



MINUTES

ORDINARY MEETING OF COUNCIL

on
Tuesday, 18th June 2002
7.30pm

City of Albany - Mercer Road Office

PLEASE NOTE THESE MINUTES HAVE YET TO BE ADOPTED BY COUNCIL AS A TRUE
RECORD OF PROCEEDINGS

City of Albany

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Signed _____

Date: 21st June 2002

Andrew Hammond
Chief Executive Officer

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1.0 DECLARATION OF OPENING

Mayor Goode declared the meeting open at 7.30pm and extended a welcome to all present.

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

Attendance:

Mayor	- A.E. Goode JP
Councillors	- M.J. Evans JP - S.M. Bojcun - R.H. Emery - D.M. Evers - J.D. Williams - D.J. Wolfe - J. Cecil - D.W. Wellington - I.A. West - I.W. Wilson - E.A. Barton - G Sankey - J Walker
Executive Director – Corporate & Community Services	- W.P. Madigan
Executive Director – Development Services	- R. Fenn
Executive Director – Works & Services	- B Joynes
Minute Secretary	- L J Lewis

Approximately 21 members of the public
2 media representatives

Apologies/Leave of Absence:

Chief Executive Officer	- A.C. Hammond
Councillor A.H.M Demarteau	

3.0 OPENING PRAYER

Mayor Goode read the 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

“Mr & Mrs A T Bergsma
LOT 158 KATOOMBA STREET, ORANA

Lot 158 Katoomba Street is 1,973 square metres in area and the lot has a 30 metre frontage to both Katoomba Street and Minor Road. The property was purchased by Homeswest in October 2001.

The zoning on the land is “Residential – R20”. Under that zoning the landowner could apply to Council to construct a maximum of four (450m²/unit) group dwellings on the land or six aged persons (333m²/unit) dwellings, or a combination of these two. In this instance, Homeswest lodged plans with the City of Albany to build five units on the land (1 x 4 bedroom, 1 x 3 bedroom and 3 x 1 bedroom). The standards applying to Homeswest equally apply to other landowners in the locality. A planning scheme consent was issued in January 2002 for that development to proceed and there is no capacity for me to reconsider that application or to halt the project.

The three, one bedroom units (aged accommodation) will gain access via Minor Road and the other two (family accommodation) units will access the site from Katoomba Street. You highlight that Minor Road is a gravel surface and nine residences already use this section of road.

In considering the planning application it was noted that the volume of traffic generated from three one bedroom aged persons units would be less than that from a single family dwelling. The other nine properties on Minor Road did not have to contribute to road upgrading. Based upon traffic demands, it would therefore be unreasonable to ask Homeswest to contribute to road upgrading.

It is acknowledged that the condition of Minor Road is inappropriate for residential zoned land. However, there is a limited capacity for Council to bring all of the existing “sub-standard residential streets” up to a suitable condition. Many landowners currently experience the frustration of having gravel roads fronting their residences, with through traffic causing safety and dust concerns. The City of Albany does not have the physical or financial resources to rectify those concerns and a program of road upgrading has been put in place.

The draft 2002/03 budget currently contains an allocation for the reconstruction of the section of Minor Road between Le Grande Avenue and Lurline Street. I need to emphasize that the budget has not yet been adopted and all projects are still subject to review. Also, the proposed road is planned to be a narrow, winding pavement to discourage “through traffic”.

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.

***Ms Jane Dicks**

Ms Dicks referred to Item 11.1.1 – Development Application – Shop (Maternity Clothing) – Lot 11 (277) South Coast Highway, Gledhow.

Ms Dicks has made application to sell maternity clothing from these premises and would like to operate the maternity shop two (2) days per week (Tuesday and Wednesday). Ms Dicks said that only three (3) shops in Albany have recycled maternity clothing. She has located a supplier for new maternity clothing. She would also like to provide a library of maternity books, magazines, and pamphlets to nursing mothers.

Ms Dicks says she is currently too small a business to operate from the CBD, as city rentals are too high. She said that traffic would not increase, and that parking would not be a problem as she already runs a plant nursery on the site and parking facilities are already available on this site. Ms Dicks said that she would consider moving to a shop in the CBD if business improved.

***Mr Brian Hughes**

Mr Hughes referred to Item 12.2.7 – Request for Imposition of a Rate – Memorial Park Cemetery.

Mr Hughes felt that the proposed recommendation would not address immediate requirements for managing the Albany Cemeteries. There is an obligation to preserve the Cemeteries that we already have and we need to address the desecration of memorials.

Mr Hughes requested that Council disregard the recommendation in the Agenda and look at the alternate recommendation that would meet the future needs of our historical assets.

***Mr Brian Newbold**

Mr Newbold referred to Item 11.1.4 – Development Application – Dwelling – Lot 123 Rowney Road, Robinson.

Mr Newbold agreed that the height of the building is higher than the applicable 7.5m for this area. He said that the building would not impose above the landscape and asked that Council take this into account.

***Mr Mark Paynter**

Mr Paynter referred to Item 13.2.8 – Construction of Robinson Road.

Mr Paynter supported the recommendation in the Council Agenda. He said the area is of significance to Aboriginal people in Albany. He supports rescission of the previous decision. He asked that Council support Option 1 of Recommendation 2 and leave the road as it is.

He was under the impression that the road could be sealed with no harm done to the karri trees. He asked that some signage be looked at to address safety on the road. If the traffic speed can be controlled that may address some of the traffic safety concerns.

***Mr Jeff Claughton**

Mr Claughton spoke in his role as Chairman of the Fredricks Town Progress Association. He queried the Ward boundaries in the City of Albany, and asked if there was any form of investigation being done on the boundaries.

The Executive Director Corporate and Community Services advised he was not aware of any.

Mayor Goode responded that they were reviewed every eight (8) years and that Council would be obliged to look at the boundaries.

***Mr Ron Puls**

Mr Puls referred to Item 11.3.4 – Proposed Relaxation of Council's Outbuilding Policy – Lot 81 Gladville Road, McKail.

Mr Puls has applied to Council before and has been refused because of height restrictions. He has been advised that he can only have a height of 3.3 metres, and has asked Council to reconsider the shed plan.

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 21st May 2002 as previously distributed be confirmed as a true and accurate record of proceedings subject to a change being made in the Open Forum section of the Minutes. It was recorded that Dr Joe Lubich spoke, in fact it was Mrs Judy Lubich that addressed Council.

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EVANS**

THAT the following minutes:

- **Ordinary Council meeting held on 21st May 2002**

as previously distributed be confirmed as a true and accurate record of proceedings subject to a change being made in the Open Forum section of the Minutes. It was recorded that Dr Joe Lubich spoke, in fact it was Mrs Judy Lubich that addressed Council.

MOTION CARRIED 14-0

7.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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.]

Councillor Barton – Item 12.2.8 – Extended Trading Hours – Albany Plaza Shopping Centre Opening.

Councillor Sankey - Item 12.2.8 – Extended Trading Hours – Albany Plaza Shopping Centre Opening.

Councillor Wellington - Item 12.2.8 – Extended Trading Hours – Albany Plaza Shopping Centre Opening.

Councillor Sankey – Item 11.3.2 – Fee Structure – Town Planning Scheme Matters.

Councillor Walker – Item 11.3.3 – Policy amendment – Design Guidelines for the Redevelopment of the Seppings Street Precinct.

9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

19.1 – Manager Asset and Client Services - Resignation

10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

15.1 Elected Members' Report/Information Bulletin

DRAFT MOTION

THAT the elected Members' Report/Information Bulletin, as circulated, be received and the contents noted.

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WILLIAMS**

**THAT the elected Members' Report/Information Bulletin, as circulated,
be received and the contents noted.**

MOTION CARRIED 14-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17.0 MAYORS REPORT

“Fellow Councillors:

Firstly, I would like to express my sincere gratitude to Deputy Mayor - Councillor Milton Evans for so ably looking after the Mayoral duties whilst I was on leave and also for his support whilst I was suffering a recurring back complaint upon my return in late May.

On my return from leave, my first duty was to deliver the key address at this year's US Submariner's Memorial Service held at the Forts on Sunday 26th of May, 2002. More than 80 people attended the ceremony including representatives from our military forces, supporting organisations and associations. We were privileged to have the US 7th Fleet Representative – Commander Rich Tilghman also address the gathering and I would like to thank all those who participated in the service including Reverend Nick Stuurstraat, the TS Vancouver Cadets, The City of Albany Band, representatives from North Albany and Albany Senior High Schools and vocalist Nyree Hughes. Their efforts ensured that the day ran smoothly and provided the dignity that the occasion deserves.

Later that same day, it was time to don the wellington boots for a complete change of pace as I officially opened the Torbay Catchment's Group – Marshall's Wetland project. Projects such as this help in understanding what can be done to correct the past wrongs and restore the balance of nature whilst working in harmony with those whose livelihoods rely on agricultural and horticultural pursuits. A great effort and one which I look forward to seeing the rewards evolving over time.

Unfortunately, later that week my back complaint became so serious that I went to Perth to seek specialist attention which saw me out of action for more than a week. During my absence the Deputy Mayor officiated at a major Citizenship Ceremony held in the Town Hall where 22 candidates took their oaths to become Australians. The moment was shared with their close family and friends and I understand that it was a very special time for the new Australians with a few tears of pride being shed during the ceremony. I congratulate all those involved for their conscious choice of Australia as their homeland.

Upon my return last week, I was struck down by illness again, this time losing my voice. However, this did not prevent me from taking part in some major events. The first was the unveiling of the honour board at Meals on Wheels on Wednesday 12th of June assisted by the Chief Executive Officer of the City of Albany – Andrew Hammond. This honour board recognises the special group of volunteers who have dedicated more than 15 years of their lives to preparing and delivering meals to those who are elderly, infirm or unable to cook for themselves. I found it most surprising that there are already 47 names on the board, which is a tremendous effort considering that the service has been running for just 37 years. My sincere congratulations to Mrs Caimanos who started the service in 1965 and is now herself a recipient of daily meals, and also congratulations to all the many volunteers who travel hundreds of kilometres each week to faithfully deliver the meals and provide friendship to those in need.

On Thursday the 13th of June, 2002, Albany was honoured by a visit from the Governor General of Australia – Dr Peter Hollingworth and Mrs Hollingworth. The Governor General had been invited to attend a dinner in support of the Great Southern Area Consultative Committee's employment initiatives and decided to co-incide this engagement with a regional tour. The arrival at the airport was memorable with more than 60 scouts and guides forming a guard of honour and having the opportunity to meet the Governor General who is the Chief Scout of Australia and Mrs Hollingworth who is the Chief Guide of Australia. This was followed by a briefing at the RSL club where club president Digger Cleak and City of Albany's Jon Berry spoke about the unique connection that Albany has with the ANZAC traditions.

After a quick tour of ANZAC landmarks including St John's Anglican Church, Desert Mounted Corp Memorial and the Forts, the City of Albany hosted a community luncheon at Carlyles to give the members of our community organisations the opportunity to meet the Governor General and to thank them for their often voluntary efforts for the citizens of Albany. The afternoon tour included visits to the Windfarm and Whaleworld.

From my discussions with the official party, I can honestly say that the Governor General was very impressed with Albany's place in history, the magnificent scenery and the warmth and friendliness of our people. I was indeed very proud to show off our great city and thankful for the opportunity to impress.

Friday the 14th of June, 2002 was a day to celebrate 50 years of the Albany Legacy Group. There were a number of events held during the day providing me with the opportunity to meet the widows and dependants of deceased military personnel who

are supported by the broad range of counselling and welfare services provided by Legacy. It is a significant milestone for any community organisation to reach and I commend the Albany Legacy Group for their dedication and spirit.

On Saturday the 15th of June, I attended the terrific Youth Care Charity Concert held in the Baptist Auditorium. This concert was aimed at recognising the crucial role that the school chaplains play in our two government high schools and to raise funds to enable the ongoing provision of pastoral care and youth work to students who are often at their most vulnerable age. I congratulate all those involved in the concert and again I was overwhelmed by the huge range of local talent in our midst.

Thankyou

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR SANKEY**

THAT the Mayors Report be received.

CARRIED 14-0

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

Nil

19.0 CLOSED DOORS

19.1. Manager Asset and Client Services - Resignation

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR BARTON**

THAT Council sit behind closed doors.

MOTION CARRIED 14-0

RECOMMENDATION:

THAT Council waiver Mr P Brown's Employment Contract Clause 8.4, and accept six (6) weeks notice of termination from Mr P Brown.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WOLFE**

THAT Council come out from behind closed doors.

MOTION CARRIED 14-0

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR EMERY**

THAT Council waiver Mr P Brown's Employment Contract Clause 8.4, and accept six (6) weeks notice of termination from Mr P Brown.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

20.0 NEXT ORDINARY MEETING DATE

Tuesday 16th July 2002, 7.30pm

21.0 CLOSURE OF MEETING

9.23pm.

Confirmed as a true and correct record of proceedings.

AE Goode, JP
Mayor

APPENDIX A

**WRITTEN NOTICE OF DISCLOSURE OF INTEREST
MINUTES OF THE ORDINARY COUNCIL MEETING 18th June 2002**

Name	Item	Nature of Interest
Councillor Sankey	Item 11.3.2 – Fee Structure – Town Planning Scheme Matters	Councillor Sankey’s nature of interest is that her husband is in the building industry.
Councillor Walker	Item 11.3.3 – Policy Amendment – Design Guidelines for the Redevelopment of the Seppings Street Precinct	Councillor Walker’s nature of interest is that he owns a house one block away from Seppings Street, in close proximity, and any work may affect the valuation of his property..
Councillor Barton	Item 12.2.8 – Extended Trading Hours – Albany Plaza Shopping Centre Opening	Councillor Barton’s nature of interest is that she is an employee of Coles, which is located in the Albany Plaza
Councillor Wellington	Item 12.2.8 - Extended Trading Hours – Albany Plaza Shopping Centre Opening	Councillor Wellington’s nature of interest is that he is involved in the retail industry.
Councillor Sankey	Item 12.2.8 - Extended Trading Hours – Albany Plaza Shopping Centre Opening	Councillor Sankey’s nature of interest is that she has a daughter working at Woolworths.

APPENDIX B

**INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 18th June 2002**

Name	Item	Nature of Interest
Nil	Nil	Nil

APPENDIX C

**CODE OF CONDUCT – INTERESTS (OTHER THAN FINANCIAL)
DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 18th June 2002**

Name	Item	Nature of Interest
Nil	Nil	Nil

Development Services

REPORTS

DEVELOPMENT SERVICES REPORTS

- R E P O R T S -

11.1 DEVELOPMENT

11.1.1 Development Application – Shop (Maternity Clothing) – Lot 11 (277) South Coast Highway, Gledhow

File/Ward : A51269 (West Ward)

Proposal/Issue : Shop – Maternity Clothing

Subject Land/Locality : Lot 11 (277) South Coast Hwy Gledhow

Proponent : A Barrett

Owner : NJ & JM Barrett

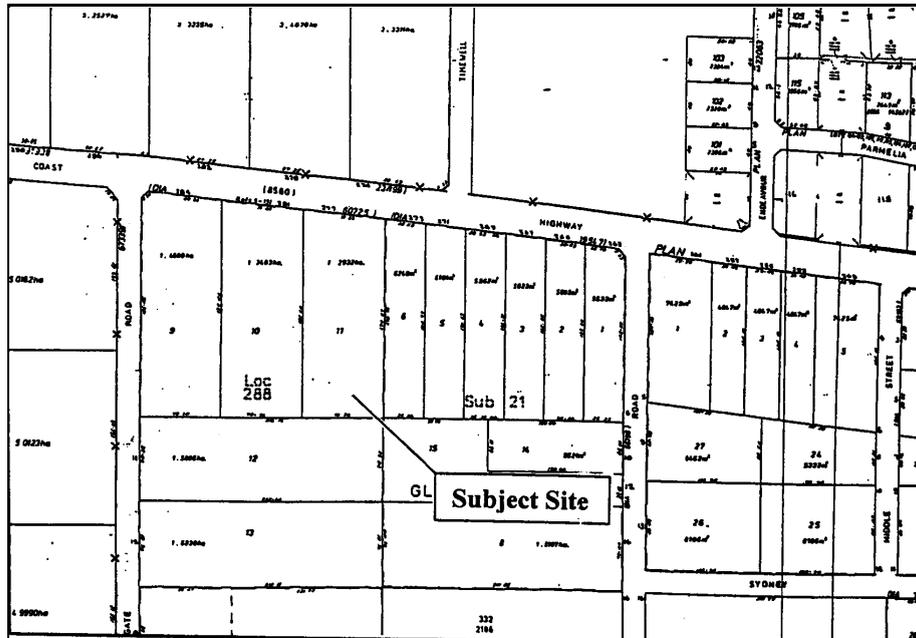
Reporting Officer(s) : Planning Officer (R Hindley)

Disclosure of Interest : Nil

Previous Reference : Nil

Summary Recommendation : Refuse the application on the basis of an undesirable precedent being created.

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

BACKGROUND

1. An application for Planning Scheme Consent (see attached) was received on the 15th May 2002 to develop a ‘Shop – Maternity’ Clothing at Lot 11 (277) South Coast Highway, Gledhow.
2. A building licence has recently been issued for an outbuilding with a floor area of 78m². It is proposed that the ‘Shop – Maternity Clothing’ occupy this outbuilding.
3. The subject site, Lot 11 (277) South Coast Highway, is zoned ‘Rural’ and comprises approximately 1.2932ha. The site is predominately cleared with a nursery currently operating from the site.
4. The application was advertised in a local newspaper (The Weekender) appearing once on the 23rd May 2002. The advertising period ended on the 30th May 2002.
5. No comments were received in response to advertising the application.

STATUTORY REQUIREMENTS

6. Under the provisions of Town Planning Scheme No. 3 the use ‘Shop’ is an ‘A’ use which states that a use is not permitted unless approval is granted by the Council.
7. Table III – Car Parking Spaces, as contained within Scheme No. 3, requires that one parking bay for every 20m² of floor space is provided for a shop or showroom.

POLICY IMPLICATIONS

8. One of the key principles of the Commercial Strategy Review was the careful allocation of new retail floor space in designated centres, business zones and specialised centres to maximise economic and social benefits. Permitting a Shop in a ‘Rural’ zone could be considered contrary to this principle.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

10. The proposal would set a precedent for the location of commercial activities in rural areas surrounding the existing urban front, contrary to the intent of the Commercial Strategy.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

COMMENT/DISCUSSION

11. The applicant provided a letter justifying the proposed use (see attached); the key points raised were:
 - Existing commercial activity on site;
 - Unviable rents in Central Area;
 - The use will only open 2 days a week; and
 - The shop will provide goods currently not available within the region.
12. Council cannot consider arguments of commercial viability under its Town Planning Schemes.
13. The proposed shop is of a small scale and is to be restricted to one group of items. The shop is to be located on a site that already is used for commercial activity, utilising its access and parking arrangements.
14. The proposed shop will require four parking bays to be provided to satisfy the requirements of the Scheme. It is proposed that these bays are to be located in proximity to the proposed use and are clearly identified for the use of the shop.
15. Due to the small area occupied by the proposed ‘Shop – Maternity Clothing’ it is likely the proposed development will have a negligible impact on the amenity of the area.
16. Nurseries, and more particularly a Garden Centre, are uses that can be considered on a Rural zoned site.
17. Whist no objections were received from surrounding landowners, it should be noted that the provisions that apply to a ‘Shop’ allow a wide range of goods to be retailed on the site with no restrictions on types of goods offered or trading hours. The definition of ‘Shop’ creates the potential for a significant increase in the intensity of the proposed use.
18. The location of a ‘Shop’ on the subject site would be contrary to the principle of locating retail activity on sites within the Central area, Commercial and Local Shopping zones.

RECOMMENDATION

THAT Council resolves to refuse the application for a ‘Shop – Maternity Clothing’ on Lot 11 (277) South Coast Highway, Gledhow as the proposal would set an undesirable precedent for the location of a shop in an inappropriate area.

Voting Requirement Simple Majority

.....

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR EVERS**

THAT Council resolves to grant a conditional Planning Scheme Consent for the application to develop a ‘Shop – Maternity Clothing’ on Lot 11 (277) South Coast Highway, Gledhow.

MOTION CARRIED 12-2

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR EVERS**

THAT Council delegate to the Executive Director Development Services authority to issue a conditional Planning Scheme Consent for a ‘Shop – Maternity Clothing’ on Lot 11 (277) South Coast Highway, Gledhow and that the following matters be included in the conditional approval:

- i) The ‘Shop’ is to be physically separated from other activities conducted on the site and is to be capable of being operated and secured independently of other activities.**
- ii) The ‘Shop’ is to operate a maximum of two days per week and those days are to be signposted on the site.**
- iii) Retail selling from the ‘Shop’ is to be restricted to Maternity Clothing.**

**MOTION CARRIED 11-3
ABSOLUTE MAJORITY**

Reason:

The applicants have indicated that they will be supplying a range of goods currently not available in the region if permitted to open the shop, by only allowing the business to operate two days per week the impact upon the locality should be minimal and there is already business activity conducted on the premises in the form of a garden centre.

DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued

CITY OF ALBANY - RECEIVED RECORDS OFFICE 22 MAY 2002		CITY OF ALBANY 22 MAY 2002	
FILE NO. 051019	CORRO NO.	277 South Coast Highway, Albany Western Australia 6330 Phone (98) 41 8095	
CC	ATTACHMENTS	RECEPTION 22 May 2002	

6 VSC 225014

Barrett's
Seed Nursery

To *Mr Mayor, Mr Alison Goode and Councilors.*
City of Albany.

I am writing to request permission to make and sell new and second hand maternity cloths at the nursery.

Because maternity cloths are not an essential service requiring 5 1/2 day week I planned to open 2 days each week. This would be a great saving for the girls who have to travel to make their purchases as there is not an outlet for maternity cloths in Albany.

originally I had planned to run the business from home but that was not possible because of zoning. I thought that making the cloths available at the nursery would not be a problem so have purchased stock and arranged supplies.

I have spoken to related retailers in Albany and they have all been very encouraging so will not be competing with them.

Due to the high rents in C.B.D. and surrounding area the business would not be viable due to limited trade.

Traffic should not increase noticeably so will not disturb the neighbours as we already run a plantnursery parking is adequate at the site.

I look forward to your favourable consideration.

Kind regards
Gene Dick

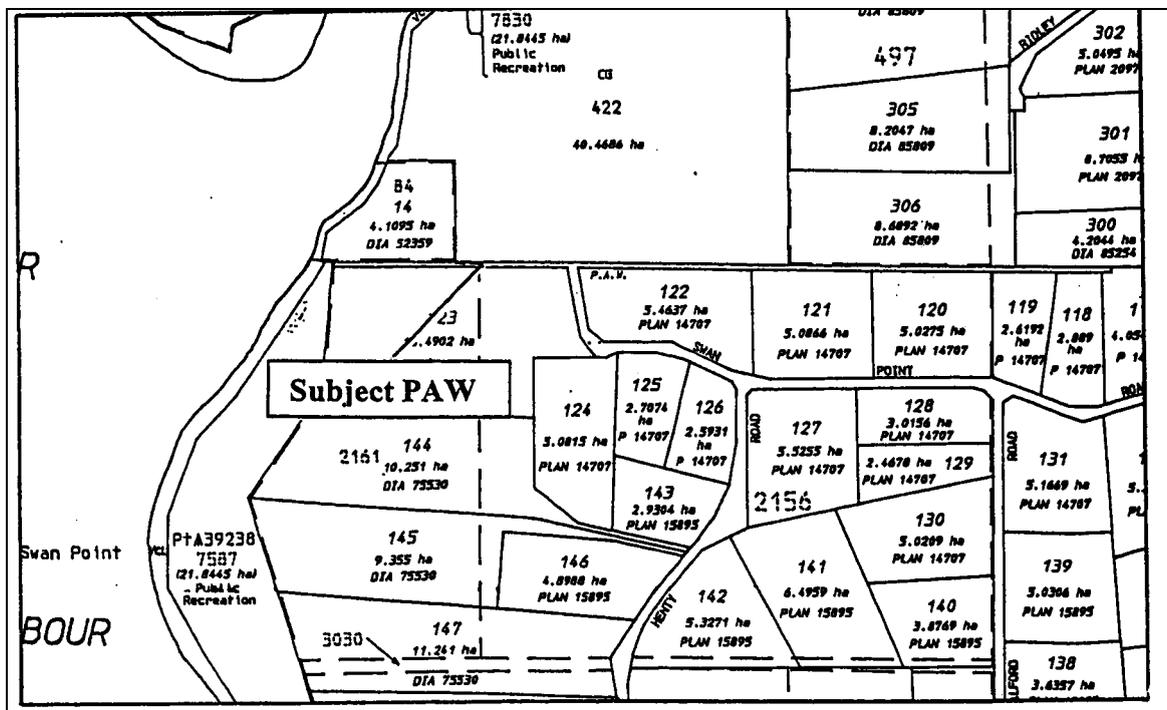
Residential Address:
75 Seymour St, Albany
Western Australia 6330.
Phone (98) 41 5670

CITY OF ALBANY
22 MAY 2002
RECEPTION

DEVELOPMENT SERVICES REPORTS

11.1.2 Road Dedication – PAW Adjoining Lot 14 Swan Point Road, Kalgan

File/Ward	:	SER086 (Kalgan Ward)
Proposal/Issue	:	Resolution to Declare Underwidth Road
Subject Land/Locality	:	Pedestrian Access Way shown on Plan 14707
Proponent	:	TO Saggers
Owner	:	Crown
Reporting Officer(s)	:	Planning Officer (R Hindley)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Dedicate Pedestrian Access Way (PAW) as a public road reserve.
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

BACKGROUND

1. Lot 14 Swan Point Road is land-locked, with there being no legal road frontage and thus prohibiting any development on the block. A 10m wide Pedestrian Access Way (PAW) runs from Swan Point Road through to reserve 39238.
2. In order to provide legal road frontage to Lot 14 Swan Point Road a 4.5m wide portion of the PAW needs to be dedicated as a public road reserve.

STATUTORY REQUIREMENTS

3. The process to dedicate a public road is contained in the Land Administration Act 1997 (as amended) and the Land Administration Regulations 1998 (as amended).
4. 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

5. There are no policy implications relating to this item

FINANCIAL IMPLICATIONS

6. There are no financial implications for this item. All costs associated with constructing and maintaining the road will be borne by the proponent.

STRATEGIC IMPLICATIONS

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

COMMENT/DISCUSSION

8. The PAW is currently not utilised, with sections of the track being blocked by native and introduced vegetation.
9. The proposal was referred to Council’s Works and Services section and the following comments were made:
 - Minimum width 4.5m;
 - The owner would be responsible for clearing the land and constructing the road with compacted gravel; and
 - The owner is to be responsible for all maintenance.
10. The proposed access is the only viable option for providing road frontage to Lot 14 Swan Point Road. Without the road frontage, the lot would be undevelopable.

DEVELOPMENT SERVICES REPORTS

Item 11.1.2 continued

11. 5.5m of the existing 10m wide PAW is to be retained as a PAW and utilised as a bridle track.
12. Arrangements will need to be made to prevent conflict between the PAW and the proposed road.
13. On Council’s resolution, the proposal will be forwarded to the Department for Planning and Infrastructure for comment and then sent to the Department of Land Administration for the dedication process to be finalised. The Minister for Lands would then need to sign off on the dedication.
14. The access proposed will limit the intensity of development on the site to a single dwelling and other pursuits as permitted under the Scheme.

RECOMMENDATION

THAT Council resolves to dedicate a 4.5m wide portion of the PAW shown on Plan of Survey 14707 as a public road reserve, pursuant to Section 56 of the Land Administration Act 1997 (as amended) and subject to:

- (i) the proponent (the owners of Lot 14 on Diagram of Survey 52359) being responsible for the construction and maintenance of the underwidth road; and
- (ii) arrangements being put in place to prevent conflict between users of the PAW and the underwidth road.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR SANKEY**

THAT:

- (i) **the request to dedicate a 4.5m wide portion of the PAW shown on Plan of Survey 14707 as a public road reserve be referred to the adjoining landowners and they be provided a period of 21 days within which to comment to Council on the proposal.**
- (ii) **Council lay the application on the table for one month to dedicate a 4.5m wide portion of the PAW shown on Plan of Survey 14707 as a public road reserve.**

MOTION CARRIED 14-0

DEVELOPMENT SERVICES REPORTS

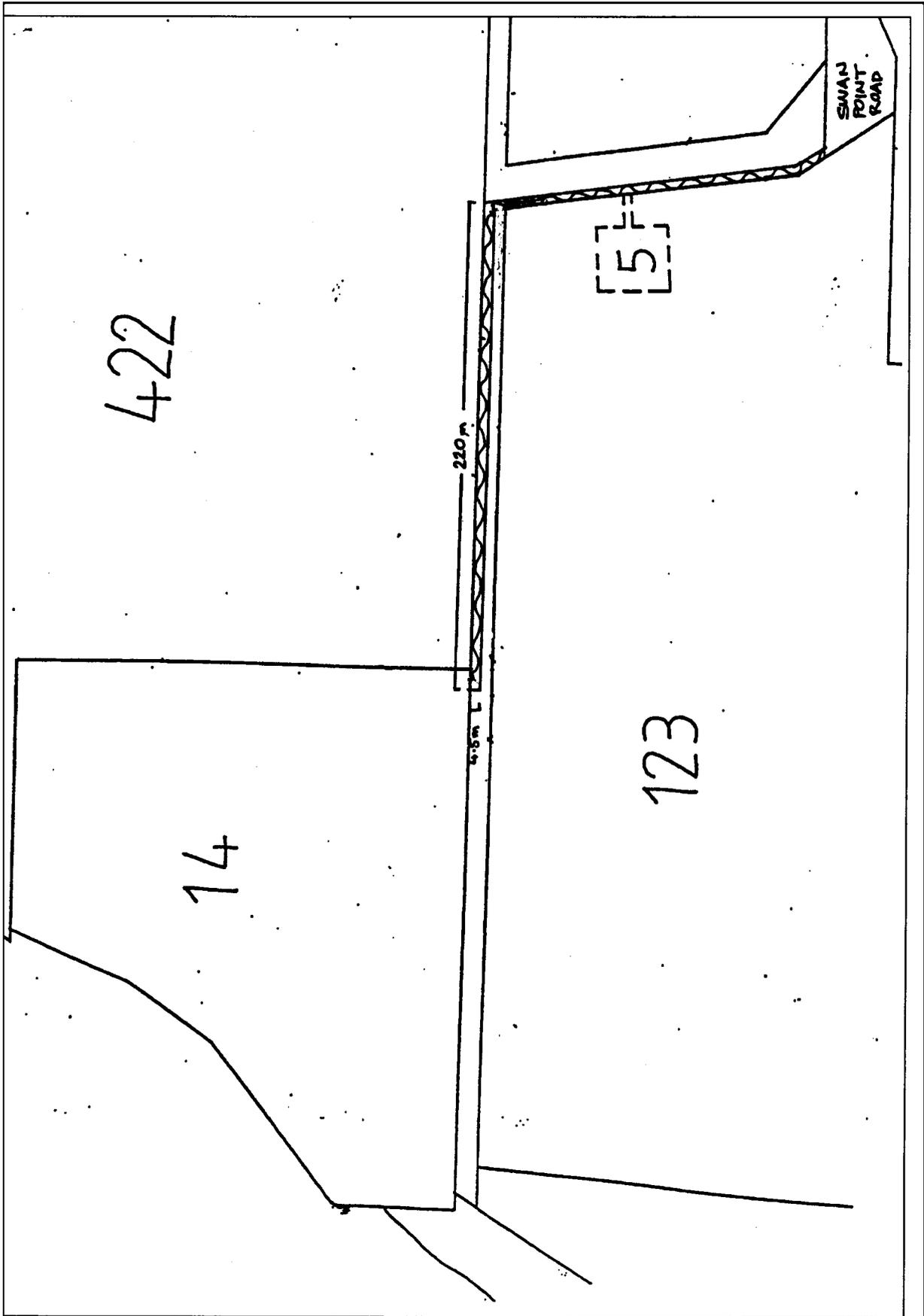
Item 11.1.2 continued.

Reason:

Adjoining landowners have not been contacted and need to be made aware of the proposal and given the opportunity to comment. By laying the application on the table, time will be made available to allow staff to report to Council on both the practicality of constructing the access and also to provide advice on a mechanism to secure the on-going maintenance of the driveway by the landowner, not ratepayers.

ORDINARY COUNCIL MEETING MINUTES – 18/06/02
** REFER DISCLAIMER **
DEVELOPMENT SERVICES REPORTS

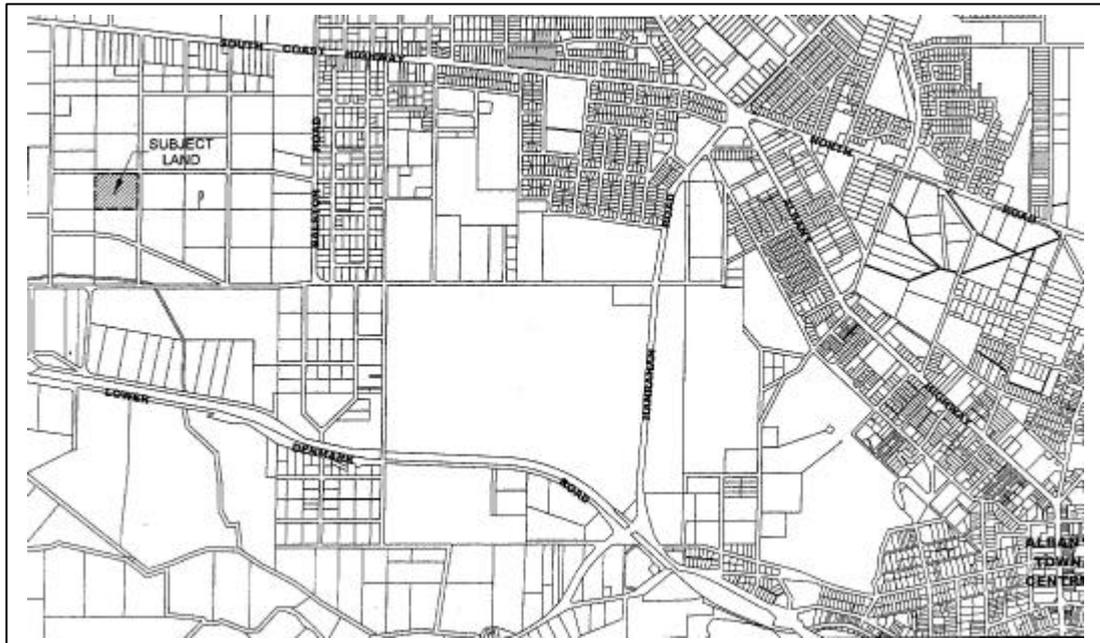
Item 11.1.2 continued



DEVELOPMENT SERVICES REPORTS

11.1.3 Final Approval for Amendment – Lot 126 Bottlebrush Road, Gledhow

File/Ward	:	A6141A/AMD169 – Scheme 3 (West Ward)
Proposal/Issue	:	Request for Final Approval to Rezoning
Subject Land/Locality	:	Lot 126 Bottlebrush Rd, Gledhow
Proponent	:	Ayton Taylor Burrell
Owner	:	RJ & SR Lange
Reporting Officer(s)	:	Planning Officer (P Steele)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 19/02/02 Item 11.1.9 OCM 21/08/01 Item 11.1.9 OCM 02/04/98 Item 13.3.1 OCM 02/07/97 Item 13.3.1
Summary Recommendation	:	Grant Final Approval with Modifications
Locality Plan	:	



DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

BACKGROUND

1. At the ordinary meeting of Council on 19 February 2002, Council resolved that:

“in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended), resolves to amend the City of Albany Town Planning Scheme No. 3 by rezoning Lot 126 Bottlebrush Road, Gledhow from “Rural” to “Special Rural”.

2. Amendment 169 to Town Planning Scheme No 3 was initiated at the ordinary meeting of Council on 19 February 2002 and has been advertised for public inspection and comment. The amendment proposes to rezone Lot 126 Bottlebrush Road from the “Rural” zone to a “Special Rural” zone.
3. The amendment was assessed by the Environmental Protection Authority (EPA) as “Scheme Not Assessed ” and was advertised for public inspection until 6 June 2002.
4. At the close of the advertising period seven (7) submissions had been received.

STATUTORY REQUIREMENTS

5. Section 7 of the Town Planning and Development Act provides the mechanism for a town-planning scheme to be amended. Council must resolve to initiate a scheme amendment and then place the amending documents on public display. Council must consider any comments received and then make a recommendation to the Minister for Planning and Infrastructure on the course of action Council wishes to pursue (this is where this application currently sits in the process). Council can seek to progress the amendment without change, it can modify the amending documents to reflect the submissions received or it can recommend that the rezoning not proceed.
6. If Council resolves to decline to proceed with the rezoning or to grant final approval to the amendment, with or without modifications, the documents are then referred to the Minister for Planning and Infrastructure. The Minister can accept Council’s recommendation or she can require her own modifications to the documents prior to them being gazetted and coming into force. The Minister can also decline to withdraw from the rezoning if she considers Council’s decision is not consistent with orderly planning.

POLICY IMPLICATIONS

7. There are various policies and strategies that have relevance to this proposal and they include:
 - Statement of Planning Policy No. 8 (SPP8)
 - Albany Regional Plan 1994
 - City of Albany Local Rural Strategy (1996)
 - Albany Local Planning Strategy (in preparation)

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

8. The City of Albany Local Rural Strategy includes the subject land within Princess Royal Harbour 1 policy area. The policy statement for that area states:

“Following consultation with landowners, Council will rezone the area to ‘Rural Residential’ or ‘Special Residential’ in accordance with existing lot sizes and incorporate appropriate zoning provisions based on the constraints and land management needs identified below. Council will assess the potential of larger lots in the area to create additional ‘Rural Residential’ lots.”

