



# MINUTES

## ORDINARY MEETING OF COUNCIL

on  
Tuesday, 15<sup>th</sup> July 2003  
7.30pm  
City of Albany - Mercer Road Office

## City of Albany

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Signed \_\_\_\_\_

Date: 10<sup>th</sup> July 2003

***Andrew Hammond***  
Chief Executive Officer

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**CORPORATE & COMMUNITY SERVICES REPORTS**

**1.0 DECLARATION OF OPENING**

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

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

Attendance:

Mayor

Councillors

- A E Goode, JP  
- M J Evans, JP  
- S M Bojcun  
- R H Emery  
- J D Williams  
- D J Wolfe  
- D W Wellington  
- I A West  
- E A Barton  
- G Sankey  
- J Waterman

Chief Executive Officer

- A Hammond

Executive Director Corporate &  
Community Services

- W P Madigan

Executive Director Development Services

- R Fenn

Executive Director Works & Services

- B Joynes

Minutes Secretary

- S M Day

Approximately 35 members of the public

2 Media representatives

Apologies / Leave of Absence:

- D Evers  
- R Paver  
- T Demarteau  
- P Lionetti

**3.0 OPENING PRAYER**

Mayor Goode read the opening prayer.

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

**4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**CORPORATE & COMMUNITY SERVICES REPORTS**

**5.0 PUBLIC QUESTION TIME**

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

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

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

**\* Peter Squire – Item 13.2.2**

On behalf of the Friends of Emu Point, Mr Squire thanked the staff for the consultation period and development of the Management Plan. He asked Council to vote in favour of the recommendation.

**\* John Rowe – Item 12.2.6**

Mr Rowe addressed Council in regard to an additional 30m of land required by the Railways Club. He advised Council that this land was previously removed from Club, who are now seeking that the land be re-instated to allow must needed space for four (4) softball diamonds, junior development. Also he stated the Club is not seeking no financial assistance from Council.

**\*R Brink – Item 13.5.1**

Mr Brink addressed Council in regard to the problems currently being experienced within Young Siding and the Lowlands Coastal Reserve Management Plan. He believes the plan will address problems such as 4WD access to remote areas.

**\*B Kneebone – Item 13.5.1**

Mr Kneebone is seeking Council approval of the Draft Management Plan. He advised that with a high level of users, the importance of this plan to help preserve and protect the environment is essential. Erosion currently is an issue and needs addressing. GreenCorps have conducted 2 projects within this vicinity over the past 12 months with another project proposed in the near future. A CoastWest grant has been applied for, however, if unsuccessful, some financial assistance may be sought from City of Albany for future works.

**\*P Pocock – Item 14.1.1**

Mr Pocock addressed Council in regard to the Railway Turn Table. He believes the turntable should remain in Albany for historic and potential tourism reasons.

**\*C France – Item 12.1.4**

Mr France, on behalf of the Albany Sinfonia Society addressed Council in regard to grant funding to hold fundraising events. The Water Corporation have recently withdrawn funding and the society is now in need of a major sponsor. Last year, funds raised replaced the hall roof.

**CORPORATE & COMMUNITY SERVICES REPORTS**

**\*J Lewis – Item 14.1.1**

Mr Lewis is seeking approval from Council to relocate the railway Turn Table to Kojonup. Currently Kojonup is restoring the local railway line and surrounds and the turn table would be an essential part of this restoration project.

**\*R John – Item 14.3.2**

Mr John is seeking support from the Council in relation to financial assistance for the City Band to represent Albany at the Queens Cup in Bunbury. The Band is not currently in a financial position to attend this event. He believes that the band is very professional and attending the Queens Cup will help entice other bands to attend competitions in Albany.

**6.0 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES**

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

DRAFT MOTION:

THAT the following minutes:

- Ordinary Council meeting held on 17<sup>th</sup> June 2003; and
- Special Meeting of Council held on 24<sup>th</sup> June 2003.

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

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR BOJCUN**

**THAT the following minutes:**

- **Ordinary Council meeting held on 17<sup>th</sup> June 2003; and**
- **Special Meeting of Council held on 24<sup>th</sup> June 2003.**

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

**MOTION CARRIED 11-0**

**7.0 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**8.0 DECLARATIONS OF FINANCIAL INTEREST**

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

Councillor Wolfe – Item 12.2.2 – Proposed New Lease DJ Wolfe for Transmission Services. Nature of interest is he owns the subject property.

Councillor Evans – Impartial Interest - Item 14.3.2 – Community Events Financial Assistance. Nature of interest, Councillor Evan's wife is a member of the Sinfonia and Choral Society.

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\*\* REFER DISCLAIMER \*\*  
**CORPORATE & COMMUNITY SERVICES REPORTS**

**9.0 MATTERS FOR WHICH MEETING MAY BE CLOSED**

- 9.1 Scheme Non-Compliance – Occupation ‘Other Commercial’ Site  
Section 5.23 (2)(d) Local Government Act – Legal Opinion
- 9.2 Structural Adequacy – Retaining Wall – 11 Festing Street, Albany  
Section 5.23 (2)(d) Local Government Act – Legal Opinion

**10.0 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil.

**11.0 REPORTS – DEVELOPMENT SERVICES**

[Reports from this portfolio are included in the Agenda and photocopied on green – See Pages 7-30]

**12.0 REPORTS – CORPORATE & COMMUNITY SERVICES**

[Reports from 31-84]

**13.0 REPORTS – WORKS & SERVICES**

[Reports 85-130]

**14.0 REPORTS – GENERAL MANAGEMENT SERVICES**

[Reports from this portfolio are included in the Agenda and photocopied on buff – See Pages 131-127]



# **Development Services**

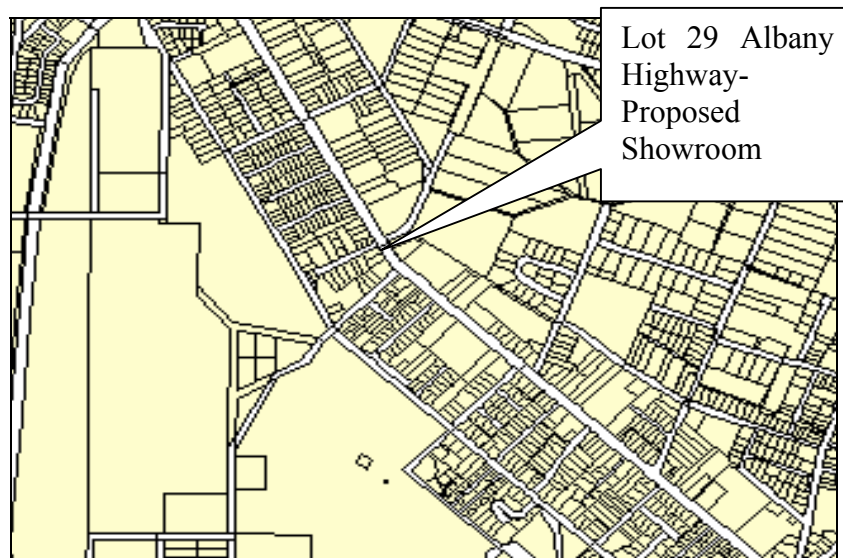
## **REPORTS**

**- R E P O R T S -**

**11.1 DEVELOPMENT**

**11.1.1 Relaxation of Building Setback: 226-228 Albany Hwy, Centennial Park**

<b>File/Ward</b>	: A130318 (Frederickstown Ward)
<b>Proposal/Issue</b>	: Request to relax front setback requirements for showroom building.
<b>Subject Land/Locality</b>	: Lot 29 (226-228), Albany Highway, Centennial Park.
<b>Proponent</b>	: Concept Building Design and Drafting
<b>Owner</b>	: R Gliosca
<b>Reporting Officer(s)</b>	: A Nicoll (Planning Officer)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: Delegate authority to the Manager of Development Services to grant conditional planning consent.
<b>Bulletin Attachment</b>	: Nil.
<b>Locality Plan</b>	:



Item 11.1.1 continued

### **BACKGROUND**

1. Council received an application for Planning Scheme Consent in July 2002 to develop a ‘Showroom’ at Lot 29 Albany Highway. At the time the property was zoned ‘Service Station’ with a showroom listed as a non-permitted land use in the City of Albany Town Planning Scheme 1A.
2. The owner of the property subsequently put an application to Council to amend the zoning of the land to ‘Industry’. The City of Albany resolved to initiate the amendment and final gazettal has now been granted.
3. The owner now wishes to proceed with the application for a ‘Showroom’, a use that is not permitted unless planning consent is granted by the Council. Staff have been issued with delegated authority to approve such a proposal other than where it contravenes requirements of the Scheme.
4. In this instance, the owner is requesting a setback relaxation of 5.5 metres to parts of the building. The required setback in accordance with the Town Planning Scheme 1A is 9 metres and the owner is seeking a relaxation in parts to 3.5 metres.

### **STATUTORY REQUIREMENTS**

5. The City of Albany Town Planning Scheme 1A (Appendix III – Zone Development Table) requires a minimum front setback of 9 metres for development on a property zoned ‘Industry’. Subject to this provision, section 4.1(a) states:

*“no person shall develop land included in any of the various zones otherwise than in accordance with the provisions of the Zone Development Table contained in appendix III.”*

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

8. Support for the proposal may set a precedent for other developments requesting a relaxation to the front setback requirement as detailed in appendix III of Town Planning Scheme 1A.

Item 11.1.1 continued

**COMMENT/DISCUSSION**

9. The applicant is asking for a setback relaxation to the end sections of the building of 5.5 metres. The site plan attached to this item illustrates the majority of the proposed ‘Showroom’ is set back 9 metres from the front boundary with the two end sections of the building projecting within the required setback area to 3.5 metres.
10. Staff at the City of Albany, do not envisage any issues relating to safety and access or the related impact on the streetscape. Suitable provision is being made for three different points of access to the property with suitable areas for vehicle movements and car parking. The building on the adjoining property at the corner of Albany Highway and Wellington Street has a nil setback to Albany Highway.
11. A retaining wall exists on the site at approximately 16 metres from the front boundary. This wall restricts the developable area of the block. If a 9 metre front setback is enforced, then the area adjacent to Albany Highway would only have a building envelope 7 metres in width.
12. Given that the only way to increase the developable area would be to extensively fill the site and establish new retaining walls at a high cost to the applicant, a reduced setback can be supported.

**RECOMMENDATION**

THAT Council pursuant to clause 7.9(a) of the City of Albany Town Planning Scheme 1A, issue delegated authority to the Manager for Development Services to grant conditional planning consent to relax the front setback of the proposed Showroom to be constructed on Lot 29 (226-228) Albany Highway, Centennial Park.

*Voting Requirement Simple Majority*

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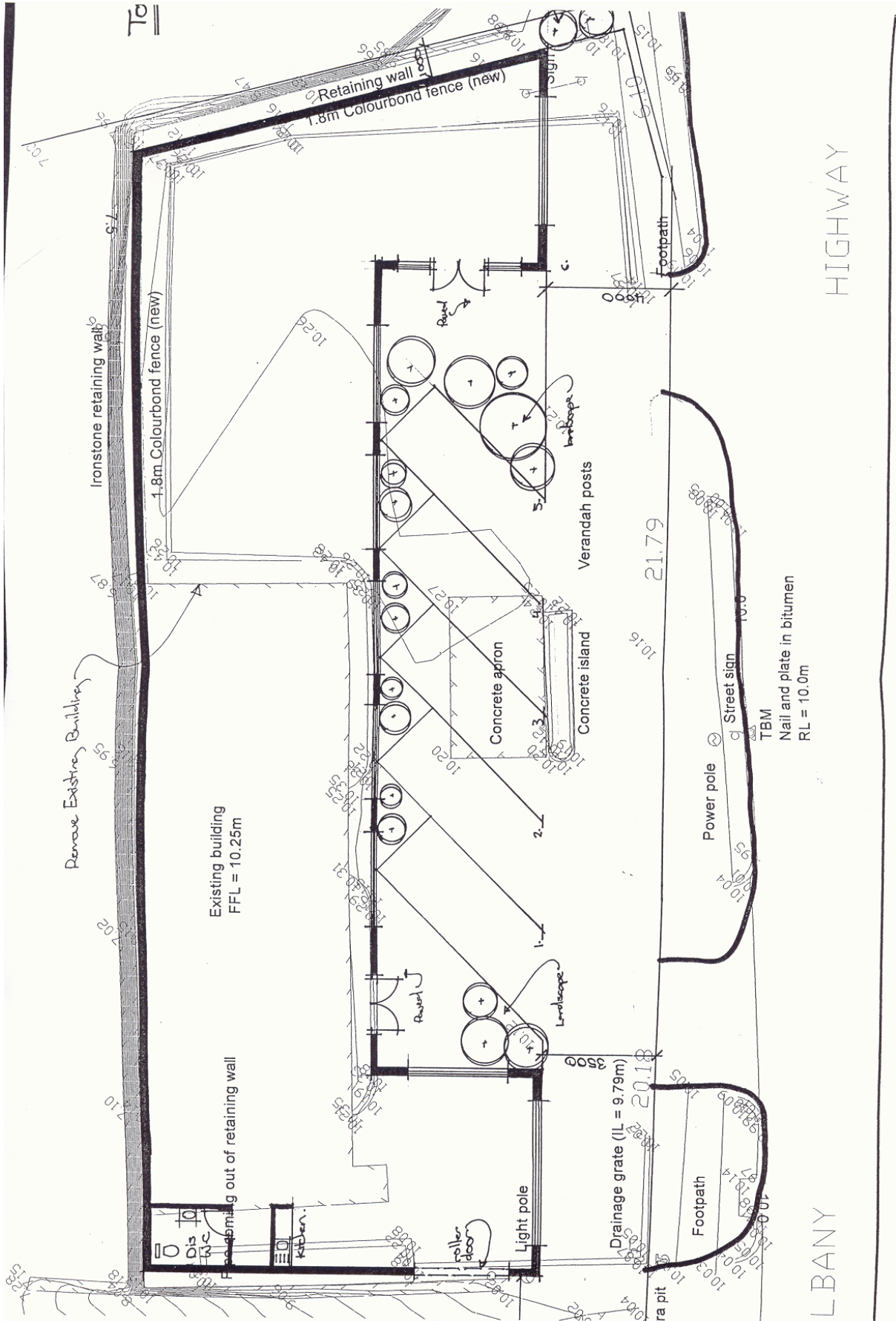
**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR WILLIAMS**

**THAT Council pursuant to clause 7.9(a) of the City of Albany Town Planning Scheme 1A, issue delegated authority to the Manager for Development Services to grant conditional planning consent to relax the front setback of the proposed Showroom to be constructed on Lot 29 (226-228) Albany Highway, Centennial Park.**

**MOTION CARRIED 11-0**

ORDINARY COUNCIL MEETING- 15/07/03  
\*\* REFER DISCLAIMER \*\*  
DEVELOPMENT SERVICES REPORTS

Item 11.1.1 continued



**11.2 INSPECTION SERVICES**

Nil.

## 11.3 DEVELOPMENT POLICY

### 11.3.1 R-Codes Setback Policy

<b>File/Ward</b>	: STR 046 (All Wards)
<b>Proposal/Issue</b>	: City of Albany R-Codes Setback Policy
<b>Subject Land/Locality</b>	: All land within City
<b>Proponent</b>	: All land within the municipal area subject to Town Planning Scheme No. 3
<b>Owner</b>	: Various
<b>Reporting Officer(s)</b>	: Planning Officer (Policy) (R Hindley)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 20/05/03 Item 11.3.1
<b>Summary Recommendation</b>	: Adopt policy in accordance with Clause 6.9.2 of Town Planning Scheme No. 3.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

### BACKGROUND

1. At it's meeting dated 20 May 2003, Council reviewed the draft 'City of Albany R-Codes Setback Policy' and resolved:

*“THAT Council adopts the ‘City of Albany R-Codes Setback Policy’ and agrees to advertise the policy for public comment in accordance with Clause 6.9.2 of Town Planning Scheme No. 3.”*

2. The amended policy was advertised for comment for a period of 21 days and no submissions were received in this period.
3. A copy of the draft policy is attached to this report.

### STATUTORY REQUIREMENTS

4. Clause 6.9.2 of Town Planning Scheme No. 3 requires the following procedure to be undertaken to make a Town Planning Scheme Policy operative.

Item 11.3.1 continued

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

**POLICY IMPLICATIONS**

5. The ‘City of Albany R-Codes Setback Policy’ will be a Town Planning Scheme policy adopted by Council under the provisions of Clause 6.9 of Town Planning Scheme 3.

**FINANCIAL IMPLICATIONS**

6. Council is required to advertise the adoption of the policy in the local newspaper at it’s own cost.

**STRATEGIC IMPLICATIONS**

7. This policy will reinstate the setback standards for residential development that were in place prior to the gazettal of Amendment No. 221 for the larger lots in the Scheme 3 area which are zoned ‘Residential’.

**COMMENT/DISCUSSION**

8. At the close of the advertising period no submissions had been received.
9. Amendment No. 221 to Town Planning Scheme No. 3 introduced the R5 and R20 density codings and associated development controls into the Scheme. The introduced setback standards are different to those which applied prior to the gazettal of this amendment.
10. The proposed policy will provide consistency in how residential setbacks are assessed within the former Shire area by adopting of the R-Codes for new suburbs and keeping setbacks consistent in more developed streets and suburbs.



ORDINARY COUNCIL MEETING– 15/07/03  
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**DEVELOPMENT SERVICES REPORTS**

Item 11.3.1 continued

RECOMMENDATION

THAT Council, pursuant to clause 6.9 of the City of Albany Town Planning Scheme No. 3 resolves to adopt the ‘City of Albany R-Codes Setback Policy’ as a Town Planning Scheme policy and advertise the new policy in accordance with the Scheme.

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WILLIAMS  
SECONDED COUNCILLOR BOJCUN**

**THAT Council, pursuant to clause 6.9 of the City of Albany Town Planning Scheme No. 3 resolves to adopt the ‘City of Albany R-Codes Setback Policy’ as a Town Planning Scheme policy and advertise the new policy in accordance with the Scheme**

**MOTION CARRIED 11-0**

## CITY OF ALBANY – R-CODES SETBACK POLICY

**Applies to: Residential and ancillary development in the Residential R5 and R20 within Town Planning Scheme No. 3.**

### 1.0 Background

On the 29<sup>th</sup> April 2003 Amendment No. 221 to Town Planning Scheme No. 3 was gazetted. This amendment dealt with residential development within the former Shire area of the City of Albany by introducing the R5 and R20 density codings and associated development controls. The introduced setback standards are different to those applied prior to the gazettal of this amendment and a policy is required to ensure consistency in urban form.

### 2.0 Aim

The **aim** of the City of Albany R-Codes Setback Policy is:

*To achieve a consistent urban form in areas zoned Residential R5 and Residential R20 within the former Shire area by providing for reduced primary and secondary street setbacks.*

### 3.0 Policy Requirements

#### R5 Coded Areas

Criteria	Standard
Primary Street Setback (m)	7.5
Secondary Street Setback (m)	4

#### R20 Coded Areas

Criteria	Standard
Primary Street Setback (m)	7.5
Secondary Street Setback (m)	1.5

The 7.5m primary street setback cannot be averaged however the setback can be relaxed to 6.0m in areas zoned Residential R20. Where a relaxation to 6.0m is proposed it is to be consistent with the predominant setback on that street.

Where a proposed dwelling is the first in an otherwise undeveloped street a 6.0m setback may be permitted with Council consent.

### 4.0 Application Details

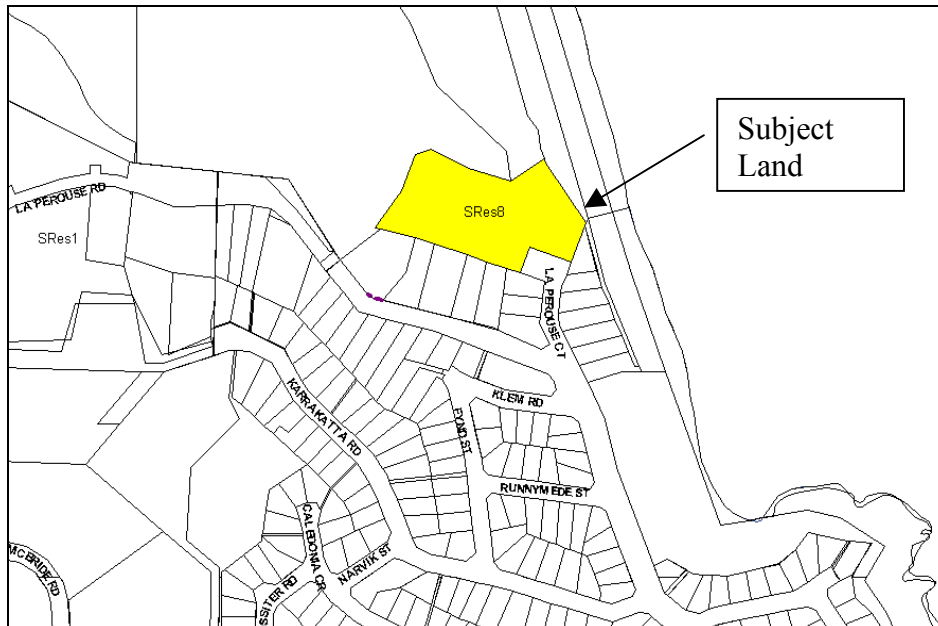
Applications for Residential development (and ancillary development) must include the following:

- (a) Completed Planning Scheme Consent application form; and
- (b) Details required to accompany an application as stipulated in the R-Codes.

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DEVELOPMENT SERVICES REPORTS

**11.3.2 Planning Policy – Lot 401 La Perouse Court, Frenchman Bay**

<b>File/Ward</b>	: A5810S (Vancouver Ward)
<b>Proposal/Issue</b>	: To adopt the Building Envelope Policy for Special Residential Area No. 8.
<b>Subject Land/Locality</b>	: Lot 401 La Perouse Court, Frenchman Bay
<b>Proponent</b>	: Harley Survey Group
<b>Owner</b>	: Nildara Pty Ltd
<b>Reporting Officer(s)</b>	: Senior Planning Officer (G Bride)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 15/4/03 – Item 11.3.3 OCM 18/3/03 – Item 11.3.2
<b>Summary Recommendation</b>	: To adopt policy with modifications, adopt the revised foreshore management plan and prepare an amendment to the Scheme
<b>Bulletin Attachment</b>	: Submissions. Foreshore Management Plan.
<b>Locality Plan</b>	:



Item 11.3.2 continued

## **BACKGROUND**

1. At its previous meeting dated 15 April 2003, Council resolved to:

- “i) to advertise the draft Local Planning Policy titled ‘Building Envelopes within Special Residential Area No 8’ for a period of 21 days in accordance with Clause 6.9.2(b) of Town Planning Scheme No. 3, including the requirement on Lot 655 to install an effective sprinkler system to protect the dwelling, and the repositioning of building envelopes on Lots 653 and 654 to the gully;*
  
- ii) advise the proponent that the following would need to be undertaken prior to Council issuing subdivision clearance for the nine special residential lots:*
  - a. the design and construction of the boardwalk and stairs down to the beach being undertaken in accordance with the specifications outlined by Council;*
  - b. measures being undertaken to stabilise those areas adjacent to the path which have been cleared, which should include the revegetation of the area to promote a long term solution to erosion;*
  - c. any cleared areas, outside the requirements of the subdivision condition are to have:-*
    - i. the ridgelines reinstated to their original topography;*
    - ii. revegetation with indigenous native vegetation; and*
    - iii. any fill being removed so that the natural ground level is returned;*
  - d. any fill within the proposed building envelopes being removed so that the level of the site is returned to its natural level;*
  - e. the strategic firebreak being provided on an alignment similar to that shown in the plan within this report, and ground-truthed with a representative of Council’s Planning and Rangers Departments;*
  - f. the clearing and fill on Lot 654 being reinstated to its natural level and revegetated with local, endemic species;*
  - g. a consolidated access point, serving lots 653 and 654 be identified and submitted to Council for approval with reciprocal rights of access being apportioned to this singular access point to legitimise access for both lot owners; and*
  - h. the revegetation with indigenous native species of the areas which have been cleared adjacent to the PAW and strategic firebreak;*
  
- iii) require staff to refer all Planning Scheme Consents to Council for determination for lots 401 and 402;*
  
- iv) request that the Hon. Minister for Planning and the Hon Minister for Environment investigate all the subdivision approvals issued for Lot 401 by the WAPC in particular addressing the following issues:-*
  - i. reduction of 70m coastal setback in Special Residential Zone;*
  - ii. reduction of Public Open Space from 10.5ha to 6.82ha;*
  - iii. no minimum lots size (was 2000m<sup>2</sup>); and*
  - iv. reduction of foreshore reserve (1.3ha) being ceded to Crown at time of this subdivision.*

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.2 continued.

- v) *request staff to re-examine the position of the building envelopes prior to final adoption of the draft LPP;*
  - vi) *request the Executive Director for Development Services to prepare a report to re-examine the Subdivisional Guide Plan and Scheme Provisions for a potential scheme amendment; and*
  - vii) *Council revise / revisit the Foreshore Management Plan and require endorsement by all relevant government agencies”*
2. In relation to the above instructions, staff requested the following from the proponent:
- A revised foreshore management plan with construction details for the boardwalk and stairs;
  - Preparation and implementation of a revegetation plan over the whole subdivision;
  - The repositioning of the strategic firebreak to ensure development is not located on the narrow ridge line on Lots 653 and 654;
  - The reinstatement and revegetation of Lot 654;
  - Consolidated access being provided to Lots 654 and 655 and alternative access for Lot 653, so that driveways do not need to traverse the top of the ridge; and
  - A legal agreement being prepared to ensure that the balance of the foreshore reserve and POS are ceded to Council at the time of any future development on Lot 660 (balance of Lot 401), inclusive of a single residence.
3. Staff also wrote to the Minister’s for Environment and for Planning and Infrastructure, and within this report have discussed the need for an amendment to the scheme. At the time of writing this report, no response had been received from either Minister.
4. In accordance with Clause 6.9.2 of Town Planning Scheme No. 3 the draft policy was advertised once a week for two consecutive weeks in the Albany Weekender. At the close of advertising four (4) submissions had been received, including one by the developer’s consultants. A copy of each submission is provided in the Elected Members Report/Information Bulletin.

**STATUTORY REQUIREMENTS**

5. The advertising period has concluded and Council is now required to review the submissions and decide whether to finally adopt the draft policy, with or without further modification. Should Council resolve to adopt the policy, an advertisement in the paper is required advising that the policy has been adopted.
6. Harley Survey Group has also lodged a subdivision clearance request with Council seeking clearance of those conditions contained in the Western Australian Planning Commission’s approval dated 3 January 2003 (WAPC Reference 119946). Council’s role is to assess whether all conditions relevant to the City of Albany, such as stormwater drainage and road construction, have been complied with. Should there be a dispute over whether a condition has or hasn’t been complied with, the Western Australian Planning Commission acts as an arbitrator in the matter.

Item 11.3.2 continued

7. Once clearance is issued from Council and the various state government agencies, the surveyor can then lodge the Deposited Plan with the Department of Land Administration and obtain titles for the new lots.

#### **POLICY IMPLICATIONS**

8. Should the draft policy be finally adopted, it will guide the location of development within Special Residential Area No. 8 (Lot 401 La Perouse Court, Frenchman Bay).

#### **FINANCIAL IMPLICATIONS**

9. Should Council wish to prepare a scheme amendment, advertising costs would have to be met by Council, in addition to using ‘in-house’ resources to prepare and progress the amendment documentation.

#### **STRATEGIC IMPLICATIONS**

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

#### **COMMENT/DISCUSSION**

11. In response to the request for subdivision clearance, staff conducted a site inspection and found that several conditions have not been satisfactorily addressed. Further work is required on the compaction and drainage on limestone driveways, fire protection measures and the construction of the boardwalk and stairs (which will begin once the design is accepted by Council and the Department of Environment).

12. In response to the previous resolution of Council, the following information is provided:

##### ***Building Envelope Policy***

13. In submissions received, the following issues were raised:

- The triangular portion of the building envelope on Lot 656 should be altered so that it does not intrude onto the steep side of the slope.
- All the lots within this subdivision should have effective sprinkler systems installed to reduce the risk of life and property loss, and reduce Council’s liability.
- The position of effluent disposal systems, even if they were a biomax or similar, are close to Lake Vancouver and would cause possible pollution problems;
- Both run-off and underground water drain from Lot 401, and building options offered at present will carry impurities and contaminants into the water source.
- Retention of vegetation on those lots adjacent to the Lake is essential if the pristine condition of the lake is maintained.
- Development on Lot 401 is entirely unsuitable from an ecological point of view.

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Item 11.3.2 continued

14. In response to the above, staff provide the following comments:

- The modification to the building envelope on Lot 656 represents a minor change to the policy and is supported. In order to maintain the size of the building envelope an equal portion has been added to the building envelope on its north eastern boundary.
- The fire risk is greatest to those lots adjacent to the ridge located within the POS reserve, due to the topography and fuel loadings in this area. Other lots would face a similar fire threat to many other properties within Goode Beach. The additional costs to comply with Australian Standard 3959 – Buildings in Bushfire Prone Areas and implementing an effective sprinkler system is extensive and should only be applied to those lots where risk is greatest. More importantly, the land is zoned “Special Residential” and it immediately adjoins residential lots in Goode Beach which are at equal risk and are not required to meet the higher fire protection standards. Therefore it is recommended that the additional requirements apply to Lots 653, 654 and 655 only.
- Given the lot sizes that have been created, marginal repositioning of building envelopes adjacent to the lake are unlikely to overcome many of the environmental issues raised in the submissions, and was something that was considered at the rezoning stage. A geotechnical report was prepared by the applicant which verified that the land was suitable for effluent disposal. An Ecomax or Biomax system would need to be used on each lot and will decrease the leaching of nutrients and bacteria into the soil.

15. A submission from the developer has also been received requesting that, in regards to the proposed building envelopes:

- The northern boundary of Lot 650 be reduced to 5 metres;
- The northern boundary of Lot 653 be reduced to 3 metres to allow for a reasonably level site on which to develop a residence, and would also include an area already cleared for a firebreak;
- The northern boundary of Lot 654 be reduced to 3 metres for the same reasons as Lot 653;
- The southern boundary of Lot 655 be increased to allow for a more consistent building envelope size and to provide any future purchaser with the opportunity for a different form of architecture and house design that complements the steep grades.

