

MINUTES

Ordinary Meeting of Council

Tuesday 26 November 2013

6.00pm

City of Albany Council Chambers

CITY OF ALBANY COMMUNITY STRATEGIC PLAN (ALBANY 2023)

VISION

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

VALUES

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

Focused: on community outcomes

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

United: by working and learning together

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

Accountable: for our actions

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

Proud: of our people and our community

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

ORDINARY COUNCIL MEETING
MINUTES –26/11/2013
** REFER DISCLAIMER **

TABLE OF CONTENTS

	Details	Pg#
I.	DECLARATION OF OPENING	4
II.	OPENING PRAYER	4
III.	ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION	4
IV.	RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC QUESTION TIME Nil	5
V.	PUBLIC QUESTION AND STATEMENT TIME	6
VI.	RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	7
VII.	APPLICATIONS FOR LEAVE OF ABSENCE Nil	7
VIII.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	8
IX.	DECLARATIONS OF INTEREST	9
X.	IDENTIFICATION OF MATTERS FOR WHICH COUNCIL MAY SIT BEHIND CLOSED DOORS	9
CSF038	ALBANY SEPTAGE FACILITY-JOINT VENTURE-CONFIDENTIAL	
XI.	PETITIONS, DEPUTATIONS AND PRESENTATIONS	10
XII.	ADOPTION OF RECOMMENDATIONS EN BLOC Nil	10

XIII.	REPORTS (Committee Date Order)	
--------------	---------------------------------------	--

ED	Economic Development Committee	
ED005	ECONOMIC DEVELOPMENT STRATEGY	11

CS	Community Services Committee – Committee Meeting Not Held	
CS005	COMMUNITY ENTERPRISE GRANTS AND COMMUNITY EVENT SPONSORSHIP	17

CSF	Corporate Services & Finance Committee	
CSF030	FINANCIAL ACTIVITY STATEMENT 30 SEPTEMBER 2013	26
CSF031	LIST OF ACCOUNTS FOR PAYMENT OCTOBER 2013	29
CSF032	DELEGATED AUTHORITY REPORT	32
CSF033	STAFF MOVEMENT REPORT OCTOBER 2013	33
CSF034	NEW LEASE-MR TERRY CHARLES HULKES-CHEYNE BEACH ROAD, CHEYNES-CROWN RESERVE 878	34
CSF035	NEW LEASE-ALBANY HALFWAY HOUSE ASSOCIATION INC- LOTTERIES HOUSE-ALBANY	42
CSF036	NEW LEASE AND LICENCE-ABTWA PTY LTD AS TRUSTEE FOR ABT TRUST TRADING AS ALBANY BUSINESS TELEPHONES-PORION OF RESERVE 2681, MOUNT MELVILLE LOOKOUT	49
CSF037	NEW LEASE-JONATHON SYLVESTER MARWICK AND KATE PATRICIA MARWICK AS TRUSTEE FOR THE MARWICK FAMILY TRUST-PORION OF RESERVE 22698, EMU POINT CAFE, MERMAID AVENUE, EMU POINT	57
CSF038	ALBANY SEPTAGE FACILITY-JOINT VENTURE-CONFIDENTIAL	65
CSF039	COUNCIL POLICY-CODE OF CONDUCT	69
CSF040	COUNCIL POLICY-MAYORAL VEHICLE	73
CSF041	WARDS AND REPRESENTATION REVIEW	76

ORDINARY COUNCIL MEETING
MINUTES –26/11/2013
** REFER DISCLAIMER **

CSF042	MOUNT ADELAIDE AND MOUNT CLARENCE PRECINCT MASTER PLAN	81
CSF043	MIDDLETON BEACH-ARTIFICIAL SURF REEF FEASIBILITY	88

WS	Works & Services Committee	
WS017	ALBANY CITY CENTRE-PARKING STRATEGY	93
WS018	CONTRACT C13020-HANRAHAN STAGE 3A LEACHATE MANAGEMENT WORKS	97
WS019	NAME CHANGE-MCGONNELL PARK	102
WS020	CORPORATE BUSINESS PLAN OBJECTIVE-CARBON FOOTPRINT	106
WS021	FINANCIAL EXPENDITURE AND WORKS PROGRESS REPORTING	111
WS022	C13025-BARNESBY DRIVE CULVERT UPGRADE.	114

PD	Planning & Development Committee	
PD012	DEVELOPMENT APPLICATION-CHANGE OF USE-TAVERN AT 18 ADELAIDE CRESCENT, MIDDLETON BEACH	119
PD013	DRAFT PUBLIC OPEN SPACE POLICY	131
PD014	KEEPING AND WELFARE OF CATS LOCAL LAW 2008	137
PD015	PLANNING AND BUILDING REPORTS AUGUST, SEPTEMBER AND OCTOBER 2013	144

XIV.	MOTIONS WITH NOTICE Nil.	
XV.	MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING Nil.	
XVI.	URGENT BUSINESS APPROVED BY DECISION OF THE MEETING Nil.	
XVII.	REQUEST FOR REPORTS FOR FUTURE CONSIDERATION Nil.	
XVIII.	ANNOUNCEMENT OF NOTICES OF MOTIONS TO BE DEALT WITH AT THE NEXT MEETING Nil.	
XIX.	ITEMS TO BE DEALT WITH WHILE THE MEETING IS CLOSED TO MEMBERS OF THE PUBLIC	145
XX.	NEXT ORDINARY MEETING DATE	145
XXI.	RESUME STANDING ORDERS	145
XXII.	CLOSURE OF MEETING	145
XXIII.	STATUS REPORT ON DEFERRED ITEMS FROM PREVIOUS MEETINGS	146

XXIV.	COMMITTEE MEETING MINUTES (ATTACHMENTS)	
A	Economic Development Committee	
B	Community Services Committee	
C	Corporate Services & Finance Committee	
D	Works & Services Committee	
E	Planning & Development Committee	

I. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS:

[6:00:04 PM](#) The Mayor declared the meeting open.

II. OPENING PRAYER:

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

PROCEDURAL MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON

SECONDED: COUNCILLOR BOWLES

THAT Standing Order 3.1 be SUSPENDED to allow recording of proceedings.

CARRIED 12-0

III. ANNOUNCEMENTS BY MAYOR AND COUNCILLORS WITHOUT DISCUSSION:

[6:00:53 PM](#) **Councillor Hortin**

Summary of key points:

- Thanked Mayor for addressing the Regional Council of the Uniting Church regarding Anzac
- Attended Roadwise Meeting where a Learner Driver Assistance Program was discussed. It is proposed that this program be run in conjunction with RAC and volunteers.

[6:02:16 PM](#) **Councillor Gregson**

Summary of key points:

- Attended NASH Presentation Ceremony on behalf of the Mayor

[6:02:54 PM](#) **Councillor Stocks**

Summary of key points:

- City Staff very responsive to service request regarding lane markers at Emu Point.

6:03:36 PM Mayors Report

- Anzac Public Forum
- Local Community Radio
- Radio Interview with Greg Pearce the former Channel 9 anchor
- Uniting Church Regional Gathering
- Dragon Boat Races
- Albany Agricultural Society – Albany Show
- Variety WA "Two Oceans" Bike Run - Farewell the bike run
- Opening Permanent Impressions - Town Hall - Jana Vodesil-Baruffi
- McHappy Day – McDonalds
- Remembrance Day Memorial
- Meeting with Professor Neal Ryan – Southern Cross University
- Keep Australia Beautiful Afternoon Tea
- Friendship Force Afternoon Tea – Sao Jose do Rio Preto Club
- Local Tourism Organisation / Tourism Marketing Opportunities
- NASHS – Clontarf Foundation Awards
- ASHS Year 12 Awards Ceremony
- White Ribbon Day

MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON

SECONDED: COUNCILLOR DOWLING

The Mayor's Report be RECEIVED.

CARRIED 12-0

IV. RESPONSE TO PREVIOUS UNANSWERED QUESTIONS FROM PUBLIC:

Nil.

V. PUBLIC QUESTION AND STATEMENT TIME:

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

[6:06:02 PM](#) **Ms Claire Pragnell, 47703 South Coast Highway, Gledhow**

Summary of key points:

- CSF038: Albany Septage Waste Facility-Joint Venture
- Concerned that Council may not have received all the facts surrounding the closure of the septage facility
- Claimed that Watercorp charges were not valid and that the information provided to the City was not complete
- The City of Albany/Watercorp Septage Waste Facility is the only facility in Albany for the disposal of controlled waste, currently having to travel to Northam to dispose of controlled waste
- Great Southern Liquid Waste have invested heavily in equipment and training
- Requested that the City consider re opening the site on an interim basis until a decision has been made.

[6:10:03 PM](#) there being no further speakers the Mayor declared the Public Question and Statement Time closed.

VI. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED):

Mayor Mayor D Wellington

Councillors:

Breaksea Ward	R Hammond
Breaksea Ward	V Calleja JP
Frederickstown Ward	C Dowling
Frederickstown Ward	G Stocks
Kalgan Ward	Vacant
Kalgan Ward	J Price
Vancouver Ward	S Bowles
Vancouver Ward	N Williams
West Ward	G Gregson
West Ward	A Goode JP
Yakamia Ward	A Hortin JP
Yakamia Ward	R Sutton

Staff:

Chief Executive Officer	G Foster
Executive Director Corporate Services	G Adams
Executive Director Community Services	C Woods
Executive Director Works and Services	M Thomson
Planning & Development Engineer	P Camins
Minutes	J Williamson

Apologies:

Executive Director Planning and Development Services	D Putland
--	-----------

VII. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

VIII. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS:

OCM001
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR DOWLING

THAT the minutes of the Ordinary Council Meeting held on 29 October 2013, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 12-0

OCM001
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR GREGSON

THAT the minutes of the Special Council Meeting held on 24 October 2013, as previously distributed, be CONFIRMED as a true and accurate record of proceedings.

CARRIED 12-0

ORDINARY COUNCIL MEETING
MINUTES –26/11/2013
** REFER DISCLAIMER **

IX. DECLARATIONS OF INTEREST:

Name	Committee/Report Item Number	Nature of Interest
Councillor Bowles	CSF031	<p>Impartiality. Councillor Bowles is the secretary of the Great Southern Factor Inc. Paperbark Merchants and H&H Architects have a sponsorship arrangement with Great Southern Factor Inc.</p> <p>Paperbark Merchants and H&H Architects are both companies on the list of payments authorised under delegated authority report for October 2013. Councillor Bowles remained in the Chamber and participated in the discussion and vote.</p>
Councillor Stocks	CSF031	<p>Impartiality. Councillor Stocks is a shareholder of a listed company on the list of payments authorised under delegated authority report for October 2013. Councillor Stocks remained in the Chamber and participated in the discussion and vote.</p>
Councillor Williams	CS005	<p>Impartiality. Councillor Williams is involved as a volunteer on an annual basis with Shalom House. Councillor Williams remained in the Chamber and participated in the discussion and vote.</p>
Councillor Bowles	CS005	<p>Impartiality. Councillor Bowles holds a membership with the South Coast Progress Association and is volunteer secretary of Great Southern Factor Inc. Councillor Bowles remained in the Chamber and participated in the discussion and vote.</p>
Mayor Wellington	CSF040	<p>Financial. Mayor Wellington receives the use of the Mayoral Vehicle as part of the Mayoral package. Mayor Wellington left the Chamber and did not participate in the discussion or vote.</p>

X. IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS:

CSF038: Albany Septage Facility-Joint Venture-Confidential

XI. PETITIONS, DEPUTATIONS AND PRESENTATIONS:

A petition was presented to Council from Ratepayers requesting:

“That the temporary causeway put in place to replace the bridge on the Elleker Grassmere Road be upgraded as soon as possible to allow local traffic to cross the drain until either work commences on the new bridge or a permanent causeway is constructed.”

11.1: MOTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR WILLIAMS

SECONDED: COUNCILLOR GOODE

THAT the Petition lodged by residents of the City of Albany regarding the Elleker Grassmere Road Bridge be RECEIVED.

CARRIED 12-0

XII. ADOPTION OF RECOMMENDATIONS EN BLOC:

Nil.

**ED005: ADOPTION OF THE ECONOMIC DEVELOPMENT STRATEGY
2013-2017**

Proponent : City of Albany
Owner : N/A
Responsible Officer(s): : Executive Director Community Services (C Woods)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This strategy directly relates to the following elements from the Community Strategic Plan – Albany 2023 and the Corporate Business Plan 2013-2017.
2. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme: 1.** Smart Prosperous and Growing.
 - b. **Strategic Objective: 1.1.** To foster links between education, training and employment that support economic development.

Strategic Objective 1.2 To strengthen our region's economic base.

Strategic Objective 1.3 To develop and promote Albany as a unique and sought after destination.
 - c. **Strategic Initiative: 1.1.1.** Learning City

Strategic Initiative 1.2.1. CBD Revitalisation

Strategic Initiative 1.2.2. Economic Diversity

Strategic Initiative 1.3.1. Events Management

Strategic Initiative 1.3.2. Tourism Destination

Strategic Initiative 1.3.3. Coastal Management

In Brief:

- The Councils current Economic Development Strategy (2010-2015) was previously linked to the Councils strategic plan "Albany Insight" 2010-2025.
- The Councils legislative requirement to develop an Integrated Community Plan and Corporate Plan by 30 June 2013 was met with both these plans being adopted.
- The review and development of the City of Albany Economic Development Strategy 2013-2017 (attached) has now been completed and is linked to the current Community Strategic Plan.

RECOMMENDATION

**ED005: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR HAMMOND
SECONDED: COUNCILLOR STOCKS**

THAT Council ADOPT the City of Albany Economic Development Strategy 2013-2017.

**CARRIED 12-0
ABSOLUTE MAJORITY**

ED005: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR SUTTON

THAT Council ADOPT the City of Albany Economic Development Strategy 2013-2017.

CARRIED 9-0

ED005: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council ADOPT the City of Albany Economic Development Strategy 2013-2017.

BACKGROUND

3. The Economic Development Strategy identifies regional strategic initiatives and City of Albany strategic initiatives.
4. It is recognised that the ability to influence regional initiatives requires regional cooperation and alignment with regional infrastructure blueprints that are the responsibility of the Great Southern Development Commission.
5. It is for this reason that regional strategic initiatives will require the establishment of high level project working groups that report back to the Economic Development Committee.
6. City of Albany based strategic initiatives will be the responsibility of an officer and in some instances localised project working groups or partnerships with key stakeholders such as the Albany Chamber of Commerce and Industry (ACCI).

DISCUSSION

7. The City of Albany's Community Strategic Plan – Albany 2023 has identified five key themes for the City to focus upon. "Smart, prosperous and growing" is one of these key themes and forms the platform from which the City of Albany's Economic Development Strategy is derived.
8. These themes are supported by a number of strategic objectives from which strategic initiatives will be developed. The three key strategic objectives are to:
 - Strengthen and diversify our economic base.
 - Foster links between education training and employment that support our economic growth and development.
 - Develop and promote Albany as a unique and sought after visitor destination.

GOVERNMENT & PUBLIC CONSULTATION

9. This document has been provided to the Chair of Australia's South West (ASW); the Chief Executive Officer (CEO) of ACCI and the CEO of the Great Southern Development Commission (GSDC) for comment.
10. No comment has been received at the time of preparing this report.
11. The CEO and Executive Director of Community Services attended the GSDC Regional Blue Print briefing on 20 September 2013 with each of the 13 Great Southern Regional Councils present.
12. The GSDC Regional Infrastructure and Economic Development Blue print is being prepared by an external consultant and the City of Albany will have the opportunity to submit this document as part of the development of the Regional Development Commissions Blue Print.
13. The Community Strategic Plan involved widespread community consultation in late 2012 and early 2013. The community identified a number of economic priorities under the theme of "Smart Prosperous and Growing".
14. This strategy has incorporated these objectives and expanded upon them in more detail.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

16. There are no policy requirements relating to this item.

RISK IDENTIFICATION & MITIGATION

17. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>The City fails to adopt a strategic approach to Economic Development and relies on other organisations to determine its economic outcomes.</i>	<i>Unlikely</i>	<i>Significant</i>	<i>Medium</i>	<i>Council to mitigate risk and take control of the situation by committing resources to the pursuit of Economic Development objectives.</i>

FINANCIAL IMPLICATIONS

18. The adopted 2013/14 Budget and existing staff resources are sufficient to start driving the identified economic objectives contained within the strategy.
19. As the City progresses toward the 2014/15 budget a clearer understanding of the costs and benefits associated with pursuing higher level objectives such as the Science and Technology Park will be known. At this time the Economic Development Committee will have a significant role to play in determining priorities and resources accordingly.

LEGAL IMPLICATIONS

20. Not Applicable.

ENVIRONMENTAL CONSIDERATIONS

21. The City of Albany recognises the value of its natural environment and the importance of protecting and managing natural values for future generations.
22. These natural assets include the river systems and foreshores, as well as the native species and ecosystems present in reserves and other natural areas. It also includes values such as clean air and water, landscape amenity and recreation.
23. As a part of the City of Albany's actions to address these needs, the Council has incorporated consideration of the environment into its Strategic Plan.
24. The unique environment and agricultural land within the City boundaries are part of its current and future economic sustainability and any economic development decision should consider the value of these natural assets.

ALTERNATE OPTIONS

25. The Council is encouraged to alter and review its economic development strategy on a regular basis in order to take advantage of new opportunities or as a result of objectives that cannot be realised for various reasons be they within councils control or beyond councils influence.

SUMMARY CONCLUSION

26. The City of Albany has an Economic Development Strategy that was linked to its previous strategic plan.
27. The legislative requirement for the City to develop an Integrated Strategic Plan and a Corporate Plan before 30 June 2013 has required the City to review its strategy and align the strategy to its current Community Strategic Plan.
28. This Strategic Plan is a working document and attempts to address both regional strategic outcomes and local economic outcomes.
29. The Plan is submitted to Council for adoption and through its adoption will enable resources to be allocated to the attainment of economic outcomes in a planned and coordinated approach.

Consulted References	: <ol style="list-style-type: none">1. Martinus, K., Tonts, M. (2013) "Albany Baseline Study; For Long-Run Socio-Economic Sustainability", prepared by University of WA and commissioned by Committee for Albany, City of Albany and UWA in Albany. <i>N:\CORP.COMM.SERVICE\Community_Services\Economic_Development\Major Projects 2013</i>2. McEwan, A., (2013) "City of Albany Major Projects Summary", Major Projects August 2013 section of City of Albany. <i>N:\CORP.COMM.SERVICE\Community_Services\Economic_Development\Major Projects 2013</i>3. Regional Australia Institute, Regional Development Australia – Insight ID – "Australia's Regional Competitiveness Index"- City of Albany level. <i>http://insight.regionalaustralia.org.au/</i>4. Department of Regional Australia, Local Government, Arts and Sport. "myregion – Great Southern data". <i>http://myregion.gov.au/profile/great-southern/data</i>5. Australian Trade Commission. <i>http://www.austrade.gov.au/</i>6. Department of Regional Australia, Local Government, Arts and Sport (no date). "Framework for Regional Economic Development" - Regional Australia Standing Council.7. Department of Regional Australia, Local Government, Arts and Sport (no date). "Regional Economic Development Guide".
-----------------------------	--

		<p>8. Regional Development Australia Great Southern WA (2012). "Regional Plan 2012- 2020", and "Appendices Regional Plan 2012-2020". www.rdagreatsouthern.com.au</p> <p>9. Department of State Development – Government of WA. Various market information papers, "Trade and Investment Relationship", China, India, Japan, South Korea.</p>
File Number (Name of Ward)	:	ED.PLA.4 (All Wards)
Previous Reference	:	City of Albany Economic Development Strategy (2010-2015) - Synergy ref: NS0910505 (OCM 15/12/2009 Item 14.12.4)

CS005: COMMUNITY ENTERPRISE GRANTS AND COMMUNITY EVENT SPONSORSHIP

Attachments : 1. List of Applications – Community Enterprise Funding
2. List of Applications – Community Event Sponsorship
Responsible Officer(s): : Executive Director Community Services (C Woods)

Responsible Officer’s Signature:

Councillor Williams declared an impartiality interest in this item. Councillor Williams remained in the Chamber and participated in the discussion and vote.