9. Within the policy area, a number of identified constraints and land management needs were identified. They are focused upon the unsealed roads in the locality, the land being located within a visually prominent area, some lots having low land capability for housing development, the need to protect remnant vegetation, the presence of an industrial area in the southern portion of the policy area, there was a need to consider the future Ring Road alignment and the policy document should produce structure planning which fostered sensitive and well planned development.

FINANCIAL IMPLICATIONS

10. There are no financial implications in relation to this rezoning, the developer would be required to contribute to the upgrading of the existing road network in accordance with Council’s requirements.

STRATEGIC PLAN IMPLICATIONS

11. Work on selecting a suitable alignment for the Albany Ring Road has centred around three potential options for the section between Albany Highway and Hanrahan Road. Option 1 was referred to as the ‘Harrogate Road’ alignment and this option was abandoned in 1998; it could not demonstrate that it would service the long term transport needs and it had a substantial impact upon development potential to the west of Albany. The second alignment was the ‘Link Road/George Street/Lower Denmark Road’ option, which has been endorsed by the City of Albany and the Ring Road Steering Committee as the preferred alignment. The other option was the ‘Five Mile Creek/Lower Denmark Road’ option, which was the most western solution. The subject land is only affected by the Harrogate Road proposal and all planning agencies have removed any objection to development alongside the planned alignment.
12. From a strategic viewpoint, it would be desirable to have comprehensive structure planning in place over the Gledhow growth area before individual applications are considered, however comprehensive structure planning is unlikely to be completed within the next 2-3 years. The subject land is not affected by broader strategic planning decisions or documents.

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

COMMENT/DISCUSSION

- 13. At the close of advertising the Amendment on 6 January 2002, eight (8) submissions had been received. As required by the Town Planning Regulations 1967, a Schedule of Submissions and recommendations has been prepared and is attached to this report.
- 14. Whilst the majority of the submissions were from Government Agencies, they highlight the need for additional clarity to be incorporated into the scheme document on setbacks and vegetation protection.

RECOMMENDATION

THAT Council under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928, (as amended), hereby amends the Town Planning Scheme by:

- i) rezoning Gledhow Lot 126 Bottlebrush Road, Gledhow from the Rural zone to the Special Rural zone;
- ii) amend the Scheme Maps accordingly; and
- iii) introducing into Schedule 1. – Special Rural Zones, Special Rural Zone Area No. 32 being Gledhow Lot 126 Bottlebrush Road Gledhow, subject to the amending documents being modified as detailed in the recommendations contained at submissions 6 and 7 of the Schedule of Submissions.

AND

THAT the Schedule of Submissions be received and the submissions be Noted, Dismissed and Modified as detailed in the Schedule.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EVERS**

THAT Council under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928, (as amended), hereby amends the Town Planning Scheme by:

- i) rezoning Gledhow Lot 126 Bottlebrush Road, Gledhow from the Rural zone to the Special Rural zone;**
- ii) amend the Scheme Maps accordingly; and**
- iii) introducing into Schedule 1. – Special Rural Zones, Special Rural Zone Area No. 32 being Gledhow Lot 126 Bottlebrush Road Gledhow, subject to the amending documents being modified as detailed in the recommendations contained at submissions 6 to 8 of the Schedule of Submissions.**

Contd...

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

AND

THAT the Schedule of Submissions be received and the submissions be Noted, Dismissed and Modified as detailed in the Schedule.

MOTION CARRIED 14-0

DEVELOPMENT SERVICES REPORTS

Item 11.1.3 continued

Town Planning & Development Act 1928

Town Planning Scheme No. 3

Proposed Amendment No. 169

Schedule of Submissions

Sub. No.	Ratepayer/ Resident or Agency	Submission	Comment	Recommendation
1.	AlintaGas	No objection	No Comment	Noted
2.	Water Corporation	No objection	No Comment	Noted
3.	K Sunjevaric	No objection	No Comment	Noted
4.	P Eades	Objects on the grounds that: (a) Additional traffic; (b) Increase impacts due to 'dogs, cats, parties, etc'.	This proposal will only create one additional lot and therefore minimal impacts will result.	Dismiss objections
5.	Main Roads	No objection	No Comment	Noted
6.	Water & Rivers Commission	No objection with comments (a) Support Development Exclusion Areas; (b) Requirements for effluent disposal; (c) Remnant vegetation – dwellings should be located to minimise impacts on vegetation.	(b) All lots require alternative effluent disposal systems; (c) Proposed Lot A already contains a dwelling and cannot be further developed, whilst proposed Lot B contains some cleared areas, which are located completely within the development exclusion area. The proposed conditions are sufficient. Modifications are outlined for the submission from the DEP which also address these concerns	Noted and modifications to be made as outlined below.

DEVELOPMENT SERVICES REPORTS

7.	Department of Conservation and Land Management	<p>(a) Possible that <i>Boronia crassipes</i> may occur in the swampy area. This is a Priority 3 species and it is strongly recommended that the plants not be disturbed.</p> <p>(b) Careful consideration given to any alteration to drainage;</p> <p>(c) Valley to be retained;</p> <p>(d) Schedule 1, Section 7.3 is modified.</p>	Inform applicant of the possible existence of <i>Boronia crassipes</i> and modify Schedule 1 Section 7.3 as requested.	Noted and modify Schedule 1 Section 7.3 to read, “Additional tree planting may be required as a condition of development approval – any additional trees planted outside the building’s “low fuel buffer” should be native species from locally sourced seed.”
8.	Department Environmental Protection	<p>Scheme Not Assessed – Advice Given</p> <p>(a) Remnant Vegetation – Guide Plan be amended to specify the location of a building envelope within existing cleared or degraded land;</p> <p>(b) Watercourses – Minimum setback of 10 metres from the edge of riparian vegetation and Lot B is required to have an alternative treatment unit for effluent;</p>	Schedule 1 Section 5.1 and the Development Exclusion Area to be modified and include additional section to address concerns raised.	<p>(a) Modify the Subdivision Guide Plan so that the Development Exclusion Area is extended 50m over the north eastern portion of proposed Lot B and Modify Section 11.0 by identifying existing point as Section 11.1 and adding Section 11.2 that is to read “Access to Lot B shall be via existing track along southern boundary.”</p> <p>(b) Modify Section 5.1 of Schedule 1 to read, “Buildings, tanks and structures shall not be located within the Development Exclusion Area designated on the Subdivision Guide Plan – The exact location shall be a minimum of 10 metres from the edge of the riparian vegetation.”</p>

DEVELOPMENT SERVICES REPORTS

11.1.4 Development Application – Dwelling - Lot 123 Rowney Road, Robinson

File/Ward : A173029 (Vancouver Ward)

Proposal/Issue : Dwelling (Over Height)

Subject Land/Locality : Lot 123 Rowney Road, Robinson

Proponent : Brian Newbold Homes

Owner : R G Stockdale

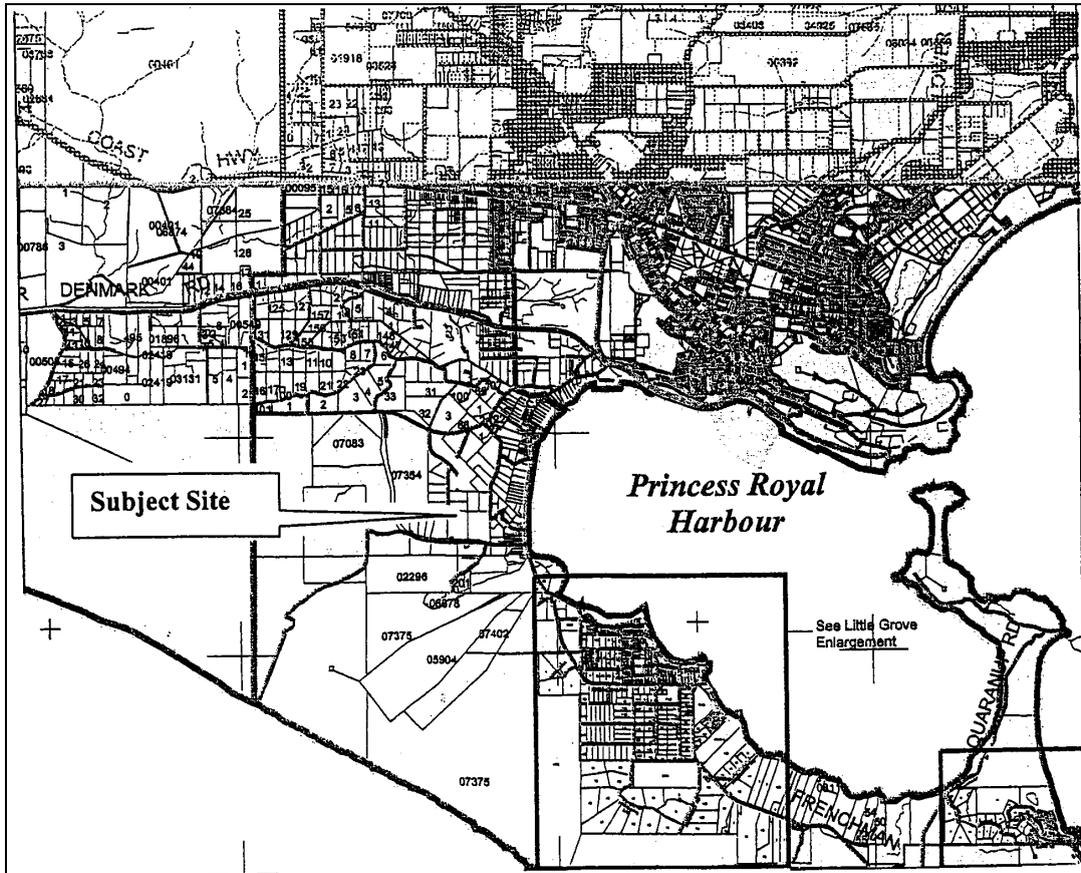
Reporting Officer(s) : Planning Officer (A Nicoll)

Disclosure of Interest : Nil

Previous Reference : Nil

Summary Recommendation : That Council refuse the application.

Locality Plan :



DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

BACKGROUND

1. Council has received an application from Brian Newbold Homes for a double storey dwelling on Lot 123, Rowney Road, Robinson. A copy of the front and side elevation of the proposed dwelling follows this report.
2. The property is 4.3739 hectares in area and is located in the “Special Rural – Area No. 10” Zone. This zone has special provisions in place to control the nature of development, including a building height restriction of 7.5 metres from natural ground level.
3. The proposed dwelling measures 11.5 metres in height to the ridge/gable from natural ground level.
4. The dwelling is located centrally on the lot and complies with all other provisions as required in “Special Rural Area No. 10” provisions.

STATUTORY REQUIREMENTS

5. Section 5.3 (g) of TPS 3 states: *‘any land which is included in a “Special Rural Area” shall be subject to those provisions as may be specifically set out against it’.*
6. In “Special Rural Area No.10”, section 6.2 also states: *‘Dwelling houses and all outbuildings shall not exceed 7.5 metres in height which is measured vertically from the natural ground level.’*

POLICY IMPLICATIONS

7. Within the “Local Rural Strategy” the area is of significant visual sensitivity and as such is located within ‘Visual Management Area A’. As a prerequisite for Council support, a land use proposal located in this area should blend in with the landscape when viewed from public vantage points.

FINANCIAL IMPLICATIONS

8. There are no financial implications relating to Council.

STRATEGIC IMPLICATIONS

9. Approving a dwelling which exceeds 7.5m in height is contradictory to the provisions for “Special Rural Area No 10” and may set a precedent for other dwellings which do not comply with the provisions.

DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued

COMMENT/DISCUSSION

10. The dwelling has been designed to depict the character of an ‘American Manor House’. The high-pitched roof extends 11.5m above natural ground level, 4m higher than the maximum height permitted within this “Special Rural Area”. Major design elements for this style of building are:
 - Double storey;
 - High pitched roofing;
 - Gable ends with A-Frame windows;
 - Georgian Face Brickwork and
 - Slate grey roofing.
11. Council staff has visited the subject property and believe that the proposed development site is strategically positioned to minimise visual impacts to surrounding properties, the Albany townsite and Frenchman Bay Road.
12. The building site is relatively low lying, as it is located at the base of an incline, with large stands of vegetation situated on top of the incline and running along the front of the lot adjacent to Rowney Road.
13. On the subject lot and in the position proposed, the dwelling (‘American Manor House’), standing 11.5m high from natural ground level, is unlikely to detrimentally impact on the landscape or detract from public vantage points.
14. However, granting approval to a dwelling, which contravenes provisions for development in a “Special Rural Area” to the extent proposed, is likely to set a precedent for other land uses that do not comply with the provisions of the Scheme.

RECOMMENDATION

THAT Council issue a Notice of Planning Scheme Refusal for the application lodged by RG Stockdale upon Lot 123 Rowney Road, Robinson, because the proposed dwelling exceeds the maximum height for ‘dwellings’ as stipulated in the provisions for “Special Rural Area No.10” section 6.2.

Voting Required Simple Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.1.4 continued.

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WILLIAMS**

THAT Council issue a conditional notice of Planning Scheme Consent for the application lodged by RG Stockdale to construct a dwelling upon Lot 123 Rowney Road, Robinson in excess of the maximum height stipulated in Section 6.2 of the special provisions for Special Rural Area Number 10.

MOTION CARRIED 14-0

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WILLIAMS**

THAT Council delegate to the Executive Director Development Services authority to issue a conditional Planning Scheme Consent to construct a dwelling upon Lot 123 Rowney Road, Robinson and that the following be included in the conditional approval:

The vegetation on the ridge to the rear of the dwelling is to be retained and individual trees are to be replaced if they die or become diseased.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

Reason:

During a site inspection it was noted that the overall roof level of the proposed building will be similar to the dwelling on the adjoining lot, due to the positioning of the building in a gully, and it will not be exposed within the landscape due to the topography of the area and the level of vegetation cover on the ridgelines surrounding the site.

DEVELOPMENT SERVICES REPORTS

11.2 INSPECTION SERVICES

11.2.1 Strategic Bushfire Plan 2000–2005 – Plant Purchase

File/Ward	:	SER042 (All Wards)
Proposal/Issue	:	Purchase of fire equipment
Subject Land/Locality	:	City of Albany
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 05/06/01 - Item 11.2.1
Summary Recommendation	:	Council support the early purchase of fire fighting equipment.
Locality Plan	:	N/A

BACKGROUND

1. At its meeting on 5th June 2001, Council adopted the Strategic Bushfire Plan 2000 – 2005 as its strategic planning tool to manage the operation of the City’s Volunteer Bushfire Brigade into the future. Included within the Strategy, memorandums of understanding were developed between the Council and the Volunteer Bushfire Brigades to ensure that Brigade members acted in the best interests of the Albany community and the City of Albany maintained an appropriate level of funding for bushfire operations.

STATUTORY REQUIREMENTS

2. Under the Bushfires Act 1954, the City has both a responsibility and a duty of care to provide an acceptable standard of fire protection for the community of the City of Albany.
3. Further more Section 5.43 of the Local Government Act states as follows:-
‘Limits on delegations to CEO’s
A local government cannot delegate to a CEO any of the following powers or duties:-
 - a) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

- b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- c) appointing an auditor;*
- d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- e) any of the local government's powers under section 5.98, 5.99 or 5.100;*
- f) borrowing money on behalf of the local government;*
- g) hearing or determining an objections of a kind referred to in section 9.5;*
- h) any power or duty that requires the approval of the Minister or the Governor; or*
such power or duties as may be prescribed.

POLICY IMPLICATIONS

- 4. Within the Strategy, a vehicle replacement/purchase policy has been included which requires that no truck be over 20 years of age at the time of replacement, and that no fast attack be over the age of 10 years. Also, the Strategy identified the vehicles required within Council's bushfire fleet to ensure the safety and welfare of Volunteer Bushfire Brigade members.
- 5. The Strategy, at Appendix 6, identifies that in the 2002/03 financial year two trucks and one fast attack will be purchased.

FINANCIAL IMPLICATIONS

- 6. When Council adopted the Strategic Plan, it was acknowledged that it would take approximately six (6) years to achieve the required policy objectives outlined in the Strategic Plan. The Strategy envisaged an annual expenditure of approximately \$200,000 with the cost being relevant to the year 2001 only. Those figures provide for a one-half contribution to a FESA funded new appliance, or the purchase of a good quality used vehicle if FESA funding could not be secured.
- 7. In the 2002/03 financial year, it is planned to replace the 1970 International C1600 truck stationed at Young Siding, which is a petrol vehicle and whose parts are becoming more difficult to source. A new vehicle is to be purchased for the Gnowellen Bushfire Brigade to increase the number of vehicles available for fire fighting in the eastern portion of the City. It is also proposed that this vehicle has additional water carrying capacity to improve its effectiveness.
- 8. The third plant item is a fast attack to replace the 1988 Toyota Land cruiser stationed at Elleker, which is an aging unit with high kilometres.

DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

STRATEGIC IMPLICATIONS

9. The Albany 2020 Charting our Course Strategic Plan lists as one of its major ports of call “*the continual development of Council services and facilities to meet the needs of all stakeholders.*”
10. The City of Albany’s Strategic Bushfire Plan 2000 – 2005, as mentioned in paragraph one (1), was also formally adopted by Council on the 5th June 2001.

COMMENT/DISCUSSION

11. The Strategic Bushfire Plan was formulated with the co-operation of the Volunteer Bushfire Brigades and is consistent with the operations of those brigades. The Strategy provides a clear direction for the City of Albany and the Volunteer Bushfire Brigade on plant replacement for a period of ten (10) years; it has also been endorsed by FESA for plant replacement within the City.
12. In June 2001, Council granted delegated authority to the Chief Executive Officer, to place an order for the purchase of vehicles in accordance with the Strategic Bushfire Plan and that action allowed the City of Albany to take advantage of “a quiet time” with the vehicle manufacturers. Not only did the City enjoy early delivery of those vehicles (six weeks instead of nine months) but it also avoided cost escalations during the year. More importantly, the early delivery of the trucks allowed the Volunteer Bushfire Brigade the opportunity to undertake training exercises and conduct preventative burns using the new equipment prior to the fire season. When the vehicles were called upon to respond to wild fires, the volunteers already knew the vehicle’s capability.
13. In the draft 2002/03 Budget, an allocation of \$237,900 has been sought for plant replacement under the Strategic Bushfire Plan. The financial request has been slightly inflated (by \$17,000) to purchase a truck for the Gnowellen Bushfire Brigade, which is capable of carrying 4,000 litres of water, rather than the normal 2,700 litre rural unit. The brigades and FESA have highlighted the need for the additional water carrying capacity within this part of the region; the nearest fire units are located at Wellstead, Manypeaks or South Stirlings.

RECOMMENDATION

THAT Council, subject to FESA confirming in writing that it will part-fund the purchase of a 2,700 litre fire truck for the Young Sidings Brigade, a 600 litre fast attack for the Elleker Brigade and a 4,000 litre fire truck for the Gnowellen Brigade, delegate authority to the Chief Executive Officer to purchase the vehicles, in the 2001/2002 financial year.

Voting Requirement Absolute Majority

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DEVELOPMENT SERVICES REPORTS

Item 11.2.1 continued

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR WOLFE**

THAT Council, subject to FESA confirming in writing that it will part-fund the purchase of a 2,700 litre fire truck for the Young Sidings Brigade, a 600 litre fast attack for the Elleker Brigade and a 4,000 litre fire truck for the Gnowellen Brigade, delegate authority to the Chief Executive Officer to purchase the vehicles, in the 2001/2002 financial year.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

DEVELOPMENT SERVICES REPORTS

11.3 DEVELOPMENT POLICY

11.3.1 Adoption of Policy - Urban Design Guidelines for Ulster Road Aged Persons Unit

- File/Ward** : A96776A/AMD133 (Yakamia Ward)
- Proposal/Issue** : Adoption of Draft Policy – Urban Design Guidelines for Aged Person Accommodation Lots 9, 10, 11 and 70 Ulster Road, Yakamia
- Subject Land/Locality** : Lots 9, 10, 11 and 70 Ulster Road, Yakamia
- Proponent** : City of Albany
- Owner** : City of Albany
- Reporting Officer(s)** : Executive Director of Development Services (R Fenn)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 15/05/01 Item 11.3.1
OCM 16/10/01 Item 11.3.1
OCM 19/02/02 Item 11.1.3
OCM 21/05/02 Item 11.3.2
- Summary Recommendation** : Policy be adopted in accordance with Clause 7.21 of Town Planning Scheme No. 1A.
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

BACKGROUND

1. At the Council meeting held on 21st May 2002, Council resolved to adopt the Draft Urban Design Guidelines for Aged Persons accommodation Lots 9, 10, 11 and 70 Ulster Road, Yakamia, and instructed to staff to advertise the policy for public comment in accordance with Clause 7.21 of Town Planning Scheme 1A.
2. The draft policy has been advertised with submissions being received up until 12 noon on the 18th June 2002. At the time that the agenda item was prepared, no submissions had been received on the draft policy. The applicants had requested that Council consider the matter at its June meeting, if possible, to allow contract obligations to be met.

STATUTORY REQUIREMENTS

3. Clause 7.21 within Town Planning Scheme No. 1A states:

7.21.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme policies relating to parts or all of the Scheme area and relating to one or more of the aspects of the control of development.

7.21.2 A Town Planning Scheme policy shall become operative only after the following procedures have been completed:

- (a) The Council having prepared and having resolved to adopt a draft Town Planning Scheme policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.*
- (b) The Council shall review its draft Town Planning Scheme policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.*
- (c) Following final adoption of a Town Planning Scheme policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.*

POLICY IMPLICATIONS

4. The proposed policy will guide the developers in regard to landscaping of the site, construction of fencing and the location of air conditioners and other elements,

DEVELOPMENT SERVICES REPORTS

Item 11.3.1 continued

which have a potential impact upon the streetscape in the immediate vicinity of the proposed development.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

- 6. The design guidelines, once adopted by Council as a policy, will assist in managing the visual impact associated with aged persons developments by establishing minimum requirements in relation to fence height and the location of aerials and air conditioning units; all items which have an impact upon visual amenity in a locality, particularly where the proposed development is at slightly higher density than adjoining residential density.

COMMENT/DISCUSSION

- 7. Staff will table any submissions received on the draft policy at the Council meeting. If no submissions are received, then staff submits the following recommendation for Council’s determination.

RECOMMENDATION

THAT Council adopt as a policy the Urban Design Guidelines for Aged Persons Accommodation Lots 9, 10, 11 and 70 Ulster Road, Yakamia, in accordance with Clause 7.21 of the City of Albany Town Planning Scheme 1A and that a notice to that effect be published pursuant to Clause 7.21.2(c) of Town Planning Scheme 1A.

Voting Requirement Simply Majority

.....

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR BOJCUN**

THAT Council adopt as a policy the Urban Design Guidelines for Aged Persons Accommodation Lots 9, 10, 11 and 70 Ulster Road, Yakamia, in accordance with Clause 7.21 of the City of Albany Town Planning Scheme 1A and that a notice to that effect be published pursuant to Clause 7.21.2(c) of Town Planning Scheme 1A.

MOTION CARRIED 14-0

The Executive Director of Development Services advised that no submissions had been received.

DEVELOPMENT SERVICES REPORTS

11.3.2 Fee Structure – Town Planning Scheme Matters

File/Ward	:	MAN043 (All Wards)
Proposal/Issue	:	Propose new schedule of Town Planning fees.
Subject Land/Locality	:	Entire district.
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Development Services (R Fenn)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Council review Town Planning fee structure.
Locality Plan	:	N/A

BACKGROUND

1. The fee structure for planning applications was adjusted by Council approximately three (3) years ago to provide some recognition of the various levels of complexity that individual planning applications could contain. The result of that review was a sliding scale of fees, based upon the value of the proposed work and the type of land use. Following this report is a copy of the adopted Fee Schedule for town planning and building matters from the 2001/02 budget.
2. On 19th December 2000, the State Government introduced the Town Planning (Local Government Planning Fees) Regulations 2000 which prescribed the maximum fee that a local government may charge for a range of planning services. The maximum fixed fees are detailed in Schedule 1 of those Regulations and an extract from Schedule 1 also follows this report.

STATUTORY REQUIREMENTS

3. Section 6.16 of the Local Government Act 1995 states:

“(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

- (2) *Fees and charges are to be imposed when adopting the annual budget but may be –*
- a) imposed during a financial year, and*
 - b) amended from time to time during a financial year.”*

4. The Town Planning (Local Government Planning Fees) Regulations 2000 also states:

“4.1 A local government may impose a fee in respect of the following services provided by the local government –

- a) determination of a development application*
- b) provision of a sub-division clearance*
- c) determination of an application for a home occupation approval*
- d) determination of an application for a change of use or for a change or continuation of a non-conforming use*
- e) provision of a zoning certificate*
- f) a reply to a property settlement questionnaire*
- g) written planning advice*
- h) services provided by the local government pursuant to a request for a Town Planning Scheme Amendment*
- i) services provided by a local government pursuant to a request for adoption of a Structure Plan provided by the applicant.”*

5. Council’s attention is also drawn to Section 15 of the Town Planning (Local Government Planning Fees) Regulations 2000 which states:

“No later than three (3) years after the coming into operation of these Regulations, each local government is to introduce or adopt performance standards to be met by the local government in relation to the imposition of fees for planning services.”

POLICY IMPLICATIONS

6. There are no policy implications in relation to this item.

FINANCIAL IMPLICATIONS

7. Within the City of Albany’s annual budget, there is an expectation that a certain level of income will be derived for the Development Services Team from applications for planning scheme consent. In the 2001/02 financial year, that income was approximately \$65,000.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

STRATEGIC IMPLICATIONS

8. In the Albany 2020 Charting our Course strategic document, under the Port of Call ... *“The Continual Development of Council Services and Facilities to Meet the Needs of all Stakeholders”*, Council is seeking to support local investment through the professional and expedient delivery of development approval processes and providing guidance which protects Albany’s natural environment, heritage and uniqueness.

COMMENT/DISCUSSION

9. Based upon the 2001/02-fee structure, a comparison of the fees collected for planning and building assessments has been undertaken and the result of that analysis is reproduced in Table 1, which follows this report. An examination of the figures contained within that Table shows that for a building with an approximate value of \$100,000, the building fee can range between \$364 and \$500, yet the fee currently charged to assess the planning application is either \$40 or \$80. The Regulations allow Council to charge a maximum planning fee in that instance of \$230. For a building valued at \$500,000 value, the building fee can range between \$1,820 and \$2,500. Currently the Council is charging a planning fee of \$120 or \$175, notwithstanding that it can charge a fee of \$1,150 under the Regulations.
10. In many instances, the time taken to process a planning application can be equivalent to, or greater than the work taken to issue a building licence. Council is currently not being adequately recompensed for that work.
11. The Town Planning (Local Government Planning Fees) Regulations 2000 establish a maximum fee structure and included in this report, as Table 2, is a range of fee options for Council to consider. The implications of the three options are detailed in the last three columns of Table 1.
12. Regulation 15 requires that Council introduce or adopt performance standards in relation to the imposition of fees for planning services no later than 10th January 2003. Effectively, Council has a period of 7 months within which it must bring its fee structure into conformity with the Regulations. It can do so by adopting a fixed fee below that prescribed in Part 1 of Schedule 1 or by determining the actual cost of delivery of a service in accordance with the methodology outlined in Part 2 of Schedule 1 to the Regulations.
13. The State Government has recently hit the building and development industry with a number of additional fees and charges and it would be inappropriate to introduce massive fee increases for planning applications in the short term. Nonetheless, a review of the planning fee structure is required and staff are recommending that Option 2 in Table 2 be used as the basis for a fee rise, effective 1 January 2003.

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

RECOMMENDATION

THAT:

- (i) pursuant to Section 6.16 of the Local Government Act 1995, the planning fee structure be amended in accordance with Option 2 in Table 2, with the increase in fees taking effect from 1st January 2003, and that builders and developers be advised of the pending fee increase; and
- (ii) during the 2002/03 financial year, Council staff monitor the cost incurred in processing scheme amendments and preparing structure plans pursuant to Parts 2 and 3 of the Town Planning (Local Government Planning Fees) Regulations 2000, with the intention that the fee structure for those services be reviewed as part of the 2003/04 budget deliberations.

Voting Requirement Absolute Majority

.....

Councillor Sankey declared an interest and left the Chambers at 8.14pm. The nature of Councillor Sankey's interest is that her husband is in the building trade.

The Executive Director of Development Services advised that the Tables had been adjusted on Page 49.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BOJCUN**

THAT:

- (i) **pursuant to Section 6.16 of the Local Government Act 1995, the planning fee structure be amended in accordance with Option 2 in Table 2, with the increase in fees taking effect from 1st January 2003, and that builders and developers be advised of the pending fee increase; and**
- (ii) **during the 2002/03 financial year, Council staff monitor the cost incurred in processing scheme amendments and preparing structure plans pursuant to Parts 2 and 3 of the Town Planning (Local Government Planning Fees) Regulations 2000, with the intention that the fee structure for those services be reviewed as part of the 2003/04 budget deliberations.**

**MOTION CARRIED 13-0
ABSOLUTE MAJORITY**

Councillor Sankey returned to the Chambers at 8.15pm.

ORDINARY COUNCIL MEETING MINUTES – 18/06/02

** REFER DISCLAIMER **

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

<u>CITY OF ALBANY BUDGET</u>		
<u>FEES AND CHARGES 2001/2002</u>		
<i>BUILDING</i>		
Housing indemnity insurance search		\$5.00
Indemnity insurance & outstanding rates		\$10.00
Private Swimming Pool Inspections		\$50.00
Building Plans/Searches		\$15.00
Building Licence for new building or alterations or additions to existing buildings:		
Class 1 or 10:		
0.35% of the estimated cost of proposed construction, but not less than		\$40.00
Other classes :		
0.2% of the estimated cost of proposed construction, but not less than		\$40.00
Preliminary Plan:		
0.25% of the fee for the issue of a building licence to carry out the proposed construction described in the plans		
Materials on Street - per month or part of a month for each m2 of area used.		\$1.00
Demolition (per storey)		\$50.00
Building Licence Lists	Yearly	\$60.00
	Monthly	\$6.00
BCITF Levy	> \$10000 estimated value of construction 0.2% of the estimated cost of proposed construction	
Sign Licence Application	Fixed (permanent) signs	\$15.00
	All other (including development) signs	\$5.00
<i>TOWN PLANNING</i>		
Development Approval Dwelling House		
Up to \$ 125,000 est cost of development		\$40.00
Over \$125,000 less than \$200,000 est cost of development:		\$80.00
Over \$ 200,000 est cost of development		\$120.00
Addition/Outbuildings		\$40.00
Change of Use		\$40.00
Grouped/Multiple Dwellings, Commercial & Industrial:		
Up to \$ 200,000 est cost of development		\$80.00
Over \$200,000 est cost of development:		
	0.04% of estimated cost of development	
Home Occupation Application		\$50.00
Ancillary Accommodation & Aged Persons' Dwellings		\$300.00
Subdivision Clearance:	Residential, Industrial, Commercial & Rural (per lot created)	\$50.00
	Special Residential, Special Rural & Conservation (per lot created)	\$50.00
Scheme Amendments/Rezoning		
- on application		\$550.00
- documentation and advertising - minor		\$1,100.00
	- major	\$2,200.00
Advertising	Per advertisement required	By applicant
Sundry	Photocopying of documents, Town Planning Scheme, Car Parking Study, Yakamia Structure Plan (per document)	\$30.00
Base Maps		\$6.00
Zoning Statements		\$40.00
Land Information Service Enquiry		\$25.00
Site/Property Plans		\$6.00

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

19 December 2000]

GOVERNMENT GAZETTE, WA

7253

Town Planning (Local Government Planning Fees) Regulations 2000**Fees for planning services Schedule 1****Schedule 1 — Fees for planning services**

[r. 5(1)]

Part 1 — Maximum fixed fees

Item	Description of planning service	Maximum fee
1	Determination of development application (other than for an extractive industry) where the estimated cost of the development is —	
	(a) not more than \$50 000	\$100
	(b) more than \$50 000 but not more than \$500 000	0.23% of the estimated cost of development
	(c) more than \$500 000 but not more than \$2.5 million	\$1 150 + 0.18% for every \$1 in excess of \$500 000
	(d) more than \$2.5 million but not more than \$5 million	\$4 750 + 0.15% for every \$1 in excess of \$2.5 million
	(e) more than \$5 million but not more than \$21.5 million	\$8 500 + 0.1% for every \$1 in excess of \$5 million
	(f) more than \$21.5 million	\$25 000
2	Determination of development application for an extractive industry	\$500
3	Provision of a subdivision clearance —	
	(a) not more than 5 lots	\$50 per lot
	(b) more than 5 lots but not more than 195 lots	\$50 per lot for the first 5 lots and then \$25 per lot
	(c) more than 195 lots	\$5 000
4	Application for approval of home occupation —	
	(a) initial fee	\$150
	(b) renewal fee	\$50
5	Application for change of use or for change or continuation of a non-conforming use where development is not occurring	\$200

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

Town Planning (Local Government Planning Fees) Regulations 2000

Schedule 1 Fees for planning services

Item	Description of planning service	Maximum fee
6	Issue of zoning certificate	\$50
7	Reply to a property settlement questionnaire	\$50
8	Issue of written planning advice	\$50

Part 2 — Maximum fees: scheme amendments*

Task	Estimated costs				
	Director/ City/ Shire Planner (\$60/hour)	Manager/ Senior Planner (\$45/hour)	Planning Officer (\$25/hour)	Other staff e.g. environmental health officer (2 @ \$25/hour)	Secretary/ administrative clerk (\$20/hour)
1 Preliminaries:					
Preliminary discussions and application registration					
2 Decision to initiate:					
(a) Information and site visit					
(b) Applicant discussion					
(c) Development Control Unit (DCU) meeting					
(d) Action DCU recommendation					
(e) Assessment report and agenda preparation					
MINOR					
MAJOR					

DEVELOPMENT SERVICES REPORTS

Item 11.3.2 continued

Table 1

Comparison of Fees for Building Projects

Project Cost	Building Fee - Domestic	Building Fee - Business	Planning Fee - Domestic	Planning Fee - Business	Max. Fee provided in Regulations	Option 1	Option 2	Option 3
\$	\$	\$	\$	\$	\$	\$	\$	\$
<i>50,000</i>	250	182	<i>40</i>	<i>80</i>	100	<i>40</i>	<i>40</i>	<i>40</i>
<i>100,000</i>	500	364	<i>40</i>	<i>80</i>	230	<i>40</i>	<i>60</i>	<i>80</i>
<i>150,000</i>	750	546	<i>80</i>	<i>80</i>	345	<i>60</i>	<i>90</i>	<i>120</i>
<i>250,000</i>	1250	910	<i>80</i>	<i>87</i>	575	<i>100</i>	<i>150</i>	<i>200</i>
<i>500,000</i>	2500	1,820	<i>120</i>	<i>175</i>	1,150	<i>200</i>	<i>300</i>	<i>400</i>
<i>1 mil</i>	5001	3,638	<i>120</i>	<i>350</i>	2,050	<i>375</i>	<i>550</i>	<i>750</i>
<i>5 mil</i>	25001	18,190	<i>120</i>	<i>1,750</i>	8,500	<i>1,775</i>	<i>2,550</i>	<i>3,550</i>
<i>20 mil</i>	100,036	72,764	<i>120</i>	<i>7,000</i>	23,500	<i>7,025</i>	<i>10,050</i>	<i>14,050</i>
<i>30 mil</i>	150,054	109,145	<i>120</i>	<i>10,500</i>	25,000	<i>7,500</i>	<i>10,800</i>	<i>15,100</i>

Note: *Maximum Fees established by Town Planning (Local Government Planning Fees) Regulations 2000 gazetted 19th December 2000. Council is required to have fees in line with Regulations by 10th January 2003.*

Only dwellings are currently being subjected to Planning Scheme approvals. All domestic projects should be subjected to planning approval.