16. The modification to Lot 650 is minor and will give the building envelope a more defined boundary without impinging on the adjacent ridge. In relation to Lots 653 and 654 it is accepted that additional space for a dwelling would be required given the steep grades on the lots. A dwelling located to the rear of these lots would still be hidden from the residential areas of Goode Beach from the ridge to the south, and with the appropriate fire measures would be acceptable. Staff believe that Lot 655 should only be increased by 5 metres to the south, rather than 8 metres as requested by the developer, in order to provide architectural flexibility but to be setback an appropriate distance from the strategic firebreak traversing this lot.

Item 11.3.2 continued

17. It is recommended that Council adopt the draft policy subject to the recommendations as contained above.

*REVISED FORESHORE MANAGEMENT PLAN – BOARDWALK & STAIRS*

18. As per Council's previous resolution, a revised foreshore management plan has been submitted by the proponent. The updated plan has been based on the current subdivision layout and includes construction details of the boardwalk and stairs down to the beach (a copy of the foreshore management plan can be found in the Elected Members Report/Information Bulletin).
19. The Department of Environment and staff have viewed the plans for the boardwalk and stairs and are satisfied with the design subject to the following modifications:
- The width of the landing and stairs is to be increased to 1200mm to allow two way walking traffic;
  - The boardwalk and stairs are to be certified by a structural engineer, with particular attention being made where the stairs meet the beach so as to reduce the negative impacts of erosion and ongoing maintenance costs.
20. To address erosion, the boardwalk has been angled at 45 degrees at the entry to the stairs and brush fencing is to be utilised.
21. Staff recommend that Council adopts the Foreshore Management Plan. The Plan states that the only form of development within the reserve is to be the singular beach access, which is consistent with protecting the fragile coast from inappropriate development. The Department of Environment has also been sent a copy of the plans.

*SUBDIVISION CLEARANCE*

22. Whilst staff are not in a position to issue a subdivision clearance at this stage, progress has been made in relation to the reinstatement and revegetation of the land, the alignment of the strategic firebreak and the consolidation of vehicular access to the building envelopes.
23. The proponent has recently planted over 4000 trees upon those areas that were previously disturbed by subdivisional works, and seeded other areas with local native species. A revegetation plan has been submitted to Council detailing these plantings and is attached to the rear of this report.
24. The driveway on Lot 654 and the associated earthworks have been reinstated and revegetated. Access to Lot 654 will be provided by a shared driveway servicing Lot 655, so as to avoid vehicle access over the top of the ridge. Lot 653 will get access via a reciprocal right of access arrangement over the existing driveway adjacent to the PAW.



**DEVELOPMENT SERVICES REPORTS**

Item 11.3.2 continued

25. The strategic firebreak will utilise the existing road network, battle-axe legs and the driveway of Lot 655 to gain vehicular access to the existing break located within the adjacent reserve. Council's Rangers are satisfied with these arrangements subject to the running surface being improved and the truncation being widened to cater for the turning circle of larger vehicles.
26. Council has received a draft copy of the legal agreement being promoted by the subdivider to satisfy Condition 23 of WAPC Reference 119946, dealing with the future vesting of public open space and foreshore reserve. The agreement states that should Lot 660 ever be subdivided, rezoned or if a single dwelling was ever constructed on the land, then the additional foreshore reserve and POS will be ceded free of cost to the Crown by the developer. Whilst staff can forward a copy of the agreement to Council's solicitors for comment some concerns exist over the use of legal agreements to solve this problem. Failure to honour the agreement places Council before a Magistrate or the Planning Appeal Tribunal to argue the relevance of the condition to the development under consideration.

*SCHEME AMENDMENT*

27. Lot 401 La Perouse Court, Frenchman Bay is zoned "Special Residential (Area 8 - Schedule 4)" within Town Planning Scheme No. 3. Special Residential Area No. 8 contains special provisions and a subdivision guide plan, which seeks to guide development over the land. As building envelopes are designated on the subdivision guide plan, Council can only approve buildings within allocated building envelope areas.
28. The policy is needed to overcome anomalies in the subdivision process and legal protocol states that a scheme provision will always prevail over a policy attached to the Scheme. This issue will surface if a landowner lodges an appeal against a Council decision to refuse a dwelling based on the policy, when the location is consistent with the subdivision guide plan; the reality exists however that the subdivision guide plan is totally unworkable and the Planning Appeal Tribunal will have no option other than to accept the guide plan principles which flow through into the policy.
29. For the above reason, staff believe a scheme amendment would not be beneficial in giving more weight to Council's decision making process. Its only advantage would be to reinforce the increased fire measures which have been taken into account in the policy.

*CONCLUSION*

30. Staff recommend that any modifications to the subdivision guide plan and special provisions should be limited to those issues contained within the policy, rather than revisiting what has already been resolved.
31. The policy can continue to operate until the new District Scheme is prepared.

**DEVELOPMENT SERVICES REPORTS**

Item 11.3.2 continued

RECOMMENDATION

THAT Council:

- i) pursuant to clause 6.9.2 of the City of Albany Town Planning Scheme No. 3 resolves to adopt the Local Planning Policy titled ‘Building Envelopes within Special Residential Area No. 8’, (as attached to this report), as a Town Planning Scheme policy and be advertised as adopted in accordance with the Scheme subject to:
  - a) The requirements under Australian Standard 3959 – Buildings in Bushfire Prone Areas apply to Lots 653, 654 and 655;
  - b) The proposed building envelope on the northern boundary of Lot 650 be reduced to 5 metres;
  - c) The proposed building envelope on the northern boundary of Lot 653 be reduced to 3 metres;
  - d) The proposed building envelope on the northern boundary of Lot 654 be reduced to 3 metres; and
  - e) Lot 655 be increased by 5 metres to the south; and
- ii) adopts the revised Foreshore Management Plan, subject to:
  - a) The stairs being increased from 900mm to 1.2 metres in width to allow for two way pedestrian access; and
  - b) The boardwalk and stairs to be endorsed by a structural engineer, with particular attention being made where the stairs meet the beach so as to reduce the negative impacts of erosion and ongoing maintenance costs.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR EMERY**

**THAT Council:**

- i) pursuant to clause 6.9.2 of the City of Albany Town Planning Scheme No. 3 resolves to adopt the Local Planning Policy titled ‘Building Envelopes within Special Residential Area No. 8’, (as attached to this report), as a Town Planning Scheme policy and be advertised as adopted in accordance with the Scheme subject to:**
  - a) The requirements under Australian Standard 3959 – Buildings in Bushfire Prone Areas apply to Lots 653, 654 and 655;**
  - b) The proposed building envelope on the northern boundary of Lot 650 be reduced to 5 metres;**
  - c) The proposed building envelope on the northern boundary of Lot 653 be reduced to 3 metres;**

**DEVELOPMENT SERVICES REPORTS**

- d) The proposed building envelope on the northern boundary of Lot 654 be reduced to 3 metres; and**
- e) Lot 655 be increased by 5 metres to the south; and**
- ii) adopts the revised Foreshore Management Plan, subject to:**
  - a) the stairs being increased from 900mm to 1.2 metres in width to allow for two way pedestrian access; and**
  - b) the boardwalk and stairs to be endorsed by a structural engineer, with particular attention being made where the stairs meet the beach so as to reduce the negative impacts of erosion and ongoing maintenance costs.**

**MOTION CARRIED 11-0**

**LOCAL PLANNING POLICY  
BUILDING ENVELOPES WITHIN  
SPECIAL RESIDENTIAL AREA NO. 8**



PREAMBLE

The southern portion of Lot 401 La Perouse Road, Frenchman Bay is included within Special Residential Area No. 8. Due to environmental reasons, relating to the protection of a prominent ridge, the plan of subdivision approved by the Western Australian Planning Commission (WAPC 113574) differs from the Subdivision Guide Plan contained within Amendment No. 143 to Town Planning Scheme No. 3.

Due to this occurrence, there is a discrepancy between the designated building envelopes and the lot boundaries associated with the revised plan.

This policy seeks to apply new building envelopes to the revised lot layout as approved by the Western Australian Planning Commission.

OBJECTIVES

Within Special Residential Area No. 8, the purpose of the zone is to create a special residential living environment which preserves the landscape quality and visual amenity of the locality, with particular attention given to:

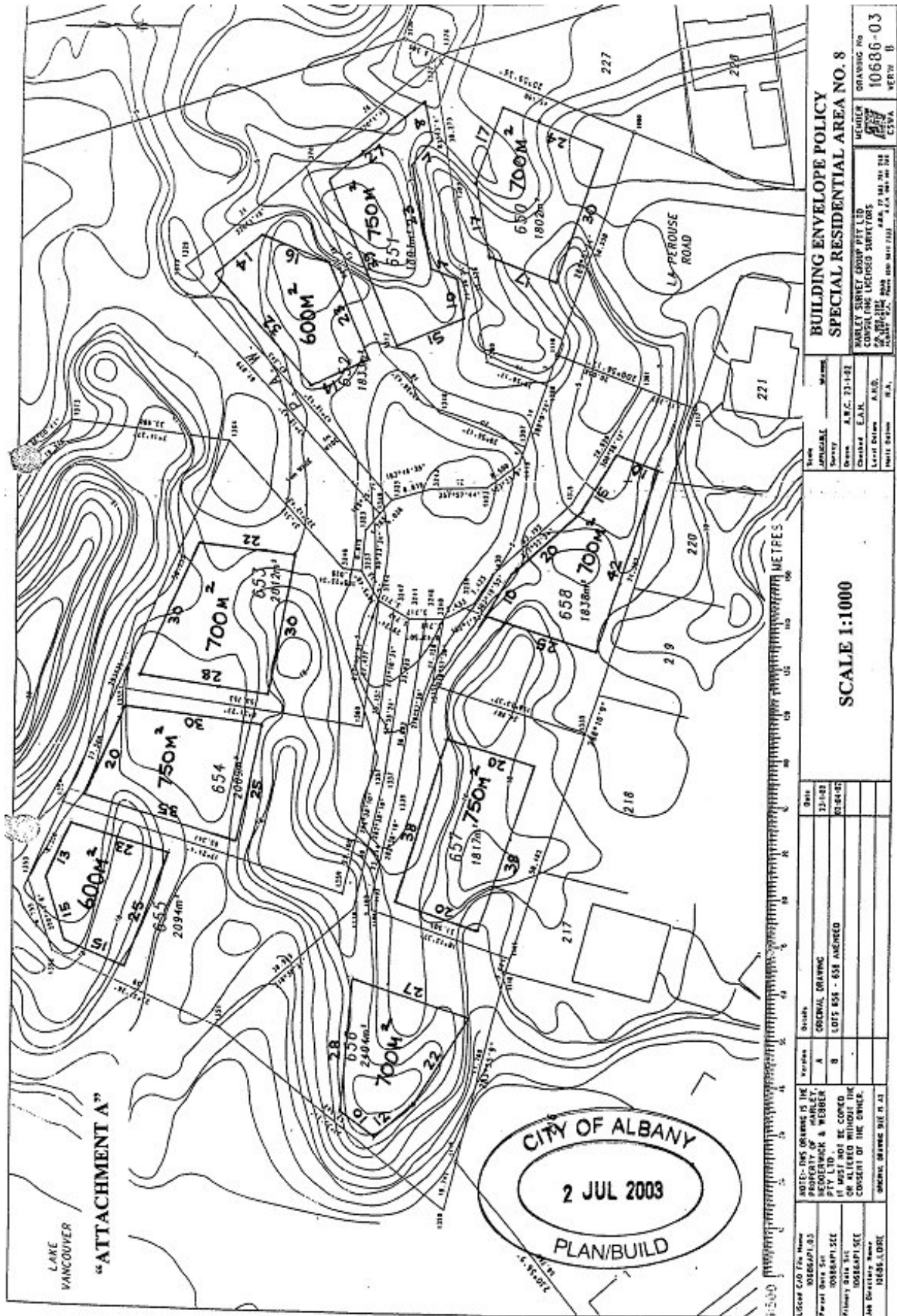
- The minimisation of erosion, soil and vegetation disturbance;
- Ensuring that building envelopes do not conflict with, or detract from, the landscape in terms of their design, location, scale, height or otherwise; and
- Minimising the impact of the development on the physical environment, particularly in terms of foreshore management, bushfire control, on-site effluent disposal and other servicing requirements.

GUIDELINES

1. All buildings are to be located wholly within the designated building envelopes as shown on the attached plan (attachment A).
2. Upon Lots 653 and 654 the following requirements are applicable:
  - (a) Cut and fill of the site shall be kept to a minimum with preference to split level development so as to minimise disturbance through earthworks.
  - (b) On application a front elevation being provided showing the proposed development in relation to the landscape on and off the site (particularly its relationship with the ridge to the North).
  - (c) A drainage strategy being submitted to control run-off from the ridges down into the gully, in order to maintain the structural integrity of the dwelling.
3. Upon Lot 653, 654 and 655 the dwelling is to be constructed to Australian Standard 3959 – Construction of dwellings in bushfire prone areas, and have installed an effective bush fire sprinkler system.

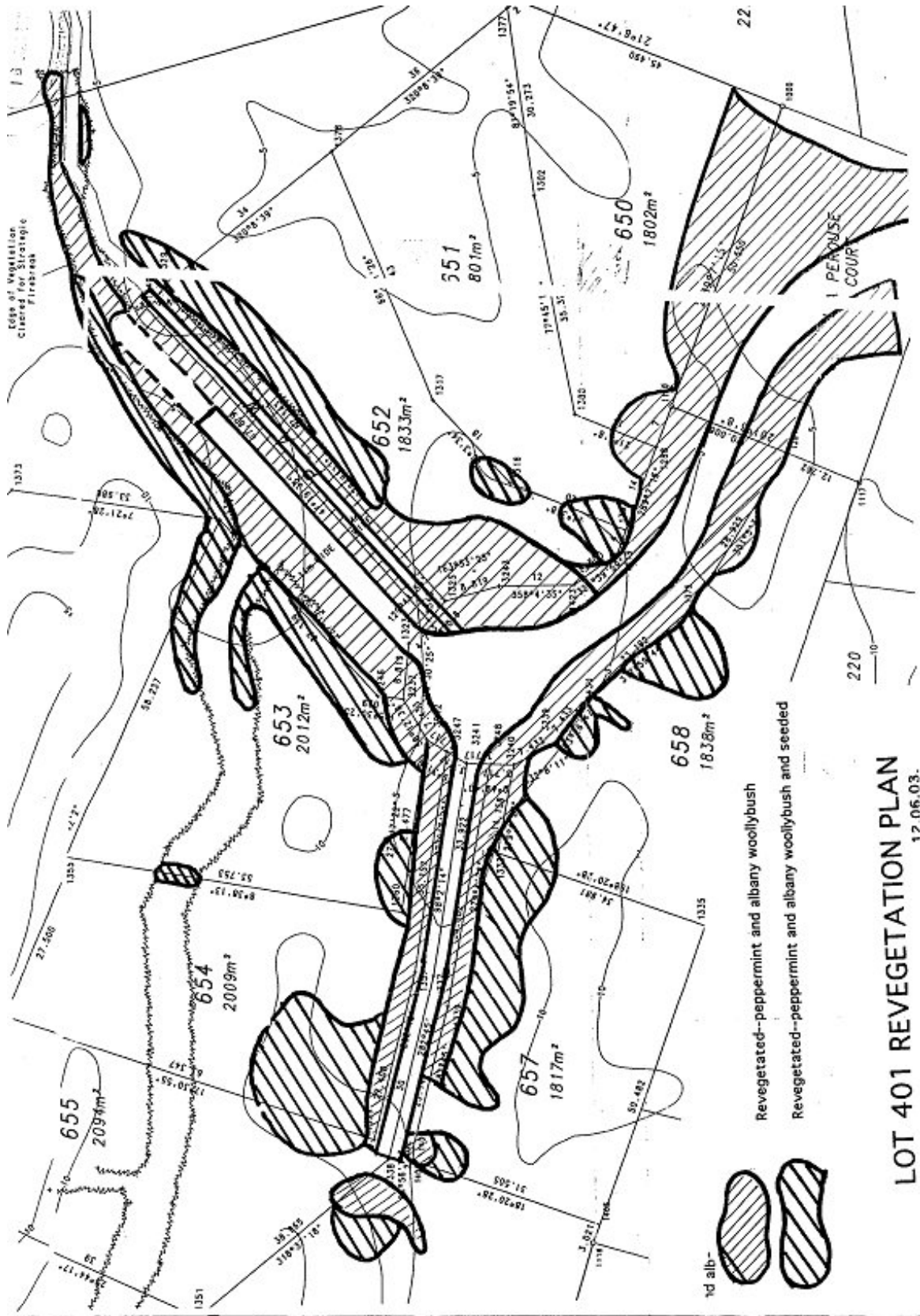
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Item 11.3.2 continued



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Item 11.3.2 continued



**11.4 DEVELOPMENT SERVICES COMMITTEES**

**11.4.1 Bushfire Management Committee Minutes – 11<sup>TH</sup> June 2003**

- File/Ward** : MAN 089 (All Wards)
- Proposal/Issue** : Committee items for Council consideration
- Reporting Officer(s)** : Executive Director Development Services  
(R Fenn)
- Summary Recommendation:** That the minutes of the Bushfire Management Committee held on 11<sup>th</sup> June 2003 be adopted.

Confirmation of the minutes of the Bushfire Management Committee of 11<sup>th</sup> June 2003.

RECOMMENDATION

THAT the minutes of the Bushfire Management Committee held on 11<sup>th</sup> June 2003 be received (copy of minutes in the Elected Members' Report/Information Bulletin).

*Voting Requirement Simple Majority*

.....

AMENDED RECOMMENDATION

THAT;

- i) Council review the Bush Fire Strategic Plan in light of the changes recommended by the Bush Fire Management Committee on the organisation structure; and
- ii) pursuant to Section 5.10 of the Local Government Act 1995, the membership of the Bush Fire Management Committee be extended to include the Deputy Chief Bush Fire Control Officer (South West).

*Voting Requirement Simple Majority*

.....

AND

THAT the request from the Bush Fire Management Committee, seeking Council to advocate for improved telephone services be considered concurrently with the City's Strategic Plan Review.

*Voting Requirement Absolute Majority*

.....

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Item 11.4.1 continued.

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR WELLINGTON**

**THAT;**

- i) Council review the Bush Fire Strategic Plan in light of the changes recommended by the Bush Fire Management Committee on the organisation structure; and**
- ii) pursuant to Section 5.10 of the Local Government Act 1995, the membership of the Bush Fire Management Committee be extended to include the Deputy Chief Bush Fire Control Officer (South West);**

**AND**

**THAT the request from the Bush Fire Management Committee, seeking Council to advocate for improved telephone services be considered concurrently with the City's Strategic Plan Review.**

**MOTION CARRIED 11-0  
ABSOLUTE MAJORITY**



# **Corporate & Community Services**

## **REPORTS**

## - R E P O R T S -

### 12.1 FINANCE

#### 12.1.1 List of Accounts for Payment – City of Albany

<b>File/Ward</b>	:	FIN022 (All Wards)
<b>Proposal/Issue</b>	:	N/A
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Manager of Finance (S Goodman)
<b>Disclosure of Interest</b>	:	Nil.
<b>Previous Reference</b>	:	N/A
<b>Summary Recommendation</b>	:	Approve accounts for payment
<b>Bulletin Attachment</b>	:	Summary of Accounts
<b>Locality Plan</b>	:	N/A

#### COMMENT/DISCUSSION

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

Municipal Fund			
Cheques	totalling		447,599.62
Electronic Fund Transfer	totalling		2,167,881.30
Payroll	totalling		654,756.95
<b>TOTAL</b>			<b><u>\$3,270,237.87</u></b>

2. As at 30<sup>th</sup> June 2003, the total outstanding creditors, stands at -\$2,285.97.
3. Cancelled cheques – 17624, 17640, 17641, 17658, 17675 & 17734.

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Item 12.1.1 continued.

RECOMMENDATION

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

Municipal Fund	totalling	\$3,270,237.87
Total		<u>\$3,270,237.87</u>

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR EMERY  
SECONDED COUNCILLOR WELLINGTON**

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

<b>Municipal Fund</b>	<b>totalling</b>	<b>\$3,270,237.87</b>
	<b>Total</b>	<b><u>\$3,270,237.87</u></b>

**MOTION CARRIED 11-0**

### 12.1.2 Valuation of Rate Assessments

<b>File/Ward</b>	:	A178574 & A7725 (West Ward)
<b>Proposal/Issue</b>	:	Request for Grouped/Contiguous Valuation of Rate Assessments
<b>Subject Land/Locality</b>	:	Location 4986 South Coast Highway & 6011 Sleeman Road
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	GL & CJ Wrightson & DA & RJ Carter
<b>Reporting Officer(s)</b>	:	Finance Officer-Rates (K Dolzadelli)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	That Council decline request for Grouped/Contiguous Valuation
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	N/A

### BACKGROUND

1. GL & CJ Wrightson and DA & RJ Carter are business partners trading under the name Jenamax Grazing. Jenamax Grazing farm locations 4986 & 6011 together with 2 other leased parcels of land.
2. CJ Wrightson is the registered owner of location 6011 and GL & CJ Wrightson and DA & RJ Carter are the registered owners of location 4986.
3. GL & CJ Wrightson and DA & RJ Carter purchased location 4986 on 1<sup>st</sup> November 2002. JPB Summers who also owned other locations previously owned the location. JPB Summers locations were grouped together for the purpose of valuation – “Same Ownership” and “Contiguity” criteria having been met.
4. When JPB Summers sold location 4986 to GL & CJ Wrightson and DA & RJ Carter the Grouped Valuation status was no longer applicable so The Valuer Generals Office provided a separate valuation to the City of Albany in line with their policy.

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Item 12.1.2 continued.

5. Sighting legal precedence the Valuer Generals Office’s policy relating to grouped valuations essentially states that:

*“Contiguous Rural Land held in the “Same Ownership” and used and occupied as one property, is to be valued as a single valuation entity”.*

Definition:

*“Contiguous*

- a) where survey boundaries abut or adjoin,*
- b) locations or lots are separated by a road, drain or watercourse reserve or*
- c) where a property is actively used or operated as one and would normally be expected to sell as one holding, even though boundaries do not strictly adjoin, it may be deemed contiguous.”*

*“Same Ownership*

- d) Same names as per Certificate of Title; or*
- e) Ratepayers name for recording on Valuation Rolls, advised by the Local Government authority.”*

6. Ratepayers details recorded against the Rate Book are by convention the same names as recorded on the Certificate of Title.

### **STATUTORY REQUIREMENTS**

7. Section 6.28 (5) of the Local Government Act 1995 states (a) *“...where during a financial year an interim valuation is made under the Valuation of Land Act1978”*. Furthermore this section continues on to state *“the interim valuation, amended valuation or new valuation, as the case requires, is to be used by a Local Government for the purposes of this section”*.
8. Section 6.39 (2)(a) of the Local Government Act 1995 states *“...a Local Government is required, from time to time, to amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with the act”*.
9. Section 6.41 (1) of the Local Government Act 1995 states *“ a Local Government is required to give to the **owner** of rateable land a Rate Notice.”*

The owner is legally liable to the Local Government not the Lessee or trading company.

### **POLICY IMPLICATIONS**

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

Item 12.1.2 continued.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**COMMENT/DISCUSSION**

13. The two locations clearly are not held under the “Same Ownership” and the request doesn’t fit the policy as set down by the Valuer Generals Office.

**RECOMMENDATION**

THAT Council decline GL & CJ Wrightson and DA & RJ Carter’s request for group valuation for rate assessments on Location 4986 South Coast Highway & 6011 Sleeman Road.

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR BOJCUN  
SECONDED COUNCILLOR WELLINGTON**

**THAT Council decline GL & CJ Wrightson and DA & RJ Carter’s request for group valuation for rate assessments on Location 4986 South Coast Highway & 6011 Sleeman Road.**

**MOTION CARRIED 11-0**

### 12.1.3 Principal Activities Plan

<b>File/Ward</b>	:	STR 014 (All Wards)
<b>Proposal/Issue</b>	:	Council requested to adopt the Principal Activities Plan
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Manager Finance (S Goodman)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 20/05/03 – Item 12.1.2
<b>Summary Recommendation</b>	:	That Council adopt the Principal Activities Plan.
<b>Bulletin Attachment</b>	:	Principal Activity Plan
<b>Locality Plan</b>	:	N/A

### BACKGROUND

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

### STATUTORY REQUIREMENTS

2. Section 5.56 of the Local Government Act (1995) requires that Council prepare a plan of principal activities each year, and make the plan available for public discussion over a period of at least six weeks. Submissions relating to the Plan must be considered before the City's annual budget is approved. Council must report any significant variances from the 2003/07 Plan in its 2003/04 Annual Report.

### POLICY IMPLICATIONS

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

Item 12.1.3 continued.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**COMMENT/DISCUSSION**

6. A Draft Principal Activities Plan was prepared in April 2003. The availability of the plan has been advertised locally, and the statutory period of 6 weeks allowed for public comment. There have been no public submissions.
7. At the time the Draft Principal Activities Plan was prepared, the operating budget had not been finalised. The proposed Principal Activities Plan has been amended in accordance with budget changes since that time. There are no major changes in the activities.
8. Council is requested to adopt the 2003/07 Principal Activities Plan.

**RECOMMENDATION**

THAT Council adopt the 2003/07 Principal Activities Plan.

*Voting Requirement Simple Majority*

.....

<p><b>MOVED COUNCILLOR WATERMAN SECONDED COUNCILLOR WILLIAMS</b></p> <p><b>THAT Council adopt the 2003/07 Principal Activities Plan.</b></p> <p><b>MOTION CARRIED 11-0</b></p>
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#### 12.1.4 Community Financial Assistance Program - Major Grant Applications

<b>File/Ward</b>	:	FIN 022 (All Wards)
<b>Proposal/Issue</b>	:	Consideration of applications for Major Community Financial Assistance Grants
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Community Development Officer (R Shanhun)
<b>Disclosure of Interest</b>	:	N/A
<b>Previous Reference</b>	:	N/A
<b>Summary Recommendation</b>	:	Nil; pending Council consideration.
<b>Bulletin Attachment</b>	:	Nil.
<b>Locality Plan</b>	:	N/A

#### BACKGROUND

1. Each year the City of Albany provides financial assistance to community based organisations under its Community Financial Assistance Program. The provision of grants greater than \$10,000 is covered under the Major Grants category, which requires the Community Financial Assistance Committee to make priority recommendations to Council for consideration of approval as part of the budget process.

#### STATUTORY REQUIREMENTS

2. Financial regulations require that funding of Community Financial Assistance applications be subject to prior budget approval and budgeted expenditure limitation.

#### POLICY IMPLICATIONS

3. Council's Community Financial Assistance Policy makes the Community Financial Assistance Committee responsible for prioritising applications for Major Community Grants. These recommendations are referred to Council for consideration as part of budget deliberation process.

Item 12.1.4 continued.

#### **FINANCIAL IMPLICATIONS**

4. Approval of Major Grant funding is subject to the provision of funding within the budget. Currently there is no allocation within the draft budget for Major Grants. Approval will require the identification of expenditure cuts or increases in revenue within the draft budget.

#### **STRATEGIC IMPLICATIONS**

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

#### **COMMENT/DISCUSSION**

6. The Community Financial Assistance Committee met on 2<sup>nd</sup> July 2003 to assess applications for financial assistance received from community organisations. Part of this process included prioritising applications for Major Grants.
7. Major Grant applications have been received from:
  - Albany Racing Club (Inc.)**
    - Great Southern Thoroughbred Racing Marketing Project – \$25,000
    - Total project cost - \$64,880
  - Albany Bowling Club (Inc.)**
    - Synthetic Greens & Flood Lighting Project - \$15,984
    - Total Project Cost - \$31,969
  - Wilson Inlet Catchment Management Committee (Inc.)**
    - Fencing & Revegetation of Wetlands - \$20,000
    - Total project cost - \$70,675
  - Albany Agricultural Society (Inc.)**
    - Purchase of Shelter Kit for Alpaca Display - \$12,000
    - Total project cost - \$12,000
8. Full Major Grant application details are available from the Community Development Officer.
9. After consideration of the merits of each application, the Committee adopted the following priority order:
  - 1 Albany Racing Club (Inc.)
  - 2 Albany Agricultural Society (Inc.)
  - 3 Albany Bowling Club (Inc.)
  - 4 Wilson Inlet Catchment Management Committee (Inc.)

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Item 12.1.4 continued.

RECOMMENDATION

Nil, pending Council's consideration of the Major Grant applications and inclusion of approved grants within the 2003/04 Budget

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR BOJCUN**

**SECONDED COUNCILLOR WELLINGTON**

**THAT Council not approve the Major Grant applications as presented.**

**MOTION CARRIED 10-1**

Reason:

Due to budget constraints, but no way a reflection on the projects.

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<b>Grant Type: Major Community Grants</b>						
<b>Applicant</b>	<b>Project Details</b>	<b>Grant Request</b>	<b>Total Cost</b>	<b>Other grants</b>	<b>Committee's Priority Ranking</b>	<b>Rationale</b>
Albany Racing Club	Great Southern Thoroughbred Racing Marketing officer project	25,000.00	64,880.00	Yes \$27,500	<b>1</b>	Contribution of racing industry to local economy.
Albany Bowling Club Inc.	Completion of Synthetic Greens project - additional items and flood lighting	15,984.00	31,969.00	Yes CSRFF \$110,000	<b>3</b>	CSRFF grant approved. Well planned & needed facility
Wilson Inlet Catchment Committee	Fencing and revegetation of wetlands	20,000.00	70,675.00	No	<b>4</b>	Environmental benefit.
Albany Agricultural Society Inc.	Purchase of shelter kit for Albany show	12,000.00	12,000.00	No	<b>2</b>	Well-planned & needed facility. 100% funding request.
<b>Totals</b>		<b>\$72,984.00</b>	<b>\$179,524.00</b>			

### 12.1.5 Municipal Fund Budget 2003/04

<b>File/Ward</b>	:	FIN 021 (All Wards)
<b>Proposal/Issue</b>	:	Municipal Fund Budget 2003/04
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer</b>	:	Manager Finance (S Goodman)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	That the 2003/04 Budget be adopted.
<b>Bulletin Attachment</b>	:	Nil.
<b>Locality Plan</b>	:	N/A

### BACKGROUND

1. The draft annual budget (to be tabled at the July meeting) for 2003/4 has been prepared in accordance with the Local Government Act 1995.