Councillor Bowles declared an impartiality interest in this item. Councillor Bowles remained in the Chamber and participated in the discussion and vote.

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - **Key Theme: 2.** Clean, Green & Sustainable and **Key Theme: 4.** A Sense of Community.
 - **Strategic Objectives:**
 - 2.1. To protect and enhance our natural environment.
 - 4.1. To build resilient and cohesive communities with a strong sense of community spirit;
 - 4.2. To create interesting places, spaces and events that reflect our community’s identity, diversity and heritage;
 - 4.3. To develop and support a healthy, inclusive and accessible community.
 - **Strategic Initiative:** 4.1.5. Community Funding.

In Brief:

- Note the Community Enterprise Grants and Community Event Sponsorship funding recommendations made under delegated authority.

RECOMMENDATION

**CS005: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR DOWLING**

THAT Council:

- (1) NOTE Community Enterprise Grant recommendations totalling \$15,130 detailed at paragraph 18 of the Officer Report.**
- (2) NOTE Community Event Sponsorship recommendations totalling \$24,620 detailed at paragraph 21 of the Officer Report.**

CARRIED 12-0

CS005: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR GOODE
SECONDED: MAYOR WELLINGTON**

THAT Council:

- (1) NOTE Community Enterprise Grant recommendations totalling \$15,130 detailed at paragraph 18 of the Officer Report.**
- (2) NOTE Community Event Sponsorship recommendations totalling \$24,620 detailed at paragraph 21 of the Officer Report.**

CARRIED 5-0

CS005: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- (1) NOTE Community Enterprise Grant Recommendations totalling \$15,130 as detailed at paragraph 18 of the Officer Report.**
- (2) NOTE Community Event Sponsorship recommendations totalling \$24,620 detailed at paragraph 21 of the Officer Report.**

BACKGROUND

Community Funding and Event Sponsorship – Overview

2. At its May 2013 Ordinary Council Meeting, Council adopted the Council Policy *Community Funding and Event Sponsorship (2013)*.
3. The objective of the Policy is to provide an equitable and accessible framework for the provision of Community Funding and Event Sponsorship that aligns with Council's strategic objectives.
4. The two program streams within the Policy that are the subject of this report and recommendations are:
 - Community Enterprise Grants; and
 - Community Events Sponsorship.
5. A summary of each of these programs is outlined below in Table 1:

Table 1			
Program	Objective	Detail	Delegated Authority
<i>Community Enterprise Grants</i>	<ul style="list-style-type: none"> • To enhance community engagement and participation. • To build community resilience and wellbeing. 	<ul style="list-style-type: none"> • Grants to support community groups and organisations enhance, develop or deliver activities, programs or services. • Supports minor equipment purchases or maintenance, capacity building initiatives, or innovative community programs. 	Community Services Committee
<i>Community Event Sponsorship</i>	<ul style="list-style-type: none"> • To have a positive impact on the vibrancy, diversity of activity and liveability of Albany. • To contribute positively to the image and economic development of Albany. 	<ul style="list-style-type: none"> • Support for community events that contribute to a diverse events calendar for the local community in Albany and demonstrate positive economic, social and community benefits. 	Community Services Committee

Delegated Authority

6. Delegated authority to approve the release of funds is outlined in Table 2.

Table 2					
<i>Community Funding</i>					
Program	Year 1 Funding Pool	Year 1 Funding Limit	Timing	Focus	Delegated Authority
<i>Community Enterprise Grants</i>	\$50,000	\$1000 - \$3000	One round per year	Equipment, Capacity, Programs	Community Services Committee
<i>Events Sponsorship</i>					
Program	Year 1 Funding Pool	Year 1 Funding Limit	Timing	Focus	Delegated Authority
<i>Community Sponsorship Event</i>	\$30,000	\$3,000 - \$5,000	Annual	Community focused	Community Services Committee

Financial - Authority to Approve Grants, Donations, Sponsorship, Community Funding, and Waiver Fees and Charges

Function and Delegation (*Authority to exercise the following functions and sub delegate is*):

Authority to:

- (1) *Approve donations, grants, sponsorship, financial assistance and waive fees and charges, the Local Government Act 1995, Section 6.7(2) and Section 6.12(1)(2)&(3).*
- (2) *Waive fees for goods, services and charges.*
- (3) *Determine eligibility of charitable or benevolent community based organisations within the City of Albany to qualify for the Waste Services Subsidy.*
- (4) *Appoint persons to administer any or all of the above functions.*

Conditions and Exceptions: *Nil*

Note: A local government may approve grants, donations or sponsorship and waiver fees and charges.

Conditions:

- (1) *This authority does not extend to statutory charges, the municipal rate or service charges incorporated within the rate notice.*
- (2) *Subject to:*
 - a. *Conditions contained in Council Policies;*
 - b. *Funding being allocated in the City's Annual Budget; and*
 - c. *Funding/Donations limited to \$10,000.*

Delegate(s): *Chief Executive Officer*

Sub-Delegates (Authorised Officers):

- *Executive Directors*

Legislative Powers (Reference):

- *Local Government Act 1995, s6.7(2), s6.12 (1)(2) & (3)*
- *Council Policy – Community Financial Assistance & Events Funding Program Policy*
- *Delegator: Council*

7. Guidelines for each program stream were developed by relevant City officers, and took account of the overall aim of the Policy and lessons learned from previous community funding rounds.

DISCUSSION

Community Enterprise Grants and Community Events Sponsorship Detail Program Overview

8. Community Enterprise Funding supports community-driven initiatives with funding between \$1,000 and \$3,000. Applicants were asked to demonstrate how their proposal addressed four criteria:
 - Increasing community cohesiveness, and enhancing community spirit;
 - Recognising and celebrating our identity, diversity and heritage;
 - Developing and supporting healthy, inclusive and accessible communities; and
 - Protecting and enhancing our natural environment.
9. Community Event Sponsorship supports community-driven events with grants between \$3,000 and \$5,000 for events which demonstrate innovation, community engagement, high quality planning, and capacity for growth and sustainability over time. Applicants were asked to demonstrate how their event addressed at least one of three key priority areas:
 - Enhancing the vibrancy and liveability of Albany;
 - Enhancing community engagement and participation;
 - High quality planning and capacity for growth and sustainability over time.
10. Applications for both Community Enterprise Grants and Community Events Sponsorship funding opened on 28 August 2013, and closed on 4 October 2013.

Assessment

11. Applicants for both Community Enterprise Grants and Community Events Sponsorship were asked to discuss their proposals with the relevant contact officers before applying. This helped applicants to shape their proposed activities to the funding and event sponsorship criteria, and gave guidance to applicants who did not meet the eligibility criteria.
12. An assessment panel was formed for ***Community Enterprise Grants*** comprising the following City officers:
 - Community Development Officer
 - Revenue Development Officer
 - Manager, Library Services
13. Applications were assessed against four specific criteria, using a five scale scoring matrix.
14. An Assessment Panel was formed for ***Community Events Sponsorship*** comprising the following City officers and elected member:
 - Manager, Cultural and Community Development
 - Events Coordinator
 - Councillor Sarah Bowles

15. Applications were assessed against five specific criteria, using a five scale scoring matrix

Community Enterprise Grants Outcomes

16. A total of 11 applications for Community Enterprise Funding were received for funding totalling \$25,363.18.
17. Eight applications met the eligibility criteria and have been recommended for funding.

Community Enterprise Grants Recommendations

18. An outline of all applications received, noting applications recommended for funding is outlined in Attachment 1. A summary of applications recommended for funding is outlined in Table 3 below:

Table 3				
Applicant	Project	Total Project \$	Funding Request \$	Funding Recommended \$
Shalom House	Support for community drop-in centre.	41,080	3,000	1,000
Camp Kennedy Baptist Youth Camp	Playground upgrade	3,214	2,314	1,000
Bushcarers Group	Community awareness campaign for the Oblong Turtle	6,000	2,500	2,500
Autism Support Network	Workshop on delivering better services for people with disabilities	11,401	3,000	3,000
Depression Support Network	Paving outdoor BBQ area	375	350	350
Men's Resource Centre	Wellness garden for Shalom House	4,800	1,500	1,500
Albany Menshed	Business plan (feasibility study) including determination of site requirements and co-location opportunities.	13,000	3,000	3,000
South Coast Progress Assoc (on behalf of Little Grove Community Garden)	Community workshops on various gardening topics	3,820	2,780	2,780
	Total	\$83,690	\$18,444	\$15,130

Community Events Sponsorship Outcomes

19. Ten applications for Community Events Sponsorship were received totalling \$40,381.27.
20. Eight applications met the eligibility criteria and have been recommended for funding.

Community Events Sponsorship Recommendations

21. An outline of all applications received, noting applications recommended for funding is outlined in Attachment 2. A summary of applications recommended for funding is outlined in Table 4 below:

Table 4				
Applicant	Project	Total Project \$	Funding Request \$	Funding Recommended \$
Rainbow Coast	Harmony Day Celebration	8,198	4,984	3,000
Wellstead Community Resource Centre Inc	Wellstead Harvest Festival	11,673	4,302	3,000
NewArts	Sculpture In the Harbour 2014 Reflections	52,390	3,120	3,120
Great Southern Employment Development Committee	50th Year Celebration Coolangarras Barmah	13,650	2,500	1,000
Albany Maritime Foundation	Festival of the Sea	17,000	5,000	3,000
GreenSkills Inc	Sustainable Albany Festival	26,175	5,000	4,500
Apex Club	2013 Carols by Candlelight	13,240	3,650	3,500
Great Southern Factor Inc	My World [in 3D]	19,196	4,098	3,500
	Total	\$161,522	\$32,654	\$24,620

GOVERNMENT & PUBLIC CONSULTATION

22. No public or government consultation relates to this report. Public consultation was facilitated by the funding submission process.

STATUTORY IMPLICATIONS

23. Nil.

ALTERNATE OPTIONS

- 33. Council could make alternative recommendations for funding. Only applicants that are eligible and meet the funding criteria should be considered. If Council determine to endorse funding for an applicant that is ineligible, or their proposed project does not align with the funding criteria, many potential applicants who did not submit applications due to eligibility or funding criteria concerns would have reasonable grounds for complaint.
- 34. Council could determine different dollar amounts of funding to the recommended applicants. The assessment panels considered the capacity of each project to be delivered, and what budget items were deemed to represent value for money, and recommendations for funding made accordingly. Council changes to this recommendation may impact project delivery.

SUMMARY CONCLUSION

- 35. The Community Funding and Event Sponsorship (2013) policy, inclusive of; guidelines, application, assessment and acquittal represents a greater level of transparency and accountability for Council.
- 36. The applications recommended for funding represent a diverse range of projects which align with the City’s strategic goals, and which present a range of options for Council to visibly engage with the community and demonstrate its support of community initiatives.
- 37. It is recommended that the Council endorse funding applications as recommended by the Assessment Panels, and outlined in 18 and 21.

Consulted References	:	<ul style="list-style-type: none"> • Community Funding and Event Sponsorship Program (2013). Synergy Ref: NP098841_4. • Delegated Authority Register: No. 69. Financial – Authority to approve grants, donations, sponsorship, community funding and waiver fees and charges.
File Number (Name of Ward)	:	(All Wards)
Previous Reference	:	OCM 21/08/2012 Item 3.1: 2012-13 Community Funding Recommendation Endorsement

CSF030: FINANCIAL ACTIVITY STATEMENT – 30 SEPTEMBER 2013

Appendices : Financial Activity Statement
Responsible Officer : Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:



**CSF030: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR HORTIN**

THAT Council RECEIVE the Financial Activity Statement for the period ending 30 September 2013.

CARRIED 12-0

CSF030: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR HORTIN**

THAT Council RECEIVE the Financial Activity Statement for the period ending 30 September 2013.

CARRIED 12-0

CSF030: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the Financial Activity Statement for the period ending 30 September 2013.

BACKGROUND

1. The Statement of Financial Activity for the period ending 30 September 2013 has been prepared and is attached.
2. In addition to the statutory requirement to provide Council with a Statement of Financial Activity, the City provides Council with a monthly investment summary to ensure the performance of the investment portfolio is in accordance with anticipated returns and complies with the Investment of Surplus Funds Policy.

DISCUSSION

3. In accordance with section 34(1) of the *Local Government (Financial Management) Regulations 1996*, the City of Albany is required to prepare each month a Statement of Financial Activity reporting on the revenue and expenditure of the local authority.

4. The requirement for local governments to produce a Statement of Financial Activity was gazetted in March 2005 to provide elected members with a greater insight in relation to the ongoing financial performance of the local government.
5. Additionally, each year a local government is to adopt a percentage or value to be used in Statements of Financial Activity for reporting material variances. Variations in excess of \$50,000 are reported to Council.
6. These financial statements are still subject to further yearend adjustments and have not been audited by the appointed auditor.

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

STATUTORY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Expenditure for the period ending 30 September 2013 has been incurred in accordance with the 2013/14 proposed budget parameters. Details of any budget variation in excess of \$50,000 (year to date) follow. There are no other known events which may result in a material non recoverable financial loss or financial loss arising from an uninsured event.

POLICY IMPLICATIONS

- 7. The City's 2013/14 Annual Budget provides a set of parameters that guides the City's financial practices.
- 8. The Investment of Surplus Funds Policy stipulates that the status and performance of the investment portfolio is to be reported monthly to Council.

File Number (Name of Ward)	FM.FIR.2 - All Wards
-----------------------------------	----------------------

CSF031: LIST OF ACCOUNTS FOR PAYMENT – OCTOBER 2013

File Number (Name of Ward) : FM.FIR.2 - All Wards
Appendices : List of Accounts for Payment
Responsible Officer : Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:



Councillor Bowles declared an impartiality interest in this item. Councillor Bowles remained in the Chamber and participated in the discussion and vote.

Councillor Stocks declared an impartiality interest in this item. Councillor Stocks remained in the Chamber and participated in the discussion and vote.

**CSF031: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR GREGSON**

THAT Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2013 totalling \$4,230,072.86.

CARRIED 12-0

CSF031: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR DOWLING
SECONDED: COUNCILLOR BOWLES**

THAT Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2013 totalling \$4,230,072.86.

CARRIED 12-0

CSF031: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the list of accounts authorised for payment under delegated authority to the Chief Executive Officer for the period ending 15 October 2013 totalling \$4,230,072.86.

POLICY IMPLICATIONS

9. The City's 2013/2014 Annual Budget provides a set of parameters that guides the City's financial practices.

SUMMARY CONCLUSION

10. That list of accounts have been authorised for payment under delegated authority.

File Number (Name of Ward)	FM.FIR.2 - All Wards
-----------------------------------	----------------------

CSF032: DELEGATED AUTHORITY REPORTS

Responsible Officer : Executive Director Corporate Services (G Adams)
Attachments : Common Seal and Executed Document Report

Responsible Officers Signature:



CSF032: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR SUTTON

THAT Council RECEIVE the Delegated Authority Reports up until 15 October 2013:

- **Common Seal and Executive Document Report.**

CARRIED 12-0

CSF032: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR GREGSON

THAT Council RECEIVE the Delegated Authority Reports up until 15 October 2013:

- **Common Seal and Executive Document Report.**

CARRIED 12-0

CSF032: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RECEIVE the Delegated Authority Reports up until 15 October 2013:

- **Common Seal and Executive Document Report.**

CSF033: STAFF MOVEMENTS REPORT OCTOBER 2013

Proponent : City of Albany
Responsible Officer(s): : Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:



CSF033: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILOR BOWLES
SECONDED: COUNCILLOR SUTTON

THAT Council NOTE the Staff Movement Report for October 2013.

CARRIED 12-0

CSF033: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR DOWLING
SECONDED: COUNCILLOR HORTIN

THAT Council NOTE the Staff Movement Report for October 2013.

CARRIED 12-0

CSF033: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council NOTE the Staff Movement Report for October 2013.

STAFF MOVEMENTS REPORT OCTOBER 2013

New Starters

Position	Date Commenced	Status
Depot Administration Officer	2 October 2013	Permanent Full time
Manager Albany Leisure and Aquatic Centre	21 October 2013	Permanent Full time

Resignations

Position	Date Finished	Status
Depot Services Coordinator	15 October 2013	Permanent Full time

CSF034: NEW LEASE – MR TERRY CHARLES HULKES – CHEYNE BEACH ROAD, CHEYNES – CROWN RESERVE 878

Land Description	: Crown Reserve 878 and being Lot 7442 on Deposited Plan 214689 and being the whole of the land comprised in Certificate of Title Volume LR3141 Folio 874 Cheynes
Proponent	: Terry Charles Hulkes
Owner	: Crown
Attachments	: Copy of resolution of Council 20/11/2012 Item 4.3 Copy of resolution of Council 21/05/2013 Item 4.3
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:	
---	---

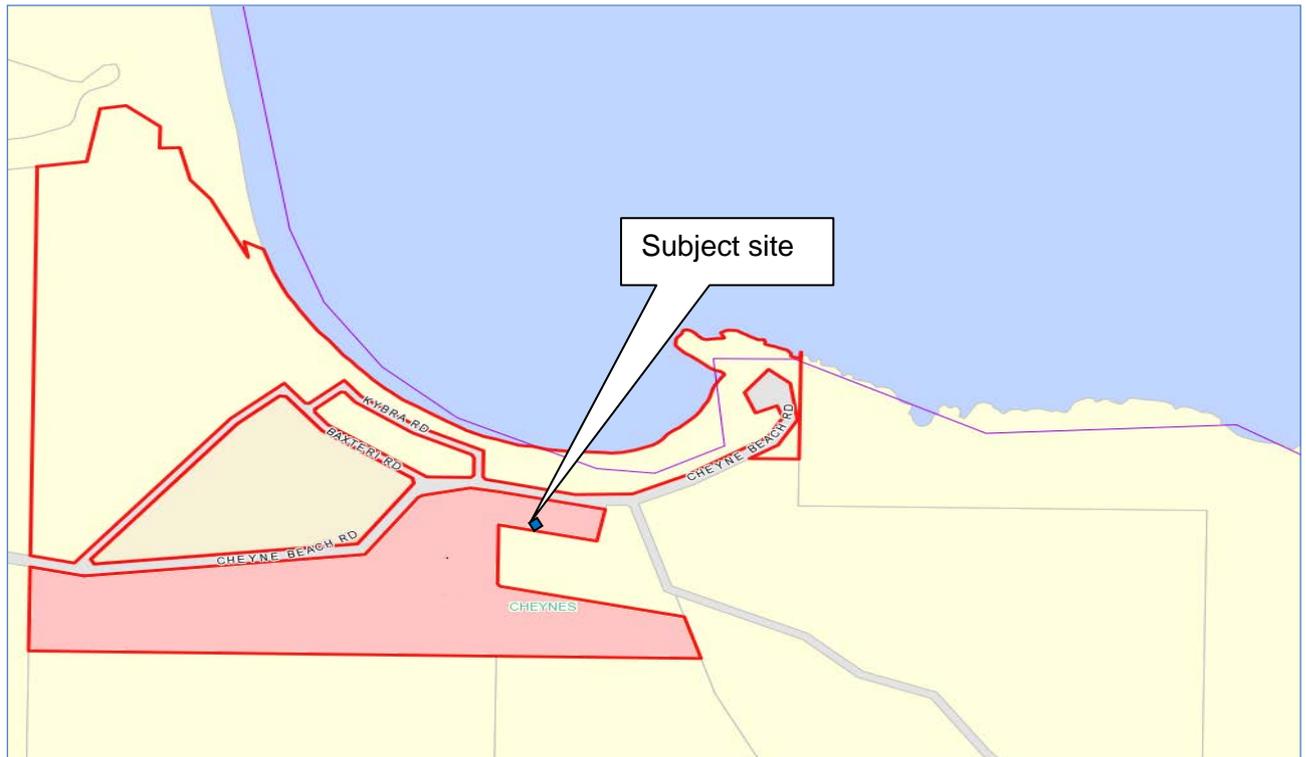
STRATEGIC IMPLICATIONS

1. This item relates directly to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2013-2017:
 - a. **Key Theme:** Civic Leadership.
 - b. **Strategic Objective:** 5.1 To establish and maintain sound business and governance structures.
 - c. **Strategic Initiative:** 5.1.2 Systems Development and Improvement: Improve leased property management.