Table 2

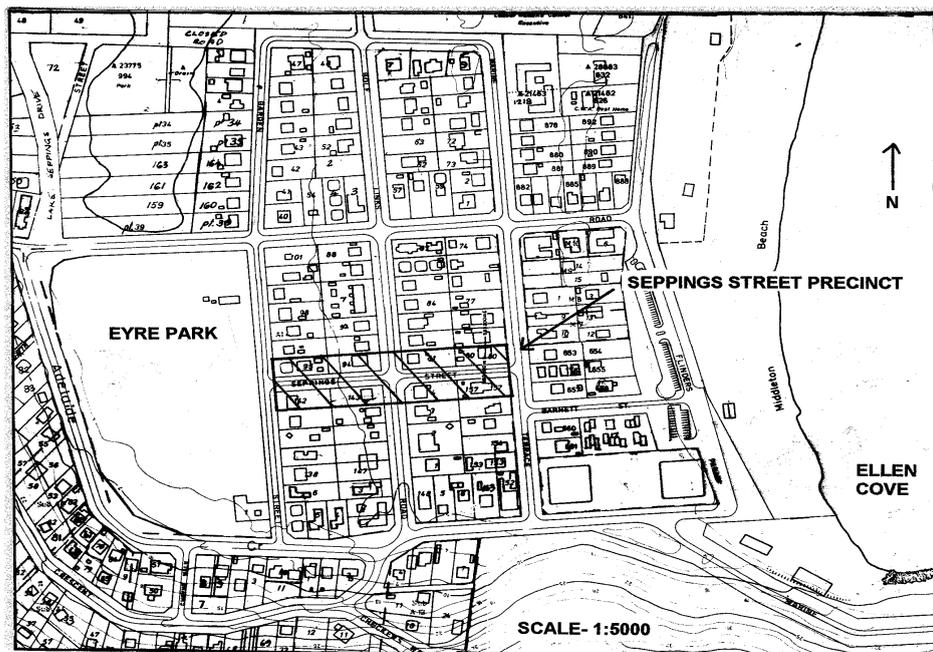
Alternate Fee Proposals

Option	Estimated Cost of Development			
	Less than \$50,000	\$50, to \$500,000	\$500,000 to \$21.5 million	More than \$21.5 million
Option 1	<i>\$40.00</i>	<i>0.04% of the estimated cost of development</i>	<i>\$200 plus 0.035% for every dollar in excess of \$500,000</i>	<i>\$7,500</i>
Option 2	<i>\$40.00</i>	<i>0.06% of the estimated cost of development</i>	<i>\$300 plus 0.05% for every dollar in excess of \$500,000</i>	<i>\$10,800</i>
Option 3	<i>\$40.00</i>	<i>0.08% of the estimated cost of development</i>	<i>\$400 plus 0.07% for every dollar in excess of \$500,000</i>	<i>\$15,100</i>

DEVELOPMENT SERVICES REPORTS

11.3.3 Policy Amendment – Design Guidelines for the Redevelopment of the Seppings Street Precinct

- File/Ward** : STR018 (Frederickstown Ward)
- Proposal/Issue** : Amendment of Policy to clarify development provisions and procedure for adoption of subsidiary management guidelines
- Subject Land/Locality** : Seppings Street, Middleton Beach
- Proponent** : City of Albany
- Owner** : Various
- Reporting Officer(s)** : Planning Officer (R Hindley)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Amendment to policy be advertised in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A.
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

BACKGROUND

1. Seppings Street is an unconstructed, private street that provides an important link between Middleton Beach and Eyre Park. Significant development potential exists for all the lots fronting Seppings Street. Council agreed to increase development densities on the lots by up to 50% provided that an acceptable set of design guidelines were developed. The original guidelines were prepared to meet that requirement.
2. Several new lots have been created invalidating components of the current policy. A draft policy has been prepared to make the provisions consist with the current situation.
3. The draft policy allows for minor changes to be made to the policy to clarify Council's position on site coverage and the incorporation of new design guidelines for Lot 80 (13) Marine Terrace (see attached).

STATUTORY REQUIREMENTS

4. Clause 7.21.2 of Town Planning Scheme No. 1A requires the following procedure to be undertaken to amend a Town Planning Scheme Policy.
 - (a) The Council having prepared and having resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.
 - (b) The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.
 - (c) Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.

POLICY IMPLICATIONS

5. The Design guidelines for the redevelopment of the Seppings Street Precinct is a Town Planning Scheme policy adopted by Council under the provisions of Clause 7.21 of Town Planning Scheme 1A.

FINANCIAL IMPLICATIONS

6. Council is required to advertise the draft policy in a local newspaper for two consecutive weeks at it's own cost.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

STRATEGIC IMPLICATIONS

- 7. There are no strategic implications relating to this item.

COMMENT/DISCUSSION

- 8. The current policy does not clearly state the exemption from site coverage restriction of the R-Codes, the draft policy contains a clause which clarifies this.
- 9. Where a parcel of land is subdivided the design guidelines can loose relevance due to the design of the site. Provision has already been made to create new design guidelines where subdivision occurs but there is no provision to incorporate the new guidelines as part of the existing policy.
- 10. As part of the draft policy it is proposed to adopt alternate guidelines covering the area formerly referred to as Lot 80 Marine Terrace. This amended guideline was created as a result of the subdivision of the aforementioned block.

RECOMMENDATION

THAT Council adopts the ‘Draft Design guidelines for the redevelopment of the Seppings Street Precinct’ and agrees to advertise the policy for public comment in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A.

Voting Requirement Simple Majority

.....

Councillor Walker declared an interest and left the Chambers at 8.15pm.
The nature of Councillor Walker’s interest is that he owns a house one block away from Seppings Street, in close proximity, and any work may affect valuation of his property.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR BOJCUN**

THAT Council adopts the ‘Draft Design guidelines for the redevelopment of the Seppings Street Precinct’ and agrees to advertise the policy for public comment in accordance with Clause 7.21.2 of Town Planning Scheme No. 1A.

MOTION CARRIED 12-1

Councillor Walker returned to the Chambers at 8.16pm.

Item 11.3.3 continued

Draft Town Planning Scheme 1A Policy Design guidelines for the redevelopment of the Seppings Street precinct.

PREAMBLE:

Seppings Street is currently an unconstructed, private street that provides an important link between Middleton Beach and Eyre Park. Significant development potential exists for all the lots fronting Seppings Street. Pressures are increasing for this development potential to be realized.

Council has agreed to increase development densities on the lots by up to 50% provided that an acceptable set of design guidelines is prepared. These guidelines have been prepared to meet that requirement.

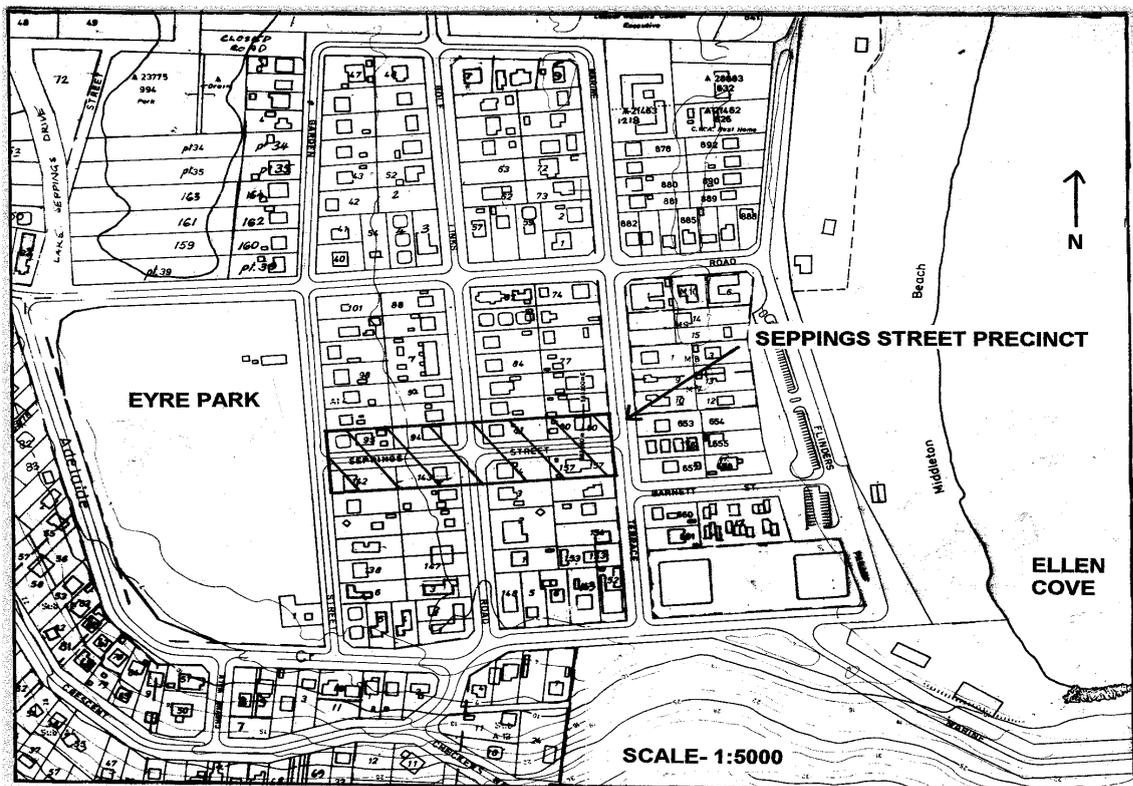
OBJECTIVE:

To co-ordinate development on the lots with frontage to Seppings Street in accordance with AMCORD/Green Street principles such that the area becomes an attractive tourist and residential precinct.

POLICY:

1.0) Policy Area:

This policy relates to what are currently lots 94,95,142,143,80,81,4 and 157 Seppings Street (see below).

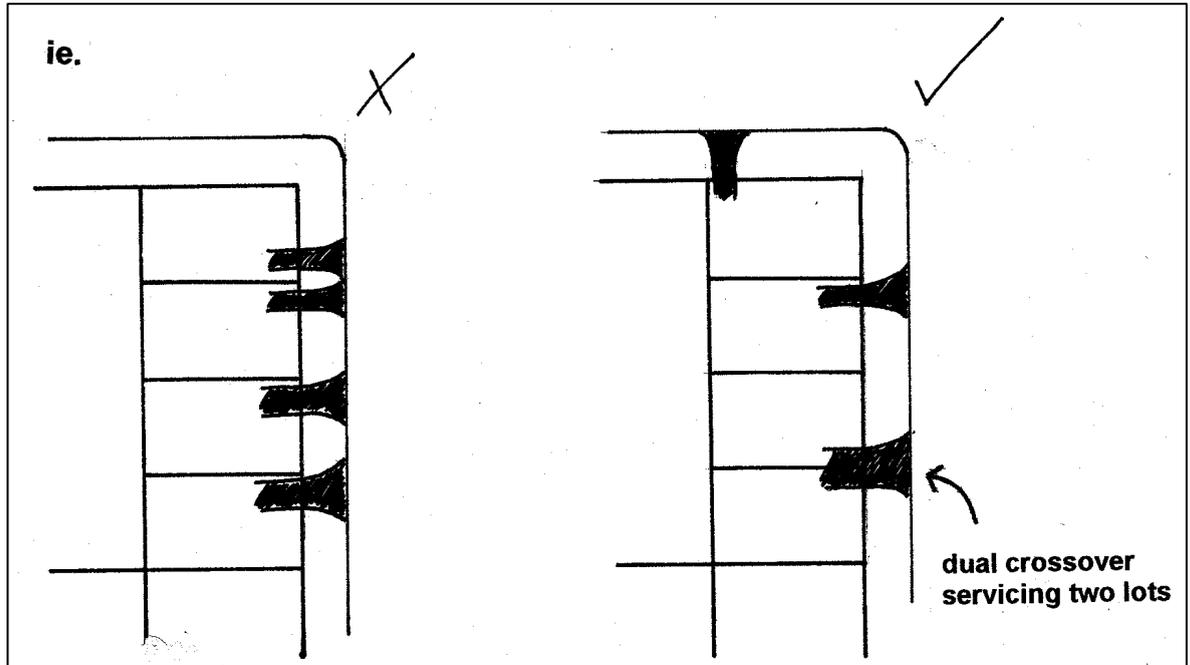


DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

2.0) Vehicular Access/Parking:

2.1 When subdivision to vacant lots takes place crossovers for each lot are to be constructed as a condition of subdivision approval. There are to be no more than two crossovers onto Seppings Street for every 50 metres of road frontage and each crossover is to consist of only a single vehicle width for every lot that it services



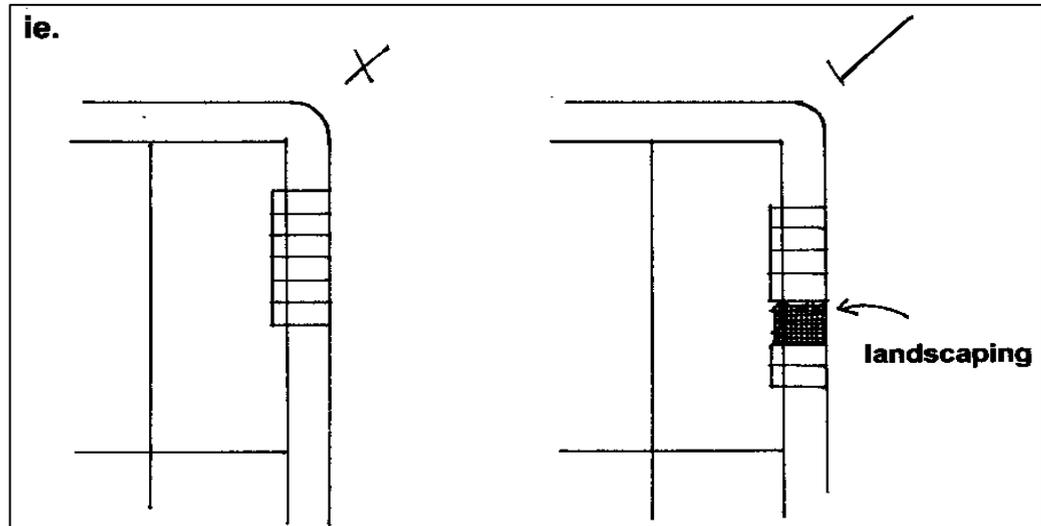
(see below).

- 2.2 Multi-unit development involving carports or garages separately accessed from the street are to be designed using the same principle described above (ie. limit the number of crossover onto Seppings Street).
- 2.3 Carparking can be provided within the Seppings Street verge if it is designed and constructed to Council's satisfaction at the developer's expense.
- 2.4 Carparking constructed within the street verge will be included as part of the carparking requirements for a development but will be considered 'public' and the land will remain under the control of Council.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

- 2.5 Where carparking is constructed in the street verge then no more than four contiguous bays are to be built. Additional bays are to be segregated by an area of landscaping not less than 2.0 metres in width (measured parallel to the pavement).



- 2.6 Carparking areas constructed within the street verge will not be considered “crossovers” subject to 2.1 and 2.2 above.
- 2.7 Carparking requirements shall be calculated on the following basis:-

Type of Development	Carparking Bays
Single residential	2
Group / Multi residential	2 per unit for that first 4 units, 1 per unit thereafter
1 or 2 bedroom holiday accommodation unit	1 per unit
3 or more bedroom holiday accommodation unit	2 per unit for the first unit, 1.5 per unit thereafter
Other	As per Scheme requirements

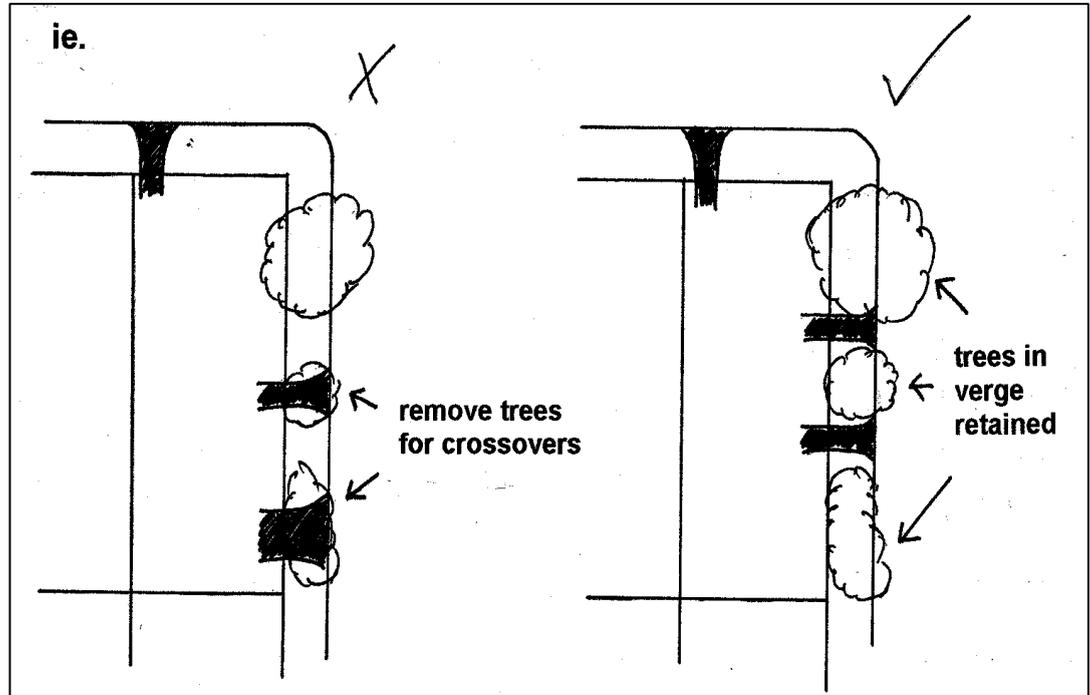
3.0) Landscaping / Vegetation Protection:

- 3.1 Installation and reticulation of landscaping on the lot and/or within the street verge is to be completed by the developer before occupancy of any buildings.
- 3.2 Strategic “mass plantings” of tall (3.0 metres plus), dense vegetation should be used to soften and reduce the visual bulk of developments and break up the visual landscape as a whole. These can be balanced by more open areas consisting of lawn, low shrubs or groundcovers.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

3.3 Where possible, existing vegetation in the verge should be retained. Care should be taken during the design and construction of a development to ensure the preservation of existing street trees. Crossovers should also be positioned to assist in vegetation preservation.



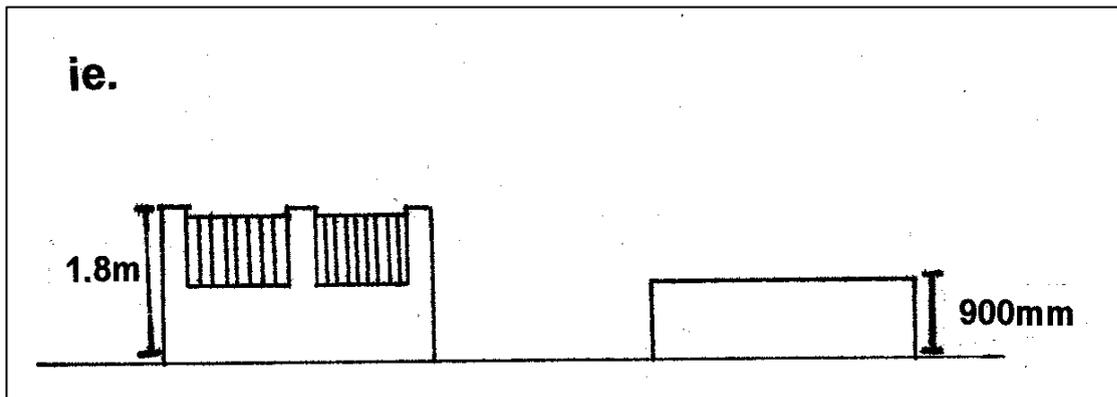
3.4 Landscaped areas on the lot and within the street verge are to be maintained in good condition by the owners and/or occupiers of the development on an ongoing basis.

4.0) Fencing:

4.1 Fencing is to be in a colour and finish compatible with buildings on the site and generally limited to the following materials: rendered masonry, face brick, stone, timber, metal.

4.2 Side and rear fences should not exceed 1.8 metres in height.

4.3 Front fence should not exceed 900mm in height when 'solid' or 1.8 metres in height when 'visually permeable'.



DEVELOPMENT SERVICES REPORTS

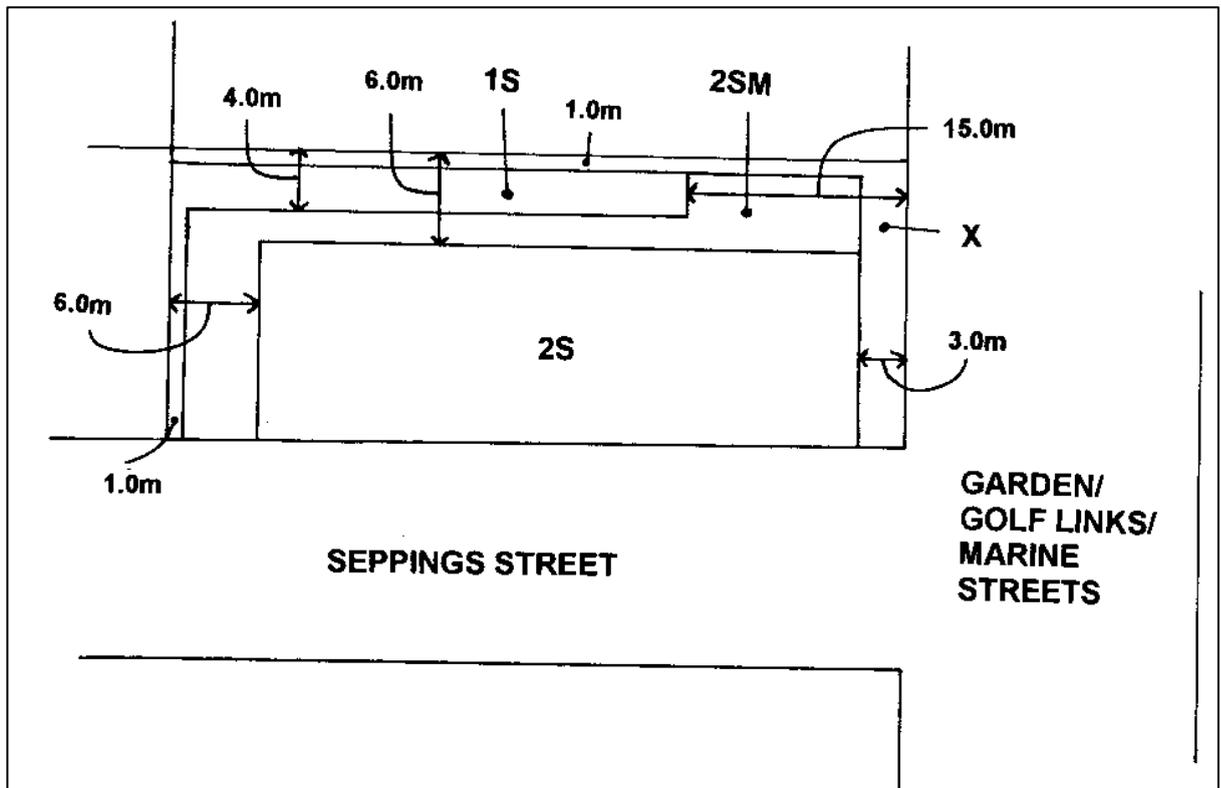
Item 11.3.3 continued

5.0) Building Form and Style:

- 5.1 Buildings are to be simple in style and reflect the built character of Middleton Beach.
- 5.2 Exterior walls should be predominantly light in colour and utilise one or more of the following materials: rendered masonry, face brick, stone, round profile corrugated metal, rammed earth, weatherboard or similar.
- 5.3 Roof materials should generally consist of round profile corrugated metal.
- 5.4 Roof pitches will be in the range of 27° to 37.5° with the exception of skillion or lean-to verandahs or other protrusions.
- 5.5 Adherence to passive solar principles and architectural innovation are both encouraged.
- 5.6 Development is exempt from the site coverage provisions of the R-Codes (as amended).

6.0) Building Height and Setbacks:

- 6.1 Buildings should not exceed two storey's in height (maximum of 7.5 metres from natural ground level to eaves). Loft or roof space can, however, be used as habitable space provided that there is no direct overlooking of entertaining areas on neighbouring properties and the aggregate height of the buildings is not increased.
- 6.2 Buildings are subject to minimum setbacks from lot boundaries in accordance with the diagram below.



- In the area marked “X”, no development can take place.
- In the area marked “1S”, only single storey development can take place.

DEVELOPMENT SERVICES REPORTS

Item 11.3.3 continued

- In the area marked “2SM”, double storey development can occur provided there are no ‘major openings’ within six metres of a side or rear boundary. ‘Major openings’ are as defined in the *Residential Planning Codes of Western Australia*.
- In the area marked “2S” single and double storey development with major openings can occur.

7.0) Subdivision:

When freehold or strata title subdivision to create vacant lots takes place, management guidelines that reflect the concept and principles established in this document are to be prepared. In the case of strata title subdivision these are to be incorporated into the regulations of the strata body.

DEVELOPMENT SERVICES REPORTS

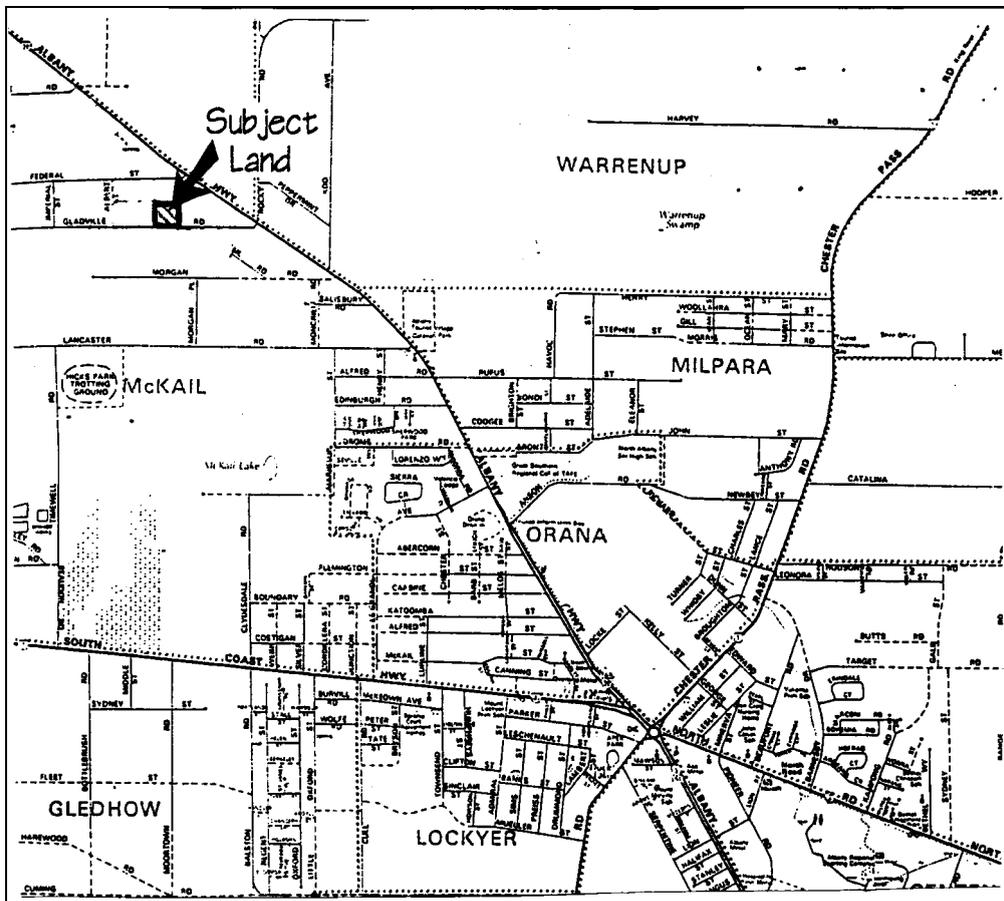
Item 11.3.3 continued

- In the area marked “2SM”, double storey development can occur provided there are no ‘major openings’ within six metres of the side or rear boundary. “Major openings’ area as defined in the *Residential Planning Codes of WA*.
- In the area marked “2S” single and double storey development can occur.

DEVELOPMENT SERVICES REPORTS

11.3.4 Proposed Relaxation of Council’s Outbuilding Policy – Lot 81 Gladville Road, McKail

- File/Ward** : A163694 (West Ward)
- Proposal/Issue** : Proposed over-height outbuilding on vacant special residential lot
- Subject Land/Locality** : Lot 81 (#50-52) Gladville Road, McKail
- Proponent** : Walson Pty Ltd
- Owner** : RM & SM Puls
- Reporting Officer(s)** : Planning Officer (G Bride)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Refuse Application.
- Locality Plan** :



DEVELOPMENT SERVICES REPORTS

Item 11 3.4 continued

BACKGROUND

1. An application has been received from Walson Pty Ltd to construct an outbuilding on Lot 81 Gladville Road, McKail.
2. The subject land is zoned “Special Residential” within Town Planning Scheme No. 3, is 4060m² in area and is currently vacant.
3. The applicant has lodged an application for a building licence with Council for an outbuilding measuring 120m² in area. The structure is 5.8 metres high from natural ground level and has opening heights of 4.627 metres.
4. The proposal is being referred to Council as the outbuilding does not comply with the following provisions of Council’s Outbuilding’s Policy:
 - (g) *“In the Residential, Residential Development and Special Residential zones no outbuilding shall be built on a lot where no dwelling already exists on the lot or an approved dwelling is not under construction.*
 - (m) *for outbuildings that are greater than 75m², the height of all openings to the outbuildings are to be less than 3.3 metres, the ridge/gable height is to be less than 5.0 metres.”*
5. In provision (m) above, the ridge/gable height of 5.0 metres does not apply to this property as the provisions for Special Residential Area No. 9 allow for outbuildings to be up to 7.5 metres in height. As opening heights are not specified within the Town Planning Scheme, the Outbuilding’s Policy is applicable to opening heights.

STATUTORY REQUIREMENTS

6. As the proposed outbuilding does not comply with Council’s Outbuildings Policy staff have referred the application for Council’s consideration.

POLICY IMPLICATIONS

7. Should Council grant a relaxation in this case, the integrity of the policy may be diminished.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

9. The applicant is seeking two relaxations to the outbuildings policy, and both have distinct strategic implications:

DEVELOPMENT SERVICES REPORTS

Item 11 3.4 continued

(i) SHED ON VACANT LAND

The reasoning behind clause (g) is twofold; firstly to prevent human habitation of the shed in the event that a dwelling is not constructed on the property, and secondly to reduce the likelihood of an industrial type operation occurring from the shed.

(ii) OPENING HEIGHTS

The reasoning behind clause (m) is to restrict the ability of landowners to store, maintain and operate heavy vehicles and earth moving machinery from their shed. The 3.3 metre limit allows for most family vehicles to be accommodated, whilst excluding the large commercial vehicles usually found within an industrial zone.

COMMENT/DISCUSSION

10. The landowner has written to Council advising that, when he sought advice from Council officers approximately 2 years ago, there was no mention of opening height restrictions and he was told that a truck could be stored. On this advice he purchased the Gladville Road property (refer attached letter).
11. Staff responded to that letter and a copy is attached at the end of this report.
12. The opening heights are 1.327 metres above the specified standard and there is no residence established or under construction on the property. By granting these relaxations, provision (g) and (m) of Council's outbuildings policy will be undermined and a precedent for other sheds may be set within the City.
13. The owner intends to store a truck in the outbuilding, however the 3.3 metre opening height limit will prevent the truck from entering the shed. Guideline (g) has been developed to restrict heavy vehicles, such as the one proposed by the landowner, from using the shed as a commercial base. Even if this landowner did not establish a commercial operation from the outbuilding, a future landowner has the capacity to do so.
14. Staff recommend that the proposed outbuilding be refused as it does not comply with Council's Outbuildings Policy.

RECOMMENDATION

THAT Council issue a Notice of Planning Scheme Consent Refusal for the application for an outbuilding on Lot 81 Gladville Road, McKail, due to the following reasons:

- (i) the proposal does not comply with provision (g) of Council's Outbuilding Policy (Development Guideline No. 4), which does not allow for an outbuilding to be constructed on a vacant special residential lot;

DEVELOPMENT SERVICES REPORTS

Item 113.4 continued

- (ii) the proposal does not comply with provision (m) of Council’s Outbuilding Policy (Development Guideline No. 4), which restricts opening heights to a maximum of 3.3 metres so that the potential for commercial vehicles to use the outbuilding is limited; and
- (iii) the proposed use for the proposed outbuilding is inconsistent and incompatible with the objectives for the Special Residential zone.

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR EVANS**

THAT Council lay the matter on the table until the Policy is reviewed.

MOTION LOST 6-8

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR CECIL**

THAT Council issue a Notice of Planning Scheme Consent Refusal for the application for an outbuilding on Lot 81 Gladville Road, McKail, due to the following reasons:

- (j) the proposal does not comply with provision (g) of Council’s Outbuilding Policy (Development Guideline No. 4), which does not allow for an outbuilding to be constructed on a vacant special residential lot;
- (ii) the proposal does not comply with provision (m) of Council’s Outbuilding Policy (Development Guideline No. 4), which restricts opening heights to a maximum of 3.3 metres so that the potential for commercial vehicles to use the outbuilding is limited; and
- (iii) the proposed use for the proposed outbuilding is inconsistent and incompatible with the objectives for the Special Residential zone.

MOTION CARRIED 10-4

The Executive Director Development Services advised that high priority had been given to reviewing the Policy on sheds, but could not give a deadline.

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

8th May 2002

Albany City Council
York Street
Albany WA 6330

Ron & Sandra Puls
74 Hudson Road
Albany WA 6330

RE: APPLICATION FOR SHED AT 81 GLADVILLE ROAD

To Whom It May Concern

On the 7-5-02 we were advised by our shed builder (A-Z Commercial Steel), that council has rejected our application to build a 120sq x 4.5sq mtr high shed at 81 Gladville Road, MacKail.

We would like to know how the goal posts can change in the last eighteen months to two years in regard to the shed size. We brought our block in good faith approximately 2.5 years ago and before we signed for it my wife and the real estate agent went to the council office and told them we would buy the block if we could build a shed suitable for our truck which would only be used 4 weeks of the year, and were told there wouldn't be any problems, and we wouldn't even need a house plan to be approved. We were told we couldn't have a 200sq x 4.5sq mtrs but could have 120sq x 4.5mtrs and there would be no problem with the truck. At the same time we approached the 2 neighbours who said they didn't have a problem with the shed or the truck.

Now you are saying we can only go to 3.3 mtrs which is no good to us.

Lot 101 Gladville Road has a shed that would have to be at least 4.5mtrs high and 120sq just down the road from our block which was built not that long ago. Kooyong Avenue which is zoned special residential on one side, has a shed at lot 207 which we know is 120sq by 4.5sq mtrs high. Warrenup Place number 221 has a shed 120sq x 4.5mtrs high, one of these sheds have been built in the past 15 months and the other 2-2.5 years ago.

I would like this matter reconsidered and could you please get back to us as soon as possible.

Please note we do have house plans in our possession.

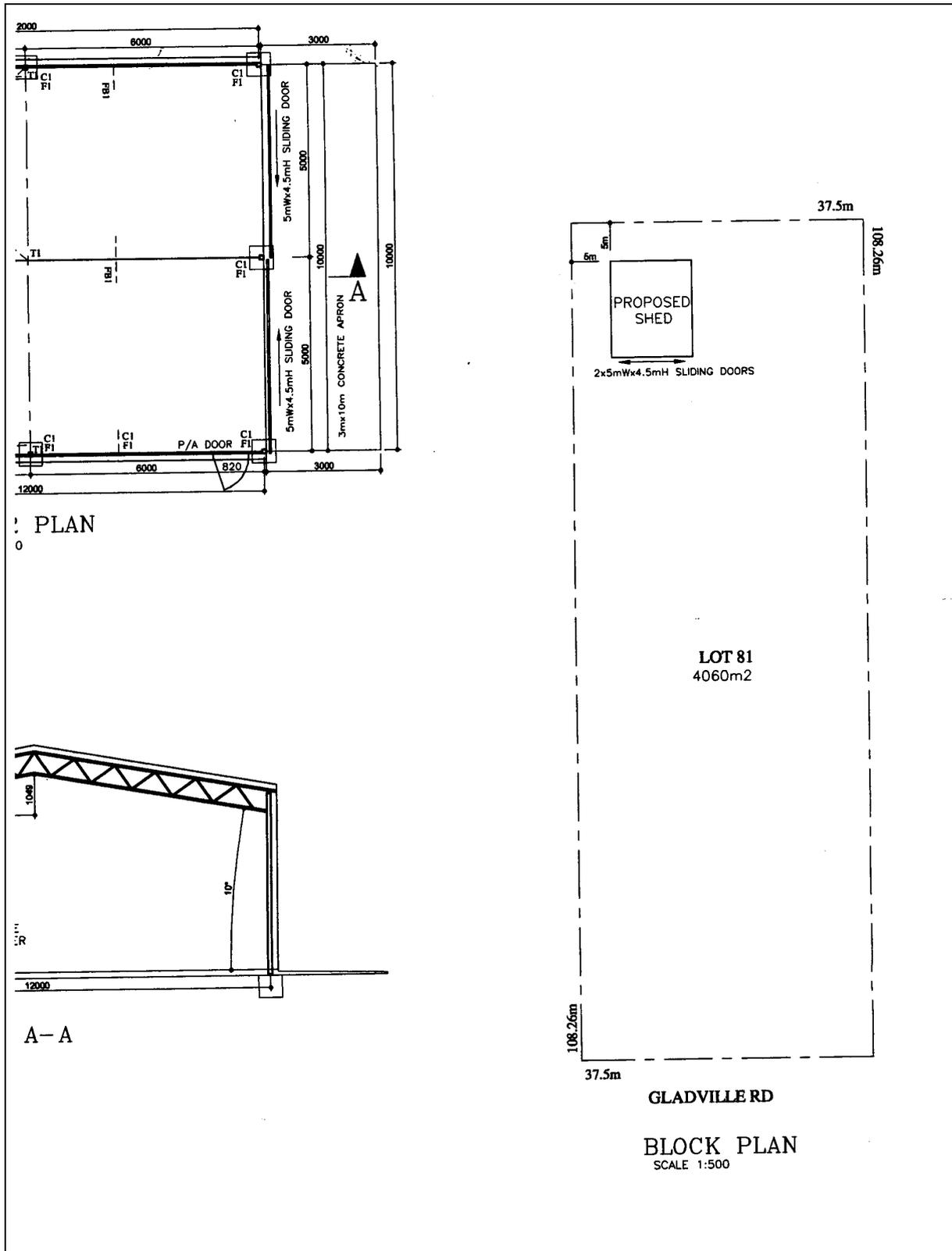
Please find enclosed a copy of articles from the local papers regarding oversized sheds being permitted.