### STATUTORY REQUIREMENTS

#### *Adoption of Budget*

2. Section 6.2(1) of the Local Government Act 1995 requires that prior to 31<sup>st</sup> August 2003, Council to adopt a budget for its municipal fund for the year ending 30<sup>th</sup> June 2004.
3. *“The annual budget is to incorporate:-*
  - a) *particulars of the estimated expenditure proposed to be incurred by the local government;*
  - b) *detailed information relating to the rates and service charges which will apply to land within the district including:-*
    - i. *the amount it is estimated will be yielded by the general rate; and*
    - ii. *the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;*
  - c) *the fees and charges proposed to be imposed by the local government;*
  - d) *the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;*

Item 12.1.5 continued.

- e) *details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;*
- f) *particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and*
- g) *such other matters as are prescribed.”*

#### **POLICY IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

- 5. The adopted budget will form the financial basis for operations of the City of Albany in 2003/04. Once adopted, the budget will be reviewed in October 2003, January 2004 and April 2004.

#### **STRATEGIC IMPLICATIONS**

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

#### **COMMENT/DISCUSSION**

##### ***Rating***

- 7. The proposed increase in 2003/04 rates is 7.6%.

##### ***Capital Works Programme***

- 8. Total Programme \$16.5 million

##### ***Funding Sources***

Municipal Fund	\$2.9 million
External Sources (mainly grants & asset trade-ins)	\$7.5 million
Loan Funds	\$1.5 million
City Reserve Funds	\$4.7 million

##### ***Major Projects***

Wellstead Community Resource Centre (carryover)  
Civic / Admin Centre design (carryover)  
Strategic Bushfire Equipment  
Assets Management Strategy Roads Programme  
Various Parks / Reserves  
Hanrahan Road Regeneration  
Plant Replacement

**CORPORATE & COMMUNITY SERVICES REPORTS**

Item 12.1.5 continued.

***Loans***

9. The Asset Management Strategy Roads Programme will be partially funded by a \$0.8 million loan, and the Plant Business Unit is to be funded by a \$0.7 million loan.

***Reserve Funds***

10. City Reserves Funds show an estimated balance as at 30<sup>th</sup> June 2004 of \$3.7 million.

***Fees and Charges***

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

***Waste Charges***

12. In determining a refuse collection/recycling fee for 2003/04, the following components of the proposed Waste Budget were considered:-

Operation of Tips / Transfer Stations	509,000	
City Charge – Collected rubbish into tip	220,000	
Tip income	(537,000)	
Rubbish Collection (part year)	243,000	
Recycling Collection (part year)	138,000	
Waste minimisation Contract	1,116,000	
Admin / Customer Service / other	73,000	
Tip Rehabilitation/Capital	873,000	
Capital funding – Grant	(60,000)	
Capital Funding – ex Reserve –Carryover	(456,000)	
<i>Income Required</i>		<i>2,119,000</i>

**Urban Residential**

Number of Services	11,380
Recommended Refuse Collection/Recycling Fee	\$184.00
Total Waste Charge	\$2094,000

**Rural Residential**

Number of Services	1,667
Recommended Refuse Collection/Recycling Fee	\$15
Total Waste Charge	\$25,000

***New Reserve***

12. It is proposed that one new reserve be created.
- a. Youth Venue Reserve
- Purpose: To provide funding for the construction of the proposed Albany Youth Venue.

Item 12.1.5 continued.

RECOMMENDATION

- i) **Budget Adoption**  
THAT the 2003/04 Budget which has been prepared in accordance with the Local Government Financial Regulations (1997) and has incorporated AAS27 principles, be adopted.
- ii) **General Rates**
  - a) THAT in accordance with Section 6.32 of the Local Government Act 1995, a General Rate of 9.8471 cents in the dollar be imposed on Gross Rental Valuations for those properties to be rated on Gross Rental Value; and
  - b) THAT in accordance with Section 6.32 of the Local Government Act 1995, a General Rate of .6616 cents in the dollar be imposed on all Unimproved Valuations for properties to be rated on Unimproved Value
- iii) **Discount for Early Payment**  
THAT in accordance with Section 6.46 of the Local Government Act 1995, an early payment discount equal to 3% of current rates levied be allowed where payment of the account is made in full by no later than 4.30pm on the 18<sup>th</sup> September 2003.
- iv) **Minimum Rates – All Properties**  
THAT in accordance with Section 6.35 of the Local Government Act 1995, a minimum rate be set at \$445 for all categories.
- v) **Refuse Service Charges (Rubbish Disposal & Recycling Service)**  
THAT the Refuse Services Charge for 2003/04 be \$184.00 per annum for residential properties for weekly removal of one MGB.
- vi) **Rural Waste Service Charge**  
THAT the Rural Waste Services Charge for 2003/04 be \$15.00 per annum for residential properties which do not have a weekly/fortnightly rubbish disposal service.
- vii) **Instalment Options**  
THAT in accordance with Section 6.45 of the Local Government Act 1995, the following payment options are available:
  - Option 1      Payment in full up to 35 days after date of issue of Rate Notice – Due Date 18<sup>th</sup> September 2003.
  - Option 2      Payment of two equal or nearly equal instalments:  
1<sup>st</sup> Instalment Due Date 18<sup>th</sup> September 2003;  
2<sup>nd</sup> Instalment Due 4 months after 1<sup>st</sup>  
Due date: 19<sup>th</sup> January 2004.



**CORPORATE & COMMUNITY SERVICES REPORTS**

- (Instalment interest payable on rate amount only, all arrears to be paid in 1<sup>st</sup> instalment)
- Option 3      Payment of four equal or nearly equal instalments:  
1<sup>st</sup> Instalment Due 35 days after date of issue of Rate Notice. Due date 18<sup>th</sup> September 2003.  
2<sup>nd</sup> Instalment Due 2 months after 1<sup>st</sup>. Due date 19<sup>th</sup> November 2003.  
3<sup>rd</sup> Instalment Due 2 month after 2<sup>nd</sup>. Due Date 19<sup>th</sup> January 2004.  
4<sup>th</sup> Instalment Due 2 months after 3<sup>rd</sup>. Due Date 19<sup>th</sup> March 2004.  
(Instalment interest payable on rate amount only, all arrears to be paid in 1<sup>st</sup> Instalment)
- viii)      Instalments – Interest Rates & Administrative Charges  
            THAT in accordance with Section 6.45 of the Local Government Act 1995:
- i)          an additional charge by way of interest where payment of a rate is made by instalments with the rate of interest being set at 5.5%;
  - ii)        an additional charge by way of an instalment fee, where payment of a rate is made by instalment be set at \$3.00 for each instalment excluding the first of any payment option. Therefore option 2 will attract a total administration charge of \$3.00 and option 3 will attract a total administration charge of \$9.00.
- ix)        Late Payment Interest Rates
- i)          Interest on Overdue Rates Service Charges.  
            Late payment interest be set at a rate of 11% per annum (.0301% daily) and continue to be charged on overdue/arrears rates and service charges, and current rates and service charges that remain unpaid after 35 days from the date of issue.
  - ii)        Interest on Overdue Rubbish Collection Fees  
            Late payment interest be set at a rate of 11% per annum (.0301% daily) and continue to be charged on overdue/arrears Rubbish Collection Fees, and current rubbish charges that remain unpaid after 35 days from the date of issue.
  - iii)       Interest on Overdue Debtors Accounts.  
            Late payment interest be set at a rate of 11% per annum (.0301% daily) and continue to be charged on overdue/arrears debtors accounts that remain unpaid after 35 days from the date of issue.
- x)        Early Payment Prize  
            THAT five prizes will be awarded as follows:  
1<sup>st</sup>        A \$2,000 Commonwealth Bank Streamline account  
2<sup>nd</sup>       An accommodation package with Cottesloe Beach Chalets

**CORPORATE & COMMUNITY SERVICES REPORTS**

- 3<sup>rd</sup> An accommodation package with Banksia Gardens Resort-Albany
- 4<sup>th</sup> An accommodation package with the Comfort Inn – Albany
- 5<sup>th</sup> 12 bottles of Wignalls Wines new release "Albany Dew" wine

In order to be eligible to enter the draw for the prizes, all rates and charges on the individual assessment must be paid in full 9 days prior to the due date (ie on or before 9<sup>th</sup> September 2003)

- xi) Fees and Charges  
THAT the schedule of fees and charges for the City of Albany be adopted.
- xii) Budget Surplus  
THAT any budget surplus arising from 2003/04 operations be transferred to reserve accounts for purposes as designated by Council.
- xiii) Creation of Reserve  
THAT the following reserve be created:-  
Youth Venue Reserve  
Purpose:- To provide funding for the proposed Albany Youth Venue.

*Voting Requirement Absolute Majority*

.....

**MOVED COUNCILLOR BOJCUN  
SECONDED COUNCILLOR EMERY**

**THAT Council;**

- i) allocate an additional \$10,000 towards the Albany Art Prize, with an equivalent reduction in the allocation for Public Artworks; and**
- ii) review the guidelines in relation to the Albany Art Prize.**

**MOTION LOST 1-10**

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR WELLINGTON**

- i) Budget Adoption  
THAT the 2003/04 Budget which has been prepared in accordance with the Local Government Financial Regulations (1997) and has incorporated AAS27 principles, be adopted.**

- ii) General Rates**
- a) THAT in accordance with Section 6.32 of the Local Government Act 1995, a General Rate of 9.8471 cents in the dollar be imposed on Gross Rental Valuations for those properties to be rated on Gross Rental Value; and
- b) THAT in accordance with Section 6.32 of the Local Government Act 1995, a General Rate of .6616 cents in the dollar be imposed on all Unimproved Valuations for properties to be rated on Unimproved Value
- iii) Discount for Early Payment**  
THAT in accordance with Section 6.46 of the Local Government Act 1995, an early payment discount equal to 3% of current rates levied be allowed where payment of the account is made in full by no later than 4.30pm on the 18<sup>th</sup> September 2003.
- iv) Minimum Rates – All Properties**  
THAT in accordance with Section 6.35 of the Local Government Act 1995, a minimum rate be set at \$445 for all categories.
- v) Refuse Service Charges (Rubbish Disposal & Recycling Service)**  
THAT the Refuse Services Charge for 2003/04 be \$184.00 per annum for residential properties for weekly removal of one MGB.
- vi) Rural Waste Service Charge**  
THAT the Rural Waste Services Charge for 2003/04 be \$15.00 per annum for residential properties which do not have a weekly/fortnightly rubbish disposal service.
- vii) Instalment Options**  
THAT in accordance with Section 6.45 of the Local Government Act 1995, the following payment options are available:
- Option 1** Payment in full up to 35 days after date of issue of Rate Notice – Due Date 18<sup>th</sup> September 2003.
- Option 2** Payment of two equal or nearly equal instalments:  
1<sup>st</sup> Instalment Due Date 18<sup>th</sup> September 2003;  
2<sup>nd</sup> Instalment Due 4 months after 1<sup>st</sup>  
Due date: 19<sup>th</sup> January 2004.  
(Instalment interest payable on rate amount only, all arrears to be paid in 1<sup>st</sup> instalment)
- Option 3** Payment of four equal or nearly equal instalments:  
1<sup>st</sup> Instalment Due 35 days after date of issue of Rate Notice. Due date 18<sup>th</sup> September 2003.  
2<sup>nd</sup> Instalment Due 2 months after 1<sup>st</sup>. Due date 19<sup>th</sup> November 2003.  
3<sup>rd</sup> Instalment Due 2 month after 2<sup>nd</sup>. Due Date 19<sup>th</sup> January 2004.

**4<sup>th</sup> Instalment Due 2 months after 3<sup>rd</sup>. Due Date 19<sup>th</sup> March 2004.  
(Instalment interest payable on rate amount only, all arrears to be paid in 1<sup>st</sup> Instalment)**

- viii) Instalments – Interest Rates & Administrative Charges**  
**THAT in accordance with Section 6.45 of the Local Government Act 1995:**
- a) an additional charge by way of interest where payment of a rate is made by instalments with the rate of interest being set at 5.5%;**
  - b) an additional charge by way of an instalment fee, where payment of a rate is made by instalment be set at \$3.00 for each instalment excluding the first of any payment option. Therefore option 2 will attract a total administration charge of \$3.00 and option 3 will attract a total administration charge of \$9.00.**
- ix) Late Payment Interest Rates**
- i) Interest on Overdue Rates Service Charges.**  
**Late payment interest be set at a rate of 11% per annum (.0301% daily) and continue to be charged on overdue/arrears rates and service charges, and current rates and service charges that remain unpaid after 35 days from the date of issue.**
  - ii) Interest on Overdue Rubbish Collection Fees**  
**Late payment interest be set at a rate of 11% per annum (.0301% daily) and continue to be charged on overdue/arrears Rubbish Collection Fees, and current rubbish charges that remain unpaid after 35 days from the date of issue.**
  - iii) Interest on Overdue Debtors Accounts.**  
**Late payment interest be set at a rate of 11% per annum (.0301% daily) and continue to be charged on overdue/arrears debtors accounts that remain unpaid after 35 days from the date of issue.**
- x) Early Payment Prize**  
**THAT five prizes will be awarded as follows:**
- 1<sup>st</sup> A \$2,000 Commonwealth Bank Streamline account**
  - 2<sup>nd</sup> An accommodation package with Cottesloe Beach Chalets**
  - 3<sup>rd</sup> An accommodation package with Banksia Gardens Resort-Albany**
  - 4<sup>th</sup> An accommodation package with the Comfort Inn – Albany**
  - 5<sup>th</sup> 12 bottles of Wignalls Wines new release “Albany Dew” wine**
- In order to be eligible to enter the draw for the prizes, all rates and charges on the individual assessment must be paid in full 9 days prior to the due date (ie on or before 9<sup>th</sup> September 2003)**
- xi) Fees and Charges**  
**THAT the schedule of fees and charges for the City of Albany be adopted.**

**CORPORATE & COMMUNITY SERVICES REPORTS**

**xii) Budget Surplus**  
**THAT any budget surplus arising from 2003/04 operations be transferred to reserve accounts for purposes as designated by Council.**

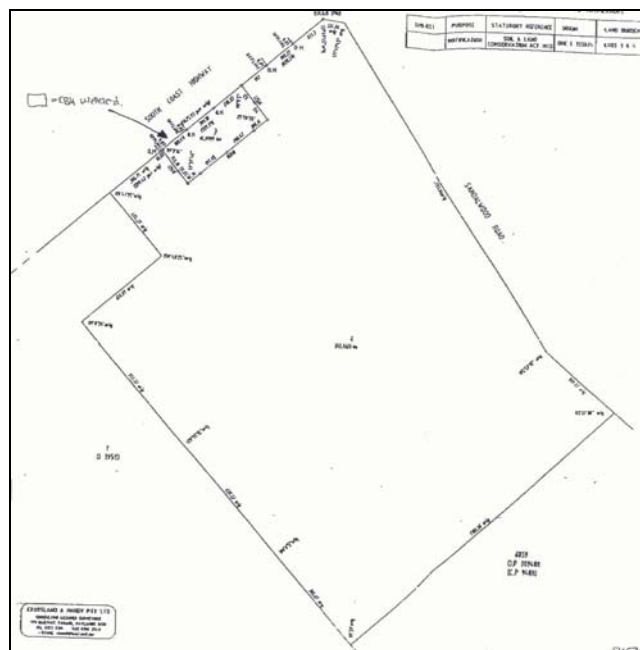
**xiii) Creation of Reserve**  
**THAT the following reserve be created:-**  
**Youth Venue Reserve**  
**Purpose:- To provide funding for the proposed Albany Youth Venue.**

**MOTION CARRIED 11-0**  
**ABSOLUTE MAJORITY**

**12.2 ADMINISTRATION**

**12.2.1 Proposed New Lease – Co-operative Bulk Handling Ltd for Transmission Services**

<b>File/Ward</b>	:	STR 083 (Hassell Ward)
<b>Proposal/Issue</b>	:	New Lease
<b>Subject Land/Locality</b>	:	Tower One – Co-operative Bulk Handling Ltd Silo, Wellstead, being a portion of the land shown on Deposited Plan 13105
<b>Proponent</b>	:	City of Albany
<b>Owner</b>	:	Co-operative Bulk Handling Ltd
<b>Reporting Officer(s)</b>	:	Administration Officer (J Twaddle)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	SCM 31/07/01 Item 7.2 OCM 21/05/02 Item 14.1.3
<b>Summary Recommendation</b>	:	That Council agree to enter into a new lease for a 20 year term commencing on 1 August 2002.
<b>Bulletin Attachment</b>	:	Nil.
<b>Locality Plan</b>	:	



Item 12.2.1 continued.

### **BACKGROUND**

1. Areas within the City of Albany were identified as Blackspot Areas and required additional services in Wellstead to the East, and Youngs Siding, Torbay, Bornholm and Elleker to the West.
2. To improve television reception in these five (5) areas, two (2) retransmitting towers were installed in August 2002.

### **STATUTORY REQUIREMENTS**

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

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

5. All costs associated with these leases are to be borne by the City of Albany with all rental fees being paid directly by the City of Albany. The recommended lease fee is \$1.00 per annum and will need to be paid from August 2002, as Co-operative Bulk Handling Ltd's land was utilised from this date.

### **STRATEGIC IMPLICATIONS**

6. This request complies with Council's "Albany 2020 – Charting Our Course", which in part states as follows:  
*"The continual development of Council services & facilities to meet the needs of all stakeholders."*

### **COMMENT/DISCUSSION**

7. At the Ordinary Council Meeting of 21 May 2002, Council accepted the tender from Broadcast Engineering Services (BES) for the sum of \$227,838.00 and to proceed with the installation of these services.
8. The retransmitting broadcasting towers were installed in August 2002 and are operating.

Item 12.2.1 continued.

RECOMMENDATION

THAT Council agree

- i) to enter into a new lease as the lessee for a 20 year term commencing on 1 August 2002 until 31 July 2022 at Co-operative Bulk Handling Silo Wellstead, being a portion of the land shown on Deposited Plan 13105;
- ii) rental for the lease area be set at \$1.00 per annum;
- iii) the lease be prepared in accordance with Council's standard leasing terms and conditions;
- iv) all fees associated with this lease be payable by the City of Albany; and
- v) the Common Seal of the City of Albany be affixed to the documentation.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WEST  
SECONDED COUNCILLOR WOLFE**

**THAT Council agree**

- i) to enter into a new lease as the lessee for a 20 year term commencing on 1 August 2002 until 31 July 2022 at Co-operative Bulk Handling Silo Wellstead, being a portion of the land shown on Deposited Plan 13105;**
- ii) rental for the lease area be set at \$1.00 per annum;**
- iii) the lease be prepared in accordance with Council's standard leasing terms and conditions;**
- iv) all fees associated with this lease be payable by the City of Albany; and**
- v) the Common Seal of the City of Albany be affixed to the documentation.**

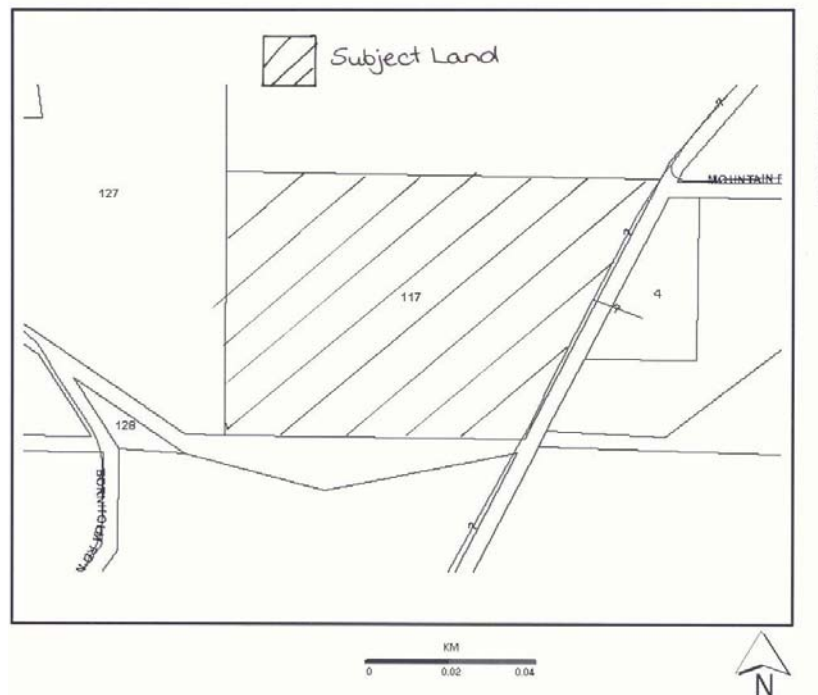
**MOTION CARRIED 11-0**



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**12.2.2 Proposed New Lease – D J Wolfe for Transmission Services**

- File/Ward** : STR 083 (West Ward)
- Proposal/Issue** : New Lease
- Subject Land/Locality** : Tower Two – Bornholm Hill, Bornholm, and being a portion of the land described in Certificate of Title Volume 2085 Folio 591
- Proponent** : City of Albany
- Owner** : DJ Wolfe
- Reporting Officer(s)** : Administration Officer (J Twaddle)
- Disclosure of Interest** : Nil
- Previous Reference** : SCM 31/07/01 Item 7.2  
OCM 21/05/02 Item 14.1.3
- Summary Recommendation** : That Council agree to enter into a new lease for a 20 year term commencing on 1 August 2002.
- Bulletin Attachment** : Nil.
- Locality Plan** :



Item 12.2.2 continued.

### **BACKGROUND**

1. Areas within the City of Albany were identified as Blackspot Areas and required additional services in Wellstead to the East, and Youngs Siding, Torbay, Bornholm and Elleker to the West.
2. To improve television reception in these five (5) areas, two (2) retransmitting towers were installed in August 2002.

### **STATUTORY REQUIREMENTS**

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

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

5. All costs associated with this lease are to be borne by the City of Albany with all rental fees being paid directly by the City of Albany. The recommended lease fee is \$1300.00 per annum including GST and will need to be paid from August 2002, as Mr Wolfe's land was utilised from this date.

### **STRATEGIC IMPLICATIONS**

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

*"The continual development of Council services & facilities to meet the needs of all stakeholders."*

### **COMMENT/DISCUSSION**

7. At the Ordinary Council Meeting of 21 May 2002, Council accepted the tender from Broadcast Engineering Services (BES) for the sum of \$227,838.00 and to proceed with the installation of these services.
8. The retransmitting broadcasting towers were installed in August 2002 and are operating.

ORDINARY COUNCIL MEETING MINUTES – 15/07/03  
\*\* REFER DISCLAIMER \*\*  
**CORPORATE & COMMUNITY SERVICES REPORTS**

Item 12.2.2 continued.

**RECOMMENDATION**

THAT Council agree:

- i) to enter into a new lease as the lessee for a 20 year term commencing on 1 August 2002 until 31 July 2022 at Lot 117 Mountain Road, Bornholm, and being a portion of the land described in Certificate of Title Volume 2085 Folio 591;
- ii) rental for the lease area be set at \$1300.00 per annum including GST;
- iii) the lease be prepared in accordance with Council's standard leasing terms and conditions;
- iv) all fees associated with this lease be payable by the City of Albany; and
- v) the Common Seal of the City of Albany be affixed to the documentation.

*Voting Requirement Simple Majority*

.....

Councillor Wolfe declared an interest in this item and left the Chambers at 8.14pm

The nature of interest – Cllr Wolfe is the owner of the proposed lease land.

**MOVED COUNCILLOR WILLIAMS  
SECONDED COUNCILLOR WELLINGTON**

**THAT Council agree:**

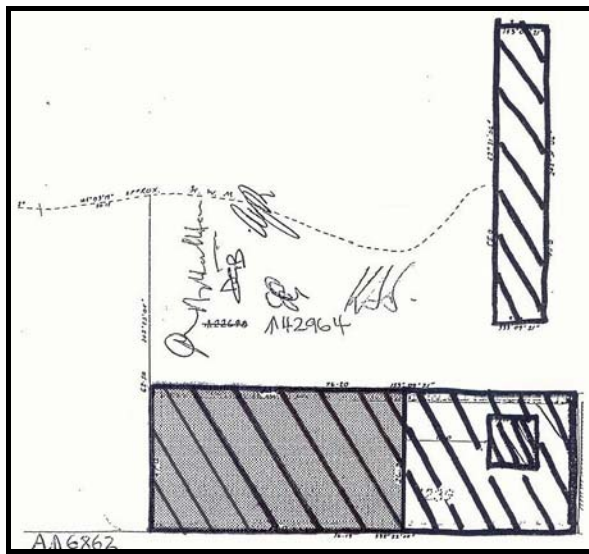
- i) to enter into a new lease as the lessee for a 20 year term commencing on 1 August 2002 until 31 July 2022 at Lot 117 Mountain Road, Bornholm, and being a portion of the land described in Certificate of Title Volume 2085 Folio 591;**
- ii) rental for the lease area be set at \$1300.00 per annum including GST;**
- iii) the lease be prepared in accordance with Council's standard leasing terms and conditions;**
- iv) all fees associated with this lease be payable by the City of Albany; and**
- v) the Common Seal of the City of Albany be affixed to the documentation.**

**MOTION CARRIED 10-0**

Councillor Wolfe returned to the Chambers at 8.15pm.

**12.2.3 Proposed New Lease – Emu Point Slipway**

- File/Ward** : PRO 053 & PRO 074 (Beaksea Ward)
- Proposal/Issue** : Surrender of Head Lease and Sub Lease and Request for New Leases
- Subject Land/Locality** : Portion of Reserves 42964, Lot 1423
- Proponent** : Emu Point Sporting Club Inc, Darren & Linda Russell and Ocean Foods International Pty Ltd
- Owner** : Crown Land (Management Order to the City of Albany)
- Reporting Officer(s)** : Administration Officer (J Twaddle)
- Disclosure of Interest** : Nil
- Previous Reference** : OCM 18/6/02 Item 12.2.6  
OCM 20/5/03 Item 12.2.2
- Summary Recommendation** : That Council approve the surrender of the Head Lease and prepare of new leases for Darren & Linda Russell (Emu Point Slipway) and Ocean Foods International Pty Ltd.
- Bulletin Attachment** : Nil.
- Locality Plan** :



Item 12.2.3 continued.

### **BACKGROUND**

1. Reserve 42964 is located at Emu Point. Council has a Management Order for this Reserve which states the purpose as “Marine and Associated Purposes”, with power to lease for periods up to and including 50 years. Council currently has various leases on this Reserve including a lease for a portion of Reserve 42964, Lot 1423 to Emu Point Sporting Club Inc. The term of this lease is for a period of 21 years from 11 November 1993 until 31 October 2014.
2. Council agreed at the Ordinary Council Meeting on 18 June 2002, that a sub-lease be prepared for Darren and Linda Russell for Reserve 42964 Lot 1423 for the slipway area.

### **STATUTORY REQUIREMENTS:**

3. Section 18 (1) of the Land Administration Act 1997 states that a person must not, without the prior approval in writing of the Minister assign, sell, transfer or otherwise deal with interests on crown land.
4. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue a lease over a property, however it must first give statewide public notice of its intention to do so and therein invite submissions from interested persons.
5. Council is however able to dispose of property by other means, provided that it gives statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
6. Clause 30 of the Local Government (Function and General) Regulations 1996 provides an exemption to Council from the application of Section 3.58 of the Act if the land is being disposed of is a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.
7. These leases are clearly of a commercial operation and therefore the proposed disposition of land is not exempt from the provisions of Section 3.58 of the Act.
8. Neither Lessee is seeking a variation in their current sub-lease but Council is addressing the administrative requirements of removing the head lease with Emu Point Sporting Club from the two sub-leases with Darren & Linda Russell (slipway) and Ocean Foods International Pty Ltd, to provide the identical lease arrangements to that which they currently hold.

Item 12.2.3 continued.

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

10. All costs associated with these leases are to be borne by the City of Albany with all rental fees being paid directly to the City of Albany.

### **STRATEGIC IMPLICATIONS**

11. This request complies with Council's "Albany 2020 – Charting Our Course", which in part states as follows:

*“Managed healthy land/harbour environment*

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

### **COMMENT/DISCUSSION**

12. The Emu Point Sporting Club Inc currently sub-lease a portion of Lot 1423 Reserve 42964 to Ocean Foods International Pty Ltd with all rentals being payable to Council. It is proposed that both the head lease with the Emu Point Sporting Club Inc and the sub-lease with Ocean Foods International Pty Ltd be surrendered to the City of Albany with all rentals for any new leases being payable directly to the City of Albany.
13. At the Ordinary Council Meeting of 18 June 2002, Council approved a proposed sub-lease to Darren and Linda Russell through the Emu Point Sporting Club Inc for the management of the slipway and a shed adjacent to the slipway on Reserve 42964, portion Lot 1423.
14. The sub-lease between Emu Point Sporting Club and Ocean Foods International is for a term of 21 years commencing on 1 May 1992 and expiring on 30 April 2013.
15. At the Ordinary Council Meeting of 20 May 2003 it was resolved that Council agree to undertake the replacement works at the Emu Point Slipway, pursuant to Emu Point Sporting Club surrendering their head lease to the City of Albany.
16. Emu Point Sporting Club have notified the City of Albany in writing of their intention to surrender their head lease for the Emu Point Slipway and their sub-lease with Ocean Foods International Pty Ltd.

Item 12.2.3 continued.