IN BRIEF

- Council is requested to consider a new lease to Mr Terry Charles Hulkes over alternate site 17 on portion of Lot 7442 on Reserve 878 Cheyne Beach Road, Cheynes.
- Lease term being five years.
- Lease purpose being for accommodation associated with the fishing industry.
- At OCM 21/05/2013 Item 4.3 Council approved the proposal for a new lease to Mr Hulkes over site 10 subject to all relevant approvals.
- South West Aboriginal Land and Sea Council (SWALSC) have since advised that the lease proposal over site 10 was “not supported” because of the potential for the development to disturb Aboriginal cultural heritage materials, which would constitute an offence under the *Aboriginal Heritage Act 1972*.
- Site 17 has been agreed by Mr Hulkes and is considered suitable as it has been previously leased and amended Planning Scheme Consent, inclusive of Department of Parks and Wildlife and Department of Environment Regulation and Aboriginal heritage approvals, granted for this site.
- The recommendation proposes that Council now approve the new lease for alternate site 17.

Maps and Diagrams



CSF034: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GOODE
SECONDED: COUNCILLOR GREGSON

That Council **APPROVE** the request from Mr Terry Charles Hulkes for a new lease over site 17 being portion of Lot 7442 Cheyne Beach Road, Cheynes on Crown Reserve 878, subject to :

1. Notes its previous resolution (OCM 20/11/2012 – Item 4.3)
2. Notes its previous resolution (OCM 21/05/2013 – Item 4.3)
3. Notes the granting of amended Planning Scheme Consent P2130022 for site 17 Cheyne Beach Road.
4. Lease term being 5 years.
5. Lease area being approximately 2,178 square metres.
6. Lease purpose being accommodation associated with the fishing industry.
7. Lease rental fee being determined by a current market valuation provided by a licensed Valuer.
8. Any relevant approvals to be received prior to the development of site 17 Reserve 878.
9. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
10. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
11. All costs associated with the preparation, execution and completion of the Deed of Lease and ongoing operations being payable by the proponent.

CARRIED 12-0

CSF034: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR CALLEJA

That Council APPROVE the request from Mr Terry Charles Hulkes for a new lease over site 17 being portion of Lot 7442 Cheyne Beach Road, Cheynes on Crown Reserve 878, subject to :

1. Notes its previous resolution (OCM 20/11/2012 – Item 4.3)
2. Notes its previous resolution (OCM 21/05/2013 – Item 4.3)
3. Notes the granting of amended Planning Scheme Consent P2130022 for site 17 Cheyne Beach Road.
4. Lease term being 5 years.
5. Lease area being approximately 2,178 square metres.
6. Lease purpose being accommodation associated with the fishing industry.
7. Lease rental fee being determined by a current market valuation provided by a licensed Valuer.
8. Any relevant approvals to be received prior to the development of site 17 Reserve 878.
9. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
10. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
11. All costs associated with the preparation, execution and completion of the Deed of Lease and ongoing operations being payable by the proponent.

CARRIED 12-0

CSF034: RESPONSIBLE OFFICER RECOMMENDATION

That Council APPROVE the request from Mr Terry Charles Hulkes for a new lease over site 17 being portion of Lot 7442 Cheyne Beach Road, Cheynes on Crown Reserve 878, subject to :

1. Notes its previous resolution (OCM 20/11/2012 – Item 4.3)
2. Notes its previous resolution (OCM 21/05/2013 – Item 4.3)
3. Notes the granting of amended Planning Scheme Consent P2130022 for site 17 Cheyne Beach Road.
4. Lease term being 5 years.
5. Lease area being approximately 2,178 square metres.
6. Lease purpose being accommodation associated with the fishing industry.
7. Lease rental fee being determined by a current market valuation provided by a licensed Valuer.
8. Any relevant approvals to be received prior to the development of site 17 Reserve 878.
9. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
10. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
11. All costs associated with the preparation, execution and completion of the Deed of Lease and ongoing operations being payable by the proponent.

BACKGROUND

2. Reserve 878 is under Management Order H359478 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation, Camping, Holiday Accommodation, Accommodation Associated with the Fishing Industry and Fire Station" for a term not exceeding 21 years and subject to the consent of the Minister for Lands.
3. Reserve 878, an area of approximately 115 hectares is located at Cheynes approximately 63 kilometres east of Albany at the southern end of Hassell Beach. The location is also commonly referred to as Cheynes Beach.
4. There are currently 16 sites within Reserve 878 for the purpose of accommodation associated with the fishing industry. Seven of these sites are currently occupied for this permitted use. Only sites 2 and 3 are located on the waterfront.
5. The City currently has 29 holiday accommodation leases located along Baxteri Road, a fire shed located on site 15 Cheyne Beach Road and a lease with Telstra within Reserve 878.
6. A lease agreement may be entered into with commercial fisherman seeking fisherman accommodation at Cheyne Beach, provided they are actively engaged in the fishing industry and hold a current commercial fishing licence issued by the Department of Fisheries Western Australia.
7. Commercial fishermen have been fishing the Cheyne Beach area for up to 60 years utilising the current lease sites for their needs. The initial fishing accommodation lease and licence commencing in December 1995 was issued by the former Shire of Albany to formalise the commercial fisherman use arrangements.
8. Lessees are permitted to construct buildings and infrastructure on the leased land to support them in their commercial fishing activity. The Lessees are responsible for collection of rain water, connection to power and effluent disposal systems.
9. At OCM 20/11/2012 Item 4.3 Council approved the request from Mr Hulkes to lease site 10 Cheyne Beach Road for the purpose of accommodation associated with the fishing industry for a 5 year term with an annual rental of \$2,250.00 plus GST subject to advertising requirements and all relevant approvals.
10. The proposed lease was advertised with two submissions received in response to the advertising. These were considered at OCM 21/05/2013 Item 4.3 and granted final approval for a lease to Mr Hulkes to lease site 10 Cheyne Beach Road subject to Mr Hulkes obtaining all relevant approvals.

DISCUSSION

11. As a part of the development application approval process, the proposal was referred to the South West Aboriginal Land & Sea Council (SWALSC) and the Department of Aboriginal Affairs for consideration and comment.

12. The City received written advice from SWALSC advising the development proposal on site 10 Cheyne Beach Road was “not supported” as it was not considered consistent with reserve purpose and conflicts with underlying Native Title rights and interests. SWALSC further advised a heritage survey would be required in any event.
13. Following on from SWALSC advice, the City staff provided SWALSC evidence Reserve 878 was vested with the City of Albany for the purpose of “Accommodation associated with the fishing industry”. Also that Mr Hulkes holds a current commercial fishing licence issued by the Department of Fisheries, which entitles Mr Hulkes to fish from Cheyne Beach.
14. Mr Hulkes has previously advised the City that he has been operating his commercial fishing licence from Cheyne Beach for approximately 9 years.
15. While a heritage survey was sought by SWALSC, it is noted that a survey of this scale is estimated to cost \$8,000.00 to \$10,000.00 and could take up to 9 - 12 months to complete and seek Ministerial approval if deemed necessary.
16. It was considered appropriate that City staff and two Noongar elders visit the site. Both Elders raised significant objection to the clearing of the land and a stone artefact was found on the land. Both Elders believed that additional artefacts would be found in the heavily vegetated area, as the area was previously used for camping.
17. Following discussion with regard to acceptable alternative site options, it was agreed that sites 16 and 17 would provide better options for the proposed accommodation as this land had previously been cleared and the regrowth vegetation was full of weeds. It is noted that site 17 had been previously leased and as a result, the ground has been previously disturbed.
18. City staff sought further comment from SWALSC with regard to the site visitation and alternate sites 16 and 17. No further comment has been received from SWALSC, other than informal verbal advice to say that no significant objection had been noted to the alternate sites 16 and 17.
19. While no definitive advice has been received it is considered that the City has observed its due diligence process with respect to Aboriginal heritage matters and that the development of site 17 is assessed as low risk.
20. The City met with Mr Hulkes to provide an update on the lease progress. Mr Hulkes was advised that development over site 10 would not be approved due to Aboriginal heritage significance without observing a lengthy and costly heritage survey process. Mr Hulkes was offered the alternative of moving his development to either site 16 or 17. Mr Hulkes expressed his interest in site 17.
21. Amended Planning Scheme Consent (P2130022) for site 17 Cheyne Beach Road has been granted to Mr Hulkes.

22. Mr Hulkes proposes to construct a small one bedroom single storey dwelling and outbuilding on the proposed lease site 17 to accommodate him while undertaking commercial fishing at Cheynes.
23. The new lease will be negotiated in line with Council Policy – Property Management – Leases and Licences.

GOVERNMENT & PUBLIC CONSULTATION

24. Under Section 18 (1) of the *Land Administration Act 1997* the Department of Lands has been consulted. Minister for Land's consent will be sought for the proposed new lease on portion of Crown Reserve 878.
25. The application for Planning Scheme Consent was referred to the Department of Parks and Department of Environment Regulation for comment who advised they have no objection to the development application.
26. The proposed development has been referred to the South West Aboriginal Land & Sea Council and the Department of Aboriginal Affairs for comment.
27. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings. The Act requires the following:
 - a. A local government must give local public notice of the proposed lease inviting submissions from the public, for a period of two weeks.
 - b. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
 - c. A local government can then proceed with the lease.
28. The proposed new lease will be advertised to comply with the requirements of Section 3.58 of the *Local Government Act 1995*.

STATUTORY IMPLICATIONS

29. 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.
30. As this is Crown land, under Management Order H359478 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation, Camping, Holiday Accommodation, Accommodation Associated with the Fishing Industry and Fire Station", Minister for Land's consent will be required.
31. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings.

32. Under the City’s current Town Planning Scheme 3, the subject land is reserved “Parks and Recreation”. The Scheme requires that any use of the reserve must meet the intended purpose of the reserve. The reserve purpose includes “Accommodation Associated with the Fishing Industry” and therefore this proposal meets the City’s Town Planning Scheme 3 requirement.
33. Section 5 of the *Aboriginal Heritage Act 1972* protects any matter or place of Aboriginal cultural heritage significance, whether known or unknown. Consultation with the Department of Aboriginal Affairs and South West Aboriginal Land & Sea Council occurs to ensure the City takes every precaution to observe compliance with the provisions of the *Aboriginal Heritage Act 1972*.

POLICY IMPLICATIONS

34. Council adopted a revised Property Management – Leases and Licences Policy in September 2012.
35. The Policy aims to ensure that all requests for leases and licences will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
36. The recommendation is consistent with Council Policy – Property Management – Leases and Licences.

RISK IDENTIFICATION & MITIGATION

37. The risk identification and categorisation relies on the City’s Risk Management Framework:

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>Council does not approve a new lease – reputational loss to the City</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction. Further negotiate with proponent to reach a mutually agreeable outcome.</i>
<i>Council does not approve a new lease – proponent to seek alternative premises</i>	<i>Unlikely</i>	<i>Insignificant</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction.</i>

FINANCIAL IMPLICATIONS

38. All costs associated with the preparation execution and completion of the new lease documentation including but are not limited to legal, advertising, survey and valuation will be borne by the proponent.
39. The new lease rental determined by market valuation provided by a Licensed Valuer.
40. The new lease rental will be directed to COA 14053 Income – Misc Commercial.

LEGAL IMPLICATIONS

41. The agreement with Terry Charles Hulkes will be a formal Deed of Lease which grants an interest in the land with enforceable conditions and will be prepared by the City's lawyers.

ENVIRONMENTAL IMPLICATIONS

42. Site 17 has less existing vegetation than site 10 and has been previously cleared. As such the development of site 17 is considered to have less environmental impact.

ALTERNATE OPTIONS

43. Council may:
- a. Approve the request for a new lease, or
 - b. Decline the request.
44. Should Council decline to grant the lease approval for site 17 Mr Hulkes would need to seek alternative accommodation arrangements to continue commercial fishing activities at Cheynes.

SUMMARY CONCLUSION

45. Council has previously approved a new lease to Terry Charles Hulkes over site 10 being portion 7442 Cheyne Beach Road Cheynes at OCM 20/11/2012 Item 4.3 for the purpose of accommodation associated with the fishing industry subject to all relevant approvals.
46. As part of the approval process the proposed development was referred to Department of Aboriginal Affairs and South West Aboriginal Land & Sea Council for comment. SWALSC advised they did not support the development application for site 10.
47. The alternate site 17 Cheyne Beach Road was identified as being suitable for development as the site had been previously leased and the ground previously disturbed.
48. Amended Planning Scheme Consent (P2130022) has been granted for the development of site 17 with Department of Parks and Wildlife and SWALSC support noted for this site.
49. Mr Hulkes holds a current commercial fishing licence and has been fishing commercially from within the precinct of Cheyne Beach for a period of approximately 9 years.
50. The proposed new lease is in accordance with the Management Order H359478 over Crown Reserve 878 and Council's Property Management – Leases and Licences Policy.
51. The lease request from Mr Terry Charles Hulkes to lease alternative lease site 17 Cheyne Beach Road, Cheynes for the development of accommodation associated with the fishing industry for a term of five years is supported.

Consulted References	<ul style="list-style-type: none"> • Council Policy – Property Management – Leases and Licences • <i>Local Government Act 1995</i> • <i>Land Administration Act 1997</i> • <i>Aboriginal Heritage Act 1972</i>
File Number (Name of Ward)	PRO389, A174625 (Kalgan Ward)
Previous Reference	OCM 20/11/2012 Item 4.3 OCM 21/05/2013 Item 4.3

**CSF035: NEW LEASE – ALBANY HALFWAY HOUSE ASSOCIATION INC.
– LOTTERIES HOUSE – ALBANY**

Land Description	: Lot 211 on Diagram 94113 being whole of land contained in Certificate of Title Volume 2172 Folio 740, Centennial Park (Lotteries House)
Proponent	: Albany Halfway House Association Inc.
Owner	: City of Albany and the Lotteries Commission
Attachments	: Nil
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:	
---	--

STRATEGIC IMPLICATIONS

1. This item relates directly to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2013-2017:
 - a. **Key Theme:** Civic Leadership.
 - b. **Strategic Objective:** 5.1 To establish and maintain sound business and governance structures.
 - c. **Strategic Initiative:** 5.1.2 Systems Development and Improvement: Improve leased property management.

IN BRIEF

- Council is requested to consider a new lease at Lotteries House for Albany Halfway House Association Inc., over the area currently occupied since 1 February 2001.
- Lease term being three years commencing 1 February 2014.
- Lease request has been approved by the Lotteries House Tenant Management Committee.
- The recommendation proposes that Council approve the new lease.

Maps and Diagrams



**CSF035: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR PRICE**

THAT Council APPROVE the request for a new lease to Albany Halfway House Association Inc. at Lot 211 on Diagram 94113 known as Lotteries House subject to:

- 1. Lotteries House Tenant Management Committee approval.**
- 2. Lease term being three years, commencing 1 February 2014.**
- 3. Lease area being 28 square metres.**
- 4. Lease rental being \$3,470.04 plus GST per annum as determined by the Lotteries House Management Committee.**
- 5. Lease purpose being office space.**
- 6. Lease rent reviews being carried out annually on 1 July by the Lotteries House Tenant Management Committee.**
- 7. Costs associated with the preparation and implementation of the lease documentation, if any, to be payable by the proponent.**

CARRIED 12-0

CSF035: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR SUTTON

SECONDED: COUNCILLOR DOWLING

THAT Council APPROVE the request for a new lease to Albany Halfway House Association Inc. at Lot 211 on Diagram 94113 known as Lotteries House subject to:

1. Lotteries House Tenant Management Committee approval.
2. Lease term being three years, commencing 1 February 2014.
3. Lease area being 28 square metres.
4. Lease rental being \$3,470.04 plus GST per annum as determined by the Lotteries House Management Committee.
5. Lease purpose being office space.
6. Lease rent reviews being carried out annually on 1 July by the Lotteries House Tenant Management Committee.
7. Costs associated with the preparation and implementation of the lease documentation, if any, to be payable by the proponent.

CARRIED 12-0

CSF035: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council APPROVE the request for a new lease to Albany Halfway House Association Inc. at Lot 211 on Diagram 94113 known as Lotteries House subject to:

1. Lotteries House Tenant Management Committee approval.
2. Lease term being three years, commencing 1 February 2014.
3. Lease area being 28 square metres.
4. Lease rental being \$3,470.04 plus GST per annum as determined by the Lotteries House Management Committee.
5. Lease purpose being office space.
6. Lease rent reviews being carried out annually on 1 July by the Lotteries House Tenant Management Committee.
7. Costs associated with the preparation and implementation of the lease documentation, if any, to be payable by the proponent.

BACKGROUND

2. In September 1996 a Deed of Trust was entered into between the former Town of Albany and the Lotteries Commission for the management of Lotteries House, located at 211-217 North Road, Albany.
3. The Deed required a Management Committee to be formed to oversee the management of the premises. The Lotteries House Tenant Management Committee for Albany is comprised of tenant representatives, community volunteers and a City officer.
4. The City of Albany ("the Trustee") through the administration of the Management Committee is to make and keep available the property for eligible organisations defined in Section 19 of the *Lotteries Commission Act 1990* to use exclusively for accommodation for benevolent or charitable purposes.

5. Albany Lotteries House provides secure and affordable accommodation for not for profit community organisations in a community service profile building. The Lotteries House conference room is hired out for workshops, meeting and other community gatherings.
6. Albany Halfway House Association Inc. has been a tenant at Lotteries House since 1 February 2001 occupying a lease area of 28 square metres.
7. Albany Halfway House Association Inc. lease expires on 31 January 2014. The City received a written request dated 3 September 2013 for a new lease at Lotteries House over the area it currently occupies for a term of three years commencing 1 February 2014 for the purpose of office space.
8. Albany Halfway House Association Inc. new lease request was considered and approved by the Lotteries House Tenant Management Committee at the last Committee meeting held on 16 October 2013.
9. The existing lease area of approximately 28 square metres at Lotteries House currently returns a rental of \$3,370.34 plus GST per annum. This is based on a rate per square metre of \$120.37 plus GST.
10. The Lotteries House Tenant Management Committee is responsible for setting the rents to be charged per square metre of leased area. The Committee determines the rental rate by:
 - a. Reviewing the rents charged by other Lotteries House Tenant Committees;
 - b. Reviewing current lease rents for similar type buildings; and
 - c. Reviewing operational expenditure costs of the building and projecting operating expenses for the financial year.
11. The new rate for rent is then adopted by the Committee and applied to leases annually from 1 July. The adopted rate for the 2013/14 financial year is \$123.93 plus GST per square metre.
12. Under the Deed of Trust for the building, any surplus rent generated annually is placed in trust for Lotteries House major building maintenance projects. The balance of the trust account as at the end of financial year 30 June 2013 was \$64,460.00. This balance will not alter until the 30 June 2014 when end of year financial adjustments are made.
13. The City of Albany currently has eight other leases with benevolent or charitable organisations at Lotteries House.
14. Ownership of the Lotteries House building is on an undivided share basis between the Lotteries Commission and the City of Albany as Trustee.
15. The City in accordance with the Deed of Trust is responsible for structural maintenance of the entire building and the cleaning, gardening and minor maintenance of common areas. The Lessees are responsible for the cleaning and minor maintenance of their individual lease areas.

16. The City in accordance with the Deed of Trust insures the buildings, plate glass and City owned fixtures, fittings and contents. The cost for 2013/14 financial year is \$3,485.51. Additionally the City is also responsible for the Public Liability Insurance over the common areas. As the City's Public Liability Insurance contribution is based on the whole of the City of Albany and its entire activities the individual cost to Lotteries House cannot be determined.
17. The Lessees are responsible for insuring their own individual fixtures, fittings and contents and are required to hold a minimum of not less than \$10 million Public Liability Insurance. The Lessee provides to the City a copy of insurance policies prior to the commencement of the lease, and annually upon request.