Yours sincerely,

Ron and Sandra Puls

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued



DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

GLADVILLE RD

BLOCK PLAN
SCALE 1:500

FRONT ELEVATION
SCALE 1:100

WHEAT COLOURBOND GUTTERS & DOWN PIPES

REAR ELEVATION
SCALE 1:100

WHEAT COLOURBOND GUTTERS & DOWN PIPES

SIDE ELEVATION
SCALE 1:100

WHEAT COLOUR BOND BARGE FLASH

STRUCTURAL NOTES

CONCRETE TO BE NZQ GRADE MATERIAL & WORKMANSHIP TO AS 3600 ERECTION BRICKS TO BE VARIED TO MINIMISE ROCK EXCAVATION TO HAVE A ALL FOUNDATIONS TO HAVE A ALL FOUNDATION READING OF 7 BLOWS PER 300mm STD. PENETROMETER STRUCTURAL DESIGN BY GEORGE COOK-CIVIL & STRUCTURAL DESIGN CONSULTANTS

GENERALY
All works to be carried out in accordance with the Building Codes of Australia, & or Australian Standards.
SITE AMENITIES
Builder to provide all temporary sanitary facilities, also scaffolding safety rails & lines to meet Occupational Health & Safety regulations.

CONCRETE TO BE NZQ GRADE MATERIAL & WORKMANSHIP TO AS 3600 ERECTION BRICKS TO BE VARIED TO MINIMISE ROCK EXCAVATION TO HAVE A ALL FOUNDATIONS TO HAVE A ALL FOUNDATION READING OF 7 BLOWS PER 300mm STD. PENETROMETER STRUCTURAL DESIGN BY GEORGE COOK-CIVIL & STRUCTURAL DESIGN CONSULTANTS

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

Our Ref: : A163694
Corro No :
Enquiries : Graeme Bride

17 May 2002

R & S Puls
74 Hudson Road
ALBANY WA 6330

Dear Ron & Sandra

Re: PROPOSED SHED – LOT 81 GLADVILLE ROAD, MCKAIL

I refer to your letter dated 8 May 2002 requesting Council's approval for a shed at Lot 81 Gladville Road, McKail.

Due to the circumstances that you have raised in your letter staff will take your application to Council's next meeting dated 18 June 2002 for consideration. Prior to doing this you will need to complete the attached planning scheme consent form (we will attach your letter and shed plans as part of the Council report). Whilst staff are not permitted to approve applications that are inconsistent with Council's policies, Council can override them if they feel such action is appropriate. As you are seeking two relaxations of Council's Outbuildings Policy (one being constructing a shed on a vacant lot and the other being a 1.4 m opening height relaxation) approval for your proposal may not be forthcoming.

In response to your specific questions I provide the following comments:

Wrong Advice / Change of Policy

I advise that the current outbuildings (shed) policy has been in operation since 10 March 1999 and therefore the requirements contained within the policy would not have changed. The policy states that the maximum floor area for special residential sheds should be 120m² and that any openings are to be a maximum of 3.3m. Town Planning Scheme No. 3, under Special Residential Area No. 9 (Gladville Road), does allow sheds to be constructed to a height of 7.5m.

The issue here is not the height of your shed, which is in compliance with the Scheme, but the excessive opening height of 4.7 metres. Council has placed these restrictions on openings to discourage light industries from using sheds within close proximity to areas of human habitation. Prior to this policy Council was concerned with the number of businesses (such as earthmoving contractors and haulage truck companies) encroaching into special residential and special rural areas. Although you may not use the shed for commercial purposes, future owners have the ability to pursue this option.

You say in your letter that a planning officer advised you that a 4.5m high shed would be suitable and that a truck could be stored in the shed. This information is correct and valid today, however it appears that no reference was made to opening height restrictions. As I am not aware of the circumstances surrounding the discussion, and do not know under what context the officer gave you advice I cannot comment on why you were not aware of the restriction.

It is now commonplace for people in the process of purchasing properties to seek written confirmation from Council with regards to the future development potential. This approach allows purchasers to feel a greater sense of security and also assists Council when dealing with claims such as yours regarding what was and wasn't said.

Other Sheds

As you have referred to in your letter Council's records show a shed has been approved on Lot 101 Gladville Road with opening heights in excess of 3.3 metres. This shed was approved on the basis of

DEVELOPMENT SERVICES REPORTS

Item 11.3.4 continued

the Scheme which allows sheds to be built to a maximum height of 7.5 metres, however no consideration was given to the height of openings as detailed in the outbuildings policy.

The shed on Lot 207 Kooyong Avenue was approved in August 2000 and after a number of Council meetings and discussions with the applicant was reduced down from 180m² to 120m². Due to the preoccupation with the size of the shed the issue of opening heights was not fully explored and again an oversight occurred.

These two oversights has been brought to the attention of all planning staff and any new shed application will have to comply with the policy. Whilst Council regrets instances such as these it should be stated that we do receive more than 100 shed applications each year, and where there is a digression from the policy it is almost always identified.

The shed on Lot 221 Warrenup Place has an opening height of 4 metres, which was permissible under the former Shire of Albany Outbuilding Policy (superseded on 10 March 1999).

Land Usage

You have advised that you wish to store a truck within the shed for a period of 4 weeks every year. Council has no objection to storing a truck as long as it is within a fully enclosed shed and no maintenance is being carried out on the truck.

Vacant Lot

Council's outbuildings policy also states that on land zoned "Special Residential" a shed cannot be constructed unless the dwelling is substantially constructed (ie. concrete house pad is considered minimum work). In order for Council to approve a shed you will need to lodge building plans and commence the construction of the house.

Precedent

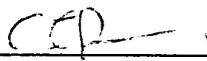
If Council was to approve your shed with opening heights of around 4.7m then a precedent may be set for future shed applications in this and other Special Residential estates. The approvals for the sheds on Lot 101 and 207 were an oversight and any similar sized shed will need to comply with Council's policy.

Appeal Rights

It is advised that in order to access appeal rights under the Town Planning and Development Act 1928 you will need to lodge a planning scheme consent application for your shed. Should Council refuse the application you have a right of appeal to the Minister for Planning, who will either uphold or dismiss your appeal.

Should you have any queries or wish to discuss this matter, please do not hesitate to contact Council Development Services Team on 9841 9368.

Yours faithfully


Craig Pursey
Manager Development Services

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11.4 DEVELOPMENT SERVICES COMMITTEE

Nil.

Corporate & Community Services

REPORTS

- R E P O R T S -

12.1 FINANCE

12.1.1 List of Accounts for Payment – City of Albany

File/Ward	:	FIN022 (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
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	103,698.40	
Electronic Fund Transfer	totalling	2,766,048.00	
Payroll	totalling	580,122.95	
TOTAL			<u><u>\$3,449,869.35</u></u>

2. As at 5th June 2002, the total outstanding creditors, stands at \$313,998.43.
 Cancelled cheques – 15893, 15895-15927
 Cancelled EFT's – 3991-3396, 3398-3404 and 3623

RECOMMENDATION

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

Municipal Fund	totalling	<u>\$3,449,869.35</u>
Total		<u><u>\$3,449,869.35</u></u>

Voting Requirement Simple Majority

**MOVED COUNCILLOR WELLINGTON
 SECONDED COUNCILLOR BOJCUN**

THAT the following City of Albany accounts be passed for payment: -		
Municipal Fund	totalling	<u>\$3,449,869.35</u>
Total		<u><u>\$3,449,869.35</u></u>

MOTION CARRIED 14-0

12.2 ADMINISTRATION

12.2.1 Request Delegated Authority

File/Ward	: MAN 122 (All Wards)
Proposal/Issue	: Delegation of the Common Seal affixation.
Subject Land/Locality	: N/A
Proponent	: City of Albany
Owner	: N/A
Reporting Officer(s)	: Executive Director Corporate & Community Services (P Madigan)
Disclosure of Interest	: Nil
Previous Reference	: OCM 07/11/00 – Item 12.2.2 OCM 20/11/01 – Item 12.2.2
Summary Recommendation	: That Delegated Authority be granted to the Chief Executive Officer for the affixation of the Common Seal.
Locality Plan	: N/A

BACKGROUND

1. Under the provisions of the Local Government Act, a local authority may delegate some of its powers and duties to the Chief Executive Officer (there are limitations however detailed in Section 5.43 of the Act), to facilitate the many services it provides to the community. These delegations must be in writing and may either be of a general nature or specific, but in all cases there is a requirement to review them at least once each year.
2. Over the last 18 months, Council has granted numerous delegations (using the provision of various Acts eg Local Government, Bushfires, Dog, Strata Titles etc), to the Chief Executive Officer, in an effort to streamline the provision of services.

Item 12.2.1 continued.

STATUTORY REQUIREMENTS

3. Section 5.42 of the Local Government Act states as follows:

“Delegation of some powers and duties to CEO

- i) *A local government may delegate to the CEO the exercise of any of its power or the discharge of any of its duties under this Act other than those referred to in section 5.43.*
- ii) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.”*

4. Further more Section 5.43 of the Local Government Act states as follows:-

“Limits on delegations to CEO’s

A local government cannot delegate to a CEO any of the following powers or duties:-

- i) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- ii) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- iii) *appointing an auditor;*
- iv) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- v) *any of the local government’s powers under section 5.98, 5.99 or 5.100;*
- vi) *borrowing money on behalf of the local government;*
- vii) *hearing or determining an objections of a kind referred to in section 9.5;*
- viii) *any power or duty that requires the approval of the Minister or the Governor; or*
- ix) *such power or duties as may be prescribed.”*

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

7. The City of Albany 2020 Objectives and Council activities include the following Governance – to comply with statutory requirements of the organisation.

Item 12.2.1 continued.

COMMENT/DISCUSSION

8. Currently the CEO had delegated authority to apply the common seal to documentation in the following instances:-
“Process requests related to the application of the Common Seal. The Mayor and the Chief Executive Officer (and in their respective absences the Acting Mayor and the Acting Chief Executive Officer) be authorised o affix the Seal the following legal documents:-
- a) Grants of Easement, Town Planning Scheme and associated documents;*
 - b) Contract, leases, Licences and Agreement (or Assignment thereof) where by resolution, Council has agreed to the terms thereof;*
 - c) Withdrawals of Caveats where the conditions leading to the lodging of the Caveats have been fulfilled;*
 - d) Grant and Services Agreements arranged with the Bushfire Services of WA; and*
 - e) Department of Community Development – Integration.”*
9. In order to expedite the process of attaching the Common seal to documents, it is proposed that the current delegation be withdrawn, and the Chief Executive Officer be delegated authority to attach the Common Seal to all documents, subject to the limitations imposed by Section 5.43 of the Local Government Act.

RECOMMENDATION

THAT:

- i) the current delegation in relation to the attachment of the Common Seal be withdrawn; and
- ii) Council delegate authority to the Chief Executive Officer to attach the Common Seal to all documents, subject to the restrictions imposed by Section 5.43 of the Local Government Act.

Voting Requirement Absolute Majority

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR CECIL**

THAT:

- i) the current delegation in relation to the attachment of the Common Seal be withdrawn; and**
- ii) Council delegate authority to the Chief Executive Officer to attach the Common Seal to all documents, subject to the restrictions imposed by Section 5.43 of the Local Government Act.**

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

12.2.2 Community Events Financial Assistance Program – Policy Review

File/Ward	: FIN 022 (All Wards)
Proposal/Issue	: Amendments to Community Events Financial Assistance Policy
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Community Development Officer (R Shanhun)
Disclosure of Interest	: Community Development Officer – R Shanhun Has declared an interest, as he is involved on a number of community-based organisations, both as Community Development Officer and in a private capacity.
Previous Reference	: Nil.
Summary Recommendation	: Adoption of the Community Events Financial Assistance Policy, as amended.
Locality Plan	: Nil.

BACKGROUND

1. Council's Community Events Financial Assistance Policy provides parameters for classifying events being conducted by community-based organisations. The policy is being reviewed and amended to reflect proposed refinements designed to bring the policy into line with the Community Financial Assistance Policy and to incorporate provisions for the administration of financial assistance for events.

STATUTORY REQUIREMENTS

2. Section 5.42 of the Local Government Act states as follows:
“Delegation of some powers and duties to CEO
 - i) *A local government may delegate to the CEO the exercise of any of its power or the discharge of any of its duties under this Act other than those referred to in section 5.43.*
 - ii) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.”*

Item 12.2.2 continued.

POLICY IMPLICATIONS

- 3. This is a review of an existing policy.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

- 5. The Community Events Financial Assistance Policy has direct implications for the Albany 2020 Port of Call – *“Attraction and development of a broad range of social, cultural and economic entities”*, as it provides financial assistance to community-based organisations, thus enabling them to conduct events that will contribute to achieving the City’s Port of Call.

COMMENT/DISCUSSION

- 6. A copy of the proposed new policy is attached behind this item.

RECOMMENDATION

THAT:

- i) the Community Events Financial Assistance Policy, as amended, be adopted; and
- ii) the Community Financial Assistance Committee be granted delegated authority to assess and approve funding in accordance with the Policy.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR WILSON**

THAT the Community Events Financial Assistance Policy be adopted subject to no delegation of authority being granted to the Committee and their recommendations be considered by the Council.

MOTION CARRIED 9-5

Reason: Because of the large amounts of money involved.

CITY OF ALBANY COMMUNITY EVENTS ASSISTANCE PROGRAM

COUNCIL POLICY

OBJECTIVES:

To achieve a consistent and cost effective approach to assisting community events.

To recognise the importance of community events and their contribution to the cultural, economic and social fabric of the City.

To support community organisations in raising the profile and awareness of an event.

To maximise the public relations return to the City of Albany from an event.

STRATEGIC ALIGNMENT:

Albany 2020 Charting our Course - Ports of Call –

- **A Reputation for Professional Excellence.**
To provide civic leadership and a strategic approach to the planning, development and conduct of community events.
To enhance the civic and corporate image of the City of Albany.
To ensure visitors to the City of Albany become our ambassadors.
- **Social, Cultural & Economic Development.**
To identify and facilitate outstanding economic development opportunities for the City of Albany through the conduct of community events.
To attract and develop a broad range of social, cultural and economic entities.
To encourage and assist community organisations to conduct events that promote Albany and facilitate the celebration of occasions and achievements of significance to the City of Albany.

INTERPRETATION:

‘Community Based Organisation’ means any organisation which has at its members, members of the Albany Community and which operates on a ‘not for profit’ basis.

‘Not for Profit’ means that the proceeds of the organisation are used for the benefit of the organisation and are not available for disbursement to the members of the organisation.

‘Minor Grant’ means any financial assistance up to \$10,000. Minimum grant of \$201 applies.

‘GST’ means the Federal Government’s Goods and Services Tax. **‘Community Financial Assistance Committee’** means the Committee appointed by the City of Albany Council to administer the provisions of the Financial Assistance Program

‘CEO’ means the Chief Executive Officer of the City of Albany

‘Volunteer’ means that the member/s of office bearer/s of the organisation provide their time and services for no remuneration.

‘Parent Organisation’ means a body that is responsible for and controls the operations of the subject organisation.

‘Public Land’ means land that is owned by the crown (Government) or by the City of Albany or that is vested in the care and control of a community organisation or the City of Albany. Tenure of the land may be transferred by the City of Albany to the subject organisation by way of legal agreement (eg Lease).

‘Emergency Service Providers’ means those organisations that have as their objective the provision of emergency services for the community. They include the local branches of: State Emergency Service, Sea Rescue Squad, Surf Lifesaving WA and St John’s Ambulance Association.

CLASSIFICATION OF EVENTS

Albany Icon Events

- Must be of State and/or Regional significance;
- Must demonstrate a significant contribution to tourism, promote the City and region, and identify with Albany’s unique sense of place;
- Must be managed or overseen by an incorporated Community based organisation with Council representative on the organising committee;
- Must have wide ranging community involvement and demonstrate significant revenue raising opportunities for local community based organisations; and
- Must have been successfully conducted over a number of years to qualify for icon status.

General Community Events

- Must be managed and overseen by an incorporated Community based organisation;
- Must demonstrate revenue raising opportunities for local community based organisations and have broad based community participation; and
- Must demonstrate a contribution to tourism and promote both the City and the region.

Single Event Promotional Sponsorships

- Must be managed and overseen by an incorporated Community based organisation;
- Must be a significant event on the club or organisations annual program;
- Must incorporate the “City of Albany” into the naming of the event; and
- Must demonstrate a contribution to tourism and promote the City.

Conditions of funding – all categories

- Applications must come from incorporated community based organisations;
- Applications must specify in kind, cash and administrative support requirements, as well as funding support from other organisations and their own contribution;

CORPORATE & COMMUNITY SERVICES REPORTS

- An acquittal including full financial details, community group involvement, attendance figures and a general synopsis of events must be provided annually within 2 months of the completion of the event. Failure to provide details may impact on future funding availability; and
- All correspondence and promotional material must contain City of Albany logo and acknowledge the City of Albany's support

DETAIL

Funding Rounds

The Community Events Assistance Program will be conducted in two separate funding rounds each financial year, with applications being invited at the beginning of April and October, and closing at the end May and November respectively.

The May Community Events Assistance round will provide 2/3 of the pool of funds budgeted by Council, with the November round allocating the remaining 1/3.

Advertising

Each year, at the beginning of April and October, Council shall advertise its intention to consider applications for Community Events Assistance under the Community Events Assistance Program. The advertisements will be placed in at least 2 editions of a local newspaper(s).

Applications

All applications shall be made on the relevant form available from the Council and shall close on 31st May or 30th November, as appropriate. Applicants must address the selection criteria provided within the application guidelines.

Late and unsuccessful applicants for the May round of minor grants shall be referred to the next funding round, unless they are of an urgent or emergency nature, without the need to reapply.

Event Assistance Grants (Up to \$10,000)

The Community Financial Assistance Committee will consider applications for Community Events Assistance grants in two funding rounds, which close on either 31st May or 30th November, respectively. Applications should provide the following information (as appropriate to the nature of the event):

- Type of organisation (eg sport, community, hobby, health, welfare, artistic, religious, environmental or economic etc);
- Organisation membership;
- Nature of event planned;
- Event details – planning, venue, timing etc.;
- Demonstrated need or community benefit;
- Financial position of the applicant;
- Applicants contribution of cash, volunteer labour or donated materials;
- Financial viability of the event;
- Other financial/in kind contributions either obtained or not yet funded;
- Budget of capital and operating costs;
- Existing events of a like nature, within Albany;

CORPORATE & COMMUNITY SERVICES REPORTS

- Provision of quotes (2) for all items greater than \$500 in value;
- Provision of a 5 year Management Plan for the event , if grant exceeds \$5000.

ELIGIBILITY CRITERIA

1. Funding will be provided on a dollar for dollar /matching basis, with the community organisation being required to contribute the equivalent in cash, voluntary labour or donated materials.
2. The applicant must demonstrate that other funding opportunities have been investigated and that attempts to source other external funds have been or are being made.
3. Organisations that are funded by a parent organisation that is Government, quasi government, professional or commercial in its foundation, or that is primarily funded by Government, quasi government, professional or commercial sources shall not be eligible for funding, other than in exceptional circumstances. This does not apply to organisations considered to be emergency service providers.
4. Funding will not be provided for paid professional services, co-ordinators or the employment of other personnel.
5. All relevant sections within the application guidelines and on the application form must be addressed.
6. Organisations making application for grants in excess of \$5,000 having a 5 year Management Plan for their event.
7. Funding will not be provided for any event, where the event has been commenced or where expenditure has been incurred prior to funding approval. ie. Grants will not be provided retrospectively.

ADMINISTRATION OF EVENT ASSISTANCE

Community Events Assistance approvals shall be administered in accordance with the following:

1. Where Community Events Assistance is approved by Council for events that are dependent upon funding from an outside source, eg: Healthways, Lotteries Commission etc, and that funding application is unsuccessful, then subject clause 4., those funds shall be held in trust until the following financial year. The funds will then again be made available to the organisation involved, conditional upon their application for funding from the outside source being approved in that financial year.
2. Where such funding application is again unsuccessful, the approved funding shall be withdrawn and made available for to other community organisations in the next funding round.
3. Where the level of financial assistance from an outside source has been reduced below that requested by an organisation, the organisation shall be required to demonstrate its ability to meet the funding shortfall. In such circumstances the Community Financial Assistance Committee will reassess the viability of the project and may, if project viability is not substantiated, revoke the grant approval. Those funds shall be made available to other organisations in the next funding round.

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4. Where approved Community Events Assistance is not claimed by 30th June, and the organisation involved has failed to provide an explanation and request for those funds to be carried forward, the approval shall be revoked and the organisation required to re-apply.
5. Where requests for Community Events Assistance are received outside the deadline for receipt of applications in the May round, they shall be referred to the November round and the applicants advised accordingly. All other late applications shall be ineligible.

CONSIDERATION OF EVENTS ASSISTANCE APPLICATIONS

The Community Financial Assistance Committee will assess all applications for Community Events Assistance and approve grants in June and December of each year in accordance with total budget allocation.

DELEGATION OF AUTHORITY

Authority is delegated to the Community Financial Assistance Committee to:

Assess applications for Community Events Assistance grants and to approve funding allocations, to a maximum value of \$10,000, in accordance with the criteria outlined within this policy.

12.2.3 Community Financial Assistance Program – Policy Review

File/Ward	: FIN 022 (All Wards)
Proposal/Issue	: Amendments to Community Financial Assistance Policy
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Community Development Officer (R Shanhun)
Disclosure of Interest	: Community Development Officer – R Shanhun Has declared an interest, as he is involved on a number of community-based organisations, both as Community Development Officer and in a private capacity.
Previous Reference	: Nil.
Summary Recommendation	: Adoption of the Community Financial Assistance Policy, as amended.
Locality Plan	: Nil.

BACKGROUND

1. Council’s Community Financial Assistance Policy provides parameters for the administration of financial assistance to community based organisations. The policy is being reviewed and amended to reflect proposed refinements to the Financial Assistance program. These refinements include the extension of the program to incorporate community based organisations and projects with an economic focus.

STATUTORY REQUIREMENTS

2. Section 5.42 of the Local Government Act states as follows:
“Delegation of some powers and duties to CEO
 - ii) *A local government may delegate to the CEO the exercise of any of its power or the discharge of any of its duties under this Act other than those referred to in section 5.43.*
 - ii) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.”*

Item 12.2.3 continued.

POLICY IMPLICATIONS

- 3. This is a review of an existing policy.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

- 6. The Community Financial Assistance Policy has direct implications for the Albany 2020 Port of Call – “*Attraction and development of a broad range of social, cultural and economic entities*”, as it provides financial assistance to community based organisations, thus enabling them to help in achieving the City’s Port of Call.

COMMENT/DISCUSSION

- 6. A copy of the proposed new policy is attached behind this item.

RECOMMENDATION

THAT:

- i) the Community Financial Assistance Policy, as amended, be adopted;
- ii) the Community Financial Assistance Committee be granted delegated authority to assess and approve funding up to a maximum value of \$10,000 in accordance with the Policy; and
- iii) the Chief Executive Officer be delegated authority to approve applications for Community Donations to a maximum value of \$200.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR EMERY**

THAT:

- i) **the Community Grants be adopted subject to no delegation being granted to the Committee and their recommendations be considered by Council;**
- ii) **the Chief Executive Officer be delegated authority to approve applications for Community Donations to a maximum value of \$200.**

**MOTION LOST 7-8
ON CASTING VOTE OF MAYOR**

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Reason: Because of the large amounts of money involved.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR EVERS**

THAT:

- i) the Community Financial Assistance Policy, as amended, be adopted;**
- ii) the Community Financial Assistance Committee be granted delegated authority to assess and approve funding up to a maximum value of \$10,000 in accordance with the Policy; and**
- iii) the Chief Executive Officer be delegated authority to approve applications for Community Donations to a maximum value of \$200.**

**MOTION CARRIED 8-7
ON CASTING VOTE OF MAYOR**

CITY OF ALBANY
COMMUNITY FINANCIAL ASSISTANCE PROGRAM
COUNCIL POLICY

OBJECTIVE:

To establish guidelines for the equitable distribution of financial assistance to eligible community based organisations, which provide social, cultural, economic or environmental benefit within the City of Albany.

STRATEGIC ALIGNMENT:

Albany 2020 Charting our Course, Ports of Call –

- **A Reputation for Professional Excellence.**
To provide civic leadership and a strategic approach to the planning, development and conduct of community organisations and facilities.
To enhance the civic and corporate image of the City of Albany.
- **Social, Cultural & Economic Development.**
To attract and develop a broad range of social, cultural and economic entities.
To encourage and assist community organisations to develop services and facilities that benefit the community.
To identify and facilitate outstanding economic development opportunities for the City of Albany.
- **Managed Healthy Land & Harbour Environments.**
To assist community based environmental groups to conduct projects and activities designed to improve the health and wellbeing of our environment.

INTERPRETATION:

‘Community Based Organisation’ means any organisation which has at its members, members of the Albany Community and which operates on a ‘not for profit’ basis.

‘Not for Profit’ means that the proceeds of the organisation are used for the benefit of the organisation and are not available for disbursement to the members of the organisation.

‘Major Grant’ means any financial assistance grant over \$10,000. Major grants will be referred to Council for consideration in line with normal budgetary processes.

‘Minor Grant’ means any financial assistance up to \$10,000. Minimum grant of \$201 applies.

‘Community Donation’ means a donation up to \$200 provided to any community organisation or person, for any purpose. (Approved by the CEO under delegated authority of Council).

‘GST’ means the Federal Government’s Goods and Services Tax.

‘Community Financial Assistance Committee’ means the Committee appointed by the City of Albany Council to administer the provisions of the Financial Assistance Program

‘CEO’ means the Chief Executive Officer of the City of Albany

‘Volunteer’ means that the member/s of office bearer/s of the organisation provide their time and services for no remuneration.

‘Parent Organisation’ means a body that is responsible for and controls the operations of the subject organisation.

‘Public Land’ means land that is owned by the crown (Government) or by the City of Albany or that is vested in the care and control of a community organisation or the City of Albany. Tenure of the land may be transferred by the City of Albany to the subject organisation by way of legal agreement (eg Lease).

‘Emergency Service Providers’ means those organisations that have as their objective the provision of emergency services for the community. They include the local branches of: State Emergency Service, Sea Rescue Squad, Surf Lifesaving WA and St John’s Ambulance Association.

DETAIL

Funding Rounds

The Financial Assistance Program for Minor Community Grants will be conducted in two separate funding rounds each financial year, with applications being invited at the beginning of April and October, and closing at the end May and November respectively.

The May Minor Community Grant funding round will provide 2/3 of the remaining balance (after deduction of pre approved grants) of the pool of funds budgeted by Council, with the November round allocating the remaining 1/3.

The program of Major Community Grants will be conducted in one funding round, with applications being invited in April and closing at the end of May each year. Funds for Major Community Grants will be allocated from within Council’s general revenue budget.

Council will also budget an additional amount per year as contingency funding for a rolling program of Community Donations.

Advertising

Each year, at the beginning of April and October, Council shall advertise its intention to consider applications for financial assistance under the Community Financial Assistance Program. Applications for Major Community Grants will be invited in April only. The advertisements will be placed in at least 2 editions of a local newspaper(s).

Major Community Grants – any purpose
(Advertised April, closing 31st May)

Minor Community Grants – any purpose
(Advertised April & October, closing 31st May and 30th November)

Applications

All applications shall be made on the relevant form available from Council and shall close on 31st May or 30th November, as appropriate. Applicants must address the information requested and meet selection criteria provided within the application guidelines.

Late and unsuccessful applicants for the May round of minor grants shall be referred to the November round, unless they are of an urgent or emergency nature, without the need to reapply.

Major Community Grants (Over \$10,000)

Council will consider Major Community Grant applications once per year, with applications closing on 30th April. Funding for approved grants will be allocated from within Council's general revenue budget.

Major Community Grants may be used for any purpose, but are generally provided for purposes such as building purchase or construction, purchase of equipment, ground-works etc. Applications must be received by 30th April, (one funding round only) and should provide the following information (as appropriate to the nature of the project):

- Type of organisation (eg sport, community, hobby, health, welfare, artistic, religious, environmental or economic etc);
- Organisation membership;
- Nature of service/facility provided;
- Project details/planning/design/timing;
- Demonstrated need or community benefit;
- Financial position of the applicant;
- Applicants contribution of cash, voluntary labour or donated materials;
- Financial viability of project;
- Other financial/in kind contributions either obtained or not sourced;
- On-going management and operating costs;
- Existing services and facilities of a like nature, within Albany;
- Provision of quotes (2) for all items greater than \$500 in value;
- Provision of a detailed project budget including GST breakdown; and
- Provision of a 5 year Strategic Management Plan for the organisation/building/facility.

Minor Community Grants (Up to \$10,000)

The Community Financial Assistance Committee will consider applications for Minor Community Grants in two funding rounds, which close on either 31st May or 30th November, respectively. Minor Community Grants may be used for any purpose, including building construction, maintenance or repair, equipment purchase or hire, events or functions, economic projects, operating expenses, relief from Council fees and charges etc. A minimum grant of \$201 applies. Applications should provide the following information (as appropriate to the nature of the project):

- Type of organisation (eg sport, community, hobby, health, welfare, artistic, religious, environmental or economic etc);

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- Organisation membership;
- Nature of service/facility provided;
- Project details/planning/design/timing;
- Demonstrated need or community benefit;
- Financial position of the applicant;
- Applicants contribution of cash, voluntary labour or donated materials;
- Financial viability of project;
- Other financial/in kind contributions either obtained or not sourced;
- On-going management and operating costs;
- Existing services and facilities of a like nature, within Albany;
- Provision of quotes (2) for all items greater than \$500 in value;
- Provision of a detailed project budget including GST breakdown; and
- Provision of a 5 year Strategic Management Plan for the organisation/building/facility, where the grant exceeds \$5000.

Community Donations:

Applications for Community Donations, to a maximum of \$200, may be submitted at any time. Applications will be received from community-based organisations, or individuals, where an individual can demonstrate sufficient justification for the provision of financial assistance. Such justification may include selection as a representative on a state or national team, with associated costs.

Community Donations shall be referred to the Chief Executive Officer for consideration and approval under delegated authority of Council.

Waiver of Council Property Rates:

All community organisations will automatically have their Council property rates waived.

ELIGIBILITY CRITERIA

1. Funding will be provided on a dollar for dollar /matching basis, with the community organisation being required to contribute the equivalent in cash, voluntary labour or donated materials.
2. The applicant must demonstrate that other funding opportunities have been investigated and that attempts to source other external funds have been or are being made.
3. Organisations that are funded by a parent organisation that is Government, quasi government, professional or commercial in its foundation, or that is primarily funded by Government, quasi government, professional or commercial sources shall not be eligible for funding, other than in exceptional circumstances. This does not apply to organisations considered to be emergency service providers or the provision of school based youth workers.
4. Funding will not be provided for paid professional services, consultancies or the employment of personnel other than school-based youth workers.
5. All relevant criteria within the application guidelines and on the application form must be addressed.
6. Buildings or facilities being funded must be constructed on land that is vested in or owned by the City of Albany.

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7. Organisations making application for grants in excess of \$5,000 having a 5 year Strategic Management Plan for their organisation/building/facility.
8. Funding will not be provided for any purpose or project where the project has been commenced or where expenditure has been incurred prior to funding approval. IE. Grants will not be provided retrospectively.

ADMINISTRATION OF FINANCIAL ASSISTANCE

Financial assistance approvals shall be administered in accordance with the following:

1. Where financial assistance is approved by Council for projects that are dependent upon funding from an outside source, eg: Ministry of Sport and Recreation; Lotteries Commission etc, and that funding application is unsuccessful, then subject section 4., those funds shall be held in trust until the following financial year. The funds will then again be made available to the organisation involved, conditional upon their application for funding from the outside source being approved in that financial year.
2. Where such funding application is again unsuccessful, the approved funding shall be withdrawn and made available for to other community organisations in the next funding round.
3. Where funding from an outside source is approved, Council funding (as approved) shall be paid to the applicant, on receipt of and up to the value of copy invoices, statements or receipts.
4. Where approved financial assistance is not claimed by 30th June, and the organisation involved has failed to provide an explanation and request for those funds to be carried forward, the approval shall be revoked and the organisation required to re-apply.
5. Where the level of financial assistance from an outside source has been reduced below that requested by an organisation, the organisation shall be required to demonstrate its ability to meet the funding shortfall. In such circumstances the Community Financial Assistance Committee will reassess the viability of the project and may, if project viability is not substantiated, revoke the grant approval. Those funds shall be made available to other organisations in the next funding round.
6. Where requests for minor financial assistance are received outside the deadline for receipt of applications in the May round, they shall be referred to the November round and the applicants advised accordingly. All other late applications shall be ineligible.

CONSIDERATION OF FINANCIAL ASSISTANCE APPLICATIONS

After each ordinary Council election, a Community Financial Assistance Committee, comprising 5 Councillors, shall be formed with the following functions:

- Annually review and make recommendations to Council on the efficiency of the Community Financial Assistance Program;
- Analyse and assess all applications for Major Community Grants and make prioritised recommendations to Council in June of each year;

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- Analyse and assess all applications for Minor Community Grants and make prioritised recommendations to Council in June and November of each year;
- Analyse and assess all applications for Triennium Community Grants, conduct briefings where applicable and make prioritised recommendations to Council in June of each year;
- Make recommendations, as part of Council Budget deliberations, on the size of the Minor Community Grant budget, based on previous years expenditure.

ROLE OF THE COMMUNITY FINANCIAL ASSISTANCE COMMITTEE

After each ordinary Council election, a Community Financial Assistance Committee, comprising 5 Councillors, shall be formed with the following functions:

- Annually review and make recommendations to Council on the efficiency of the Community Financial Assistance Policy and Program and Event Assistance Program;
- Administer the provisions of the Community Financial Assistance Program;
- Following adoption of the budget analyse and assess all applications for Major Community Grants and make prioritised recommendations to Council in June of each year in accordance with total budget allocation;
- Following adoption of the budget analyse and assess all applications for Minor Community Grants and approve financial assistance grants in June and December of each year in accordance with total budget allocation;
- Administer the provisions of the Event Assistance Program; and
- Following adoption of the budget analyse and assess all applications for Event Assistance and approve grants in June each year in accordance with total budget allocation.

DELEGATION OF AUTHORITY

Authority is delegated to the Chief Executive Officer to:

Consider and approve/refuse applications for Community Donations, to a maximum value of \$200.

Authority is delegated to the Community Financial Assistance Committee to:

Assess applications for minor community grants and to approve funding allocations, to a maximum value of \$10,000, in accordance with the criteria outlined within this policy.

12.2.4 Appointment of Insurance Broker

File/Ward	:	COM012 (All Wards)
Proposal/Issue	:	Request approval to appoint an Insurance Brokers
Subject Land/Locality	:	Nil
Proponent	:	Nil
Owner	:	Nil
Reporting Officer(s)	:	Administration Officer (A Wiseman)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 14.08.99 - Item 13.2.14
Summary Recommendation	:	Appointment of Local Government Insurance Services to co-ordinate Council's Insurance portfolio for a period of 3 years until June 2005.
Locality Plan	:	Nil

BACKGROUND

1. In 1999 Council appointed Local Government Insurance Services to co-ordinate its many insurance policies for a 3 year term which is now due to expire at the end of this financial year (30 June 2002).
2. In January 2002, Council called for expressions of interest for an insurance broker, as required under the Local Government Act 1995 for goods and services over \$50,000. Two companies expressed an interest in providing Brokering Services, Local Government Insurance Services Western Australia and Heath Lambert Western Australia. A Tender Contract was then sent to both companies for submission. The tendering process closed on 4 June 2002 and a decision to appoint an insurance broker for the following three years needs to be determined.

Item 12.2.4 continued.

STATUTORY REQUIREMENTS

3. Clause 11(1) of the Local Government (Functions and General) Regulations 1996:

“Tenders to be invited for certain contracts

11. (1) *Tenders are to be publicly invited according to the requirements of this Part before a Local Government enters into a contract for another person to supply goods and services if the consideration under the contract is, or is expected to be, more or worth more, than \$50,000 unless sub-regulation (2) states otherwise.*

(2) *Tenders do not have to be publicly invited according to the requirements of this Part if:*

- a) *the supply of goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;*
- b) *the supply of goods or services is to be obtained through the Council purchasing services of WAMA;*
- c) *within the last 6 months –*
 - i) *the local government has, according to the requirement of this Part publicly invited tenders for the supply of the goods or services but no tender was submitted that was through to be satisfactory; or*
 - ii) *The local government has under regulation 21 (1), sort expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an accepted tenderer;*
- d) *the contract is to be entered into by auction after being expressly authorised by a resolution of the Council of the local government;*
- e) *the goods or services are to be supplied by or obtained through the government of the State or Commonwealth or any of its agencies, or by a local government or a regional local government;*
- f) *the local government has good reason to believe, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is one potential supplier.”*

POLICY IMPLICATIONS

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

Item 12.2.4 continued.

FINANCIAL IMPLICATIONS

5. Submissions for an insurance broker were invited and tenders have now closed. The only tender submission that was received was from:

COMPANY NAME	TOTAL ANNUAL PREMIUM
Local Government Insurance Services	\$515,889.33

6. A brokerage fee of \$3000.00 for the 2002/2003 financial year will also be payable by Council on top of the total annual premium. It is stated that the events of 11 September 2001 have affected premiums across the insurance industry and therefore the submission received has reflected a substantial increase. Council's finance section has been informed and have accommodated this into the budget preparation.

STRATEGIC IMPLICATIONS

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

"A reputation for Professional Excellence" – Governance – To comply with statutory requirements of the organisation.