RECOMMENDATION

THAT subject to approval from the Minister for Lands; Council agree;

- i) to surrender the head lease with the Emu Point Sporting Club Inc. and sub-lease with Ocean Foods International Pty Ltd;
- ii) to prepare a new lease for Darren and Linda Russell, for a period of 12 years and 3 months from 1 August 2002 until 31 October 2014 on portion of Reserve 42964, being Lot 1423;
- iii) to prepare a new lease for Ocean Foods International Pty Ltd for a period of 9 years and 10 months beginning 1 July 2003 until 30 April 2013, being until the remainder of their current lease term, on portion of Reserve 42964;
- iv) approval by the Department of Planning and Infrastructure being sought by Darren and Linda Russell prior to the commencement of any redevelopments, additions or extensions to the lease area in regard to the slipway operations being located over the water;
- v) rental for the slipway be set as per the resolution of Council on 18 June 2002 Item 12.2.6, which is  
*“the rental be set at \$500.00 per annum, subject to GST, in accordance with the current open market rental on a commercial return basis only, with rent reviews being carried out every 3 years based on the commercial return of the business and CPI being applied every other year”;*
- vi) all the leases be prepared in accordance with Council’s standard leasing terms and conditions;
- vii) all fees associated with these leases be payable by the City of Albany; and
- viii) the Common Seal of the City of Albany be affixed to the documentation.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR EMERY**

**THAT subject to approval from the Minister for Lands; Council agree;**

- i) to surrender the head lease with the Emu Point Sporting Club Inc. and sub-lease with Ocean Foods International Pty Ltd;**
- ii) to prepare a new lease for Darren and Linda Russell, for a period of 12 years and 3 months from 1 August 2002 until 31 October 2014 on portion of Reserve 42964, being Lot 1423;**
- iii) to prepare a new lease for Ocean Foods International Pty Ltd for a period of 9 years and 10 months beginning 1 July 2003 until 30 April 2013, being until the remainder of their current lease term,**

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- on portion of Reserve 42964;**
- iv) approval by the Department of Planning and Infrastructure being sought by Darren and Linda Russell prior to the commencement of any redevelopments, additions or extensions to the lease area in regard to the slipway operations being located over the water;**
  - v) rental for the slipway be set as per the resolution of Council on 18 June 2002 Item 12.2.6, which is**  
*“the rental be set at \$500.00 per annum, subject to GST, in accordance with the current open market rental on a commercial return basis only, with rent reviews being carried out every 3 years based on the commercial return of the business and CPI being applied every other year”;*
  - vi) all the leases be prepared in accordance with Council’s standard leasing terms and conditions;**
  - vii) all fees associated with these leases be payable by the City of Albany; and**
  - viii) the Common Seal of the City of Albany be affixed to the documentation.**

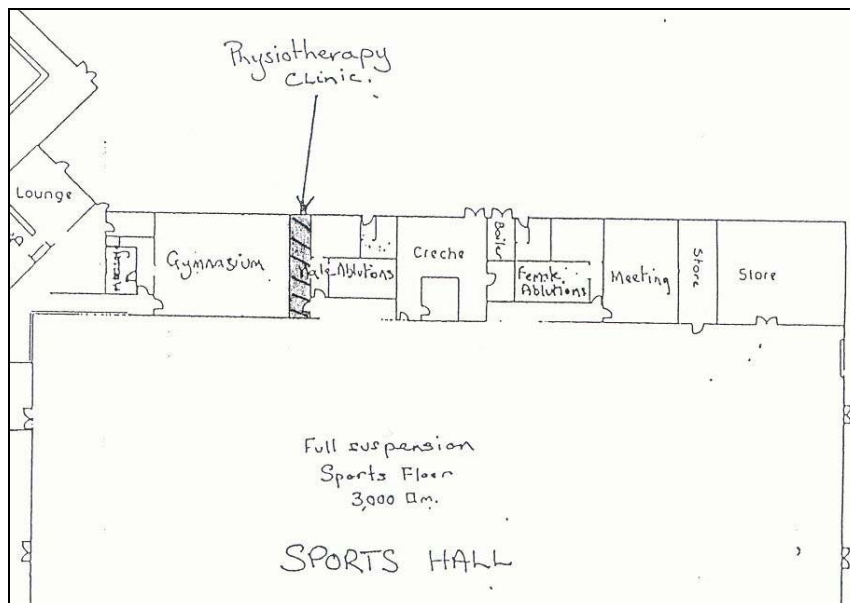
**MOTION CARRIED 11-0**



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12.2.4 New Lease – PJ Manassah Pty Ltd

<b>File/Ward:</b>	:	PRO 066 (Frederickstown Ward)
<b>Proposal/Issue</b>	:	New Lease
<b>Subject Land/Locality</b>	:	Portion of ALAC building Lot 742 Barker Road
<b>Proponent</b>	:	PJ Manassah Pty Ltd
<b>Owner</b>	:	City of Albany
<b>Reporting Officer(s)</b>	:	Administration Officer (A Wiseman)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 04/08/99 Item 13.2.3
<b>Summary Recommendation</b>	:	That Council advertise its intention to lease, and should no submissions be received, Council grant a new lease for PJ Manassah Pty Ltd for a 5 year term with a 5 year option commencing from 23 <sup>rd</sup> August 2003.
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	



Item 12.2.4 continued.

### **BACKGROUND**

1. A request has been received from P Manassah for a lease of 5 years with a 5 year option, effective from 23 August 2003 at the Albany Leisure and Aquatic Centre. The current lease is for a 2 year period with a 2 year option, expiring on 22 August 2003.
2. The land is owned by the City of Albany freehold and the room is located within a portion of the Albany Leisure and Aquatic Centre building.

### **STATUTORY REQUIREMENTS:**

3. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue a lease over a property, however it must first give statewide public notice of its intention to do so and therein invite submissions from interested persons.
4. Council is however able to dispose of property by other means, provided that it gives Statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.
5. Clause 30 of the Local Government (Function and General) Regulations 1996 provides an exemption to Council from the application of Section 3.58 of the Act if the land is being disposed of to a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural; educational, recreational, sporting or other like nature.
6. This lease is clearly a commercial operation and therefore the proposed disposition of land is not exempt from the provisions of Section 3.58 of the Act.
7. Section 5.42 of the Local Government Act allows the Council to delegate some its powers and duties to the Chief Executive Officer other than those referred to in Section 5.43, absolute majority is required.

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

9. An independent sworn valuation was obtained and the rental has been set at \$2,100.00 per annum subject to GST.
10. All costs associated with this proposed lease are to be borne by the applicant.

Item 12.2.4 continued.

**STRATEGIC IMPLICATIONS**

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

*“The continual development of Council services & facilities to meet the needs of all stakeholders – To plan and provide for equity of access to, and the continual development of activities within the Leisure & Aquatic Centre, which enhances the quality of life for a growing & active community.”*

**COMMENT/DISCUSSION**

12. The current rental figure is \$2082.48 per annum subject to GST. A new figure of \$2,100.00 per annum plus GST was obtained from Albany Valuation Services as an independent sworn valuation, which will need to be applied to this new lease agreement if approved.
13. Council will need to advertise its intention to grant PJ Manassah Pty Ltd a 5 year lease with a 5 year option on a portion of the Albany Leisure and Aquatic Centre building, with rental commencing at \$2,100.00 per annum plus GST.

**RECOMMENDATION**

THAT in accordance with Section 3.58 of the Local Government Act 1995, Council agree that, should no submissions be received as a result of advertising, the Chief Executive Officer be delegated authority:

- i) to negotiate a new lease with PJ Manassah Pty Ltd for a period of 5 years with a 5 year option commencing from 23 August 2003 for the physiotherapy room located within the building at the Albany Leisure and Aquatic Centre;
- ii) the rental be set at \$2,100.00 per annum subject to GST, with the fee being reviewed annually by movements in CPI;
- iii) the lease be prepared in accordance with the terms and conditions of the previous agreement;
- iv) all fees associated with this lease be payable by PJ Manassah Pty Ltd; and
- v) the Common Seal of the City of Albany be affixed to the documentation.

*Voting Requirement Absolute Majority*

.....

Item 12.2.4 continued.

**MOVED COUNCILLOR WATERMAN  
SECONDED COUNCILLOR WOLFE**

**THAT in accordance with Section 3.58 of the Local Government Act 1995, Council agree that, should no submissions be received as a result of advertising, the Chief Executive Officer be delegated authority:**

- i) to negotiate a new lease with PJ Manassah Pty Ltd for a period of 5 years with a 5 year option commencing from 23 August 2003 for the physiotherapy room located within the building at the Albany Leisure and Aquatic Centre;**
- ii) the rental be set at \$2,100.00 per annum subject to GST, with the fee being reviewed annually by movements in CPI;**
- iii) the lease be prepared in accordance with the terms and conditions of the previous agreement;**
- iv) all fees associated with this lease be payable by PJ Manassah Pty Ltd; and**
- v) the Common Seal of the City of Albany be affixed to the documentation.**

**MOTION CARRIED 11-0  
ABSOLUTE MAJORITY**

### 12.2.5 Proposed Youth Recreation Venue – Council Funding

<b>File/Ward</b>	:	MAN 136 (Vancouver Ward)
<b>Proposal/Issue</b>	:	Provision of capital works funding for proposed youth recreation venue
<b>Subject Land/Locality</b>	:	Lot 745 Sanford Road, Albany
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer/s</b>	:	Community Development Officer (R Shanhun)
<b>Disclosure of Interest</b>	:	Nil.
<b>Previous Reference</b>	:	Nil.
<b>Summary Recommendation</b>	:	That Council express its support for the proposed Albany Youth Recreation Venue and make its contribution of \$240,000 available.
<b>Bulletin Attachment</b>	:	Supporting Information
<b>Locality Plan</b>	:	N/A

#### BACKGROUND

1. Through Council's budget formulation process the issue of a financial contribution towards the proposed joint use multi purpose youth recreation venue has been discussed at length. These discussions have highlighted a number of issues of concern to Council and for which clarification has been sought.
2. At its special budget meeting held on Tuesday 24<sup>th</sup> June, 2003 Council resolved:

*“THAT Council reserves \$240,000 as a contribution to the proposed Albany Youth Venue subject to a report being prepared for consideration at the next Ordinary meeting of Council which provides the following information:*

- *written confirmation of the magnitude and availability of the P.C.Y.C contribution to the project;*
- *confirmation of all other capital funding contributions and also details of the unsuccessful funding applications;*
- *written advice from the project architect as to the estimated total capital cost of the project as proposed and also options that would reduce the scale of the project to meet currently available funds or provide staging opportunities for future funding proposals; and*

Item 12.2.5 continued.

- *written confirmation from the future managing entity that non-Council revenues are sufficient to manage and maintain the facility on a year in year out basis.*”

### **STATUTORY REQUIREMENTS**

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

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

5. Council’s budget includes provision for a contribution of \$240,000 towards the proposed Youth Recreation Venue project.

### **STRATEGIC IMPLICATIONS**

6. The City of Albany Recreation Needs Study and the resulting Recreation Strategy identified the necessity to undertake a *‘youth recreation needs analysis and feasibility study’*.
7. The recently adopted Centennial Park Recreation Precinct Plan includes provision for the development of a youth recreation precinct around the existing BMX track. This area includes the site identified for the proposed youth recreation venue.
8. Albany 2020 Port of Call *‘Attraction and development of a broad range of social, cultural and economic entities’* includes the objective of *‘Community Development - to encourage a vibrant community where all are encouraged to participate and contribute.’* The provision of youth services and facilities are important aspects of community development.

### **COMMENT/DISCUSSION**

9. The Councillors’ and Elected Member Report/Information Bulletin includes a report and supporting documentation that addresses the issues raised by Council at its June special budget meeting. These issues were:
10. Issue: Written confirmation of the magnitude and availability of the P.C.Y.C contribution to the project.
11. Comment: A letter from PCYC confirming all proceeds from the sale of the property will be used to fund the building construction.

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Item 12.2.5 continued.

12. Issue: Confirmation of all other capital funding contributions and also details of the unsuccessful funding applications.
13. Comment: Grant commitments from the Department Sport & Recreation, Lotteries West and Federal Department of Transport & Regional Services.

It should be noted that external funding of \$1,470,000 has been achieved. This level of funding for a youth venue is unprecedented in WA and represents over 67% of the building project cost. Council's contribution of \$240,000 represents 11%.

14. Issue: Written advice from the project architect as to the estimated total capital cost of the project as proposed and also options that would reduce the scale of the project to meet currently available funds or provide staging opportunities for future funding proposals;
15. Comment: Written advice from the Architect as to options for reduction of the project scale and resultant savings. It should be noted that any major change to the project budget would necessitate reciprocal changes to the building design. Any such changes will require the approval of the funding agencies. In staff's opinion a reduction of \$240,000 would result in a reduction in grant funding, which in turn would result in additional budget cuts and further building changes. Potentially, this could lead to further grant reductions. The project Working Group has resolved to undertake a public appeal, fundraising campaign and sponsorship drive over a period of 3 to 4 months in order to maximise the available funding, before addressing any shortfall with the grant funding agencies. In the interim, grant providers will be advised of the delay in commencement of the project.
16. Issue: Written confirmation from the future managing entity that non-Council revenues are sufficient to manage and maintain the facility on a year in year out basis.
17. Comment: Financial reports from both PCYC and SEA, providing confirmation of their previous operational record, viability and sustainability. A Copy of the letter from Police Superintendent Watson, regarding the commitment of another FTE officer to the PCYC/youth venue. Written confirmation from both PCYC and SEA that as the two major stakeholders involved in the youth venue project, the venue will be self-sustaining with no requirement on the City of Albany to contribute.
18. The Project Working Group and stakeholders will undertake a fundraising and sponsorship campaign, the minimise any budget shortfall, prior to negotiating with funding providers for the maintenance of their funding commitments.

Item 12.2.5 continued.

19. PCYC have made an approach to Albany MLA Peter Watson requesting the State Government to underwrite the PCYC contribution pending sale of their Stead Road premises. Mr Watson indicated the Government would not accede to such a request.
20. PCYC is endeavouring to have the State Government, through the Police Department, provide project management services for the Youth Venue project. No response has yet been received. In any event the appointed Architect will carry out project supervision, with additional project management by the Federation of West Australian PCYC's and the Albany PCYC. Chairperson of Albany PCYC, Mr Tom Knight is an experienced builder.
21. For the project to proceed, it is recommended that Council provide a commitment that its contribution of \$240,000.

RECOMMENDATION

THAT Council;

- i) indicate its support for the proposed joint use multi purpose Albany Youth Recreation Venue project; and
- ii) approve the release of funds (\$240,000) contained within its 2003/04 budget as a contribution towards the proposed youth recreation venue.

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR WILLIAMS**

**THAT Council contribute \$240,000 plus land in trust to the proposed Youth Recreation Venue subject to:**

- i) project cost matching available funding;**
- ii) original project outcomes being achieved; and**
- iii) project management and contract administration being undertaken by PCYC or the appropriate State Government Agency**

**MOTION CARRIED 11-0**

Reason:

- \$240,000 plus land is a significant contribution to a community based project and the commercial and financial risk associated with contract administration and project management should be borne by the State Government or the appropriate agency.



**12.2.6 Proposed New Lease for Railways Football & Tigers Sporting Club Inc**

<b>File/Ward</b>	:	PRO 083 (Frederickstown Ward)
<b>Proposal/Issue</b>	:	Proposed increase in lease area
<b>Subject Land/Locality</b>	:	Reserve 3713 and portion of Reserve 20788
<b>Proponent</b>	:	Railways Football & Tigers Sporting Club Inc
<b>Owner</b>	:	City of Albany
<b>Reporting Officer(s)</b>	:	Administration Officer (A Wiseman) Recreation Development Officer (M Weller)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 15/04/03 Item 12.2.1
<b>Summary Recommendation</b>	:	That Council approve the request for an increase in the area of leased ground given that the proposal is an interim measure intended to sustain the current growth and viability of the Railways football and Tigers Sporting Club (Railways Football & Tigers Sporting Club) until the event that it is relocated to the proposed multi-sport venue at Centennial Oval.
<b>Bulletin Attachment</b>	:	Incoming correspondence.
<b>Locality Plan</b>	:	To be tabled at the meeting.

**BACKGROUND**

1. The Railways Football and Tigers Sporting club has been involved in discussions with consultants and Council staff in the development of the Centennial Park and Yakamia Recreation Precinct Plan.

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Item 12.2.6 continued.

2. The plan recommends the relocation of the Railways Football & Tigers Sporting Club as part of a multi-sport club at Centennial Oval. The intended benefits are that clubs involved will retain their identity while being located in state of the art facilities. Similar facilities prove to be sustainable for the community and clubs involved as there are substantial financial and other benefits involved in co-location situations. A copy of the proposed plan is available for viewing at the York Street Council Office prior to and at the Ordinary Meeting of Council.
3. The Centennial Park Yakamia Recreation Precinct Plan was adopted by the City of Albany at the June 2003 Ordinary Council Meeting.
4. Railways Football and Tigers Sporting Club have confirmed their support for the future relocation:
  - Mr Reg Stone, officially representing the club, made comment in the public open forum (June 2003 Ordinary Council Meeting) supporting the relocation given that the club was able to retain its identity and autonomy.
  - Correspondence was received during the Centennial Park Yakamia Recreation Precinct Plan public comment period, in the form of a joint submission by Railways Football & Tigers Sporting Club and Royals Football Club, strongly supporting the future collocation at a multi-sport/community facility at Centennial Oval.
  - This support has been reaffirmed by Geoffrey Porter on behalf of the club in the letter of request which is the subject of this item as attached in the Elected Members Report/Information Bulletin.
5. Given the above; assessment made by the Executive Director of Development Services concludes that even if Council give the proposed multi-sport club a high priority it would realistically take 5-10 years before the facility would be commissioned and construction completed.
6. It is intended that this proposal is an interim measure allowing for the ability to sustain the growth and viability of the Railways football and Tigers Sporting Club (Railways Football & Tigers Sporting Club) until the event that it is relocated to the proposed multi-sport venue at Centennial Oval.

**STATUTORY REQUIREMENTS**

7. Section 3.58 of the Local Government Act 1995 – “Disposing of Property” requires that Council may issue a lease over a property, however it must first give statewide public notice of its intention to do so and therein invite submissions from interested persons.
8. Council is however able to dispose of property by other means, provided that it gives Statewide public notice (2 weeks) of the proposed disposition and invite submissions on the proposal.

Item 12.2.6 continued.

9. Clause 30 of the Local Government (Function and General) Regulations 1996 provides an exemption to Council from the application of Section 3.58 of the Act if the land is being disposed of is a body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.
10. The Railways Football and Tigers Sporting Club Inc is a sporting body and therefore the proposed disposition of land is exempt from the provisions of Section 3.58 of the Act.

#### **POLICY IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

12. As per Ordinary Council Meeting held on 15 April 2003, it was moved that all costs associated with the new lease documentation, be borne by the applicant.

*“THAT subject to approval from the Minister for Lands, Council agree:*

- i) to a new lease for the Railways Football and Tigers Sporting Club Inc being prepared for a period of 10 years, from 1 July 2003 to 30 June 2013 on Reserve 3713 and portion of Reserve 20788 Lockyer Avenue;*
  - ii) the rental be set at \$413.00 per annum, subject to GST, in accordance with Council’s 2002/2003 minimum GRV land rate figure, with rent reviews being carried out annually based on the minimum GRV land rate set by Council;*
  - iii) the lease be prepared in accordance with Council’s standard leasing terms and conditions, including the provision of an early termination clause to accommodate the possible relocation of the Club, with all maintenance and repairs being carried out by the Club;*
  - iv) all fees associated with this lease be payable by the Railways Football and Tigers Sporting Club Inc; and*
  - v) the Common Seal of the City of Albany be affixed to the documentation.”*
13. There is no financial commitment by the City of Albany towards any works undertaken as part of the expansion of grounds. These works would be the responsibility of the Railways Football & Tigers Sporting Club.

#### **STRATEGIC IMPLICATIONS**

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

Item 12.2.6 continued.

*“To encourage a healthy and active Community through the development of a range of recreational and cultural pursuits”*

*“Quality Parks, gardens and reserves maintaining their feature status – A diverse range of passive & active recreational areas that are creative, attractive, safe and enjoyable to use.”*

15. It is intended that the increase of lease area will allow for the expansion, sustainability and viability of the Railways Football and Tigers Sporting club until the event that it is relocated to the proposed multi-sport venue at centennial oval as per the Centennial Park and Yakamia Recreation Precinct Plan, which in part states:

*“Close of existing Railways football oval and relocation to centennial oval”*

#### **COMMENT/DISCUSSION**

The proposal has the following benefits:

16. Increase in availability of junior football grounds. This proposal would allow for two games to be played concurrently (current facilities only allow for one). Research as part of the Centennial Park Recreation Precinct plan identified that there is currently pressure on the ovals in the precinct due to the large numbers of participants in junior sport.
17. Increase in the size of the football ground; currently the ground is significantly smaller than the standard, this affects the development of Railways players and the quality of the games played at that venue.
18. More area to allow for the expansion of softball. In a letter supporting the Railways Football & Tigers Sporting Club application the Albany Softball Association have indicated that they are experiencing significant increase in participation and require additional space.
19. Increase in the area available for Albany sporting clubs to train.
20. The oval and facilities are maintained at no cost to the City of Albany.
21. As the Centennial Oval Multi-Sport/ Community facility is constructed and Centennial Oval realigned it may be necessary for more games to be located at the Railways ground. The increased size has the potential to minimise the disturbance caused by this.

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Item 12.2.6 continued.

Other Considerations:

22. Under the lease agreement Railways Football & Tigers Sporting Club are obligated that their facilities and the subject extra land, remain available for use by the Agricultural society at show time.
23. Railways Football & Tigers Sporting Club has indicated that the grounds will remain open to public passive recreation usage (except during schedule games and training). The club intends to create a large gate on the Northern fence line to ensure that the subject area remains accessible to the public. It is intended that this would form a condition of any future planning/ building consent.
24. Railways Football Club have indicated that as they intend to relocate to Centennial Park in the next 5-10 years no additional permanent infrastructure is intended to be built. In the event that additional lighting is purchased it is intended that it would be able to be relocated to the centennial park multi-sport facility in the future.
25. As per June 2003 Ordinary Meeting of Council, it is the intention that the lease generated is an interim agreement until sufficient facilities are developed at the new location.
26. It is also the intention of this agreement that Railways Football & Tigers Sporting Club will continue to work with Council officers in the planning and development of the proposed multi-sport/ community facility.
27. In the event that Council does not approve this recommendation, the previous decision (April 2003 Ordinary Council Meeting) will apply and a new lease will be generated for the club based on the current size allocation.

**RECOMMENDATION**

THAT Council reiterate its decision of the Ordinary Council Meeting of 15<sup>th</sup> April 2003, item 12.2.1:-

*“THAT subject to approval from the Minister for Lands, Council agree:*

- i) to a new lease for the Railways Football and Tigers Sporting Club Inc being prepared for a period of 10 years, from 1 July 2003 to 30 June 2013 on Reserve 3713 and portion of Reserve 20788 Lockyer Avenue;*
- ii) the rental be set at \$413.00 per annum, subject to GST, in accordance with Council's 2002/2003 minimum GRV land rate figure, with rent reviews being carried out annually based on the minimum GRV land rate set by Council;*

Item 12.2.6 continued.

- iii) *the lease be prepared in accordance with Council's standard leasing terms and conditions, including the provision of an early termination clause to accommodate the possible relocation of the Club, with all maintenance and repairs being carried out by the Club;*
- iv) *all fees associated with this lease be payable by the Railways Football and Tigers Sporting Club Inc; and*
- v) *the Common Seal of the City of Albany be affixed to the documentation.”;*  
and

approve the subsequent request for an increase in the area of leased ground, given that the proposal is an interim measure intended to sustain the current growth and viability of the Railways football and Tigers Sporting Club (Railways Football & Tigers Sporting Club) until such time as it is relocated to the proposed multi-sport/ community venue at Centennial Oval.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR EVANS  
SECONDED COUNCILLOR WELLINGTON**

**THAT Council reiterate its decision of the Ordinary Council Meeting of 15<sup>th</sup> April 2003, item 12.2.1:-**

*“THAT subject to approval from the Minister for Lands, Council agree:*

- i) *to a new lease for the Railways Football and Tigers Sporting Club Inc being prepared for a period of 10 years, from 1 July 2003 to 30 June 2013 on Reserve 3713 and portion of Reserve 20788 Lockyer Avenue;*
- ii) *the rental be set at \$413.00 per annum, subject to GST, in accordance with Council's 2002/2003 minimum GRV land rate figure, with rent reviews being carried out annually based on the minimum GRV land rate set by Council;*
- iii) *the lease be prepared in accordance with Council's standard leasing terms and conditions, including the provision of an early termination clause to accommodate the possible relocation of the Club, with all maintenance and repairs being carried out by the Club;*
- iv) *all fees associated with this lease be payable by the Railways Football and Tigers Sporting Club Inc; and*
- v) *the Common Seal of the City of Albany be affixed to the documentation.”; and*

**approve the subsequent request for an increase in the area of leased ground (as shown on displayed plan 1612-6A), given that the proposal is an interim measure intended to sustain the current growth and viability of the Railways Football & Tigers Sporting Club until such time as it is relocated to the proposed multi-sport/ community venue at Centennial Oval**

**AND**

**THAT Railways Football and Tigers Sporting Club. Inc. be further advised that:**

- i) any request for a lease renewal incorporating the additional land as shown on display plan 1612-6A, will not be supported by Council if Railways Football and Tigers Sporting Club Inc. cannot justify, through development of the additional land area, that the land is required for the nominated purpose and it should be transferred from public management control; and**
- ii) any request for funding from the City of Albany to develop the site in accordance with shown plan 1512-6A will be considered against the Centennial Park and Yakamia Recreation Precinct Plan with higher priority being given to the development of the Precinct Plan concepts.**

**MOTION CARRIED 11-0**

**Reason:**

The officer recommendation failed to address three important criteria:

- relating the additional leased area to a development plan/concept;
- signalling to Railways Football and Tigers Sporting Club Inc. that the transfer of public land to the Club brings with it an obligation to develop the land; and
- Council needs to reinforce to sporting clubs that funding will be allocated to longer term solutions and not immediate short term fixes.

**12.3 LIBRARY SERVICES**

Nil.

**12.4 DAY CARE CENTRE**

Nil.

**12.5 TOWN HALL**

Nil.

**12.6 ALBANY LEISURE AND AQUATIC CENTRE**

Nil.



**12.7 CORPORATE & COMMUNITY SERVICES COMMITTEES**

**12.7.1 Great Southern Regional Cattle Saleyards Committee meeting minutes – 9<sup>th</sup> June 2003**

- File/Ward** : REL 087 (Shire of Plantagenet)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Great Southern Regional Cattle Saleyards Committee held on 9<sup>th</sup> June 2003 be adopted.

Confirmation of the minutes of the Great Southern Regional Cattle Saleyards Committee of 9<sup>th</sup> June 2003.

**RECOMMENDATION**

THAT the minutes of Great Southern Regional Cattle Saleyards Committee held on 9<sup>th</sup> June 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and;

**Item 5.2**

THAT as the proposed capital works will not generate additional income or usage of the cattle saleyards, no additional funding for capital works be included in the 2003/04 Budget.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR WEST**

**THAT the minutes of Great Southern Regional Cattle Saleyards Committee held on 9<sup>th</sup> June 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and;**

**Item 5.2**

**THAT as the proposed capital works will not generate additional income or usage of the cattle saleyards, no additional funding for capital works be included in the 2003/04 Budget.**

**Item 5.4**

**THAT the motion for item 5.4 was moved by Councillor Forbes and Seconded by Councillor Willis instead of D Hislop (Saleyards Manager)**

**MOTION CARRIED 11-0**

**12.7.2 Town Hall Theatre Advisory Committee meeting minutes – 4<sup>th</sup> June 2003**

- File/Ward** : REL 016 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Town Hall Theatre Advisory Committee held on 4<sup>th</sup> June 2003 be adopted.

Confirmation of the minutes of the Town Hall Theatre Advisory Committee of 4<sup>th</sup> June 2003.

RECOMMENDATION

THAT the minutes of Town Hall Theatre Advisory Committee held on 4<sup>th</sup> June 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WATERMAN  
SECONDED COUNCILLOR WILLIAMS**

**THAT the minutes of Town Hall Theatre Advisory Committee held on 4<sup>th</sup> June 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)**

**MOTION CARRIED 11-0**

**12.7.3 Disability Services and Community Access Advisory Committee meeting minutes  
– 14<sup>th</sup> May 2003**

<b>File/Ward</b>	:	MAN 134 (All Wards)
<b>Proposal/Issue</b>	:	Committee Items for Council Consideration.
<b>Reporting Officer(s)</b>	:	Executive Director Corporate & Community Services (P Madigan)
<b>Summary Recommendation</b>	:	That the Minutes of Disability Services and Community Access Advisory Committee held on 14 <sup>th</sup> May 2003 be adopted.

Confirmation of the minutes of the Disability Services and Community Access Advisory Committee of 14<sup>th</sup> May 2003.

RECOMMENDATION

THAT the minutes of Disability Services and Community Access Advisory Committee held on 14<sup>th</sup> May 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

*Voting Requirement Simple Majority*

.....

<p><b>MOVED COUNCILLOR WOLFE SECONDED COUNCILLOR WILLIAMS</b></p> <p><b>THAT the minutes of Disability Services and Community Access Advisory Committee held on 14<sup>th</sup> May 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)</b></p> <p style="text-align: right;"><b>MOTION CARRIED 11-0</b></p>
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**12.7.4 Seniors Advisory Committee meeting minutes – 22<sup>nd</sup> May 2003**

- File/Ward** : MAN 131 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Seniors Advisory Committee held on 22<sup>nd</sup> May 2003 be adopted.

Confirmation of the minutes of the Seniors Advisory Committee of 22<sup>nd</sup> May 2003.

**RECOMMENDATION**

THAT the minutes of Seniors Advisory Committee held on 22<sup>nd</sup> May 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and;

Item 6.4 – Recognition of Mrs G Anderson – Meals on Wheels Albany

**OFFICER RECOMMENDATION**

THAT the request be referred to the Management Committee of the Senior Citizens of Meals on Wheels, Albany.