DISCUSSION

18. Albany Halfway House Association Inc. is a local not for profit association providing a community based and managed service to adults diagnosed with mental illness.
19. Albany Halfway House Association Inc. work co-operatively with service users and other agencies to encourage self empowerment and determination in the development of skills that will enhance the lives of individuals through their 'Outreach Services' program.
20. Albany Halfway House Association Inc. administers the program from Lotteries House.
21. The proposed new lease will be consistent with Council's Policy – Property Management – Leases and Licences for this category of lease.

GOVERNMENT & PUBLIC CONSULTATION

22. No Government consultation is required.
23. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings. The Act requires the following:
 - a. A local government must give local public notice of the proposed lease inviting submissions from the public, for a period of two weeks.
 - b. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
 - c. A local government can then proceed with the lease.
24. Section 30 of the *Local Government (Functions and General) Regulations 1996* defines the dispositions to which the advertising requirements of Section 3.58 of the Act do not apply. Section 30 (2) (b) (i & ii) states that Section 3.58 of the Act is exempt if:
 - (b) The land is disposed of to a body, whether incorporated or not –
 - (i) The object of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature, and
 - (ii) The members of which are not entitled or permitted to receive any pecuniary from the body's transactions,

25. Albany Halfway House Association Inc. is a not-for-profit charitable organisation and therefore exempt from the advertising requirements of Section 3.58 of the *Local Government Act 1995*.

STATUTORY IMPLICATIONS

26. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings.
27. Under the City of Albany Town Planning Scheme 1A, the land is zoned 'Clubs and Institutions'. The proposed use for office space is in accordance with the Scheme.

POLICY IMPLICATIONS

28. Council adopted a revised Property Management – Leases and Licences Policy in September 2012.
29. The Policy aims to ensure that all requests for leases and licences will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
30. The recommendation is consistent with Council Policy – Property Management – Leases and Licences.

RISK IDENTIFICATION & MITIGATION

31. The risk identification and categorisation relies on the City's Risk Management Framework:

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>Council does not approve a new lease – reputational loss to the City</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction.</i>
<i>Council does not approve proposed new lease – loss of operating income for Lotteries House</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction. Seek alternative tenant as last resort.</i>
<i>Council does not approve proposed new lease – Albany Halfway House Association Inc. will need to seek alternative premises</i>	<i>Unlikely</i>	<i>Major</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction.</i>

FINANCIAL IMPLICATIONS

32. Any costs associated with the preparation and implementation of the new lease documentation will be borne by the proponent

33. All rental collected is used for Lotteries House operating expenses, including a \$5,000.00 annual service fee paid to the City to cover the City's Officers time for managing the property on behalf of the Lotteries House Tenant Management Committee.
34. There is no cost to the City to operate Lotteries House other than the City's Officers time and the insurance cost of \$3,485.51 plus GST per annum for 2013/2014 financial year.
35. The new lease rental income of \$3,469.86 plus GST per annum will be directed to COA 12093 – Lotteries House Income.

LEGAL IMPLICATIONS

36. The agreement with the Lessee is a formal Deed of Lease which grants an interest in the land and buildings with enforceable conditions.

ENVIRONMENTAL IMPLICATIONS

37. Nil

ALTERNATE OPTIONS

38. Council may:
 - a. Approve the request for a new lease; or
 - b. Decline the request.
39. Should Council decline the request, Albany Halfway House Inc. will need to find alternative premises should they wish to continue providing the current services.
40. The City could then invite expressions of interest to lease the area and may risk a loss of rental during this process that may impact negatively on the operations of Lotteries House.

SUMMARY CONCLUSION

41. Albany Halfway House Association Inc. are seeking a new lease over 28 square metres of office space at Lotteries House, an area they have occupied since 1 February 2001.
42. Albany Halfway House Association Inc. has fulfilled all previous lease obligations including payment of rent and outgoings.
43. In view of the community service provided by the Albany Halfway House Association Inc. to the wider community, the request for a new lease at Lotteries House is supported.

Consulted References	<ul style="list-style-type: none">• Council Policy – Property Management – Leases and Licences• <i>Local Government Act 1995</i>• <i>Lotteries Commission Act 1990</i>• Lotteries House Tenant Management Committee Minutes – October 2013
File Number (Name of Ward)	PRO383, A150439 (Frederickstown Ward)
Previous Reference	OCM 17/04/2012 Item 4.3

CSF036: NEW LEASE AND LICENCE – ABTWA PTY LTD AS TRUSTEE FOR ABT TRUST TRADING AS ALBANY BUSINESS TELEPHONES – PORTION OF RESERVE 2681, MT MELVILLE LOOKOUT

Land Description	: Portion of Reserve 2681 and being Lot 1469 on Deposited Plan 219955 and being the whole of the land comprised in Certificate of Title Volume 3110 Folio 839 Mt Melville
Proponent	: ABTWA Pty Ltd as Trustee for ABT Trust trading as Albany Business Telephones
Owner	: Crown
Attachments	: Nil
Responsible Officer(s)	: Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:



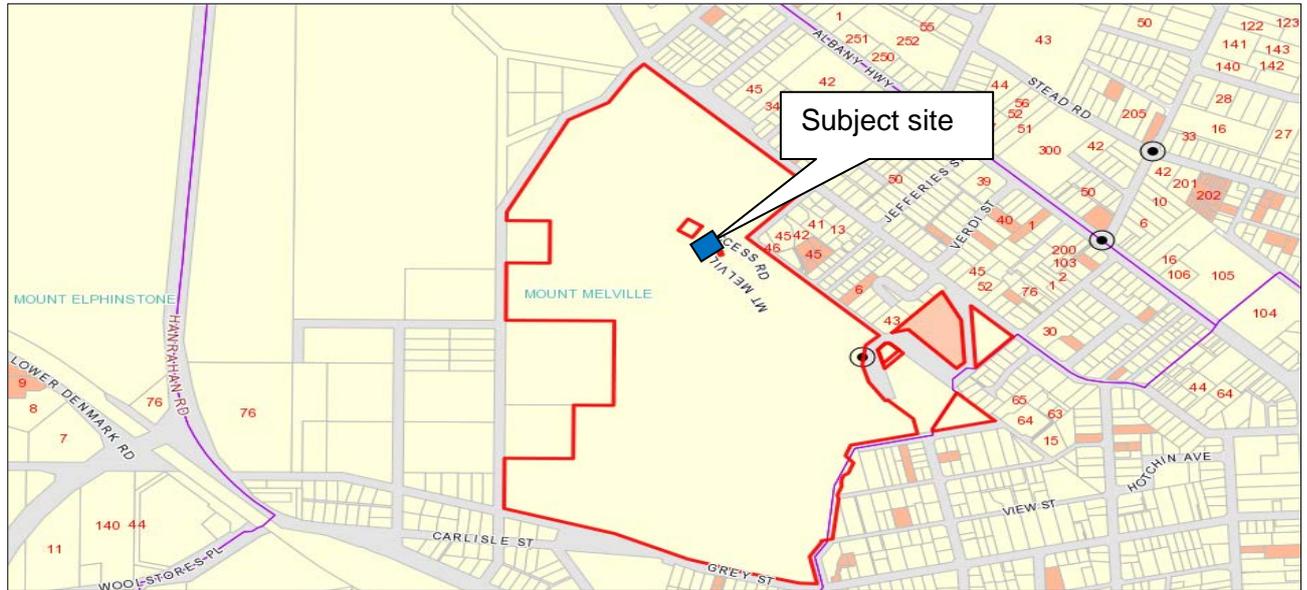
STRATEGIC IMPLICATIONS

1. This item relates directly to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2013-2017:
 - a. **Key Theme:** Civic Leadership.
 - b. **Strategic Objective:** 5.1 To establish and maintain sound business and governance structures.
 - c. **Strategic Initiative:** 5.1.2 Systems Development and Improvement: Improve leased property management.

IN BRIEF

- Council is requested to consider a new lease and a new licence for ABTWA Pty Ltd as Trustee for ABT Trust trading as Albany Business Telephones over the existing licence area and a reduced lease area currently occupied by the business on Mt Melville Lookout on portion of Crown Reserve 2681.
- City of Albany will occupy the vacated one square metre area within the bunker on the ground floor of the lookout (previously leased by Albany Business Telephones) to accommodate the City's current and future telecommunication requirements.
- Lease term being three years with an option for a further three year term.
- Lease purpose being for telecommunication facilities and services.

Maps and Diagrams



CSF036: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR GREGSON

That Council **APPROVE** the request from ABTWA Pty Ltd as Trustee for ABT Trust trading as Albany Business Telephones for a new lease and new licence on land situated at Lot 1469 Serpentine Road, Mt Melville being portion of Crown Reserve 2681, subject to:

1. Lease term being three years commencing 21 November 2013, with an option for a further three year term.
2. Lease and licence rental fee being determined by a current market valuation provided by a licensed Valuer.
3. Lease area being approximately five square metres located within the bunker area at the base of the Mt Melville Lookout.
4. Licence area being portion of tower located on top of Mt Melville Lookout. Licence (non-exclusive) area being within the bottom eight metres from the base of the telecommunications tower.
5. Lease purpose being telecommunication facilities and services.
6. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
7. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
8. All costs associated with the preparation, execution and completion of the Deed of Lease and Licence and ongoing operations being payable by the Lessee.

CARRIED 12-0

CSF036: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR GREGSON

That Council APPROVE the request from ABTWA Pty Ltd as Trustee for ABT Trust trading as Albany Business Telephones for a new lease and new licence on land situated at Lot 1469 Serpentine Road, Mt Melville being portion of Crown Reserve 2681, subject to:

1. Lease term being three years commencing 21 November 2013, with an option for a further three year term.
2. Lease and licence rental fee being determined by a current market valuation provided by a licensed Valuer.
3. Lease area being approximately five square metres located within the bunker area at the base of the Mt Melville Lookout.
4. Licence area being portion of tower located on top of Mt Melville Lookout. Licence (non-exclusive) area being within the bottom eight metres from the base of the telecommunications tower.
5. Lease purpose being telecommunication facilities and services.
6. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
7. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
8. All costs associated with the preparation, execution and completion of the Deed of Lease and Licence and ongoing operations being payable by the Lessee.

CARRIED 12-0

CSF036: RESPONSIBLE OFFICER RECOMMENDATION

That Council APPROVE the request from ABTWA Pty Ltd as Trustee for ABT Trust trading as Albany Business Telephones for a new lease and new licence on land situated at Lot 1469 Serpentine Road, Mt Melville being portion of Crown Reserve 2681, subject to:

1. Lease term being three years commencing 21 November 2013, with an option for a further three year term.
2. Lease and licence rental fee being determined by a current market valuation provided by a licensed Valuer.
3. Lease area being approximately five square metres located within the bunker area at the base of the Mt Melville Lookout.
4. Licence area being portion of tower located on top of Mt Melville Lookout. Licence (non-exclusive) area being within the bottom eight metres from the base of the telecommunications tower.
5. Lease purpose being telecommunication facilities and services.
6. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
7. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
8. All costs associated with the preparation, execution and completion of the Deed of Lease and Licence and ongoing operations being payable by the Lessee.

BACKGROUND

2. Reserve 2681 is under Management Order H603437 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Public Park and Telecommunications" for any term not exceeding twenty one years and subject to the consent of the Minister for Lands.
3. Reserve 2681 an area of 56.32 hectares is located at Lot 1469 Serpentine Road, Mt Melville.
4. The City owned JA Barnesby Memorial Lookout with telecommunication tower located within Reserve 2681 is commonly referred to as the Mt Melville Lookout or Sparkplug.
5. In 2006 the City of Albany agreed to allow Albany Business Telephones to place an aerial on the Mt Melville tower, with connecting infrastructure in the base of the tower, on a temporary basis for 12 months, to monitor the efficiency of the site for its requirements.
6. The agreement permitted period was 12 months, after which a formal lease arrangement would be required, with Council approval, if Albany Business Telephones wished to remain on the site.
7. At Ordinary Council Meeting 20 November 2007, Council granted a new lease and licence to John Charles Dent as Trustee for ABT Trust trading as Albany Business Telephones for a term of three years with an option for a further three year term for the purpose of installation and operation of telecommunication facilities and services.
8. The lease area incorporated a six square metre bunker area at the base of the Mt Melville Lookout, with the non-exclusive licence area within 8 metres from the base of the tower.
9. The lease commenced on the 21 November 2007 and expired on the 20 November 2010, with an annual rental of \$1,000.00 per annum plus GST.
10. Albany Business Telephones exercised the option for a further term of three years, commencing 21 November 2010 with an annual rental of \$2,000.00 plus GST, expiring 20 November 2013.
11. In response to recent City correspondence advising the current lease and licence area are due to expire on 20 November 2013, Mr Dent requested a new lease and licence over the area currently occupied on the Mt Melville Lookout telecommunication facility.
12. The City currently has radio link equipment located on the tower with network equipment located within the public toilet plumbing duct area. This arrangement has to date been satisfactory however due to proposed equipment upgrades for radio equipment and Disaster Recovery site requirements the City is seeking suitable rack space in the bunker area currently leased to Mr Dent.
13. City staff met with Mr Dent to discuss the City's telecommunication requirements at this site. It was mutually agreed that Mr Dent would reduce the requested lease area in the bunker from six square metres to five square metres to allow for City equipment.

14. The one square metre bunker area is sufficient to accommodate the City's current and future telecommunication requirements.
15. Currently, the seven Lessees and Licensees located within the Mt Melville telecommunication facility are utilising the two utility rooms located on the ground floor of the lookout, adjacent the bunker area, and the former kiosk area to capacity.

DISCUSSION

16. The Mt Melville telecommunication tower was constructed by Optus Mobile Pty Ltd on top of the City owned Mt Melville Lookout in 1995.
17. Upon completion of the tower, the ownership was transferred to the City of Albany (formerly Town of Albany) with the agreement that all new requests by a third party to use, enter or install equipment on the tower will be presented to Optus Mobile Network Pty Ltd for consent (which approval shall not be unreasonably withheld).
18. Optus Mobile Network Pty Ltd have no objections to the proposed new lease and licence for Albany Business Telephones given the equipment is existing and that the Lessee has been operating from the site since 2007 without issues.
19. Albany Business Telephones provides a commitment that all Lessee equipment will not impact or cause interference to any other user of telecommunications equipment or any other infrastructure or persons or service within or outside of the land area.
20. Albany Business Telephones also provides a commitment that all existing equipment and any future equipment will not adversely impact on the structural integrity of the Mt Melville tower.
21. All costs associated with the operations, ongoing maintenance and repairs of its equipment and power usage will be met by Albany Business Telephones.
22. Albany Business Telephones has, on three occasions during the term of the current lease, requested payment plans in order to fulfil lease rental payments. All outstanding monies were paid in full by the required date to meet the payment plan obligations.
23. The new lease and licence will be negotiated in line with Council Policy – Property Management – Leases and Licences.

GOVERNMENT & PUBLIC CONSULTATION

24. Under Section 18 (1) of the *Land Administration Act 1997* the Department of Lands has been consulted. Minister for Land's consent will be sought for the proposed new lease and licence on portion of Crown Reserve 2681.
25. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings. The Act requires the following:

- a. A local government must give local public notice of the proposed lease inviting submissions from the public, for a period of two weeks.
 - b. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
 - c. A local government can then proceed with the lease.
26. The proposed new lease will be advertised to comply with the requirements of Section 3.58 of the *Local Government Act 1995*.

STATUTORY IMPLICATIONS

27. 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.
28. As this is Crown land, under Management Order H603437 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Public Park and Telecommunications", Minister for Land's consent will be required.
29. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings.
30. Under the City's current Town Planning Scheme 1A, the subject land is zoned "Parks and Recreation". The existing use of telecommunication facility was approved in 1995 under Building Licence T95057 under delegation, in accordance with the Scheme.

POLICY IMPLICATIONS

31. Council adopted a revised Property Management – Leases and Licences Policy in September 2012.
32. The Policy aims to ensure that all requests for leases and licences will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
33. The recommendation is consistent with Council Policy – Property Management – Leases and Licences.

RISK IDENTIFICATION & MITIGATION

34. The risk identification and categorisation relies on the City's Risk Management Framework:

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>Council does not approve a new lease – reputational loss to the City</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction.</i>
<i>Council does not approve a new lease – loss of rental income in short term</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction.</i>
<i>Council does not approve a new lease – telecommunication services will be limited to customers</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction.</i>

FINANCIAL IMPLICATIONS

35. All costs associated with the preparation, execution and completion of the new lease and licence documentation including but are not limited to legal, advertising, survey and valuation will be borne by the proponent, Albany Business Telephones.
36. The new lease rental will be determined by a current market valuation provided by a licensed Valuer.
37. The new lease rental will be directed to COA 14053 Income – Misc Commercial.

LEGAL IMPLICATIONS

38. The agreement with Albany Business Telephones will be a formal Deed of Lease and Licence which grants an interest in the land and building with enforceable conditions and will be prepared by the City's lawyers.

ENVIRONMENTAL IMPLICATIONS

39. Nil

ALTERNATE OPTIONS

40. Council may:
- a. Approve the request for a new lease and licence ; or
 - b. Decline the request.
41. Should Council decline the request, the Lessee would be required to remove their equipment and return the site to its original condition.

42. Council could then invite expressions of interest to lease this site with Council considering any new lease or licence for the vacated area.
43. Albany Business Telephones would have to find an alternative location should they wish to continue providing telecommunications services.

SUMMARY CONCLUSION

44. The current Lessee, Albany Business Telephones is seeking a new lease and a new licence over an area currently occupied at the Mt Melville telecommunication facility to continue providing telecommunication services to the Albany area.
45. Mr Dent has agreed to a reduced lease area in the bunker on the ground floor of the lookout, from six square metres to five square metres, to accommodate City required telecommunication equipment, and a non-exclusive licence area to use the tower.
46. The City will now occupy the vacated one square metre within the bunker area to accommodate current and future telecommunication equipment.
47. The Lessee has occupied this site for the past six years and has met the obligations of the previous lease including payment of rent and outgoings, at no cost to Council.
48. The lease and licence request to allow Albany Business Telephones to continue its telecommunications services to the Albany area, at no cost to Council, is supported.

Consulted References	<ul style="list-style-type: none">• Council Policy – Property Management – Leases and Licences• <i>Local Government Act 1995</i>• <i>Land Administration Act 1997</i>
File Number (Name of Ward)	PRO360, A193726 (Frederickstown Ward)
Previous Reference	OCM 20/11/2007 Item 13.5.4

CSF037: NEW LEASE – JONATHON SYLVESTER MARWICK AND KATE PATRICIA MARWICK AS TRUSTEE FOR THE MARWICK FAMILY TRUST – PORTION OF RESERVE 22698, EMU POINT CAFE, MERMAID AVENUE EMU POINT

Land Description : Portion of Reserve 22698 and being Lot 1461 on Deposited Plan 219777 and being portion of the land comprised in Certificate of Title Volume LR3110 Folio 171 Emu Point

Proponent : Jonathon Sylvester Marwick and Kate Patricia Marwick as Trustee for the Marwick Family Trust trading as Emu Point Cafe

Owner : Crown

Attachments : Nil

Responsible Officer(s) : Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:	
---	--

STRATEGIC IMPLICATIONS

1. This item relates directly to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2013-2017:
 - a. **Key Theme:** Civic Leadership.
 - b. **Strategic Objective:** 5.1 To establish and maintain sound business and governance structures.
 - c. **Strategic Initiative:** 5.1.2 Systems Development and Improvement: Improve leased property management.

IN BRIEF

- Council is requested to consider a new lease for Jonathon Sylvester Marwick and Kate Patricia Marwick as Trustee for the Marwick Family Trust trading as Emu Point Cafe over the premises currently occupied in Mermaid Avenue, Emu Point on portion of Crown Reserve 22698.
- Lease term being five years with an option for a further five year term.
- Lease purpose being for commercial cafe and restaurant.
- Initial lease rental as determined by current market valuation being \$44,365.00 per annum plus GST.
- The recommendation proposes that Council approve the new lease.