COMMENT/DISCUSSION

8. Under the Provisions of the Local Government Act 1995 and the (Function and General) Regulations 1996, tenders are to be publicly invited if the consideration under the contract is, or is expected to be, more or worth more than \$50,000.00. Council's insurance portfolio well exceeds \$50,000.00 for the 2002/2003 financial year.
9. Based on the only submission received, Local Government Insurance Services offer the only competitive service suitable to Council's needs, even though they have not been able to provide all of the cover requested by Council (refer to letter as included in the Elected Members Information/Report Bulletin). Local Government Insurance Service are a major provider of insurance services to many Local Governments within Western Australia and therefore are familiar with the workings of Local Government and specifically the City of Albany, having been Councils insurance broker for a number of years already.
10. More recently Council staff have undertaken training, working closely with Local Government Insurance Services staff to establish claims procedures that both Council and Local Government Insurance Services are familiar with. It is beneficial to continue this working relationship with Local Government Insurance Services as this will result in less reworking of claims procedures, therefore resulting in a non-disruptive continuation of service.

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Item 12.2.4 continued.

RECOMMENDATION

THAT Council agree to appoint Local Government Insurance Services as the City of Albany’s Insurance Broker for the next 3 years to 30 June 2005, to co-ordinate Council’s insurance portfolio.

Voting Requirement Simple Majority

.....

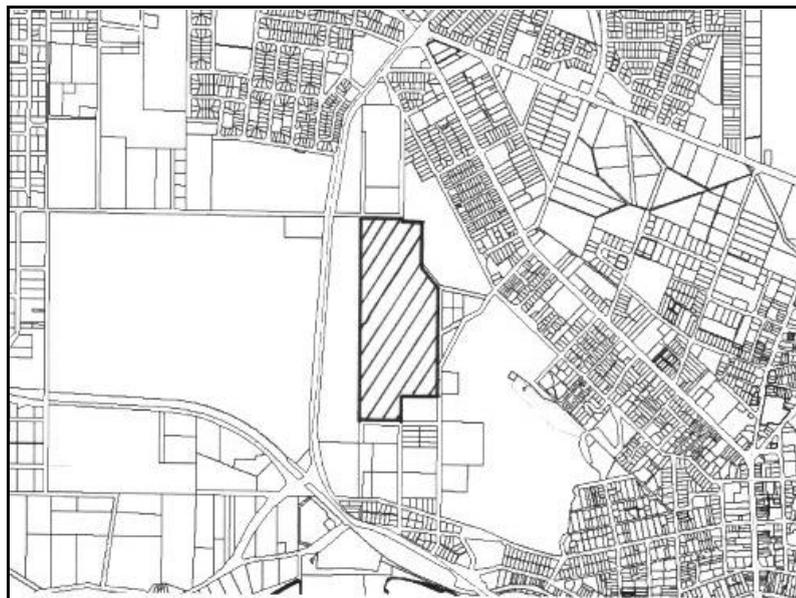
**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR WALKER**

THAT Council agree to appoint Local Government Insurance Services as the City of Albany’s Insurance Broker for the next 3 years to 30 June 2005, to co-ordinate Council’s insurance portfolio.

MOTION CARRIED 14-0

12.2.5 Extension & Variation of Lease – Hanrahan Road Refuse Site

File/Ward	:	PRO025/ A111037 (Frederickstown Ward)
Proposal/Issue	:	Extension and Variation of Lease
Subject Land/Locality	:	A111037 Hanrahan Road Refuse Site
Proponent	:	City of Albany
Owner	:	Albany Agricultural Society Inc
Reporting Officer(s)	:	Administration Officer (A Wiseman)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council agree to enter into an extension and variation of lease with the Albany Agricultural Society Inc for a further 20 years from 1 February 2002 for the use of the Hanrahan Road Refuse Site.
Locality Plan	:	



Item 12.2.5 continued.

BACKGROUND

1. The Albany Agricultural Society Inc has written to Council seeking agreement to enter into a further term of 20 years on the current lease agreement.
2. Council currently leases the Hanrahan Road Refuse Site from the Albany Agricultural Society Inc. Under the terms of the lease, the second further term of 20 years was due for renewal on 1 January 2002.
3. The subject land is on Albany Lot 1135 and being the whole of the land comprised in Certificate of Title Volume 546 Folio 156A.

STATUTORY REQUIREMENTS:

4. There are no statutory requirements in relation to this item.

POLICY IMPLICATIONS

5. There are no policy implications in relation to this item.

FINANCIAL IMPLICATIONS

6. The rental has been set by the Albany Agricultural Society Inc as follows:

“An amount equivalent to the minimum Gross Rental Value of the Centennial Oval in Albany PROVIDED THAT should the Lessor not lease the Centennial Oval from the Lessee during the term of this agreement then such amount as shall be agreed between the Lessor and the Lessee from year to year set annually and subject to the payment of GST.”

7. All costs associated with this proposed extension and variation of lease are to be borne by the applicant, being the City of Albany.

STRATEGIC IMPLICATIONS

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

Managed Healthy Land/Harbour Environment

Waste Management

“To participate in a regional waste program, which is environmentally responsible, cost efficient and effective” (Tip Management/Monitoring).

COMMENT/DISCUSSION

9. City of Albany is still utilising the Hanrahan Road Refuse Site and will need to continue to lease the site into the future.

Item 12.2.5 continued.

10. It is therefore recommended that Council support the extension and variation of lease for a further 20 years from 1 February 2002. The variation is simply for the additional clause for indemnity, whereby the City of Albany indemnifies the Albany Agricultural Society Inc against any claims made by third parties in relation to a loss suffered by that party.

RECOMMENDATION

THAT Council agree:

- i) to enter into a second further term of 20 years with the Albany Agricultural Society Inc for the use of the Hanrahan Road Refuse Site from 1 February 2002;
- ii) to the terms and conditions of the extension and variation, including an additional clause for indemnity;
- iii) to the rental being equivalent to the minimum Gross Rental Value;
- iv) to all costs for the lease extension and variation being borne by the City of Albany; and
- v) to the Common Seal of the City of Albany being affixed to the Extension and Variation of Lease.

Voting Requirement Simple Majority

.....
Councillor Bojcun declared that she was a member of the Albany Agricultural Council.

**MOVED COUNCILLOR WELLINGTON
SECONDED COUNCILLOR WALKER**

THAT Council agree:

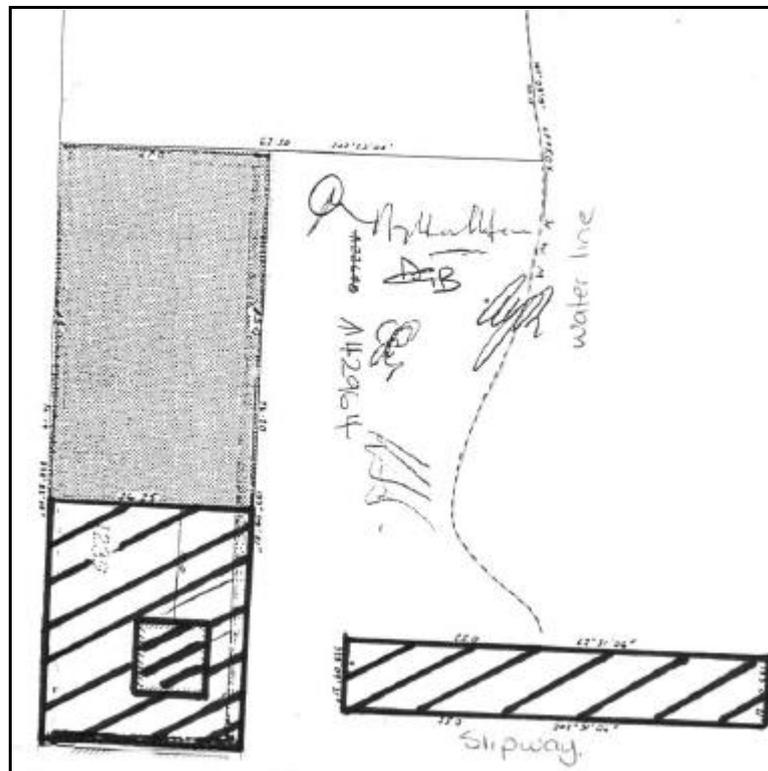
- i) to enter into a second further term of 20 years with the Albany Agricultural Society Inc for the use of the Hanrahan Road Refuse Site from 1 February 2002;**
- ii) to the terms and conditions of the extension and variation, including an additional clause for indemnity;**
- iii) to the rental being equivalent to the minimum Gross Rental Value;**
- iv) to all costs for the lease extension and variation being borne by the City of Albany; and**
- v) to the Common Seal of the City of Albany being affixed to the Extension and Variation of Lease.**

MOTION CARRIED 14-0

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12.2.6 Sub Lease – Between Emu Point Sporting Club and Darren Russell - Portion of Reserve 42964 Emu Point

- File/Ward** : PRO053 (Breaksea Ward)
- Proposal/Issue** : Request for New Sub Lease
- Subject Land/Locality** : Portion of Reserve 42964, Lot 1240 and a portion of Lot 1239
- Proponent** : Emu Point Sporting Club Inc
- Owner** : Crown Land (Management Order to the City of Albany)
- Reporting Officer(s)** : Administration Officer (A Wiseman)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Approve Application For a Request For a Sub Lease
- Locality Plan** :



Item 12.2.6 continued.

BACKGROUND

1. Reserve 42964 is located at Emu Point. Council has a Management Order for this Reserve which states the purpose as “*Marine and Associated Purposes*”, with power to lease for periods up to and including 50 years. Council currently has various leases on this Reserve including a lease for a portion of Reserve 42964, Lots 1239 and 1240 to Emu Point Sporting Club Inc. The term of this lease is for a period of 21 years from 11 November 1993 until 31 October 2014.
2. An application has been received by Council from the Emu Point Sporting Club Inc requesting that a sub lease be permitted on a portion of their current leased site to Darren Russell. The current lease has provisions for sub leasing, however requires the approval of Council and the Minister for Lands prior to any such arrangement being formalised.

STATUTORY REQUIREMENTS:

3. Section 18 (1) of the Land Administration Act 1997 states 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 and the Department of Land Administration has advised that they have no objection to the sublease agreement in principle.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. All costs associated with this sub lease are to be paid by the sub-lessee, Darren Russell. Council will not receive any financial benefit from this sub lease, with all monies being paid directly to the Emu Point Sporting Club Inc. The valuation for this sub-lease based on the current open market rental on a commercial return basis only, is \$500.00 per annum exclusive of GST.

STRATEGIC IMPLICATIONS

6. This request complies with Council’s “Albany 2020 – Charting Our Course”, which in part states as follows:

“Managed healthy land/harbour environment

Reserve Management – To manage reserves for environmentally sustainable use, community enjoyment and benefit”.

Item 12.2.6 continued

COMMENT/DISCUSSION

7. The Emu Point Sporting Club Inc currently sub-lease a portion of Lot 1239 to Ocean Foods International Pty Ltd with all rentals being payable to Council. It is proposed that all rentals for this new sub lease for a portion of Lot 1239 (shed) and Lot 1240 (Slipway) be payable directly to the Emu Point Sporting Club Inc.
8. The current facilities at Emu Point are archaic, dangerous and do not service the clients nor the Department of Planning and Infrastructure clients in the boat pens and as such this would be an excellent opportunity to provide a functional service that is environmentally sound and safe for all users of the slipway.
9. Mr Russell is a Shipwright who plans to upgrade the aged facilities, including the steel wire cable presently running across the road. Mr Russell's proposal is to install a marine travel lift jinker, which requires two ramps extending across the water to a length of approximately 20 metres. The plan is to install the ramps within the existing leased area of Lot 1240 within the seabed.
10. Mr Russell has requested that the sub-lease run until the completion of the Emu Point Sporting Club's current term in 2014. If the lease were to commence from 1 August 2002 until 31 October 2014 in line with the Head-Lease, this would mean a leasing term of 12 years 3 months.

RECOMMENDATION

THAT:

- i) subject to approval from the Minister for Lands; Council agree to the request from the Emu Point Sporting Club Inc for a new sub lease to Darren Russell, for a period of 12 years and 3 months from 1 August 2002 until 31 October 2014 on portion of Reserve 42964, being Lot 1240 and portion of Lot 1239;
- ii) approval by the Department of Planning and Infrastructure be sought by Mr Darren Russell prior to the commencement of any redevelopments, additions and extensions to the lease area in regard to the slipway operations being located over the water;
- iii) the rental be set at \$500.00 per annum, subject to GST, in accordance with the current open market rental on a commercial return basis only, with rent reviews being carried out every 3 years based on the commercial return of the business and CPI being applied every other year;

Item 12.2.6 continued.

- iv) the sub-lease be prepared in accordance with Council's standard sub-leasing terms and conditions;
- v) all fees associated with this sub lease be payable by Darren Russell; and
- vi) the Common Seal of the City of Albany be affixed to the documentation.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR BOJCUN**

THAT:

- i) subject to approval from the Minister for Lands; Council agree to the request from the Emu Point Sporting Club Inc for a new sub lease to Darren Russell, for a period of 12 years and 3 months from 1 August 2002 until 31 October 2014 on portion of Reserve 42964, being Lot 1240 and portion of Lot 1239;**
- ii) approval by the Department of Planning and Infrastructure be sought by Mr Darren Russell prior to the commencement of any redevelopments, additions and extensions to the lease area in regard to the slipway operations being located over the water;**
- iii) the rental be set at \$500.00 per annum, subject to GST, in accordance with the current open market rental on a commercial return basis only, with rent reviews being carried out every 3 years based on the commercial return of the business and CPI being applied every other year;**
- iv) the sub-lease be prepared in accordance with Council's standard sub-leasing terms and conditions;**
- v) all fees associated with this sub lease be payable by Darren Russell; and**
- vi) the Common Seal of the City of Albany be affixed to the documentation.**

MOTION CARRIED 14-0

12.2.7 Request for Imposition of a Rate – Memorial Park Cemetery

File/Ward	: FIN 052 (Fredericktown Ward)
Proposal/Issue	: Imposition of Rate
Subject Land/Locality	: Memorial Park Cemetery – Reserve 22406
Proponent	: Albany Cemetery Park
Owner	: Crown Reserve (Unvested)
Reporting Officer(s)	: Executive Director Corporate & Community Services (P Madigan)
Disclosure of Interest	: Nil
Previous Reference	: Nil
Summary Recommendation	: That Council not agree to levy additional rate, and refer the request for consideration in conjunction with other requests for financial assistance.
Locality Plan	: N/A

BACKGROUND

1. The Albany Cemetery Board is requesting Council to levy a ‘Cemetery Rate’ to assist with the maintenance and operation of Allambie Park Cemetery and Crematorium and Memorial Park in addition to engaging the services of a Consultant to draw up a 50 year Master Plan for Allambie Park Cemetery, to assist with future planning of the Cemetery grounds and services.
2. The Albany Cemetery Board has pointed out that Allambie Park Cemetery is maintained solely from revenue received from the funeral and memorial services provided and that a negligible amount of revenue is received for Memorial Park Cemetery.

STATUTORY REQUIREMENTS

3. The Albany Public Cemeteries Subsidies Act 1952 provides authority for local governments to levy rates (under Section 4) as follows:-
 - 1) *For the purpose of this Act the local governments are each hereby authorised to make, levy and impose a special rate to be known as a ‘Cemetery Rate’ upon all rateable land within their respective districts or upon all rateable land within a prescribed portion of their respective districts;*

Item 12.2.7 continued.

- 2) *Such rate may be levied upon either the unimproved capital value or the annual value and shall not exceed, in any one year, one halfpenny in the pound on the unimproved capital value or two pence in the pound on the annual value; and*
- 3) *Such rate shall be in addition to any rate imposed under the Local Government Act 1995, and shall not effect rating limit imposed by that Act.”*

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

5. The request would involve the imposition of an additional rate, the proceeds from which would have to be held in a special account, and only expended for the purpose of the above Act, and not otherwise.

STRATEGIC IMPLICATIONS

6. The Albany 2020 Charting our Course Strategic Plan includes the following Port of Call:

“Outstanding municipal and privately owned heritage assets”
7. The Albany Cemetery Board has submitted an application to the Heritage Council of WA for Memorial Park Cemetery to be heritage listed.

COMMENT/DISCUSSION

8. The status of Memorial Park is as an unallocated Crown Reserve under the care and control of the Department of Land Administration, and operated by the Albany Cemetery Board, whose membership is appointed by the Minister.
9. The Board believes that if Memorial Park Cemetery achieves a heritage listing, it may be able to access funding for various studies to be undertaken. The Board points out, however, that this does not in the short term assist with the urgent maintenance required to upgrade the pathways and prune back overgrown tree limbs.
10. The Board believes the only other alternative is to continue to increase the fees charged for the services provided.
11. However, the institution of a levy is not considered to be the most effective option, and the Community Financial Assistance Program is adequate to provide funding on occasions to undertake maintenance works.

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Item 12.2.7 continued.

RECOMMENDATION

THAT, while regarding the heritage significance of Memorial Park, Council;
i) declines the request to impose an additional rate levy; and
ii) refers the request to the Community Financial Assistance Committee for consideration.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR CECIL**

THAT prior to Council giving consideration to funding, the Albany Cemetery Board provide a costed and detailed maintenance and planning program for Memorial Park and their last three years audited financial statements and statement of current financial position.

MOTION CARRIED 14-0

Reason:

Prior to expending Council's resource much more detail costs are required on the scope and scale of the proposed works and the operating viability of the Albany Cemetery Board.

12.2.8 Extended Trading Hours - Albany Plaza Shopping Centre Opening

File/Ward	:	LEG005/A87884 (All Wards)
Proposal/Issue	:	Extended Trading Hours for 22 September 2002
Subject Land/Locality	:	Albany Plaza Shopping Centre 42-68 Albany Highway, Albany
Proponent	:	Perpetual Trustees Australia Ltd
Owner	:	Perpetual Trustees Australia Ltd
Reporting Officer(s)	:	Administration Officer (A Wiseman)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council support the request of FPD Savills on behalf of Perpetual Trustees Australia Ltd to allow the centre to open on 22 September 2002 from 9.00am to 4.00pm
Locality Plan	:	Nil

BACKGROUND

1. A letter has been received from FPD Savills International Property Consultants who act on behalf of the owners of the Albany Plaza Shopping Centre, Perpetual Trustees Australia Ltd. To celebrate the relaunch of the newly extended Centre they are proposing a “Family Fun Day” for Sunday 22 September 2002.
2. The Albany Plaza Shopping Centre located at 42-68 Albany Highway has been undergoing large renovations over the past year, including extensions to accommodate the new K-Mart store.

STATUTORY REQUIREMENTS:

3. Under the Retail Trading Hours Act 1987, Section 15 empowers the Minister to vary trading hours.

POLICY IMPLICATIONS

4. Currently, there are no policies in place in relation to this item.

Item 12.2.8 continued.

FINANCIAL IMPLICATIONS

5. There are no financial implications in relation to this item.

STRATEGIC IMPLICATIONS

6. In the City of Albany's 2020 – Charting our Course, the following Port of Call is identified:
 - *A reputation for professional excellence*
 - *Governance*
 - *To comply with statutory requirements of the organisation*

COMMENT/DISCUSSION

7. The “Family Fun Day” is planned for Sunday 22 September 2002 to celebrate the newly extended Centre, being one of Albany's largest retailing events to have ever taken place.
8. The gala event will feature the official opening of the extensions by the Premier of Western Australia, Doctor Geoff Gallop, (still to be confirmed) free entertainment for the whole family and competitions offering valuable prizes for shoppers to win.
9. Support from the City of Albany and the Ministry of Fair Trading is sought to permit trading from 9.00am to 4.00pm on Sunday 22 September 2002 as a one off event.
10. The opening of the Centre on the Sunday will give people who live in outlying areas and other towns within the Great Southern the opportunity to travel to Albany to take advantage of the opening specials and the other planned activities.
11. On 2 May 2002 a letter was sent to all Retail Trading Hours Committee Members and to all City of Albany Councillors advising them of this proposal and seeking comments from their respective groups. A facsimile was sent to all of the Retail Trading Hours committee members again on 5 June 2002, requesting their urgent feedback so that it could be included in this item. The Albany Chamber of Commerce and Industry and the Albany Visitor Centre have indicated their support to this proposal, however the City of Albany Merchants have objected to any extended trading hours.

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Item 12.2.8 continued.

RECOMMENDATION

THAT Council support the request from FPD Savills on behalf of the owners of the Albany Plaza Shopping Centre, Perpetual Trustees Ltd and recommend that the Minister for Fair Trading permit extended trading from 9.00am to 4.00pm on Sunday 22 September 2002 for the opening of the new plaza as a one off event.

Voting Requirement Simple Majority
.....

AMENDED RECOMMENDATION

THAT Council support the request from FPD Savills on behalf of the owners of the Albany Plaza Shopping Centre, Perpetual Trustees Ltd and recommend that the Minister for Fair Trading permit extended trading from 9.00am to 4.00pm on Sunday 22 September 2002.

Voting Requirement Simple Majority
.....

Councillor Sankey declared an interest in this item and left Chambers at 8.38pm.

The nature of Councillor Sankey's interest is that she has a daughter working at Woolworths.

Councillor Wellington declared an interest in this item and left Chambers at 8.38pm.

The nature of Councillor Wellington's interest is that he is involved in the retail industry.

Councillor Barton declared an interest in this item and left Chambers at 8.38pm.

The nature of Councillor Barton's interest is that she is an employee of Coles, which is located in the Albany Plaza.

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WALKER**

THAT Councillors Sankey, Wellington and Barton be allowed to come back into Chambers and take part in the debate and vote on the item.

MOTION CARRIED 10-1

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Item 12.2.8 continued.

Councillors Sankey, Wellington and Barton returned to the Chambers at 8.39pm.

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR EMERY**

THAT Council support the request from FPD Savills on behalf of the owners of the Albany Plaza Shopping Centre, Perpetual Trustees Ltd and recommend that the Minister for Fair Trading permit extended trading from 9.00am to 4.00pm on Sunday 22 September 2002

MOTION CARRIED 12-2

12.2.9 Proposed Youth Venue – Land Tenure

- File/Ward** : MAN 136 (All Wards)
- Proposal/Issue** : Land Transfer Agreement – Federation of West Australian Police & Citizens Youth Clubs.
- Subject Land/Locality** : Lot 745 Sanford Road, Albany
- Proponent** : N/A
- Owner** : City of Albany
- Reporting Officer(s)** : Community Development Officer (R Shanhun)
- Disclosure of Interest** : Nil
- Previous Reference** : N/A
- Summary Recommendation** : That Council endorse the proposal to transfer ownership of Lot 745 Sanford Road, Albany to the Federation of WA PCYC's for the purpose of a joint use – multi purpose youth venue, subject to the provisions of a deed of agreement.
- Locality Plan** :



Item 12.2.9 continued.

BACKGROUND

1. Council has previously been briefed on issues relating to the provision of a youth recreation facility to replace the existing buildings occupied by Albany PCYC and Southern Edge Arts, as well as providing much needed drop in style facilities for mainstream and disadvantaged youth.
2. The proposed joint use multi purpose youth venue project was identified by Council as its number one priority for Department of Sport and Recreation CSRFF funding. Subsequently a meeting of all local authorities in the Great Southern also identified the youth venue project as the Region's number one priority for CSRFF funding.
3. The Minister for Sport and Recreation has recently approved a CSRFF grant of \$500,000 towards the project.

STATUTORY REQUIREMENTS

4. Section 3.58 of the Local Government Act makes provision for a local government to dispose of property, provided certain conditions are met. As the Federation of Western Australian Police and Citizens Youth Clubs is a not for profit community based organisation that is recreational or sporting in its nature, regulations exempt Council from the conditions outlined under Section 3.58 of the Act. As such there are no statutory constraints on Council transferring the property to the Federation.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

6. A valuation of the land, provided by Albany Valuation Services on 26th October 2001 indicates the property to be worth \$135,000 as at that date. This value would form part of Council's overall contribution towards the Youth Venue project.

STRATEGIC IMPLICATIONS

7. Council's Albany 2020 Strategic Plan includes the Port of Call – 'Attraction and Development of a broad range of social, cultural and economic entities'. This port of call contains the broader objectives of 'Recreational Planning' and 'Community Development'. The provision of a joint use multi purpose youth recreation venue will contribute to the achievement of both objectives.

Item 12.2.9 continued.

COMMENT/DISCUSSION

8. Under the Management Plan for the proposed youth venue, developed by the project group, ownership of the land and building will rest with the Federation of West Australian Police and Citizens Youth Club (Inc.). To protect the interest of the PCYC, the City of Albany and other stakeholder groups, a deed of agreement will be entered into as part of the process of transferring the land from the City of Albany (current owner) to the PCYC.
9. The Deed of Agreement will ensure that all stakeholder groups, including the City will have an effective say in the ongoing management and operation of the venue as well as ensuring equity of access and guaranteed areas in which to operate.
10. The Deed will also provide security for the City and the Federation of PCYC's, as the major financial contributors to the project. A provision of the Deed of Agreement will allow for the land to be transferred back to the City of Albany in the event the Federation no longer requires it for a youth venue.
11. In order to progress the project further the Federation requires a commitment from Council that it is prepared to transfer the land to the Federation as part of its contribution towards the project. Until such time as sufficient funding is secured and progress on the project is definite, it will only be a commitment made subject to the project being fulfilled.

RECOMMENDATION

THAT subject to:-

- i) sufficient funding being obtained to ensure the proposed Youth Venue project being completed; and
- ii) a Deed of Agreement that protects the interests of all stakeholder groups being entered into by the parties:-

Council indicates its commitment to the transfer of ownership of Lot 745 Sanford Road, Albany to the Federation of Western Australian Policy and Citizens Youth Clubs (Inc.), for the purposes of a joint use – multi purpose youth recreation venue.

Voting Requirement Simple Majority

.....

Item 12.2.9 continued.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WALKER**

THAT subject to:-

- i) sufficient funding being obtained to ensure the proposed Youth Venue project being completed; and**
- ii) a Deed of Agreement that protects the interests of all stakeholder groups being entered into by the parties:-**

Council indicates its commitment to the transfer of ownership of Lot 745 Sanford Road, Albany to the Federation of Western Australian Police and Citizens Youth Clubs (Inc.), for the purposes of a joint use – multi purpose youth recreation venue.

MOTION CARRIED 12-2

12.2.10 2003 Council Elections – Choice of Methods of Conducting the Election

File/Ward	:	MAN 016 (All Wards)
Proposal / Issue	:	2003 Council Elections
Subject land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer	:	Senior Records Officer (S Pepper)
Disclosure of Interest	:	Nil
Previous Reference	:	CNCL 15.08.00 - Item 12.2.1
Summary Recommendation	:	Agree to allow the Electoral Commissioner to be responsible for the conduct the 2003 elections as a postal election.
Locality Plan	:	N/A

BACKGROUND

1. The State Electoral Commission has written to Council, advising it has commenced planning for the May 2003 Local Government postal elections, and invites Council to again use its expertise in running these elections.
2. To expedite the process, the Department of Local Government and Regional Development has been asked by the Western Australian Electoral Commission, to consider a proposal to allow a local government's decision to hold postal elections to continue until rescinded. Unfortunately, until the Local Government Act 1995 is amended, local governments must vote on the matter prior to each election.
3. The Electoral Commission states higher turnout figures clearly indicate that electors are more prepared to vote in postal elections; and cite the following advantages:

Advantages for electors

- Convenience of casting a vote in their own homes – particularly for disabled and aged voters and those without access to transport.
- Provision of candidate profiles to each elector to assist in their decision making.
- Time to contact candidates and make an informed decision.
- Reduced costs in time and travel in casting a vote.

Item 12.2.10 continued.

Advantages for candidates

- Availability of an experienced Returning Officer “at arms length” from Local Government business.
- Detailed candidates’ guides prepared by the Electoral Commission.
- An opportunity to reach all eligible electors at no cost through the candidate profile.
- Confidence that the election is being run by the State’s independent Electoral Commission.
- Elected candidates have an increased support base.

Advantages for the Local Government

- All eligible electors are given information about the election.
- Electors can vote more easily as there are virtually no barriers to Voting .
- Elections are seen to be conducted by the impartial Western Australian Electoral Commission.
- The workload for the CEO is reduced in an area that is not core business.
- The vast majority of elector and candidate enquiries are received and resolved by either the Returning Officer or the Electoral Commissioner
- Statutory requirements are fulfilled.
- A full election report (including statistics) is prepared by the Electoral Commission for presentation to Council.
- Materials and equipment used in the processes meet contemporary electoral standards.
- Economies of scale can reduce some of the costs.
- Elected Councillors have a high level of support from the local community.

STATUTORY REQUIREMENTS

4. Section 4.61 of the Local Government Act 1995, states in part as follows:

“4.61 (1) The election can be conducted as a –

“postal election” which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

“voting in person election” which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) *The local government may decide * to conduct the election as a postal election.*

* *Special majority required “*

Item 12.2.10 continued.

(4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20 (4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.”

5. Section 4.20 (4) of the Act states as follows:

*“(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare * the Electoral Commissioner to be responsible for the conduct of an election and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election.*

** Special majority required”*

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

7. A preliminary figure of \$60,000.00 has been included in the 2002-2003 budget to cover election expenses.

STRATEGIC IMPLICATIONS

8. Council’s Albany 2020 – Charting our Course Objectives include governance to comply with statutory requirements of the organisation. The Local Government Act details the statutory requirements for running Local Government elections.

COMMENT/DISCUSSION

9. As electoral terms are for four-year terms, with half the Council retiring each second year, the 2003 election will only effect seven electoral positions and also include the Mayoral position. Postal elections attract significantly higher voter turnouts than in person elections, and thereby ensure as many electors as possible exercise their democratic right to vote.

10. Should Council decide to proceed with postal elections using the Electoral Commission, it is required, having first obtained the written agreement of the Electoral Commissioner, to declare by special majority (75%) resolution, the Electoral Commissioner to be responsible for the conduct of the election. To facilitate this process, the Electoral Commissioner has advised, that should Council agree to the proposal, his correspondence dated 16th May 2002 will suffice as proof of his agreement (section 4.20(4) of the Local Government Act).

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Item 12.2.10 continued.

11. The WA Electoral Commission conducts elections on a full cost recovery basis and therefore can only provide an estimate of cost for the conduct of elections.

RECOMMENDATION

THAT Council:-

- i) declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the May 2003 elections; and
- ii) decide, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election will be as a postal election.

Voting Requirement Special Majority

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**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WOLFE**

THAT Council:-

- i) **declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the May 2003 elections; and**
- ii) **decide, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election will be as a postal election.**

MOTION CARRIED 14-0

12.2.11 Aboriginal Accord Advisory Committee

File/Ward	: REL 114 (All Wards)
Proposal/Issue	: Appointment of Aboriginal Accord Advisory Committee representatives
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Community Development Officer (R Shanhun)
Disclosure of Interest	: Nil.
Previous Reference	: OCM 19/03/02 – Item 12.2.4
Summary Recommendation	: That representatives on the Aboriginal Accord Advisory Committee, be appointed.
Locality Plan	: Nil.

BACKGROUND

1. On the 19th March 2002 Council resolved to ‘establish an Aboriginal Accord Advisory Committee’ which will be responsible for the development of an Accord between Council and the Aboriginal community.
2. Council appointed the Mayor, Cllr Bojcun, Cllr Evers and the Community Development Officer as its representatives on the Committee and resolved to seek representation from the Aboriginal community.

STATUTORY REQUIREMENTS

3. Section 5.8 & 5.10 of the Local Government Act provides that a local government may establish committees of 3 or more persons to assist the Council in carrying out its duties and responsibilities.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

Item 12.2.11 continued.

STRATEGIC IMPLICATIONS

6. *The Albany 2020 Port of Call ‘Attraction and development of a broad range of social, cultural and economic entities’ identifies the strategic objective of developing an accord between Council and the Aboriginal community.*

COMMENT/DISCUSSION

7. The Terms of Reference for the Committee provides for 3 representatives from the wider Aboriginal Community and 3 representatives from Aboriginal Community groups and/or agencies.
8. Nominations have been received from the following persons/organizations:-
- Paul Haywood – Albany Aboriginal Corporation
 - Aden Eades – South West Commission of Elders
 - Gail Williams – Albany Aboriginal Community
 - Stanely Loo - Albany Aboriginal Community
 - Harley Coyne - Albany Aboriginal Community
9. Southern Aboriginal Corporation has indicated they do not require a representative on the Committee, being satisfied with the current nominations.

RECOMMENDATION

THAT in accordance with the provisions of Section 5.8 & 5.10 of the Local Government Act Council appoint:-

- Paul Haywood – Albany Aboriginal Corporation
- Aden Eades – South West Commission of Elders
- Gail Williams – Albany Aboriginal Community
- Stanely Loo - Albany Aboriginal Community
- Harley Coyne - Albany Aboriginal Community

as members of the City of Albany Aboriginal Accord Advisory Committee.

Voting Requirement Absolute Majority

.....

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Item 12.2.11 continued.

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WILLIAMS**

**THAT in accordance with the provisions of Section 5.8 & 5.10 of the
Local Government Act Council appoint:-**

- **Paul Haywood – Albany Aboriginal Corporation**
- **Aden Eades – South West Commission of Elders**
- **Gail Williams – Albany Aboriginal Community**
- **Stanely Loo - Albany Aboriginal Community**
- **Harley Coyne - Albany Aboriginal Community**

**as members of the City of Albany Aboriginal Accord Advisory
Committee.**

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

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 Disability Services Advisory Committee Minutes – 8th May 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 the Disability Services Advisory Committee held on 8th May 2002 be adopted.

Confirmation of the minutes of the Disability Services Advisory Committee meeting held on 8th May 2002

RECOMMENDATION

Confirmation of the minutes of the Disability Services Advisory Committee meeting held on 8th May 2002 be received (copy of the minutes are in the Elected Members Report/Information Bulletin) and the following item be amended and adopted as follows:-

Item 6.5 Disability Awareness Training

THAT Council provide relevant City of Albany Works & Services staff with a program of Disability Awareness training, designed to improve their understanding of disability access issues and the needs of people with disability and mobility problems.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR BOJCUN**

Confirmation of the minutes of the Disability Services Advisory Committee meeting held on 8th May 2002 be received (copy of the minutes are in the Elected Members Report/Information Bulletin) and the following item be amended and adopted as follows:-

Item 6.5 Disability Awareness Training

THAT Council provide relevant City of Albany Works & Services staff with a program of Disability Awareness training, designed to improve their understanding of disability access issues and the needs of people with disability and mobility problems.

MOTION CARRIED 14-0

12.7. 2 Seniors Advisory Committee Minutes – 16th May 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 the Seniors Advisory Committee held on 16th May 2002 be adopted.

Confirmation of the minutes of the Seniors Advisory Committee of 16th May 2002.

RECOMMENDATION

THAT the minutes of the Seniors Advisory Committee held on 16th May 2002 be received (copy of minutes is in the Elected Members Report/Information Bulletin)

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WEST**

THAT the minutes of the Seniors Advisory Committee held on 16th May 2002 be received (copy of minutes is in the Elected Members Report/Information Bulletin)

MOTION CARRIED 14-0

12.7.4 Albany Arts Advisory Committee Minutes – 16th May 2002

- File/Ward** : MAN 116 (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 Albany Arts Advisory Committee held on 16th May 2002 be adopted.

Confirmation of the minutes of the Albany Arts Advisory Committee of 16th May 2002.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 16th May 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and items 4.6 and 4.7 be adopted.

Item 4.6 Application for Subsidy of accommodation for Western Australian Opera Tour 12 and 13 June 2002.

RECOMMENDATION

THAT the WA Opera be offered the subsidised accommodation as requested for artists and staff of the touring production ‘Sound Garden’ on the 12 and 13 June subject to VAC being acknowledged in all publicity associated with the project.

Item 4.7 Application from Albany Aboriginal Corporation for sponsorship of accommodation for Business Volunteers for Indigenous Communities representative in June/July 2002.

RECOMMENDATION

THAT the Albany Aboriginal Corporation is offered subsidised accommodation as requested for a Business Volunteers for Indigenous Communities representative in June 2002. In return the VAC will be acknowledged in all publicity associated with the project.

Voting Requirement Simple Majority

.....

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Item 12.7.4 continued.

AMENDED RECOMMENDATION

THAT the Minutes of Albany Arts Advisory Committee held on 16th May 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

Voting Requirement Simple Majority

.....

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WEST**

THAT the Minutes of Albany Arts Advisory Committee held on 16th May 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin).

MOTION CARRIED 14-0

12.7.5 Albany Town Hall Theatre Advisory Committee Minutes – 5th June 2002

- File/Ward** : REL 016 (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 Albany Town Hall Theatre Advisory Committee held on 5th May 2002 be adopted.

Confirmation of the minutes of the Albany Town Hall Theatre Advisory Committee of 5th May 2002.

RECOMMENDATION

THAT the minutes of Albany Town Hall Theatre Committee held on 5th May 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendation be adopted:-

Item 7.2 Development Proposal for Albany Convention & Entertainment Centre

RECOMMENDATION

THAT Council endorse the Albany Town Hall Theatre Advisory Committee nomination of the Theatre Manager, S Gartland, as its representative on the Albany Convention & Entertainment Centre Steering Committee.

Voting Requirement Absolute Majority

.....

**MOVED COUNCILLOR WILLIAMS
SECONDED COUNCILLOR WILSON**

THAT the minutes of Albany Town Hall Theatre Committee held on 5th May 2002 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and the following recommendation be adopted:-

Item 7.2 Development Proposal for Albany Convention & Entertainment Centre

THAT Council endorse the Albany Town Hall Theatre Advisory Committee nomination of the Theatre Manager, S Gartland, as its representative on the Albany Convention & Entertainment Centre Steering Committee.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

Works & Services

REPORTS

WORKS & SERVICES REPORTS

- R E P O R T S -

13.1 WASTE MANAGEMENT

13.1.2 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)	:	Manager Asset and Client Services (P Brown)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council adopt in principle and advertise for comment the “Asset Management Strategy - Waste” and recommendations.
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 13.1.2 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 while 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 will be circulated prior to the meeting. 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, business 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. Albany 2020 – Charting our Course the City of Albany’s strategic plan 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 13.1.2 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 (tabled) 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 annually 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.
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 implementing a staged programme of transfer site construction 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 facility 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.