Item 7.4 – Town Hall Steps – Hand Rail

**OFFICER RECOMMENDATION**

THAT Council investigate the issues raised by Mr Lovett in regard to access to the Town Hall.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR SANKEY  
SECONDED COUNCILLOR WOLFE**

**THAT the minutes of Seniors Advisory Committee held on 22<sup>nd</sup> May 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin) and;**

**Item 6.4 – Recognition of Mrs G Anderson – Meals on Wheels Albany**

**THAT the request be referred to the Management Committee of the Senior Citizens of Meals on Wheels, Albany.**

**Item 7.4 – Town Hall Steps – Hand Rail**

**THAT Council investigate the issues raised by Mr Lovett in regard to access to the Town Hall.**

**MOTION CARRIED 11-0**

ORDINARY COUNCIL MEETING MINUTES – 15/07/03  
\*\* REFER DISCLAIMER \*\*  
CORPORATE & COMMUNITY SERVICES REPORTS

**12.7.5 Seniors Advisory Committee meeting minutes – 19<sup>th</sup> June 2003**

- File/Ward** : MAN 131 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Seniors Advisory Committee held on 19<sup>th</sup> June 2003 be adopted.

Confirmation of the minutes of the Seniors Advisory Committee of 19<sup>th</sup> June 2003.

RECOMMENDATION

THAT the minutes of Seniors Advisory Committee held on 19<sup>th</sup> June 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR EMERY  
SECONDED COUNCILLOR WOLFE**

**THAT the minutes of Seniors Advisory Committee held on 19<sup>th</sup> June 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)**

**MOTION CARRIED 11-0**

**12.7.6 Albany Arts Advisory Committee meeting minutes – 10<sup>th</sup> June 2003**

- File/Ward** : MAN 116 (All Wards)
- Proposal/Issue** : Committee Items for Council Consideration.
- Reporting Officer(s)** : Executive Director Corporate & Community Services (P Madigan)
- Summary Recommendation** : That the Minutes of Albany Arts Advisory Committee held on 10<sup>th</sup> June 2003 be adopted.

Confirmation of the minutes of the Albany Arts Advisory Committee of 10<sup>th</sup> June 2003.

RECOMMENDATION

THAT the minutes of Albany Arts Advisory Committee held on 10<sup>th</sup> June 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR WATERMAN  
SECONDED COUNCILLOR WILLIAMS**

**THAT the minutes of Albany Arts Advisory Committee held on 10<sup>th</sup> June 2003 be received (copy of minutes are in the Elected Members Report/Information Bulletin)**

**MOTION CARRIED 11-0**

# **Works & Services**

# **REPORTS**

**WORKS & SERVICES REPORTS**

**- R E P O R T S -**

**13.1 WASTE MANAGEMENT**

**13.1.1 Contract C03003 – Sanitary Services Biennial 2003/2005**

<b>File/Ward</b>	: C03003 (All Wards)
<b>Proposal/Issue</b>	: Sanitary Services for the City of Albany
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Co-ordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: That Council accepts tender C03003 from G & M Detergents for Sanitary Services Biennial 2003/2005.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. Council's current contract for sanitary services expires on June 30<sup>th</sup> 2003. As this service is not provided by Council staff due to the specific requirements and chemicals involved, Council is required to re-tender this service.

**STATUTORY REQUIREMENTS**

2. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
3. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

**POLICY IMPLICATIONS**

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



**WORKS & SERVICES REPORTS**

Item 13.1.1 continued

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

6. In the City of Albany's 2020 Plan Charting Our Course, the following Port of Call is identified:

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

- Objective:  
To provide communities with quality buildings that are functional, well maintained and meet social and cultural needs.
- Objective:  
To provide well serviced & maintained public convenience and community rest room facilities.

**COMMENT/DISCUSSION**

7. A request for tenders was published in the Albany Advertiser on 12<sup>th</sup> June 2003 and the West Australian on 14<sup>th</sup> June 2003. A total of eight tenders were issued, with three tender submissions received by close of tender.
8. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>% Weight</b>
Cost	45
Relevant Skills & Experience	20
Safety Management	15
Reliability of Contractor	20

9. The following table summarizes those charges (including GST) submitted by prospective contractors for the supply of sanitary services (hygiene services to the toilets) to Council's buildings.

	<b>G&amp;M Detergents</b>	<b>Sanitaire</b>	<b>Initial Healthcare (Rentokil)</b>
<b>Price per month</b>	\$1,113.33	\$1,256.56	\$860.16
<b>Price per annum</b>	\$13,360.00	\$15,078.70	\$10,321.90
<b>Evaluation Weighting</b>	360.00	160.50	259.40

**WORKS & SERVICES REPORTS**

Item 13.1.1 continued

10. Rentokil Initial Pty Ltd are based in Perth, however they have a full time employee located in Bunbury. He would be required to travel from Bunbury to supply the service. The evaluation committee were concerned that new services, (ie service to New Administration Building) or extra services (eg vandalism in public toilets), may not be achievable and therefore reliability was questionable.
11. Sanitaire are a Perth based company who have not specified how they would carry out the service (ie. use of a local sub-contractor, etc), therefore their reliability was also in doubt.
12. G & M Detergents are a locally based company, who are currently carrying out the existing contract and have shown themselves to be reliable and efficient in their service. Due to the nature of service required, it was determined that a local supplier best met Council's requirements as they are more equipped to respond to any emergencies.

**RECOMMENDATION**

THAT Council accept the tender C03003 from G&M Detergents for Sanitary Services Biennial 2003/05 at a cost of \$13,360.00 (inc. GST) per annum.

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR BOJCUN**

**THAT Council accept the tender C03003 from G&M Detergents for Sanitary Services Biennial 2003/05 at a cost of \$13,360.00 (inc. GST) per annum.**

**MOTION CARRIED 11-0**

**WORKS & SERVICES REPORTS**

**13.2 ASSET MANAGEMENT**

**13.2.1 Asset Management Planning**

<b>File/Ward</b>	:	FIN 019 (All Wards)
<b>Proposal/Issue</b>	:	Asset Management Planning
<b>Subject Land/Locality</b>	:	City of Albany
<b>Proponent</b>	:	City of Albany
<b>Owner</b>	:	City of Albany
<b>Reporting Officer(s)</b>	:	Executive Director Works & Services (B Joynes)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	OCM 15/05/01 Item 13.2.1 OCM 26/06/01 Item 13.5.1 OCM 18/06/02 Item 13.1.1 OCM 18/06/02 Item 13.2.4 OCM 18/06/02 Item 13.5.3 OCM 16/07/02 Item 13.1.1 OCM 16/07/02 Item 13.2.1 OCM 17/12/02 Item 13.1.1
<b>Summary Recommendation</b>	:	That Council endorse the Roads, Reserves, Pathways and Drainage Masterplans, and note the information contained therein for the purpose of guiding decisions during deliberations into the Fifteen Year Economic Sustainability Plan (FYESP).
<b>Bulletin Attachment</b>	:	Existing Asset Master Plans will be tabled.
<b>Locality Plan</b>	:	N/A

**BACKGROUND**

1. A strategic approach to asset management has been undertaken by City staff with the establishment of Asset Masterplans for all of the City’s major assets. A Masterplan consolidates all of one particular type of asset e.g. roads or pathways, audits the asset’s condition, and then formulates a plan to both maintain the asset to a set condition, and upgrade the asset, if necessary, to meet contemporary expectations on standard and capacity.

**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

2. The Masterplan summaries provide a list of capital and maintenance tasks that are ranked according to a predetermined multi criteria analysis. A multi criteria analysis includes criteria such as safety, number of users, environmental impact, sustainability, economic use, etc.
3. The purpose of this report is to outline the summary financial findings of the Asset Masterplans, and understand and acknowledge the economic impact these findings will have on the City's Fifteen Year Economic Sustainability Plan (FYESP). It is planned to establish the FYESP over the next two months.

**Asset Valuation**

4. The process of Asset Valuation is critical to the strategic success of the Masterplans. It underpins the decision making process, sets work priorities and sets recommended levels of investment. Every Masterplan has a valuation derived via a different methodology that suits its purpose as listed below. Each audit is only as accurate as the methodology used, and the time that has elapsed since it was completed. Currently, the City of Albany has assets estimated to be valued at \$275m and the following summary sets out how the valuation for each asset type was reached.
5. **Roads** – Opus International completed an asset valuation of Council's roads assets in June 2002, taking into account the cost of formation, pavement and surfacing to determine the overall asset valuation. Pavements were assigned a design life of 40 years, spray seal surfaces 15 years and 27 years for asphalt seals. Paved roads (gravel) were given a life of 10 years, as per the maximum resheeting interval period. The accuracy of the valuation is estimated to be at 90%. A computer asset management tool "ROMAN" developed by Main Roads and the Institute of Public Works Engineers underpins the management of this Masterplan.
6. **Reserves** – Council staff completed a valuation of Parks and Reserve assets in 1996 as a requirement of Accounting Standard AAS27, and the valuation of the asset type has increased annually by the actual costs associated with their upgrade. The valuation has not taken into account a component of land value, as most parks and reserves are situated on crown land vested in the City. The accuracy of the valuation is estimated to be at 85%.
7. **Pathways** – As part of the review process, for the Asset Management Strategy – Pathways, all pathways were revalued by Council staff in May 2003, based on today's actual cost of replacement values. The accuracy of the valuation is estimated to be at 95%.
8. **Buildings** – All Council's buildings were valued by Albany Valuation Services in 1995-1996 to comply with AAS27, the valuation of the building assets has been increased annually by the actual cost of upgrades. A revaluation of all buildings will be undertaken as part of the Asset Management Strategy – Buildings within the next twelve (12) months. The accuracy of the current valuation is estimated to be at 75%.

**WORKS & SERVICES REPORTS**

## Item 13.2.1 continued

9. **Drainage** – An estimate of the valuation of the known drainage system was undertaken by Council staff between March and May 2003 based on current replacement costs. The accuracy of the valuation is estimated to be 60%. The current drainage investigation works will provide a more acceptable valuation over the coming three years.
10. **Land** – Albany Valuation Services completed a revaluation of all City of Albany’s freehold land in 1998. The accuracy of the valuation is estimated to be at 95%, but needs to be updated to take into account market changes.
11. **Status Quo Cost** – The status quo cost is the theoretical annual cost (based on research and practice) required to maintain an asset at its current value – that is to neither improve the asset nor deteriorate it. These have been calculated using a variety of methods such as guiding notes published through the Institute of Engineers (Infrastructure Scorecard), Main Roads research and best practice principles. Other sources have included the Australian Road Research Board (ARRB) research studies, and other Councils throughout Australia that have undertaken research and methodologies that are similar.
12. Waste and Airport asset types have been excluded from this report as these areas of Council’s operations are self-funding, and supported by their own Masterplans to ensure sustainable outcomes are achieved.
13. The following table outlines the main asset types and their preservation requirements:-

<b>Asset Type</b>	<b>Replacement Cost (New Cost)</b>	<b>Current Written Down Value</b>	<b>Estimated Status Quo Cost</b>	<b>2003/04 Actual Expenditure</b>
<b>Roads</b>	\$189.4m	\$95.4m	\$4.8m	\$4.19m
<b>Reserves</b>	\$13.8m	\$11.3m	\$1.95m	\$1.7m
<b>Pathways</b>	\$7.1m	\$3.6m	\$0.36m	\$0.33m
<b>Buildings</b>	\$28.9m	\$21.9m	\$0.58m	\$0.39m
<b>Drainage</b>	\$27.0m	\$8.7m	\$1.35m	\$0.46m
<b>Land</b>	\$9.2m	\$9.2m	\$0.05m	\$0.01m
<b>Totals</b>	<b>\$275.4m</b>	<b>\$150.0m</b>	<b>\$9.09m</b>	<b>\$7.08m</b>

**WORKS & SERVICES REPORTS**

## Item 13.2.1 continued

14. Theoretically, the status quo cost should be met so that the value of Council's assets would not deteriorate or the condition of the asset would decrease. However, there are a number of significant factors to be considered before accepting this, such as the accuracy of the valuations, the formation of status quo costs, and investigation and refinement of the theory used to date.
15. The following table outlines the costs of upgrading various assets to meet the standards as set in the Masterplans (eg. sealing a gravel road with 150 vehicles per day, or constructing a link path where 150 pedestrians are expected):

<b>Asset Type</b>	<b>Gap to Standard as currently set</b>	<b>Years to Complete Strategy per Masterplan</b>	<b>Annual Cost to complete in Masterplan timeframe</b>	<b>2003/04 Actual Expenditure</b>
<b>Roads</b>	\$64.94m	34	\$1.91m	\$1.12m
<b>Reserves</b>	\$7.71m	15	\$0.52m	\$0.48m
<b>Pathways</b>	\$14.68m	21	\$0.70	\$0.35
<b>Total</b>	<b>\$87.3M</b>		<b>\$3.1m**</b>	<b>\$1.95M</b>

*\*\* does not include building and drainage upgrade costs.*

16. The gap to standard table above is missing information from the building and drainage Masterplans, but these are expected to be completed by mid 2004.

**STATUTORY REQUIREMENTS**

17. Whilst there are no statutory requirements directly related to this item, a number of statutory areas are affected by good Asset Planning. A sound approach to Asset Planning reduces the likelihood and consequence of failure and improves the community's access to, and enjoyment of its assets.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

19. The Asset Masterplans have been formulated so far without integration into Council's financial forward planning. Through the forthcoming Fifteen Year Economic Sustainability Plan (FYESP), the Asset Masterplans will need to be considered, and altered if necessary to ensure that the outcomes are sustainable.

**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

20. Asset Masterplanning details work required to maintain an asset, the level of investment required to meet a predetermined standard (either upgrade or downgrade) and the annual cost required to deliver an asset to a specified condition.

**STRATEGIC IMPLICATIONS**

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

*Port of Call*

**Transport infrastructure planning**

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

**Management of transport infrastructure and services**

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

**Drainage Management**

- To provide the Community with an effective and environmentally appropriate drainage network and to reduce polluted discharge to and from the stormwater system.

**Reserve Management**

- To manage reserves for environmentally sustainable use, Community enjoyment and benefit.

**Land Use Planning & Control**

- To take an integrated and strategic approach to land use planning.

**Waste Management**

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

**Environmental Monitoring**

- To identify and monitor human and environmental hazards at the source.

**COMMENT/DISCUSSION**

22. The Masterplans will be subject to constant review given the important role they have in prioritising and establishing what will be the “big-ticket” expenditure items for the future. These reviews will focus upon the following areas:

- i. Replacement Costs – The replacement costs are the costs to replace the current asset to today’s standards. For example a gravel road with 200 vehicles per day has a replacement requirement to be upgraded to a sealed road. When the standards are changed then the replacement value for these items will alter. As Council accumulates assets every year (new subdivisions, new roads, upgraded parks etc.) this value will increase every year.

**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

- ii. Current Written Down Value – As assets are revalued, and more data is available (eg building audits) then the written down value will alter.
  - iii. Estimated Status Quo Cost – This can be reduced through more effective methods of asset management. For example, with more appropriate intervention in our roadways, the life of a road can be extended (rehabilitation, cement stabilisation, gravel base upgrade, hot mix overlays). This would have the effect of reducing the annualised status quo cost by reducing the annual expenditure required to maintain the road in an acceptable standard over 50 years instead of 35 years. The standard at which the asset is required to be maintained to, will affect the annual status quo cost as well.
  - iv. Gap to Standard as Currently Set – Altering the Standards will not only affect the gap to standard, but will also affect the status quo costs. An increased Standard will mean that new infrastructure is built over and above what currently exists, increasing long term maintenance and preservation costs to Council. For example a gravel road may require an estimated \$2200 per kilometer to maintain over its life of 10 years, but if the same road were to be sealed, the annual maintenance costs (status quo cost) over it's life of 30 years would increase to around \$4,000 per kilometer. The difference in this case is attributed to the cost to construct (\$100,000 per kilometer) a reseal every 20 years, shoulder grading, pothole repairs, linemarking pavement repairs etc, where as a gravel road only requires gravel sheeting (\$20,000 per kilometer) and annual grading.
  - v. Years to Complete Strategy per Masterplan – The number of years to complete a Masterplan varies according to its program. For example the pathways gap to standard program suggest that all the gaps to standard should be completed within 21 years. Any alteration to this would affect the annual cost directly.
23. Actual Expenditure each year can also be dependent upon grants received, and this may affect the expenditure year in and year out. For example the Federal “Roads to Recovery” four year program adds an additional \$595,000 annually for the next two years. TIRES (Tree Industry Road Evaluation Study) has added an extra \$320,000 in 2003/04, and may continue over the next five years in various amounts, subject to State Government budgets.
24. The Masterplans must be constantly reviewed to ensure that their accuracy is acceptable, the theory is sound, status quo costings are realistic, and that the standards are reassessed to ensure that they are achievable in an economically sustainable manner. The Masterplanning process has produced an excellent foundation on which Council can base its strategic long-range financial planning decisions.



**WORKS & SERVICES REPORTS**

Item 13.2.1 continued

25. Each single Masterplan takes significant staff time and resources to formulate, to gather the data, design the systems, and put into a manageable format. A ‘simple’ review also takes significant time and resources depending upon whether or not a re-audit is required, or only a revisit of standards. Each year Council invests in data through traffic counts, pavement testing, designs, and updating databases. These reviews are essential when managing an asset portfolio worth an estimated \$275 Million to replace, increasing every year, and when decision making is critical to the long term success or failure of the assets.

**RECOMMENDATION**

THAT Council endorses the Roads, Reserves, Pathways and Drainage Masterplans, and notes the information contained therein for the purpose of guiding decision making during deliberations into the Fifteen Year Economic Sustainability Plan (FYESP).

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WATERMAN  
SECONDED COUNCILLOR SANKEY**

**THAT Council endorses the Roads, Reserves, Pathways and Drainage Masterplans, and notes the information contained therein for the purpose of guiding decision making during deliberations into the Fifteen Year Economic Sustainability Plan (FYESP).**

**MOTION CARRIED 11-0**

**WORKS & SERVICES REPORTS**

**13.2.2 Emu Point Local Area Traffic Management**

<b>File/Ward</b>	: SER 092 (Breaksea Ward)
<b>Proposal/Issue</b>	: Emu Point Local Area Traffic Management
<b>Subject Land/Locality</b>	: Emu Point
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Reporting Officer(s)</b>	: Executive Director Works & Services (B Joynes)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 29/02/00 Item 13.2.1 OCM 15/04/03 Item 13.2.3
<b>Summary Recommendation</b>	: That Council adopt Emu Point Local Area Traffic Management report subject to amendments.
<b>Bulletin Attachment</b>	: Summary of Submissions
<b>Locality Plan</b>	: Nil.

**BACKGROUND**

1. At its meeting of 29 February 2000, Council resolved to:
  - “i) Close the trafficable section of beach (between Roe Parade and the Emu Point boat ramp);*
  - ii) Request the Disability Services Committee to comment on the disabled access requirements of the beach;*
  - iii) Identify and build further parking areas throughout the Emu Point / Roe Parade / Swarbrick Road area; and*
  - iv) Extend Roe Parade through to Swarbrick Street to increase parking and access as a matter of priority.”*
2. The objectives of the Local Area Traffic Management scheme, identified at project inception were to:
  - Improve safety and provide a sense of security to users, in particular small children, aged and disabled persons;
  - Improve the physical environment by reducing traffic noise, vibration, and pollution; and

**WORKS & SERVICES REPORTS**

Item 13.2.2 continued

- Create a streetscape environment that is conducive to social and recreational activities while maintaining an acceptable and equitable level of access for residents, commercial and sporting activities, emergency vehicles, and public transport.
3. In accordance with Council’s resolution in April 2003, the Local Area Traffic Management report was placed on exhibition during the month of May and advertisements placed in the local print media. The closing date for the receipt of submissions was 2 June 2003.
  4. At the close of the submission period, eighteen (18) submissions were received from the community. A summary of the responses received and copy of the preferred Local Area Traffic Management strategy for Emu Point is attached to this report.

**STATUTORY REQUIREMENTS**

5. Clause 10 of the Local Government (Administration) Regulations 1996 provides direction on the revoking or changing decisions made at Council. If Council wishes to revoke or change a decision made within the previous three (3) months it must be supported by an absolute majority or in any other case by at least one third of offices (with a vacant or not) of members of the Council.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

7. All works would be undertaken as part of the Asset Management Plan in which the works are allocated. The purpose of this plan is to set out what works would be done when the activity becomes ‘due’ within a Masterplan. Therefore, future budgets would not be impacted by Council’s decision to accept all or part of the Emu Point Local Area Traffic Management report, as the work would be incorporated into existing plans.

**STRATEGIC IMPLICATIONS**

8. This service falls under the Albany 2020 Port of Call:  
*Transport systems and services designed to meet current and future needs.*
  - **Transport infrastructure planning** – To plan Albany’s transport infrastructure to meet future needs complementary to the City’s form and sense of place.

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

**COMMENT/DISCUSSION**

9. The Emu Point Local Area Traffic Management study report supports the concept of Environmental Traffic Management, which encourages environmentally aware modes of transport such as walking and cycling. Examples include:

- Implementation of an area wide speed limit of 40 km/h.
- Provision of a dual use path for combined pedestrian / cyclist / motorized scooter usage from Firth Street to Swarbrick Street;
- Provision of a pathway in Mermaid Avenue for continuous pedestrian linkage from one end of the village to the other; and
- Provision of raised thresholds, pedestrian refuges and like treatments at nominated locations.

10. In addition, the Emu Point Local Area Traffic Management study report recommended the following traffic calming and intersection improvements:

- Designation of a one-way road system along Roe Parade to improve traffic flow and parking adjacent the foreshore reserve;
- Provision of additional bitumen parking along Roe Parade and Cunningham Street to accommodate the peak demand, and formalisation of existing parking adjacent the Gwen Hardie Lodge;
- Provision of a roundabout or equivalent treatment at the junction of Clark Street and Mermaid Avenue;
- Modification of existing car parking bays at the Boat Harbour / Jetty;
- Traffic calming measures along Mermaid Avenue and at various locations within the residential precinct; and
- Closure of Millar Street via construction of a cul-de-sac or equivalent device at Mermaid Avenue.

11. After reviewing all of the submissions received, the following issues were considered:

**Speed Environment**

12. Some submissions outlined concern that there is little or no justification for the current 40 km/h speed limit, as they felt that speeding is not a significant problem in the Emu Point area, and requested former 50 km/h speed zone signage be reinstated.

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13. Since implementation, the 40 km/h speed zone restrictions have had an impact on speed in the Emu Point area. In addition, the speed zone restriction is designed to compliment proposed Local Area Traffic Management works in the local road network and should be retained.

**Drainage Problems**

14. Many submissions requested that the inadequate drainage system was a major concern in Mermaid Avenue, Boongarrie Street, Metcalf Parade, and Millar Streets. The Emu Point community highlighted these same issues during initial workshops for development of the Local Area Traffic Management plan.
15. Works are currently being undertaken to comprehensive model and detail the existing drainage system in the Emu Point catchment. As part of the study, measures to rectify identified drainage system deficiencies, upgrade priorities, and cost estimates will be provided and placed into the Drainage Masterplan.
16. The study report will be completed in July / August 2003, and some of the improvements will be undertaken in 2003/2004.

**Extension of Roe Parade to Swarbrick Street**

17. The extension of Roe Parade to Swarbrick Street was investigated, and it was found that there were no obvious tangible benefits to be achieved from such a connection. In addition, the construction costs would be high given existing site constraints (i.e. steep embankment, vegetation, relocation of services etc) and the new road would impact on the available grassed (picnic) areas within the reserve.
18. Nearly all submissions oppose the road connection. This opposition is based on the following:
  - The road connection will result in increased traffic volumes and speed, and car / boat trailer usage along Roe Parade;
  - The road connection will result in increased safety hazards for pedestrians accessing the nearby foreshore reserve and / or Roe Parade;
  - The extension of Roe Parade will significantly affect the residential amenity;
  - The new road connection will remove existing grassed and vegetated areas within the reserve; and
  - The road construction costs will be prohibitive given existing site constraints and the funds would be better expended on other higher priority projects.
19. It is recommended that Council consider rescinding its past resolution to extend Roe Parade to Swarbrick Street based on the advice contained in the Local Area Traffic Management report and community comment.

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Item 13.2.2 continued

**Mermaid Avenue / Clark Street – Roundabout Construction**

20. The Study suggested a roundabout be constructed at the intersection of Mermaid Avenue and Clark Street to provide a formalised entry statement and traffic-calming device at entry to Emu Point. The roundabout would cater for the turning movements of heavy vehicles and cars with boat trailers, but relocation of existing services would be required.
21. Most submissions did not favour the construction of a roundabout, as it was felt that it would affect the ability of vehicles accessing the boat harbour through Clark Street. A formalised entry statement on the approach to the Emu Point was suggested as more appropriate, provided it is designed to slow traffic.
22. A roundabout is normally constructed at intersections where traffic streams on each leg is equal (the traffic volume on each is roughly the same). This is not so at this junction, where Mermaid Avenue is the predominant traffic movement. Therefore, the construction of a roundabout at the subject location would not be appropriate.

**Closure of Millar Street**

23. At present, Millar Street and Hunter Street form a double T-junction at Mermaid Avenue. This is not ideal (traffic safety due to insufficient stagger). The Local Area Traffic Management Study suggested that circulating traffic flow could be implemented at Mermaid Avenue, Roe Parade, and Hunter Street to improve traffic efficiency and operation.
24. The permanent closure of Millar Street via construction of a cul-de-sac or equivalent device was suggested for the following reasons:
  - The road closure would have eliminated the double T-junction at Mermaid Avenue;
  - The road closure may improve traffic efficiency and safety at the four way intersection at Bedwell Street;
  - Vehicular movements through the residential precinct from Swarbrick Street to Mermaid Avenue may be restricted to local traffic only, improving both pedestrian safety and residential amenity in the area;
25. Most submissions opposed any planned closure to Millar Street on the basis that it is the obvious route for the local school bus and cars with boat trailers accessing the local shop for refuelling purposes. In addition, it is suggested that any changes may affect the long-term viability of the shop
26. There is little evidence that the closure of Millar would give an overall safety improvement in Emu Point, as traffic would be forced through other routes. Combined with the Community opposition to the proposal, it is recommended that this not proceed.

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**One-way road system – Roe Parade**

27. A number of changes to improve traffic circulation in the vicinity of Roe Parade are nominated in the Local Area Traffic Management report, including that Roe Parade be made one-way west bound from Mermaid Avenue to Bedwell Street. This was suggested to reduce the traffic congestion in the Mermaid Avenue / Roe Parade area, and allow for additional offstreet parking during high use times.
28. Nearly all submissions opposed any changes to Roe Parade and suggest that the status quo (i.e. two way traffic flow) remain, due to the inconvenience of the majority of users, and that the high use times had minimal inconvenience when compared the rest of the year.
29. It is recommended that the one way road system not be undertaken, as the benefits are only for a short period of the year, and do not justify the expenditure or inconvenience to local users.

**Additional Parking – Roe Parade, Cunningham Street, Mermaid Avenue**

30. During the stakeholder and public input phase, it was requested that additional overflow parking be installed along Roe Parade and Cunningham Street for use during peak periods. As such, the Local Area Traffic Management report reviewed sites suitable for additional car parking bays.
31. The submissions were divided about whether additional parking is required in Emu Point as parking is only a concern during the peak periods, which generally lasts several weeks during the summer only. During the remainder of the year, many existing car parking spaces can remain empty. Therefore, the construction of all of the additional parking is not recommended. However, it is considered appropriate to upgrade the small piece of vacant road reserve on the corner of Mermaid Avenue and Roe Parade to cater for some of the peak demand for relatively little cost – however care will need to be taken not to damage the existing trees.

**Footpaths and Cycleways**

32. The Emu Point Local Area Traffic Management details the provision of a dual use pathway between Firth Street and Swarbrick Street. In one section, the dual use pathway traverses the foreshore reserve adjacent Roe Parade. The dual use pathway is intended to provide a safe and convenient mode of access for pedestrians, cyclists, and motorised scooters (gophers) well away from vehicular traffic.
33. Many submissions questioned whether cyclists should be allowed to utilise the dual use pathway in areas frequented by families and young children (swimming beach during summer). The mix between cyclists using the pathway and day picnickers frequenting the reserve is not preferred and should be discouraged. It is recommended that the dual use pathway terminate at The Point (currently Japanese Restaurant) and revert to a footpath for use by pedestrians only, beyond this location.

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**Turning circle – Roe Parade**

34. The Consultant proposes that the turning circle at the end of Roe Parade be upgraded to enable cars and garbage trucks to turnaround without having to undertake a three-point turn. Whilst this is recommended it should be deemed as a very low priority project.

**Parking on the beach**

35. Some submissions had requested that the beach area near the jetty be utilised for overflow parking during the peak periods. As it is considered unsafe to mix vehicular traffic with people using the reserve for recreational purposes, it is recommended that Council continue to not permit the beach near the jetty to be used for overflow parking.

36. After undertaking a comprehensive review of the Local Area Traffic Management study and submissions received from the community, it is recommended that the following works be undertaken in Emu Point, these being (not in priority order):

- a. Undertake a drainage investigation in the Emu Point catchment and rectify identified problems in line with recommended priorities and available funding;
- b. Construct an entry statement and associated intersection improvements in the vicinity of Mermaid Avenue / Clark Street;
- c. Install linemarking and associated pedestrian improvements (refuges) in Mermaid Avenue (full length treatment);
- d. Construct new and replace existing footpaths in Mermaid Avenue (full length).
- e. Construct a dual use pathway from Firth Street to Swarbrick Street;
- f. Improve disabled access to the foreshore reserve and beach;
- g. Undertake intersection improvements at various locations as nominated in the Emu Point Local Area Traffic Management;
- h. Improve lighting in the foreshore reserve;
- i. Improve turnaround facilities at Roe Parade and Mermaid Avenue;
- j. Upgrade existing intersections and wearing surfaces, and drainage in line with recommended priorities and available funding through the Masterplans;

**RECOMMENDATION 1.**

THAT Council agree to reconsider the decision made on the 20<sup>th</sup> February 2000, to extend Roe Parade through to Swarbrick Street.

*Voting Requirement Simple Majority*

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Item 13.2.2 continued.

RECOMMENDATION 2.

THAT Council revoke their resolution of the 20<sup>th</sup> February 2000, item 13.2.2, 1(d)

*“Extend Roe Parade through to Swarbrick Street to increase parking and access as a matter of priority.”*

*Voting Requirement Absolute Majority*

.....

