gravel resheeting.
3. The modeling utilises available information about the condition of the existing network, and provides for intervention through appropriate techniques, so as to at least maintain the status quo of the value of the entire network, through appropriate funding levels. The Strategy assesses the condition of every road, and ranks works in priority of a ‘worst-case first’ scenario, in an effort to increase the level of serviceability of the network.

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4. The road network data that has been utilised includes a recent visual condition survey of all sealed roads, previous visual surveys, road roughness counts, traffic counts, speed limits, physical inventory data, and works requests.
5. The quality of the program is solely reliant on the quality of data utilised. To this end, the quality of Council's existing data is relatively poor, and lacks information to allow for accurate modeling of the deterioration of the network. As such, more work is required to provide better quality data for the purpose of modeling, as assumptions have had to be made in relation to asset life and intervention periods.

STATUTORY REQUIREMENTS

6. Under section 3.18 of the Local Government Act 1995, the City of Albany is to satisfy itself that the services and facilities it provides are managed effectively and efficiently.

POLICY IMPLICATIONS

7. The adoption of the Asset Management Strategy – Road Preservation will provide strategic guidelines for maintenance and preservation expenditure programs.

FINANCIAL IMPLICATIONS

8. The objective of the Asset Management Strategy – Road Preservation, is to be able to provide adequate funding to the program to ensure that the asset in total is not deteriorating nor is the level of service decreasing. At the same time, the need to upgrade the network to acceptable standards must also be considered, and the balance between the two programs needs to be well defined.
9. There exists insufficient real data within the asset management industry, to be able to accurately model the balance between the two programs, but it is generally accepted that a two-thirds preservation / one-third upgrade balance is an appropriate split. The 2002/03 draft budget has been formulated along these lines.
10. The work undertaken by Opus International Consultants suggests that even with the raw data available, that Council will need to spend approximately \$5.6 million each year in preservation to maintain the existing status quo over the next 15 years. This year's program is valued at \$2.8 million. However, the data does need refining and greater research is required through data gathering and modelling before this figure of \$5.6 million can be soundly supported through asset modelling.

STRATEGIC IMPLICATIONS

11. The quality and range of our transport systems are important factors in the present and future well-being of our community. Roads, paths, maritime and aviation facilities improve our working, social and recreational lives, and a sensible, well-planned transport system is also a key ingredient in the development of our economic future. The City has established the following major objectives to ensure this Port of Call is realised.

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12. Albany 2020 – Charting Our Course includes the following Ports of Call:

Port of Call

Transport systems and services designed to meet current future needs.

Objective:

Transport infrastructure planning

- To plan Albany’s transport infrastructure to meet future needs complementary to the City’s form and sense of place.

Port of Call

Transport systems and services designed to meet current future needs.

Objective:

Management of transport infrastructure and services

- To effectively and efficiently manage the City’s transport infrastructure
 - To provide a high quality service;
 - To meet community expectations;
 - To minimise whole life costs; and
 - In alignment with transport plans.

13. The Asset Management Strategy links the objectives of Albany 2020 to cost-effective expenditure programs.

COMMENT/DISCUSSION

14. The work completed for the program by Opus International is simply a ‘worst-case first’ model where the program is ranked according to need for condition improvement. Copy is included in the Elected Members Report/Information Bulletin.

15. This program must be further improved by deterioration modeling, which will allow for the use of life cycle costings, along with defining appropriate intervention periods. Current intervention periods are based upon historic knowledge and civil engineering expertise, but with changing road usage, construction techniques, and differing products (bitumen, asphalt, stabilisation) the historic predictions need to be supported by science and modeled data.

16. At this stage, the program offers an accurate forecast of those roads that need work due to their current condition, and is appropriate for at least the next two to three years. However, as all roads deteriorate at different rates, the current conditions will vary according to usage, ground condition, pavement structure etc., over the coming years.

17. This will require resurveying the network visually, and obtaining data such as road roughness counts, pavement structural ability and traffic counts over the coming years. The cost of this work is estimated to be around \$30,000 per annum to collect the data and start the formulation of appropriate deterioration modeling.

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18. The asset has been valued at \$95 million, with a total replacement value of \$190 million. Therefore, the asset is at 50% of its life as a whole. Indicative figures from Main Roads WA suggest that this figure needs to be in the order of 70% to be at a sustainable level. This would require the asset to be improved by \$38 million.

RECOMMENDATION

THAT Council:

- i) adopt the Asset Management Strategy – Road Preservation; and**
- ii) include the first year of the Asset Management Strategy Road Preservation in the 2002/03 budget, with an additional \$30,000 for road preservation modeling. (being sourced from within the draft 2002/03 budget)**

Voting Requirement Absolute Majority

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13.3 WORKS

Nil

13.4 AIRPORT MANAGEMENT

Nil

13.5 RESERVES PLANNING & MANAGEMENT

Nil

13.6 WORKS AND SERVICES COMMITTEES

Nil

General Management Services

REPORTS

GENERAL MANAGEMENT SERVICES REPORTS

14.0 REPORTS – GENERAL MANAGEMENT SERVICES

14.1 STRATEGIC DEVELOPMENT

Nil

14.2 ORGANISATION DEVELOPMENT

Nil

14.3 ECONOMIC DEVELOPMENT

Nil