RECOMMENDATION:

THAT Council:

- i) adopt in principle the Waste Management Plan as tabled;
- ii) advertise for comment on 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 draft 2002/03 budget, for consideration.

Voting Requirement Simple Majority

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The Executive Director Works Services advised this Item had been withdrawn.

WORKS & SERVICES REPORTS

13.2 ASSET MANAGEMENT

13.2.1 Albany Foreshore Lakes Wetland

File/Ward	: C02008 (All Wards)
Proposal/Issue	: Construction of a Wetland at the Albany Foreshore Lakes
Subject Land/Locality	: N/A
Proponent	: N/A
Owner	: N/A
Reporting Officer(s)	: Manager City Services (G Steel) Parks & Reserves Co-ordinator (M Richardson)
Disclosure of Interest	: Nil
Previous Reference	: N/A
Summary Recommendation	: Award Construction of project to A.D Contractors PTY LTD for \$252,422.24.
Locality Plan	: N/A

BACKGROUND

1. Tenders were called for the construction of a wetland at the Albany Foreshore Lakes as advertised in the West Australian, closing on the 5th June 2002.
2. A total of five specifications were issued with a total of two submissions received.
3. Council has allocated funds for this project this financial year, with funding matched from the National Heritage Trust. The project is a jointly managed project with the Department of Environment, Water and Catchment Protection, and the City of Albany.

STATUTORY REQUIREMENTS

4. The tendering process for Goods & Services must be in accordance with sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 of the Local Government Act 1995.
5. In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council; it may also decline any tender.

WORKS & SERVICES REPORTS

Item 13.2.1 continued

POLICY IMPLICATIONS

- 6. The City of Albany Regional Price Preference Policy is applicable to this item.

FINANCIAL IMPLICATIONS

- 7. An allocation of \$287,400 has been made in the 2001/2002 Capital Works Budget for these works. The lowest, best value tender received was for \$252,422.24, with additional project costs of consultants, consultation, disposal of material, planting materials. The overall costs of this project are expected to fall within budget.

STRATEGIC IMPLICATIONS

- 8. In the City of Albany’s 2020 Plan Charting Our Course, the following Ports of Call are identified:

Port of Call

Managed Healthy Land / Harbour Environment

Objective

- To provide the community with an effective and environmentally appropriate drainage network and to reduce polluted discharge to and from the storm water system.

COMMENT/DISCUSSION

Tender Evaluation

- 9. The tender documents included tender evaluation criteria, using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tenderer. The criteria and sub-criteria are:

- *Suitability for task requirements* 30%
- *Price* 70%

- 10. Following the opening of tenders, the Manager of City Services detailed preliminary evaluation of submissions for the works.

- 11. Prices received were as follows:

i)	Denmark Earthmoving	\$475,580.00
ii)	AD Contractors	\$252,422.24

- 12. Staff have had discussions and met onsite with AD Contractors, and believe that the price submitted is fair and reasonable and will lead to a quality job.

RECOMMENDATION

THAT Council accepts the tender from AD Contractors PTY LTD for the contract C02008 for the Construction of Albany Foreshore Lakes Wetland for \$252,422.24 (including GST).

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.2.1 continued

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR EVANS**

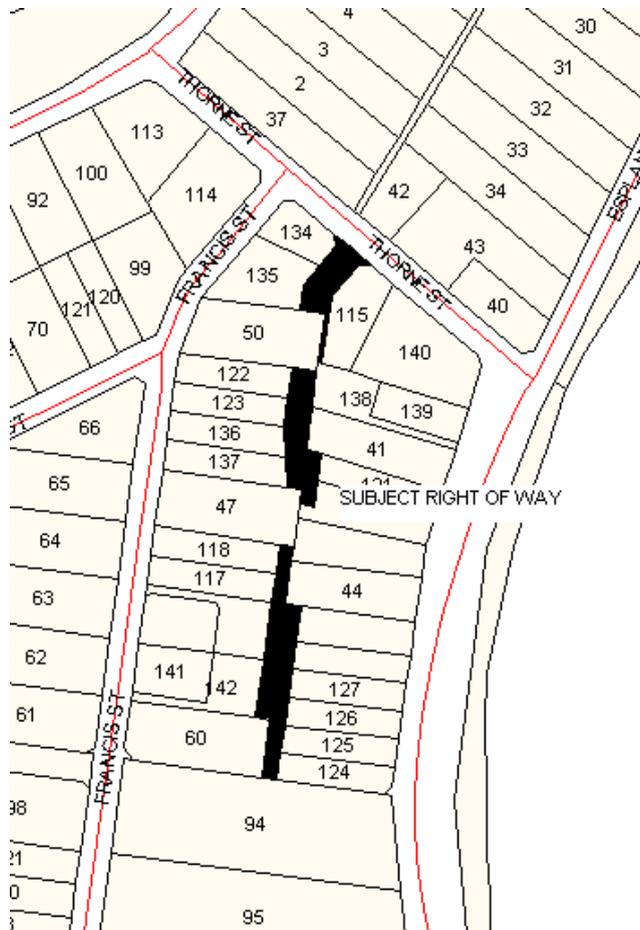
THAT Council accepts the tender from AD Contractors PTY LTD for the contract C02008 for the Construction of Albany Foreshore Lakes Wetland for \$252,422.24 (including GST).

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.2.2 Proposed Right of Way Closure – Between Francis Street & The Esplanade Lower King

- File/Ward** : SER141 (Kalgan Ward)
- Proposal/Issue** : Closure of Right of Way
- Subject Land/Locality** : Lower King
- Proponent** : Mr C Holden
- Owner** : Crown Land
- Reporting Officer(s)** : Asset Coordinator (S Broad)
- Disclosure of Interest** : Nil
- Previous Reference** : Nil
- Summary Recommendation** : Advertise proposal for closure.
- Locality Plan** :



WORKS & SERVICES REPORTS

Item 13.2.2 continued

BACKGROUND

1. Council has been requested by Mr C Holden to close the right of way at the rear of properties on Francis Street and The Esplanade Lower King as it is of no useful purpose and the area has been cited as a fire hazard.
2. The right of way was created as a condition of subdivision under Section 20A of the Town Planning and Development Act.
3. The right of way is inaccessible from either Thorne Street, Francis Street or The Esplanade and there is currently no point where access can be gained to undertake fire management or weed eradication.

STATUTORY REQUIREMENTS

4. Section 58 of the Land Administration Act details as follows the process for permanently closing road reserves:
 - (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
 - (2) When a local government resolves to make a request under subsection (1), the local government must, in accordance with the regulations, prepare and deliver the request to the Minister.
 - (3) A local government must not resolve to make a request under subsection (1), until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.
 - (4) On receiving a request to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) –
 - a) by order grant the request;
 - b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
 - c) refuse the request.
 - (5) If the Minister grants a request under subsection (4) -
 - a) the road concerned is closed on and from the day on which the relevant order is registered;
 - b) any rights suspended under section 55 (3) (a) cease to be so suspended; and

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

- c) the Minister must cause notice of the registration of the relevant order to be published in a newspaper circulating in the district of the relevant local government.
- (6) When a road is closed under this section, the land comprising the former road becomes unallocated Crown Land; or if a lease continues to subsist in that land by virtue of section 57 (2), remains Crown Land.

POLICY IMPLICATIONS

5. The City of Albany currently does not have a policy on permanently closing right of ways.

FINANCIAL IMPLICATIONS

6. Costs to Council are administrative costs, which can be absorbed within the Operating Budget, and are estimated at \$250.00.

STRATEGIC IMPLICATIONS

7. In the City of Albany's 2020 Charting Our Course, the following Port of Call is identified:
Port of Call:
Transport systems and services designed to meet current and future needs.
Objective:
 - To plan Albany's transport infrastructure to meet future needs complementary to the City's form and sense of place.

COMMENT/DISCUSSION

8. The Crown has been acquiring the land as a condition of subdivision under Section 20A of the Town Planning and Development Act since approximately 1973, in order to create a road reserve/accessway at the rear of the properties on Francis Street and The Esplanade Lower King.
9. The Department of Land Administration (DOLA) or Department of Planning and Infrastructure have not been able to advise Council of who, when or why this condition was put on the land in this area. It would appear, however, that in the past decade, land adjoining Lot 47 was incorporated back into that lot.
10. The closure of the right of way and re-gazettal of the land to the adjoining private properties would relieve Council of the potential liability to maintain the area.

WORKS & SERVICES REPORTS

Item 13.2.2 continued.

RECOMMENDATION

THAT Council, in accordance with the Section 58 of the Land Administration Act 1997:

- i) invite submissions from the community on the proposal to permanently close the right of way adjoining properties of Francis Street and The Esplanade Lower King;
- ii) invite submissions from Department of Planning and Infrastructure, service authorities and adjoining land owners; and
- iii) give consideration to all submissions before making a decision on the closure.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR BOJCUN
SECONDED COUNCILLOR WELLINGTON**

THAT Council, in accordance with the Section 58 of the Land Administration Act 1997:

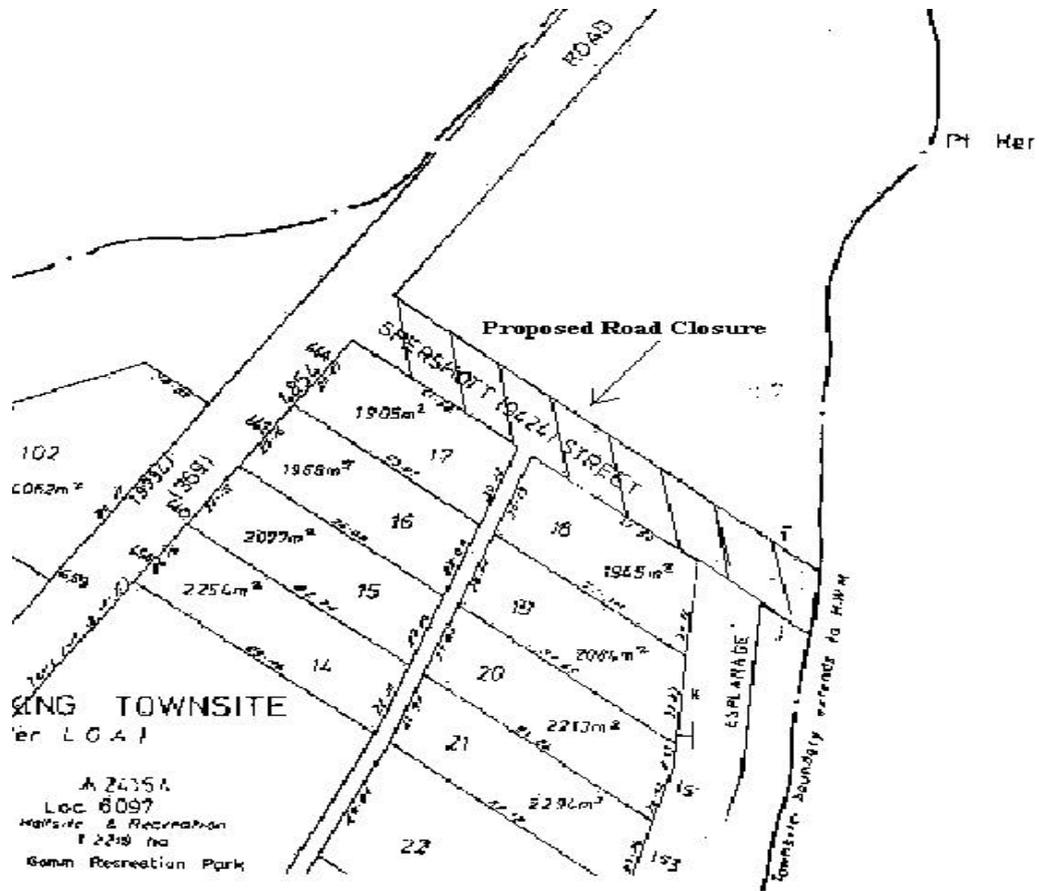
- i) invite submissions from the community on the proposal to permanently close the right of way adjoining properties of Francis Street and The Esplanade Lower King;**
- ii) invite submissions from Department of Planning and Infrastructure, service authorities and adjoining land owners; and**
- iii) give consideration to all submissions before making a decision on the closure.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.2.3 Spershott Street Lower King – Road Closure

File/Ward	:	A25103 (Kalgan Ward)
Proposal/Issue	:	Closure of Spershott Street
Subject Land/Locality	:	Lower King
Proponent	:	Anthony J Casella
Owner	:	Caronite Pty Ltd & WR Reid
Reporting Officer(s)	:	Asset Coordinator (S Broad)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 19/02/02 – Item 11.1.2
Summary Recommendation	:	Proceed with closure.
Locality Plan	:	



WORKS & SERVICES REPORTS

Item 13.2.3 continued

BACKGROUND

1. Council has been requested to permanently close Spershott Street, Lower King from Anthony Casella on behalf of Caronite Pty Ltd and WR Reid owners of Location 7 Lower King Road, Lower King to enable the proposed subdivision application as outlined in Council's recommendation (Item 11.1.2) on 19th February 2002 to proceed.
2. The closure of Spershott Street and re-gazettal of the land to private property would relieve Council of the potential requirement to maintain the road reserve.
3. The proposed closure was advertised in accordance with the Land Administration Act, Section 58, on 21 March 2002.

STATUTORY REQUIREMENTS

4. Section 58 of the Land Administration Act details as follows the process for permanently closing road reserves:
 - (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
 - (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
 - (3) A local government must not resolve to make a request under subsection (1), until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.
 - (4) On receiving a request to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) –
 - a) by order grant the request;
 - b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
 - c) refuse the request.
 - (5) If the Minister grants a request under subsection (4) -
 - a) the road concerned is closed on and from the day on which the relevant order is registered;
 - b) any rights suspended under section 55 (3) (a) cease to be so suspended; and

WORKS & SERVICES REPORTS

Item 13.2.3 continued

- c) the Minister must cause notice of the registration of the relevant order to be published in a newspaper circulating in the district of the relevant local government.
- (6) When a road is closed under this section, the land comprising the former road becomes unallocated Crown Land; or if a lease continues to subsist in that land by virtue of section 57 (2), remains Crown Land.

POLICY IMPLICATIONS

- 5. The City of Albany currently does not have a policy on permanently closing road reserves.

FINANCIAL IMPLICATIONS

- 6. Costs to Council are administrative costs, which can be absorbed within the Operating Budget and are estimated at \$250.00.

STRATEGIC IMPLICATIONS

- 7. In the City of Albany’s 2020 Charting Our Course, the following Port of Call is identified:
Port of Call:
 Transport systems and services designed to meet current and future needs.
Objective:
 - To plan Albany’s transport infrastructure to meet future needs complementary to the City’s form and sense of place.

COMMENT/DISCUSSION

- 8. The proposal to permanently close Spershott Street Lower King was advertised by publication of a notice in the Albany & Great Southern Weekender, on 21 March 2002, and a letter to all owners of lots in the immediate area. At the end of the advertising period on 26 April 2002, eight (8) submissions were received. There were no objections to the proposed road closure.
- 9. All adjoining land owners have requested that they be given the opportunity to amalgamate the sections of the road reserve into their properties.

RECOMMENDATION

THAT Council, in accordance with the Section 58 of the Land Administration Act 1997:

- i) request the Minister to proceed with the permanent closure of Spershott Street Lower King; and
- ii) request the Department of Land Administration to undertake the necessary negotiations with the adjoining landowners being Location 7 Lower King Road, Lot 17 Lower King Road and Lot 18 The Esplanade Lower King to effect disposal of the land.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.2.3 continued

**MOVED COUNCILLOR EMERY
SECONDED COUNCILLOR BOJCUN**

THAT Council, in accordance with the Section 58 of the Land Administration Act 1997:

- i) request the Minister to proceed with the permanent closure of Spershott Street Lower King; and**
- ii) request the Department of Land Administration to undertake the necessary negotiations with the adjoining landowners being Location 7 Lower King Road, Lot 17 Lower King Road and Lot 18 The Esplanade Lower King to effect disposal of the land.**

MOTION CARRIED 13-1

WORKS & SERVICES REPORTS

13.2.4 Asset Management Strategy - Paths

File/Ward	:	SER 081/082/083/084 (All Wards)
Proposal/Issue	:	Asset Management Strategy – Paths
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 Asset Management Strategy – Roads OCM 1/06/01 Item 13.5.1 Asset Management Strategy - Reserves OCM 15/01/01 Item 15.1.1 Albany Trails Master Plan
Summary Recommendation	:	That Council adopt in principle, and advertise for comment, the “Asset Management Strategy - Paths” and Path expenditure program.
Locality Plan	:	N/A

BACKGROUND

1. This report is an outcome of ongoing work by the Works and Services team to complete the Asset Management Strategy.
2. To undertake this analysis of the City’s Path Network, a Grant of \$5,100 was received from Department of Transport’s Country Pathways Grant Scheme in September 2001.
3. “Asset Management Strategy – Paths” aims to construct a usable City Path Network, and upgrade existing paths to the appropriate standard to meet community needs.
4. The outcome of the “Asset Management Strategy – Paths” will be a complete City of Albany Path Network that provides a smooth traverse along full length of journey, continuity to destination, smooth crossings, correct priority at intersections, and provide safety to users.

WORKS & SERVICES REPORTS

Item 13.2.4 continued

5. The “Asset Management Strategy – Roads” provides for the capital rehabilitation and funding requirement of Council’s road assets, of which the “Asset Management Strategy – Paths” is part. Therefore the “Asset Management Strategy – Paths” only focuses on the additional Path elements needed to support the Asset Management Strategy – Roads.
6. Paths consist of a number of construction types, each with their own strengths and weaknesses.
7. **Slab Footpaths:** These paths consist of precast concrete slabs, commonly 600mm by 600mm square, that are loose laid directly on compacted sand formation, and have an expected life of 60 years. Slabs require a high level of maintenance to keep vegetation growing between butted joints, tree root growth uplifting slabs and vehicular traffic breaking, indenting and uplifting slabs. The continuous slab replacement program due to inappropriate vehicular traffic is a major cost component of the Path Maintenance Program. Examples include Stirling Tce, Albany Hwy and Middleton Rd.
8. **Brick Paved Paths:** These paths consist of clay or concrete paving bricks, commonly 230mm by 110mm, loose laid directly on compacted sand or fine crushed stone formation, and have a expected life of 60 years. Brick paved paths need the same type although require less maintenance as slab paths due to their robustness to support most vehicular traffic. Examples are York St and Flinders Parade at Middleton beach.
9. **Continuous Concrete Paths:** These paths consist of concrete poured in-situ in between edge moulds onto compacted sand formation, and have a expected life of 100 years. Concrete paths are generally formed in 6m lengths with keyed joints to allow for temperature expansion. Concrete paths are very low in maintenance, requiring vegetation and root control along edges and have the structural capacity to support light to medium weight vehicles.
10. **Stabilised Gravel or Limestone Paths:** These paths consist of gravel or limestone mixed with a small amount of cement, poured in-situ in between edge moulds onto a compacted sand formation. The mix is compacted to form a pavement with a smooth surface much like concrete, and have an expected life of 15 years. Stabilised gravel or limestone paths are generally formed in less accessible places, parks and bushland from materials on site and have low maintenance requirements consisting mainly of vegetation control.
11. **Bituminous Sealed Paths:** These paths consist of compacted gravel, limestone or crushed rock pavement laid on compacted sand formation and topped with a thin stone topped bituminous seal. The expected life of the pavement is indefinite and the expected life of the bituminous seal is 20 years. Maintenance consists of preventing vegetation growth through pavement and bituminous seal, water control by crack sealing and sweeping to remove loose surface.

WORKS & SERVICES REPORTS

Item 13.2.4 continued

12. **Asphalt Sealed Paths:** These paths consist of compacted gravel, limestone or crushed rock pavement laid on compacted sand formation and topped with a 15 to 30mm bituminous concrete (Asphalt) seal. The expected life of the pavement is indefinite and the expected life of the bituminous seal is 30 years. Maintenance consists of preventing vegetation growth through pavement and asphalt, water control by crack sealing and sweeping to remove loose surface. Low in maintenance these asphalt sealed paths provide an excellent traffic surface for all modes of transport.
13. **Timber Boardwalks:** These paths are generally elevated above the natural surface over short distances to provide crossings over wetlands, creeks, natural bush, rock sheets and steep coastal foreshores. They enable paths to maintain a smooth level grade, connections over dynamic terrain and provide minimal environmental impact. They are generally constructed of timber with steel supporting members, requiring annual maintenance to preserve the structure and have an expected life of 60 years.
14. Due to the varying quality of available data, a number of the above assumptions have been made on the lifecycle of the varying elements that constitute a Path. These assumptions have been based on research undertaken by the Australian Road Research Board (ARRB), the Institute of Public Works Engineers, Austroads Part 13 – Pedestrians, Austroads Part 14 – Bicycles, Bikewest, and Main Roads. To further enhance the relationship of the expected life to Albany conditions, further investigation and analysis will be required over time.
15. All pathways (footpaths & dual use paths) have been included in an asset register and converted to GIS, with the exception of pathways in reserves. The type, width, year of construction, and condition of all pathways have also been recorded.
16. As it is unlikely that Council will ever be in the financial position to meet all of the desires of the community in regard to the construction and maintenance of Paths alone, this “Asset Management Strategy - Paths” sets the standards and clearly identifies by priority based on criteria the most urgently needed works that will provide the greatest benefit to the community over 15 years.
17. “Asset Management Plan – Paths” involves applying the need for paths as set out in the “Asset Management Plan – Roads” where,
 - Every road with less than 100 vehicles per day (vpd) considered a shared roadway;
 - Every road with 100 to 300 vpd considered but not necessarily provided a planned path;
 - Every road with 300 to 1000 vpd considered for planned provision of at least a 1.5m wide footpath;
 - Every road with more than 1000 vpd considered but necessarily provided for the planned path on either side of the roadway;
 - All foreshore reserves, waterway reserves and greenways considered for alternative routes to busy roads;

WORKS & SERVICES REPORTS

Item 13.2.4 continued

- All planned paths considered for their connection and direct route to destinations.
18. “Asset Management Plan – Paths” involves applying the following Design Assumptions.
- Every road reserve requires pedestrian access.
 - Legally all roads are bikeable, but all are not desirable to share with all other modes of traffic.
 - Roads with 100 or less vpd (U7) are considered shared roads.
 - Dual Use paths (DUPs) and footpaths may be deliberately rerouted off busy roads to quiet areas and integrated into parks, reserves and greenways.
 - A grassed verge is not considered a path, yet should be walkable. I.e. a 1.5m minimum width smooth continuous corridor. Nor is a dirt track considered a path, even though it is often the best indicator of where a path should be.
 - To be an integral part of the Asset Management Strategy – Roads.
 - Aligns with the State Government alternative transport aims and objectives such as their Strategy “Bike Ahead”, Main Roads WA policy for Cycling Infrastructure and Part 13 & 14 of Austroads by Standards Australia.
19. The following proposed path hierarchy and associated priority criteria have been developed to meet the current and future needs of the City of Albany, and is in line with the Asset Management Strategy – Roads. The “Path Hierarchy” consists of four levels as follows;
- i. **Regional Distributor** is a combined commuter & recreational shared path along linear areas of public open space, as a creek river, lake & coastal foreshore, or along / adjacent to the alignment of major roads, linking two or more localities, and/or serving significant trip generators.
 - ii. **Principle Distributor** is a shared commuter path along or adjacent to the alignment of major roads, often linking two or more localities, and/or serving major trip generators.
 - iii. **Local Distributor** is a shared commuter path serving most users within the locality & connecting them from their residence and/or Local Access Path to their local destination, Distributor, Principle & Regional Paths.
 - iv. **Local Access Path** is a footpath or shared path, within their locality, providing residents direct connection to their residence &/or local destination, Distributor, Principle & Regional Paths.
20. To evaluate the capital expenditure program (gap between existing and proposed, costed at \$13.03m), the Priority Criteria for the New Paths that are proposed to be constructed over the next 15 years cover both strategic significance and path characteristics as follows:

WORKS & SERVICES REPORTS

Item 13.2.4 continued

Name of Road / Reserve with Path (since paths are generally unnamed)			
Length			
Priority Score	100		100
New Path		Existing Path	
Strategic Significance		Strategic Significance	
Inter Community Connection	20	Inter Community Connection	5
Community Activity	20	Community Activity	5
Safe School Route (Local School)	5	Safe School Route (Local School)	5
Range of potential users	5	Range of potential users	5
Recreational use	5	Recreational use	5
Characteristics		Characteristics	
Path Hierarchy	20	Path Hierarchy	5
Potential traffic volume	10	Traffic volume	5
Hazard Removal / Safety	10	Hazard / Safety	20
Gap filled to complete route	5	Gap to Standard	20
		Ease of Traverse	20

21. Inter Community Connection (Max Score 20% = weight 2.0 x Value)
 - Highly Beneficial. (8-10) Path will significantly improve the connection to a number of communities, as well as to regional significant recreational or cultural facilities.
 - Beneficial. (5-7) Path will improve the connection to more than one community, as well as to significant recreational or cultural facilities.
 - Some Benefit. (3-4) Path will provide some improved connection to at least one community, as well as to recreational or cultural facilities.
 - Little Benefit. (1-2) Path will provide minimal improvement to the connection to a number of communities, or to recreational or cultural facilities.

22. Community Activity (Max Score 20% = weight 2.0 x Value).
 - Highly Beneficial. (9 – 10) Path will significantly improve the community’s level of access to commercial and industrial precincts, health services, social activities, and leisure pursuits.
 - Beneficial. (6 – 8) Path will improve the community’s level of access to commercial and industrial precincts, health services, social activities, and leisure pursuits.
 - Some Benefit. (3 – 5) Path will provide some improved level of access for the community to commercial and industrial precincts, health services, social activities, and leisure pursuits.
 - Little Benefit. (0 – 2) Path will provide minimal improvement to the community’s level of access to commercial and industrial precincts, health services, social activities, and leisure pursuits.

23. Safe Route to Local School (score max 5%)
 - Score path a value to a maximum of 5 for importance as a direct safe route to the local state school, area high school or to near by private schools.

WORKS & SERVICES REPORTS

Item 13.2.4 continued

24. Range of potential users (max score 5%).
 - Score of 1 to 5 for range of users the path will service. i.e., walkers, prams, elderly, wheelchairs, gophers, cyclists, etc.
25. Recreational potential (max score 5%).
 - Score 1 to 5 for potential of the path to provide for recreational use rather than only to help arrive at a destination. Score for local, regional, tourist attractions and also for types of users, such as parents and young children or prams, elderly and disabled.
26. Path Hierarchy (score max 20%).
 - Regional Distributor (20) is a combined commuter & recreational shared path along linear areas of public open space, as a creek river, lake & coastal foreshore, or along / adjacent to the alignment of major roads, linking two or more localities, and/or serving significant trip generators.
 - Principle Distributor (15) is a shared commuter path along or adjacent to the alignment of major roads, often linking two or more localities, and/or serving major trip generators.
 - Local Distributor (10) is a shared commuter path serving most users within the locality & connecting them from their residence and/or Local Access Path to their local destination, Distributor, Principle & Regional Paths.
 - Local Access Path (5) is a footpath or shared path, with in a locality, providing residents direct connection to their residence and/or local destination, Distributor, Principle & Regional Paths.
27. Potential Volume (max score 10%).
 - High potential volume, (8-10) services a number of larger communities and a number of popular destinations.
 - Medium potential volume, (5-7) services a number of communities and at least one popular destination.
 - Low potential volume, (1-4) serving to connect a community to desirable destinations.
28. Hazard removal / Safety (max score 10%).
 - Major hazard removal (8-10) providing separation of pedestrians & cyclists from heavy vehicles and large volume traffic, i.e. road trains.
 - Hazard removal, (5-7) providing separation of pedestrians & cyclists from main traffic conflict, or greatly improved safety for the pedestrians & cyclists.
 - Improved Safety (1-4) provided by increasing standard of pathway, i.e. surface improvement, obstructions removed, travel speed maintained, crossing priority, etc.
29. Gap filled to complete route (score max 5%).
 - Score path a value to a maximum of 5 for value of completing a route connecting the community to a destination.

WORKS & SERVICES REPORTS

Item 13.2.4 continued

30. Traffic Volume (Max Score 5% = weight 0.5 x Value).
 - High traffic volume, (8-10) services a number of larger communities and a number of popular destinations.
 - Medium traffic volume, (5-7) services a number of communities and at least one popular destination.
 - Low traffic volume, (1-4) serving to connect a community to desirable destinations.

31. Remove Hazard / Improvement in Safety required (Max Score 20% = weight 2.0 x Value).
 - Major hazard removal (8-10) required to separate pedestrians & cyclists from heavy vehicles and large volume traffic, especially from road trains, and / or a significant increase in the safety standard of the pathway, i.e. surface improvement, obstructions removed, travel speed maintained, crossing priority, etc.
 - Hazard removal (5-7) required to separate pedestrians & cyclists from main traffic conflict, or greatly improved safety the standard of pathway, i.e. surface improvement, remove obstructions, travel speed maintained, crossing priority, etc.
 - Improved Safety (1-4) required increasing safety standard of the pathway, i.e. surfacing improvement, obstructions removed, travel speed maintained, crossing priority, etc.

32. Gap to standard of Path needed (Max Score 20% = weight 2.0 x Value).
 - Significant Upgrade (8-10) Local access type path requires upgrading to level of Regional Connector, i.e. 3 steps up hierarchy.
 - Major Upgrade (5-7) Local distributor requires upgrading to level of Regional connector, or local access path to Principle route, i.e. 2 steps up Hierarchy.
 - Upgrade (3-4) Path requires upgrade to next level in hierarchy.
 - Improvement (1-2) Path requires improvement to attain required level.

33. Ease of traverse improvement required (Max Score 20% = weight 2.0 x Value).
 - Significant improvement (7-10) needed to easily traverse along pathway. i.e. surface improvement, obstructions & sharp curves removed, crossing priority, etc.
 - Improvement (4-6) required to easily traverse along pathway. i.e. surface improvement, obstructions removed, crossing priority, ramp angles, etc.
 - Slight improvement (1-4) required to easily traverse along pathway. i.e. surface improvement, obstructions removed, crossing priority, signage, etc.

34. Unit costs have been calculated from analysis of current and previous years for both day labour and contractors. Further analysis and refinement of the unit costs will need to be undertaken and reviewed annually.

35. The preservation / rehabilitation program is based on condition of pavement / sealed surface and theoretical life cycle of the asset. The model for the ongoing maintenance of the path network has been based the Council adopted Asset Management Strategy – Roads.

WORKS & SERVICES REPORTS

Item 13.2.4 continued

STATUTORY REQUIREMENTS

36. 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

37. The adoption of the “Asset Management Strategy – Paths” will provide strategic guidelines for the development and implementation of expenditure programs.

FINANCIAL IMPLICATIONS

38. The outcome of the “Asset Management Strategy - Paths” seeks to allocate \$400,000, into the City Path Network each year for the next 15 years. At this level of expenditure it will take 33 years complete.

STRATEGIC IMPLICATIONS

39. Albany 2020 – Charting Our Course includes the following Ports of Call:
Transport systems and services designed to meet current future needs.

Objective:

- The quality and range of our transport systems are important factors in the present and future well being of our community. Paths, 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.

Transport infrastructure planning.

Objective:

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

Management of transport infrastructure and services.

Objective:

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

40. The “Asset Management Strategy - Paths” is linked to and a part of other strategies, as shown below:

- Asset Management Strategy - Roads
- Asset Management Strategy - Reserves
- Albany Greenways Plan
- Albany Trails Master Plan
- Department of Planning & Infrastructure plans

WORKS & SERVICES REPORTS

Item 13.2.4 continued

COMMENT/DISCUSSION

41. Connectability via direct, smooth pathways are required for people to access all commodities including workplaces, schools, healthcare, churches, goods and services, leisure, social interaction, and facilities for important economic activities.
42. Our return on investment by the “Asset Management Strategy – Paths” therefore centres on the City of Albany being able to cater for more people to travel further, safer, faster and healthier. A complete well-designed City Path Network seeks to provide infrastructure to promote cycling and pedestrian activities.
43. An incomplete path network forces wheelchairs, gophers, walkers and cyclists to share roads with cars, trucks and road trains. Constructing a complete City Path Network as guided by the Asset Management Strategy – Paths can help improve the quality of life by reducing road trauma, as well as improving average personal fitness.
44. In the City of Albany walkers, disabled, and cyclists are currently faced the lack of facilities, the perceived difficulty and the perceived danger of using these alternative transportation modes. Close examination of any common commuting trip in the Albany area finds it compares unfavourably with the ease with which one can travel by car.
45. Often these alternative commuting routes are slow, indirect, discontinuous and poorly connected. The corresponding extreme inconvenience, difficulty and commensurate danger of walking, cycling, or travelling by wheelchair produce unwillingness to commute by these means.
46. The development of safe, efficient and coordinated Path network throughout Albany will attract people to choose to travel by bicycles and foot. This will result in less wear and tear on roads, a healthier community and a more productive work force.

RECOMMENDATION:

THAT Council:

- i) Adopt the Path Hierarchy in principle as detailed in this report;
- ii) Adopt the Path Priority Criterion as detailed in this report;
- iii) Advertise for comment the draft “Asset Management Plan – Paths” to the public and stakeholders, including the Country Pathways Grant Scheme for input and support;
- iv) Request the responses and subsequent proposed amendments to the draft “Asset Management Plan – Paths” be brought to Council for consideration; and
- v) Include first year of the Path Masterplan in draft 2002/03 budget for consideration.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.2.4 continued

**MOVED COUNCILLOR WOLFE
SECONDED COUNCILLOR EVANS**

THAT Council:

- i) Adopt the Path Hierarchy in principle as detailed in this report;**
- ii) Adopt the Path Priority Criterion as detailed in this report;**
- iii) Advertise for comment the draft “Asset Management Plan – Paths” to the public and stakeholders, including the Country Pathways Grant Scheme for input and support;**
- iv) Request the responses and subsequent proposed amendments to the draft “Asset Management Plan – Paths” be brought to Council for consideration; and**
- v) Include first year of the Path Masterplan in draft 2002/03 budget for consideration.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.2.5 Purchase of Tandem Heavy Tipper Truck

File/Ward	:	C02009 (All Wards)
Proposal/Issue	:	Purchase of Tandem Heavy Tipper Truck
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager City Services (G Steel)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 19 th February 2002 (13.2.5)
Summary Recommendation	:	To be advised prior to Council meeting
Locality Plan	:	N/A

BACKGROUND

1. At Council's meeting on the 19th February 2002 (item 13.2.5) it was recommended that Council not accept any tenders (C01079) for the replacement of the Tandem Heavy Tipper Truck until staff reviewed the plant replacement program to then be adopted by Council.
2. Tenders were called for the purchase of a new Tandem Heavy Tipper Truck with trade or outright purchase of the current Ford Louisville tandem tipper truck (AL20423) closing on the 5th June 2002.
3. A total of four specifications were issued with a total of four submissions from three suppliers and no outright purchases at close of tender.

STATUTORY REQUIREMENTS

4. The tendering process for Goods & Services must be in accordance with sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 of the Local Government Act 1995.
5. In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council; it may also decline any tender.

POLICY IMPLICATIONS

6. The City of Albany Regional Price Preference Policy is applicable to this item.

WORKS & SERVICES REPORTS

Item 13.2.5 continued

FINANCIAL IMPLICATIONS

7. An allocation of \$100,000 has been made in the 2001/2002 Plant Purchases Budget for changeover of this truck.
8. It is envisaged that two out of the four submissions will be within budget following further analysis.

STRATEGIC IMPLICATIONS

9. In the City of Albany's 2020 Plan Charting Our Course, the following Ports of Call are identified:
Port of Call
Transport systems & services designed to meet current & future needs
Objective:
 - To effectively and efficiently manage the City's transport infrastructure.

COMMENT/DISCUSSION

Tender Process

10. Requests for tender were published in the West Australian on Thursday, 23rd May 2002.

Tender Evaluation

11. The tender documents included tender evaluation criteria, using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tenderer. The criteria and sub-criteria are:
 - *Suitability for task requirements* 30%.
Practicability (City of Albany operational use) and Operator Occupational Health and Safety.
Serviceability (turn around times), fleet standardisation and improvement.
Spare Parts, service & technical information/backup, warranty.
 - *Price* 70%
Capital Cost
12. Following the opening of tenders, the Works Co-ordinator, Workshop Leading Hand and Operator will carry out detailed preliminary evaluation of submissions for the Tandem Heavy Tipper Truck. The base specification to supply the Tandem Tipper Truck is capable of accommodating Council's operational requirements. The cost of optional equipment will be also evaluated as part of the overall cost and those deemed essential included.
13. The City of Albany currently operates four other Tandem Tipper Trucks..

WORKS & SERVICES REPORTS

Item 13.2.5 continued.