Maps and Diagrams



CSF037: COMMITTEE RECOMMENDATION VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR SUTTON

That Council APPROVE the request from Jonathon Sylvester Marwick and Kate Patricia Marwick as Trustee for the Marwick Family Trust trading as Emu Point Cafe for a new lease on cafe and restaurant premises situated at 1 Mermaid Avenue, Emu Point being portion of Crown Reserve 22698, subject to:

1. Lease term being five years commencing 15 December 2013, with an option for a further five year term.
2. Initial lease rental being, as determined by a current market valuation provided by a licensed Valuer, \$44,365.00 per annum plus GST.
3. Lease area being approximately 389 square metres.
4. Lease purpose being for a commercial cafe and restaurant.
5. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
6. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
7. In accordance with section 14B of the *Commercial Tenancy (Retail shops) Agreements Act 1985* all costs associated with the preparation, execution and completion of the Deed of Lease being payable by the City of Albany.

CARRIED 12-0

CSF037: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR WILLIAMS
SECONDED: COUNCILLOR BOWLES

That Council APPROVE the request from Jonathon Sylvester Marwick and Kate Patricia Marwick as Trustee for the Marwick Family Trust trading as Emu Point Cafe for a new lease on cafe and restaurant premises situated at 1 Mermaid Avenue, Emu Point being portion of Crown Reserve 22698, subject to:

1. Lease term being five years commencing 15 December 2013, with an option for a further five year term.
2. Initial lease rental being, as determined by a current market valuation provided by a licensed Valuer, \$44,365.00 per annum plus GST.
3. Lease area being approximately 389 square metres.
4. Lease purpose being for a commercial cafe and restaurant.
5. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
6. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
7. In accordance with section 14B of the *Commercial Tenancy (Retail shops) Agreements Act 1985* all costs associated with the preparation, execution and completion of the Deed of Lease being payable by the City of Albany.

CARRIED 12-0

CSF037: RESPONSIBLE OFFICER RECOMMENDATION

That Council APPROVE the request from Jonathon Sylvester Marwick and Kate Patricia Marwick as Trustee for the Marwick Family Trust trading as Emu Point Cafe for a new lease on cafe and restaurant premises situated at 1 Mermaid Avenue, Emu Point being portion of Crown Reserve 22698, subject to:

1. Lease term being five years commencing 15 December 2013, with an option for a further five year term.
2. Initial lease rental being, as determined by a current market valuation provided by a licensed Valuer, \$44,365.00 per annum plus GST.
3. Lease area being approximately 389 square metres.
4. Lease purpose being for a commercial cafe and restaurant.
5. Pursuant to Section 18 of the *Lands Administration Act 1997*, the Minister for Lands consent is obtained.
6. Pursuant to Section 3.58 of the *Local Government Act 1995* advertising requirements.
7. In accordance with section 14B of the *Commercial Tenancy (Retail shops) Agreements Act 1985* all costs associated with the preparation, execution and completion of the Deed of Lease being payable by the City of Albany.

BACKGROUND

2. Crown Reserve 22698 is under Management Order H224437 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation and Associated Business Purposes" for any term not exceeding 50 years and subject to the consent of the Minister for Lands.
3. Reserve 22698 an area of approximately 27.3 hectares is located at Lot 1460 and 1461 Mermaid Avenue, Emu Point.
4. The Emu Point Cafe premises, an area of approximately 389 square metres, is located within Reserve 22698 with the street address being 1 Mermaid Avenue, Emu Point.
5. In 1965 the former Emu Point (Albany) Reserve Board granted a new lease to TC Humphrey & Co for a 21 year term for the purpose of tea rooms and refreshment rooms.
6. Commencing 1 January 1976, the control and administration of the Emu Point Reserve, including all commercial leases, passed from the Emu Point (Albany) Reserve Board to the former Town of Albany.
7. In 1986 the former Town of Albany granted a new lease to TC Humphrey & Co for a 21 year term. At this time the leased premises were divided into cafe and restaurant areas.
8. In 1988 the lease was assigned to Mallorca Pty Ltd. In 1989 the restaurant area was sub leased to J Farrugia. In 1990 the cafe area was sub leased to M & S Vivian. Since this date the two areas have been subleased many times to individual businesses, including the former Cravings Waterfront Bistro, and in 1999 the Japanese Restaurant.
9. The head lease was surrendered in 1992 to allow for a new longer term lease to Head Lessee, Mallorca Pty Ltd given proposed building extensions including new public toilet facilities.
10. In December 1992 the former Town of Albany granted a new lease to Mallorca Pty Ltd for the purpose of Restaurant, Tea and Refreshment Rooms for the sale of meals and goods, for a term of 21 years expiring on the 14 December 2013. The rental at this time was set at a base rate of \$1050.00 per annum with rent adjusted by Consumer Price Index every five years. Both cafe and restaurant areas were subleased.
11. As the new toilet facility was to be a shared facility between the City for public use, and the Lessee for the use of their customers, the new 1992 lease incorporated clauses outlining the City's responsibility to maintain, clean, meet water consumption costs and insure the toilet facility.
12. In January 1998 the head lease was assigned to Walker Paddon Real Estate Pty Ltd ATF the WP Superannuation Fund and Vally Pty Ltd ATF the Holman Superannuation Fund (Walker Paddon / Vally) for the remainder of the term. Current subleases at that time for cafe and restaurant areas remained in place.

13. In June 2006 the restaurant sublease expired, and as there was no option for a further term, the Tenant remained on a holding over basis, as a month to month Tenant.
14. In February 2008 the cafe sublease expired and the option for a further three year term was not formally exercised.
15. In 2008 the City sought legal advice to clarify the ownership of the buildings; and the rights and obligations of each party at the termination of the head lease on 14 December 2013.
16. The legal advice concluded that:
 - Ownership of the buildings is vested in the City of Albany.
 - Upon termination of the lease, tenant and sub tenants are required to remove all furniture, fittings and effects, plus signage within one month of lease expiry.
 - Head Lessee to remove any buildings or improvements placed on the site after 15 December 1992 (with City consent only) and leave premises in a clean condition.
17. It is noted that the building extensions including the public toilet facility were completed prior to 15 December 1992.
18. In 2009 the sublease for the cafe area was assigned to Jonathon Marwick and Kate Marwick.
19. City officers met with the Head Lessee, Walker Paddon Vally to discuss leasing arrangements including sub leases, assignment requests, rent, building ownership, proposed improvements and extension of the lease on commercial terms.
20. In November 2010 the lease was assigned to Jonathon Sylvester Marwick and Kate Patricia Marwick as Trustee for the Marwick Family Trust for the remainder of the term till 14 December 2013.
21. At this time the Lessee was formally advised and agreed that any new lease past the expiry date in 2013 would be negotiated on a commercial basis with rent determined by current market valuation undertaken by a licensed Valuer in line with Councils Policy – Property Management – Leases and Licences.
22. The lease is due to expire on 14 December 2013 with no option for a further term and returns a current rental of \$1,236.20 plus GST per annum.
23. The City of Albany owns the building located within the lease area. The City is responsible for all structural maintenance including electrical wiring of the lease premises with the Lessee responsible for all other repairs and maintenance and ongoing operations of the leased premises.
24. The *Commercial Tenancy (Retail Shops) Agreement Act 1985* applies to the Emu Point Cafe lease. The Act regulates lease provisions including terms, rent reviews, terminations, outgoings and trading hours. The lease cannot override the requirements of the Act.

25. In response to recent City correspondence advising that the current lease is due to expire on 14 December 2013, the Lessee has requested a new lease over the area currently occupied by Emu Point Cafe on portion of Reserve 22698.

DISCUSSION

26. In September 2013 the City engaged licensed Valuer Opteon (Albany & Great Southern WA) to undertake a current market valuation to determine rent. The valuation concluded rent to be \$44,365.00 per annum plus GST. The current Lessee, Jonathon Marwick and Kate Marwick have confirmed agreement to the annual rent.
27. The Lessee has made minor improvements to the building with the City recently undertaking electrical works to ensure the building standards are maintained.
28. It is proposed that the City continue to allow cafe customers to use the public toilets facility on a non-exclusive basis while the proposed lease agreement is operating.
29. The Lessee has operated the Emu Point Cafe since November 2010 and developed the businesses as a valuable service and attraction to both tourist and locals.
30. The Lessee has met the obligations of the lease agreement including payment of rent and outgoings.
31. The proposed new lease will be negotiated in line with Council Policy – Property Management – Leases and Licences within the category of Commercial Leases and governed by the *Commercial Tenancy (Retail shops) Agreements Act 1985*.

GOVERNMENT & PUBLIC CONSULTATION

32. Under Section 18 (1) of the *Land Administration Act 1997* the Department of Lands has been consulted. Minister for Land's consent will be sought for the proposed new lease on portion of Crown Reserve 22698.
33. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings. The Act requires the following:
- a. A local government must give local public notice of the proposed lease inviting submissions from the public, for a period of two weeks.
 - b. Any submissions are to be considered by Council and their decision with regard to those submissions, to be recorded in the minutes.
 - c. A local government can then proceed with the lease.
34. The proposed new lease will be advertised to comply with the requirements of Section 3.58 of the *Local Government Act 1995*.

STATUTORY IMPLICATIONS

35. 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.
36. As this is Crown land, under Management Order H224473 issued to the City of Albany with the power to lease, sub-lease or licence for the purpose of "Recreation and Associated Business Purposes", Minister for Land's consent will be required.
37. Section 3.58 of the *Local Government Act 1995* defines the requirements for the disposal of property, including leased land and buildings.
38. Under the City's current Town Planning Scheme 1A, the subject land is zoned "Parks and Recreation, Tourist Residential". The existing use of (the operations of) commercial restaurant and cafe is an approved use in accordance with the Scheme.

POLICY IMPLICATIONS

39. Council adopted a revised Property Management – Leases and Licences Policy in September 2012.
40. The Policy aims to ensure that all requests for leases and licences will be treated in a fair and equitable manner using open and accountable methodology and in line with statutory procedures.
41. The recommendation is consistent with Council Policy – Property Management – Leases and Licences.

RISK IDENTIFICATION & MITIGATION

42. The risk identification and categorisation relies on the City's Risk Management Framework:

Risk	Likelihood	Consequence	Risk Rating	Mitigation
<i>Council does not approve a new lease – reputational loss to the City</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction.</i>
<i>Council does not approve a new lease – loss of rental income in short term</i>	<i>Unlikely</i>	<i>Minor</i>	<i>Low</i>	<i>Seek to negotiate terms to Council satisfaction.</i>
<i>Council does not approve a new lease – restaurant / cafe services will be limited within this tourist area</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<i>Seek to negotiate terms to Council satisfaction.</i>

CSF038: ALBANY SEPTAGE FACILITY – JOINT VENTURE

CONFIDENTIAL REPORT

Attachments : Albany Septage Facility – Options Review and Stakeholder Consultation.
Responsible Officer(s) : Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:	
---	--

Item covered under Confidential Cover, in accordance with s5.23 (2) (c) and (e, iii) of the Local Government Act 1995, being:

- (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
- (e) a matter that if disclosed, would reveal - (ii) information that has a commercial value to a person –where the trade secret or information is held by or is about, a person other than the local government.*

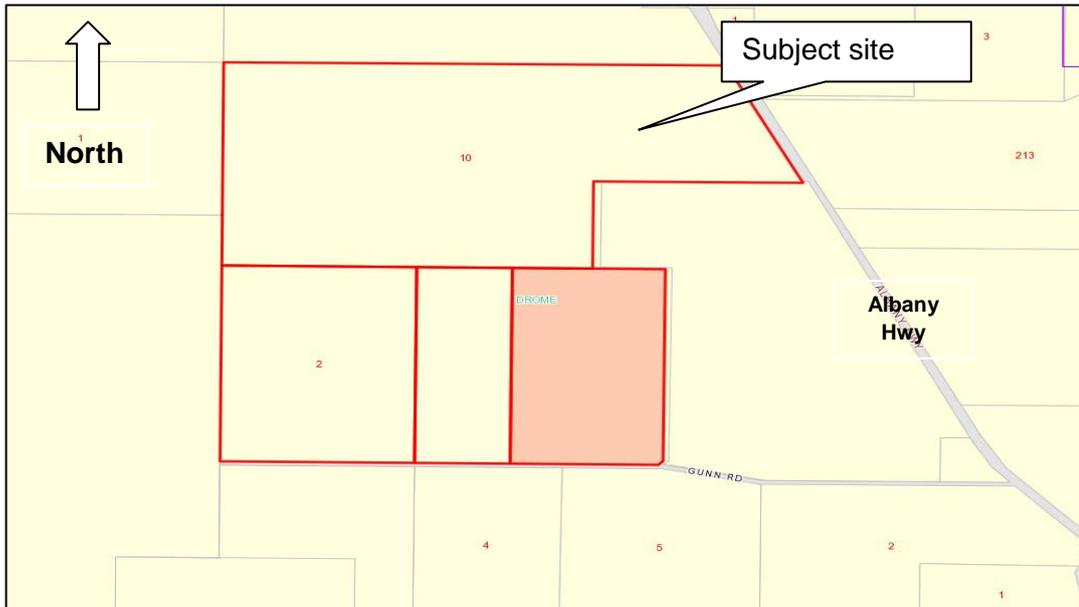
STRATEGIC IMPLICATIONS

1. This item relates directly to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2013-2017:
 - a. **Key Theme:** Civic Leadership & Clean, Green and Sustainable
 - b. **Strategic Objective:**
 - 2.3 To advocate for and support “green” initiatives within our region.
 - 5.1 To establish and maintain sound business and governance structures.
 - c. **Strategic Initiatives:**
 - 2.3.1 Improved waste management and recycling practices
 - 5.1.2 Systems Development and Improvement: Improve leased property management.

IN BRIEF

- Albany Septage Facility is a joint venture between City of Albany (City) and the Water Corporation and was commissioned in 2004.
- Consider the future management and ownership of the facility.

Maps and Diagrams



[6:57:30 PM](#)

CSF038: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

Moved: Councillor Calleja
Seconded: Councillor Bowles

THAT Council go behind closed doors to discuss CSF038: Albany Septage Facility-Joint Venture.

CARRIED 12-0

[6:58:34 PM](#) All members of the public and media left the Chambers.

[6:59:27 PM](#)

CSF038: MOTION BY Councillor Williams
VOTING REQUIREMENT: SIMPLE MAJORITY

Moved: Councillor Williams
Seconded: Councillor Sutton

THAT this matter be laid on the table.

LOST 5-7

Record of Vote

For the Motion: Councillors Williams, Price, Sutton, Stocks and Hammond

Councillor's Reason:

Laying this matter on the table will allow Council time to further examine the issue and additional information.

CSF038: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HORTIN

SECONDED: COUNCILLOR GREGSON

THAT Council AUTHORISE the CEO to undertake negotiations with Water Corporation in order to pursue the sale of the Albany Septage Facility via public tender.

CARRIED: 11-0

CSF038: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council AUTHORISE the CEO to undertake negotiations with Water Corporation in order to pursue the sale of the Albany Septage Facility via public tender.

CSF039: COUNCIL POLICY – CODE OF CONDUCT

- Proponent** : City of Albany
- Attachments** : • Draft Code of Conduct Policy titled: Council Policy – Code of Conduct (Council Members, Committee Members, Staff and Volunteers)
- Responsible Officer(s)** : Executive Director Corporate Services (G Adams)
Manager Governance & Risk Management (S Jamieson)

**Responsible Officers
Signature:**



STRATEGIC IMPLICATIONS

1. *This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):*
 - a. **Key Theme:** 5. Civic Leadership
 - b. **Strategic Objective:** 5.2 To provide strong accountable leadership supported by a skilled and professional workforce.
 - c. **Strategic Initiative:** Nil.

In Brief:

- Review and adopt the fully revised Code of Conduct Policy.

RECOMMENDATION

CSF039: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR DOWLING

THAT Council RESCIND the current policies:

- (a) Council Policy – Code of Conduct for Members of Council
- (b) City Policy – Code of Conduct (for City of Albany Staff, including Volunteers)

and ADOPT the revised Code of Conduct Policy-Code of Conduct (Council Members, Committee Members, Staff and Volunteers)

CARRIED 12-0
ABSOLUTE MAJORITY

CSF039: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR CALLEJA

THAT Council RESCIND the current policies:

- (a) Council Policy – Code of Conduct for Members of Council
- (b) City Policy – Code of Conduct (for City of Albany Staff, including Volunteers)

and ADOPT the revised Code of Conduct Policy-Code of Conduct (Council Members, Committee Members, Staff and Volunteers)

CARRIED 11-0

CSF039: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RESCIND the current policies:

- (a) Council Policy – Code of Conduct for Members of Council
- (b) City Policy – Code of Conduct (for City of Albany Staff, including Volunteers)

and ADOPT the revised Code of Conduct Policy-Code of Conduct (Council Members, Committee Members, Staff and Volunteers)

BACKGROUND

2. In 2011, the City of Albany rescinded the Code of Conduct (Code) that applied Members of Council and Staff and adopted two separated codes.

DISCUSSION

3. Council may at any time alter the proposed Code of Conduct, or substitute a new Code of Conduct.
4. The amended policy position is based on comparable Codes from across the local government sector and compliments the community's expectation encapsulated in the [City of Albany Strategic Community Plan 2023](#) and communicated through Council's "Our Values", statement, being:
 - a. **Focused:** on community outcomes;
 - b. **United:** by working and learning together;
 - c. **Accountable:** for our actions; and
 - d. **Proud:** of our people and our community.
5. This Code provides City of Albany Council Members, Committee Members, Staff and Volunteers with consistent guidelines for an acceptable standard of professional conduct. This Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability.

6. This Code is complementary to the principles adopted in the *Local Government Act 1995* (the Act) and regulations which incorporates four fundamental aims to result in:
 - a. better decision-making;
 - b. greater community participation in the decisions and affairs of the City;
 - c. greater accountability to the City's communities; and
 - d. a more efficient and effective local government.
7. The Code provides a guide and a basis of expectations for Council Members, Committee Members, Volunteers and Staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

GOVERNMENT & PUBLIC CONSULTATION

8. The proposed Code compliments the agreed values encapsulated in the adopted "Our Values" statement, which was developed in consultation with Community, Council and Staff.
9. Prior to presentation to Council, through the Corporate Services and Finance Committee (CSF), this document has been reviewed formally by the Executive Management Team on four separate occasions.

STATUTORY IMPLICATIONS

10. In accordance with section 2.7 of the *Local Government Act 1995* (the Act), Council is responsible for determining local government policies.
11. Section 5.103(1) of the Act states: Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

POLICY IMPLICATIONS

12. Adoption of this policy will replace the current policies adopted by Council and the City's Executive in 2011.

RISK IDENTIFICATION & MITIGATION

13. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Statutory Non Compliance</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>Adoption of new policy position (code), ensure legislative compliance and compliments the spirit of the Act and "One Team" leadership.</i>

FINANCIAL IMPLICATIONS

14. There are no financial implications related to this item.

LEGAL IMPLICATIONS

15. The proposed new Council Policy position ensures legislative compliance with section 5.103(1) of the Act. (Refer to Statutory implication section of report).

ALTERNATE OPTIONS

16. Council may chose to review its policy position; however in the interim it is recommended that the policy is amended to legislative compliance.

SUMMARY CONCLUSION

17. Recommend that the new Code is adopted in accordance with the Act.

Consulted References	:	<ul style="list-style-type: none">• <i>Local Government Act 1995</i>• <i>Local Government (Rules of Conduct) Regulations 2007</i>• <i>Public Interest Disclosure Act 2003 (WA)</i>• <i>The Complete Guide to the Local Government Act, Volume 3, Councillors Manual</i>• <i>Local Government Operational Guidelines – Number 01, May 2000</i>
File Number (Name of Ward)	:	CM.STD.7 (All Wards)
Previous Reference	:	OCM 11/10/2011 Item 1.6

CSF040: COUNCIL POLICY – MAYORAL VEHICLE

Proponent	:	City of Albany
Attachments	:	<ul style="list-style-type: none">• DLG Circular 09-2011• Amended Council Policy – Mayoral Vehicle
Responsible Officer(s)	:	Executive Director Corporate Services (G Adams) Manager Governance & Risk Management (S Jamieson)

**Responsible Officers
Signature:**



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 5. Civic Leadership
 - b. **Strategic Objective:** 5.2 To provide strong accountable leadership supported by a skilled and professional workforce.
 - c. **Strategic Initiative:** Nil.