RECOMMENDATION 3.

THAT;

- i) Council adopt the Emu Point Local Area Traffic Management report, subject to the following amendments:
  - a) that an entry statement be constructed on the approach to Emu Point to welcome visitors and slow down traffic;
  - b) that the proposed roundabout at the corner of Mermaid Avenue and Clarke Street be deleted;
  - c) the proposed closure of Millar Street be deleted;
  - d) that suggested one way changes to circulation at Mermaid Avenue, Roe Parade, and Hunter Street be deleted;
  - e) only additional parking within the small section of road reserve on the corner of Roe Parade and Mermaid Avenue to cater for the peak periods, be constructed;
  - f) that the turning circle at the end of Roe Parade be improved but deemed a very low priority;
  - g) the beach area near the jetty not be permitted to be used for overflow parking during the peak periods; and
  - h) the existing 40km/h restricted speed limit remain; and
  
- ii) the following works, not in priority order, be undertaken in Emu Point, subject to priority in their respective Masterplans, and Council's budget deliberation each year:
  - a. undertake a drainage investigation in the Emu Point catchment and rectify identified problems in line with recommended priorities and available funding;
  - b. construct an entry statement and associated intersection improvements in the vicinity of Mermaid Avenue / Clark Street;
  - c. install linemarking and associated pedestrian improvements (refuges) in Mermaid Avenue (full length treatment);
  - d. construct new footpaths in Mermaid Avenue (full length).
  - e. construct a dual use pathway from Firth Street to Swarbrick Street;

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Item 13.2.2 continued.

- f. improve disabled access to the foreshore reserve and beach;
- g. undertake intersection improvements at various locations as nominated in the Emu Point Local Area Traffic Management;
- h. improve lighting in the foreshore reserve;
- i. construct additional parking within the small section of road reserve on the corner of Roe Parade and Mermaid Avenue; and
- j. improve turnaround facilities at Roe Parade and Mermaid Avenue.

*Voting Requirement Simple Majority*

.....

Councillor Wolfe, Councillor Barton, Councillor Evans, Councillor Wellington and Councillor West supported the recommendation to have the motion of Item 13.2.2 OCM 20/02/03 revoked.

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR WEST**

**THAT Council agree to reconsider the decision made on the 20<sup>th</sup> February 2000, to extend Roe Parade through to Swarbrick Street.**

**MOTION CARRIED 11-0**

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR WATERMAN**

**THAT Council revoke their resolution of the 20<sup>th</sup> February 2000, item 13.2.2, 1(d)**

***“Extend Roe Parade through to Swarbrick Street to increase parking and access as a matter of priority.”***

**MOTION CARRIED 11-0  
ABSOLUTE MAJORITY**

Item 13.2.2 continued.

**MOVED COUNCILLOR EMERY  
SECONDED COUNCILLOR BOJCUN**

**THAT;**

- i) Council adopt the Emu Point Local Area Traffic Management report, subject to the following amendments:**
  - a) that an entry statement be constructed on the approach to Emu Point to welcome visitors and slow down traffic;**
  - b) that the proposed roundabout at the corner of Mermaid Avenue and Clarke Street be deleted;**
  - c) the proposed closure of Millar Street be deleted;**
  - d) that suggested one way changes to circulation at Mermaid Avenue, Roe Parade, and Hunter Street be deleted;**
  - e) only additional parking within the small section of road reserve on the corner of Roe Parade and Mermaid Avenue to cater for the peak periods, be constructed;**
  - f) that the turning circle at the end of Roe Parade be improved but deemed a very low priority;**
  - g) the beach area near the jetty not be permitted to be used for overflow parking during the peak periods; and**
  - h) the existing 40km/h restricted speed limit remain; and**
- ii) the following works, not in priority order, be undertaken in Emu Point, subject to priority in their respective Masterplans, and Council's budget deliberation each year:**
  - a) undertake a drainage investigation in the Emu Point catchment and rectify identified problems in line with recommended priorities and available funding;**
  - b) construct an entry statement and associated intersection improvements in the vicinity of Mermaid Avenue / Clark Street;**
  - c) install linemarking and associated pedestrian improvements (refuges) in Mermaid Avenue (full length treatment);**
  - d) construct new footpaths in Mermaid Avenue (full length).**
  - e) construct a dual use pathway from Firth Street to Swarbrick Street;**
  - f) improve disabled access to the foreshore reserve and beach;**
  - g) undertake intersection improvements at various locations as nominated in the Emu Point Local Area Traffic Management;**
  - h) improve lighting in the foreshore reserve;**
  - i) construct additional parking within the small section of road reserve on the corner of Roe Parade and Mermaid Avenue; and**
  - j) improve turnaround facilities at Roe Parade and Mermaid Avenue.**

**MOTION CARRIED 11-0**

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**SUMMARY OF SUBMISSIONS – EMU POINT LATM**

<b>RESIDENT</b>	<b>ADDRESS</b>	<b>COMMENTS</b>
Doug Ramm	38 Bedwell Street, Emu Point	<ul style="list-style-type: none"> <li>• Does not support the road closure at Millar Street.</li> <li>• Favours a better entry into Emu Point, which will slow down the traffic.</li> <li>• Favours improved car parking and footpaths in front of the Gwen Hardie Lodge.</li> <li>• Favours improved car parking near the jetty area and opening up the beach to 50 - 60 additional car parking bays.</li> </ul>
Harry & Norma Smith	10 Boongarrie Street, Emu Point	<ul style="list-style-type: none"> <li>• There is a need to rectify existing flooding problems in Boongarrie Street.</li> <li>• A formalised car park on the beach area is required.</li> <li>• Improved car parking bays and a better rock wall is required at the end of Cunningham Street.</li> <li>• Disabled access to the beach needs to be improved.</li> <li>• Provision of a dual use pathway in Metcalf Street and Mermaid Avenue is required.</li> <li>• Additional parking is required in front of the Gwen Hardie Lodge.</li> <li>• Favours the provision of an entry statement to Emu Point.</li> </ul>
CA & EM Crane	7 Bedwell Street, Emu Point	<ul style="list-style-type: none"> <li>• Does not support the road closure at Millar Street.</li> <li>• Favours the provision of additional car parking on the Marina end of the beach.</li> <li>• Favours Roe Parade being left as a two way street.</li> <li>• Does not support the provision of a roundabout at the intersection of Clark Street and Mermaid Avenue.</li> <li>• No cycleway should be provided on Roe Parade.</li> <li>• Favours improved access to the beach for the aged and / or disabled near the groin.</li> </ul>
Robyn and Graham Murray	78 Mermaid Avenue Emu Point	<ul style="list-style-type: none"> <li>• The dual use path should terminate at the Point, as it is too dangerous for the path to extend through the picnic areas where families and small children gather.</li> <li>• A footpath is needed along the full length of Mermaid Avenue.</li> <li>• Additional car parking is required in front of the Gwen Hardie Lodge. It is a real eye sore at present.</li> <li>• Does not support the road closure at Millar Street.</li> <li>• The “Friends of Emu Point” carpark design at the Boat Harbour is far superior to anything else.</li> <li>• Favours option 1 for the boat harbour car park, but questions the merits of doing anything at all.</li> </ul>
Joan O’Halloran	RMB 213 Kojonup	<ul style="list-style-type: none"> <li>• All roads in Emu Point should be left as they are.</li> <li>• More footpaths and cycleways around the foreshore areas are required, inclusive of better access to beaches for the elderly and disabled.</li> <li>• Additional car parking bays are required in Roe Parade and Cunningham Street.</li> <li>• Strongly disagrees with the road closure at Millar Street.</li> </ul>
K & V Mengler	14 Bedwell Street Emu Point	<ul style="list-style-type: none"> <li>• Objects to the closure of Millar Street and extension of Bedwell Street as this will affect use of their driveway, garage entrance, and future land development.</li> </ul>
Peter Squire	Cunningham Street Emu Point	<ul style="list-style-type: none"> <li>• Planning for the area must segregate pedestrian and cycle traffic from motor vehicles.</li> <li>• The pathway on Mermaid Avenue should be reciprocated along Cunningham Street.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Millar Street should not be closed as this will force a change to the local school bus route and route for cars / boats when re-fuelling at the local shop.</li> <li>• The water problem in Boongarrie Street, Mermaid Avenue, and Metcalf Parade needs to be urgently rectified.</li> <li>• The beach carpark should be reopened.</li> <li>• Strongly favours an entry statement on the approach to Emu Point.</li> <li>• Does not support provision of a roundabout at the intersection of Clark Street and Mermaid Avenue.</li> </ul>
TE & JM Bush	18 Cunningham Street Albany	<ul style="list-style-type: none"> <li>• Does not support additional bitumen parking areas in Emu Point, as this will only detract from the aesthetics of the area. Rather, grassed parking bays should be accommodated as exists in Mermaid Avenue.</li> <li>• The proposal to bitumise the beach area for car parking as nominated by the “Friends of Emu Point” should not be supported.</li> <li>• Does not support the road closure at Millar Street, as this is a favoured route for traffic.</li> <li>• Does not support the extension of Roe Parade to Swarbrick Street because of the expense involved and likely increase in traffic volumes.</li> <li>• A temporary pathway should be provided in Cunningham Street until such time as the leased land becomes available in 2007.</li> </ul>
RW & EJ Hebson	1 Swarbrick Street Emu Point	<ul style="list-style-type: none"> <li>• Does not support the extension of Roe Parade to Swarbrick Street because of the expense involved and likely increase in traffic volumes.</li> <li>• The existing turnaround area in Roe Parade does not require improvement as bins are placed in Bedwell Street for the weekly kerbside collection.</li> <li>• Roe Parade &amp; Millar Street should be left as they are.</li> <li>• Priority should be given to the provision of footpaths in Emu Point, for use by the elderly and wheelchairs.</li> </ul>
Kevin & Lorna Crane	P.O. Box 5054 Albany	<ul style="list-style-type: none"> <li>• Does not support provision of a fourteen bay bitumen carpark adjacent their property at 14 Mermaid Avenue.</li> <li>• Emu Point is a very quiet restful place 90% of the time, and locals and tourists come to the area for this reason. As such, no major traffic changes should be undertaken.</li> </ul>
Alan & Mavis Hamilton	Rose Garden Caravan Park Mermaid Avenue, Emu Point	<ul style="list-style-type: none"> <li>• Supports the “Friends of Emu Point” submission.</li> <li>• Also supports the provision of a dual use pathway from Middleton Beach to Cunningham Street then a pathway only from Cunningham Street to the Boat Harbour.</li> </ul>
RR & M Birss	5 Roe Parade Emu Point	<ul style="list-style-type: none"> <li>• Important to have a carpark on the north side of the beach (not on the grassed area), with a connecting road from Roe Parade.</li> <li>• The grassed portion of the reserve noted as “leased area” should cease and be developed as picnic area with BBQ’s and seating facilities.</li> <li>• The existing retaining wall adjacent the grassed area should be replaced and used to support the new carpark.</li> <li>• People with canoes, windsurfers etc have the difficult task of unloading on the top terrace of Roe Parade and having to bring them onto the beach and back again.</li> <li>• Roe Parade should remain, as is, two-way traffic.</li> <li>• Does not favour a dual use path in the grassed area off Roe Parade due to site constraints and existing uses.</li> <li>• It is essential that a dual use path be created from Rose Gardens Caravan Park to the Point (via Hunter Street, Roe</li> </ul>

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		<p>Parade).</p> <ul style="list-style-type: none"> <li>• Millar Street should not be closed.</li> <li>• Favours a 50km-speed environment rather than 40km.</li> <li>• Drainage is a problem in Emu Point.</li> <li>• Lighting and handrails on steps from the beach to Roe Parade would attract more people and tourists to Emu Point.</li> </ul>
<p>Friends of Emu Point</p>	<p>18 Cunningham Street Albany</p>	<p><b>Speed Limit</b></p> <ul style="list-style-type: none"> <li>• The majority of residents support the imposed 40 kilometres an hour speed limits. However, larger signs would have more impact and the sign on Swarbrick Street is too far down the street.</li> </ul> <p><b>Parking</b></p> <ul style="list-style-type: none"> <li>• The majority of residents support the proposed changes, including one-way access at the boat harbour. However, they are not in favour of any loss of the grassed picnic area for car parking purposes.</li> <li>• Parking should be optimised in the vicinity of the swimming and BBQ area as per the LATM plan.</li> <li>• There is strong opposition to loss of existing recreational areas to meet demands that arise only about eight days in the year. The Friends of Emu Point are convinced that these parking needs could be met by opening the boat harbour end of the beach as far as the tank for the peak holiday periods only. Vehicles would be excluded from using the beach beyond the tank.</li> </ul> <p><b>Road Changes</b></p> <ul style="list-style-type: none"> <li>• The extension of Roe Parade to Swarbrick Street is opposed because this connection will contribute to increased traffic in Roe Parade and dangers to pedestrians.</li> <li>• Roe Parade should remain two-way.</li> <li>• Millar Street should not be closed, as this is a favoured route for cars/boats and other vehicular traffic. In addition, the closure of Hunter Street is not supported.</li> <li>• The renaming of roads within Emu Point was not supported, apart from a section of Roe Parade between the Sea Rescue Hall and Oyster Farm to avoid confusion.</li> <li>• An entry statement, particularly if it slows traffic, is preferred in the vicinity of Clarke Street / Mermaid Avenue.</li> <li>• Making Burgess Street one-way or removing the tree is not supported.</li> </ul> <p><b>Pedestrian / Disabled amenities</b></p> <ul style="list-style-type: none"> <li>• There is strong support for upgrading the footpath from the Gwen Hardie Lodge east on Mermaid Avenue as the existing path is unsuitable for the elderly.</li> <li>• Upgrade to the existing parking area adjacent the Gwen Hardie Lodge needs to be undertaken.</li> <li>• A pathway is required on the southern side of Cunningham Street.</li> <li>• A pathway is required on the reserve side of Swarbrick Street.</li> <li>• The existing path needs to be extended in Metcalf Street.</li> <li>• A pathway is required on the eastern side of Burgess Street.</li> <li>• The wisdom of putting a dual use path in Roe Parade is questionable given conflict with people alighting from vehicles in the parking bays and / or using the picnic areas.</li> </ul>

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		<ul style="list-style-type: none"> <li>• There is strong support for water access for the disabled.</li> <li>• Existing lighting and step rails are inadequate in the picnic areas.</li> </ul> <p><b>Drainage</b></p> <ul style="list-style-type: none"> <li>• Investigation and action should occur to address identified drainage problems Mermaid Avenue, Boongarrie Street, Metcalf Parade, and Millar Street.</li> </ul> <p><b>Priorities</b> The following were identified priorities:</p> <ol style="list-style-type: none"> <li>1. Footpaths</li> <li>2. Disabled beach access</li> <li>3. Lighting</li> </ol>
Edith Young	21a Corbel Street Shelley	<ul style="list-style-type: none"> <li>• The enlarged turning circle at the end of Roe Parade is not required, based on the high cost to construct.</li> <li>• Does not favour the extension of Roe Parade to Swarbrick Street.</li> <li>• Millar Street should not be closed as this may affect the viability of the shop.</li> <li>• Expresses concerns about the potential impact to vegetation at the end of Bedwell Street and in the reserve generally.</li> <li>• Raises concerns about the economic viability of some of the works given many of the problems occur infrequently.</li> <li>• Would like Council to consider grassed areas for parking rather than bitumen car parking bays.</li> <li>• Permanent car parking is an opportunity for anti-social behavior in the Reserve.</li> <li>• The dual use path should not dissect the reserve, but rather, follow along its boundary.</li> <li>• Relocation of the commercial fishing industry will free up space for car parking at the boat ramp facility rather than taking more land for this purpose.</li> <li>• The dune system between Emu Point Drive and King George Sound should be protected.</li> </ul>
Peter Baird	Rose Gardens Beachside Holiday Park 45 Mermaid Ave, Emu Point	<ul style="list-style-type: none"> <li>• Not in favour of closing Millar Street and Roe Parade as it is considered that local businesses will be affected and traffic will increase dramatically.</li> <li>• Drainage in Boongarrie Street needs to be improved.</li> </ul>
Eric & Robyn Crump	74 Mermaid Avenue Emu Point	<ul style="list-style-type: none"> <li>• Millar Street should not be made into a cul-de-sac as it is the main route to the shop for boat owners, and traffic will increase in Hunter Street and / or Roe Parade.</li> <li>• A traffic calming device is required at Mermaid Avenue / Clarke Street to slow traffic from the 80/60km zone to 40km in the built up area.</li> <li>• A roundabout is not required at Mermaid Avenue / Clarke Street.</li> <li>• The connection of Roe Parade to Swarbrick Street is definitely not warranted and will be opposed by the community.</li> <li>• The dual use path should not be directed through picnic areas. Rather, the dual use path should terminate at the Point and a pathway for pedestrians provided through the picnic areas.</li> <li>• Golf Links Road should be renamed Emu Point Drive.</li> <li>• Clarke Street should be renamed Swarbrick Street.</li> </ul>

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Kevin Shanhun	29 Mermaid Avenue Emu Point	<ul style="list-style-type: none"> <li>• The change in speed limit from 60km to 40km is overkill. The speed limit should be set at 50km.</li> <li>• Does not favour any form of raised junction on Mermaid Avenue.</li> <li>• Does not favour a roundabout at the intersection of Clarke Street and Mermaid Avenue.</li> <li>• Favours the closure of Millar Street, provided sufficient turnaround for vehicles is provided. The closure would assist to ease congestion close to the Rose Gardens Caravan Park.</li> <li>• Flooding problems need to be addressed as part of the overall plan.</li> <li>• Cycleways and footpaths should be improved to provide opportunity for continuous access around Emu Point and shift pedestrians and cyclists off the main thoroughfares.</li> <li>• The grassed area adjacent to the existing carpark may be an option for extension of parking in the future. At present, the grassed area does not get used much.</li> <li>• The area of street verge adjacent the Silver Chain Nursing Home needs to be improved, as it is visually displeasing.</li> </ul>
June Hall	3 Swarbrick Street Emu Point	<ul style="list-style-type: none"> <li>• Strenuously opposes any encroachment onto existing grassed areas for the creation of additional carparking near the Jetty.</li> <li>• Emu Point is a small area and needs all of the grassed areas to cater for the safety and recreation of children, families, aged and disabled persons, and visitors.</li> <li>• Emu Point is a unique quiet, grassy, tree lined area and should not be turned into an unappealing conglomerate of bitumen carparks and busy streets for a minority of users for a very brief period of each year.</li> <li>• The existing carpark at the boat harbour / jetty should be extended towards the toilet, which is identified as being relocated. This would seem logical.</li> <li>• Opposes any extension of Roe Parade to Swarbrick Street and would like to see the original Council resolution rescinded.</li> <li>• Option 3 is more acceptable and realistic with the extension of the Swarbrick Street footpath. However, and additional parking should only be on Roe Parade.</li> </ul>





**WORKS & SERVICES REPORTS**

**13.3 WORKS**

**13.3.1 Contract C03002 – Electrical Services Biennial 2003/2005**

<b>File/Ward</b>	: C03002 (All Wards)
<b>Proposal/Issue</b>	: Electrical Services for the City of Albany
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Co-ordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: That Council accepts tender C03002 from P&W Eloy Electrical Services for Electrical Services Biennial 2003/2005.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. Council's current contract for electrical services expired on 30<sup>th</sup> June 2003. In order for Council to maintain the current level of commitment for these works, Council is required to re-tender this service. Works are carried out on an 'as needs' basis.

**STATUTORY REQUIREMENTS**

2. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
3. Regulation 19 requires Council to advise each tender applicant in writing the result of Council's decision.

**POLICY IMPLICATIONS**

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

**WORKS & SERVICES REPORTS**

Item 13.3.1 continued

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

6. In the City of Albany’s 2020 Plan Charting Our Course, the following Port of Call is identified:

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

- Objective:  
To provide communities with quality buildings that are functional, well maintained and meet social and cultural needs.

**COMMENT/DISCUSSION**

7. A request for tenders was published in the Albany Advertiser on 12<sup>th</sup> & 13<sup>th</sup> June 2003 and the West Australian on 7<sup>th</sup> June 2003. A total of four tenders were issued, with three tender submissions received by close of tender. A late tender submission hand delivered to the Mercer Road Office was not accepted.
8. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>% Weight</b>
Cost	40
Relevant Qualifications, Skills & Experience	30
Safety Management	15
Reliability	15

9. The following table summarizes those rates and charges (including GST) submitted by prospective tender applicants for the supply of electrical services.

**WORKS & SERVICES REPORTS**

Item 13.3.1 continued

<b>Schedule of Rates/Prices</b>	<b>P&amp;W Eloy</b>	<b>Caramia Electrical</b>	<b>Blueback Building Services</b>
<b>Rate/Hour</b>	\$30.00	\$39.00	\$42.00
Minimum charge for Minor Call Out – Rate/Hour	\$22.00	\$30.00	\$42.00
<b>After Hrs Loading</b>	\$49.50 (in total)	\$40.00 call out plus standard rate	\$21.00
Supply Materials as required – adjusted for trade discount	-10%	Nil	Nil
Minimum Notice	30 minutes	60 minutes	4 hours
Evaluation Weighting	408.70	362.50	234.60

10. The contractor’s pricing and ability to respond to electrical emergencies are considered crucial elements of the response from a contractor. As can be seen by the table above, the tender from P&W Eloy satisfies Council’s requirements.

11. The level of service Council has received from the current contractor P & W Eloy has been very good. The contractor has been readily available to respond to any emergency and has provided a suitable sub contractor when required.

**RECOMMENDATION**

THAT Council accept the tender C03002 from P&W Eloy for Electrical Services Biennial 2003/2005 at the schedule of rates provided:

Schedule of Rates/Prices	P&W Eloy
Rate/Hour	\$30.00
Minimum charge for Minor Call Out – Rate/Hour	\$22.00
After Hrs Loading	\$49.50 (in total)
Supply Materials as required – adjusted for trade discount	-10%
Minimum Notice	30 minutes

*Voting Requirement Simple Majority*

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**WORKS & SERVICES REPORTS**

Item 13.3.1 continued.

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR EMERY**

**THAT Council accept the tender C03002 from P&W Eloy for Electrical Services Biennial 2003/2005 at the schedule of rates provided:**

<b>Schedule of Rates/Prices</b>	<b>P&amp;W Eloy</b>
<b>Rate/Hour</b>	<b>\$30.00</b>
<b>Minimum charge for Minor Call Out – Rate/Hour</b>	<b>\$22.00</b>
<b>After Hrs Loading</b>	<b>\$49.50 (in total)</b>
<b>Supply Materials as required – adjusted for trade discount</b>	<b>-10%</b>
<b>Minimum Notice</b>	<b>30 minutes</b>

**MOTION CARRIED 11-0**

**WORKS & SERVICES REPORTS**

**13.3.2 Contract C03007 – Trade Services Biennial (2003/2005)**

<b>File/Ward</b>	: C03007 (All Wards)
<b>Proposal/Issue</b>	: Trade Services for the City of Albany
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Depot Services Co-ordinator (J Harbach)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: That Council accepts tender C03007 from Havoc Builders & Renovators for Trade Services Biennial 2003/2005.
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. Council's current contract for trade services expired on 30<sup>th</sup> June 2003. In order for Council to maintain the current level of commitment for these works, Council is required to re-tender this service. Works are carried out on an 'as and when required' basis.

**STATUTORY REQUIREMENTS**

2. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
3. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

**POLICY IMPLICATIONS**

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

**WORKS & SERVICES REPORTS**

Item 13.3.2 continued

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

6. In the City of Albany’s 2020 Plan Charting Our Course, the following Port of Call is identified:

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

- Objective:  
To provide communities with quality buildings that are functional, well maintained and meet social and cultural needs.

**COMMENT/DISCUSSION**

7. A request for tenders was published in the Albany Advertiser on 12<sup>th</sup> & 13<sup>th</sup> June 2003 and the West Australian on 7<sup>th</sup> June 2003. A total of two tenders were issued, with only one tender submission received by close of tender.
8. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>% Weight</b>
Cost	50
Relevant Skills & Experience	40
Safety Management	10

9. The submitted tender was from Havoc Builders. The following table summarizes those rates and charges (including GST) submitted by Havoc Builders for the supply of trade services.

<b>All classifications of trade services work</b>	<b>Havoc Builders &amp; Renovators</b>
Rate/Hour (\$) - Tradesman	28.00
Rate/Hour (\$) – Trade Assistant	22.00
Minimum charge for Minor callout (\$)	1 Hour
After Hours Loading (\$)	Nil
Supply materials as required at current Trade List Price	0%
Minimum notice	Not advised

**WORKS & SERVICES REPORTS**

Item 13.3.2 continued

10. The tendered rates are consistent with current rate/hour charges.
11. Havoc Builders have provided an acceptable level of service during the current contract. They have the necessary skills and experience to carry out works as directed.

**RECOMMENDATION**

THAT Council accepts the tender C03007 from Havoc Builders & Renovators for Trade Services Biennial 2003/2005 at the listed rates.

All classifications of trade services work	Havoc Builders & Renovators
Rate/Hour (\$) - Tradesman	28.00
Rate/Hour (\$) – Trade Assistant	22.00
Minimum charge for Minor callout (\$)	1 Hour

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WELLINGTON**  
**SECONDED COUNCILLOR BOJCUN**

**THAT Council accepts the tender C03007 from Havoc Builders & Renovators for Trade Services Biennial 2003/2005 at the listed rates.**

<b>All classifications of trade services work</b>	<b>Havoc Builders &amp; Renovators</b>
<b>Rate/Hour (\$) - Tradesman</b>	<b>28.00</b>
<b>Rate/Hour (\$) – Trade Assistant</b>	<b>22.00</b>
<b>Minimum charge for Minor callout (\$)</b>	<b>1 Hour</b>

**MOTION CARRIED 11-0**



**WORKS & SERVICES REPORTS**

**13.3.3 Contract C03004 – Security Services Biennial 2003/2005**

<b>File/Ward</b>	:	C03004 (All Wards)
<b>Proposal/Issue</b>	:	Security Services for the City of Albany
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	N/A
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Depot Services Co-ordinator (J Harbach)
<b>Disclosure of Interest</b>	:	Nil
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	That Council accepts tender C03004 from Forte Security for Security Services Biennial 2003/2005.
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	N/A

**BACKGROUND**

1. Council's current contract for security services expires on 31<sup>st</sup> July 2003. In order for Council to maintain the current level of commitment for these works, Council is required to re-tender this service.

**STATUTORY REQUIREMENTS**

2. Regulation 18 of the Local Government (Functions and General) Regulations 1996 outlines a number of requirements relating to choice of tender. Council is to decide which of the acceptable tenders is the most advantageous to Council. It may also decline to accept any tender.
3. Regulation 19 requires Council to advise each tenderer in writing the result of Council's decision.

**POLICY IMPLICATIONS**

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

**WORKS & SERVICES REPORTS**

Item 13.3.3 continued

**FINANCIAL IMPLICATIONS**

5. Funds for this service are budgeted for each year in the various department's operating accounts.

**STRATEGIC IMPLICATIONS**

6. In the City of Albany's 2020 Plan Charting Our Course, the following Port of Call is identified:

*The continual development of Council services & facilities to meet the needs of all stakeholders.*

- Objective:  
To provide communities with quality buildings that are functional, well maintained and meet social and cultural needs.

**COMMENT/DISCUSSION**

7. A request for tenders was published in the Albany Advertiser on 12<sup>th</sup> June 2003 and the West Australian on 14<sup>th</sup> June 2003. A total of ten tenders were issued, with four tender submissions received by close of tender.
8. The tender documents included tender evaluation criteria using the weighted attribute method. This method scores the evaluation criteria and weights their importance to determine an overall point score for each tender. The criteria used for this tender is documented below:

<b>Criteria</b>	<b>% Weight</b>
Cost	40
Relevant Skills & Experience	20
Safety Management	10
Reliability of Contractor	20
Quality Accreditation	5
Other Considerations	5

9. An evaluation panel comprising Manager Customer Services, Manager Day Care Centre and Depot Services Coordinator evaluated the submissions received from contractors using the evaluation criteria detailed above.
10. The following table summarizes those prices (including GST) submitted by prospective contractors for the supply of security services to Council buildings and the overall evaluation score for each firm.

**WORKS & SERVICES REPORTS**

Item 13.3.3 continued

	Forte Security		Southcoast Security Services		Carree Security		Chubb	
Budget Year	2003/04	2004/05	2003/04	2004/05	2003/04	2004/05	2003/04	2004/05
Total Annual Night Watch Price	\$28,324.56	\$29,740.79	\$23,940.00	\$25,980.00	\$22,756.80	\$25,027.20	\$30,032.64	\$33,035.90
Total Annual Close & secure Public Toilets Price	\$6,480.00	\$6,804.00	\$8,280.00	\$9,000.00	\$6,206.40	\$6,825.60	\$8,190.72	\$9,009.79
Total Per Annum	\$34,804.56	\$36,544.79	\$32,220.00	\$34,980.00	\$28,963.20	\$31,852.80	\$37,223.36	\$42,045.70
Total Tender Price for 2 yrs	\$71,349.35		\$67,200		\$60,816.00		\$80,269.06	
Overall Evaluation Scores	329.00		316.00		261.90		159.25	

11. Forte Security came up as the highest scoring of the four firms.
12. Forte Security and South Coast Security have a system called a Smart Guard Unit, where individually numbered ID discs are placed on all buildings and the guard carries an electronic reader which, when touched to the disc, records the current date and time of visit. This information allows for accurate reports of visits by guards to ensure visits are carried out.
13. Forte Security is a local company who commenced trading in January 2001. Forte Security's tender demonstrated extensive knowledge and skill in all facets of security service delivery. In particular, the submission focused on their ability to adequately resource, manage and quality audit their operations.
14. Council also considers their proactive approach to process management and policy development reflected in the tender document to demonstrate Forte's strong commitment to providing a high level security service.
15. Carree Security have given a flat price quotation on all sites. This was thought inappropriate given the various locations and different security aspects of each site, for example, the Day Care Centre would have been charged as much as York St Administration for the Night Watch service.
16. Chubb Protective Services are a Perth Based firm who would have used Carree Security to carry out the services.