RECOMMENDATION

THAT Council:

- i) accepts the tender from Mark Loveridge Holden for contract C02009 for the supply of a Isuzu FVZ1400 truck with all selected options at a total cost of \$138,440.99 (including GST) and trade current Ford Louisville tipper tandem truck (AL20423) at \$24,210.49 (including GST) providing an actual nett cost to the City of Albany of \$103,845.91 (excluding GST);

and

- ii) agrees to reallocate \$3,845.91 from cost savings identified in the overall plant purchase budget allocation towards the purchase of this truck.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR CECIL**

THAT Council:

- i) **accepts the tender from Mark Loveridge Holden for contract C02009 for the supply of a Isuzu FVZ1400 truck with all selected options at a total cost of \$138,440.99 (including GST) and trade current Ford Louisville tipper tandem truck (AL20423) at \$24,210.49 (including GST) providing an actual nett cost to the City of Albany of \$103,845.91 (excluding GST);**

and

- ii) **agrees to reallocate \$3,845.91 from cost savings identified in the overall plant purchase budget allocation towards the purchase of this truck.**

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

WORKS & SERVICES REPORTS**13.2.6 Asset Replacement Program - Plant**

File/Ward	:	FIN019 (All Wards)
Proposal/Issue	:	Asset Replacement Program - Plant
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager City Services (G Steel)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 19/02/02 – 13.2.5
Summary Recommendation	:	That Council receive and adopt the Asset Replacement Program - Plant
Locality Plan	:	N/A

BACKGROUND

1. The City of Albany has an estimated \$10M worth of plant and equipment fleet for the purpose of supplying its services to the community. These range in size from graders (\$300,000) to brush cutters (\$500). The current plant fleet is largely due to the amalgamation of the former Town and Shires of Albany, with some minor improvements since.
2. The objective of the Asset Replacement Program – Plant is to analyse, identify and provide the most cost effective and efficient fleet possible for the services provided whilst maintaining an appropriate level of service. This is achieved through the acquisition, maintenance, operation, and disposal of plant following operator, management, finance and community feedback.
3. The current fleet has been analysed, and optimum changeover periods identified. Staff, in order to verify the predicted replacement costs element, have researched with suppliers, vehicle guides and past acquisition and disposal data records. Further to this, whole life cycle elements on known operating costs also based on experience are the best value for investment where examined by Works & Services and Finance staff alike. The latter determined the best frequency of changeover.
4. The City faces the delivery of services in an environment where budgets are continually tightening and recurrent costs are continually increasing (in fleet alone this is due to fuels, oils, replacement parts, purchase prices, etc). The Plant Fleet is one of the mechanisms by which intelligent and proactive fleet management can help reduce this ongoing cost through thorough analysis of available plant technologies and improvements, whilst providing a rigorous assessment of tendered goods.

WORKS & SERVICES REPORTS

Item 13.2.6 continued

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 efficiently and effectively.

POLICY IMPLICATIONS

6. Council does not have a policy that specifically relates to this item.

FINANCIAL IMPLICATIONS

7. The current plant fleet requires substantial investment from Council in order to update its fleet to become significantly more efficient and effective. The 15 year forward estimates highlight that \$1.4M is required in year 1, \$1.0 over years 2 to 6, dropping to an average of \$800,000 per year once the fleet reaches a sustainable level.

STRATEGIC IMPLICATIONS

8. The City of Albany 2020 Charting Our Course includes the following Ports of Call:

Port of Call

- Managed healthy land/harbour environment
- Quality parks, gardens and reserves maintaining their feature status
- The continual development of Council services & facilities to meet the needs of all stakeholders
- A reputation for professional excellence

COMMENT/DISCUSSION

9. The continual development and improvement of services is essential to meet the ever increasing expectation of the community without significantly increasing cost. One of the methods to achieve this is through improved Plant Management. One example of this, is the change from replacing 20 to 25 year old maintenance graders with 7 to 10 year old machines, with new graders that are more efficient, require significantly less down time, and have a reduced whole of life costs.
10. The issue of down time with plant is significant. A breakdown of machinery may only cost \$1,000 to repair, but the impact of the downtime of a critical machine may cost in the order of \$3,000 per day (grader, loader etc.). This is due to the works being delayed, the opportunity to finish works on time and undertake other works, the cost to hire (and find at short notice) replacement machines, etc. It is currently difficult to value downtime as it is absorbed in the general running of the crews, and is reduced somewhat by scheduling major repairs during periods of leave. However, this is not always possible.

WORKS & SERVICES REPORTS

Item 13.2.6 continued

11. There exists opportunities to purchase plant that undertakes tasks in a far more efficient manner than exists now. An example of this is the proposed replacement next financial year (2002/03) of a patching truck, with a 'Jet Patcher' or 'Flocon' vehicle that automates edge and pothole repair. The major savings of this vehicle is that it will have an estimated 80% greater output, leading to a significant increase in service to our sealed road network, and improve the maintenance effort.

12. The Asset Replacement Program – Plant is the work of a joint effort from the Manager of Finance, Manager of City Services, Coordinators, Operators, Mechanical Staff, Contracts Officer and external suppliers. Whilst this report is a significant improvement, and for the first time outlines a 15 year forward projection, there is still a need to further refine the document through greater research of technology improvements, importing of knowledge, greater analysis of information and operator input. This is seen as the next development stage of the Program, and will be undertaken over the next 12 months.

RECOMMENDATION

THAT Council:

- i) adopt the Asset Replacement Program – Plant as attached; and
- ii) include first year of the Asset Replacement Program – Plant in the 2002/03 draft budget for consideration.

Voting Requirement Simple Majority

**MOVED COUNCILLOR BARTON
SECONDED COUNCILLOR SANKEY**

THAT Council:

- i) adopt the Asset Replacement Program – Plant as attached; and**
- ii) include first year of the Asset Replacement Program – Plant in the 2002/03 draft budget for consideration.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.2.7 Emu Point Erosion Study

File/Ward : PRO115 (Breaksea Ward)

Proposal/Issue : Emu Point Erosion Study Awarding Tender

Subject Land/Locality : N/A

Proponent : N/A

Owner : N/A

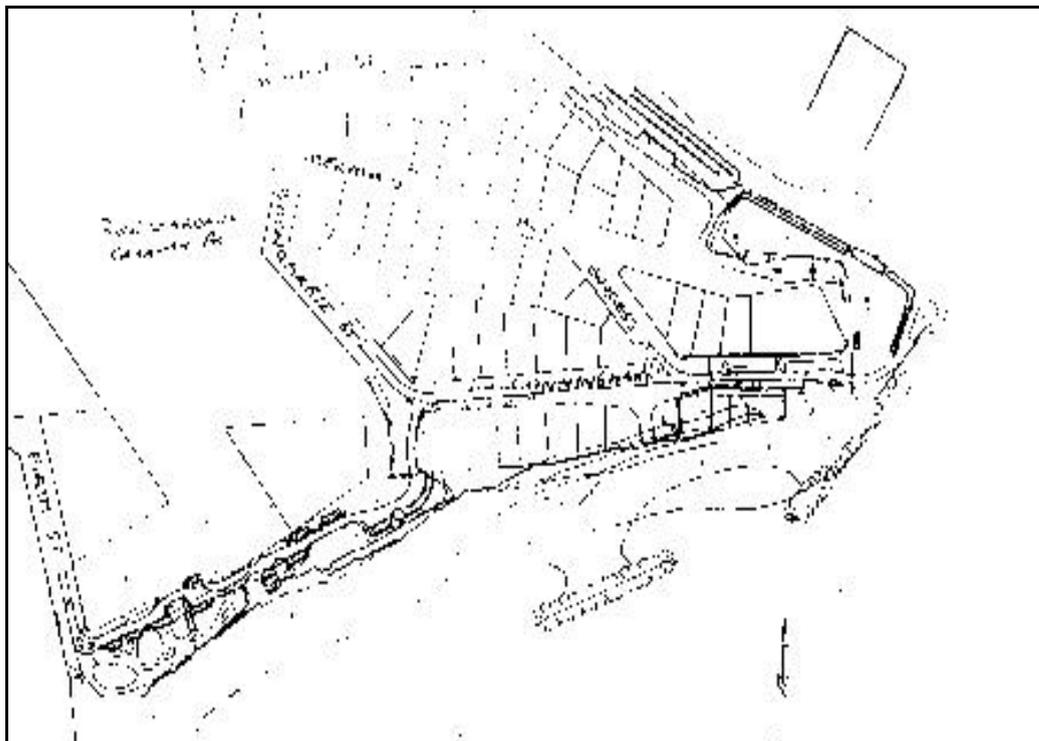
Reporting Officer(s) : Executive Director Works & Services (B Joynes)

Disclosure of Interest : Nil

Previous Reference : OCM 26/09/00 Item 13.2.4
OCM 14/09/99 Item 14.3.2
BLLTN 1/6/99 Item 3.3.1
OCM 13/03/01 Item 13.2.1

Summary Recommendation: That the City of Albany not accept any tenders due to time elapsed, and delegate to the CEO to award the contract following negotiations.

Locality Plan :



WORKS & SERVICES REPORTS

Item 13.2.7 continued

BACKGROUND

1. The issue of the erosion at Emu Point has been subject to a number of previous Council reports and studies over the past decade. Activities over the past 3 years have included:
 - Construction of a temporary seawall on the 15th-17th May 1999.
 - Department of Transport prepared a hydrographic survey from Emu Point to Ellen Cove to establish the extent and amount of erosion.
 - Extension and repair of the temporary seawall following large swells and high residual tides on the 10th March 2000.
 - Further high tides and large swells on the 16th May 2000 made it necessary to replenish and extend the existing temporary seawall along the carpark.
 - A further report by the Department of Transport's report was received on the 29th May 2000 that investigated a number of issues related to the erosion.
 - An independent assessment on the Department of Transport's options and recommendations was undertaken by the Centre of Water Research at the University of Western Australia (UWA) and received by Council on the 26th September 2000.
2. The aim of the Department of Transport's study was to evaluate the current beach erosion problem at Emu Point, and determine the most appropriate course of action for the management of this section of beach. This report was independently assessed by Professor Charitha Pattiaratchi at the Centre of Water Research at the University of Western Australia.
3. Professor Pattiaratchi agreed with the majority of the Department of Transport's findings and recommendations regarding the cause of erosion, short and long term management options, and future coastal stability. However, it was noted that erosion of the beach would occur whenever high water levels are experienced and that structural works may be required, and as such recommended that detailed wave monitoring was required to determine the best solution.
4. Wave monitoring has now been completed by the Department of Transport, and is ready for evaluation.
5. Council had allocated \$35,000 for a study that utilises this latest information to model the options presented and provide scenarios for these options. The State indicated that it would match these funds of \$35,000, and Tender C01064 was called for the works. An advert was placed in the West Australian on 7th July 2001. Two submissions were received and evaluated jointly by the City and Department of Transport staff.
6. The State government matching funding was not forthcoming, and tenders were subsequently not presented to Council for awarding. The issue and reason was communicated to both tenderers, and the matter was left unresolved.

WORKS & SERVICES REPORTS

Item 13.2.7 continued

7. The Minister for the Department of Planning and Infrastructure recently announced matching funding, and the works can now proceed.

STATUTORY REQUIREMENTS

8. The tendering process for Goods & Services must be in accordance with sections 11, 18, and 19 of the Local Government (Functions and General) Regulations 1996 of the Local Government Act 1995.
9. In particular, Regulation 18 outlines a number of requirements relating to the choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council; it may also decline any tender.
10. Under section 3.18 of the Local Government Act 1995, the City of Albany is to satisfy itself that services and facilities it provides are managed efficiently and effectively.
11. Section 5.42 of the Local Government Act states as follows:
“Delegation of some powers and duties to CEO
 - i) *A local government may delegate to the CEO the exercise of any of its power or the discharge of any of its duties under this Act other than those referred to in section 5.43.*
 - ii) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.”*

POLICY IMPLICATIONS

12. City of Albany Regional Price Preference Policy is applicable to this item. The City of Albany does not currently have any policies relating to the construction of coastal management structures.

FINANCIAL IMPLICATIONS

13. A total allocation of \$70,000.00 has been made in the 2001/2002 Budget for the study.

STRATEGIC IMPLICATIONS

14. In the City of Albany’s 2020 Charting Our Course, the following Port of Calls are identified:
Port of Call
Managed healthy land/harbour environment
Objective:
Reserve Management
 - To manage reserves for environmentally sustainable use, community enjoyment and benefit.

WORKS & SERVICES REPORTS

Item 13.2.7 continued

Objective:

Protection of the City's Harbours

- To maximise partnerships with other stakeholders to ensure the sustainable use and care of our harbours.

Port of Call

Attraction and development of a broad range of social, cultural and economic entities.

Objective:

Recreational Planning

- To encourage a healthy and active community through the development of a range of recreational and cultural pursuits.

COMMENTS/DISCUSSION

15. The brief outlines that the following options are to be analysed:
 - i) Removal of the groyne and headland
 - ii) Construction of headlands
 - iii) Construction of groynes
 - iv) Construction of a perched beach
 - v) Sand renourishment
 - vi) Managed recession
 - vii) Construction of a seawall
16. The study has been divided into three stages. The first stage is to review the existing data, assess the problem, attend a public meeting, preliminary evaluation of the above options, and recommend a range of suitable options worthy of further consideration. The second stage is a comprehensive evaluation of the stage 1 outcomes, with a recommended strategy. The third stage is to prepare the final design and cost estimation of the outcome of stage two, including an environmental management strategy.
17. Prices received are as follows:

Egis	Stage 1 and 2	\$39,900
MP Rogers and Associates	Stage 1 and 2	\$52,966
18. The difference in price directly relates to the assessment of the coastal processes.
19. Since the tender was called, wave and climate information has become available, and needs to be incorporated into the work. There has also been 10 months pass, and allowances need to be made for price increase during this time for the integration of this additional information and for stage 3 works..
20. As such it would not be appropriate, or within price validation timing, to accept any tender. However, it would be appropriate to negotiate the tender with both companies, considering the additional information, and the length of time elapsed, as timing of the study is paramount (due to the weather, and budget processes next year at State and local level).

WORKS & SERVICES REPORTS

Item 13.2.7 continued

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR WALKER**

THAT Council:

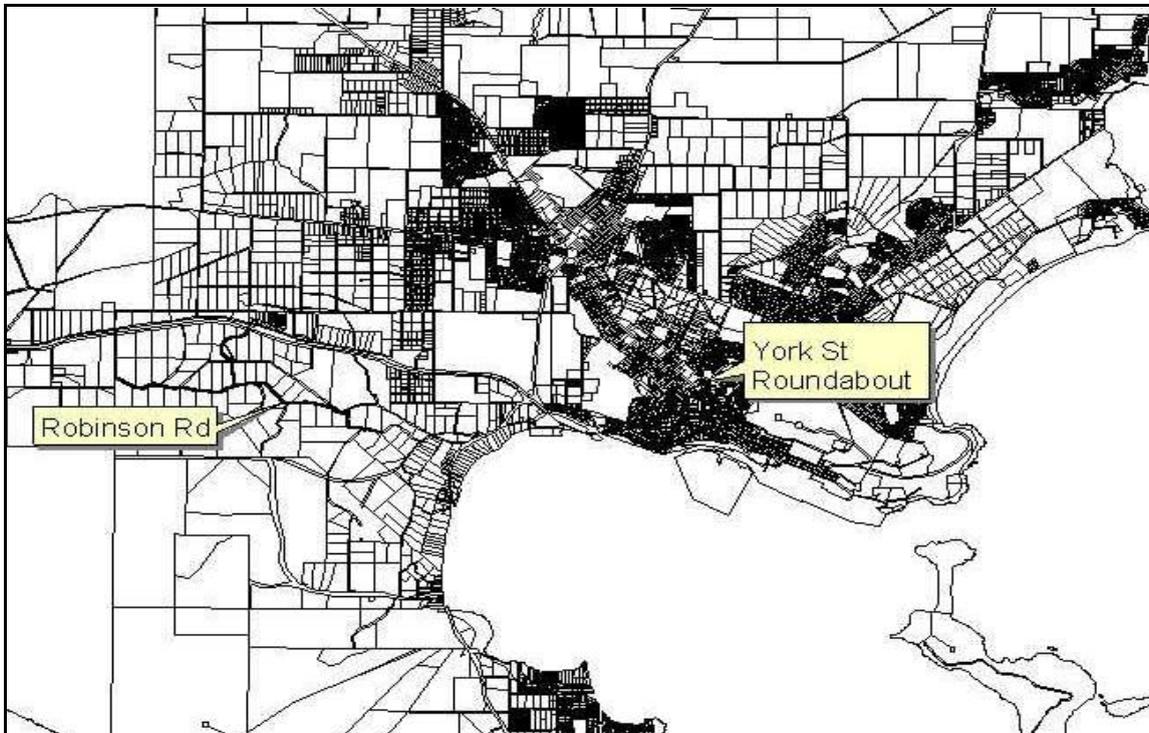
- i) not accept any Tenders for Contract C01064; and**
- ii) delegate to the CEO to award the tender, following negotiations with both Egis and MP Rogers and Associates, subject to budgetary constraints.**

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

WORKS & SERVICES REPORTS

13.2.8 Construction of Robinson Road

File/Ward	:	C01066 (Vancouver and West Wards)
Proposal/Issue	:	Construction of Robinson Road – Amendments to scope of works due Aboriginal Heritage Issues.
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Asset and Client Services (P Brown)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 18/09/01 Item 13.2.1 OCM 20/11/01 Item 13.2.3
Summary Recommendation	:	That Council recognize Aboriginal heritage issues and amend the scope of planned works.
Locality Plan	:	



WORKS & SERVICES REPORTS

Item 13.2.8 continued

BACKGROUND

1. The City of Albany received notice from the Department of Indigenous Affairs in December 2001 that the Robinson Road reserve contained possible aboriginal sites and required the completion of an Application for “Consent for Certain Uses’ under section 18 of the Aboriginal Heritage Act 1972.
2. The completion of the Section 18 application required submission to the Aboriginal Culture Materials Committee for approval prior to the commencement of works near the reported site. The initial report did not include consultation with the local aboriginal community, and the Department of Indigenous Affairs requested further consultation prior to the completion of the submission.
3. To carry out a full consultation process, Brad Goode, Consulting Anthropologist was appointed in April 2002 to undertake a heritage assessment, provide liaison between the aboriginal communities and to compile a comprehensive report to be tabled at the Aboriginal Culture Materials Committee meeting.
4. As part of the consultation process, a meeting was held on 3rd May 2002 (Bulletin Item 1.3.3 refers) to provide an explanation of the proposed works in the vicinity of the black stump. The black stump is the reported location of an aboriginal site at the intersection of Gledhow South Road. In addition, the planned diversion around the ‘twin karris’ was explained, as per OCM 20/11/01 Item 13.2.3.
5. Since the meeting of the 3rd May, further interviews have been undertaken, and advice has been received regarding the concerns of the works in the area of the black stump and the realignment around the twin karris due aboriginal heritage issues. The final report is expected prior to the Council meeting and will be circulated as soon as available.
6. The contract for construction of Robinson Road included the construction and sealing of the entire length with a provisional sum allowance included for chainage 3540 to 3800, pending the resolution of land resumption around the ‘twin karris’ and black stump heritage site approval through the Section 18 process.
7. Staff have instigated land resumption procedures through the Department of Land Administration, however, believe this will be subject to appeal by the landowner, particularly with the emerging information regarding further possible aboriginal heritage sites in the realignment location.

STATUTORY REQUIREMENTS

8. Council has the duty of care and control of the Road Reserve under the Section 3.54 of the Local Government Act 1995.

WORKS & SERVICES REPORTS

Item 13.2.8 continued

POLICY IMPLICATIONS

9. The Robinson Road Project originated from Council’s Asset Management Strategy – Roads, and was approved for completion this financial year (2001/2002).

FINANCIAL IMPLICATIONS

10. Pending the final report from the Consulting Anthropologist, the costs associated with continuing with the full scope of the project is indicative only at this stage.
11. Based on preliminary information received through the consultation meeting of 3rd May 2002, consideration should be given to the following additional costs.
- | | | |
|------|---|-------------|
| i. | A series of exploratory digs in the vicinity of the black stump. | \$ 8,000.00 |
| ii. | Carbon dating of any discovered material | \$10,000.00 |
| iii. | Recovery and re burial ceremonies | \$16,000.00 |
| iv. | Site attendance and monitoring by aboriginal representatives during works | \$ 6 000.00 |

STRATEGIC IMPLICATIONS

12. Council has adopted the following Port of Call as part of ‘Albany 2020 – Charting Our Course’:

Port of Call:

Transport systems and services designed to meet current future needs.

- 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 recreation 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.

Port of Call:

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

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.

WORKS & SERVICES REPORTS

Item 13.2.8 continued

COMMENT/DISCUSSION

13. The design of Robinson Road has been limited to meet community concerns regarding major civil works in this area. The works has been completed excluding the 260.00 metre section between chainage 3540 and 3800 that includes the area of ‘twin karris’ and the black stump at the intersection of the black stump.
14. The process of obtaining approvals from the Department of Land Administration and the Department of Indigenous Affairs is likely to be a lengthy process, including the additional indicative costs, and there is no guarantee of final approval.
15. Pending the final report from the Consultant Anthropologist it appears unlikely that approval will be given for the realignment section around the ‘twin karris’ and the black stump site will involve further consultation and a lengthy approval process.
16. Leaving this section of road gravel fails to meet the objectives of Council’s Asset Management Strategy – Roads in providing an upgraded asset (safety seal traffic counts etc).
17. The current situation at the ‘twin karris’ leaves a one way section of road with poor sight distances that will need to managed with appropriate hazard and advisory signs.
18. Leaving this section gravel will involve minimum works to meet the requirements of the aboriginal community. Preliminary discussions have involved barrier kerbing around the black stump and removal of letter boxes. It also appears that there would be no objection from the aboriginal community to the removal of the leaning Karri on the southern side of the road and comments received indicate that this is the preferred option in lieu of the realignment.

RECOMMENDATION I

THAT Council revoke their resolution of 20/11/01, item 13.2.3

That the final alignment for the Robinson Road Project be Option 2 “Construct the road completely around the twin karri trees, with staff instigating land resumption procedures”, to enable design and construction to begin.

Voting Requirement Absolute Majority

THEN

RECOMMENDATION II

THAT Council determine the scope of works in recognition of aboriginal heritage issues for the Robinson Road Project from the following options:

WORKS & SERVICES REPORTS

Item 13.2.8 continued

Option 1

- i) Leave the remaining section of Robinson Road gravel including the intersection of Gledhow South Road;
- ii) Install barrier kerbing around the black stump site in accordance with report findings; and
- iii) Leave the current alignment through the ‘twin karris’ and install advisory and hazard signage.

OR

Option 2

- i) Remove the southern leaning karri tree to allow the construction and sealing on the current alignment; and
- ii) Continue negotiations for approval under Section 18 of the Aboriginal Heritage Act (1972) to continue works at the black stump.

Voting Requirement Simple Majority

.....

The following Councillors requested that the previous motion in relation to the re-construction of Robinson Road be reconsidered.

- Councillor Walker
- Councillor West
- Councillor Wolfe
- Councillor Evans
- Councillor Emery

**MOVED COUNCILLOR WILSON
SECONDED COUNCILLOR WALKER**

That Council agree to reconsider the decision made on 20th November 2001 to re-construct Robinson Road.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR WILSON**

THAT Council revoke their resolution of 20/11/01, item 13.2.3

That the final alignment for the Robinson Road Project be Option 2 “Construct the road completely around the twin karri trees, with staff instigating land resumption procedures”, to enable design and construction to begin.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

WORKS & SERVICES REPORTS

**MOVED COUNCILLOR SANKEY
SECONDED COUNCILLOR EVERS**

THAT Council

- i) **Close Robinson Road to through traffic at Gledhow South Road and at the western end of the existing gravel section (chainage 3800);**
- ii) **Construct cul-de-sac turnarounds at both the western end of the gravel section (chainage 3800), and at the intersection of Gledhow South Road.**

MOTION CARRIED 8-6

Reason: To enable the existing native vegetation to be maintained without disruption.

WORKS & SERVICES REPORTS**13.3 WORKS****13.3.1 Outside Workers Enterprise Bargaining Agreement**

File/Ward	:	IND 007 (All Wards)
Proposal/Issue	:	Outside Workers Enterprise Bargaining Agreement
Subject Land/Locality	:	N/A
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Executive Director Works & Services (B Joynes)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	Council endorse the agreement and authorise payment following ratification by the Industrial Relations Commission.
Locality Plan	:	N/A

BACKGROUND

1. The current Outside Workers Enterprise Bargain Agreement which commenced at the beginning of the 2000 financial year is due to expire on 30th June 2002. Negotiations for the implementation of a new Enterprise Bargain Agreement were initiated during November 2001 by the introduction of fortnightly meetings.
2. Each item listed in the Table of Contents were worked through by Staff with their EB Representatives and by Management using an interactive process to reach agreement on items which required change or removal. Union representatives were invited to attend meetings.
3. Basis for the negotiated increase is as follows:
 - Flexibility of hours of work
 - Flexibility of leave for maximum work time during busy season
 - Multiskilling
 - The committing to working RDO's and Saturdays to increase productivity, and reduce the costly outsourcing of urban works. (3 crews, 5 staff for 2 ½ weeks equivalent) saving an estimated \$25,000.
 - Quantification of new initiatives and work improvements and increases in workloads and extra responsibilities due to organizational change.

WORKS & SERVICES REPORTS

Item 13.3.1 continued

STATUTORY REQUIREMENTS

4. CCI has previously advised of the following statutory requirements:
The agreement:
 - requires staff to have a copy of the EBA 14 days prior to voting on the proposal.
 - needs to be lodged with the Commission within 21 days of the date of acceptance by the parties;
 - needs to be signed by all parties; and
 - needs to be accompanied by a Statutory Declaration and Application form signed by all parties.
5. When agreement is reached an application shall be made to the Australian Industrial Relations Commission.

POLICY IMPLICATIONS

6. Council does not have a policy that covers this matter, but is line with Council's Human Resources Policy.

FINANCIAL IMPLICATIONS

7. The proposed overall increase is 10% above the current Enterprise Bargain Agreement (2000) on July 1st 2002, with additional annual State CPI increases in July 2003 and July 2004. This increase absorbs all allowances.
8. The cost of the new Enterprise Bargain Agreement financial impact has been included in the 2002/03 budget, currently in draft form.

STRATEGIC IMPLICATIONS

9. Albany 2020 – Charting out Course includes the following Ports of Call:
 - *A reputation for professional excellence*
The City of Albany has undertaken to generate and maintain a reputation for professional excellence in the way it approaches all its responsibilities, transactions and communication. Through this professionalism the City's Mission will be achieved, by a commitment to the following objectives:
 - *Organisational Development –*
To create a quality environment in which to work and develop programs for the continual development of Councillors and Council's most important assets, our staff members.

COMMENT/DISCUSSION

10. The EBA process has been highly interactive and has raised and resolved a number of significant issues such as ability to work overtime at accrued rates, working RDO's and weekends where required within budget constraints, working shift rosters when needed, etc. The overall approach by staff was pleasing and to work towards a mutually satisfactory outcome that achieves a high degree of flexibility, autonomy and initiatives.

WORKS & SERVICES REPORTS

Item 13.3.1 continued

11. Some of the salient points that were altered from the existing EBA (2000) were:
- i) removal of a restrictive cap on overtime rates,
 - ii) removal of a reduced loading for shift workers,
 - iii) annual leave rosters to be in line with work output,
 - iv) removal of a requirement to financially reward for performance (not implemented but previously considered to be an accrued benefit)
 - v) allowing for a greater ‘banking of hours’ (accrue time to be taken in quieter work periods),
 - vi) Clarification on the payment of single time during after hours travel for passengers,
 - vii) A commitment to multi-skilling was made, and
 - viii) Better alignment with existing awards and terms.
12. Staff have had an interim ballot on this issue and have indicated that there is an 83% acceptance of the proposed EBA. A final ballot will be taken prior to the Council meeting on June 18, to allow for the requirement of 14 days notice of the final copy, with the results reported at that meeting.

RECOMMENDATION

THAT Council:

- i) support and agree to sign the Outside Workers Enterprise Bargaining Agreement 2002;
- ii) approve the payment of the increase to commence on 1st July 2002, following ratification from the Industrial Relation Commission; and
- iii) instruct staff to undertake the necessary steps to have the agreement formalized at the Industrial Relations Commission.

Voting Required Simple Majority

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR WEST**

THAT Council:

- i) support and agree to sign the Outside Workers Enterprise Bargaining Agreement 2002;**
- ii) approve the payment of the increase to commence on 1st July 2002, following ratification from the Industrial Relation Commission; and**
- iii) instruct staff to undertake the necessary steps to have the agreement formalized at the Industrial Relations Commission.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.4 AIRPORT MANAGEMENT

13.4.1 Asset Management Strategy - Airport

File/Ward	:	MAN 007 (All Wards)
Proposal/Issue	:	Asset Management Strategy - Airport
Subject Land/Locality	:	City of Albany
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Manager Asset and Client Services (P Brown)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation	:	That Council receive and adopt the Asset Management Strategy – Airport.
Locality Plan	:	N/A

BACKGROUND

1. In June 2001 Connell Wagner Pty Ltd was appointed to prepare an Airport Master Plan. The key issues to be addressed included:-
 - i) the current need for the airport’s operations to fulfil a role regionally and locally.
 - ii) The targeted role for the airport’s operations based on future usage projections, and the development strategy.
 - iii) The financial impact and funding basis for future development.
 - iv) The infrastructure required to enable the airport to develop.
 - v) That a life cycle asset management approach is needed to ensure appropriate budget is set aside for capital and operational expenditure over a rolling five year program.

2. The preparation of the Master Plan has included consultation with key stakeholders including Skywest Airlines, the City of Albany Airport Advisory Committee, Airport Users Group, Great Southern Development Commission and Department of Planning and Infrastructure.

WORKS & SERVICES REPORTS

Item 13.4.1 continued

3. At the Airport Advisory Committee meeting held on 4th June 2002, the Airport Master Plan was recommended for ‘adoption in principle’ pending further discussion on landing fees.

STATUTORY REQUIREMENTS

4. 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

5. The adoption of the Airport Master Plan will provide strategic guidelines for the development and implementation of expenditure programs.

FINANCIAL IMPLICATIONS

6. The financial analysis contained within the Master Plan establishes a 15 year development plan that, in broad terms, outlines the predicted revenue and expenditure with the objective of providing funds to ensure future upgrades of infrastructure can be accommodated to meet the projected growth forecasts.

7. The tables within the document contained 3 broad scenarios in terms of predicting and proposing revenue streams as follows;

- i) Head tax and rental only (existing situation)
- ii) Including subsidies via grants and;
- iii) Including subsidies, increasing landing & lease charges

8. The amended table (Appendix A) (attached) represents an alternative option for revenue including amendments to landing fees for Regular Passenger Transport (RPT) aircraft and General Aviation (GA) aircraft. In addition the amendments remove depreciation from the expenditure and transfer the amount to reserves.

9. Currently RPT aircraft pay head tax only, set at \$17.00 per adult and \$8.50 per child. GA aircraft pay no fee up to 1950kg, \$5.00 per 1000kg between 1950kg and 20 000kg and \$ 15.00 per 1000kg over 20 000kg (all costs exclude GST).

10. The proposed new fee structure aims to alter the mix of revenue by imposing landing fees on all aircraft and reducing head tax. The amended financial table Appendix A is calculated on the proposed following schedule of fees.

11. Landing Fees (all aircraft).

0 – 1 500kg	\$ 5.00	per 1000kg
1 500kg – 3 000kg	\$ 8.00	per 1000kg
3 000kg – 6 000kg	\$12.00	per 1000kg
6 000kg – 15 000kg	\$ 18.00	per 1000kg
over 15 000kg	\$ 22.00	per 1000kg

WORKS & SERVICES REPORTS

Item 13.4.1 continued

12. Head Tax (RPT Aircraft) to be negotiated with the RPT service provider to meet income as set in Airport Master Plan.
13. Annual Fee (Local and Regional Users). The proposal of an annual fee for small local and regional users has also been considered with fees proposed at \$100.00 per year for small aircraft under 1500kg.
14. This proposal would allow users to pay a fee in advance in lieu of \$5.00 per landing providing a saving in administrative costs.
15. In order to estimate the revenue received, Appendix A makes the following assumptions;
 - i) That the current schedule of RPT and GA operations will be maintained and increase proportionately with population increases.
 - ii) That RPT operations will run at 58% capacity
 - iii) That 5% of passengers will be children (ie Half fare).
16. The inclusion of 50% grant subsidies to fund major capital upgrades from state and federal government sources are subject to the approval of grant submissions these are difficult to predict and should be treated on a case by case basis.
17. The imposition of a \$400.00 landing fee on Regular Passenger Transport (RPT) aircraft without a reduction in the current rate of head tax would significantly increase revenue (approx. 40%) and provide reserve funds for the airport operations. These costs would directly impact on RPT operating costs and it is assumed that costs would be passed on to passengers.
18. The maintenance costs have been included in the Annual Operating Costs component on the expenditure and include the life cycle cost of existing assets.
19. In previous financial years the airport has returned approximately \$250,000.00 to general revenue. Appendix A proposes a reduction to \$75,000.00.

STRATEGIC IMPLICATIONS

20. Albany 2020 – Charting Our Course includes the following Ports of Call:
 - Transport systems and services designed to meet current future needs.
 - 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.
 - Transport infrastructure planning.
 - To plan Albany’s transport infrastructure to meet future needs complementary to the City’s form and sense of place.

WORKS & SERVICES REPORTS

Item 13.4.1 continued

- Management of transport infrastructure and services.
 - vi) 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.
21. The Airport Master Plan establishes a 15-year program 2002 to 2017 that links the objectives of Albany 2020 to its prioritised expenditure program.

COMMENT/DISCUSSION

22. The outcome of the Airport Master Plan will be to provide strategic direction in terms of planning and provide the necessary financial resources to the fund capital infrastructure requirements to accommodate the predicted growth in passenger and aircraft volumes to 2017.
23. The decision to impose landing fees for Regular Passenger Transport (RPT) aircraft could have a detrimental effect on the viability of the existing operator and result in a lower level of service to the region. Therefore, by reducing head tax, it is considered prudent to ensure a sustainable revenue stream is procured that allows operators the flexibility to increase operations bringing follow on benefits to the region.
24. The proposed amendments to the landing charges for General Aviation (GA) and Regular Passenger Transport (RPT) aircraft would bring Albany Airport in line with similar competitors within Western Australia.

RECOMMENDATION:

THAT Council:

- i) adopt the draft “Airport Master” plan as tabled;
- ii) advertise for comment the draft “Airport Master Plan” to the public and stakeholders for input and support;
- iii) request the responses and subsequent proposed amendments to the draft Airport Master Plan be brought to Council for consideration; and
- iv) include first year of the Airport Master Plan in the 2002/03 draft budget for consideration.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.4.1 continued

**MOVED COUNCILLOR WEST
SECONDED COUNCILLOR WALKER**

THAT Council:

- i) adopt the draft “Airport Master” plan as tabled;**
- ii) advertise for comment the draft “Airport Master Plan” to the public and stakeholders for input and support;**
- iii) request the responses and subsequent proposed amendments to the draft Airport Master Plan be brought to Council for consideration; and**
- iv) include first year of the Airport Master Plan in the 2002/03 draft budget for consideration.**

MOTION CARRIED 12-2

WORKS & SERVICES REPORTS

City of Albany -APPENDIX A

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
REVENUE										
Passenger Head Tax	401,520	409,550	417,741	426,096	434,618	443,311	452,177	461,220	470,445	479,854
Site and Building Rentals	30,000	30,600	31,212	31,836	32,473	33,122	33,785	34,461	35,150	35,853
RPT Landing Fees	275,600	281,112	286,734	292,469	298,318	304,285	310,370	316,578	322,909	329,368
GA Landing Fees	33,000	33,660	34,333	35,020	35,720	36,435	37,163	37,907	38,665	39,438
Capital Grants	0	200,000	50,000	150,000	0	1,000,000	0	0	0	0
TOTAL REVENUE (including Subsidies)	740,120	754,922	770,021	785,421	801,130	817,152	833,495	850,165	867,169	884,512
EXPENDITURE										
Annual Operating Costs - excl depreciation	331,623	341,572	351,819	362,373	373,245	384,442	395,975	407,854	420,090	432,693
Annual Operating Costs - depreciation	296,377	296,377	304,377	306,377	312,377	312,377	352,377	352,377	352,377	352,377
City of Albany- return on invested capital	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000
Capital Costs										
- Widening and strengthening of 14/32 Runway and Shoulders, Taxiway A and RPT apron.	-	-	-	-	-	-	-	-	-	-
- Relocate Met Bureau facility and expand GA apron.	-	100,000	100,000	300,000	-	-	-	-	-	-
- New Helicopter area.	-	100,000	-	-	-	-	-	-	-	-
- Part of parallel taxiway to 14/32 Runway.	-	-	-	-	-	1,500,000	-	-	-	-
- Part of parallel taxiway to 05/23 Runway.	-	-	-	-	-	500,000	-	-	-	-
- Carpark extension at existing terminal.	-	-	-	-	-	-	-	-	-	-
- GA infrastructure.	-	200,000	-	-	-	-	-	-	-	-
- Terminal building expansion and refurbishment.	-	-	-	-	-	-	-	-	-	-
TOTAL EXPENDITURE	703,000	1,112,949	831,196	1,043,750	760,622	2,771,819	823,352	835,231	847,467	860,070
Net operating Profit (Total Revenue less Operating Costs)	37,120	(358,026)	(61,175)	(258,329)	40,508	(1,954,667)	10,143	14,934	19,701	24,442
add back Depreciation (non cash)	296,377	296,377	304,377	306,377	312,377	312,377	352,377	352,377	352,377	352,377
Net cash flow	333,497	(61,649)	243,202	48,048	352,885	(1,642,290)	362,520	367,311	372,078	376,819
Cumulative Net Cash Flow	333,497	271,848	515,050	563,098	915,983	(726,307)	(363,787)	3,524	375,602	752,421

Based on \$400 / landing
 Based on \$5 / landing
 Increase lease / rent
 Growth 2%
 Inflation 3%

WORKS & SERVICES REPORTS

13.5 RESERVES PLANNING & MANAGEMENT

13.5.1 Adoption of Lange Park Landscape Plan

File/Ward	:	MAN 156 (Kalgan Ward)
Proposal/Issue	:	Adoption of Lange Park Landscape Plan
Subject Land/Locality	:	Lange Park, Bayonet Head Road, Bayonet Head Reserve No. 29786
Proponent	:	City of Albany
Owner	:	City of Albany
Reporting Officer(s)	:	Environmental Planning Officer/Reserves (M Price)
Disclosure of Interest	:	Nil.
Previous Reference	:	City of Albany budget deliberations 2001/2002.
Summary Recommendation:		To adopt the Lange Park Landscape Plan and consider in the Reserves Expenditure Program.
Locality Plan	:	



WORKS & SERVICES REPORTS

Item 13.5.1 continued

BACKGROUND

1. A precinct plan for Lange Park at Bayonet Head has been created and this item seeks its adoption by Council. The plan was developed by Bruce Thomas, Landscape Architect in consultation with community stakeholders.
2. Lange Park is vested in the City of Albany (reserve number 29786) and is classified as a ‘district park’ in the Asset Management Strategy- Reserves. While some parts of Bayonet Head have been developed for some decades, a large area of the suburb will be developed in the next 20 years. At full development, Bayonet Head is likely to house more than 20,000 people. Lange Park has been identified as a significant area that requires planning for upgrades to cater for community recreation. The park ranked highly in the City of Albany Asset Management Strategy- Reserves as needing a landscape plan to direct future upgrades.
3. The landscape plan was developed through a budget allocation in 2001/02 with the general objective of providing a framework for capital upgrades and maintenance projects over the next 15 years to enhance the visual and practical amenity of the Park. The designs incorporated into the plan will facilitate cost efficiencies and low maintenance after implementation.
4. Other more specific objectives of the project were:
 - ◆ to provide a coherent plan for the layout and elements required in Lange Park.
 - ◆ to identify unique features of Lange Park, such as its outlook across Yakamia to Oyster Harbour and King George Sound.
 - ◆ to make recommendations for elements within the reserve. These recommendations were required to be in line with standards identified for ‘District Parks’ according to the Asset Management Plan- Reserves that was adopted by City of Albany in June 2001.
 - ◆ to develop a theme for the park that is sensitive to Albany’s unique cultural and natural heritage.
 - ◆ to assist in the creation of a more people oriented environment.
 - ◆ to recognise opportunities and constraints in the park and surrounding areas.
 - ◆ to help build community ownership of the plan through sensitive and appropriate community consultation.
5. The plan has considered the need for reticulation, furniture, parking, signage, toilets, disabled access, shelter, BBQs, playground equipment, bins, lighting, access and turf. The plan is included in the tabled document.
6. The development of the landscape plan involved consultation and site meetings with:
 - Officers in the City of Albany;
 - Residents of Bayonet Head, especially those who live around the park.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

STATUTORY REQUIREMENTS

7. The City of Albany has a responsibility to manage Lange Park to maintain its safety, recreational and aesthetic values in a cost effective manner.