In Brief:

- Review and adopt revised Mayoral Vehicle Policy.

[6:19:41 PM](#) Mayor Wellington left Chamber after declaring a financial interest. Councillor Stocks took the Chair.

RECOMMENDATION

CSF040: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR GREGSON

THAT Council RESCIND the current policy and ADOPT the revised Mayoral Vehicle Policy.

CARRIED 11-0
ABSOLUTE MAJORITY

[6:20:15 PM](#) Mayor Wellington returned to the Chamber and resumed the Chair.

CSF040: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR BOWLES

THAT Council RESCIND the current policy and ADOPT the revised Mayoral Vehicle Policy.

CARRIED:10-0

CSF040: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council RESCIND the current policy and ADOPT the revised Mayoral Vehicle Policy.

BACKGROUND

2. The City of Albany provides the position of Mayor for the purpose of carrying out his/her official functions and duties, to the equivalent standard of that provided to the Chief Executive Officer.
3. In 2011, even though the Local Government Act (the Act) is silent in relation to the Mayoral vehicle being used for private use, the Department of Local Government (DLG) recommended that a procedure be put in place to enable the cost of the private use to be reimbursed.
4. In response, Council adopted a policy position in October 2011 after a series of workshops led by the Chief Executive Officer.

DISCUSSION

5. On review of the current policy it was identified that the policy position impinged upon the fees and allowances payable to the Mayor in accordance with the *Local Government Act 1995*.
6. The identified problematic clause, being clause 4(c):
Provision of a Mayoral...vehicle will form part of the fees, allowances and other reimbursement ordinarily payable to the Mayor.
7. It is recommended this clause is replaced, in line with advice communicated in the DLG Circular:
Provision of a Mayoral vehicle... will not occur at the reduction of the fees, allowances and reimbursements (other than the travel/mileage claims) otherwise ordinarily payable to the Mayor as approved by Council in accordance with the relevant provisions of the Act.
8. The amended policy position is based on comparable policies from across the local government sector and guidance communicated from the DLG Circular No 9-2011 (attached).

GOVERNMENT & PUBLIC CONSULTATION

9. Department of Local Government, Circular No. 9-2011 and other local government policies reviewed from across the sector.

STATUTORY IMPLICATIONS

10. In accordance with section 2.7 of the *Local Government Act 1995*, Council is responsible for determining local government policies.

POLICY IMPLICATIONS

11. Adoption of this policy will replace the current policy adopted on 11/10/2011.

RISK IDENTIFICATION & MITIGATION

12. The risk identification and categorisation relies on the City’s [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Statutory Non Compliance</i>	<i>Unlikely</i>	<i>Medium</i>	<i>Medium</i>	<i>Adoption of revised and amended policy position, which removes the problematic clause.</i>

FINANCIAL IMPLICATIONS

13. The cost of operating the Mayoral vehicle will no longer be subsidised from the Mayoral Allowance.
14. Fuelling, maintenance, licensing and insurance costs are to be met and undertaken by the City.
15. Reimbursement will be based on actual not forecast private usage.

LEGAL IMPLICATIONS

16. The amended policy is required to ensure legislative compliance.

ALTERNATE OPTIONS

17. Council may chose to review its policy position on the provision of a vehicle; however in the interim it is recommended that the policy is amended to remove the problematic clause.

SUMMARY CONCLUSION

18. Recommend that the amended policy is adopted to ensure compliance with the Department of Local Government Circular No. 9-2011 and the Local Government Act 1995.

Consulted References	:	DLG Circular No 9-2011 .
File Number (Name of Ward)	:	CM.STD.7 (All Wards)
Previous Reference	:	OCM 11/10/2011 Item 1.6

Mayor Wellington declared a financial interest in this item, the nature of the interest being that Mayor Wellington receives the use of the Mayoral vehicle as part of the Mayoral package.

Mayor Wellington left the Chamber and did not participate in the discussion or vote.

CSF041: WARDS AND REPRESENTATION REVIEW

Proponent : City of Albany
Attachments : Nil
Responsible Officer(s): : Executive Director Corporate Services (G Adams)
Manager Governance & Risk Management (S Jamieson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 5. Civic Leadership
 - b. **Strategic Objective:** 5.3. To engage effectively with our community.
 - c. **Strategic Initiatives:** 5.3.2. Increased interaction between councillors and the community.

In Brief:

- Receive a brief historical overview of the City's involvement with Local Government Reform Initiatives and consider initiating a review of City of Albany Wards and Representation

RECOMMENDATION

CSF041: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HORTIN
SECONDED: COUNCILLOR CALLEJA

THAT Council INITIATE the ward and representation review process for the City of Albany.
CARRIED 11-1

Record of Vote

Against the Motion: Councillor Goode

CSF041: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR BOWLES

THAT Council INITIATE the ward and representation review process for the City of Albany.
CARRIED:9-3

CSF041: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council INITIATE the ward and representation review process for the City of Albany.

BACKGROUND

2. Noting recent metropolitan and regional amalgamations, individual members of Council and the community have requested to be advised when the next review will be conducted in regards to the City's wards and representation.
3. The purpose of the report is to provide some background information and advise Council on the options available for consideration.
4. In October 2005, at the request of the then Minister for Local Government and Regional Development, the Local Government Advisory Board commenced an inquiry into Local Government Structural and Electoral Reform in Western Australia.
5. On 19 August 2009, Council resolved:

"THAT Council RECEIVE the Draft City of Albany Structural Reform Report (Version 1 with the following committee recommended amendments (Pages 4 & 5):

City of Albany (at this time) is a sustainable Local Government, which:

- o *retains its current boundaries;*
- o *resolves to conduct a Ward Review with the preferred intention of introducing 4 wards with two Elected Members per ward and a popularly elected Mayor – thereby reducing its Elected Members from 12, plus a popularly elected Mayor, to 8 plus a popularly elected Mayor as of October, 2011;*
- o *works with the Shire of Katanning as a Regional Grouping;*
- o *further develops the 'Regional Cities Alliance' proposal with our partners for high profile projects across WA;*
- o *scopes, introduces and develops its own bespoke business unit to assist service delivery to interested Local Governments, with relevant and required technical and business skills on a fee for service basis; and*
- o *welcomes the opportunity of further discussion on Local Government Reform post this voluntary stage instigated by the Minister.*

Carried En Bloc"

6. On 22 September 2010, the Department of Local Government requested the City of Albany to consider working towards one of the Minister's Key Objectives to initiate an amendment to legislation to change the prescribed number of elected members to between six to nine.
7. On 19 October 2010, Council resolved to reaffirm a previous Council decision to reduce the number of elected members from twelve, plus a popularly elected Mayor, to eight plus a popularly elected Mayor and authorised staff to commence the process of conducting a ward and elected member representation review to ascertain the cause and effect of reducing the existing six wards to four with two elected representatives for each ward and a directly elected Mayor.
8. However, the Local Government Advisory Board (LGAB), advised that they felt that even though Council resolved to reduce the existing six wards and the number of elected representatives, it was considered appropriate that other options should be considered and views from the public be sought.
9. On 14 December 2010, Council endorsed the following options for consideration:
 - a. Option 1. Four wards with two elected representatives for each ward (eight councillors);
 - b. Option 1A. Description: Concentric circles radiating out from the City Centre.
 - c. Option 1B. Description: Corridors radiating out from the City Centre.

- d. Option 2. Eight wards with one elected representative for each ward (eight councillors). Description: Radiating out from City Centre.
- e. Option 3. No wards with eight elected representatives (eight councillors). Description: No Wards.
- f. Option 4. Six wards with two elected representatives for each ward (twelve councillors). Description. No change, basically retaining the current ward structure and representation.
10. Extract from the Minutes of the 14 December 2010 ordinary Council meeting:
*“Moved: Councillor Hammond
Seconded: Councillor Holden*
- *That Council write to the Local Government Advisory Board and request an extension be granted to allow an appropriate amount of time to conduct public consultation.*
 - *That an extension until the 01 March 2011 be requested.*
 - *Council Endorses options for consideration as detailed in the Proposed Ward Distribution Maps and Community Discussion Paper and commence advertisement for public comment.*
 - *That all submissions must be received by 5pm on 8th February 2011.*
- Motion Carried 8-0 Absolute Majority.”*
11. On 22 February 2011, Council decided for the status quo to remain. An extract of the Council resolution follows:
*“Moved: Councillor Wellington
Seconded: Councillor Hammond*
- (i) *Reaffirm Council’s prior decision at the ordinary meeting of Council on 19/10/2010 to reduce the number of elected members from twelve with a popularly elected mayor, to eight with a popularly elected mayor.*
- (ii) *The Local Government to undertake another review of wards and representation in three years time.*

Motion Lost: 3 votes for, 6 votes against.”

DISCUSSION

12. On 22 February 2011, Council resolved to maintain the status quo; however a reason was not included in the resolution and the process was technically abandoned, as the City did not propose to the Board the making of an order.
13. Therefore the last accepted review of ward boundaries was undertaken in 2006 as a statutory requirement under Schedule 2.2 of the Act; which resulted in a reduction of councillors from 14 to 12 and ward from 7 to 6.
14. Schedule 2.2 of the Local Government Act 1995 (the Act), clause 6 provides that a review of Ward Boundaries and the number of councillors of each ward shall be undertaken at least once every eight years.
15. The next scheduled mandatory review will be conducted by default in 2014.
16. In accordance with clause 6 of Schedule 2.2 of the Act, Council has two options available, which will result in the same course of action,:
- a. Option 1. Council can initiate the process; or
 - b. Option 2. Wait to be directed by the Advisory Board, noting that a local government is to carry out a review at any time if the Advisory Board requires the local government in writing to do so.

GOVERNMENT & PUBLIC CONSULTATION

17. Contact was made with the Local Government Advisory Board.
18. Note: The Local Government Advisory Board is a statutory body established under the Local Government Act 1995 (The Act) to provide advice to the Minister for Local Government on local government constitutional matters. It has five members including members nominated by local government and the Department of Local Government & Communities (DLGC).
19. The Board's major function is to assess proposals to change local government boundaries and their systems of representation and then make recommendations to the Minister.
20. Board advised to submit the last review even though the process was technically abandoned; however, advised that it would be appropriate to brief Council on the ward and representation review process, historical actions and the options available.

STATUTORY IMPLICATIONS

21. Under Schedule 2.2 of the Act, local governments with wards must conduct regular reviews of ward boundaries of representation in consultation with their communities.

POLICY IMPLICATIONS

22. There are no policy implications related to this report.

RISK IDENTIFICATION & MITIGATION

23. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Lack of community engagement</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Community consultation is mandatory requirement during the review process.</i>

FINANCIAL IMPLICATIONS

24. The financial implication of administering the review process is minimal as it will be accommodated from within existing budgeted funds and existing staff resources.
25. However, at a future point in time, if Council determines that changes are required to the current ward and representation an extra ordinary election will be required to be conducted.

LEGAL IMPLICATIONS

26. Nil.

ENVIRONMENTAL CONSIDERATIONS

27. There are no direct environmental considerations related to this item.

ALTERNATE OPTIONS

28. Detailed in the discussion section of the report.

SUMMARY CONCLUSION

29. It is recommended that the City of Albany initiate the process.

Consulted References	:	<ul style="list-style-type: none"> • City of Albany Discussion Paper – Review of Wards and Representation 2011. • Minutes of the Special Meeting of Council dated 22 February 2011 • DLGC Guideline: Review of Wards and Representation: for local governments with a ward system and local governments without a ward system guideline dated November 2008. Source: http://dlg.wa.gov.au
File Number (Name of Ward)	:	GO.BOU.1 (All Wards)
Previous References	:	<ul style="list-style-type: none"> • SCM 22/02/2011 • OCM 14/12/2010 Item 4.7 • OCM 19/10/2010 Item 4.10.

CSF042: MT ADELAIDE AND MT CLARENCE PRECINCT MASTER PLAN

Attachments : Mt Adelaide and Mt Clarence Precinct Master Plan
Responsible Officer(s) : Executive Director Corporate Services (G Adams)
Manager Major Projects (A McEwan)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates directly to the following elements of the City of Albany Strategic Community Plan 2023 and Corporate Business Plan 2013-2017:
 - a. **Key Theme:** Smart Prosperous and Growing.
 - b. **Strategic Objective:** 1.3 To develop and promote Albany as a unique and sought-after visitor destination.
 - c. **Strategic Initiative:** 1.3.2 Develop an iconic heritage and tourism precinct that takes in Mount Adelaide, Mount Clarence, Princess Royal Forts and the Anzac Interpretive Centre.



**CSF042: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR CALLEJA
SECONDED: COUNICLLOR SUTTON**

THAT COUNCIL:

1. **NOTE** that City Officers plan to procure specialist consultancy services, that will work with City Officers to develop an integrated Master Plan for Mt Adelaide and Mt Clarence precinct; and
2. **APPROVE** the transfer of \$80,000 from the master planning funding reserve to the Mt Adelaide and Mt Clarence precinct master plan project account.

**CARRIED 12-0
ABSOLUTE MAJORITY**

CSF042: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR SUTTON**

THAT COUNCIL:

1. **NOTE** that City Officers plan to procure specialist consultancy services, that will work with City Officers to develop an integrated Master Plan for Mt Adelaide and Mt Clarence precinct; and
2. **APPROVE** the transfer of \$80,000 from the master planning funding reserve to the Mt Adelaide and Mt Clarence precinct master plan project account.

CARRIED:12-0

CSF042: RESPONSIBLE OFFICER RECOMMENDATION

THAT COUNCIL:

1. **NOTE** that City Officers plan to procure specialist consultancy services, that will work with City Officers to develop an integrated Master Plan for Mt Adelaide and Mt Clarence precinct; and
2. **APPROVE** the transfer of \$80,000 from the master planning funding reserve to the Mt Adelaide and Mt Clarence precinct master plan project account.

BACKGROUND

2. Mt Adelaide and Mt Clarence (Mounts) and surrounding environs comprise a wealth of historic, contemporary, cultural and commemorative and natural assets that provide a substantial base on which a wide range of functions and programs can be based.
3. Currently there is a significant amount of work being done on the Mounts, with Mt Clarence infrastructure upgrade and Anzac Interpretive Centre, located at Princess Royal Fortress, which will raise the Albany's profile on a national level and in conjunction with Anzac Centenary events being planned between 2014-2018, there is potential for international exposure.
4. By November 2014, critical infrastructure will be in place and ready to be leveraged, so there is a sense of urgency around this work.
5. Mt Adelaide and Mt Clarence environs are a unique asset which should be integrated into an overall master plan to be marketed as a unique Albany experience.
6. Currently there exists a comprehensive amount of relevant reports and documentation, together with the business case that is being finalised for the Anzac Interpretive Centre. This work will need to be considered in context.
7. Reports previously undertaken include:
 - May 2006, *City Mounts Management Plan* Mount Melville, Mount Clarence, Mount Adelaide, Bluff Rock, Council Management Plan
 - 2002, *Princess Royal Fortress Albany Conservation Plan*, Council Management Plan
 - 2008, *Princess Royal Fortress Strategic Plan 2008-2013* Council Strategy
 - Jan 2009, *Princess Royal Fortress Council Business Plan*
 - Nov 2011, *Princess Royal Fortress Military Museum Interpretive Signage Design Report*, Stage 2, AECOM
 - *Mt Clarence Landscape and Interpretation Signage Design Report*, AECOM, Oct 2011
 - Nov 2004, *Princess Royal Fortress Albany Interpretation Plan*, Paul Bridges & Jenny Moroney
8. In conjunction, the City is also undertaking a comprehensive trail hub strategy and cycle strategy which will help connect key precincts within Albany.

DISCUSSION

9. The purpose of a comprehensive master plan will be to link all of the Mounts' assets and attractions, outline a framework to guide future development and investment and to conserve, enhance and develop the Mounts environs for future generations.
10. The challenge will be to establish a strategic approach to achieve:
 - long term vision and strategic objectives for the Precinct
 - integrated master plan (staged)
 - market identity and branding strategy
 - prioritised implementation and asset management plan
 - strong governance framework
 - community ownership and place activation

11. The strategic objectives, future directions and strategies of the master plan will include:
- Anzac Heritage: enhance and promote Albany's role in the Anzac story and the significance of the natural setting and views.
 - Cultural Heritage: conserve, enhance and promote the Aboriginal, colonial, military and contemporary cultural heritage of the site.
 - Biodiversity: conserve and enhance any native biological diversity of the site.
 - Interpretation and Education; enhance and promote understanding and conservation of natural and cultural heritage and diversity of the site.
 - Buildings, Facilities and Infrastructure: assess, maintain, enhance and utilise existing built assets and carefully plan new services and infrastructure.
 - Landscape and Amenity: conserve and enhance the natural environment, landscape features, public art and amenity of the site.
 - Land Management: adopt sustainable and adaptive manage practices to conserve and enhance biological diversity and enhance visitor experience.
 - Active and Passive Recreation: provide, improve and promote active and passive recreational services and facilities on the site, particularly walking, running and cycling.
 - Tourism and Visitation: build the brand, provide, improve and promote tourism services and facilities on the site with aim of enhancing visitor experience and repeat visitation.
 - Trails and Linkages: improve, promote and consolidate a hierarchy of trails and paths throughout the site and link with surrounding precincts.
 - Community Ownership and Place Activation: provide and enhance a diverse range of community activities and programmes to activate the site, nurture community pride and ownership, volunteers involvement and generate business.
 - Research and Learning: undertake and promote research and investigation into matters related to the care, control and management of the site and to biodiversity conservation.
 - Collections and Displays: conserve, develop, enhance, manage, display and undertake research into existing collections.
 - Safe and Secure Environment: maintain, promote further improvement in public safety, protection of public assets, conservation of cultural heritage and biodiversity.
 - Asset Management: infrastructure and services, roads and paths, trails and walks, drainage and water treatment, heritage elements, fire management, weed control, vegetation protection and enhancement, feral and domestic animal control, solid waste management, signage and public elements.
12. An integrated master plan will also build a strong, identifiable brand, to:
- Build the business, establish and drive the vision and strategies (4th extraordinary WA).
 - Ensure the site is recognised nationally from a heritage and cultural significance perspective.
 - Raise national profile, increase revenue and visitation.
 - Attract sponsorship, corporate liaison.
 - Establish site asset management partnerships & contractual agreements.
 - Market promotions and implementation.
 - Build retail and merchandising.

SUMMARY CONCLUSION

30. Mt Adelaide and Mt Clarence (Mounts) and surrounding environs comprise a wealth of historic, contemporary, cultural and commemorative and natural assets that provide a substantial base on which a wide range of functions and programs can be based.
31. Mt Adelaide and Mt Clarence environs are a unique asset which should be integrated into an overall master plan to be marketed as a unique Albany experience.
32. The master plan will establish a strategic approach to achieve:
 - long term vision and strategic objectives for the Precinct
 - market identity and branding strategy
 - prioritised implementation and asset management plan
 - strong governance framework
 - community ownership and place activation
33. Currently there is a significant amount of work being done on the Mounts, with Mt Clarence infrastructure upgrade and Anzac Interpretive Centre, located at Princess Royal Fortress, which will raise the Albany's profile on a national level and in conjunction with Anzac Centenary events being planned between 2014-2018, there is potential for international exposure.
34. By November 2014, critical infrastructure will be in place and ready to be leveraged, so there is a sense of urgency around this work.
35. Currently there exists a comprehensive amount of relevant reports and documentation, together with the business case that is being finalised for the Anzac Interpretive Centre. This work will need to be considered in context.
36. The purpose of a comprehensive master plan will be to link all of the Mounts' assets and attractions, outline a framework to guide future development and investment and to conserve, enhance and develop the Mounts environs for future generations.
37. Without such a plan it will be difficult to attract future Commonwealth and State funding.