**WORKS & SERVICES REPORTS**

Item 13.3.3 continued

17. Whilst Carree Security and Southcoast Security achieved higher point scores for their pricing, other components in their tender submissions reduced their overall weighting scores.

RECOMMENDATION

THAT Council accept the tender C03004 from Forte Security for Security Services Biennial 2003/05 at a total cost of \$71,349.35 (inc. GST) for the two year period.

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WEST  
SECONDED COUNCILLOR EMERY**

**THAT Council accept the tender C03004 from Forte Security for Security Services Biennial 2003/05 at a total cost of \$71,349.35 (inc. GST) for the two year period.**

**MOTION CARRIED 11-0**

**WORKS & SERVICES REPORTS**

**13.4 AIRPORT MANAGEMENT**

**13.4.1 Aerodrome Operator Agreement**

<b>File/Ward</b>	: SER 097 (All Wards)
<b>Proposal/Issue</b>	: Aerodrome Operator Agreement
<b>Subject Land/Locality</b>	: Harry Riggs Regional Airport, Albany Highway
<b>Proponent</b>	: Airservices Australia
<b>Owner</b>	: City of Albany
<b>Reporting Officer(s)</b>	: Manager City Services (S Massimini)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: That Council accepts the proposal as outlined in the contract from Airservices Australia to operate and maintain the aeronautical telecommunication or radio navigation service at the Albany Airport for a further 3 years.
<b>Bulletin Attachment</b>	: Copy of Agreement proposed for 2003 - 2006.
<b>Locality Plan</b>	: Nil

**BACKGROUND**

1. Council owns and operates the Harry Riggs Regional Airport, and over a number of years, has acquired specialized aeronautical telecommunication systems. These systems are required under regulations to be maintained to specific standards. (ICAO annex 10).
2. Since the 14<sup>th</sup> of February 2001, Council has had a contract with Airservices Australia to maintain the radio navigation systems at the airport. This contract expired on the 30<sup>th</sup> of June 2003.
3. Airservices has now approached the City of Albany to continue the service for a further 3 years from the 1<sup>st</sup> of July 2003 till the 30<sup>th</sup> of June 2006.

**WORKS & SERVICES REPORTS**

Item 13.4.1 continued

4. Airservices Australia is the only organisation licensed to service the radio navigation systems in Australia at this point in time. As such, requesting tenders for the works would not be warranted or required.

**STATUTORY REQUIREMENTS**

5. Under section 3.18 of the Local Government Act 1995, the City of Albany is to satisfy itself that the services and facilities it provides are managed effectively and efficiently.
6. In accordance with Clause 11 (2)(f) of the Local Government (Functions and General) Act the Council may decide not to publicly invite tenders, due to the unique nature of the goods and services required, and where it is unlikely to have more than one potential supplier.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

8. Allocation of funds towards the maintenance agreement totals \$325,179.49 (incl. GST) consisting of five (5) equal payments of \$65,035.89 over the 3 year period. These costs have been allocated in the 2003/04 draft budget and in the Airport Masterplan.

**STRATEGIC IMPLICATIONS**

9. Failure to engage Airservices Australia would mean that the radio navigation equipment would not be tested and be certified for use. Any breakdowns would need be fixed on a piecemeal basis. It would most likely mean that the navigation aids would need to be closed down.
10. The City of Albany Strategic Plan – Albany 2020 Charting Our Course, has the following Port of Call:

Port of Call:-

- Transport Systems and services designed to meet current and future needs.

Objective:

To effectively and efficiently manage the City's transport infrastructure:

- To provide a high quality service;
- To meet Community expectations;
- To minimise life costs; and
- In alignment with transport plans.

**WORKS & SERVICES REPORTS**

Item 13.4.1 continued.

**COMMENT/DISCUSSION**

- 11. If Council is to continue to provide the navigation service to the flying community, it will need to engage with Airservices for the next three years. The costs associated with the maintenance and checking of those systems is high, however, it adds significantly to safety and the usability of the airport under various weather conditions.
- 12. This proposal fits within a preferred option from Council’s Airport Master Plan as it relates to the continued operation of the Instrument Landing System (ILS) at the airport. This item is the primary system used, and requires the most maintenance.
- 13. The Harry Riggs Regional Airport is the only airport outside of Perth to own and operate an ILS. Over the next three years Council will need to look at opportunities to expand the use of the airport that can help Council offset the costs of running the facility.
- 14. If Council were to shutdown the ILS it would reduce the attractiveness of the site for Aviation training schools or other financially significant airport users. At present, the airport’s revenue exceeds its expenditure, therefore the airport can cover the cost of maintaining the systems during this period of investigation.
- 15. At the end of the contract period, Council will need to review the ownership of the ILS in June 2006.

**RECOMMENDATION**

THAT Council accepts the proposal as outlined in the contract from Airservices Australia to operate and maintain the aeronautical telecommunication or radio navigation service at the Harry Riggs Regional Airport for a further 3 years.

*Voting Requirement Simple Majority*

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**MOVED COUNCILLOR WEST  
SECONDED COUNCILLOR WOLFE**

**THAT Council accepts the proposal as outlined in the contract from Airservices Australia to operate and maintain the aeronautical telecommunication or radio navigation service at the Harry Riggs Regional Airport for a further 3 years.**

**MOTION CARRIED 11-0**

**WORKS & SERVICES REPORTS**

**13.5 RESERVES PLANNING & MANAGEMENT**

**13.5.1 Draft Lowlands Coastal Reserve Management Plan**

<b>File/Ward</b>	: STR 108 (West Ward)
<b>Proposal/Issue</b>	: Draft Lowlands Coastal Reserve Management Plan.
<b>Subject Land/Locality</b>	: Lowlands Reserve (17464)
<b>Proponent</b>	: City of Albany
<b>Owner</b>	: City of Albany
<b>Reporting Officer(s)</b>	: Bushcare Coordinator (R Munro)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: Nil
<b>Summary Recommendation</b>	: Advertise for public comment the Draft Lowlands Coastal Reserve Management.
<b>Bulletin Attachment</b>	: Draft Lowlands Coastal Reserve Management Plan – to be tabled at the meeting
<b>Locality Plan</b>	: Attached

**BACKGROUND**

1. The Lowlands Coastal Reserve Management Plan (Draft) has been prepared by Landcare Consultant, David Henke, under the direction of the City's Environmental Planning Officer - Reserves. Coastcare/Coastwest grant monies were used to fund the preparation of this plan.
2. The development of this plan represents a collaborative approach with key stakeholders and the City of Albany. A Steering Committee was established with representatives from the City of Albany, Youngs Siding Progress Association and Coastcare to guide the development of this plan.
3. A well-attended community meeting was held earlier in March 2002 to gauge which issues should be addressed in the plan. Other key stakeholders that have been involved in the development of this plan include the Department of Indigenous Affairs, Young Sidings Fire Brigade, Department of Conservation and Land Management and the Albany 4WD Club.



**WORKS & SERVICES REPORTS**

Item 13.5.1 continued

3. In consultation with community groups and community members, the consultant considered issues and made recommendations for the following:
- Weed Control
  - Signage
  - Conservation of Flora & Fauna
  - Animal Exercise
  - Off-road Vehicle Management
  - Feral Animals
  - Land Tenure and Vesting
  - Fire Management
  - Visitor Risk Assessment
  - Car parking
  - Impact of Increased Visitation
  - Dieback

**STATUTORY REQUIREMENTS**

4. Under Section 3.18 of the Local Government Act 1995 it states that a local government is to satisfy itself that services and facilities that it provides are managed efficiently and effectively.

**POLICY IMPLICATIONS**

5. Management of Lowlands Reserve has been identified in the Reserves Masterplan, in priority order.

**FINANCIAL IMPLICATIONS**

6. In accordance with the Reserves Masterplan, a draft 2003/2004 Project Budget Proposal have been submitted for implementation of recommendations as identified in this plan. An application for a Coastcare/Coastwest grant has also been made (still pending) to assist with this implementation.

**STRATEGIC IMPLICATIONS**

7. The successful adoption and implementation this plan will positively contribute to the City of Albany's overall strategic direction, as outlined in "Albany 2020 Charting our Course". It directly contributes to the following Ports of Call.

*Managed Healthy Land/Harbour Environment*

**Reserve Management** – To manage reserves for environmental sustainability use, community enjoyment and benefit.

**Environmental Monitoring** – To identify and monitor, human and environmental hazards at the source.

**Environmental Education and Promotion** – To promote the health of the City's land and harbour through the raising of community environmental awareness.

**WORKS & SERVICES REPORTS**

Item 13.5.1 continued

**COMMENT/DISCUSSION**

8. This plan provides a framework to guide the direction of on-ground management of Lowlands Reserve. Increased visitation is leading to the degradation of natural, cultural and aesthetic values of the reserve. Through a process of community consultation, recommendations have been made to ensure a balanced and sustainable approach between a wide range of users is achieved. Key issues that have been addressed in this plan include off-road vehicle management, visitor safety, signage and weed management.
9. A Coastcare/Coastwest grant application has been submitted to implement recommendations from the Draft Lowland Coastal Reserve Management Plan. The grant focuses on the rehabilitation of the “Deeps Track”, for the provision of directional and safety signage and some weed control.

**RECOMMENDATION**

THAT Council advertise the Draft Lowlands Coastal Reserve Management Plan for public comment, for a period of 35 days, before being brought back to Council for consideration and adoption.

*Voting Requirement Simple Majority*

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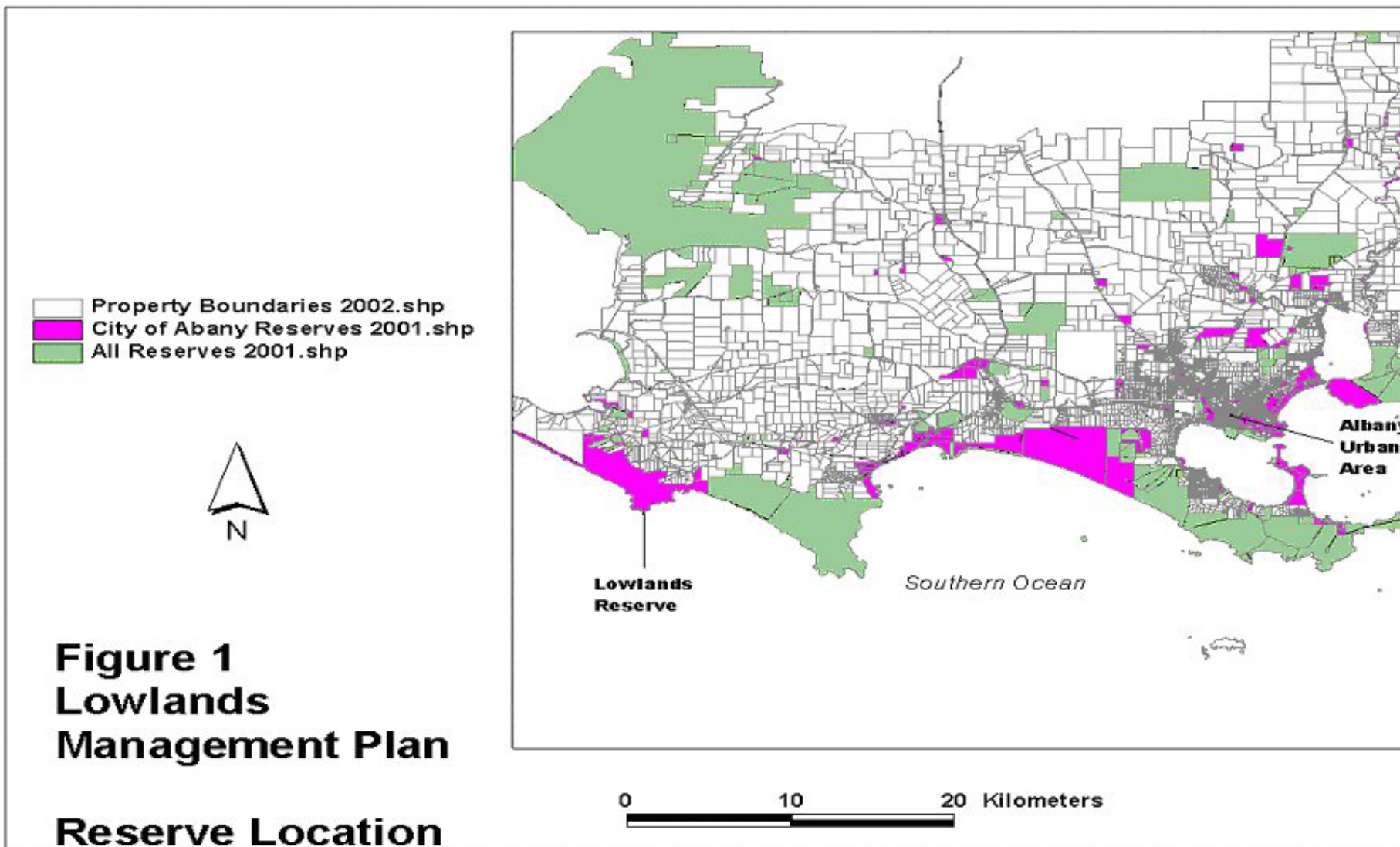
**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR BARTON**

**THAT Council advertise the Draft Lowlands Coastal Reserve Management Plan for public comment, for a period of 35 days, before being brought back to Council for consideration and adoption**

**MOTION CARRIED 11-0**

**WORKS & SERVICES REPORTS**

Item 13.5.1 continued



**13.6 WORKS & SERVICES COMMITTEES**

Nil

# **General Management Services**

## **REPORTS**

**GENERAL MANAGEMENT SERVICES TEAM**

**14.1 STRATEGIC DEVELOPMENT**

**14.1.1 Donation of a Railway Turn Table**

<b>File/Ward</b>	:	REL 102 (All Wards)
<b>Proposal/Issue</b>	:	Donation of Railway Turn Table
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	City of Albany
<b>Owner</b>	:	City of Albany
<b>Reporting Officer(s)</b>	:	Project Administration Officer (B Parker)
<b>Disclosure of Interest</b>	:	N/A
<b>Previous Reference</b>	:	Nil
<b>Summary Recommendation</b>	:	That Council donates the turntable to the Kojonup Tourist Railway Association.
<b>Bulletin Attachment</b>	:	Incoming correspondence
<b>Locality Plan</b>	:	N/A

**BACKGROUND**

1. Within the last two months, the City of Albany has received two requests from the Shire of Kojonup and Yarloop Workshops Inc for the old railroad turntable located at the Albany Port Depot.
2. This item was apparently given to the City of Albany a number of years ago, however no documentation exists of this transaction. After various enquiries with the Australian Western Railroad Pty Ltd, the turntable was formally given to the City of Albany on the 22<sup>nd</sup> May 2003.
3. The turntable is believed to be unique, in that there is very few in Australia that are restorable. Various community groups have endeavoured to utilize this facility in Albany by proposing to construct a destination for luxury locomotives. All attempts to utilize this facility have been unsuccessful.

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.1.1 continued.

4. The Shire of Kojonup has expressed an interest in the turntable on behalf of the Kojonup Tourist Railway Association. This community group is currently in the process of undertaking a major redevelopment project for which the turntable would be ideally adapted to their track configuration.
5. The Yarloop Workshops Inc plan to use the turntable adjacent to the current spur line in order to turn locomotives around for a return trip. It is envisaged by Yarloop Workshops Inc that by acquiring this turntable they would be able to attract more locomotives like the Hotham Valley Steam Train to their Workshop.

**STATUTORY REQUIREMENTS**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

9. The City of Albany's Strategic Plan states under the Port of Call: A reputation for professional excellence.

*“The City of Albany has undertaken to generate and maintain a reputation for professional excellence in the way it approaches all responsibilities, transactions and communication.”*

**COMMENT/DISCUSSION**

10. From the information available, it does not appear that community groups within the City of Albany could utilize this infrastructure within the foreseeable future.
11. The Yarloop Workshops Inc appear to be a rather established community facility, where as the Kojonup Tourist Railway Association are in the development stage of their railway.
12. Both Community groups have recently received grant money for the establishment of their railway facilities.

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.1.1 continued

13. If the Kojonup Tourist Railway Association were successful in their bid for the turntable, it would provide the Great Southern Region with another tourist attraction.

RECOMMENDATION

THAT;

- i) Council transfers ownership of the turntable located at the Albany Port Depot to the Kojonup Tourist Railway Association for the use of a tourist railway so that the facility can remain in the Great Southern Region; and
- ii) this transfer of ownership is subject to:
  - a) all removal and transport costs being borne by the Kojonup Tourist Railway Association;
  - b) the turntable being removed within 3 months of written advice that the transfer of ownership has been completed;
  - c) the proposal being subject to 28 days community consultation and no objections being received, otherwise the decision will be returned to Council for further deliberation; and
  - d) written agreement by the Australian Western Railroad Pty Ltd to the proposal.

*Voting Requirement Simple Majority*

.....

**MOVED COUNCILLOR BARTON  
SECONDED COUNCILLOR WEST**

**THAT Council advertise the proposal to transfer ownership of the railway Turn Table to the Kojonup Railway Association for a 28 day period, prior to consideration of the item.**

**MOTION CARRIED 11-0**

Reason:

Due to public concerns about the possible historical and tourism opportunities, it was considered reasonable to advertise the public submissions prior to consideration of the item.



**GENERAL MANAGEMENT SERVICES TEAM**

**14.1.2 Request Financial Contribution to Country Alliances, One Vote One Value Campaign**

<b>File/Ward</b>	:	GOV106 (All Wards)
<b>Proposal/Issue</b>	:	Financial Contribution to Country Alliances, One Vote One Value Campaign
<b>Subject Land/Locality</b>	:	N/A
<b>Proponent</b>	:	Great Southern Zone of W.A.L.G.A
<b>Owner</b>	:	N/A
<b>Reporting Officer(s)</b>	:	Chief Executive Officer (A Hammond)
<b>Disclosure of Interest</b>	:	N/A
<b>Previous Reference</b>	:	N/A
<b>Summary Recommendation</b>	:	That Council does not contribute financially to legal action opposing the appeal against the recent “One Vote One Value” decision.
<b>Bulletin Attachment</b>	:	Nil.
<b>Locality Plan</b>	:	N/A

**BACKGROUND**

1. The current State Government has been pursuing “one vote one value” legislative change as part of their political agenda and have recently suffered a Supreme Court Ruling which invalidated the vote of the President of the Legislative Council on the matter.
2. The State Government is now appealing this decision and the ‘Country Alliance’, made up of the Liberal and National Parties and farm lobby groups seeks financial assistance for the funding of legal opposition to the State’s appeal.

**STATUTORY REQUIREMENTS**

3. Local Government Act 1995 Section 3.1 provides that the general function of a Local Government is to provide for the good government of persons in its district. Given that a successful ‘one vote one value’ campaign could reduce electoral representation in the region, application of funds to the campaign pursuant to Section 6.7 (2) of the Act is acceptable.

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.1.2 continued

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

5. No funds for the purpose have been budgeted therefore a reallocation at the first quarterly financial review would be required.

**STRATEGIC IMPLICATIONS**

6. Albany 2020 Charting Our Course provides in the mission statement that the Council will *'advocate strongly to maximise opportunities offered by external influences and to minimize any adverse impacts'*.

**COMMENT/DISCUSSION**

7. The Great Southern Zone of W.A.L.G.A seeks Council support of the Country Alliance opposing the appeal by the State Government against the recent Supreme Court Decision invalidating voting procedures in the Legislative Council.
8. The zone also seeks a financial contribution towards legal costs for the matter and support for a request to W.A.L.G.A to facilitate a constitutional forum to discuss wanted or needed changes to the State Constitution.
9. Whilst the effect of 'one vote one value' would have serious impact upon State representation in rural areas, the current debate is essentially a political one between the conservative parties in opposition and the State Local Government.
10. Funding of the campaign could be seen as Council becoming involved in State Party political issues albeit for an issue that carries serious consequences for residents of regional Western Australia.

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.1.2 continued.

RECOMMENDATION

THAT Council;

- i) does not make a financial contribution to the Country Alliance campaign;
- ii) advises the W.A.L.G.A Great Southern Zone that it does not support a ‘one vote one value’ electoral system being instituted in Western Australia; and
- iii) supports the concept of a Constitutional Forum to discuss issues relating to the effectiveness of the State Constitution.

*Voting Requirement Simple Majority*

**MOVED COUNCILLOR WATERMAN  
SECONDED COUNCILLOR WILLIAMS**

**THAT Council;**

- i) contribute \$1000 to the Country Alliance Campaign and allocate expenditure at the first quarterly review;**
- ii) advises the W.A.L.G.A Great Southern Zone that it does not support a ‘one vote one value’ electoral system being instituted in Western Australia; and**
- iii) supports the concept of a Constitutional Forum to discuss issues relating to the effectiveness of the State Constitution.**

**MOTION LOST 2-9**

**MOVED COUNCILLOR BOJCUN  
SECONDED COUNCILLOR EVANS**

**THAT Council;**

- i) does not make a financial contribution to the Country Alliance campaign;**
- ii) advises the WALGA Great Southern Zone that it does not support a ‘one vote one value’ electoral system being instituted in Western Australia; and**
- iii) supports the concept of a Constitutional Forum to discuss issues relating to the effectiveness of the State Constitution.**

**MOTION CARRIED 11-0**

**14.2 ORGANISATIONAL DEVELOPMENT**

Nil.

**GENERAL MANAGEMENT SERVICES TEAM**

**14.3 ECONOMIC DEVELOPMENT**

**14.3.1 Ministerial Rate Exemption for U.W.A Lease of Old Post Office**

<b>File/Ward</b>	:	PRO 289 (Frederickstown Ward)
<b>Proposal/Issue</b>	:	Ministerial Rate Exemption for UWA Lease of Old Post Office
<b>Subject Land/Locality</b>	:	Lot B42 and B44 Stirling Terrace
<b>Proponent</b>	:	U.W.A Albany Centre
<b>Owner</b>	:	City of Albany
<b>Reporting Officer(s)</b>	:	Chief Executive Officer (A Hammond)
<b>Disclosure of Interest</b>	:	N/A
<b>Previous Reference</b>	:	N/A
<b>Summary Recommendation</b>	:	That Council request the Minister for Local Government to exempt rates for Lot B 42 and B44 Stirling Terrace, Albany
<b>Bulletin Attachment</b>	:	Nil
<b>Locality Plan</b>	:	N/A

**BACKGROUND**

1. On the 7<sup>th</sup> August 2001 the City of Albany entered into a lease with the University of Western Australia for a term of 20 years for the lease of the Old Post Office building at Lot B42 and B44 Stirling Terrace, Albany.
2. The lease document carries the usual conditions about the lessee being responsible for statutory outgoings, however U.W.A have advised that they have a statutory exemption from rates pursuant to their enabling Act of Parliament.
3. In order to regularise the matter, Council requires exemption from the Minister for Local Government to not levy rates on the leased land.

**STATUTORY REQUIREMENTS**

4. Local Government Act 1995 Section 6.26 (4) and (2) gives the Minister for Local Government the power to exempt rates.

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.3.1 continued

5. Local Government Act 1995 Section 6.26 (1) defines land that is exempt from rates. Universities are not exempt from rates under this legislation but seek protection from their own enabling statutes i.e. Curtin University of Technology Act 1996, Section 33 and University of Western Australian Act 1911, Section 36 exempts payments of taxes and rates on land vested in their control.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

7. The annual rates revenue derived from the property assessment based on the 2002/2003 financial year is levied would be approximately \$5000.

**STRATEGIC IMPLICATIONS**

8. Albany 2020 Charting Our Course provides for the attraction and development of a broad range of cultural, social and economic entities.

**COMMENT/DISCUSSION**

9. The rates levied upon the subject land have been queried by UWA’s legal representatives as exempt given their interpretation of ‘vesting’ as extending to land under leasehold tenure.
10. Councils’ legal advice provides that Council is entitled to charge rates on the land given their interpretation of ‘vesting’ as extending to the care and control of crown reserve land only.
11. Given that State Legislation generally exempts educational establishments from rates, it may be appropriate to seek ministerial exemption for the term of occupation of the property by U.W.A

**RECOMMENDATION**

THAT pursuant to Section 6.26 (2) and (4) of the Local Government Act 1995, Council request the Minister for Local Government to exempt rates on Lot B42 and B44 Stirling Terrace, Albany.

*Voting Requirement Simple Majority*

.....

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.3.1 continued.

**MOVED COUNCILLOR WOLFE  
SECONDED COUNCILLOR BOJCUN**

**THAT pursuant to Section 6.26 (2) and (4) of the Local Government Act 1995, Council request the Minister for Local Government to exempt rates on Lot B42 and B44 Stirling Terrace, Albany.**

**MOTION CARRIED 11-0**

**GENERAL MANAGEMENT SERVICES TEAM**

**14.3.2 Community Events Financial Assistance Program**

<b>File/Ward</b>	: FIN 061 (All Wards)
<b>Proposal/Issue</b>	: Consideration of applications for Financial Assistance under the Community Events Financial Assistance Program
<b>Subject Land/Locality</b>	: N/A
<b>Proponent</b>	: N/A
<b>Owner</b>	: N/A
<b>Reporting Officer(s)</b>	: Manager, Economic Development (J Berry) Chief Executive Officer (A Hammond)
<b>Disclosure of Interest</b>	: Nil
<b>Previous Reference</b>	: OCM 17/06/03 Item 14.2.1
<b>Summary Recommendation</b>	: Council adopt the recommendations for funding under the 2003 Community Events Financial Assistance Program
<b>Bulletin Attachment</b>	: Nil
<b>Locality Plan</b>	: N/A

**BACKGROUND**

1. The Community Events Financial Assistance Program is a competitive grants program of the City of Albany. The scheme is conducted in one round, with applications being invited in April and closing at the end of May. Council advertises its intention to consider applications for financial assistance under this scheme in local newspapers with all applications to be submitted by 30 May 2003.
2. Council provides a specific budget allocation for community event grants and in 2003, it is \$36,000. Funding for community event grants is provided on a dollar for dollar matching basis, with the community organisation being required to contribute the equivalent in cash or in-kind. The applicant must demonstrate that other funding opportunities have been investigated and that attempts to source other external funds have been or are being made.



**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.3.2 continued.

Organisations that are funded by a parent organisation that is Government, quasi government, professional or commercial in its foundation, or that is primarily funded by Government, quasi government, professional or commercial sources is not eligible for funding, other than in exceptional circumstances. Funding will not be provided for paid professional services, consultancies or the employment of personnel.

**STATUTORY REQUIREMENTS**

3. Financial regulations require that funding of Community Financial Assistance applications is subject to prior budget approval and budgeted expenditure limitation.

**POLICY IMPLICATIONS**

4. Council adopted the Community Events Policy on 17 June 2003. The policy is outlined below:-

***“Objective:***

*To increase the economic yield from tourism by sponsoring and developing significant events that become annual tourist drawcards.*

*To assist community based organisations and committees in conducting and managing events.*

***Strategic Alignment:***

***Professional Excellence***

***Community Events:***

*To promote Albany and facilitate the celebration of events and achievements of significance to the Albany Community.*

***Social Cultural and Economic Development***

*To encourage a vibrant community where all are encourage to participate and contribute*

***Tourism Development***

*To lead key tourism groups in establishing an integrated approach to visitor servicing district and area promotion and product development.*

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.3.2 continued

***Grant Types:***

*Icon Events*

*Events of State or Regional significance that can demonstrate on past performance that they will generate significant Tourism activity, stimulate large scale community interest and involvement and are conducted annually at the same time of the year*

*Community Events*

*Events of local or regional significant that stimulate community involvement and interest.*

*Sporting Events*

*Significant, and preferably the major event on a sporting organisations annual program.*

***Eligibility:***

*Not for profit organisations that are incorporated and can demonstrate the financial and human resources necessary to conduct the event applied for. Organisations qualifying for funding from State or Federal agencies must demonstrate assistance from those agencies in the funding application where practical.*

***Funding Round:***

*Applications close on the 31st of May each year.*

***Funding Pool:***

*The funding pool for Icon, Community and Sporting Events will be allocated via the annual budget process. Council may grant up to three years funding approval for Icon events.*

***Administration:***

*The Manager, Economic Development will make recommendations to Council on the allocation of events grants.*

***Delegation Of Authority:***

*Nil.”*

**FINANCIAL IMPLICATIONS**

5. Adoption of recommended funding approvals is subject to the expenditure limitation provided within the budget. In 2003, the limit is \$36,000 for the Community Event Financial Assistance Program.

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.3.2 continued

**STRATEGIC IMPLICATIONS**

6. Community Events Objective

To promote Albany and facilitate the celebration of events & achievements of significance to the Albany Community

Overall Performance Measure

Level of community support & participation.

Approach

- Recognise events and achievements through a program of appropriate events, for the benefit of the general community.
- Promote Albany by supporting suitable community events.

**COMMENT/DISCUSSION**

7. Applications for the Community Events Financial Assistance Program closed on 30 May 2003. There were 15 events seeking \$63,370 financial assistance from Council

8. There was a high diversity of applications including major regional festivals, theatre productions, equine events, heritage events, sporting and multi-cultural activities.

9. The funding recommendations presented are based on assessment against multiple criteria outlined in the Community Events Policy adopted in June 2003. Maintaining support for the diverse community-based activities which meet the Council’s social equity and cultural development objectives have also been recommended.

**RECOMMENDATION:**

THAT Council adopt the recommended funding allocations for the 2003/04 Community Event Financial Assistance Program

*Voting Requirement Simple Majority*

.....

*note:- The table to follow outlines the event applicants, recommended funding allocations and rationale for support using the Community Event Financial Assistance Program.*

Councillor Evans declared an impartiality interest. Nature of interest – his wife is a member of the Albany Sinfonia and Choral Society.

**GENERAL MANAGEMENT SERVICES TEAM**

Item 14.3.2 continued.