POLICY IMPLICATIONS

8. This landscape plan fulfils the requirements set by Council in the Asset Management Strategy - Reserves for a ‘District Park’. The plan also incorporates elements from the Reserves Design Manual (in preparation). Lange Park will now have a framework to guide development and upgrade of facilities over the next 15 years.

FINANCIAL IMPLICATIONS

9. The City of Albany will need to include the implementation of the landscape plan into the Reserves 15 Year Expenditure Program. The following costs have been identified in the plan. Implementation has been broken down into stages that can be carried out over several years. If adopted, the stages of the landscape plan will be factored into the Reserves 15 Year Expenditure Program.

Stages for Implementation	Elements in Stage	Costs for Stage
Stage 1	Removal of existing shelter and kerb, pedestrian access paving, car park and treatments, playground equipment with soft fall surface, shelter, seats, rubbish bins	\$60,000
Stage 2	Mini basket ball court, car park and treatments	\$20,000
Stage 3a	Returfing, bring in soil to level playing areas, tree planting	\$100,000
Stage 3b	Returfing, bring in soil to level playing areas, tree planting	\$40,000
Stage 3c	Returfing, bring in soil to level playing areas, tree planting	\$75,000
Stage 4a	Planting beds, retaining wall and concrete steps	\$55,000
Stage 4b	Granite retaining wall, steps, planting in beds	\$46,290
Stage 5	Pathway, bollards, signs	\$30,000
	Total:	\$426,290

These stages will be incorporated into the Reserves Expenditure Program according to the ranking system adopted by Council in June 2001.

STRATEGIC IMPLICATIONS

10. In the ‘Built and Natural Environment- Parks and Reserves’ section of “Albany 2020- Charting Our Course” it states that the City will ‘manage and enhance an outstanding series of parks and reserves’.
11. The City of Albany has adopted the Reserve Masterplan (June 2001), which prioritises actions in reserves. Lange Park ranks highly for upgrading to meet adopted Council standards. All recommendations from the landscape plan are consistent with the Reserves Design Manual (in preparation). This landscape plan will enhance use and enjoyment of the reserve and protect its visual values.

WORKS & SERVICES REPORTS

Item 13.5.1 continued

- 12. More broadly, the landscape plan will allow the City to manage Lange Park with confidence that the community is supportive of the upgrades and facilities proposed.

COMMENT/DISCUSSION

- 13. Lange Park is under utilized, but has a great deal of potential to be developed as a high standard park. It has commanding views across Oyster Harbour and King George Sound, combined with being centrally placed in Bayonet Head. It is likely that use of Lange Park will steadily increase as time passes. Sensitive upgrades will also raise the tone of the reserve and are likely to prevent antisocial behaviour that has occurred on occasion in the park.
- 14. This landscape plan provides a staged and costed program to provide standard facilities as laid out in the Asset Management Strategy- Reserves. This includes:
 - Upgrading of the play equipment,
 - Upgrading of the car parks
 - Replacement of the existing shelter with a gazebo,
 - Installation of a half size basketball court,
 - Recontouring, reticulating and returfing the larger open areas,
 - Incorporating a path to allow for equity access,
 - Installing a retaining wall to reduce sheet erosion and
 - Replanting of garden beds.
- 15. Public consultation showed that the community did not want to have a public toilet in the park, so this has not been included in the plan.

RECOMMENDATION

THAT Council:

- i) adopt the Lange Park Landscape Plan dated March 2002; and
- ii) staging and budget items be included in the Reserves 15 Year Expenditure Program for consideration by Council.

Voting Requirement Simple Majority

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WOLFE**

THAT Council:

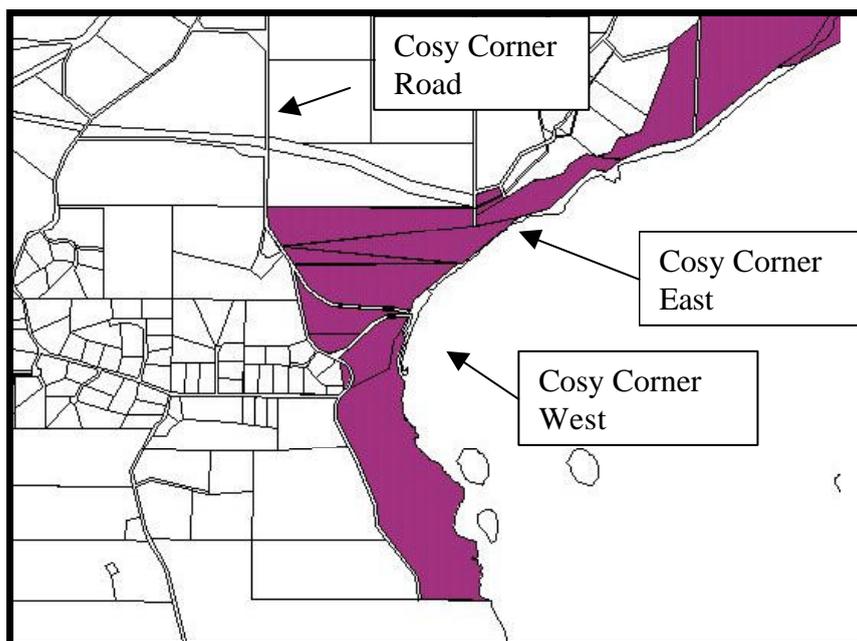
- i) adopt the Lange Park Landscape Plan dated March 2002; and**
- ii) staging and budget items be included in the Reserves 15 Year Expenditure Program for consideration by Council.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.5.2 Adoption of Cosy Corner Precinct Plan

- File/Ward** : MAN063 (West Ward)
- Proposal/Issue** : Adoption of Cosy Corner Precinct Plan
- Subject Land/Locality** : Cosy Corner Reserve, Torbay
- Proponent** : City of Albany
- Owner** : City of Albany
- Reporting Officer(s)** : Project Officer (Environmental Planning)
(M Price)
- Disclosure of Interest** : Nil.
- Previous Reference** : Shire of Albany
OCM 23/09/97 Item 15.1
OCM 19/02/98 Item 13.3.1
City of Albany
OCM 18/01/00 Item 15.1.2
- Summary Recommendation:** To adopt the precinct plan for Cosy Corner East and West and consider it in the Reserves Expenditure Program
- Locality Plan** : N/A



WORKS & SERVICES REPORTS

Item 13.5.2 continued

BACKGROUND

1. The Asset and Client Services team has completed a precinct plan for the Cosy Corner area and seeks adoption of it by Council. The plan was developed by Bruce Thomas, Landscape Architect in consultation with community stakeholders.
2. The precinct plan recommends treatments for the main visitor nodes at Cosy Corner East and West. The City of Albany holds the management orders for these reserves (24548 and 24547).
3. Prior to the preparation of the precinct plan, a management plan was developed and adopted by Council (OCM 18/01/00 Item 15.1.2). Many of the elements in the management plan required the development of the precinct plan to allow for detailed planning and costing.
4. The objectives of the precinct plan are:
 - To maximize the use of limited space at Cosy Corner East and West nodes.
 - To provide safe access for vehicles within the main visitor nodes.
 - To protect the vegetation, especially the peppermint trees from root compaction.
 - To create a more ‘people’ focused environment (vs a vehicle focused environment).
5. The development of the precinct plan involved consultation and site meetings with representatives from the following groups:
 - Officers in the City of Albany;
 - Woodbury Boston School;
 - Residents of Torbay Hill;
 - Friends of Cosy Corner; and the
 - Department of Conservation and Land Management.
6. Key elements of the plans include:
 - Delineation of vehicle parking bays to protect the trees from root compaction (no bus or caravan parking would be available at Cosy Corner West except for the Woodbury Boston school bus).
 - No camping would be allowed next to the beach at Cosy Corner East. Interim camping would be available in the overflow area as shown on the plan. Should the campground that is currently proposed adjacent to the reserve go ahead, no camping at all would be allowed in the Cosy Corner reserve.
 - Emergency vehicle turnaround would be available at the Fishermans Lease at Cosy Corner West, and eventually in a new carpark on Cosy Corner Rd.
 - A new toilet block would be constructed at Cosy Corner West.
 - Several beach access points would be closed.
 - Pathways would be installed to allow more equitable access.
 - One option shows a gate at Cosy Corner West. There are several options for where this might be placed, with the objective of preventing all vehicle access to the beach (except for emergency and commercial fishermen vehicles).

WORKS & SERVICES REPORTS

Item 13.5.2 continued

STATUTORY REQUIREMENTS

7. The City of Albany has a responsibility to manage the Cosy Corner area to maintain its recreational and environmental values in a cost effective manner.

POLICY IMPLICATIONS

8. This precinct plan meets the objectives of the Coastal Management Policy and the Reserves Design Manual, both of which are in preparation. Cosy Corner will now have a framework to guide development and upgrade of facilities over the next 15 years. The plan will form the basis for grant applications.

FINANCIAL IMPLICATIONS

9. The City of Albany will need to include the implementation of the precinct plan into the Reserves Expenditure Program. The use of the area by locals and visitors is likely to increase.

Stages for Implem.	Elements in Stage	Costs for Stage
Cosy Corner East		
Stage 1	Sealing of existing gravel road inc entry sign and long vehicle parking bays, interim camping and overflow carparking, carpark treatments, timber bollards, entry sign, interpretive sign, BBQs, rubbish bins, picnic tables, tree protection and surgery.	\$72,720
Stage 2	Gravel interim carpark and overflow, bollards, cement stabilized gravel paths, fencing, revegetation, returfing, tree protection and surgery, maintenance	\$64,430
	Subtotal:	\$137,150
Cosy Corner West		
Stage 1	Road works and car parking bays adjacent to picnic areas, turnaround area for service vehicles, entry signs, information shelter, BBQ, rubbish bins, picnic tables, tree protection and surgery.	\$53,285
Stage 2	Long vehicle parking, overflow parking, road bend remediation, toilet and change rooms, parking bay treatments, bollards, fencing, revegetation, tree protection and surgery	\$39,955
Stage 3	Road works inc formation of gravel path base, cement stabilized path, bollarding, picnic tables, BBQs, rubbish bins, directional signs, returfing, boom gate, maintenance, tree protection and surgery.	\$36,650
	Subtotal:	\$129,890
	Total:	\$267,040

If adopted the stages of the landscape plan will be factored into the Reserves 15 Year Expenditure Program.

WORKS & SERVICES REPORTS

Item 13.5.2 continued

STRATEGIC IMPLICATIONS

- 10. In the ‘Built and Natural Environment - Parks and Reserves’ section of “Albany 2020- Charting Our Course” it states that the City will ‘manage and enhance an outstanding series of parks and reserves’.
- 11. The City of Albany is developing a Coastal Management Policy that recommends sustainable management practices for its coastal reserves. This precinct plan will enhance use and enjoyment of the reserve, plus protect its visual and environmental values.
- 12. More broadly, the precinct plan will allow the City to manage Cosy Corner with confidence that the community is generally supportive of the upgrades and facilities proposed.

COMMENT/DISCUSSION

- 13. Cosy Corner is a heavily used beach for both camping and day use. Unless carefully managed, increasing pressure is likely to lead to unsightly and increasingly costly degradation. This precinct plan provides a staged and costed program to provide standard facilities as laid out in the Asset Management Strategy - Reserves. For Cosy Corner, this includes improving signage and interpretational information, improving access for people with disabilities, delineating areas for clearly for ‘people’ vs vehicles and providing for overflow car parking.
- 14. Several meetings were held on site during the development of the precinct plan. Participants included representatives from the Friends of Cosy Corner, the Torbay Hill Residents Association and the Woodbury Boston School. The aspirations and concerns of these groups were incorporated into the plan where possible, within the objectives set for the preparation of the plan.

RECOMMENDATION

THAT Council:

- i) adopt the Cosy Corner Precinct Plan dated October 2001 as tabled; and
- ii) staging and budget items be included in the Reserves 15 Year Expenditure Program for consideration by Council.

Voting Requirement Simple Majority

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WORKS & SERVICES REPORTS

Item 13.5.2 continued

**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WOLFE**

THAT Council:

- i) adopt the Cosy Corner Precinct Plan dated October 2001 as tabled;
and**
- ii) staging and budget items be included in the Reserves 15 Year
Expenditure Program for consideration by Council.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.5.3 Asset Management Strategy- Reserves - 15 Year Expenditure Program

File/Ward	:	SER 087 (All Wards)
Proposal/Issue	:	Asset Management Strategy – Reserves
Subject Land/Locality	:	City of Albany
Proponent	:	N/A
Owner	:	N/A
Reporting Officer(s)	:	Environmental Planning Officer- Reserves (M Price)
Disclosure of Interest	:	Nil
Previous Reference	:	OCM 26/06/2001 - Item 13.5.1
Summary Recommendation	:	That Council receive and adopt the 15 Year Expenditure Program for City of Albany Reserves.
Locality Plan	:	N/A

BACKGROUND

1. This item proposes a 15 year expenditure program based on the Asset Management Strategy - Reserves that was adopted by Council on the 26 June 2001. The expenditure program was created by assessing the facilities in 140 reserves in the City of Albany.
2. The existing elements in the reserves were compared to the adopted standards and a profile developed for upgrades required over 15 years. The profile considered reserve type, safety, environmental and social requirements and demand in calculating the priority ranking of activities in Reserves. A summary of the 15 Year Expenditure Program is attached (refer Bulletin Item 1.3.4).
3. The benefits of the Reserves 15 Year Expenditure Program include increased accountability, service management, risk management and financial efficiency by:
 - Demonstrating to customers that services are being delivered effectively and efficiently;
 - Providing the basis for evaluating and balancing service levels with price and quality;
 - Improving accountability through published performance and financial measures;
 - Improving the understanding of service requirements and options;

WORKS & SERVICES REPORTS

Item 13.5.3 continued

- Ensuring a holistic approach to asset management;
 - Improving customer satisfaction;
 - Assessing probability and consequences of asset failure;
 - Improving decision-making based on costs and benefits of alternatives;
 - Justifying expenditure programs and funding requirements;
 - Recognition of all costs over the lifecycles of the asset;
 - Allowing systematic review.
4. The 15 Year Expenditure Program- Reserves will be linked to other organisational strategies, as shown below:
- Local Planning Strategy and subsequent Town Planning Scheme
 - Coastal Management Policy
 - Greenways Plan
 - Trails Master plan
 - Weeds Strategy
 - Dieback Guidelines
 - Roadside Conservation Plan
 - Asset Management Strategy- Roads
 - Asset Management Strategy- Buildings
5. The 15 Year Expenditure Program allows for the planning of projects well in advance of implementation. This will ensure better cross-linking with associated programs, and applications for income, such as grants, will be easier to plan.
6. The development of the 15 Year Expenditure Program was based on an assessment process in order to demonstrate an impartial and quantitative approach, so that priorities could be justified to stakeholders and the community. The Asset and Client Services team has established a database for Reserves, which is linked to a Geographic Information System. It is now a relatively simple matter to extract information about these parcels of land. A summary of Reserves is included in Table 1.

Table 1. Summary of Reserve Types managed by the City of Albany

<u>Primary function of Reserve</u>	<u>Area of Reserve (ha)</u>	<u>No of Reserves</u>
Natural	8370.8	109
Not categorised	1792.0	68
Utility	750.6	59
Park	160.5	44
Community Use	200.0	22
Sports	563.3	19
Garden	231.5	8
<u>Total</u>	<u>12068.8 ha</u>	<u>329</u>

WORKS & SERVICES REPORTS

Item 13.5.3 continued

7. The current expenditure program is for the upgrade of existing reserves to the required standard. Further analysis needs to be undertaken in conjunction with the proposed town planning scheme and subsequent precinct plans for the creation/acquisition of new parks and reserves.
8. Unit costs for elements in reserves have been calculated and will be reviewed annually and be continually refined. It should be noted that some elements have unique costs due to the special requirements of some reserves.
9. The expenditure program is one of the key outputs of the Asset Management Strategy for Reserves, and includes:
 - Planning required to achieve ‘2020- Charting our Course’ outcomes eg Streetscape Strategy and management plans;
 - Capital upgrade costs;
 - A 15 Year Expenditure Program recorded in present day costs, with no provision made for inflation.

STATUTORY REQUIREMENTS

10. 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

11. The adoption of the 15 Year Expenditure Program – Reserves will provide will give structure and certainty in the planning of expenditure programs.

FINANCIAL IMPLICATIONS

12. The asset management projects are summarised in Attachment 1 (refer Bulletin Item 1.3.4), with annual expenditure for capital expenditure and upgrades from the City between \$400,000 and \$450,000. This amount would be supplemented where possible by seeking income such as grants. The total expenditure over 15 years is expected to be approximately \$6,720,000. This would not bring all of the 140 reserves assessed to standard in the 15 year period.
13. Alternatively, to bring the 140 reserves assessed in the Asset Management Strategy- Reserves up to standard over 15 year, the total cost would be in the order of \$7,500,000 or \$500,000. This does not include strategic projects or reviews that are likely to push this amount higher.

STRATEGIC IMPLICATIONS

14. Albany 2020 – Charting Our Course sets the framework for all activities carried out by the City of Albany.

WORKS & SERVICES REPORTS

Item 13.5.3 continued

15. The quality of our reserves are important factors in the present and future well being of our community. Parks, natural reserves and the services provided by other reserves improve our working, social and recreational lives. A sensible, well-planned reserve 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;

Port of Call:

Managed healthy land/harbour environment

- Reserve Management
To manage reserves for environmentally sustainable use, community enjoyment and benefit.
- Environmental education and promotion
To promote the health of the City's land and harbour through the raising of community awareness.

Quality parks, gardens and reserves maintaining their feature status

- Streetscape Design and Implementation
To develop safe, functional and aesthetically pleasing streetscapes
- Parks, Gardens and Playgrounds
A diverse range of passive and active recreational areas that are creative, attractive, safe and enjoyable to use.

16. The 15 Year Expenditure Program- Reserves links the objectives of Albany 2020 to a well planned and quantitative expenditure programs.

COMMENT/DISCUSSION

17. Currently, 140 of the total 329 reserves have been assessed and inserted into the Asset Management Strategy - Reserves. This leaves 189 reserves to be assessed. In addition, there are reserves being created through subdivision and ceding of Public Open Space to Council. These reserves will need to be included in the Masterplan according to the assessment criteria, on an annual basis.

18. This expenditure program does not include the following:

- Routine maintenance and operating costs.
- The inclusion of strategic plans and their associated costs/actions that have not yet commenced.

19. To make the most of limited resources, it is essential to prioritise the implementation of elements required in various reserves. Planning for reserves is considered to be the foundation of all activities to ensure community support, suitability of facilities and efficiency of operations. This is best achieved by preparing a management or landscape plan for major reserves in consultation with the community. The recommendations in the plan are then costed and divided into sensible stages for implementation. The next priority is given to elements that facilitate access, health and interpretation/education.

WORKS & SERVICES REPORTS

Item 13.5.3 continued

20. In some instances, management or landscape plans will indicate that a single stage should include a suite of activities eg upgrade of car park, installation of path, signage and playground. This has been factored into the expenditure program as 'staged implementation' rather than as a single element.
21. Capital upgrade implementation in Reserves is ranked according to the criteria and weightings that were adopted by Council in June 2001. These Priority Criteria include:
 - Reserve classification (eg regional, district, local/park, natural, sporting, community, utility, garden)
 - Gap between elements in reserves and the standards set for the reserve type
 - Environmental and social benefit
 - Demand
 - Visitor SafetyDetails for this methodology is included in Attachment 3 (refer Bulletin Item 1.3.4).
22. Elements are generally prioritised according to the values in the table below.

Priority for Element Implementation

10 Management or landscape plans

8 Car parks & toilets

7 Turf management & reticulation

6 Access & signage

5 Furniture (playground equipment, shelters, BBQs, bins, benches, tables etc)

4 Lighting

23. The financing of the 15 Year Expenditure Program - Reserves is to be considered during annual budget deliberations.
24. The program outlines annual expenditure in the vicinity of \$400,000 to \$450,000. This expenditure does not include revenue from external sources such as grants.
25. The Expenditure Program will need to be reviewed annually to take into account the development of strategies in line with 'Albany 2020 Charting our Course'. There will also be a review every two years of the criteria and methodology of the Asset Management Strategy- Reserves. The next review is due in the 2002-03 financial year. One of the areas which has been identified to review is the disparity between the ranking of 'regional' reserves and 'local' reserves. Attention needs to be given to the methodology of ranking these parks so that they are upgraded in a timely manner.

WORKS & SERVICES REPORTS

Item 13.5.3 continued

RECOMMENDATION:

THAT Council:

- i) adopt ranking methodology for the Asset Management Strategy- Reserves;
- ii) adopt the 15 Year Expenditure Program- Reserves; and
- iii) consider first year of the capital upgrade expenditure program for reserves in the draft 2002/03 budget.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR WILLIAMS**

THAT Council:

- i) adopt ranking methodology for the Asset Management Strategy- Reserves;**
- ii) adopt the 15 Year Expenditure Program- Reserves; and**
- iii) consider first year of the capital upgrade expenditure program for reserves in the draft 2002/03 budget.**

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.6 WORKS AND SERVICES COMMITTEES

13.6.1 Mt Martin Regional Botanic Park Committee Minutes, 15th May 2002

- File/Ward** : MAN072 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration
- Reporting Officer** : Executive Director Works and Services
(B Joynes)
- Summary Recommendation** : That the minutes of the Mt Martin Regional Botanic Park Committee meeting held on 15th May 2002 be adopted.

Confirmation of the minutes of the Mt Martin Regional Botanic Park Committee meeting of 15th May 2002.

RECOMMENDATION

THAT the minutes of the Mt Martin Regional Botanic Park Committee meeting held on the 15th May 2002 be received (copy of minutes in the Elected Members' Report/Information Bulletin).

Voting Requirement Simple Majority

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**MOVED COUNCILLOR EVERS
SECONDED COUNCILLOR BOJCUN**

THAT the minutes of the Mt Martin Regional Botanic Park Committee meeting held on the 15th May 2002 be received (copy of minutes in the Elected Members' Report/Information Bulletin).

MOTION CARRIED 14-0

WORKS & SERVICES REPORTS

13.6.2 Airport Advisory Committee Minutes – 4th June 2002

File/Ward	:	MAN007 (All Wards)
Proposal/Issue	:	Committee Items for Council Consideration
Reporting Officer	:	Executive Director Works and Services (B Joynes)
Summary Recommendation	:	That the minutes of the Airport Advisory Committee meeting held on 4 th June 2002 be adopted.

Confirmation of the minutes of the Airport Advisory Committee meeting of 4th June 2002.

RECOMMENDATION

THAT the minutes of the Airport Advisory Committee meeting held on the 4th June 2002 be received (copy of minutes in the Elected Members' Report/Information Bulletin).

NB: Item 5.3 Adoption in Principle of the Airport Master Plan has been addressed in Council Item 13.4.1 – Asset Management Strategy – Airport

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WOLFE**

THAT the minutes of the Airport Advisory Committee meeting held on the 4th June 2002 be received (copy of minutes in the Elected Members' Report/Information Bulletin).

MOTION CARRIED 14-0

General Management Services

REPORTS

- REPORTS -

14.1 STRATEGIC DEVELOPMENT

Nil

14.2 ORGANISATION DEVELOPMENT

Nil

14.3 ECONOMIC DEVELOPMENT

14.3.1 Albany Regional Prison Issues

File/Ward	:	A6252 (Vancouver Ward)
Proposal/Issue	:	Request increase in the muster of prisoners at Albany Regional Prison.
Subject Land/Locality	:	Location 7629 Princess Avenue
Proponent	:	City of Albany
Owner	:	Albany Regional Prison
Reporting Officer(s)	:	Chief Executive Officer (A Hammond)
Disclosure of Interest	:	Nil
Previous Reference	:	Nil
Summary Recommendation:		Arrange meeting with Peter Watson MLA and Attorney General with a view to increasing the current muster level of prisoners at Albany Regional Prison
Locality Plan	:	N/A

BACKGROUND

1. The Albany Regional Prison has experienced a 30% reduction in the number of prisoners over the last 12 to 18 months.
2. There are several reasons for the decline in numbers which include:
 - State Government contractual requirements to house 700 prisoners at the privately operated Acacia Prison.
 - A change in Justice Department policy that has directed that person's convicted of offences that attract less than a 6 month jail term not be incarcerated and undergo alternative rehabilitation programs.
3. It is estimated that these two actions have reduced Western Australia's prison population by 1000.
4. Albany Regional Prison has a current muster of approximately 120 which is 70 prisoners below its optimum operational level.
5. The Justice Ministry is currently undertaking a review of operations at the Prison which may recommend a reduction in staffing levels.

Item 14.3.1 continued

STATUTORY REQUIREMENTS

6. There are no statutory requirements in relation to this issue.

POLICY IMPLICATIONS

7. There are no policy implications in relation to this issue.

FINANCIAL IMPLICATIONS

8. A reduction in employment levels of the prison and the possible relocation of families to Perth will have a significant detrimental impact on the local economy.

STRATEGIC IMPLICATIONS

9. Albany 2020 Charting Our Course

As part of the City's mission we will advocate strongly to maximise opportunities and minimise adverse impacts from external influences.

COMMENT/DISCUSSION

10. A meeting conducted on Tuesday 4th of June by prison officers discussed the issue of staff down sizing and possible forced transfers with local member Peter Watson MLA.
11. Of major concern to officers was the reduction in prison muster and the impact that could have on staff numbers. Also of concern was a proposal to abolish the armed security unit which patrols perimeter fencing and provides emergency response.
12. The general agreement was expressed at the meeting that it would be relatively easy to increase the number of prisoners by 70 by transferring existing inmates from Casuarina and Hakea Prisons.
13. Such transfers would create no extra cost to the State Government and in fact reduce expenses by negating the need to pay for staff transfers or forced redundancies.
14. The costs of handling and managing prisoners in Albany is no greater than in Perth and Albany Prison is held in high regard throughout Australia in terms of achieving Best Practice across all functions.
15. Obviously the economic impact of transferring an extra 70 prisoners from Perth would be highly positive for Albany whereas in the case of Perth reduction in prison numbers would have a negligible effect.

Item 14.3.1 continued

16. The livelihood of long serving and dedicated prison officers and the economic and social well being of the City of being threatened by the current situation and as such direct representation at Ministerial level should be undertaken to seek resolution of the problem.

RECOMMENDATION

THAT City representatives in conjunction with Peter Watson M.L.A. meet with the Attorney General and request that an extra 70 prisoners be relocated to Albany immediately and that the muster be maintained given the extremely deleterious impact forced transfer of families out of Albany would have on the social and economic fabric of the City.

Voting Requirement Simple Majority

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**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR CECIL**

THAT City representatives in conjunction with Peter Watson M.L.A. meet with the Attorney General and request that an extra 70 prisoners be relocated to Albany immediately and that the muster be maintained given the extremely deleterious impact forced transfer of families out of Albany would have on the social and economic fabric of the City.

MOTION CARRIED 12-2

14.4 GENERAL MANAGEMENT SERVICES COMMITTEE

Nil.

15.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

15.1 Elected Members' Report/Information Bulletin

DRAFT MOTION

THAT the elected Members' Report/Information Bulletin, as circulated, be received and the contents noted.

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR WILLIAMS**

**THAT the elected Members' Report/Information Bulletin, as circulated,
be received and the contents noted.**

MOTION CARRIED 14-0

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17.0 MAYORS REPORT

“Fellow Councillors:

Firstly, I would like to express my sincere gratitude to Deputy Mayor - Councillor Milton Evans for so ably looking after the Mayoral duties whilst I was on leave and also for his support whilst I was suffering a recurring back complaint upon my return in late May.

On my return from leave, my first duty was to deliver the key address at this year's US Submariner's Memorial Service held at the Forts on Sunday 26th of May, 2002. More than 80 people attended the ceremony including representatives from our military forces, supporting organisations and associations. We were privileged to have the US 7th Fleet Representative – Commander Rich Tilghman also address the gathering and I would like to thank all those who participated in the service including Reverend Nick Stuurstraat, the TS Vancouver Cadets, The City of Albany Band, representatives from North Albany and Albany Senior High Schools and vocalist Nyree Hughes. Their efforts ensured that the day ran smoothly and provided the dignity that the occasion deserves.

Later that same day, it was time to don the wellington boots for a complete change of pace as I officially opened the Torbay Catchment's Group – Marshall's Wetland project. Projects such as this help in understanding what can be done to correct the past wrongs and restore the balance of nature whilst working in harmony with those whose livelihoods rely on agricultural and horticultural pursuits. A great effort and one which I look forward to seeing the rewards evolving over time.

Unfortunately, later that week my back complaint became so serious that I went to Perth to seek specialist attention which saw me out of action for more than a week. During my absence the Deputy Mayor officiated at a major Citizenship Ceremony held in the Town Hall where 22 candidates took their oaths to become Australians. The moment was shared with their close family and friends and I understand that it was a very special time for the new Australians with a few tears of pride being shed during the ceremony. I congratulate all those involved for their conscious choice of Australia as their homeland.

Upon my return last week, I was struck down by illness again, this time losing my voice. However, this did not prevent me from taking part in some major events. The first was the unveiling of the honour board at Meals on Wheels on Wednesday 12th of June assisted by the Chief Executive Officer of the City of Albany – Andrew Hammond. This honour board recognises the special group of volunteers who have dedicated more than 15 years of their lives to preparing and delivering meals to those who are elderly, infirm or unable to cook for themselves. I found it most surprising that there are already 47 names on the board, which is a tremendous effort considering that the service has been running for just 37 years. My sincere congratulations to Mrs Caimanos who started the service in 1965 and is now herself a recipient of daily meals, and also congratulations to all the many volunteers who travel hundreds of kilometres each week to faithfully deliver the meals and provide friendship to those in need.

On Thursday the 13th of June, 2002, Albany was honoured by a visit from the Governor General of Australia – Dr Peter Hollingworth and Mrs Hollingworth. The Governor General had been invited to attend a dinner in support of the Great Southern Area Consultative Committee's employment initiatives and decided to co-incide this engagement with a regional tour. The arrival at the airport was memorable with more than 60 scouts and guides forming a guard of honour and having the opportunity to meet the Governor General who is the Chief Scout of Australia and Mrs Hollingworth who is the Chief Guide of Australia. This was followed by a briefing at the RSL club where club president Digger Cleak and City of Albany's Jon Berry spoke about the unique connection that Albany has with the ANZAC traditions.

After a quick tour of ANZAC landmarks including St John's Anglican Church, Desert Mounted Corp Memorial and the Forts, the City of Albany hosted a community luncheon at Carlyles to give the members of our community organisations the opportunity to meet the Governor General and to thank them for their often voluntary efforts for the citizens of Albany. The afternoon tour included visits to the Windfarm and Whaleworld.

From my discussions with the official party, I can honestly say that the Governor General was very impressed with Albany's place in history, the magnificent scenery and the warmth and friendliness of our people. I was indeed very proud to show off our great city and thankful for the opportunity to impress.

Friday the 14th of June, 2002 was a day to celebrate 50 years of the Albany Legacy Group. There were a number of events held during the day providing me with the opportunity to meet the widows and dependants of deceased military personnel who

are supported by the broad range of counselling and welfare services provided by Legacy. It is a significant milestone for any community organisation to reach and I commend the Albany Legacy Group for their dedication and spirit.

On Saturday the 15th of June, I attended the terrific Youth Care Charity Concert held in the Baptist Auditorium. This concert was aimed at recognising the crucial role that the school chaplains play in our two government high schools and to raise funds to enable the ongoing provision of pastoral care and youth work to students who are often at their most vulnerable age. I congratulate all those involved in the concert and again I was overwhelmed by the huge range of local talent in our midst.

Thankyou

**MOVED COUNCILLOR WALKER
SECONDED COUNCILLOR SANKEY**

THAT the Mayors Report be received.

CARRIED 14-0

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

Nil

19.0 CLOSED DOORS

19.1. Manager Asset and Client Services - Resignation

**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR BARTON**

THAT Council sit behind closed doors.

MOTION CARRIED 14-0

RECOMMENDATION:

THAT Council waiver Mr P Brown's Employment Contract Clause 8.4, and accept six (6) weeks notice of termination from Mr P Brown.

Voting Requirement Absolute Majority

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**MOVED COUNCILLOR EVANS
SECONDED COUNCILLOR WOLFE**

THAT Council come out from behind closed doors.

MOTION CARRIED 14-0

**MOVED COUNCILLOR CECIL
SECONDED COUNCILLOR EMERY**

THAT Council waiver Mr P Brown's Employment Contract Clause 8.4, and accept six (6) weeks notice of termination from Mr P Brown.

**MOTION CARRIED 14-0
ABSOLUTE MAJORITY**

20.0 NEXT ORDINARY MEETING DATE

Tuesday 16th July 2002, 7.30pm

21.0 CLOSURE OF MEETING

9.23pm.

Confirmed as a true and correct record of proceedings.

AE Goode, JP
Mayor

APPENDIX A

**WRITTEN NOTICE OF DISCLOSURE OF INTEREST
MINUTES OF THE ORDINARY COUNCIL MEETING 18th June 2002**

Name	Item	Nature of Interest
Councillor Sankey	Item 11.3.2 – Fee Structure – Town Planning Scheme Matters	Councillor Sankey’s nature of interest is that her husband is in the building industry.
Councillor Walker	Item 11.3.3 – Policy Amendment – Design Guidelines for the Redevelopment of the Seppings Street Precinct	Councillor Walker’s nature of interest is that he owns a house one block away from Seppings Street, in close proximity, and any work may affect the valuation of his property..
Councillor Barton	Item 12.2.8 – Extended Trading Hours – Albany Plaza Shopping Centre Opening	Councillor Barton’s nature of interest is that she is an employee of Coles, which is located in the Albany Plaza
Councillor Wellington	Item 12.2.8 - Extended Trading Hours – Albany Plaza Shopping Centre Opening	Councillor Wellington’s nature of interest is that he is involved in the retail industry.
Councillor Sankey	Item 12.2.8 - Extended Trading Hours – Albany Plaza Shopping Centre Opening	Councillor Sankey’s nature of interest is that she has a daughter working at Woolworths.

APPENDIX B

**INTERESTS DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 18th June 2002**

Name	Item	Nature of Interest
Nil	Nil	Nil

APPENDIX C

**CODE OF CONDUCT – INTERESTS (OTHER THAN FINANCIAL)
DISCLOSED DURING THE COURSE OF THE MEETING
MINUTES OF THE ORDINARY COUNCIL MEETING 18th June 2002**

Name	Item	Nature of Interest
Nil	Nil	Nil