Consulted References	<i>Local Government Act 1995 (the Act)</i> <i>Council Plan: City Mounts Management Plan May 2006</i>
File Number (Name of Ward)	<ul style="list-style-type: none"> • EM.PLA.4 Environmental Management Planning – City Mounts Management • STR173 Strategic Management Planning Project – City Mounts Management Plan • GR.STL.59 Government Relations – ANZAC Interpretive Centre
Previous Reference	OCM 15/05/2012 Item 1.3 – City of Albany Participation in ANZAC Centenary Events and Associated Infrastructure Construction OCM 16/07/2013 – Annual Financial Budget

CSF043: MIDDLETON BEACH – ARTIFICIAL SURF REEF FEASIBILITY

Land Description : Coastal regions Middleton Beach to Emu Point Inclusive
Attachments : Middleton Beach Artificial Surf Reef Summary Memo (PRDW)
Councillor Workstation : Documents referred to in the report placed in the Councillor Workstation.
Responsible Officer(s): : Executive Director Corporate Services (G Adams)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 2. Clean, Green and Sustainable
 - b. **Strategic Objective:** 2.1 To protect and enhance our natural environment.
 - c. **Strategic Initiative:** 2.1.2 Erosion protection and adaption

Maps and Diagrams: (Detailed in the attached report)

In Brief:

- A feasibility report has been prepared and is attached for information.
- Council is requested to consider its position on the project.

**CSF043: ALTERNATE MOTION BY COUNCILLOR GOODE
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR GOODE
SECONDED: COUNCILLOR WILLIAMS**

THAT Council give no further consideration to the Middleton Beach Artificial Surf Reef Feasibility Project.

LOST 4-8

Record of Vote

For the Motion: Councillors Williams, Goode, Gregson and Price

As per the Officer's Report, caution needs to be exercised in moving forward with a project of this nature.

There has been identified a need for considerably more studies to explore cause and effect and the overall impact on the coastal system of this project.

Further studies and implementation costs are extremely difficult to quantify, could take up to two years and cost in excess of \$100,000.

With several major events occurring in the immediate future, limited staff time could be better utilised working on these projects.

Officer's Comment (Executive Director Corporate Services):

The intent of the Committee Recommendation was to separate the issue of the Middleton Beach Artificial Surfing Reef from the Emu Point coastal erosion solution and ensure that any allocation for further studies was discussed as part of the 2014/15 budget deliberations.

At this stage City staff are not in a position to provide an estimate of the costs of further studies due to the fact that further wave data and offshore metocean data is required. There are various options available for obtaining this data and it may be possible to obtain some already existing data. This information will be required to properly inform budget deliberations, progression of detailed design, sourcing funding and obtaining any necessary approvals.

If this alternate motion is successful, then no further information will be sought by staff and the Artificial Surfing Reef will not form part of budget discussions for 2014/15.

RECOMMENDATION

**CSF043: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY**

**MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR DOWLING**

THAT Council:

- **NOTE** the report prepared by **Prestedge Retief Dresner Wijnberg Australia Pty Ltd;** and
- **CONSIDER** funding more detailed scoping studies as part of the 2014/2015 budget deliberations.

CARRIED 9-3

Record of Vote

Against the Motion: Councillors Goode, Gregson and Williams

CSF043: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR STOCKS
SECONDED: COUNCILLOR CALLEJA**

THAT Council:

- **NOTE** the report prepared by *Prestedge Retief Dresner Wijnberg Australia Pty Ltd;* and
- **CONSIDER** funding more detailed feasibility studies as part of the 2014/2015 budget deliberations.

CARRIED 9-3

CSF043: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council:

- NOTE the report prepared by *Prestedge Retief Dresner Wijnberg Australia Pty Ltd*; and
- CONSIDER funding more detailed feasibility studies as part of the 2014/2015 budget deliberations.

BACKGROUND

2. At the Ordinary Council Meeting on the 16th April 2013 Council resolved:
“THAT the CEO be instructed to prepare a report, with projected costings, on the possibility of providing an artificial surfing reef off Middleton Beach.”
3. In response City staff commissioned *“Prestedge Retief Dresner Wijnberg Australia Pty Ltd (PRDW)* to prepare a feasibility report in respect to establishing an artificial surf reef at Middleton Beach near the Albany Surf Life Saving Club.
4. City staff engaged a consultant who had already undertaken a significant body of work for the City, in respect to coastal protection strategies for shore line located at and between Emu Point and Middleton Beach.
5. To ensure the feasibility report was not distracted from other proposed coastal management strategies, the concept was addressed in isolation.

DISCUSSION

6. Caution needs to be exercised in moving forward with a project of this nature. The quantum and quality of data currently available to the City is not considered sufficient to guarantee a successful project outcome.
7. Based on the report, Staff feel that additional detailed scientific studies (more data needs to be collected and modelled, to explore cause and effect) to have confidence in achieving a successful outcome in the long term.
8. It is felt that consideration must be given to overall impacts on the coastal system and any effects a project of this nature may have regarding coastal systems in general.
9. The overall response is that an artificial surf reef is feasible.

GOVERNMENT & PUBLIC CONSULTATION

10. In general the consultation has included:
 - a. Local surfers;
 - b. Albany Port Authority;
 - c. Great Southern Development Commission;
 - d. Department of Transport;
 - e. Department of Parks and Wildlife(formally titled the Department of Environment and Conservation); and
 - f. Interested City of Albany Councillors.
11. Historic Consultation. In addition to the recent consultation (as above), various correspondence dating back to 1999 and minutes from a key stakeholders meeting held in June 2008 was considered and is detailed in the report.

SUMMARY CONCLUSION

25. Construction of an artificial surf reef at Middleton Beach to improve wave quality is feasible however it is qualified that there is insufficient data and modelling work done to have any indication of the success of any works.
26. At this stage, there are no agencies who have expressed any interest in funding such a project. To attract funding, there would need to be more work done in order to have confidence in the projects success and potential cost benefit.
27. It is recommended that Council clarify its position on the project moving forward.

Consulted References	:	<ul style="list-style-type: none">• PRDW Memo – Middleton Beach Artificial Surf Reef Summary• A key previous body of work is a feasibility study into an artificial surfing reef at Middleton Beach by ICM (dated Dec 2003).
File Number (Name of Ward)	:	(Frederickstown)(Breaksea) Wards
Previous Reference	:	OCM 16/4/13 Item 17.1

WS017: ALBANY CITY CENTRE: PARKING STRATEGY

Land Description : Albany City Centre (Central Business District)
Attachments : Draft Albany City Centre: Parking Strategy
Responsible Officer(s): : Executive Director Works and Services (M Thomson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 3. A connected built environment.
 - b. **Strategic Objective:** 3.1. To advocate, plan and build friendly and connected communities.
 - c. **Strategic Initiative:** 3.1.2. Parking and Traffic Modelling.

In Brief:

- Adoption of the Draft Albany City Centre Parking Strategy will guide parking initiatives over the next four years.

RECOMMENDATION

WS017: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR HORTIN
SECONDED: COUNCILLOR GREGSON

THAT Council ADOPT the Albany City Centre Parking Strategy.

CARRIED 12-0

WS017: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR DOWLING

THAT Council ADOPT the Albany City Centre Parking Strategy.

CARRIED 5-0

WS017: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council ADOPT the Albany City Centre Parking Strategy.

BACKGROUND

2. At the Ordinary Meeting of Council in August 2013, the City of Albany adopted the Albany Central Business District (CBD) Parking Scheme Plan.
3. The adoption of this plan and its subsequent implementation is a first stage in more strategic approach to dealing with parking issues in the Albany City Centre.
4. The Draft Albany City Centre: Parking Strategy has been prepared concurrently, utilising internal resources and with reference to work previously undertaken by the City.

DISCUSSION

5. The parking strategy pulls together previous work dating back to 1997 undertaken by the then Town of Albany and more recent work with the Central Area Master Plan in 2010.
6. Over the years, the City has implemented various streetscape enhancement activities which has resulting in a nominal increase in parking capacity.
7. However, parking space in peak period still remains an issue with areas of the City Centre having a lack of available space.
8. The strategy identifies that while premium parking space has its limitations, there is significant space at the rear of existing commercial premises which is poorly utilised.
9. City staff will need to engage with business and land owners with a view to consolidating these spaces and having mutually beneficial agreements in place.

GOVERNMENT & PUBLIC CONSULTATION

10. The strategy has been prepared referencing documents which underwent significant consultation at the time.
11. The implementation of the strategy will require consultation with business owners and the general community on an ongoing basis.
12. Consultation with business and landowners will commence in priority areas once the strategy is adopted.
13. Consultation will be conducted in accordance with current City guidelines and in line with the strategy.

STATUTORY IMPLICATIONS

14. Nil

POLICY IMPLICATIONS

15. There are no direct policy implications related to this item.

RISK IDENTIFICATION & MITIGATION

16. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Inadequate parking space in the Albany City Centre</i>	<i>Likely</i>	<i>Medium</i>	<i>Low</i>	<i>Adoption and timely implementation of the Parking Strategy.</i>
<i>Lack of community engagement</i>	<i>Possible</i>	<i>Medium</i>	<i>Low</i>	<i>Community consultation to be appropriately targeted and be in accordance with City guidelines.</i>

FINANCIAL IMPLICATIONS

17. In terms of the high priority actions of the strategy there are no immediate financial outcomes.
18. Should initial consultation result in being able to remove impediments to traffic movement in some areas behind commercial premises, then some quick outcomes may be achievable through improved line marking, kerb removal, bitumen patching and improved signage. Estimated cost in the order of \$15,000. Should this be required then a report will be presented to Council seeking the funds and justifying the expense.
19. The City has not budgeted to outsource any precinct planning for the Albany City Centre; although some work is being progressed in house. Survey work is being undertaken for Zone I (refer attached strategy) which allows further more detailed design to progress.
20. Should the City progress to physical parking improvements, appropriate budget allocations would need to be made and funding sources identified.

LEGAL IMPLICATIONS

21. Nil

ENVIRONMENTAL CONSIDERATIONS

22. There are no immediate environmental issues associated with item. Should physical works progress which would involve drainage works, City staff will consider options to incorporate Water Sensitive Urban Design 'WSUD' in order to manage hydrocarbon contamination within the drainage system.

ALTERNATE OPTIONS

23. Council does not adopt the strategy and the status quo is maintained.

SUMMARY CONCLUSION

24. The City Centre has had ongoing parking issues for some years.
25. The adoption of the Parking Strategy seeks to guide the City in future parking initiatives and give City staff authority to commence discussions with business and/or landowners with a view to consolidating parking spaces.

Consulted References	:	Nil
File Number (Name of Ward)	:	N/A
Previous Reference	:	Nil

**WS018: CONTRACT C13020 - HANRAHAN STAGE 3A LEACHATE
MANAGEMENT WORKS**

Land Description : Lot 1135 Cuming Rd (off Hanrahan Rd)
Lot 2 198 Hanrahan Rd
Proponent : City of Albany
Owner : City of Albany
Business Entity Name : Hanrahan Landfill Site
Councillor Workstation : Nil
Responsible Officer(s) : Executive Director Works and Services (M Thomson)

Responsible Officer Signature



STRATEGIC IMPLICATIONS

1. This item directly relates to the following elements of the City of Albany Strategic Community Plan 2013 and Corporate Business Plan 2013-2017:
 - a. **Key Theme:** 2. Clean, Green and Sustainable
 - b. **Strategic Objectives:** 2.3 To advocate for and support “green” initiatives within our region
 - c. **Strategic Initiative:** 2.3.1 Waste Management

Maps and Diagrams:



In Brief:

- Tender award for construction of Stage 3A of the leachate drainage management system for the Hanrahan Landfill Site;
- One complying tender with Great Southern Sands the recommended contractor;
- Works scheduled for completion by end of April 2014.

RECOMMENDATION

**WS018: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR SUTTON**

THAT Council AWARD the for C13020 Hanrahan Stage 3A Leachate Management Work to Great Southern Sands, subject to approvals.

**CARRIED 12-0
ABSOLUTE MAJORITY**

WS018: COMMITTEE RECOMMENDATION

**MOVED: COUNCILLOR BOWLES
SECONDED: COUNCILLOR GREGSON**

THAT Council AWARD the for C13020 Hanrahan Stage 3A Leachate Management Work to Great Southern Sands, subject to approvals.

CARRIED 5 -0

**WS018: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

THAT Council AWARD the for C13020 Hanrahan Stage 3A Leachate Management Work to Great Southern Sands, subject to approvals.

BACKGROUND

2. The Department of Environmental Regulation (DER) has directed the City of Albany as a condition of its licence for the Hanrahan Landfill Site to achieve the outcome of no leachate discharge from the premises.
3. In May 2013 Stages 1 & 2 of the leachate management works were successfully completed with leachate levels substantially reduced.
4. This tender is for Stage 3A of the project. The final stage 3B works are scheduled for the 2014/15 financial year.
5. Design, specification and contract documentation has been prepared by external consultants to the stage of "Issue for Tender". The tender was from 4 September 2013 to 2 October 2013.
6. The City of Albany will act in the role of superintendent for the project.

SUMMARY CONCLUSION

26. Only one tender submission was received for this contract.
27. On reviewing the submission, the evaluation team assessed Great Southern Sands as being a suitable tenderer across the evaluation criteria in terms of cost, demonstrated understanding, key personnel (skills & experience) and relevant experience. Great Southern Sands are recommended to be awarded the Hanrahan Stage 3A Leachate Management Works contract.

Consulted References	:	Not Applicable
File Number (Name of Ward)	:	All Wards
Previous Reference	:	OCM 21/04/2009 Item 13.1.1

WS019: NAME CHANGE - MCGONNELL PARK

Land Description : McGonnell Park – Reserve Number 33006
Proponent : City of Albany
Owner : Crown land – management order City of Albany
Attachments : ICR13113431
W.3/7 Shire of Albany correspondence
Pg 1616 from Government Gazette, WA, 27 May 1983
Responsible Officer(s): : Executive Director Works & Services (M Thomson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 2. Clean, Green and Sustainable.
 - b. **Strategic Objective:** 2.1. To protect and enhance our natural environment.
 - c. **Strategic Initiative:** 2.1.1. Reserves Management.

Maps and Diagrams:



SUMMARY CONCLUSION

16. Members of Mr McGonnell's family have requested a change to the name of McGonnell Park in Bayonet Head to include the word 'memorial'. The family is seeking this change as they believe the park is the best place to honour and reflect on a man that gave so much to his community and has no grave.

Consulted References	:	Landgate Geographic Names Committee Policies and Standards for Geographical Naming in WA
File Number (Name of Ward)	:	CU.PRA.107 (Yakamia ward)
Previous Reference	:	N/A

WS020: RESPONSIBLE OFFICER RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council NOTE the status of the Environmental Action Plan and that a review of the City of Albany Environmental Policy and Action Plan is pending.

BACKGROUND

- 2. At the September 2013 Works and Services Committee meeting, the following recommendation was carried -
- 3. "THAT a report be presented to the Works and Services Committee addressing the feasibility of appointing an Environmental Sustainability Officer. The report shall detail possible means of funding such an appointment and the timelines with respect to implementation of the relevant strategic initiative set out in the Corporate Business Plan (item 2.2.3)."

DISCUSSION

- 4. Between February 2010 and April 2011, the City engaged a part time officer to assist with the collection and collation of various data for a Climate Change project. Data was collected relating to the City's use of water, waste, fleet/travel options, power, energy audit of City buildings, and smaller eco friendly projects such as the introduction of office recycling bins, etc.
- 5. From this review, an Environmental Policy and Action Plan were adopted in late 2010. Three major areas were identified as the focus for assessment - climate and energy, water campaign and waste.
- 6. Work had commenced on the Environmental Action Plan key actions as per below –

Key Actions	Status
1. Review all Council Policies to ensure sustainability issues are addressed.	Commenced.
2. Electricity - complete audits of building infrastructure to establish immediate savings.	Action pending.
3. Undertake a financial analysis of medium to long term options for budget consideration – basic audits completed on North Rd Administration, VAC, Day Care Centre, Depot, Airport, Library, Town Hall, Visitors Centre. ALAC audit commissioned.	Action pending. Basic audits have been completed. Require review.
4. Water – continue with initiatives and commitments as part of Water Wise and ICLEI water campaigns, including water audits of COA operations, targeted water use reductions and staff awareness and training - Water use at	Action pending. Data collated however further review is required.

selected City buildings (sourced from ICLEI milestone one inventory) assessed, with recommendations.	
5. Fleet / Transport – complete fleet management strategy with carbon reduction targets being an inherent component.	New fleet management guidelines have been implemented with strategies to reduce carbon footprint. This item is considered actioned.
6. Carbon Offsetting – Complete a street tree management plan with established targets for carbon offsetting.	Street tree management practises will be further reviewed with a view to establishing a planting regime.

Key Actions	Status
7. Energy Auditing and Targeted Reductions – Undertake feasibility studies on significant initiatives and implement minor actions that can be readily implemented	Some auditing is completed, requires review and identification of additional audits. Further action pending.
8. Air conditioning – investigate the efficiency of existing air conditioning systems to establish where savings can be achieved.	Action pending.
9. Human Behaviour – participate in the ‘days of change’ programme or similar and target savings through education and promotion.	Minor office projects introduced. Action item to be reviewed.
10. Planning and Development – continue to promote sustainable development in alignment with WAPC initiatives and the ‘Liveable Neighbourhoods’ document.	This is actioned in respect to energy efficiency guidelines embedded into planning processes. To be further addressed in a review of the action plan.
11. Waste Management – continue the implementation of local Strategic Waste Management Plan and the regional Waste Minimization Strategy including compliance with the Waste Authorities ‘Waste Strategy for Western Australia Draft 2.’ Including working toward the establishment and commissioning of a regional site by 2015.	Strategic Waste Management Plan adopted, identifying issues which will offset carbon footprint at implementation phase.
12. Community and Regional Planning and Cooperation – Set up a Climate Change Advisory Committee, or meet with South Coast Management Group to enable discussion and planning of regional issues.	Programme initiated. Action to be reviewed.

WS021: FINANCIAL EXPENDITURE AND WORKS PROGRESS REPORTING

Proponent : City of Albany
Attachments : Works and Services Capital Works Progress Report
(2 attachments).
Responsible Officer(s): : Executive Director Works & Services (M Thomson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 2. Clean, Green and Sustainable.
 - b. **Strategic Objective:** 2.2. To maintain and renew city assets in a sustainable manner.
 - c. **Strategic Initiative:** 2.2.2. Project Reporting.

In Brief:

- Improved Capital Works Project reporting is a strategic initiative committed to by the Works and Services directorate.
- The report as at October 31, 2013 is attached.

RECOMMENDATION

WS021: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR HORTIN

THAT Council NOTE the Works and Services Capital Works Progress Report.

CARRIED 12-0

WS021: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR BOWLES

THAT Council NOTE the Works and Services Capital Works Progress Report.

CARRIED 5-0

FINANCIAL IMPLICATIONS

8. The reporting will highlight budget variances early on resulting in issues being dealt with in a timely manner.

LEGAL IMPLICATIONS

9. Not applicable

ENVIRONMENTAL CONSIDERATIONS

10. Not applicable

ALTERNATE OPTIONS

11. Not applicable.

SUMMARY CONCLUSION

12. The attached Earned Value reporting documentation reflects the variances of cost and time most effectively and will ensure that Council is apprised of the progress of works at all times.

Consulted References	:	Not applicable
File Number (Name of Ward)	:	Not applicable
Previous Reference	:	Not applicable

WS022: C13025 - BARNESBY DRIVE CULVERT UPGRADE

Land Description : C13025 - Barnesby Drive Culvert Upgrade
Proponent : City of Albany
Owner : City of Albany
Responsible Officer(s) : Executive Director Works & Services (M. Thomson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 2. Clean Green & Sustainable.
 - b. **Strategic Objective:** 2.2. To maintain and renew City assets in a sustainable manner.
 - c. **Strategic Initiative:** 2.2.1. Asset management.