**MOVED COUNCILLOR EVANS**

**SECONDED COUNCILLOR WILLIAMS**

**THAT Council adopt the following funding allocations for the 2003/04  
Community Event Financial Assistance Program**

<b>Viewpoint Incorporated</b>	<b>1,800</b>
<b>Albany Boating &amp; Offshore Fishing Club (Inc)</b>	<b>3,000</b>
<b>Albany Vintage &amp; Classic Motorcycle Club Inc.</b>	<b>2,000</b>
<b>Perth International Arts Festival</b>	<b>8,570</b>
<b>Albany Sinfonia Inc.</b>	<b>1,650</b>
<b>The Caledonian Society of Albany Inc.</b>	<b>6,750</b>
<b>RAPiD</b>	<b>1,500</b>
<b>Friends of RSPCA</b>	<b>2,400</b>
<b>Down South Festival Inc.</b>	<b>4,000</b>
<b>City of Albany Band</b>	<b>\$1,570</b>
	Funded from the 2 <sup>nd</sup> Round of the Community Financial Assistance Program
<b>Spectrum Theatre Inc.</b>	<b>500</b>
<b>Albany Racing Club Inc.</b>	<b>3,000</b>
<b>Centrelink</b>	<b>Nil</b>
<b>Mission Kids Steering Committee</b>	<b>Nil</b>
<b>Major Lockyer Proclamation Society</b>	<b>800</b>

**MOTION CARRIED 9-2  
ABSOLUTE MAJORITY**

ORDINARY COUNCIL MEETING MINUTES – 15/07/03

\*\*REFER DISCLAIMER\*\*

GENERAL MANAGEMENT SERVICES TEAM

RECOMMENDED FUNDING ALLOCATIONS FOR 2003/04 COMMUNITY EVENT FINANCIAL ASSISTANCE PROGRAM								
	Applicant	Project Details	Grant Request	Total Cost	Other grants sponsorship	Officer Rec.	Rationale	Grant Type
1	Viewpoint Incorporated	2004 Viewpoint Craft Awards	1,800.00	14,760	Yes 5,710	1,800	Low tourism benefit as is mostly of interest to local residents., good track record in past. Grant to be used for Town Hall Hire <u>Recommendation:- Support with full funding</u>	C
2	Albany Boating & Offshore Fishing Club (Inc)	“Southern Ocean Spectacular” Offshore fishing competition	3,000.00	23,400.00	Yes 14,450	3,000	Medium tourism benefit. Participants travel to region from far afield. Attracts about 300 and families. Represents a good marketing opportunity for City of Albany <u>Recommendation:- Support with full funding</u>	C
3	Albany Vintage & Classic Motorcycle Club Inc.	Vintage & classic motorcycle hill climb.	2,000.00	20,422.00	Yes 4,300	2,000	Medium Tourism benefit. Has a 7 year history (good track record). People travel to Albany to participate. <u>Recommendation:- Support with full funding</u>	C
4	Perth International Arts Festival	PIAF – Arts Festival, Albany	10,000.00	138,000	87,750	10,000	Meets the criteria of the City’s major Icon event. Attracts world class acts to the region. First year was a success with Town Hall taking \$7,000. (Net grant by City would therefore be \$3,000). High tourism value with 3000 attendees at events and significant economic multiplier. Council assistance will leverage State and Commonwealth support to make this a regular event <u>Recommendation:- Support with full funding</u>	C#  <i>#Potential for Icon Status if successful in 2004</i>
5	Albany Sinfonia Inc.	Albany Proms 2003	1,650.00	3,300.00	No	Nil	This event is sustainable on the basis of gate takings <u>Recommendation:- Decline funding</u>	C
6	The Caledonian Society of Albany Inc.	Highland festival and games	9,000.00	42,800.00	Yes 8,500	5,000	Medium Tourism benefit, enhances multiculturalism.. Is held at Easter, a peak visitation period so enhances the diversity of activities for visitors and locals to experience <u>Recommendation:- Support with part funding</u>	C
7	RAPiD	International day of Disabled Persons – activities for schools and community	1,500.00	6,320.00	Yes \$4,070	1,500	Minimal tourist benefit, however is highly consistent with City’s social agenda as supports and empowers disabled community and promote equity and understanding <u>Recommendation:- Support with full funding</u>	C
8	Friends of RSPCA	Million Paws Walk	4,200.00	8,300.00	No	2,400	Low Tourism benefit. Good sponsorship and PR opportunity for the City due to media exposure and generally an excellent community cause with high participation by pet owners and wider community <u>Recommendation:- Support with part funding</u>	C
9	Down South Festival Inc.	Community music festival – living in harmony celebrations	7,500.00	96,500.00	Yes 24,500	4,000	Second year of the event and has a highly committed team of organisers with quality activities being organized. Has received GSDC and other funding support commitments. <u>Recommendation:- Support with part funding</u>	C

ORDINARY COUNCIL MEETING MINUTES – 15/07/03

\*\*REFER DISCLAIMER\*\*

GENERAL MANAGEMENT SERVICES TEAM

RECOMMENDED FUNDING ALLOCATIONS FOR 2003/04 COMMUNITY EVENT FINANCIAL ASSISTANCE PROGRAM								
	Applicant	Project Details	Grant Request	Total Cost	Other grants sponsorship	Officer Rec.	Rationale	Grant Type
10	City of Albany Band	Queens Cup - Bunbury	1,570.00	3,320.00	No	Nil	This is not a community event hosted by the applicant in Albany (it is in Bunbury). Not a priority under the scheme guidelines however may be eligible if future event is hosted in Albany. <u>Recommendation:- Decline funding</u>	C
11	Spectrum Theatre Inc.	State-wide One Act Play Writing competition	500.00	2,770.00	No	500	Inaugural event that meets the City's cultural objectives. <u>Recommendation:- Support with full funding</u>	S
12	Albany Racing Club Inc.	City of Albany Cup – Horse Racing	5,000.00	54,850.00	No	5,000	High tourism benefit. Further supports the City's quest to accelerate development of the equine industry through a major regional event. Major PR and recognition opportunity for the City of Albany <u>Recommended:- Support with full funding</u>	C
13	Centrelink	National Youth Week 2004 'Dudes Day Out'	4,850.00	9,803.00	No	Nil	No tourism benefit. Excellent feedback from last year, unfortunately Centrelink is a Commonwealth Government agency and is therefore ineligible to apply. <u>Recommendation:- Decline funding</u>	C
14	Mission Kids Steering Committee	Exhibition entitled 'Mission Kids' - Gnowangerup	10,000.00	27,511.00	No	Nil	This event is not hosted by the applicant in Albany and will be held in Gnowangerup. It has no other funding commitments and major funding should be sought from 'Bringing them Home' program of DIA. <u>Recommendation:- Decline funding</u>	C
15	Major Lockyer Proclamation Society	Re-enactment of the Official First Proclamation	800.00	1,846.00	No	800	Added entertainment (high exposure) for tourists in town. Also has heritage values that require City recognition. Has high level volunteer support and adds colour and vibrancy to city centre. <u>Recommended for full funding</u>	C
<b>TOTALS</b>			<b>\$63,370</b>			<b>\$36,000</b>		

Funds available for allocation this (one round) **\$36,000.00**

**Grant Types**

*(refer Community Events Council Policy adopted 17 June 2003)*

I = Icon

C = Community

S = Sporting

**4.3.3 Proposed Development of an L-Shaped Revetment with Jetty Facilities at Whaleworld**

- File/Ward** : MAN 100 (Vancouver Ward)
- Proposal/Issue** : The Great Southern Development Commission is seeking in-principle support for the concept of constructing an ‘L’ shaped rock revetment at Whaleworld as part of the Vancouver Waterways project.
- Subject Land/Locality** : A schematic drawing of the proposal is attached
- Proponent** : Great Southern Development Commission
- Owner** : N/A
- Reporting Officer(s)** : Manager, Economic Development (J Berry)
- Disclosure of Interest** : Nil
- Previous Reference** : N/A
- Bulletin Attachment** : Letter and submission from Great Southern Development Commission
- Summary Recommendation** : That Council advise the Great Southern Development Commission that its highest priority is for State Government funding to be directed toward minor upgrades and support infrastructure at the existing recreation boating facility at Murray Road.

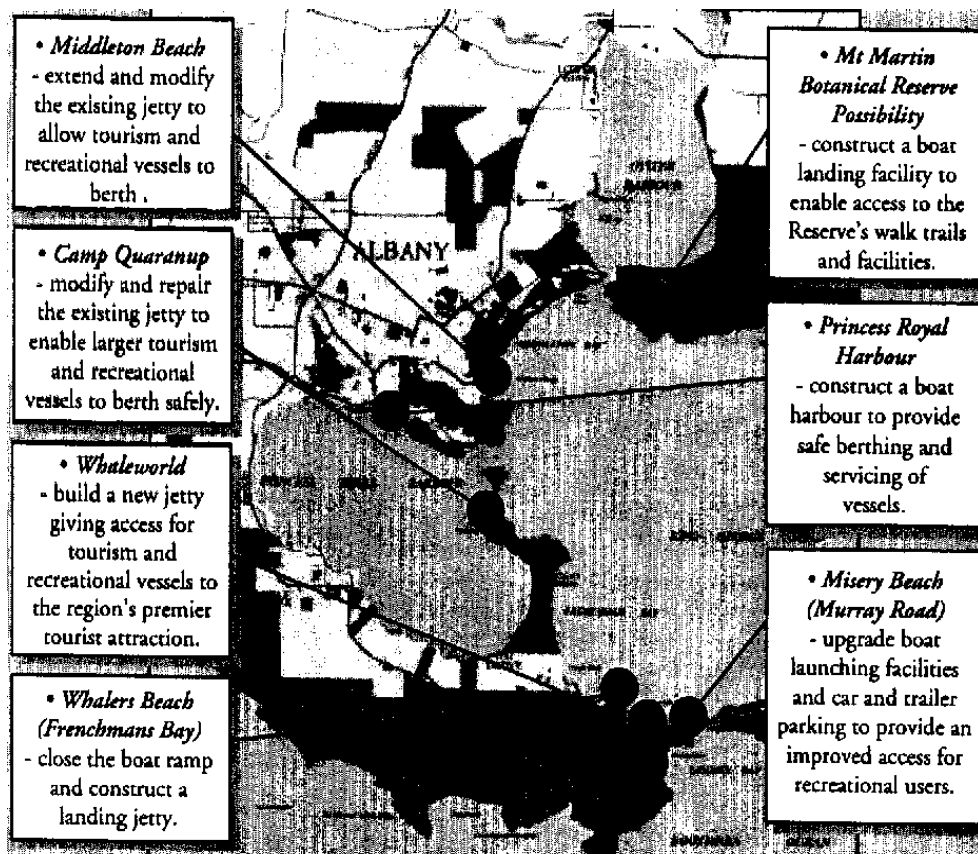
**Locality Plan**



Item 14.3.3 continued

**BACKGROUND**

1. The Vancouver Waterways (VWW) Study was commissioned by the Great Southern Development Commission to investigate a range of options for further development and integration of maritime infrastructure and support facilities around Albany. The final report was completed in May 2000 by a consortium of consulting firms including Clifton Coney Stevens; Space Consultants; Wood and Grieve; Ray Bird and Associates; and The Planning Group.
2. The study aimed to improve and increase waterways usage, promoting commercial maritime business activity, creating employment, increasing tourism yield and encouraging private sector investment in maritime industries.
3. The Vancouver Waterways can be identified as King George Sound, Oyster Harbour and Princess Royal Harbour. The report identifies seven key sites within these waterways for further development to provide improved integration as depicted below:-





Item 14.3.3 continued.

4. The report recommended development at the following sites:-
  - **Whaleworld** – build a new jetty giving access for tourism and recreational vessels to the region’s premier tourist attraction
  - **Middleton Beach** – extend and modify the existing jetty to allow tourism and recreational vessels to berth
  - **Camp Quararup** – modify and repair the existing jetty to enable larger tourism and recreational vessels to berth safely
  - **Princess Royal Harbour** - Construct a small boat harbour to provide safe berthing and servicing of vessels
  - **Whalers Beach (Frenchman Bay)** – close the boat ramp and construct a landing jetty
  - **Mt Martin Botanical Reserve** - construct a boat landing facility to enable access to the Reserve’s walk trails and facilities.
  - **Misery Beach (Murray Road)** – upgrade boat launching facilities and car and trailer parking to provide an improved access for recreational users.
5. Little Grove and Breaksea Island were also nominated in the report as good linkage points for an integrated tourism experience however they were not deemed priorities for government funding.
6. By improving and integrating the above sites, the project hopes to deliver effective and efficient marine infrastructure for use by the tourism industry, commercial fishing industry and recreational boating users.
7. In response to the report, Council established two working groups to further explore the implications of the recommendations at the local level. They were the:-
  - Maritime Recreational Advisory Committee (MRAC) to determine priority marine infrastructure requirements for recreational users and consider maintenance implications for Council

MRAC recommended the priority projects for recreational users are

  - a) Upgrading boat launching and parking facilities at Murray Road (Misery Beach) including water based infrastructure to assist launching and landing of boats. Frenchman Bay (Whalers beach) could then be closed;
  - b) Development of the jetty at Whaleworld for recreational use; and
  - c) Extension of existing jetty at Ellen Cove (Middleton Beach) for access by recreational users.
  - Albany Boat Harbour Reference Group (ABHRG) to investigate the business case for a small boat harbour and associated land based enterprises around the existing town jetty. ABHRG will continue to play an important role in advising and liaising with Council on the \$12.7million boat harbour.

## **POLICY IMPLICATIONS**

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

Item 14.3.3 continued.

### **STATUTORY REQUIREMENTS**

9. There are no statutory requirements relating to this matter.

### **FINANCIAL IMPLICATIONS**

10. There are no direct financial implications relating to this matter if Council declines maintenance and management responsibilities for the revetment and jetty. Any minor upgrades of the Murray Road boat ramp and support infrastructure would be the responsibility of Council.

### **STRATEGIC IMPLICATIONS**

11. The Albany 2020 states:-

*“PORT OF CALL - Attraction & development of a broad range of social, cultural and economic entities*

- ❖ *Economic Development - To identify & facilitate outstanding economic development opportunities for the City of Albany.”*

### **COMMENT/DISCUSSION**

12. The first stage of the Vancouver Waterways project is the ‘Whaleworld Cluster’, which aims to enhance the use of two world-class tourist attractions in Frenchman Bay, Whaleworld, and the former HMAS Perth dive site. The Whale World Cluster is intended to provide boat access to Whaleworld (e.g. for boat tour operators), and improve public boat launching facilities at Frenchman Bay.
13. Preliminary environmental and engineering investigations have been completed at Whalers Cove, Whaleworld and Murray Road, and extensive stakeholder and community consultation has also been undertaken. The site at Whalers Cove was rejected as a potential site for development, due to environmental considerations (such as potential sea grass loss); its high level of aesthetic value; and its importance as a swimming beach.
14. ***Work to Date***  
A number of development options have been progressed, based on the following reports:
- Halpern Glick Maunsell Pty Ltd, Vancouver Waterways Whaleworld Cluster of Projects, April 2002
  - DA Lords, Flora and Fauna Report for Proposed Car park Site at Misery Beach, December 2001
  - DA Lords, Sea grass Distribution at Misery Beach, Whaleworld and Whalers B, November 2001

Item 14.3.3 continued.

- Halpern Glick Maunsell, Pty Ltd, Vancouver Waterways Seabed Probing, July, 2002
- DA Lords, A Report of an Aboriginal Heritage Desktop Assessment of the Proposed Vancouver Waterways Project Whaleworld Development, Frenchman Bay, Albany, Western Australia, January 2002.
- DA Lords, Preliminary Assessment of Coastal Process, January 2003
- Halpern Glick Maunsell, Schematic Presentation of combined facility at Misery Beach/Murray road, September 2003
- Connell Wagner, Schematic Presentation of structure at Whaleworld, October 2003.

A key finding of these reports is the need for protection from the robust wave action for any marine facility developed.

15. ***Community Consultation***

The GSDC established a community reference group as part of its consultation process and comprised:

- City of Albany
- Dept of Environment
- Dept for Planning & Infrastructure
- Dept of Fisheries
- Dept Conservation and Land Management
- Albany Port Authority
- WA Tourism Commission
- Albany CCI
- Community representative

16. Groups consulted in April 2003 were:

- Frenchman Bay Association
- South Coast Progress Association
- Whaleworld
- Aquaculture industries
- Whale watching charters
- Dive charters

17. In addition, there was a public meeting at the South Coast Progress Association on 7 May, attended by 35 people. Two options were taken to the community:

- A facility at Whaleworld, COMBINED WITH a modest upgrade of facilities at Murray Road;

OR

Item 14.3.3 continued.

- A larger upgrade of facilities at Murray Road only (e.g. nothing at Whaleworld). This option was to cater for commercial and recreational users and its features would include:-
  - Single large breakwater, 60 m long and 1.8 m high
  - Jetty off breakwater
  - Twin boat ramps, with finger jetty between ramps
  - Removal of boulders/rocks from within embayment
  - Car park on land adjoining national park
  - Walkway to Whaleworld.
  
- 18. Its environmental effects were minimal
  - Loss of 0.10 hectares of sea grass (minor effect on ecology)
  - Sand movement re-directed slightly but not blocked - no sand accumulation expected
  - Car park area degraded (weeds, rubbish), and can be landscaped and planted to benefit national park.
  
- 19. This option was rejected by the community for the following reasons:
  - Not best option for tourism at Whaleworld, and doesn't build a tourism 'loop'
  - Not big enough, no tourism attractions/amenities (commercial charters)
  - Safety issue (false sense of security for inexperienced boaters)
  - Spoils natural charm of Murray Road area and impacts marine life – including the Leafy Seed Dragon, so any major work would require Commonwealth approval
  - As the breakwater was adjacent to the National Parks, it would take 2-3 years to excise the national park
  - Effects on aquaculture with more use of area (vandalism, water quality)
  
- 20. From the public consultation, most people and stakeholder agreed that some minor work could proceed at Murray Road. This could include better launching facilities, removing boulders in the water and improved amenities. The breakwaters were not supported by the community.
  
- 21. Various options were developed for Whaleworld as presented at the May Council briefing session. These included:
  - a stand alone jetty 70m to the west of Whaleworld, and
  - 'L'- shaped rock revert structures immediately adjacent to Whaleworld.
  
- 22. One of the reverts had a pontoon attachment requiring substantial height in the revert, the other, a jetty attachment to the revert, substantially reducing the revert height requirements.

Item 14.3.3 continued.

23. The community consultation resulted in the rock revert option with the jetty attachment being considered as the preferred development option. Features of this option include:
  - ‘L’- shaped rock breakwater (built over rocks off Whaleworld), e.g. 3.6 m above average sea level. This is the height of the rocks adjacent to Whaleworld
  - Attached jetty, anchored in rock.
24. Environmental effects were minimal, as assessed by DA Lords Science & Engineering, which included a loss of 0.05 hectares of sea grass with a minor effect on ecology. It should be noted that the total sea grass in King George Sound is 3,000 hectares.
25. Feedback from the community consultation indicated that, if the development went ahead, it should have public access, and may need to be slightly larger.
26. The on-going management of the proposed facility is currently being negotiated with the Jaycees Foundation and the Department for Planning and Infrastructure. While the Whaleworld jetty will have some commercial use, and generate a small income, it is unlikely that this will meet the full cost of the annual maintenance requirements.
27. Clifton Coney Stevens has costed the annual maintenance requirements at a maximum of \$12,500 a year.
28. The GSDC propose that the Whaleworld jetty should have public access and is seeking an indication from Council whether it would provide any assistance with maintenance (ranging from financial to professional advice). Any assistance would be subject to the results of a business plan of the facility

#### RECOMMENDATION

THAT Council advise the Great Southern Development Commission;

- i) it supports the concept of the revetment and jetty facility at Whaleworld;
- ii) considers the care, control and management of the facility to be the province of either the Department of Planning and Infrastructure – Maritime Division or Jaycees Community Foundation Inc, Whaleworld owner/operators; and
- iii) considers funding of a minor upgrade and installation of support infrastructure at the Murray Road launching facility to be the City’s highest maritime facility priority.

*Voting Requirement Simple Majority*

Item 14.3.3 continued.

**MOVED COUNCILLOR EVANS  
SECONDED COUNCILLOR BARTON**

**RECOMMENDATION**

**THAT Council advise the Great Southern Development Commission;**

- i) it supports the concept of the revetment and jetty facility at Whaleworld;**
- ii) considers the care, control and management of the facility to be the province of either the Department of Planning and Infrastructure – Maritime Division or Jaycees Community Foundation Inc, Whaleworld owner/operators;**
- iii) considers funding of a minor upgrade at the Murray Road launching facility to be the City's highest maritime facility priority; and**
- iv) considers the availability of community and state funding for the provision of a public boat ramp inside the break water of the revetment and jetty facility at Whaleworld (foot print).**

**MOTION LOST 4-7**

**MOVED COUNCILLOR EMERY  
SECONDED COUNCILLOR WELLINGTON**

**THAT Council advise the Great Southern Development Commission;**

- i) it supports the concept of the revetment and jetty facility at Whaleworld;**
- ii) considers the care, control and management of the facility to be the province of either the Department of Planning and Infrastructure – Maritime Division or Jaycees Community Foundation Inc, Whaleworld owner/operators; and**
- iii) considers funding of a minor upgrade and installation of support infrastructure at the Murray Road launching facility to be the City's highest maritime facility priority.**

**MOTION CARRIED 8-3**

**14.4 GENERAL MANAGEMENT SERVICE COMMITTEES**

Nil.

## 7.0 ELECTED MEMBERS' MONTHLY REPORT/INFORMATION BULLETIN

### 7.1 Elected Members' Report/Information Bulletin

#### DRAFT MOTION

THAT the Elected Member's Report/Information Bulletin, as circulated, be received and the contents noted.

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR WATERMAN**

**THAT the Elected Member's Report/Information Bulletin, as circulated,  
be received and the contents noted.**

**MOTION CARRIED 11-0**

## 16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

## 17.0 MAYORS REPORT

*"Fellow Councillors;*

*I would like firstly to thank all those who passed on their best wishes to me following further surgery on my back a fortnight ago. I am pleased to say that this surgery went very well and although still in some pain, my recovery is progressing as expected. I would also like to thank Deputy Mayor, Councillor Milton Evans for once again stepping in and so competently handling matters in my absence.*

*Prior to the operation, my appointment schedule was quiet light, however, I enjoyed a very pleasant morning at the Breaksea Ladies Probus Club meeting on Friday the 20<sup>th</sup> June. I was invited to attend as the guest speaker at this meeting and appreciated the opportunity for frank and open discussion with the group.*

*In my absence, Councillor Evans was thrilled to open the new dual use cycle path linking Bayonet Head to Middleton Beach and the CBD. This pathway has been well constructed with minimal impact on the environment and provides a safe route for users away from busy Lower King Road. The City of Albany Works and Services Teams were congratulated for the genuine pride they took in completing the project which can now be considered a truly world class facility.*

*Councillor Evans also launched NAIDOC Week last week with a simple but no less significant flag raising ceremony outside the Council offices in York Street. The focus this year for NAIDOC Week was on youth and a diverse program of events were conducted including Aboriginal story telling sessions in the Library. I congratulate Vernice Gillies and all her helpers for sharing and increasing awareness of this culture with the community.*

*On Wednesday last week, I officially launched the City of Albany Crest Design Concepts at the Library. All Albany residents and ratepayers can now cast their vote*



*for their favourite design and I urge everyone to either go into the library or view the designs on the City of Albany Website. It is important that you consider not just the visual appeal of each design but also understand the symbolism which gives each design specific meaning. Voting is open until the 18<sup>th</sup> August, so you have plenty of time to view and vote on this important milestone for Albany.”*

**MOVED COUNCILLOR SANKEY  
SECONDED COUNCILLOR WILLIAMS**

**THAT the Mayor Report be received.**

**MOTION CARRIED 11-0**

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

Nil.

**19.0 CLOSED DOORS**

**MOVED COUNCILLOR EMERY  
SECONDED COUNCILLOR SANKEY**

**THAT Council sit behind closed doors to discuss the following items:-**

**19.1 Scheme Non-Compliance – Occupation ‘Other Commercial’ Site Section 5.23 (2)(d) Local Government Act – Legal Opinion**

**19.2 Structural Adequacy – Retaining Wall – 11 Festing Street, Albany**

**MOTION CARRIED 11-0**

The public gallery left the Chambers at 9.15pm

The public returned to the Chambers at 9.20pm

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR BARTON**

**THAT Council come out from behind closed doors.**

**MOTION CARRIED 11-0**

**19.1 Scheme Non-Compliance – Occupation ‘Other Commercial’ Site Section 5.23 (2)(d) Local Government Act – Legal Opinion**

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR EMERY**

**THAT:**

- i) the Lockyer Avenue property owner:
  - (a) be made aware that a recent tenant occupied premises on his/her land contrary to the City of Albany Town Planning Scheme 1A;**
  - (b) be advised that Council will not pursue legal action against the landowner and/or tenant at this time but reserves the right to pursue legal action; and**
  - (c) be advised that Council will pursue legal action if any part of the building on the Lot is sub-let or leased contrary to the Scheme in the future.****
- ii) Staff be instructed to prepare a comprehensive information pack detailing those retailing activities which constitute “shop” and “bulky goods retailing” and that copies of the information pack be distributed to all real estate agents and commercial property owners as a matter of urgency; and**
- iii) Council instruct the Manager Development to issue instructions to any business within the Other Commercial Zone to comply with their legally issued Planning Scheme Consent.**

**MOTION CARRIED 11-0**

**7.2 Structural Adequacy – Retaining Wall – 11 Festing Street, Albany**

Councillor Wolfe, Councillor Williams, Councillor Waterman, Councillor Emery, Councillor Wellington supported the recommendation to have the motion of Item 19.1 OCM 17/06/03 revoked.

**MOVED COUNCILLOR WELLINGTON  
SECONDED COUNCILLOR EMERY**

**THAT Council, pursuant to Regulation 10(1) of the Local Government (Administration) Regulations 1996 rescind the decision of Council on the 17<sup>th</sup> June 2003, Item 19.1, which reads;**

***“THAT Council:***

- i) require M & L Roberts to:-
  - a. within 30 days to provide Council with evidence of an agreement executed by themselves and Crugnale Nominees engaging an independent engineer to specify the work that is required to remedy the deficiencies in the retaining wall at******

<p><i>Location AT67 (11) Festing Street as identified in the Cook Report.</i></p> <p><i>b. Within six months to complete the remedial work so specified under the supervision of the independent engineer;</i></p> <p><i>ii) Lodge a caveat upon the title to Location AT67 (11) Festing Street, Albany;</i></p> <p><i>iii) Authorise the Chief Executive Officer to issue a Section 401 (i) [sic] Notice under the Local Government (Miscellaneous Provisions) Act 1960 in the event that:</i></p> <p><i>a. Evidence of the agreement referred to in i) a) is not provided to Council within 30 days; or</i></p> <p><i>b. The remedial work specified by the engineer is not carried out within six months;</i></p> <p><b>AND</b></p> <p><i>advise the Minister for Local Government of the actions taken by Council.”</i></p> <p style="text-align: right;"><b>MOTION CARRIED 10-1 ABSOLUTE MAJORITY</b></p>
--

<p><b>MOVED COUNCILLOR WELLINGTON SECONDED COUNCILLOR EMERY</b></p> <p><b>THAT Council:</b></p> <p><b>i) accepts the findings of the Wood and Grieve report of the 5<sup>th</sup> June 2003 relating to the retaining wall at 11 Festing Street, Albany;</b></p> <p><b>ii) request Mr and Mrs Roberts, within the next 60 days to implement the additional work noted in the Wood and Grieve report to the satisfaction of the City’s Principal Building Surveyor; and</b></p> <p><b>iii) authorise the issuing of a Section 401(1) Notice under the Local Government (Miscellaneous Provisions) Act 1960, if the outstanding work nominated in the Wood and Grieve Report is not completed within 60 days.</b></p> <p style="text-align: right;"><b>MOTION CARRIED 10-1</b></p>
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**20.0 NEXT ORDINARY MEETING DATE**

Tuesday 19<sup>th</sup> August 2003, 7.30pm

**21.0 CLOSURE OF MEETING**

9.27pm

Confirmed as a true and correct record of proceedings.

---

A E Goode, JP  
Mayor

**APPENDIX A**

**WRITTEN NOTICE OF DISCLOSURE OF INTEREST  
MINUTES OF THE ORDINARY COUNCIL MEETING 15<sup>TH</sup> JULY 2003**

<b>Name</b>	<b>Item</b>	<b>Nature of Interest</b>
Councillor Wolfe	Item 12.2.2	Proposed new lease DJ Wolfe for Transmission Services. Councillor Wolfe is the owner of the subject property.
Councillor Evans	Item 14.3.2	Community Events Financial Assistance. Councillor Evans wife is a member of the Sinfonia and Choral Society

**APPENDIX B**

**INTEREST DISCLOSED DURING THE COURSE OF THE MEETING  
MINUTES OF THE ORDINARY COUNCIL MEETING 15<sup>TH</sup> JULY 2003**

<b>Name</b>	<b>Item</b>	<b>Nature of Interest</b>
Nil		

**APPENDIX C**

**CODE OF CONDUCT – INTERESTS (OTHER THAN FINANCIAL)  
DISCLOSED DURING THE COURSE OF THE MEETING  
MINUTES OF THE ORDINARY COUNCIL MEETING 15<sup>TH</sup> JULY 2003**

<b>Name</b>	<b>Item</b>	<b>Nature of Interest</b>
Nil		

[Agenda Item 12.1.1 refers]  
[COUNCIL – 15<sup>th</sup> July 2003 ]



### SUMMARY OF ACCOUNTS

Municipal Fund			
Cheques	totalling	447,599.62	
Electronic Fund Transfer	totalling	2,167,881.30	
Payroll	totalling	654,756.95	
<b>TOTAL</b>			<b><u><u>\$3,270,237.87</u></u></b>

### CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment totalling \$3,270,237.87 which was submitted to each member of the Council on 15<sup>th</sup> July 2003 has been checked and is fully supported by vouchers and invoices which are submitted to herewith and which have been fully certified as the receipt of goods and the rendition of services and as to prices, computations and costings and the amounts shown are due for payment.

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**CHIEF EXECUTIVE OFFICER**  
**(A Hammond)**

### MAYOR

I hereby certify that this schedule of accounts covering municipal and trust fund payments totalling \$3,270,237.87 which was submitted to the Council on 15<sup>th</sup> July 2003 and that the amounts are recommended to the Council for payment.

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**MAYOR**  
**(A Goode JP)**