Maps and Diagrams:



In Brief:

- Award tender for upgrade of the Barnesby Drive Culvert Drainage project
- Five compliant tenders were received with Armogedin Pty Ltd trading as Great Southern Sand and Landscape Supplies being the recommended contractor.
- Construction is scheduled for completion by 11 April 2014.

RECOMMENDATION

WS022: RESOLUTION
VOTING REQUIREMENT: ABSOLUTE MAJORITY

MOVED: COUNCILLOR GREGSON
SECONDED: COUNCILLOR BOWLES

THAT Council ACCEPT the tender from Armogedin Pty Ltd trading as Great Southern Sand and Landscape Supplies and AWARD Contract C13025 - Barnesby Drive Culvert Upgrade.

CARRIED 12-0
ABSOLUTE MAJORITY

BACKGROUND

2. The project is to construct a set of triple reinforced concrete box culverts that will replace a failing pipe culvert currently conveying Yakamia Creek through two private commercial properties and the adjoining road reserve. The completed project will integrate with existing North Road culverts
3. Design and specification documentation was prepared by external consultants to the stage of "Issue for Tender". The tender was advertised from 24 October 2013 to 12 November 2013.
4. The City of Albany will act in the role of Principal with an external consulting Engineer being employed in the role of Superintendent for the project.

DISCUSSION

5. A total of 22 tender documents were issued by the City of Albany
6. Five completed tender documents were submitted on or before the stipulated closing date and time.
7. The tenders were evaluated using the weighted attributes methodology. This method scores the evaluation criteria and weights their importance to determine an overall points score for each tender. The criteria are tabled below:

Criteria	% Weighting
Cost	20%
Relevant Experience	20%
Key Personnel & Experience	20%
Tenderer's Resources	20%
Demonstrated Understanding	20%
Total	100%

8. The following table summarises the tenders and overall evaluation scores applicable to each submission:

Tenderer	Total Evaluation Score
Great Southern Sand	674.73
Palmer Earthmoving	659.29
Neo Infrastructure	705.05*
HAS Group	593.33
NJ Healy & Sons	286.67

9. The CLGF funding agreement requires the City to have this project completed by May 2014, with construction finalised in March 2014.
10. * The submission from Neo Infrastructure exceeded the project budget.

GOVERNMENT & PUBLIC CONSULTATION

11. All relevant Government departments including, Department of Indigenous Affairs and SWALSC have been consulted on the project.
12. A request for tender was published in the *West Australian* on 23 October 2013 and the *Great Southern Weekender* on 24 October 2013.

LEGAL IMPLICATIONS

21. There are no legal implications associated with this item.

ENVIRONMENTAL CONSIDERATIONS

22. Design criteria addressed 'best practice' considerations in regard to minimizing flooding risks associated with Yakamia Creek and minimize pollution risks associated with reducing hydrocarbon accident risks associated with the adjoining Caltex service station and public safety around open channels in commercial precincts.

ALTERNATE OPTIONS

23. Council can accept or reject tenders as submitted.

SUMMARY CONCLUSION

24. On reviewing the submissions, the evaluation team assessed Great Southern Sands as being the most advantageous tenderer across the evaluation criteria in terms of cost, demonstrated understanding, key personnel (skills & experience) and relevant experience. Great Southern Sands is recommended to be awarded the Barnesby Drive Culvert Upgrade project.

Consulted References	:	Local Government (Functions and General) Regulations 1995 Council Policy – Purchasing Council Policy – Buy Local (Regional Price Preference)
File Number (Name of Ward)	:	C13025
Previous Reference	:	Not applicable

PD012: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council resolves to ISSUE a Notice of Planning Scheme Consent for Tavern at 18 Adelaide Crescent, Middleton Beach subject to the following conditions:

- 1) Prior to occupancy of the use, unless varied by a condition of approval or a minor amendment to the satisfaction of the City of Albany, all development shall occur and be maintained in accordance with the stamped approved plans
- 2) The tavern is limited to the private property (being the building and verandah facing Adelaide Crescent). It does not include the alfresco areas on public land.
- 3) The maximum number of patrons permitted onsite at any one time shall not exceed eighty (80) people.
- 4) Prior to occupancy of the extended floor space, a cash in lieu contribution for four (4) car parking bays (in accordance with Council Policy) shall be paid to the City of Albany.
- 5) The premises shall not be open to the public other than between the hours of 10:00am to 11:00pm Monday to Saturday and 10:00am to 10:00pm Sundays and Public Holidays, unless otherwise agreed in writing by or on behalf of the Council.
- 6) Prior to occupancy of the extended floor space, an appropriately fire-rated permanent partition shall be installed between the tavern and remaining shop units.
- 7) Line marking works for the five (5) car parking bays on Adelaide Crescent and the “No Standing” line on the plans approved pursuant to Condition A1 of Planning Scheme Consent P2105183 must be completed prior to occupancy of use of the extended floor space.
- 8) All work is to be in accordance with the City of Albany’s Subdivision and Development Guidelines.
- 9) The proposed development is to comply with any details and/or amendments marked in red as shown on the approved plan.
- 10) No signs are to be erected on the lot without the approval of the City of Albany, in accordance with the City of Albany’s Sign Bylaws.
- 11) Prior to the occupancy of the additional floor space, male and female toilets to be provided in accordance with the Health and Building regulations.

41. A further letter of support was received, but this was qualified support dependant on maintaining the current trading hours and conditions. Also the bottle store remaining with Bay Merchants. This should be viewed as an objection to the requested extension of hours of operation
42. Two explicit letters of objection were received in response to the consultation. In summary, the issues and concerns raised in the objections are:
- The Middleton Beach area is already adequately serviced by licensed premises.
 - This proposal is contrary to the plans/vision for the area.
 - Undermines competitor's plans for investment and development, so will be detrimental to the area.
 - The operator's do not adhere to their restrictions and it took a long time for them to comply with aspects they should have done before opening, such as parking.
 - The extra space is to hold functions, but there are other function venues in the vicinity that people can already use. This is detrimental to existing local businesses.
 - The liquor licence change of bottle shop from Bay Merchants to allow RATS takeaway sales is not in the public interest.
 - They are already opening beyond 9:30pm, so are not adhering to their current hours.
 - The extension is not necessary, as they have not reached their current capacity limit.
 - The previous application stated they would not have amplified music, but they have.
 - Will they next want to expand into Bay Merchants if they cannot sell it?
43. The matters raised in the objections are discussed and addressed in the preceding discussion section above in this report.

STATUTORY IMPLICATIONS

44. Section 73 (1) of the *Planning and Development Act 2005* states that 'A local planning scheme is to – (b) specify the local government to be responsible for enforcing the observance of the scheme, and for the execution of any works which, under the scheme or this Act, are to be executed by a local government.'
45. Clause 1.5 of the City of Albany Town Planning Scheme 1A specifies the Responsible Authority as 'The Authority responsible for enforcing the observance of the Scheme is the Council of the Town of Albany (hereinafter called "the Council"). A note on the cover page of the Scheme states 'On 1/7/98 Shire of Albany and Town of Albany was amalgamated to form "City of Albany"'. Therefore, the City of Albany is responsible for the administration and observance of Town Planning Scheme 1A.
46. Clause 7.8A of the City of Albany Town Planning Scheme 1A specifies the Matters to be Considered by Council and states:
- The Council in considering an application for planning consent is to have due regard to such of the following matters as are in the opinion of the Council relevant to the use or development the subject of the application:*
- (a) the aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme Area;*

SUMMARY CONCLUSION

- 58. The application seeks to use two small shop units facing Marine Terrace for extended floor space for Albany RATS Bar. This equates to an additional 26m² of public area raising the patron capacity to 80 people and requiring the provision of a further 4 car parking bays.
- 59. The application also seeks an alteration to the hours of operation for the existing premises to operate until 11pm (10pm on Sundays).
- 60. The proposal has been advertised as required, with six responses received. One response was no comment, two responses were strongly supportive, two responses were objecting and a further one response was a qualified support for the overall use, but with objection to any change in hours of operation.
- 61. Much of the content of the objections relate to competing business interests and are not planning considerations. City staff have assessed the proposal against the planning requirements and considered the objections raised in coming to a recommendation.
- 62. City staff are of the opinion the proposal can be supported and recommend approval subject to the suggested conditions.

Consulted References	:	City of Albany Town Planning Scheme 1A.
File Number (Name of Ward)	:	A133891 (Frederickstown Ward)
Previous Reference	:	OCM 16/11/2010 Item 1.1

SUMMARY CONCLUSION

24. The POS Policy has been drafted and includes supply analysis, demand analysis and a set of POS provisions for the purpose of receiving government and community input.
25. The work done to-date is the result of extensive research of state legislation and other local government strategy and policy documents. Consultation was undertaken with internal staff, the Department of Sport and Recreation, the Department of Planning and the Department of Water.
26. It is recommended that Council adopt the draft POS Policy for the purposes of advertising.

Consulted References	:	Local Planning Scheme 1A and 3 Policy Manual
File Number (Name of Ward)	:	City of Albany
Previous Reference	:	OCM 19/04/11 - Item 1.1 (Adoption of Final version of Policy Manual).

PD014: KEEPING AND WELFARE OF CATS LOCAL LAW 2008

Proponent : City of Albany
Attachments : Comparison between Keeping and Welfare of Cats Local Law 2008 (Principal), Proposed Amendment Local Law 2013 and Legislation.
Responsible Officer(s): : Executive Director Planning and Development Services (D Putland)

Responsible Officer Signature:

STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 5. Civic Leadership.
 - b. Strategic Objectives:
 - 5.1. To establish and maintain sound business and governance structures.
 - 5.3 To engage effectively with our community.
 - c. Strategic Initiative: Nil

In Brief:

- Consider repeal of the Keeping and Welfare of Cats Local Law 2008.
- Purpose & Effect of Proposed Repeal Local Law:

Purpose: The purpose of this local law is to repeal the Keeping and Welfare of Cats Local Law 2008.

Effect: The local law will be repealed. The City of Albany will administer the management of Cats in accordance with the Cat Act 2011 and as prescribed by the Cat Regulations 2012.

RECOMMENDATION

**PD014: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: ABSOLUTE MAJORITY**

**MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR GREGSON**

1. That Council in accordance with section 3.12 of the *Local Government Act 1995*, resolves to **MAKE** the City of Albany Repeal Local Law 2013, as set out below:

Keeping and Welfare of Cats Repeal Local Law 2013

PART 1 – PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Albany Keeping and Welfare of Cats Repeal Local Law 2013*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

PART 2 – REPEAL

2.1 Repeal

The *Keeping and Welfare of Cats Local Law 2008* as published in the *Government Gazette* on 9 June 2009 is repealed.

Dated [Insert] day of [Insert] 2013

The Common Seal of the City of Albany was affixed by the authority of a resolution of the Council in the presence of:

DENNIS WELLINGTON, Mayor
GRAHAM FOSTER, Chief Executive Officer

2. **APPROVES** giving notice through the placement of a state-wide public notice of the proposed City of Albany Repeal Local Law 2013, in order to seek public comment.

**CARRIED 12-0
ABSOLUTE MAJORITY**

PD014: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR HAMMOND

SECONDED: COUNCILLOR GREGSON

1. That Council in accordance with section 3.12 of the *Local Government Act 1995*, resolves to MAKE the City of Albany Repeal Local Law 2013, as set out below:

Keeping and Welfare of Cats Repeal Local Law 2013

PART 1 – PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Albany Keeping and Welfare of Cats Repeal Local Law 2013*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

PART 2 – REPEAL

2.1 Repeal

The *Keeping and Welfare of Cats Local Law 2008* as published in the *Government Gazette* on 9 June 2009 is repealed.

Dated [Insert] day of [Insert] 2013

The Common Seal of the City of Albany was affixed by the authority of a resolution of the Council in the presence of:

DENNIS WELLINGTON, Mayor

GRAHAM FOSTER, Chief Executive Officer

2. APPROVES giving notice through the placement of a state-wide public notice of the proposed City of Albany Repeal Local Law 2013, in order to seek public comment.

CARRIED 8-0

PD014: RESPONSIBLE OFFICER RECOMMENDATION

1. That Council in accordance with section 3.12 of the *Local Government Act 1995*, resolves to MAKE the City of Albany Repeal Local Law 2013, as set out below:

Keeping and Welfare of Cats Repeal Local Law 2013

PART 1 – PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Albany Keeping and Welfare of Cats Repeal Local Law 2013*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

PART 2 – REPEAL

2.1 Repeal

The *Keeping and Welfare of Cats Local Law 2008* as published in the *Government Gazette* on 9 June 2009 is repealed.

Dated [Insert] day of [Insert] 2013

The Common Seal of the City of Albany was affixed by the authority of a resolution of the Council in the presence of:

DENNIS WELLINGTON, Mayor

GRAHAM FOSTER, Chief Executive Officer

2. APPROVES giving notice through the placement of a state-wide public notice of the proposed City of Albany Repeal Local Law 2013, in order to seek public comment.

BACKGROUND

3. At the Ordinary Council meeting held on 19 February 2013, Council resolved to give public notice of its intention to make the City of Albany Keeping and Welfare of Cats Amendment Local Law 2013.
4. At the submission closing date, Council had received no public submissions.
5. Post the publication of the amended local law, feedback was received from the Department of Local Government (DLG) and the new *Cat Regulations 2012* were published on 24 August 2013.

DISCUSSION

6. There are two situations that may lead to the repeal of a Local Law:
 - a. Repealing a Local Law with the intent of making a new Local Law for substantially the same purpose, but reflecting contemporary practices i.e. a new Standing Orders Local Law that reflects contemporary meeting procedure practices; or
 - b. A Local Law is deemed to be no longer necessary, has a defunct purpose or has been superseded by other legislation.
7. Based on the review (details follow this report) and the DLG Circular No. 31-2013, it is felt appropriate that the Local Law is reviewed for repeal, in accordance with section 3.12 of the *Local Government Act 1995*, as it has been superseded by the *Cat Act 2011* (the Cat Act) and *Cat Regulations 2012*.
8. However, if Council determines that the Local Law is still required, due to the significant number of changes required, the “Making” local law process must be restarted due to the number of changes required to ensure consistency with the new legislation and the prescribed transitional arrangements.

GOVERNMENT & PUBLIC CONSULTATION

9. Public. Public notice was given of the proposal to make the amended Keeping and Welfare of Cats Local Law 2013 at the 19 February 2013 Ordinary Meeting of Council. Public submission closed on 29 May 2013.
10. Government. Feedback was received from the DLG, being:
 - a. Consistency with Cat Act 2011. The full *Cat Act 2011* will take effect from 1 November 2013. The City should ensure that the local law is not inconsistent with the *Cat Act 2011* or the *Cat Regulations 2012*.

For example: The proposed clause 9.9 (A Keeper of cat may apply to have their details omitted from the register, referred to in clause 9.8, for their own protection or that of their family) may potentially be inconsistent with the Cat Act and Regulations which requires certain information to be recorded in the local government cat register. The Committee may raise this as an issue.

Action Taken: A review of the subject clause was conducted and the current amended local law was amended accordingly by deleting the proposed clause.

- b. Undertaking sought by the Committee. The DLG is aware that this amendment resulted from undertakings requested by the Delegated Legislation Committee. The City should ensure the proposed amendments satisfies the undertaking, the Committee should be contacted for further clarification.

Action Taken: A full review was conducted that compared the principal local law and proposed amendments against the current Cat Act and regulations (full detail of review follows this report). This review identified a number of significant inconsistencies as commented on in the discussion section of this report.

11. Joint Standing Committee on Delegated Legislation. On 16 Oct 2013, the City contacted the Committee to seek a view on the City's proposed course of action (detailed in the discussion section of the report). The Committee Advisory Officer (legal) concurred with the proposed course of action to repeal the current local law and restart the making of the local law process noting the number of inconsistencies between the current local law and legislation.
12. DLG Circular No. 31-2013 dated 24 Oct 2013. City advised via circular that transitional arrangements mean that if a person wants to register more cats (that they own as at 1 November 2013) than your local laws allow, you should accept the registrations in the manner prescribed under the Act. This in effect makes the current local law, redundant.

STATUTORY IMPLICATIONS

13. In making a local law, a local government is to follow the procedure described in section 3.12 of the *Local Government Act 1995* (the Act).
14. After the last day for submissions, the local government is to consider any submissions made and make the local law as proposed or make a local law that is not significantly different from what was proposed.
15. In accordance with section 3.13 of the Act, if during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.
16. Actions required to repeal the local law. The local government is to give Statewide public notice stating that local government proposes to review the local law. After the last day for submissions made the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its Council.
17. When its council has considered the report, the local government may determine or not it considers that the local law should be repealed or amended. *Absolute Majority Required.
18. Note: "*making*" in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

POLICY IMPLICATIONS

19. There are no policy implications related to this item.

RISK IDENTIFICATION & MITIGATION

20. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Council does not repeal the current local law.</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<p><i>City of Albany continues to honour undertaking and conducts a further review and restarts the process.</i></p> <p><i>The transitional arrangements prescribed in the Cat (Uniform Local Provisions) Regulations 2013 prevail.</i></p>

FINANCIAL IMPLICATIONS

21. An appropriate budget line exists for the cost of giving public notice and advertising.

LEGAL IMPLICATIONS

22. Inconsistency with written laws. A cat local law is inoperative to the extent that it is inconsistent with the *Cat Act 2011*.

ENVIRONMENTAL CONSIDERATIONS

23. There are no direct environmental considerations related to this item; however appropriate Cat Control has a direct effect on the natural environment.

ALTERNATE OPTIONS

24. Detailed in the discussion section of this report.

SUMMARY CONCLUSION

25. Due to the number of inconsistencies between the principal local law that was developed prior to the promulgation and adoption of the new Cat legislation it is considered appropriate to restart the making law process and repeal the current local law.

Consulted References	:	<p><i>Local Government Act 1995</i> <i>Cat Act 2011</i> <i>Cat Regulations 2012</i> <i>Cat (Uniform Local Provisions) Regulations 2013</i> <i>Limits on Cat Numbers – Cat Act 2011, Circular No. 31-2013.</i></p>
File Number (Name of Ward)	:	(All Wards)
Previous Reference	:	OCM 19/02/2013 Report Item 1.3

**PD015: PLANNING AND BUILDING REPORTS AUGUST, SEPTEMBER
AND OCTOBER 2013**

Proponent : City of Albany
Attachment : Planning and Building Reports August, September and
October 2013
Responsible Officer(s): : Executive Director Planning & Development Services
(D Putland)

Responsible Officer's Signature:



RECOMMENDATION

PD015: RESOLUTION
VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR SUTTON
SECONDED: COUNCILLOR CALLEJA

**THAT Council NOTE the Planning and Building Reports for August, September and
October 2013.**

CARRIED 12-0

XIV. MOTIONS WITH NOTICE: Nil.

XV. MOTIONS OF WHICH NOTICE WAS GIVEN AT THE PREVIOUS MEETING: Nil.

XVI. URGENT BUSINESS TO BE APPROVED BY DECISION OF THE MEETING: Nil.

XVII. REQUEST FOR REPORTS FOR FUTURE CONSIDERATION: Nil.

XVIII. ANNOUNCEMENT OF NOTICES OF MOTION TO BE DEALT WITH AT THE NEXT MEETING: Nil

XIX. ITEMS TO BE DEALT WITH WHILE THE MEETING IS CLOSED TO MEMBERS OF THE PUBLIC:

CSF038: Albany Septage Facility-Joint Venture

XX. NEXT ORDINARY MEETING DATE:

6.00pm 17 December 2013

XXI. RESUME STANDING ORDERS 3.1:

PROCEDURAL MOTION

MOVED: COUNCILLOR CALLEJA

SECONDED: COUNCILLOR SUTTON

THAT Standing Order 3.1 be RESUMED to stop recording of proceedings.

CARRIED 12-0

XXII. CLOSURE OF MEETING:

[7:36:40 PM](#) There being no further business the Presiding Member declared the meeting closed.



Dennis W Wellington
MAYOR

XXIII. STATUS REPORT ON DEFERRED ITEMS FROM PREVIOUS MEETINGS:

Meeting Date	Committee/ Report Item Number	Details/Status
		Nil.